



PLANNING PROPOSAL

Site Specific Land Use Zoning Amendment

2, 2A and 4 Rothwell Avenue,
Concord West

Final

16 July 2015



TOWN PLANNING
AND URBAN DESIGN

CLIENT: George Concord Pty Ltd

PROJECT: Planning Proposal for 2, 2A and 4 Rothwell Avenue, Concord West

TITLE: Planning Proposal - Site Specific Land Use Zoning Amendment 2, 2A and 4 Rothwell Avenue, Concord West

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SYDNEY OFFICE

Suite 102, 8 West Street
North Sydney NSW 2060
www.tpgnsw.com.au

PO Box 1612
North Sydney NSW 2059

Telephone +61 2 9925 0444
Facsimile +61 2 9925 0055

The Planning Group NSW Pty Ltd
ABN 90 100 209 265

TABLE OF CONTENTS

TABLE OF CONTENTS	III
APPENDICES	V
1. PREAMBLE.....	1
1.1 OBJECTIVES OR INTENDED OUTCOMES.....	1
1.2 THE SITE.....	1
1.2.1 Site Description.....	1
1.3 CONTEXT	3
1.3.1 Existing Development	3
1.3.2 Surrounding Development	3
1.3.3 Accessibility and Transport.....	3
2. EXPLANATION OF PROVISIONS	5
2.1 CANADA BAY LOCAL ENVIRONMENTAL PLAN 2008.....	5
3. JUSTIFICATION	7
3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL.....	7
3.1.1 <i>Is the planning proposal a result of any strategic study or report?</i>	7
3.1.2 <i>Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</i>	10
3.1.3 <i>Is there a net community benefit?</i>	10
3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK.....	11
3.2.1 <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies?</i>	11
3.2.2 <i>Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?</i>	13
<i>Canada Bay Local Planning Strategy Part 3 – Housing</i>	13

3.2.3	<i>Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?</i>	15
3.2.4	<i>Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?</i>	17
3.3	SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT	20
3.3.1	<i>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?</i>	20
3.3.2	<i>Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</i>	21
3.3.3	<i>How has the planning proposal adequately addressed any social and economic effects?</i>	21
3.3.4	<i>What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?</i>	21
4.	CONCLUSION	22
	APPENDIX A	A
	APPENDIX B	B
	APPENDIX C	C
	APPENDIX D	D
	APPENDIX E	E

APPENDICES

Appendix A

Site Survey

Appendix B

Proposed Map Amendments

Appendix C

Site Specific Flood Study

Appendix D

Summary of Consistency with all SEPPs

Appendix E

Summary of Consistency with all Section 117 Directions

1. PREAMBLE

1.1 OBJECTIVES OR INTENDED OUTCOMES

This report constitutes a Planning Proposal (PP) to seek an amendment to the *Canada Bay Local Environmental Plan 2013* (CBLEP 2013) to allow a site specific rezoning to occur for the land at 2, 2A and 4 Rothwell Avenue, Concord West. This PP seeks to rezone the subject site from IN1 General Industrial to R3 Medium Density Residential, and has been prepared on behalf of George Concord Pty Ltd by The Planning Group NSW Pty Ltd (TPG NSW). This PP is submitted to the City of Canada Bay Council for assessment and determination under Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This PP has been prepared with the purpose of amending the *Canada Bay Local Environmental Plan 2013* (CBLEP 2013), being the principal environmental planning instrument applying to the land, so as to rezone the subject site to allow a residential development to be permissible. It is considered that rezoning the land from IN1 General Industrial to R3 Medium Density Residential is the best means of achieving this outcome. Once the site is rezoned, a Development Application (DA) will be lodged with Council to construct a residential apartment building development on the subject site, which will provide additional housing choice within the Concord West area.

In particular, this PP seeks:

- an amendment to the Canada Bay Local Environmental Plan 2013 Land Use Zoning map to rezone the site from IN1 General Industrial to R3 Medium Density Residential (refer Appendix B);
- an amendment to the Canada Bay Local Environmental Plan 2013 maximum Floor Space Ratio map to set a maximum FSR of 1.4:1 under the FSR designation of 'R', from the existing maximum FSR limit of 1.00:1 under the FSR designation of 'N' (refer Appendix B); and
- an amendment to the Canada Bay Local Environmental Plan 2013 maximum height map to set a maximum height of 16 metres under the height designation of 'O2', from the existing maximum height limit of 12 metres under the height designation of 'M' (refer Appendix B).
- to describe the subject site, the locality in which it is situated, the current zoning and to explain the current planning control limitations;
- to address the "Gateway" assessment criteria under Part 3 of the EP&A Act; and
- to provide justifications for the amendments to the CBLEP 2013.

1.2 THE SITE

1.2.1 Site Description

The site is located at 2, 2A and 4 Rothwell Avenue, Concord West. The site is made up of 3 allotments of land with an area of approximately 6,084m². Refer Figures 1 and 2.



Figure 1 and 2: Aerial Context of Site (top) and site area figure (bottom) (Site defined by red outline)
Source: Google Maps and Spatial Information Exchange (SIX)

1.3 CONTEXT

1.3.1 Existing Development

The subject land has been developed for a number of traditional style warehouses and industrial buildings, with a number of loading docks and an at-grade car parking area. The southern end of the site includes an office building that faces Conway Avenue to the south.

1.3.2 Surrounding Development

The subject land is located adjacent to an existing low density residential area which is directly east of the site on Rothwell Street. To the west of the site is a large recreation reserve, which includes sporting facilities and public open space. The subject site is located within a remnant industrial precinct that is characterised by increasing vacancies.

1.3.3 Accessibility and Transport

The site has vehicular access from Rothwell Avenue along its entire eastern frontage and connects to a roundabout in George Street. George Street begins at the Parramatta Road (Great Western Highway), Homebush to the south, and passes through North Strathfield and then along the subject site at Concord West heading north. Development in this portion of Rothwell and George Streets is generally residential, with varying degrees of low-scale dwellings and medium/high density apartment building developments.

The site is also well serviced by public transport. The subject site is located approximately 200 metres from Concord West Railway Station and therefore holds significant potential for transit oriented development.



Photograph 1: The subject site consists of traditional style warehouses. (Source: Google Maps)



Photograph 2: The subject site is located opposite low density dwelling houses. (Source: Google Maps)



Photograph 3: Powell Street Reserve is located adjacent to the western boundary of the site. (Source: Google Maps)



Photograph 4: The subject site is located some 200m from Concord West Railway Station. (Source: Google Maps)

2. EXPLANATION OF PROVISIONS

2.1 CANADA BAY LOCAL ENVIRONMENTAL PLAN 2008

The main environmental planning instrument which affects the proposed development is the *Canada Bay Local Environmental Plan 2013* (CBLEP 2013). The subject site is zoned IN1 General Industrial under the CBLEP 2013, which prohibits residential and mixed use developments.

This PP is accompanied by the following:

- Site Survey, Refer to **Appendix A**;
- Map Amendments, refer to **Appendix B**;
- Site Specific Flood Study, refer to **Appendix C**; and
- Summary of Consistency with SEPPs, refer to **Appendix D**;
- Summary of Consistency with Section 117 Directions, refer to **Appendix E**.

This PP seeks an amendment to the CBLEP 2013 to allow for a site specific rezone at 2, 2A and 4 Rothwell Avenue, Concord West to:

- change the zoning from IN1 General Industrial to R3 Medium Density Residential under the CBLEP 2013 via a Land Zoning Map Amendment – refer to **Appendix B**. This would facilitate the future development intent of the site for a “residential flat building” development;
- change the Floor Space Ratio control under the CBLEP 2013 from 1:0:1 to 1.4:1 via a Floor Space Ratio Map Amendment – refer to **Appendix B**; and
- change the Height of Building control under the CBLEP 2013 from 9m to 16m via a Height of Building Map Amendment – refer to **Appendix B**.

The CBLEP 2013 states the following in relation to the R3 Medium Density Residential zone:

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium 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

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Child care centres; Community facilities; Environmental facilities; Exhibition homes; Group homes; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential accommodation; Respite day care centres; Roads; Schools; Seniors housing; Water recycling facilities

4 Prohibited

Rural workers' dwellings; Shop top housing; Any other development not specified in item 2 or 3

Development for the purposes of "residential flat buildings" being a type of "Residential accommodation" is permissible in the R3 Medium Density Residential zone.

3. JUSTIFICATION

The following section of this report addresses the requirements under the then Department of Planning and Infrastructure's (DPI) publication "A guide to preparing planning proposals" - Part 3 Justification.

3.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

3.1.1 *Is the planning proposal a result of any strategic study or report?*

Yes – A report to council was considered on 2 November 2010 at Council's Ordinary Meeting. This report sought Council's endorsement to submit the draft comprehensive LEP (*Draft Canada Bay Local Environmental Plan 2011*) to the then DoPI requesting a Section 65 Certificate to be issued to allow the draft Plan to be publicly exhibited. The report stated that the prepared draft comprehensive LEP supported the short to medium term direction outlined in Council's adopted Local Planning Strategy with the main aim of locating development in and around centres "where services and transport are more readily available".

The report stated that there were a number of large sites which had been applied to be rezoned, including changes to the existing planning controls such as height and floor space ratio, as follows:

The Industrial zone along Parramatta Road where the recommendation is to rezone to B6 Enterprise Corridor with the existing height and floor space ratio (FSR) to remain until a comprehensive 'Concept Plan', acceptable to Council is endorsed. This can also be undertaken as a Planning Proposal in the future.

McDonald College, North Strathfield where the recommendation is to rezone the site to B4 Mixed Use to expand the range of uses and increased height and FSR.

Bakehouse Quarter where the recommendation is to permit an increase in height and FSR on the section of the site which is not subject to the Part 3A application and to apply a heritage listing.

Canada Bay Club where the recommendation is to permit a change of location of the club building and an increase in the height and FSR.

George Street, Concord Industrial Sites where the recommendation is to rezone the sites on the western side of George Street from industrial to medium density residential.

Other rezonings that are considered to have merit have been included in the draft Rezoning Discussion Paper that was discussed at the October Councillor workshop.

The report recommended that the subject site be rezoned for residential purposes, with all recommendations stemming from the draft LEP being discussed at several Councillor Workshops. The report recommended that Council resolve to proceed with the making of the draft comprehensive LEP, advise the DoPI of its resolution and make application for a Certificate to enable public exhibition of the draft LEP.

Council resolved the following at its meeting of 2 November 2010:

ITEM-5 DRAFT COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN**M- 2572 RESOLVED**
(Crs Kenzler/O'Hara)

1. THAT Council resolves to proceed with the making of the draft Canada Bay Comprehensive Local Environmental Plan and associated maps, with the exception of the proposed rezoning of the IN1 General Industrial land in Bibby Street , Chiswick.
2. THAT Council advise the Department of Planning of its decision in accordance with the provisions of the Environmental Planning and Assessment Act 1979.
3. THAT Council make application to the Department of Planning for a Certificate to be issued to enable public notification of the draft Canada Bay Comprehensive Local Environmental Plan, maps and associated documentation.
4. THAT upon advice received from the Department of Planning the draft Plan and associated maps be publicly exhibited in accordance with the Environmental Planning and Assessment Act, 1979 for a minimum period of 6 weeks.
5. THAT following the public exhibition period, a report be submitted to Council regarding any submissions and recommending further actions that should be taken.

(FOR: Crs Cestar, Fasanella, Kenzler, Megna, O'Connell, O'Hara and
 Tsirekas)
(AGAINST: Tyrrell)

The comprehensive draft LEP was sent to the then DPI and early 2012 and Council was advised to undertake a "precinct approach" to the industrial lands in Concord West.

