



Planning Proposal to amend the building height controls at 538-546 Canterbury Road, Campsie and 570-580 Canterbury Road, Belmore

Proposal Title : **Planning Proposal to amend the building height controls at 538-546 Canterbury Road, Campsie and 570-580 Canterbury Road, Belmore**

Proposal Summary : **Planning proposal to amend Canterbury Local Environmental Plan (LEP) 2012 by increasing the maximum permissible building height from 18 metres to 25 metres for land at 538-546 Canterbury Road, Campsie and 570-580 Canterbury Road, Belmore.**

PP Number : **PP_2015_CANTE_009_00** Dop File No : **16/01629**

Proposal Details

Date Planning Proposal Received : **15-Feb-2016** LGA covered : **Canterbury**

Region : **Metro(CBD)** RPA : **Canterbury City Council**

State Electorate : **CANTERBURY** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street :
Suburb : City : Postcode :
Land Parcel : **538-546 Canterbury Road, Campsie & 570-580 Canterbury Road, Belmore**

Street :
Suburb : City : Postcode :
Land Parcel : **Lot B DP389844, Lot A & B DP337934, Lot B & C & Cnr Lot A DP345935**

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	161
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**
If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Department of Planning and Environment is not aware of any meetings or communications with registered lobbyists concerning this proposal.**

Supporting notes

Internal Supporting Notes : **The planning proposal is supported (with conditions) as it is:**
- consistent with the housing-related objectives of A Plan for Growing Sydney by its facilitation of additional residential development capacity within an existing urban area;
- consistent with the 'continued focus' on the provision of additional housing in the Bankstown to Sydenham corridor; and
- consistent with the relevant s117 Directions and State Environmental Planning Policies (SEPPs), except for Direction 1.1 Business and Industrial Zones, which has not been discussed in the planning proposal.

The sites are within the Belmore Precinct of the draft Bankstown to Sydenham Urban Renewal Corridor Strategy (October 2015) and form part of the 'Mixed use enterprise corridor' along Canterbury Road. The Strategy identifies this area for 'new housing with retail or showrooms at ground floor level, with a typical height of 5-6 storeys'. The proposed maximum height control of 25m equates to 8 storeys, and therefore exceeds that identified in the draft strategy.

538-546 Canterbury Road (the eastern site) has DA approval for a six storey mixed use development including 40 apartments, commercial tenancies and basement parking. 570-580 Canterbury Road (the western site) also has DA approval, for a six storey mixed use development, including 84 apartments, commercial tenancies and basement parking. Both sites are also subject to a current DA seeking an additional 2 storeys and an additional 16 and 21 additional apartments respectively. Council has verbally advised that the current DAs have not yet been determined.

No urban design studies have been prepared in support of the planning proposal, nor for the current 8-storey development proposals. Both sites are practically surrounded by a maximum height control of 18m, both on this, and the opposite side of Canterbury Road. The nearest affected residential properties are 2 and 4 Chelmsford Avenue, which are both single storey dwellings subject to a height control of 18m and 8.5m respectively.

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The large adjoining site at 548-568 Canterbury Road sits between the planning proposal sites and has JRPP approval (ref: 2013SYE104) for a mixed use development including 254 apartments/units and 16 ground floor commercial units. Whilst the LEP building height controls for this site remains at 18m, the JRPP approved a proposed height of 22.4m, which was achieved by way of a clause 4.6 variation to the Canterbury LEP 2012 development standard relating to building heights.

The Department is concerned about the potential cumulative impacts of the subject sites and the adjoining site in terms of traffic and parking generation; wider social impacts and the impact of the future built form on neighbouring and nearby properties, issues which are not adequately addressed in the planning proposal.

The site is not identified in any actions of Council's Residential Development Strategy. The proposal is therefore a departure from the Strategy, an issue which has also not been addressed in the planning proposal, despite a request for justification.

It is therefore considered that further justification is required to support the increased height controls. The Gateway determination conditions that the planning proposal be updated to:

- demonstrate consistency with the Bankstown to Sydenham Urban Renewal Corridor Strategy;
- provide justification in relation to section 117 Direction 1.1 Business and Industrial Zones;
- address potential site specific and cumulative traffic and parking, built form, and social impacts of the planning proposal and the development of the adjoining site;
- justify the proposal's inconsistency with Council's Residential Development Strategy (2013); and
- demonstrate compliance with State Environmental Planning Policy 55 Remediation of Land.

External Supporting Notes :

Council supports the planning proposal because:

- it facilitates maximisation of the residential redevelopment potential of the site;
- the proposed height control would be "in line with" that of the site located between the two subject sites (548-568 Canterbury Road);
- the proposed increased height control would enable a consistent approach to development standards on this part of Canterbury Road;
- a single developer has been able to consolidate a redevelopment site at 548-568, 570-572, 576, 578 and 580 Canterbury Road; and
- the proposal is consistent with Council's Community Strategic Plan through the development of appropriately located high density residential development.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to facilitate the maximisation of high density residential development opportunities at the sites.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal would amend the Canterbury LEP 2012 by an amendment to the current Height of Building (HoB) Map, providing a new height limit of 25 metres.**

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Campsie and 570-580 Canterbury Road, Belmore**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

3.1 Residential Zones

3.4 Integrating Land Use and Transport

* May need the Director General's agreement

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

e) List any other matters that need to be considered :

Council's Residential Development Strategy (October 2013) - The planning proposal does not address its departure from the strategy.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

The proposal is considered consistent with most of the applicable s117 Directions and SEPPs except for Direction 1.1 Business and Industrial Zones and SEPP 55 Remediation of Land, the requirements of which have not been addressed by the planning proposal.

