

PLANNING PROPOSAL

REVISED SEPTEMBER 2018

For rezoning a portion of the site from R2 Low Density to B4 Mixed Use, increase in height and increase in floor space ratio at

**Nos. 53-69 Victoria Rd, No. 45 Day St
and No. 46 Thornley St, Drummoyne**



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1.0 INTRODUCTION

This Planning Proposal has been prepared for Day St No.1 Pty Ltd by Gary Shiels and Associates Pty Ltd (hereafter referred to as GSA Planning). GSA Planning has expertise in Urban Design, Environmental and Traffic Planning. Day St No.1 Pty Ltd have contracted to purchase Nos. 63-69 Victoria Road and No. 45 Day St. This Planning Proposal relates to these sites and includes the adjacent sites constituting the remainder of the street block, being No. 53 Victoria Road and No. 46 Thornley Street.

The Planning Proposal was originally submitted to Canada Bay Council in January 2016. Council's Strategic Planning Officers have reviewed the proposal and a report on the matter was presented to the Council Meeting on 20 September 2016. That report recommended the Planning Proposal be supported, subject to amendments to the proposed height and FSR controls. This Planning Proposal document was been amended to incorporate the recommendations of Council Staff. After lengthy Voluntary Planning Agreement (VPA) negotiations, the Planning Proposal was forwarded to the Department of Planning and Environment (DoP). It was requested that the document be updated to reflect the latest strategic policies and directions. This updated document is a response to that request.

In order to facilitate the redevelopment of the site, this Planning Proposal seeks amendments to the Canada Bay Local Environmental Plan (LEP) 2013 which are summarised as follows:

- Zoning:** B4 Mixed Use Zone for the entire site
Height: Base height of 14m with enabling clause to increase height on Nos. 63-69 Victoria Road to 20m where a site area of 2,500m² is achieved.
FSR: Base FSR of 1.7:1 to 2:1 with an enabling clause to increase the FSR to 2.25:1 across the entire site where a site area of 2,500m² is achieved.

In order to demonstrate the suitability of the proposed LEP amendments, detailed architectural modelling has been undertaken by Bonus and Associates architects. Submitted with this Planning Proposal is a Design Report which includes 3D modelling of potential building forms. A Stage 2 Contamination Report has also been prepared (as requested by Council) and is separately submitted.

The modelling is based on a mixed use commercial/residential development which is designed to comply with the amended development standards and is in accordance with the requirements of State Environmental Planning Policy (SEPP) No.65 – Design Quality of Residential Apartment Development (SEPP No.65) and the NSW DoP Apartment Design Guide (ADG). Importantly, the envelopes demonstrate compliance with the key amenity considerations including solar access, natural ventilation and privacy.

The Planning Proposal is intended to facilitate the mixed use redevelopment of the subject site. This would contribute to the renewal of Victoria Road, provide new accommodation in a highly sought after location and contribute a high quality, architecturally designed development to the existing built form of Canada Bay.

Visually, the planning proposal would result a development which is similar in scale to that which is permissible on the opposite side of Day Street but that transitions down towards Thornley Street to relate favourably to the lower density development adjacent to this end of the site. Currently, the height and density changes abruptly at Day Street and therefore the proposal results in an improved urban design outcome.

This Planning Proposal has been prepared in accordance with Section 3.33 (previously 55) of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'. Following this introduction are five sections. Section 2.0 provides the background to the Planning Proposal, Section 3.0 identifies the site, Section 4.0 contains the Planning Proposal and Section 5.0 concludes the report.

2.0 SITE IDENTIFICATION

2.1 The Site

The subject site is located in Drummoyne approximately 5km west of the Sydney CBD, 3km from Five Dock town centre and is located within the Local Government Area (LGA) of City of Canada Bay.

For the purpose of this report, the frontage to Victoria Road will be referred to as the northern frontage. The subject site comprises eight allotments bounded by Day Street to the north, Victoria Road to the east, Thornley Street to the south and Formosa Street to the west (see Figure 1). These sites are described as:

- No. 53 Victoria Road (Lots 6, 7 & 8 of DP 136422 and Lot 9, Section 6 of DP 862);
- Nos. 63-69 Victoria Road (Lot 10 of DP 625084);
- No. 45 Day Street (Lots 1 and 2, Section 6 of DP 862); and
- No. 46 Thornley Street (Lot 10, Section 6 of DP 862)



(Source: SIX Maps, 2018)


 **Subject Site**

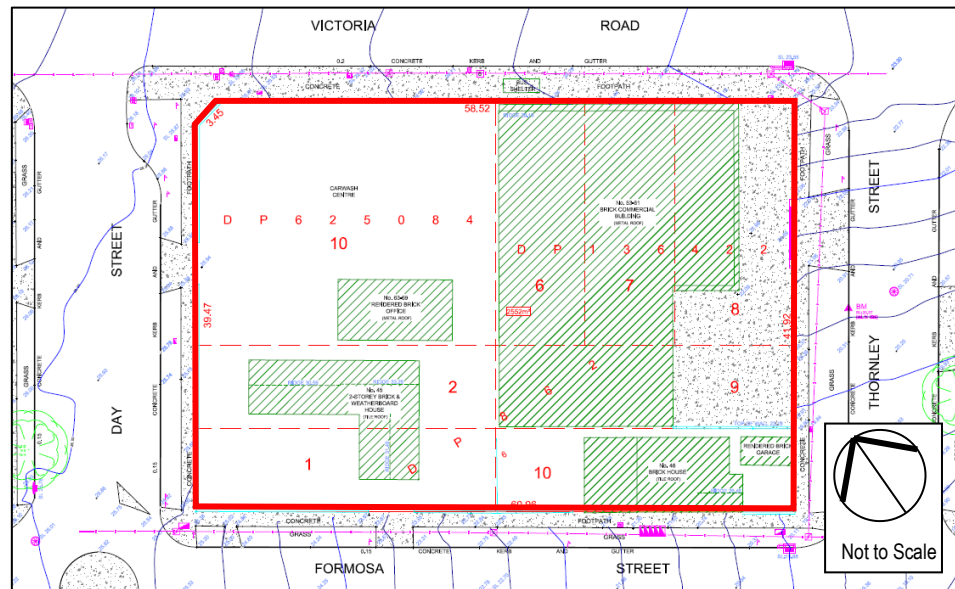
Figure 1: The Subject Site

Day St No.1 Pty Ltd has contracted to purchase Nos. 63-69 Victoria Road and No. 45 Day St and this will be referred to as the western portion of the site. No. 53 Victoria Road and No. 46 Thornley Street are not owned by our client and will be referred to as the eastern portion of the site.

For the purpose of this Planning Proposal, the combined sites will be referred to as the subject site. The subject site is a rectangular parcel of land, with a northern frontage to Victoria Road of 58.52 metres, an eastern frontage to Thornley Street of 41.92 metres, a southern frontage to Formosa Street of 60.96 metres and a western

frontage to Day Street of 39.47 metres with a corner splay on the north-eastern corner. This provides a total site area of 2,552m² (see Survey Plan and Figure 2).

The site is sloped to the south, with a fall of 5.41 metres (AHD 25.52 – AHD 20.11) along Formosa Street to the south-east and a fall 3.53 metres (AHD 23.64 – AHD 20.11) along Thornley Street to the south-west. The subject site has a cross fall of 5.72 metres from the intersection of Day Street and Victoria Road to the intersection of Thornley Street and Formosa Street (AHD 25.83 – AHD 20.11).



(Source: Daw & Walton, August 2015)

Subject Site

Figure 2: Survey Plan

2.2 Existing Built Form

Nos. 63-69 Victoria Road is currently used as limousine and hire car company, with built form on the site comprising a small rendered brick office building with a metal roof, as well as various shade clothes and paved areas for parking of vehicles (see Photograph 1 on the following page). A 'pop up' takeaway food premises inside a shipping container is also currently on site. Vehicular access is available from Day Street via a 4.5m crossing. There is no vegetation currently on site, however a number of trees are located within the setback to Day Street.



Photograph 1: Nos. 63-69 Victoria Road, as viewed from Victoria Road

No. 53 Victoria Road is currently occupied by Ambulance NSW, comprising a brick commercial building with a flat metal roof (see Photograph 2). A concrete driveway with an 8m crossing on Thornley Street leads to a garage area for ambulance vehicles. The building is built to the boundary on the northern, eastern and western sides and houses the ambulance vehicles as well as associated administrative facilities. A number of trees are planted within the setback to Thornley Street, however the site is predominately occupied by paving and the building footprint.



Photograph 2: No. 53 Victoria Road, as viewed from Thornley Street

No. 46 Thornley Street comprises a single storey brick house with a tiled roof on the corner of Thornley Street and Formosa Street (see Photograph 3 on the following page). A detached brick garage provides parking for one vehicle and is accessible from Thornley Street. The dwelling appears to be built to the boundary on the Formosa Street frontage, with a small grass area within the front setback and a paved rear yard.



Photograph 3: No. 46 Thornley Street, as viewed from Thornley Street

No. 45 Day Street comprises a two storey brick and weatherboard house with a tile roof set behind a brick fence. Vehicular access is available from Formosa Street. The site has a swimming pool located near the corner of Formosa and Day Streets, as well as sections of lawn area and a number of small trees (see Photograph 4).



Photograph 4: No. 45 Day Street, as viewed from Formosa Street

(Source: Google Maps 2017)

2.3 The Surrounds

2.3.1 Locality

The subject site is located in close proximity to a number of shops and services as well as recreational areas. Birkenhead Point Outlet Centre is approximately 400m east of the subject site, comprising 120 retail stores and Coles and Aldi supermarkets. An IGA supermarket is also located 650m north-west of the subject site.

Brett Park is in close proximity to the subject site and leads down to Iron Cove which forms part of Sydney Harbour. The Bay Run which is continuous footpath that encircles much of Iron Cove is accessible near the subject site. Dunlop Reserve and Drummoyne Oval are both within 800m of the subject site. Nearby schools include Drummoyne Public School and St Mark's Catholic Primary School.

2.3.1 Immediate Context

Development in the surrounding area is generally commercially focused along the Victoria Road corridor ranging from one to four storeys, with residential development in the surrounding streets (see Figure 3 below and 4 on the following page). Some shop top housing is evident on Victoria Road to the north of the subject site as well as at Birkenhead Point to the east of the subject site.

Residential development in the locality is predominately free standing dwelling houses of one to two storeys, with some residential flat buildings to the north and west of the subject site. The area is expected to undergo some form of urban renewal along the Victoria Road corridor. A six storey mixed use building has recently been constructed in close proximity to the subject site at Nos. 77-105 Victoria Road and is detailed further below.

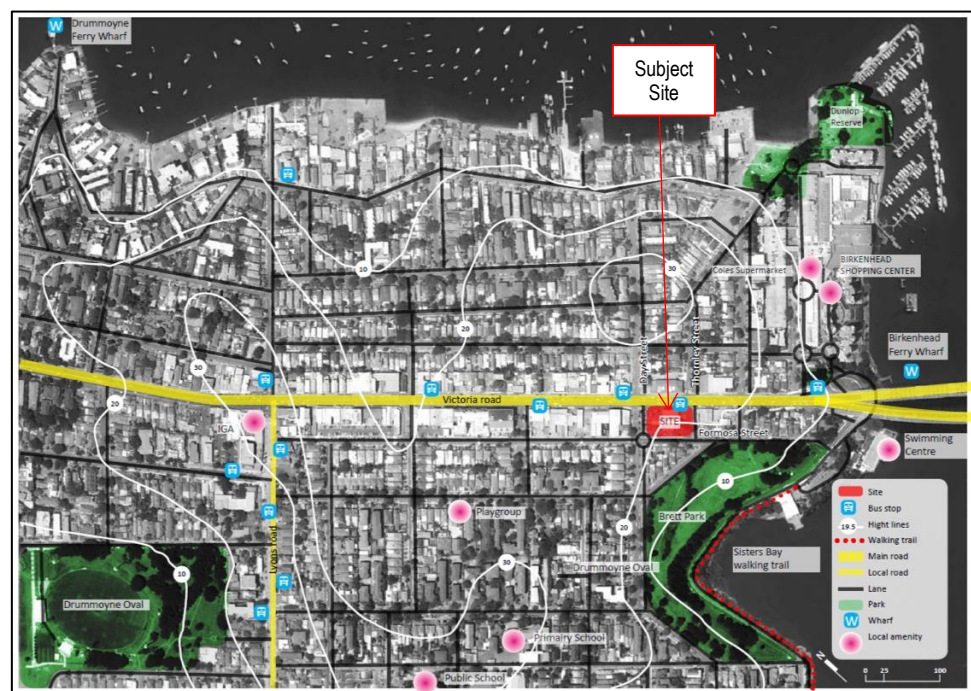


Figure 3: Context Map
(Source: Bonus + Associates 2015)



Figure 4: Aerial Perspective Map
(Source: Google Maps, 2018)

Heritage

The subject site is located diagonally opposite a heritage conservation area along the western side of Formosa Street and approximately 182m from the nearest heritage item (I90) (see Figure 5). The proposed built form will provide a transition towards the Formosa Street Conservation Area. The site is separated by Victoria Road buildings opposite, from the Renwick Street Conservation Area. This is approximately 95m to the north and north-east on Renwick Street (see Figure 5).

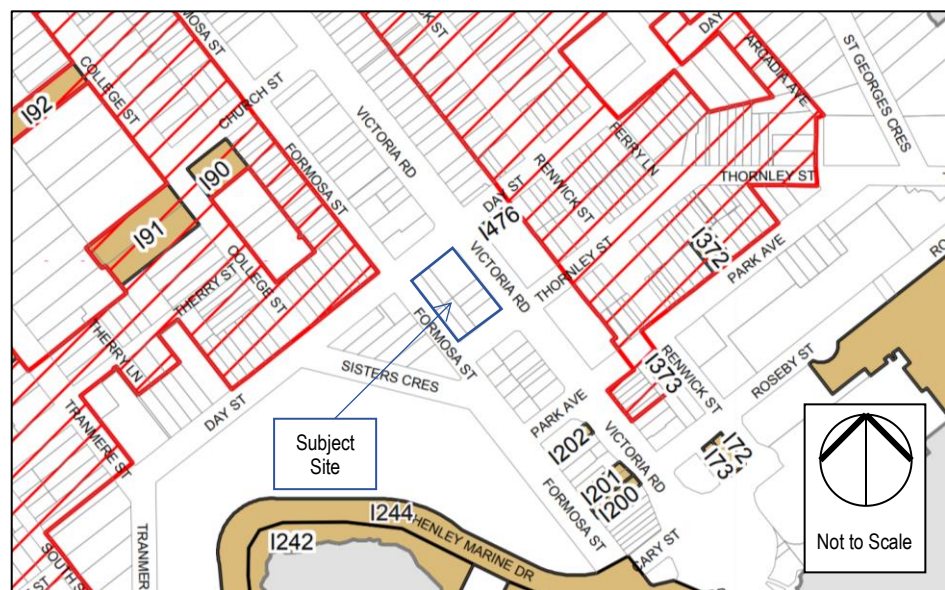


Figure 5: Heritage Map
(Source: LEP, 2013)

Development to the North

To the north, on the opposite side of Day Street is No. 71 Victoria Road, comprising a single storey commercial building currently occupied by a 24-hour gymnasium. Also to the north is Nos. 73-75 Victoria Road, comprising a two storey commercial building with two tenancies (see Photographs 5 and 6). These buildings have the potential for significant additional height and density, consistent with Nos. 77-106 Victoria Road.



