



## Planning Proposal

**Nos. 913–925 Punchbowl Road  
and 21 Canterbury Road  
in Punchbowl**





## Part 1–Intended Outcomes

This planning proposal applies to the site known as Nos. 913–925 Punchbowl Road and 21 Canterbury Road in Punchbowl.

The site comprises the following properties as shown in Part 4 (Map 1):

Property Address	Property Description
913 Punchbowl Road in Punchbowl	Lot B, DP 378634
915 Punchbowl Road in Punchbowl	Lot 2, DP 21524
917 Punchbowl Road in Punchbowl	Lot 3, DP 21524
919 Punchbowl Road in Punchbowl	Lot 4, DP 21524
921 Punchbowl Road in Punchbowl	Lot 6, DP 5245
921A Punchbowl Road in Punchbowl	Lot A, DP 378634
921B Punchbowl Road in Punchbowl	Lot D, DP 382627
923 Punchbowl Road in Punchbowl	Lot 15, DP 132440
925 Punchbowl Road in Punchbowl	Lot 1, DP 236825
21 Canterbury Road in Punchbowl	Lot 14, DP 132440

The intended outcomes of this planning proposal are:

- To concentrate a range of low–rise and medium–rise mixed use development and residential flat buildings at an important junction of the Canterbury Road Corridor.
- To establish the maximum floor space and height of buildings taking into account the context, desired character, bulk, vehicular traffic generation and availability of infrastructure.
- To establish an appropriate interface to the low–rise suburban neighbourhood, busy roads and easements that surround the site.
- To provide residents with good amenity.

### Figure 1: Location Map





## **Part 2–Explanation of Provisions**

To achieve the intended outcomes, the proposed amendments to Bankstown Local Environmental Plan 2015 are:

- Amend the Land Zoning Map by rezoning the properties at Nos. 913–921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre as shown in Part 4 (Map 2).
- Amend the Height of Buildings Map by applying a maximum 17 metre building height to the site as shown in Part 4 (Map 3).
- Amend the Floor Space Ratio Map by applying a maximum 1.8:1 floor space ratio to the site as shown in Part 4 (Map 4).
- Do not apply the Lot Size Map to the properties at Nos. 913–921B Punchbowl Road in Punchbowl as the Lot Size Map does not apply to Zone B1 Neighbourhood Centre.





## Part 3–Justification

### **Section A–Need for the planning proposal**

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

This planning proposal is the result of the North East Local Area Plan and incorporates additional matters raised by the Independent Hearing & Assessment Panel's recommendation of 4 September 2017 and Council's resolution of 28 November 2017 as follows:

##### **1.1 Council adopts the North East Local Area Plan (May 2016)**

At the Extraordinary Meeting of 11 May 2016, Council adopted the North East Local Area Plan, which includes the suburbs of Greenacre, Mount Lewis and Punchbowl.

The intended outcomes of the North East Local Area Plan are to set out the vision and spatial context for the local area, specify the best ways to accommodate residential and employment growth to 2031, and outline the delivery of supporting infrastructure, facilities and open space.

According to the North East Local Area Plan (Action L5), the site forms part of the Canterbury Road Enterprise Corridor. The desired character reads: *The Canterbury Road Enterprise Corridor is a major transport and freight route that will continue to function as a significant economic asset for the City of Bankstown. The built form of supporting housing will create a 'sense of place' through low and medium-rise mixed use nodes at important intersections.*

Given the proximity to Punchbowl Park, the research findings indicate there is some potential for increased development at the site known as Nos. 921–925 Punchbowl Road and 21 Canterbury Road in Punchbowl. The suggested changes include increasing the building envelope from 2 storeys (0.5:1–1:1 FSR) to 5 storeys (1.8:1 FSR) provided:

- The properties consolidate into a single site otherwise a 1:1 FSR applies.
- There is a 3 storey buffer to adjoining low-rise housing.
- There are appropriate buffers to adjacent busy roads, electricity easements and drainage easements.



## 1.2 Department of Planning & Environment issues a Gateway Determination to give effect to the North East Local Area Plan (May 2017)

In May 2017, the Department of Planning & Environment issued a Gateway Determination for a planning proposal which gives effect to the North East Local Area Plan. The planning proposal (PP\_2016\_CBANK\_002) includes the following changes:

- (a) Land use zones, height of buildings and floor space ratios: Amend the Land Zoning Map, Height of Buildings Map and Floor Space Ratio Map as it applies to the following properties:

Properties	Proposed Zone	Proposed Height of Buildings	Proposed FSR
921–921B Punchbowl Road	Zone B1	17 metres (5 storeys)	1.8:1
923–925 Punchbowl Road	No change	17 metres (5 storeys)	1.8:1
21 Canterbury Road	No change	17 metres (5 storeys)	1.8:1

- (b) Lot consolidation to facilitate higher quality built form outcomes: Apply a site specific provision to the properties at Nos. 921–925 Punchbowl Road and 21 Canterbury Road. This provision will require the properties to consolidate into a single site if development is to achieve the maximum floor space ratio shown on the Floor Space Ratio Map. Otherwise a maximum 1:1 FSR will apply.
- (c) Lot sizes: Do not apply the Lot Size Map to the properties at Nos. 921–921B Punchbowl Road as the Lot Size Map does not apply to Zone B1.

The next step is to exhibit the planning proposal for public comment.

## 1.3 The proponent requests Council to prepare a separate planning proposal for the site at Nos. 913–925 Punchbowl Road and 21 Canterbury Road in Punchbowl due to the inclusion of additional properties (July 2017)

In July 2017, Council received an application requesting to amend Bankstown Local Environmental Plan 2015 as follows:

Properties	Proposed Zone	Proposed Height of Buildings	Proposed FSR
921–921B Punchbowl Road	Zone B1	17 metres (5 storeys)	1.8:1
923–925 Punchbowl Road	No change	17 metres (5 storeys)	1.8:1
21 Canterbury Road	No change	17 metres (5 storeys)	1.8:1
913–919 Punchbowl Road	Zone B1	17 metres (5 storeys)	1.8:1



In summary, the application proposes to adopt the same changes as Council's planning proposal (PP\_2016\_CBANK\_002), with the addition of the properties at Nos. 913–919 Punchbowl Road in Punchbowl. Club Punchbowl is in the process of acquiring these properties.

However to expedite the process, the proponent seeks to separate the site from Council's planning proposal as it is likely to take time to request a revised Gateway Determination to include the additional properties.