In terms of the potential for the site to be contaminated, the planning proposal states that whilst the requirements of SEPP 55 - Remediation of Land would be required to be met as part of future site-specific DAs, these have already been prepared as part of the current and pending DAs. As such, contamination issues appear to be manageable.

It is recommended that prior to exhibition, the planning proposal be updated to demonstrate consistency with Direction 1.1 and SEPP 55.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The planning proposal includes limited extracts from Council's existing Zoning and Height of Building maps, and the proposed Height of Building map, which are adequate for the purposes of the assessment of this planning proposal. However, it is recommended that the proposal is updated prior to exhibition to include current and proposed Height of Building Maps (in accordance with the Standard Technical Requirements for LEP Mapping).

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The planning proposal recommends a community consultation period of 28 days, which is supported by the Department.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **No**

If No, comment :

Whilst the proposal is adequate for the purposes of assessment and the issuing of a

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Gateway determination, it is inadequate in terms of full justification and the purposes of public exhibition. The inadequacies can be addressed by conditions attached to the determination.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Canterbury Local Environmental Plan 2012 was finalised on 21 December 2012.**

Assessment Criteria

Need for planning proposal :

The planning proposal partly results from the fact that the sites are not subject to any recommendations of Council's Residential Development Strategy (RDS). The proposal seeks to bring the sites' height controls into line with that of the adjoining site (548-568 Canterbury Road) which was subject to recommendations of the RDS, being a maximum building height control of 21 metres.

A planning proposal is the only mechanism for Council to increase height controls for the site.

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Consistency with strategic planning framework :

A Plan for Growing Sydney:

The planning proposal is consistent with Directions 2.1, 2.2 and 2.3 of the Plan in that:

- it will contribute to the acceleration and improvement of housing choice, and will facilitate urban renewal of the site within a reasonable distance of Belmore Railway Station (albeit greater than 800m);
- the site is located within the Bankstown-Sydenham corridor, which is identified for continued focus on urban renewal activities to provide additional housing; and
- it will contribute to the number of additional dwellings required to meet the accommodation needs of Sydney's growing population and changing demographics.

Draft Bankstown to Sydenham Urban Renewal Corridor Strategy:

The draft Strategy was released for public comment on 14 October 2015. It identifies that a mix of medium and medium-high rise residential development up to eight storeys is to be located within 400m of Belmore Station. Both sites are approximately 1.3km from the station and are located within the identified 'Mixed use enterprise corridor' which indicates that the corridor should provide for 'new housing with retail shops or showrooms at ground floor level, typically 5-6 storeys.'

The planning proposal therefore demonstrates inconsistency with both the built form vision, and 'Future Precinct Character' proposed for the Belmore Precinct.

Internal consultation with the Department's Urban Renewal, Planning Strategies team indicates that, subject to appropriate design quality, the proposed additional height may be acceptable in the context of the draft Strategy, and that as the Strategy develops, the corridor-wide cumulative impacts of development in the corridor will be considered.

It is recommended that prior to exhibition, the planning proposal be updated to provide justification for this departure from the draft Strategy and including consideration of the cumulative impacts of the proposal and the approved development of the adjoining site (548-568 Canterbury Road).

Canterbury Residential Development Strategy (RDS):

The RDS did not make any recommendations in relation to the subject sites, and therefore, Council's earlier planning proposal to implement the RDS (PP_2014_CANTE_001_00) did not include either of the subject sites. The proposal is therefore a departure from the RDS. In December 2015, the Department requested justification for this departure be provided, in addition to other information. Council has not provided justification for this departure.

However, the following factors weigh in favour of the proposal:

- the adjoining large site at 548-568 Canterbury Road benefits from an approval for a significant mixed use redevelopment of up to 22.4m in height;
- the subject sites both currently benefit from approvals for a 6-storey (18m) mixed use redevelopment; and
- the RDS anticipates that the sites will benefit from the southern extension of the Sydney Metro line which is due to be operational in 2024; potential increases in train and bus frequency in the corridor; and potential improvements to walking and cycling infrastructure, parks and open space and education and community infrastructure.

The Department considers that justification for the departures from the draft Bankstown to Sydenham Corridor Urban Renewal Strategy and RDS is in the public interest given the cumulative scale of this planning proposal and the approved redevelopment of the adjoining site and the consequent potential cumulative traffic generation, social and built form impacts. It is therefore considered appropriate that the planning proposal be updated to address the identified departures and potential cumulative impacts, which can be required by way of conditions on a Gateway determination.

