



Planning Proposal

**1–17 Segers Avenue
in Padstow**

June 2019





Contents

Introduction	3
Part 1–Intended Outcomes	4
Part 2–Explanation of Provisions	6
Part 3–Justification	8
Section A–Need for the planning proposal	8
Section B–Relationship to strategic planning framework	15
Section C–Environmental, social and economic impact	25
Section D–State and Commonwealth interest	28
Part 4–Maps	29
Part 5–Community Consultation	34
Part 6–Project Timeline	35



Introduction

Bankstown Local Environmental Plan 2015 is the statutory planning framework that establishes land use zones and building envelope controls such as floor space ratios and building heights in the former City of Bankstown.

Canterbury Bankstown Council is in receipt of a spot rezoning application requesting to make changes to Bankstown Local Environmental Plan 2015 by rezoning the site at 1–17 Segers Avenue in Padstow from Zone R2 Low Density Residential (0.5:1 FSR / 2 storeys) to Zone B2 Local Centre (2.5:1 FSR / 6 storeys).

Council considered the spot rezoning application at the Ordinary Meeting of 30 April 2019 and decided to proceed to the next stage, which is to submit a planning proposal to the NSW Department of Planning & Environment to seek a Gateway Determination. The Gateway Determination would enable Council to exhibit the planning proposal and to request additional technical studies and investigations.

According to the Department's publication '*A guide to preparing planning proposals*', a planning proposal is a document that sets out the justification for making changes to Bankstown Local Environmental Plan 2015. A planning proposal is comprised of the following components:

Part 1	A statement of the intended outcomes of the planning proposal. It is a statement of what is planned to be achieved, not how it is to be achieved.
Part 2	An explanation of the proposed changes to Bankstown Local Environmental Plan 2015 to achieve the intended outcomes.
Part 3	The justification for making the proposed changes to Bankstown Local Environmental Plan 2015.
Part 4	Maps to identify the intended outcomes of the planning proposal.
Part 5	Details of the community consultation that is to be undertaken on the planning proposal.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to the planning proposal.



Part 1–Intended Outcomes

This planning proposal applies to the site at 1–17 Segers Avenue in Padstow (refer to Figure 1). The site includes the following properties:

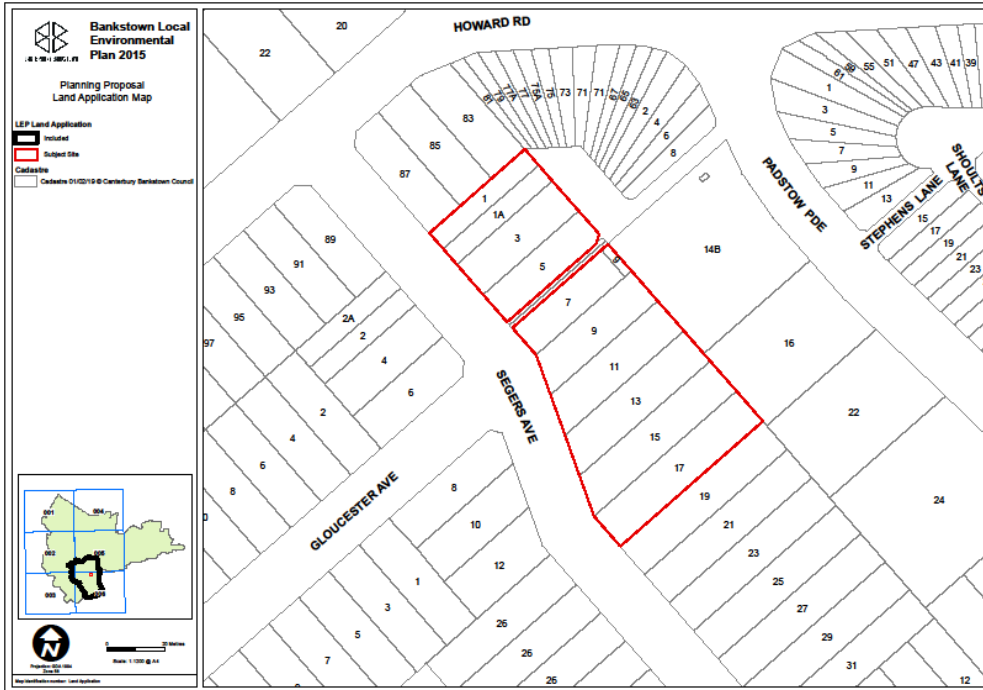
Property Address	Property Description
1 Segers Avenue	Lot 650, DP 1107732
1A Segers Avenue	Lot 651, DP 1107732
3 Segers Avenue	Lot 21, DP 20572
5 Segers Avenue	Lot 221, DP 132286
7 Segers Avenue	Lot 23, DP 660642
9 Segers Avenue	Lot 24, DP 20572 and Lot 1, DP 385374
11 Segers Avenue	Lot 25, DP 20572
13 Segers Avenue	Lot 26, DP 20572
15 Segers Avenue	Lot 27, DP 20572
17 Segers Avenue	Lot 18, DP 16608

The intended outcomes of this planning proposal are:

- To provide a site specific framework that enables medium–rise mixed use development within a reasonable walking distance of the railway station.
- To deliver a built form that achieves design excellence and contributes to the urban context and commercial environment of the Padstow Village Centre.
- To manage the likely environmental and traffic effects as a result of the proposal.
- To encourage a high quality and activated public domain with good solar access.



Figure 1: Land Application Map





Part 2–Explanation of Provisions

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

- (a) Rezone the site from Zone R2 Low Density Residential to Zone B2 Local Centre (refer to Part 4, Map 2).
- (b) Permit a maximum 2.5:1 Floor Space Ratio (FSR) on the site (refer to Part 4, Map 4), subject to:
 - (i) requiring a minimum 40 metre lot width at the front building line to facilitate higher quality built form and urban design outcomes; and
 - (ii) applying a minimum 0.5:1 FSR for the purposes of retail premises and business premises on the ground floor.Otherwise, a maximum 2:1 FSR will apply to the site.
- (c) Permit a maximum 23 metre building height (6 storeys) on the site (refer to Part 4, Map 6). Any part of the building within 2 metres of the height limit is solely for the purposes of equipment servicing the building (such as plant, lift motor rooms, fire stairs and the like).
- (d) Remove the site from the Lot Size Map as this map does not apply to Zone B2 Local Centre.
- (e) Insert a local provision in relation to active street frontages to read:
 - (1) *The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages.*
 - (2) *This clause applies to land identified as ‘Active street frontage’ on the Active Street Frontages Map (refer to Part 4, Map 7).*
 - (3) *Development consent must not be granted for the erection of a building or a change of use of a building unless the consent authority is satisfied that after its erection or change of use:*
 - (a) *all premises on the ground floor of the building facing the street and lane are used for the purposes of business premises or retail premises; and*
 - (b) *the ground floor of the building will consist of design elements that encourage the movement and flow of people between the inside of the building and the external public areas of the building.*



- (4) *Despite subclause (3), an active street frontage is not required for any part of a building that is used for the purposes of entrances and lobbies, access for fire services, and vehicular access.*

It is noted the proposed local provision has not been the subject of legal drafting and may be altered in the legal drafting process.