#### **1.4 Independent Hearing & Assessment Panel Meeting (September 2017)**

At the Independent Hearing & Assessment Panel Meeting of 4 September 2017, the Panel considered whether the application should proceed to Gateway. The Panel's assessment and recommendation read:

*The Panel agrees with the proposed recommendation based on the development potential for the site. However, the Panel is concerned that a number of matters be addressed at an early stage including:*

- (a) the impacts from future development at the zone interface to the north of the site where the zone would change from proposed B1 to residential;*
- (b) whether the proposed changes to height and FSR should be more specifically detailed to achieve different heights and different FSRs across the site (this would also assist in treating the zone interface) but still achieving across the site the proposed yields;*
- (c) whether retail / commercial is necessary to the north of the easement part of the site along Punchbowl Road;*
- (d) specific provisions to include affordable housing along with any other public infrastructure such as pedestrian accessways that the applicant may be considering.*

*The Panel has suggested that these matters be included in the recommendation for the gateway determination, so that they are then picked up to be addressed in the further studies that are to follow the gateway review from the Department.*

#### **IHAP Recommendation**

*The Panel agrees with the Council Staff report subject to the recommendation being amended as follows:*

- 1. Amend 1(a) to read as follows:  
"Rezone the properties at 913 to 921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre, subject to determining whether any retail or commercial uses are necessary for the*



*area north of the drainage easement section of the site along Punchbowl Road (noting that residential flat buildings are permissible in the B1 zone)."*

2. *Amend 1(b) to read as follows:  
"Permit a maximum 17 metre building height and a maximum 1.8:1 FSR. This should include a consideration of different height levels across the site, in association with relevant FSRs across the site (but achieving the same potential yield), including specific treatment of the zone interface between the northern part of the site and the R2 zoning to address adverse amenity impacts."*
3. *Delete 1(c).*
4. *Amend 1(d) by adding the following words at the end of the sentence "(if the site was to have a residential zoning which allowed residential flat buildings)".*
5. *Add point 1(e) as follows:  
"Investigate provisions to include affordable housing along with the provision of or access to other public infrastructure such as pedestrian accessways to surrounding public infrastructure"*

### **1.5 Council resolves to proceed to Gateway (November 2017)**

At the Ordinary Meeting of 28 November 2017, Council considered the Independent Hearing & Assessment Panel's recommendation and resolved that:

1. *Council prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination that will:*
  - (a) *Rezone the properties at 913 to 921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre, subject to determining whether any retail or commercial uses are necessary for the area north of the drainage easement section of the site along Punchbowl Road (noting that residential flat buildings are permissible in the B1 zone).*
  - (b) *Permit a maximum 17 metre building height and a maximum 1.8:1 FSR. This should include a consideration of different height levels across the site, in association with relevant FSRs across the site (but achieving the same potential yield), including specific treatment of the zone interface between the northern part of the site and the R2 zoning to address adverse amenity impacts.*





- (c) *Do not apply the Lot Size Map to the properties at 913–921B Punchbowl Road as the Lot Size Map does not apply to Zone B1 Neighbourhood Centre (if the site was to have a residential zoning which allowed residential flat buildings).*
2. *Subject to approval from the Greater Sydney Commission, Council exhibit the planning proposal, and the matter be reported to Council following the exhibition – outlining any submissions received and the way forward.*
  3. *Council prepare and exhibit DCP amendments to support the planning proposal, and the matter be reported to Council prior to exhibition.*
  4. *Council delegate authority to the General Manager to complete the actions outlined in the recommendations of this report.*

This planning proposal incorporates the additional matters raised by the Independent Hearing & Assessment Panel's recommendation of 4 September 2017 and Council's resolution of 28 November 2017.

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

The North East Local Area Plan recommends this planning proposal as the best means to achieve the intended outcomes as it involves certain changes to Bankstown Local Environmental Plan 2015. This is subject to additional information to manage the likely environmental, economic and social impacts. The additional information includes:

- Urban Design Peer Review: The intended outcome is to address the design principles in more detail by considering the following matters:
  - Review the distribution of the proposed building envelope based on the new site configuration. This would include a consideration of different building height levels in association with relevant floor space ratios across the site.
  - Provide an appropriate built form interface to the surrounding low-rise suburban neighbourhood to address any adverse amenity impacts.
  - Provide appropriate buffers to busy roads, electricity easements and drainage easements to support a healthy built environment.
  - Provide deep soil zones to increase the urban tree canopy cover.
  - Identify any green grid links to neighbouring biodiversity land.



- *Retail Needs Study*: The intended outcome is to confirm whether retail or commercial uses are necessary for the northern part of the site.
- *Remediation Action Plan*: In accordance with the detailed site investigation submitted with the proponent's application, the site may be deemed suitable for the proposed development subject to the preparation of a remediation action plan to manage environmental concerns and data gaps.
- *Acid Sulfate Soils Assessment*: In accordance with the detailed site investigation submitted with the proponent's application, an acid sulfate soils assessment is required.
- *Community Infrastructure Study*: The intended outcome is to ensure there is appropriate infrastructure to support the proposed dwelling growth. The study would consider the scope and cost of infrastructure needs, and identify appropriate mechanisms to deliver the infrastructure works in a timely manner. The study would also consider the provision of walkable places (e.g. pedestrian and cycling access to surrounding public infrastructure) to support a healthy built environment.
- *Affordable Housing Study*: The intended outcome is to investigate ways to deliver a supply of affordable housing if appropriate.
- Consultation with the Roads & Maritime Services.



## **Section B–Relationship to strategic planning framework**

### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional, subregional or district plan or strategy (including any exhibited draft plans or strategies)?**

#### **3.1 Metropolitan Plan ‘A Plan for Growing Sydney’**

This planning proposal is consistent with the Metropolitan Plan, ‘A Plan for Growing Sydney’, namely:

- Direction 2.1 (Accelerate housing supply across Sydney): This planning proposal enables increased residential development consistent with the North East Local Area Plan.
- Direction 2.2 (Accelerate urban renewal across Sydney): This planning proposal facilitates urban renewal consistent with the North East Local Area Plan.
- Direction 2.3 (Improve housing choice to suit different needs and lifestyles): This planning proposal responds to the growing demand for a range of housing types, and delivers a range of building forms and types to cater for different household sizes.

Additional information is also required to further address these directions:

- Direction 3.2 (Create a network of interlinked, multipurpose open and green spaces across Sydney): The urban design peer review would consider deep soil zones to increase the urban tree canopy cover.
- Direction 3.3 (Create healthy built environments): The urban design peer review would consider appropriate buffers to busy roads, electricity easements and drainage easements to support a healthy built environment. The urban design peer review would also consider an appropriate built form interface to the surrounding low-rise suburban neighbourhood to address any adverse amenity impacts.



### 3.2 Draft Greater Sydney Region Plan

This planning proposal is consistent with the objectives of the Draft Greater Sydney Region Plan, namely:

- Objective 10 (Greater housing supply) and Objective 30 (Urban tree canopy cover is increased): This planning proposal provides housing supply and a range of housing types to support Sydney's growing population. Whilst this planning proposal is in an appropriate location consistent with the North East Local Area Plan, it is proposed to carry out an urban design peer review to consider the following matters:
  - Review the distribution of the proposed building envelope based on the new site configuration. This would include a consideration of different building height levels in association with relevant floor space ratios across the site.
  - Provide an appropriate built form interface to the surrounding low-rise suburban neighbourhood to address any adverse amenity impacts.
  - Provide appropriate buffers to busy roads, electricity easements and drainage easements to support a healthy built environment.
  - Provide deep soil zones to increase the urban tree canopy cover.
  - Identify any green grid links to neighbouring biodiversity land.

