

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JULY 2024

Against:- Clrs Abouraad, Ishac, Coorey and Nguyen

HIS WORSHIP THE MAYOR ADJOURNED THE MEETING AT 7.40 PM.
STANDING ORDERS WERE RESUMED AT 7.49 PM.

SECTION 5: PLANNING MATTERS

ITEM 5.1 PLANNING PROPOSAL FOR 913-925 PUNCHBOWL ROAD AND 21-23 CANTERBURY ROAD, PUNCHBOWL (RZ-1/2023)

CLRS RAFFAN AND SALEH OAM TEMPORARILY VACATED THE CHAMBER AT 7.49 PM.

CLR RAFFAN RETURNED TO THE CHAMBER AT 7.50 PM.

In respect of Item 5.1 - Planning Proposal for 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl (RZ-1/2023) Clr Asfour declared a conflict of interest given he may have been a member of a planning panel in relation to this matter and as such he would vacate the chamber taking no part in debate or the decision in this matter.

CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 7.51 PM.

(825) CLR. WALSH:/CLR. CAHILL

RESOLVED that

1. Council resolves to amend the *Canterbury-Bankstown Local Environmental Plan 2023* and proceed to the Department of Planning, Housing and Infrastructure for a Gateway determination, subject to the following matters being addressed prior to exhibition (after Gateway determination):
 - a. Council prepare and exhibit a draft site specific DCP amendment as outlined in this report. In addition to typical DCP controls, the DCP is to include the following site-specific objectives and controls for:
 - i. Flooding to appropriately manage flooding impacts;
 - ii. Setbacks to the boundary and interface with adjoining land;
 - iii. Replacement tree planting and tree canopy coverage;
 - iv. Public and private/communal open space (and ensure they are differentiated);
 - v. Road and intersection upgrades on Punchbowl Road and Canterbury Road in consultation with Transport for NSW (TfNSW) as required; and
 - vi. An Aboriginal Cultural Heritage Assessment will also be required in accordance with the Government Architect NSW 'Connecting with Country Framework' to inform the preparation of the site specific DCP controls.

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- b. A draft Planning Agreement be prepared and exhibited subject to the following:
 - i. Council undertakes further negotiations with the developer 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. Council exhibits the planning proposal subject to favourable Gateway determination, in conjunction with the draft site specific DCP and draft Planning Agreement, and the matter be reported to Council following the public exhibition period.
- 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* (the Act).

- CARRIED

For:- Clrs Abouraad, Cahill, Downey, El-Hayek, Harika, Ishac, Nguyen, Raffan, Waiba and Walsh

Against:- Clr Coorey

CLRS ASFOUR AND SALEH OAM RETURNED TO THE CHAMBER AT 7.51 PM.

ITEM 5.2 **DRAFT PLANNING AGREEMENT – 44 KITCHENER PARADE, BANKSTOWN**
(826) **CLR. WALSH:/CLR. WAIBA**

RESOLVED that

- 1. Council enter into the planning agreement for 44 Kitchener Parade, Bankstown, as provided in Attachment A.
- 2. The Chief Executive Officer be given delegated authority to sign the planning agreement on Council's behalf, and to make minor wording changes to amend its draft status provided these changes do not affect the intent of the planning agreement.

- CARRIED

For:- Clrs Abouraad, Asfour, Cahill, Downey, El-Hayek, Harika, Ishac, Nguyen, Raffan, Waiba and Walsh

Planning Matters – 23 July 2024

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

PURPOSE AND BACKGROUND

This report seeks Council's approval to proceed with the recommendations of the Canterbury Bankstown Council Local Planning Panel (LPP) regarding a planning proposal for the properties at 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl. The aim is to progress the planning proposal for Gateway consideration by the *Department of Planning, Housing and Infrastructure* (DPHI). This planning proposal facilitates the redevelopment of the site to allow for mixed use development consisting of high-density residential, multi-dwellings (terraces), a registered club, publicly accessible open space and new landscaping.

ISSUE

Council is in receipt of an application to prepare a planning proposal for the site at 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl. The planning proposal seeks to make the following amendments to the *Canterbury Bankstown Local Environmental Plan 2023* (CBLEP 2023):

- Rezone the R2 Low Density Residential portion to R4 High Density Residential
- Increase the maximum building height from 8.5m to a maximum of 38m
- Increase the FSR from 1:1 to 2.1:1 on 923-925 Punchbowl Road and 21 Canterbury Road, 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 club'.

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

- Increase the maximum building height from 11m to a maximum of 26m.

It is noted that the planning proposal originally submitted by the proponent did not include 23 Canterbury Road, however after 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, Punchbowl (the former 'Club Punchbowl' site).

The planning proposal is supported by a Letter of Offer which outlines the proponent's in-principle commitment to dedicate 5% of the total amount of residential units as affordable housing in conjunction with monetary contributions paid through Section 7.11/7.12 Development Contributions. The application will also contribute to pedestrian crossing upgrades to the Canterbury Road and Punchbowl Road intersection, as well as 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 seek to further negotiate with the proponent to increase the public benefit value of the commitments as part of a revised Letter of Offer and draft Planning Agreement, prior to exhibition of the planning proposal.

The planning proposal will facilitate the redevelopment of the former 'Club Punchbowl' site, also previously known as 'the Croatian Club', which will have 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 jobs creation through the redevelopment process which will require staff for ongoing management and operation.

A detailed assessment of the application has found there is strategic and site specific merit to proceed this planning proposal for Gateway determination from DPHI. Council will prepare a draft site specific Development Control Plan (DCP) that will set out the detailed development objective and controls for the overall site, which would be publicly exhibited alongside the planning proposal.

The LPP considered Council's assessment report at a public meeting on 8 May 2024 and advised they support the recommendation to proceed to a Gateway determination, subject to Council's endorsement. The LPP's advice has informed the recommendations presented to the Council in this report.

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RECOMMENDATION That -

1. Council resolves to amend the *Canterbury-Bankstown Local Environmental Plan 2023* and proceed to the Department of Planning, Housing and Infrastructure for a Gateway determination, subject to the following matters being addressed prior to exhibition (after Gateway determination):
 - a. Council prepare and exhibit a draft site specific DCP amendment as outlined in this report. In addition to typical DCP controls, the DCP is to include the following site specific objectives and controls for:
 - i. Flooding to appropriately manage flooding impacts, and
 - ii. Setbacks to the boundary and interface with adjoining land
 - iii. Replacement tree planting and tree canopy coverage
 - iv. Public and private/communal open space (and ensure they are differentiated)
 - v. Road and intersection upgrades on Punchbowl Road and Canterbury Road in consultation with Transport for NSW (TfNSW) as required.
 - vi. An Aboriginal Cultural Heritage Assessment will also be required 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 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. Council exhibits the planning proposal subject to conditions of any Gateway determination, and the matter be reported to Council following the public exhibition period.
- 3. Council exhibit a draft site specific DCP and draft Planning Agreement, and the matter be reported to Council following the public exhibition period.
- 4. 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* (the Act).