Photograph 5: Development to the north on the opposite side of Day Street being the rear of Nos. 71-75 Victoria Road, as viewed from the intersection of Day Street and Formosa Street



Photograph 6: Development to the north along Victoria Road, as viewed from Victoria Road looking north (construction on Nos. 77-105 has since been completed; Source: Google Maps 2018)

Further to the north is Nos. 77-105 Victoria Road, which contains a recently constructed 6 storey mixed use comprising 164 apartments, 11 commercial tenancies and 3 retail tenancies with car parking for 314 vehicles. The development has a maximum height of 21.9m and an FSR of 2.99:1 (see Figure 6). This creates an abrupt change in height at Day Street and no effective transition down to built form with lower height and scale.



Figure 6: Artist's Rendering of Recently Constructed Development at Nos. 77-105 Victoria Road
(Source: Fender Katsalidis Mirams Architects)

Development to the East

To the east on the opposite side of Victoria Road are a number of two storey commercial properties. Nos. 48-60 Victoria Road comprises 12 commercial suites with vehicular access from access from Thornley Street (see Photograph 7). No. 64 Victoria Road comprises two commercial tenancies with vehicular access from Day Street. Also to the east on the opposite side of Victoria Road is a service station at Nos. 36-46 Victoria Road (see Photograph 8). Development further to the east comprises predominately single storey residential development reflective of the R2 zoning.



Photograph 7: Development to the east at No. 64 and Nos. 48-60 Victoria Road, as viewed from Victoria Road, looking east



Photograph 8: Development to the east at Nos. 48-60 Victoria Road, as viewed from Victoria Road, looking north

Development to the South

To the south on the opposite side of Thornley Street is No. 39-45 Victoria Road, comprising a service station and vehicle repair station (see Photographs 9 and 10). Also to the south on the opposite side of Thornley Street is No. 42 Formosa Street, comprising a single storey semi-detached dwelling with vehicular access from Thornley Street (see Photograph 11 on the following page). Further to the south is residential development along Formosa Street and an outdoor recreation area known as Brett Park (see Photograph 12 on the following page).



Photograph 9: Development to the south at Nos. 39-45 Victoria Road, as viewed from Thornley Street



Photograph 10: Development to the south at Nos. 39-45 Victoria Road, as viewed from Victoria Road



Photograph 11: Development to the south at No. 42 Formosa Street, as viewed from Formosa Street



Photograph 12: Brett Park further to the south, as viewed from intersection of Formosa

Development to the West

To the west on the opposite side of Formosa Street are Nos. 2-10 Sisters Crescent and No. 47 Day Street which comprise a number of single and two storey detached residential dwellings (see Photographs 13 and 14). The dwellings fronting Sisters Crescent have vehicular access from Formosa Street at the rear. Further to the west on the opposite side of Sisters Crescent is Brett Park and residential development along Day Street.



Photograph 13: Development to the west at Nos. 2-10 Sisters Crescent, as viewed from Formosa Street



Photograph 14: Development to the west at No. 47 Day Street, as viewed from Day Street

2.4 Surrounding Road and Public Transport Network

According to the Roads and Maritime Services (RMS) established road hierarchy, Victoria Road is classified as a state road. Day Street, Formosa Street and Thornley Street are classified as local roads. Further details regarding the surrounding road network are outlined in the Traffic and Parking Assessment Report prepared by Gennaoui Consulting (separately submitted).

The subject site is accessible via the bus network from Victoria Road with nineteen routes servicing the corridor (see Figure 7 on the following page).

These services include:

- 500 – Ryde to Sydney CBD
- 501 – West Ryde Station to Central Station
- 502 – Bayview Park to Sydney CBD
- 504 – Chiswick to Sydney CBD
- X04 – Sydney CBD to Chiswick
- 508 – Drummoyne to Sydney CBD
- 510 – Ryde to Sydney CBD
- 515 – Eastwood to Sydney CBD
- X15 – Eastwood to Sydney CBD (Express)
- 518 – Macquarie University to Sydney

- 505 – Woolwich to Sydney CBD
- X06 – Macquarie University to Sydney CBD (Express)
- 506 – Macquarie University to Sydney CBD
- 507 – Macquarie University to Sydney CBD
- X18 – Macquarie University to Sydney CBD
- 520 – Parramatta to Sydney CBD
- M50 – Drummoyne to Coogee via Sydney CBD
- M52 – Parramatta to City Circular Quay

The site is also within 1.4km of Drummoyne Ferry Wharf.

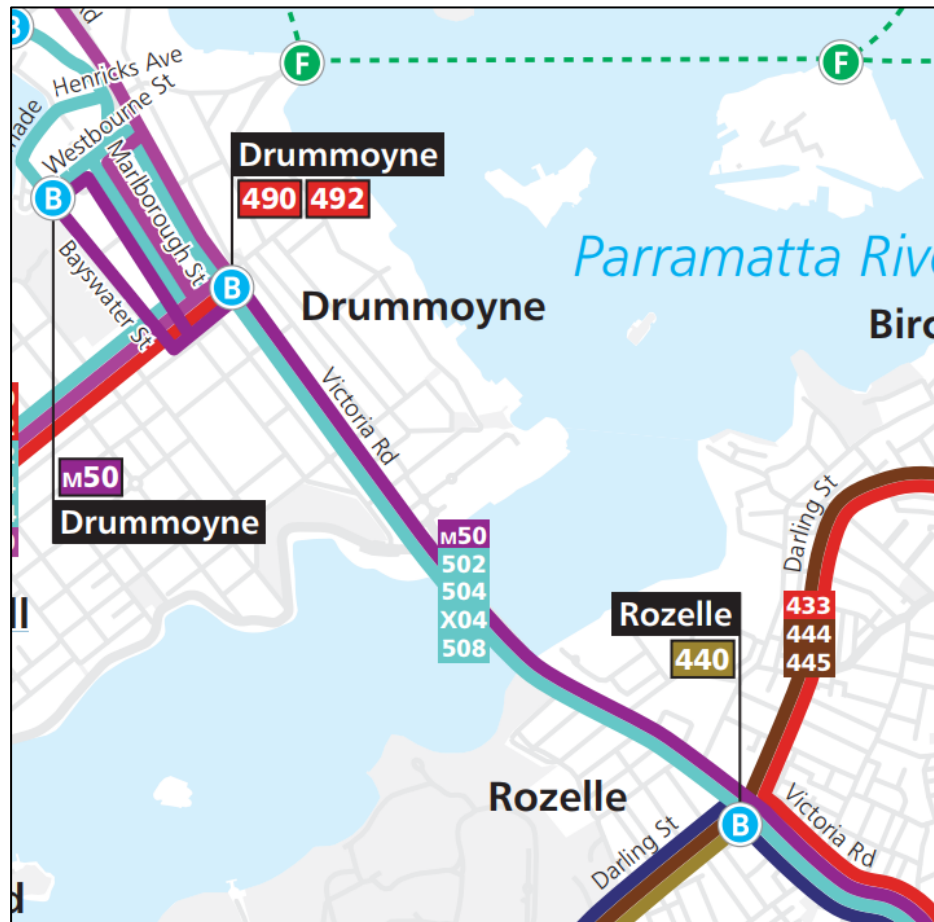


Figure 7: Surrounding Bus Network

3.0 THE PLANNING PROPOSAL

This section will present the planning proposal and set out the proposed amendments to the Canada Bay LEP 2013. The Planning Proposal section is structured in accordance with the NSW DoP Guideline and responds to each of the matters identified in that document. It will outline the objectives and intended outcome of the amendments; explain the proposed provisions; justify the Planning Proposal in accordance with the questions posed by the guidelines; indicate what mapping amendments are to be made and provide details of community consultation that will be undertaken at later stages.

The Guideline indicates that Planning Proposals generally should not consider specific detailed matters that would be dealt with at DA. Conversely, it states that Council and the community needs to be confident that the controls are an acceptable outcome. To this end, preliminary 3D modelling has been undertaken by Bonus and Associates which indicates the built form that could be achieved on the site based on the requested controls and that considers key planning considerations, such as compliance with SEPP No. 65. These matters will be dealt with briefly in this Section however, a more detailed analysis of the key planning issues is contained in Section 4.0.

In our opinion, the rezoning of portions of the subject site, and the proposed amendments to the height and FSR development standards, are a good planning outcome for the subject site. The subject site is very well serviced by public transport, located in an area with a large range of residential support services and has potential to significantly contribute to the urban renewal of the Victoria Road corridor.

Council's recently gazetted planning controls apply heights up to 20m and FSRs up to 3:1 to sites in the vicinity along Victoria Road while the subject site has controls of 8.5m and 0.5:1 to 1:1. The change in planning controls occurs abruptly at Day St and there is no effective transition from the 20m height, down to 8.5m. The Planning Proposal would allow for built form that is consistent with the adjoining development scale however, steps down on the eastern portion of the site providing the abovementioned transition. To the rear, along the entire site, the interface with residential properties on the opposite side of the street will also be lower scale.

3.1 Objectives and Intended Outcomes

This section will state the objective of the Planning Proposal and provide a brief overview of the intended outcome.

3.1.1 Objective of the Planning Proposal

The objective of the Planning Proposal is to facilitate a development that comprises a continuation of the permissible built form on the western side of Day Street while transitioning down in height and density on the eastern half of the site.

3.1.2 Intended Outcome of the Planning Proposal

The intended outcome of the Planning Proposal is to apply a B4 Mixed Use zone to the entire site and apply development standards that will facilitate a redevelopment with the abovementioned consistent and transitional built form.

3.2 Explanations of Provisions

This section will explain the key existing planning controls that apply to the subject site, and will compare them to the controls that will be applied to the subject site as a result of this Planning Proposal. The proposed changes would be implemented via amendments to the mapping accompanying Canada Bay LEP 2013 and there is no proposed amendment to the written instrument.

It is proposed to amend the zoning, height and FSRs that applies to the site. Importantly, the changes to the height and FSR will facilitate a built form that is a consistent development outcome and will reduce the likelihood of a poor bulk/scale interface. On the western portion, the height and FSR will continue the form of Nos. 77-105 Victoria Road. On the eastern portion of the site, the height and FSR will step down to provide a transition down to lower densities on surrounding streets.

In our opinion, the proposed amendments to the LEP are the most appropriate manner to satisfy the objective and intended outcome of the Planning Proposal. The proposed controls sought for the subject site (which are consistent with the Council recommendation) are as follows:

Site Address	Land Use Zone	Height of Building (m)
63-69 Victoria Road	B4 Mixed Use	14*
45 Day Street	B4 Mixed Use	14
53 Victoria Road	B4 Mixed Use	14
46 Thornley Street	B4 Mixed Use	14

**Includes recommendation of additional site-specific provision to provide for a bonus maximum building height to 20m where a total site area of 2,500m² is achieved*

Site Address	Proposed Floor Space Ratio	
	No site amalgamation	Site amalgamation
63-69 Victoria Road	2.1:1	2.25:1*
45 Day Street	2.1:1	2.25:1*
53 Victoria Road	1.7:1	2.25:1*
46 Thornley Street	1.7:1	2.25:1*

**Where the site is amalgamated and achieves a minimum site area of 2,500m²*

In order to demonstrate the suitability of the proposed LEP amendments, detailed architectural modelling has been undertaken by Bonus and Associates architects. Submitted with this Planning Proposal is a Design Report which includes 3D modelling of potential building forms.

The existing and proposed controls that apply to the site will now be considered in detail.

3.2.1 Existing and Proposed Zoning

Existing Zoning

Two zonings currently apply to the subject site. Nos. 53-69 Victoria Road are zoned B4 Mixed Use while No. 45 Day Street and No. 46 Thornley Street are zoned R2 Low Density Residential (see Figure 8).

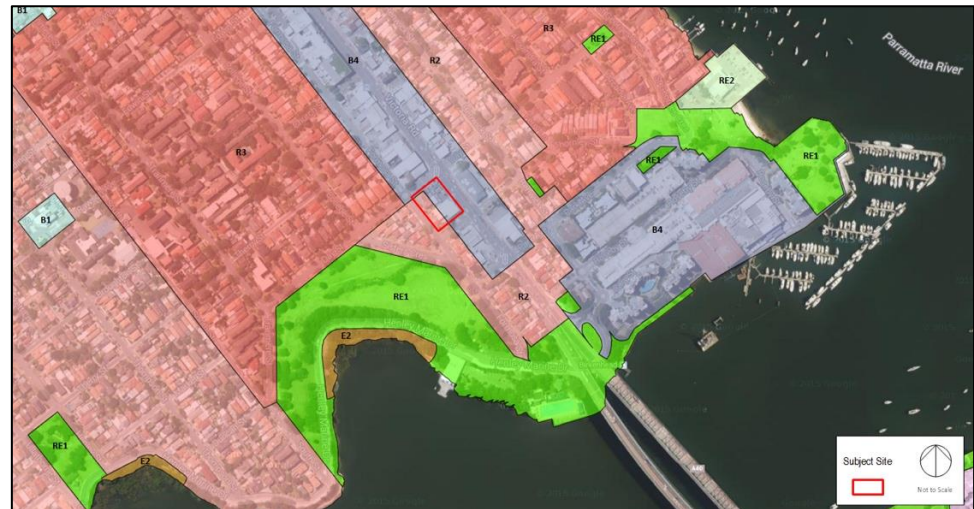


Figure 8: Surrounding Zoning

The permissible uses of each zone are contained in the Land Use Table of the LEP and are stated, inter alia:

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Jetties; Moorings; Open cut mining; Recreation facilities (major); Recreation facilities (outdoor); Residential

accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems

Zone R2 Low Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Group homes; Health consulting rooms; Jetties; Places of public worship; Recreation areas; Respite day care centres; Roads; Schools; Semi-detached dwellings; Water recycling facilities

4 Prohibited

Any development not specified in item 2 or 3

It is noted that the R2 Low Density zone does not permit commercial uses, residential flat buildings or shop top housing. The proposal to zone the entire site B4 Mixed Use is an appropriate way to achieve the objective of a mixed use redevelopment of the subject site.

The use of a B4 zone is also consistent with the existing zoning applied to the Victoria Road frontages of the subject site and adjoining sites along Victoria Road. The existing and proposed zoning of the subject site is shown in Figures 9 and 10 on the following page.

