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**2 642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL**

**FILE NO:** T-29-168

**Attachments:** Urban Design Review of Planning Proposal

**REPORT BY:** DIRECTOR CITY PLANNING

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**Summary:**

- This matter was deferred by the City Development Committee on 14 May 2015 to allow further discussion to occur with the applicant and the professional advisers in relation to the height of the proposed development and other relevant planning issues (See Supplementary Information).
- A planning proposal to rezone the site to B5 and to increase the maximum building height from 12m to heights ranging from 4m to 30m on land at 642-644 Canterbury Road, 1-3 Platts Avenue and 2A, 2B, 2C and 2D Liberty Street, Belmore has been received.
- The planning proposal seeks to facilitate a significant mixed use re-development on the subject site including the provision of a new laneway connecting Platts Avenue and Liberty Street.
- An independent urban design of the proposal has been carried out and it has concluded that while the design of the proposal has merit the proposed height of 30m is excessive. A lower scale form is recommended with a maximum height of six storeys (18m) for the two towers along Liberty Street and Platts Avenue with a small component of the corner elements be increased to eight storeys (25m).
- A meeting was held in June 2015 between the applicant and council and their respective professional advisors to discuss planning matters in relation the height of the proposed development.
- Revised plans were submitted for council consideration which includes a similar layout to the original proposal with the 8 storey towers (25m) to be extended further towards the rear of the site and increasing the maximum height of the building fronting Canterbury Road from 14m (4 storey) to 17m (5 storey).
- The revised plans were independently reviewed by Urban Design consultant Annand Associates Urban Design and generally support the scheme on the proviso that the extended tower elements do not protrude beyond the 45 degree height plane and this would be subject to detailed merit assessment at the development application stage.
- It is recommended that a planning proposal be prepared to amend Canterbury Local Environmental Plan 2012 on land at 642-644 and 650-658 Canterbury Road, 1-3 Platts Avenue, 2, 2A, 2B, 2C and 2D Liberty Street, Belmore to be rezoned to B5 with a combination of height limits of 0m (laneway), 3m, 14m, 16m, 17m, 22m, 18m and 25m and submitted to the Department of Planning and Environment for a Gateway Determination, which is consistent with the recommendation of Council's independent urban design consultant.

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### **Council Delivery Program and Budget Implications:**

This report has no implications for the Budget and supports our City Plan long term goal of Balanced Development.

### **Report:**

#### **Background**

- At an extraordinary Council meeting on 31 October 2013, Council considered the Canterbury Residential Development Strategy (RDS). In relation to the site at 642-658 Canterbury Road, and 2, 2B and part 2C-2D Liberty Street, Belmore, the RDS recommended:
  - Rezone site from B6 Enterprise Corridor to B5 Business Development.
  - Apply a maximum building height of 18m to bring it in line with the general building height elsewhere in the B5 zone.
- At that meeting, Council resolved to prepare a planning proposal to implement a number of the RDS recommendations. The Planning proposal was forwarded to the Department of Planning on 7 March 2014 and a Gateway Determination was issued on 8 May 2014.
- The Planning Proposal was placed on public exhibition on 10 June 2014 to 11 July 2014 and reported back to Council 2 October 2014.
- At the extraordinary Council meeting on 2 October 2014 Council resolved:

“Proposed changes to 677-687 Canterbury Road and 48 Drummond Street, Belmore, 642-658 Canterbury Road, and 2, 2B and part 2C-2D Liberty Street, Belmore be deferred to allow further community consultation, traffic impact and consideration of the proposed building mass on the site and that the current planning controls remain in place for Lot 91 in DP 3682”.
- A community consultation meeting was held on 6 November 2014 in relation to 677-687 Canterbury Road and 48 Drummond Street, Belmore. No community consultation has yet been carried out for the subject site, as a new planning proposal involving a greater site was anticipated. It is expected that a more detailed community consultation be carried when a Gateway Determination is made on the current planning proposal, if that Determination allows us to proceed to public exhibition.
- The subject site was also one identified by RMS as requiring a traffic impact assessment to be undertaken, and as such, cannot be progressed as the Department of Planning considers the RMS submission to be an unresolved government agency objection. Consultants are currently undertaking this study.
- On 11 December 2014 the proponent lodged a new planning proposal requesting Council rezone an increased site to B5 and to increase the height to a maximum of 30m.

#### **Land to which the proposal applies**

The proposal applies to land at 642-644 Canterbury Road, Canterbury Road, 1-3 Platts Avenue, 2A, 2B, 2C, 2D Liberty Street, Belmore.

It should be noted that the proposal includes an additional four properties (1-3 Platts Avenue and 2C and 2D Liberty Street) from the sites identified in the RDS planning proposal.

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The amalgamated property comprises eight lots with a total site area of 4,522.5m<sup>2</sup>. The amalgamated site excludes the property at 650-658 Canterbury Road and 2 Liberty Street, Belmore. The proponent has indicated that there have been attempts made to include this site as part of the development lot, however, they were not able to secure the site. The proponent has provided a concept plan for the site (based on the site being included in the development lot).

It should be noted that the corner site at 650-658 Canterbury Road and 2 Liberty Street has been included in the planning proposal to prevent it from becoming an isolated site with differing controls from those surrounding it. This site is in differing ownership to the balance of the land subject to the planning proposal. This lot comprises a total site area of 1,024.3m<sup>2</sup>.

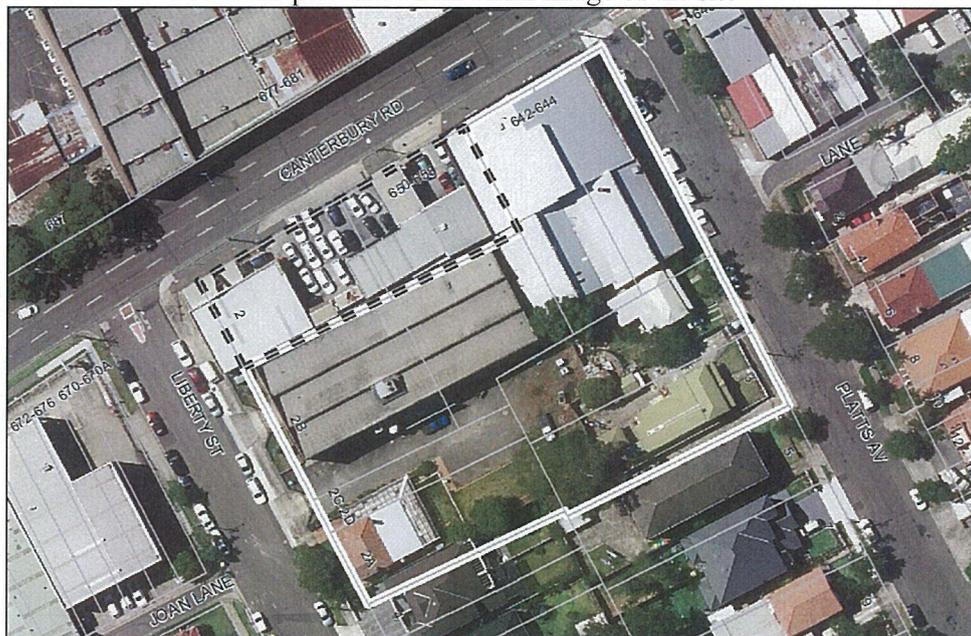
The addresses, titles and size of the site are described in table 1.