The report concludes that the site in terms of its capability to accommodate industrial purposes is constrained, and that the types of uses that it would be expected to attract and that seek a non-city fringe location have tended to gravitate toward other industrial locations. In this sense, the report concludes that the industrial areas in which the site is located is not an industrial precinct, but rather a residential precinct with a legacy of industrial sites, which is hampered by its location and isolation from other industrial locations.

Given that the subject site is located within proximity to Concord West train station but is not exposed to the value-add amenity provided by the Parramatta River, the opportunity presented by the subject site to develop and effectively add to the affordable stock of dwellings in the Canada Bay LGA is considerable and genuine.

3.1.1.1 Concord West Precinct Master Plan

A master plan was prepared by JBA on behalf of Council, which encompasses land on the western side of the Northern Rail Line at Concord West. The master plan focuses on land currently zoned IN1, General Industrial, which has been identified by the City of Canada Bay Council for residential redevelopment.

The master plan identifies the subject site within Site 6 and envisages built form of up to four storeys for the site. An extract from the detailed master plan is provided as Figure 3.

The master plan acknowledges that the site is being considered for an R3 Medium density zoning. The master plan also acknowledges the overland flow identified at the northern extents of the site, which is further discussed in Section 3.2.4.6.



Figure 3 – Detailed Master Plan extract. (Site defined by red outline) (source JBA)

The master plan provides recommendations for a maximum FSR of 1.4:1 and a maximum building height of 16 metres for the subject site. This is illustrated in Figures 4 and 5.

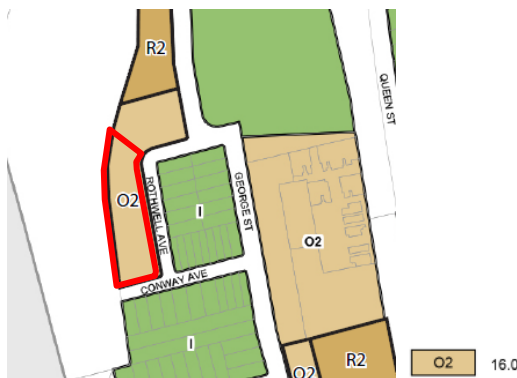


Figure 4 – Recommended maximum building height. (Site defined by red outline) (source JBA)

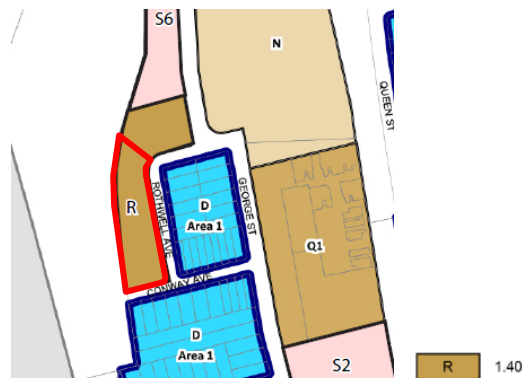


Figure 5 – Recommended maximum FSR. (Site defined by red outline) (source JBA)

This PP responds directly to the recommended height and density identified within the master plan for the subject site.

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

Yes.

It is expected that dealing with the PP as a site specific rezone to amend CBLEP 2013 is the best means of achieving the objectives and intended outcomes given that this process is to seek a residential form of development on the subject site.

3.1.3 *Is there a net community benefit?*

Yes.

It is considered that an amendment to the CBLEP 2013 to rezone the subject site from IN1 General Industrial to R3 Medium Density Residential would deliver a net community benefit. A rezone for the site will allow for the future residential development of the site, which has been subject to a sharp decrease in market demand in use for industrial purposes. The implications of not proceeding with the PP would be the underutilisation of the subject site as it stands today.

3.1.3.1 *Through-site links*

This PP presents a unique opportunity for Council and the Department of Planning and Environment (DPE) to take advantage of a site with access to recreational facilities in Powells Creek Reserve also. As it stands today, access to Powells Creek Reserve cannot be made through George Street, as development for the purposes of residential housing and industrial warehousing segregate the park along its entire eastern boundary. As the subject site has a substantial western boundary to the Powells Creek Reserve, the PP will allow Council to review access arrangements to Powells Creek Reserve through any future residential development. Additionally, future residential development on site will allow more users to take advantage of a large recreational space which cannot be equally utilised by users of industrial buildings.

3.1.3.2 *Urban Design*

The site presents a unique opportunity to redesign this prominent section of George Street, with the concept design proposing a revitalised streetscape through urban renewal of the western boundary of George Street. It is also considered that any future development on the site will provide a much needed improvement for the amenity of the precinct for existing local residents.

As the site remains without an industrial tenant at present, should the site be used for industrial purposes in the future, a negative impact on existing residents will be experienced in the form of noise and traffic impacts associated with industrial complexes. As such, the PP presents an opportunity for the revitalisation of the site and improvement in the amenity of the area for local residents – in a locality which is primarily residential.

3.1.3.3 Transit Oriented Development (TOD)

The site also presents a unique opportunity for a higher density residential development to take advantage of nearby rail infrastructure. The PP will result in a net community benefit as it will allow for a TOD to occur on site, which has wider benefits than just for the local community. TOD encourages sustainable transport use and discourages car dependence, which in turn has positive flow-on effects for the local and wider traffic network.

3.1.3.4 Employment Generation

The PP if implemented, will allow for the opportunity for construction-related employment and the positive economic flow on effects stemming from the site's capacity to generate jobs for the construction industry.

3.1.3.5 Crime Prevention through Environmental Design (CPTED)

The future development of the site for residential purposes will allow for a development which is designed to accommodate the principles of Crime Prevention through Environmental Design (CPTED). A future medium density residential development on the site, with good design, will enhance opportunities for passive surveillance for both Rothwell Avenue and Powells Creek Reserve, which the current industrial warehouse building on site fails to provide.

It is considered that any future residential development on the subject site will deliver a net community benefit as a development designed with CPTED principles in mind will not only create a safer immediate environment, but will provide for a safer locality, where people travelling to and from Concord West Railway Station and Powells Creek Reserve from their residences in Concord West can enjoy a safer environment.

3.1.3.6 Sydney's Urban Footprint

It is considered that the development for the site for high density residential housing will not have an expansive impact on Sydney's extending urban footprint, taking advantage of an urban renewal opportunity in an existing centre of Sydney's middle ring suburbs. In this sense, the PP is consistent with the A Plan for Growing Sydney's urban footprint targets, and will be a stepping stone in ensuring that land uses on the city's fringe remain balanced.

3.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies?)

3.2.1.1 A Plan for Growing Sydney 2014

The relevant metropolitan strategy relating to the proposed development is *A Plan for Growing Sydney* released by the NSW Department of Planning and Environment in December 2014. The plan identifies growth projections from a whole of Sydney perspective and specifically identifies Western Sydney as a key to Sydney's success.

The strategy seeks to achieve the following outcomes for Sydney:

Goal 1: A competitive economy with world-class services and transport.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.

Goal 3: A great place to live with communities that are strong, healthy and well connected.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The plan aims to better connect people to strategic centres and in doing so, connecting them to jobs, education facilities, health centres and hospitals and sporting, cultural and entertainment facilities.

The subject site is identified as being located within the Global Economic Corridor, which is comprised of a major band of employment nodes that extends from Port Botany through Sydney CBD to Macquarie Park, Parramatta CBD, Norwest and Sydney Olympic Park.

Rezoning the subject site to R3 Medium Density Residential, along with increasing height and FSR as per this PP, will directly assist in delivering the intended outcomes of the Plan as it will facilitate urban renewal and provide for additional housing opportunities that will take advantage of the subject site's favourable TOD location some 200 metres from Concord West Railway Station.

The PP will enable the future development of housing that provides an opportunity to connect new homes with a number of major and strategic employment centres including Sydney Olympic Park, Macquarie Park, Parramatta CBD and Sydney CBD via established suburban railway connections. These are accessible via Concord West Train Station, which is a short 200m walk from the subject site.

The PP meets the Goals, Principles and Directions of *A Plan for Growing Sydney* as the PP:

- seeks to establish planning controls that will assist in achieving outcomes envisaged by *Goal 2: A city of housing choice, with homes that meet our needs and lifestyles*, which aims to accelerate and diversify housing supply across existing infill areas of Sydney and improve housing choice and affordability;
- will increase housing supply, diversity and affordability close to the Concord West Railway Station, and by doing so will directly respond to *Principle 1: Increasing housing choice around all centres through urban renewal in established areas*; and
- deliver on *Action 2.1.1: Accelerate housing supply and local housing choices* and *Action 2.2.2: undertake urban renewal in transport corridors*, which are being transformed by investment, and around strategic centres.

In this regard, the PP will establish appropriate planning controls that enable housing development in close proximity to the Concord West Railway Station, which is close to jobs and is serviced by frequent public transport services, capable of moving large numbers of people.

This PP seeks to facilitate a development outcome that provides housing supply and diversity in an area within close proximity to transport and a local town centre and a wide range of strategic employment nodes. From a wider strategic perspective, the development will provide residents with superior access to key centres in Sydney that offer quality jobs, entertainment and leisure. The PP will assist in accommodating a changing and growing population, more affordable and high amenity living options, creation of more jobs closer to accessible transport options.

It is understood that the Department of Planning and Environment is currently preparing sub-regional strategy documents, which will contain specific jobs and housing growth targets for each sub-region.

3.2.2 *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?*

The *City of Canada Bay Local Planning Strategy 2010-2031* (LPS) is the principal document for communicating the future land use planning of Canada Bay. The LPS was adopted on 1 June 2010, with its aim to provide long term direction for the planning of Canada Bay, to assist future decision making in response to population growth and change. The LPS provides a strong statement for the future planning of Canada Bay, identifying key recommendations and work to be done.

Key directions of the LPS include:

- Ensuring that the Metropolitan Strategy for Sydney and the draft Inner West Subregional Strategy are considered at a local level;
- Providing a framework for future land use planning of the City of Canada Bay to guide the preparation of a new city-wide LEP and DCP;
- Ensuring that future planning achieves principles of Ecologically Sustainable Development (ESD);
- Provide housing and employment in locations that is designed and located to meet the requirements of existing and future population;
- Support changing social needs of the City of Canada Bay community; including the ageing population and affordability;
- Ensure that planning for land use and transport occurs in an integrated manner to reduce private car use.

The PP has considered the key directions of the LPS and has incorporated them into its justification below.

Canada Bay Local Planning Strategy Part 3 – Housing

The aim of the housing chapter of the LPS is to ensure that the key actions of the Metropolitan Strategy for Sydney are adequately considered during the preparation of an LEP for the City of Canada Bay, the following specific aims for housing:

- The encouragement of housing choice in the City of Canada Bay, including an adequate supply of housing for families, people with disabilities, affordability and the ageing population;
- The identification of how the City of Canada Bay dwelling target contained within the Inner West sub-regional strategy will be achieved.

This chapter summarises the relevant outcomes of the *Housing and Employment Study for Canada Bay* undertaken by SGS Economics and Planning (SGS). Future housing demand and future housing supply are both relevant issues covered by the chapter which relate to the PP.

3.2.2.1 Future Housing Demand

The LPS references data from the Transport Data Centre (TDC), which predicts that Canada Bay is likely to experience a 29% growth in population between 2006 and 2031, an increase of 20,076 people. According to SGS's estimates, the Canada Bay LGA will need to cater for approximately 9,700 additional dwellings between 2006 and 2031, representing a 37% increase in dwelling supply through to 2031.

3.2.2.2 Future Housing Supply

Under section 2.3.5 Future Housing Supply of the chapter, the following is stated in regards to the location of housing supply:

Most new housing supply is expected to be located within walking distance of transit nodes (6,467 dwellings or 64% of supply from 2004 onwards) – this primarily refers to the supply of new dwellings anticipated at Rhodes and Strathfield Triangle.

