

CONFIRMATION OF PREVIOUS MEETING

The minutes of the Canterbury Bankstown Local Planning Panel Meeting held on 4 March 2024 were confirmed.

ITEMS

1. PLANNING PROPOSAL FOR 913-925 PUNCHBOWL ROAD & 21-23 CANTERBURY ROAD, PUNCHBOWL (RZ-1/2023)

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

Public Addresses

- Five written submissions from residents (against) were provided to the Panel.
- Michael Gheorghiu, Tudor Planning & Design (representing landowner) addressed the Panel.

Panel Assessment

Peter Menton was the Community Panel Member present for the deliberation and voting for this matter.

CBLPP Recommendation

The Panel is generally supportive of the proposed change to zoning and DCP development standards and provides the following comments:

- The Panel agrees that a site specific DCP is required to provide further detailed controls to guide the development. The DCP needs to include the adjacent site (23 Canterbury Road) and ensure that controls address appropriate setbacks to the boundary and interface with adjoining lands.

Planning Agreement

- The Panel agrees that an independent assessment of the value of the offer is required.
- The Panel questioned whether 5% affordable housing (or equivalent monetary contribution) is sufficient given the proposed uplift. Council needs to be satisfied that there is a proportional public benefit in the VPA.
- The Panel does not agree that open spaces required to meet the needs of the development itself is a public benefit, nor the satisfaction of required 7.11 contribution or infrastructure required to meet the needs of the development.
- The public benefit needs to be clearly articulated.

Flooding

- Further analysis of potential flood impacts is required to determine the suitability of the site for more intense development. There should be an understanding of the extent of landform change and potential offsite impacts in a broad sense.
- Indicative building envelopes may need to be setback further from flood hazard areas.
- DCP Controls should specify the habitable floor level to meet PMF.

Built Form

- Built form and therefore height controls should as a principal step down along Canterbury Road from the corner to the west and to the north along Punchbowl Road.
- Variations in height is supported but should be meaningful. Controls should reflect at least a six (6) metre height differentiation so that a differentiation is read in the streetscape.
- The height map should be simplified.
- The interface height at 11 metres is appropriate.

Landscape

- A greater emphasis on retaining existing vegetation adjoining the stormwater canal and along boundaries of the site is required.
- A 40% canopy cover on site is required. The Panel notes that the electricity easement poses a constraint to the height of vegetation and the ability to provide canopy cover (shading) in this area.
- A clear differentiation between public and required private and communal open space is needed.

Roads and Access

- All internal roads should be public roads including footpaths, shared paths, and nature strips.

Subject to consideration of the above matters the Panel supports the Planning Proposal proceeding to Gateway.

Vote: 4 – 0 in favour

- 2. DA-1580-2023 - 41 WATTLE STREET, PUNCHBOWL:** Ancillary place of assembly associated with existing Community Centre

Site Visit

An inspection of the site was undertaken by the Panel and staff members prior to the public hearing.

Public Addresses

Rhonda Jamleoui, Rockeman Town Planning (representing applicant) addressed the Panel, and provided a Certificated of Incorporation as an Association.

Panel Assessment

Peter Menton was the Community Panel Member present for the deliberation and voting for this matter.

CBLPP Determination

THAT Development Application DA-1580-2023 be **REFUSED** for the reasons in the Council staff report and an amendment to reason 10 to read as follows:

Canterbury Bankstown Local Planning Panel – 6 May 2024

ITEM 4	Planning proposal for 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl RZ-1/2023)
APPLICANT	Chris Tsioulos
OWNER/S	The Croatian Club Ltd, Westwood Capital Pty Ltd, Ziad Seraidar, Mirvett Seraidar, Constantine Savell, Berttell Pty Ltd, Est Late Qama Sattar
AUTHOR	Planning

PURPOSE AND BACKGROUND

The purpose of this report is to seek the Local Planning Panel's advice on proposed changes to the *Canterbury Bankstown Local Environmental Plan 2023*. Council is in receipt of an application to prepare a planning proposal for the sites at 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl. The planning proposal seeks the following for the land at 913-925 Punchbowl Road and 21 Canterbury Road, Punchbowl (former 'Club Punchbowl' site):

- Rezone the R2 Low Density Residential portion to R4 High Density Residential
- Increase the maximum building height from 9m and 11m to a maximum of 38m
- Increase the FSR from 1:1 to 2.1:1 on 923-925 Punchbowl Road and 21 Canterbury Road and, from 0.5:1 to 1.3:1 on 913-921B Punchbowl Road, and
- Include an additional permitted use on the B1 – Neighbourhood Centre portion of the site to include 'tourist and visitor accommodation', 'function centres' and 'registered clubs'.

The planning proposal proposes the following changes for the site at 23 Canterbury Road, Punchbowl:

- Increase the maximum building height from 11m to a maximum of 35m, and
- Increase the FSR from 1.1:1 to 1.3:1.

It is noted that the planning proposal originally submitted by the proponent did not include 23 Canterbury Road, however during Council's assessment of the application it was concluded that inclusion of the site would result in an improved urban design outcome without materially impacting the future redevelopment of the land at 913-925 Punchbowl Road and 21-23 Canterbury Road.

The planning proposal is supported by a Letter of Offer which outlines the proponent's in-principal commitment to dedicate 5% of the total amount of residential units as affordable housing and monetary contributions paid through Section 7.11/7.12 contributions. The application will also contribute to pedestrian crossing upgrades to the Canterbury Road and Punchbowl Road intersections including upgrades to traffic lights and the construction of a pedestrian refuge island on Punchbowl Road. Council in-principle supports the Letter of Offer

however will further negotiate with the applicant with the aim of increasing the quantum of the commitments as part of a revised Letter of Offer and draft Planning Agreement, prior to exhibition of the planning proposal. This will be informed through the engagement of an independent expert to provide economic and feasibility analysis to confirm quantum of affordable housing floor space and public benefits that would be reasonable to deliver by the developer. Council does not support future development of the site being excluded from the payment of Section 7.11/7.12 contributions.

The planning proposal will facilitate the redevelopment of the former 'Club Punchbowl' site which will have a significant positive social and economic related benefits as it provides the capacity for additional diverse housing options in Punchbowl, the provision of publicly accessible open space to the wider community as well as additional jobs through the redevelopment of the registered club on the site and increased commercial floor space.

A detailed assessment of the application indicates that there is strategic and site-specific merit to proceed to the next step in the plan making process and seek Gateway approval from the Department of Planning, Housing and Infrastructure (DPHI). Council will prepare an amendment to the Canterbury Bankstown Development Control Plan (DCP), that will set out the detailed planning and development controls for the site where current controls would be insufficient, with these changes to be publicly exhibited alongside the planning proposal.

ISSUE

In accordance with the Local Planning Panels Direction, issued by the Minister for Planning and Public Spaces in 2018, the Canterbury Bankstown Local Planning Panel is requested to provide advice for Council's consideration on whether a planning proposal for the site 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl should proceed to DPHI for a Gateway determination.

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RECOMMENDATION That -

1. The application to amend the *Canterbury Bankstown Local Environmental Plan 2023* proceed to the Department of Planning, Housing and Infrastructure for a Gateway determination, subject to the matter being reported to Council for a resolution to proceed and the following matters being addressed prior to exhibition (after Gateway determination):
 - a. Council prepare and exhibit a site specific DCP Amendment as outlined in this report. In addition to the typical DCP controls, the DCP is to include the following site specific issues:
 - i. Site-specific flooding objectives and controls to appropriately manage flooding impacts in relation to protecting basement entries up to the Probable Maximum Flood level
 - ii. Details of required road and intersection upgrades along Punchbowl Road and Canterbury Road in consultation with Transport for NSW, and
 - iii. Submission of an Aboriginal Cultural Heritage assessment in accordance with the Government Architect NSW 'Connecting with Country Framework' to inform the preparation of the site-specific DCP controls.
 - b. A draft Planning Agreement be prepared and exhibited subject to the following:

- i. Council undertakes further negotiations with the developer to seek increased public benefits, to confirm the total value of each works and monetary contribution item in the Letter of Offer. This may include further analysis and an independent peer review being undertaken by Council prior to exhibition.
2. Subject to the issue of a Gateway determination, Council exhibits the planning proposal, draft site specific DCP and draft Planning Agreement and the matter be reported to Council following the exhibition.
3. Council seek authority from the *Department of Planning, Housing and Infrastructure* to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

ATTACHMENTS

- A. Applicant - Planning proposal (November 2023)
- B. Applicant - Draft Letter of Offer (April 2023)
- C. Applicant - Architectural Package (October 2023)
- D. Applicant - Landscape Report and Plan (November 2023)
- E. Applicant – Flooding Assessment Additional Response (November 2023)
- F. Applicant – Flood Investigation Report (June 2022)
- G. Applicant – Detailed Site Investigation Report (April 2022)
- H. Applicant - Remediation Action Plan (July 2022)
- I. Applicant - Geotechnical Assessment Report (December 2019)
- J. Applicant - Acid Sulphate Soils Assessment Report (April 2022)
- K. Applicant - Acid Sulphate Soils Management Plan (December 2019)
- L. Applicant - Retail Study (n.d.).
- M. Applicant - Traffic Assessment & Swept Paths (November 2023)
- N. Applicant - Traffic Impact Assessment (April 2023)
- O. Applicant - Urban Design Report (November 2023)
- P. Applicant - Waste Management Plan (November 2023)
- Q. Council – Peer Review of Flood Assessment for Club Punchbowl Planning Proposal (March 2024)

POLICY IMPACT

Council's adopted Local Strategic Planning Statement (LSPS) – 'Connective City 2036' guides the future growth and development of the City of Canterbury Bankstown to 2036. The site is identified as a village centre to provide urban services. The proposal responds to the key directions by reinforcing the role of the site as a village centre through facilitating the delivery of 334 new dwellings and 686 jobs linked with the construction and operation commercial development.

The site is located at the western end of the Canterbury Road Corridor and was included as part of the Canterbury Road Review (2017). The planning proposal is consistent with the Review as it will set aside land to form part of a new green 'linear parkway' along its western edge and proposes planning controls to facilitate new mixed use development that provides housing and employment floor space with newly create publicly accessible open space.

The proposal aligns with the planning priorities within the South District Plan to deliver on jobs and housing growth in the form of high quality, well designed and sustainable development. The South District Plan identifies that Canterbury Bankstown Local Government Area (LGA) will accommodate 70% of population growth in the South District, and that planning must provide services and social infrastructure to meet this growth and changing needs. The planning proposal, which seeks to enable a mixed-use development, will facilitate additional housing and commercial floor space in a location serviced by public transport (bus services) and support additional open space through the inclusion of three new public parks and open spaces.

The planning proposal also meets the relevant objectives and principles of Council's Housing Strategy and Affordable Housing Strategy by enabling diverse and affordable housing types. The planning proposal is consistent with the Employment Lands Strategy that recommends retaining the B1 zoning on the site to continue to provide a range of small-scale retail and other services that serve the convenience needs of people that live and work in the surrounding neighbourhood.

The Additional Permitted Uses proposed in this planning proposal for the B1 Neighbourhood Centre zoned portion of the site will be consistent with the permissible land uses adopted by Council as part of the State-led employment zones reform changes, which will be subject to a separate planning proposal.

FINANCIAL IMPACT

The proposal as it is supported by a Letter of Offer that ensures appropriate infrastructure upgrades are provided to accommodate the intensification of the site for the public interest. The infrastructure upgrades proposed will be delivered through a Planning Agreement as outlined in this report in addition to ordinary conditions of any development approval, intended to off-set any potential financial implications on Council.

In addition to the infrastructure delivered by the proponent in a future Planning Agreement, any future development on the site would be required to pay Section 7.11/7.12 Development Contributions in accordance with Council's Local Infrastructure Contributions Plan 2022.

COMMUNITY IMPACT

The planning proposal will have the following community impact outcomes:

- Enable the delivery of a new mixed-use development on the site that aligns with the strategic vision set out in Council's LSPS.
- Deliver a number of positive social and economic related benefits to the surrounding community and broader city in relation to jobs and housing growth and access to new publicly accessible open space and community facilities.
- Enable additional housing in a range of tenures and types which includes the dedication of affordable housing on the site or monetary contributions to affordable housing in the LGA. Punchbowl is identified as a suburb experiencing high areas of rental stress in the LGA and this proposal will help alleviate this significant issue.
- Facilitate additional jobs once operational resulting from the refurbishment of the existing club and additional retail floor space.
- Change to the existing built form of the current development on the site and will change the character of the surrounding area, however the scale of change reflects recent development to the south along Canterbury Road and tapers in height and scale to the lower density residential properties to the north. The planning proposal creates an opportunity for high quality, well designed development in accordance with the objectives and recommendations of the Canterbury Road Review.
- Deliver improvements to the local infrastructure through a Planning Agreement including monetary contributions through Section 7.11/7.12 Development Contributions.

DETAILED INFORMATION

1. SITE AND LOCALITY DESCRIPTION

The subject site (site) known as the former 'Club Punchbowl' club and comprises the following properties as shown in Table 1.

Table 1. List of properties included in the subject site.

Property Address	Property Description	Current Zone	Site Area
913 Punchbowl Road, Punchbowl	Lot B DP 378634	R2 Low Density Residential	961m ²
915 Punchbowl Road, Punchbowl	Lot 2 DP 21524	R2 Low Density Residential	663.94m ²
917 Punchbowl Road, Punchbowl	Lot 3 DP 21524	R2 Low Density Residential	651.29m ²
919 Punchbowl Road, Punchbowl	Lot 4 DP 21524	R2 Low Density Residential	651.29m ²
921 Punchbowl Road, Punchbowl	Lot 6 DP 5245	R2 Low Density Residential	3,870m ²
921A Punchbowl Road, Punchbowl	Lot A DP 378634	R2 Low Density Residential	3,863m ²
921B Punchbowl Road, Punchbowl	Lot D DP 382627	R2 Low Density Residential	1,948m ²
923 Punchbowl Road, Punchbowl	Lot 15 DP 132440	B1 Neighbourhood Centre	3,876m ²
925 Punchbowl Road, Punchbowl	Lot 1 DP 236825	B1 Neighbourhood Centre	588.1m ²
21 Canterbury Road, Punchbowl	Lot 14 DP 132440	B1 Neighbourhood Centre	3,389m ²
23 Canterbury Road, Punchbowl	Lot 12 DP 1027748	B1 Neighbourhood Centre	4,903m ²
Total Development Site Area			25,364.62m²

The site is a corner allotment with a 191m eastern frontage to Punchbowl Road and a 145m southern frontage to Canterbury Road. The properties at 921-925 Punchbowl Road and 21 Canterbury Road contain a registered club known as 'Club Punchbowl', formerly the 'Croatian Club'. The properties at 913-919 Punchbowl Road contain dwelling houses. The property at 23 Canterbury Road features a landscaping supplies business with a small single storey site office.