Table 1: Site title, ownership and size information

Address	Title	Size (sqm)
642 Canterbury Road	Lot 1 DP 5208	581.7
644 Canterbury Road	Lot 2 DP 5208	581.7
1 Platts Avenue	Lot 4 DP 5208	607.3
3 Platts Avenue	Lot 5 DP 5208	670.3
2A Liberty Street	Lot 51 DP 6042	474.2
2B Liberty Street	Lot 2 DP 514813	790.4
2C-2D Liberty Street	Lot B DP 383957	575.4
2C-2D Liberty Street	Lot 1 DP 1255537	241.5
<b>Total</b>		<b>4522.5</b>
650-658 Canterbury Road*	Lot A DP 383957	493.2
2 Liberty Street*	Lot 1 DP 514813	531.1
<b>Total</b>		<b>1024.3</b>

\* Note: Property at 650-658 Canterbury Road and 2 Liberty Street, do not form part of the amalgamated lot.

Map 1: shows an aerial image of the site



642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL (CONT.)

Map 2: Amalgamation details of the subject site



### Subject site

The subject site is located on Canterbury Road and also bounded by Liberty Street and Platts Avenue, Belmore. The site has a frontage of 29.8 metres to Canterbury Road, 82.95 metres along the rear (southern) boundary, 45.8 metres to Liberty Street, 71.3 metres to Platts Avenue with a total site area of 4,522.5m<sup>2</sup>. The corner use at 650-658 Canterbury Road and 2 Liberty Street (not part of the amalgamated lot) is a service station with ancillary auto electrical mechanic workshop. This lot has a total site area of 1,024.3m<sup>2</sup>.

The site currently consists of eight allotments. Currently on site at 642-644 Canterbury Road, 2B, 2C-2D Liberty Street are low grade industrial and disused commercial units. Land at 2A Liberty Street and 1, 3 Platts Avenue are single story residential dwellings.

Existing development within the locality is varied. To the immediate south of the subject site is residentially zoned land which contains mainly single storey dwelling houses (some two storey) accessed from both Liberty Street and Platts Avenue. On the opposite site to the north (677-681 Canterbury Road) is a vacant 2 storey building that formerly housed the J. Robbins manufacturing building. On the opposite side of Liberty Street (west) is land zoned B2 which contain vacant and disused commercial buildings. On the opposite side of Platts Avenue (east) is land zoned B5 which houses manufacturing/commercial buildings.

Walking distance from the site to Belmore Railway station is approximately 1km.

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BELMORE: PLANNING PROPOSAL (CONT.)

Photos of subject site and surrounding sites



Figure 1: view of 1 and 3 Platts Avenue, looking west from Platts Avenue



Figure 2: view of 642-644 Canterbury Road, looking south east from the corner of Canterbury Road and Platts Avenue

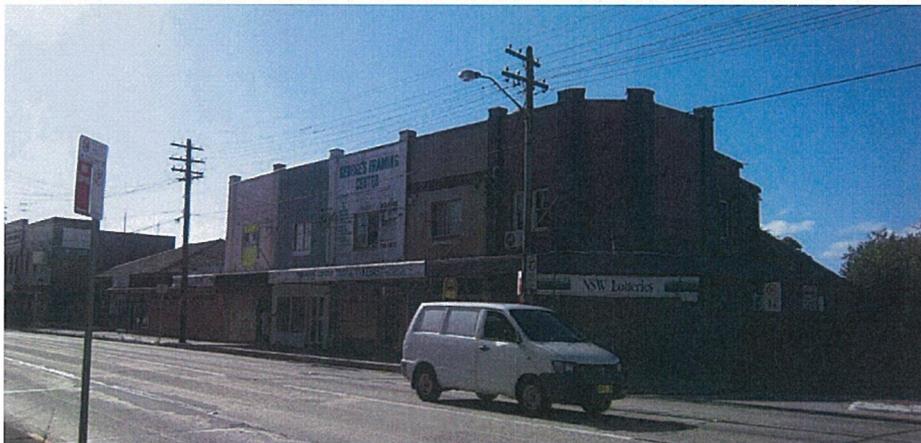


Figure 3: view of 632-640 Canterbury Road, looking south west from the corner of Canterbury Road and Platts Avenue

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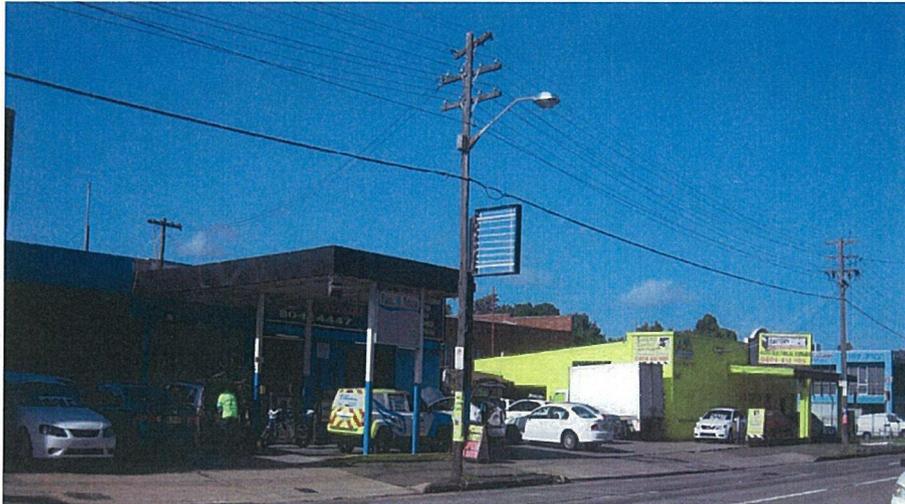


Figure 4: view of 650-658 Canterbury Road and 2 Liberty Street, looking south east from Canterbury Road



Figure 5: view of 2 Liberty Street, looking west from Liberty Street



Figure 6: view of 2A, 2C-2D Liberty Street, looking west from Liberty Street

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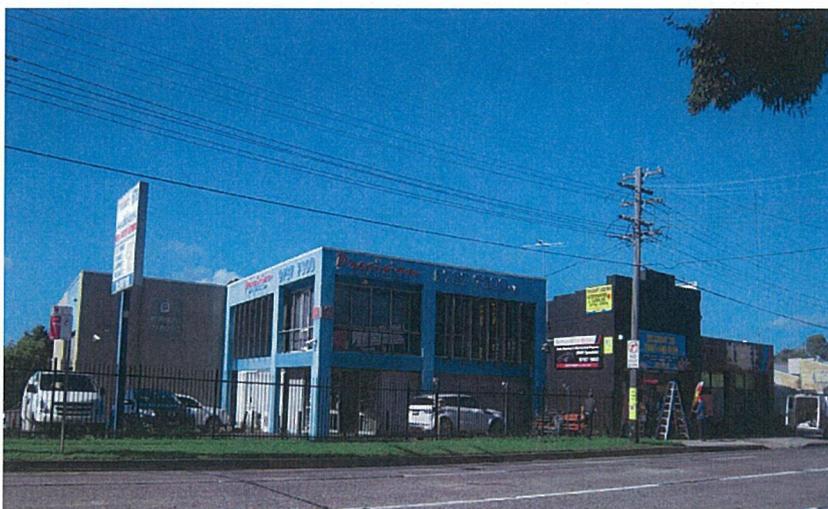


Figure 7: view of 672-682 Canterbury Road, opposite the site looking south from Canterbury Road



Figure 8: view of 677-681 Canterbury Road, opposite the site looking north from Canterbury Road

**Request for the preparation of a planning proposal**

On 11 December 2014, Council received a request for preparation of a planning proposal from Statewide Planning which includes an urban design report by Geoform Architects.

