



PLANNING PROPOSAL

Amend Rockdale Local Environmental Plan 2011 as it applies to land at No. 187 Slade Road, Bexley North by:

- amending the height of buildings map to apply maximum building heights of 20m and 35m; and
- amending the floor space ratio map to apply maximum FSRs of 3.2:1 and 3.6:1.

Bexley North Hotel
187 Slade Road, Bexley North

Prepared for: Tunborn Pty Ltd

REF: M170091

Date: 26 August 2020





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- Annexure B.** Traffic and Parking Assessment prepared by Traffix
- Annexure C.** Flooding and Stormwater Assessment prepared by GRC Hydro
- Annexure D.** Stage 2 Environmental Site Assessment prepared by EIS
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Executive Summary

This Planning Proposal seeks to amend the provisions of Rockdale Local Environmental Plan (RLEP) 2011 for land at No. 187 Slade Road, Bexley North. Specifically, the Planning Proposal seeks to amend the development standards RLEP 2011 as they relate to the height of buildings (HOB) and Floor Space Ratio (FSR).

This Planning Proposal applies to the site owned and operated by Tunborn Pty Ltd known as the Bexley North Hotel at No. 187 Slade Road, Bexley North. The undertaking of the Planning Proposal will provide a unique opportunity to unlock the development capacity and community building potential of the subject site with an area of 4,236sqm that is ideally located within the Bexley North Town Centre.

An analysis of the local centres located along the T8 – Airport and South Line indicates that Bexley North is under capacity in terms of the planning controls that apply, relative to other local centres. The location, and importantly access to numerous transport options, offers enormous untapped potential to revitalise the Bexley North Town Centre. The redevelopment of the subject site presents a unique opportunity to be the catalyst for redevelopment of the local centre and deliver a suite of public benefits that will not be realised if the current planning controls are retained and the opportunity for redevelopment passes.

Based on the Urban Design Report that accompanies this Planning Proposal which tests development scenarios in accordance with the proposed revised controls, the change to the current controls will facilitate a high quality, well planned mixed use concept development incorporating approximately 83 apartments, and 5,988m² of non-residential floor space (1.41:1) including a pub, hotel, café, gym and two retail tenancies. The RLEP 2011 does not contain a blanket minimum FSR for non-residential development, however, the indicative concept proposal will retain and increase the amount of non-residential uses on the site facilitating employment growth at the same time as increasing quality housing stock. The vision for the site as established by this Planning Proposal is as follows.

- Establish a 'landmark' development at a key gateway to the Bexley North local centre, forming a visual marker and reinforcing the importance and identity of the Bexley North local centre;
- Contribute towards the revitalisation of the local centre by establishing uses and activation adjacent to the Council car park and Slade Road;
- Establish a 'destination' through the provision of ground level café, pub and retail tenancies linked to publicly accessible open space;
- Enhance pedestrian permeability through the site to link surrounding sites and public spaces;
- Address housing affordability by providing a mix of housing choices;
- Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Bexley North;
- Deliver the highest standards of urban planning and excellence in architectural design.

The redevelopment of the site will provide a significant number of public benefits which include the following:

- The renewal of the existing Bexley North Hotel and associated Motel building will act as a catalyst for the future redevelopment of the urban block bounded by Bexley Road, Slade Road and Sarsfield Circuit;
- The provision of a high quality mixed use building that defines the street frontage and provides generous and well defined open spaces for residents on the upper levels;
- The provision of a through site link (subject to acquisition by Council) to connect to a potential future "Urban Piazza" or other redevelopment on Council land currently occupied by an existing carpark;
- The redistribution of massing away from the sensitive eastern boundary (reducing the currently allowable





height at this edge of the site) towards the northern and western boundaries will provide increased visual amenity through delivery of a 'landmark' building with generous building separation;

- A variation to building heights within future development will contribute to a varied and more interesting skyline which will positively contribute to the creation of an attractive Bexley North Town Centre;
- Improvements to public safety and amenity by rationalising the width and number of driveway crossovers on the site to a single point from Sarsfield Circuit;
- Retain the existing Bexley North Hotel as a destination which is enhanced by additional retail and food and drink premises to contribute towards the economic vitality and increased activation on the primary frontage to Slade Road, within an easy and safe walking distance to a catchment of local residents;
- The provision of lower density residential uses fronting Sarsfield Crescent to provide a transition in scale to the low density residential development to the east and provide increased natural surveillance of the public domain, and
- Deliver the highest standards of urban planning and excellence in architectural design.

An Urban Design Report (UDR) and indicative concept proposal has been prepared by GMU (refer to Annexure A). The UDR demonstrates that the proposed LEP changes will facilitate high quality urban form compatible with the context and setting of the broader locality and the immediate surroundings. Furthermore, the UDR and indicative concept proposal shows future development can relate positively to the features of the site as well as to surrounding public spaces and residential buildings. The indicative concept proposal will provide for the following:

- The construction of two buildings, comprising a 4-5 storey eastern building predominantly comprising residential apartments and a 6-10 storey western building comprising commercial, hotel and residential uses;
- Publicly accessible open space located between the two buildings;
- Approximately 83 apartments across the two buildings;
- Café on the ground floor of the eastern building fronting Slade Road;
- Two retail tenancies fronting the public open space;
- Retention of the Bexley North Hotel on the Ground Level and Level 1;
- A gym on Level 1 of the western building;
- A hotel in the northern portion of the western building on Levels 2-5; and
- Three basement levels providing for up to 214 car parking spaces.

This application is consistent with the local, regional and state planning strategies for Bayside LGA and the Eastern City District Plan within the Sydney Metropolitan Area. This application has the potential to make a substantial positive contribution to the quality and utility of public space and result in the efficient use of a well-serviced site to provide a development which is diverse and vibrant, compatible with neighbouring properties and a high quality urban environment. The Planning Proposal is worthy of Council's support.





1. Introduction

This Planning Proposal has been prepared for Turnborn Pty Ltd, owner of No.187 Slade Road, Bexley North. This application is a request to Council to seek a Gateway Determination under the provisions of Section 3.34 of the *Environmental Planning & Assessment (EP&A) Act, 1979*. This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act, 1979* as well as the NSW Department of Planning publication "A Guide to Preparing Planning Proposals" and "A Guide to Preparing Local Environmental Plans".

The primary intent of the application is to initiate a Planning Proposal process to amend the development standards of Rockdale Local Environmental Plan (LPEP) 2011 to:

- o amend the height of buildings control to permit buildings to a maximum height of 20m and 35m;
- o amend the FSR control to permit buildings with a maximum FSR of 3.2:1 and 3.6:1; and,
- o exclude the site from "Area C" on the Height and FSR Maps.

An Urban Design Report (UDR) has been prepared by GMU and is attached as Annexure A. The UDR provides analysis of the existing urban fabric and the constraints and opportunities which create the setting to support redevelopment of the site. The indicative concept proposal demonstrates how future redevelopment could be accommodated on the subject site in accordance with the new controls.

The proposal is consistent with local and state government planning strategies to facilitate more efficient and economic use of urban land within the Bayside LGA. The site is located within the Bexley North Town Centre with established public transport links and access to services and community/social infrastructure. The indicative concept proposal demonstrates the opportunities to integrate residential and commercial land uses with improvements to the streetscape, new vehicular and pedestrian links and achieves positive environmental, social and economic outcomes.

This application for a Planning Proposal has been informed by the following documents:

Annexure	Document	Author
A	Urban Design Study	GMU
B	Traffic and Parking Assessment	Traffix
C	Flooding and Stormwater Analysis	GRC Hydro
D	Stage 2 Environmental Site Assessment and Addendum Cover Letter	JK Environments (formerly known as Environmental Investigation Services)
E	Landscape Plan	Site Design Studios

This report is divided into six sections including a locality and site analysis, existing planning provisions, draft planning provisions, the Planning Proposal and a conclusion.



2. Locality and Site Analysis

2.1 THE CONTEXT

2.1.1 Metropolitan Context

The subject site is located in the suburb of Bexley North approximately 11km south west of the Sydney CBD. The subject site is classified as a local centre under the Eastern City District Plan.

The Bexley North local centre is located to the north-west of the Kogarah Strategic Centre but is located approximately 200m walking distance to Bexley North Station on the T8 – Airport and South Line and 250m from the entry/exit to the M5 Motorway. The site is also located approximately 5km west of Kingsford Smith Airport and approximately 9km north-west of Port Botany, providing a high level of accessibility.

Bexley North Town Centre comprises a mix of low and medium density development reflective of its status as a local centre. The town centre provides residents with a high level of amenity due to its centralised location within the greater metropolitan region and access to public transport. Furthermore, residents and employees within the suburb have access to major shopping centres, parks, recreation facilities, services and employment in the nearby suburbs.



Figure 1: Context within the Eastern City District.



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2.2 THE SITE

The subject site is a corner block located on the southern side of Slade Road and comprises a single irregularly shaped allotment known as No. 187 Slade Road, Bexley North with legal description Lot 30 in DP 1222252. The location of the subject site is shown edged red in the aerial image provided at **Figure 2**.



Figure 2 Aerial image (Source: NearMap)

The subject site has a 74.675m wide frontage to Slade Road, and an 86.92m wide secondary frontage to Sarsfield Circuit. The western property boundary is 54.845m in length and the southern property boundary is 45.72m in length. The site has an area of 4,236sqm. A detailed Land Survey is submitted with this application for a Planning Proposal and indicates boundary lengths, site area, spot levels and the location of existing structures and vegetation within the allotment.

The landform has been modified in the past to create a relatively level building platform upon which the existing development is situated. The level portion of the site is at or about RL 12.6. An earth batter is situated at the south eastern corner of the site and along the eastern property boundary where the site slopes upwards to the level of Sarsfield Circuit. The most significant difference between the street level and the existing site level occurs at the south eastern end of the site where a difference of approximately 3m is apparent. The low point of the site is at the north-eastern corner, being the intersection of Slade Road and Sarsfield Circuit.

The site presently accommodates the Bexley North Hotel, a single storey brick structure incorporating drive through bottle shop and 'beer garden', as well as a two storey hotel development with undercroft parking. Extensive retaining structures exist along the eastern and southern property boundaries. The site has four vehicular access points including two from Slade Road servicing the bottle shop and two from Sarsfield Circuit servicing the hotel. Pedestrian access to the Bexley North Hotel (i.e. the pub building) is from the Council owned public car park to the west. Vegetation is limited to a small number of shrubs.



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Photographs of the subject site depicting existing site conditions is provided at **Figure 3** through **Figure 7**.



Figure 3 Looking east towards the Bexley North Hotel



Figure 4 Looking east from the public car park towards the Bexley North Hotel



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Figure 5 Looking east at the drive through bottle shop from Slade Road



Figure 6 Looking south towards the hotel from Slade Road



Figure 7 Looking south towards the hotel from within the site boundary

2.3 SURROUNDING DEVELOPMENT

The site is located on the southern side of the rail corridor in close proximity to Bexley North Railway Station (approximately 200m walking distance) and within the Bexley North Town Centre. The site therefore has optimal access to public transport, as well as local services and facilities including shopping centres, professional and health services, and places of leisure. Proximity to public transport, services and facilities enhances the status of the site as a desirable location for higher density mixed use development comprising residential accommodation and commercial floor space.

Land use composition in the immediate locality is considerably varied as is expected at the junction of a number of disparate land use zones. Land use within the Bexley North Town Centre is characterised by multi storey mixed use development incorporating ground level commercial premises and residential accommodation above. The western side of Bexley Road contains a more traditional commercial strip and the focal point of the Centre is the public car park at the corner of Slade and Bexley Roads. Beyond the Centre, land use is almost exclusively low density residential, interspersed with educational facilities and public reserves.

The aerial image provided at **Figure 8** indicates key features of the immediate area.





Figure 8 Key features in proximity to the subject site

Adjoining the site to the south at Nos.22-40 Sarsfield Circuit is a four storey mixed-use development with car parking and commercial floor space at ground level and three levels of residential accommodation above. The ground level is a podium base and is constructed to all property boundaries. The residential levels are setback from the edges of the podium and a number of dwellings have north-facing window openings and private open space areas oriented towards the subject site. The ground level commercial premises presents to the public car park and pedestrian access is available directly from the car park. Vehicular access is also available from Sarsfield Circuit.

Adjoining the site to the west at No. 316 Bexley Road is a Council owned public car park. The car park is classified as 'operational land' under Schedule 4 of the RLEP 2011. The car park services commercial and business development in the Bexley North Town Centre and is heavily utilised. Pedestrian access to the Bexley North Hotel is via the car park and this arrangement is understood to be long-standing. This is consistent with the properties to the south with each building fronting to the car park and containing the primary pedestrian access.

To the north of the site on the opposite side of Slade Road is an older style three storey residential flat building development with parking at ground level (No. 234 Slade Road) and a more contemporary five storey mixed use development with commercial floor space at ground floor and residential accommodation above (No. 236 Slade Road). Both developments have living areas and private open spaces in the form of balconies presenting to Slade Road and away from the train line to the north. In each case, vehicular access is from Slade Road.

On the opposite side of Sarsfield Circuit to the east of the subject site, land use is characterised by low density residential development. The dwellings on this block present to Irwin Crescent and turn their backs on Sarsfield Circuit. These dwellings do not have any physical connection with Sarsfield Circuit in the form of vehicular or pedestrian access points and the visual connection with Sarsfield Circuit is somewhat compromised by the unbroken length of solid boundary fencing along the rear property boundary of these properties.

Figure 9 through Figure 17 indicate the nature and form of development in the immediate locality.



Figure 9 Looking towards the mixed-use development at Nos. 22-40 Sarsfield Circuit from the public car park



Figure 10 Mixed-use development at Nos. 8-20 Sarsfield Circuit



Figure 11 Mixed-use development at No 2 Sarsfield Circuit



Figure 12 Northern elevation of mixed-use development at Nos. 22-40 Sarsfield Circuit



Figure 13 Looking southeast from the corner of Bexley Road and Slade Road towards the council owned public car park adjacent to the subject site.



