

28 May 2024

Mr. Matthew Stewart  
Chief Executive Officer  
Canterbury Bankstown Council  
PO Box 8  
Bankstown NSW 1885

Attn.: Mr. Patrick Lebon, Coordinator Strategic Assessments

Dear Patrick,

**RE.: RESPONSE TO SUBMISSIONS - PLANNING PROPOSAL FOR 913-925 PUNCHBOWL ROAD & 21-23 CANTERBURY ROAD, PUNCHBOWL (RZ-1/2023)**

**Introduction**

On 8 May 2024, the Canterbury Bankstown Local Planning Panel (CBLPP) at their monthly meeting determined in a 4 to 0 vote in favour of progressing the proposed Planning Proposal RZ-1/2023 for the property at 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl.

The CBLPP's endorsement of the Planning Proposal allows the Planning Proposal to be sent to a full Canterbury Bankstown Council meeting for further endorsement, which would be followed by the Planning Proposal being sent to the NSW Department of Planning, Housing and Infrastructure (DPHI) for Gateway Determination.

At the CBLPP meeting, the landowners' representatives were informed that five submissions were received with respect to the Planning Proposal. This letter is a response to the issues raised in the submissions.

**Response to Submissions**

The table below captures all the issues raised in the submissions received by Council with respect to the Planning Proposal and provides a response to each of the issues.

Table 1. Response to Submissions

Issue No.	Issue	Response
1	<b>Rezoning Consideration and Consistency with Council Policy</b> Rezoning the subject site from R2 Low Density Residential Zone to R4 High Density Residential Zone <ul style="list-style-type: none"><li>Subject site has never been part of the 'Canterbury Road Corridor Design Zone.</li></ul>	In 2016, the subject site was an identified 'key site' by the former Bankstown City Council and fell under Council's North Eastern Local Area Plan (LAP). Bankstown City Council's 'Canterbury Road Enterprise Corridor' also identified the site as having strategic merit and for rezoning to amend the land use zone, and increase the applicable floor space ratio and building height development standards on the site.

Issue No.	Issue	Response
		<p>Since, the amalgamation of Canterbury Council and Bankstown City Council to the new Canterbury Bankstown City Council, the site continued to be identified as a 'key site' in the North Eastern LAP. However, in 2018 the landowner decided to pursue a Planning Proposal separate to Council's City Wide and 'key sites' Planning Proposal.</p> <p>On 28 November 2017, Council endorsed a site specific Planning Proposal for the site. On 25 May 2018, the NSW Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway Determination for the site and Planning Proposal. Due to financial matters and COVID-19 the Planning Proposal required extensions of the Gateway Determination.</p> <p>As accurately stated in Council's report to the CBLPP, in March 2021 DPHI resolved not to grant an extension to the Gateway determination, however, highlighted they would be willing to work with Council to progress a planning proposal for the site subject to the resolution of key design and environmental issues. The planning proposal was subsequently withdrawn.</p> <p>As provided in the Council's report to the CBLPP and the assessment in the supporting Scoping Report the site has significant strategic planning merit. The strategic planning merit of the site satisfies numerous planning priorities across many strategic planning documents, including:</p> <ul style="list-style-type: none"> <li>• Greater Sydney Region Plan;</li> <li>• South District Plan;</li> <li>• Council's LSPS;</li> <li>• Council's Housing Strategy;</li> <li>• Council's Employment Lands Strategy; and</li> <li>• Relevant State Government Section 9.1 Ministerial Directions.</li> </ul> <p>Moreover, the site 'squares off' a corner of Punchbowl Road and Canterbury Road that is already zoned for employment, that includes a community assessment, while also encouraging a better environmental, socio-economic and urban outcome on the site in comparison to the current site conditions. It is also highlighted that there are higher density developments and sites already constructed and approved near the site. It is evident that the Planning Proposal is well considered and suitable for the site and area.</p>