The proposed amendments to Canterbury LEP 2012 are:

	<b>Current</b>	<b>Proposed</b>
Zoning	Part B6 Enterprise Corridor Part R3 Medium Density	B5 Business Development
Height	Part 12m Part 8.5m	Maximum height ranging from 4m, 14m, 25m and 30m.

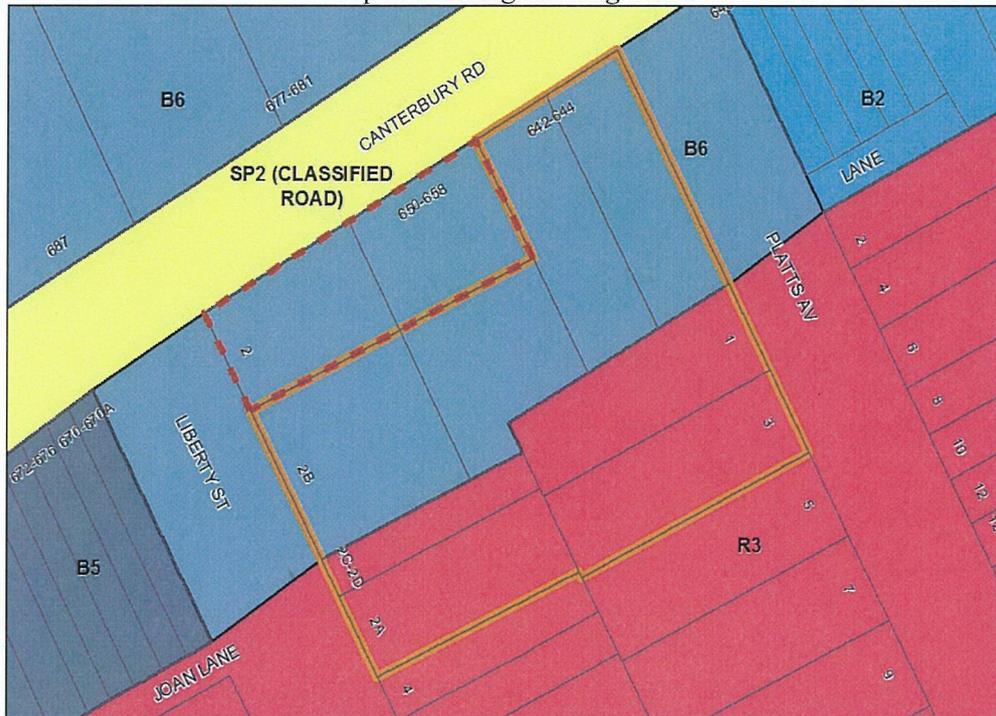
The objective of the planning proposal is to facilitate a significant mixed use development on the subject site. The applicant’s concept plan includes a four to ten storey mixed use development (152 apartments), 415m<sup>2</sup> of commercial floor space at street level and two levels of basement parking accessed from Platts Avenue.

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A new laneway 9 to 12m wide along the southern edge of the land connecting Platts Avenue and Liberty Street is included as part of the overall development. This laneway is proposed to be dedicated to Council as a public laneway. The applicant argues the added density is required to make the laneway creation viable. This contention of the proponent is not agreed with. The Canterbury Road Masterplan and subsequent zoning uplifts were predicated on the basis of certain public benefits being provided, including laneways where not currently existing where widening would be necessary. Both the Canterbury Road Masterplan and CDCP 2012 explain the importance of laneways to round block circulation, access and servicing.

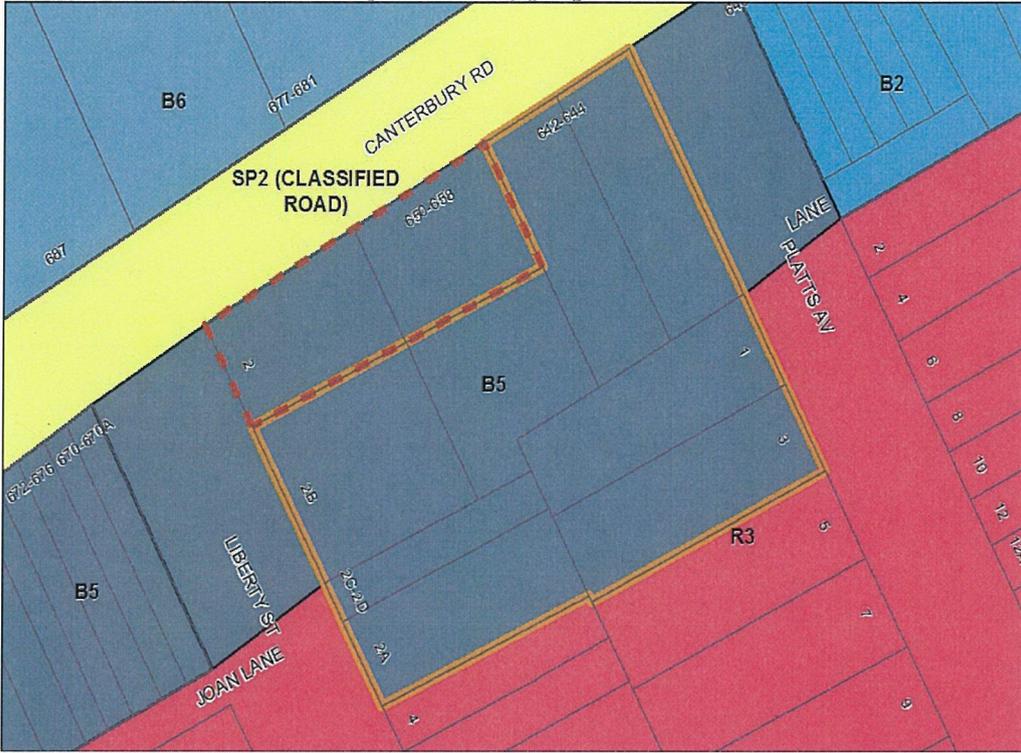
It is noted that the CLEP 2012, Schedule 1 Additional Permitted Uses identifies sites zoned B5 along Canterbury Road as Key Sites "A" and that development for the purpose of residential accommodation is permitted with consent, but only as part of a mixed use development. As such, a corresponding amendment to the key Sites map to include the subject site should be made to reflect the proposed B5 zone.