Additional information is also required to further address these objectives:

- Objective 2 (Infrastructure aligns with forecast growth), Objective 7 (Communities are healthy, resilient and socially connected) and Objective 12 (Great places that bring people together): A community infrastructure study is required to ensure there is appropriate infrastructure to support the proposed dwelling growth. The study would consider the scope and cost of infrastructure needs, and identify appropriate mechanisms to deliver the infrastructure works in a timely manner. The study would also consider the provision of walkable places (e.g. pedestrian and cycling access to surrounding public infrastructure) to support a healthy built environment.
- Objective 11 (Housing is more diverse and affordable): An affordable housing study is required to investigate ways to deliver a supply of affordable housing if appropriate.
- Objective 22 (Investment and business activity in centres): A retail needs study is required to confirm whether retail or commercial uses are necessary for the northern part of the site.





- Objective 37 (Exposure to natural and urban hazards is reduced): In accordance with the detailed site investigation submitted with the proponent's application, a remediation action plan and acid sulfate soils assessment are required to address this objective. The urban design peer review would consider appropriate buffers to busy roads, electricity easements and drainage easements.

### 3.3 Draft South District Plan

This planning proposal is consistent with the planning priorities of the Draft South District Plan, namely:

- Priority S5 (Providing housing supply, choice and affordability) and Priority S15 (Increasing urban tree canopy cover and delivering Green Grid connections): This planning proposal provides housing supply and a range of housing types to support Sydney's growing population. Whilst this planning proposal is in an appropriate location consistent with the North East Local Area Plan, it is proposed to carry out an urban design peer review to consider the following matters:
  - Review the distribution of the proposed building envelope based on the new site configuration. This would include a consideration of different building height levels in association with relevant floor space ratios across the site.
  - Provide an appropriate built form interface to the surrounding low-rise suburban neighbourhood to address any adverse amenity impacts.
  - Provide appropriate buffers to busy roads, electricity easements and drainage easements to support a healthy built environment.
  - Provide deep soil zones to increase the urban tree canopy cover.
  - Identify any green grid links to neighbouring biodiversity land.

Additional information is also required to further address these planning priorities:

- Priority S1 (Planning for a city supported by infrastructure) and Priority S4 (Fostering healthy and socially connected communities): A community infrastructure study is required to ensure there is appropriate infrastructure to support the proposed dwelling growth. The study would consider the scope and cost of infrastructure needs, and identify appropriate mechanisms to deliver the infrastructure works in a timely manner. The study would also consider the provision of walkable places (e.g. pedestrian and cycling access to surrounding public infrastructure) to support a healthy built environment.



- Priority S5 (Providing housing supply, choice and affordability): An affordable housing study is required to investigate ways to deliver a supply of affordable housing if appropriate.
- Priority S6 (Creating and renewing great places and local centres): A retail needs study is required to confirm whether retail or commercial uses are necessary for the northern part of the site.
- Priority S18 (Adapting to the impacts of urban and natural hazards and climate change): In accordance with the detailed site investigation submitted with the proponent's application, a remediation action plan and acid sulfate soils assessment are required to address this planning priority. The urban design peer review would consider appropriate buffers to busy roads, electricity easements and drainage easements.



#### 4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

##### 4.1 Bankstown Community Plan 2023 (former Bankstown City Council)

The vision of the Bankstown Community Plan 2023 is to have '*a thriving centre of Greater Sydney. We enjoy the services and facilities of a prosperous, growing city with lively neighbourhoods and a proud history. Our diverse population live and work together in harmony. Bankstown is a modern, active community with quality transport infrastructure, clean waterways, pristine bushland and great community spaces and parks*'.

Term Achievement 1 will achieve this vision by having integrated plans for local areas that guide future development in the city. This resulted in Council adopting the North East Local Area Plan based on consultation with property owners and residents.

This planning proposal is consistent with the Bankstown Community Plan and the North East Local Area Plan.

##### 4.2 Canterbury Road Corridor Review

Council endorsed the Canterbury Road Corridor Review at the Ordinary Meeting of 25 July 2017 for exhibition purposes. The intended outcomes of the review are:

- To guide changes to land use planning and built form controls along the corridor.
- To establish a long term plan for investment in urban amenities, open space, active transport, street design and other infrastructure in the corridor and surrounding land.
- To support requests for government support and funding to aid in the delivery of some of the recommendations, for example the Greater Sydney Commission's Metropolitan Greenspace Program.
- To inform decisions on planning proposals related to the corridor and surrounding land.

This planning proposal is consistent with the intended outcomes of the review, namely:

- Recommendation 1 (Concentrate residential development west of the Cooks River at 7 Junctions at the intersection of Canterbury Road and identified north running streets): The site is located at the Punchbowl Road Junction (corner of Canterbury and Punchbowl Roads).



In relation to land uses and built form, the review recommends a land use zone which provides for medium and high-density housing as part of mixed use development within the Junction.

- Recommendation 8 (Ensure a consistent minimum setback from Canterbury Road for potential streetscape enhancements): The review recommends appropriate setbacks to accommodate potential streetscape enhancements.
- Recommendation 14 (Advance consideration of the urban form possibilities in the Greater Canterbury Corridor, aimed at addressing the critical shortage of open space, urban amenity and street connectivity): The review found public open space to be in undersupply, particularly walking access to small and medium sized spaces to support daily passive recreation needs. The review recommends improving connectivity and quality pedestrian / cyclist links that comprise the green grid concept in return for the increased development uplifts.





## 5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

This planning proposal is consistent with applicable state environmental planning policies as shown in Attachment A, namely:

- SEPP No. 65–Design Quality of Residential Apartment Development: This planning proposal considers the design principles and the Apartment Design Guide in preparing the building envelope provisions.

To address the design principles in more detail, it is proposed to carry out an urban design peer review to consider the following matters:

- Review the distribution of the proposed building envelope based on the new site configuration. This would include a consideration of different building height levels in association with relevant floor space ratios across the site.
- Provide an appropriate built form interface to the surrounding low-rise suburban neighbourhood to address any adverse amenity impacts.
- Provide appropriate buffers to busy roads and electricity / drainage easements to support a healthy built environment.
- Provide deep soil zones to increase the urban tree canopy cover.
- Identify any green grid links to neighbouring biodiversity land.

However, this planning proposal is inconsistent with the following state environmental planning policies:

- SEPP No. 55–Remediation of Land: The SEPP requires Council to consider land contamination where it is proposed to enable development for residential purposes and other sensitive land uses. Part 7A of the EP&A Act reinforces this direction.

According to the detailed site investigation submitted with the proponent's application, the site may be deemed suitable for the proposed development subject to the preparation of a remediation action plan to manage environmental concerns and data gaps. A remediation action plan (prepared by a site auditor) is required to address the SEPP.