Figure 14 Looking north-east along Slade Road at Nos. 234 and 236 Slade Road



Figure 15 Looking north from Bexley Road towards mixed-use development at No. 238 Slade Road



Figure 16 Commercial strip along the western side of Bexley Road



Figure 17 Streetscape presentation of low density residential development along Sarsfield Circuit

2.4 CONNECTIVITY TO PUBLIC TRANSPORT

The site is located within 200m walking distance of Bexley North Train Station on the T8 – Airport and South Line, providing regular train services to Sydney CBD via the Airport, and to Revesby. The site is also in close proximity to several bus stops along Bexley Road and Slade Road. Bus routes 410, 420, 420N, 446, 491 and 493 operate to locations including Hurstville, Eastgardens, Burwood, Roselands and Waterloo Park.

2.5 DEVELOPMENT APPLICATION DA-2017/541

Development Application DA-2017/541 was lodged 27 October 2017 and sought development consent for the retention of existing pub and bottle shop known as Bexley North Hotel; demolition of existing motel and a portion of the pub component and construction of a mixed use development comprising of a six (6) storey motel containing 66 rooms; a nine (9) storey shop top housing development fronting Sarsfield Circuit containing 80 dwellings and 1,267sqm of commercial floor space over three (3) basement levels.

This development application was withdrawn by the applicant on 12 February 2017 following meetings with Council officers which encouraged that the proposal should be submitted as a Planning Proposal rather than a development application, given variations sought to the planning controls.

This application for a Planning Proposal seeks to amend the RLEP 2011 height of buildings and FSR development standards prior to the re-lodgement of a revised development application.



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2.6 MATTERS SPECIFIC TO FUTURE DEVELOPMENT CAPACITY

2.6.1 Geotechnical and Contamination

The subject site is not affected by acid sulfate soils or salinity.

A Stage 1 Preliminary Environmental Site Assessment was undertaken as part of DA-2017/541 by EIS and a subsequent Stage 2 Environmental Site Assessment report was prepared and submitted with that Development Application. EIS recommended the following

- A Remedial Action Plan (RAP) should be prepared outlining procedures to be undertaken during each stage of development/excavation, with respect to the asbestos contamination;
- A validation assessment should be undertaken on completion of remediation at each development stage; and
- The following unexpected finds protocol should be implemented during excavation works at the site.

Part 10 – Discussion and Conclusions of the Stage 2 Environmental Site Assessment dated 19 March 2018 by EIS concluded the following:

The site can be made suitable for the proposed development provided that further investigation and subsequent remediation and/or management is undertaken.

A letter from JK Geotechnical (formally EIS) dated 18 September 2019 details that the conclusions and recommendations of the Stage 2 Environmental Site Assessment remain valid (refer to Annexure D).

While it is expected that the future development of the site will include excavated basement car parking, no additional soil and ground water studies are required in conjunction with this Planning Proposal. All matters relating to excavation and contamination are more appropriately addressed as required with any future development application.

2.6.2 Flooding and Stormwater

The subject site is not identified as being within a Flood Planning Area, however adjoining properties to the north and south are mapped as being within the Flood Planning Area. A Flood Report has been prepared by GRC Hydro and is attached at Annexure C.

A supplementary Flood Investigation Report was prepared by GRC Hydro on 26 August 2020 to address Council's concerns in relation to flooding. This report is provided with the updated documentation. The report concludes the following:

- GRC Hydro have done extensive work on flood modelling at the site for a previous Development Application;
- Since that time Council have provided an improved Council modelling tool that is suitable for site analysis;
- The site is flood liable albeit to overland flows or what would tend to be called stormwater;
- Council stormwater assets on the site currently lie under buildings – the re-development is an opportunity to put such assets in locations where they can be accessed should maintenance be required;
- Site's flood liability is very much affected by a re-distribution of flow that resulted from a 2010 development approved at the corner of Sarsfield Circuit and Bexley Road;
- Flood liability of the site means that compliance with DCP controls is required to be achieved by any development;
- Compliance with risk management requirements (appropriate floor levels, building materials etc.) is straightforward;
- Compliance with impact consent conditions required the following mitigation measures:
 - Site Storage via detention Tank;
 - Swale on the eastern side of the development; and



- Pipe diversion on Slade Road.

All further matters relating to flooding and drainage are more appropriately addressed as required with any future development application.

2.6.3 Heritage and Archaeological

The subject site is not a listed heritage item, is not located within a heritage conservation area and does not adjoin any heritage items or heritage conservation areas. It is not anticipated that the redevelopment of the site would prejudice the heritage significance or setting of any items of heritage significance.

Furthermore, an AHIMS Basic Search has also been undertaken and reveals that there are no Aboriginal sites that have been recorded on or in the vicinity of the subject site.

2.6.4 Traffic and Transport

The subject site has two frontages to public roads, the primary frontage being to Slade Road and the secondary frontage to Sarsfield Circuit. The existing pub building currently provides two vehicular crossovers from Slade Road to service the bottle shop of the Bexley North Hotel with vehicular access to the existing motel accommodation via Sarsfield Circuit. It is noted the M5 Motorway tunnel extension is proposed under the northern section of the site, however the design of the indicative concept proposal will ensure all works are clear of this tunnel.

The indicative concept proposal indicates that a three level basement will be provided with a two lane driveway providing residential and commercial vehicle access with a separate truck loading bay entrance adjacent the residential and commercial driveway off Sarsfield Circuit. The single vehicular access point will be sufficient to accommodate SRVs to service the loading areas and rubbish collection and also provide access to the separate commercial and residential car parking spaces. The remaining vehicular crossovers will be closed and made good to improve vehicular and pedestrian safety.

There are continuous concrete pedestrian pathways on Slade Road and it is anticipated that the redevelopment of the site will include the reconstruction of the footpath reserves for the full frontage of the site.

Bexley North Railway Station is located approximately 200m north-west of the subject site. Bexley North Railway Station is located along the T8 – Airport and South Line providing connections to Campbelltown, International and Domestic Airports, Green Square, Central, Circular Quay and Town Hall. Rail services to the City from Bexley North Railway Station depart every 15 minutes during morning and evening peak periods.

A Traffic and Parking Assessment (TPA) has been prepared by Traffix and is attached as Annexure B. A revised Traffic Impact Assessment (TIA) dated August 2022 was prepared in response to issues raised by Council. This document is submitted separately with the Planning Proposal. Both reports conclude as follows:

“The planning proposal is supported on transport planning grounds and will operate satisfactorily, even based on the set of worst-case assumptions made for the concept development.”

2.6.5 Tree Protection and Retention

There are no trees of any significance on the subject site. Any existing trees on the site are self-seeded and are required to be removed. Specific details regarding tree removal will be considered at the development application stage.

The indicative concept proposal will provide a significantly improved and structured landscaped proposal to ensure the long term retention of the proposed trees and a high level of amenity for the subject site. There will be adequate opportunities for compensatory planting to enhance the streetscape and the microclimatic conditions within the site.





2.6.6 ANEF Zone

The subject site is not subject to significant aircraft noise or within any ANEF contour. As such, it is not considered that a detailed acoustic assessment is required.

2.6.7 Voluntary Planning Agreement (VPA)

A letter of offer to enter into a VPA will be provided to Council under separate cover. Should the application receive a positive Gateway determination, the applicant intends to progress a draft VPA with Council that may be subject to public exhibition concurrently with the draft Planning Proposal.



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3. Existing Planning Provisions

3.1 ROCKDALE LOCAL ENVIRONMENTAL PLAN 2011 (RLEP 2011)

The subject site is zoned B4 – Mixed Use under RLEP 2011 and the zoning is not proposed to be altered by this application for a Planning Proposal. The current development standards that apply to the site under RLEP 2011 are summarised as follows:

Table 2 Summary of Current Development Standards

Control	Existing Requirement	Figure
Height of Buildings	16m plus 6m (Area C)	18
Floor Space Ratio	2:1 plus 0.5:1 (Area C)	19

It is noted that the subject site is located within Area C under the HOB and FSR maps of RLEP 2011 and comprise of a site area of greater than 1,200sqm. This application for a Planning Proposal seeks to alter the development standards on the maps for Clauses 4.3 and 4.4 of RLEP 2011 and will exclude the site from Area C given site specific HOB and FSR development standards will be sought. The current development standards are detailed in the following maps:

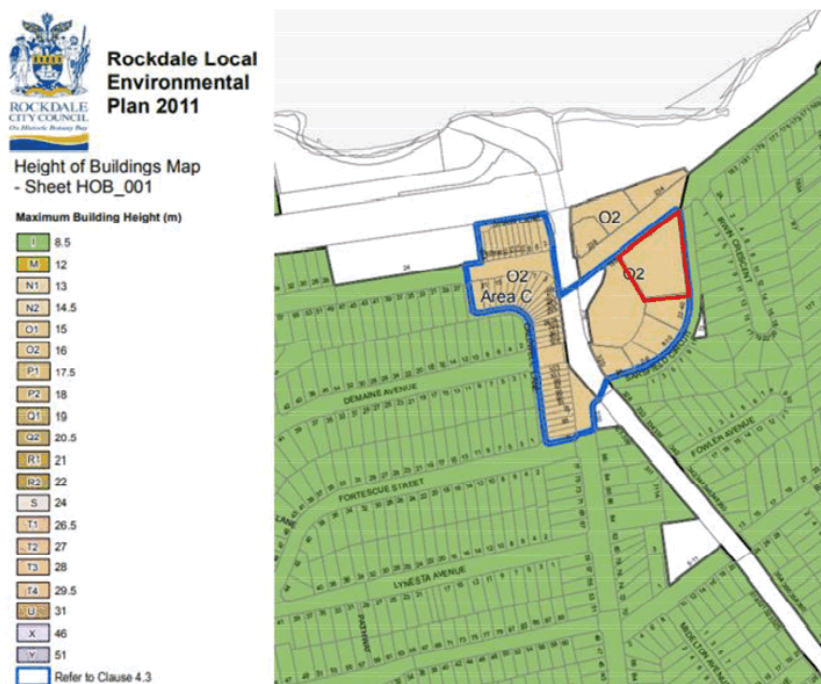


Figure 18: Extract from RLEP 2011 Height of Buildings Map (HOB_001) with the subject site edged in red



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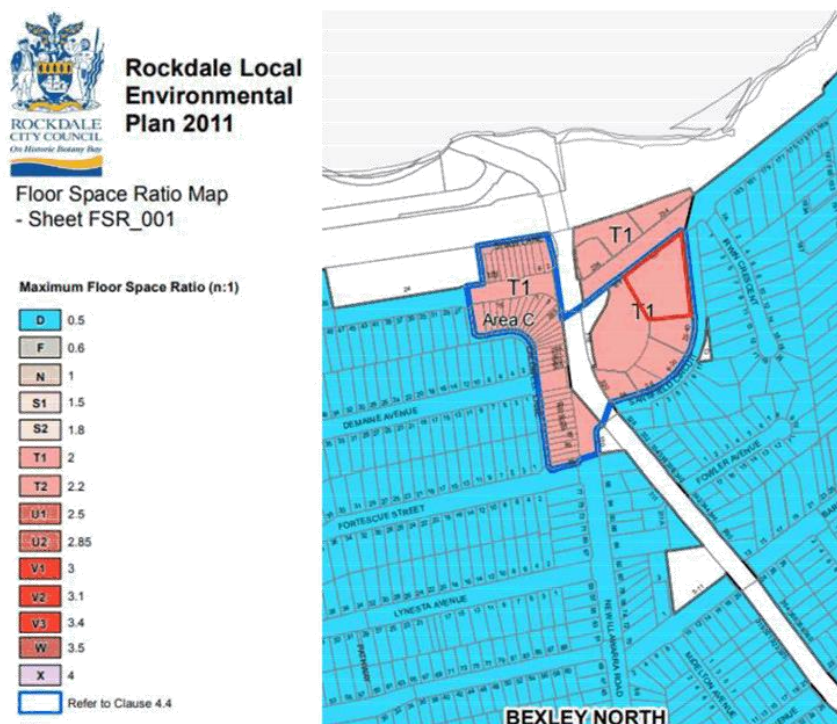


Figure 19: Extract from RLEP 2011 FSR Map (FSR_001) with the subject site in red

The above listed provisions are proposed to be amended as described in Section 4.

The land is not mapped as being a heritage item or within a heritage conservation area, requiring an active frontage, contain acid sulfate soils, subject to flooding or subject to any other environmental or hazard constraints.

3.2 ROCKDALE DEVELOPMENT CONTROL PLAN 2011

The Rockdale Development Control Plan (RDCP) 2011 applies to the subject site. There are a number of controls within RDCP 2011 are relevant to the proposed redevelopment of the site. These include:

- Part 4 – General Principles for Development; and,
- Part 5 – Building Types (Mixed Use);

A site-specific Development Control Plan (DCP) will be prepared post-Gateway for public exhibition with the draft Planning Proposal documents. Details of intended controls are demonstrated in the indicative concept proposal which provide sufficient information on setbacks and building envelope controls to enable Gateway Determination.

In addition, the site-specific DCP will be guided by the Urban Design Guidelines provided on Page 32 of the Urban Design Report prepared by GMU.



3.3 DRAFT BAYSIDE LOCAL ENVIRONMENTAL PLAN 2020

It is noted a draft Planning Proposal report has been prepared by Bayside Council staff for the Bayside Local Planning Panel to consider the Draft Bayside Local Environmental Plan (BLEP) 2020 on 25 November 2019. The report notes the following:

This Planning Proposal initiates the preparation of the Draft Bayside Local Environmental Plan 2020 (BLEP 2020), which is the first stage in the implementation of the Bayside Local Strategic Planning Statement. The overriding objective of the Planning Proposal is to harmonise the existing LEPs to create one comprehensive LEP for the Bayside LGA.

The Draft BLEP 2020 document does not alter the principal planning controls for the subject site and is largely an administrative exercise to provide consistency that is not currently provided due to the differences in the Botany Bay LEP and Rockdale LEP.