The site is subject to electricity and drainage easements, road widening reservations and noise exposure from Canterbury Road and Punchbowl Road. In relation to local context, the site is located 1.2km to the southwest of the Punchbowl railway station and 18km from the Bankstown strategic centre. Low-rise residential neighbourhoods surround the site with some commercial premises to the south and west, and Punchbowl Park to the east. An aerial view of the site is provided in Figure 1.



Figure 1. Aerial view of subject site.

2. HISTORY OF PREVIOUS PLANNING PROPOSAL

A brief outline of the history of this proposal is provided below:

- July 2017 – the site was subject to a previous planning proposal which proposed the following:
 - Rezone the properties at 913 – 921B Punchbowl Road from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre
 - Permit a maximum 17m building height and a maximum 1.8:1 FSR
 - Apply a site-specific provision to the properties at 913 – 925 Punchbowl Road and 21 Canterbury Road to require consolidation into a single site if development is to achieve the maximum 1.8:1 FSR. Otherwise, a maximum 1.1:1 FSR to apply
 - Do not apply the Lot Size map to 913 – 921B Punchbowl Road as the Lot Size Map did not apply to the Zone B1 Neighbourhood Centre.
- September 2017 – The matter was reported to the Council's Independent Hearing Assessment Panel (IHAP) recommending the proposal proceeds to Gateway. IHAP agreed with the report's recommendation.
- November 2017 – At the Ordinary Council Meeting of 28 November 2017, the Council resolved to submit the planning proposal seeking a Gateway determination.

- May 2018 – The Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway determination and subsequent conditions.
- May 2019 – An extension was sought from the applicant which was granted by DPHI until 31 December 2020
- November 2020 – A further extension was requested due to financial hardships resulting from the COVID-19 pandemic.
- 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 this site subject to the resolution of key design and environmental issues. The planning proposal was subsequently withdrawn.

3. PROPOSAL

Council received an application to amend the *Canterbury Bankstown Local Environmental Plan 2023*¹ to facilitate medium and high-density residential accommodation and commercial development including registered clubs, hotel or motel accommodation and function centres.

In September 2022 the applicant submitted a ‘scoping report’ which provided details of an LEP Amendment as follows:

- Rezoning the properties at 913-921B Punchbowl Road from R2 Low Density Residential to R4 High Density Residential.
- Applying a varying maximum height across the site including 11m, 16m and 20m.
- Permit a maximum FSR of 1.1:1 for 913-921B Punchbowl Road and 2.1:1 for 923-925 Punchbowl Road and 21 Canterbury Road.
- Include ‘function centres’ as an Additional Permitted Use (APU).

In February 2023 Council requested further information from the applicant prior to proceeding to formal lodgement. The applicant provided the required information, and the application was formally lodged in April 2023.

The revised application as lodged in April 2023 intends to amend the CBLEP 2023 as summarised in Table 2. Figure 3 provides the scheme recommended by Council and this is discussed in more detail in Section 4.2 of this report. A copy of the current and proposed draft LEP maps is provided in Figures 5 – 11.

Table 2. Summary of proposed LEP amendments.

Proposed LEP Amendment	Explanation of proposed provisions and intended outcomes.
Land Zoning	<ul style="list-style-type: none"> • Rezone the properties at 913 – 921B Punchbowl Road from R2 Low Density Residential to R4 High Density Residential.
Floor Space Ratio	<ul style="list-style-type: none"> • Amend the maximum FSR for the properties at 923-925 Punchbowl Road and 21 Canterbury Road to 2.1:1 and for the properties at 913-921B Punchbowl Road to 1.3:1. • 23 Canterbury Road – increase the maximum permitted FSR from 1.1:1 to 1.3:1
Height of Buildings	<ul style="list-style-type: none"> • Increase the maximum permitted building height to vary across 913-921B, 923-925 Punchbowl Road and 21 Canterbury Road from 11m to 38m.

¹ Upon formal lodgement of the application in April 2023, the *Canterbury Bankstown Local Environmental Plan 2023* (CBLEP 2023) had yet been gazetted. CBLEP 2023 was gazetted in June 2023. Some documentation provided by the applicant may refer to the Draft CBLEP and the *Bankstown Local Environmental Plan 2015*.

Proposed LEP Amendment	Explanation of proposed provisions and intended outcomes.
	<ul style="list-style-type: none"> 23 Canterbury Road – increase the maximum permitted building height from 11m to 35m
Additional Permitted Use	<ul style="list-style-type: none"> Include ‘tourist and visitor accommodation’, ‘function centres’ and ‘registered clubs’ as Additional Permitted Uses for the properties at 923-925 Punchbowl Road.

The development will also include three areas for public and communal open space including a playground built to Council’s ‘Play Level 2’ specifications which will include *‘Quality and interesting playgrounds and play spaces with diverse activity opportunities and good support structures and settings’*.

A site-specific draft Development Control Plan (DCP) has not been submitted by the applicant. It is intended that the draft DCP amendment will be prepared by Council and made available for public comment during a public exhibition period for any required site-specific controls, otherwise, Council’s current controls for high density residential and mixed use development will apply.

The additional information submitted by the applicant during the assessment of the planning proposal addresses Council’s key issues, however as outlined in this report, additional information is required from the applicant and should be submitted, prior to public exhibition of the planning proposal and in response to any Gateway conditions. Furthermore, it is proposed to reintroduce the site-specific provision for site consolidation which was incorporated as part of the 2017 planning proposal. This is discussed in more detail in section 4.2.6 of this report.

The applicant has submitted a Letter of Offer, at Council’s request, that comprises the following items:

- Dedication of affordable housing – 5% of the total amount of residential units over the site and project shall be dedicated to Council as affordable housing, and
- Dedication of land for road widening as required by Transport for NSW.

A draft Planning Agreement will be progressed subject to an agreement being reached on the above public benefit offer items and Council’s intent to negotiate a greater public benefit offer. Refer to Section 5.8 for details of the monetary value of the proposed public benefit offer.

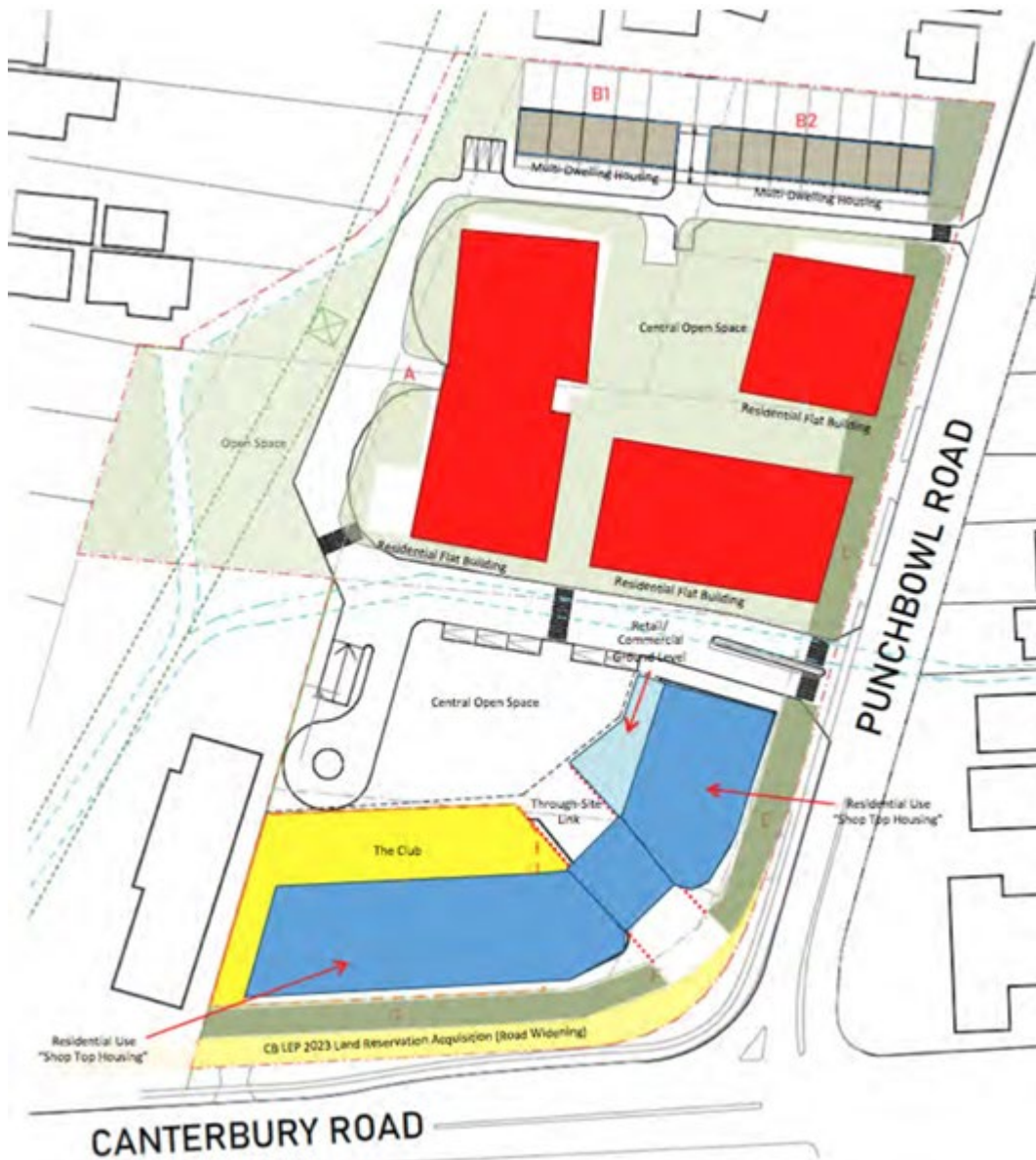


Figure 2. Site Plan showing the indicative concept development scheme (Council developed scheme).



Figure 3. Council's preferred development scheme.

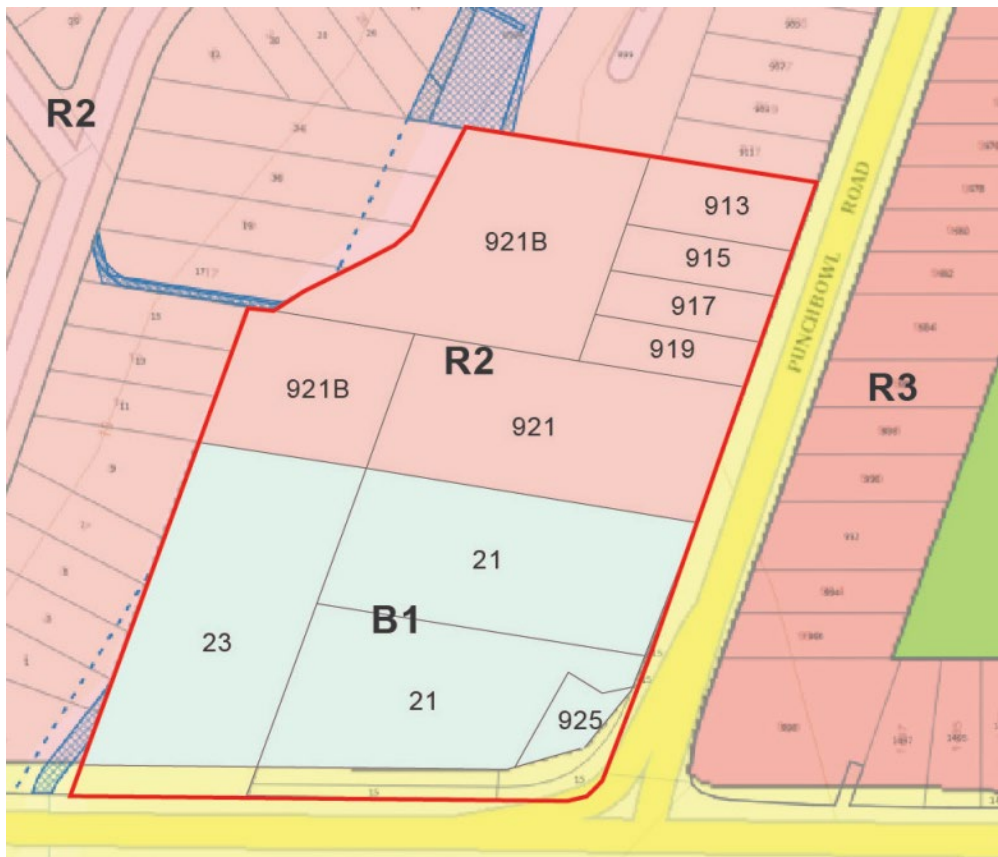


Figure 4. Existing Land Use Zoning.