Map 3: showing existing zones

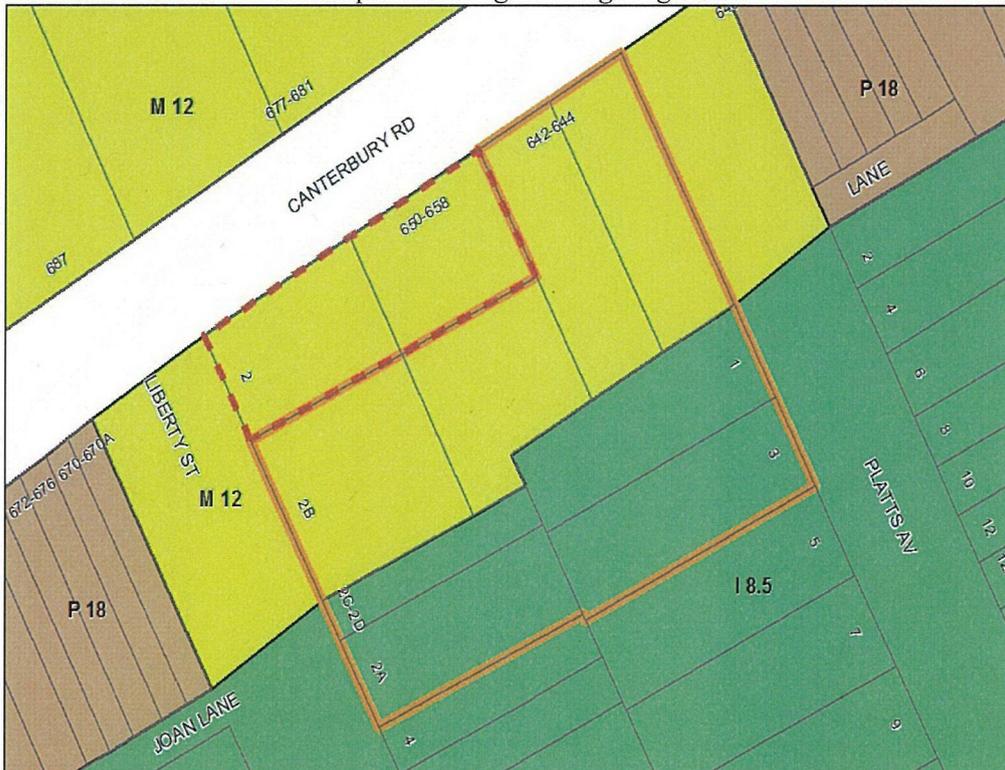


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Map 4: showing **proposed zone**

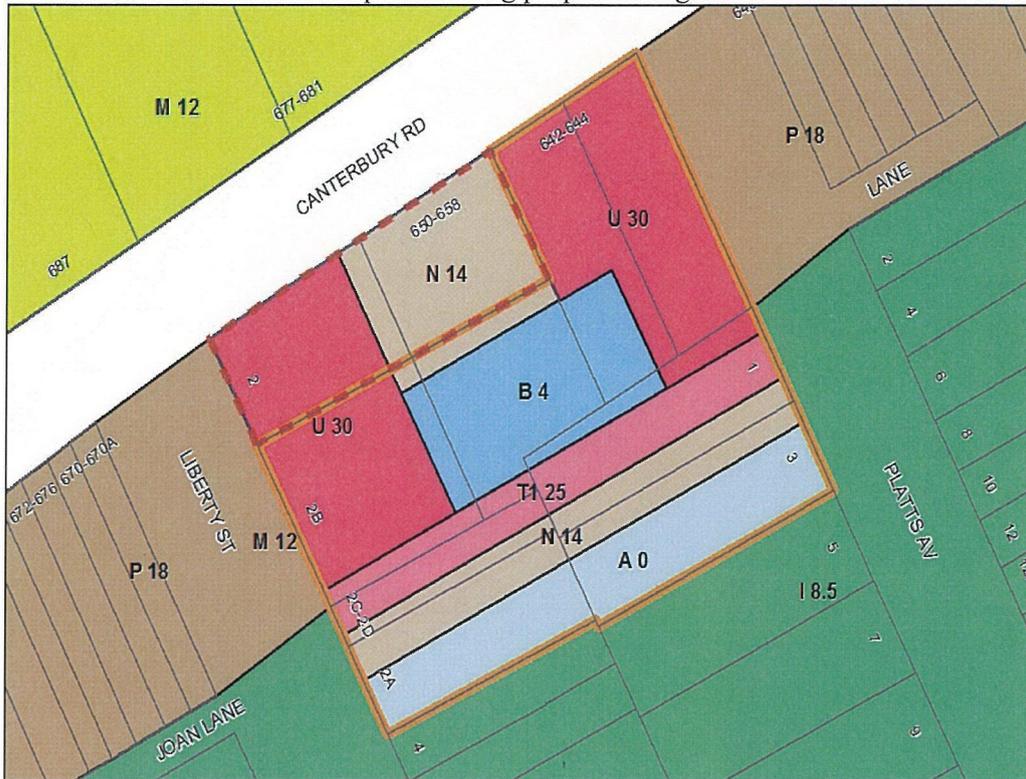


Map 5: showing **existing heights**



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Map 6: showing proposed heights



Note: The proposed height maps are replicated from the proponent's submission.

The proponent submitted the following documents in support of the application:

- Planning proposal report prepared by DDC Urban Planning;
- Urban Design Assessment prepared by Geoform Architects; and
- Traffic and Parking report prepared by Lyle Marshalls and Associates.

### Urban Design Assessment

The Urban Design report prepared by Geoform Architects includes an assessment of the following:

- *The broader contextual frameworks that should support such a development.*
- *Existing and future planning frameworks.*
- *Surrounding buildings, existing and proposed and their likely impacts in terms of the controls relative to development.*
- *Proposed built form on the subject site and impact on the adjacent properties.*
- *The impact of the draft built form controls in terms of traffic and appropriateness of the dedication to Council of a 6m wide road reserve connecting Liberty Street and Platts Avenue.*

The urban design analysis suggests a courtyard building type concept with the higher bulk being kept to the Canterbury Road corners of the site and along Liberty Street and Platts Ave being four to ten storeys high. A lower central form (four storeys) is proposed so that light and aspect reach into the central courtyard plaza space. Height planes of varying heights are proposed from 30, 25, 14, 4m and 0 metres. The overall massing steps down towards the shared laneway space, with terrace style housing along the southern end of the site.

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The applicant has estimated that the scheme would have an FSR of approximately 2.7:1.

#### Comment

An independent urban design assessment of the proposal has been made in relation to the proposed scheme. A copy of the assessment is included in the Attachment. While this assessment generally supports the scheme it does so provided that it is at a lower scale which is consistent with the previously endorsed Canterbury Road Masterplan, with the exception of additional heights along the corners which would act as “bookends” to the subject site.

#### **DDC Urban Planning, planning proposal submission**

The planning proposal’s justification for the proposed B5 Business Development zone to allow up to a ten storey building with a 30m height limit is outlined below:

- *An amalgamation opportunity has presented itself which will allow for the creation of a through-block laneway between Liberty Street and Platts Avenue which will dramatically enhance connectivity and permeability as the Canterbury Road corridor develops with mixed use development.*
- *To facilitate this laneway connection, the planning proposal seeks to increase the height controls to allow for a range of building heights on the site with a 30m limit to Canterbury Road.*
- *Additional housing density along Canterbury Road that will stimulate existing and new businesses in the area.*
- *The dedication of a public laneway connecting Platts Avenue and Liberty Street which will dramatically improve traffic impacts on Canterbury Road into the future and provide building separations, landscaping and height transitions to the south;*
- *Improving demand for public transport resulting in increased patronage and improved services.*
- *A larger scale building that will assist in alleviating affordability issues within Sydney.*

In relation to the net community benefit, one of the evaluation criteria used by the Department of Planning and Environment (DP&E) is whether the LEP is likely to create a precedent or change the expectations of the landowner or other landholders. The proponent concedes that larger sites have been earmarked for 25m heights along Canterbury Road. It further argues that no significant precedent will be created, particular with the laneway dedication substantiating additional density on the site.

#### Comment

This argument is not agreed with. The 25m (eight storey) height limit along Canterbury Road only applies to two sites (548-568 and 445 Canterbury Road) along the road corridor. In considering the height increase for 548-568 Canterbury Road, an eight storey building was considered to have limited impact on the adjacent properties as the land to the rear is predominantly industrial. In relation to 445 Canterbury Road, the 25m height limit only applies to a small section of the site (corner of Stanley Street and Canterbury Road).