The Bayside Local Planning Panel noted the following in the minutes:

• Employment Land – In particular, the need to retain land which is zoned for employment use to satisfy the longer-term economic strategies and goals for the Bayside LGA consistent with the Eastern City District Plan. The draft plan goes some way to achieving this by prohibiting residential flat buildings in the B2 Local Centre and B4 Mixed Use zones. However, there is continual pressure to convert employment land to residential use for short term gain and it is considered that through its planning decisions Council should resist this pressure now and moving into the future.

This application for a Planning Proposal seeks to maintain employment land on the site with a non-residential FSR of 1.41:1 which is a significant improvement on the existing situation.

The Draft BLEP 2020 has received Gateway Determination on 19 March 2020 and is in the finalisation stage. As the Draft BLEP 2020 does not alter the applicable planning controls, the gazettal of the Draft BLEP 2020 will have no significant impact on this Planning Proposal.



4. Draft Planning Provisions

4.1 PROPOSED RLEP 2011 AMENDMENTS

The proposed amendments to RLEP 2011 are described as follows:

- Amend the RLEP 2011 height of buildings map to apply maximum building heights as shown in Figure 20; and
- Amend the RLEP 2011 floor space ratio map to apply maximum FSRs as shown in Figure 21.

The proposed amendments to the RLEP 2011 maps will have the effect of the following detailed in Table 3.

Table 3 Summary of Current and Proposed Planning Controls

Control	Existing Requirement	Proposed Requirement	Figure
Height of Buildings	16m plus 6m (Area C)	20m and 35m	20
Floor Space Ratio	2:1 plus 0.5:1 (Area C)	3.2:1 and 3.6:1	21

It is noted that the subject site is located within Area C under the existing HOB and FSR maps of RLEP 2011 and comprise of a site area of greater than 1,200sqm. This application for a Planning Proposal seeks to alter the development standards on the maps for Clauses 4.3 and 4.4 of RLEP 2011 and will exclude the site from Area C given site specific HOB and FSR development standards will be sought.

The proposed development standards are detailed in the following maps:

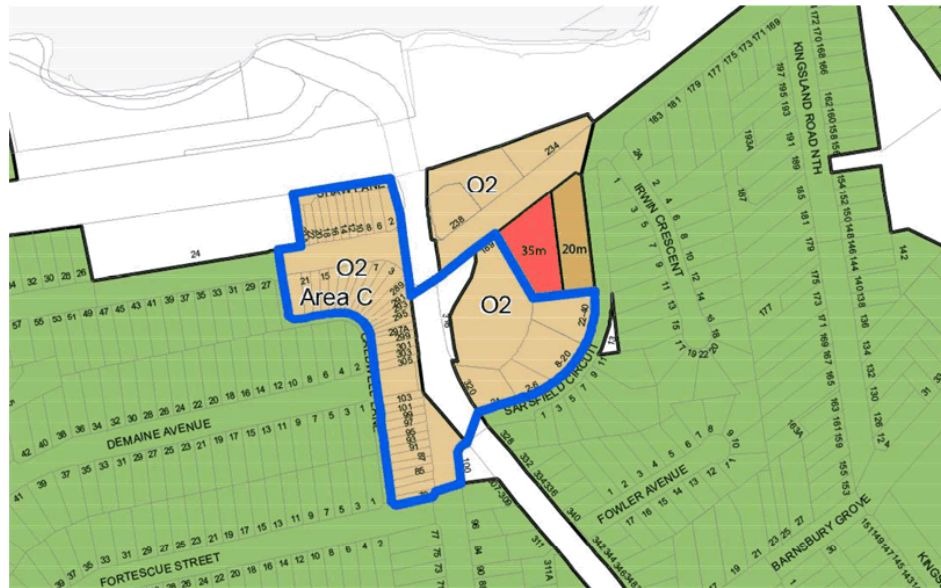


Figure 20: Proposed amendment to Height of Buildings Map to RLEP 2011



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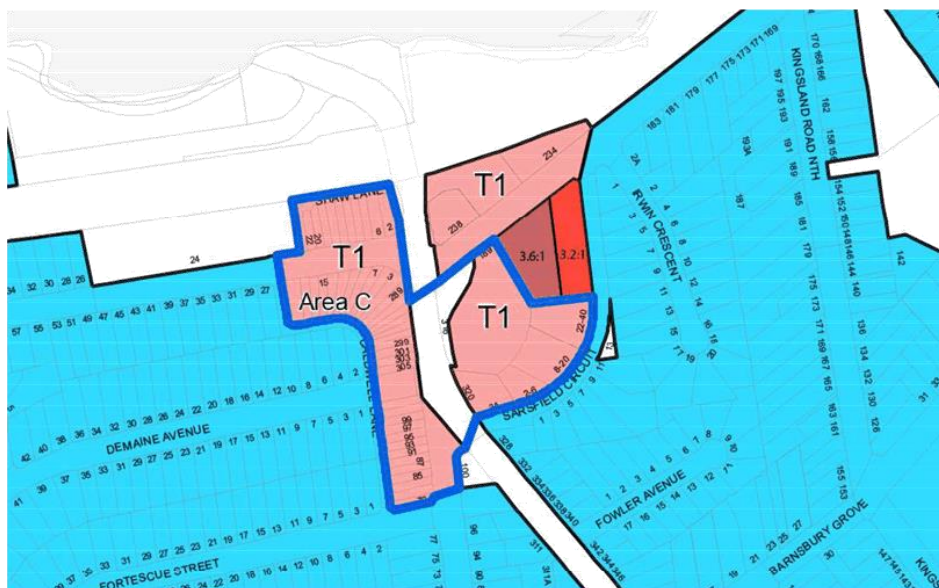


Figure 21: Proposed amendment to the FSR Map to RLEP 2011



5. Planning Proposal

5.1 OBJECTIVES OR INTENDED OUTCOMES – PART 1 OF THE GUIDE

5.1.1 Objectives

The objectives for this Planning Proposal are to:

- i. Facilitate through changes to the current planning controls a 'landmark' development at the heart of the Bexley North Town Centre to form a visual marker and reinforce the importance and identity of the Bexley North Town Centre;
- ii. Contribute towards the revitalisation of the town centre by establishing uses and activation at the heart of the Bexley North Town Centre;
- iii. Establish a 'destination' through the provision of ground level retail and food and drink premises including retention of the existing Bexley North Hotel with additional restaurants/cafes with direct access to the public domain or the publicly accessible open space (in private ownership) within the site;
- iv. Ensure development is of a scale, location and design to have a positive impact on the visual amenity of the locality whilst being compatible with the surrounding built and natural environment;
- v. Create new vehicular and pedestrian connections and strengthen existing links to public transport;
- vi. Enhance pedestrian permeability through the site to link surrounding sites and public spaces;
- vii. Address housing affordability by providing a mix of housing choices;
- viii. Create livable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Bexley North; and,
- ix. Deliver the highest standards of urban planning and excellence in architectural design.

5.1.2 Intended Outcomes

The Planning Proposal will amend RLEP 2011 to facilitate redevelopment of the site in a manner presented in detail in the indicative concept proposal prepared by GMU. The intended outcomes are as follows:

- i. Assist with meeting strategic development outcomes for high quality mixed use development within an underdeveloped town centre;
- ii. Deliver a redevelopment proposal that facilitates and supports a vibrant range of integrated land uses, quality open spaces and through site links;
- iii. Contribute to meeting new dwelling and employment targets set by state, regional and local strategies;
- iv. Retain the existing Bexley North Hotel as a destination which is enhanced by other retail and food and drink premises to contribute towards the economic vitality of the locality within an easy and safe walking distance to a catchment of local residents;
- v. Creating new residential accommodation opportunities in an area with high amenity and excellent access to a variety of transport links, social infrastructure and recreational spaces;
- vi. Establish planning controls with the potential to deliver a new built form which integrates with the setting and context of the established character and built form in the surrounding area;
- vii. To achieve a public benefit in terms of providing publicly accessible open space and a mix of compatible land uses without a significant loss of amenity for adjoining properties;
- viii. The provision of through site link (subject to acquisition by Council) to connect to a potential "Urban Piazza" on Council land currently occupied by an existing carpark; and,
- ix. Allow for the orderly and economic development of the land.





The indicative concept proposal is based on a detailed urban design analysis of the site and its setting combined with input from specialist studies for traffic and movement, detailed modelling of visual impacts and solar access and the feedback provided throughout the design development process.

5.2 EXPLANATION OF PROVISIONS – PART 2 OF THE GUIDE

The proposed outcome will be achieved by:

- Amending RLEP 2011 height of buildings map to apply maximum building heights as shown in Figure 20; and
- Amending RLEP 2011 floor space ratio map to apply maximum FSRs as shown in Figure 21.

5.3 JUSTIFICATION – PART 3 OF THE GUIDE

This section details the reasons for the proposed LEP amendments and is based on a series of questions as outlined in the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals'. The matters to be addressed include the strategic planning context of the amendments, potential State and Commonwealth agency interests, environmental, social and economic impacts.

Questions for consideration in demonstrating justification

5.3.1 Section A - The Need for the Planning Proposal

Q1: Is the Planning Proposal the result of any strategic study or report?

In part. There are no strategic studies or reports that directly address the subject site. Nonetheless, the Planning Proposal has been initiated by Turnborn Pty Ltd to address a recognised need for housing and employment within an underdeveloped town centre with excellent access to public transport. The Planning Proposal is based on an Urban Design Report prepared by GMU. The subject site has been considered in a previous development application and the current Planning Proposal process was encouraged by Council staff prior to withdrawal of that application. It is envisaged that this Planning Proposal will be the catalyst for the redevelopment of the local centre. As such, the proposal is consistent with the relevant state, regional or local strategic strategies.

Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?

Yes. A Planning Proposal is the best and only means of achieving the objectives and intended outcomes discussed in Part 5.1.1 and 5.1.2 of this report.

The current provisions of RLEP 2011 do not permit the built form as described in the supporting UDR and indicative concept proposal prepared by GMU and therefore cannot deliver the opportunities which are framed by the objectives and intended outcomes set out above. Importantly, the current development standards do not recognise a transition in form from the B4 mixed use zoning of the site to the R2 – low density residential zoning on the opposite side of Sarsfield Circuit. This Planning Proposal will be accompanied by a Site Specific DCP that will ensure a transition in scale and the redistribution of bulk away from the sensitive eastern boundary to the northern and western boundaries fronting Slade Road or the Council owned carpark. The Planning Proposal, in fact, proposes a reduction in height along the Sarsfield Circuit frontage compared with the current controls with redistribution of building mass to less sensitive parts of the site and to capitalise on unique opportunities to integrate with the surrounding town centre.

The site has been demonstrated to have a variety of attributes conducive to a higher density development comprising a mixture of non-residential and residential uses as well as the delivery of numerous public benefits. The public benefits of the redevelopment include the following:

- The renewal of the existing Bexley North Hotel and demolition of the associated motel building will act as a





catalyst for the future redevelopment of the urban block bounded by Bexley Road, Slade Road and Sarsfield Circuit;

- The provision of a high quality mixed use building that defines the street frontage and provides generous and well defined open spaces for residents on the upper levels;
- The provision of a through site link (subject to acquisition by Council) to connect to a potential "Urban Piazza" on Council land currently occupied by an existing carpark;
- The redistribution of massing away from the sensitive eastern boundary towards the northern and western boundaries will provide increased visual amenity through delivery of a 'landmark' building with generous building separation;
- A variation to building heights within future development will contribute to a varied and more interesting skyline which will positively contribute to the creation of an attractive Bexley North Town Centre;
- Improvements to public safety and amenity by rationalising the width and number of driveway crossovers on the site to a single point from Sarsfield Circuit;
- Retain the existing Bexley North Hotel as a destination which is enhanced by other retail and food and drink premises to contribute towards the economic vitality and increased activation on the primary frontage to Slade Road, within an easy and safe walking distance to a catchment of local residents;
- The provision of lower density residential uses fronting Sarsfield Crescent to provide a transition in scale to the low density residential development to the east and provide increased natural surveillance of the public domain, and
- Deliver the highest standards of urban planning and excellence in architectural design, through establishment of prescriptive building envelope controls.

The public benefits and additional residential density can only be delivered through changes to the current planning provisions.

5.3.2 Section B - Relationship to the Strategic Planning Framework

Assessment against the following matters for consideration listed in The Guide (Questions 3-6) demonstrate that the Planning Proposal has clear strategic planning merit.

This Planning Proposal is consistent with the applicable regional and sub regional strategies. The strategic plans identify the need to deliver greater employment opportunities and a mixture of new housing for a variety of age groups throughout the established urban metropolitan area, particularly in locations that are in close proximity to a variety of public transport options. This Planning Proposal seeks a mix of residential and non-residential land uses on a site in an established urban environment that is well served by infrastructure, utilities and public transport which is consistent with the relevant regional and metropolitan plans. This Planning Proposal will:

- Increase housing choice and availability in a highly accessible location;
- Increase the available non-residential floor space on the site to promote greater employment opportunities;
- Deliver redevelopment at a scale which is compatible with the existing and desired future character of the locality;
- Permit future residents and visitors access to well-established services and facilities within the locality with access to various local, strategic and metropolitan centres;
- Increase tree canopy cover to mitigate urban heat loads; and,
- Permit future occupants and visitors to have the potential to use environmentally efficient buildings with thermal and water efficient design and will have options to use a wide range of transport options.



Q3: Is the Planning Proposal consistent with the objectives and actions of the applicable regional or subregional strategy?

A Metropolis of 3 Cities: The Greater Sydney Region Plan (March 2018)

On 23 March 2018, the Greater Sydney Commission released A Metropolis of 3 Cities: The Greater Sydney Region Plan. The new Regional Plan contains a revised ten directions for the Greater Sydney Metropolitan Area. The Directions include the following:

1. A city supported by infrastructure;
2. A collaborative city;
3. A city for people;
4. Housing the city;
5. A city of great places;
6. A well connected city;
7. Jobs and skills for the city;
8. A city in its landscape;
9. An efficient city;
10. A resilient city.

The Metropolitan Strategy identifies the site as being located within the "Eastern Harbour City" as detailed in Figure 22.

