
Canterbury Bankstown Local Planning Panel - 19 November 2018

ITEM 7 Planning Proposal - 353-355 Waterloo Road Greenacre (Chullora Marketplace)

AUTHOR Planning

PURPOSE AND BACKGROUND

Council is in receipt of an application to prepare a planning proposal for the site at 353–355 Waterloo Road Greenacre, known as the Chullora Marketplace. The application seeks to increase the maximum building height from 11 metres (three storeys) to 14–20 metres (four–six storeys), and to rezone the site at 353 Waterloo Road to Zone B2 Local Centre.

Council’s assessment indicates the proposal has strategic merit subject to implementing the recommendations of an urban design peer review. The assessment also identifies the need for additional information as part of the Gateway process to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, revised Traffic Study for the purposes of consultation with the Roads & Maritime Services, Heritage Study and Economic Impact Study.

ISSUE

In accordance with the Local Planning Panel’s Direction, the Panel is requested to recommend whether a planning proposal for the site at 353–355 Waterloo Road Greenacre should proceed to Gateway.

RECOMMENDATION That -

1. The application to amend Bankstown Local Environmental Plan 2015 should proceed to Gateway subject to the following:
 - (a) For the site at 353 Waterloo Road Greenacre:
 - (i) Rezone the site to Zone R2 Low Density Residential.
 - (ii) Permit a maximum 1:1 FSR for the site. Within the 1:1 FSR envelope, apply a maximum 0.65:1 FSR for the purposes of residential development.
 - (iii) Permit a maximum building height of 14 metres (four storeys).
 - (iv) Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre.
 - (b) For site at 355 Waterloo Road Greenacre:
 - (i) Apply a maximum 0.65:1 FSR for the purposes of residential development, while retaining the existing 1:1 FSR for the site.

- (ii) Permit a maximum height of 11 metres (three storeys) along the southern boundary, 14 metres (four storeys) along the eastern and western boundaries, and 20 metres (six storeys) for the remainder of the site, as shown in Figure 11 of this report.
- 2. The Gateway process should require the following additional information:
 - (a) Social Impact and Community Needs Assessment
 - (b) Heritage Study for the site at 355 Waterloo Road Greenacre
 - (c) Revised Traffic Study for the purposes of consultation with the Roads & Maritime Services
 - (d) Economic Impact Study to analyse potential impacts on the Greenacre Small Village Centre as a result of the proposal.
- 3. Council should seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
- 4. Council prepare a site specific DCP Amendment.

ATTACHMENTS

- A. Assessment Findings

POLICY IMPACT

This matter has no policy implications for Council.

FINANCIAL IMPACT

At this stage, this matter has no financial implications for Council.

COMMUNITY IMPACT

The application indicates possible public domain improvements to be undertaken by the proponent, including the upgrade of the playground at Norfolk Reserve and a pedestrian crossing on the northern side of the Norfolk Road / Waterloo Road intersection.

This report identifies the need for a Social Impact and Community Needs Assessment prior to finalising an assessment of the public benefits. Council may need a mechanism with the proponent to deliver the public benefits in a timely manner. This may involve a planning agreement to legally capture the public benefits. If a planning agreement is required, it would be separately reported to Council.

DETAILED INFORMATION

SITE DESCRIPTION

The site at 353–355 Waterloo Road Greenacre comprises the Chullora Marketplace shopping centre as shown in Figures 1 and 2.

Property Address	Property Description	Current Zone	Site area
353 Waterloo Road	Lot 9, DP 10945	Zone R2 Low Density Residential	696m ²
355 Waterloo Road	Lot 41, DP 1037863	Zone B2 Local Centre	56,304m ²

The Chullora Marketplace shopping centre at 355 Waterloo Road is within Zone B2 Local Centre under Bankstown Local Environmental Plan 2015. The shopping centre is single storey (24,600m² floor area) with on-site parking for approximately 860 cars (at-grade and basement car parks). The site at 353 Waterloo Road contains a dwelling house.

The shopping centre is a local heritage item of archaeological significance. Certain parts of the site are located within the medium stormwater flood risk precinct.

The site adjoins the Malik Fayed Islamic School to the north, low density residential development to the south, and Norfolk Reserve to the east. According to Council's Community Land Generic Plan of Management, Norfolk Reserve contains endangered ecological communities. The southern edge of the reserve contains a playground and allows for informal pedestrian access to the shopping centre from the surrounding residential streets.

In relation to local context, the nearby Greenacre Small Village Centre is located approximately 2km south of the site. The site is serviced by bus services, with connections to Bankstown and Liverpool.

