

Planning Proposal to rezone land and increase Floor Space Ratio at 135-137 Victoria Road, Punchbowl

Proposal Title :	Planning Proposal to rezone land and increase Floor Space Ratio at 135-137 Victoria Road, Punchbowl		
Proposal Summary :	The planning proposal seeks to rezone the site from R3 Medium Density Residential to R4 High Density Residential, and increase the Floor Space Ratio (FSR) from 0.5:1 to 0.75:1.		
PP Number :	PP_2015_CANTE_005_00	Dop File No :	15/11563

Proposal Details

Date Planning Proposal Received :	24-Jul-2015	LGA covered :	Canterbury
Region :	Metro(CBD)	RPA :	Canterbury City Council
State Electorate :	CANTERBURY	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	135-137 Victoria Road		
Suburb :	Punchbowl	City :	Sydney
		Postcode :	2196
Land Parcel :	Lot 11 and 12 DP1177035		

DoP Planning Officer Contact Details

Contact Name :	Helen Wilkins
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RPA Contact Details

Contact Name :	Richard Hulajko
Contact Number :	0297899368
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DoP Project Manager Contact Details

Contact Name :	Diane Sarkies
Contact Number :	0292286522
Contact Email :	diane.sarkies@planning.nsw.gov.au

Land Release Data

Growth Centre :	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Consistent with Strategy :	

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : In 2013, Council exhibited the Canterbury Residential Development Strategy (RDS). During the exhibition of the RDS, Council received a submission from the landholders of 131-133 Victoria Road, Punchbowl (the adjoining site on the north of the subject site) seeking to rezone that land from R3 Medium Density Residential to R4 High Density Residential and increase the FSR from 0.5:1 to 0.75:1. The RDS subsequently recommended to retain the existing zoning and FSR for 131-133 Victoria Road.

On 2 October 2014, the Council Report recommended the proposed rezoning and increased FSR for 131-133 Victoria Road to proceed and Council resolved accordingly; against the recommendation as considered in the RDS. The Department received the planning proposal on 7 March 2014 and the plan was notified on 5 March 2015.

During exhibition of the RDS Implementation Planning Proposal, an objection was received from the landholders of the subject site, at 135-137 Victoria Road. They sought to receive comparable rezoning for their land as for 131-133 Victoria Road.

On 24 July 2015, the Department received a Planning Proposal for the subject site at 135-137 Victoria Road, seeking to rezone the land from R3 Medium Density Residential to R4 High Density Residential; and increase the FSR from 0.5:1 to 0.75:1. Council stated that the submission had not been included in the RDS Implementation Planning Proposal as it would have required a re-exhibition of the RDS. Council expect to receive a development application for a residential apartment development once the plan has been made.

External Supporting Notes : Council supports the proposal as the amendment would facilitate a higher density residential development on the site and that the rezoning would complete the R4 High Density Residential zone to a logical boundary.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : The stated objective by Council is to facilitate higher density residential development at 135-137 Victoria Road, Punchbowl.

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Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Council has provided explanation of their amendments to Canterbury Local Environmental Plan (CLEP) 2012 which would involve alterations to the Zoning and FSR Maps. No changes to the written instrument are required or proposed. Council's explanation is acceptable.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

4.1 ACID SULFATE SOILS

This direction applies when the site of the planning proposal contains acid sulfate soils as shown on Acid Sulfate Soils Planning Maps. 135 Victoria Road is partially identified as Class 5 Acid Sulfate Soil and in combination with proposed intensification of use on the site, the proposal is therefore subject to this direction.

Department notes that the consideration of this direction is not included in the planning proposal. Considering any future development on the site would be assessed against potential acid sulfate conditions at the development application stage, the inconsistency is considered to be minor and justifiable. Notwithstanding, the Department recommends Direction 4.1 to be considered in the planning proposal prior to exhibition.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Planning Proposal is consistent with all relevant s117 Directions and SEPPs.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The planning proposal includes maps showing the proposed:**
- Existing and proposed Zoning Map.
- Existing and proposed FSR Map.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed a 28 day exhibition period. Given the nature of the planning proposal, this is considered to be appropriate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

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Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Canterbury LEP 2012 was published on 21 December 2012.

Assessment Criteria

Need for planning
proposal :

The planning proposal is the only mechanism for Council to amend the Canterbury LEP 2012 to permit higher density residential development on the subject site.