- SEPP (Infrastructure) 2007: The SEPP aims to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure development. The site adjoins Canterbury Road and Punchbowl Road, which are classified roads. Consultation with the Roads & Maritime Services is required to address the SEPP.



- Greater Metropolitan REP No. 2–Georges River Catchment: The Deemed SEPP aims to protect and enhance the environmental quality of the catchment. This planning proposal is generally consistent with the Deemed SEPP with the exception of clause 9 in relation to principle (1)–Acid sulfate soils. This planning principle requires Council to take into account acid sulfate soils and the capacity of land to sustain the proposed land uses. An acid sulfate soils assessment is required to address the Deemed SEPP.

## **6. Is the planning proposal consistent with applicable Ministerial (117) Directions?**

This planning proposal is consistent with applicable Ministerial (117) Directions as shown in Attachment B, namely:

- Direction 3.1–Residential Zones: The objective of this direction is to encourage a variety and choice of housing types to provide for existing and future housing needs.

This planning proposal is consistent with this direction as it broadens the choice of housing types available in the market as outlined in the North East Local Area Plan. According to clause 4(d) of this direction, the proposal must also include provisions that encourage good design. To address clause 4(d) in more detail, it is proposed to carry out an urban design peer review to consider the following matters:

- Review the distribution of the proposed building envelope based on the new site configuration. This would include a consideration of different building height levels in association with relevant floor space ratios across the site.
  - Provide an appropriate built form interface to the surrounding low-rise suburban neighbourhood to address any adverse amenity impacts.
  - Provide appropriate buffers to busy roads, electricity easements and drainage easements to support a healthy built environment.
  - Provide deep soil zones to increase the urban tree canopy cover.
  - Identify any green grid links to neighbouring biodiversity land.
- Direction 3.4–Integrating Land Use and Transport: The objectives of this direction are to improve access to housing, jobs and services by walking, cycling and public transport; and to reduce dependence on cars.

In relation to context, the site is located 1.2km from the Punchbowl railway station. This planning proposal considers the context by limiting the proposed capacity of the site and the potential for additional traffic on the road network.



According to clause 1(a), it remains for this planning proposal to demonstrate how it will improve access by walking and cycling. To address clause 1(a) in more detail, it is proposed to carry out a community infrastructure study. The study would look at providing walkable places (e.g. pedestrian and cycling access to surrounding public infrastructure) to support a healthy built environment.

- *Direction 7.1–Implementation of A Plan for Growing Sydney:* The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney. This planning proposal is consistent with this direction (see Section B(3) of this planning proposal for details).

However, this planning proposal is inconsistent with the following Ministerial (117) Directions:

- *Direction 1.1–Business and Industrial Zones:* The objectives of this direction are to encourage employment growth in suitable locations, and to protect employment land in business zones.

This planning proposal is generally consistent with this direction as it retains the existing business zone and does not reduce the total potential floor space area for employment uses.

However, this planning proposal is inconsistent with clause 4(e) of this direction as the new employment area (i.e. the proposed extension of the business zone) is not in accordance with a strategy that is approved by the Secretary of the Department of Planning & Environment. In accordance with clause 5(b) of this direction, a retail needs study is required to justify the inconsistency. The study would confirm whether retail or commercial uses are necessary for the northern part of the site.

- *Direction 4.1–Acid Sulfate Soils:* The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. The site is subject to acid sulfate soils (classes 3 and 5).

In accordance with the detailed site investigation submitted with the proponent's application, an acid sulfate soils assessment is required to address this direction.



- *Direction 4.3–Flood Prone Land:* The objective of this direction is to ensure the provisions of a LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The site is affected by the high and medium stormwater flood risk precincts.

High risk stormwater flood precinct

In relation to land that is partially within the high risk stormwater flood precinct, this planning proposal is inconsistent with clause 6(c) of this direction as it proposes to increase densities on the following properties:

<b>Properties</b>	<b>Current Zone</b>	<b>Proposed Zone</b>	<b>Portion of land affected by the high risk stormwater flood precinct</b>
921–921B Punchbowl Road	R2	B1	Common boundary with drainage reserve
923 Punchbowl Road	B1	No change	Common boundary with drainage reserve

In accordance with clause 9(b) of this direction, the proposal may be inconsistent if the provisions are of minor significance and will not result in an increased risk to life or property.

The primary justification is the portion of land affected by the high risk stormwater flood precinct on each of these properties is small, and the remaining land on these properties is fully developable for mixed use and residential purposes. Development on the remaining land is subject to Bankstown Development Control Plan 2015–Part B12 (Flood Risk Management) as outlined in the section on the medium risk stormwater flood precinct.

Medium risk stormwater flood precinct

In relation to land that is partially within the medium risk stormwater flood precinct, this planning proposal is inconsistent with clause 6(c) of this direction as it proposes to increase densities on the affected properties at Nos. 921–923 Canterbury Road and 21 Canterbury Road in Punchbowl.

In accordance with clause 9(b) of this direction, this planning proposal may be inconsistent if the provisions are of minor significance and will not result in an increased risk to life or property.





The primary justification is based on Bankstown Development Control Plan 2015–Part B12 (Flood Risk Management) which is Council’s current policy and was prepared in accordance with the Floodplain Development Manual 2005. The properties are subject to Bankstown DCP 2015–Part B12, namely Section 3 and Schedule 5. According to the DCP, the medium flood risk precinct is defined as:

*Medium flood risk precinct is land below the 100-year flood that is not subject to a high hydraulic hazard and where there are no significant evacuation difficulties. There would still be a significant risk of flood damage in this precinct. However, these damages can be minimised by the application of appropriate development controls.*

These appropriate development controls include:

- Floor Level: Habitable floor levels will require a free board.
- Flood Effects: Medium density residential development is not identified as a potentially unsuitable land use in the medium risk precinct in accordance with Schedule 5.
- Parking and Driveway Access: The design of parking and driveway access must minimise inundation and (where practical) incorporate appropriate warning signage and exits.
- Parking and Evacuation: Development must provide reliable access for pedestrians and vehicles from buildings, and must be consistent with any flood evacuation strategy or similar strategy that has been adopted by Council.

Any risks resulting from the future redevelopment of these properties may be satisfactorily addressed by applying the above development controls as part of the development application process.

The proposal to increase densities within the medium flood risk precinct is therefore appropriate as it is consistent with the principles of the NSW Government’s Flood Policy, the Flood Development Manual 2005 and clause 9(b) of this direction.



## **Section C–Environmental, social and economic impact**

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

This planning proposal is consistent with Ministerial (117) Direction 2.1 as it does not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

It is noted that the neighbouring properties at Nos. 891A, 893 and 899A Canterbury Road in Punchbowl contain biodiversity land, and the urban design peer review would look to identify any green grid links to this land.

### **8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

This planning proposal addresses the natural hazards that impact on the local areas, namely stormwater flooding. The measures include minimising the intensification of development within the high flood risk areas.