ATTACHMENTS

- A. Council – LPP Minutes & Report (May 2024)
- B. Council – LPP Community Submissions (Redacted) (May 2024)
- C. Proponent - Planning Proposal (November 2023)
- D. Proponent - Draft Preliminary Letter of Offer (April 2023)
- E. Proponent - Architectural Package (October 2023)
- F. Proponent - Landscape Report and Plan (November 2023)
- G. Proponent – Flooding Assessment Additional Response (November 2023)
- H. Proponent – Flood Investigation Report (June 2022)
- I. Proponent – Detailed Site Investigation Report (April 2022)
- J. Proponent - Remediation Action Plan (July 2022)
- K. Proponent - Geotechnical Assessment Report (December 2019)
- L. Proponent - Acid Sulphate Soils Assessment Report (April 2022)
- M. Proponent - Acid Sulphate Soils Management Plan (December 2019)
- N. Proponent - Retail Study (n.d.).
- O. Proponent - Traffic Assessment & Swept Paths (November 2023)
- P. Proponent - Traffic Impact Assessment (April 2023)
- Q. Proponent - Urban Design Report (November 2023)
- R. Proponent - Waste Management Plan (November 2023)
- S. Proponent – Arborist Assessment Report (September 2023)
- T. Council – Peer Review of Flood Assessment for Club Punchbowl Planning Proposal (March 2024)
- U. Council – Applicant's Response to LPP Submissions

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 subject 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 of the future non-residential uses.

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' at its western edge and proposes planning controls to facilitate new mixed-use development that provides housing and employment floor space, along with new publicly accessible open space.

The proposal aligns with the planning priorities within the South District Plan to deliver on jobs and housing growth via 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, thus planning must provide services and social infrastructure to meet this forecasted growth. The site is a location serviced by public transport (bus services) and the proposal provides additional public open space.

The planning proposal meets the relevant objectives and principles of Council's Housing Strategy and Affordable Housing Strategy by enabling diverse and affordable housing types, and relieving rental stress experienced in the Punchbowl area. The planning proposal is also 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 area.

It is important to note that the Additional Permitted Uses proposed 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, of which has received favourable Gateway Determination under a separate planning proposal. Further information regarding this is provided in Section 4.1.7 of this report.

FINANCIAL IMPACT

There is no financial impact to Council for this proposal as it is supported by a Letter of Offer that ensures appropriate infrastructure provisions and upgrades are delivered to accommodate the intensification of the site for the public interest. This will be delivered through a Planning Agreement as outlined in this report in addition to standard conditions to accompany future development approval.

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 numerous 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
- Enable additional housing in a range of tenures and types which includes dedication of affordable housing on the site, as well as help alleviate rental stress in Punchbowl, and the wider LGA
- Facilitate additional jobs resulting from the construction and future operation/management of the new registered club, and from the additional retail floor space consistent with Council's Employment Lands Strategy
- Facilitate additional jobs resulting from the construction of new apartments and terraces as well as ongoing maintenance and upkeep once occupied
- Significantly alter the appearance of the subject site and deliver new development that achieves design excellence in accordance with CBLEP 2023 and the site specific DCP requirements, and
- Help contribute to improvements to the local infrastructure through a Planning Agreement and in addition, monetary contributions through the developer's payment of Section 7.11/7.12 Development Contributions.

DETAILED INFORMATION

1. SITE AND LOCALITY DESCRIPTION

With the exception of 23 Canterbury Road, Punchbowl, the subject site (site) is 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

Property Address	Property Description	Current Zone	Site Area
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 by TfNSW 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 below.



Figure 1. Aerial view of subject site.

2. HISTORY OF PREVIOUS PLANNING PROPOSAL

A previous planning proposal was submitted by the land owner in 2017 which was supported by the Council's former Independent Hearing Assessment Panel (IHAP) and by Council in November 2017. Council submitted the planning proposal to DPHI and a Gateway determination was received in May 2018. The planning proposal did not proceed beyond this stage and in 2020, due to the proponent's financial hardships resulting from the COVID-19 pandemic, the planning proposal was withdrawn.

The current planning proposal was lodged with Council in September 2022. Refer to the LPP report at Attachment A for a full breakdown of the history of the previous planning proposal.

3. PROPOSAL

Council received an application to amend the CBLEP 2023 to facilitate medium and high-density residential accommodation as well as to permit commercial development including a registered club, hotel or motel accommodation and function centres. The changes sought are summarised in Table 2 and a copy of the current and proposed draft LEP maps is provided in Figures 3-10 below.

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. • No change to the B1 zoning at 23 Canterbury Road.
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. • No change to the 1:1 FSR at 23 Canterbury Road.
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 8.5m to 38m. • 23 Canterbury Road – increase the maximum permitted building height from 11m to 26m.
Part 6 Local Additional Provisions	<ul style="list-style-type: none"> • Site specific provision to require site consolidation before construction commences to ensure the increased FSR is distributed over the consolidated site instead of potentially allowing dense developments in the existing small allotments that front Punchbowl Road.
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 areas for public and communal open space including a playground built to with a ‘Play Level 2’ approach as defined in *Council’s Playgrounds and Play Spaces Strategic Plan* (2018) as ‘*Quality and interesting playgrounds and play spaces with diverse activity opportunities and good support structures and settings*’. This requirement will be included in the site specific Development Control Plan (DCP) and draft Planning Agreement.

The proponent 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 to be dedicated to Council as affordable housing (note, it is Council’s preference that this is provided as a monetary contribution), and
- Dedication of activity room – a 60sqm space to be dedicated to Council as a community/activity room on the ground level of development on portion of site zoned B1 Neighbourhood Centre (note, Council will seek for this to be contribution towards existing or planner community facilities in or around Punchbowl rather than a new standalone facility on this site), and
- Dedication of land for road widening as required by Transport for NSW.

A draft Planning Agreement will be progressed subject to an agreement on the above public benefit offer items and Council’s intent to negotiate a greater public benefit offer including a peer review by an independent consultant.



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

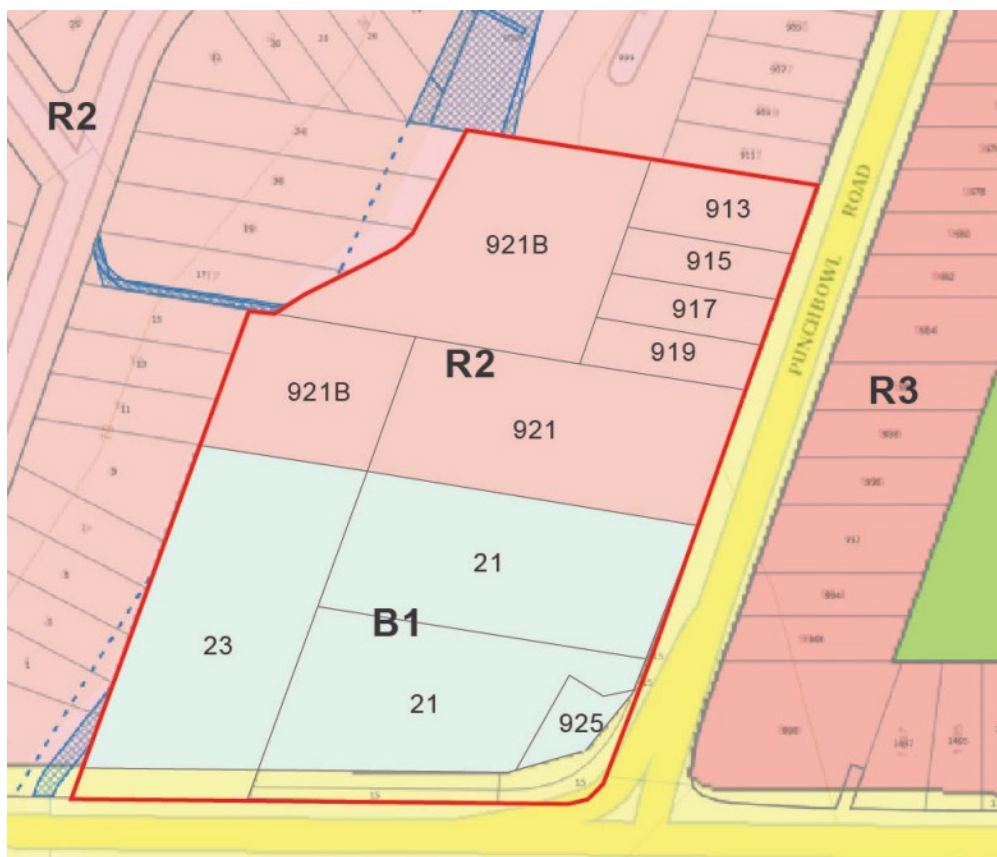


Figure 3. Existing Land Use Zoning.