Consistency with
strategic planning
framework :

A PLAN FOR GROWING SYDNEY

The following directions in A Plan for Growing Sydney are considered relevant to the proposal: Direction 2.1: Accelerate housing supply across Sydney; and Direction 2.3: Improve housing choice to suit different needs and lifestyles. The Department considers the proposal to be consistent with the directions as it facilitates higher density residential apartment development within an established urban area.

CANTERBURY COMMUNITY STRATEGIC PLAN (2013)

Adopted by Council in February 2014, the Strategic Plan outlines the vision for Canterbury LGA into the next decade. The Plan forecasts that Canterbury will need to accommodate a further 12,000 people within the area, which will require an additional 4,000 new dwellings in the form of medium-high density housing. The proposal is consistent with the vision of the Strategic Plan by increasing the density and dwelling capacity of the site.

CANTERBURY RESIDENTIAL DEVELOPMENT STRATEGY (RDS)

In 2013, Council undertook the RDS to investigate how to achieve efficient residential development that met the housing needs of the community. The RDS did not give consideration to the changes sought for 135-137 Victoria Road and the subsequent RDS Implementation planning proposal was progressed without any changes to the planning controls for the subject site.

On 9 July 2015, Council resolved to prepare a planning proposal for the subject site, which is seeking to change the zoning and FSR for the subject site (to R4 High Density Residential and 0.75:1 FSR) to be comparable with the land to the north. This was received by the Department on 24 July 2015.

The Department's view is that the proposal will facilitate additional housing within an established urban area where there is demand for housing. However, the Department considers the proposal to be inconsistent with the recommendations in the RDS, as the subject site was not assessed for rezoning within the scope of the strategy. Should the proposal proceed to Gateway, it is recommended that Council provide justification for this inconsistency and explanation of the strategic merits of the proposal in reference to the RDS.

Environmental social
economic impacts :

ENVIRONMENTAL:

The planning proposal will not result in any impact on critical habitat or threatened

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species, populations or ecological communities or their habitats as the site is located within a fully urbanised area and is currently developed.

The site is not subjected to flooding.

SOCIAL:

The planning proposal facilitates additional housing near a public bus network. The proposal is likely to assist in maximising use of the existing transportation network.

The site is within walking distance to Punchbowl Public School. The RDS indicates that in 2013, Punchbowl Public School had a utilisation demand rate of 117%. Facilitating an increase of residents into the area will likely place a small increase of demand on the existing school. The RDS recommends that any anticipated increase in teaching demand should involve further discussions with the Department of Education and Communities (DEC). The Department notes the high demand rate of the educational facility closest to the subject site. As no development is proposed with the proposal, it is recommended Council consult with DEC during the Development Application stage.

The Department considers the proposal to have generally positive social impacts.

ECONOMIC:

The subject site has good access to retail facilities. A small retail business is located opposite the site on Victoria Road and various retail businesses are located within the B5 Business Development zone on Canterbury Road, which is within walking distance from the site. The B5 Business Development zone is currently underdeveloped. However, the zone has future economic potential to cater for the locality. The potential small increase of residents generated by the proposal will likely have a minor positive economic effect on existing retail businesses.

The Department's view is that, though likely to be minor, the proposal is likely to positively contribute towards economic growth within the local area by facilitating an increase in the residential population.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
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Timeframe to make LEP :	9 months	Delegation :	RPA
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Public Authority Consultation - 56(2)(d) :	Transport for NSW
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Is Public Hearing by the PAC required?	No
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(2)(a) Should the matter proceed ?	Yes
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If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

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If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal 135-137 Victoria Rd July 2015.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

1. Prior to public exhibition the planning proposal is to be amended to include, for exhibition:

- **Further justification for the inconsistency of the proposal with the Canterbury Residential Development Strategy; and**
- **Consideration of proposal against Direction 4.1 Acid Sulfate Soils.**

2. Consultation is required with the following public authorities:
• **Transport for NSW**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. The planning proposal is to be publicly exhibited for 28 days.

4. A public hearing is not required to be held into the matter.

5. The timeframe for completing the Local Environmental Plan is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons : **The planning proposal is supported with conditions because it will intensify the site's capacity to accommodate higher density residential apartment development in an established suburb.**

Signature:



Printed Name:

Diane Sarkies

Date:

14/8/15