The proposed increase in density to offset a laneway will set an undesirable precedent. The feasibility assessment has concluded that both the development scheme proposed by the proponent and the scheme recommended in the urban design report are viable.

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While the uplifts in zoning and building heights already given to many locations, and as envisaged in the Canterbury Road Masterplan, were based on certain public benefits being provided. These include the provision of a laneway where necessary and the additional setbacks to Canterbury Road to facilitate the possible future street parking. Previous report to Council on the Canterbury Masterplan discussed this. Any further attempts to gain even more yield using this argument are akin to double dipping.

The pressure of the State Government's 'Plan for Growing Sydney' (formerly the Metro Strategy) has meant that Council is obliged to provide additional housing stock in the LGA.

Notwithstanding this, the proposal is subject to amendments considered to have merit as it will facilitate the revitalisation of Canterbury Road.

### **Traffic and Parking**

The traffic report prepared by Lyle Marshall & Associates P/L submitted with this Planning Proposal request report concludes that the development of the site will be satisfactory in relation to road and intersection capacity implications.

The application was reviewed by our Traffic Engineer. Comments regarding traffic and parking impact have been outlined below:

The following issues are required to be addressed with the proposal.

1. Council will be engaging a traffic consultant to review the traffic impact on Canterbury Road. The RMS has identified some of the sites where Council needs to provide a traffic study. The proposed site is one of them and this study will determine the status of the new lane proposed between Platts Avenue and Liberty Street.
2. Access & Car Park Layout:
  - i. The car parking provision has not been calculated correctly and needs to be revised.
  - ii. Access from Platts Avenue and the loading dock area for the design vehicles needs to comply with Australian Standards.

### Comment

In relation to the first point, the Roads and Maritime Services (RMS) made a submission in to the RDS Planning Proposal. In the submission, it expressed concerns about the traffic impacts, including cumulative impacts, arising from the proposed changes, especially for sites fronting or near Canterbury Road.

As the subject site is tied up in the original RDS planning proposal, the RMS submission is also relevant to the subject planning proposal.

The RMS has made the following comment in relation to the subject site:

*"..Roads and Maritime Services will support the rezoning of Site A.1 (the subject site), subject to the traffic impacts being fully considered. In this regard, the increase in maximum developable yield should be quantified and the resultant potential traffic impacts assessed."*

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In response to the RMS concerns, a traffic consultant has been engaged by Council to prepare a Traffic Impact Assessment to look at the cumulative impact of development for properties on Canterbury Road that are part of the original RDS Planning Proposal. It is expected the study will be completed by mid 2015. A copy of the study will be forwarded to the RMS for their review.

The implications of the RMS traffic study on this planning proposal will be dependent on the findings of the traffic study. Nevertheless, the planning proposal can still be progressed to Gateway Determination stage.

The DP&E has advised new planning proposals (arising from the RDS planning proposal) can be submitted to the Department for a Gateway Determination. The DP&E will consider the RMS submission, the latest traffic study and the revised planning proposal as part of their assessment of the planning proposal.

The matters relating to car parking rates, access points and car parking layout can be dealt with at the development application stage. It should be noted that the car park provision has been calculated on the basis of the site being included as part of the Belmore Town Centre (ie B2 zoned large centres) however, this is incorrect. The parking rates should have been calculated on the basis of a residential flat building which attracts a higher parking rate.

### **Canterbury Road Masterplan**

A Masterplan for the Canterbury Road Corridor was endorsed in principle by Council in 2004.

The Masterplan seeks to set up a land use and zoning structure which is organised, legible and logical. One which clusters land use types into similar groupings and creates a series of places along the road corridor which can attract business, employment and people and reinforce the links back to the rail based town centres, such as Campsie, Belmore and Lakemba.

The subject site is identified as 'Urban General' category of uses in the Canterbury Road Masterplan. The key features of this category is:

- 3-6 storeys in height
- Street level uses can be retail, commercial and residential
- Showrooms permitted
- Applies to gaps between Urban Core and Urban Centre categories.

The height and land use zone proposed in the Masterplan were carried forward into the Canterbury LEP 2012.

### **Canterbury LEP 2012**

Under the Canterbury LEP 2012, the subject site is identified as being zoned B6 Enterprise Corridor and a maximum building height of 12m.

At the time of preparing the CLEP 2012 the proposed B6 zone and height was applied to the site as it was a direct transition from the previous zoning of the land being light industrial. A 12m (three storey) height limit was applied as it was considered unlikely to be redeveloped for intense residential development.

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The proposed B5 zone will be consistent with the intent of the Masterplan, however the heights sought are significantly in excess of what the Masterplan envisaged.

Table 2: Summary of the height controls

Date	Planning Controls	Height
2010	Canterbury Road Masterplan	3-6 storeys
2013	Canterbury LEP 2012	12m (3 storeys)
2014	Canterbury RDS	18m (5 storeys)
2014	Planning Proposal (current)	4m, 14m, 25m, 30m (4 - 10 storeys)

The subject site has been earmarked for three to six storey developments through major strategic studies (Masterplan and RDS). These heights were later confirmed in the CLEP and CDCP 2012. The proposed height of up to ten storeys is inconsistent with the built form outcomes for the site. The applicant's argument for the height increase is based on an offset for the laneway (discussed in more detail under section laneway dedication/density bonus).

The site has already benefited from recent significant uplift in density as part of the RDS Planning Proposal, where planning controls are being amended to allow an increase in height from three storeys to five to six storeys and to change the zone from B6 to B5 which permits residential dwellings on the site.

The request to amend the maximum height to 30m is not supported, however a partial increase in height for the corner component of the building along Canterbury Road to 25m is considered to provide an improved urban design outcome.

### Height/Urban Design report

The concept plans for the subject site has been reviewed by an independent urban design professional Annand Alcock Urban Design engaged by Council to undertake an assessment of the planning proposal including recommendations on an appropriate scale and intensity of development. The review also involved a meeting with the proponent's design team.

The urban designer provided the following comments in relation to the proposal:

*" It is suggested that from an Urban Design perspective 10 storeys (30m) is an overdevelopment of this site because:*

- *There are currently no 9-10 storey buildings along Canterbury Road (apart from Canterbury Town Centre)*
- *The lack of amalgamation with the corner station site may reduce the future prospect of development of these unattractive car repair facilities.*
- *The bulk and massing when viewed from either direction along Canterbury Road will be excessive.*

*Nevertheless the principles employed by the proponent have merit and thus we proposed a similar development form but with the two tower building limited to 8 storeys). This will enable a more appropriate scale and massing for this section of Canterbury Road between nodes as envisaged in the Canterbury Road Corridor Masterplan."*

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The following recommendations/conclusions are made in relation to height:

*“The proposed 8 storey height proposal is recommended because:*

- *It supports the nodal concentration strategy outlined in the Canterbury Road Masterplan.*
- *It provides an articulated building form to Canterbury Road.*
- *It facilitates solar access and ventilation throughout the site.*
- *It provides the highly desirable rear lane connecting Liberty Street and Platts Avenue.*
- *It facilitates improved conditions (partially) on Canterbury Road”.*

