

Planning Proposal



15 Close Street, Canterbury

Redevelopment of Canterbury Bowling Club

Submitted to Department of Planning and Environment
On Behalf of Canterbury City Council

June 2014 ■ 13435

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This report has been prepared by:

A handwritten signature in black ink, appearing to read 'Ballango', with a large loop at the end.

Stephanie Ballango

25/06/2014

This report has been reviewed by:

A handwritten signature in blue ink, appearing to read 'James R. Harrison', with a horizontal line at the end.

James Harrison

25/06/2014

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1.0 Introduction

This report has been prepared by JBA on behalf of Canterbury City Council (Council) in relation to the 15 Close Street, Canterbury (the site).

Council has developed a vision and land use strategy that seek to encourage rejuvenation of the Canterbury Town Centre into a lively transit-orientated, mixed-use precinct benefiting from access to Canterbury Railway Station and the Cooks River. The site, which has been identified as surplus to Council's recreational needs, provides an opportunity to build on and help deliver Council's vision to provide a lively transit-orientated centre whilst providing a significant community facility.

On 23 May 2013, Council resolved to prepare a draft master plan which recognises the site's strategic location nearby to the proposed Canterbury Town Centre and Riverfront Precinct.

Specifically, the proposal seeks to formalise a master plan prepared on behalf of Council by Olsson and Associates, which comprises:

- Four residential buildings up to six and eight storeys along the railway corridor, the western boundary and fronting Close Street, with a range of heights between 20m and a maximum of 26m, and capable of accommodating 315 apartments;
- One three storey community facilities building with a maximum height of 11.5m in the south-eastern corner of the site fronting Close Street and adjoining the Sugar Mill residential development;
- Two public squares/communal areas – one centrally located between residential buildings, and one located adjacent to the community facility building;
- An east west, oriented pedestrian through site link;
- Vehicle entry and exit from Close Street for the residential and community facility uses; and
- A maximum 449 car parking spaces comprising 426 residential and visitor spaces and 23 car parking spaces for commercial and community facility uses, which satisfies the rates identified in the Canterbury Development Control Plan 2012 as discussed further at Section 7.4 of this report.

The site is subject to the *Canterbury Local Environmental Plan 2012* (Canterbury LEP). Under the Canterbury LEP, the site is zoned as RE1 Public Recreation and is classified as Community land under the Local Government Act, 1993. The underlying zoning and current classification collectively prohibit the redevelopment of the site as envisaged by the draft Master Plan. In addition, the site is currently vested in Canterbury City Council by the Minister for Planning and Infrastructure and is required to be held in trust for the purposes of a park, public reserve or public recreation area.

In order for the site to be redeveloped as envisaged by the draft Master Plan, the site is required to be rezoned for residential and/or community uses and reclassified from Community to Operational land. This planning proposal proposes to do this by:

- rezoning the site from RE1 Public Recreation to R4 High Density Residential;
- permitting a range of maximum heights across the site including 11.5m in the south east corner of the site, 20m and 21m in the central and north eastern portions of the site, and a maximum 26m along the western edge of the site;

- permitting a maximum FSR of 2.4:1 across the site; and
- introducing site specific provisions to:
 - permit ‘restaurant or café’ as an additional permitted use with development consent on the site; and
 - require a minimum 1,250m² of GFA to be provided for the purposes of a ‘community facility’ on the site.

The *Local Government Act, 1993* requires that all Council-owned land be classified as either “Community” or “Operational” land. Community land is generally accessible to the public, such as parks, bushland, playgrounds and so forth. Operational land is generally used for operational purposes, such as depots, or land leased/used to make a commercial return for Council. Operational land can be sold by Council or leased on a commercial basis. A Planning Proposal is required in order to reclassify the site from Community to Operational land.

In rezoning and reclassifying the site, Council will be released from the terms of the trust.

This planning proposal describes the site, the proposed changes to the Canterbury LEP and provides an environmental assessment. The report should be read in conjunction with the urban design study/indicative concept plans prepared by Olsson and Associates at **Appendix A** and specialist consultant reports appended to this proposal (refer Table of Contents). The report is written in accordance with the (former) Department of Planning and Infrastructure’s publications *A guide to Preparing a Planning Proposal* (October 2012); *A guide to preparing local environmental plans* (April 2013); and *PN 09-003 Classification and reclassification of public land through an environmental local plan LEP Practice Note* (12 June 2009).

2.0 Background

In November 1956, the former Cumberland County Council gifted land now described as Lot 1 and Lot 2 in DP 818683 to Council. The conveyance of the land imposed a trust on Council that the land be held by the Council for the purpose of a public park, public reserve, or public recreation area and the terms of the trust included a restriction that Council not use or permit the land to be used for any purpose other than a public park, public reserve or public recreation area. A copy of the Conveyance Register No. 136 Book 2393 with relevant provisions regarding the creation of the Trust highlighted is provided at **Appendix B**.

Lot 1 (the site) has been used as a bowling club with associated facilities since the 1960's and was leased to the Canterbury Bowling and Sydney Petanque Club. In 2010, it became apparent to Council that the lessee required financial assistance to continue trade. Following consideration of various options, Council resolved in April 2010 to investigate the possibility of reclassifying and rezoning the site for residential purposes by way of a master planning process.

In March 2013, Council recognised the site's strategic location nearby to the proposed Canterbury Town Centre and Riverfront Precinct, and suggested that medium density residential uses, and community uses should be considered to endow the site with a commercial value. Council resolved on 23 May 2013 to prepare a master plan for the site to determine the highest and best use for the site. A copy of Council's resolution determining that a master plan should be prepared is attached at **Appendix C**.

Council engaged JBA, Olsson and Associates and a broader consultant team in March 2014 to fine-tune redevelopment options for the site. Over the last few months, we have tested various design scenarios with the aim of satisfying not only Council's commercial objectives, but also Council's strategic planning objectives, particularly in relation to:

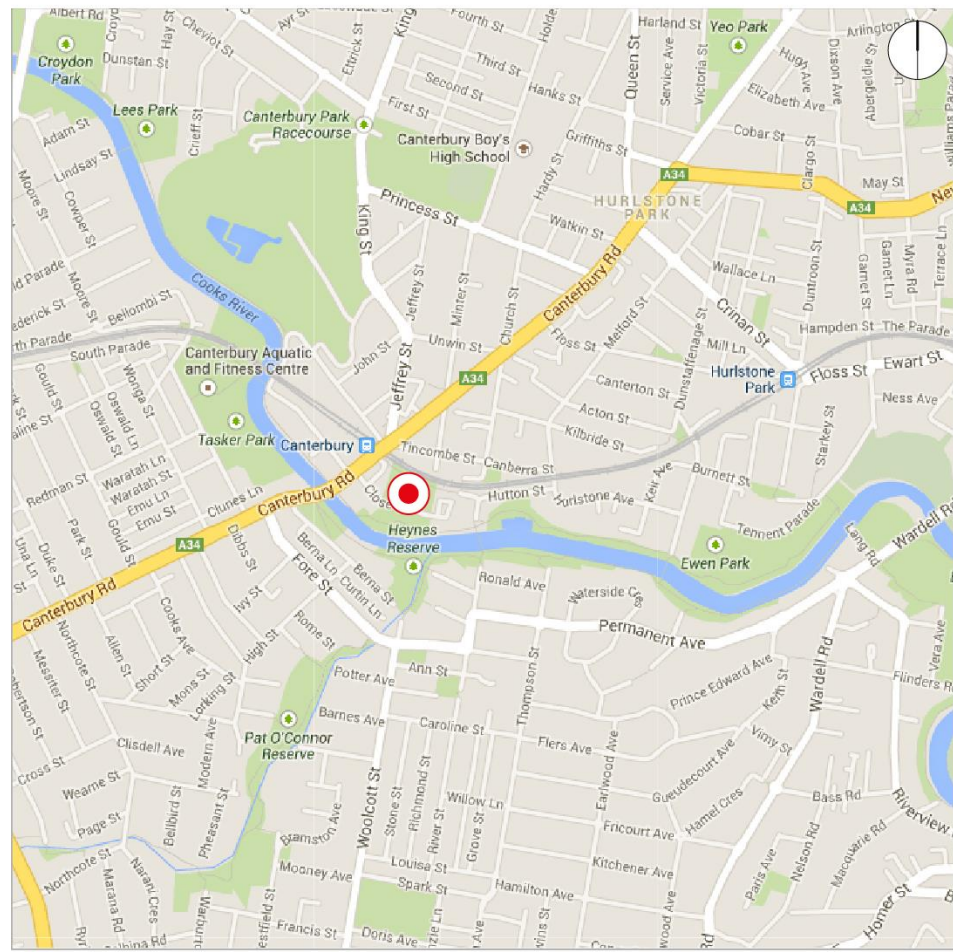
- Implementation of the Canterbury Residential Development Strategy;
- Delivering a new multi-purpose community centre, capable of meeting present and future population needs, an aspiration of Council since its adoption of Council's Community Facility Plan.
- Realising the vision and land use strategy that seek to encourage rejuvenation of the Canterbury Town Centre into a lively, transit-orientated mixed use precinct benefiting from access to Canterbury Railway Station and the Cooks River.
- Providing improved opportunities to better connect the open space networks along the Cooks River and provide better access to open space areas.
- The site's ability to contribute to Council's target housing requirements as established by the Draft Metropolitan Strategy for Sydney 2031.
- Satisfying State and subregional metropolitan strategy objectives which encourage developments capable of achieving integrated land use and transport, noting the site's proximity to the Canterbury Train Station and Canterbury Road – a major arterial road.

The refined master plan and this planning proposal therefore collectively represent a key opportunity for Council to consider the site in a broader, holistic manner.

3.0 The Site

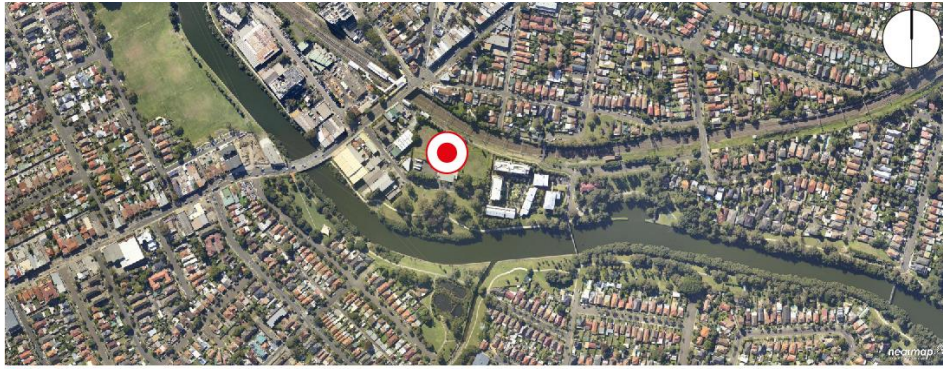
3.1 Site Location

The site is located in the suburb of Canterbury, within the Canterbury Local Government Area (LGA), approximately 11 kilometres south west of the Sydney CBD and 20 kilometres south east of the Parramatta CBD (see **Figure 1**). The suburb of Canterbury has a population of approximately 6,100 with approximately 30% of the population born overseas (ABS Census 2011). The suburb is predominantly residential in nature, characterised by low density, detached houses, with a town centre focused around Canterbury Railway Station. The Canterbury Town Centre provides a range of commercial, and retail uses as well as providing connections to the foreshore of the Cooks River.