Whilst the site is not located at Rhodes or Strathfield, it does lie within 200m of Concord West Railway Station. As such, with rail infrastructure in close proximity to the site, it is considered that the PP is consistent with the strategic directions which underpin the future housing demand and future housing supply of the Canada Bay LGA. The subject site presents a unique opportunity not only to contribute to the LGA's dwelling targets under the LPS, but to locate new housing in a location with good access to transport infrastructure.

3.2.2.3 Objectives and Actions

The LPS lists a substantial number of Objections and Actions relating to housing supply for the LGA of Canada Bay. The following are relevant to this PP:

Objective H5: Increase Residential Densities in Centres

Canada Bay's existing local centres that are served by good public transport and offer a range of retail and other services are a valuable attribute of the LGA. Maintaining the viability and vitality of these centres should be part of a strategy to ensure better liveability and sustainability into the future. Support and revitalisation of these local centres can be assisted by zoning for residential intensification.

Maximum allowable densities in appropriate village and neighbourhood centres should be increased to stimulate growth required to ensure vibrant and viable mixed use centres that are well serviced by public transport.

The LPS underpins the importance of intensifying the density capabilities of residential development in and around centres which are serviced by public transport infrastructure. Action H12 goes further:

Action H12: Increase residential densities in, and in the immediate vicinity of, the existing centres of Drummoyne, Five Dock, Concord, Concord West and North Strathfield.

As the subject site lies within the existing centre of Concord West which is fortunate to have good services and transport access, it is considered that this PP is consistent with Objective H5 and Action

H12. The LPS acknowledges that whilst the low density and village feel in Canada Bay is valued by residents and businesses alike, a balance must be struck between retaining the existing character, and ensuring densities support the public transport patronage.

The LPS envisages this as occurring through the following:

This will require an adjustment to local zoning controls, shop-top provisions (to encourage residential), parking controls, and pedestrian and cycling facilities. Design guidelines should be prepared to protect amenity. Particular emphasis should be placed on achieving higher densities at close range, such as with 200 metres of existing retail areas and centres serviced by public transport.

As the subject site lies within 200 metres of Concord West Railway Station, it is considered that the PP is consistent with the LPS and will provide numerous public benefits.

3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

There are no existing State Environmental Planning Policies (SEPPs) or known draft policies which would prohibit or restrict the PP. An assessment against the relevant SEPPs is provided below and an overview of consistency with all SEPPs is provided as Appendix D.

3.2.3.1 SEPP (Infrastructure) 2007

The amendment to the CBLEP 2013 to rezone the subject site from IN1 General Industrial to R3 Medium Density Residential will not result in a development which is likely to be “traffic generating” under the ISEPP. As the site does not have access to a classified road nor to a road which has access to a classified road under the Roads and Maritime Services’ (RMS) *Schedule of Classified & State and Regional Roads*, the criteria for whether residential development on site would be “traffic generating” is the following:

Schedule 3 Traffic generating development to be referred to the RTA

(Clause 104)

Column 1	Column 2	Column 3
Purpose of development	Size or capacity—site with access to any road	Size or capacity—site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)
Note.		
The development may be the erection of new premises or the enlargement or extension of existing premises		
Apartment or residential flat building	300 or more dwellings	75 or more dwellings

Considering the size of the subject site, when assessed against possible density yields arising from the current FSR and Height controls which apply to residential zonings for Canada Bay, it is unlikely that development on site for the purposes of residential flat buildings will be “traffic generating” as defined under the ISEPP.

Further consideration of traffic related issues would be addressed in a DA to develop the subject site.

3.2.3.2 SEPP 55 (Remediation of Land)

Clause 6 of State Environmental Planning Policy No 55 (Remediation of Land) (SEPP 55) states as follows:

(1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:

- (a) the planning authority has considered whether the land is contaminated, and
- (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

Note. In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.

(2) Before including land of a class identified in subclause (4) in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines

(3) If a person has requested the planning authority to include land of a class identified in subclause (4) in a particular zone, the planning authority may require the person to furnish the report referred to in subclause (2).

(4) The following classes of land are identified for the purposes of this clause:

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

(5) In this clause, planning authority has the same meaning as it has in section 145A of the Act.

As the site has been previously used for the industrial purposes, a Remediation Action Plan will be required and can be addressed as a part of a future development application.

3.2.4 *Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?*

The PP is consistent with all applicable Ministerial Directions. An assessment against the relevant Ministerial Directions under Section 117 of the EP&A Act is provided below:

3.2.4.1 *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).

Whilst the PP is inconsistent with this Section 117 direction, it is considered that the inconsistency is justified by a strategic study in accordance with Clause (5)(b) of the direction, which states as follows:

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:

(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or

The subject site is being considered by Council for rezoning from IN1 - General Industrial to R3 - Medium Density Residential based on recommendations of the Socio Economic Impact Study undertaken by Hill PDA on behalf of Council in June 2013. This study supports the rezoning of the site to R3 Medium Density Residential and acknowledges the changing role of the precinct from an employment centre based on limited demand for industrial space and increasing vacancies. This PP is in accordance with the recommendations of the 2013 study and therefore Economic analysis specifically to the subject site is not considered warranted.

3.2.4.2 *2.3 Heritage Conservation*

This direction applies to all Councils preparing a draft LEP. In summary, a draft LEP is required to contain provisions that will facilitate the conservation of heritage items.

No items of significance have been identified on the subject site. While the site is located in the vicinity of existing heritage items it is not considered that the PP will affect the heritage significance of these items, given the proposed future use of the site is consistent with existing uses in the locality.

Further consideration of heritage issues would be addressed in a DA to develop the subject site.

3.2.4.3 *3.1 Residential Zones*

This direction applies to when a relevant planning authority prepares a planning proposal that will affect land within any zone in which significant residential development is permitted or proposed to be permitted. It is considered that the PP is consistent with this Ministerial Direction as follows:

- The PP is consistent with the objectives of this Ministerial Direction. It is considered that this PP, if implemented, will:
 - o Encourage a variety and choice of housing types for the Concord West locality to provide for existing and future housing needs;
 - o Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and
 - o Minimise the impact of residential development on the environment and resource lands.
- The PP will reduce the consumption of land for housing and associated urban development on the urban fringe; and
- The PP does not contain provisions which will reduce the permissible residential density of the land, in accordance with the requirements of the Ministerial Direction.

3.2.4.4 3.4 Integrating Land Use and Transport

This direction applies to all Councils when a planning proposal is prepared 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 PP has been considered against the provisions of this direction and is considered acceptable for the site for the following reasons:

- The PP is consistent with the objectives of this Ministerial Direction. It is considered that this PP, if implemented, will:
 - o Improve access to housing and housing opportunity near public transport;
 - o Reduce dependence on cars as the rezone will give rise to further opportunity within the Canada Bay LGA for TOD; and
 - o Support the efficient and viable operation of public transport services;
- The PP will allow for the future residential development of the site, which will take advantage of the existing public transport and open space infrastructure in close proximity to the site;
- The PP seeks to enhance the existing Concord West locality by allowing the provision of the residential use of the subject site, which will capitalise on the services available in Concord West.

3.2.4.5 4.1 Acid Sulphate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land containing Acid Sulfate Soils.

The PP and any subsequent DA shall be considered against any Acid Sulfate Soils (map) prepared by Council.

The relevant Acid Sulfate Soils Map identifies the subject site as being located within the following classification areas:

- Class 2 for the west side of the site; and
- Class 5 for the east side of the site.

It is considered that the further assessment can be dealt with at any future DA stage for the subject site with the inclusion of an Acid Sulphate Soils Management Plan.

3.2.4.6 4.3 Flood Prone Land

The objectives of this direction are to ensure that:

- development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and
- the provisions of an 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.

This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

A Flood Impact Assessment has been provided by TTW and is contained within **Appendix C** with respect to this issue. It concludes that development is possible on the site and precinct and provides management measures to ensure this occurs in an appropriate manner.

Further detail regarding flood impacts are provided within the Flood Impact Assessment at Appendix C.

Council's Specification for the Management of Stormwater sets out the following flood controls for the developments relevant to the subject site:

The minimum freeboard shall be as follows:

- 150mm for roadways - between the 100-year ARI overland flow route and warehouse, factory, and garage floor levels and entrances to underground car parks.
- 300mm for roadways - between the 100-year ARI overland flow route and office, living rooms, retail space, storeroom, and show room floor levels.
- 300mm for surcharge paths e.g. easements - between the 100-year ARI overland flow route and all internal building floor levels, garages and basement car parks.
- 500mm for channels, creeks and rivers - between the 100-year flood water level and all internal building floor levels, garages, and basement car parks.

TTW identifies an existing overland flow route along the north-eastern boundary of 4 Rothwell Avenue at the northernmost boundary of the subject site. TTW advises that this overland flow route must be maintained for the future development. The existing width of the flow path is between 3.5m and 3.6m.

The Concord West Precinct Master Plan makes an allowance for the identified flow path depicted as a connection between Rothwell Avenue and Powell's Creek Reserve. TTW advises that the width of the future overland flow route should be a minimum of 4m to minimise any flood impact on the surrounding properties.

It is considered that this is achievable within the land use zoning proposed by this PP through built form setbacks or application of easements as appropriate.

Based on the above, this PP is consistent with this Direction.

3.2.4.7 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

The PP is consistent with this direction as it only proposes the rezoning of the subject site from IN1 General Industrial to the R3 Medium Density Residential zone, without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended (CBLEP 2008).

Appendix E provides a summary of consistency with all Section 117 Directions.

3.2.4.8 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*. The Direction applies to a number of listed Local Government Areas (LGA), which includes the LGA of Canada Bay. It is considered that this PP is consistent with this Direction in that it will assist in delivering on the outcomes envisaged by the strategy as outlined in Section 3.2.1. **Appendix E** provides a summary of consistency with all Section 117 Directions.

3.3 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

3.3.1 *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?*

There is no critical habitat, threatened species populations or ecological communities, or their habitats on the site. There does not appear to be the need for a Local Environmental Study.

It is considered unlikely that the site will contain critical habitat as it has been cleared of vegetation and used for the purposes of an industrial warehouse many years ago.

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

No other likely environmental effects are envisaged as a result of the PP. The site is identified as partly as Class 2 (west side of the site) and Class 5 (east side of the site) on the Acid Sulphate Soils Planning Map of the CBLEP 2013. This has been addressed in Section 3.2.4.5 of this PP.

This PP is not located on land that is affected by any other land use planning constraints or on land subject to natural hazards. The land is not identified as bushfire prone, nor is it affected by potential flood inundation or subject to potential landslip.

3.3.3 *How has the planning proposal adequately addressed any social and economic effects?*

These considerations have been previously discussed in this PP and are addressed in detail in the Socio Economic Impact Study undertaken by Hill PDA on behalf of Council in June 2013.

3.3.4 *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?*

State and Commonwealth public authorities will be consulted following the outcomes of the gateway determination. Consultation can be carried out in accordance with the EP&A Act.

4. CONCLUSION

This PP has been prepared to request Council amend the planning controls contained within the CBLEP 2013 to enable a site specific rezone at 2, 2A and 4 Rothwell Avenue, Concord West from IN1 General Industrial to R3 Medium Density Residential.

It is concluded that this PP is appropriate in that it is:

- prepared to ensure all matters required to be addressed under the requirements for a planning proposal have been adequately addressed;
- consistent with State Government policies;
- consistent with all Ministerial Directions under Section 117 of the EP&A Act;
- consistent with a decision already made by council in relation to local planning;
- suitable for the site and will not adversely impact any existing or future centres in Concord West; and
- will bring about a number of net community benefits.

As such, it is requested that Council support the PP.