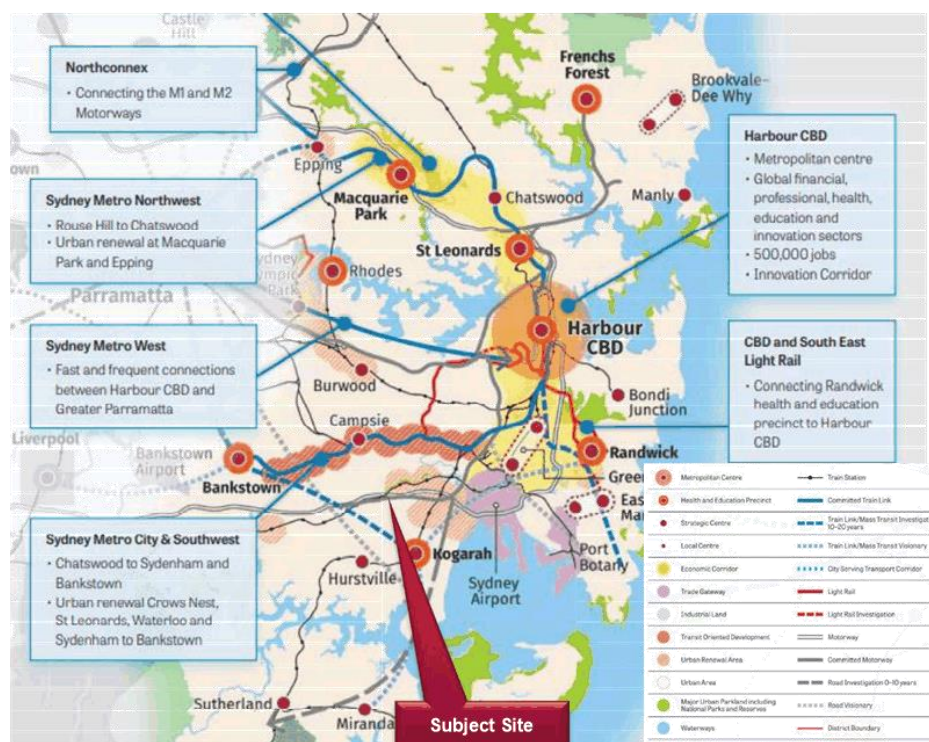


Figure 22: The Eastern Harbour City (Source: A Metropolis of 3 Cities: The Greater Sydney Region Plan)



An assessment against the relevant directions and their objectives is provided in the table below.

Table 4 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

Direction 1 – A city supported by infrastructure

Objective 1: Infrastructure supports the three cities

Not Applicable.

Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact

Not Applicable.

Objective 3: Infrastructure adapts to meet future needs

Not Applicable.

Objective 4: Infrastructure use is optimised

Not Applicable.

Direction 2 – A collaborative city

Objective 5: Benefits of growth realised by collaboration of governments, community and business

Not Applicable.

Direction 3 – A city for people

Objective 6: Services and infrastructure meet communities' changing needs

This objective is about providing social infrastructure and public places that reflect the needs of the community now and in the future.

The indicative concept proposal retains the North Bexley Hotel on the site, and also facilitates the provision of a new café and retail tenancies. The concept proposal also provides a high quality publicly accessible plaza located between the two buildings. The Planning Proposal is consistent with this objective.

Objective 7: Communities are healthy, resilient and socially connected

This objective is about creating a lively connected neighbourhood that is in close proximity to shops, creative arts centres, schools, health care centres and community facilities. It promotes the benefits of mixed use centres and the opportunities for public and alternative forms of transport.

The subject site is well-located, accessible to local infrastructure, including public transport, health services and amenities. Space will be provided on site for publicly accessible open space (in private ownership) to benefit the wider local community. The indicative concept proposal indicates a mixture of residential and non-residential uses on the site, with enhanced pedestrian permeability through the site, via the provision of two through-site links. This will enhance the connectivity through the site, enabling improved pedestrian and cycling movements. The Planning Proposal is consistent with this objective.



Table 4 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods

This objective is about fostering cultural diversity and facilitating their growth.

The indicative concept proposal will provide for a mix of one, two and three bedroom apartments which will provide accommodation for a broad cross section of the community. In addition, hotel rooms and facilities will be provided on Levels 2-5 for short term accommodation. The co-location of residential and non-residential uses also provides potential for a type of live/work lifestyle. The Planning Proposal is consistent with this objective.

Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation

Not Applicable.

Direction 4 – Housing the city

Objective 10: Greater housing supply

The NSW Government has identified that 725,000 new homes will be needed to meet demand based on current population projections to 2036. The Eastern City will require 157,500 homes up to 2036. Combined with changing demographics and housing affordability challenges, greater housing choice will be needed.

The indicative concept proposal will provide a supply of employment and dwellings within the Bexley North local centre. The indicative concept proposal will provide for approximately 83 new dwellings within a highly accessible location in terms of public transport, services and community facilities. The Planning Proposal is consistent with this objective.

Objective 11: Housing is more diverse and affordable

The Plan encourages the provision of a supply of diverse housing supply and encourages the provision of Affordable Housing.

In providing a supply of apartments, the indicative concept proposal will add to the diversity accommodation in the Bexley North area. The indicative concept proposal outlines the apartment mix will comprise of 24 x 1 bedroom (28.9%), 38 x 2 bedroom (45.8%) and 21 x 3 bedroom (25.3%) to house a variety of people within the local centre. The Planning Proposal is consistent with this objective.

Direction 5 – A city of great places

Objective 12: Great places that bring people together

The Metropolitan Plan promotes the following principles for the design of great places:

- People friendly public open space areas and streets;
- Fine grain fabric and activity;
- A diverse mix of uses;
- A socially connected region;
- Ensure adequate car parking which takes into account access to public transport; and
- Encourage the use of car sharing and hybrid vehicles.

The indicative concept proposal will enhance the public domain and provide north-south and east-west through site connections as well as a mix of employment and residential uses that directly accords with the plans ambition. The indicative concept proposal

Table 4 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

will attract people to the site and promote connectivity and a sense of place. The mix of uses on site will encourage interaction and provide for greater employment and services in close proximity to residential accommodation.

The site is in a highly accessible location and the provision of car parking will be cognisant of the proximity to public transport and surrounding services. Alternative forms of transport, car sharing and electric vehicles will be encouraged. The Planning Proposal is consistent with this objective.

Objective 13: Environmental heritage is identified, conserved and enhanced

The Plan seeks to manage and monitor the cumulative impact of development on the heritage values and character of places.

The subject site is not a heritage item or within a heritage conservation area. There are no heritage items or conservation areas in the vicinity of the site. It is therefore considered unlikely that the proposal will have an impact on heritage values. The Planning Proposal is consistent with this objective.

Direction 6 – A well-connected city**Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities**

The Metropolitan Plan seeks to integrate land use and transport planning to provide more housing and services closer to transport hubs.

The site is located a 200m walk east of Bexley North Station. The proposal provides increased housing, non-residential uses and services in close proximity to the existing train station. The Planning Proposal is consistent with this objective.

Objective 15: The eastern, GOP and western economic corridors are better connected and more competitive

Not Applicable.

Objective 16: Freight and logistics network is competitive and efficient

Not Applicable.

Objective 17: Regional connectivity is enhanced

Not Applicable.

Direction – Jobs and skills for the city**Objective 18: Harbour CBD is stronger and more competitive**

Not Applicable.

Objective 19: Greater Parramatta is stronger and better connected

Not Applicable.

Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western parkland City

Not Applicable.

Table 4 Greater Sydney Region Plan: A Metropolis of Three Cities Directions

Objective 21: Internationally competitive health, education, research and innovation precincts

Not Applicable.

Objective 22: Investment and business activity in centres

The plan seeks to provide better access to jobs, good and services in centres.

The proposal will provide 5,988sqm of non-residential land and approximately 83 apartments on the subject site. This will promote access to jobs and business within the Bexley North Local Centre. The Planning Proposal is consistent with this objective.

Objective 23: Industrial and urban services land is planned, retained and managed

Not Applicable.

Objective 24: Economic sectors are targeted for success

Not Applicable.

Direction 8 – A city in its landscape

Objective 25: The coast and waterways are protected and healthier

Not Applicable.

Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced

Not Applicable.

Objective 28: Scenic and cultural landscapes are protected

Not Applicable.

Objective 29: Environmental, social and economic values in rural areas are protected and enhanced

Not Applicable.

Objective 30: Urban tree canopy cover is increased

The Metropolitan Plan seeks to expand the urban tree canopy in the public realm.

The existing site is largely devoid of significant planting. The indicative concept proposal will provide an improvement to the urban canopy and public realm with trees proposed along street frontages, and green roofs proposed to the eastern building and parts of the western building. The choice of landscaping and its placement around the periphery of the site and within the public spaces at ground level will enhance ground level amenity and provide a leafy outlook for workers and residents on the site. The Planning Proposal is consistent with this objective.

Objective 31: Public open spaces is accessible, protected and enhanced

This Plan seeks to maximise the use of existing public open space and protect, enhance and expand public open space.

The indicative concept plan will provide publically accessible open space (in private ownership) by providing links between the buildings (north-south) and links between Sarsfield Circuit and the public car park (east-west). This will enhance links within the public domain and is consistent with this objective.



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Table 4 Greater Sydney Region Plan: A Metropolis of Three Cities Directions**Objective 32: The green grid links parks, open spaces, bushland and walking and cycling paths**

Not Applicable.

Direction 9 – An efficient city**Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change**

Not Applicable.

Objective 34: Energy and water flows are captured, used and re-used

The Metropolitan Plan supports precinct based initiatives to increase renewable energy generation and efficiencies.

It is proposed to explore a number of sustainability measures through the development of the site including rainwater harvesting, increased landscaping and tree canopy cover, and the use of natural ventilation and lighting where possible. The Planning Proposal is consistent with this objective.

Objective 35: More waste is re-used and recycled to support the development of a circular economy

Not Applicable.

Direction 10 – A resilient city**Objective 36: People and places adapt to climate change and future shocks and stresses**

Not Applicable.

Objective 37: exposure to natural and urban hazards is reduced

Not Applicable.

Objective 38: Heatwaves and extreme heat are managed

The Metropolitan Plan seeks to mitigate the urban heat island effect and reduce vulnerability to extreme heat.

It is proposed to explore a number of measures in design and material choices that will reduce the urban heat loads and therefore reduce the reliance on mechanical ventilation. The indicate concept proposal shows an increase in landscaping on the subject site. The Planning Proposal is consistent with this objective.

Eastern City District Plan

In March 2018, the Greater Sydney Commission released the Eastern City District Plan. The Eastern City District Plan is a guide to implementing the Greater Sydney Region Plan at a District level. It provides a 20-year plan to manage growth and achieve the 40 year vision.

The Eastern City District Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. Additional housing to improve diversity and affordability co-ordinated with transport, centres and services is required in response to population growth. As such, the local area will require more dwellings, jobs and infrastructure in order to accommodate the needs of the growing population.



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The District Plan outlines actions for how the Eastern City District will work towards meeting the priorities and objectives of the Regional Plan. Figure 23 details the land within the Eastern City District Plan which details that Bexley North is a Local Centre:



Figure 23: The Eastern City District Plan locality (Source: Eastern City District Plan)

The Proposal supports a number of the actions outlined in the plan as outlined in the following table:

**Table 5 Eastern City District Plan****Direction 1 – A city supported by infrastructure****Planning Priority E1 Planning for a city supported by infrastructure**

Not Applicable.

Direction 2 – Working Together to Grow a Greater Sydney**Planning Priority E2 Working through collaboration**

Not Applicable.

Direction 3 – Celebrating diversity and putting people at the heart of planning**Planning Priority E3 Providing services and social infrastructure to meet people's changing needs**

Not Applicable.

Planning Priority E4 Fostering healthy, creative, culturally rich and socially connected communities

The Planning Proposal will facilitate the indicative concept proposal which will deliver a safe and inclusive environment that provides activity in the public domain and within the site. The indicative concept proposal intends to create high quality publicly accessible open space areas for new residents, visitors and neighbours and cater for a wide variety of people and day to day activities.

The subject site is well connected to existing open space, community facilities and services in and around the Bexley North Local Centre. In addition, the subject site is within walking distance of Bexley North railway station, numerous bus stops and will promote alternative forms of transport.

The proposal is expected to have positive social impacts when factoring in the key social-economic indicators of population, employment and housing tenure and will not result in any negative impacts on the social fabric of the surrounding area. The Planning Proposal is consistent with this planning priority.

Direction 4 – Housing the city**Planning Priority E5 Providing housing supply, choice and affordability with access to jobs, services and public transport**

Bayside Council is required to provide an additional 10,150 dwellings from 2016-2021. The provision of approximately 83 apartments and 5,988sqm of commercial space as part of a mixed use development will cater for the additional population and provide additional employment opportunities in the short and long term.

The site is currently underdeveloped and the indicative concept proposal represents an opportunity to provide a variety of housing and employment opportunities in a highly accessible area. The Planning Proposal is consistent with this planning priority.





Table 5 Eastern City District Plan

Direction 5 – A city of great places

Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage

The subject site is located within the Bexley North Town Centre which is designated as a Local Centre.

The indicative concept proposal will provide north-south and east-west publicly accessible open space (in private ownership), as well as providing enhanced and active frontages to Slade Road, the Council land to the west and the land slated for acquisition to the south. The increased permeability and vitality will create open and active spaces for residents, workers and visitors.

The indicative concept proposal will also permit the removal of two vehicular cross overs on Slade Road, to create a single entry and exit point from Sarsfield Circuit. The subject site is within 200m walking distance of Bexley North Railway Station, numerous bus stops and the services of the Bexley North Centre. The provision of the pub and retail premises on the ground floor that open onto north and east facing publicly accessible open space will promote activity and social interaction for workers, occupants and surrounding residents.

The proposal is a place-based solution to redevelopment of the site, since it proposes to retain and incorporate the Bexley North Hotel into the redevelopment. The two through site links will promote permeability and enhance pedestrian connectivity in the Bexley North Town Centre. The Planning Proposal is consistent with this planning priority.

Direction 6 – A well connected city

Planning Priority E7 Growing a stronger and more competitive Harbour CBD

Not Applicable.