Figure 1: Site Map



Figure 2: Locality Map

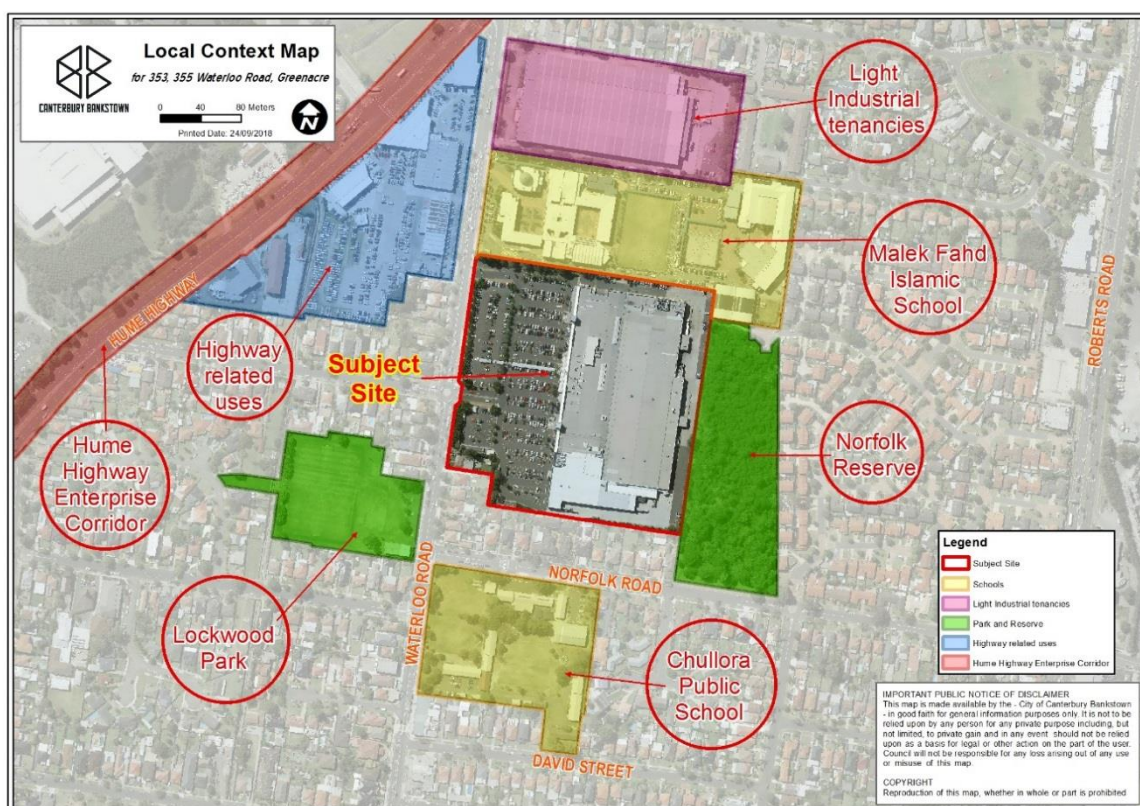
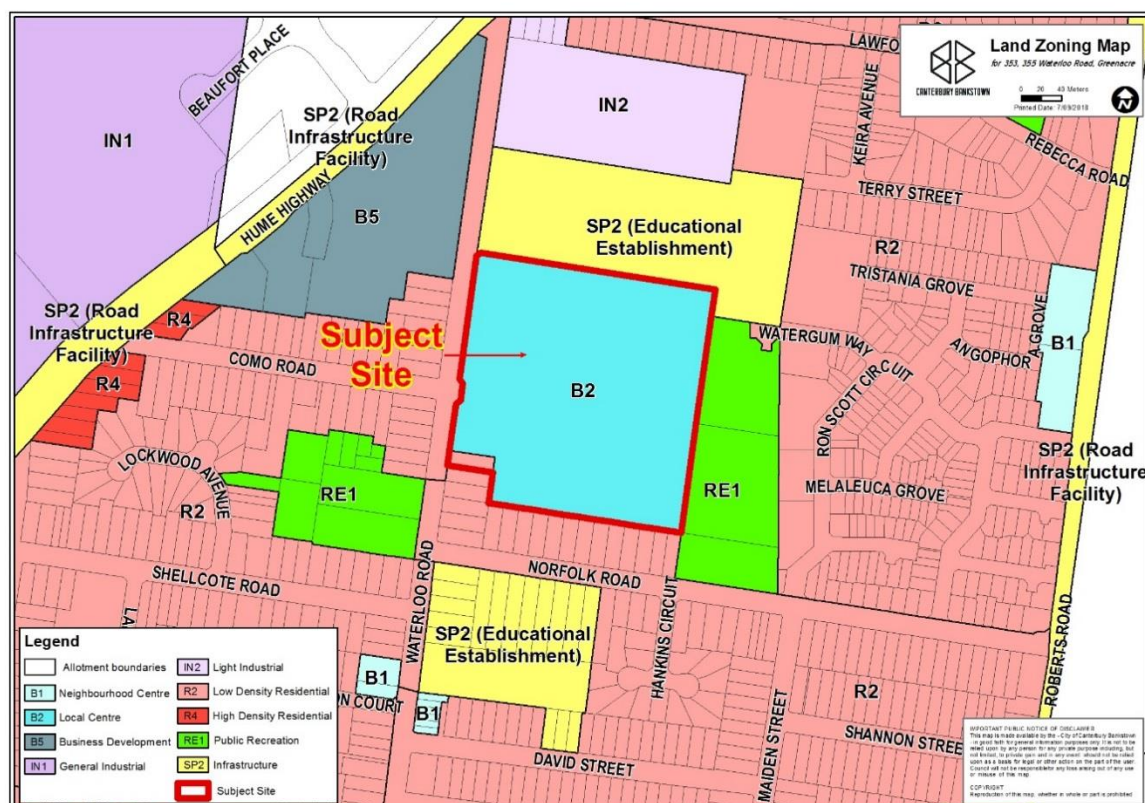