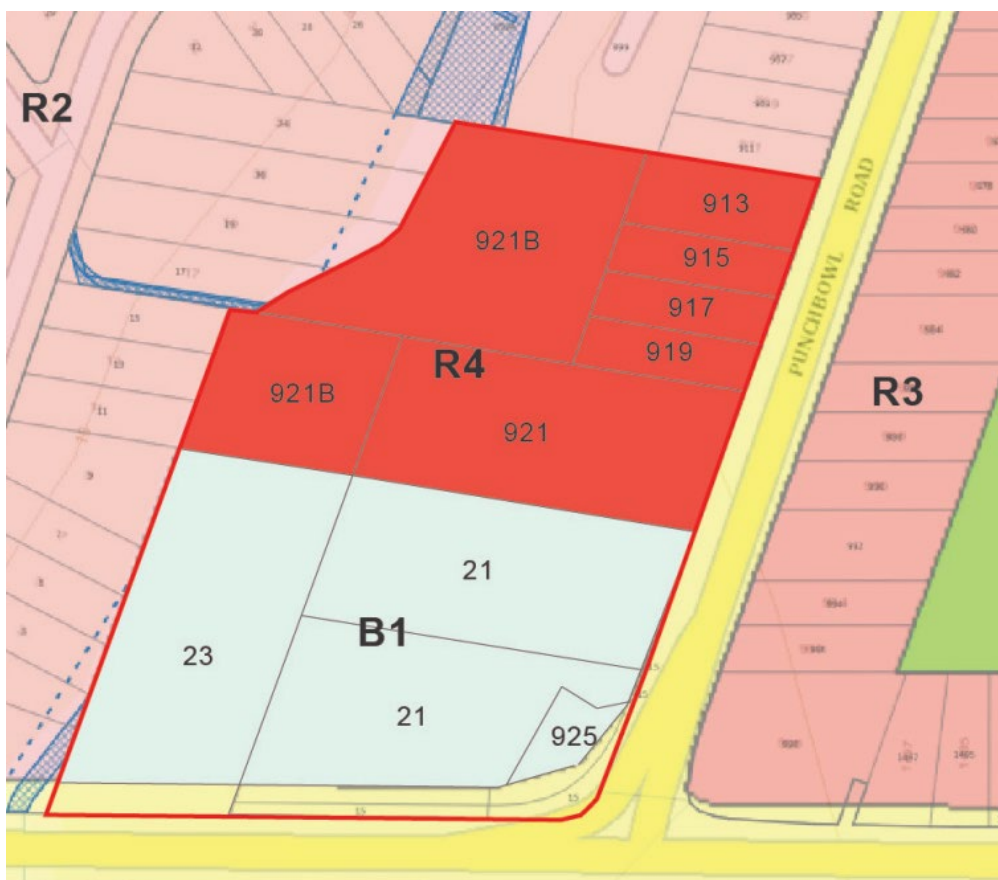


Figure 5. Proposed Land Use Zoning map.

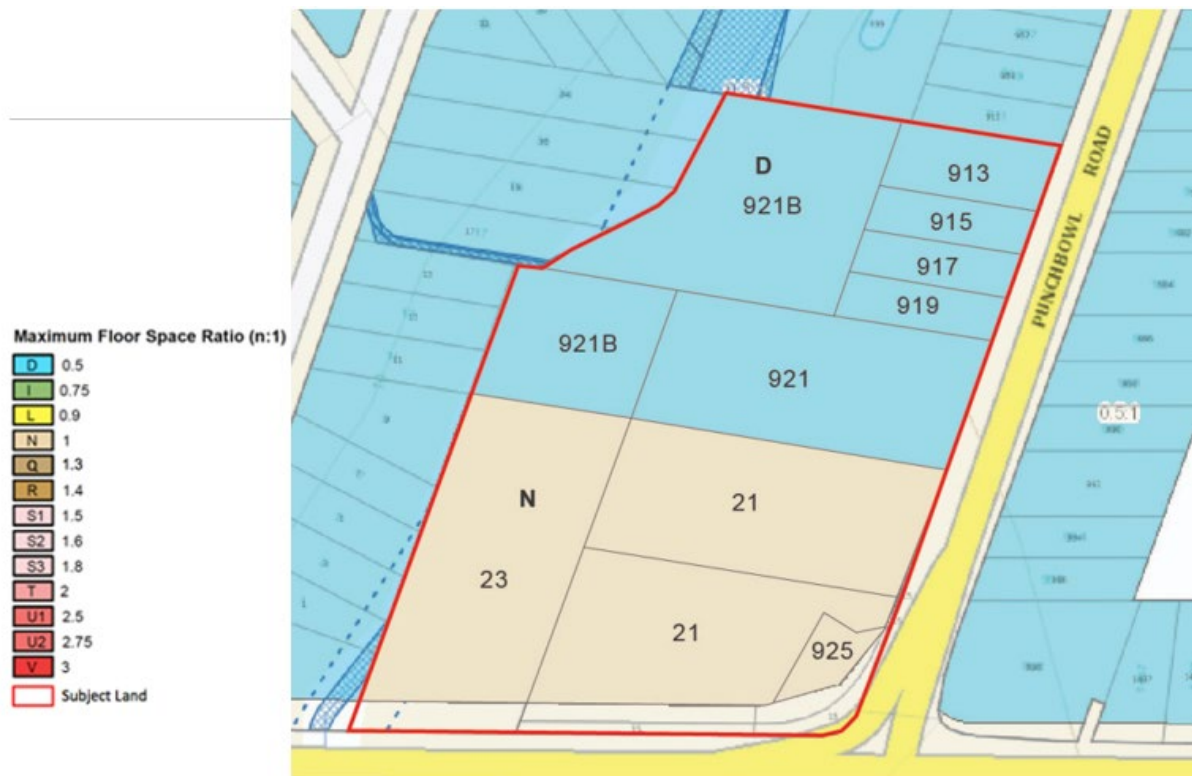


Figure 6. Existing Floor Space Ratio map.

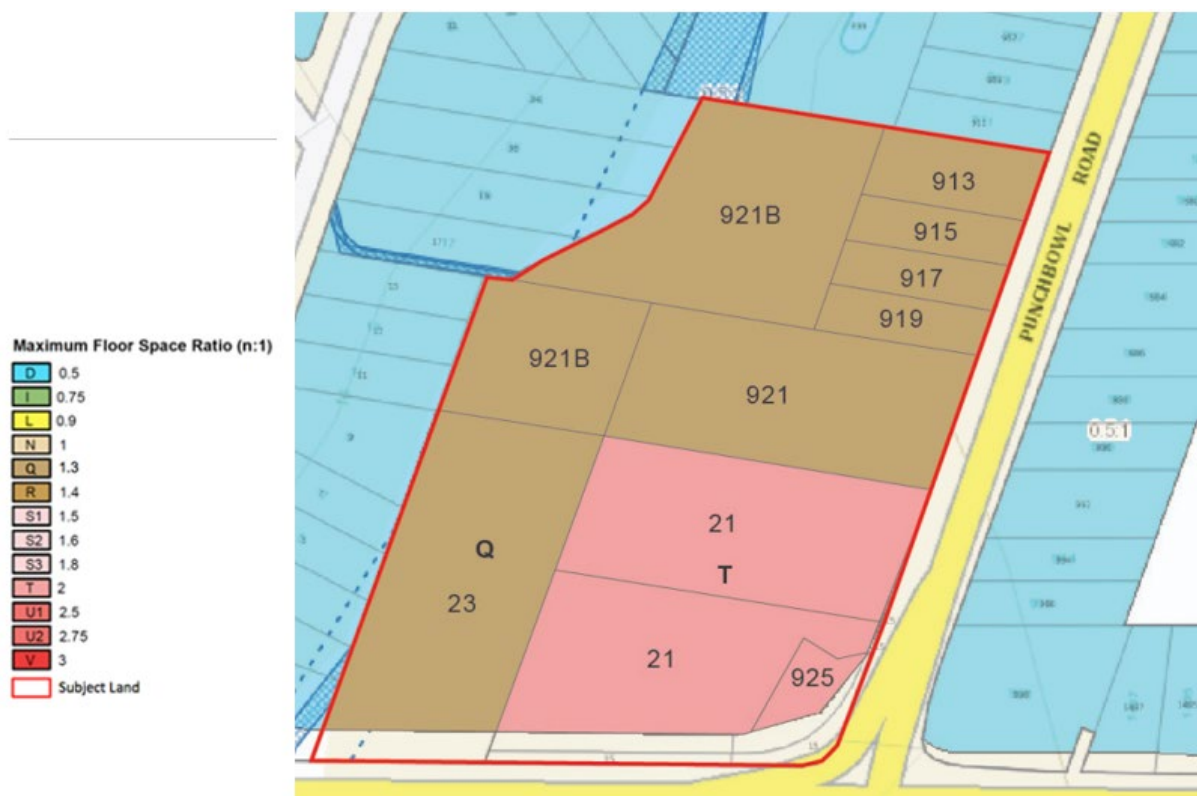


Figure 7. Proposed Floor Space Ratio map.

Maximum Building Height (m)

J	9.0
K	10.0
L	11.0
N1	13.0
N2	14.0
O	16.0
P	17.0
Q1	19.0
Q2	20.0
S	23.0
T1	25.0
T2	26.0
T3	29.0
U1	30.0
U2	32.0
V1	35.0
V2	38.0
W	41.0
X	47.0
Y	53.0

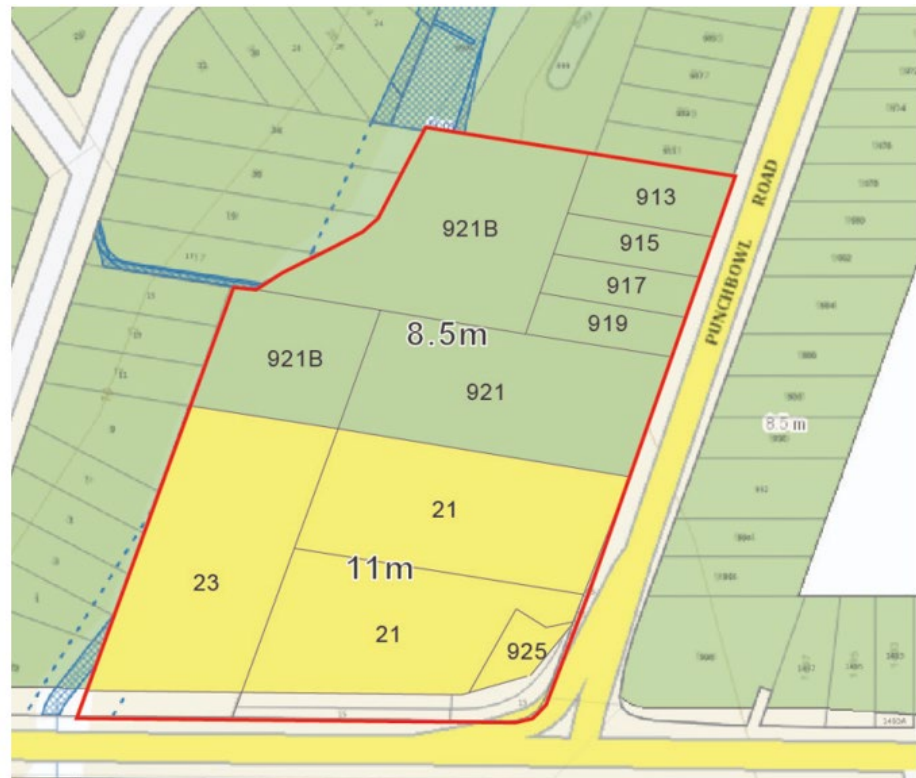


Figure 8. Existing Height of Building map.

Maximum Building Height (m)

J	9.0
K	10.0
L	11.0
N1	13.0
N2	14.0
O	16.0
P	17.0
Q1	19.0
Q2	20.0
S	23.0
T1	25.0
T2	26.0
T3	29.0
U1	30.0
U2	32.0
V1	35.0
V2	38.0
W	41.0
X	47.0
Y	53.0

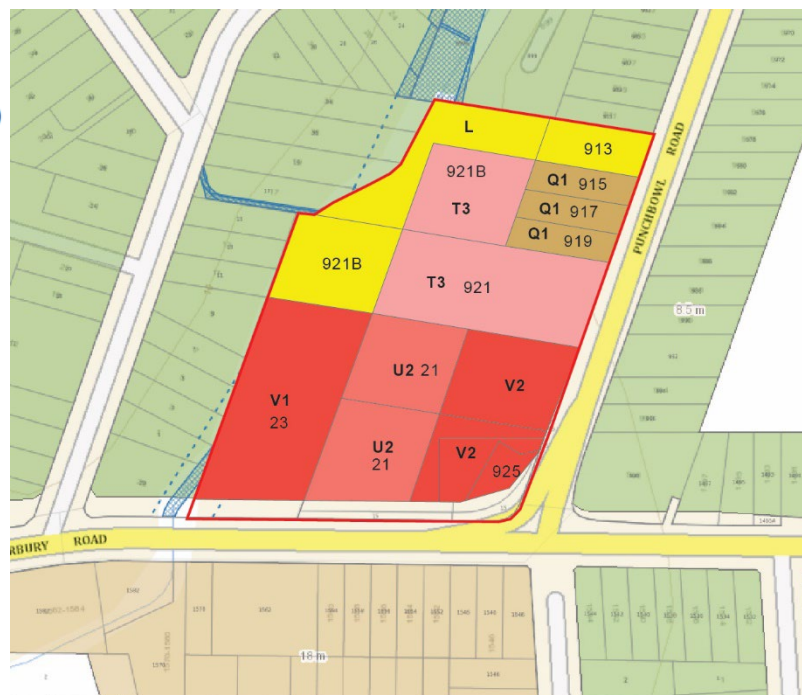
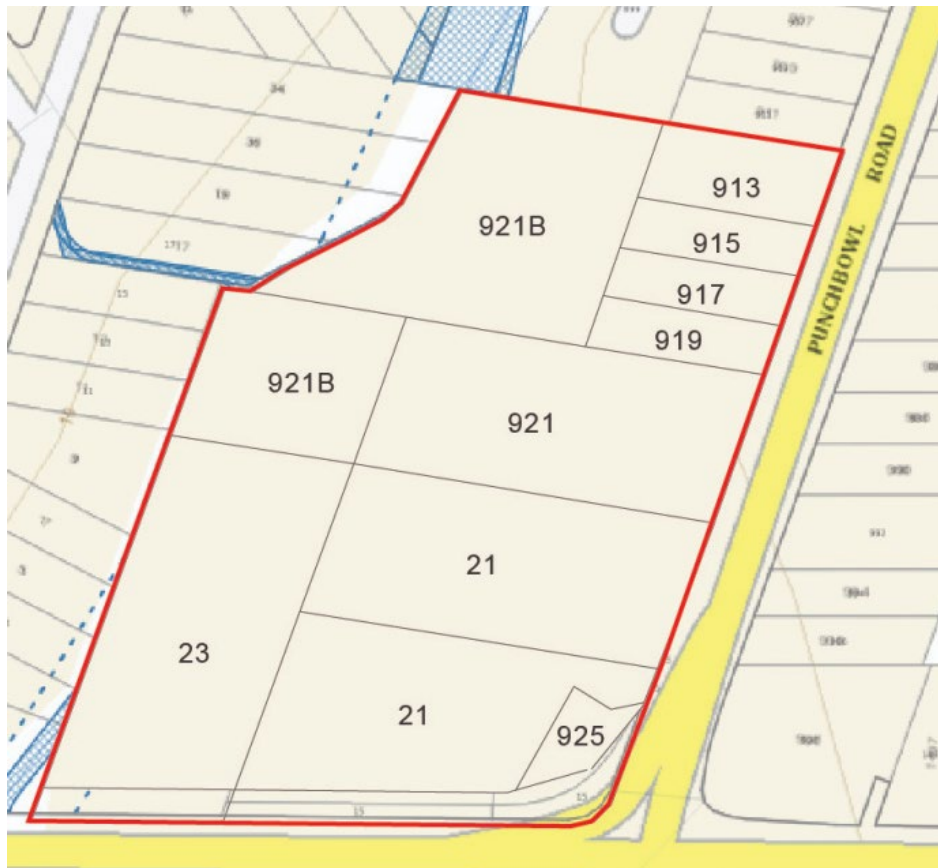


Figure 9. Proposed Height of Building map.