● The Site

Figure 1 – Site context



● The Site

Figure 2 – Site plan

3.2 Site Description

The site is located at 15 Close Street, Canterbury, directly to the east of the Canterbury Town Centre (see **Figure 2**). The regular shaped site is 10,780m² in area, with a frontage of 130 metres to Close Street. The site is legally described as Lot 1 in Deposited Plan 818683.

The northern boundary of the site adjoins the Bankstown Railway Line, which isolates the site from the low density residential development to the north. To the east of the site, is the recent residential redevelopment of the heritage listed Canterbury Sugar Mill site. Opposite the site, to the south is the riverfront parkland area fronting the Cooks River.

An aerial view of the site is provided in **Figure 3** and photographs of the site are provided in **Figures 4 to 6**.



■ The Site

Figure 3 – Aerial view of the site



Figure 4 – Ex-Canterbury Bowling Club main building



Figure 5 – Views across disused bowling greens with Club building (left centreground)



Figure 6 – The site's northern boundary

3.3 Existing Development

The site was previously used for the purpose of a bowling club operated by Canterbury Bowling & Community Club. The Club has vacated the site. The site is currently occupied by the Canterbury Theatre Guild under a short term license.

The physical improvements include the ex-club house, three ex-bowling greens and an at grade car park, although all are in a deteriorated state of repair. The clubhouse, which is used by the Theatre Guild, consists of a part-one part-two storey brick development on the Close Street side of the site. The existing at-grade car park covers a substantial portion of the southern part of the site. Three bowling greens, constructed at the north side of the site, are raised approximately 5 metres to account for the natural slope of the site from the railway cutting to Close Street.

The site contains significant stands of mature vegetation with large street trees on Close Street and at the north west corner of the site near the rail corridor.

The existing development is presented in **Figures 7 to 9**.



Figure 7 – Side view of ex-Club building and at-grade car park



Figure 8 – The at-grade car park



Figure 9 – View of disused bowling greens looking south

3.4 Topography

The site is situated on a north to south slope varying in gradient up to 1:12.5 and broadly set on two terraces. A steep vegetated bank on the eastern side of the site provides a transition to the bowling green fronting Close Street. An open stormwater flow path runs north-south on the eastern boundary.

3.5 Vegetation

Tree Wise Men Pty Ltd has surveyed the site to identify existing vegetation on site (**Appendix D**). Most trees are located along the site's boundaries and predominantly exist of Brush Boxes (*Lophostemon confertus*) and weeping bottle brush (*Callistemon viminalis*). A full schedule of species is provided within the Arborist Report.

3.6 Site Access

3.6.1 Vehicular Access

Vehicular access to the site is provided via Close Street. Close Street is a cul-de-sac servicing the site, the Cooks River foreshore reserve, the adjoining Sugar Mill residential development and various commercial and warehousing buildings on the fringe of the Canterbury Town Centre. Limited on-street parking is provided along the length of Close Street.

The intersection of Close Street and Canterbury Road (and Charles Street) does not permit right hand turn movements exiting Close Street.

All intersections are currently performing at satisfactory levels, although the Canterbury Road/Jeffrey Street/Broughton Street/Tincombe Street intersection has been identified as requiring upgrade and signalisation works in the near future – refer to Traffic Report at **Appendix I** for further details.

3.6.2 Pedestrian and Cycle Access

The primary pedestrian access to the site is via Close Street, connecting to Canterbury Road and the Canterbury Town Centre. The site also has an access

way to the rear, for pedestrians and cycles, running parallel to the Bankstown Railway Line. However this access way is not commonly utilised as it does not provide a direct connection to Canterbury Station or to the east, and does not enjoy casual surveillance from surrounding development.

The Cooks River reserve opposite the site, on the southern side of Close Street, provides a connection point to the Cooks River Cycleway. This cycleway, running along the river bank, provides a designated path from Homebush Bay Lookout to Botany Bay and the mouth of the Cooks River (approximately 25km).

3.6.3 Public Transport

The site is located 260 metres from Canterbury Railway Station on the Bankstown Railway Line. The railway line provides connection to the Sydney CBD and Liverpool, with connections to Parramatta via Lidcombe. The site is also within 200 metres of bus stops along Canterbury Road.

3.6.4 Infrastructure and Services

A Services Report prepared by Diversi Consulting indicates that the site is presently fully serviced by water, electricity, sewer, gas, and telecommunications, however any redevelopment of the site would most likely necessitate upgrades to existing capacity (refer to **Appendix E**).

The site is not encumbered by any major authority services across the site itself, other than Ausgrid cables that run along the southern boundary. Three separate Ausgrid mains supply lines run parallel to the property's boundary however redevelopment of the site would not be restricted by their presence.

3.7 Surrounding Development

The surrounding locality comprises a mix of residential, commercial and retail uses and open space. A wide range of uses, building types and architectural styles are present.

As outlined in Section 3.2, the Bankstown Railway Line is located to the immediate north of the site. Further north, on the opposite side of the railway line, are low-scale, detached residential dwellings, which are generally one- to two-storeys in height. Two storey commercial/retail buildings fronting Canterbury Road are located further to the north-west of the site.

To the immediate east of the site is the Sugar Mill residential development, a relatively recently-constructed, part three-, part five-storey residential development. This development is accessed via a security gate at the juncture of Close Street.

To the south of the site is the Riverside Reserve which is part of the Cooks River foreshore open space system that follows the course of the Cooks River. The Reserve contains shared pathways and the Cooks River cycleway; a continuous route that links Homebush Bay to Botany Bay. Further to the south of the Cooks River, are detached one- and two-storey residential dwellings.

The site's western boundary adjoins the fringe of the Canterbury Town Centre. A range of low scale commercial, retail and light industrial uses are located in the area between the site and Canterbury Road, as well as a four storey residential flat building which fronts Canterbury Road.

Overall, the Canterbury Town Centre is currently transitioning from low-scale, underutilised built form to higher density mixed-use development. This transition is in line with Council and the State Government's vision for Canterbury, which

encourages Councils to implement opportunities to increase densities within centres that have potential for redevelopment.

Photographs of surrounding development are provided in **Figures 10 to 12**.



Figure 10 – View of the Sugar Mill development to the east of the site



Figure 11 – The Sugar Mill development at the site's eastern boundary



Figure 12 – Typical residential development across the Cooks River from the site, and the Foreshore Reserve

4.0 Proposal

This section of the report describes the proposed master plan for the site which is to be facilitated by this planning proposal. Further detail is provided in the Urban Design Study prepared by Olsson and Associates and included at **Appendix A**.

4.1 Urban Design Principles

The proposed development seeks to:

- provide pedestrian links from Canterbury Railway Station, adjacent to the railway line and through the site, to the Riverside Reserve and Cooks River foreshore;
- provide a multipurpose community facility building to meet the needs of the community as identified by the Council;
- locate a public square adjacent to the community facility building which incorporates some of the largest existing trees on the site into a well landscaped square with multiple pedestrian through site links;
- create a communal courtyard with multiple openings between buildings and promote active street frontages, where possible;
- retain most of the existing trees on site to ensure future development in a well-landscaped setting;
- create a substantial building setback from Close Street that is appropriate to its location opposite the Riverside Reserve;
- provide a transitional building height from the 6 to 8 storeys in Canterbury Town Centre to the 3 to 5 storeys in the residential buildings to the east of the site;
- provide a design that complies with State Environmental Planning Policy – Residential Design Quality (SEPP 65) and the Residential Flat Design Code Rules of Thumb, particularly in relation to: solar access and natural cross ventilation to apartments; building depths; building separations; and the like;
- respect the heritage significance of the Sugar Mill residential development to the east by proposing lesser height controls that are consistent with those that currently apply to the Sugar Mill residential development;
- minimise shadowing to the Riverside Reserve to the south;
- minimise vehicle conflicts; and
- accommodate acoustic and vibration impacts from the Bankstown Railway Line to the north.

4.2 Proposed Development

To facilitate the above design principles, the preliminary scheme, reproduced in **Figure 13**, envisages:

- Four residential buildings up to six and eight storeys along the railway side, the western boundary and fronting Close Street, capable of accommodating 315 apartments;
- One three-storey community facilities building in the south-eastern corner of the site fronting Close Street and proximate to the Sugar Mill residential development;

- Two public squares/communal areas – one centrally located between residential buildings, and one located adjacent to the community facility building;
- An east-west oriented through site link;
- Vehicle entry and exit from Close Street; and
- A maximum 449 car parking spaces comprising 426 residential and visitor spaces and 23 car parking spaces for commercial and community facility uses.

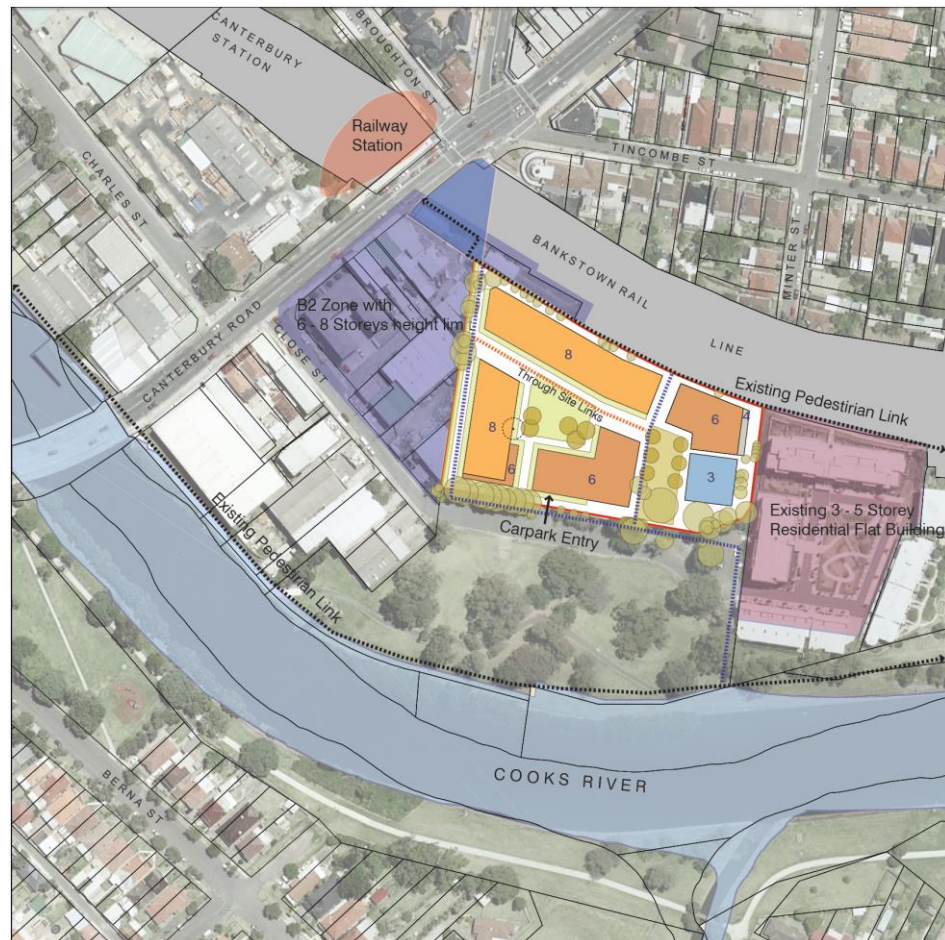


Figure 13 – Master Plan layout

Source: Olsson and Associates

Height and Floor Space Ratio

The residential buildings are anticipated to have a height of up to approximately 8 storeys or 26 metres and the community facility will have a height of 11.5 metres (3 storeys). The six storey height components will have a maximum height of 20m in the north eastern corner of the site, and a maximum height of 21m in the central southern portion of the site, on the Close Street frontage.