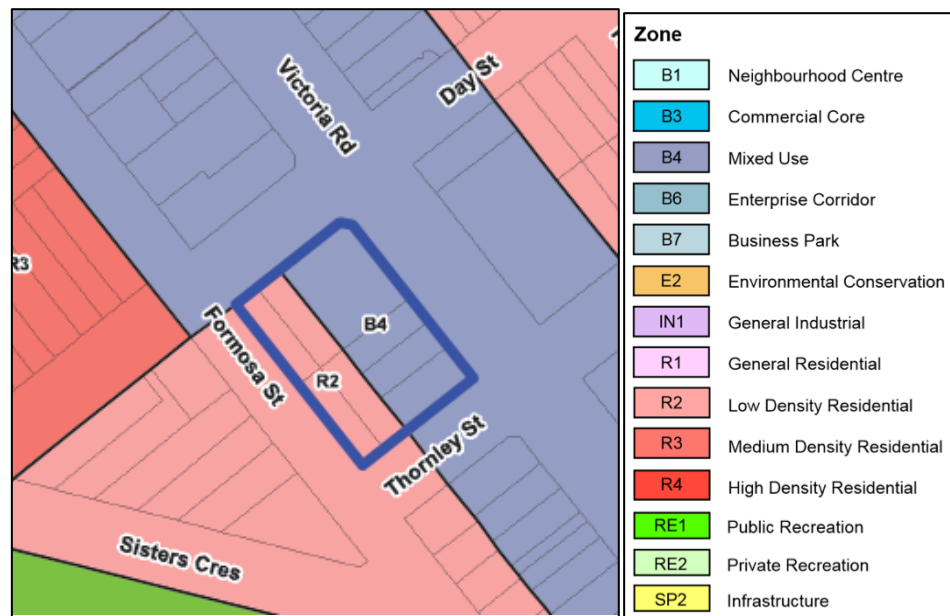


Figure 9: Existing Zoning

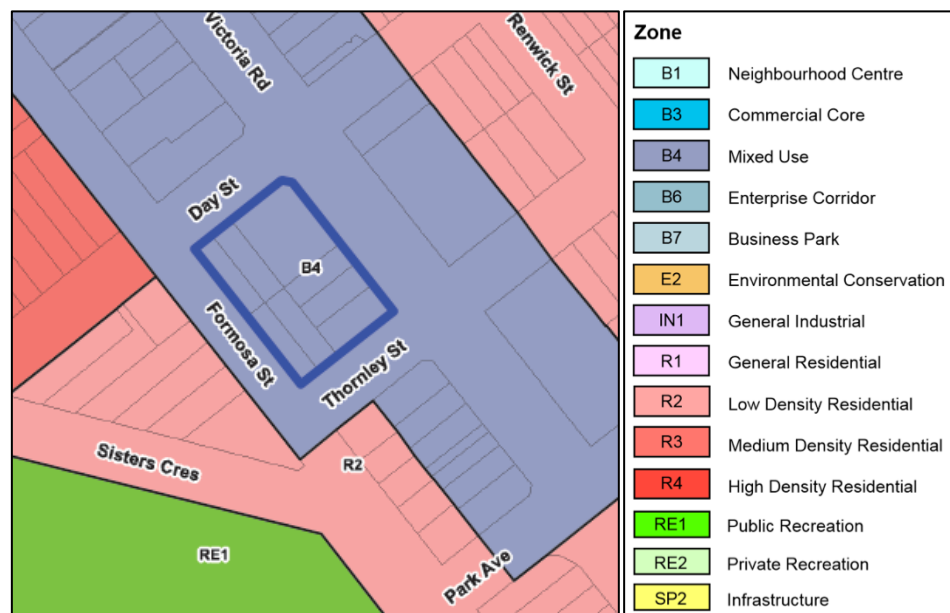


Figure 10: Proposed Zoning

3.2.2 Existing FSR, Proposed FSR and Bonus Provisions

Existing FSR

Clause 4.4, in conjunction with the LEP maps, establishes the FSR for the subject site. In a similar fashion to the land zoning, the FSR development standard varies across the site. At the Victoria Road frontage, the subject site has an FSR of 1:1. At the rear, an FSR of 0.5:1 applies (see Figure 11). It is noted that bonus provisions also apply to the site pursuant to Clause 4.4(2A)-(2E). This will be discussed below.

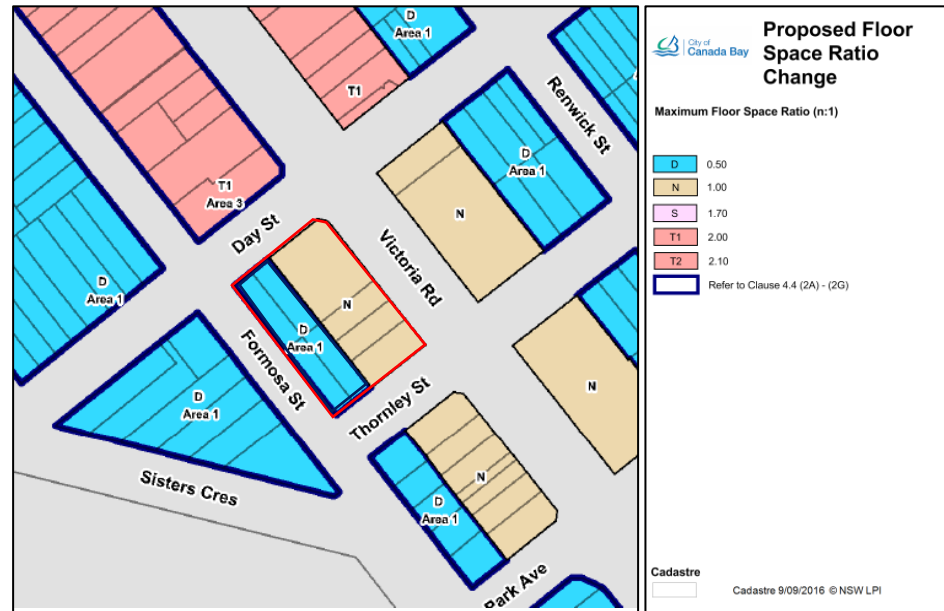


Figure 11: Existing FSR

Proposed FSR

It is proposed to apply a 'base' FSR of 2.1:1 to the western portion of the site (Nos. 63-69 Victoria Road and No. 45 Day Street) and 1.7:1 to the eastern portion of the site (No. 53 Victoria Road and No. 46 Thornley Street) (see Figure 12).

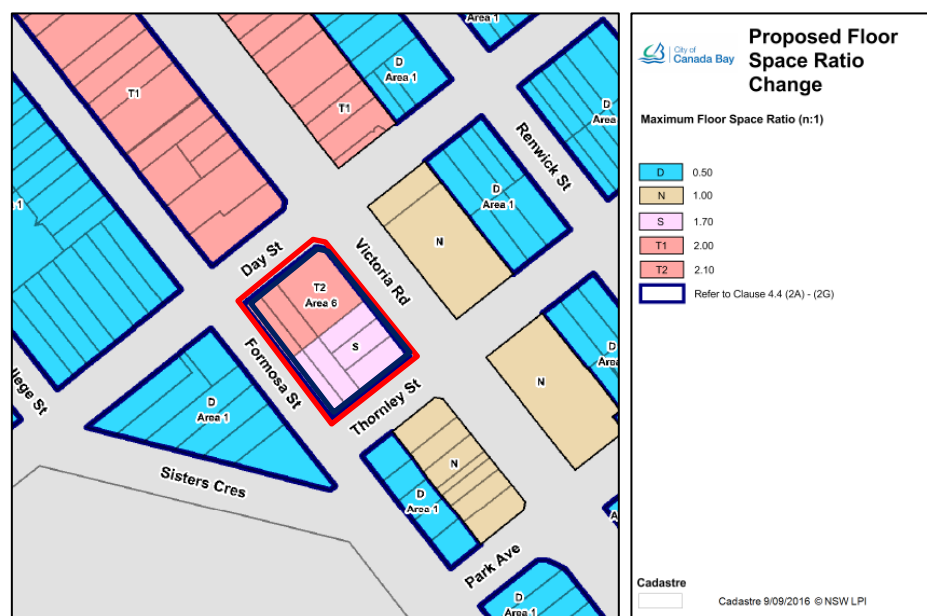


Figure 12: Proposed FSR

It is also proposed to include the site in a specific 'area' on the FSR map to facilitate additional density if the sites are amalgamated. Where the site is amalgamated and achieves a minimum site area of 2,500m² it is proposed to apply a FSR of 2.25:1. This will ensure coordinated development outcomes that will aim to improve the visual impact of future development through providing a reduced FSR on the western component of the site, and a consistent FSR should the site be developed as a whole.

Within Clause 4.4, there are additional provisions which alter the FSR for certain development types, based on site area. Currently, the portion of the site zoned R2 Low Density is within "Area 1". The proposed bonus provision for the new "Area 6" is stated, inter alia:

(2G) Despite subclause (2), the maximum floor space ratio on the land identified as "Area 6" on the [Floor Space Ratio Map](#) is 2.25:1, where a site area greater than 2,500m² is achieved.

Where the site does not develop as a single holding, providing varying FSR provisions to the western and eastern portion of the subject site will result in a built form that steps down in density from 2.1:1 to 1.7:1 on the eastern site.

3.2.3 Existing and Proposed Height of Buildings

Existing Height of Buildings

Clause 4.3 of the LEP relates to building height and, in conjunction with the LEP, applies a building height of 8.5m to the entire site (see Figure 13).

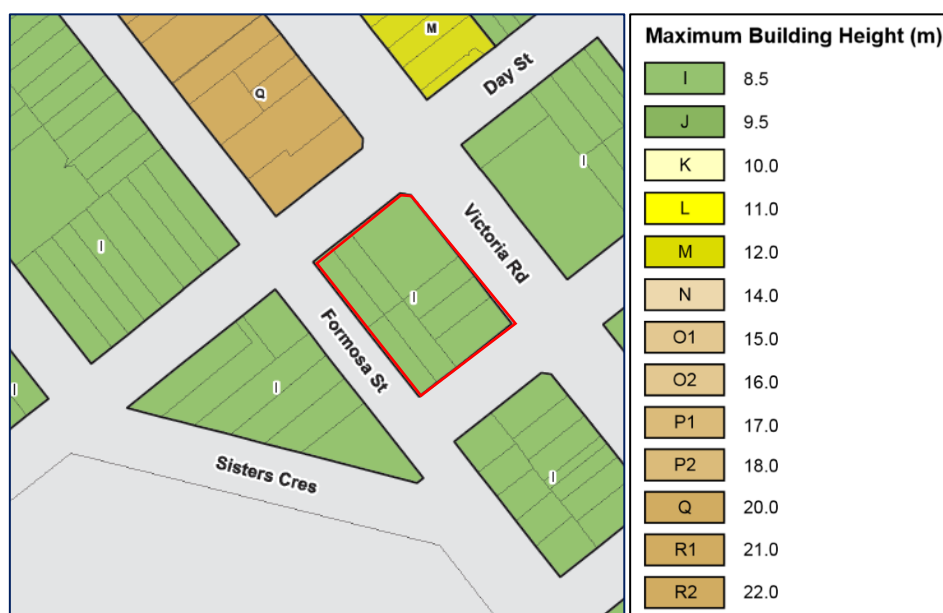


Figure 13: Existing Height

Proposed Height of Buildings

It is proposed the entire site will have a 'base' height limit of 14m. A site specific enabling clause is proposed for Nos. 63-69 Victoria Road on the western portion of the subject site to facilitate a height limit of 20m if a minimum site area of 2,500m² is achieved (see Figure 14 on the following page).

The site specific provision states, inter alia:

(2G) Despite subclause (2), the maximum the maximum height of a building on the land identified as Lot 10 DP 625084 (63-69 Victoria Road, Drummoyne) is 20m, where a site area greater than 2,500m² is achieved.

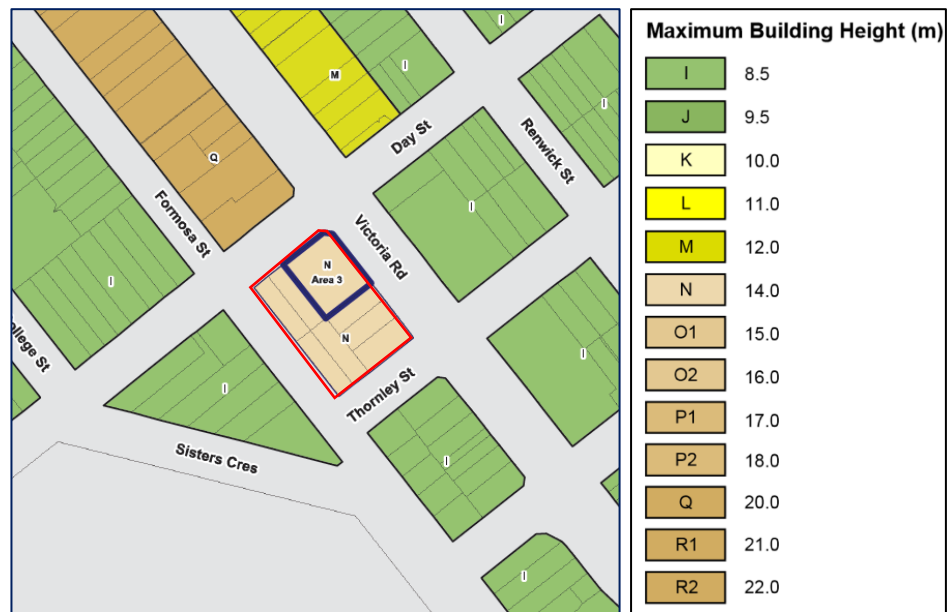


Figure 14: Proposed Height

The intention of applying a 'base' height limit of 14m is to limit fragmented development of the site and reduce the likelihood of a poor bulk/scale interface. This will assist in providing an appropriate interface between the site and the lower density residential on nearby streets, and facilitate a coordinated development outcome.

The nuance of the proposed 14m height limit is that the built form would only comprise three storeys however, given the topography of the site slopes away, 14m is required to fit a three storey form beneath the height limit.

It is intended that DCP controls would be developed, in a similar fashion to the adjacent sites on the opposite side of Day Street, to control the built form on the site. Fronting Victoria road, these controls would facilitate a six storey form on the western portion of the site and a three storey form on the eastern portion of the site.

Preliminary modelling of the built form that could result from the application of the proposed development standards is shown in Figures 15 to 17 on the following page)

At the rear, to Formosa Street, the entire development would comprise three storeys. The development would step down the site, however providing a 14m statutory height limit would allow for three storeys beneath the statutory 14m height limit. DCP controls for the subject site are discussed in Section 5.0 of this report.