Figure 3: Existing Zoning Map



PROPOSAL

In May 2018, Council received an application from Henroth Pty Limited (proponent) to amend Bankstown Local Environmental Plan 2015 as follows:

353 Waterloo Road	Current controls	Proposed controls
Zone	R2 Low Density Residential	B2 Local Centre
Maximum FSR	0.5:1	1:1
Maximum building height	9 metres (2 storeys)	14 metres (4 storeys)
Minimum subdivision lot size	450m ²	Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre
355 Waterloo Road	Current controls	Proposed controls
Maximum building height	11 metres (3 storeys)	14–20 metres (4–6 storeys)

The application includes a planning proposal report, urban design report and traffic review study. These documents have been provided to the Local Planning Panel.

The concept plan proposes mixed use development (3–6 storeys), with shop top housing and associated parking (1,294 spaces) within podium levels (refer to Figures 4 and 5). The key feature is a central piazza with active frontages to enhance a ‘sense of place’ and provide community space.

The intended outcome of the concept plan states: *the vision for the proposal is to transform the existing stand-alone, inwardly oriented shopping precinct into a true, and integrated local*

centre which provides a well-balanced scale and mix of development with an active, attractive and publicly accessible plaza at the primary frontage.

Figure 4—Concept plan and new central piazza viewed from Waterloo Road



Figure 5—Revised concept plan (GMU, August 2018)