However, an urban design peer review is required to address other significant hazards, namely:

- Noise and air quality along arterial roads with high traffic volume. The urban design peer review would look at appropriate buffers to busy roads.
- The exposure of residential development to the adjacent electricity easements and drainage easements. The urban design peer review would look at appropriate buffers, and Council would consult with the relevant electricity provider.

### **9. Has the planning proposal adequately addressed any social and economic effects?**

In relation to social and economic effects, this planning proposal is consistent with the Draft Greater Sydney Region Plan and Draft South District Plan (see Section B(3) of this planning proposal for details).



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

### **10. Is there adequate public infrastructure for the planning proposal?**

In relation to public infrastructure, this planning proposal is inconsistent with State Environment Planning Policy (Infrastructure) 2007 for the reasons outlined in Section B(5) of this planning proposal.

A community infrastructure study is also required to ensure there is appropriate infrastructure to support the proposed dwelling growth. The study would consider the scope and cost of infrastructure needs, and identify appropriate mechanisms to deliver the infrastructure works in a timely manner. The study would also consider the provision of walkable places (e.g. pedestrian and cycling access to surrounding public infrastructure) to support a healthy built environment.

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

This planning proposal has not been the subject of consultation with State and Commonwealth public authorities.



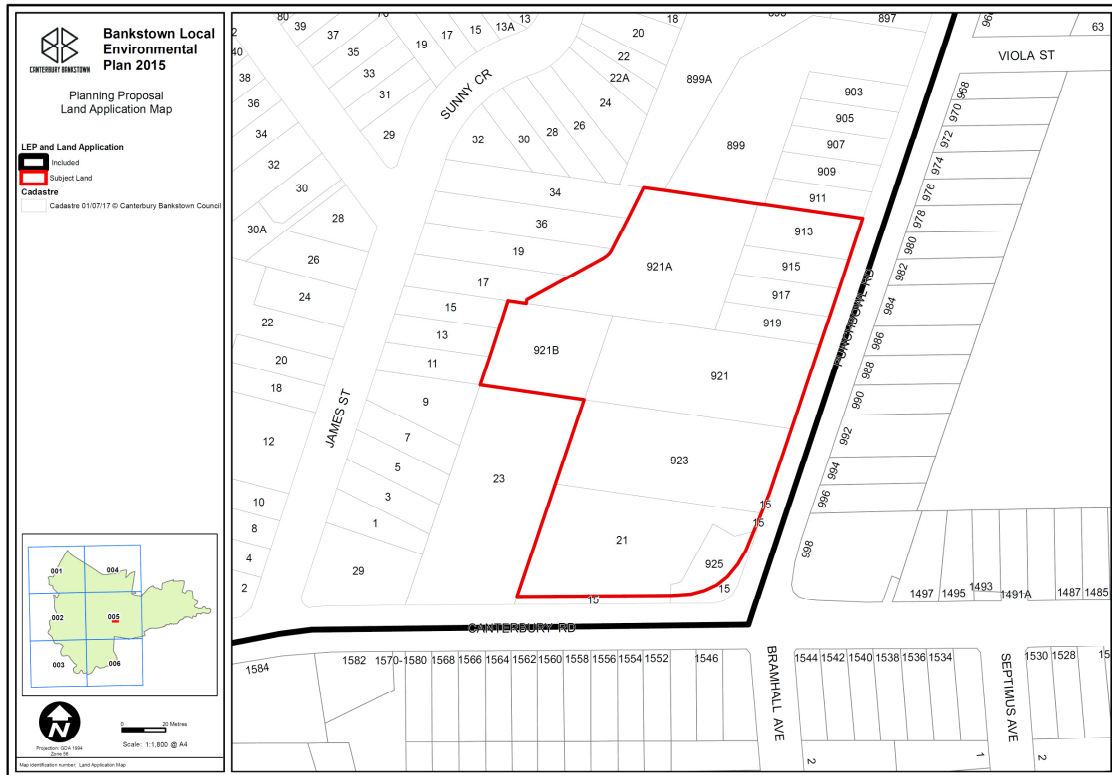
## **Part 4–Maps**

The maps which support this planning proposal are:

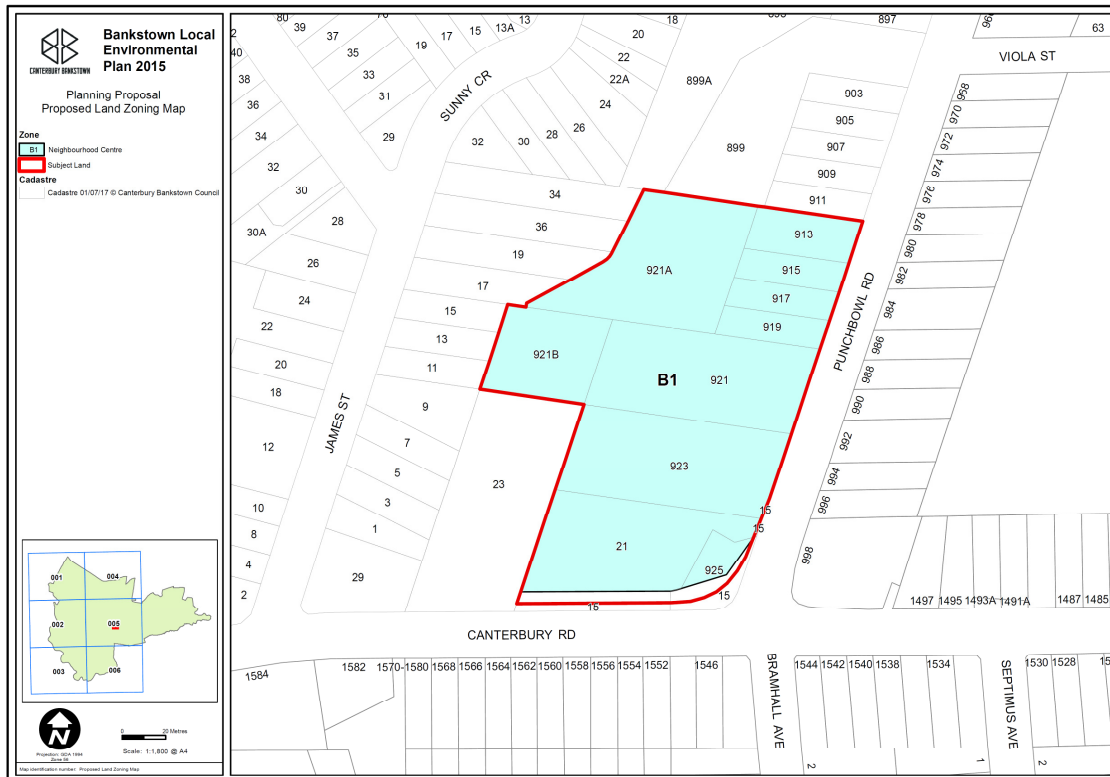
- Map 1–Land Application Map
- Map 2–Proposed Land Zoning Map
- Map 3–Height of Buildings Map
- Map 4–Proposed Floor Space Ratio Map
- Map 5–Current Land Zoning Map
- Map 6–Current Height of Buildings Map
- Map 7–Current Floor Space Ratio Map
- Map 8–Current Aerial Image



