

**6 REZONING OF FORMER PUNCHBOWL RSL CLUB AND
ADJOINING LANDS: 172-186 THE BOULEVARDE, 10, 14, 18,
20 MATTHEWS STREET AND 1-9 BROADWAY, PUNCHBOWL**

FILE NO: T-29-145

REPORT BY: DIRECTOR CITY PLANNING

WARD: WEST

Summary:

- We have received an application to rezone the former Punchbowl RSL Club and adjoining lands to a B4 (Business) Mixed Use zoning. (This equates to a 3(a1) zoning under the CPSO).
- The site is zoned part General Business 3(a1) and part Residential 2(c3) under the Canterbury Planning Scheme Ordinance. It is located at the eastern end of Punchbowl Town Centre and has an area of 9344m².
- The applicant has submitted concept plans for a mixed use retail/commercial and residential development on this site including a 4000m² supermarket. The Residential 2(c3) zoned part of the site would not permit this development.
- The site is well located to be rezoned for Business purposes. It adjoins and is partly within an existing town centre, and is less than 400m from a railway station and other public transport. We have few large sites capable of providing larger developments such as supermarkets in and near our town centres.
- Rezoning of the site would meet State Government policies of providing suitable sites for business activities and new housing around town centres and public transport.
- An Economic Impact Assessment has been submitted by the applicant. It shows that there is an under supply of retail floor space in the Punchbowl area and if the site is redeveloped it will have a minimal impact on the existing centre.
- It is recommended that the Residential 2(c3) zoned part of the site be rezoned to General Business 3(a1), and this also include the intervening sites at 10 and 14 Matthews Street. This land should also be included within Development Control Plan 54 – Town Centres with a height limit of five storeys applying.

City Plan and Budget Implications:

This report has no implications for the Budget. The assessment of the application supports our City Plan long term goal of providing Sustainable Urban Development.

Report:

Background

We have received an application to rezone the former Punchbowl RSL Club and adjoining land to a B4 (Business) Mixed Use zoning. This equates to a 3(a1) zone under the Canterbury Planning Scheme Ordinance.

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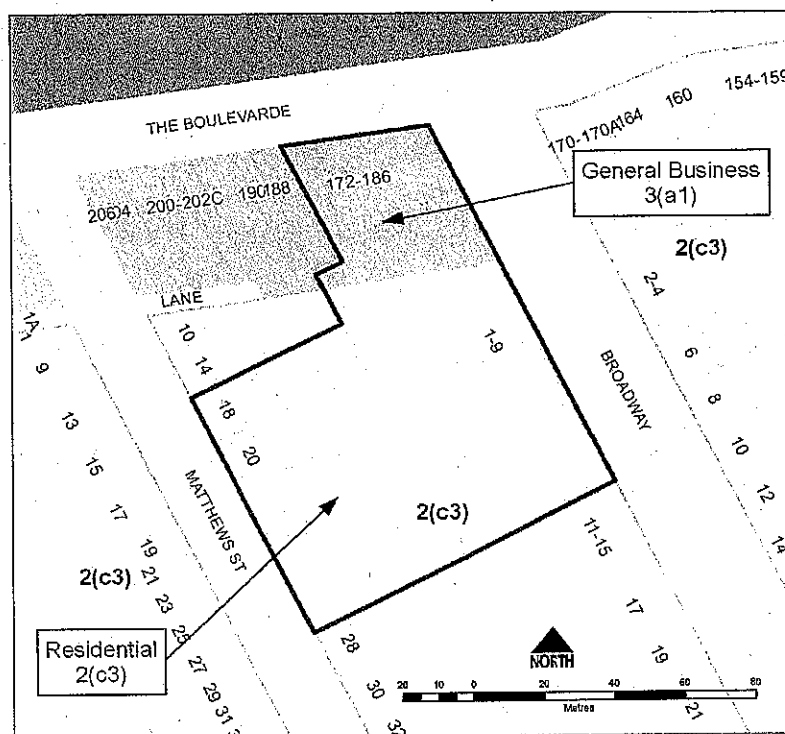
The site is currently zoned part General Business 3(a1) and Residential 2(c3) under the Canterbury Planning Scheme Ordinance.

The applicant has submitted concept plans for a mixed use retail/commercial and residential development on this site including a 4000m² supermarket. Currently the Residential 2(c3) zoned part of the site would not permit these uses, and therefore rezoning is required.