4. POLICY AND ASSESSMENT SUMMARY

Based on the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and the DPHI's guidelines, the following key policies are relevant to Council's assessment of the application:

- Greater Sydney Region Plan.
- South District Plan.
- State Environmental Planning Policies.
- Section 9.1 Ministerial Directions.
- Council's *Local Strategic Planning Statement 'Connective City 2036'*.
- DPHI's Local Environmental Planning (LEP) Making Guideline (August 2023).

As discussed in Section 5 below and detailed in the Applicant's planning proposal provided in Attachment A, Council's assessment of the proposed amendments to the CBLEP 2023 indicates the application demonstrates strategic and site-specific merit as it will:

- Provide a total of 334 dwellings, including 322 apartments and 12 multi-dwelling housing aligning with the Council's LSPS intent to deliver a diverse range of residential accommodation in identified centres, contributing to the 50,000 new dwellings expected for delivery in the LGA by 2036. The site is identified in the LSPS to provide for shop top housing in a village centre, which the proposal seeks to deliver.
- Deliver a new registered club on the site increasing its GFA to 1,585m² and provide approximately 1,980m² in additional commercial GFA. This will contribute to the target of 15,649 retail jobs by 2036 as identified in the LSPS (p50) and Employment Lands Strategy (p99).
- Deliver traffic and transport improvements through the Canterbury Road and Punchbowl Road intersection upgrades to be carried out as part of a Planning Agreement. These upgrades also include increased pedestrian safety through traffic light upgrades and the construction of a pedestrian refuge island on Punchbowl Road.
- Significant increased deep soil planting on the site facilitating a range of new landscaping and tree planting to support endemic ecological communities.
- Introduce new publicly accessible open spaces and a new playground for the community to partake in a range of passive and active recreational activities.

The strategic and site-specific merit of the proposal is able to be met subject to implementing the recommendations of this report and as follows in Section 5. The planning proposal prepared by the proponent and reviewed by Council Officer at Attachment A provides a detailed assessment against all relevant strategic and site-specific criteria.

5. ASSESSMENT

5.1 Consistency with Strategic Planning Framework

5.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan was released by the former Greater Sydney Commission in March 2018. It provides a 40-year vision for the Greater Sydney area and is designed to inform district and local plans and the assessment of planning proposals.

The Greater Sydney Region Plan identifies several key objectives around the need to ensure communities are healthy, resilient and socially connected – while improving housing supply to all groups in the community. The proposal will facilitate diverse housing options, enhance an existing club which plays an important role in the local community and increase commercial floorspace.

The planning proposal is consistent with several planning objectives in the Plan. These include:

- Objective 7: Communities are healthy, resilient and socially connected;
- Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods
- Objective 10: Greater housing supply
- Objective 11: Housing is more diverse and affordable
- Objective 12: Great places that bring people together
- Objective 30: Urban tree canopy cover is increased
- Objective 31: Public open space is accessible, protected and enhanced, and
- Objective 35: More waste is re-used and recycled to support the development of a circular economy.

5.1.2 South District Plan

The former Greater Sydney Commission released the South District Plan on 18 March 2018 to give effect to the Greater Sydney Region Plan. The South District Plan contains priorities and actions to guide the development and planning of the South District – while improving its social, economic and environmental assets.

The proposal achieves consistency with the following South District Planning Priorities:

- Planning Priority S4 – Fostering healthy, creative, culturally rich and socially connected communities
- Planning Priority S5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport
- Planning Priority S1 – Protecting and improving the health and enjoyment of the Districts waterways
- Planning Priority S3 – Increasing urban tree canopy cover and delivering Green Grid connections
- Planning Priority S4 – Delivering high quality open space

The planning proposal's aim to facilitate the redevelopment of the site will provide additional housing with a mix of typologies such as apartments and multi-dwelling housing (terraces). The development will increase opportunities for social interaction on the site through the redevelopment of the existing club and publicly accessible recreation areas as well as contribute economically to the locality by increasing retail floorspace.

The application will facilitate the delivery of affordable housing, dedicating 5% of the overall residential development or an equivalent monetary contribution. It is noted the duration of the dedication of affordable housing is yet to be negotiated and will form part of the Planning Agreement, with Council Officers' intent to require the affordable housing dedication to be in perpetuity or an equivalent monetary contribution. In relation to housing choice, the proponent's concept development proposal shows that the site would be capable of providing a mix of residential flat buildings, shop top housing and medium density development, each with a mix of studio/1-, 2- and 3-bedroom dwellings. The proposal is expected to deliver 334 new dwellings in total, including 322 apartments and 12 multi-dwelling housing. This will contribute to Council's target of 50,000 new dwellings within the LGA as identified in the South District Plan and Council's Housing Strategy.

In its current form, the site is significantly lacking in deep soil landscaping and tree canopy, with the majority used as an at-grade car park and club buildings. The planning proposal and associated site specific DCP development will result in substantial improvements through the increase and enhancement of landscaping throughout the site, establishing high quality open spaces for public access and resident usage. The concept development proposal would deliver approximately 5,797m² of deep soil landscaping, equating to 29% of the total site area. These areas will have capacity to host large and medium sized trees, increasing the urban tree canopy cover and reducing the urban heat island effect. Further landscaping will be provided over podiums and as roof top gardens, although not contributing to the overall deep soil area, will nevertheless provide increased amenity for residents and the general public and opportunities for microclimate and local habitat for birds and insects.

The site is well connected to existing and future public transport infrastructure that will serve the future residents and visitors to the club. The site is located approximately 1.8km from the Bankstown Strategic Centre, 1.2km from Punchbowl train station (to become a future Metro Station) and is well serviced by the 487 (Bankstown Central to Canterbury) and N30 (Macarthur to Sydney Town Hall, night service) bus routes which pass by the site on Canterbury Road. Bus stops are located directly adjacent to the site as well as further along Canterbury Road in both directions within 200m.

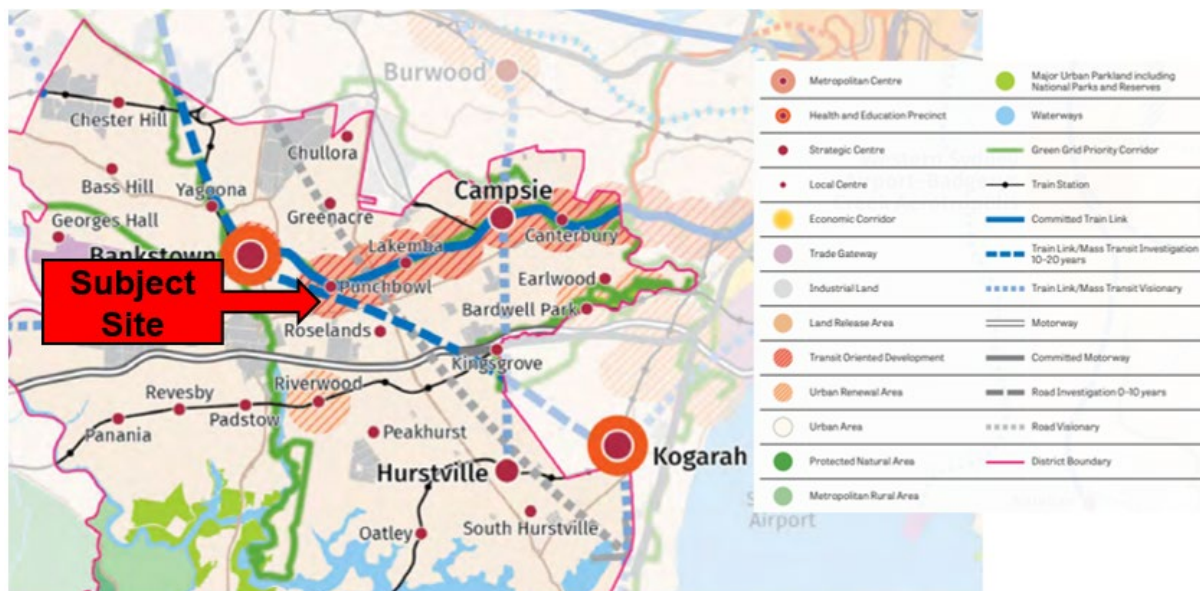


Figure 12. Structure Plan for the South District. Location of site outlined in red (Source: South District Plan, page 11).

5.1.3 Local Strategic Planning Statement – ‘Connective City 2036’

The southern part of the site is identified in the Council’s LSPS as a ‘village centre’, which encourages mixed housing typologies and uses to support a small centre. The proposal will provide for a mix in housing types while also ensuring the delivery of small-scale commercial uses, through the inclusion of retail floor space. The redevelopment of the site with a new club facility will also contribute to vibrancy and activity.

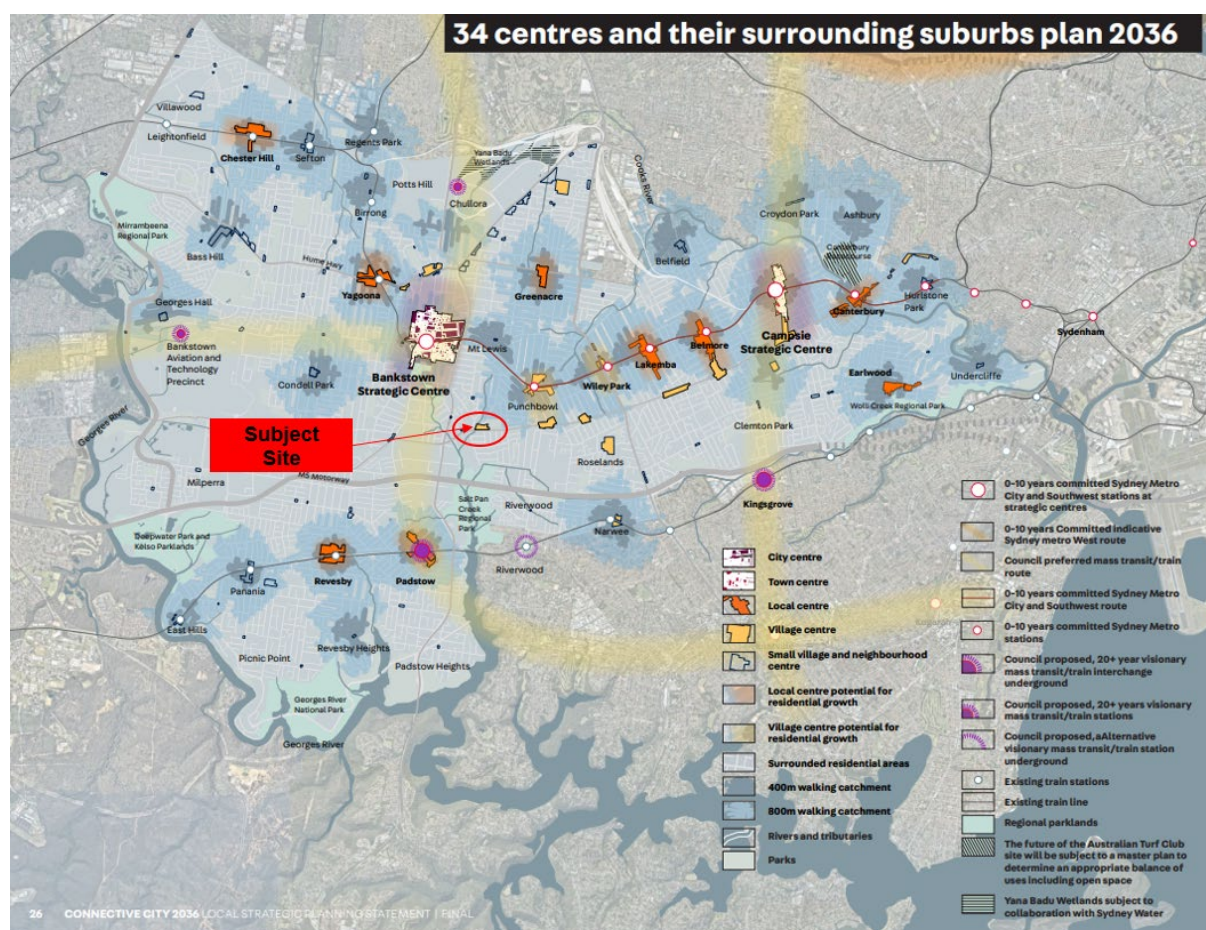


Figure 13. The LSPS ‘Connective City 2036’ plan showing the location of the site in red. (Source: Connective City 2023, page 26).