Figure 15: Proposed Built Form Showing Transitional Height

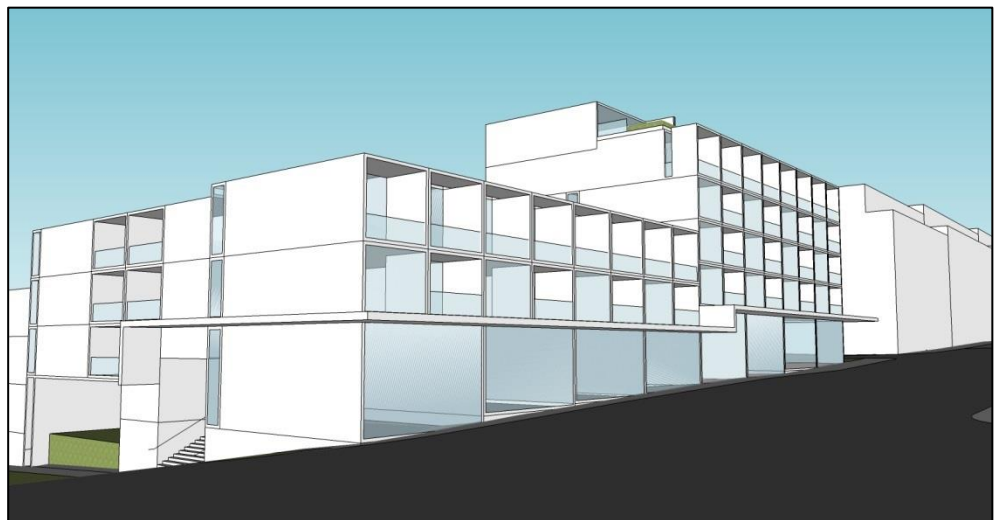


Figure 16: Proposed Built Form from Victoria Road



Figure 17: Proposed Built Form from Victoria Road

3.3 Justification for Planning Proposal

This Section of the Planning Proposal sets out the case for amending the Canada Bay LEP 2013. The DoP Guide to Preparing Planning proposals outlines the overarching principles relating to the Justification section.

The Guide outlines that firstly, the level of justification should be proportionate to the impact of the Planning Proposal. Secondly it provides that not all questions in the guide may be relevant and those not relevant need not be addressed.

Lastly, it outlines that the level of justification in the Planning Proposal should be sufficient to allow a Gateway determination to be made with confidence that the LEP can be completed within a reasonable time frame.

As indicated, an assessment of the proposal against a number of key town planning considerations has been undertaken. This assessment is presented in Section 4.0 of this report. In addition to the justification provided as part of this report, the Planning Proposal is supported by a number of additional consultant reports, which have been separately submitted. These reports provide expert input on a range of issues and, where appropriate, their conclusions are cross referenced in this document.

This section will respond to the various questions that are posed in the guidelines and, in doing so, present the justification for the planning proposal. The relevant questions contained in the DoP guidelines will now be individually addressed.

3.3.1 Questions to consider when demonstrating the justification

Is the Planning Proposal a result of any strategic study or report?

While the proposal is not specifically the result of a strategic study or report, it is not inconsistent with any relevant state or local planning policy. In the preparation of this Planning Proposal, we have considered the Greater Sydney Commission's (GSC) *Greater Sydney Region Plan* as well as Canada Bay's key strategic documents. The proposal will satisfy the relevant aims and objectives in these documents that apply to the subject site.

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

Yes. A site specific Planning Proposal is the most appropriate way of achieving the objective and intended outcome. Alternative approaches, which had been considered included amending the controls as part of a comprehensive LEP, seeking variations to height and FSR under Clause 4.6 or solely negotiating a Voluntary Planning Agreement (VPA) with Council.

The subject Planning Proposal was lodged with Council on 16 February 2016 with significant work undertaken to progress the application to Gateway Submission. It is not considered reasonable to now delay the subject Planning Proposal until a comprehensive LEP is prepared.

While a Clause 4.6 Variation to Development Standards could be considered for the sites fronting Victoria Road, the proposed mixed use development is not currently permissible on the rear portion of the site.

Utilising this approach would not allow for a 'master planned' development of the site (either as a whole or in several large development lots) and would result in an awkward interface between larger scale development to Victoria Road and low density residential at the rear. In any case, Council may determine the extent of variation sought under Clause 4.6 to be too great and recommend a Planning Proposal to be prepared. In our experience, this is a standard approach where more significant variations are sought to controls.

Similarly, approaching the amendments via VPA has been considered. Once again, the issue of permissibility is a key factor in the preparation of the Planning Proposal. In addition, given the extent of variation to existing development standards that is proposed, a Planning Proposal was sought. Additionally, a VPA has been negotiated as part of the proposal. For these reasons, the Planning Proposal and VPA is the most appropriate method of responding to the proposed objectives and intended outcome.

3.3.2 Relationship to Strategic Planning Framework

This section considers how the proposal sits within the local and strategic planning framework. That applies to the subject site. It will consider the applicable State Government documents, including the recently released *Greater Sydney Region Plan* and the *Future Transport 2056 Strategy*. It will also consider the relevant local strategies including the *Futures Plan 20 (Canada Bay)* and the *Canada Bay Local Planning Strategy 2010-2031*.

Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Metropolitan Strategy and exhibited draft strategies)?

Greater Sydney Region Plan: A Metropolis of Three Cities

In March 2018, the GSC released the *Greater Sydney Region Plan: A Metropolis of Three Cities* which is the latest metropolitan strategic plan to guide Sydney's long-term growth. This document replaces *A Plan for Growing Sydney* which was previously used to assess this Planning Proposal.

The plan identifies three cities for the Greater Sydney Region with the subject site being located with the Eastern City. The plan contains a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. The overarching goals to achieve this vision include the following:

- A city supported by infrastructure
- A collaborative city
- A city for people
- Housing the city
- A city of great places
- A well-connected city
- Jobs and skills for the city
- A city in its landscapes
- An efficient city
- A resilient city

The Housing the City goal is especially relevant for this Planning Proposal with the objectives of these goals being addressed in Table 1 on the following page.

The plan indicates that the Eastern City is expected to grow by 325,000 people from 2016-2036, with an additional 157,500 households needed to accommodate this growth. Urban renewal is expected to be the basis for the majority of these additional households.

The subject site is a comparatively large holding and subject to the amendments to the LEP, has the potential to deliver approximately 50 new dwellings in a location close to public transport and near to residential support services. It is our opinion that the proposal is generally consistent with the aims and goals of the Plan; is an appropriate response to the goals; and will contribute to housing targets.

This is supported by the Council Officer's Report to the IHAP meeting on 28 June 2018, which states, inter alia:

The Planning Proposal is consistent with the goals, directions and actions of Plan for Growing Sydney (sic).

TABLE 1: Greater Sydney Region Plan – Objectives, Directions and Actions			
Objective	Direction	Action	Comment
Objective 10: Greater housing supply	10.1 Providing ongoing housing supply and a range of housing types in the right locations	10.1.1 Providing ongoing housing supply and a range of housing types in the right locations	Proposal accelerates housing supply in Sydney by facilitating the redevelopment of the site to provide approximately 50 new dwellings in a sought-after location. The provide a range of apartment sizes close to public transport.
	10.2 Opportunities for capacity that aligns with infrastructure can be realised by urban renewal, local infill developments and land release areas	10.2.2 Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres	Parramatta to Sydney CBD via Ryde is an identified corridor, with Victoria Road forming a key sector. High levels of existing public transport, with longer term investigations for possible light rail or bus rapid transport.
Objective 11: Housing is more diverse and Affordable	11.1 Housing has an economic productivity role by providing housing choice and affordability for a cross-section of workers	11.1.1 Providing housing choice for a diverse demographic	The proposal increases housing supply in the area and provides a range of housing choices for a variety of workers.

Eastern City District Plan

The Eastern City District Plan was released in March 2018 in conjunction with the Greater Sydney Region Plan and applies to the subject site. The Planning Proposal is consistent with a number of planning priorities with the most relevant being E5, which states:

Providing housing supply, choice and affordability, with access to jobs, services and public transport.

The plan sets the City of Canada Bay a housing target of 2,150 new dwellings between 2016 and 2021. As indicated, the Planning Proposal has the potential to provide approximately 50 new dwellings which will contribute to meeting the housing target. As seen in Figure 18, the subject site is located on a significant transport corridor; an ideal location for additional density.

Accordingly, the Planning Proposal is in accordance with the strategy vision for the area as articulated in the District Plan. This is reinforced the Council Officer's report prepared for the IHAP meeting on 28 June 2018, which states, inter alia:

The Planning Proposal is generally consistent with the District Plan.



Figure 18: Eastern City

(Source: GSC 2018)

Future Transport Strategy 2056

The Future Transport Strategy 2056, prepared by Transport for NSW, replaced the DoP's NSW Long Term Transport Masterplan 2012 in March 2018. The strategy states that customers within the three cities concept should be able to travel to one of these cities or to their nearest strategic centre within 30 minutes of where they live by public or active transport. This is achievable by bus for future residential development on the site.

The Strategy identified Victoria Road public transport improvements as a "committed initiative" within 0-10 years. Buses within the Eastern City corridor carry on average 40,000 people across the Anzac Bridge each day. Urban Renewal in line with the Greater Sydney Region Plan may be a catalyst for increased public transport capacity along the Victoria Road corridor which would further enhance the connectivity of the subject site and reduce reliance on private vehicles.

Is the Planning Proposal consistent with a Council's local strategy or other local strategic plan?

YOUR Future 2030 (Canada Bay)

YOUR Future 2030 is a community strategic plan for the City of Canada Bay which outlines the vision for the LGA from 2018 to 2030. The plan was adopted by the City of Canada Bay on 12 June 2018 and replaces the Futures Plan 20. Five overarching themes lead into specific directions for the Council and the community. The planning proposal is consistent with the following goals:

Goal 3.1 – *"Regional and local infrastructure is well planned and resourced to enable connectivity across our City"*

Goal 4.2 - *"High quality sustainable urban design results in innovative development sensitive to existing local character."*

Currently the subject site incorporates two dwellings, a car yard and an ambulance station. The modelling undertaken indicates the site has the capability to provide approximately 50 dwellings in various configurations.

These dwellings would be architecturally designed and have high quality internal amenity. Importantly, the site is in close proximity to public transport, near to residential support services and in the vicinity of various recreational areas, ensuring connectivity is enhanced for future residents and businesses.

The increase to FSR and height for the site would allow the redevelopment. Importantly, the provision of a variety of unit sizes on the site would contribute housing stock in an area in very high demand. Incorporating various unit sizes contributes to affordability and allows for housing choice for new or existing residents in the LGA. Older members of the community for example might consider downsizing to an apartment and the development may also present opportunities for those purchasing residential property in a very accessible location.

In our opinion, the proposal is consistent with this direction of YOUR Future 2030.

Canada Bay Local Planning Strategy 2010-2031

The Canada Bay Local Planning Strategy 2010-2031 was adopted in June 2010 and was written to inform the new LEP and DCP (subsequently released in 2013). The strategy responds to a number of themes identified in the Future Plans 20 and responses to them through land use planning. The relevant objectives and actions identified by the Local Planning Strategy are responded to in Table 2 below.

It is noted that a number of the issues are more specific to DA stage rather than to the site-specific amendments that are proposed. In any case, it is our opinion that the redevelopment of the site can satisfy the Canada Bay Local Planning Strategy. This is reinforced in Council Officer's Report prepared for the IHAP meeting on 28 June 2018, which states, inter alia:

"The Proposal relates to the following objectives of the Canada Bay Local Planning Strategy 2010-2031 (LPS):

Objective H1: Provide for a mixture of housing types over the short to medium term.

The proposal will enable the supply of apartments to meet demand for additional housing, in addition to the existing detached dwelling housing options available within the vicinity."

Table 2: Local Planning Strategy Objectives and Actions		
Objectives	Actions	Comments
OT1 Integrated land use and transport	AT2 New development in areas within walking distance of centres and public transport	The subject site located on the Victoria Road and has access to 19 existing bus services along the corridor. Various residential support services are located in very close proximity.
OE3 Ensure environmental impacts are minimized	AE7 Address potential local noise impacts	Development will create a noise buffer between the heavy traffic on Victoria Road and residential development to the west. Any redevelopment would be subject of a separate DA and this would require assessment of any potential acoustic impacts. Given the location of the site, acoustic mitigation measures may be required as part of the design however, this is standard practice in such a location.
OT3 Promote walking and cycling trips	AT9 Promote pedestrian safety and personal security	A B4 Mixed Use zone will be applied to the entire site. Any future development would activate the ground floor with retail/commercial premises to Victoria Road providing additional surveillance to the street. Passive surveillance from the units above would also be achieved.
OE2 Enhance the landscape character of the area	AE4 Tree planting strategy	Based on preliminary modelling, green walls would be proposed for a redevelopment as well as planting within the central courtyard.
	AT9 reinforce pedestrian scale through urban design	The potential built form of a development on the site can be seen in the preliminary modelling undertaken by Bonus and Associates Pty. Any future built form would of course be required to address the street and may improve pedestrian environment.
OH1 Provide for a	AH1 Planning controls that	The ADG requires the provision of a

mixture of housing types over the short to medium term	promote a mix of housing types	mix of dwelling sizes. As indicated, the preliminary modelling is based on a development which provides a number of apartment sizes at varying scales.
OT2 Promote the use of Public Transport	AT5 Promote and advocate for Public Transport	The subject site located on the Victoria Road and has access to 19 existing bus services along the corridor.
OE1 Continue to strengthen employment and retailing in local centres	AE1 Promote a complementary business mix in centres to support successful neighbourhood hubs	The proposal will facilitate shop top housing to integrate residential, retail and commercial properties, with each use complementing one another

The Canada Bay Local Planning Strategy also specifically addresses the Victoria Road corridor and states inter alia:

"Enterprise corridor zones identified along sections of Victoria and Parramatta Road - aim for no loss of employment and encouragement of mixed use (commercial/retail/residential) developments on strategic sites."

Whilst this extract refers to enterprise corridor zones, the Victoria Road corridor does not use the B6 Enterprise Corridor zone and instead adopts the B4 Mixed Use zone. Nonetheless, it is evident the zoning along Victoria Road is intended to facilitate mixed use development including commercial, retail and residential premises (see Figure 19). Victoria Road is also identified as accommodating 342 additional dwellings through mixed use development. The outcomes of this Planning Proposal would assist Council in reaching this target and is considered to be appropriate in this instance.

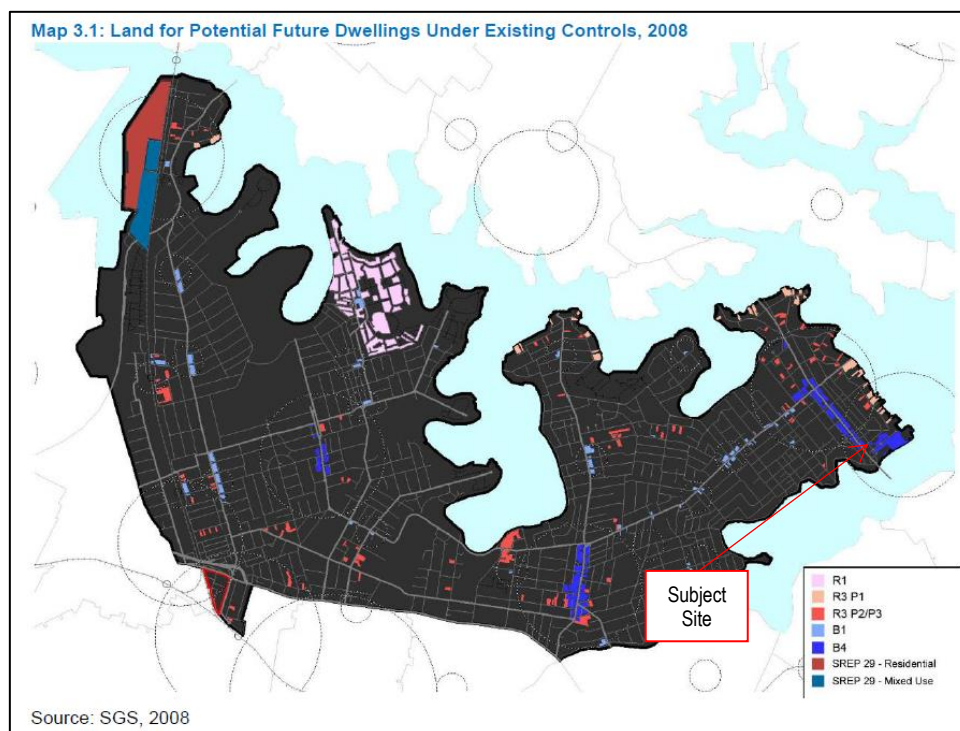


Figure 19: Land for Potential Future Dwellings Under Existing Controls

Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The proposal has been considered against the relevant SEPPs which apply to the subject site. In order to determine which SEPPs are applicable, we have reviewed the Section 149 Certificates issued by Council.