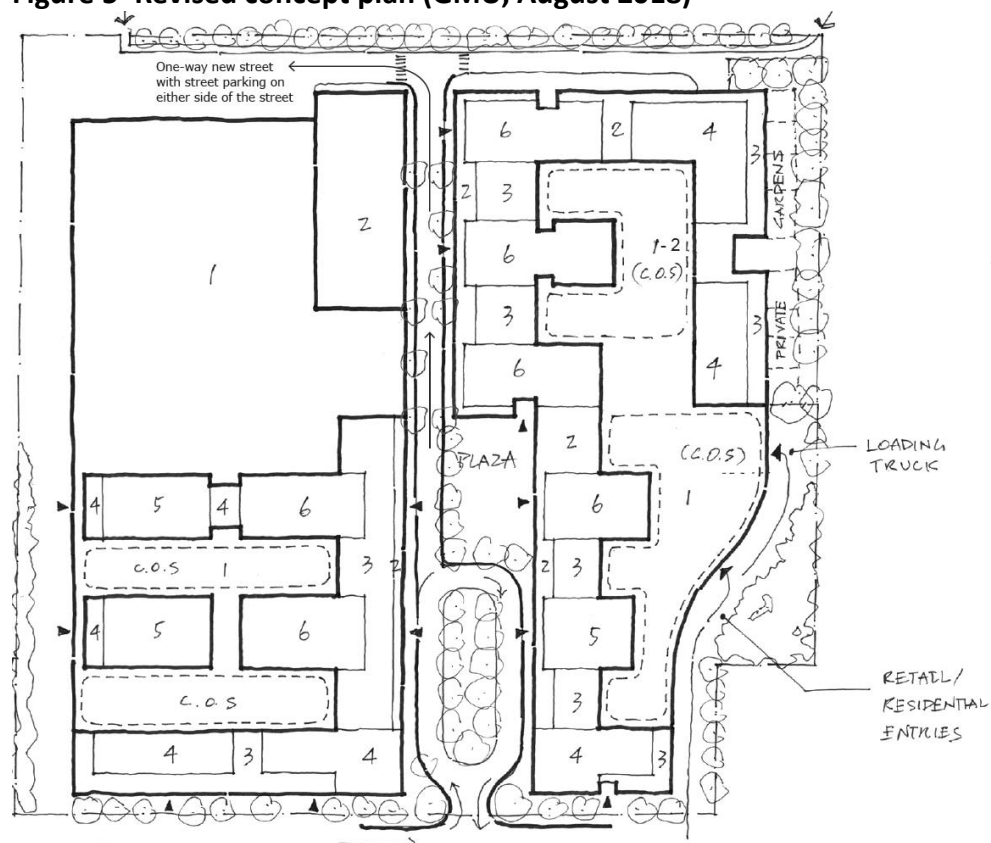


Figure 6: Existing Floor Space Ratio

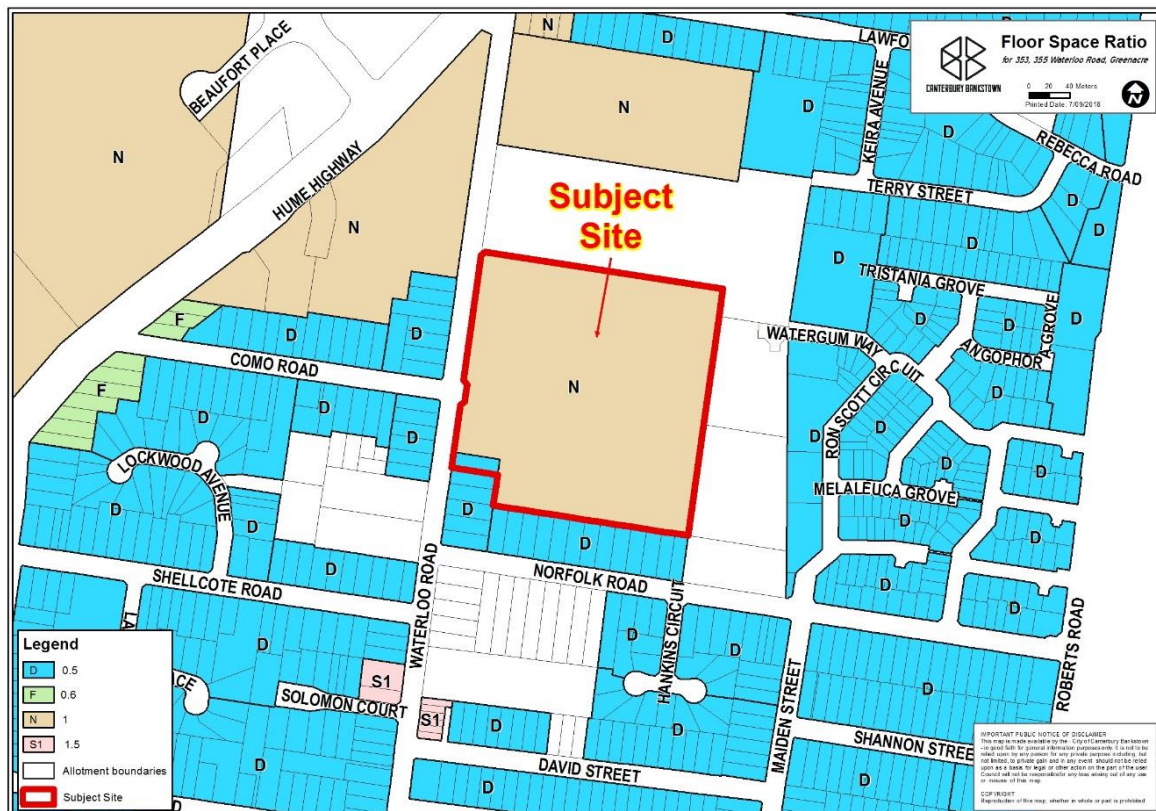


Figure 7: Application's Proposed Floor Space Ratio