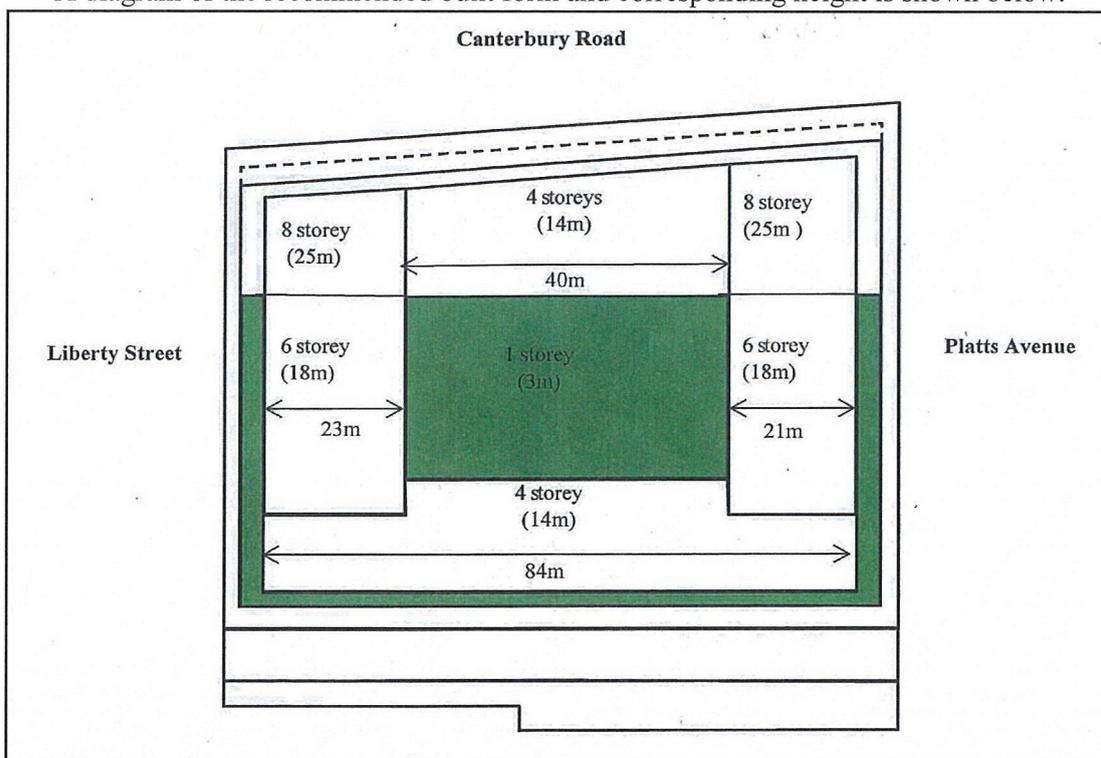
A key aspect highlighted in the Urban Design assessment is the need to amalgamate the corner service station (650-658 Canterbury Road and 2 Liberty Street). The following comments are made;

*“The amalgamation of the corner service station site is highly desirable to the development of the site to:*

- *Significantly improve the Canterbury Road streetscape;*
- *Optimise the development efficiency of the site*
- *Optimise basement parking for the site*
- *Activate Canterbury Road*
- *Not leave a difficult to develop remnant site*
- *Facilitate the landscape improvement of Canterbury Road”.*

To provide an improved articulated form and streetscape presence for the building, it is recommended that a modest increase in height for a small component of the two corner buildings along Canterbury Road be made. Additional levels of up to eight storeys are considered to be adequate. The Urban Designer has reviewed this and supports the modified height.

A diagram of the recommended built form and corresponding height is shown below.



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Maximum building height, as defined in the standard LEP, includes all elements of a building including lift overruns etc. there are no exclusions allowed.

#### Comment

A similar development form is recommended by the Urban Designer but with the two tower building along Platts Avenue and Liberty Street limited to eight storeys as opposed to eight to ten storeys proposed by the proponent. The four storey limit for the building along Canterbury Road and the Terrace style apartments fronting the new laneway remain unchanged.

The recommended height of four to eight storeys is considered to be suitable for this location and provides an appropriate transition to the lower scale adjoining residential dwellings to the south. It also provides articulation and variation to heights along Canterbury Road which improves its relationships with the street and provides improved design and built form outcomes.

While this includes a slight reduction in height from the requested eight to ten storeys it is more than offset through the upzoning of the R3 zoned land at 2C-2D Liberty Street and 1 Platts Avenue to B5. A corresponding height increase of 8.5m to 14m is also proposed on these lands.

A key recommendation made in the urban design report is the need to amalgamate with the corner service station for improved development efficiency, streetscape activation, SEPP 65 compliance and building separation issues. If the site cannot be developed as one, then care needs to be taken to ensure building separation and other SEPP 65 matters are appropriately addressed.

A review of the financial feasibility of the planning proposal has been undertaken by Allera Pty Ltd with respect to the underlying financial viability of the proposal including the recommended heights.

The consultant has made the following assessment:

#### *Financial Viability*

*Although dependent of the final terms of the proponent for the acquisition of the properties which are unknown to the consultant, the current state of the market and its relative strength suggests that the scheme as proposed, a more compliant scheme given the existing zoning controls and the scheme as proposed in the urban design report would be financially viable in the current market.*

#### *Benefits of increased in height limits*

*The proposal as submitted has been assessed to deliver the following benefits to the proponent:*

- *An additional 37 apartments as compared to a 'compliant scheme'*
- *An additional 31 apartments as compared to the scheme recommended by the Urban Design report,*
- *An uplift of \$4.556m in total land values against a 'compliant scheme'*

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- *An uplift of \$3.447m in total land value against the scheme recommended by the Urban Design report”.*

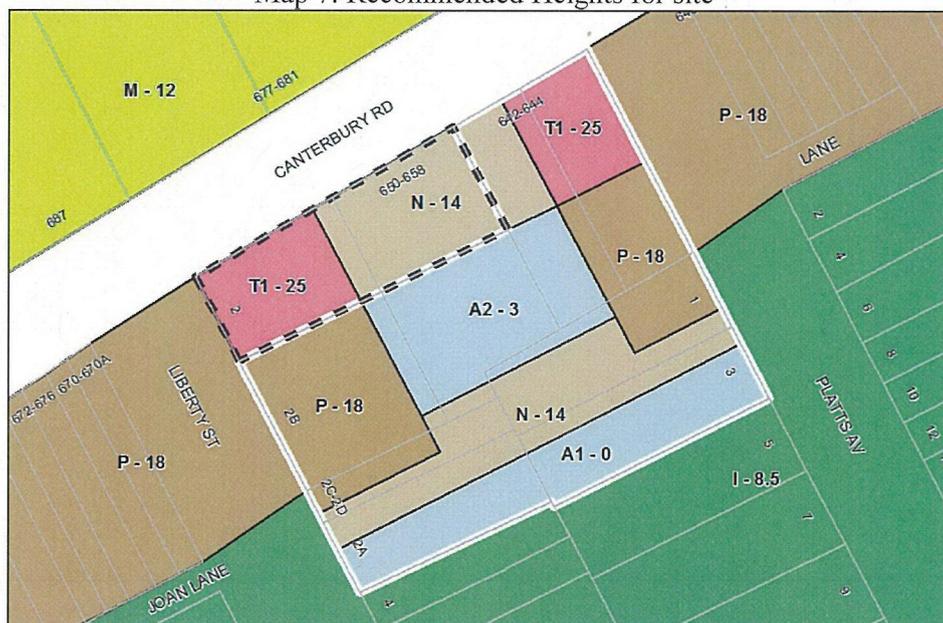
A comparative analysis of the three scheme is provided in the table below.