The indicative scheme is anticipated to have a GFA of 25,646m² – equal to a whole-of-site FSR of 2.38:1. This comprises:

- GFA of 24,240m² for the residential component;
- GFA of 1,256m² for the community facilities component; and
- GFA of 150m² commercial uses to house a small café or restaurant to further activate the square and communal area, if market conditions are favourable.

The proposed amendments required to be made to the Canterbury LEP 2012 to achieve the above outcomes are discussed in Section 5.

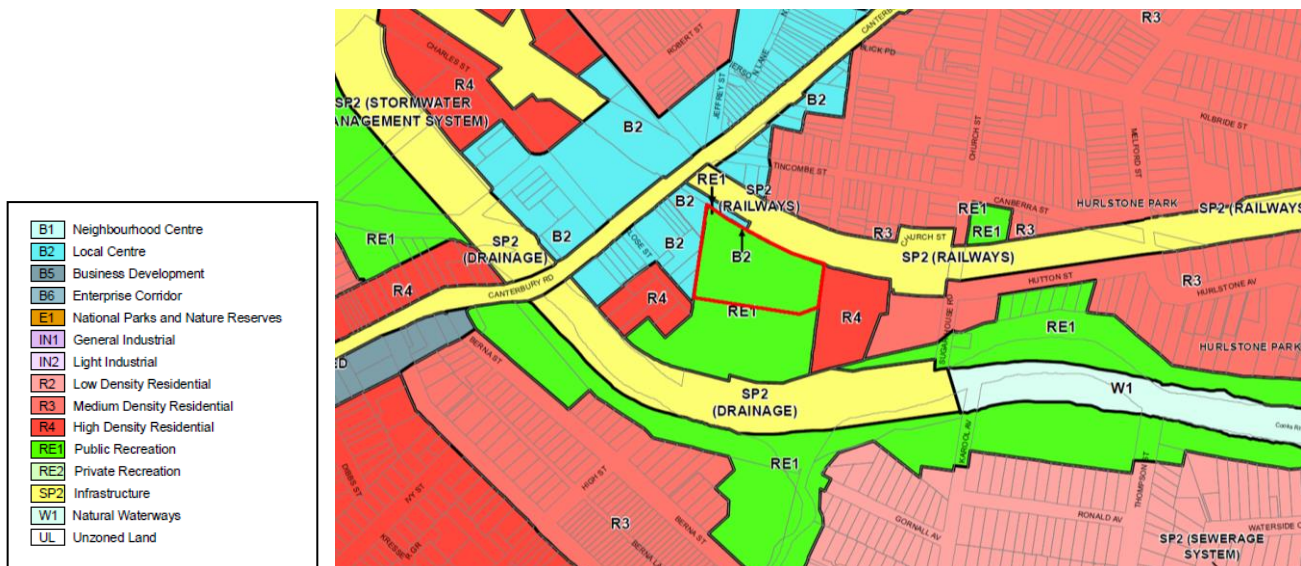
5.0 Existing Planning Controls and Proposed Amendments to Canterbury LEP 2012

The Canterbury Local Environmental Plan 2012 (Canterbury LEP) sets out the local planning controls across the Canterbury LGA. This planning proposal seeks to amend the Canterbury LEP to facilitate the proposed mixed use development outlined above. The existing and proposed LEP controls, as well as the recommended amendments are outlined below.

5.1 Land Use Zoning

5.1.1 Existing Land Use Zoning

The site is zoned RE1 Public Recreation under the Canterbury LEP (refer to **Figure 14**). The Canterbury Town Centre fringe adjoining the site is zoned B2 Local Centre, and neighbouring residential land is zoned R4 High Density Residential. The permitted land uses for each zone are presented in **Table 1**. The zones of the Canterbury Town Centre provide for a variety of uses.



The Site

Figure 14 – Extract of Canterbury Zoning Map

Source: Canterbury Local Environmental Plan 2012 Sheet LZN_006 and Sheet LZN_007

Table 1 – Permissible Land Uses

Land Use Zone	Permissible Land Uses
RE1 Public Recreation	Boat launching ramps; Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Environmental facilities; Flood mitigation works; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Sewerage systems; Water recreation structures; Water supply systems
B2 Local Centre	Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not listed as prohibited.
R4 High Density Residential	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Hostels; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Serviced apartments; Shop top housing; Shops
SP2 Infrastructure	The purpose shown on the Land Zoning Map (being Railways and Drainage), including any development that is ordinarily incidental or ancillary to development for that purpose

5.1.2 Proposed Land Use Zoning

The site is proposed to be rezoned from RE1 Public Recreation to R4 High Density Residential, as illustrated in **Figure 15** and **Appendix F**.

The objectives of the R4 High Density Residential are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The range of permissible and prohibited uses within the R4 High Density Residential zone are summarised in **Table 2**, with uses envisaged by the master plan **bolded** and *italicised*.



Figure 15 – Proposed Zoning Map

Table 2 – Proposed permissible and prohibited uses in the R4 High Density Zone

Permitted without consent	Permitted with consent	Prohibited
Home occupations	Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Child care centres; Community facilities ; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Hostels; Multi dwelling housing; Neighbourhood shops ; Office premises; Places of public worship; Recreation areas; Residential flat buildings ; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Serviced apartments; Shop top housing ; Shops	Any development not specified in item 2 or 3

5.2 Building Height

5.2.1 Existing Building Height Control

The Canterbury LEP does not prescribe a maximum building height for the site.

Maximum building heights on surrounding land range from 27 metres on land within the Town Centre to 21 metres to the south west of the site and 11.5 metres on the adjoining Sugar Mill residential development. An excerpt from the existing Height of Buildings map is presented in Figure 16.



 The Site

Figure 16 – Extract of Canterbury Height of Buildings Map

Source: Canterbury Local Environmental Plan 2012 Sheet HOB_006 and Sheet HOB_007

5.2.2 Proposed Building Height Control

To facilitate the above development, it is proposed to amend the Canterbury LEP to permit maximum building heights ranging from 11.5m for the community centre site, and 20-26m for future residential development on the site.

The proposed range of heights have been calculated to ensure lift overruns and plant can be provided, as well as recognise the potential for a 'restaurant or café', which typically requires a more generous floor to ceiling height, to be provided on the ground level of one of the residential buildings. The assumptions used to calculate the proposed building heights are summarised in **Table 3**:

Table 3 – Assumptions used to calculate proposed building heights (Source: JBA and Olsson and Associates)

Proposed Height Control (m)	Floor to Ceiling Clearances	Proposed Storeys	Plant/Lift Overruns (m)
11.5m	3.5m ground floor level (potential performing arts space)	1	2
	3m for each upper levels	2	2
20m	3m for each residential level	6	2
21m	4m for ground floor (restaurant or café use)	1	2
	3m for each residential level	5	2
26m	3m for each residential level	8	2

The proposed building height map is provided at **Appendix F** and reproduced in **Figure 17**.



Figure 17 – Proposed Height of Buildings Map

5.3 Floor Space Ratio

5.3.1 Existing Floor Space Ratio Control

The CLEP does not prescribe a maximum floor space ratio (FSR) for the site. The maximum FSR on surrounding land ranges from 3:1 on land within the Town Centre to 2.75:1 to the south west of the site, and 0.9:1 on the adjoining Sugar Mill residential development. An extract of the existing LEP FSR map is provided in Figure 18.