The planning proposal is consistent with Council's LSPS and will make an important contribution towards achieving Council's housing target of 50,000 dwellings by 2036. In determining the appropriateness of housing locations and delivery, the LSPS provides key principles to guide this decision. The proposal is consistent with the following relevant principles:

- Locate 80% of new housing within walking distance of mass transit/train stations.
The site is well serviced by two bus routes which provide access to the train stations Bankstown, Canterbury and Riverwood, all located directly adjacent the site on Canterbury Road and Punchbowl Road. The site is also located 1.2km south from the Punchbowl train station which is approximately a 20-minute walk.
- Promote a mixture of uses in centres that support the functioning of everyday life including employment, recreation, civic, commercial, health and educational requirements.
The proposal includes the refurbishment of the existing club and inclusion of retail floor space providing for increased employment opportunities. The proposal will allow for three new publicly accessible open spaces each with different activities to promote a mixture of uses such as a playground, large, grassed areas and sheltered seating.
- Coordinate housing delivery and infrastructure planning.
As part of the proposed draft Planning Agreement, improvements to pedestrian crossings and safety features on Punchbowl and Canterbury Road will be delivered to manage the increased housing capacity for this site. Furthermore, the development will attract section 7.11 and 7.12 development contributions which will fund further infrastructure improvements throughout the LGA.
- Set planning rules that deliver quality design and feasibly deliver investment in new development.
The planning proposal will be supported by a site-specific development control plan (DCP) and Planning Agreement which will detail design requirements and inform the delivery of benefits to the community.
- Provide housing choice to suit each life stage through a range of housing typologies, sizes, and tenures.
The proposal facilitates the delivery of housing through apartment style, shop top housing and medium density dwellings each with a mix of sizes and bedrooms. The proposal also allows delivers adaptable and accessible dwellings to ensure each life stage is accommodated for.
- Provide affordable housing typologies especially for very low-, low- and moderate-income households.
The proposal dedicates 5% of the total development as affordable housing, or with an equivalent monetary contribution, which will form part of the Planning Agreement. This agreement is still open for negotiation therefore the duration and specific aspects of this dedication has yet been finalised. A draft Planning Agreement will be made available for exhibition.

- Lead with place-based and design-led planning to inform change.

The proposal demonstrates place-based and design-led planning through its incorporation of the club with residential and retail uses while also ensuring a mix of open spaces including a playground outside the club for public use, a large open space to the west for passive recreation uses and active frontages that encourages pedestrian activity and movement through and around the site. The future site specific DCP will require the provision of new deep soil planting to provide increased tree canopy in comparison to the existing minimal tree canopy on the site. The proposal has balanced the non-residential and residential uses in a logical way that will lead to a quality place-based planning outcome.

In addition to the abovementioned principles, the planning proposal is consistent with the following key relevant LSPS objectives, which will be further guided through proposed LEP and DCP controls:

Evolution 3 – Places for Commerce and Jobs

- E3.8. Enhance local economic activity in centres and suburban areas.
- E3.8.76. Review corner shop controls to allow for outdoor dining flexibility for small-scale local investment.
 - *Comment:* Investigations into appropriate DCP controls will determine if the site can accommodate for corner shop uses. Outdoor dining controls will be implemented to encourage active uses within the B1 zone.

Evolution 5 – Green Web

- E5.6. Provide equitable access to open space.
- E5.7. Increase native vegetation and tree canopy cover.
- E5.9. Embed Aboriginal cultural heritage within the Green Web
 - *Comment:* At the time of lodgement and initial assessment, the applicant had not provided an Aboriginal Cultural Heritage (ACH) assessment. This has been requested and will be provided prior to exhibition and the site specific DCP will require a detailed ACH at DA stage, in accordance with the Government Architect NSW 'Connecting with Country Framework'. Notwithstanding, the proposal has the capacity to meet this objective.
- E5.12. Create diversity in open/public space character types.
- E5.13. Expand the City's indigenous plant and animal ecologies.
 - *Comment:* Tree and plant species will be included as a control in the future site-specific DCP.

Evolution 6 -Urban and Suburban Place, Housing the City

- E6.3. Improve design quality throughout the City.
- E6.10. Provide housing that suits the population.
 - *Comment:* The LSPS has 'An aspirational growth split of 20% of housing in suburban areas and 80% in centres. This target is addressed by the proposal as it is located in a designated 'Village Centre' in the LSPS (as shown in Figure 13).
- E6.11. Affordable and social housing
- E6.12. Ensure housing growth is supported by infrastructure and funding.

Evolution 9 – Sustainable and Resilient Places

- E9.4. Increase tree cover.

- E9.6. Manage energy, water, and waste efficiently to support more resilient and liveable communities.
- E9.7. Provide sustainability features to all housing.
- E9.8. Ensure waste works with building and streetscape design.
- E9.9. Concentrate housing close to public transport.
- E9.10. Support a locally based circular waste economy.
- E9.11. Optimise water conservation and re-use by adopting water sensitive urban design.

5.1.4 Canterbury Bankstown Council Housing Strategy

In June 2020, Council endorsed the Canterbury Bankstown Housing Strategy which provides clear guidance on the expected delivery of future dwellings to 2036, allowing Council to plan forward and ensure the required public infrastructure to support the population is provided. The Housing Strategy includes housing delivery framework, which will assist in determining housing is proposed in the correct locations and at the right mix. Overall, the intent and vision of the Housing Strategy is to provide a mix of housing types and concentrates larger developments in areas that can accommodate jobs and services for its residents.

The Housing Strategy identifies the site as a village centre and recommends housing types such as low-rise medium density, dual occupancies, secondary dwellings and detached dwellings.

Hierarchy	center
City Centre	Bankstown
Town Centre	Campsie
Local Centre	Canterbury, Belmore, Lakemba, Padstow, Revesby, Chester Hill, Greenacre, Yagoona, Earlwood
Village Centre	Punchbowl, Wiley Park, Canterbury Road-Hurlstone Park, Canterbury Road-Campsie, Canterbury Road-Belmore, Canterbury Road-Lakemba, Canterbury Road-Punchbowl , Narwee, Clemton Park, Yagoona-Hume Highway/Rookwood Road
Small Village Centre	Bass Hill, Regents Park, Georges Hall, Condell Park, Hurlstone Park, Birrong, East Hills, Belfield, Croydon Park, Sefton, Panania

Figure 14. Centre Hierarchy identified for growth under the Housing Strategy, page 108.

While the planning proposal includes higher density types of residential accommodation that falls outside the abovementioned typologies, the Housing Strategy also identifies the suburb of Punchbowl as having potential for infill development and notes these village centres have the capacity to house 9,100 new dwellings by 2036. Subject to appropriate design, the site provides a unique opportunity to deliver around 334 dwellings towards this target. The planning proposal is considered to meet the overarching objectives of the Housing Strategy. The scale of the development that would be enabled by the planning proposal is also commensurate with the maximum FSR of 2.5:1 and 6-9 storey development under the Canterbury Road Review (p29).

5.1.5 Canterbury Bankstown Council Affordable Housing Strategy

In June 2020, Council adopted the Affordable Housing Strategy which seeks to reduce the level of housing stressed experienced across the LGA. Punchbowl is identified as the second highest suburb in the LGA with around 45% of the population experiencing housing, rental, and mortgage stress.

As part of a Letter of Offer, the applicant has identified 5% of the overall development will be dedicated as affordable housing, which is consistent with Council's Planning Agreement Policy, however noting that Council will include the option for a monetary contribution to be made. If dedication occurs, Council will require the affordable housing to be dedicated to Council in perpetuity.

5.1.6 Canterbury Bankstown Canterbury Road Review

In May 2018, Council adopted 'in principle' the Canterbury Road Review, which established a new approach and vision for development along the Canterbury Road corridor. The review recommended mixed-use development in identified nodes, as residential units have the capacity to be designed in a way that increases amenity for residents, such as:

- Orientate residential development north providing a 'noise barrier' building typology.
- Fewer potential impacts on single dwellings, and
- Better access to services, public transport, and future open space.

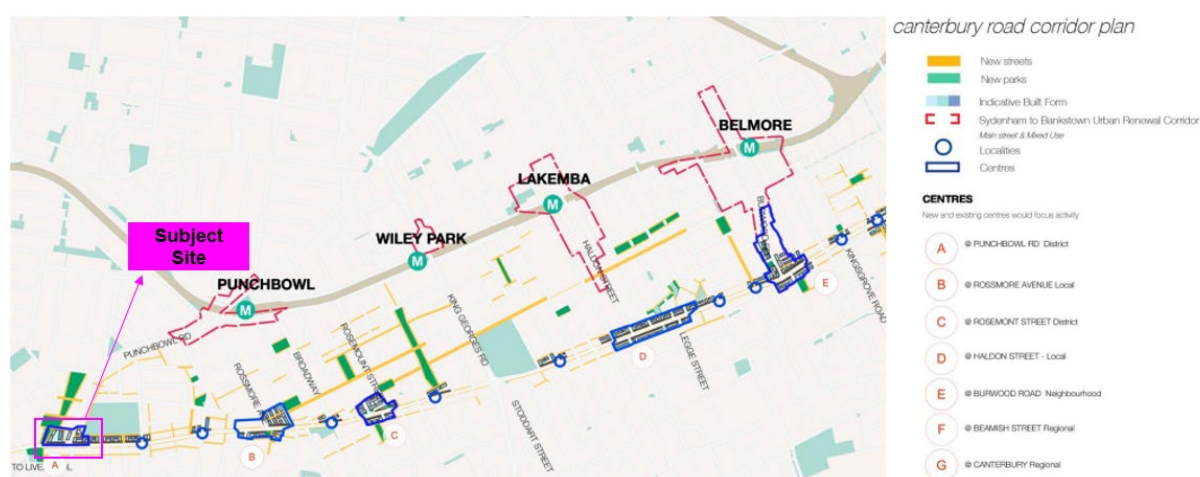


Figure 15. Canterbury Road Corridor Plan. Source: Canterbury Road Review, page 23.

As outlined above in Figure 15, the site is located within an identified 'centres' node where the centre, straddling the west and eastern sides of Punchbowl Road, would accommodate a mix of development ranging up to 9 storeys in height. The planning proposal includes a corner 'marker' building with a maximum of 11 storeys and the remaining buildings sitting behind to the north being nine storeys or less. The proposed heights are therefore considered to be generally reflective of the vision for the centre in the Canterbury Road Review.

The proposal includes a 6m setback from Canterbury Road, as measured from the future road widening identified by TfNSW, which will allow for adequate planting and tree canopy coverage and provides a physical separation from the busy roadway. Overall, the proposal aligns with the objectives of the Canterbury Road Review as it has adequately considered the impacts of Canterbury Road and any future residential development can be designed to ensure high amenity for its future residents, to be detailed in the Development Application.

5.1.7 Canterbury Bankstown Council Employment Lands Strategy

The Canterbury-Bankstown Employment Lands Strategy provides the basis for a planning framework that proactively guides future growth and support the delivery of employment to the Canterbury-Bankstown LGA. The site is not specifically identified in the ELS as a designated precinct that should be subject to site-specific employment lands requirements. However, Aim 9 of the ELS applies to village centres and aims to ‘Support population serving centres as community hubs for small business’ by implementing the following Actions:

- The location of new housing growth to foster growing retail catchments.
- Providing sufficient zoned land to allow business to expand as needed.
- Encouraging a variety of floorplate sizes for a diversity of employment
- Encouraging innovation such a flexible and We Workplaces, and
- Improving the amenity of centres – so that they are vibrant attractive places where people enjoy spending time.

The planning proposal and concept development scheme developed for the site, along with the site specific DCP that will be prepared by Council will ensure there are planning controls in place to facilitate development that can achieve these outcomes.

5.1.8 NSW State Government Employment Zones Reform

In May 2021, DPHI proposed to replace the existing business and industrial (IN) zones with five employment zones and four supporting zones under Standard Instrument (Local Environmental Plans) Order 2006. The reform was finalised in December 2021 and Canterbury Bankstown Council is required to implement the new industrial and employment zones by April 2025.

DPHI developed and finalised the employment zones based on quantitative and qualitative evidence to:

- maximise productivity while minimising land use conflicts and ensuring they are fit for purpose
- address current barriers within the planning system that limit the ability of businesses to establish, expand or adapt, and
- better support councils in the delivery of the strategic vision contained in their Local Strategic Planning Statements and background studies.

At its meeting on 4 March 2024, the LPP considered a draft planning proposal to amend the CBLEP 2023 to amend all existing business and industrial zones in accordance with the Stage Government led changes. Council is yet to exhibit the proposed employment zones reform changes – this will be considered in the future by a separate planning process as initiated by Council. As detailed in the March 2024 LPP report, it is intended that the intent of the B1 Neighbourhood Centre zoned portion of the site will remain the same size and shape and is proposed to transition to the new E1 Local Centre zone upon implementation of the new zones reform framework in the CB LEP 2023.

5.2 Urban Design Considerations

5.2.1 Built form Testing and Alternative Scenarios

The planning proposal has been revised since its lodgement with Council in response to Council's assessment. Council's key issues with the initial as-lodged development concept in relation to urban design considerations were as follows:

- More building height variation and definition for the corner building
- Inconsistencies and non-compliance with the Apartment Design Guide (ADG) in relation to setbacks, solar access, and ventilation
- Deep soil calculations do not meet the minimum required width of 6m.
- Some communal open space areas did not appear to be practical due to proposed locations of onsite detention basins and playgrounds underneath powerlines.
- Buildings that lacked in variation regarding floor plate size, design, and orientation
- Poor visual connection from Canterbury Road to the proposed public open space at the centre of the development, and
- Inconsistencies between the Landscape Plan and the Architectural Plans especially in relation to tree planting within the land reservation area on Canterbury Road

Working with the applicant, Council developed three iterations of the initial development scenario to address the abovementioned issues. The summary of how the initial development scenario was improved is presented below in Table 3 . It is also noted the inclusion of 23 Canterbury Road was investigated as part of Scenario 3 and is discussed in section 4.2.2 below and that site has been included as part of the planning proposal.