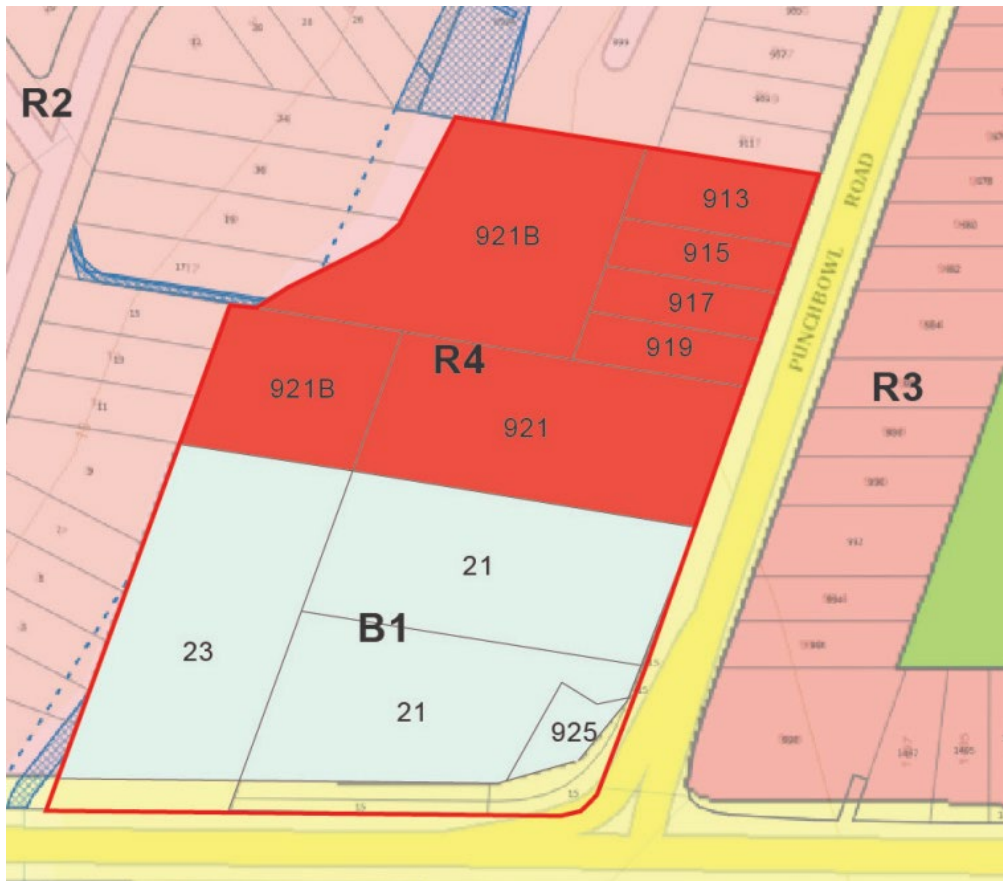


Figure 4. Proposed Land Use Zoning map.

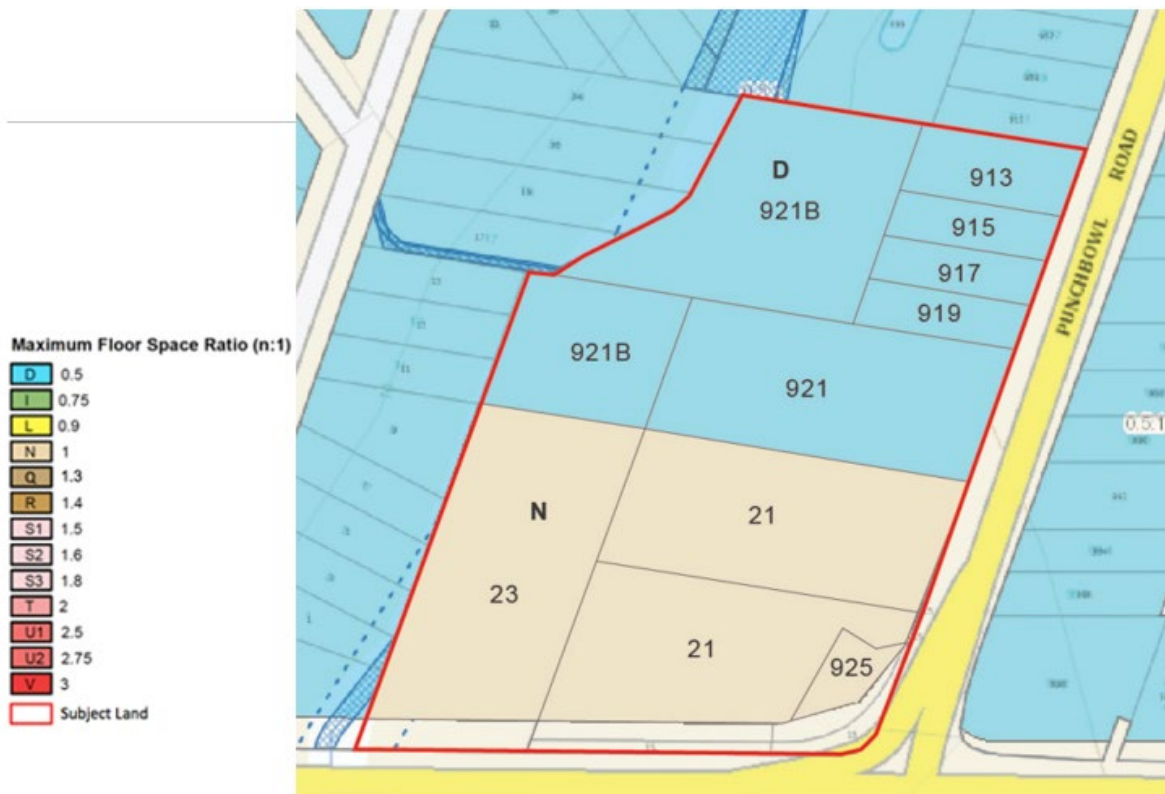


Figure 5. Existing Floor Space Ratio map.