Planning Priority E8 Growing and investing in health and education precincts and the Innovation Corridor

Not Applicable.

Planning Priority E9 Growing international trade gateways

Not Applicable.

Planning Priority E10 Delivering integrated land use and transport planning and a 30-minute city

The District Plan seeks to integrate land use and transport planning to provide more housing, employment opportunities and services closer to transport hubs. In this regard, the site is located within 200m walking distance of Bexley North Railway Station.

The provision of 5,988sqm of non-residential land and approximately 83 apartments within 200m of Bexley North Railway Station and the entry/exit to the M5 Motorway will provide excellent levels of connectivity and provides an integrated solution for land use and transport planning. The site is entirely capable of servicing the additional density proposed in Figures 20 and 21 (above). The Planning Proposal is consistent with this planning priority.

Direction 7 – Jobs and skills for the city

Planning Priority E11 Growing investment, business opportunities and jobs in strategic centres

Not Applicable.





Table 5 Eastern City District Plan

Planning Priority E12 Retaining and managing industrial and urban services land

Not Applicable.

Planning Priority E13 Supporting growth of targeted industry sectors

The Plan seeks to implement place based activities to attract more visitors.

The indicative concept scheme provides for the retention of the Bexley North Hotel and the provision of a 60 room Hotel above to promote the visitor economy. The site is well located and 200m from Bexley North Train Station. The Planning Proposal is consistent with this planning priority.

Direction 8 – A city in its landscape

Planning Priority E14 Protecting and improving the health and enjoyment of Sydney Harbour and the district's waterways

Not Applicable.

Planning Priority E15 Protecting and enhancing bushland and biodiversity

Not Applicable.

Planning Priority E16 Protecting and enhancing scenic and cultural landscapes

Not Applicable.

Planning Priority E17 Increasing urban tree canopy cover and delivering Green Grid connections

The indicative concept proposal will enhance the public domain by providing trees around the periphery of the site (where not required to have an active frontage) to expand the urban tree canopy and make connections with the existing tree network. The Planning Proposal is consistent with this planning priority.

Planning Priority E18 Delivering high quality open space

The indicative concept proposal will provide publicly accessible open space (in private ownership) between the proposed buildings. These open space will also provide north-south and east-west through-site links to enhance connectivity within the Bexley North Town Centre. The Planning Proposal is consistent with this planning priority.

Direction 9 – An efficient city

Planning Priority E19 Reducing carbon emissions and managing energy, water and waste efficiently

It is proposed to explore a number of sustainability measures through the development of the site such as solar panels, green roofs and walls, water harvesting, and the use of natural ventilation where possible.

Furthermore the provision of employment generating uses better matched to the local populace will encourage more local trips and jobs close to home. These will result in a reduction in car use and increased likelihood of walking. The Planning Proposal is consistent with this planning priority.



Table 5 Eastern City District Plan**Direction 10 – A resilient city****Planning Priority E20 Adapting to the impacts of urban and natural hazards and climate change**

Various measures will be explored to mitigate the urban heat island effect, including choices in materials and increasing tree canopy cover on the site. The Planning Proposal is consistent with this planning priority.

Q4: Is the Planning Proposal consistent with a Council's local strategic or other local strategic plan?Bayside Community Strategic Plan 2018-2030

The Bayside Community Strategic Plan 2018-2030 was adopted by Council after extensive community engagement. The Plan has been prepared by Council through a series of community consultations. This Plan sets out the community's vision to 2030 and sets out four strategic themes to deliver that vision:

- Theme One: In 2030 Bayside will be a vibrant place.
- Theme Two: In 2030 our people will be connected in a smart city.
- Theme Three: In 2030 Bayside will be green, leafy and sustainable.
- Theme Four: In 2030 we will be a prosperous community.

The following table details how the Planning Proposal is consistent with the relevant vision and strategic goals of the Bayside Community Strategic Plan:

Table 6 Bayside 2030 - Community Strategic Plan 2018-2030**Theme One: In 2030 Bayside will be a vibrant place****Direction 1 – Our places are people focussed**

The proposal will facilitate the provision of 5,988sqm of non-residential floor space (1.41:1) including a pub, hotel, café, gym and two retail tenancies. These uses will help promote a destination and enhance the existing non-residential uses in the Bexley North Local Centre. The increased non-residential FSR for the site (1.41:1) will provide greater employment opportunities and the co-location of residential and non-residential uses will also provide potential for a type of live/work lifestyle.

Direction 2 – Our places connect people

The proposal will facilitate provision of new publicly accessible open space between the two proposed buildings and provides increased permeability through new north-south and east-west through site links. These publicly accessible open spaces are enhanced in the indicative concept proposal with the location of a proposed café, larger pub and two retail tenancies, creating a dynamic space for residents and visitors of Bayside.

Direction 3 – Our places are accessible to all

The proposal will facilitate accessible connections through publicly accessible open space (in private ownership). The spaces are safe and engaging with limited opportunities for concealment due to high levels of surveillance from surrounding uses.

Direction 4 – My place will be special to me

The proposal will facilitate the highest standard of urban design and provides high accessible publicly accessible open spaces to facilitate movement. The provision of a singular vehicular entrance on Sarsfield Circuit will minimise conflict between vehicles and pedestrians and all servicing will occur within the basements.



Table 6 Bayside 2030 - Community Strategic Plan 2018-2030

The Planning Proposal is consistent with this theme.

Theme Two: In 2030 our people will be connected in a smart city

Direction 1 – We benefit from technology

The provision of technology and digital access will be considered at the development application stage. It is anticipated that the site will be connected to the NBN and provide “Smart” devices for residential and non-residential uses.

Direction 2 – We are unified and excited about our future

Community engagement will be undertaken post gateway.

Direction 3 – the community is valued

The indicative concept proposal includes communal open space for the exclusive use of residents on the upper levels to promote active and passive recreation. The ground floor level will provide for publicly accessible open space (in private ownership) and public domain improvements to promote connection, interaction and vitality.

Direction 4 – We treat each other with dignity and respect

The proposal will respect the cultural heritage and diversity and maintain equitable access for all stakeholders.

The Planning Proposal is consistent with this theme.

Theme Three: In 2030 Bayside will be green, leafy and sustainable

Direction 1 – Our waste is well managed

The indicative concept proposal indicates that waste will be collected on site and there is adequate areas to accommodate the proposed density.

Direction 2 – We are prepared for climate change

The indicative concept proposal will include public domain improvements and the provision of landscaping and green roads to enhance the quality of the site and its surrounds. Materials will be chosen at the development application stage that are both aesthetically pleasing and durable.

Direction 3 – We increase our use of renewable energy

The provision and use of renewable energy will be considered at the development application stage.

Direction 4 – Waterways and green corridors are regenerated and preserved

The capture and re-use of water will be considered at the development application stage. The indicative concept proposal will include public domain improvements and the provision of landscaping and green roads to enhance the quality of the site and its surrounds.

Table 6 Bayside 2030 - Community Strategic Plan 2018-2030

The Planning Proposal is consistent with this theme.

Theme Four: In 2030 we will be a prosperous community

Direction 1 – Opportunities for economic development are recognised

The proposal will facilitate the provision of 5,988m² of non-residential floor space (1.41:1) including a pub, hotel, café, gym and two retail tenancies. These uses will help promote a destination and enhance the existing non-residential uses in the Bexley North Local Centre.

Direction 2 – Local housing, employment and business opportunities are generated

The increased non-residential FSR for the site (1.41:1) will provide greater employment opportunities and the co-location of residential and non-residential uses will also provide potential for a type of live/work lifestyle. The subject site is 200m from Bexley North Railway Station and will promote the use of alternative forms of transportation.

Direction 3 – The transport system works

The proximity of the site to train and bus routes ensures efficient transport for employees and residents of the site. The site is accessible and equitable access has been provided.

Direction 4 – We are prepared for a sharing economy

The use of the retail spaces and facilitation of the sharing economy will be considered at the development application stage.

The Planning Proposal is consistent with this theme.

Bayside Local Strategic Planning Statement

The Bayside Local Strategic Planning Statement was released on 18 March 2020.

Local Strategic Planning Statements (LSPS) are a new legislative requirement for Councils, requiring a 20-year vision for land use, as well as outlining strategies for managing change and preserving the unique character of their areas. The LSPS will provide Council with strategic direction for planning and help facilitate a coordinated approach to managing growth and development in the Bayside area. The LSPS will align with the Community Strategic Plan and Eastern City District Plan.

The Bexley North Local Centre is identified as a future investigation area under Bayside LSPS with investigations envisaged within 6-10 years.

The following table details how the Planning Proposal is consistent with the relevant vision and strategic goals of the Bayside LSPS:

Table 7 Bayside Local Strategic Planning Statement**Theme: Infrastructure and collaboration****Direction 1 – Infrastructure supporting new developments****Planning Priority B1 – Align land use planning and transport infrastructure planning to support the growth of Bayside**

The proposal is located 200m from Bexley North Railway Station and is therefore ideally located to benefit from this existing infrastructure. Alternative forms and the promotion of public transport will be considered at the development application stage. The Planning Proposal is consistent with this priority.

Planning Priority B2 – Align land use planning with the delivery and management of assets by Bayside Council to support our community

Not Applicable.

Direction 2 - Working together to grow a Greater Sydney**Planning Priority B3 – Working through collaboration**

Not Applicable.

Theme: Liveability**Direction 1 – A city for people****Planning Priority B4 – Provide social infrastructure to meet the needs of the Bayside Community**

The proposal will facilitate the provision public domain improvement and new publicly accessible open space (in private ownership), supported by a pub, café, gym and retail tenancies. These areas will promote vitality and interaction. The Planning Proposal is consistent with this priority.

Planning Priority B5 – Foster healthy, creative, culturally rich and socially connected communities.

The proposal will facilitate new publicly accessible open space (in private ownership) with the non-residential uses creating a vibrant space for new cultural and social connections to occur. The indicative concept proposal provides for increased levels of surveillance limited spaces for concealment to promote public safety. The Planning Proposal is consistent with this priority.

Direction 2 – Housing the city**Planning Priority B6 – Support sustainable housing growth by concentrating high density urban growth close to centres and public transport corridors**

The proposal will facilitate a high-density mixed use development provided in the Bexley North Town Centre, in close proximity to Bexley North Railway Station. In this regard, the provision of 83 apartments and a 60 bed hotel will provide long and short term accommodation to cater for a variety of needs in the locality. The Bexley North local centre is slated for investigation in the medium term (6-10 years) for urban growth. The indicative concept proposal will provide a catalyst for the redevelopment of the local centre. The Planning Proposal is consistent with this priority.

Planning Priority B7 – Provide choice in housing to meet the needs of the community.

The indicative concept proposal provides 24 x 1 bedroom units (28.9%), 38 x 2 bedroom units (45.8%) and 21 x 3 bedroom units (25.3%). In addition, a 60 room hotel is proposed to provide short term accommodation for visitors. The proposal therefore provides a variety of unit sizes and housing choice to cater for a variety of occupants.

Table 7 Bayside Local Strategic Planning Statement

The Planning Proposal will also redistribute bulk away from the lower density residential dwellings on the eastern side of Sarsfield Circuit to provide a better transition between the lower and higher density than envisaged under the current planning controls. The Planning Proposal is consistent with this priority.

Planning Priority B8 – Provide housing that is affordable

The provision of Affordable Housing may be explored as part of the VPA contribution (dependent on negotiations with Council) or at the development application stage. The Planning Proposal is consistent with this priority.

Direction 3 – A city of great places

Planning Priority B9 – Manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm

The indicative concept proposal provides a high quality publicly accessible open space between the two buildings, which is enhanced by the proposed adjoining commercial spaces that include a pub, café and residential tenancies. The proposal will also enhance the public domain along Slade Road and Sarsfield Circuit. Design Excellence will be detailed at the development application stage. The Planning Proposal is consistent with this priority.

Planning Priority B10 – Value, protect and conserve Aboriginal heritage

A future development application will consider the diverse and cultural heritage of the locality.

Planning Priority B11 – Develop clear and appropriate controls for development of heritage items, adjoining sites and within conservation areas

There are no heritage items in the immediate vicinity of the subject site.

Theme: Productivity

Direction 1 - A well connected city

Planning Priority B12 – Delivering an integrated land use and a 30-minute city

The proposal integrates land use planning with the provision of infrastructure, by locating new employment and housing opportunities 200m from the Bexley North Railway Station. The promotion of public transport and alternative forms of transport will be considered at the development application stage. The Planning Proposal is consistent with this priority.

Direction 2 – Jobs and skills for the city

Planning Priority B13 – Contribute to growing a stronger and more competitive Harbour CBD

Not Applicable.

Planning Priority B14 – Protect and grow the international trade gateways

Not Applicable.

Planning Priority B15 – Growing investment, business opportunities and jobs in Bayside's strategic centres and centres

The proposal will increase investment, business opportunities and jobs in the Bexley North Town Centre, through the provision of 5,988m² of non-residential floor space (1.41:1) including a pub, hotel, café, gym and two retail tenancies. These uses will help



Table 7 Bayside Local Strategic Planning Statement

promote a destination and enhance the existing non-residential uses in the Bexley North Local Centre. The Planning Proposal is consistent with this priority.

Planning Priority B16 – Contribute to growing the health and education Kogarah, Randwick and Camperdown

Not Applicable.

Planning Priority B17 – Retain and manage industrial and urban services lands

Not Applicable.

Planning Priority B18 – Support the growth of targeted industry sectors

The indicative concept proposal will provide for a 60 room hotel to help promote the tourism sector within the Bexley North Local Centre. The Planning Proposal is consistent with this priority.

Theme: Sustainability

Direction 1 – A city in its landscape

Planning Priority B19 – Protect and improve the health of Bayside's waterways and the biodiversity

The harvesting and re-use of water will be considered at the development application stage.

Planning Priority B20 – Increase urban tree canopy tree canopy cover and enhance green grid connections

The concept proposal will provide new green roofs and increase tree planting on street frontages to enhance the public domain. The Planning Proposal is consistent with this priority.