Part 3–Justification

Section A–Need for the planning proposal

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

1.1 Summary

This planning proposal is not the result of any strategic study or report.

This planning proposal is in response to a spot rezoning application requesting to rezone the site at 1–17 Segers Avenue in Padstow from Zone R2 Low Density Residential (0.5:1 FSR / 2 storeys) to Zone B2 Local Centre (2.5:1 FSR / 6 storeys) under Bankstown Local Environmental Plan 2015.

Council's assessment indicates the proposal has strategic merit to proceed to Gateway subject to:

- Implementing the recommendations of the urban design peer review.
- Requiring a Social Impact & Community Needs Assessment Study and a revised Traffic Impact Assessment Report to investigate local infrastructure needs arising from this planning proposal.

Following the exhibition process, a review of community feedback and any additional information may see updates and amendments to this planning proposal.

1.2 Site context

The site forms part of the low density residential area and is zoned R2 Low Density Residential under Bankstown Local Environmental Plan 2015. The current building envelope controls permit a maximum 0.5:1 FSR and 9 metre building height (2 storeys). Low–rise dwelling houses and a dual occupancy currently occupy the site.

In relation to the site context, the site adjoins the Padstow Village Centre and a multi–storey commuter car park to the east. The commercial core is zoned B2 Local Centre (1:1–2:1 FSR / 4 storeys) and R4 High Density Residential (0.6:1 FSR / 4 storeys). The Council lane at 5C Segers Avenue (known as the Padstow Pathway) provides a mid–block connection to the railway station.

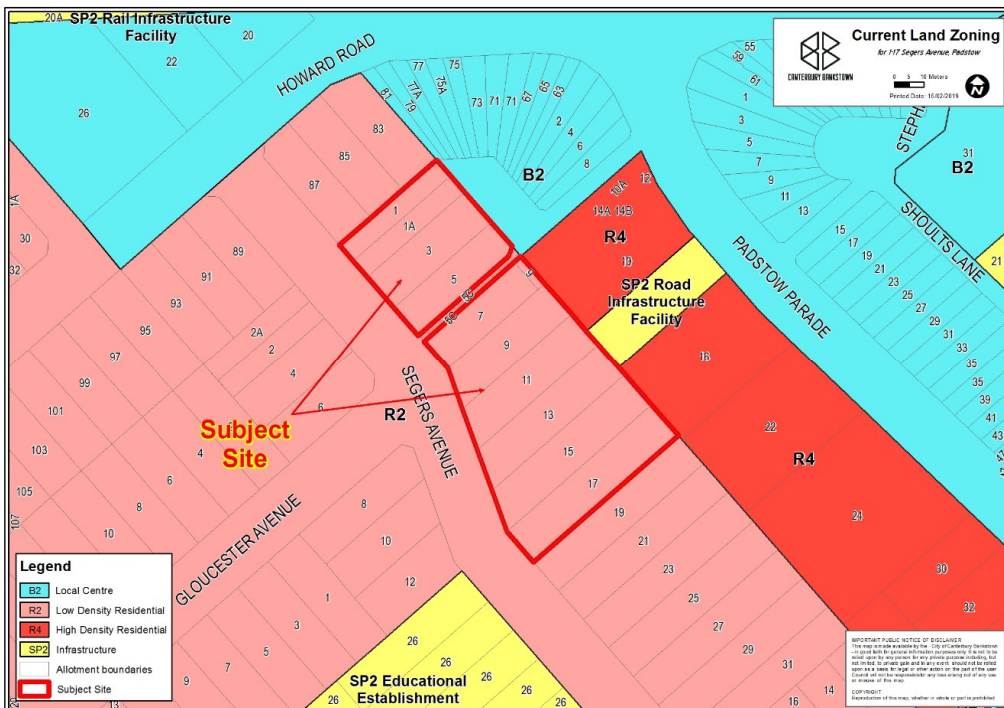
To the west are low–rise dwelling houses and the Padstow Park Public School.



Figure 2: Site context



Figure 3: Current Land Zoning Map





1.2 Background technical studies

Council's assessment considered the following technical studies submitted with the spot rezoning application:

- Planning Proposal Report (prepared by ABC Planning, dated September 2018) and Letter (dated March 2019)
- Urban Design Report (prepared by Smith and Tzannes, dated August 2018)
- Concept Design (prepared by Ross Howieson Architects, dated July 2018)
- Traffic Impact Assessment Report (prepared by PDC Consultants, dated September 2018)
- Economic Impact Assessment Report (prepared by Hill PDA, dated September 2018) and Additional Information (dated March 2019).

Council also commissioned the following peer reviews of the spot rezoning application:

- Economic Impact Peer Review (prepared by SGS, dated February 2019) and Letter (dated March 2019)
- Urban Design Peer Review (prepared by Olsson Associates & Architects, dated March 2019) and Letter (dated March 2019).

1.3 Key findings

The key findings of Council's assessment are:

Proposed B2 Local Centre business zone

The proposal is to extend the existing B2 Local Centre business zone to the site via the mid-block connection at 5C Segers Avenue, which is a Council lane known as the Padstow Pathway.

The spot rezoning application's Economic Impact Assessment Report indicates:

- The proposal would not impact on the viability of the existing business zone within the Padstow Village Centre.
- The proposal would address a forecast undersupply of retail floor space in the Padstow Village Centre due to population and expenditure growth in the main trade area.
- The proposal would deliver net community benefits, namely the activation of the mid-block connection.



Council commissioned an independent specialist to undertake an economic impact peer review to determine whether the proposed business zone is appropriate. The peer review indicates that the application's Economic Impact Assessment Report provides a logical assessment of economic impacts to support this planning proposal.

Action: This planning proposal proposes to rezone the site to a B2 Local Centre business zone, consistent with the findings of the economic impact peer review.

Proposed building envelope and active street frontages

The proposal is to concentrate increased densities, in the form of medium-rise mixed use development (up to 6 storeys) within a reasonable walking distance of the railway station, shops and local services.

The spot rezoning application's Urban Design Report indicates:

- The proposal acts as a built form transition between the commercial core and the surrounding residential area.
- The proposal encourages retail uses at the ground level to provide a vibrant streetscape.
- The proposal improves the amenity of the mid-block connection.
- The proposal caters for a mix of housing choice.
- The proposal incorporates setbacks that are compatible with the future development of adjoining and surrounding sites.

Council commissioned an independent specialist to undertake an urban design peer review to determine whether the proposed building envelope is appropriate based on the proposed B2 Local Centre business zone for the site. The peer review considered the spot rezoning application's Urban Design Report.

The urban design peer review finds that in the context of the Padstow Village Centre, the proposal is '*integral to the connectivity of different aspects of the community functions, inclusive of users of the transport hub, retail precinct, local school and the adjoining residents*' (Urban Design Peer Review, page 9). The activation of the mid-block connection with retail frontage is a positive insertion into the neighbourhood.