The rezoning application includes a Rezoning Report, Traffic Study, Economic Impact Assessment and concept plans of a possible development on the site.

Site Details and Statutory Controls

A map showing the location and zoning of the subject site is shown below:



The subject land consists of four allotments. 1-9 Broadway (Lot 1 DP 1117076) and 172-186 The Boulevard (Lot 2 DP 1117076) is the site of the former Punchbowl RSL club. The club building is in the process of being demolished. 18 and 20 Matthews Street (Lots 58 and 59 Section 5 DP 5701) contain single detached dwelling houses. The overall site area is approximately 9344m². Approximately 5916m² is zoned Residential 2(c3), and the remaining 3428m² General Business 3(a1).

The site is at the eastern end of Punchbowl Town Centre, and extends beyond the current town centre boundaries down Matthews Street and Broadway. The existing town centre continues along The Boulevard to Punchbowl Road and the City of Canterbury boundary.

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Development Control Plan (DCP) 54 – Town Centres was adopted by Council on 11 November 2010 and applies to the part of this site zoned General Business 3(a1). The implications of DCP 54 on the rezoning proposal will be discussed later in this report.

Development Control Plan 13 – Multiple Unit Development is the principal DCP applying to the Residential 2(c3) zoned part of the site.

Recent Development History

An application on part of the site for the construction of mixed development including 24 residential apartments and six commercial tenancies was withdrawn on 8 February 2010.

An application for demolition of all existing commercial structures within the site was approved on 20 August 2010. This approval has since commenced.

Locational attributes

The subject land is considered to be well located for the business and residential uses that are likely to occur if rezoned for Business purposes. It adjoins and is partly within an existing town centre and is less than 400m from a railway station and other public transport.

Within the City of Canterbury there are few larger sites in or near our town centres that can accommodate significant redevelopment and larger building floor plates such as required by a supermarket. Recent State Government policy directions encourage provision of suitable and adequate sites in town centres so there is sufficient land for mixed use activities.

State Government policy also encourages housing in and around town centres. In the Metropolitan Strategy it is expected that at least 75% of new housing will meet this criteria.

Council needs to meet the Metropolitan Strategy Subregional housing target of 7,100 new dwellings in Canterbury between 2004 and 2031. Development of this land will help achieve this target.

Because it meets these key objectives it is unlikely that there will be any objection from the State Government to the rezoning of this land.

Councillor Workshop

A Councillor Workshop was held on 21 October 2010 to discuss proposed expansions to our Town Centres. This land was included in the sites proposed for town centre expansion presented to Council and the presentation also showed indicative height controls.

Development Control Plan 54 – Town Centres

As noted previously in this report Development Control Plan 54 – Town Centres applies to the part of the site zoned General Business 3(a1). A height limit of five storeys applies to this land.

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If the remainder of the site was to be rezoned for Business purposes then it would also come under the provisions of DCP 54. Our consultant dealing with the Town Centres DCP has recommended a five storey height limit, which was conveyed at the Councillor Workshop held on 21 October 2010.

The reason for this height limit is to ensure the future development of the site is compatible with that already allowed for in Punchbowl Town Centre, and in keeping of the scale of other surrounding development, which is 1-3 storey in height.

Because the site exceeds 2000m², it would also fall into the category of a "Major Development Site" under DCP 54. This provision allows for extra density on larger sites because of their capacity to accommodate larger building forms. An additional storey is allowed over one third of the building footprint provided that the development is compatible with the DCP controls and existing streetscapes.

The applicant's Planning Consultant objected to DCP 54 during its exhibition period. The issues raised in the submission were as follows:

- Major Development Sites (those over 2000m²) because of their size have the potential to provide buildings taller than 5 storeys and control the impacts of height, overshadowing and overlooking. Development on these sites should allow for a bonus increase in height without being limited to one third of the building footprint, subject to an upper limit of 9 storeys.
- Ground Floor Units should be allowed provided the development creates a commercial frontage at the Main Street level.
- The controls for Corner Lots and Gateway Buildings should allow for additional floor space to reinforce the corner or location.
- The controls for Building Separation are unclear for the building separation at levels 1-5 when a building is more than 6m in height.

In response to these issues it is considered that a development form up to 9 storeys is inappropriate on this site. The reasons for this are outlined above.

There is no objection to ground floor residential being provided both internally and on the two side streets (Broadway and Matthews Street) that are not Main Shopping Streets.

