

# WESTFIELD EASTGARDENS REVISED PLANNING JUSTIFICATION REPORT

Prepared for  
**SCENTRE GROUP**

**DECEMBER 2023**



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# EXECUTIVE SUMMARY

## OVERVIEW

This Revised Planning Justification Report has been prepared by Urbis on behalf of Scentre Group who part own and operate the Westfield Eastgardens Shopping Centre, along with co-owner Terrace Tower Group. The site is located at 152 Bunnerong Road, Eastgardens, NSW 2036.

The Applicant seeks to initiate the preparation of an amendment to the Bayside Local Environmental Plan 2021 (BLEP) as it applies to the Site. This Report is intended to assist Bayside Council (the “Council”) in preparing a Planning Proposal to amend the planning controls at the Site in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This Revised Report seeks to update the scheme detail of the Planning Proposal, which was originally lodged in March 2018 with Bayside Council, updated in March 2019, then in December 2019 and again in April 2022.

The March 2019 update responded to comments from Council and their independent advisors on the original proposal, and incorporated associated documentation including an Urban Context Report, revised Retail and Commercial Economic Impact Assessments, Traffic Modelling, an updated Quantitative Risk Assessment and an Aeronautical Report.

A December 2019 revision to the Planning Proposal Request sought to respond to additional comments from Council and their independent advisors, which included a series of items that required further resolution. The key themes of this feedback related to overshadowing impact to the five most impacted dwellings to the south of Wentworth Avenue, improvements to the presentation and pedestrian safety of Westfield Drive. A series of workshops were held between the Proponent and Council staff to resolve these matters and this latest revised Planning Proposal Request incorporates amendments to address the matters raised.

The 2022 update sought to update references to planning documents and legislation that have been superseded or updated in the intervening period whilst the proponent and DPE have been working through societal risk issues. It also added the requirement for an additional clause in the LEP which specifically refers to risk matters associated with the site.

This 2023 update is prepared in response to the issue of the Gateway determination by DPE on 4<sup>th</sup> October 2023 and serves to update this report to respond to various conditions of the gateway approval. These amendments do not materially change the proposal or the demonstrable strategic and site-specific merits of the scheme.

## PROPOSED DEVELOPMENT VISION

The Westfield Eastgardens vision is to transform into a vibrant, mixed use town centre accommodating an improved arrival experience, expanded retail, food/entertainment and leisure offer, and new commercial office towers integrated into an active civic plaza, connected to a remodelled and enhanced bus terminus. There is the opportunity to improve accessibility, connect better with the community, create jobs and strengthen the economic role of the centre, in line with its recognition as a strategic centre under the Eastern City District Plan.

In addition, there is a longer-term aspiration to introduce new uses to the site such as BTR or student accommodation on the Northern Bunnerong Road frontage. This does not form part of the current planning proposal but is illustrated on the Masterplan to show how this part of the site may be developed in the future and is appropriately annotated as such to avoid any confusion.

The Planning Proposal demonstrates a cohesive and integrated approach to the redevelopment of the shopping centre to facilitate a response to consumer trends and the population growth in the trade area by enhancing the retail and commercial offering of the centre. It will also provide an opportunity to improve accessibility, create jobs and strengthen the economic role of the strategic centre.

The following points represent the key elements of the Vision:

Create a *Living Centre* that acts as a community hub from morning through to late evening:

- Meet the objectives of the Maroubra-Eastgardens Strategic Centre by creating employment opportunities, renewing an existing centre and creating new public places and spaces;
- Recognise the changing needs of the market by providing a range of new and improved retail offerings;
- Create a truly mixed-use precinct that provides a range of services and acts as the focal point for the local community;
- Facilitate the fulfillment of a range of community needs, including medical appointments, childcare, evening dining, entertainment and leisure;
- Provide three future commercial buildings to accommodate a range of office uses, which will assist future employment growth and job creation at the centre;
- Creating a new food and leisure precinct with rooftop dining, benefiting from views across the local golf course and towards the Sydney CBD;
- Remodel and upgrade the existing bus interchange to add more capacity and improve the passenger experience; and
- Create a space where shoppers, residents, workers and students can relax and socialise.