Within this context, the urban design peer review recommends the following building envelope controls for the site:

Building envelope controls	Current controls	Proposed controls (Application)	Urban design peer review
Maximum floor space ratio	0.5:1	2.5:1	2.5:1, including a minimum 0.5:1 FSR for the purposes of commercial development on the ground floor.
Maximum building height	9 metres (2 storeys)	24 metres (6 storeys)	23 metres (6 storeys). Any part of the building within 2 metres of the height limit is solely for the purposes of equipment servicing the building (such as plant, lift motor rooms, fire stairs and the like).
Active street frontages	No requirement	Commercial development on the ground floor	As the site is being rezoned to a business zone, active street frontages to the Council lane (Padstow Pathway) and Segers Avenue are desirable. The ground floor is limited to servicing access only. Car parking should be limited to the basement levels to better activate the ground floor.

In relation to the proposed building envelope controls and active street frontages, this planning proposal implements the recommendations of the urban design peer review.

Within the business zones, Council also applies a minimum lot width requirement to facilitate higher quality built form and urban design outcomes. In this regard, it is proposed to require a minimum 40 metre lot width at the front building line if development is to achieve the maximum FSR. Otherwise a maximum 2:1 FSR would apply.

In relation to compatibility with the surrounding context, the urban design peer review supports the proposed building height provided there is a building height review of the remainder of the block (bound by Padstow Parade, Howard Road, Segers Avenue and Faraday Road) to ensure the proposal fits well within its current and future context, and reflects the character of the locality bordering on the Padstow Village Centre.

It is proposed to undertake this review as part of the broader new LEP process.



Action: In relation to the proposed building envelope controls and active street frontages for the site, this planning proposal implements the recommendations of the urban design peer review.

In relation to site context, it is proposed to undertake a building height review of the Padstow Village Centre as part of the broader new LEP process.

Proposed infrastructure works

To date, Council's assessment identifies the need for traffic and transport infrastructure works to improve the walking arrangements in the vicinity of the site, and to improve connections to public transport services. The infrastructure works include (but are not limited to):

- The widening of the mid-block connection (Padstow Pathway) from 3 metres to a minimum 6 metres at street level.
- The provision of a pedestrian crossing at the intersection of Segers Avenue and Gloucester Street to contribute to a safe journey from the Padstow Park Public School to the railway station.

In relation to next steps, Council's assessment identifies the need for additional information, namely:

- A Social Impact & Community Needs Assessment Study to investigate other local infrastructure needs arising from this planning proposal.
- A revised Traffic Impact Assessment Report to:
 - Quantify the cumulative impacts on the local road network and intersections based on a future scenario where the block (bound by Padstow Parade, Howard Road, Segers Avenue and Faraday Road) is developed.
 - Quantify the impacts on vehicle and pedestrian movements associated with the Padstow Park Public School.
 - Investigate infrastructure improvements to manage any likely traffic impacts as a result of this planning proposal.

An update to this planning proposal will occur following a review of the additional information.

It is noted that an appropriate mechanism is required to realise the infrastructure works in a timely manner. This may involve a planning agreement, which would operate concurrently with this planning proposal to legally capture the public benefits.



Action: Require a Social Impact & Community Needs Assessment Study and a revised Traffic Impact Assessment Report to investigate local infrastructure needs arising from this planning proposal.

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

The site is currently zoned for low density residential land uses, which does not permit mixed use (commercial and residential) development.

Based on Council's assessment, this planning proposal is the best means to achieve the intended outcomes, namely to enable medium-rise mixed use development within a reasonable walking distance of the railway station.

Alternative options are to allow mixed use development as an additional permitted use in the low density residential zone, or to vary the development standards under clause 4.6 of Bankstown Local Environmental Plan 2015. However, these options would set an undesirable precedent and do not provide certainty as to the outcomes envisioned for the site.



Section B–Relationship to strategic planning framework

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

This planning proposal is consistent with applicable regional and district plans subject to additional infrastructure investigations to address the Greater Sydney Region Plan (Objective 10) and South District Plan (Planning Priority S6) as outlined below.

Greater Sydney Region Plan (Objective 10–Greater housing supply) and South District Plan (Planning Priority S6–Creating and renewing great places and local centres)

The Greater Sydney Region Plan and South District Plan identify Padstow as a local centre. Local centres may grow and evolve over time to accommodate additional commercial and residential development provided the growth is linked to the delivery of enabling infrastructure.

To date, Council's assessment identifies the need for traffic and transport infrastructure works to improve the walking arrangements in the vicinity of the site, and to improve connections to public transport services. The infrastructure works include (but are not limited to):

- The widening of the mid-block connection (Padstow Pathway) from 3 metres to a minimum 6 metres at street level.
- The provision of a pedestrian crossing at the intersection of Segers Avenue and Gloucester Street to contribute to a safe journey from the Padstow Park Public School to the railway station.

In relation to next steps, Council's assessment identifies the need for additional information to investigate other local infrastructure needs arising from this planning proposal, consistent with the Greater Sydney Region Plan and South District Plan. The additional information includes a Social Impact & Community Needs Assessment Study and a revised Traffic Impact Assessment Report.

An update to this section will occur following a review of the additional information.

It is noted that an appropriate mechanism is required to realise the infrastructure works in a timely manner. This may involve a planning agreement, which would operate concurrently with this planning proposal to legally capture the public benefits.



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

4.1 Community Strategic Plan 'CBCity 2028'

The vision of the Community Strategic Plan is to build a City that is thriving, dynamic and real. The 'Liveable & Distinctive' direction intends to achieve the vision by promoting a well-designed City that offers housing diversity. The 'Prosperous & Innovative' direction intends to achieve the vision by providing opportunities for economic and employment growth. This planning proposal is consistent with the Community Strategic Plan.

4.2 South East Local Area Plan

This planning proposal is consistent with the South East Local Area Plan subject to implementing the recommendations of the urban design peer review as outlined below.

4.2.1 Background

At the Extraordinary Meeting of 11 May 2016, the former Bankstown City Council adopted the South East Local Area Plan. The intended outcomes of the South East Local Area Plan are to set out the vision and spatial context for the local area, specify the best ways to accommodate residential and employment growth to 2031 and outline the delivery of supporting infrastructure, facilities and open space.

Local Area Plan–Desired character

According to Action L2, the site forms part of the Padstow Village Centre. The desired character reads:

The Padstow Village Centre will continue to function as a successful and bustling centre that is commercially viable, well designed, reflecting the unique characteristics of the place, and recognised by the community as one of the twin 'hearts' of the local area alongside the Revesby Village Centre.

Carl Little Reserve is the central point from which the village centre radiates, an enlivened mixed use destination that meets the needs of the growing community and is a catalyst for investment. Carl Little Reserve will be home to a modern multi-purpose community facility and civic space, a place for people to come together for events and social activities.