The other two issues were dealt with in the DCP report of 14 October 2010. It was resolved not to change the DCP requirements in relation to Corner Lots except to allow for setback variations. The controls for Building Separation distances have been altered so there is no perceived inconsistency.

If Council is supportive of the rezoning, then it is recommended that DCP 54 – Town Centres be amended for exhibition to include this site. It is appropriate that the DCP amendment be exhibited in conjunction with a planning proposal for the rezoning.

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Concept Plan

The applicant has submitted detailed concept plans for the site of what could be developed if the rezoning takes place. The plans show a mixed use development comprising 6/7 storey buildings with basement and podium level parking. The main retail floor is substantially below ground level giving the building generally a 6 storey appearance. The proposal includes a floor of retail space containing 2580m² of specialty shops and a supermarket of 4000m², and further commercial uses comprising a restaurant, play gym, medical consulting rooms and cafes fronting Broadway and The Boulevarde. The remainder of the development consists of 107x2 and 18x3 bedroom residential apartments above ground level. Vandyke Place, an existing laneway at the eastern edge of the site is proposed to be extended through to Broadway. A further laneway is proposed on the southern edge of the site.

A comment on these plans is that the development would need to be reduced in size at the sixth storey level to comply with the proposed height requirements under an amended DCP 54. The DCP will only allow 5 storeys plus the Major Development Site density bonus will allow partial development at the 6th floor level.

It is noted that the concept plans are not a Development Application. The details are to provide a tangible indication of what could possibly be developed on this site if the rezoning eventuates. The endorsement of a rezoning for this site does not imply endorsement of the concept plans. It is also noted that a detailed assessment of the built form and its performance would be conducted should the site be rezoned and a DA lodged.

Traffic and parking

The applicant's traffic and parking study, along with the rezoning proposal and concept plans, has been referred to our Traffic Section and the Roads and Traffic Authority (RTA) Regional Traffic Committee for comment.

The most significant issue in relation to the rezoning is the impact that the increase in business zoned land will have on the surrounding road network and intersections. The applicant has agreed to undertake this assessment work as required for the RTA if the rezoning is agreed in principle by Council.

The consultation raised a number of issues about the concept plans rather than the actual rezoning. These are however, issues that would normally be resolved at the Development Application stage through a modified building design and appropriate conditions.

Economic Impact Assessment

The proposed development will result in a reasonably significant expansion of Punchbowl Town Centre.

Currently the area of General Business 3(a1) zoned land in Punchbowl within the City of Canterbury is 16400m². Punchbowl centre is also within Bankstown LGA on the western side of Punchbowl Road. The Bankstown part of the centre has approximately 44750m² of Business zoned land.

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The proposed land area to be rezoned is 5916m². This equates to a 36% size of that part of the centre that is in the City of Canterbury, and a 9.7% increase in the overall area of the centre.

The applicant has provided an Economic Impact Assessment for this site. This is on basis of the site being developed for retail and other business uses along the lines of the concept plans provided.

The Economic Impact Assessment has reached the following conclusions about the proposal:

- It would serve local residents by providing a food and convenience centre anchored by a major full line supermarket in addition to a complementary provision of retail specialty shops.
- The provision of supermarket floor space throughout the main trade area is significantly lower than the Australian average at 59m² per 1,000 persons compared with 330m² per 1,000 persons.
- It will strengthen the retail ability of the precinct and provide the opportunity for existing retailers to benefit from the customer flows generated. Without the development, the precinct would be expected to be impacted by the development of supermarkets and other retail facilities at nearby centres including Greenacre and Lakemba. The development would allow the precinct to compete with these expanded centres.
- Projected impacts on other retailers throughout the region from the development will not threaten the viability or continued operation of any facilities. The development will result in the retention of spending that is currently escaping to other centres including Centro Roselands and Centro Bankstown.

Overall it is concluded that the proposal will have substantial positive economic impacts that will more than offset the trading impacts that could be anticipated for a small number of the existing retail stores in the region. These impacts will not threaten the viability of any of these retailers or centres.

The proposal has also been referred to our Town Centres/Economic Development section. The issue was raised of the possible impact of this development on the existing centre, but also saw the benefit of providing the strip shopping area with an anchor tenant such as a supermarket that the centre currently lacks. At present, Punchbowl residents would have to leave the area for this level of retailing and that is something we would want to discourage. Overall it was considered that the proposal should be supported.