Maximum Floor Space Ratio (n:1)

D	0.5
I	0.75
L	0.9
N	1
Q	1.3
R	1.4
S1	1.5
S2	1.6
S3	1.8
T	2
U1	2.5
U2	2.75
V	3
Subject Land	

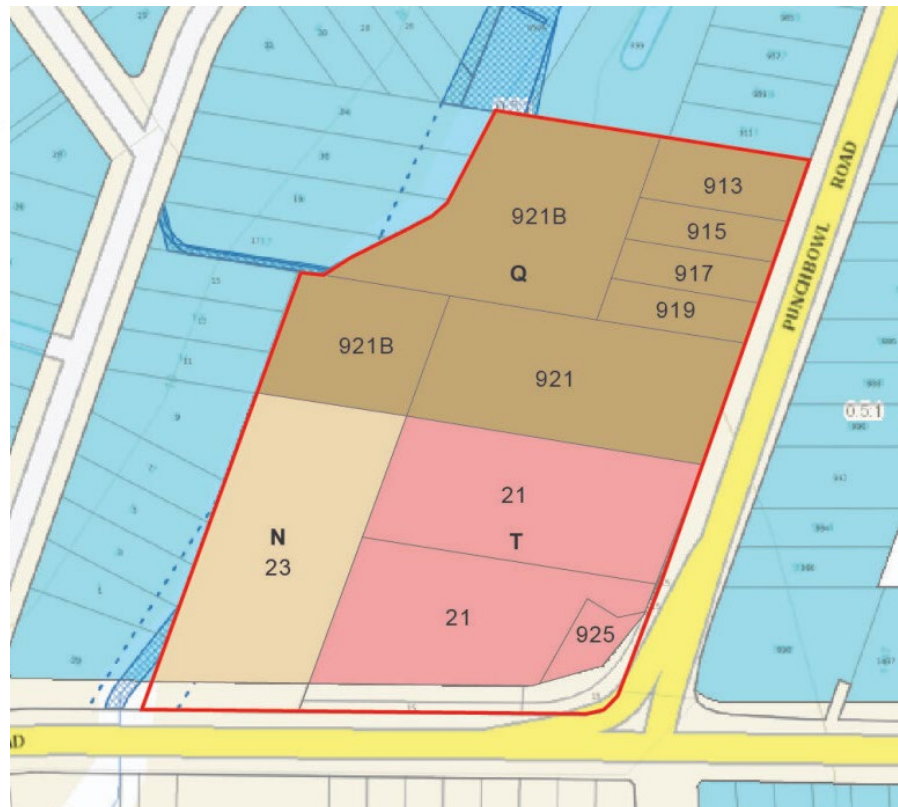


Figure 6. Proposed Floor Space Ratio map.

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

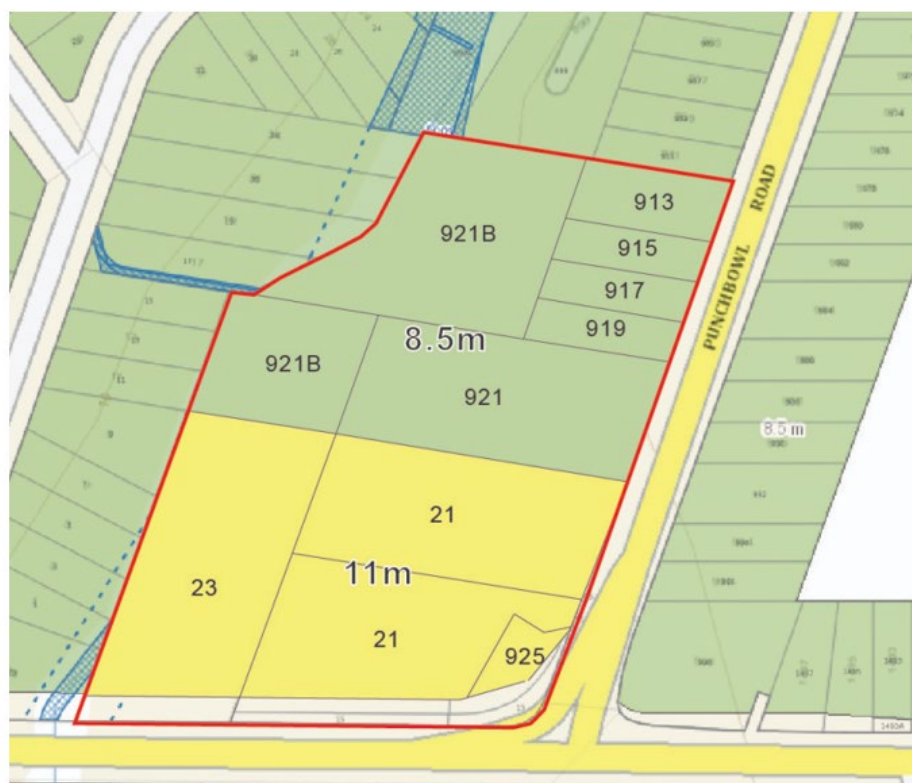


Figure 7 Existing Height of Building map.

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

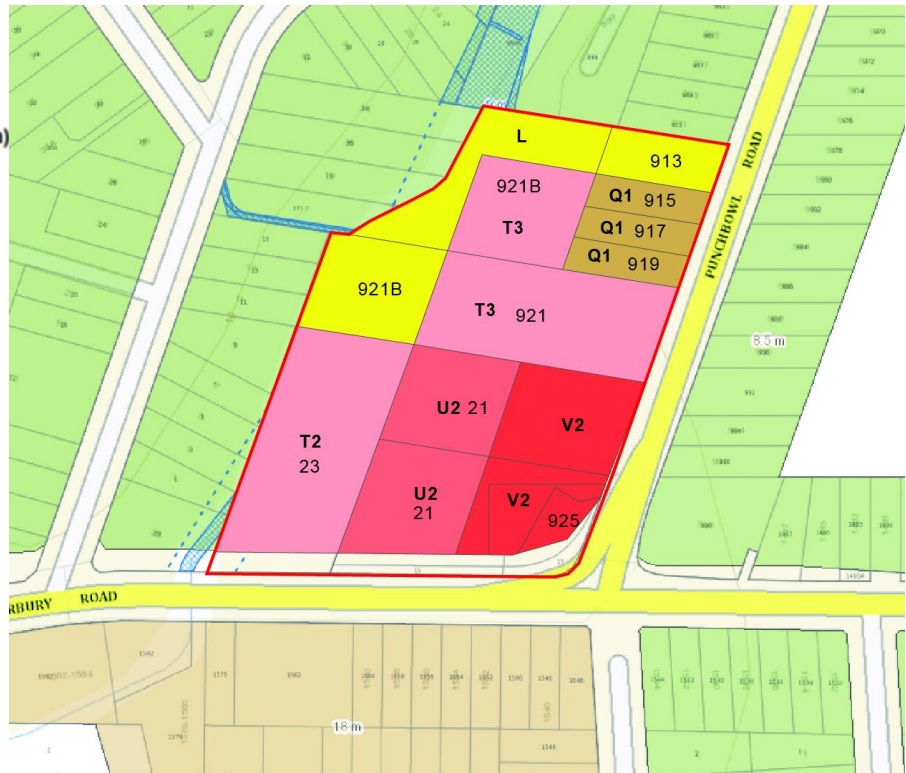


Figure 8. Proposed Height of Building map.