A matrix is attached as Annexure A which identifies the SEPPs that apply to the site and that are relevant to the development. Where the SEPPs are specifically relevant to the proposal, they are dealt with throughout this report. It is noted that a number of SEPPs apply to the site, however are either not relevant for a Planning Proposal or would not be relevant to the redevelopment of the site.

It is our opinion that the proposal is consistent with the relevant SEPPs and is appropriate in this instance.

Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?

Periodically, the NSW Minister for Planning releases a direction pursuant to Section 9.1 (previously Section 117) of the EP&A Act 1979. These directions apply to Planning Proposals lodged with the NSW DoP and the relevant matters are to be considered.

A matrix of the applicable and relevant Section 9.1 directions accompanies this proposal and is contained in Annexure B. Where the matrix indicates that a particular direction applies to the proposal, a separate response is provided within the Annexure. In summary, the proposal is consistent with the relevant Section 9.1 directions that apply in this instance.

3.3.3 Environmental, Social and Economic Impact

In addition to our responses to the questions below, Section 4.0 of this report undertakes an assessment of the likely planning issues associated with the proposal.

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

The subject site is located within an established commercial and residential area and has been utilised for these purposes for many years. The site is also not identified by Council as having any particular environmental significance. For these reasons, it is unlikely that the planning proposal will result in adverse impacts on critical habitat, threatened species, populations, ecological communities or habitats.

A detailed issues of the impacts of a development on the natural environment would be undertaken at the DA stages. For the purpose of a high level Planning Proposal, the proposal is considered to be appropriate in this regard.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

As indicated above, the potential planning considerations will be dealt with in Section 4.0 of this report. It will briefly consider any environmental impacts that are likely to occur as a result of the proposal.

It should be noted that the assessment of the environmental impacts of the proposal would form a key part of any DA that was submitted for the subject site. For the purposes of this planning proposal, a broad assessment will be undertaken.

3.3.4 State and Commonwealth Interests

Is there adequate public infrastructure for the Planning Proposal?

A Site Investigation Report has been prepared by Woolacotts Consulting Engineers and is separately submitted. The report details the availability of existing public infrastructure and the potential options for connections to existing public infrastructure. The site is well located in an established area, with services readily available, as detailed in Table 3 below. Upgrading connections to the site itself would be addressed in detail during the development application phase.

TABLE 3: PUBLIC INFRASTRUCTURE		
Infrastructure	Availability	Comment
Public Transport	Available	<p>The subject site located on the Victoria Road and well serviced by public transport, with access to 19 existing bus services along the corridor. These services travel to major centres such as Ryde, Macquarie Park, Parramatta and the Sydney CBD.</p> <p>This assists in reducing dependence on private car travel and pressures on the local road network.</p>
Utilities	Available	<p>Water: Water main on Victoria Road</p> <p>Electricity: High voltage underground cabling along Day Street, low voltage along Victoria Road, Overhead aerials on Formosa Street and Thornley Street, connection to existing cabling with onside kiosk or access from direct distributor</p> <p>Gas: Gas main located along Victoria Road, Day Street and Formosa Street</p> <p>Sewer: Currently runs through the site, may require relocation to accommodate basement level</p>
Roads	Available	<p>The subject site is located on Victoria Road, however vehicular entry to the site is proposed from Formosa Street. A detailed traffic report has been prepared in support of the proposal and will be exhibited as part of the Planning Proposal</p>

Waste Management and Recycling Services	Available	<p>Waste generated by the site is expected to be accommodated by existing waste services in the LGA.</p> <p>A Waste Management Plan will be prepared for any future development application.</p>
Essential Services	Available	<p>The NSW ambulance service is currently located on the eastern portion of the subject site. Negotiations are ongoing about the retention or potential relocation of the ambulance service.</p> <p>The Planning Proposal has the capacity to retain the Drummoyne Ambulance Station within the zoning, FSR and height limits proposed.</p> <p>The Planning Proposal is unlikely to increase demand on essential services.</p>

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

Formal consultation with State or Commonwealth Public Authorities/service providers has not been carried out at this stage. Preliminary discussions have been undertaken with NSW Ambulance however this consultation would be formalised as part of the planning proposal exhibition.

A Gateway Determination issued for the planning proposal would outline the parameters for exhibition and this would be dealt with at a later stage. Council have previously adopted this approach with other planning proposals and it is considered acceptable in this instance.

3.4 Mapping

In order to give effect to the planning proposal, a number of mapping amendments would be required. These are set out in Table 4.

TABLE 4: PROPOSED MAPPING AMENDMENTS TO CANADA BAY LEP 2013	
Canada Bay LEP Map Sheet Number	Proposed Amendments
Land Zoning Map Sheet LZN_006	Rezone No. 45 Day St and No. 46 Thornley Street from R2 Low Density Residential to B4 Mixed Use.
Height of Buildings Map Sheet HOB_006	Apply a building height of 14m to the subject site. Identify Nos. 63-69 Victoria Road as being within 'Area 3'
Floor Space Ratio Map Sheet FSR_006	Apply a Floor Space Ratio of 1.7:1 to No.53 Victoria Road and No.46 Thornley St. Apply a Floor Space Ratio of 2:1 to Nos. 63-69 Victoria Road and No. 45 Day St. Include the subject site in 'Area 6'.

The preparation of the mapping amendments would likely be undertaken by Council and this would be subject to discussion prior to the submission of the planning proposal to the NSW Department of Planning.

3.5 Likely Community Consultation

The requirements for community consultation will be detailed by the Gateway Determination issued by the NSW DoP. It is anticipated the Planning Proposal will be exhibited by Council in accordance with the requirements of Schedule 1, Clause 4 (previously Section 57) of the EP&A Act 1979 and as required by the recommendations of the Gateway Determination.

Notification of the community consultation will be provided in a local newspaper and on Council's website. In addition to this, adjoining landowners will be notified in writing. The community will be given the opportunity to make written submissions during the public exhibition period.

During the public exhibition period the following documents will be placed on public exhibition:

- Planning Proposal
- Gateway Determination
- Relevant Council reports
- Maps

The duration of the community consultation is typically determined by Council, in accordance with the requirements of the DoP.

4.0 CONSIDERATION OF KEY PLANNING ISSUES

This section will undertake a preliminary assessment of the key planning issues that would relate to the redevelopment of the subject site following the finalisation of the Planning Proposal. In the formulation of the development standards sought by the planning proposal, preliminary architectural modelling has been undertaken by Bonus and Associates. This modelling indicates how the proposed height and FSR might be achieved on the site and allows an assessment of potential amenity issues to be undertaken.

The preliminary building envelopes have been designed in accordance with the proposed development standards and, importantly, the requirements of SEPP No. 65 and the ADG. The key amenity provisions in the ADG relating to solar access, privacy, building separation and privacy have been incorporated in the preliminary scheme.

4.1 Character, Context and Potential Built Form

Existing development along Victoria Road comprises an eclectic mix of commercial, retail and shop top housing uses. Much of the building stock is ageing and there are a number of development sites in the vicinity. In the immediate context, a DA for a large mixed use development is proposed on the opposite side of Day Street and there are multi storey commercial developments on the opposite side of Victoria Road. To the south and west, there are a number of lower scale residential dwellings.

As indicated, preliminary 3D modelling has been undertaken by Bonus and Associates to visualise how the proposed LEP amendments may translate into a development outcome. This modelling is predicated on a higher frontage to Victoria Road with the rear of the development being lower scale to present a compatible interface with the residential area. The design of the development is predicated on presenting an improved urban design outcome not only for the subject site, but for the surrounding area (see Figure 20).



Figure 20: Photomontage of Potential Building Form Viewed from Day Street and Formosa Lane

As indicated, the planning controls currently result in a change of height from 20m on the sites to the west, down to 8.5m on the subject site. This abrupt change results in an awkward and, in our opinion, inappropriate urban design outcome. The proposed controls would sit consistently at 14m with the potential (subject to amalgamation) of a 20m corner element. This is consistent with surrounding development height limits and will provide a more appropriate scale of development that is consistent with urban design best practice (see Figure 21).

The preliminary building envelopes comprise commercial/retail uses at the ground floor and residential units above. A commercial space on the northern boundary could potentially be used as a café and would have vistas through the open courtyard in the centre of the site. Provision of a central courtyard would also allow the development to achieve compliant internal separations required by the ADG (see Figure 22).

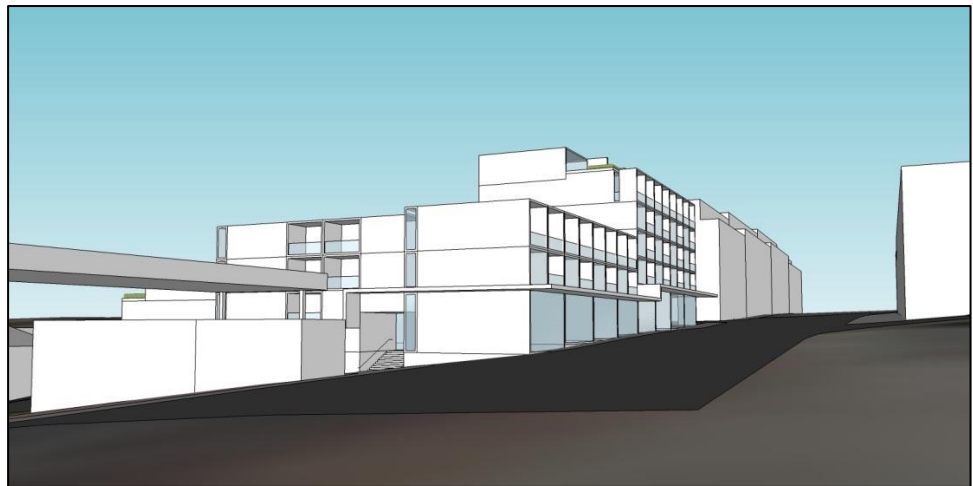


Figure 21: Victoria Road Frontage, looking west



Figure 22: Proposal Looking Towards the North-East

The future of the NSW Ambulance station is uncertain at this stage however, modelling has been undertaken considering scenarios where it is retained in its current form, retained as part of the development, or relocated. The situation may arise where the western and eastern portions of the site are developed as different stages. The modelling proposed for the western site incorporates a 'green wall' which would soften the appearance of a staged development, rather than presenting a blank wall to the street. Green wall treatment would also be proposed to the eastern portion of the site (see Figures 23 and 24).

It is noted that the modelling below was predicated on a 20m height limit however, this would not be achieved unless the site was amalgamated.

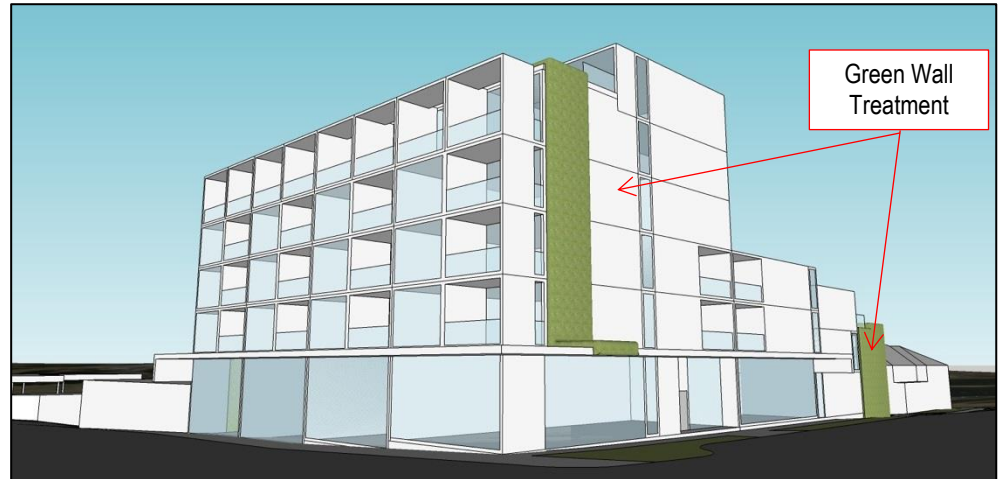


Figure 23: Victoria Road Frontage, looking east

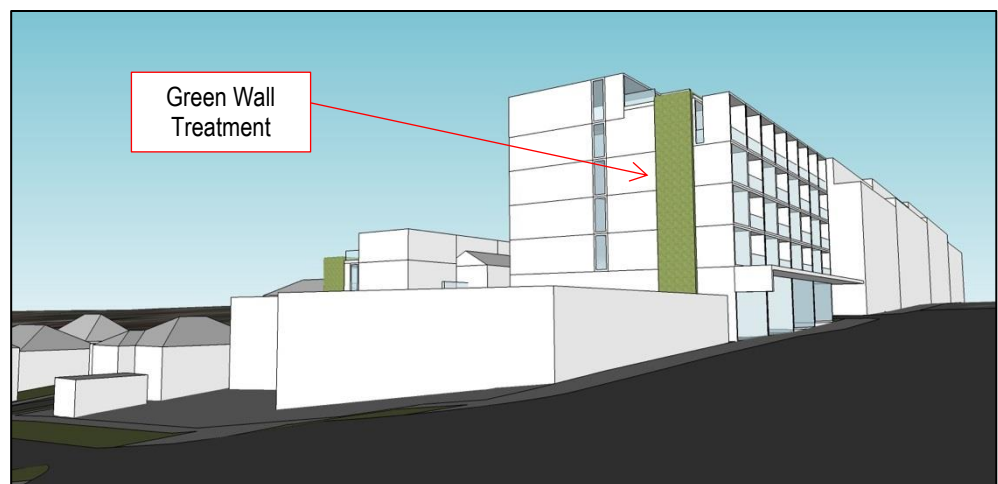


Figure 24: Victoria Road Frontage, looking west
(Eastern Portion of the site shown undeveloped)

4.2 State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy (SEPP) No. 65 was gazetted on 26 July 2002 and applies to the subject site. The SEPP contains nine design quality principles including consideration of context, scale, built form, density, resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics.