Item	“Complying Scheme”	Urban Design Report Scheme	Proposed Scheme
No of Apartments	115	121	152
Retail / Commercial (m2)	418	418	418
Gross Revenues	\$69.180m	\$72,476m	\$90.965m
Total Project Cost (incl. Construction, Consultants Financing and Land)	\$51.566m	\$54,046m	\$67.757m
Development Profit	\$10.696m	\$11.223m	\$14.128m
Target Return on Cost	20%	20%	20%
Land Value	\$13.708m	\$14.817m	\$18.264m
Land Value / m2	\$3,007.00	\$3,250.00	\$3,981.00

The complying scheme is a scheme with a six storey (18m) maximum height. The AAUD urban design report scheme is the scheme as shown in Map 7 and the proposed scheme is the Statewide Planning Proposal scheme with a maximum height to ten storeys (Map 6).

The feasibility analysis also indicates the scheme recommended in the urban design report will provide a 20% target return cost which is the minimum industry standard. For these reasons, it is concluded that the current permitted height shown for the site on the Height of Buildings Map are illustrated in the following map

Map 7: Recommended Heights for site



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642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL (CONT.)

The recommended heights shown above are supported for the following reasons:

It is supported through a detailed Urban Design analysis which recommends a height of four to eight storeys. This will enable a more appropriate scale and massing for this section of Canterbury Road, as envisaged in the Canterbury Road Masterplan and the proposed heights are financially viable and will enable the proponent to meet the standard industry return of profits.

#### **Laneway dedication/density bonus**

The proposal includes a new laneway between Liberty Street and Platts Avenue along the southern side of the amalgamated site. This laneway is approximately 9 to 12m wide to allow for two way traffic and services to allow for pedestrian movement and tree planting.

The creation of laneways where not currently existing is identified in both the Canterbury Road Masterplan and CDCP 2012. One of the main objectives of the creation of new laneways is to improve streetscape and pedestrian safety, encourage active street frontages, provide for proper and efficient access, round block circulation, servicing etc.

As highlighted in the AAUD urban design report, and as previously reported to and endorsed by Council, the provision of rear laneways are considered necessary to facilitate proper functioning of and access/servicing to sites along Canterbury Road.

Significant development bonuses have already been given in terms of land use zoning changes and increases to building heights. These were predicated on the inclusion of certain elements in any redevelopment proposals. These included the 3m setback on Canterbury Road to facilitate proposed future on street parking, the setting aside of land for a rear laneway, provision of at grade short term parking etc.

The independent feasibility analysis has also reviewed the monetary value of the proposed construction and dedication to Council of a public laneway. The review indicates that the developable land to be dedicated (ie land that would be developed if no laneway was dedicated and the 6m setback control was applied) equates to 379m<sup>2</sup> of land. Nevertheless the scheme as recommended in the urban design report has been assessed to be feasible. The applicant's argument that the added density is needed to compensate the laneway is not agreed with.

The Annand Alcock Urban Design report (page 5) also highlights the provision of a laneway does not warrant any further development incentives and highlights the lane is being redeveloped on land currently zoned R3 and the upzoning over this residential land more than compensates for the provision of the lane.

The applicant has offered to dedicate the laneway to Council. Ideally the laneway should be in council's ownership to enable greater community use of the lane ie through traffic, parking, access etc.

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642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL (CONT.)

**Conclusion**

It is considered that the proposed 30m height under the Statewide Planning Proposal is excessive for this location, it would likely set an undesirable precedent for other B5 zones along Canterbury Road, and as such cannot be supported.

An independent urban design assessment of the proposal has been carried out and it has concluded that while the design of the proposal has merit the proposed height of 30m is excessive for this part of the Canterbury Road. A lower scale form is recommended with a maximum height of six storeys (18m) for the two towers along Liberty Street and Platts Avenue. Smaller corner elements to eight storeys could be supported, as delineated in Figure 2 and Map 7 of the report.

This partial height increase will enable the site to be redeveloped to an appropriate scale and will facilitate commercial activation and revitalisation of the Canterbury Road corridor.

The viability of the recommended built form has also been assessed and it is concluded to be viable.

Accordingly it is recommended that a Planning Proposal be prepared and submitted to the Department of Planning and Environment for a Gateway Determination.

**Supplementary Information:**

The City Development Committee on 14 May 2015 deferred consideration of the matter to allow further discussion to occur with the applicant and their professional advisers in relation to the height of the proposed development and other relevant planning issues.

On 18 May 2015 a meeting was held between the applicant, their professional advisors, Council officers and Council's urban design consultant (AAUD) to discuss planning matters in relation to the height of the proposed development. At the meeting it was resolved that Council could consider the 25m (eight storey) towers on the corner of Canterbury Road being extended further towards the rear of the site on the proviso that the extended tower elements would not protrude beyond the 45 degree height plane and being consistent with SEPP 65 with more detailed merit assessment at the development application stage.

On 2 June 2015 the applicant submitted revised concept plans for the site for our review. The revised plans include a similar layout (perimeter form) to the original proposal with the eight storey towers to be extended further deep into the site along Liberty Street and Platts Avenue up to where the 45 degree height plane occurs under our DCP. The amended proposal also includes increasing the maximum height of the building fronting Canterbury Road from 14m to 17m. The height increase will enable a corresponding increase to the number of storeys from four to five storeys.

The key difference between the revised proposal and the original submission is the maximum height has been reduced from 30m to 25m and the number of storeys reduced from part ten, part nine storeys to eight storeys for the entire depth of the buildings fronting Liberty Street and Platts Avenue. It should be noted that the applicant has indicated the FSR on the site has increased from 2.7:1 (original proposal) to 2.8:1-3.0:1 (revised scheme). The increase in density is from the added floor area towards the rear of the development.

642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL (CONT.)

The revised plans were reviewed and supported by urban design consultant Annand Associates Urban Design (AAUD). A copy of the urban design report is included in the Attachments.