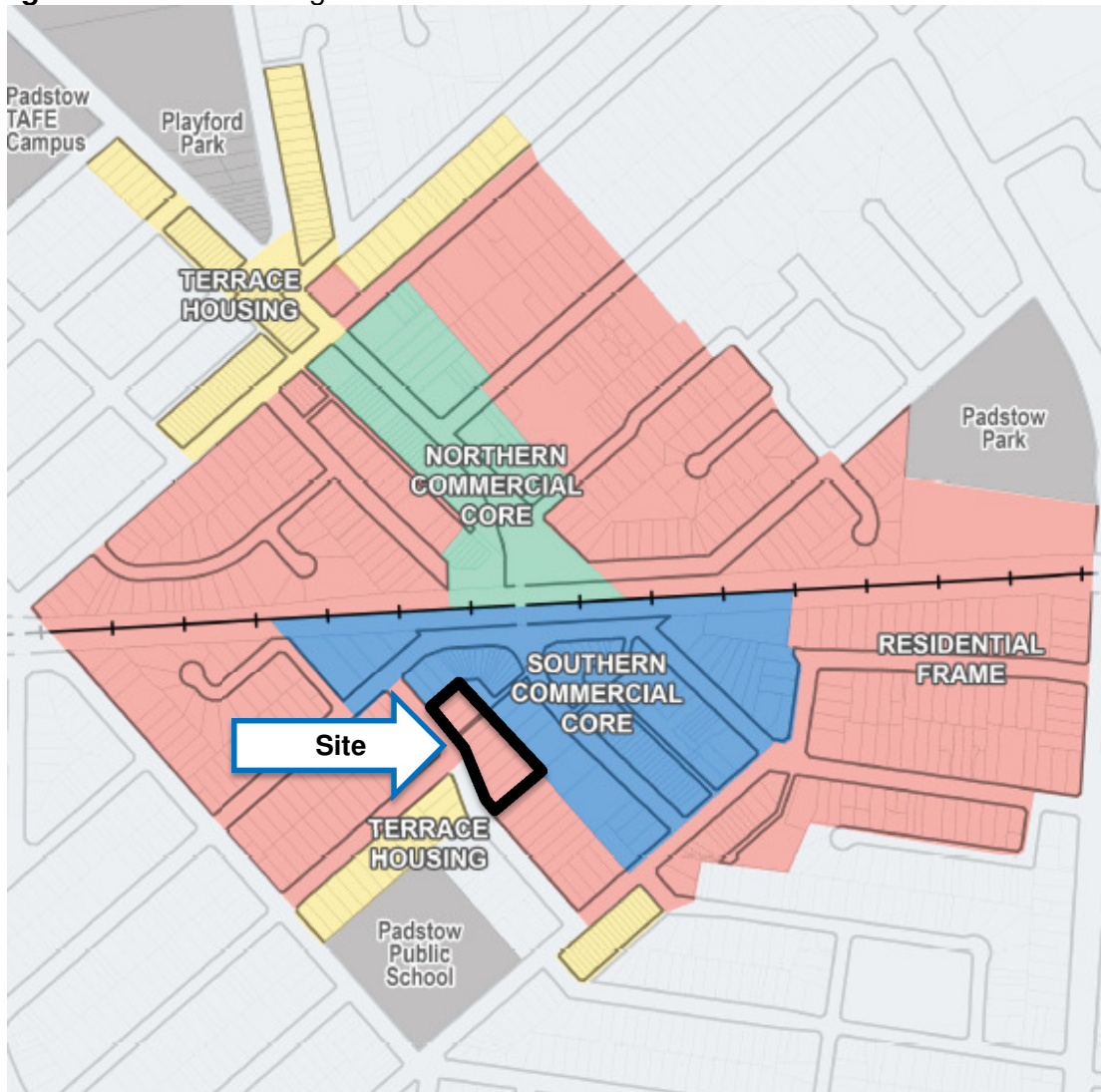
The Southern Commercial Core precinct is the local retail magnet with the anchor supermarket. Active street frontages along the main streets (Howard Road, Padstow Parade and Cahors Road) will create a vibrant streetscape where there is day and evening activity, and where shops and restaurants will stay open longer. The streets



will be a place where cars travel slowly, making it easier to cross the street and creating a pleasant place to walk, sit and talk. The traditional terrace shops and historic shopfronts will continue to reflect the unique characteristics of the place.

Low and medium-rise buildings at appropriate locations will create a sense of enclosure, human scale, order, comfort and enjoyment for people walking in the small village centre. Leafy streets will connect people to the low-rise liveable neighbourhoods and provide a stunning platform from which to journey into the village centre.

Figure 4: Padstow Village Centre–Precinct Plan



Source: South East Local Area Plan, page 69

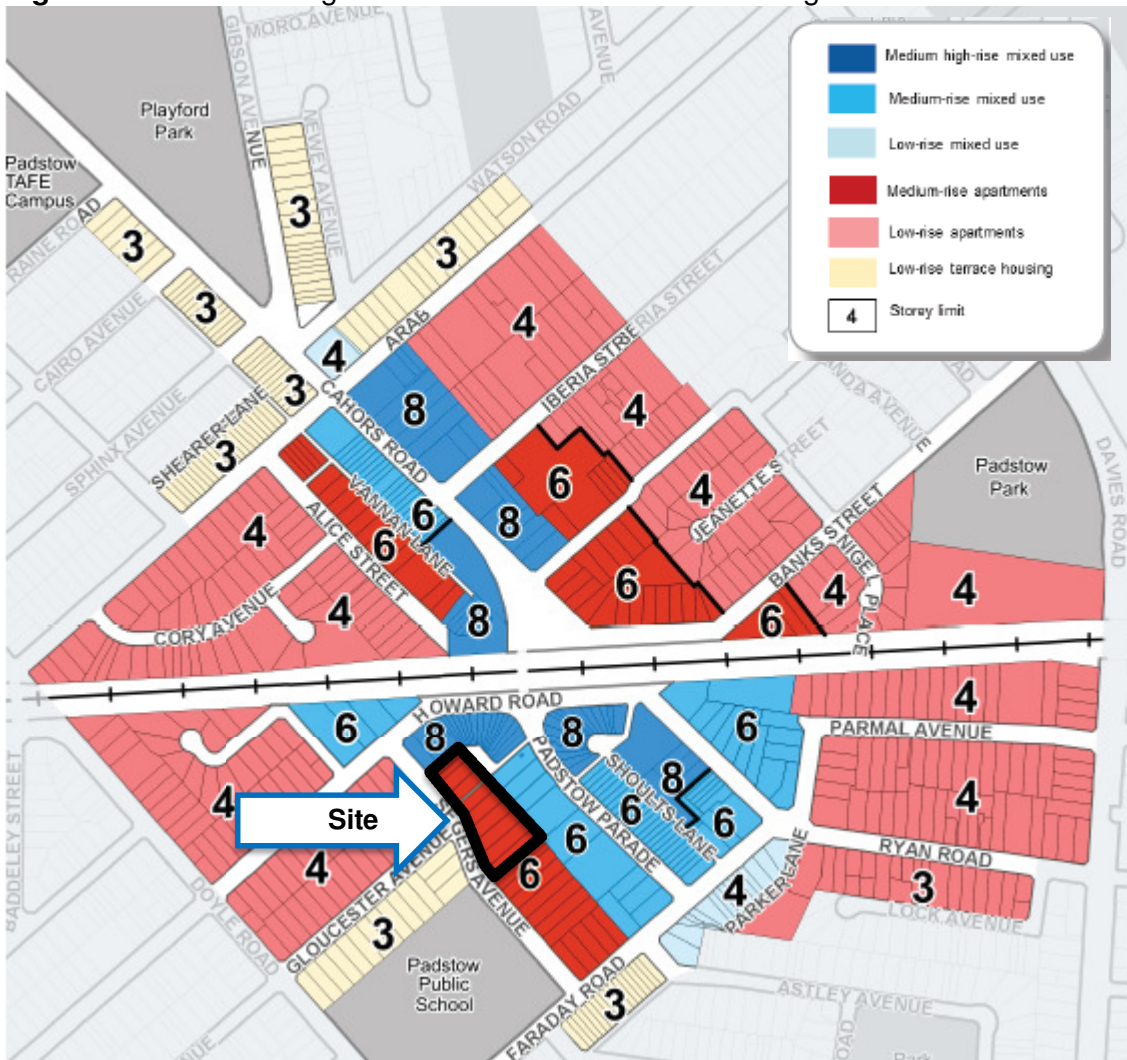


Local Area Plan–Actions

To achieve the desired character, Action L2 proposed to rezone the site to Zone R4 High Density Residential (1.5:1 FSR / 6 storeys). The intended outcome is to allow medium–rise living choices within a short walking distance of the commercial core and local services.