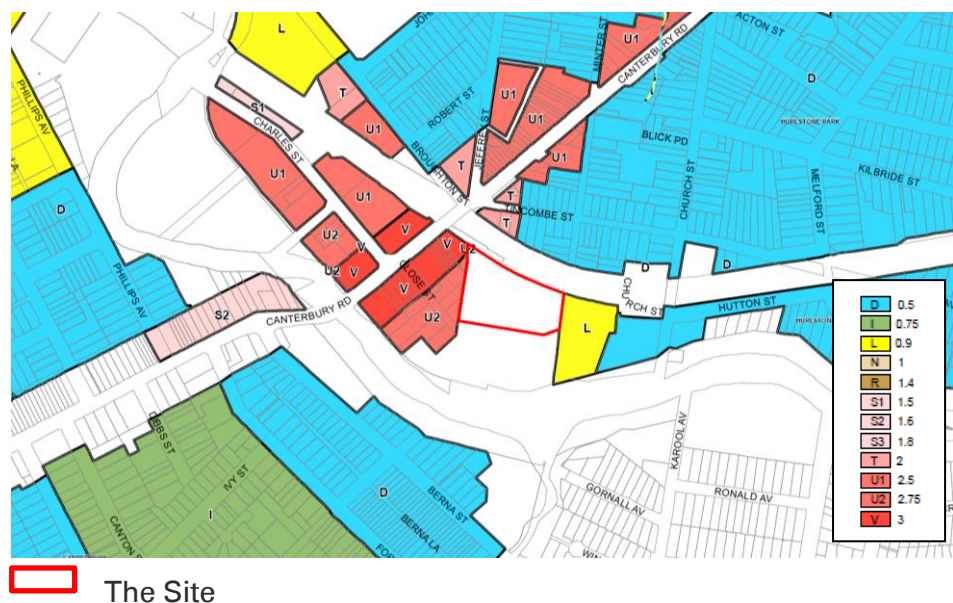


Figure 18 – Extract of Canterbury Floor Space Ratio Map

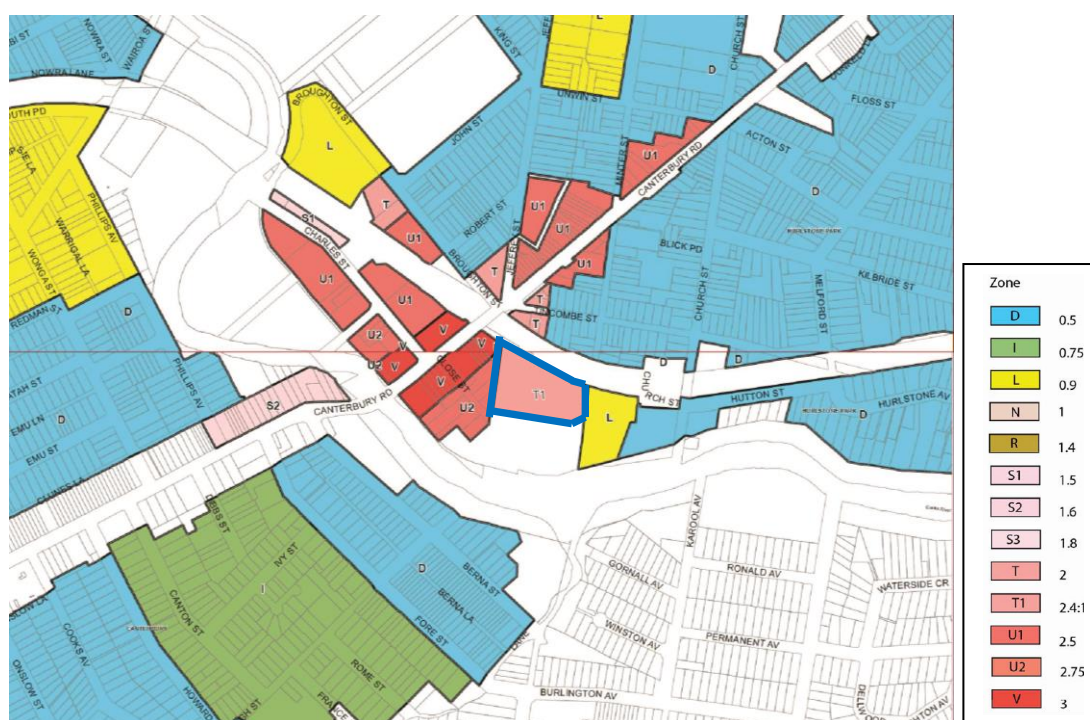
Source: Canterbury Local Environmental Plan 2012 Sheet FSR_006 and Sheet FSR_007

5.3.2 Proposed Floor Space Ratio Control

It is proposed to amend the Canterbury LEP to permit a maximum FSR of 2.4:1 across the site. The proposed FSR map is provided at **Appendix F** and reproduced in **Figure 19**. **Table 4** provides a numerical summary of the proposed GFA and FSR of the master plan. The master plan uses the site effectively and acknowledges the site's context, adjacent to the Town Centre. As shown in **Appendix F**, the surrounding sites to the east and west typically have FSRs of 2.5-2.75:1 to the west and 0.9:1 to the east. The 2.4:1 FSR sought on the site is therefore commensurate with that of surrounding sites, and accordingly the future development on the site would be consistent with similar surrounding uses.

Table 4 – Numerical summary of proposed GFA

Level	Commercial Uses (m ²)	Community Uses (m ²)	Residential Uses (m ²)
1	149.4	418.5	3,307.5
2	0	418.5	3,432.0
3	0	418.5	3,432.0
4	0	0	3,432.0
5	0	0	3,384.8
6	0	0	3,384.8
7	0	0	1,933.5
8	0	0	1,933.5
Subtotal (m²)	149.4	1,255.5	24,240
TOTAL GFA (m²)			25,646
SITE AREA (m²)			10,780
FSR			2.38:1



 The Site

Figure 19 – Proposed Floor Space Ratio Map

5.4 Heritage

The site is not identified as a local or State heritage item, nor is it located within a mapped heritage conservation area.

The heritage-listed former Canterbury Sugar Mill adjoins the site to the east and has been redeveloped to incorporate residential development sensitive to the heritage significance of the building.

5.5 Additional Permitted Uses and Site Specific Provisions

Clause 6.5 of the CLEP 2012 currently provides:

6.5 Development for certain commercial premises in residential zones

(1) The objective of this clause is to provide for the adaptive reuse of existing buildings and sites for business premises, office premises, restaurants or cafes and shops in certain residential zones.

(2) This clause applies to land in the following zones:

- (a) Zone R2 Low Density Residential,*
- (b) Zone R3 Medium Density Residential,*
- (c) Zone R4 High Density Residential.*

(3) Development consent must not be granted to development for the purposes of business premises, office premises, restaurants or cafes, or shops on land to which this clause applies unless:

- (a) the development is in, or will replace, a building that was, at the time of its erection, designed, constructed and used for the purpose of a shop (with or without a dwelling), and*
- (b) the gross floor area of the development will not exceed 100 square metres, and*
- (c) the consent authority has considered the following:*
 - (i) whether the development will adversely affect the amenity of the surrounding locality,*
 - (ii) the suitability of the building or land for adaptive reuse,*
 - (iii) the degree of any modification of the footprint or façade of the building.*

The clause has the effect of only permitting the range of nominated uses (*business premises, office premises, restaurants or cafes, or shops*) in instances where they are proposed to be carried out in existing buildings. The clause does not permit new development from seeking consent for business premises, office premises, restaurants or cafes, or shops in the R4 High Density Residential Zone. Accordingly, it is proposed to insert new provisions into Schedule 1 of the CLEP 2012 to permit development for the purposes of a '*restaurant or café*' irrespective of any other restriction in the CLEP 2012. No GFA cap is proposed to apply to restaurants or cafes uses on the site.

In addition, to ensure a community facility is provided on the site, it is proposed to draft site provisions requiring a minimum 1,250m² of GFA to be provided as a community facility. Whilst the master plan identifies 1,255m² for community facility uses, this proposed GFA has been rounded down for the purposes of the proposed LEP amendment. Proposed Amendments to Canterbury LEP 2012 In order to effect the changes outlined above, the following amendments are recommended to Canterbury LEP 2012:

- amend Canterbury LEP 2012 Land Zoning Map Sheets LZN_006 and LZN_007 from RE1 Public Recreation to R4 High Density Residential;
- amend Canterbury LEP 2012 Height of Buildings Map Sheets HOB_006 and HOB_007 from having no maximum building height to a maximum height of 26m;
- amend Canterbury LEP 2012 Floor Space Ratio Map Sheets FSR_006 and FSR_007 from having no maximum FSR to a maximum FSR of 2.4:1
- insert a new clause into Schedule 1 of the CLEP 2012 with the following suggested wording:

Use of certain land at 15 Close Street, Canterbury

(1) This clause applies to the land identified as 15 Close Street, Canterbury on Lot 1 in DP 818683.

(2) Despite for the purposes of restaurant or cafe is permitted with development consent, but only as part of a mixed use development.

(3) Despite any other provision in this plan, a minimum 1,250m² of community uses must be provided on the site.

No changes are proposed the Council existing LEP heritage maps.

6.0 Strategic and Statutory Planning Framework

This chapter outlines the strategic and statutory planning framework within which the development outcomes for the land have been considered.

6.1 Strategic Planning Policies

6.1.1 White Paper: A New Planning System for NSW and Planning Bill 2013

The NSW Government recently introduced the Planning Bill 2013 to NSW Parliament. The Bill sought to broadly set out the new planning system for NSW and introduce a range of new provisions in relation to strategic planning, development assessment and community consultation.

The intention of the new planning system is to provide more upfront strategic planning to provide more certainty on how certain areas will be developed, and to accommodate community participation in the strategic planning process.

This planning proposal is made under the current NSW planning system under the *Environmental Planning and Assessment Act 1979* (EP&A Act). However, it embodies some of the new principles outlined in the White Paper. The intention of this planning proposal is to set out the planning framework and spatial arrangements for the development of the site. A detailed DA will be submitted in the future which will conform to the proposed controls set out in this planning proposal. Public exhibition of both the planning proposal and future DA documents will be undertaken and community feedback will be encouraged.

6.1.2 Metropolitan Plan for Sydney 2036

The *Metropolitan Plan for Sydney 2036* is the current strategic plan for the Sydney metropolitan area, and has been the guiding document for development and growth since its publication in 2010.

The Metropolitan Plan for Sydney 2036 notes that Sydney is likely to face a number of challenges over the coming years, including:

- population growth and change;
- a greater need for affordable housing;
- the need for jobs situated closer to homes;
- more efficient transport options;
- the need for better infrastructure delivery;
- the need for a more sustainable Sydney; and
- the need for maintaining global competitiveness.

To address these challenges, the Metropolitan Plan for Sydney 2036 proposes a range of policy initiatives and strategic directions. The initiatives relevant to this planning proposal are as follows:

- Locating the majority of new homes around existing transportation hubs and urban centres.
- Increasing urban renewal in identified centres.

- Planning for 770,000 new homes across Sydney with a range of housing types.
- Planning for 760,000 new jobs in Sydney.
- Protecting Sydney's natural environment and increasing consideration of environmental targets in land use decisions.

This planning proposal is consistent with the *Metropolitan Plan for Sydney 2036*, in that it will:

- enable more residential floor space in close proximity to existing transport infrastructure, community facilities and jobs;
- provide new community facilities and supporting commercial/retail premises on the site, resulting in the creation of new jobs and positive economic flow-on effects for the local community; and
- revitalise an underdeveloped site by enabling a built form outcome that respects the surrounding area, is consistent with the locality's transitional status, and will be capable of providing high residential amenity.

6.1.3 Draft Metropolitan Strategy for Sydney to 2031

The *Draft Metropolitan Strategy for Sydney to 2031* (Draft Metropolitan Strategy) was exhibited until 31 May 2013. Once adopted by the NSW Government, the Strategy will guide and shape development across the Sydney metropolitan area over the next 20 years. The vision for the Draft Metropolitan Strategy for Sydney to 2031 is presented in **Figure 20** below.

The site was most recently used for low-scale private recreational purposes. The proposed amendments will allow a mix of residential, and community facility uses on an underutilised site. With the activation and economic flow-on effects afforded by increases in density and upgrades, future development on the site will increase the quality and utility of the services and activities available on the site.