APPENDIX A

Site Survey

NO INVESTIGATION OF UNDERGROUND SERVICES HAVE BEEN MADE. ALL RELEVANT AUTHORITIES SHOULD BE NOTIFIED PRIOR TO ANY EXCAVATION ON OR NEAR THE SITE DEVELOPERS & EXCAVATORS MAY BE HELD FINANCIALLY RESPONSIBLE BY THE ASSET OWNER SHOULD THEY DAMAGE UNDERGROUND NETWORKS

- CARELESS DIGGING CAN:
- CAUSE DEATH OR SERIOUS INJURY TO WORKERS & THE GENERAL PUBLIC
 - INCONVENIENCE USERS OF ELECTRICITY, GAS, WATER & COMMUNICATIONS
 - LEAD TO CRIMINAL PROSECUTION & DAMAGES CLAIMS
 - CAUSE EXPENSIVE FINANCIAL LOSSES TO BUSINESS
 - CUT OFF EMERGENCY SERVICES
 - DELAY PROJECT COMPLETION TIMES WHILE THE DAMAGE IS REPAIRED
- MINIMISE YOUR RISK & DIAL BEFORE YOU DIG
TELEPHONE: 1100

NOTES:

- 1) TITLE BEARINGS AND DIMENSIONS ARE SHOWN.
- 2) BOUNDARY REDEFINITION HAS NOT BEEN UNDERTAKEN.
- 3) ORIGIN OF LEVELS: SSM 114369 R.L 7.608 (A.H.D.) (L.I.C 2014)
- 4) SITE COMPRISES LOT 1 & 2 D.P 215341 LOT X D.P. 404807
- 5) SITE AREA 6084.0m² BY TITLE DIMENSIONS.
- 6) UNDERGROUND SERVICES HAVE NOT BEEN INVESTIGATED.
- 7) (g) DENOTES GUTTER LEVEL.
- 8) TREE NAMES SHOWN CONSTITUTE OUR OPINION ONLY. IF TREE SPECIES IDENTIFICATION IS IMPORTANT FOR DESIGN OR HERITAGE REASONS THEY SHOULD BE DETERMINED BY A QUALIFIED ARBORIST.
- 9) CAUTION: SHOULD ANY DEVELOPMENT OR CONSTRUCTION BE PLANNED ON OR NEAR THE BOUNDARIES, THE BOUNDARIES SHOULD BE CLEARLY MARKED ON SITE

SCHEDULE OF WINDOWS & DOORS											
No.	HEAD	SILL	No.	HEAD	SILL	No.	HEAD	SILL	No.	HEAD	SILL
1	9.40	8.17	13	13.23	12.07	25	8.72	7.36	37	8.72	7.36
2	9.33	7.26	14	13.53	12.07	26	8.72	7.62	38	8.72	7.62
3	9.40	8.17	15	9.52	8.23	27	8.47	7.62	39	8.47	7.62
4	9.53	8.34	16	9.52	7.23	28	8.47	7.36	40	10.01	8.65
5	9.70	7.57	17	9.52	8.23	29	8.72	7.62	41	10.01	8.65
6	9.35	8.34	18	9.52	7.62	30	8.72	7.36	42	9.93	8.81
7	9.64	8.37	19	8.72	7.62	31	8.72	7.62			
8	9.64	7.53	20	8.47	7.62	32	8.72	7.36			
9	9.64	8.37	21	8.47	7.36	33	8.72	7.36			
10	10.01	8.65	22	8.47	7.62	34	8.72	7.36			
11	10.01	8.65	23	8.47	7.36	35	8.72	7.36			
12	9.93	8.81	24	8.72	7.36	36	8.72	7.36			

No.	DIAMETER	SPREAD	HEIGHT	DESCRIPTION
1	0.20	0.40	1.00	PAVERBANK
2	0.20	0.40	1.00	PAVERBANK
3	0.20	0.40	1.00	PAVERBANK
4	0.20	0.40	1.00	PAVERBANK
5	0.20	0.40	1.00	PAVERBANK
6	0.20	0.40	1.00	PAVERBANK
7	0.20	0.40	1.00	PAVERBANK
8	0.20	0.40	1.00	PAVERBANK
9	0.20	0.40	1.00	PAVERBANK
10	0.20	0.40	1.00	PAVERBANK
11	0.20	0.40	1.00	PAVERBANK
12	0.20	0.40	1.00	PAVERBANK
13	0.20	0.40	1.00	PAVERBANK
14	0.20	0.40	1.00	PAVERBANK
15	0.20	0.40	1.00	PAVERBANK
16	0.20	0.40	1.00	PAVERBANK
17	0.20	0.40	1.00	PAVERBANK
18	0.20	0.40	1.00	PAVERBANK
19	0.20	0.40	1.00	PAVERBANK
20	0.20	0.40	1.00	PAVERBANK
21	0.20	0.40	1.00	PAVERBANK
22	0.20	0.40	1.00	PAVERBANK
23	0.20	0.40	1.00	PAVERBANK
24	0.20	0.40	1.00	PAVERBANK
25	0.20	0.40	1.00	PAVERBANK

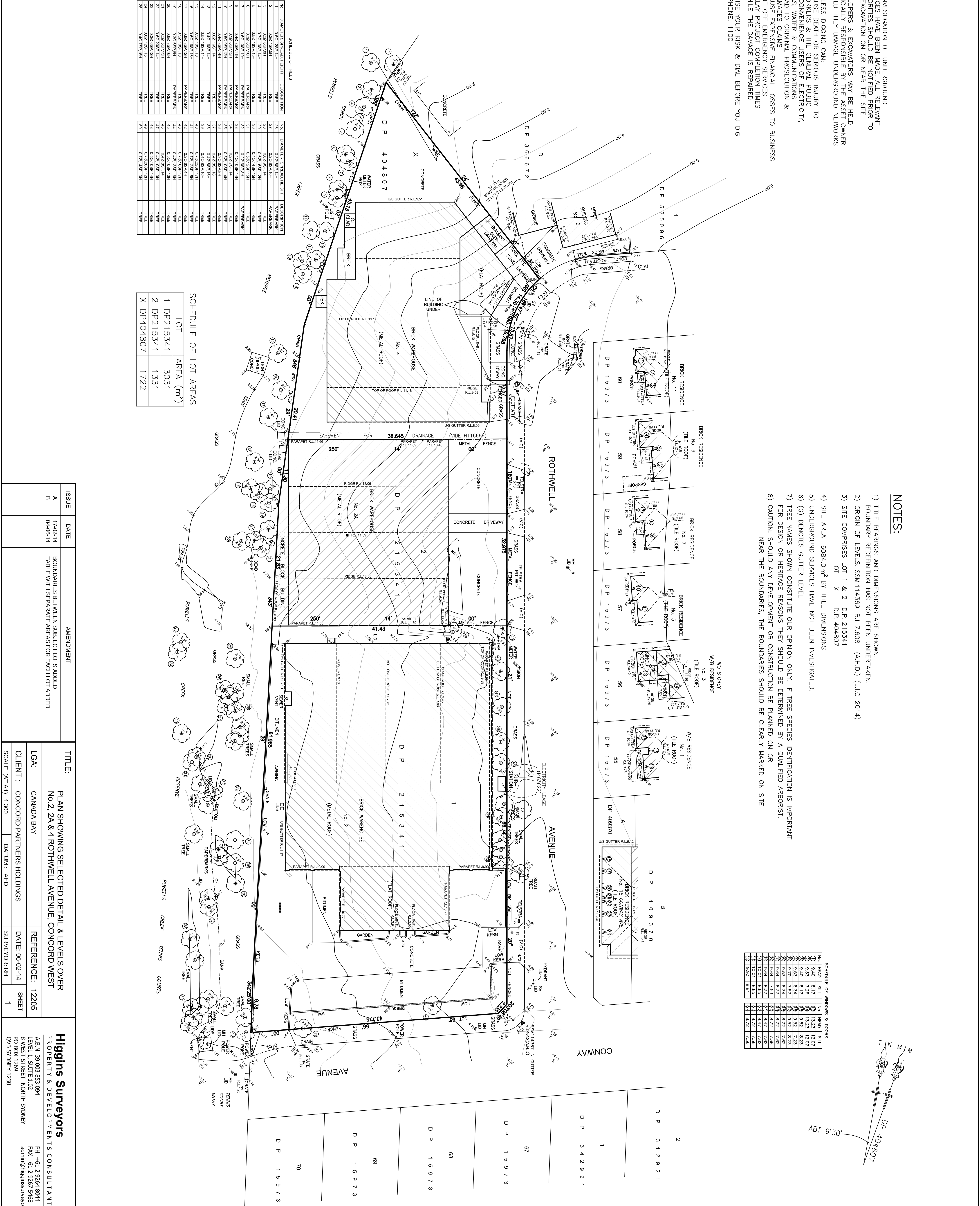
LOT	AREA (m ²)
1	3031
2	1331
X	1722

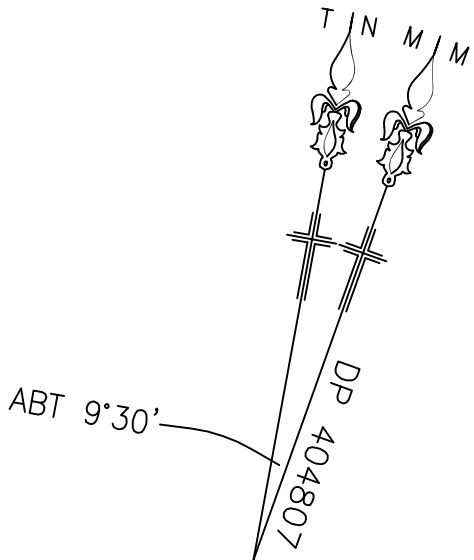
ISSUE	DATE	AMENDMENT
A	17-02-14	BOUNDARIES BETWEEN SUBJECT LOTS ADDED
B	04-06-14	TABLE WITH SEPARATE AREAS FOR EACH LOT ADDED

TITLE:	PLAN SHOWING SELECTED DETAIL & LEVELS OVER No. 2, 2A & 4 ROTHWELL AVENUE, CONCORD WEST
LGA:	CANADA BAY
CLIENT :	CONCORD PARTNERS HOLDINGS
REFERENCE:	12205
DATE:	06-02-14
SURVEYOR:	RH
SHEET	1

SCALE (AT A1)	1:300	DATUM :	AHD
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Higgins Surveyors	PROPERTY & DEVELOPMENTS CONSULTANTS
A.B.N. 39 003 853 094	PH +61 2 9264 8044
LEVEL 1, SUITE 1.02	FAX +61 2 9267 5468
80 DRY STREET NORTH SYDNEY	admin@higginsurveyors.com.au
Q18 SYDNEY 1230	





NO INVESTIGATION OF UNDERGROUND SERVICES HAVE BEEN MADE. ALL RELEVANT AUTHORITIES SHOULD BE NOTIFIED PRIOR TO ANY EXCAVATION ON OR NEAR THE SITE.