However at the Ordinary Meeting of 24 July 2018, Council resolved not to proceed with a planning proposal to implement the South East Local Area Plan. On this basis, the proponent submitted an application to rezone the site to Zone B2 Local Centre (2.5:1 FSR / 6 storeys).

Figure 5: Indicative Height Distribution for the Padstow Village Centre



Source: South East Local Area Plan, page 81



4.2.2 Council's assessment of the spot rezoning application

Proposed B2 Local Centre business zone

The proposed B2 Local Centre business zone for the site is inconsistent with the South East Local Area Plan.

Based on the data at the time, the South East Local Area Plan did not identify demand to extend the business zone to the site. The South East Local Area Plan considered a R4 High Density Residential zone as more appropriate given the site's proximity to the commercial core and local services.

To justify the proposed B2 Local Centre business zone, the spot rezoning application's Economic Impact Assessment Report indicates:

- The proposed business zone would not impact on the viability of the existing business zone within the Padstow Village Centre.
- The proposed business zone would address a forecast undersupply of retail floor space in the Padstow Village Centre due to population and expenditure growth in the main trade area.
- The proposed business zone would deliver net community benefits, namely the activation of the mid-block connection (Padstow Pathway).

Council commissioned an independent specialist to undertake an economic impact peer review to determine whether the proposed business zone is appropriate. The peer review indicates that the application's Economic Impact Assessment Report provides a logical assessment of economic impacts to support this planning proposal.

This planning proposal proposes to rezone the site to a B2 Local Centre business zone, consistent with the findings of the economic impact peer review.

Proposed building envelope and active street frontages

The proposed building height (6 storeys) is consistent with the South East Local Area Plan.

However, the proposed 2.5:1 FSR is inconsistent with the South East Local Area Plan. The South East Local Area Plan considered a 1.5:1 FSR as more appropriate to align with the proposed R4 High Density Residential zone and 6 storey limit on the site.

Council commissioned an independent specialist to undertake an urban design peer review to determine whether the proposed 2.5:1 FSR is appropriate. The peer review supports the proposed floor space ratio as it aligns with the proposed zone and building height provided:



- The ground floor is limited to commercial floor space (equivalent to 0.5:1 FSR). As the site is being rezoned to a business zone, active street frontages to the Council lane (Padstow Pathway) and Segers Avenue are desirable.
- The ground floor is limited to servicing access only. Car parking should be limited to the basement levels to better activate the ground floor.

In relation to the proposed building envelope controls and active street frontages, this planning proposal implements the recommendations of the urban design peer review.

Within the business zones, Council also applies a minimum lot width requirement to facilitate higher quality built form and urban design outcomes. In this regard, it is proposed to require a minimum 40 metre lot width at the front building line if development is to achieve the maximum FSR. Otherwise a maximum 2:1 FSR would apply.



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

This planning proposal is consistent with applicable State Environmental Planning Policies (refer to Attachment A) subject to implementing the recommendations of the urban design peer review as outlined below.

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

State Environmental Planning Policy No. 65 and the supporting Apartment Design Guide apply design quality principles to improve the design quality of residential apartment development. Ministerial Direction 3.1 (Residential Zones) reinforces the design quality principles by requiring the proposed housing to be of a good design standard.

To address the design quality principles, Council commissioned an independent specialist to undertake an urban design peer review to determine whether the proposed building envelope is appropriate based on the proposed B2 Local Centre business zone for the site. The peer review makes the following recommendations:

Design Quality Principle 1: Context and Neighbourhood Character

According to the design quality principle, consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change. Responding to context involves identifying the desirable elements of an area's existing or future character.

In relation to site context, the proposed building height (6 storeys) is consistent with the desired future character set out by the South East Local Area Plan. However, it is noted that Council resolved not to proceed with a planning proposal to implement the South East Local Area Plan.

In relation to next steps, the urban design peer review supports the proposed building height provided there is a building height review of the remainder of the block (bound by Padstow Parade, Howard Road, Segers Avenue and Faraday Road) to ensure the proposal fits well within its current and future context, and reflects the character of the locality bordering on the Padstow Village Centre.

As a starting point, the peer review recommends *'that the properties within the block defined by Padstow Parade, Howard Road, Segers Avenue and Faraday Road have a building height of 4 storeys as a consistent scale, with additional height to 6 storeys on 1–17 Segers Avenue'* (page 13).



To address the inconsistencies in the planning controls with adjoining and surrounding sites, it is proposed to undertake a building height review of the Padstow Village Centre as part of the broader new LEP process.

Design Quality Principle 2: Built Form and Scale

According to the design quality principle, good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

The urban design peer review considered the proposed built form and public domain, and recommends the following building envelope controls for the site:

Building envelope controls	Current controls	Proposed controls (Application)	Urban design peer review
Maximum floor space ratio	0.5:1	2.5:1	2.5:1, including a minimum 0.5:1 FSR for the purposes of commercial development on the ground floor.
Maximum building height	9 metres (2 storeys)	24 metres (6 storeys)	23 metres (6 storeys). Any part of the building within 2 metres of the height limit is solely for the purposes of equipment servicing the building (such as plant, lift motor rooms, fire stairs and the like).
Active street frontages	No requirement	Commercial development on the ground floor	As the site is being rezoned to a business zone, active street frontages to the Council lane (Padstow Pathway) and Segers Avenue are desirable. The ground floor is limited to servicing access only. Car parking should be limited to the basement levels to better activate the ground floor.
Street setback (western boundary)	5.5 metres	Nil–4.5 metres	3 metres (levels 1–4) and 6 metres (levels 5–6)
Side setback (northern and southern boundaries)	0.9 metre	Nil–3 metres (northern boundary) and nil–9 metres (southern boundary)	Nil setback (northern boundary) and 6–9 metres (southern boundary)



Rear setback (eastern boundary)	Determined by the private open space	Nil–4 metres at the closest points to the boundary	3–6 metres
Open space	80m ² private open space	Ground floor central courtyards and rooftop communal open space	The site allows for some communal open space in the central courtyards. Business zones may have less communal open space if there is good access to public space. Carl Little Reserve and Clarke Reserve are in close proximity to the site. There is no need for rooftop communal open space, as there is sufficient communal open space in both courtyards, with the southern lot offering ample space for diverse activities.

In relation to the proposed building envelope controls and active street frontages, this planning proposal implements the recommendations of the urban design peer review.

Within the business zones, Council also applies a minimum lot width requirement to facilitate higher quality built form and urban design outcomes. In this regard, it is proposed to require a minimum 40 metre lot width at the front building line if development is to achieve the maximum FSR. Otherwise a maximum 2:1 FSR would apply.