Issue No.	Issue	Response
2	<p><b>Traffic and Parking Impacts</b></p> <p>Rezoning the subject site from R2 Low Density Residential Zone to R4 High Density Residential Zone</p> <ul style="list-style-type: none"> <li>The proposal would increase existing traffic congestion and parking issues in the area.</li> </ul>	<p>A detailed Traffic Impact Assessment (TIA) prepared by Traffix transport and traffic planners and engineers, supports the Planning Proposal. The TIA of the Planning Proposal is based on extensive traffic counts and modelling. In addition, the Planning Proposal is also supported by accurate swept path analysis for all vehicles entering and existing the site including large heavy vehicles for waste collection.</p> <p>The TIA found that given the existing volumes of traffic on Punchbowl Road and Canterbury Road, and the traffic split at different times of the day, including peak hours, the Proposal would not have an adverse impact on surrounding intersections and not a detrimental reduction in performance of those intersections beyond the current conditions.</p> <p>With respect to car parking, all required car parking to meet Council's requirements can be successfully accommodated on the site.</p>
3	<p><b>Building Heights</b></p> <p>Increase in building heights would generate privacy issues to surrounding properties.</p>	<p>The distribution of building heights and building envelopes on the site have been carefully considered. It is evident that the taller building heights and built elements are proposed to be concentrated on the corner of Punchbowl Road and Canterbury Road.</p> <p>As demonstrated in Council's report to the CBLPP on page 28 and 29, the built form transitions across the site at various points to achieve the following:</p> <ul style="list-style-type: none"> <li>Optimise solar access to open space on the site;</li> <li>Provide a built form envelope transition to lower scale development to the north of the site;</li> <li>Provide a built form transition to the east of the site and along Punchbowl Road with large internal building separations that responds to the more residential focused part of the site.</li> </ul> <p>Further, the proposed built form of the three storey terraces to the north of the site, are proposed to have a separation distance from the rear northern boundary of 9 metres. Which is greater than the required 6 metres.</p> <p>The minimum distance of proposed buildings on the west side of the site to the adjacent properties on the western boundary is 18 metres.</p>

Issue No.	Issue	Response
		<p>The furthest distance of proposed buildings on the west side of the site to the adjacent properties on the western boundary is approximately 60 metres.</p> <p>It is also highlighted that the much of the site is separated from adjacent properties by extensive open space, stormwater canal and powerlines therefore further limiting any proposed building to be closer than that shown in the Council's urban design envelopes on Pages 28 and 29 of their report.</p> <p>As such, there are no privacy impacts that would be generated by the proposed development.</p>
4	<p><b>Additional Permitted Uses</b></p> <p>Additional impacts from 'tourist visitor accommodate', 'function centre' and 'registered club'.</p>	<p>Club Punchbowl has been operating as a registered club, with functions and tourist visitor accommodation on the site for many decades. The current premises already includes these uses. The purpose for including these uses as 'Additional Permitted Uses' in the B1 Zone only, is that the future land use zone under the new employment land use zone structure does not permit these uses which are currently permitted on the site.</p> <p>Therefore, in order to not offend the new employment land use zone structure and in order to permit these uses to continue on the site, these land uses are best captured in Schedule 1 Additional Permitted Uses of the <i>Canterbury-Bankstown Local Environmental Plan 2023</i> (LEP).</p>
5	<p><b>Overshadowing</b></p> <p>Proposed building heights will overshadow nearby residential properties</p>	<p>Detailed overshadowing and solar access analysis has been undertaken of the proposal. The site has a north south orientation and given the distribution the building heights, as well as concentration of taller building elements on the corner of Punchbowl Road and Canterbury Road, the proposal does not generate any overshadowing impacts. There are no existing surrounding properties that would result in diminished solar access from the Proposal.</p>
6	<p><b>Flooding</b></p> <p>Potential increase in flooding from the site</p>	<p>Extensive detailed flood modelling has been undertaken of the site by ACOR Consulting Engineers, as well as a third-party peer review by Council engaged consultants Stantec Engineering.</p>

Issue No.	Issue	Response
		<p>The flood impact assessment found that the proposed finished floor levels of all building on the site, as proposed, would be above the potential Probable Maximum Flood (PMF) level. The PMF is the most severe flood conditions that could be expected on the site and in any flooding modelling in NSW.</p> <p>Further, the assessments undertaken by ACOR and Stantec came to the same conclusion that the Proposal can manage flood impacts on the site and that the Proposal is fit-for-purpose for a Planning Proposal application. Moreover, the Proposal satisfies Ministerial Direction 4.1 and therefore the Proposal is suitable for the site.</p>

## Summary

Extensive environmental and urban design analysis has been undertaken to determine the optimal and best urban outcome for the site. This detailed analysis translated into the proposed development standards for the site found in the Planning Proposal and Council's report that was sent to the CBLPP.

Additionally, the Proposal has significant strategic merit and achieves greater socio-economic outcomes that is currently exhibited on the site and in the area, including, 1) increased housing, 2) increased affordable housing, as the proposal would provided required minimum amount of affordable housing, 3) increased employment, 4) increased open space, 5) increased landscaping, hence removing the large hardstand at-grade car parking currently on the site, and 6) an overall improved environment for the community asset to thrive on the site while providing an important community function.

Therefore, it is requested that Council grant endorse the Planning Proposal and agree that the Planning Proposal be sent to the NSW DPHI for Gateway Determination.

Yours sincerely,



**Michael Gheorghiu**

B.Eng (Civil & Bldg.), MURP, MUDD