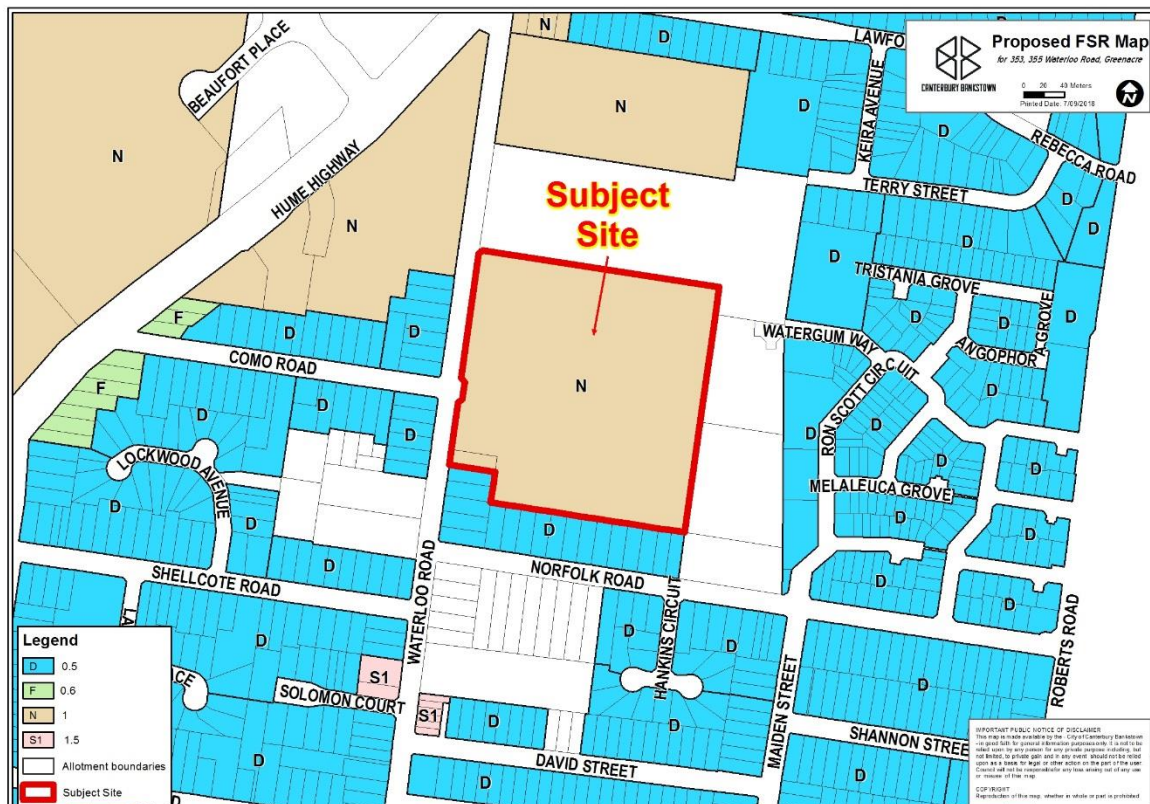


Figure 8: Existing Building Heights

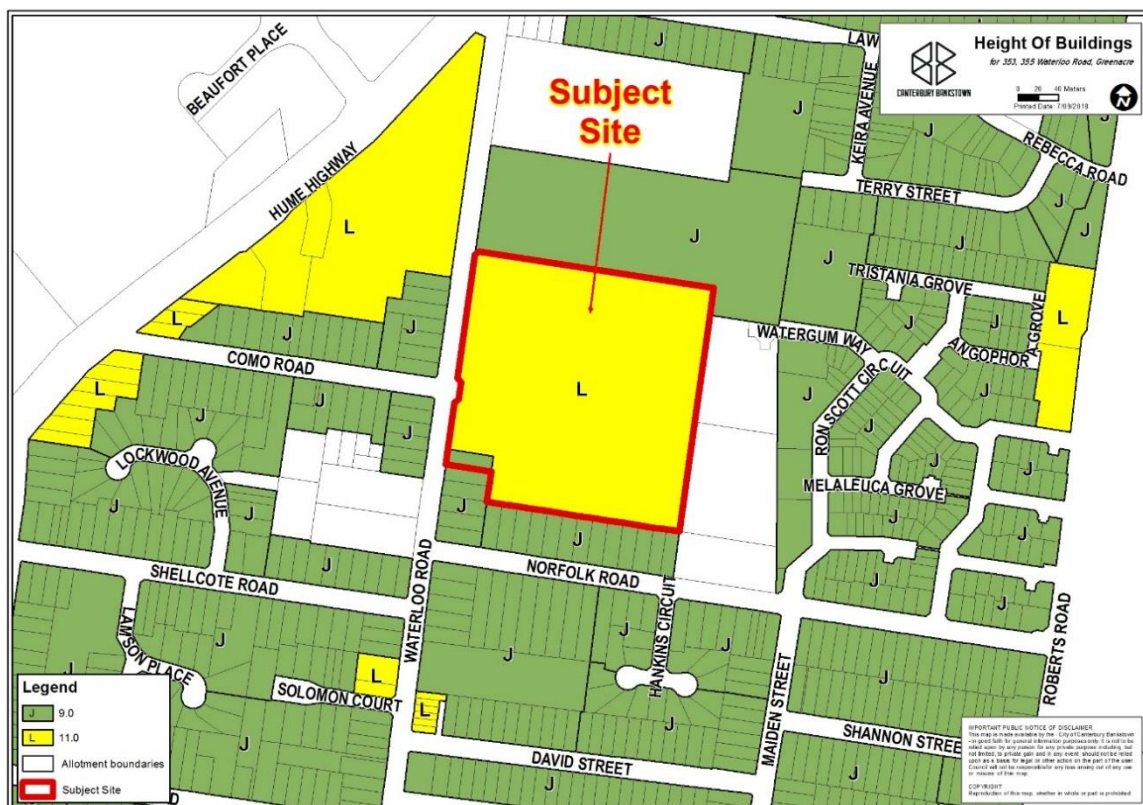
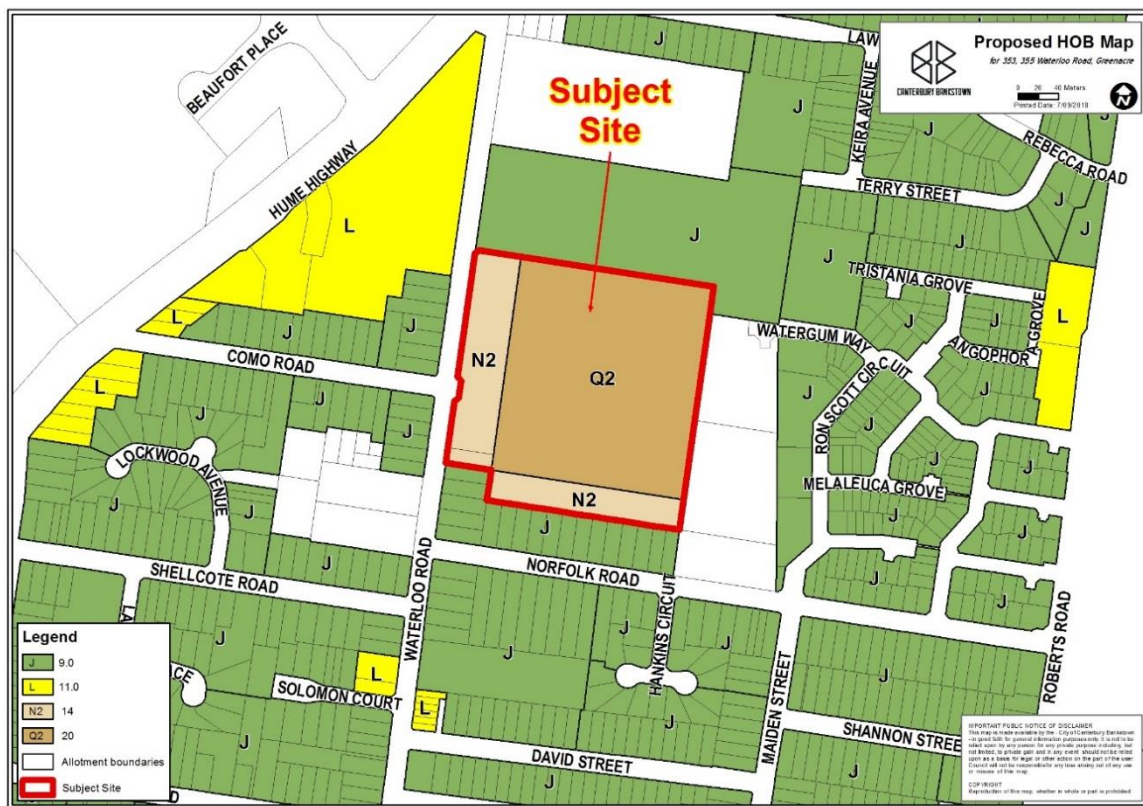