In relation to amenity and setbacks, it is proposed to implement the recommendations of the urban design peer review via proposed changes to Bankstown Development Control Plan 2015.

Bankstown Development Control Plan 2015 is a planning document, which supports Bankstown Local Environmental Plan 2015 by providing additional development controls to enhance the function and appearance of development in the former City of Bankstown.

The proposed changes to Bankstown Development Control Plan 2015 will also include site specific development controls in relation to storey limits, building articulation, privacy, vehicle access and off-street parking, landscaping, deep soil zones, open space and public domain treatment.



6. Is the planning proposal consistent with applicable Ministerial Directions?

This planning proposal is consistent with most applicable Ministerial Directions (refer to Attachment B). However, this planning proposal is inconsistent with the following Ministerial Directions:

Ministerial Direction 3.4 (Integrating Land Use and Transport)

An objective of the Ministerial Direction is to ensure building forms improve access to housing, jobs and services by walking, cycling and public transport.

To date, Council's assessment identifies the need for traffic and transport infrastructure works to improve the walking arrangements in the vicinity of the site, and to improve connections to public transport services. The infrastructure works include (but are not limited to):

- The widening of the mid-block connection (Padstow Pathway) from 3 metres to a minimum 6 metres at street level.
- The provision of a pedestrian crossing at the intersection of Segers Avenue and Gloucester Street to contribute to a safe journey from the Padstow Park Public School to the railway station.

In relation to next steps, Council's assessment identifies the need for additional information to investigate other local infrastructure needs arising from this planning proposal. The additional information includes a Social Impact & Community Needs Assessment Study and a revised Traffic Impact Assessment Report.

An update to this section will occur following a review of the additional information.

It is noted that an appropriate mechanism is required to realise the infrastructure works in a timely manner. This may involve a planning agreement, which would operate concurrently with this planning proposal to legally capture the public benefits.

Ministerial Direction 4.1 (Acid Sulfate Soils)

The objective of the Ministerial Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

The site is partially affected by acid sulfate soils (Class 5). Due to its minor nature, the affectation can be satisfactorily addressed by applying the provisions of Bankstown Local Environmental Plan 2015 at the development application stage. According to clause 8, this planning proposal may be inconsistent with the terms of the Ministerial Direction if the matter is of minor significance.



Section C–Environmental, social and economic impact

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

This planning proposal does not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

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

8.1 Traffic and parking

The spot rezoning application's Traffic Impact Assessment Report (page 31) indicates the proposal would have minimal impacts on the performance of the local road network and intersections compared to the base case.

Following a review, Council's assessment identifies the need for a revised Traffic Impact Assessment Report to provide the following additional information:

- Quantify the cumulative impacts on the local road network and intersections based on a future scenario where the block (bound by Padstow Parade, Howard Road, Segers Avenue and Faraday Road) is developed.
- Quantify the impacts on vehicle and pedestrian movements associated with the Padstow Park Public School.
- Investigate infrastructure improvements to manage any likely traffic impacts as a result of this planning proposal.

As part of the exhibition process, Council also proposes to consult with the following state agencies and transport providers:

- Roads & Maritime Services
- Transport for NSW
- Local bus operators.

An update to this section will occur following a review of the additional information.



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

9.1 Heritage

This planning proposal does not impact on items or places of heritage significance.

9.2 Social infrastructure and utilities

Following a review, Council's assessment identifies the need for a Social Impact & Community Needs Assessment Study to determine whether the existing social infrastructure (such as schools and hospitals) and utilities are adequate to serve or meet the needs of this planning proposal.

As part of the exhibition process, Council also proposes to consult with the following state agencies and utility providers:

- Department of Education
- Padstow Park Public School
- Ausgrid
- NSW Police
- South Western Sydney Local Health District
- Sydney Water
- Telstra.

An update to this section will occur following a review of the additional information.

9.3 Economic effects on the existing retail centre

The objectives of Ministerial Direction 1.1 (Business and Industrial Zones) are to support the viability of the Padstow Village Centre and to encourage employment growth in suitable locations.

According to the spot rezoning application's Economic Impact Assessment Report (March 2019, page 22), the current provision of retail floor space in the Padstow Village Centre is close to equilibrium. However, the centre is likely to be underperforming relative to other shopping centres. In terms of retail turnover, centres like Revesby and Riverwood are significantly outperforming Padstow. This is because Padstow lacks a strong anchor retailer – a full line supermarket.



In future, the Padstow Village Centre is forecast to have a total undersupply of retail floor space from 2022. Without further additions to floor space, this undersupply is estimated to increase to around 3,200m² by 2036 due to population and expenditure growth in the main trade area. The proposed B2 Local Centre business zone for the site would address this undersupply by providing:

'... around 2,500sqm of commercial / retail floor space, of which around 1,800sqm will be ground floor retail fronting the widened pedestrian connection.

This retail floor space could be a small format supermarket (1,000sqm to 1,200sqm) with supportive cafe and restaurant space (600sqm to 800sqm). Our demand modelling above indicates that the centre could support this additional floor space without negatively impacting other retailers in the centre or nearby centres.

The lack of retail services, particularly grocery space in Padstow, is resulting in significant leakage of expenditure away from the centre to surrounding centres. An improvement in the retail offer would increase the attractiveness of Padstow reverse some of that leakage of expenditure to surrounding centres.

Additionally, retail floor space fronting the laneway connection would increase activation of both the laneway and the southern section of the Padstow local centre. This increased activation would benefit both local residents and businesses' (page 24).

To address the Ministerial Direction, Council commissioned an independent specialist to undertake an economic impact peer review to determine whether the proposed B2 Local Centre business zone is appropriate. The peer review indicates that the spot rezoning application's Economic Impact Assessment Report provides a logical assessment of economic impacts to support this planning proposal.

This planning proposal implements the findings of the economic impact peer review, consistent with the Ministerial Direction.



Section D–State and Commonwealth interests

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

To date, Council's assessment identifies the need for traffic and transport infrastructure works to improve the walking arrangements in the vicinity of the site, and to improve connections to public transport services. The infrastructure works include (but are not limited to):

- The widening of the mid-block connection (Padstow Pathway) from 3 metres to a minimum 6 metres at street level.
- The provision of a pedestrian crossing at the intersection of Segers Avenue and Gloucester Street to contribute to a safe journey from the Padstow Park Public School to the railway station.

In relation to next steps, Council's assessment identifies the need for additional information to investigate other local infrastructure needs arising from this planning proposal. The additional information includes a Social Impact & Community Needs Assessment Study and a revised Traffic Impact Assessment Report.

It is noted that an appropriate mechanism is required to realise the infrastructure works in a timely manner. This may involve a planning agreement, which would operate concurrently with this planning proposal to legally capture the public benefits.

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

An update to this section will occur following consultation with state and Commonwealth public authorities in accordance with the Gateway Determination.