The Apartment Design Guide (ADG), which accompanies SEPP No. 65, sets out key assessment criteria for residential apartment development. The preliminary building modelling prepared by Bonus and Associates takes into account the requirements of the ADG.

A detailed SEPP No. 65 Design Statement has also been prepared by Bonus and Associates which addresses the nine design principles of the SEPP and indicates how the proposal satisfies each of the principles. This document is separately submitted. A brief summary of the key responses to the SEPP No. 65 Principles is as follows:

"Extensive testing has been carried out to determine the most suitable built form and scale for the site.

Existing and proposed-future maximum height limits were considered, and priority was given to the existing site topography and immediate neighbouring buildings.

The orientation and depth of the building elements have been carefully considered to minimise shadow casting and prevent any overlooking or privacy issues. A 12m wide courtyard in the centre of the development provides separation between the proposed perimeter buildings.

The proposed design incorporates an internal courtyard with a series of green walls to create a 'green ribbon' over the perimeter site. This would provide opportunities for recreation and social interaction as well as ground water retention and ecological diversity.

The design proposes the following measures to ensure good amenity for all residents and other users of the site:

- *Majority of the apartments will be cross ventilated*
- *Careful consideration of solar access has influenced the design*

Perimeter development means appropriate depth to apartments with internal communal space.

A robust infrastructure already exists to support this scale and type of development, including excellent transport network, a number of shops and services, and a variety of open spaces. Victoria road will be enhanced by our proposed porous street level commercial space with through-site links."

In addition to the consideration of the principles and the architectural design statement, this section will briefly consider key amenity issues.

4.3 Solar Access

In order to assess the likely impact upon solar access as a result of the proposal, shadow diagrams have been prepared for 9am, 12pm and 3pm on 21 June. These diagrams indicate shadow cast by the existing built form and also the likely proposed built form on the site.

Firstly, it is noted that given the orientation of the site, some additional overshadowing is likely. Notwithstanding this, the transitional built form that is proposed will minimise potential impacts.

At 9am, some overshadowing occurs to Formosa Street and the north eastern facades of the development on the opposite side of the street. As indicated, given the orientation of the site and the slope of the land, some additional overshadowing is inevitable at 9am. It is noted however that the transitional scale of the development at the rear of the site assists in minimising potential impacts (see Figures 25 and 26).

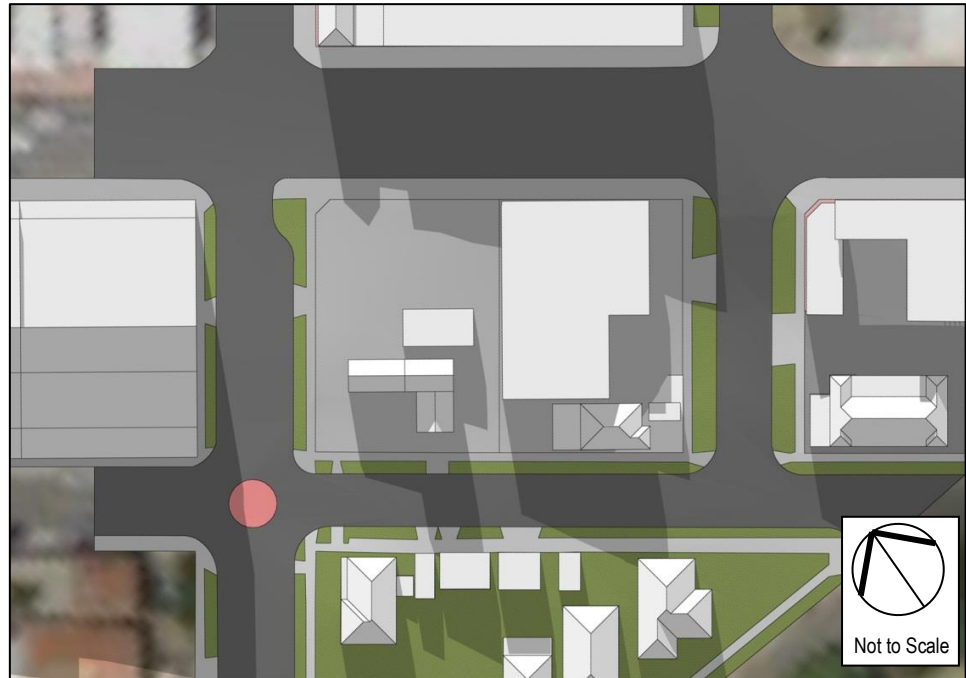


Figure 25: Existing Shadow Diagram – 9am 21st June

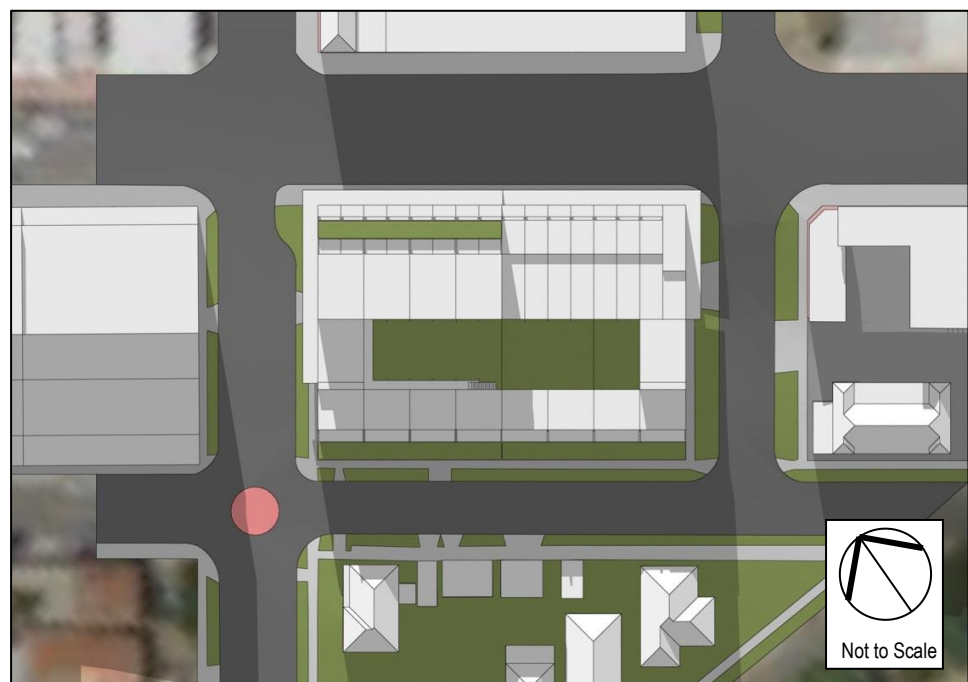


Figure 26: Proposed Shadow Diagram – 9am 21st June

At 12pm, the shadowing cast by the preliminary building model is constrained to the road reserves of Formosa and Thornley Streets. Residential properties on the opposite side of Formosa Street obtain solar access and the north western elevation of the dwelling to the south is not likely to be impacted (see Figures 27 and 28).

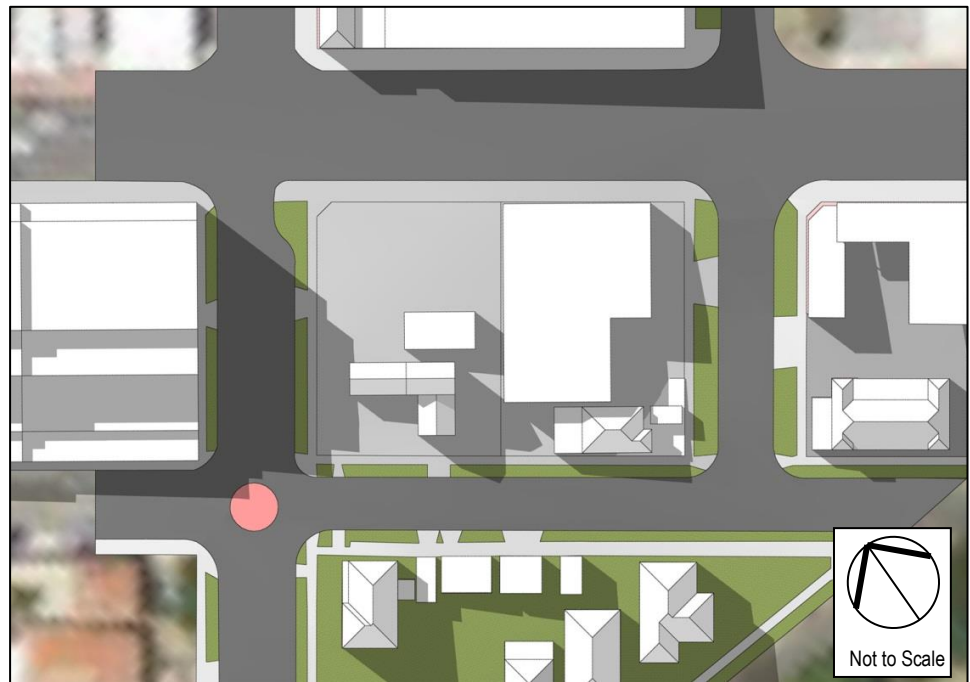


Figure 27: Existing Shadow Diagram – 12pm 21st June

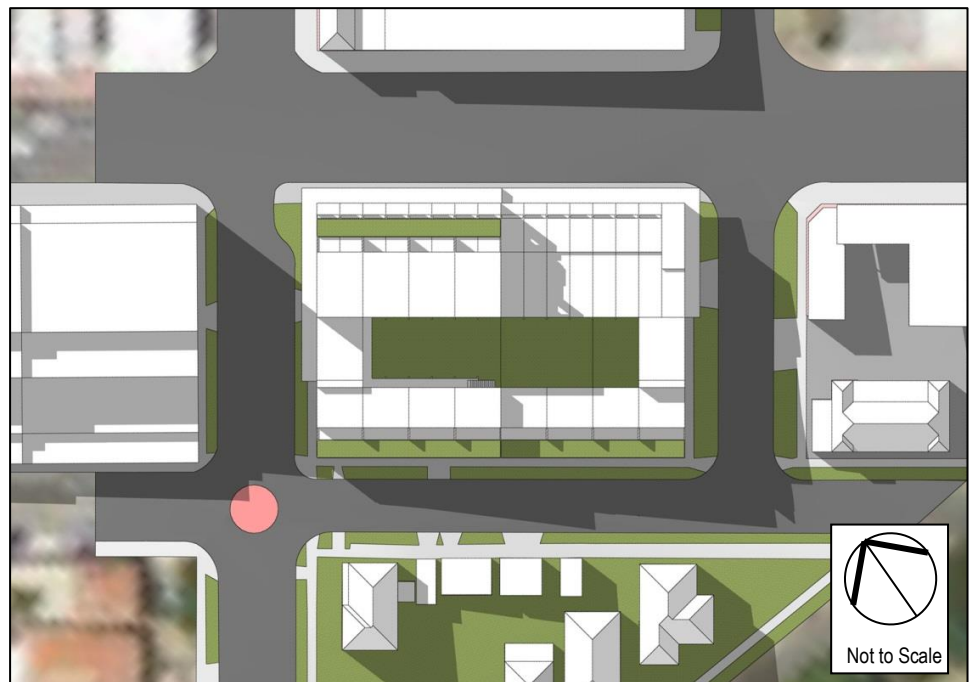


Figure 28: Proposed Shadow Diagram – 12pm 21st June

At 3pm, once again the properties on the opposite side of Formosa Street are unaffected. Some shadow will fall on Nos. 39-45 Victoria Road in the afternoon, however this is considered appropriate due to its existing usage as a service station. This is inevitable given the orientation of the sites however, the transitional form reduces the potential impact. Once again, at 3pm No. 42 Formosa Street is largely unaffected by the proposal (see Figures 29 and 30).

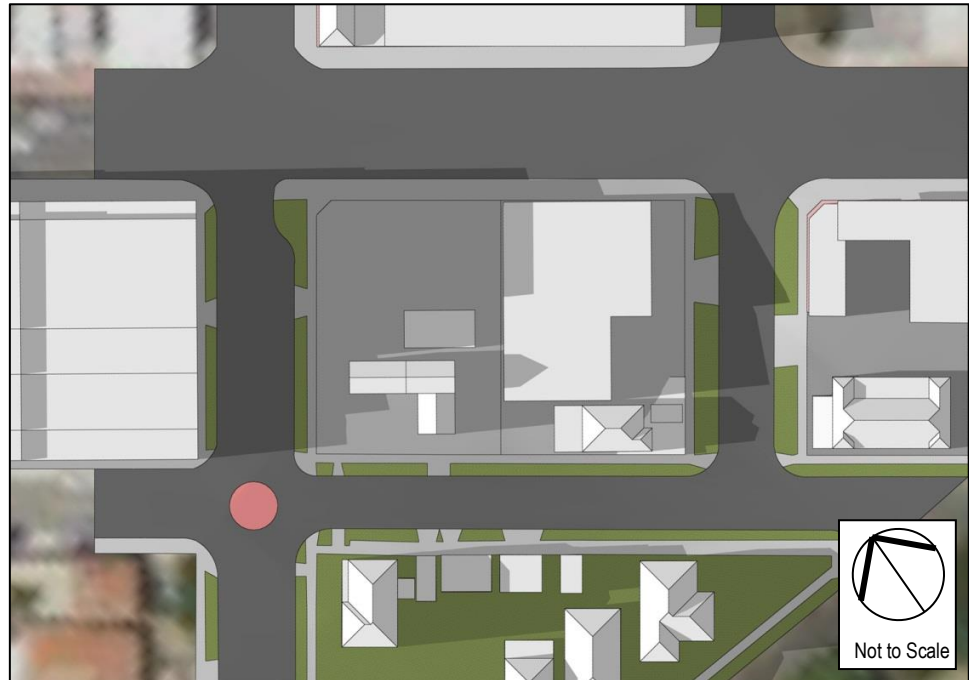


Figure 29: Existing Shadow Diagram – 3pm 21st June

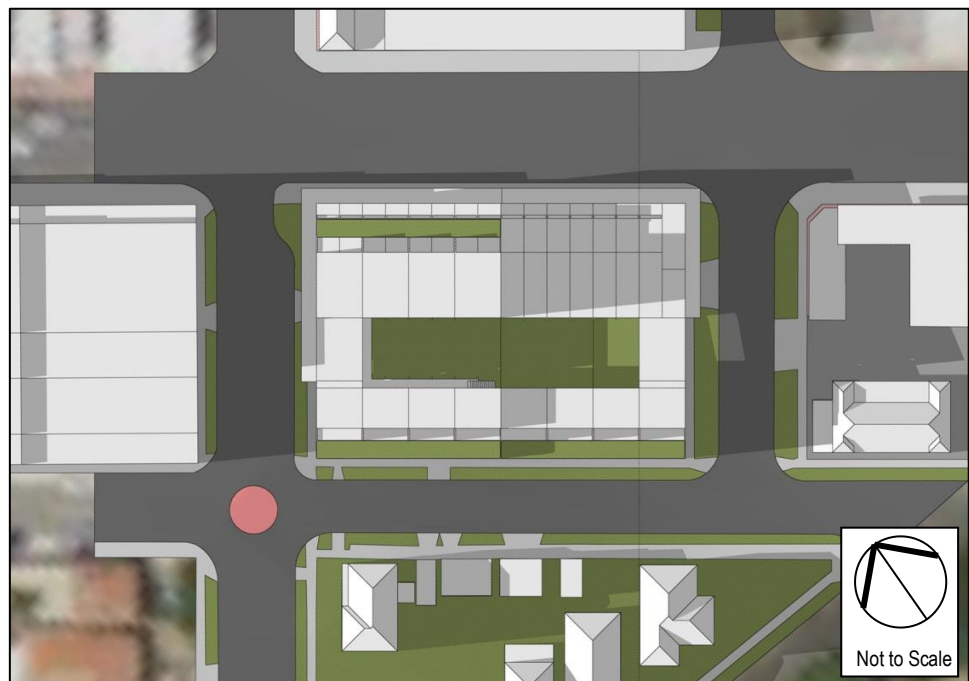


Figure 30: Proposed Shadow Diagram – 3pm 21st June

4.4 Visual and Acoustic Privacy

The proposal will maintain visual and acoustic privacy within the development by providing separation between built form on the Victoria Road frontage and the Formosa Street frontage. The width of the internal courtyard provided within the development is consistent with the requirements of SEPP No. 65 and this is considered further in the SEPP No. 65 report prepared by Bonus and Associates.