Table 3. Built form testing scenario analysis.

	Scenario 1	Scenario 2	Scenario 3
Evaluation	Council's initial scenario provided in an additional information letter (Figure 16)	Applicants response to Scenario 1 (Figure 17)	Council's preferred scenario – this planning proposal (Figure 18 & 19)
Pros	<ul style="list-style-type: none"> • Pedestrian connection directly from Canterbury Road • Location of roundabout does not significantly decrease landscaping opportunities. • High pedestrian permeability • Ample opportunity for podium open spaces on club building • Good building height variations which gradually reduce towards the north • Increase landscaping. 	<ul style="list-style-type: none"> • Improved built form through carrying building heights and definition of the corner building. • Lower density on the Punchbowl Road interface • Good transition to the lower density dwellings to the north • ADG compliant building separation and setbacks • More variation in building typologies 	<ul style="list-style-type: none"> • Provides the most deep soil and canopy tree coverage. Deep soil equates to 42% of the total site area with 22% canopy coverage achieved. • High permeability achieved with the provisions of through-site links connecting pedestrians and residents to open space. • Bulk and scale is minimised through varying building height across the built form • ADG compliant building separation and setbacks • Waste management is simplified due to consistent built forms (i.e., basements below service the residential

	Scenario 1	Scenario 2	Scenario 3
			flat buildings and the townhouses via kerb side collection). <ul style="list-style-type: none"> Retains the initial
Cons	<ul style="list-style-type: none"> FSR is less than what was initially proposed which may not be economically viable. The pedestrian connection from Canterbury Road opens the public open space to noise impacts which will reduce amenity. Higher density due to the retention of the residential flat building facing Punchbowl Road 	<ul style="list-style-type: none"> Waste management becomes more complicated with the basement servings residential flat buildings and townhouses. The roundabouts are unnecessary and removes opportunities for landscaping. Decreased pedestrian permeability throughout the site 	<ul style="list-style-type: none"> Higher density due to the retention of the residential flat building facing Punchbowl Road



Figure 16. Scenario 1: Council's initial scenario provided in an additional information letter.

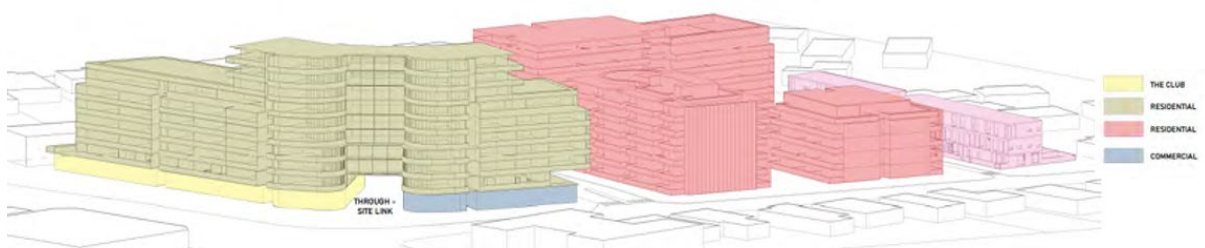


Figure 17. Scenario 2: Applicants response to Scenario 1



Figure 18. Scenario 3: Council's preferred scenario with statistical comparison.



Figure 19. Scenario 3: Council's preferred scenario.

Council's preferred scenario (Scenario 3) shown above is based on the following design criteria:

- Ground floor commercial: 4.4m floor-to-floor height
- Residential floor levels: 3.2m floor-to-floor height, and
- 2m height to account for lift over-run as shown in grey (see Figure 20).



Figure 20: Scenario 3: Council's preferred scenario, viewed from the north west, showing maximum building heights (grey shading on the top of the buildings is a 2m mechanical plant height allowance).

As mentioned in Section 2 of this report, the site was subject to a previous planning proposal in 2017. As part of that assessment, Council engaged with an urban design expert, Architectus, to perform an Urban Design Peer Review of the proposed scheme. Their recommendations are outlined below in Figure 20.

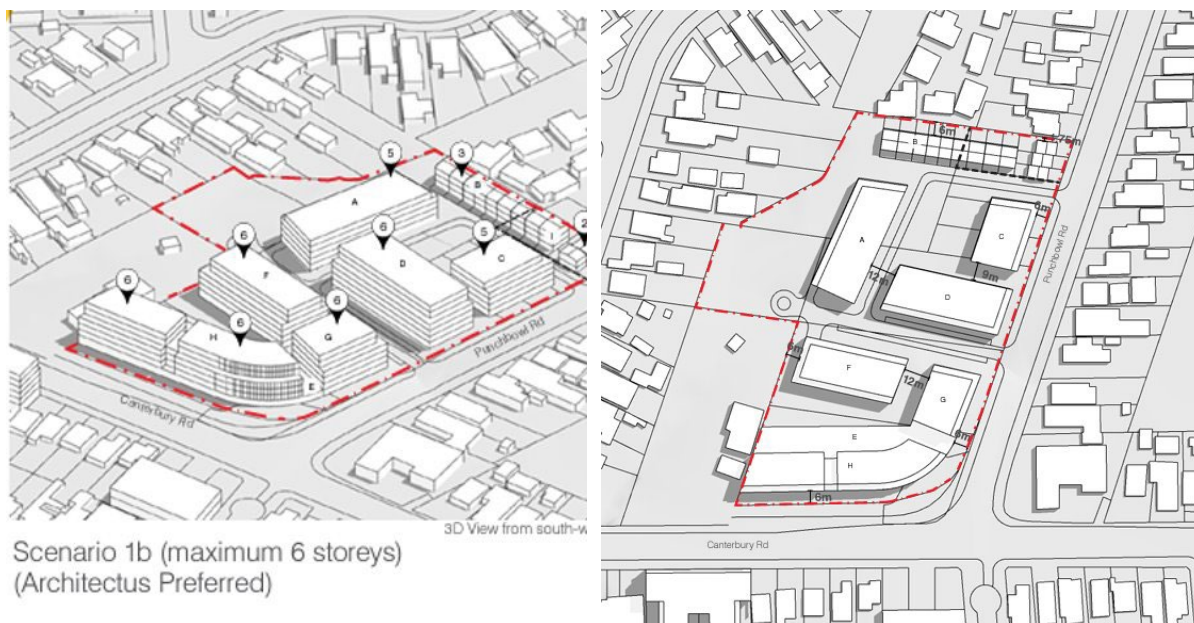


Figure 21. Architectus Scheme for the 2017 planning proposal.

Council's preferred Scenario 3 further enhances and improves on the recommended Architectus scheme by incorporating the following:

- More public open space
- More opportunities for landscaping and tree canopy
- Offers a more interesting building design including treatments to the corner building that highlights this site as a gateway site and provide improved building articulation

- Higher pedestrian permeability including a pedestrian through site link from the south eastern corner of the site at the Punchbowl Road/Canterbury Road intersection
- Varies building heights, and
- Offers more amenity to the northern townhouses in particular the easternmost terraces by removing the terraces fronting to Punchbowl Road.

Further to the above, Scenario 3 fully considers the planned road widening and land acquisition on Canterbury Road. A setback of 8m excluding the road widening is provided which can accommodate significant tree planting without being impacted by future works. The applicant has provided an urban design analysis in response to Scenario 3 which is attached to this report in Attachment O.

5.2.2 Inclusion of 23 Canterbury Road

Council identified during the assessment process the inclusion of the adjoining site at 23 Canterbury Road. Both Council and the applicant undertook an urban design review to ascertain the developable area and how the site can be integrated with the development on the former 'Club Punchbowl' site. Figure 21 outlines the area of 23 Canterbury Road that would be able to be developed.

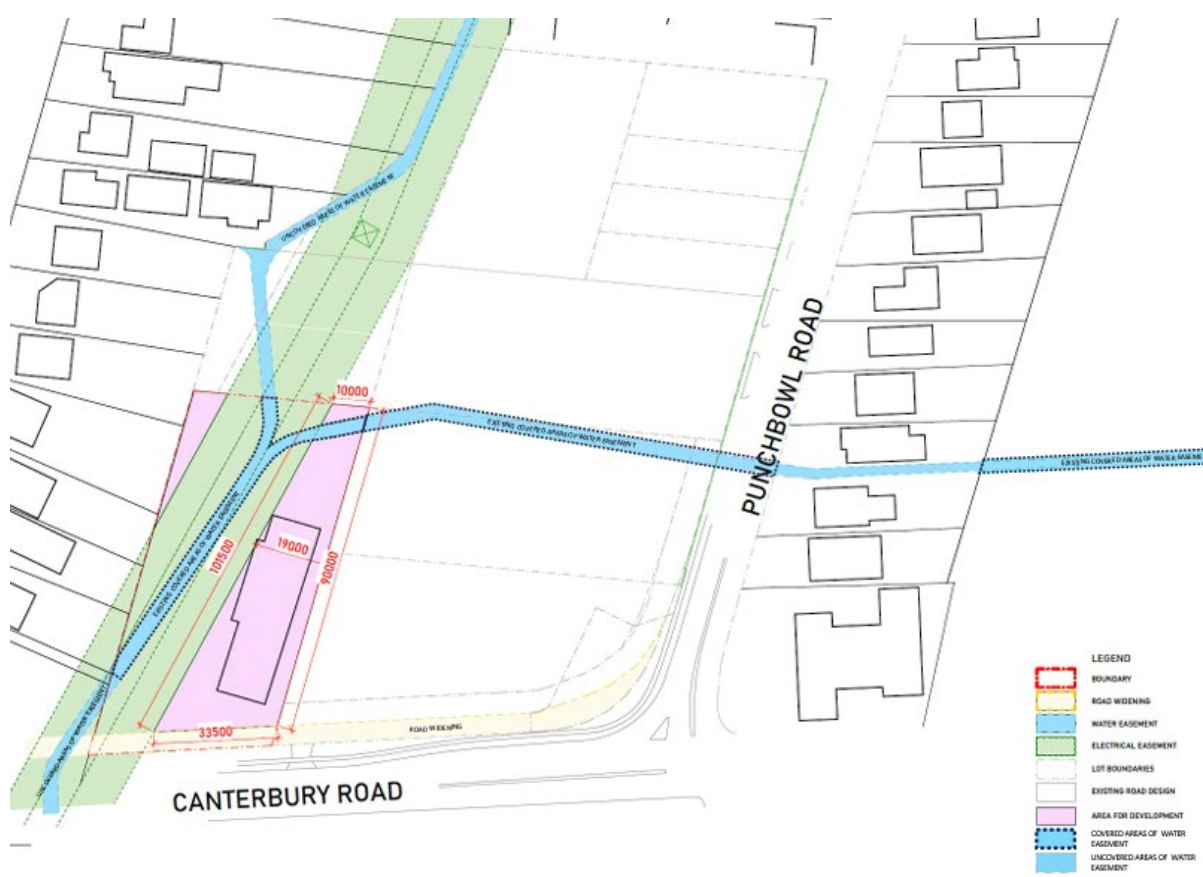


Figure 22. Developable area, as outlined in pink, and site constraints for 23 Canterbury Road.

It is understood based on feedback from the applicant, that attempts have been made by the landowners of the development site to acquire 23 Canterbury Road however, these has been unsuccessful. Notwithstanding, the intent of including this site ensures a holistic approach to the planning proposal and addresses the planning for this key intersection as a precinct as identified in the Canterbury Road Review and a village centre under Council's LSPS.

The investigation of this site identified an opportunity to improve the outcome of the planning proposal and promote good design outcomes. Council will produce draft site-specific development controls that will encourage future development for this site prior to the exhibition of this planning proposal.

5.2.3 Solar Access Impacts

The site is orientated to the north and south with low density residential dwelling of 2 storeys to the north and east, a bulky materials storage use to the east and higher-low density to the south of Canterbury Road. The proposal seeks a maximum building height of 29 metres on the corner of Punchbowl Road and Canterbury Road facing southeast, comprising approximately 9 stories. Elsewhere on the site, the maximum height varies between 25 metres and 11 metres, transitioning to the low-density residential typology adjoining the site to the north.

The applicant has provided solar access impact analysis which is held in Attachment A. The relevant figures are provided below in Figure 23. Due to the site's location on the corner of two major road intersections, the overshadowing impacts to the adjoining residential dwellings to the south and east will be limited with the majority of overshadowing occurring within the front setbacks and road carriageways. The adjoining property at 23 Canterbury Road is currently a non-residential use however, the site will still achieve over 3 hours of continuous solar access during the winter equinox (June 21).

In relation to internal solar access, the site has the capacity to provide for a minimum of 2 hours of direct sunlight to 70% of all residential units in mid-winter as per the Apartment Design Guide (ADG). Currently, there are a few of instances where it is unclear if some of the apartments, particularly those that are south facing, can achieve the required 2 hours solar access to 70% of apartments under the ADG. This matter will be resolved prior to exhibition of the planning proposal and addressed through DCP controls as required.

It is proposed that the site specific DCP to be exhibited concurrently with the planning proposal, where practical, will include detailed building controls such as minimum setbacks and building separation distances for all building levels to ensure acceptable solar access is achieved within the site and to adjoining properties to the south and east of the site. This approach will maintain the integrity of the vision for the site, while providing certainty for the community that an increase in building height will not have a detrimental impact on the amenity of the surrounding locality or the future occupants of the site.