Figure 9: Application's Proposed Building Heights



CONSIDERATIONS

Based on the Environmental Planning & Assessment Act 1979 and the Department of Planning & Environment's guidelines, the following key policies are relevant to Council's assessment of the application:

- Greater Sydney Region Plan
- South District Plan
- Council's North East Local Area Plan
- Department of Planning and Environment's publications: *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development), Apartment Design Guide, NSW Government Architect's Better Placed Policy and the Ministerial Directions also require the proposal to be of good design. On this basis, Council commissioned an independent specialist to undertake an urban design peer review consistent with the above state policies, and to recommend an appropriate building envelope for the site.

SUMMARY

Council's assessment considers the proposal has strategic merit subject to implementing the recommendations of the urban design peer review as follows (refer to Figures 10 and 11):

353 Waterloo Road	Current controls	Recommended controls (urban design peer review)
Zone	R2 Low Density Residential	B2 Local Centre
Maximum FSR	0.5:1	1:1, including a maximum floor space ratio of 0.65:1 for the purposes of residential development
Maximum building height	9 metres (2 storeys)	14 metres (4 storeys)
Minimum subdivision lot size	450m ²	Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre
355 Waterloo Road	Current controls	Recommended controls (urban design peer review)
Maximum building height	11 metres (3 storeys)	11–20 metres (3–6 storeys)
Maximum FSR	1:1	1:1, including a maximum floor space ratio of 0.65:1 for the purposes of residential development

The Assessment Findings are shown in Attachment A and the urban design peer review is shown in Attachment B.