DEVELOPERS & EXCAVATORS MAY BE HELD FINANCIALLY RESPONSIBLE BY THE ASSET OWNER SHOULD THEY DAMAGE UNDERGROUND NETWORKS

CARELESS DIGGING CAN:

- CAUSE DEATH OR SERIOUS INJURY TO WORKERS & THE GENERAL PUBLIC
- INCONVENIENCE USERS OF ELECTRICITY, GAS, WATER & COMMUNICATIONS
- LEAD TO CRIMINAL PROSECUTION & DAMAGES CLAIMS
- CAUSE EXPENSIVE FINANCIAL LOSSES TO BUSINESS
- CUT OFF EMERGENCY SERVICES
- DELAY PROJECT COMPLETION TIMES
- WHILE THE DAMAGE IS REPAIRED

MINIMISE YOUR RISK & DIAL BEFORE YOU DIG
TELEPHONE: 1100

NOTES:

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- 2) ORIGIN OF LEVELS: SSM 114369 R.L.7.608 (A.H.D.) (L.I.C. 2014)
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LOT X D.P. 404807
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SCHEDULE OF TREES

No.	DIAMETER, SPREAD, HEIGHT	DESCRIPTION
1	0.50/12SP/14H	TREE
2	0.20/4SP/5H	TREE
3	0.20/8SP/8H	TREE
4	0.70/13SP/14H	TREE
5	0.50/16SP/15H	TREE
6	0.30/8SP/10H	PAPERBARK
7	0.60/10SP/10H	PAPERBARK
8	0.40/8SP/11H	PAPERBARK
9	0.50/8SP/12H	PAPERBARK
10	0.50/8SP/12H	PAPERBARK
11	0.40/8SP/14H	PAPERBARK
12	0.60/16SP/14H	TREE
13	0.40/16SP/14H	TREE
14	0.50/16SP/14H	TREE
15	0.30/10SP/10H	TREE
16	0.60/16SP/16H	TREE
17	0.60/8SP/12H	PAPERBARK
18	0.50/10SP/10H	TREE
19	0.50/8SP/8H	PAPERBARK
20	0.60/8SP/16H	TREE
21	0.20/8SP/15H	TREE
22	0.60/20SP/14H	TREE
23	0.30/8SP/12H	TREE
24	0.60/12SP/16H	TREE
25	0.40/7SP/15H	TREE

SCHEDULE OF TREES

No.	DIAMETER, SPREAD, HEIGHT	DESCRIPTION
26	0.30/8SP/14H	PAPERBARK
27	0.20/8SP/10H	PAPERBARK
28	0.60/8SP/14H	TREE
29	0.60/16SP/12H	TREE
30	0.50/14SP/15H	TREE
31	0.40/14SP/15H	TREE
32	0.20/12SP/16H	PAPERBARK
33	0.40/10SP/14H	TREE
34	0.20/7SP/14H	TREE
35	0.50/10SP/14H	TREE
36	0.30/6SP/8H	TREE
37	0.40/8SP/18H	TREE
38	0.40/8SP/16H	TREE
39	0.70/22SP/17H	TREE
40	0.70/12SP/19H	TREE
41	0.20/6SP/4H	TREE
42	0.70/16SP/17H	TREE
43	0.40/13SP/16H	TREE
44	0.50/10SP/10H	TREE
45	0.40/8SP/14H	TREE
46	0.40/10SP/10H	TREE
47	0.50/10SP/14H	TREE
48	0.70/20SP/12H	TREE
49	0.70/14SP/13H	TREE

SCHEDULE OF LOT AREAS

LOT	AREA (m ²)
2 DP215341	1331
X DP404807	1722

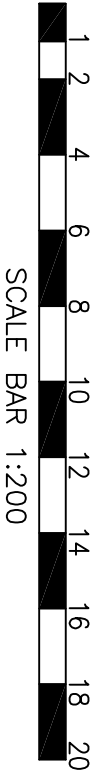
ISSUE	DATE	AMENDMENT
A	17-02-14	BOUNDARIES BETWEEN SUBJECT LOTS ADDED
B	04-06-14	TABLE WITH SEPARATE AREAS FOR EACH LOT ADDED

TITLE:	CLIENT :	REFERENCE:	SHEET
PLAN SHOWING SELECTED DETAIL & LEVELS OVER No. 2, 2A & 4 ROTHWELL AVENUE, CONCORD WEST	CONCORD PARTNERS HOLDINGS	12205	2

LGA:	CANADA BAY	DATE:	06-02-14
SURVEYOR:	RH	SCALE (AT A1):	1:200

DATUM : AHD		DATE:		SHEET	
1:200		06-02-14		2	

Higgins Surveyors PROPERTY & DEVELOPMENTS CONSULTANTS		A.B.N. 39 003 853 094 LEVEL 11 SUITE 1.02 80 BAY STREET NORTH SYDNEY Q18 SYDNEY 1230		PH +61 2 9264 8044 FAX +61 2 9267 5768 admin@higginsurveyors.com.au	
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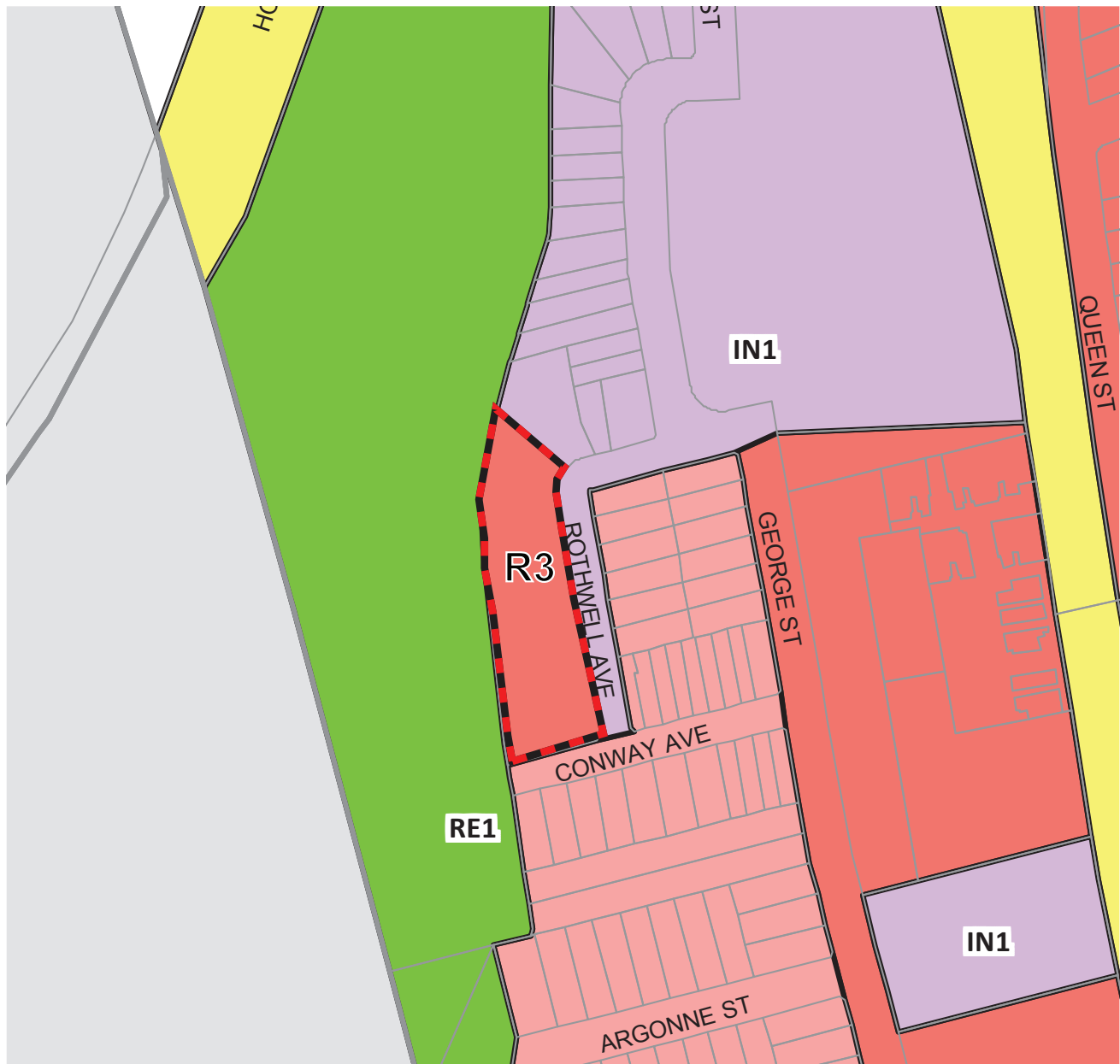
APPENDIX B

Proposed Map Amendments

Canada Bay Local Environmental Plan 2013

Land Zoning Map Extract

(Amendment No #)



City of Canada Bay
Canada Bay Local Environmental Plan 2013

Land Zoning Map
 Sheet LZN_002

B1	Neighbourhood Centre	R1	General Residential
B3	Commercial Core	R2	Low Density Residential
B4	Mixed Use	R3	Medium Density Residential
B6	Enterprise Corridor	R4	High Density Residential
B7	Business Park	RE1	Public Recreation
E2	Environmental Conservation	RE2	Private Recreation
IN1	General Industrial	SP2	Infrastructure

The subject site's land zoning designation to be changed from 'IN1' General Industrial to 'R3' Medium Density Residential.

Subject site outlined in red

Canada Bay Local Environmental Plan 2013

Height of Buildings Map Extract

(Amendment No #)



Canada Bay Local Environmental Plan 2013

Height of Buildings Map
Sheet HOB_002

I	8.5	Q	20.0	U1	31.0
J	9.5	R1	21.0	U2	32.0
K	10.0	R2	22.0	V	35.0
L	11.0	S1	23.0	W	41.0
M	12.0	S2	24.0	Y	50.0
N	14.0	T1	25.0	Z	59.0
O1	15.0	T2	26.0	AA	63.0
O2	16.0	T3	27.0	AB1	82.0
P1	17.0	T4	28.0	AB2	84.0
P2	18.0	T5	29.0		

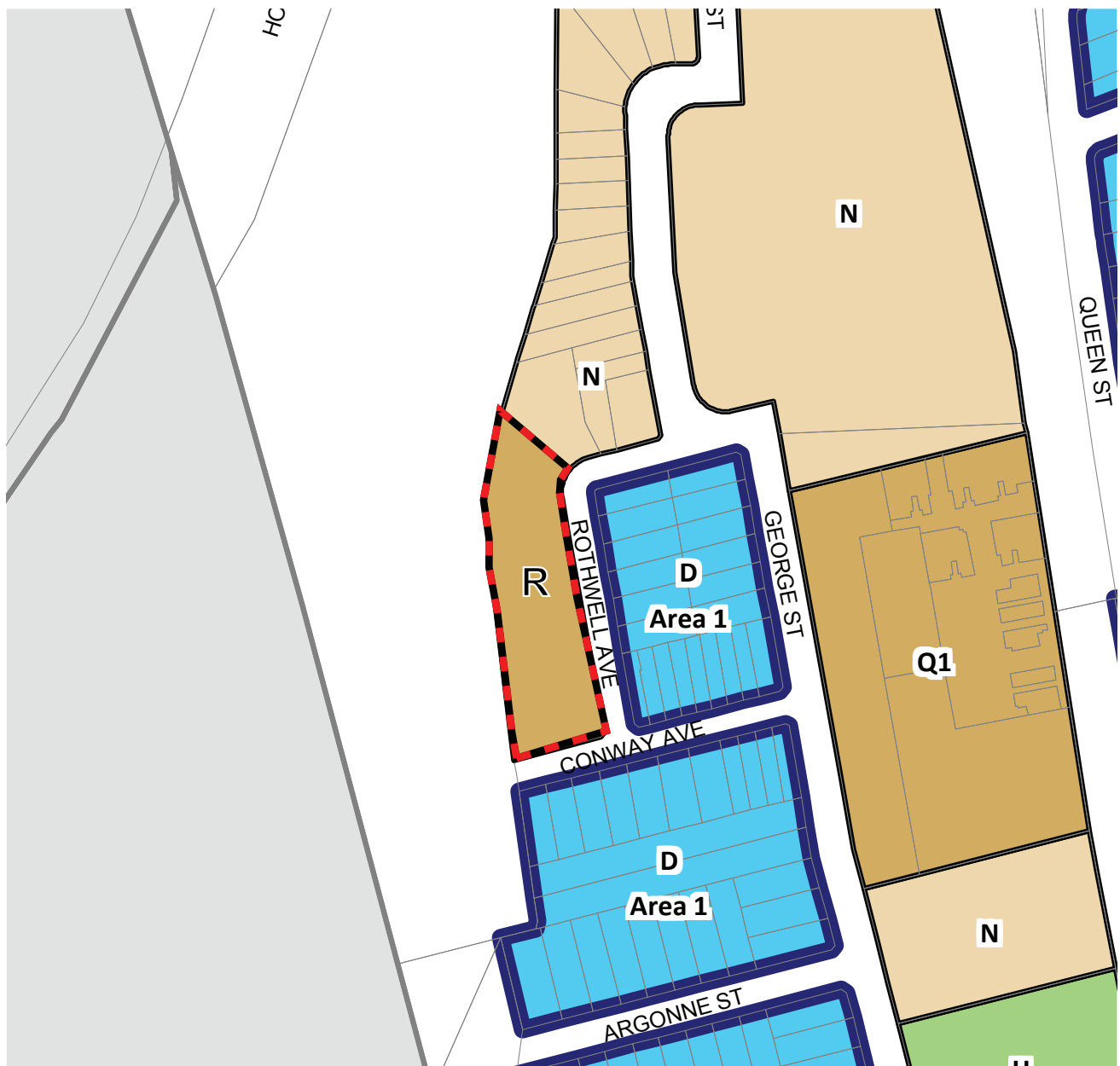
The subject site's height designation to be changed from 'M' 12 metres to 'O2' 16 metres.