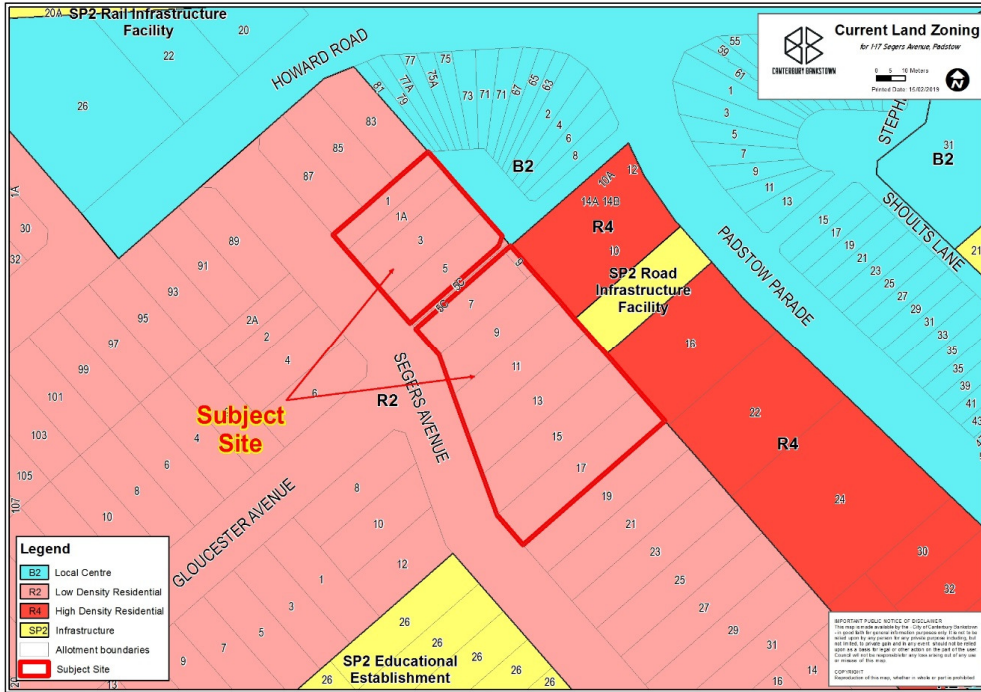
Part 4–Maps

The maps accompanying this planning proposal are:

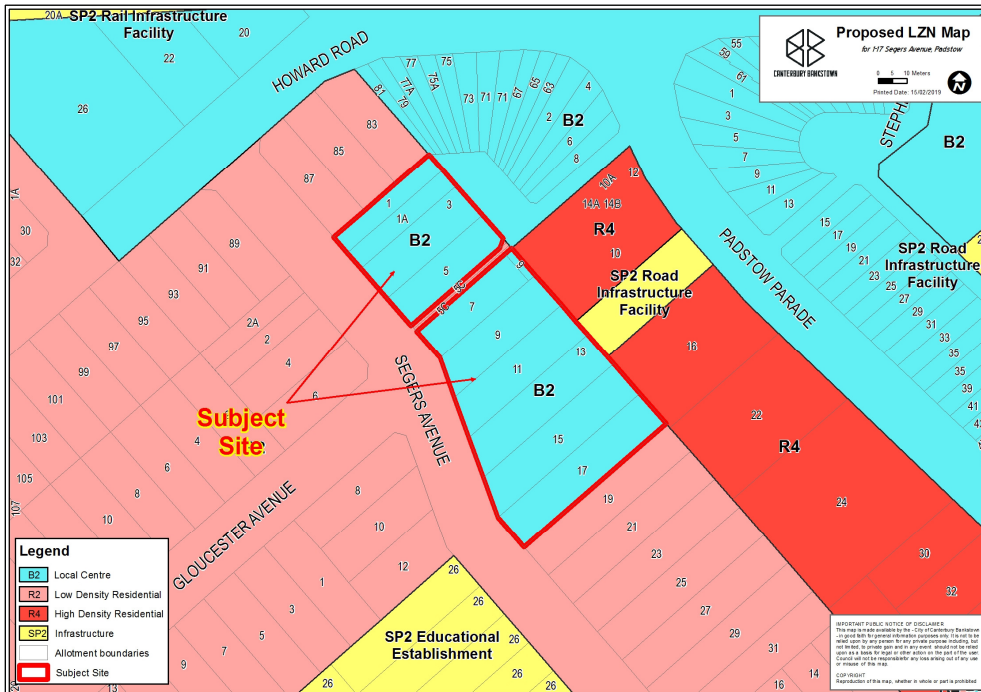
- Map 1–Current Land Zoning Map
- Map 2–Proposed Land Zoning Map
- Map 3–Current Floor Space Ratio Map
- Map 4–Proposed Floor Space Ratio Map
- Map 5–Current Building Height Map
- Map 6–Proposed Building Height Map
- Map 7–Proposed Active Street Frontages Map



Map 1: Current Land Zoning Map



Map 2: Proposed Land Zoning Map





Map 3: Current Floor Space Ratio Map



Map 4: Proposed Floor Space Ratio Map





Map 5: Current Building Height Map

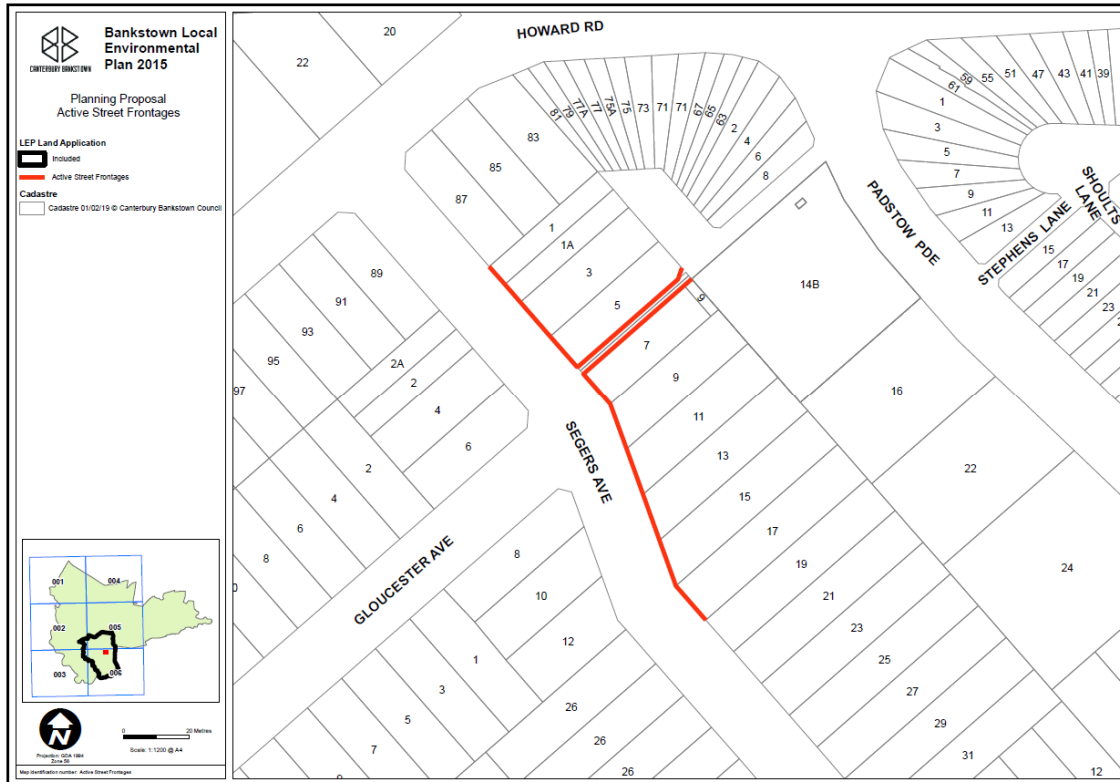


Map 6: Proposed Building Height Map





Map 7: Proposed Active Street Frontages Map





Part 5–Community Consultation

The exhibition period for this planning proposal is likely to take a minimum 28 days and would comprise:

- Notification in the local newspaper that circulates in the area affected by this planning proposal.
- Displays at the Council administration building (Bankstown Branch) and corporate website.
- Written notification to affected and adjoining property owners.
- Written notification to state and Commonwealth public authorities including:
 - Department of Education
 - Padstow Park Public School
 - Ausgrid
 - NSW Police
 - Roads & Maritime Services
 - South Western Sydney Local Health District
 - Sydney Water
 - Telstra
 - Transport for NSW
 - Local bus operators.