Proposed zoning

The applicant is seeking the subject land be rezoned to a B4 Mixed Use zone.

This is a new zone created by the Department of Planning as part of its new Standard LEP template. The current Environmental Planning Instrument applying to the subject land, the CPSO, does not contain this zone.

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The Department has indicated that the new Standard LEP zones should not be used in the instance when a draft local environmental plan is making a small amendment to an existing instrument. A zone existing in the CPSO is required if Council is supportive of the applicant's request.

The zone considered to best fit the type of development proposed on the site is General Business 3(a1), which is the zoning of the remainder of Punchbowl town centre. This zoning will allow for mixed use development and the types of uses that have been proposed by the applicant.

Adjoining sites

The properties 10 and 14 Matthews Street are located between the subject land and the existing General Business 3(a1) zone. They are shown on the site map included earlier in this report. These properties are zoned Residential 2(c3) and contain single detached dwelling houses. The total area of this land is 891.6m².

If Council is supportive of the rezoning of the subject land to business purposes, then the future use and zoning of 10 and 14 Matthews Street also needs to be considered. This land will be adjoined on three sides by land with a General Business 3(a1) zone if the subject land is rezoned. The scale of development permitted on the subject land will result in a disparity in future development forms between it and 10-14 Matthews Street.

It is therefore, appropriate to also consider rezoning 10 and 14 Matthews Street to General Business 3(a1). This will provide a consistent zoning to this future street block, and result in more compatibility between likely development forms.

Because of the relatively small size of the land at 10 and 14 Matthew Street, it is not expected the rezoning will impact economically on Punchbowl town centre if rezoned for Business uses.

Preparation of Planning Proposal and Consultation

If Council resolves to initiate the requested rezoning, along with 10 and 14 Matthews Street, the next step in the process is to prepare a planning proposal outlining the nature and reasoning behind the rezoning. This is submitted to the Department of Planning's Gateway Panel for a determination on whether the proposal can proceed or not. If they decide the proposal can proceed, then it can be placed on exhibition for public comment.

The proposed rezoning will result in a reasonably significant expansion of Punchbowl Town Centre. It is considered that because of this, that all business owners and occupiers be notified of the proposal, along with other surrounding properties.

Conclusion

The rezoning of the former Punchbowl RSL Club and adjoining lands is supported in principle. It will create an excellent opportunity to provide retail and housing development on a large and well located site. It meets key State Government objectives to provide housing near centres, and the supply of suitable and adequate land for business activities.

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The applicant will also provide further traffic analysis work to assess these potential impacts of the rezoning as part of the consultation with the RTA.

Accordingly it is recommended that a Planning Proposal be prepared and submitted to the Department of Planning for a Gateway Determination. The rezoning will also require an amendment to DCP 54 – Town Centres.

RECOMMENDATION:

THAT

1. A Planning Proposal be prepared to rezone the former Punchbowl RSL Club and adjoining lands at 172-186 The Boulevarde, 10, 14, 18 and 20 Matthews Street and 1-9 Broadway, Punchbowl to General Business 3(a1), and submitted to the Department of Planning for a Gateway Determination.
2. If the Planning Proposal receives a Gateway Determination to proceed, then Development Control Plan 54 – Town Centres be amended in draft form to include this site with a maximum height of 5 storeys, and be exhibited with the planning proposal for public comment.
3. The results of the public exhibition process be reported to Council.
4. It be noted that the plans lodged to support the rezoning proposal are not endorsed at this stage of the process and that a development application will need to be lodged seeking approval for the built form and its performance, should the land be rezoned.

CITY DEVELOPMENT COMMITTEE

RESOLUTION - 2 DECEMBER 2010

- 6 **REZONING OF FORMER PUNCHBOWL RSL CLUB AND ADJOINING LANDS: 172-186 THE BOULEVARDE, 10, 14, 18, 20 MATTHEWS STREET AND 1-9 BROADWAY, PUNCHBOWL**
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Min. No. 351 RESOLVED (Councillors Saleh/Kebbe)

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10, 14, 18, 20 MATTHEWS STREET AND 1-9 BROADWAY, PUNCHBOWL (CONT.)

FOR	AGAINST
Deputy Mayor, Councillor Kritharas	
Councillor Adler	
Councillor Favorito	
Councillor Hawatt	
Councillor Kebbe	
Councillor Nam	
Councillor Saleh	