Planning Priority B21 – Deliver high quality open space

The concept proposal provides a new high quality open space accessible to the public, but in private ownership. These areas will provide high quality and equitable access for the enjoyment of stakeholders in the local area. The Planning Proposal is consistent with this priority.

Planning Priority B22 – Protect and enhance scenic and cultural landscapes

Not Applicable.

Direction 2 – An efficient city

Planning Priority B23 – Reduce carbon emissions through improved management of energy, water and waste

The use of energy, water and waste will be considered at the development application stage.

Direction 3 – A resilient city

Planning Priority B24 – Reduce community risk to urban and natural hazards and improve the community's resilience to social, environmental and economic shocks and stressors.

Not Applicable.





Q5: Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

There are no State Environmental Planning Policies (SEPPs) or draft Policies or Deemed SEPPs that would prohibit or restrict this Planning Proposal. A list of relevant SEPPs is included in Table 8.

SEPP	Relevance	Consistency	Comments
SEPP No 19- Bushland in Urban Areas	Not Applicable.		
SEPP No 21- Caravan Parks	Not Applicable.		
SEPP No 33- Hazardous and Offensive Development	Not Applicable.		
SEPP No 36- Manufactured Home Estates	Not Applicable.		
SEPP No 47- Moore Park Showground	Not Applicable.		
SEPP No 50- Canal Estate Development	Not Applicable.		
SEPP No 55- Remediation of Land	Introduces state-wide planning controls for the remediation of contaminated land.	Yes	<p>A Stage 2 Environmental Site Assessment has been undertaken by EIS and is submitted separately with this proposal. The assessment makes the following recommendations:</p> <ul style="list-style-type: none"> A Remedial Action Plan (RAP) should be prepared outlining procedures to be undertaken during each stage of development/excavation, with respect to the asbestos contamination;



Table 8: Relevant State Environmental Planning Policies			
SEPP	Relevance	Consistency	Comments
			<ul style="list-style-type: none"> A validation assessment should be undertaken on completion of remediation at each development stage; and An unexpected finds protocol should be implemented during excavation works at the site. <p>Subject to these recommendations being enacted, the report concludes that the site can be made suitable for the proposed uses and this Planning Proposal will not result in any activities which would be likely to expose humans or the environment to risks of contamination. Refer to Part 2.7.1 of this report (above).</p> <p>This application does not change the manner in which this SEPP applies to the site.</p>
SEPP 64 – Advertising and Signage	This SEPP aims to facilitate and regulate advertising and signage.	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.
SEPP 65 (Design Quality of Residential Apartment Development)	This SEPP aims to improve the design quality of developments containing apartments. The SEPP is linked to the Apartment Design Guide (ADG) which includes specific objectives and recommendations for detailed design requirements.	Yes	<p>This Planning Proposal seeks increased height and FSR controls to increase the scale of future built form on the site. The provisions of SEPP 65 will apply to the site.</p> <p>The indicative concept proposal prepared by GMU and submitted with the application demonstrates that the proposal is capable of general compliance with the ADG provisions, including, but not limited to the following:</p> <ul style="list-style-type: none"> A mix of apartment sizes of sufficient area and private open space; Solar access to 79% (66) of apartments; Cross ventilation to 60% (50) of apartments; Building separation; Sufficient landscaping; and Publicly accessible open space and sufficient communal open space on the ground level and rooftops.



Table 8: Relevant State Environmental Planning Policies			
SEPP	Relevance	Consistency	Comments
			The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.
SEPP No 70-Affordable Housing (Revised Scheme)	Not Applicable.		
SEPP (Aboriginal Land) 2019	Not applicable.		
SEPP (Activation Precincts) 2020	Not applicable.		
SEPP (Affordable Rental Housing) 2009	This SEPP facilitates the provision of affordable rental housing and retention of existing affordable housing as well as encourages the siting of affordable housing in accessible locations through bonus incentives.	Yes	The site is within an accessible location and the provision of the SEPP would apply to the site. This Planning Proposal does not change the manner in which this SEPP applies to the site.
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP requires residential development to achieve minimum performance standards for thermal comfort and water efficiency with the intention of reducing demand for energy and potable water.	Yes	This Planning Proposal does not change the manner in which this SEPP will apply to any future development application for new dwellings.
SEPP Coastal Management 2018	This SEPP seeks to balance the need to provide jobs, housing, community facilities and transport for a changing population while maintaining the unique qualities and managing	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.





Table 8: Relevant State Environmental Planning Policies			
SEPP	Relevance	Consistency	Comments
	risks associated with development along our coastlines.		
SEPP (Concurrences and Consents) 2018	Not Applicable.		
SEPP (Education Establishments and Child Care Facilities) 2017	Not Applicable.		
SEPP (Exempt and Complying Development Codes) 2008	This SEPP defines types of development for which development consent is not required.	Yes	This Planning Proposal does not change the manner in which this SEPP applies to the site.
SEPP (Gosford City Centre) 2018	Not Applicable.		
SEPP (Housing for Seniors or People with a Disability) 2004	This SEPP facilitates the provision of housing for Seniors and People with a Disability as well as encouraging services for residents and affordable housing in accessible locations through bonus incentives.	Yes	<p>The site is within an accessible location and the provision of the SEPP would apply to the site.</p> <p>This Planning Proposal does not change the manner in which this SEPP applies to the site.</p>
SEPP (Infrastructure) 2007	This Policy aims to facilitate the delivery of new infrastructure and protect the safe and efficient operation of existing infrastructure.	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.





Table 8: Relevant State Environmental Planning Policies			
SEPP	Relevance	Consistency	Comments
SEPP (Koala Protection) 2019	Not Applicable.		
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not Applicable.		
SEPP (Kurnell Peninsula) 1989	Not Applicable.		
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable.		
SEPP (Major Infrastructure Corridors) 2020	Not Applicable.		
SEPP (Penrith Lakes Scheme) 1989	Not Applicable.		
SEPP (Primary Production and Rural Development) 2019	Not Applicable.		
SEPP (State and Regional Development) 2011	Not Applicable.		





Table 8: Relevant State Environmental Planning Policies			
SEPP	Relevance	Consistency	Comments
SEPP (State Significant Precincts) 2005	Not Applicable.		
SEPP (Sydney Drinking Water Catchment) 2011	Not Applicable.		
SEPP (Sydney Region Growth Centres) 2006	Not Applicable.		
SEPP (Three Ports) 2013	Not Applicable.		
SEPP (Urban Renewal) 2010	Not Applicable.		
SEPP (Vegetation in Non-Rural Areas) 2017	This SEPP aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	Yes	The Planning Proposal does not change the way in which the SEPP would apply to the site or to future development upon the site.
SEPP (Western Sydney Employment Area) 2009	Not Applicable.		
SEPP (Western Sydney Parklands) 2009	Not Applicable.		



Q6: Is the Planning Proposal consistent with the applicable Ministerial Directions?

The consistency of the Planning Proposal with the relevant Ministerial Directions is demonstrated in Table 9.

Table 9: Section 9.1 Ministerial Directions			
Ministerial Direction	Relevance	Consistency	Implications
1. Employment and Resources			
1.1 Business and Industrial Zones	<p>(1) The objectives of this direction are to:</p> <p>(a) encourage employment growth in sustainable locations;</p> <p>(b) protect employment land in business and industrial zones; and</p> <p>(c) support the viability of identified strategic centre</p>	Yes	<p>Direction 1.1 applies to this application for a planning proposal as it seeks to increase FSR and height development standards in a B4 Mixed Use zone. The proposal gives effect to the objectives of this direction, since concept plans seek to retain the existing pub use, and provide new employment generators through the provision of a new café and two new retail tenancies. The indicative concept proposal will include a non-residential FSR of 1.41:1 which is significantly greater than all other properties in the Bexley North Town Centre. In fact, the RLEP 2011 does not contain any blanket provision for minimum non-residential FSR but does dictate site specific provisions. The subject site does not contain any minimum non-residential FSR requirement and therefore the concept proposal will be a significant improvement of the existing situation or that anticipated by the current planning controls.</p> <p>The proposal also supports the viability of the Bexley North Town Centre, which is identified as a Local Centre in the Eastern City District Plan.</p> <p>The application for a Planning Proposal is therefore consistent with Direction 1.1.</p>
1.2 Rural Zones	Not Applicable.		
1.3 Mining, Petroleum production & Extractive Industries	Not Applicable.		
1.4 Oyster Aquaculture	Not Applicable.		
1.5 Rural Lands	Not Applicable.		

2. Environment and Heritage			
2.1 Environmental Protection Zones	Not Applicable.		
2.2 Coastal Protection	Not Applicable.		
2.3 Heritage Conservation	Not Applicable.		
2.4 Recreation Vehicle Areas	Not Applicable.		
2.5 Application of E2 and E3 Zones and Environmental Overlays in far North Coast LEPs	Not Applicable.		
2.6 Remediation of Contaminated Land	<p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>This direction applies when a planning proposal authority prepares a planning proposal applying to land specified in paragraph (2).</p> <p>(4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which</p>		<p>A Stage 2 Environmental Site Assessment has been undertaken by EIS and is submitted separately with this proposal. The assessment makes the following recommendations:</p> <ul style="list-style-type: none"> • A Remedial Action Plan (RAP) should be prepared outlining procedures to be undertaken during each stage of development/excavation, with respect to the asbestos contamination; • A validation assessment should be undertaken on completion of remediation at each development stage; and • An unexpected finds protocol should be implemented during excavation works at the site. <p>Subject to these recommendations being enacted, the report concludes that the site can be made suitable for the proposed uses and this Planning Proposal will not result in any activities which would be likely to expose humans or the environment to risks of contamination. Refer to Part 2.7.1 of this report (above).</p> <p>The application for a Planning Proposal is therefore consistent with Direction 2.6.</p>



	<p>land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<p>(1) The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs;</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p> <p>The Direction applies to all planning authorities and applies when a relevant planning authority prepares a planning proposal that will affect land within an existing residential zone or a zone which permits significant residential development.</p> <p>A planning proposal must encourage the provision of housing that will:</p> <p>(a) broaden choice of building types and locations;</p> <p>(b) make more efficient use of existing infrastructure and services;</p> <p>(c) reduce land consumption on the urban fringe;</p> <p>(d) be of good design.</p>	Yes	<p>Direction 3.1 applies to this application for a Planning Proposal as whilst the planning proposal does not rezone the site to a residential zone, the increased FSR and height controls to the B4 – mixed use zoned site will facilitate the greater provision of housing in an urban area.</p> <p>This application for a Planning Proposal will facilitate the construction of approximately 83 additional dwellings in conjunction with 5,988sqm of commercial floor space.</p> <p>The concept proposal, based on the proposed new planning controls, provides a choice of housing in that it provides 24 x 1 bedroom units (28.9%), 38 x 2 bedroom units (45.8%) and 21 x 3 bedroom units (25.3%). The proposal makes efficient use of existing infrastructure since it is located in the Bexley North Town Centre and is therefore in close proximity to Bexley North Railway Station.</p> <p>The variety of new dwellings facilitated by the Planning Proposal will be of high quality design and entirely consistent with the requirements of SEPP 65 where applicable.</p>



	<p>A Planning Proposal must:</p> <p>(a) contain a provision that residential development is not permitted until land is adequately serviced; and</p> <p>(b) not contain provisions that reduce density.</p>		<p>The additional density will be serviced by the existing and planned infrastructure and services of the Bexley North Town Centre.</p> <p>The application for a Planning Proposal is therefore consistent with Direction 3.1.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not Applicable.		
3.3 Home Occupations	Not Applicable.		
3.4 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p> <p>This direction applies to all relevant planning authorities and to all Planning Proposals that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a)</p>	Yes	<p>This Direction applies to this application for a Planning Proposal as it seeks to increase housing densities within urban zoned land.</p> <p>This application for a Planning Proposal seeks to increase the density of residential development to facilitate delivery of approximately 83 apartments and provide a non-residential FSR of 1.41:1 to serve the day to day needs of the locality. In this regard, the new ground level café and pub detailed in the indicative concept proposal are located adjacent to publicly accessible open space. This is likely to encourage pedestrian activity and social interaction as well as enhance the streetscape and public space network.</p> <p>A combined and centralised driveway on Sarsfield Circuit will improve the safe and efficient movement of vehicles, pedestrians and cyclists. Since the proposal is located within 200m walking distance of Bexley North Railway Station, the proposal is likely to reduce distances travelled by car, since the train will be a more competitive mode of transport.</p> <p>The application for a Planning Proposal is therefore consistent with Direction 3.4.</p>

	Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).		
3.5 Development near Regulated Airports and Defence Airfields	Not Applicable.		
3.6 Shooting Ranges	Not Applicable.		
3.7 Reduction in non-hosted short term rental accommodation period	Not Applicable.		
4. Hazard and Risk			
4.1 Acid Sulfate Soils	Not Applicable.		
4.2 Mine Subsidence and Unstable Land	Not Applicable.		
4.3 Flood Prone Land	<p>The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>This direction applies to all relevant planning authorities and to Planning Proposals that create, remove or alter a zone or a provision that affects flood prone land.</p> <p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain</p>	Yes	<p>The subject site is not identified as being within a Flood Planning Area, however adjoining properties to the north and south are mapped as being within the Flood Planning Area. A Flood Report has been prepared by GRC Hydro and is attached at Annexure C.</p> <p>A supplementary Flood Investigation Report was prepared by GRC Hydro on 26 August 2020 to address Council's concerns in relation to flooding. This report is provided with the updated documentation. The report concludes the following:</p> <ul style="list-style-type: none">• GRC Hydro have done extensive work on flood modelling at the site for a previous Development Application;• Since that time Council have provided an improved Council modelling tool that is suitable for site analysis;• The site is flood liable albeit to overland flows or what would tend to



	<p>Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. <p>(7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(8) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>		<p><i>be called stormwater;</i></p> <ul style="list-style-type: none"> • <i>Council stormwater assets on the site currently lie under buildings – the re-development is an opportunity to put such assets in locations where they can be accessed should maintenance be required;</i> • <i>Site's flood liability is very much affected by a re-distribution of flow that resulted from a 2010 development approved at the corner of Sarsfield Circuit and Bexley Road;</i> • <i>Flood liability of the site means that compliance with DCP controls is required to be achieved by any development;</i> • <i>Compliance with risk management requirements (appropriate floor levels, building materials etc.) is straightforward;</i> • <i>Compliance with impact consent conditions required the following mitigation measures:</i> <ul style="list-style-type: none"> ◦ <i>Site Storage via detention Tank;</i> ◦ <i>Swale on the eastern side of the development; and</i> ◦ <i>Pipe diversion on Slade Road.</i> <p>GRC Hydro has been engaged with the Planning Proposal from early design stages to provide advice and design guidance to mitigate the impacts of flooding. It is concluded that the risks associated with flooding and overland flow can be controlled and mitigated. Detailed design development will be undertaken at the development application stage. Therefore any impacts are considered to be of minor significance.</p> <p>The application for a Planning Proposal is therefore consistent with Direction 4.3.</p>
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4.4 Planning for Bushfire Protection	Not Applicable.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not Applicable.
5.2 Sydney Drinking Water Catchments	Not Applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable.
5.5 Development in the vicinity of Eilalong, Paxton and Millfield	Not Applicable.
5.6 Sydney to Canberra Corridor	Not Applicable.
5.7 Central Coast	Not Applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not Applicable.
5.9 North West Rail Link Corridor Strategy	Not Applicable.
5.10 Implementation of Regional Plans	Not Applicable.
5.11 Development of Aboriginal Land Council land	Not Applicable.