 Subject site outlined in red

Canada Bay Local Environmental Plan 2013

FSR Map Extract

(Amendment No #)



Canada Bay Local Environmental Plan 2013

Floor Space Ratio Map
Sheet FSR_002

D 0.50	Q2 1.35	T1 2.00
F 0.6	R 1.40	T2 2.10
H 0.70	S1 1.50	T3 2.26
I 0.75	S2 1.60	T4 2.30
L 0.90	S3 1.76	U1 2.50
N 1.00	S4 1.80	U2 2.80
O 1.10	S5 1.83	U3 2.90
Q1 1.30	S6 1.90	V 3.30
		Y 4.50

The subject site's FSR designation to be changed from designation 'N' (1.00:1) to 'R' (1.4:1).

 Subject site outlined in red

Canada Bay Local Environmental Plan 2013 Maximum FSR extract

Source: NSW Legislation

APPENDIX C

Site Specific Flood Study



Flood Assessment of Masterplan Development 2, 2A and 4 Rothwell Avenue, Concord

for Sam the Paving Man

14 July 2015

151350 P

Taylor Thomson Whitting (NSW) Pty Ltd Consulting Engineers ACN 113 578 377
48 Chandos Street St Leonards NSW 2065 PO Box 738 Crows Nest 1585
T 61 2 9439 7288 F 61 2 9439 3146 ttwsyd@ttw.com.au www.ttw.com.au

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TABLE OF CONTENTS

Section	Page
1.0 INTRODUCTION.....	3
1.1 THE SITE	3
2.0 AVAILABLE INFORMATION	6
2.1 EXISTING DOCUMENTS	6
2.2 COUNCIL REQUIREMENTS	6
2.3 CONCORD WEST PRECINCT WATER PLAN FLOOD STUDY	6
3.0 FLOOD MODELLING AND VERIFICATION.....	7
3.1 TUFLOW	7
3.2 GROUND SURFACE	7
4.0 100-YEAR ARI FLOOD RESULTS.....	8
4.1 EXISTING CONDITIONS	8
4.2 PROPOSED DEVELOPMENT	8
5.0 FLOOD PLANNING LEVELS	11
5.1 BUILDING FINISHED FLOOR LEVELS	11
5.2 BASEMENT ENTRANCE	11
5.3 OVERLAND FLOW ROUTE.....	11
6.0 CONCLUSIONS AND RECOMMENDATIONS	12

1.0 INTRODUCTION

This flood study has been prepared by TTW to determine the flood planning level and flood impact at the proposed development at 2, 2A and 4 Rothwell Avenue, Concord.

1.1 The Site

The site is located in Concord, approximately 11.5km west of Sydney's CBD. It is located between the northern railway line and Powell's Creek. The site is within the City of Canada Bay Council local government area.

The area is a mix of warehouses and free standing houses in the immediate vicinity, warehouses to the north, low rise apartments as well as free standing houses to the east, and free standing houses to the south.

The existing site consists of warehouse buildings. There is a low point in Rothwell Avenue at the northern end of the site.

Figure 1 shows an aerial photo of the existing site and surrounds. Figure 2 shows the site survey. Figure 3 gives the ground floor plans of the proposed development.



Figure 1 Air Photo (source: NearMap)





Figure 3 Site master plan (source: Concord West Precinct Master Plan)

2.0 AVAILABLE INFORMATION

2.1 Existing Documents

The following documents have been reviewed as part of this flood study

- Concord West Precinct Master Plan Urban Design Study (JBA, 2 May 2014);
- Survey by Higgins Surveyors dated 6/02/2014;
- Concord West Precinct Master Plan Flood Study (Jacobs, draft 1 16/03/2015)
 - o TUFLOW flood model files for the above study.
- Specification for the Management of Stormwater (City of Canada Bay, February 2009)

2.2 Council Requirements

Council's Specification for the Management of Stormwater sets out the following flood controls for the developments relevant to the subject site:

The minimum freeboard shall be as follows:

- *150mm for roadways - between the 100-year ARI overland flow route and warehouse, factory, and garage floor levels and entrances to underground carparks.*
- *300mm for roadways - between the 100-year ARI overland flow route and office, living rooms, retail space, storeroom, and show room floor levels.*
- *300mm for surcharge paths e.g. easements - between the 100-year ARI overland flow route and all internal building floor levels, garages and basement carparks.*
- *500mm for channels, creeks and rivers - between the 100-year flood water level and all internal building floor levels, garages, and basement carparks.*

2.3 Concord West Precinct Mater Plan Flood Study

City of Canada Bay Council engaged Jacobs to prepare a flood assessment for the Concord West Precinct Master Plan. The report determined existing flood levels, as well as the impact of proposed mitigation works.

Flood maps from Jacobs' report are included as an appendix to this report.

3.0 FLOOD MODELLING AND VERIFICATION

3.1 TUFLOW

The flood model built by Jacobs was used under a licence agreement through Council by TTW for the purpose of establishing flood levels in this report.

The baseline model was run to verify the results were equivalent to those produced by Jacobs. The difference in flood levels between the 2 models was generally no more than 2mm. We attribute the small difference in flood levels to the use of a later version of TUFLOW in this assessment (build 2013-12-AD in this study, 2013-12-AA in Jacobs' study).

In order to model the impact of the development of 2, 2a and 4 Rothwell Avenue on the flood regime, the existing buildings in the model were removed and replaced with the footprint of buildings from the masterplan. No other changes were made to the model.

3.2 Ground Surface

The ground surface model used in the TUFLOW model was compared to the field survey obtained for Rothwell Avenue. The levels in the survey data used in the TUFLOW model (from AAM Hatch LiDAR) are typically within 150mm of the field survey. As a result, we consider the flood levels may be conservative. The TUFLOW existing ground survey model files were used to ensure consistency across models.

4.0 100-year ARI Flood Results

4.1 Existing conditions

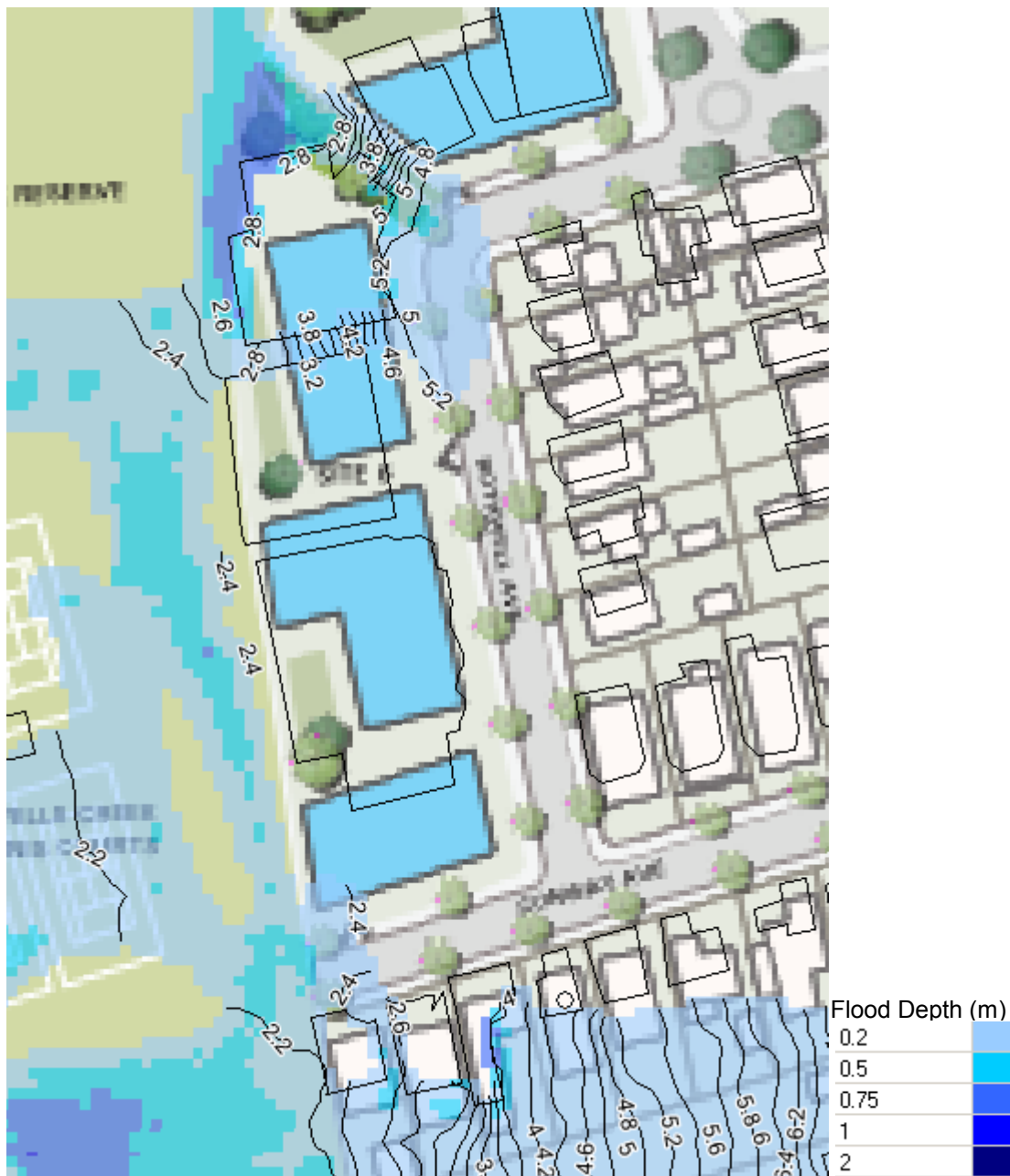


Figure 4 Existing 100-year ARI Flood

4.2 Proposed Development

The proposed development was added to the model to determine the flood impact of the development. Figure 5 shows the flood extent with the masterplan development, while Figure 6 shows the changes to the flood conditions due to the masterplan development.