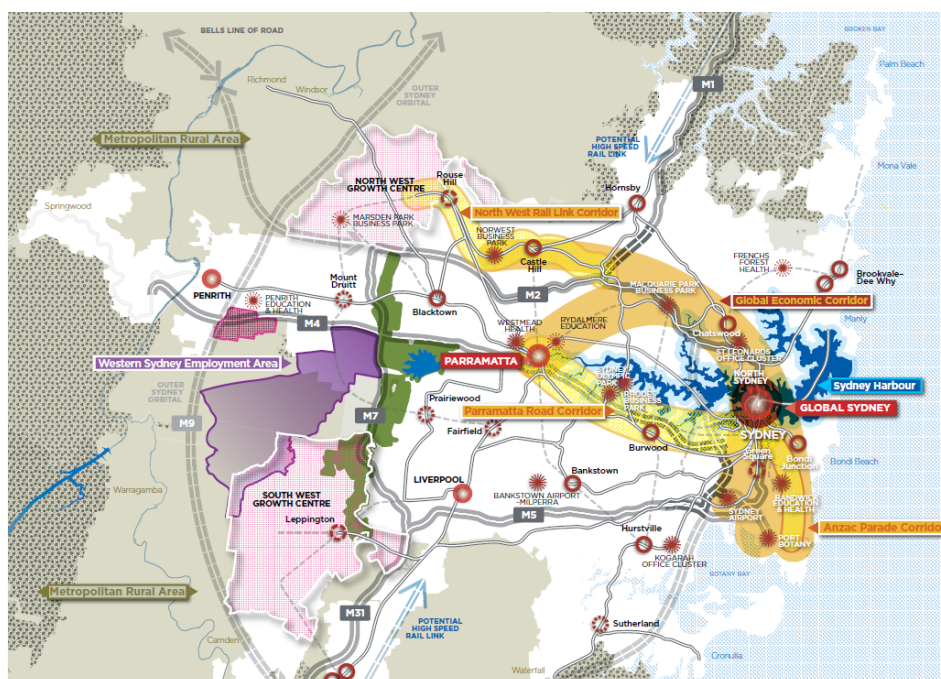


Figure 20 – Draft Metropolitan Strategy for Sydney to 2031

Source: Department of Planning and Environment

This strategy aims to set the framework for Sydney's growth and prosperity to 2031 and beyond through achieving five key outcomes for Sydney:

- Balanced growth;
- A liveable city;
- Productivity and prosperity;
- Healthy and resilient environment; and
- Accessibility and connectivity.

Each of the five key outcomes listed above are supported by the redevelopment of the site as set out below.

Balanced Growth

Under the banner of Balanced Growth, the Draft Metropolitan Strategy seeks to:

- make new areas available for housing and jobs;
- focus urban renewal in areas that are close to transport hubs and corridors;
- use Sydney's land effectively and efficiently in both infill and greenfield areas;
- strengthen and grow Sydney's many local, town and city centres;
- make Sydney easy to travel around; and
- deliver nine 'city shapers' to fulfil the potential of large areas of Sydney.

The proposed new mixed-use development on the site, which is facilitated by this planning proposal, will result in:

- provision of housing and community-based jobs that cater to a growing Canterbury Town Centre;
- economic flow-on benefits through the activation of an underdeveloped site in proximity to the Canterbury Town Centre;
- job creation throughout the construction phase; and
- promotion of an integrated land use and transport proposal.

A Liveable City

According to the Draft Strategy, the Sydney metropolitan region requires at least 273,000 additional homes by 2021 and 545,000 by 2031. The Draft Metropolitan Strategy for Sydney to 2031 identifies the need to provide new housing in areas close to existing and proposed infrastructure. The strategy also highlights the need for urban renewal and good design, creation of socially-inclusive places, and delivery of accessible and adaptable recreation and open spaces.

The site is located in close proximity to existing infrastructure, including a range of bus and train services. The site is also located on the fringe of the Canterbury Town Centre. The proposed site configuration is consistent with the objectives of 'A Liveable City', in that it will:

- complement adjoining built form and open spaces through massing that respects solar access;
- renew an underutilised site close to public transport connections with an appropriate mixed-use development; and
- ensure that the proposed land uses are designed in an integrated fashion, with a view to holistically redeveloping the site.

Productivity and Prosperity

The Draft Metropolitan Strategy identifies that the South subregion needs to provide up to 24,000 new jobs by 2021 and 43,000 new jobs by 2031. As discussed above, the proposed mixed-use development facilitated by this planning proposal will support economic and employment growth in Canterbury, as well as providing additional housing for workers.

The planning proposal also contributes to the delivery of infrastructure-related objectives which promote social infrastructure such as cultural and civic facilities.

Healthy and Resilient Environment

The Draft Metropolitan Strategy sets out objectives to minimise the impact of urban development of the Sydney region on the natural environment. Urbanisation within the region has impacted on air quality, waterways and biodiversity and has increased the risk of flooding, bush fire or landslip in some areas. The strategy highlights the need for water-sensitive urban design to minimise the impacts of run-off from built areas into natural watercourses and increased efficiency in water usage.

The proposed mixed-use development is not located in proximity to a waterway to the extent that redevelopment poses a risk, or land of high biodiversity, and accordingly will not adversely affect the natural environment. The quality of stormwater discharge from the site can be managed in the design of the development and through appropriate conditions of consent to ensure no adverse impact of water quality in the Cooks River.

Accessibility and Connectivity

The Draft Metropolitan Strategy highlights the need for increased connectivity between major centres within the region. In order to enhance accessibility to transport, the strategy draws on the initiatives of the Long Term Transport Masterplan and aims to facilitate transport and urban renewal along existing and proposed transport corridors. The site's close proximity to existing transport networks supports this outcome.

Subregional Delivery

The Draft Metropolitan Strategy for Sydney to 2031 defines six subregions dividing the Sydney metropolitan region, being: Central, West Central & North West, North, West, South West and South. A Subregional Delivery Plan will be formulated for each subregional to translate the objectives of the Draft Metropolitan Strategy into actions for each region. Canterbury falls within the South subregion with the following growth targets for the South region:

- A population increase of 76,000 people to 2031;
- The provision of 42,000 new residential dwellings by 2031; and
- The provision of 43,000 new jobs by 2031.

The proposed development will contribute to these growth targets through the provision of jobs and quality residential development in close proximity to existing infrastructure and services.

6.1.4 South Draft Subregional Strategy

The metropolitan area is too large and complex to effectively resolve all the planning challenges down to a detailed local level. The Metropolitan Strategy for Sydney 2036 therefore formulated ten subregions within the Sydney metropolitan area to facilitate the delivery of the objectives of the plan. Canterbury falls within the South Subregion and is governed by the South Subregion Draft Subregional Strategy 2007.

The South Subregional Planning Strategy, which covers LGAs of Hurstville, Rockdale, Sutherland, Marrickville, Kogarah and Canterbury, sets the broad direction for additional dwelling and employment growth. The target for the South Subregion is 29,000 new jobs and 35,000 new dwellings by 2036.

Canterbury LGA is expected to deliver 7,100 (or 20%) of the 35,000 of the subregion's projected dwellings by 2031. This proportion is the second largest expected of Councils within the subregion.

To achieve the housing and jobs targets set by the State government for the subregion and Canterbury there will need to be a pipeline of projects able to deliver residential floor space. The site has the potential to directly contribute to the achievement of Canterbury's housing targets. The proposed development on the site will support these targets.

6.1.5 City of Canterbury Community Strategic Plan 2014-2023

Council's Community Strategic Plan 2014-2023 ('Community Plan') sets the vision for the Canterbury LGA into the next decade and aims to promote sustainable living. The Community Plan sets out long term goals under five key themes being:

- Attractive city;
- Stronger community;
- Healthy environment;
- Strategic leadership; and
- Improving Council

The Community Plan promotes active living and equitable access to recreation facilities and encourages the utilisation of existing public transport infrastructure. This planning proposal is consistent with the Community Plan as it seeks to ensure the optimum use of Council assets, thereby safeguarding maximum return on investment.

6.1.6 Canterbury Residential Development Strategy

The Residential Development Strategy (or RDS) has been prepared to ensure that the right package of zonings, development controls and planning framework are in place to guide and cater for the growth of the Canterbury residential community and be consistent with the State Government's metropolitan housing agenda to at least 2031. The RDS includes tools to assist decision-makers in reviewing and adjusting development strategies: a decision-making framework for planning proposals and a residential development feasibility model.

Whilst the site is not specifically identified as an opportunity to deliver housing, it does satisfy the strategic directions set out at Section 6 of the residential Development Strategy as follows:

- The proposal seeks to introduce a R4 High Density Zone to the site which is consistent with the State and metropolitan planning directions set by the State Government as described Sections 6.1.2-6.1.3 above.
- The proposed suite of zoning and other development controls will support viable opportunities for a full range of housing types, sizes and tenures.
- The proposed zoning provides an opportunity for Tier 1 developers to provide housing product in the LGA.
- The proposed R4 High Density Residential will provide for higher densities (such as high rise residential flat buildings or apartments and shop top housing)

to be located in and adjacent to the existing Canterbury Town Centres, and within the walking catchment of major transport connections such as Canterbury Rail Station and buses that service Canterbury Road.

6.1.7 Canterbury Town Centre and Riverfront Precinct Master Plan

The site is immediately adjacent to the Canterbury Town Centre. The Council has developed a vision and land use strategy that seeks to encourage rejuvenation of the Town Centre into a lively transit-orientated mixed use precinct benefiting from access to Canterbury Railway Station and the Cooks River. The draft Master Plan provides an opportunity to build on and help deliver this lively transit-orientated centre whilst providing a significant community/recreation facility.

The Canterbury Town Centre and Riverfront Master Plan envisages various public domain upgrades as part of the redevelopment of the Riverfront Precinct. These upgrades will add local amenities for residents and workers in the area as well as the future residents and workers on the site.

According to the Canterbury Riverfront Precinct Public Domain Strategy (2007) and the Canterbury Town Centre and Riverfront Precinct Development Contribution Plan (2011), the future works include:

- Water supply and sewerage discharge capacity enhancements;
- New and upgraded streets;
- Upgraded intersections;
- New urban places / spaces;
- Stormwater drainage improvements;
- Other utility upgrades.

As part of the proposed public domain improvements in the development, Tasker Park (see south west of the Centre and the Cooks River) will incorporate a new sporting field.

6.1.8 Strategic Recreation Plan

The Strategic Recreation Plan (May 2011) identifies key issues facing Canterbury in terms of planning for its future recreation needs. These key issues include:

- Open space across the LGA is inequitably distributed;
- Poor access to open space in area and poor condition of some community and recreation facilities; and
- Financial limitations on addressing increasing recreational demands.

Significant areas of open space are concentrated along the banks of the Cooks River. On the northern bank, between Wardell Road and Brighton Avenue, are Ewen Park, Close Street open space, Canterbury Racecourse, Lees Park and Croydon Park. Along the southern bank in the same stretch are Tasker Park, Saint Mary MacKillop Reserve, Heynes Reserve, Sutton Park and Wills Ground. The identified shortages of open space occur westwards from the Cooks River in areas such as Lakemba, Punchbowl, Wiley Park and Campsie.