6. Local Plan Making			
6.1 Approval and Referral Requirements	Not Applicable.		
6.2 Reserving Land for Public Purposes	Not Applicable.		
6.3 Site Specific Provisions	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>This direction applies to all relevant planning authorities and to all Planning Proposals.</p> <p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> - allow that land use to be carried out in the zone the land is situated on, or - rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or - allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. <p>A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>	Yes	<p>This application for a Planning Proposal seeks amendments to RLEP 2011 to:</p> <ul style="list-style-type: none"> • apply height of buildings controls which will increase the height from 16m to 20m and 35m; and • apply FSR controls which will increase the FSR from 2:1 to 3.2:1 and 3.6:1. <p>The Planning Proposal will, post gateway determination, be accompanied by a Site Specific DCP that seeks to control development as a result of the change to the RLEP 2011. The amendment is consistent with Direction 6.3 because it:</p> <ul style="list-style-type: none"> • does not introduce a new land use zone that is not already contained in RLEP 2011; and • does not introduce new development standards that are not already contained in the RLEP 2011. <p>The application for a Planning Proposal is therefore consistent with Direction 6.3.</p>
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	<p>This Direction applies to all Planning Proposals in nominated Local Government Areas and seeks to give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p>	Yes	<p>A Plan for Growing Sydney has been superseded by the Greater Sydney Commission's Greater Sydney Region Plan (A Metropolis of Three Cities). For the reasons discussed in Tables 5 and 6, the Planning Proposal is consistent with the broader</p>



	A Planning Proposal must be consistent with the Plan unless the inconsistency is of minor significance and the planning proposal achieves the overall intent of the Plan.		strategic planning for Greater Sydney and the Eastern City District.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not Applicable.		
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not Applicable.		
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable.		
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable.		
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable.		
7.7 Implementation	Not Applicable.		





of Glenfield to Macarthur Urban Renewal Corridor	
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not Applicable.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not Applicable.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not Applicable.

5.3.3 Section C - Environmental, Social and Economic Impacts

Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is part of an urban environment and does not contain habitat for threatened species, populations or ecological communities.

Q8: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Solar Access

The additional height and FSR proposed above the existing controls will have varying degrees of impact on the solar access of the adjoining properties.

The building envelope of the indicative concept proposal has been extensively tested and designed to ensure the apartments will comply with the solar access requirements under the Apartment Design Guide (ADG) and will minimise the impact on the solar access of nearby residential properties and public open spaces.

Hourly shadow diagrams have been prepared by GMU in the UDR (refer to Annexure A) for midwinter to demonstrate the extent of overshadowing from the indicative concept proposal on adjoining properties and public open space. Detailed sun-eye diagrams have also been prepared specifically to demonstrate the extent of overshadowing to north-facing units of the southern adjoining neighbouring site at Nos. 22-40 Sarsfield Circuit. These are reproduced below.



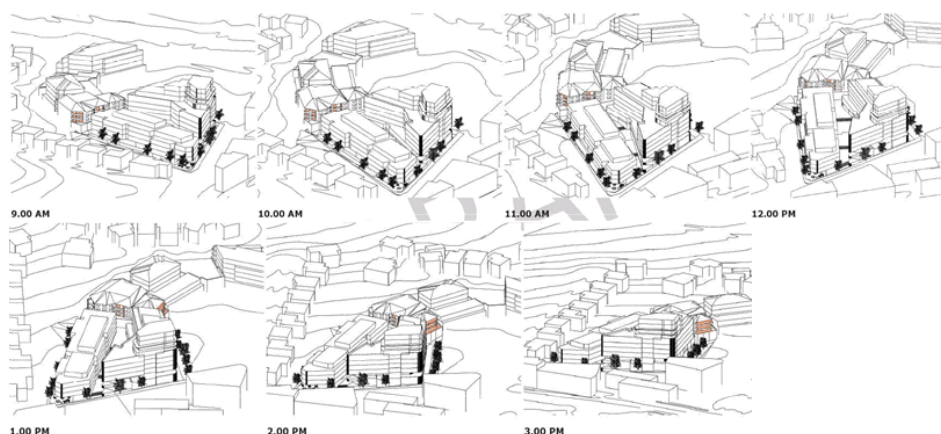


Figure 24 Shadow and Sun eye diagrams

Solar Access to Adjacent Dwellings

Part 4.4.2 (Solar Access) under Rockdale DCP 2011, requires residential flat buildings and shop top housing to provide solar access as follows:

- b. Living rooms and private open spaces for at least 70% of apartments in a development and adjoining properties should receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.*

The shadow diagrams prepared by GMU show that the proposal will create additional overshadowing of Nos. 22-40 Sarsfield Circuit, directly south of the site. Sun-eye diagrams prepared by GMU provide a detailed analysis of solar access to the north-facing units at Nos. 22-40 Sarsfield Circuit. The UDR summarises the impacts as follows:

The 6 balconies/openings facing Sarsfield Circuit receive sun from 9:00 am to 11:00 am. The 2 upper balconies/openings at the centre of the building facing north receive light from 9:40am to 2:20 pm, while the third and bottom balcony receives light from 12:25 pm to 2:10 pm (1.75hrs). The 3 units facing the carpark receive light to the balconies between 1:00 pm and 3:00 pm, though the facade is overshadowed by the existing balconies until 1:20 pm.

The proposal would therefore create shadow impacts that are non-compliant with RDCP 2011. It is understood that Nos. 22-40 Sarsfield Circuit contains 28 strata titled premises, including ground level non-residential premises. Therefore, strict application of Part 4.4.2 of RDCP 2011 would require that 70% (or up to 19 apartments) have living rooms and private open space that receiving solar access for 3 hours. Based on the building design, it is apparent that the existing building would not comply with these controls and therefore it is considered unreasonable to retrospectively apply controls for solar access to living rooms and private open space of apartments that were not designed to achieve the requirements of the ADG in the first place.

It is noted that Part 4A-1 of the ADG requires two (2) hours of solar access to living rooms and private open spaces of 70% of apartments in a development in the Sydney Metropolitan Area. As discussed above, it is unreasonable to require 70% of all apartments to achieve solar access which were not designed to do so in the first place, however, the proposal does provide at least two hours of solar access to balconies and living areas of 11 out of 12 north or west facing units at Nos. 22-40 Sarsfield Circuit that could be affected by the indicative



concept proposal This is considered to be a more appropriate solar access control for higher density and mixed use precincts.

It is also noted that Nos. 22-40 Sarsfield Circuit has balconies and windows only 2 metres away from the side boundary as it was approved before the current planning framework was in place. This makes the north facing windows and private open spaces vulnerable to overshadowing. In fact, if the subject site was developed to the full potential provided under the existing controls, a building with a maximum height of 22m (6-7 storeys) and an FSR of 2.5:1 could be constructed on the site, including adjacent to the southern boundary, which could have a much greater impact on the solar access to north facing windows and private open spaces than that provided by the indicative concept proposal (4-5 storeys for the eastern building). That is, the Planning Proposal will effectively reduce the allowable height on this sensitive part of the site. Furthermore, if Nos. 22-40 Sarsfield Circuit was redeveloped, there would need to be greater consideration of solar access for the apartments and greater separation distances to enhance solar access.

The proposed development would not cast any shadows to the dwellings on the eastern side of Sarsfield Circuit between 9am and 3pm. Furthermore, only the rear yards/open space areas of these properties would be overshadowed by the indicative concept proposal from approximately 2pm and would therefore ensure more than 3 hours of solar access to these properties. As discussed above, if the subject site was developed to the full potential provided under the existing controls, a building with a maximum height of 22m (6-7 storeys) and an FSR of 2.5:1 could be constructed on the site, including adjacent to the eastern boundary, which could have a much greater impact on the solar access to north facing windows and private open spaces than that provided by the indicative concept proposal (4-5 storeys for the eastern building). That is, the Planning Proposal will effectively reduce the allowable height at this sensitive interface compared with the current controls.

It is therefore considered that the extent of overshadowing to adjacent residential dwellings demonstrated by the concept proposal is entirely reasonable and appropriate for the site, and is worthy of Council's support. A detailed overshadowing analysis will be submitted as part of any future development application.

Solar Access to Public Open Space

There are no controls under the RDCP 2011 that dictate solar access to public open space. While not public open space, the indicative concept proposal would result in additional overshadowing to the Council carpark south-west of the site. However, the carpark would retain solar access to more than 50% of its area from 11am onwards. Therefore, if the car park was put to an alternate use in the future, solar access would be available to it to a reasonable level.

The proposed north-south publicly accessible open space between the two buildings will receive solar access from approximately 11am to 1pm, ensuring a pleasant and protected space in mid-winter during lunchtimes for residents and workers to enjoy.

Visual Impact

The additional height and FSR proposed for the subject site above that currently permitted will have varying degrees of visual impact on the locality.

The visual catchment of the subject site comprises of an eclectic mix of building forms and typologies. Development to the north is characterised by medium to high density shop top and residential land uses with a mix of building forms and typologies, ranging from 3-5 storeys. Development directly to the west is characterised by the Council carpark, and then two storey commercial development further west. Development to the south and south-west is characterised by medium to high density shop top and residential land uses with a mix of forms, ranging from 2-5 storeys. Areas to the north, west and south are zoned B4 Mixed Use. Development to the east is characterised by 1-2 storey residential dwellings which are subject to the R2 Low Density Residential zoning.



The location and scale of the buildings has been extensively tested and designed to ensure that future apartments will satisfy the requirements of the ADG and minimise the impact on the amenity of adjoining properties. Furthermore, the design of the proposal seeks to redistribute bulk from the more sensitive eastern boundary to the less sensitive western boundary adjacent to the Council car park. This concept facilitates a two building design with the eastern building having a height of 4-5 storeys (less than the permitted 22m under the existing controls) and the western building having a height of 6-10 storeys (greater than the permitted 22m under the existing controls). This massing is more responsive to the site conditions than the current planning controls.

Line drawings depicting view angles of the proposal have been provided by Tim Throsby to consider the visual impact from several key locations surrounding the site as detailed in Figures 25-27 below.



Figure 25 View angle from Slade Road looking west towards Bexley Road



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Figure 26 View angle from Shaw Street looking east towards the Council car park



Figure 27 View angle from Slade Road looking south into the proposed public open space



The line drawings prepared by Tim Throsby demonstrate that the proposed LEP amendments and indicative concept proposal will enable the redevelopment of the site in an appropriate manner that will be compatible with the scale and character of the site and surrounds. The proposal has carefully considered low density residential dwellings to the east, dropping in scale to 4-5 storeys along the eastern elevation to reduce visual impacts.

The indicative concept proposal demonstrates that the redevelopment of the site can be undertaken in an appropriate manner that will be compatible with the scale and character of the site and surrounds. The design of the indicative concept proposal will provide a transition to surrounding lower density residential development to the east and positively respond to public car park to the west. In this regard, the western building will provide 6-7 storeys across the majority of the western building, rising up to 10 storeys in the north-western corner to form a visual marker and anchor the corner. This scale is considered appropriate for this portion, since it will form a key part of a redeveloped Bexley North Town Centre.

Overall, the indicative concept proposal will provide for a well-considered development on site that will achieve a better urban design and amenity outcome than that anticipated by the existing planning controls. Therefore, the proposal, will have a positive visual impact on the locality.

Views

There are no existing significant views across the site. The single storey houses to the east turn their back on Sarsfield Circuit, and will therefore suffer no significant view loss from the proposal. The proposal is not anticipated to have any impact on views in the locality.

Visual and Acoustic Privacy

The indicative concept proposal has been designed and tested to ensure compliance with the separation requirements of the ADG, both for occupants within the site and adjoining the site. Physical separation between buildings on the site and neighbouring sites is assisted by Sarsfield Circuit to the east, Slade Road to the north, the Council car park to the west and the proposed through site pedestrian link to the south (subject to acquisition by Council).

The site is capable of having no adverse impact on the visual and acoustic privacy of adjoining properties.

Traffic and Parking

A Traffic and Parking Assessment (TPA) has been prepared by Traffix and is attached as Annexure B. A revised Traffic Impact Assessment dated August 2020 has also been prepared to address Council's concerns on traffic and parking. This is submitted separately with this Planning Proposal.

The TPA provides consideration on the pedestrian and vehicular movements, quantum of car parking as part of the indicative concept proposal and the transport impact on the surrounding road network. The TPA concludes that *"the planning proposal is supported on transport planning grounds and will operate satisfactorily, even based on the set of worst-case assumptions made for the concept development"*.

The conclusions for the car parking generation rates and traffic generation will be examined in more detail below.