Diagram 1: Heights recommended in original council report

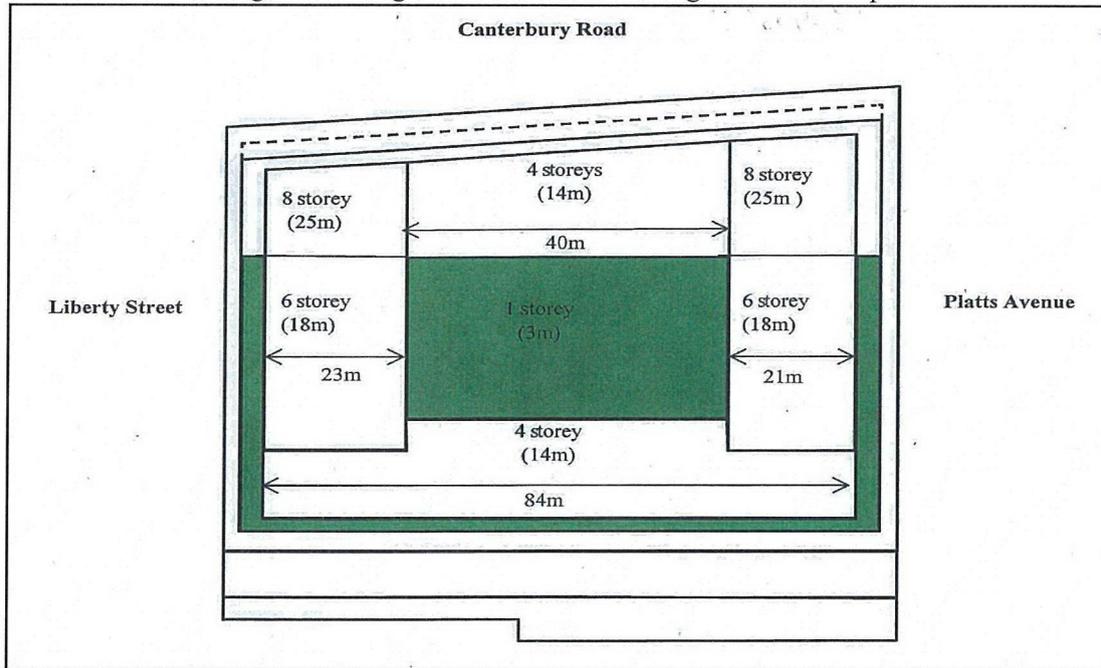
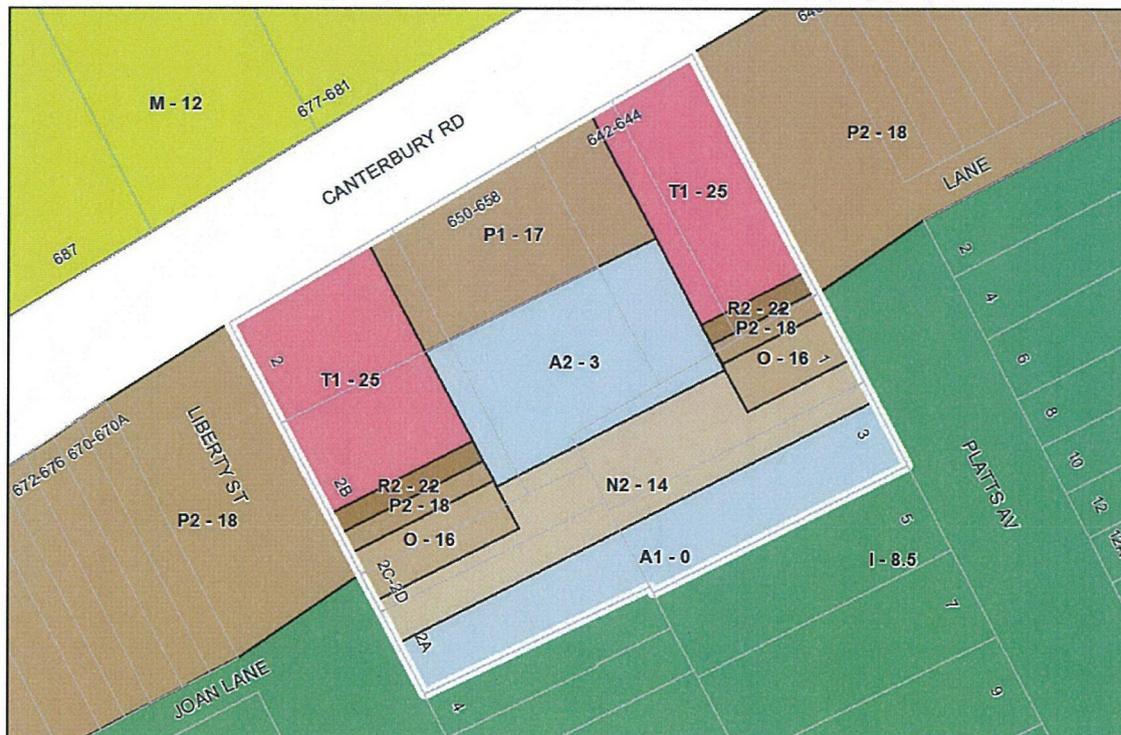


Diagram 2: Revised heights to be incorporated into planning proposal



642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL (CONT.)

The consultant generally supports the development scheme, however one aspect of the proposal that has been highlighted by the consultant is that the proposal does not fully comply with the CDCP 2012 rear boundary setback control. The CDCP 2012 requires that a 6m setback is provided to the rear of new development with a corresponding 45 degree plane to ensure that new development steps back away from smaller scale development. The revised scheme shows some parts of the building protruding beyond the 45 degree height plane. In the absence of any supporting documentation demonstrating compliance with SEPP 65 and the 45 degree height plane control in the DCP, in regard to solar access/impacts on the properties to the rear, we are not in a position to support protrusions beyond the 45 degree height plane. Hence, any protrusions would need to be justified at DA stage should this be pursued.

While the proposal is supported in principle by the urban design consultant, fine tuning of the development scheme will be required to demonstrate compliance with SEPP 65 including the new Apartment Design Guide and Canterbury DCP 2012.

The revised development scheme involves a reduced height of 25m (from 30m) on the corners of Canterbury Road and Liberty Street and Platts Avenue and an increase in height along Canterbury Road of 17m (from 14m). It is recommended that a Planning Proposal to amend Canterbury Local Environmental Plan 2012 be prepared and submitted to the Department of Planning and Environment for a Gateway Determination in relation to land at 642-644 and 650 58 Canterbury Road, 1-3 Platts Avenue, 2, 2A, 2B, 2C and 2D Liberty Street, Belmore to be rezoned to B5 with a combination of height limits of 0m (laneway), 3m, 14m, 16m, 17m, 22m, 18m and 25m as shown on the map in the report.

#### **RECOMMENDATION:**

##### **THAT**

1. A planning proposal be prepared to amend Canterbury Local Environmental Plan 2012 and submitted to the Department of Planning and Environment for a Gateway Determination in relation to the following site, and as per the map identified in this report:
  - Land at 642-644 and 650-658 Canterbury Road, 1-3 Platts Avenue, 2, 2A, 2B, 2C and 2D Liberty Street, Belmore to be rezoned to B5 with a combination of height limits of 0m (laneway), 3m, 14m, 16m, 17m, 18m, 22m, and 25m as shown on the map in the report.
  - The subject site be identified in the CLEP key sites "A" map.
2. The Planning Proposal be placed on public exhibition should a Gateway Determination authorising such be forthcoming.

**CITY DEVELOPMENT COMMITTEE  
RESOLUTION - 09 JULY 2015**

642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL (CONT.)

### Declaration of Interest

The Mayor Councillor Robson declared a significant, non-pecuniary conflict of interest in the following item stating that the nature of the interest was that if he participates in the determination of this rezoning proposal, it could be seen to influence his decision should he participate on the Joint Regional Planning Panel in determining any future development applications for the site. The Mayor Councillor Robson left the Council Chamber at 8.38 pm prior to consideration of the matter.

- 2 **642-644 AND 650-658 CANTERBURY ROAD, 1-3 PLATTS AVENUE AND 2A, 2B, 2C AND 2D LIBERTY STREET, BELMORE: PLANNING PROPOSAL**  
FILE NO: T-29-168

**Min. No. 254 RESOLVED** (Councillors Hawatt/Azzi)

THAT

1. A planning proposal be prepared to amend Canterbury Local Environmental Plan 2012 and submitted to the Department of Planning and Environment for a Gateway Determination in relation to the following site, and as per the map identified in the report:
  - Land at 642-644 and 650-658 Canterbury Road, 1-3 Platts Avenue, 2, 2A, 2B, 2C and 2D Liberty Street, Belmore to be rezoned to B5 with a combination of height limits of 0m (laneway), 3m, 14m, 16m, 17m, 18m, 22m, and 25m as shown on the map in the report.
  - The subject site be identified in the CLEP key sites "A" map.
2. The Planning Proposal be placed on public exhibition should a Gateway Determination authorising such be forthcoming.

FOR	AGAINST
Deputy Mayor, Councillor Kebbe	Councillor Eisler
Councillor Azzi	Councillor Adler
Councillor Hawatt	
Councillor Nam	
Councillor Vasiliades	

Following consideration of the above item, The Mayor Councillor Robson returned to the Council Chamber at 8.55 pm.