Privacy for neighbouring properties is also provided by the development. By stepping down the development along Formosa Street, any potential overlooking of dwellings on the opposite side of the street is minimised. Notwithstanding this, majority of the dwellings that front Formosa Street opposite the subject site have garages presenting to the street rather than habitable rooms.

These matters are also addressed in the submitted SEPP No. 65 Design Statement and would be considered in greater detail as part of a Development Application.

4.5 Traffic and Parking

In order to assess the likely traffic and parking impacts of the proposal, a report has been prepared by TDG in association with Gennaoui Consulting Pty Ltd and separately submitted. This report includes a detailed analysis of the surrounding road network, consideration of the likely traffic generation and assessment of the potential car parking implications.

The parking demands and traffic generation of the proposed development would be finalised as part of a detailed design for DA. Notwithstanding, the preliminary modelling allows an initial assessment of parking requirements to be undertaken.

Importantly in relation to parking, it is noted that Council, at its meeting of 3 November 2015, considered a report in relation to the Five Dock Town Centre, and concurrently resolved to amend the car parking requirements of Council's DCP to align with the car parking requirements of the Guide to Traffic Generating Developments. Maximum car parking controls were also implemented as follows:

Residential Apartments:

- 0.6 space per small dwelling (e.g. 1 bedroom units)
- 0.9 spaces per medium dwelling (2 bedrooms units)
- 1.4 spaces per large dwelling (3 bedrooms units)
- 1 visitor spaces per 5 units

Commercial Component:

- 1 space per 40 m² GFA for office
- 1 space per 40 m² GLFA for retail

The report considers the car parking compliance of the preliminary scheme and states the following, inter alia:

"Applying the latest adopted rates, 57 parking spaces including visitor parking would be needed for the apartments and 18 spaces for the commercial component to comply with Council's requirements, as noted in Table 1. The proposal will have 75 parking spaces."

The report also considers traffic generation and states the following, inter alia:

"The following peak hourly trip generations stipulated in the RTA Guide to Traffic Generating Developments Issue 2.2. October 2002 were adopted to estimate the likely trip generation of the residential component of the proposed development:

- 0.40 trips/unit for 1 bedroom unit
- 0.45 – 0.50 trips/unit for 2 bedroom units
- 0.65 trips/unit for 3 bedroom units

The commercial (retail) component of the development is expected to generate about 0.8 trips per parking space. The proposed development is therefore likely to generate about 40 trips during the morning and afternoon peak hours..."

Based on the conclusions contained in the Traffic and Parking Report, the proposal is likely to be appropriate from a traffic and parking point of view. It is expected that a significant number of residents would use public transport to access services and employment due to the high level of service along the Victoria Road corridor.

4.6 Requirements of State Environmental Planning Policy (Infrastructure) 2007

Clause 101 and 102 of SEPP (Infrastructure) 2007 requires the consideration of appropriate acoustic and pollution measures for development along classified road corridors. As the subject site fronts Victoria Road which is a state classified road, this is a relevant consideration. The proposed development will adopt appropriate noise abatement measures at the recommendation of an acoustic report conducted at the development application stage. Additionally, the proposed building will assist in creating a noise barrier between the Victoria Road and residential development to the south-west.

It is our opinion that the proposed development is capable of complying with the requirements of the Infrastructure SEPP.

4.7 SEPP No. 55 – Contamination of Land

A Preliminary Contamination Assessment was prepared in support of the proposal by Geotechnique Pty Ltd. The objectives of the assessment were to identify any areas of potential contamination and assess if the site is likely to present a risk of harm. The report considers that the site is appropriate for on the subject site and concludes the following, inter alia:

"Based on this assessment, it is considered that the site would be suitable for the proposed mixed commercial for the proposed mixed commercial and residential uses subject to sampling (preferably after removal of the site features) testing to address the potential contamination listed in Section 70 of the report. If any contaminants are identified the site can be made suitable for the proposed uses following successful remediation and validation.

It is considered reasonable for conditional development consent to be issued to require the sampling and testing. Based on the results of the testing to determine the need or otherwise for remediation. It is considered that based on this approach Council can be satisfied that the site can be made suitable for the proposed uses subject to the imposition of appropriate conditions of consent."

As part of their recommendations, Council requested the preparation of a Detailed Environmental Site Investigation. Accordingly, the amended planning proposal is accompanied by a Stage 2 Contamination Assessment prepared by Geotechnique Pty Ltd. The conclusion states the following, inter alia:

“Based on this assessment and the previous PCA, it is considered that the site can be made suitable for the proposed commercial and residential development with minimal opportunities for soil access subject to implementation of the following:

- *A further assessment to delineate the extents of zinc (Zn), Benzo(a)Pyrene (BaP) contamination at identified locations of concerns as indicated on Drawing No 13585/3-AA2. Appropriate remediation of locations of concern followed by validation will be required.*
- *As this Stage 2CA was carried out with limited sampling and testing of soil samples from (4) locations in accessible areas, assessment of footprints of the existing site features with additional sampling and testing should be carried out after demolition and/or removal, to comply with the NSW EPA Sampling Guidelines, in order to characterise the entire site. In the event of contamination, detailed assessment, remediation and validation will be required.*
- *Development of a remedial action plan (RAP) for the remediation of Zn and BaP impacted soil at identified locations of concern, plus any other contamination identified through the additional sampling and testing beneath the site features, followed by appropriate validation.”*

On the basis of the recommendations of the State 2 Contamination Assessment, the proposal is considered appropriate in this instance.

4.8 Site Suitability

It is proposed to rezone a portion of the site from R2 Low Density Residential to B4 Mixed Use. It is also proposed to amend the height of building and floor space ratio (FSR) development standards that apply to the site. The rezoning of a portion of the site is in-keeping with the existing B4 Mixed Use zoning on the site and logical extension of B4 zone along the Victoria Road corridor which has been identified as an area of investigation for urban renewal.

The proposed FSR is consistent with neighbouring allotments to the north, applying an FSR of 2:1 across the entire site and extending the boundaries of 'Area 3' of the FSR bonus provisions to the western half of the site, allowing an FSR of 2.5:1. Similarly, a height of 20m is proposed for the western portion of the subject site, stepping down to 14m on the eastern portion. This is a suitable response to the context of the subject site as the development creates a transition from larger scale development in the B4 Mixed Use zone to residential development nearby.

A Site Investigation Report has been prepared by Woolacotts Consulting Engineers which outlines the site has readily available services. Connections to these existing services would be assessed at a development application stage. This is considered elsewhere in our report.

The Planning Proposal is consistent with the relevant SEPPs and will be addressed in further detail when necessary at the Development Application stage. A preliminary assessment is contained at Annexure A. The proposal has been assessed against SEPP No. 65 and the ADG criteria and demonstrates the site has the ability to comply with the relevant provisions. The proposal is also consistent with the Section 9.1 ministerial directions, which have been addressed in further detail in Annexure B.

The Planning Proposal is also consistent with Local and State strategic planning documents including the new metropolitan plan: *The Greater Sydney Region Plan*. On this basis, the site is suitable for the proposed amendments.

5.0 EXISTING DCP CONTROLS AND POTENTIAL AMENDMENTS

5.1 Existing DCP Controls

The Canada Bay DCP applies to the site and includes specific provisions for allotments fronting Victoria Road in Drummoyne. These relate to the subject site and nearby allotments on the opposite side of Day Street (see Figure 31). The allotments within the subject site that front Victoria Road are located in Area E and currently have an envelope control which limits development to two storeys. It is noted that the DCP provisions do not relate to the allotments at the rear of the site.

To the north west, the block bounded by Victoria Road, Day Street, Formosa Street and Church Street is located within Area D. The majority of this street block (Nos. 77-105 Victoria Road) has been redeveloped as part of DA0105/2015. Area D provides for a maximum of six storeys fronting Victoria Road, with the top level setback 3m from the lower five levels. Along the Formosa Street frontage, the control provides for two storeys, with a third storey setback 5m from the lower two levels. The two-three storey component of the site is to extend a minimum of one third of the site width (see Figure 32 on the following page).

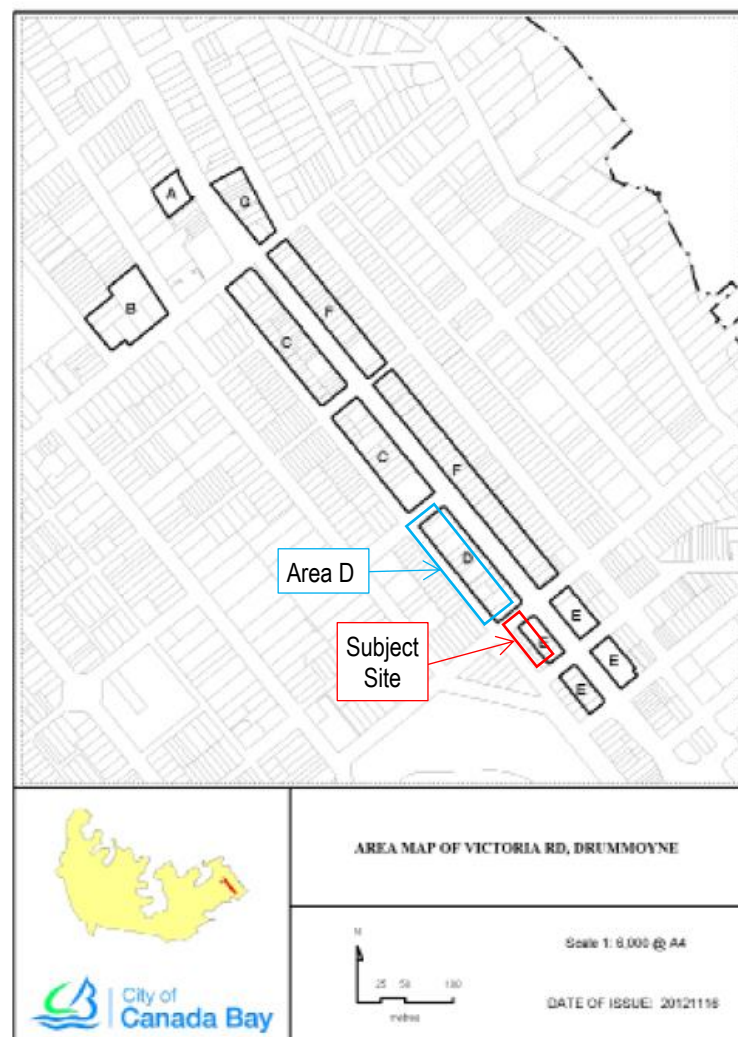


Figure 31: Building Envelope Area Map

The DCP includes indicative envelope diagrams which demonstrate how built form may be distributed on sites within Area D (see Figure 31).

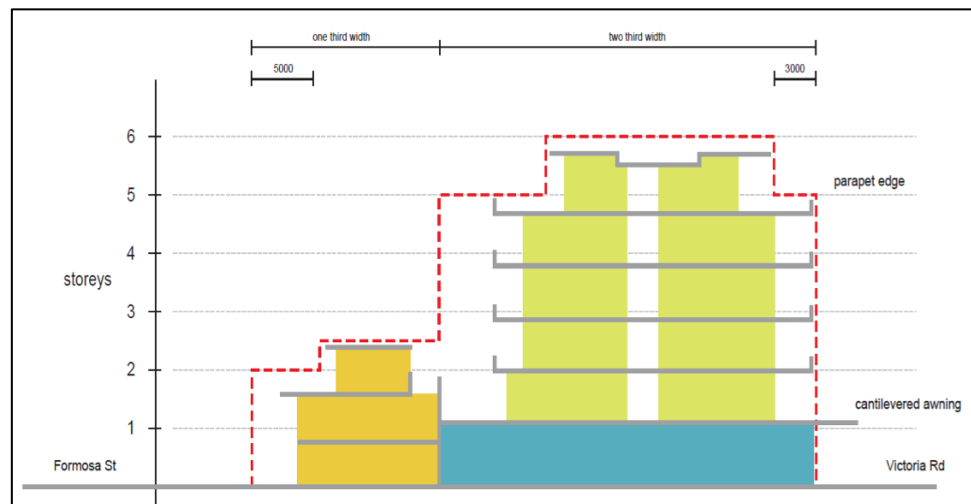


Figure 32: Area D Envelope Controls

5.2 Draft DCP

The City of Canada Bay DCP Draft Amendment February 2017 sets out site-specific controls relating to the proposal's building height on Formosa Street and Thornley Street to protect the heritage conservation area. The Council Officer's Report on the Planning Proposal to the IHAP on 28 June 2018 states, inter alia:

New controls are proposed for 53 Victoria Road and 46 Formosa Street to facilitate a three (3) storey development to the edge of Victoria Road, including ground floor commercial with a cantilevered awning, and a three (3) storey development to the rear (similar to Area "D"), providing an upper level setback of five (5) metres from the Formosa Street boundary to the third storey. For 63-69 Victoria Road and 45 Day Street Drummoyne, a maximum 6 storey development would be permitted facing Victoria Road stepping down to 2-3 storeys fronting Formosa Street.

...

The draft DCP will be exhibited concurrently with the Planning Proposal should the application receive a Gateway Determination.

The subject site is identified as Area H within the DCP with the relevant controls being 24-29. The Planning Proposal is designed to respect the character of the heritage area. Further details on the proposed materials and site specific DCP compliance will be provided as part of any future Development Application for the site.

5.3 Potential Amendments to DCP Controls

The preliminary modelling has been based on similar design principles to those exhibited by the controls for Area D. The majority of building form is massed toward the street and the rear (southern) extent of the development has a reduced overall height.