The Strategic Recreation Plan identifies an opportunity to better connect the open space networks along the Cooks River and provide better access to the open space. It also identifies the need to increase access for families and older people to more low cost leisure and recreation indoor programs. The need for quality informal low cost leisure recreation opportunities is also identified for youth.

This planning proposal provides an outcome that can provide not only a multipurpose community centre but one that provides indoor recreation opportunities. The facility can be funded from the development of the remainder of the site. The opportunity also exists to strengthen and improve the quality of access to the open space along the Cooks River.

6.1.9 Community Facility Plan for City of Canterbury

Council's Community Facility Plan identifies:

- that there is a large proportion of the community facilities within Canterbury City that are rapidly reaching the end of their practical service life; and
- existing facilities will not be able to cater for the expected demand from the emerging ageing population over the next thirty years.

The planning proposal presents the opportunity to facilitate delivery of a new multi-purpose community centre, capable of meeting present and future population demand, an aspiration of Council since its adoption of Council's Community Facility Plan.

6.2 State Legislation

6.2.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the *Environmental Planning and Assessment Act 2000* (EPA Reg) set out amongst other things the:

- requirements for rezoning land;
- requirements regarding the preparation of a local environmental study as part of the rezoning process;
- matters for consideration when determining a development application; and
- approval permits and/or licences required from other authorities under other legislation.

Ministerial directions under Section 117 of the EP&A Act set out a range of matters to be considered when preparing an amendment to a LEP. The relevant Section 117 directions for this planning proposal include:

- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulphate Soils
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

The rezoning proposal has been prepared in accordance with the EP&A Act 1979 and EP&A Regulation 2000. Consideration of the relevant provisions of these Directions is provided at **Appendix G**.

6.2.2 State Environmental Planning Policies

The consistency of the planning proposal with relevant State Environmental Planning Policies (SEPPs) is addressed in **Table 5** below.

Table 5 – Consistency with applicable SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 1 Development Standards			✓	SEPP 1 does not apply to Canterbury LEP.
SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development			✓	SEPP (Exempt and Complying Development Codes) 2008 applies to the site.
SEPP No 6 Number of Storeys			✓	Standard instrument definitions apply.
SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)	✓			The planning proposal is consistent with SEPP 32 in providing for the opportunity for the development of additional housing in an area where there is existing public infrastructure, transport, and community facilities, and which is close to employment, leisure and other opportunities.
SEPP No 55 Remediation of Land			✓	The site has been used for private recreational purposes at least since 1956. Geotechnique Pty Ltd has prepared a Stage 1 Preliminary Contamination Assessment and a Stage 2 Detailed Contamination Assessment, both of which are attached at Appendix K, to assess the potential risk to human health and the environment and to determine whether the site was suitable for residential uses. The Phase 1 and Phase 2 Assessments should be read in conjunction with the Acid Sulfate Soils Assessment also prepared by Geotechnique provided at Appendix L. The assessments conclude that due to the absence of significant chemicals in the soils, potential impacts to health or water bodies were low. Geotechnique Pty Ltd further conclude that the site can be made suitable for commercial, community and residential development subject to further assessment and monitoring prior to and during the earthworks process.
SEPP No 60 Exempt and Complying Development			✓	SEPP (Exempt and Complying Development Codes) 2008 applies to the site.
SEPP No 64 Advertising and signage			✓	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓			Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this planning proposal. During the design development phase, detailed testing of SEPP 65 and the Residential Flat Design Code was carried out.
SEPP No.70 Affordable Housing (Revised Schemes)			✓	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009			✓	Not relevant to proposed amendment.
SEPP (BASIX) 2004	✓			Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this planning proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓			May apply to future development of the site.

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP (Infrastructure) 2007	✓			The proposed development will be referred to the RMS when the DA is lodged. The site is adjacent to the Bankstown Railway Line and accordingly the Department of Planning's <i>Development in Rail Corridors and Busy Roads – Interim Guideline</i> is also triggered. Wilkinson Murray has assessed the proposal and concluded that the planning proposal is not inconsistent with the Guideline (Appendix J).
SEPP (State and Regional Development) 2011	✓			The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority.

6.3 Canterbury LEP 2012

6.3.1 Consistency with overall aims

The proposal's consistency with the overall aims of the Canterbury LEP is demonstrated in **Table 6** below.

Table 6 – Consistency with overall aims of Canterbury LEP

Aim	Proposal	Consistency
(a) to provide for a range of development that promotes housing, employment and recreation opportunities for the existing and future residents of Canterbury,	The proposal will result in new residential and community uses on the site, and will encourage jobs and provide housing in the Canterbury Town Centre.	✓
(b) to promote a variety of housing types to meet population demand,	The proposal facilitates residential flat buildings, reinforcing the range of housing types available to existing and incoming residents in the Canterbury LGA.	✓
(c) to ensure that development is of a design and type that supports the amenity and character of an area and enhances the quality of life of the community,	The proposal will facilitate future development of an important strategically-located site. Further the proposal will protect existing solar access to the nearby heritage-listed Sugar Mill residential development and ensure the character of the area is protected as an active, vibrant and pleasant place to reside, recreate in as well as visit.	✓
(d) to create vibrant town centres by focusing employment and residential uses around existing centres and public transport nodes,	The proposed development provides important residential, community and supporting commercial/retail floor space immediately adjacent to the Canterbury Town Centre.	✓
(e) to revitalise Canterbury Road by encouraging a mix of land uses that does not detract from the economic viability of existing town centres,	The planning proposal does not directly relate to Canterbury Road, however the proposed mix and scale of uses has been tested and technical investigations have confirmed that traffic flows to and on Canterbury Road will not be significantly compromised. In addition, the urban design analyses undertaken show that the proposed configuration of the site will result in good amenity for prospective residents and the local community, without having significant visual impact from Canterbury Road.	✓

Aim	Proposal	Consistency
(f) to retain industrial areas and promote a range of employment opportunities and services,	The proposed development does not have any impact on industrial uses. The proposed community uses facilitated by the planning proposal will promote civic and community uses capable of providing employment opportunities and services.	✓
(g) to promote healthy lifestyles by providing open space that supports a variety of leisure and recreational facilities and encouraging an increased use of public transport, walking and cycling,	The planning proposal directly responds to the strategic need for community uses in the Canterbury LGA, and will therefore contribute towards the achievement of healthy lifestyles, and the promotion of leisure and recreational activities. The proposed development's proximity to a major rail-bus interchange and to existing bike and walking paths contributes to the encouragement of public transport use as well as walking and cycling for future residents.	✓
(h) to protect the natural environment for future generations and implement ecological sustainability in the planning and development process,	The proposed development results in a positive interface with the heritage-listed Sugar Mill residential development to the east by enabling a built form outcome that will respect that site. In addition, an arborist has been engaged to inform the master plan that underpins the planning proposal to ensure that significant mature trees can be retained where possible. In addition, ESD principles will need to be incorporated into future buildings and public spaces.	✓
(i) to protect and promote the environmental and cultural heritage values of Canterbury.	The proposed height has been designed to respect the heritage listed Sugar Mill residential development. The proposed built form will preserve solar access, and will preserve views and view corridors to and from nearby heritage items.	✓

6.3.2 Consistency with zoning objectives

The proposal's consistency with the zone objectives for the R4 High Density Residential Zone under the Canterbury LEP is demonstrated in **Table 7** below.

Table 7 – Consistency with R4 High Density Residential zoning objectives of Canterbury LEP

Objective	Proposal	Consistency
(a) To provide for the housing needs of the community within a high density residential environment.	A distinctive feature of the planning proposal is its ability to meet local and state housing targets within the precinct that is strategically located close to existing services, facilities and transport connections. The planning proposal will also enable the land to be 'unlocked' thereby facilitating a much needed revitalisation of the site and the opportunity to contribute to achieving housing targets in a location that is well-served with infrastructure and accessible to the transport network and centres of employment, retailing and business services, recreational and entertainment opportunities.	✓

(b) To provide a variety of housing types within a high density residential environment.	The proposed range of permitted uses, along with the proposed height and FSR controls will assist in achieving a density of development that is appropriate for its location and context. In particular, the FSR on the site has been configured to enable a mixed-use development with an appropriate built form that is capable of exhibiting design excellence. Built form is discussed further in Section 7.2 .	✓
(c) To enable other land uses that provides facilities or services to meet the day to day needs of residents.	Indicative ground plans and building layouts have been prepared by Olsson and Associates to ensure that the site is capable of accommodating a quality mixed-use development.	✓

6.3.3 Consistency with height objectives

The proposal's consistency with the objectives for height under the Canterbury LEP is demonstrated in **Table 8** below.

Table 8 – Consistency with height objectives of Canterbury LEP

Objective	Proposal	Consistency
(a) to establish and maintain the desirable attributes and character of an area,	A range of building heights (11.5-26m) is proposed for the site. One of the key benefits of this planning proposal is the ability of the site to provide an appropriate transition in bulk and scale of the future building form from the western side where taller heights are proposed (26m), through the central and eastern portions of the site (18m) to the community centre on the south eastern corner of the site (11.5m).	✓
(b) to minimise overshadowing and ensure there is a desired level of solar access and public open space,	The proposal will ensure that resultant overshadowing from any redevelopment is confined to Close Street or within the site, rather than surrounding buildings or the Riverside Reserve.	✓

Objective	Proposal	Consistency
(c) to support building design that contributes positively to the streetscape and visual amenity of an area,	The proposal will enable the mixed-use residential and community components. The pedestrian through site link will result in a more human and walkable scale to the street, through the site to and from Canterbury Town Centre, the Canterbury Railway Station and bus connections along Canterbury Road. The proposed building heights identified in the master plan demonstrate that heights will provide an appropriate transition from east to west across the site. The master plan prepared by Olsson and Associates does not include detailed building designs, as these will need to be prepared by a future developer of the site. However the building envelopes proposed by the master plan have been designed to comply with the high level requirements of SEPP 65 including orientation and building layout, the recommended building separation distances, solar access and natural ventilation. Analysis of views has also been undertaken by Olsson and Associates, and is provided at Appendix A , which demonstrates that the proposed building envelopes, and accordingly heights will not detrimentally impact on views.	✓
(d) to reinforce important road frontages in specific localities.	Close Street is a local street that terminates east of the site. The planning proposal provides an appropriate response to the street hierarchy.	✓

6.3.4 Consistency with FSR objectives

The proposal's consistency with the objectives for FSR under the City Centre LEP is demonstrated in **Table 9** below.