Car Parking Generation Rates

The indicative concept proposal generates the following car parking rate:

Table 10 Car Parking Generation			
Car Parking	Units/Rooms/GFA	Minimum Parking Rate	Minimum Spaces Required
Residential Component (SEPP 65)			
1 Bed	24	0.6 spaces per unit	14





Table 10 Car Parking Generation			
2 Bed	38	0.9 spaces per unit	34
3+ Bed	21	1.4 spaces per unit	29
Residential Visitor	83	1.0 space per 5-7 units	17
Other Land Uses (DCP & RMS)			
Hotel Rooms	60	1 space per 4 rooms	15
Pub	2,060m ²	1 space per 26m ² GFA	80
Retail	287m ²	1 space per 40m ² GFA	8
Gym	297m ²	4.5 spaces per 100m ² GFA	13
Cafe	160m ²	1 space per 40m ²	4
Total Required			214

The indicative concept proposal details up to 214 parking spaces throughout three basement levels, thus the increased car parking generated by the increased density under the proposed amendments to the RLEP 2011 can be easily accommodated on the site. Given the restricted parking in and around the Bexley North Town Centre, the provision of additional unrestricted car parking on-site over and above the above requirement may be considered a better outcome for the patrons of the non-residential uses including the pub, gym, hotel and café's. The reduction in the quantum of parking spaces on the site would reduce the quantum of excavation but will generally be a poorer outcome with the increased reliance upon on-street parking or the Council car park. The provision of car parking will be detailed at the development application stage.

It is not anticipated that there are any geotechnical or hydrogeological factors that would limit the provision of basement car parking and therefore these issues will be considered at the development application stage. It is noted the location of the M5 Motorway tunnel extension which is not affected by the indicative concept proposal.

Traffic Generation

The TPA details that the indicative concept proposal when calculated using the Guide to Traffic Generating Development (GTTGD) will generate 59 vehicle movements / hour in the AM Peak Hour and 130 vehicle movements / hour in the PM Peak Hour in accordance with the requirements of the GTTGD.

The existing buildings on the site when calculated using the GTTGD will generate 7 vehicle movements / hour in the AM Peak Hour and 43 vehicle movements / hour in the PM Peak Hour. These figures are low due to the operating hours of the existing pub and the underdeveloped nature of the site.

When accounting for the existing uses of the site when operated at full capacity, the proposed development will generate the following traffic volumes:

- +59 vehicle trips per hour during the morning peak period (+19 in, +40 out); and
- +129 vehicle trips per hour during the evening peak period (+71 in, +58 out).

The TPA considers the distribution of traffic and intersection performance to determine the acceptability of the increase in density. The TPA prepared by Traffix concludes as follows:

"The traffic generation arising from the development has been assessed as a net increase over existing conditions and equates to an additional 52 vehicle trips per hour during the morning peak period and 87 vehicle trips during the evening peak period. This is a worst-case assessment that does not take account



of multi-purpose trips that occur in a mixed-use development. Nevertheless, SIDRA modelling demonstrates no unacceptable impacts, with no change in levels of service and minor increases in average delays at critical intersections."

Pedestrian Linkages

Two publicly accessible (in private ownership) through site links are provided as part of the proposal. One provides access through the site along the southern site boundary (subject to acquisition by Council), and the other connects this link with the publicly accessible open space that runs north-south through the site. These through site links will significantly improve pedestrian permeability through the Bexley North local centre.

Demands for infrastructure, utilities and services

The increase in building height and FSR will translate to additional floor space in dwellings and non-residential uses. The demand for infrastructure, utilities and services to support the day to day demands of future land uses are likely to be within the functional capacity of infrastructure, utilities and services augmented in response to specific development proposals.

Q9: Has the Planning Proposal adequately addressed any social and economic effects?

Social Impact

The social impact of the indicative concept proposal will be positive. It is considered that the indicative concept proposal will contribute to the overall wellbeing of residents within the local centre and within the wider Bayside LGA for the following reasons:

- The location of the site supports the provision of residential accommodation given its location within the Bexley North local centre and access to transport, services and employment.
- The indicative concept proposal will provide an increased supply and form of housing, improved social cohesion within the community and contribute to the local economy;
- The indicative concept proposal offers an alternative to detached dwellings which dominates the local area without adversely impacting on any groups of people;
- The redevelopment of the site will bring favourable employment benefits by increasing the non-residential floor area on the site and providing short term employment during construction and an increased residential population in the long term which will assist in the growth of local retail and commercial businesses; and
- The indicative concept proposal is not of a scale that the available health, education, employment and other social support infrastructure and facilities would be unable to cope or suffer and reduced level of service as a direct consequence of this development.

The indicative concept scheme incorporating a mixed use development with approximately 83 apartments and 5,988m² of non-residential floor space which is a significant improvement on the existing situation and will undoubtedly have only positive social benefits for the Bexley North local centre.

Economic Impact

The existing site currently accommodates the Bexley North hotel (which is a pub) and a separate hotel. The indicative concept proposal will provide for 5,988m² of non-residential floor space across a pub on ground and first floors, a café on the ground floor, two retail tenancies on the ground floor, a gym on the first floor, and a hotel in the north-western portion of the development on Levels 2-5. This will present a significant increase in the net leasable area on the subject site, while retaining and integrating the existing pub and hotel uses on the site. The indicative concept proposal is anticipated to render many economic benefits for the Bexley North local centre and greater Bayside LGA, including and not limited to the following:



- Through population growth, generate additional retail and business trade opportunities;
- Provide more housing and greater housing diversity to combat affordability constraints;
- Diversify the industry base and improve the economic resilience of the Bexley North local centre;
- Encourage higher public transport utilisation by intensifying a site in an accessible location;
- Reinforce the identity and role of the Bexley North local centre;
- Encourages social well-being through the provision of day to day services and the promotion of walking on site, which will improve mental and physical health in the community and therefore reduce the impacts on local medical facilities;
- Support various professional service industries during the planning and design phase of the project e.g. consulting, architecture, engineering, planning and so forth;
- Creation of short-term jobs through the construction of the redevelopment; and
- An increase in tax revenue (rates, stamp duty, contributions) for local and state government, supporting increased and improved services and amenity within Bayside Council.

The indicative concept scheme incorporating a mixed use development with approximately 83 apartments and 5,988m² of commercial space is a significant improvement on the existing situation and will undoubtedly have significant benefits for the Bexley North local centre and surrounding locality.

5.3.4 Section D - State and Commonwealth Interests

Q10: Is there adequate public infrastructure for the Planning Proposal?

The site is within the Bexley North local centre which is well serviced by infrastructure, utilities, public transport and a variety of social support services and recreational facilities. The additional development potential facilitated by the proposed LEP amendments will not exceed the capacity or availability of public infrastructure. Appropriate Development Contributions will be levied at the time of development consent for any future building work. In addition, the applicant will provide a letter of offer for a VPA to Council, the contents of which will be subject to further negotiation following a positive Gateway determination. This is considered to be a substantial public benefit as the 'physical' infrastructure will be delivered and coordinated with the population generated by the development.

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

A future Gateway determination will specify the list of agencies and public authorities required to be consulted and the methods and timing of such consultation. The Gateway determination may identify additional agencies to be consulted.

5.4 STRATEGIC MERIT TEST

The Department of Planning in Circular PS 16-004 issued 30 August 2016 released updated criteria relating to strategic merit. They include:

The key factor in determining whether a proposal should proceed to a Gateway determination should be its strategic merit. The Department has strengthened the Strategic Merit Test and proposals will now be assessed to determine if they are:

- ***consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or***
- ***consistent with a relevant local strategy that has been endorsed by the Department; or***
- ***responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.***





A proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test.

As outlined at Section 5.3.2 of this Report, the proposal is consistent with the strategic planning documents prepared by the Greater Sydney Commission, including *A Metropolis of 3 Cities: The Greater Sydney Region Plan* and the *Eastern City District Plan*. The proposal is also consistent with the strategic planning documents prepared by Bayside Council, including the *Bayside Community Strategic Plan 2018-2030* and the *Draft Future Bayside Local Strategic Planning Statement*. The proposal is consistent with these documents since it provides a mixed use development that incorporates additional housing supply, commercial floor space and new publicly accessible open space within the Bexley North local centre, which has excellent access to public transport.

Once satisfied that sufficient strategic merit exists for the development, the Department will then consider the site specific merit and have regard to the following:

- the natural environment (including known significant environmental values, resources or hazards);
- the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

The subject site is not subject to known significant environmental values or resources, however it is flood affected. A Flood Report has been prepared by GRC Hydro, which details how the proposal can be designed to satisfy overland flow requirements. It is concluded that the risks associated with flooding and overland flow can be controlled and mitigated. Detailed design development will be undertaken at the development application stage. Therefore any impacts are considered to be of minor significance.

Based on the existing and likely future uses of land in the vicinity of the land subject to the proposal, a height of 20m and 35m and an FSR of 3.2:1 and 3.6:1 would be suited for the individual site circumstances as a gateway to the Bexley North local centre. This would allow buildings up to 10 storeys, which is achievable in parts of the site given the limited FSR.

The increase in building height and FSR for the indicative concept proposal will translate to additional floor space in dwellings and permissible non-residential uses. The demand for infrastructure, utilities and services to support the day to day demands of future land uses are likely to be within the functional capacity of infrastructure, utilities and services augmented in response to specific development proposals.

5.5 PART 4 - MAPPING

Proposed amendments to LEP maps are indicated in Figures 20 and 21. Should Council resolve to support the Planning Proposal, proposed mapping amendments will be prepared by Council staff.

5.6 PART 5 - COMMUNITY CONSULTATION

It is anticipated that a draft Planning Proposal would be publicly exhibited for a period of 28 days. The exhibition material will include documents as specified in the Gateway determination and will include a copy of the Planning Proposal, an explanation of provisions, draft LEP maps and an indication of the timeframes for completion of the process as estimated by Council.

It is anticipated that the Community Consultation methods will include forwarding copies of relevant documents to appropriate State and Commonwealth agencies, notice of public exhibition in a local newspaper and on Bayside Council's website, providing copies of exhibition material in electronic and hard copy form at relevant local government premises and letters of notification to nearby and potentially affected land owners.





5.6.1 Project Timeline

The estimation of the project timeline is provided below with the intention of optimising efficiency in the process:

Phase	Timing
Gateway determination date	TBD (by Department of Planning, Industry & Environment)
Completion of required technical information	No additional supporting studies required Draft DCP Provisions to be completed within 3 weeks of Gateway determination
Government agency consultation (pre-exhibition)	Not required
Government agency consultation (during exhibition)	Concurrent with public exhibition (28 days)
Commencement and completion dates for public exhibition period	TBD
Consideration of submissions	Two weeks from close of public exhibition
Post-exhibition consideration of the application by IHAP	Four weeks from close of public exhibition
Date of submission to the Department to finalise the LEP / anticipated date RPA will make the plan (if delegated)	Six weeks from close of public exhibition



6. Conclusion

This Planning Proposal has been prepared for Turnborn Pty Ltd, owner of No. 187 Slade Road, Bexley North. This application is a request to Council to seek a Gateway Determination under the provisions of Section 3.34 of the *Environmental Planning & Assessment (EP&A) Act, 1979*. This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act, 1979* as well as the NSW Department of Planning publication "A Guide to Preparing Planning Proposals" and "A Guide to Preparing Local Environmental Plans".

The primary intent of the application is to initiate a Planning Proposal process to amend the provisions of RLEP 2011 by:

- amending the height of buildings map to permit buildings to a maximum height of 20m and 35m ; and
- amending the FSR map to permit buildings with a maximum FSR of 3.2:1 and 3.6:1.

This application for a Planning Proposal demonstrates that the proposed amendments to RLEP 2011 are necessary to redevelop the subject site in line with the metropolitan and district plans, and that this redevelopment can be achieved without unreasonable amenity impacts on neighbouring sites. This application represents an opportunity for Council as it will provide a catalyst for the redevelopment of other sites in the Bexley North Town Centre, particularly those that adjoin the Council owned car park. It presents a unique opportunity to set a high standard for redevelopment in this precinct and to deliver a suite of public benefits that will not be realised if the current planning controls are retained and the opportunity for redevelopment passes.

The changes to the planning controls will:

- Facilitate the establishment of a 'landmark' development at a key gateway to the Bexley North local centre, forming a visual marker and reinforcing the importance and identity of the Bexley North local centre;
- Contribute towards the revitalisation of the local centre by establishing uses and activation adjacent to the Council car park and Slade Road;
- Establish a 'destination' through the provision of ground level café, pub and retail tenancies linked to publicly accessible open space;
- Enhance pedestrian permeability through the site to link surrounding sites and public spaces;
- Address housing affordability by providing a mix of housing choices;
- Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Bexley North;
- Deliver the highest standards of urban planning and excellence in architectural design.

In addition, the redevelopment of the combined sites will provide a significant number of public benefits which are discussed throughout this application for a Planning Proposal. The application is entirely consistent with the local, regional and state strategic planning directions.

The Urban Design Report and indicative concept proposal prepared by GMU demonstrate a high quality redevelopment scheme integrated with pedestrian links and movement paths, landscaped areas, solar access and a variety of building forms. The UDR comprehensively demonstrates that the proposed building form facilitated by this application will:

- Fit with the anticipated future urban form;
- Deliver additional apartments and new open space of high quality and generally compliant with the requirements of SEPP 65 and the ADG;
- Provide increased housing opportunities to optimise the efficient use of infrastructure, services and facilities which are anticipated to be augmented as part of the redevelopment of the Bexley North local centre; and,



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- Maintain a mix of land uses expected to facilitate the orderly and economic development of the site with no detrimental impacts to the amenity and accessibility of public open spaces and at a density which will be within the capacity of augmented infrastructure.

This Planning Proposal is consistent with the local, regional and state planning strategies for Bayside LGA and the Eastern City District Plan within the Sydney Metropolitan Area. This Planning Proposal has the potential to make a substantial positive contribution to the quality and quantum of housing, commercial facilities and public open space in the Bexley North local centre, on a well-serviced site, to provide a development which is diverse and vibrant, compatible with neighbouring properties and delivers a high quality urban environment.

This application for a Planning Proposal is entirely worthy of Council's support.



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