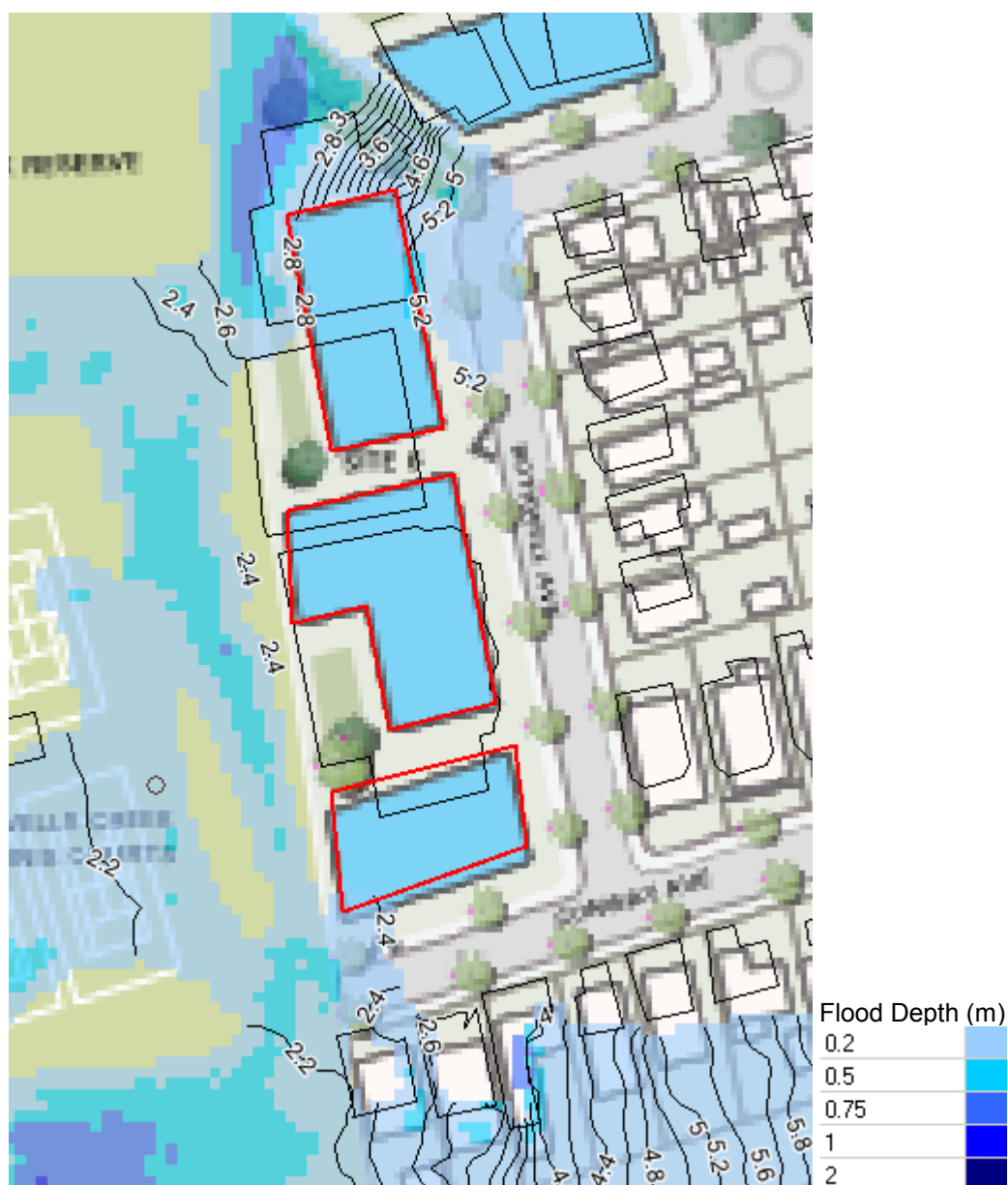


Figure 5 100-year ARI flood with proposed masterplan

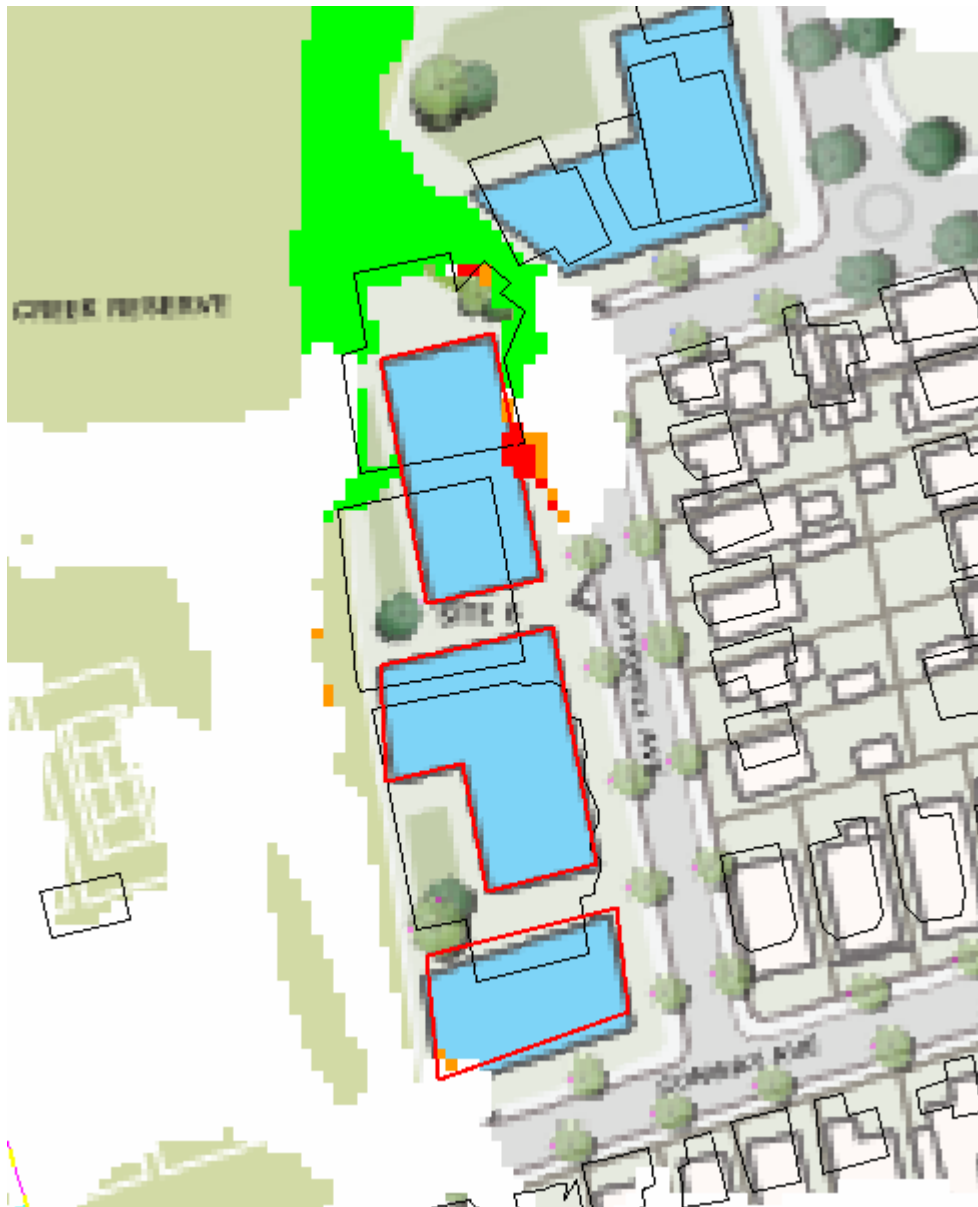


Figure 6 Flood Impact due to the proposed masterplan

-  - Flood level reduced by greater than 10mm
-  - Flood level increased by more than 10mm
-  - Flood level increased by more than 50mm

While there is a minor increase in flood levels evident at the front of the lot 4 building, this is isolated to a small area at the site itself and does not have any adverse flooding impact on neighbouring properties. When considering surrounding properties, the net impact of the development in terms of flooding is either no change in flood levels or a slight reduction.

5.0 FLOOD PLANNING LEVELS

5.1 Building Finished Floor Levels

FPLs across the building have been determined based on the requirements of the DCP, the flood modelling and the masterplan layouts. Key locations across the development with available freeboard are shown in Table 1.

Table 1 Flood Planning Levels

Location	100-year flood level	Minimum FFL	Freeboard
Site 4	5.30 mAHD	5.60 mAHD	300mm
Site 2A	Not flood affected		Minimum 150mm
Site 2	2.40 mAHD	2.70 mAHD	300mm

5.2 Basement Entrance

It is understood that the development of the site will likely consider basement car parking. Under the DCP, the basement must be above the 100-year flood level with some freeboard, 300mm for this site.

The care park entrance can be at the end of Conway Avenue, provided the entrance is elevated to 2.70 mAHD prior to ramping down to the basement.

Near the low point on Rothwell Avenue, the basement entrance would need to rise to 5.60m to achieve freeboard to the basement.

Outside of flood affected areas, the basement entrance must have a freeboard of 150mm to the road.

5.3 Overland Flow Route

There is an existing overland flow route along the north-eastern boundary of 4 Rothwell Avenue. This overland flow route must be maintained for the future development. The existing width of the flow path is between 3.5m and 3.6m.

The masterplan has an allowance for shown as a connection between Rothwell Avenue and Powell's Creek Reserve. The width of the future overland flow route should be a minimum of 4m to minimise any flood impact on the surrounding properties.



Figure 7 Existing overland flow route

6.0 CONCLUSIONS AND RECCOMENDATIONS

The proposed masterplan development at 2, 2a and 4 Rothwell Avenue does not have any negative impact with respect to flooding on neighbouring properties. We recommended that minimum flood planning levels and the provision for an overland flow path in accordance with section 5.0 of this report. Finished floor levels provide adequate freeboard to the 100-year ARI flood in accordance with Council's DCP.

This report has been prepared based on the masterplan documents. We recommend that the flood information presented in this report is reviewed when detailed designs are prepared.