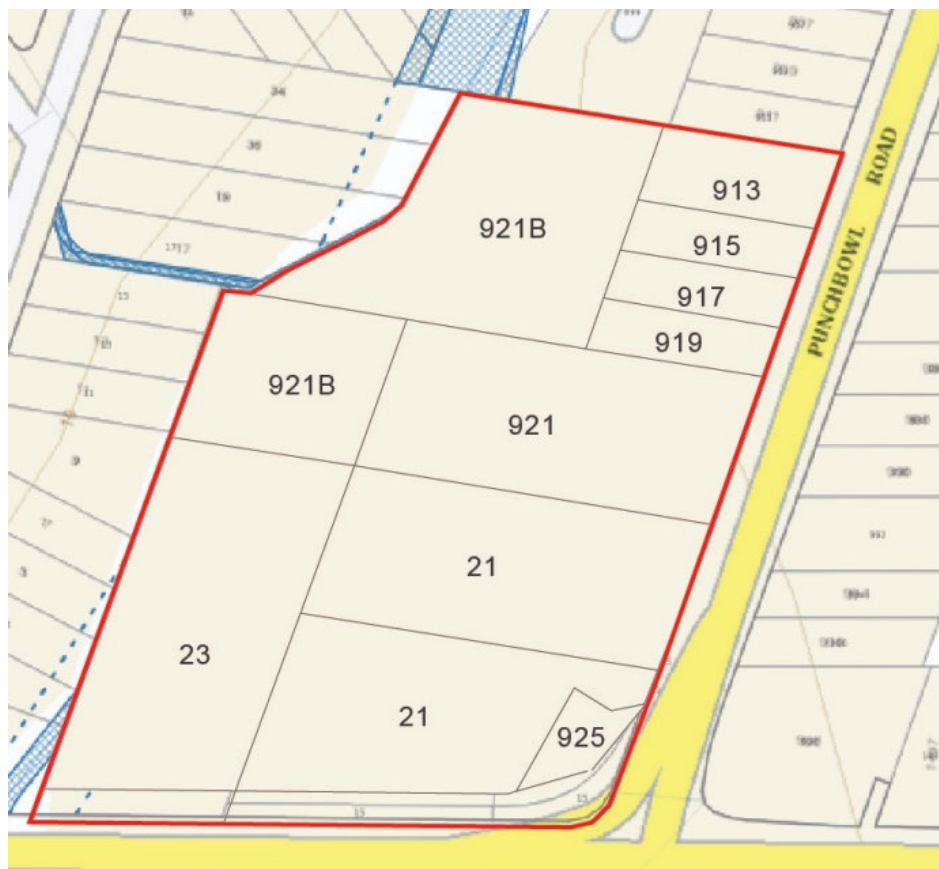


Figure 9. Existing Additional Permitted Uses map.

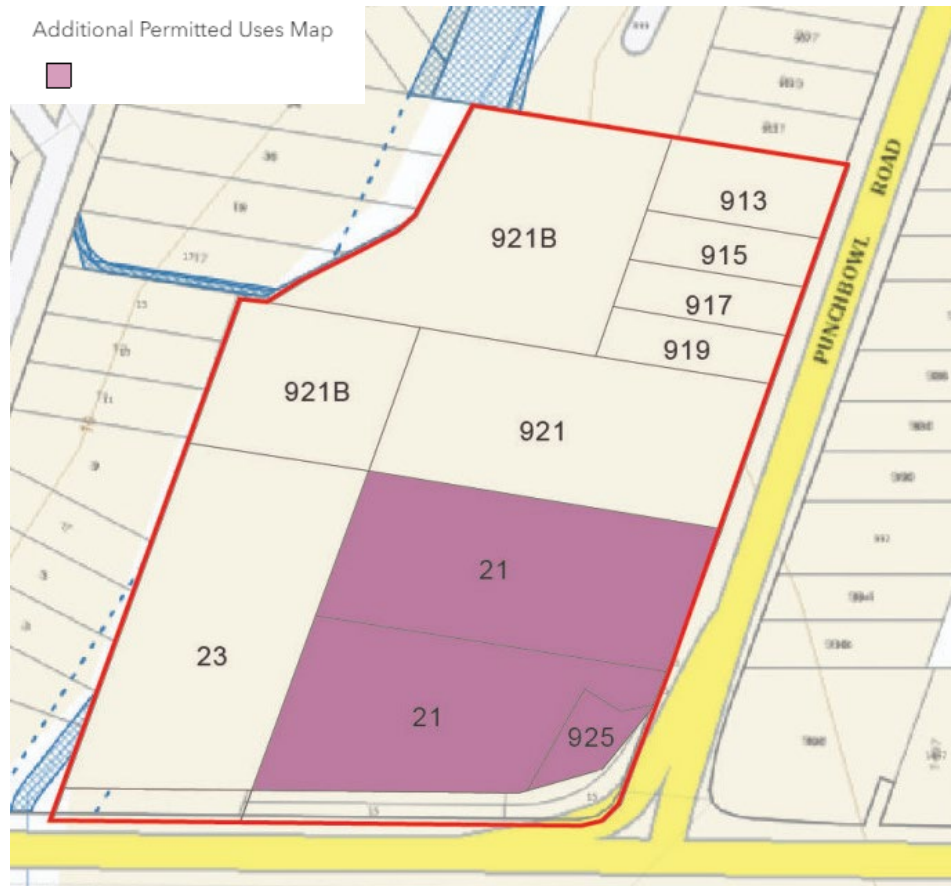


Figure 10. Proposed Additional Permitted Uses map.

3.1 Site specific Development Control Plan

A site specific draft (DCP) has not been submitted by the proponent. It is intended that the draft DCP amendment will be prepared by Council, with input from the proponent, and be made available for public comment during a public exhibition period as required for site specific controls.

3.2 Canterbury-Bankstown Local Planning Panel

In accordance with the Minister for Planning's *Local Planning Panels Direction* for planning proposals, the LPP considered the planning proposal at a public meeting on 8 May 2024, where advice was provided to Council. Council's LPP report and meeting minutes can be found in Attachment A.

The Panel supports the progression of the planning proposal to Gateway Determination, subject to the consideration of the comments and recommendations below:

Site specific DCP

- *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.*

Council's Response: 23 Canterbury Road will be incorporated in the site specific DCP which will address appropriate setbacks, amongst other building controls in relation to building setbacks, building articulation, streetscape, landscaping and tree canopy and desired future character context requirements.

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.*

Council's Response: The 5% dedication to affordable housing is consistent with Section 2.6 of Council's *Planning Agreement Policy* and Guiding Principle 1 of Council's *Affordable Housing Strategy*. It is important to note that the 5% is a minimum threshold and not necessarily the final percentage, thus Council may potentially renegotiate an increase. Regarding LPP's commentary on open space, this is addressed in detail in Section 4.2.2 of this report, although it is Council's opinion that there will be sufficient open space provided to the public to access in addition to communal and private open space for future residents on the site.

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.*

Council's Response: Points raised by LPP have been noted and will be further explored and refined as part of the site specific DCP process. This will include specifying the maximum landform changes as part of future redevelopment, with details to be prepared by the proponent and reviewed and verified by Council.

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.*

Council's Response: Based on the advice from the Panel, Council has revisited the height proposed for 23 Canterbury Road and has reduced it to 26 metres (7 storeys), from the originally proposed 35m (11 storeys), resulting in a step-down transition in height as indicated in Figure 11 below. Council agrees that this adjustment in height provides a better transition between the site and the lower scale residential development to the west (2 storeys) and the existing shop top housing to the south (6 storeys).