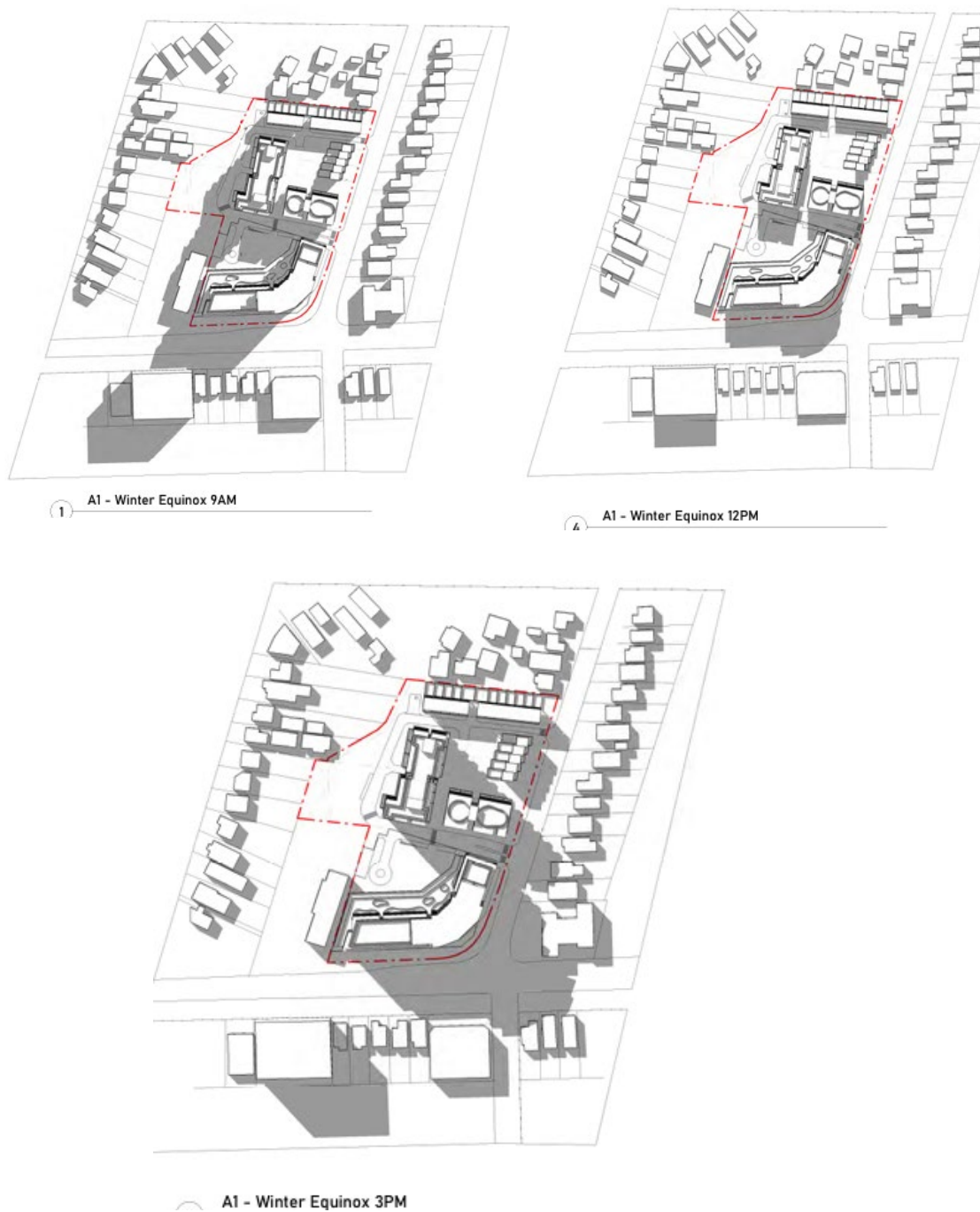


Figure 23. Shadow diagrams for 21 June at 9am, 12pm and 3pm. Source: Architectural Plans, page 56.

5.2.4 Building Height Control and Transition to adjoining area.

The site is located in a 'node' on the corner of Canterbury and Punchbowl Road as included in the Canterbury Road Review (the Review). The Review envisages 'nodes' to be the focus of development and additional built form to reinforce connective streets critical to linking Canterbury Road to the surrounding area in the north.

The nodal approach has been adopted in the Canterbury Road Review, which seeks to cluster taller buildings signifying the entrance to a centre. The corner of Canterbury and Punchbowl Road is the entrance of the suburb of Punchbowl and its town centre is accessible 1km north along Punchbowl Road. The proposal is consistent with the nodal approach established in the Review as it will maintain the intention for a transition in building heights stepping down from the corner and to the north. This is achieved by the corner building achieving a 11-storey built

form envelope, transitioning to eight, seven and five storeys before it reaches the northern three storey terraces in the north (Figure 24).

In order to accommodate a two storey through-site link from Canterbury Road, additional height allowances were considered appropriate to emphasise the gateway status of the site. Analysis and testing of this additional height demonstrated it would not have any additional overshadowing impacts on adjoining southern and eastern properties. It is intended that the site specific DCP will include minimum building setbacks and articulation for the buildings to ensure an appropriate built form outcome.



Figure 24: 3D model showing the recommended development scheme scenario, viewed from the north west

5.2.5 Floor Space Ratio

The proposal seeks to achieve the following FSR:

- B1 Neighbourhood Centre zoned portion
 - Total proposed GFA: 15,710m²
 - Total FSR: 2.0:1
- R4 High Density Residential zoned portion
 - Total proposed GFA: 16,410m²
 - Total FSR: 1.3:1

These maximum FSRs in conjunction with the maximum building heights between 11m – 29m will help guide the transition of height and scale from the proposed development to the existing lower scale and lower density development to the north and east on Punchbowl Road. The site-specific DCP will be supported by controls not limited to, building setbacks, building articulation, streetscape, landscaping and tree canopy and desired future character context requirements that will complement the objectives of Clause 4.4 – Floor Space Ratio of the CB LEP 2023. These controls will ensure the overall bulk and scale of the development is appropriate in the context of its surrounds, maintaining amenity for adjoining sites.

It is noted that the maximum FSR is not 'as of right', and any future development application must demonstrate how future development on the site does not result in an unreasonable adverse environmental impact on adjoining land and the surrounding area.

5.2.6 Site specific provision for site consolidation

At the 4 September 2017 Independent Hearing and Assessment Panel (IHAP), it was recommended to remove any site-specific provisions relating to site consolidation to achieve the proposed increased FSR. Despite this recommendation, Council resolved to pursue its retention as it would ensure that the resulting gross floor area is distributed over the consolidated site instead of potentially allowing dense developments in the existing small allotments, where the smallest allotment is currently 588m².

The proposed FSR of 1.3:1 on a small allotment would lead to undesirable outcomes, such as compromised building setbacks to adjoining low density residential properties, and vehicle manoeuvring problems in the basement carpark. On this basis, Council seeks to retain this provision with the current planning proposal to solidify good design and planning outcomes.

5.3 Additional Permitted Uses

The planning proposal seeks to include 'tourist and visitor accommodation', 'function centres' and 'registered clubs' as Additional Permitted Uses (APU) on the B1 zoned portion of the site. In relation to 'function centres' and 'registered clubs', these uses were permissible under the repealed *Bankstown Local Environmental Plan 2015* however, this has not been carried over into the CB LEP 2023. Considering the history of the former 'Club Punchbowl' club on the site, which has been operating as a function centre as well as a registered club since its founding in the 1980s, and the ownership of the site remains the same with the stated intention for the club to be part of the future redevelopment of the site, the inclusion of these uses as an APU is appropriate.

In relation to including 'tourist and visitor accommodation' as an APU, while the use would not typically be permitted in the B1 Neighbourhood Centre Zone, Council considers the use is appropriate given the prominent site location on the corner of two main roads, the large site area and capacity for vehicle parking and the anticipated jobs expected to be generated as a result within close distance to a large residential area.

It is noted that under the draft E1 Local Centre zoning for the site as part of the Council's draft approach to the NSW State Government employment zones reform, 'function centres', 'registered clubs' and 'tourist and visitor accommodation' are proposed to be permitted with development consent. Should this planning proposal be finalised and gazetted prior to the employment zones planning proposal, the uses will simply transfer to the new E1 zoning. Should the employment zones planning proposal be finalised before this planning proposal, these APUs can be removed from the planning proposal by Council or DPHI prior to finalisation.

5.4 Site Contamination

Based on historic aerial photographs, the use of the site has been for the purpose of the existing registered club on the southern side and residential dwellings on the northern side of the site since the 1950s. Prior to that the site appeared to be part of a larger rural

residential use. The large concrete car park appeared in the 1970s. There is no evidence at this stage, that any uses occurred on this site that would prevent residential occupation, particularly as part of the site is currently occupied by low density residential development.

The applicant provided a Detailed Site Investigation (DSI) and a Remedial Action Plan (RAP) with the planning proposal. Both reports found there were no significant causes of contamination and recommended precautionary and unexpected finds conditions and RAP concludes *“the site will be suitable for the proposed redevelopment into a new facility for use...subject to the implementation of the remediation and validation works in accordance with this RAP”*. Completion of any required remediation works can be undertaken at the DA stage.

5.5 Flooding

The development site is affected by the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events. Figures 24 and 25 outline the post-development AEP and PMF flood hazard impacts.

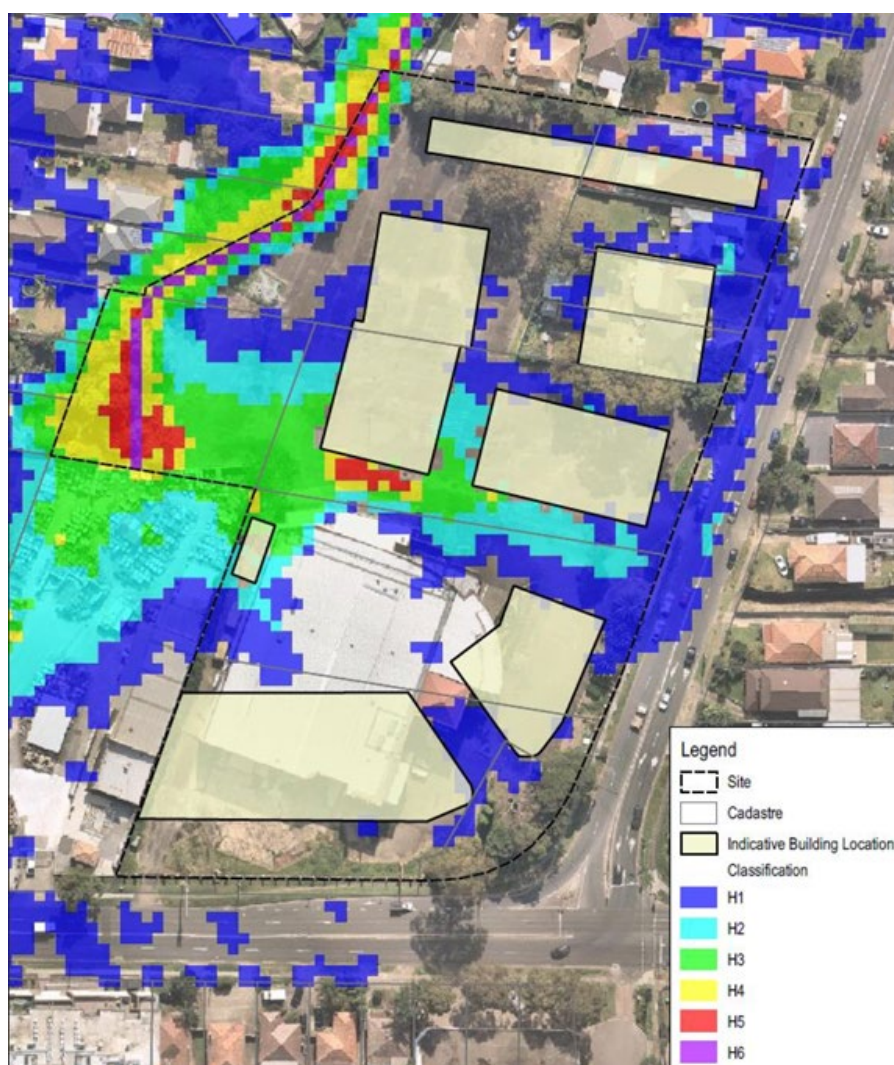


Figure 25. Flood Hazard Categories H1-H6 - Post-development 1% AEP event.

The applicant has provided numerous flood studies and information over the course of the assessment which concludes the subject site is suitable for the planning proposal in relation to flooding. It is noted the bulk of these investigations were performed prior to the release of the NSW Flood Risk Management (FRM) Manual and Toolkits (2023) and the Flood Impact

and Risk Assessment (FIRA) FRM Guideline 2023. To confirm the sites suitability against these policies, Council engaged with an independent flood expert (Stantec) to perform a Peer Review of these documents. A full copy of this Peer Review can be found in Attachment Q.