It is noted that while a three storey Development along Formosa Street is proposed, a 14m height development standard has been sought. This will facilitate a three storey form where the topography falls away in the southern corner of the site.

The Council Officers report considered potential amendments to the DCP, stating the following, inter alia:

“Development Controls proposed for 63-69 Victoria Road and 45 Formosa Street will allow the achievement of the 5th and 6th floors only where amalgamation occurs and a total site area of 2500m² is achieved. Buildings fronting Formosa Street will be required to have a height of two to three storeys. An illustration of this building envelope is shown in the image below.

New controls within the DCP are proposed for 53 Victoria Road and 46 Thornley Street to facilitate a three (3) storey development to the edge of Victoria Road, including ground floor commercial with a cantilevered awning, and a three (3) storey development to the rear (similar to Area “D”), providing an upper level setback of five (5) metres from the Formosa Street boundary to the third storey. These controls will be reflected in a new image created for the draft DCP.

It is recommended that the draft planning controls be prepared for the Canada Bay DCP and be exhibited concurrently with the Planning Proposal should the application receive a Gateway Determination.”

In our opinion, the proposed amendments to the DCP would result in an appropriate built form for the subject site.

6.0 CONCLUSION

This Planning Proposal seeks to amend the Canada Bay LEP 2013 to facilitate a mixed use development that continues the emerging development pattern and provides an effective transition down to nearby lower density residential development. As outlined, this report incorporates recommendations of

The proposal has been prepared in accordance with the NSW DoP's *Guide to Preparing Planning Proposals* and responds to each of the relevant matters contained therein. Based on our consideration of the DoP Guidelines, the following amendments are considered appropriate:

- **Zoning** - Rezoning the rear of the subject site from R2 Low Density Residential to B4 Mixed Use to be consistent with the Victoria Road frontage.
- **Floor Space Ratio** - Apply a floor space ratio (FSR) of 2.1:1 Nos.63-69 Victoria Road and No. 45 Day St), and a FSR of 1.7:1 to No. 53 Victoria Road and No. 46 Thornley Street. Extend the boundaries of 'Area 3' of the FSR bonus provisions to provide a FSR of 2.25:1 to the entire site where a minimum site area of 2,500m² is achieved,
- **Height** - Apply a height limit of 14m to the entire site, and where a minimum site area of 2,500m² is achieved, apply a site specific height limit of 20m to Nos. 63-69 Victoria Road.

Currently, the sites to the north enjoy a 20m height limit and an FSR of up to 3:1. This steps down abruptly on the subject site to a height of 8.5m and an FSR of 0.5:1 – 1:1. The proposed amendments to the LEP will facilitate a development that provides an effective transition and in doing so, results in a superior urban design outcome.

In determining the appropriate amendments, preliminary 3D modelling has been prepared by Bonus and Associates architects. The modelling, based on compliance with SEPP No. 65 and the ADG, demonstrates how the proposed controls could be translated to built form and how this built form would interface with the existing context of the locality. In our opinion, the outcome is favourable and the amendments worthy of support.

This Planning Proposal is also accompanied by a number of expert reports which support various aspects of the proposal. This document should be read in conjunction with those reports.

There are also two annexures to this Planning Proposal which include the consideration of relevant SEPPs/SREPs and an assessment of the relevant Section 9.1 Directions.

On the basis of the information contained herein, it is our opinion that the proposed zoning, height and FSR controls are appropriate for the subject site and will result in a more compatible built form. In our opinion, Council should support the Planning Proposal.

ANNEXURE A: LIST OF SEPPS

SEPP	APPLIES/COMMENTS
SEPP No 1—Development Standards	Not Applicable LEP is a Standard Instrument Format and includes Clause 4.6 Exception to Development Standards
SEPP No 19—Bushland in Urban Areas	Applies, however not relevant in this instance as subject site does not have bushland nor is it zoned for public open space
SEPP No 21—Caravan Parks	Applies, however not relevant in this instance as a Caravan Park is not proposed
SEPP No 30—Intensive Agriculture	Applies, however not relevant in this instance as intensive agriculture is not proposed
SEPP No 33—Hazardous and Offensive Development	Applies –proposed development is unlikely to be considered hazardous or offensive, therefore not relevant
SEPP No 36—Manufactured Home Estates	Not Applicable
SEPP No 44—Koala Habitat Protection	Not Applicable
SEPP No 47—Moore Park Showground	Not Applicable
SEPP No 50—Canal Estate Development	Applies however not relevant in this instance as Canal development is not proposed
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not Applicable
SEPP No 55—Remediation of Land	Applies – Preliminary Contamination Assessment Report states “If any contaminants are identified, the site can be made suitable for the proposed uses following successful remediation and validation”, will be addressed further at DA Stage
SEPP No 62—Sustainable Aquaculture	Not Applicable
SEPP No 64—Advertising and Signage	Applies - Matter for consideration at the time of any Signage DA
SEPP No 65—Design Quality of Residential Flat Development	Applies – Addressed in Section 4.1 of this report and would be addressed in more detail at the DA Stage
SEPP No 70—Affordable Housing (Revised Schemes)	Applies, however not relevant as the site does not fall within one of the sites identified in the aims of the SEPP.
SEPP (Coastal Management) 2018	Not Applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	Not Applicable
SEPP (Affordable Rental Housing) 2009	Applies – would be addressed at DA Stage
SEPP (Building Sustainability Index: BASIX) 2004	Applies - would be addressed at DA Stage
SEPP (Exempt and Complying Development Codes) 2008	Applies however not relevant in this instance
SEPP (Housing for Seniors or People with a Disability) 2004	Applies, however seniors housing is not proposed
SEPP (Infrastructure) 2007	Applies, frontage to Victoria Road may need to be addressed in terms of site access (s101) and road noise and vibration (s102) at DA Stage. Notwithstanding this, site access is proposed from Formosa Street, with no direct access from Victoria Road.

	Division 6 may become relevant on eastern portion of the site due to existing Ambulance Service facility.
SEPP (Integration and Repeals) 2016	Not Applicable
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not Applicable
SEPP (Kurnell Peninsula) 1989	Not Applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applies, however not relevant as mining, petroleum production or extractive industries are not proposed uses of the site
SEPP (Miscellaneous Consent Provisions) 2007	Applies, may be relevant for temporary structures
SEPP (Penrith Lakes Scheme) 1989	Not Applicable
SEPP (Rural Lands) 2008	Not Applicable
SEPP (State and Regional Development) 2011	Not Applicable
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable
SEPP (Sydney Region Growth Centres) 2006	Not Applicable
SEPP (Three Ports) 2013	Not Applicable
SEPP (Urban Renewal) 2010	Applies, however not relevant as subject is not within an identified precinct
SEPP (Vegetation in Non-Rural Areas) 2017	Not Applicable
SEPP (Western Sydney Employment Area) 2009	Not Applicable
SEPP (Western Sydney Parklands) 2009	Not Applicable
Regional Environmental Plans – Deemed SEPPS	
SREP (Sydney Harbour Catchment) 2005	Applies to entire Canada Bay LGA, will be dealt with further at DA Stage, not within Foreshore or Waterways Area Boundary
SREP No 8 - Central Coast Plateau Areas	Not Applicable
SREP No 9 - Extractive Industry (No 2 – 1995)	Not Applicable
SREP No 16 - Walsh Bay	Not Applicable
SREP No 20 – Hawkesbury-Nepean River (No. 2 – 1997)	Not Applicable
SREP No 24 - Homebush Bay Area	Not Applicable
SREP No 26 - City West	Not Applicable
SREP No 30 - St Marys	Not Applicable
SREP No 33 - Cooks Cove	Not Applicable

ANNEXURE B: CONSIDERATION OF SECTION 9.1 DIRECTIONS

SECTION 9.1 DIRECTIONS		APPLICABLE/NOT APPLICABLE
1. Employment Resources		
1.1 Business and Industrial Zones		Applicable
1.2 Rural Zones		Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries		Not Applicable
1.4 Oyster Aquaculture		Not Applicable
1.5 Rural Lands		Not Applicable
2. Environment and Heritage		
2.1 Environment Protection Zones		Not Applicable
2.2 Coastal Management		Not Applicable
2.3 Heritage Conservation		Not Applicable
2.4 Recreation Vehicle Areas		Not Applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs		Not Applicable
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones		Applicable
3.2 Caravan Parks and Manufactured homes Estates		Not Applicable
3.3 Home Occupations		Not Applicable
3.4 Integrating Land Use and transport		Applicable
3.5 Development Near Licensed Aerodromes		Not Applicable
4. Hazard and Risk		
4.1 Acid Sulfate Soils		Not Applicable
4.2 Mine Subsidence and Unstable Land		Not Applicable
4.3 Flood Prone Land		Not Applicable
4.4 Planning for Bushfire Protection		Not Applicable
5. Regional Planning		
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)		Not Applicable
5.2 Sydney Drinking Water Catchments		Not Applicable
5.3 Farmland of State and Regional Significance of the NSW Far North Coast		Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast		Not Applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)		Not Applicable
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008)		Not Applicable
5.7 Central Coast (Revoked 10 July 2008)		Not Applicable
5.8 Second Sydney Airport: Badgerys Creek		Not Applicable
5.9 North West Rail Link Corridor Strategy		Not Applicable
5.10 Implementation of Regional Plans		Not Applicable
6. Local Plan Making		
6.1 Approval and Referral Requirements		Applicable
6.2 Reserving Land for Public Purposes		Not Applicable
6.3 Site Specific Provisions		Not Applicable

7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Applicable
7.2 Implementation of Greater Macarthur land Release Investigation	Not Applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable

CONSIDERATION OF RELEVANT SECTION 9.1 MINISTERIAL DIRECTIONS

Direction 1.1 – Business and Industrial Zones

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). The objectives of this direction are stated, inter alia:

- (a) Encourage employment growth in suitable locations,*
- (b) Protect employment land in business and industrial zones, and*
- (c) Support the viability of identified strategic centres.*

The proposal is consistent with the objectives of Direction 1.1 – Business and Industrial Zones as it will provide the potential for additional employment opportunities, with an increase in the availability of business lands through the provision of additional B4 Mixed Use zoned land.

In this particular instance, the relevant planning authority must be consistent with the direction, and therefore, a planning proposal must:

- (a) Give effect to the objectives of this direction,*
- (b) Retain the areas and locations of existing business and industrial zones,*
- (c) Not reduce the total potential floor space area for employment uses and related public services in business zones,*
- (d) Not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) Ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

The proposed change in land use for the subject site from R2 Low Density/B4 Mixed Use to all B4 Mixed Use will allow for the provision of new business land and will give effect to the objectives of this direction. The proposal demonstrates there will be no reductions in business land; instead the potential floor space for employment uses will be increased. The planning proposal will not impact the provision of

industrial land throughout the LGA. The proposal ensures that new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning. The planning proposal has considered the amended planning controls against relevant state and local planning strategies and has determined it to be consistent with the relevant aims and objectives. In summary, the proposal is consistent with this Direction.

Direction 3.1 – Residential Zones

The direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential boundary) and any other zone in which significant residential development is permitted or proposed to be permitted.

The objectives of this direction are stated, inter alia:

- (a) To encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) To minimise the impact of residential development on the environment and resource lands*

The proposed change in land use is consistent with the objectives of Direction 3.1 due to the efficient use of existing infrastructure and services and an increase in variety and housing choice in the local area...

In this particular instance, the relevant planning authority must be consistent with the direction, and therefore, a planning proposal must:

A planning proposal must include provisions that encourage the provision of housing that will:

- (a) Broaden the choice of building types and locations available in the housing market, and*
- (b) Make more efficient use of existing infrastructure and services, and*
- (c) Reduce the consumption of land for housing and associated urban development on the urban fringe, and*
- (d) Be of good design.*

A planning proposal must, in relation to land to which this direction applies:

- (a) Contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and*
- (b) Not contain provisions which will reduce the permissible residential density of land.*

The proposed change in land use from R2 Low Density Residential/B4 Mixed Use to B4 Mixed Use will allow for the provision of business lands and additional residential development. The proposal is consistent with the surrounding zoning and will allow for additional residential development on the site beyond what is currently permissible. This is consistent with the abovementioned provisions as the proposal offers a broad range of dwellings that make more efficient use of existing infrastructure and services, provides additional housing for Greater Sydney through urban renewal thus reducing the consumption of land on the urban fringe and is, in our opinion, of good design.

Direction 3.4 – Integrating Land Use and Transport

The direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. The objectives of this direction are stated, inter alia:

- (a) Improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) Increasing the choice of available transport and reducing dependence on cars, and*
- (c) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) Supporting the efficient and viable operation of public transport services, and*
- (e) Providing for the efficient movement of freight.*

The proposal is consistent with the objectives of Direction 3.4 due to the site's close proximity to public transport.

Victoria Road is a major bus route corridor, with 19 different bus routes providing access to a number of major centres including Parramatta, Macquarie Park, Ryde, Coogee and the Sydney CBD. A bus stop is currently located on Victoria Road adjoining the subject site. The Victoria Road corridor has also been earmarked for public transport improvements in the short to medium term. The site's accessibility to public transport satisfies the objectives of the direction as it reduces the dependence on cars. In addition, the provision of business lands will improve access to jobs and services through the maximisation of public transport use. The proposal is consistent with this direction.

Direction 6.1 – Approval and Referral Requirements

The direction applies when a relevant planning authority prepares a planning proposal. The objective of the direction is stated, inter alia:

- (a) To ensure that LEP provisions encourage the efficient and appropriate assessment of development.*

The Planning Proposal does not propose any controls that amend concurrence or referral procedures in the LEP. The proposal is consistent with this direction.

Direction 7.1 – Implementation of A Plan for Growing Sydney

The direction applies to the City of Canada Bay Local Government Area and aims to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained within *A Plan for Growing Sydney*. *A Plan for Growing Sydney* was replaced by the *Greater Sydney Region Plan* in March 2018.

The proposal is consistent with the *Greater Sydney Region Plan* as it provides additional housing that is needed in the Greater Sydney area. The Planning Proposal also enhances opportunity for urban renewal along the Victoria Road corridor, which is identified as a city serving transport corridor. The proposal may be a catalyst for further urban renewal along the corridor and is consistent with the recently constructed development to the north at Nos. 77-105 Victoria Road. Consistency with the *Greater Sydney Region Plan* has been further addressed in Section 3.3.2 of this document.

Direction 7.3 – Parramatta Road Corridor Urban Transformation Strategy

This direction applies to the City of Canada Bay Local Government Area, and is applicable when a relevant planning authority prepares a Planning Proposal for land within the Parramatta Road Corridor as identified on the Parramatta Road Corridor Map on pages 14 and 15 of the Parramatta Road Corridor Urban Transformation Strategy (November, 2016). The objectives of this direction are stated, inter alia:

- (a) Facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit,*
- (b) Provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and*
- (c) Guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.*

Although the proposal is within the City of Canada Bay LGA and consistent with the objectives, this direction is less relevant due to the subject site's location outside of the designated Parramatta Road Corridor.