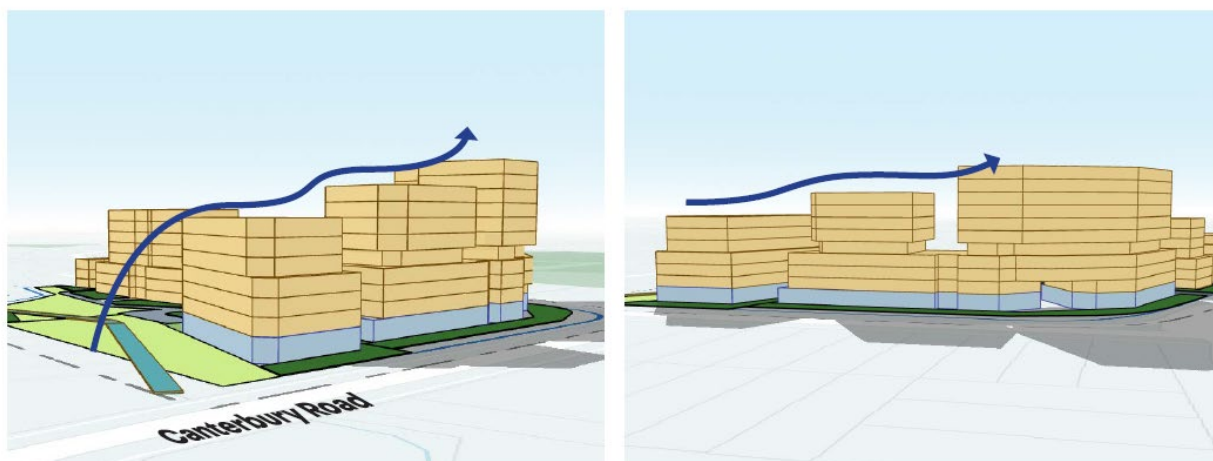


Figure 11. South-west view of site indicating reduced height scenario according to LPP feedback.

Landscaping

- 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.

Council's Response: Council supports retaining existing vegetation. Public, private and communal open space will also be differentiated in the site specific DCP. Pertaining to canopy cover, Council's analysis maintains that 40% canopy cover is not achievable, whereas 20% is feasible when considering building placement, vehicle access and servicing and basement location. Therefore, Council proposes to proceed with a canopy coverage of 20% for the site. However despite no canopy tree can be planted within the deep soil corridor under the existing high voltage overhead powerlines, this area of the site will be required to be landscaped which will convert an existing mostly hard surface with deep soil landscaping which will be a significant environmental benefit and assist with providing local habitat and assist with reducing heat island effect.

Roads and Access

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

Council's Response: As a general rule, Council does not seek to take ownership of public spaces (including roads and shared paths) where they are located above basements and other privately-owned structures. As part of negotiations for the Planning Agreement, Council will require the private landowners to maintain ownership and maintenance of these spaces in perpetuity through a right of carriageway easement.

3.3 Community Submissions

Community interest has been expressed in relation to this proposal with four (4) unique written submissions and one (1) phone submission received prior to the LPP meeting. The written submissions (with personal details redacted) can be found in Attachment B. The key issues raised in the submissions have been addressed in Table 3 below.

It is important to note that formal community engagement and consultation with Government agencies does not occur at this stage in the plan making process. Engagement with the community would normally occur after a decision by Council to proceed with the application, and a Gateway Determination is issued by DPHI. A detailed response to all submissions received would be included in a post-exhibition report to Council.

Table 3: Summary of issues raised in community submissions in response to LPP Meeting.

Issue	Council Response
Excessive Height (in comparison to surrounding residential area)	The proposed heights will emphasise the ‘gateway’ status of the site at a busy road intersection. The proposed building heights have been evaluated to ensure the proposed development has appropriate relationship with adjoining residential areas by applying a step-down transition from the corner building and along both frontages, towards the surrounding established low-density residential dwellings. It is intended that the site specific DCP will also include minimum building setbacks and articulation for the buildings to ensure an appropriate built form outcome.
Traffic Congestion	All vehicle access will be via left-in-left-out movements from Punchbowl Road as a requirement by TfNSW, which will help alleviate increased road activity generated from the proposed development. As part of a Planning Agreement, the proponent is to contribute to the Canterbury Road and Punchbowl Road intersection upgrade, traffic light upgrades and a pedestrian refuge island on Punchbowl Road to improve pedestrian safety and traffic flow.
Parking Availability & On-Street Parking	The concept development scheme envisages two levels of basement parking for the residential apartments, and one level of basement parking for the townhouses on the northern side of the site. The total amount of car parking across the site will be approximately 500 spaces for residential and commercial uses, therefore the proposed development does not intend to rely on on-street parking for future club patrons and residents. An operational plan of management would be required at the DA stage and could be required to demonstrate how car parking on the site will be managed to minimise impacts on the surrounding neighbourhood.
Privacy Concerns	To the west of 23 Canterbury Road, there is a canal and an electricity easement that pose as buffer of approximately 20m from neighbouring residential dwellings to the west. As for the northern side, the proposed terraces will be setback approximately 6m, with windows facing neighbouring sites most likely being bedrooms. There will also be opportunity for landscaping to provide further screening along these interfaces. Minimising privacy impacts will be included in the site specific DCP.
Sun Access & Overshadowing	The proponent has undertaken a Solar Access Impact Analysis (found in Attachment E) which indicates that due to the site’s location on the corner of two major roads, the overshadowing

Issue	Council Response
	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. Analysis and testing also demonstrated it would not have any additional overshadowing impacts on adjoining southern and eastern properties.
Strain on Local Infrastructure	The proponent has provided a Letter of Offer to enter into a Planning Agreement to deliver public benefits and infrastructure for the site including dedication of 5% of affordable housing, dedication of a community/activity room, dedication of land for road widening as required by TfNSW, as well as Section 7.11/7.12 Development Contributions for additional local public infrastructure or facility. Further details can be found in Section 3.4 below.
Disturbance associated with Registered Club	The future use of the registered club on the site will be subject to development assessment which should require an operational plan of management for the registered club use to address and prevent any disorderly behaviour and noise to the surrounding properties. Given there will also be residential dwellings located on the site itself, the DA would need to give careful consideration to such on and off-site impacts. Once the DA reaches the public exhibition stage, surrounding property owners/residents will be able to make a submission which will be considered prior to determination of the DA.
Inclusion of Surrounding Sites	This planning proposal only applies to subject sites at 913-925 Punchbowl Road and 21-23 Canterbury Road, Punchbowl. It is not proposed to include any other sites as part of this planning proposal.

The proponent has reviewed the community submissions and has provided a response to each of the concerns raised, which is broadly consistent with Council's responses in Table 3 above. The proponent's responses can be found in Attachment U.

3.4 Letter of Offer to enter into a Planning Agreement

The proponent 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 proponent 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 TfNSW

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. 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.

For comparison, it should be noted that no Letter of Offer was provided in the previous planning proposal in 2017 which has since been withdrawn.

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'* and supporting strategies, and
- DPHI's Local Environmental Planning (LEP) Making Guideline (August 2023).

In relation to the proposed amendments to the CBLEP 2023, Council's assessment indicates the application demonstrates strategic and site specific merit as it will:

- Provide a total of 334 dwellings, including 322 apartments (residential flat buildings and shop-top housing) 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 which will contribute to the target of 15,649 retail jobs by 2036 as identified in the LSPS (p50) and Employment Lands Strategy (p99)
- Contribute to 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 native ecological communities, and
- 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. The planning proposal prepared by the proponent and reviewed by Council staff in Attachment C provides a detailed assessment against all relevant strategic and site specific criteria.

4.1 Consistency with Strategic Planning Framework

4.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities and South District Plan

The Greater Sydney Region Plan was released by the former Greater Sydney Commission in March 2018, with the intent to provide a 40-year vision for Greater Sydney and to inform district and local plans and the assessment of planning proposals. The South District Plan also released in March 2018 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 relevant strategic priorities of both State-level documents.

4.1.2 Local Strategic Planning Statement – ‘Connective City 2036’

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 of 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.