## Map 1—Land Application Map

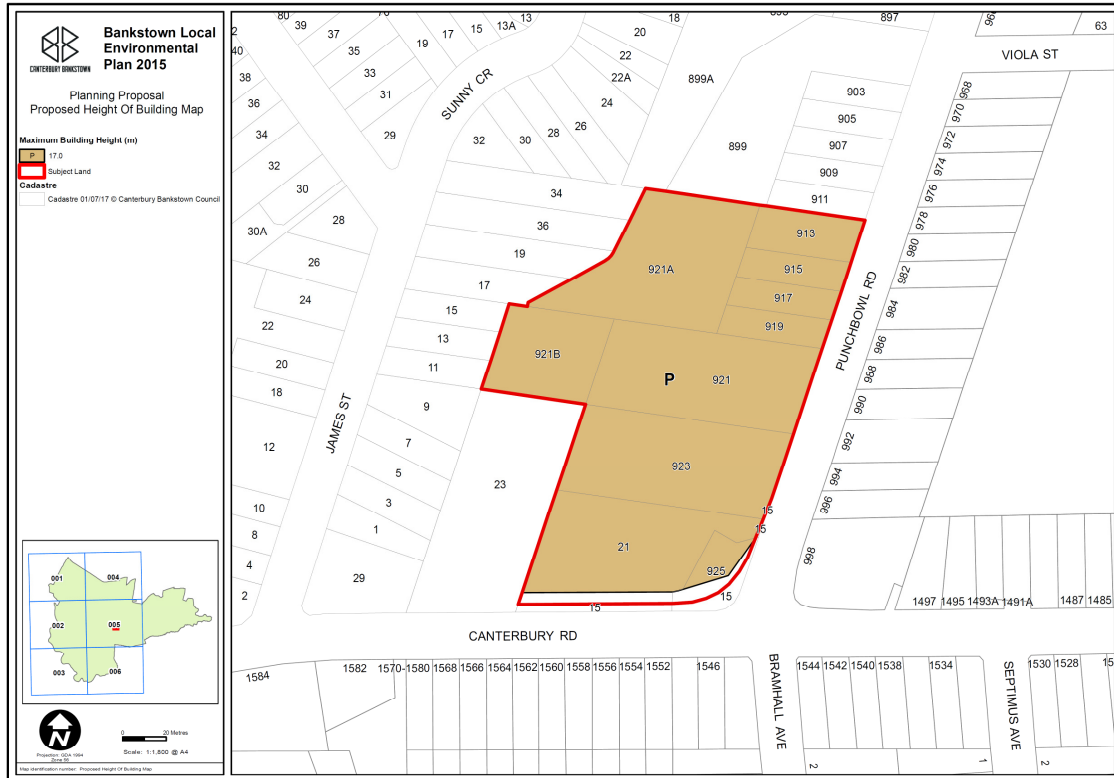


## Map 2–Proposed Land Zoning Map



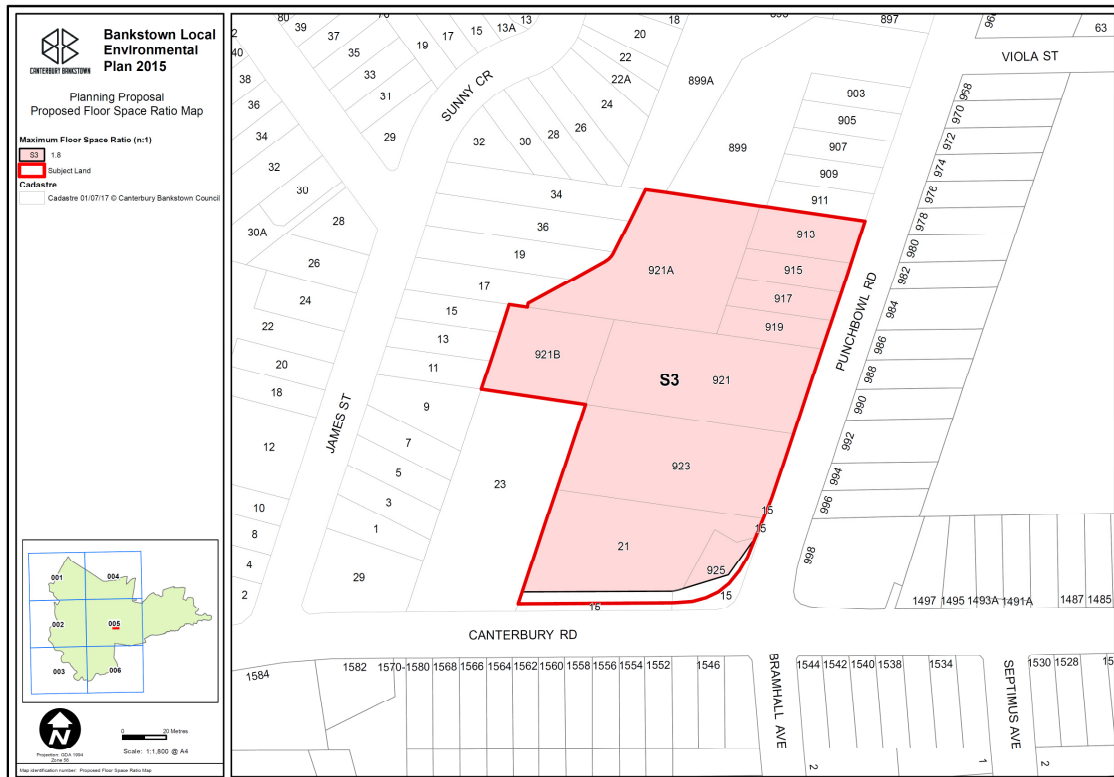


### Map 3—Proposed Height of Buildings Map



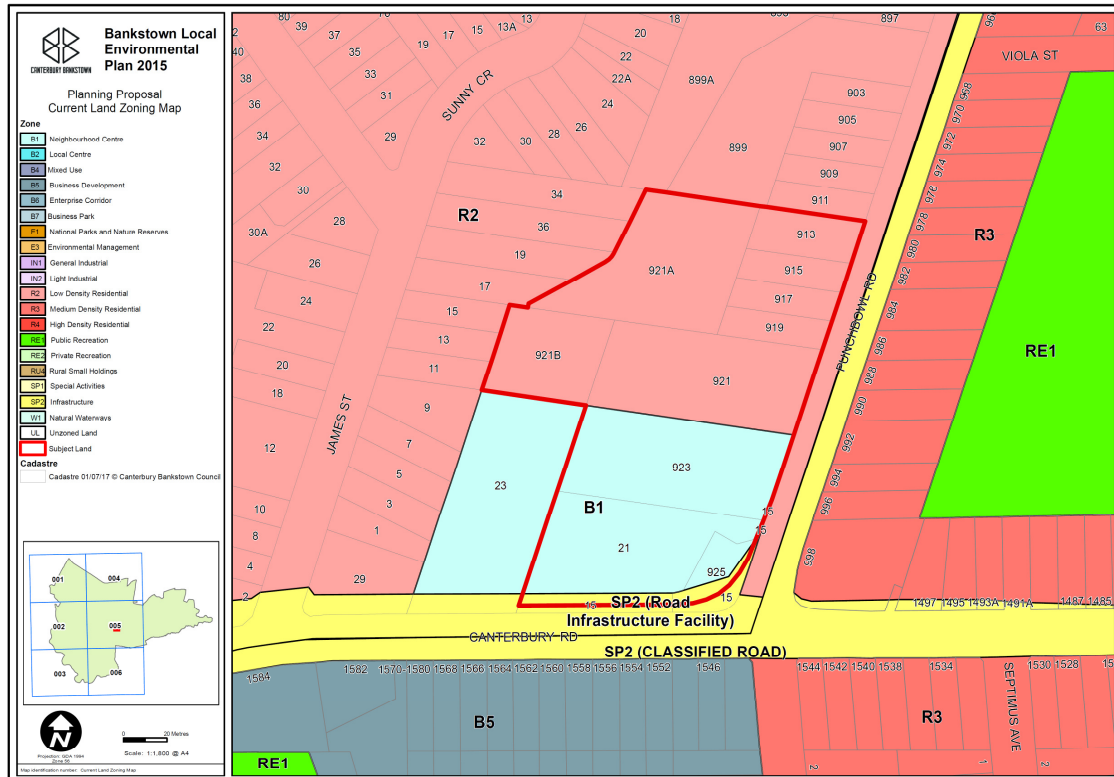


## Map 4—Proposed Floor Space Ratio Map



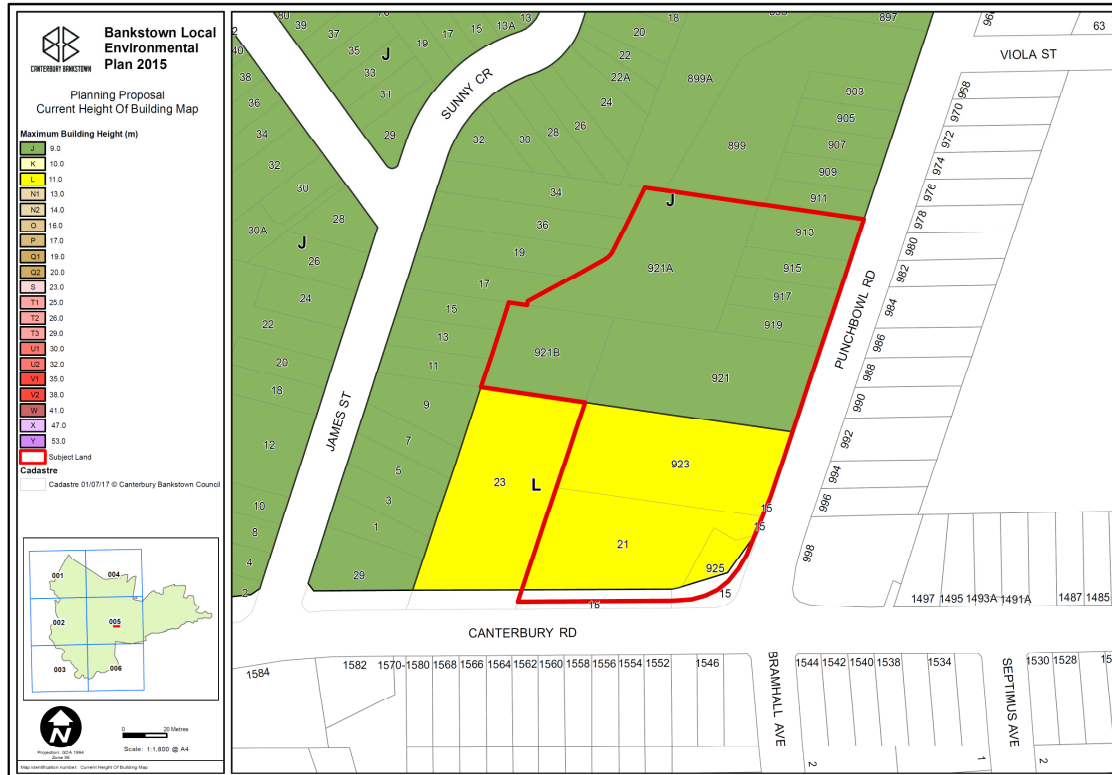


Map 5–Current Land Zoning Map