Table 9 – Consistency with FSR objectives of City Centre LEP

Objective	Proposal	Consistency
(a) to provide effective control over the bulk of future development,	Built form has been a key consideration in this proposal. FSR on the site has been configured to enable residential and community mixed use buildings with an appropriate built form that is capable of exhibiting design excellence. Built form is discussed further in Section 7.2 .	✓
(b) to protect the environmental amenity and desired future character of an area,	This planning proposal recognises the site's context in an urban precinct close to the Canterbury Town Centre. The area is expected to undergo redevelopment over the years to 2031 and the planning proposal therefore specifically responds to the housing and recreational needs identified by Council and the consultant team. The introduction of residential and mixed uses will deliver greater diversity of land uses, consistent with the character of medium to high density mixed use / residential area. The gradual change to a broader mix of land uses will also adjust the economic and employment profile, resulting in more support-based employment and community uses, servicing the growing residential	✓

Objective	Proposal	Consistency
	community.	
(c) to minimise adverse environmental impacts on adjoining properties and the public domain,	There is no environmentally sensitive land or land with significant biodiversity value on or around the site that would be affected by this planning proposal. There are also no environmental constraints or hazards of such significance as to preclude the proposal.	✓
(d) to optimise development density within easy walk of the railway stations and commercial centres.	The major benefit of the proposal is its ability to optimise densities around existing rail and bus public transport connections, thereby reducing the reliance of private car usage. Notwithstanding this, off street parking rates will be provided in accordance with Council's DCP rates, recognising the site's proximity to public transport connections. The proposed development will also take advantage of the multitude of transportation modes in the local area.	✓

7.0 Environmental Analysis

7.1 Social and Economic Benefits

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. As a result, the EP&A Act specifies that such a justification must be made having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development.

In addition, one of the key objectives of the EP&A Act is to encourage “the promotion and co-ordination of the orderly and economic use and development of land”. This and the other objectives of the Act recognise that the planning system needs to enable and facilitate the redevelopment of land in an economic manner, while balancing environmental and social impact and the public interest.

The existing building and structures associated with the former bowling club have reached the end of their functional and economic life. This planning proposal offers substantial opportunities for Council to deliver strategic recreational and housing needs. The introduction of new land uses and complimentary development controls (height and FSR) can contribute towards reinforcing the South’s Subregional strategic targets. The current RE1 Public Recreation zoning and Community classification has the effect of sterilising the site, and without the amendments being proposed under this planning proposal, the land is unlikely to be redeveloped or continue to be invested into.

In addition, the social benefits of introducing contemporary zoning, height and FSR controls that will revitalise the site are significant. Clouston Associates has been commissioned to provide an assessment of the recreational value of the site and the impacts associated with the proposed rezoning of this land to facilitate a broader range of land uses. The Open Space and Recreation Review, at **Appendix H**, presents an overview of the existing Council strategies relating to public open space and recreation and the current status of the site within these strategies. The Review indicates that whilst Canterbury LGA is currently well serviced with a significant quantum of public open space varying in sizes, formality and quality, the demand for a more diverse range of open space and recreational opportunities is increasing with population increase. As there is no shortfall in open space or recreational opportunities within the locality, retention of the site in its current guise (namely continuing use of site for open space purposes solely) is not considered appropriate. However, if the site was to be rezoned and redeveloped, significant opportunities exist to deliver a multi-purpose community facility as well as a range of other open space and recreational works and upgrades. These include:

- Improved and safer pedestrian access to Canterbury Road and Canterbury Railway Station through relocation and upgrading of the pedestrian pathway away from the rail corridor to a more centrally located area in the middle of the site; in this regard Council proposes to consult with RMS and Sydney Trains post successful Gateway determination;
- A network of footpaths between future buildings on the site; and
- a dedicated cycleway linking Close Street with the river foreshore path.

On the basis of these opportunities, Clouston Associates concludes that the proposed rezoning of the site to accommodate a broader range of uses, including residential and commercial uses can be justified. Further, the potential redevelopment of the site will be capable of catering for the day-to-day passive recreation needs of future residents with shade trees, seating, play areas, picnic

areas, shelters and the multi-purpose community facilities building (subject to a future DA approval).

More broadly, the economic and social benefits include:

- contributing over 4% of Canterbury's dwelling target by 2031 through the introduction of a planning framework capable of realising the construction of over 300 dwellings;
- providing a range of dwelling types, sizes and price points in Canterbury to meet the changing lifestyle and demographic needs of Sydney's resident community, increasing housing choice and creating a diverse and inclusive community;
- establishing an innovative precinct that brings together residential development, whilst retaining a major community focus/presence;
- supporting the strategic objectives of the Canterbury Town Centre and facilitating better use of local transport infrastructure and services;
- increasing utilisation of existing infrastructure and facilitating growth of public transport services;
- facilitating an integrated design concept for the site which together with non-residential uses and open spaces ensures the development will promote social cohesion, activity and vibrancy; and
- opening up the site to the wider community and connecting with a broader range of uses including the proposed open space and plaza areas thereby enhancing access as well as perceived safety and security.

7.2 Built Form

This planning proposal is accompanied by preliminary concepts for the redevelopment of the site (see urban design study at **Appendix A**). Despite representing further design evolution since the preparation of the draft master plan in March 2013, the urban design study is not a detailed design for the final development of the site, but is a massing study that examines how the site may be developed as a result of the proposed amendment to the Canterbury LEP.

The built form of the proposed development facilitated by this planning proposal has been designed to respond to:

- the site's strategic location within the Canterbury Town Centre;
- solar access constraints;
- its proximity to the Bankstown Railway Line and a heritage listed residential development;
- existing vehicle access arrangements; and
- residential amenity considerations for a mixed use development.

The proposal involves distributing building height and bulk across the site to provide a suitable transition from the Town Centre to the Sugar Mill residential development in the east. This will ensure that additional shadows will be cast primarily within the site, rather than the Riverside Reserve to the south or into the Sugar Mill residential development to the east. The Urban Design Study prepared by Olsson and Associates demonstrates that:

- The proposed built form will create a minimal amount of additional overshadowing of the Riverside Reserve during mid-winter; however this will only occur in the morning and will be largely redistributed away from the park by midday.

- During other times of the year, the site and surrounding development as well as open space will benefit from good solar access during all times of the day.
- The built form is consistent with the current Canterbury LEP height and FSR controls for adjoining sites, ensuring that the views, the appearance and health of the existing landscaping, and the amenity of park users are all protected.

The proposal also involves a continuous built edge to the Bankstown Railway Line alignment at the northern boundary. This will provide strong definition and achieve a good visual buffer to the corridor whilst also providing good physical and visual connections between buildings and Close Street. The proposed configuration of the buildings around public areas, as well as the proposed community facility building use provides opportunities for street activation at the ground level.

In addition, the Urban Design Study and supporting consultant reports illustrate that an appropriate built form can be achieved, as the planning proposal:

- delivers the opportunity to “unlock” the site for the first time in nearly 60 years by introducing a range of land uses and development controls that can facilitate a redevelopment of the site, whilst providing an attractive transition in land uses from west to east;
- continues and strengthens residential uses in the precinct and reinforces the residential and community focus outside the Town Centre core;
- appreciates the role that the site has as an opportunity to provide key community infrastructure in the Canterbury LGA through the provision of a new multipurpose community facility to meet the needs of the growing and changing population;
- recognises the surrounding residential context, whilst providing an alternative housing choice to the low-scale, detached dwelling types that dominate the locality;
- recognises the site’s good street address and location and therefore the potential to open up the site and provide a new activated spaces, by providing through-site links and supporting central open space and communal areas as places for gathering and activity;
- recognises the site’s connectivity to the regional road network and the high level of public transport provision; and
- recognises the site’s potential to provide high-level views towards the Riverside Reserve and Cooks River, providing amenity to future residents.

The proposed height and FSR controls across the site will result in a built-form consistent with the existing Town Centre and an improved public amenity outcome that the existing controls do not provide.

7.3 Visual Impacts

A significant visual impact is not expected. This is because the proposed building height fronting Close Street and immediately adjoining land uses to be created as a result of this planning proposal seeks to appropriately respond to the existing bulk and scale of adjoining development. Taller building heights have been located along the railway corridor and towards the west, immediately adjoining the Town Centre, whilst smaller buildings are located to the east.

The major visual change is the improved visual outcome associated with the redevelopment opportunities presented by replacing run down bowling club facilities with well-designed, mixed-use buildings. There will also be some change expected to distant views to the site when viewed from the rail corridor, however

as outlined in the Urban Design Study at **Appendix A**, these views are considered appropriate in the context of the Canterbury Town Centre.

7.4 Traffic, Parking and Access

A Traffic Review Report has been prepared by Traffix and is included at **Appendix I**. The report assesses the site's parking capability, vehicular access and traffic generation.

7.4.1 Traffic Generation

The latest RMS guidelines suggest traffic generation rates of 0.15 to 0.19 vehicle trips per hour (vtp/h) per unit for high density residential development close to public transport. For community uses development, RMS guidelines suggest a rate of 2 vehicle trips per 100 m². When applied to the indicative scheme, future development on the site would generate a maximum 88 vtp/h in the morning peak period and 75 vtp/h in the afternoon peak period.

This would equate to 1.0-1.5 vehicles per minute during critical periods. Overall, these are considered to be minor increases equal to approximately one vehicle every three to six minutes. The report concludes that the proposal would have no material effect on the operation of the surrounding road network.

Traffix has modelled the performance of key surrounding intersections both with and without the redevelopment of the site. The results indicate that the proposed development in accordance with the rezoning is expected to have a marginal impact upon the operation of the Close Street/Canterbury Road, Close Street/Charles Street and Canterbury Road/Jeffrey Street/Broughton Street and Tincombe Street intersections during the AM and PM peak hours. Notwithstanding this, the current level of service is expected to be maintained. Further, the future signalisation of the intersection of Canterbury Road with Close Street and Charles Street is expected to substantially increase the capacity of the intersection.

7.4.2 Parking

Under the Canterbury DCP 2012 a minimum parking rate of 426 residential and 23 community /commercial parking spaces is required, not including additional accessible, bicycle and motorbike spaces.

Parking can be provided in accordance with Council's DCP requirements – that is:

- one space per 1 bedroom unit;
- 1.2 spaces per 2 bedroom unit;
- 2 spaces per 3 bedroom unit;
- 1 space per 5 dwellings for visitors;
- 1 space per 60m² for commercial and community uses.

Car parking will need to be designed in accordance with Australian Standards.

7.4.3 Access and Circulation

Access to the site will be via Canterbury Road and Close Street. Driveways, which will need to be designed as part of a future DA process, will be designed in accordance with Australian Standards. At this stage, there is nothing to preclude compliance with relevant standards.

Internal circulation, including ramps, aisles and clearances, will be in accordance with Australian Standards, as will service areas. Vehicles will be able to enter and depart the site in a forward direction.

7.5 Heritage

As outlined at **Section 5.1**, the site is not listed as a heritage item; however, the adjoining Sugar Mill residential development is listed as a heritage item.