Prepared by:
TAYLOR THOMSON
WHITTING (NSW) PTY LTD

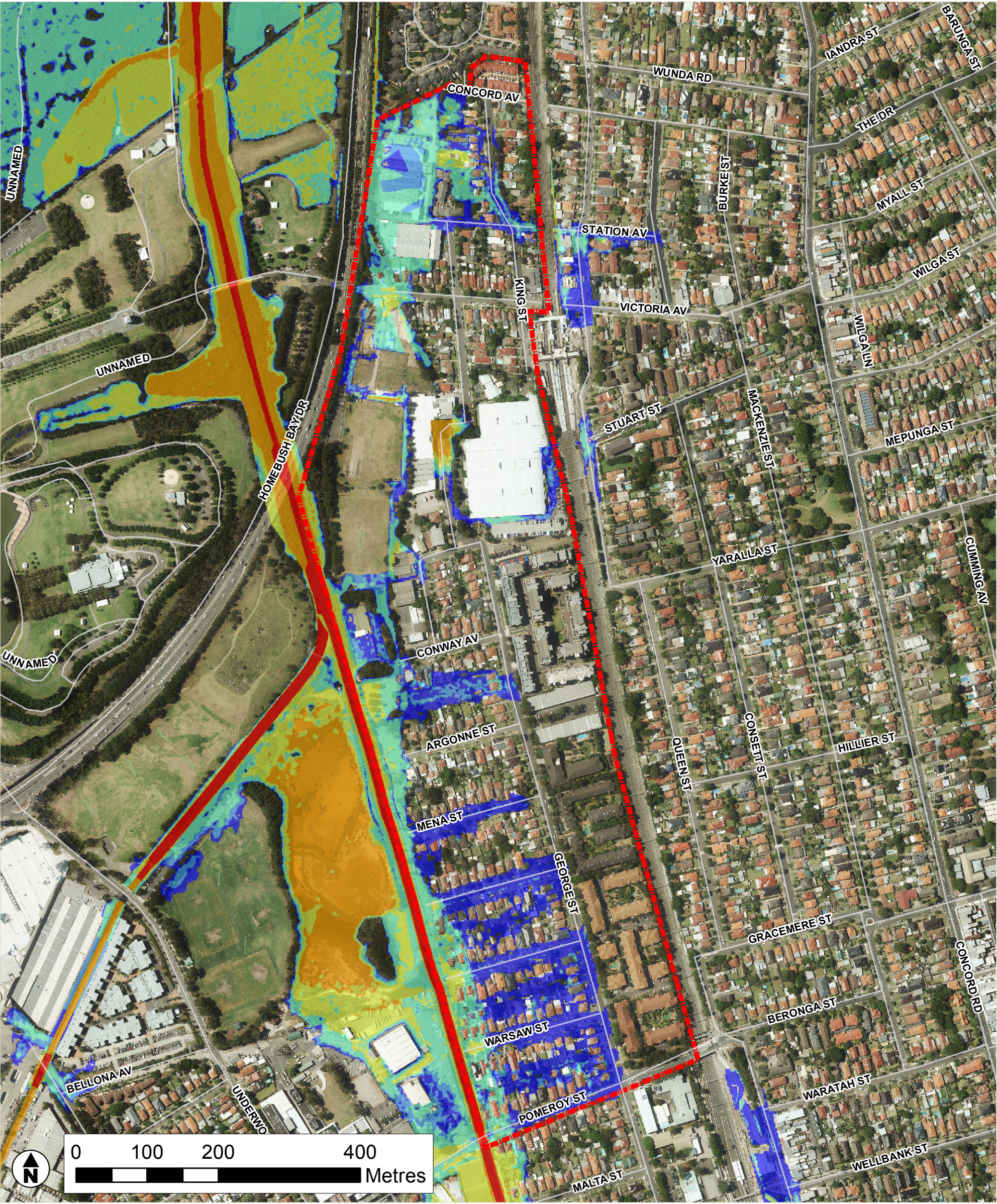
Tim Henderson
Engineer

Authorised by:
TAYLOR THOMSON
WHITTING (NSW) PTY LTD

Stephen Brain
Technical Director

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Appendix A: Jacobs Flood Mapping



Legend

- Depth (m)

 - 0 - 0.1
 - 0.1 - 0.2
 - 0.2 - 0.5
 - 0.5 - 1.0
 - 1.0 - 2.0
 - > 2.0
- 

Study Area

JACOBS

Data Sources: LPI, Council.

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A3				
SHEET	1 of 1		GDA 1994 MGA Zone 56	
TITLE	1% AEP Flood Depth - Baseline Case			
PROJECT	Concord West Precinct Masterplan Flood Study			
CLIENT	City of Canada Bay			
DRAWN	PROJECT #	MAP #	REV	VER
LC	IA046600	MAP C-15	1	1
CHECK	DATE			
LC	7/05/2015			

Appendix B: Masterplan

South Precinct (Sites 6-7) - Detailed Master Plan



George Street street scape

Key Features:

1. Pedestrian link connecting Rothwell Avenue to Powell’s Creek Reserve.
2. New buildings to address Rothwell Avenue, Conway Avenue, George Street, the park and the pedestrian link.
3. Four storey built form to complete George Street.

LEGEND

Indicative Building Footprint

Upper level set back

Public Open Space

Communal Open Space

5

Number of Storeys

←

Vehicle Access



FIGURE 15 - South Precinct Master Plan

APPENDIX D

Summary of Consistency with all SEPPs

Schedule of Consistency
State Environmental Planning Policies (including relevant Deemed SEPPs)

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP No. 1 - Development Standards			✓
SEPP No. 2 - Minimum Standards for Residential Flat Development	✓ - repealed		
SEPP No.4 - Development without Consent and Miscellaneous Complying Development	✓ - repealed		
SEPP No. 5 - Housing for Older People or People with Disability	✓ - repealed		
SEPP No. 6 - Number of Storeys in a Building	✓ - repealed		
SEPP No. 7 - Port Kembla Coal Loader	✓ - repealed Refer ISEPP		
SEPP No. 8 - Surplus Public Land	✓ - repealed Refer ISEPP		
SEPP No. 9 - Group Homes	✓ - repealed Refer ISEPP		
SEPP No. 10 - Retention of Low-Cost Rental Accommodation	✓		
SEPP No. 11 - Traffic Generating Developments	✓ - repealed Refer ISEPP		
SEPP No. 12 - Public Housing (Dwelling Houses)	✓ - repealed		
SEPP No. 13 - Sydney Heliport	✓ - repealed		
SEPP No. 14 - Coastal Wetlands	✓		
SEPP No. 15 - Rural Land Sharing Communities	✓		
SEPP No. 16 - Tertiary Institutions	✓ - repealed Refer ISEPP		
SEPP No. 17 - Design of Building in Certain Business Centres	✓ - did not proceed		
SEPP No. 18 - Public Housing	✓ - did not proceed		
SEPP No. 19 - Bushland in Urban Areas	✓		
SEPP No. 20 - Minimum Standards for Residential Flat Development	✓ - repealed		
SEPP No. 21 – Caravan Parks (formerly Movable Dwellings)	✓		
SEPP No. 22 - Shops and Commercial Premises	✓ - repealed		
SEPP No. 23	Not allocated		
SEPP No. 24 - State Roads	✓ - did not proceed		
SEPP No. 25 - Residential Allotment Sizes	✓ - repealed		
SEPP No. 26 - Littoral Rainforests	✓		
SEPP No. 27 - Prison Sites	✓ - repealed Refer ISEPP		
SEPP No. 28 - Town Houses and Villa Houses	✓ - repealed		
SEPP No. 29 - Western Sydney Recreation Area	✓		
SEPP No. 30 - Intensive Agriculture	✓		
SEPP No. 31 - Sydney (Kingsford Smith) Airport	✓ - repealed Refer ISEPP		
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	✓		
SEPP No. 33 - Hazardous and Offensive Development	✓		
SEPP No. 34 - Major Employment Generating Industrial Development	✓ - repealed		
SEPP No. 35 - Maintenance Dredging of Tidal Waterways	✓ - repealed Refer ISEPP		
SEPP No. 36 - Manufactured Home Estates	✓		

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP No. 37 - Continued Mines and Extractive Industries	✓ - repealed		
SEPP No. 38 - Olympic Games and Related Development	✓ - repealed		
SEPP No. 39 - Spit Island Bird Habitat	✓		
SEPP No. 40 - Sewerage Works	✓ - did not proceed		
SEPP No. 41 - Casino/Entertainment Complex	✓		
SEPP No. 42 - Multiple Occupancy and Rural Land (Repeal)	✓ - repealed		
SEPP No. 43 - New Southern Railway	✓ - repealed Refer ISEPP		
SEPP No. 44 - Koala Habitat Protection	✓		
SEPP No. 45 - Permissibility of Mining	✓ - repealed		
SEPP No. 46 - Protection and Management of Native Vegetation	✓ - repealed		
SEPP No. 47 - Moore Park Showground	✓		
SEPP No. 48 - Major Putrescible Land fill Sites	✓ - repealed Refer ISEPP		
SEPP No. 49 - Tourism Accommodation in Private Homes	Draft only		
SEPP No. 50 - Canal Estates	✓		
SEPP No. 51 - Eastern Distributor	✓ - repealed Refer ISEPP		
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	✓		
SEPP No. 53 - Metropolitan Residential Development	✓ - repealed		
SEPP No. 54 - Northside Storage Tunnel	✓ - repealed Refer ISEPP		
SEPP No. 55 - Remediation of Land			✓
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries	✓		
SEPP No. 57	Not allocated		
SEPP No. 58 – Protecting Sydney's Water Supply	✓ - repealed		
SEPP No. 59 - Central Western Sydney Economic and Employment Area	✓		
SEPP No. 60 - Exempt and Complying Development	✓ - repealed		
SEPP No. 61 - Exempt and Complying Development for White Bay and Glebe Island Ports	✓ - repealed		
SEPP No. 62 - Sustainable Aquaculture	✓		
SEPP No. 63 - Major Transport Projects	✓ - repealed		
SEPP No. 64 - Advertising and Signage	✓		
SEPP No. 65 - Design Quality of Residential Flat Development	✓		
SEPP No. 67 - Macquarie Generation Industrial Development Strategy	✓ - repealed Refer ISEPP		
SEPP No. 69 - Major Electricity Supply Projects	✓ - repealed Refer ISEPP		
SEPP 70 - Affordable Housing (Revised Schemes)	✓		
SEPP No. 71 - Coastal Protection	✓		
SEPP No. 72 - Linear Telecommunications Development – Broadband	✓ - repealed Refer ISEPP		
SEPP No 73 – Kosciuszko Ski Resorts	✓ - repealed		
SEPP No. 74 - Newcastle Port and Employment Lands	✓ - repealed		
SEPP (Affordable Rental Housing) 2009	✓		
SEPP (Building Sustainability Index: BASIX) 2004	✓		
SEPP (Exempt and Complying Development Codes)	✓		

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
2008			
SEPP (ARTC Rail Infrastructure) 2004	✓ - Repealed		
SEPP (Sydney Metropolitan Water Supply) 2004	✓ - Repealed		
SEPP (Housing for Seniors or People with a Disability) 2004	✓		
SEPP (Infrastructure) 2007			✓
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	✓		
SEPP (Kurnell Peninsula) 1989	✓		
SEPP (Major Development) 2005	✓		
SEPP (Sydney Region Growth Centres) 2006	✓		
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	✓		
SEPP (Miscellaneous Consent Provisions) 2007	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		
SEPP (SEPP 53 Transitional Provisions) 2011	✓		
SEPP (State and Regional Development) 2011	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (Temporary Structures & Places of Public Entertainment) 2007	✓		
SEPP (Three Ports) 2013	✓		
SEPP (Rural Lands) 2008	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Western Sydney Parklands) 2009	✓		

APPENDIX E

Summary of Consistency with all Section 117 Directions

Schedule of Consistency S117 Ministerial Directions

	<i>NR: Not Relevant</i> <i>C: Consistent</i> <i>JI: Justifiably Inconsistent</i>			
No.	S.117 (2) Directions	NR	C	JI
1.	Employment & Resources			
1.1	Business and Industrial Zones			✓
1.2	Rural Zones	✓		
1.3	Mining, Petroleum Production and Extractive Industries	✓		
1.4	Oyster Aquaculture	✓		
2	Environment & Heritage			
2.1	Environmental Protection Zones	✓		
2.2	Coastal Protection	✓		
2.3	Heritage Conservation		✓	
2.4	Recreation Vehicle Areas	✓		
3	Housing, Infrastructure and Urban Development			
3.1	Residential Zones		✓	
3.2	Caravan Parks and Manufactured Home Estates	✓		
3.3	Home Occupations	✓		
3.4	Integrating Land Use and Transport		✓	
3.5	Development Near Licensed Aerodromes	✓		
4	Hazard and Risk			
4.1	Acid Sulfate Soils		✓	

	<i>NR: Not Relevant</i> <i>C: Consistent</i> <i>JI: Justifiably Inconsistent</i>			
No.	S.117 (2) Directions	NR	C	JI
4.2	Mine Subsidence and Unstable Land	✓		
4.3	Flood Prone Land		✓	
4.4	Planning for Bushfire Protection	✓		
5	Regional Planning			
5.1	Implementation of Regional Strategies		✓	
5.2	Sydney Drinking Water Catchments	✓		
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	✓		
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	✓		
5.6	Sydney to Canberra Corridor	✓		
5.7	Central Coast	✓		
5.8	Second Sydney Airport: Badgerys Creek	✓		
6	Local Plan Making			
6.1	Approval and Referral Requirements	✓		
6.2	Reserving Land for Public Purposes	✓		
6.3	Site Specific Provisions		✓	
7	Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney		✓	