Figure 10–Recommended Floor Space Ratio Map (1:1, including a maximum floor space ratio of 0.65:1 for the purposes of residential development)

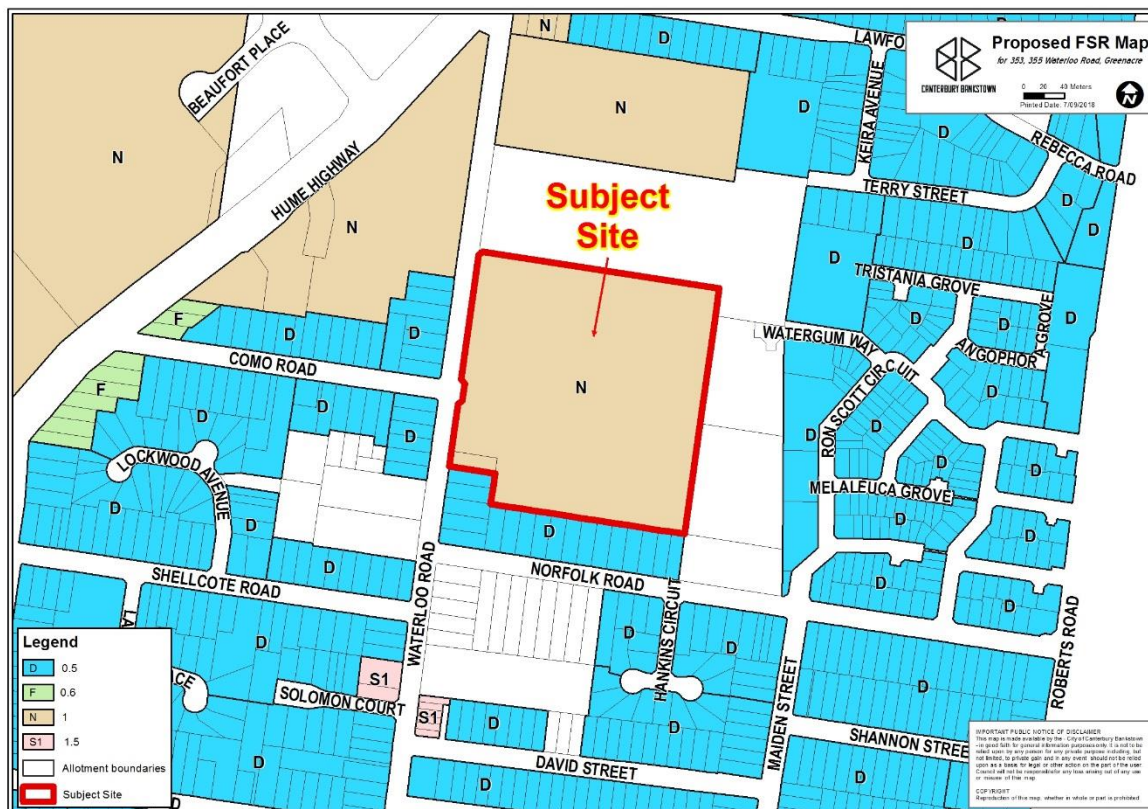
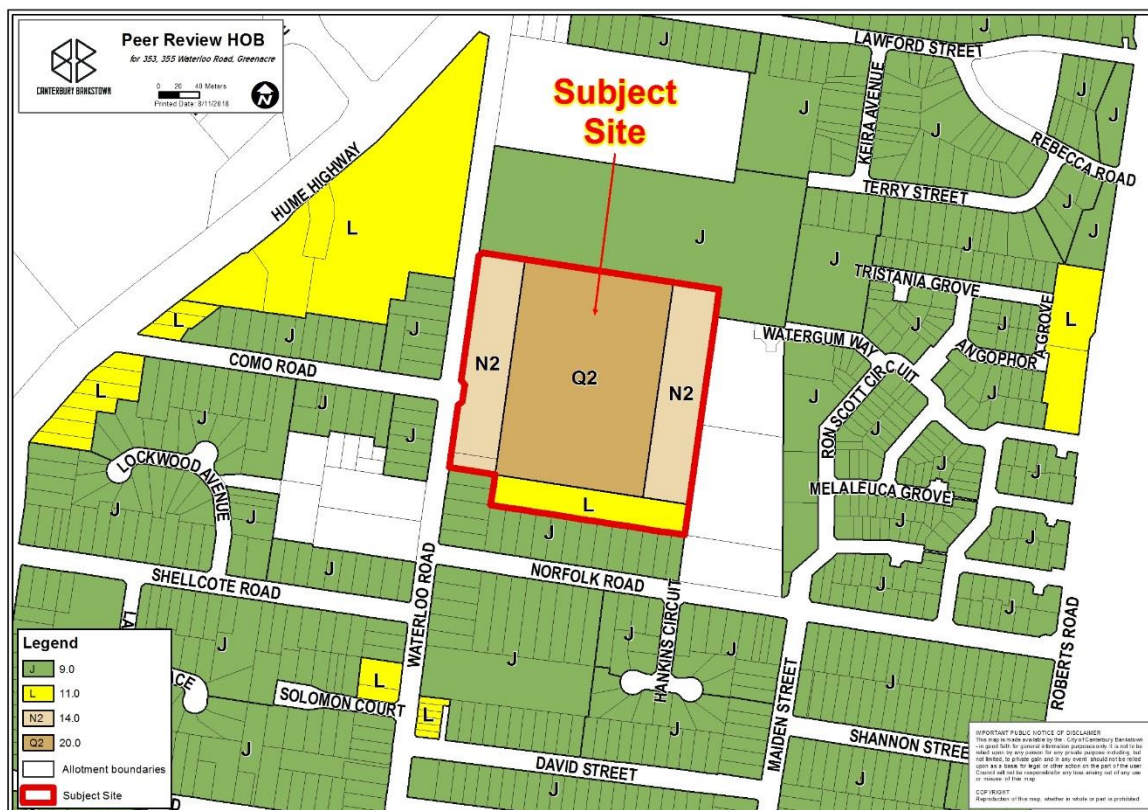