The proposal will not result in any additional impact to the Sugar Mill residential development, as:

- the Sugar Mill residential development is already sufficiently developed and its heritage values have been appropriately interpreted;
- sufficient distances can be provided between new development on the site and development on the Sugar Mill residential development;
- the site is screened from the Sugar Mill residential development by mature trees; and
- no significant views or vistas to or from Sugar Mill residential development will be interrupted as a result of the proposal.

7.6 Noise and Vibration

The site is adjacent to the Bankstown Railway Line and accordingly the Department of Planning's Development in Rail Corridors and Busy Roads – Interim Guideline is also triggered. Wilkinson Murray has prepared a noise and vibration assessment (**Appendix J**) which indicates the site can accommodate the proposal, however a series of detailed design matters will need to be considered by future development applications.

Noise Mitigation Measures

It has been determined that, provided the identified glazing standards and mechanical ventilation recommendations are adopted, the proposed development may be established without undue risk of noise impacts. These works include:

- Specification of appropriate glazing standards for the proposed buildings located on the northern boundary in order to meet the internal noise criteria recommended by relevant State policies.
- Adoption of the identified indicative glazing requirements to achieve satisfactory internal noise levels and control maximum noise levels arising from rail movements to acceptable levels.
- Installation of mechanical ventilation to ensure that satisfactory ventilation can be achieved with windows closed, as internal noise criteria will be unable to be met with opened windows. Indicative requirements for provision of mechanical ventilation have also been provided.

Furthermore, based on the background noise levels measured on-site, recommended noise criteria for the management of noise generated within the subject site have been determined. It is recommended that these noise criteria be applied at Development Application stage.

Vibration

Measured on-site vibration levels indicate a minimal risk of disturbance to human comfort due to rail pass-by events and/or vibration effects from Canterbury Road. On this basis, it is considered that the proposed development may be established without undue risk of vibration impacts.

8.0 Assessment of Planning Proposal against NSW Department of Planning and Infrastructure Guidelines

The following section includes an assessment against the requirements in *A guide to preparing planning proposals* published by the Department of Planning and Infrastructure in October 2012.

8.1 Parts 1 and 2

Parts 1 and 2 of the guide have been covered in **Sections 4.0** and **5.0**, which outlines the objectives and intended outcomes of the proposal, as well as how the intended outcomes can be achieved through amendments to the LEP.

8.2 Part 3 - Justification

8.2.1 Need for a Planning Proposal

Q1 – Is the planning proposal a result of any strategic study or report?

This planning proposal is not the result of any strategic study or report but rather is the result of an ongoing master planning study undertaken by Olsson and Associates to determine the best FSR and height configuration for the site. An Urban Design Study that outlines the reasoning behind the proposal is included at **Appendix A**. Built form is also discussed within **Section 7.2** of this report.

Q2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal is the best means of achieving the intended outcome of the development. This will allow revitalisation of a site that is underdeveloped, run-down, and not required by Council for any other purpose, and instead facilitate mixed uses development to occur on the site. The current zoning and lack of height and FSR controls do not allow development to be achieved, which, based on the urban design analysis above (**Section 7.2**), is shown to be an appropriate built form outcome for the site.

8.2.2 Relationship to strategic planning framework

Q3 – Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The proposed development facilitated by this planning proposal supports the Strategy by creating additional housing and employment growth within the Canterbury Town Centre. This is also consistent with the relevant Draft Subregional Strategy and the Metropolitan Plan for Sydney 2036.

Consistency with the Metro Plan and Draft Metropolitan Strategy is discussed further in **Section 6.0**.

Q4 - Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The planning proposal is consistent with Council's community strategic plans and the Canterbury Residential Development Strategy.

The community strategic plans outline a series of goals for Canterbury's economy, environment, connectivity, people, culture and leadership. The proposed development will help to achieve these goals by providing an integrated mixed-use development in close proximity to public transport and employment.

The planning proposal is also consistent with the Canterbury Residential Development Strategy, which identifies a number of Strategic Directions including:

- the need to ensure opportunities for Tier 1 developers in the LGA; and
- locating high density housing, including residential flat buildings and shop top housing, in and adjacent to, centres and within the walking catchment of major transport nodes.

Q5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?

An assessment of the planning proposal against applicable State Environmental Planning Policies (SEPPs) is provided in Section 5.2.

Q6 – Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal is consistent with the relevant directions for planning proposals issued by the Minister for Planning under Section 117(2) of the EP&A Act. A full assessment is included at **Appendix G**.

8.2.3 Environmental, social and economic impact

Q7 – 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?

The planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location.

Q8 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A detailed assessment of the environmental impacts of the planning proposal is provided in **Section 7.0**. No unacceptable impacts will result from the proposal.

Q9 – Has the planning proposal adequately addressed any social and economic effects?

The proposed development will result in positive economic and social flow-on effects for the local area. The new community facility building and supporting retail and commercial components of the development will contribute to employment and commerce in the area by providing better spaces for local businesses, while the residential component will deliver valuable housing in a location close to public transport, community facilities and jobs. Overall, the proposed development will support the viability of Canterbury Town Centre, and improve community safety as well through better activation of the area.

8.2.4 State and Commonwealth Interests

Q10 – Is there adequate public infrastructure for the planning proposal?

The site is located in an established urban area and has access to a range of existing services. Further investigations will be undertaken as part of the

preparation of the DA material to determine whether any upgrade of existing facilities is required.

Q11 – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth authorities will have the opportunity to provide comment on the planning proposal as part of its formal exhibition. Any future DA will be referred to the relevant authorities as required.

8.3 Part 4 – Mapping

Maps of the proposed amendments to the LEP height and FSR controls applying to the site have been provided throughout this report at **Section 5.0** and **Appendix F**.

8.4 Part 5 – Community Consultation

It is noted that confirmation of the public exhibition period and requirements for the planning proposal will be given by the Minister as part of the LEP Gateway determination.

Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

9.0 Assessment of Planning Proposal against NSW Department of Planning and Infrastructure Practice Note for Reclassification of Land

The following section includes an assessment against the requirements in PN 09-003 Classification and reclassification of public land through an environmental local plan LEP Practice Note (12 June 2009).

Table 10 – Consistency with PN-003 Classification and reclassification of public land through an environmental local plan LEP Practice Note

Circular Requirement	Planning Proposal
The reasons why the draft LEP is being prepared including the planning merits of the proposal, e.g. the findings of a centres' strategy, council's intention to dispose of the land, provision of open space in a town centre	As outlined at Section 2.0, Council has determined that a mixed uses redevelopment of the site represents the best and highest use for the site, and the ability to deliver recreational and community facilities. In order for the site to be redeveloped as envisaged by the Urban Design Study at Appendix A, the site is required to be rezoned for residential and/or community uses and reclassified from Community to Operational land. This planning proposal proposes to do this by: – rezoning the site from RE1 Public Recreation to R4 High Density Residential; – permitting a maximum height of 26m (ranging from 11.5-26m) across the site; – permitting a maximum FSR of 2.4:1 across the site, with a minimum requirement for 1,250m² of GFA to be provided as 'community facility' uses on the site; and – identifying 'restaurant or café' as an additional permitted use on the site. The Local Government Act, 1993 requires that all Council-owned land be classified as either "Community" or "Operational" land. Community land is generally accessible to the public, such as parks, bushland, playgrounds and so forth. Operational land is generally used for operational purposes, such as depots, or land leased/used to make a commercial return for Council. Operational land can be sold by Council or leased on a commercial basis. A planning proposal is therefore required in order to reclassify the site from Community to Operational land. In rezoning and reclassifying the site, Council will be released from the terms of the trust currently applicable thereto.
The current and proposed classification of the land;	The site is classified Community Land and is proposed to be reclassified to Operational under the local Government Act, 1993.
The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification;	The reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements are addressed in Sections 3.0, 4.0 and 5.0 of this report.
Council's ownership of the land, if this applies;	In November 1956, the former Cumberland County Council gifted land now legally described as Lot 1 and Lot 2 in DP 818683 to Council. The conveyance

	of the land imposed a trust on Council that the land be held by the Council for the purpose of a public park, public reserve, or public recreation area and the terms of the trust included a restriction that Council will not use or permit the land to be used for any purpose other than a public park, public reserve or public recreation area. A copy of the Conveyance Register No. 136 Book 2393 with relevant provisions regarding the creation of the trust highlighted is provided at Appendix B .
The nature of council's interest in the land, e.g. council has a 50 year lease over the site;	Freehold, subject to a trust.
How and when the interest was first acquired;	1956.
The reasons council acquired an interest in the land, e.g. for the extension of an existing park; council was given responsibility for the land by a State agency;	As above.
Any agreements over the land together with their duration, terms, controls, agreement to dispose of the land, e.g. whether any aspect of the draft LEP or planning proposal formed part of the agreement to dispose of the land and any terms of any such agreement;	As above.
An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise e.g. council could indicate the magnitude of value added to the land based on comparable sites such as the land is currently valued at \$1500 per square metre, nearby land zoned for business development is valued at between \$2000 and \$5000 per square metre;	The value of the land will be increased it is intended to be used for residential and mixed uses purposes.
The asset management objectives being pursued, the manner in which they will be achieved and the type of benefits the council wants, i.e. without necessarily providing details of any possible financial arrangements, how the council may or will benefit financially;	The asset management objective is the avoidance of continuing resource allocation to an asset whose purpose is no longer worth persevering with, given competing priorities for the allocation by Council of its limited resources. Successful achievement by Council of its aims for this site will result in the avoidance of continuing expense for its upkeep and the ability to capitalise on the site's development potential. This in turn will enable Council to use any funds thereby yielded for more important and relevant community programmes and services.
Whether there has been an agreement for the sale or lease of the land; the basic details of any such agreement and, if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time;	This planning proposal represents the first step in releasing the land to the market.
Relevant matters required in plan making under the EP&A Act;	This report in its entirety addresses the relevant matters of the EP&A Act. .

10.0 Conclusion

This planning proposal seeks to:

- rezone the site from RE1 Public Recreation to R4 High Density Residential, permit '*restaurant of café*' uses with development consent, and introduce new height and FSR controls across the site;
- reclassify the site from Community Land to Operation Land under the Local Government Act, 1993, and
- release Council from trust conveyed on Council requiring the site to be held in trust for the purposes of a park, public reserve or public recreation area.

This will enable the development of a mixed-use residential/community uses development up to 26m and an FSR of 2.4:1, and a minimum of 1,250m² to be provided for the purposes of a '*community facility*'. The proposed scheme has urban design and amenity benefits and an ability to realise the site's development potential in the context of its location within the Canterbury Town Centre.

The planning proposal is consistent with relevant strategic and statutory planning documents and will deliver a number of public benefits, including revitalising an under-utilised site and increasing housing and community uses opportunities in the Canterbury Town Centre. An environmental assessment of the impacts of the proposed built form facilitated by the planning proposal has been undertaken, and it is concluded that the planning proposal will not result in any unacceptable environmental impacts.