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:

- Promote a mixture of uses in centres that support the functioning of everyday life including employment, recreation, civic, commercial, health and educational requirements.
- Coordinate housing delivery and infrastructure planning.
- Set planning rules that deliver quality design and feasibly deliver investment in new development.
- Provide housing choice to suit each life stage through a range of housing typologies, sizes, and tenures.
- Provide affordable housing typologies especially for very low-, low- and moderate-income households.
- Lead with place-based and design-led planning to inform change.

4.1.3 Canterbury-Bankstown Council Housing Strategy and Affordable Housing Strategy

The Council’s Housing Strategy identifies the subject site as a Village Centre and recommends housing types such as low-rise medium density, dual occupancies, secondary dwellings and detached dwellings. The proposed development includes a diverse mix of housing typologies including terraces as well as apartments, which will have varied sizes to cater for families, thus addressing the need for family-friendly apartments in the Canterbury-Bankstown LGA. While the planning proposal also includes higher density 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.

As part of a Letter of Offer, the proponent has identified 5% of the overall development will be dedicated as affordable housing (either as housing or monetary contributions), which is consistent with Council's Planning Agreement Policy and Affordable Housing Strategy. Council stresses that the 5% is a minimum threshold and not necessarily the final percentage, thus Council may potentially renegotiate an increase.

4.1.4 Canterbury-Bankstown Canterbury Road Review

In May 2018, Council adopted 'in principle' the Canterbury Road Review (the 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 orientating residential development north providing a 'noise barrier' building typology and having better access to services, public transport, and future open space. As shown in Figure 12 below, the site is located within an identified 'centres' node, where the centre would accommodate a mix of development ranging from 3 to 11 storeys.

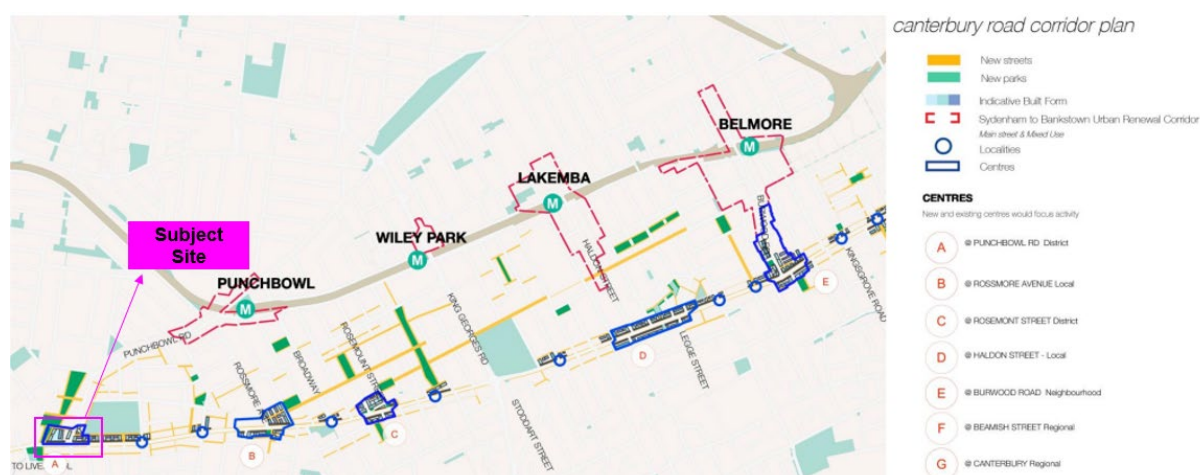


Figure 12. Canterbury Road Corridor Plan.

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 Review as it has adequately considered the impacts of Canterbury Road and any future residential development can be designed to ensure high amenity.

4.1.7 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 via amendments to the *Standard Instrument (Local Environmental Plans) Order 2006*. The reform was finalised in December 2021 of which Council is required to implement the new industrial and employment zones by April 2025.

At its meeting on 4 March 2024, the LPP considered a draft planning proposal to amend the CBLEP 2023 to amend existing business and industrial zones in accordance with the State Government led changes. Council has initiated a separate planning proposal which received favourable Gateway Determination on 8 May 2024 and will be on public exhibition for 30 days later this year. 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 an E1 Local Centre zone upon implementation of the new zones into the CBLEP 2023. The new E1 zone permits all the proposed Additional Permitted Uses under the planning proposal for this site.

4.2 Urban Design Considerations

4.2.1 Built Form Testing and Alternative Scenarios

The planning proposal has been revised since its lodgement with Council in response to Council's assessment. Collaborating with the proponent, Council developed three iterations of the initial development scenario to address the abovementioned issues. Further details regarding these scenarios are presented below and in the LPP report at Attachment A.



Figure 13: Scenario 3: Council's previous 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).

It is also noted the inclusion of 23 Canterbury Road was investigated as part of the preferred scenario (Scenario 3) that was considered by the LPP which has since been revised in response to the LPP's comments regarding building height transition for 23 Canterbury Road.



Figure 14. Scenario 3: Council's previous preferred scenario with statistical comparison.

Council's analysis found that Scenario 3 provided the following key benefits compared to the other scenarios tested:

- Generous deep soil and canopy tree coverage.
- High permeability with the provisions of through-site links connecting pedestrians and residents to open space.
- Minimised bulk and scale through varying building height across the built form
- Compliance with ADG building separation and setbacks
- Simplified waste management due to consistent built forms (i.e., basements below service the residential flat buildings and the townhouses via kerb side collection).

However, after receiving the recommendations from LPP regarding built form, Scenario 3 was amended into Scenario 4 (indicated in Figure 15 below) with respect to changes to the maximum height for 23 Canterbury Road to facilitate a step-down transition in height transition from the corner building and along both frontages, towards the surrounding established low-density residential dwellings.



Figure 15: Scenario 4: Council's preferred scenario subsequent to LPP Recommendation and the scheme that is presented in this Council report to proceed to a Gateway determination

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 16.

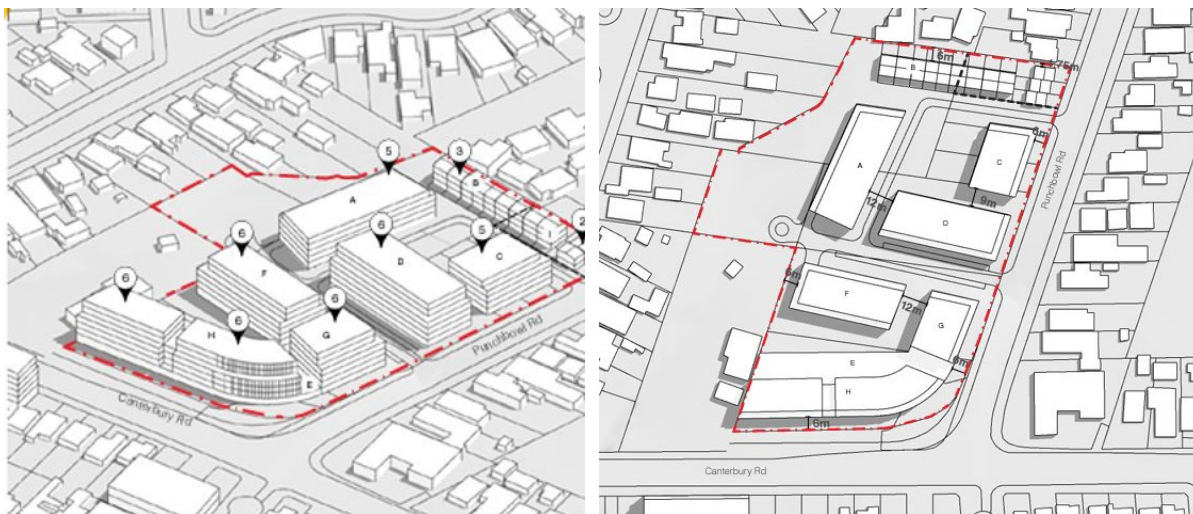


Figure 16. Architectus Scheme for the 2017 planning proposal.