Figure 11–Recommended Height of Buildings Map



ASSESSMENT

Urban Design Peer Review

The key findings of the urban design peer review are:

Providing a built form that is compatible with the surrounding context

The concept plan proposes 3–4 storeys along the southern boundary. The urban design peer review identifies the potential for the proposed building height to result in overshadowing and privacy impacts to the low density residential development along the southern boundary. The proposed building height may also result in overshadowing of the Norfolk Reserve, which contains ecologically endangered species.

The urban design peer review recommends maintaining the current 11 metre building height (three storeys) along the southern boundary to minimise the potential amenity impacts on the low density residential development to the south. The urban design peer review also recommends a 14 metre building height (four storeys) along the eastern and western boundaries to protect sensitive land uses. The remainder of the site may achieve a building height of 20 metres (six storeys).

The urban design peer review tested the proposed building envelope and considers that it would achieve a similar floor area as the application's revised concept plan.

Enforcing the commercial function of the local centre

The South District Plan identifies Chullora as a local centre based on the centre's primary role to provide employment, goods and services.

The application is considered to be inconsistent with the objectives of the local centre as the proposal is predominantly residential in nature, and seeks the following scenario:

- Residential uses = 37,000m² (equivalent to 0.65:1 FSR)
- Commercial uses = 18,000m² (equivalent to 0.35:1 FSR)

Based on the urban design peer review, the residential uses would dominate the proposed built form and may result in amenity impacts such as overshadowing and privacy loss to adjoining low density residential development.

To ensure that the residential uses do not dominate the site, the urban design peer review tested the built form. Within the 1:1 FSR envelope, the urban design peer review recommends setting a maximum floor space ratio of 0.65:1 for the purposes of residential development. This would result in the following approximate floor areas: 34,000m² of residential use (0.6:1 FSR) and at least 23,000m² of commercial use (0.4:1 FSR).

The proposed FSR changes would result in a similar yield to the application's revised concept plan and would provide an assurance that the site would not be dominated by residential uses in the future. This is important to fulfil the strategic vision of the Chullora Marketplace site as a local centre.

Other Considerations

Archaeological significance of the site

Bankstown Local Environmental Plan 2015 lists the site at 355 Waterloo Road in Greenacre as an archaeological site. The statement of heritage significance states:

The former Liebenritt Pottery site is historically significant as the location of one of metropolitan Sydney's foremost and influential potteries producing clay products for the building industry.

Historically the site is of state significance for this reason. Part of the site was the location of one of Sydney's first drive in theatres, which opened in December 1956. The site is associated with the Liebenritt family, significant pottery manufacturers from the middle of the nineteenth century through to the second half of the twentieth century. The site is almost certain to contain relics and evidence from the time of Liebenritt's pottery making activities. It is considered to be relatively rare in terms of its archaeological potential and is considered to have been representative of pottery manufacturing sites during the second half of the nineteenth century and into the twentieth century.

The assessment indicates the need for a heritage study to assess the potential impacts of the proposal on the heritage significance of the site, consistent with the Ministerial Directions.

Public benefits analysis

The application indicates possible public domain improvements to be undertaken by the proponent, including the upgrade of the playground at Norfolk Reserve and a pedestrian crossing on the northern side of the Norfolk Road / Waterloo Road intersection.

Prior to finalising an assessment of the public benefits, the assessment identifies the need for:

- A Social Impact and Community Needs Assessment to investigate social infrastructure needs arising from the proposal.
- A revised traffic study for the purposes of consultation with the Roads & Maritime Services, consistent with the State Environmental Planning Policy (Infrastructure) 2007. The traffic study may identify additional infrastructure improvements based on the anticipated traffic to be generated by the development on the site.

Subject to the findings of the Social Impact and Community Needs Assessment and revised traffic study, Council may need a mechanism with the proponent to deliver the public benefits in a timely manner. This may involve a planning agreement to legally capture the public benefits. If a planning agreement is required, it would be separately reported to Council.

Economic impact analysis

The North East Local Area Plan identifies the Greenacre Small Village Centre as the primary centre serving the North East Local Area. On this basis, the assessment identifies the need for an economic impact study to ensure the proposal does not impact on the role of the Greenacre Small Village Centre within the centres hierarchy.