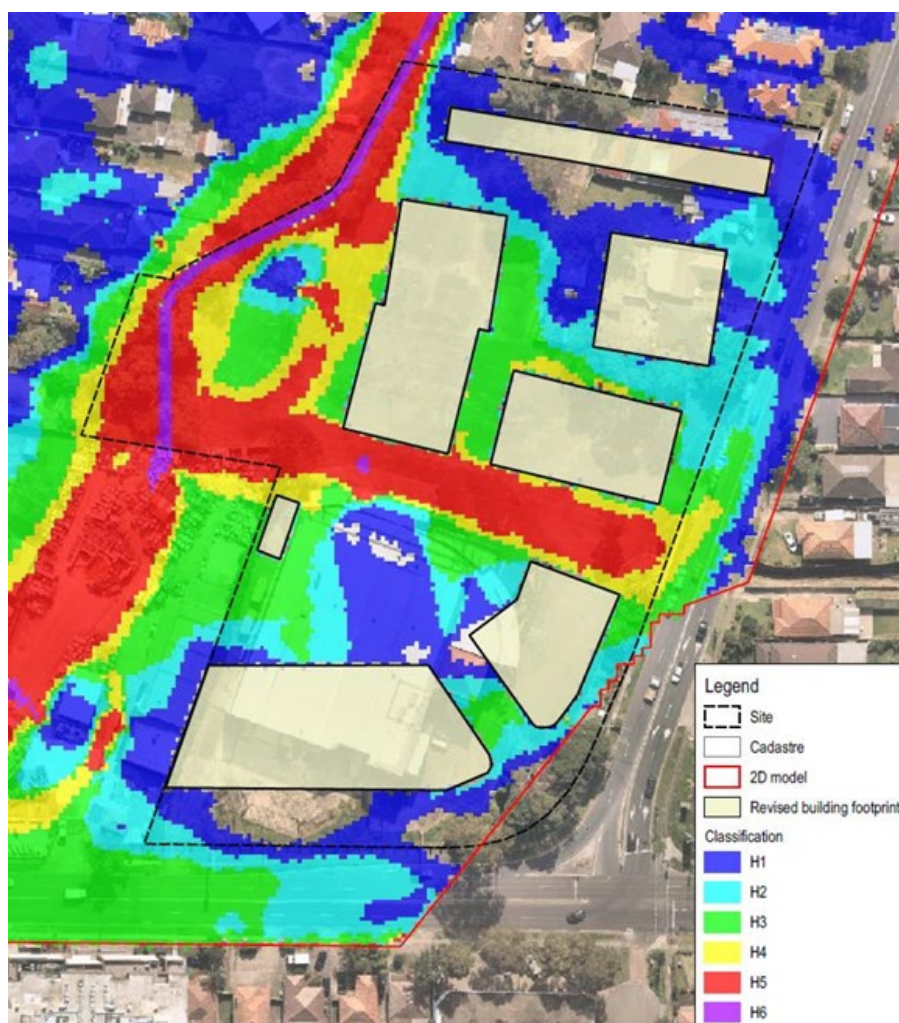


Figure 26. Flood Hazard Categories H1-H6 - Post-development PMF event.

The Peer Review performed by Stantec examined the relevant documents against the planning proposal requirements of the NSW Flood Prone Land Policy, specifically the Ministerial Direction 4.1 Flooding. It is important to note that given the early stages of the development, and the high-level nature of the details required at the planning proposal stage, the requirements of the Ministerial Directions are not to be to the level expected for a development application. The intent of this assessment is to confirm if the development at this high-level is compatible with the flood risk of the site.

In summary, the Peer Review concluded the following:

- Two flood studies are applicable for the site – the Salt Pan Creek Catchments Floodplain Management Study and Plan 2013 (2013 Study) and the Final Overland Flow Study: Canterbury LGA Salt Pan Creek Catchment 2016 (2016 Study). The 2013 Study was based on flood modelling undertaken within the Salt Pan Creek Catchments Flood Study 2009. These studies were commissioned by the previous Bankstown and Canterbury Councils. The site is located on the border of the former LGA boundaries, which as a result has been included in both studies. Notwithstanding, both studies show relatively similar flooding of the site.

- The flooding assessment has been summarised across many reports, letters, and emails over a nearly 2-year span. Stantec recommends the final flooding analysis and conclusions from these reports, be condensed into a single report prior to exhibition.
- The model set-up was found to be appropriate for the purposes of a planning proposal flood assessment. Further refinement of the modelling methodology is to occur in later development stages.
- The current assessment is considered equivalent to a 'simple' FIRA and given the high-level nature of the planning proposal phase; this level of assessment is considered suitable.
- The flood planning levels (FPL) for the development are indicative at this stage and will be confirmed at DA stage. Notwithstanding, DCP controls can be included to require the design of ground floor levels at or above the FPL or PMF, whichever is greater is a suitable approach.
- The proposal includes two basement carpark entries and as per Ministerial Direction 4.1 item 4, the protection of these two basements should be up to the PMF level. It is understood that the proponent and their consultant is accepting of elevating the basement carpark entries up to the PMF level, with the subsequent modelling blocking the basement entry location on the west side of the property to represent the raised entry ramp proposed.
- As noted in the applicant's Flood Emergency Response Plan submitted with the planning proposal, the proposed emergency response is shelter-in-place (SIP). This approach is suitable when the duration of the flooding is less than 6 hours and when flood-free refuge is provided in all events. A summary of the SIP requirements is outlined in the Peer Review and found the proposed development has the capacity to meet the relevant requirements on the basis most flooding will recede from the site within 2.5 hours (refer to s4.5 of the Peer Review).
- A brief flood affectation review of 23 Canterbury Road found that the area noted for possible development (refer to Figure 21 of this report) is suitable in relation to flooding at this stage as the majority of flood prone land is to the west. More detailed information can be provided in the Development Application for the site, including future modelling and blockage analysis.

Overall, the Peer Review found the flood assessment to be consistent with flooding requirements of the Ministerial Direction 4.1, noting that many details of the proposed development will not be known until the proposal reaches the Development Application stage. The current assessment is considered fit-for-purpose for a planning proposal submission. Specific flooding controls relating to the PMF flood impacts on the site can be included as part of the site specific DCP and would relate to the requirement for the basement entrances to be designed to be above the PMF flood level.

5.6 Tree Removal

While the site is currently mostly paved to accommodate the existing car park, there are six significant trees on the site, and all will require removal to facilitate the proposal (Figure 26). The applicant has provided an Arborist Report prepared by The Arborist Network, which provides an assessment of these trees and their value. The assessment is summarised below:

'Initially, it appeared that several of the trees on the northern boundary (trees 2-5) could be retained. However, a closer examination of the plans revealed that these trees would be in the middle of the site, and this may not have been evident to the Council, who evidently inspected

the trees from the outside of the site. It is entirely understandable how they may have missed this point.

Tree 1 is growing exceptionally close to the concrete culvert. This, combined with the two major wounds, raises concerns about the merit of going to great effort to retain this tree...The structural issues with both Tree 2 and Tree 5 suggest that their retention may not be the best option, particularly considering the young age of these trees. A better option would be to replace these trees with sufficient new trees to compensate for the canopy loss within a decade or two.



Figure 27. Existing significant trees on site required for removal. Source: The Arborist Network, page 16.

'Eucalyptus scoparia is generally a shorter-lived species in the Sydney region, which has been made worse by the Winter Bronzing bug. As a result, I believe trees 3 and 5 do not merit great consideration. When the pruning of these boundary trees is also considered, it seems more appropriate to have long-lived, slower-growing species along this boundary.'

While the retention of tree 6 seems possible, several issues need to be weighed. The first is the need to interface any new works with the mound. The second issue is the need to repair the boundary fence without causing significant damage to the roots less than 50cm from the base of the tree.'

Council agrees with the above assessment. It was considered initially the retention of tree 6 was to be enforced however, its location is within the land reservation zone will likely require removal to make way for the widening of Canterbury Road. The site-specific DCP will include provisions for suitable replacement tree planting and minimum tree canopy coverage requirements, including the recommendations of the Arborist Report:

- Specifying species that are fast-medium growing – the Arborist report makes mention of choosing trees from the Cumberland plans woodlands and identifies species such as *Melaleuca decora*, *Waterhousia floribunda* and *Cupaniopsis anacardioides*.
- Requiring a specific number of trees such that the tall tree canopy is replenished in 10-20 years
- Establishing conditions that will align with the layout and design of future development on the site to support the growth of trees, and
- Ensuring there is sufficient space during construction and operation to accommodate the size of trees and space required for root systems.

It is likely a set of standard development consent conditions will be produced to enforce further recommendations that are not appropriate to address at this stage. These could include:

- Replacement ratio of 3:1 for faster growing trees and 10:1 for medium growth trees
- If a tree dies, it must be replaced within 90 days with the largest available tree, and
- Tree protection zones must be maintained in perpetuity.

5.7 Traffic Generation, Vehicle Access and Parking

The applicants scheme includes two levels of basement parking for the residential flat buildings and shop top housing and one level of basement parking for the townhouses. The total amount of car parking across the site will be 509 spaces (residential and commercial). Servicing areas and waste collection will occur in these basements except for the townhouses which will include waste collection by a kerb side collection. All vehicle access will be via left-in-left-out movements from Punchbowl Road. This is a requirement by TfNSW as Canterbury Road and Punchbowl Road are State owned roads.

Parking for the existing club will be in the first basement level and drop off bays proposed on the main entry road. Standard roll kerbs will be used to aid in heavy rigid vehicle movements and aid in providing small numbers of street parking while not impeding on overall vehicle movements. Figure 27 illustrates the vehicle movements across the site.

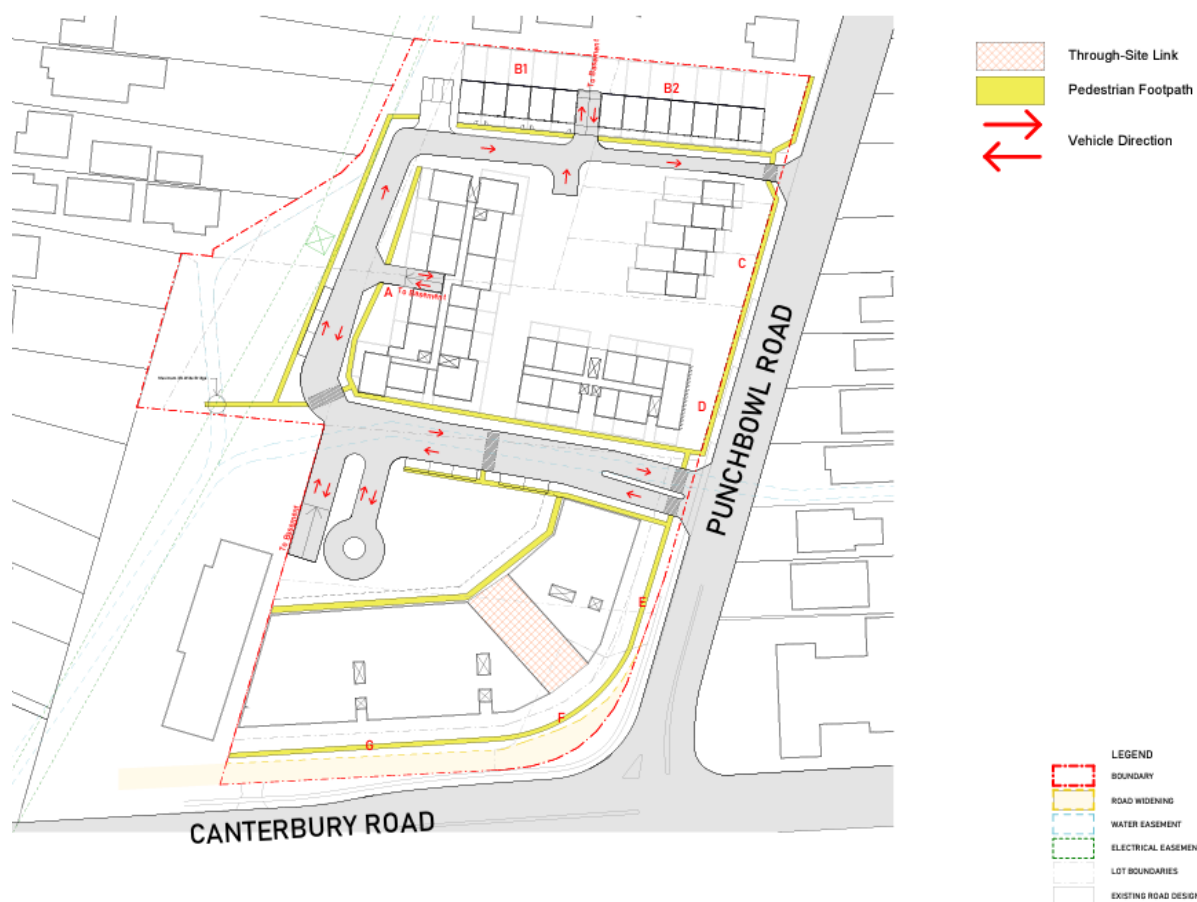


Figure 28: Vehicle movements and direction diagram.

Analysis of Traffic Impacts and Recommended Changes

The applicant's traffic impact statement and proposed traffic management measures to minimise the traffic and congestion likely to result from the future redevelopment of the site for a mixed use development has been reviewed by TfNSW and have been supported in principle, subject to upgrades to traffic lights and installation of pedestrian refuge islands on Punchbowl Road. This matter is further discussed in Section 5.8 of this report and in Attachment N.

5.8 Proponent's Offer to Enter into a Planning Agreement with Council

The applicant has provided a Letter of Offer that details the first offer of public benefits and infrastructure that would be delivered as part of the LEP amendment for the site. The applicant offered the following public benefits and infrastructure:

Table 4. Items offered in the proponents Letter of Offer.

Item No.	Description
1.	Dedication of affordable housing – 5% of the total amount of residential units over the site and project shall be dedicated to Council, or provided as a monetary contribution, as affordable housing
2.	Dedication of activity room – a 60m ² space to be dedicated to Council as a community/activity room
3.	Dedication of land for road widening as required by Transport for NSW
4.	Section 7.11 and 7.12 Development Contributions

Council does not agree with item 2 as it would be a better outcome to receive monetary contributions for such facility elsewhere in the LGA. This will be included in the development contributions for this project.

Council will engage an independent consultant to review and evaluate the proponent's offer and provide advice that will assist with costing the total value of the proponent's offer and assist with and/or facilitate Council's negotiations with the proponent to prepare a draft Planning Agreement for exhibition. It should be noted that no Letter of Offer was provided in the previous planning proposal for this site that obtained a Gateway determination but was ultimately withdrawn.

6. OTHER CONSIDERATIONS

Council has assessed this planning proposal against the justification matters outlined in DPHI's LEP Making Guideline. The purpose of this planning proposal is to demonstrate whether there is justification for a proposal to proceed to Gateway based on consistency with the relevant state environmental planning policies and Ministerial Directions.

Key matters for consideration are the management of likely impacts resulting from the proposal. These are primarily:

- Flooding impacts
- Road and intersection upgrades, and
- Detailed urban design matters to be resolved through the site-specific DCP.

It is also noted that the Letter of Offer and subsequent Planning Agreement required further discussion and negotiation between the Proponent and Council.

This report concludes that the proposal presents both strategic and site-specific merit and proceed to a Gateway determination, should Council decide to progress this planning proposal.

7. NEXT STEPS