The recommendations of the Architectus peer review were provided to the proponent and was satisfactorily addressed in the planning proposal lodged in 2022. However, through the analysis undertaken by Council the final proposed Scenario 4 concept development scheme is the preferred urban design outcome for the site as it maximises accessible public open space, provides a strong urban edge to the intersection corner and incorporates a better variation in building heights across the site to provide visual interest without significant increased FSR.

4.2.2 Open Space Provision

The open space provision is adequate for the following reasons:

- The proponent intends to provide 5091m² of publicly accessible sheltered grassed areas, a playground and a green 'linear parkway' along its western edge. The landscaping and tree canopy proposed around these public spaces and along site boundaries will generate additional visual and environmental benefits for the public and the future residents on the site.
- Punchbowl Park is in close distance from the subject site and poses as a convenient additional option for site's future residents. It is within a 250m – 500m (5 min walk) from the proposed site entry to the park's entry via Canterbury Road or Viola Street. Punchbowl Park also features several amenities for public use including three sports fields, an oval, two tennis courts and a recently constructed playground. It is expected that this existing large Council owner park would be an attractive recreational facility for the future residents.
- The draft *Greener Places Design Guide* prepared by the Government Architect NSW (GANSW) sets out capacity measures for existing sporting fields and outdoor sporting spaces and states they would be at capacity if the ratio of residential population to area exceeded 1,000 people per hectare (10,000m²). Punchbowl Park is over 6 hectares (60,000m²), which provides capacity for up to 6,000 people which is significantly beyond what the future redevelopment of the subject site would generate.
- It is important to note that at the construction stage (during the DA process), the proponent will be required to pay a considerably large sum of Development Contributions under Section 7.11 and Section 7.12 of the EP&A Act, which will go towards improving and upgrading other parks in the area in accordance with Council's *Local Infrastructure Contributions Plan 2022*.

4.2.4 Solar Access Impacts

The proponent has provided solar access impact analysis (found in Attachment E) with several shadow diagrams depicting sun access at peak periods during mid-summer, mid-winter and during equinoxes for each season. 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 most overshadowing occurring within the front setbacks and road carriageways. 23 Canterbury Road will also achieve over 3 hours of continuous solar access during the winter equinox.

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 pursuant to the Apartment Design Guide (ADG). Currently, there are a few instances where it is unclear as to whether some 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 is to be exhibited concurrently with the planning proposal, and where practical, will include detailed building controls such as minimum

setbacks and building separation distances for all building levels to ensure satisfactory 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.

4.2.5 Building Height Control and Transition to adjoining area

The site is located within a 'node' on the corner of Canterbury and Punchbowl Road as included in the Canterbury Road 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 adopted in the Canterbury Road Review 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 to the north (from 11 storeys to 3 storeys), and from the corner to the west towards 23 Canterbury Road (from 11 storeys to 7 storeys).

In order to accommodate a 2 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.

4.2.6 Floor Space Ratio

The proposal seeks to achieve the following FSR:

- B1 Neighbourhood Centre zoned portion:
 - Total proposed GFA: 15,710m²
 - Total FSR: 2.1:1
- 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 will 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. In addition, the site specific DCP controls will ensure the overall bulk and scale of the development is appropriate in the context of its surrounds, maintaining high amenity for adjoining sites. It is noted that the future development on the site will be required to address the requirements of *Clause 6.15 Design Excellence* of the CBLEP 2023.

4.2.7 Site specific provision for site consolidation

It is recommended to include site specific provisions relating to site consolidation to achieve the proposed increased FSR to 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 lot 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.

4.3 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 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 CBLEP 2023. Considering the history of the site, which has been operating as a function centre as well as a registered club since its founding in the 1980s, 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 deemed appropriate.

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

It is noted that under the future E1 Local Centre zoning for the site as part of the Council's 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.

4.4 Site Contamination

The proponent provided a Detailed Site Investigation (DSI) and a Remedial Action Plan (RAP). Both reports found there were no significant causes of contamination and recommended precautionary and unexpected finds conditions, in which the RAP concluded that, *"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.

4.5 Flooding

The development site is affected by the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events. Figures 17 and 18 below outline the post-development AEP and PMF flood hazard impacts.

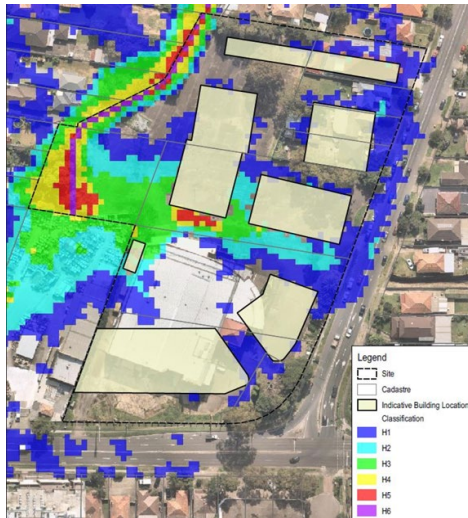


Figure 17. Flood Hazard Categories H1-H6 – Post-development 1% AEP event.

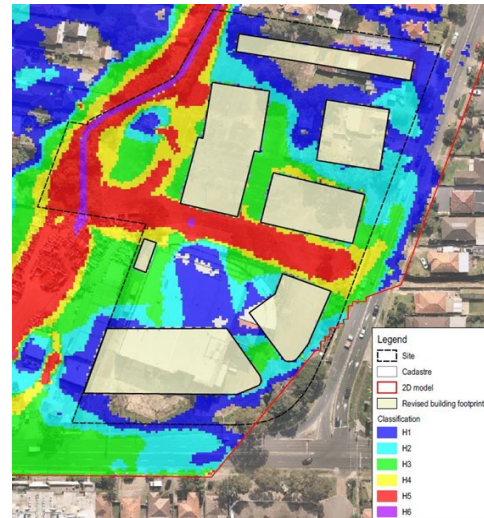


Figure 18. Flood Hazard Categories H1-H6 - Post-development PMF event.

The proponent 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. 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 T. Advice provided by LPP have also been noted and will be further explored and refined as part of the site specific DCP process.

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. The intent of this assessment is to confirm if the development at this high-level is compatible with the flood risk of the site.

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.

4.6 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. The proponent has provided an Arborist Report prepared by The Arborist Network (found in Attachment S), which provides an assessment of these trees and their value.

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.

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.

4.7 Traffic Generation, Vehicle Access, and Parking

The proponents 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.

4.7.1 Analysis of Traffic Impacts and Recommended Changes

The proponent'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 Attachment P.

5. OTHER CONSIDERATIONS

Council has assessed this planning proposal against the justification matters outlined in DPHI's *LEP Making Guideline* (2023). 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 and flow paths subsequent to redevelopment
- Road and intersection upgrades, and road widening as required by TfNSW
- Confirmation of Development Contributions as part of future Planning Agreement
- Detailed design and built form matters to be resolved through the site specific DCP

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.

6. NEXT STEPS