Environmental social economic impacts :

Environmental impacts:

Given the location of the sites within an existing urban area, and their current developed state, it is considered that there are no likely environmental impacts of the planning proposal, except potentially for those relating to traffic generation and impact of the proposal's built form upon adjoining and nearby residential properties.

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Whilst each site has been subject to a traffic impact assessment, the planning proposal does not include consideration of the cumulative traffic-related impacts of the redevelopment of all three sites, which together could yield 415 residential apartments.

With regard to potential built form, the potential cumulative impact upon the area, but in particular, upon neighbouring and nearby dwellings, could be significant.

It is therefore recommended that the planning proposal be updated prior to exhibition to address the cumulative traffic and parking, and built form impacts of this proposal.

Social/Economic impacts:

The planning proposal recognises that it is likely to result in an increased demand for local facilities and services resulting from an increase in resident population, but does not address the potential cumulative social impacts of the development of the subject sites and the adjoining site at 548-568 Canterbury Road, which has JRPP approval for a mixed use development including 254 apartments.

It is therefore recommended that, as a condition of the Gateway determination, the proposal be updated prior to exhibition to address the social impact of the proposal and the cumulative social impact of the planning proposal and the development of 548-568 Canterbury Road.

The Gateway determination should also require consultation with appropriate agencies and State government departments in order to ascertain the capacity of existing education, social housing, health and emergency facilities in Belmore and surrounding areas (see Recommendation, below).

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Ambulance Service of NSW
Department of Family and Community Services
Department of Education and Communities
Energy Australia
Fire and Rescue NSW
Department of Health
NSW Police Force
Transport for NSW - Sydney Trains
Transport for NSW - Roads and Maritime Services
Sydney Water**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Social

Other - provide details below

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If Other, provide reasons :

The following other studies are required to be completed and exhibited with the planning proposal:

- Cumulative traffic and parking analysis; and
- Urban Design report/statement to address the potential cumulative impacts of future built form of both the subject sites and the proposed development of 548-568 Canterbury Road.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
1. Cover letter & Planning Proposal .pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 3.1 Residential Zones**
 - 3.4 Integrating Land Use and Transport**
 - 7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to public exhibition, the planning proposal is to be updated to:
 - a. demonstrate consistency with the Sydenham to Bankstown Urban Renewal Corridor Strategy, including justification for any departures from the Strategy;
 - b. provide justification for the proposal in relation to the objectives and requirements of section 117 Direction 1.1 Business and Industrial Zones;
 - c. provide further traffic and parking analysis to:
 - i) demonstrate how the additional traffic and parking demand generated by the planning proposal and its increased dwelling yield can be accommodated; and
 - ii) address the cumulative traffic and parking impacts of this planning proposal and the development of the adjoining site at 548-568 Canterbury Road.
 - d. include an Urban Design Study/Assessment to:
 - i) justify the departure from Council's Residential Development Strategy 2013; and
 - ii) address the suitable built form of this planning proposal, and the development of the adjoining site at 548-568 Canterbury Road.
 - e. address the social impacts (including consideration of capacity of existing education, health and emergency services, and the potential relocation of existing residents of 576, 578 and 580 Canterbury Road, Belmore) of this planning proposal and the development of the adjoining site at 548-568 Canterbury Road.
 - f. include current and proposed Height of Building maps (in accordance with the Standard Technical Requirements for LEP Mapping); and
 - g. demonstrate compliance with the provisions of SEPP 55 Remediation of Land.
2. Community consultation is required and the planning proposal must be made publicly available for a minimum of 28 days.

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3. Consultation is required with NSW Roads and Maritime Services (RMS), Sydney Trains, NSW Department of Education and Communities (DEC), NSW Health, NSW Department of Family and Community Services, Ambulance Service of NSW, NSW Police Force, Fire and Rescue NSW, Sydney Water and Energy Australia and given at least 21 days to comment on the proposal.

4. Should any of the consultees identified in Condition 3 request any additional information, or specify any additional matters to be addressed in the planning proposal, the planning proposal is to be revised to respond to any such submission received, and a copy of the submission is to be included with the revised planning proposal.

5. A public hearing is not required to be held into the matter.

6. The time frame for completing the LEP is to be 12 months.

Supporting Reasons :

The planning proposal is supported, subject to conditions, as it:

- meets the objectives and directions of A Plan for Growing Sydney by facilitating urban renewal and new housing opportunities for a site within reasonable proximity to town centres and train stations;
- promotes transport orientated development of a site located within the Sydenham to Bankstown Urban Renewal Corridor (Belmore Precinct), which will benefit directly from the implementation of Sydney Metro Southwest rail line project;
- facilitates increased mixed-use outcomes for the site;
- facilitates maximisation of the residential redevelopment opportunity by providing new housing as part of mixed use development;
- will facilitate better infill-development outcomes of the sites by undertaking an Urban design strategy for large lot redevelopment and an aligned and consistent approach to planning controls;
- will increase and improve Sydney's housing choice and accelerate housing supply; and
- is in proximity to existing infrastructure, services and transport.

Signature:



Printed Name:

M Kokot

Date:

31/3/2016