Part 6–Project Timeline

Dates	Project timeline
July 2019	Issue of Gateway Determination
October 2019	Complete additional information
November 2019	Exhibit planning proposal
March 2020	Report to Council following the exhibition
May 2020	Submit Draft Local Environment Plan to the Parliamentary Counsel's Office to seek an Opinion
June 2020	Submit Local Environment Plan to the Department of Planning & Environment for notification purposes



ATTACHMENT A–State Environmental Planning Policies

SEPPs (as at June 2019)		Applicable	Consistent
1	Development Standards	Yes	Yes
19	Bushland in Urban Areas	Yes	Yes
21	Caravan Parks	Yes	Yes
33	Hazardous & Offensive Development	Yes	Yes
36	Manufactured Home Estates	No	N/A
44	Koala Habitat Protection	No	N/A
47	Moore Park Showground	No	N/A
50	Canal Estate Development	Yes	Yes
55	Remediation of Land	Yes	Yes
64	Advertising & Signage	Yes	Yes
65	Design Quality of Residential Apartment Development	Yes	Yes
70	Affordable Housing (Revised Schemes)	Yes	Yes
	(Aboriginal Land) 2019	No	N/A
	(Affordable Rental Housing) 2009	Yes	Yes
	(Building Sustainability Index: BASIX) 2004	Yes	Yes
	(Coastal Management) 2018	No	N/A
	(Concurrences) 2018	Yes	Yes
	(Educational Establishments & Child Care Facilities) 2017	Yes	Yes
	(Exempt & Complying Development Codes) 2008	Yes	Yes
	(Gosford City Centre) 2018	No	N/A



	(Housing for Seniors or People with a Disability) 2004	Yes	Yes
	(Infrastructure) 2007	Yes	Yes
	(Kosciuszko National Park–Alpine Resorts) 2007	No	N/A
	(Kurnell Peninsula) 1989	No	N/A
	(Mining, Petroleum Production & Extractive Industries) 2007	Yes	Yes
	(Miscellaneous Consent Provisions) 2007	Yes	Yes
	(Penrith Lakes Scheme) 1989	No	N/A
	(Primary Production & Rural Development) 2019	Yes	Yes
	(State & Regional Development) 2011	Yes	Yes
	(State Significant Precincts) 2005	Yes	Yes
	(Sydney Drinking Water Catchment) 2011	No	N/A
	(Sydney Region Growth Centres) 2006	No	N/A
	(Three Ports) 2013	No	N/A
	(Urban Renewal) 2010	No	N/A
	(Vegetation in Non–Rural Areas) 2017	Yes	Yes
	(Western Sydney Employment Area) 2009	No	N/A
	(Western Sydney Parklands) 2009	No	N/A
	Greater Metropolitan REP No.2–Georges River Catchment	Yes	Yes



ATTACHMENT B–Ministerial Directions

Direction & Issue Date		Applicable	Consistent
Employment and Resources			
1.1	Business and Industrial Zones [01/05/17]	Yes	Yes
1.2	Rural Zones [14/04/16]	No	N/A
1.3	Mining, Petroleum Production & Extractive Industries [01/07/09]	No	N/A
1.4	Oyster Aquaculture [01/07/09]	No	N/A
1.5	Rural Lands [28/02/19]	No	N/A
Environment and Heritage			
2.1	Environment Protection Zones [14/04/16]	Yes	Yes
2.2	Coastal Management [03/04/18]	No	N/A
2.3	Heritage Conservation [01/07/09]	Yes	Yes
2.4	Recreation Vehicle Areas [14/04/16]	Yes	Yes
2.5	Application of E2 and E3 Zones & Environmental Overlays in Far North Coast LEPs [02/03/16]	No	N/A
Housing, Infrastructure and Urban Development			
3.1	Residential Zones [14/04/16]	Yes	Yes
3.2	Caravan Parks & Manufactured Home Estates [14/04/16]	Yes	Yes
3.3	Home Occupations [01/07/09]	Yes	Yes
3.4	Integrating Land Use & Transport [14/04/16]	Yes	No
3.5	Development Near Licensed Aerodromes [20/08/18]	Yes	Yes
3.6	Shooting Ranges [16/02/11]	No	N/A
3.7	Reduction in Non–Hosted Short Term Rental Accommodation Period [15/02/19]	No	N/A



Hazard and Risk			
4.1	Acid Sulfate Soils [01/07/09]	Yes	No
4.2	Mine Subsidence & Unstable Land [14/04/16]	No	N/A
4.3	Flood Prone Land [01/07/09]	No	N/A
4.4	Planning for Bushfire Protection [01/07/09]	No	N/A
Regional Planning			
5.1	Implementation of Regional Strategies [01/05/17]	No	N/A
5.2	Sydney Drinking Water Catchments [03/03/11]	No	N/A
5.3	Farmland of State & Regional Significance on the NSW Far North Coast [01/05/17]	No	N/A
5.4	Commercial & Retail Development along the Pacific Highway, North Coast [21/08/15]	No	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) [Revoked]	No	N/A
5.6	Sydney to Canberra Corridor [Revoked]	No	N/A
5.7	Central Coast [Revoked]	No	N/A
5.8	Second Sydney Airport: Badgerys Creek [Revoked]	No	N/A
5.9	North West Rail Link Corridor Strategy [30/09/13]	No	N/A
5.10	Implementation of Regional Plans [14/04/16]	Yes	Yes
5.11	Development of Aboriginal Land Council Land [06/02/19]	No	N/A
Local Plan Making			
6.1	Approval & Referral Requirements [01/07/09]	Yes	Yes
6.2	Reserving Land for Public Purposes [01/07/09]	Yes	Yes
6.3	Site Specific Provisions [01/07/09]	Yes	Yes



Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney [14/01/15]	Yes	Yes
7.2	Implementation of Greater Macarthur Land Release Investigation [22/09/15]	No	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy [09/12/16]	No	N/A
7.4	Implementation of North West Priority Growth Area Land Use & Infrastructure Implementation Plan [15/05/17]	No	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use & Infrastructure Plan [25/07/17]	No	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use & Infrastructure Plan [05/08/17]	No	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor [22/12/17]	No	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use & Infrastructure Plan [20/08/18]	No	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan [25/09/18]	No	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct [25/09/18]	No	N/A