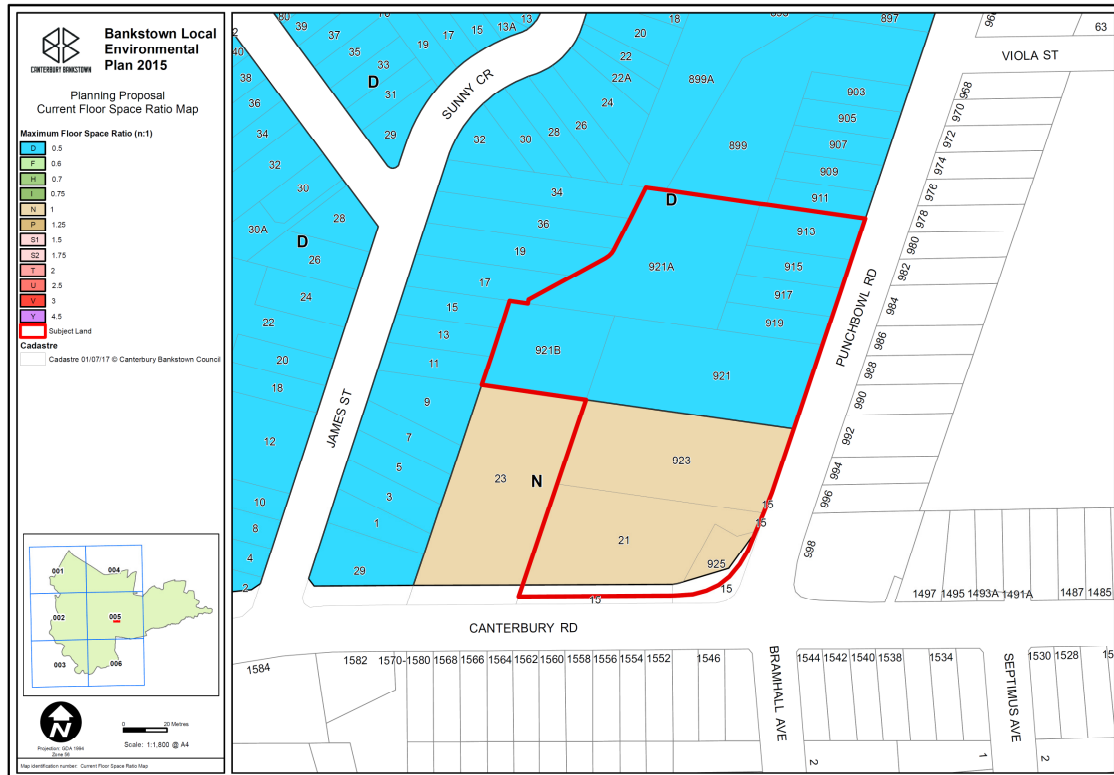


## Map 6—Current Height of Buildings Map





## Map 7–Current Floor Space Ratio Map





Map 8—Current Aerial Image





## Part 5–Community Consultation

Although the Gateway Determination will confirm the public consultation that must be undertaken, the exhibition period for this planning proposal is likely to take 28 days and would comprise:

- Advertisements in the local newspaper that circulates in the area affected by the planning proposal.
- Displays at the Council administration building (Bankstown Branch) and corporate website.
- Written notification to affected and adjoining property owners where practical.
- Written notification to relevant agencies including:
  - Transport for NSW
  - Roads & Maritime Services
  - Environment Protection Authority
  - Sydney Water
  - Transgrid.

## Part 6–Project Timeline

Dates	Project timeline
March 2018	Issue of Gateway Determination.
July 2018	Exhibit planning proposal.
September 2018	Report to Council following the exhibition.
October 2018	Submit planning proposal to the Department of Planning & Environment for determination.



## ATTACHMENT A–State Environmental Planning Policies

SEPPs (as at December 2017)		Applicable	Consistent
1	Development Standards	Yes	Yes
14	Coastal Wetlands	No	N/A
19	Bushland in Urban Areas	Yes	Yes
21	Caravan Parks	Yes	Yes
26	Littoral Rainforests	No	N/A
30	Intensive Agriculture	Yes	Yes
33	Hazardous & Offensive Development	Yes	Yes
36	Manufactured Home Estates	No	N/A
44	Koala Habitat Protection	No	N/A
47	Moore Park Showground	No	N/A
50	Canal Estate Development	Yes	Yes
52	Farm Dams & Other Works in Land & Water Management Plan Areas	No	N/A
55	Remediation of Land	Yes	No
62	Sustainable Aquaculture	Yes	Yes
64	Advertising & Signage	Yes	Yes
65	Design Quality of Residential Apartment Development	Yes	Yes
70	Affordable Housing (Revised Schemes)	No	N/A
71	Coastal Protection	No	N/A
	(Affordable Rental Housing) 2009	Yes	Yes
	(Building Sustainability Index: BASIX) 2004	Yes	Yes
	(Educational Establishments & Child Care Facilities) 2017	Yes	Yes
	(Exempt & Complying Development Codes) 2008	Yes	Yes
	(Housing for Seniors or People with a Disability) 2004	Yes	Yes





SEPPs (as at December 2017)		Applicable	Consistent
	(Infrastructure) 2007	Yes	No
	(Integration and Repeals) 2016	No	N/A
	(Kosciuszko National Park–Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Mining, Petroleum Production & Extractive Industries) 2007	Yes	Yes
	(Miscellaneous Consent Provisions) 2007	Yes	Yes
	(Penrith Lakes Scheme) 1989	No	N/A
	(Rural Lands) 2008	No	N/A
	(State & Regional Development) 2011	Yes	Yes
	(State Significant Precincts) 2005	Yes	Yes
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non–Rural Areas) 2017	Yes	Yes
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
	Greater Metropolitan REP No 2–Georges River Catchment	Yes	No
	Sydney REP (Sydney Harbour Catchment) 2005	No	N/A
	Draft (Coastal Management) 2016	No	N/A



## ATTACHMENT B–Ministerial (117) Directions

Direction & Issue Date		Applicable	Consistent
<b>Employment and Resources</b>			
1.1	Business and Industrial Zones [01/05/17]	Yes	No
1.2	Rural Zones [14/04/16]	No	N/A
1.3	Mining, Petroleum Production & Extractive Industries [01/07/09]	No	N/A
1.4	Oyster Aquaculture [01/07/09]	No	N/A
1.5	Rural Lands [01/07/09]	No	N/A
<b>Environment and Heritage</b>			
2.1	Environment Protection Zones [14/04/16]	Yes	Yes
2.2	Coastal Protection [14/04/16]	No	N/A
2.3	Heritage Conservation [01/07/09]	Yes	Yes
2.4	Recreation Vehicle Areas [14/04/16]	Yes	Yes
2.5	Application of E2 and E3 Zones & Environmental Overlays in Far North Coast LEPs [02/03/16]	No	N/A
<b>Housing, Infrastructure and Urban Development</b>			
3.1	Residential Zones [14/04/16]	Yes	Yes
3.2	Caravan Parks & Manufactured Home Estates [14/04/16]	Yes	Yes
3.3	Home Occupations [01/07/09]	Yes	Yes
3.4	Integrating Land Use and Transport [14/04/16]	Yes	Yes
3.5	Development Near Licensed Aerodromes [14/04/16]	Yes	Yes
3.6	Shooting Ranges [16/02/11]	No	N/A



<b>Hazard and Risk</b>			
4.1	Acid Sulfate Soils [01/07/09]	Yes	No
4.2	Mine Subsidence and Unstable Land [14/04/16]	No	N/A
4.3	Flood Prone Land [01/07/09]	Yes	No
4.4	Planning for Bushfire Protection [01/07/09]	No	N/A
<b>Regional Planning</b>			
5.1	Implementation of Regional Strategies [01/05/17]	No	N/A
5.2	Sydney Drinking Water Catchments [03/03/11]	No	N/A
5.3	Farmland of State & Regional Significance on the NSW Far North Coast [01/05/17]	No	N/A
5.4	Commercial & Retail Development along the Pacific Highway, North Coast [21/08/15]	No	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) [Revoked]	No	N/A
5.6	Sydney to Canberra Corridor [Revoked]	No	N/A
5.7	Central Coast [Revoked]	No	N/A
5.8	Second Sydney Airport: Badgerys Creek [14/04/16]	No	N/A
5.9	North West Rail Link Corridor Strategy [30/09/13]	No	N/A
5.10	Implementation of Regional Plans [14/04/16]	Yes	Yes
<b>Local Plan Making</b>			
6.1	Approval and Referral Requirements [01/07/09]	Yes	Yes
6.2	Reserving Land for Public Purposes [01/07/09]	Yes	Yes
6.3	Site Specific Provisions [01/07/09]	Yes	Yes



Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney [14/01/15]	Yes	Yes
7.2	Implementation of Greater Macarthur Land Release Investigation [22/09/15]	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy [19/12/16]	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use & Infrastructure Plan [15/05/17]	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Land Use & Infrastructure Plan [25/07/17]	No	N/A
7.6	Implementation of Wilton Priority Growth Area Land Use & Infrastructure Plan [05/08/17]	No	N/A