To improve pedestrian accessibility, amenity, safety and permeability:

- Create a better civic entry from the east by rearranging bus and taxi access, along with enhancing the public domain;
- Improve the external interfaces and quality of the streetscape around the centre; and
- Retain existing car parking provision and provide additional parking appropriate for the expansion of the centre;

To encourage additional job opportunities for the local community:

- Provide flexibly scaled floor plates that are unique to the Eastgardens-Maroubra Strategic Centre to encourage new businesses to the area without impacting existing local office stock.
- Meet the objectives of the 30-minute city as outlined in the Greater Sydney region Plan
- Provide commercial jobs within a highly accessible location and in proximity to new high-density residential development.

To provide the potential for future land uses on the site:

- Future provision for possible student accommodation or BTR on the north-eastern side of the site to respond to support the investment in the Randwick Health and Education collaboration area.

Given the desire to progress a future stage of the development at Westfield Eastgardens, following this first approval stage of the Planning Proposal, it is intended that a collaborative process can be undertaken between Council and Scentre Group as part of a future Bayside LEP Review, which may occur following the future updates to the Region Plan and City Plan for the area.

## PROPOSED LEP AMENDMENT

To facilitate the vision, it is intended to amend the BLEP 2021 as follows:

- Floor Space Ratio: Introduce a new maximum allowable floor space ratio (FSR) of **1.8:1**
- Height of Buildings: Introduce a new maximum allowable building height of **Part 34m, Part 40m, Part 59m** (with the remainder of the site no change at 25m).
- A new clause to implement the consideration of the Eastgardens Technical Note (December 2021) as part of relevant future development applications at the site.

- Adding the site to the Design Excellence Map 'LEP Map DEX\_012' such that Clause 6.10 of the LEP applies to the site.

## PLANNING ASSESSMENT

The Planning Proposal provides a comprehensive justification of the proposed amendment to the BLEP 2021, with the main points as follows:

- The proposal will allow the future expansion of retail, food, entertainment and leisure uses at the site which reflects the importance of Westfield Eastgardens as a major regional shopping centre within a 'Strategic Centre' as identified within the Eastern City District Plan;
- The site is highly accessible, given that it is close to main arterial roads which form part of a Strategic Bus Corridor and the site already accommodates a bus interchange which caters for six separate bus services;
- The proposal will facilitate the creation of a mixed-use centre by providing a mix of commercial offices within an established retail precinct;
- The proposal will facilitate the development of commercial buildings, which will accommodate new local employment, provide a greater diversity of uses and strengthen the economic role of the centre;
- The co-location of an enhanced retail offer and new office accommodation, along with the residential development to the north of the site will serve to create a new sense of place at this location where the local community can live, work and spend leisure time;
- A new publicly accessible plaza fronting Bunnerong Road will promote active uses at the ground plane such as externalised retail, access to individual entry lobbies for each of the commercial buildings, and direct vertical connection to the bus interchange below through landscaped voids;
- There is adequate economic capacity within the catchment area to facilitate the development without having an adverse impact upon existing and planned centres within the local region;
- The proposal will allow for the future provision of adequate car parking on site to cater for demand at the site, at a rate that can be accommodated within the capacity of the existing road network;
- The proposal can satisfy the risk guidance for dangerous goods transit from the Botany Industrial Precinct; and
- The Planning Proposal will allow for a building envelope within which the shopping centre and new commercial towers can be developed which will have minimal impact on local environmental conditions.

## SUMMARY

The Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act and the relevant guidelines prepared by the NSW Department of Planning and Environment 'Local Environmental Plan Making Guideline' (the Guideline).

The proposal is consistent with the objectives and actions contained within 'A Plan for Growing Sydney', the Greater Sydney Region Plan, the Eastern City District Plan and Council's Strategic Plan.

It is also consistent with applicable State Environmental Planning Policies and Section 9.1 Directions. The proposed amendment to the BLEP 2021 has both strategic merit and site-specific merit, and there is a clear public benefit for proceeding with this Planning Proposal.

As such, this Planning Proposal should be favourably considered by Council.



# 1. INTRODUCTION

## 1.1. OVERVIEW

This Revised Planning Justification Report has been prepared by Urbis on behalf of Scentre Group who part own and operate the Westfield Eastgardens Shopping Centre, along with co-owner Terrace Tower Group. The site is located at 152 Bunnerong Road, Eastgardens, NSW 2036.

The Applicant seeks to initiate the preparation of an amendment to the Bayside Local Environmental Plan 2021 (BLEP) as it applies to the Site. This Report is intended to assist Bayside Council (the “Council”) in preparing a Planning Proposal to amend the planning controls at the Site in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This Revised Report seeks to update the scheme detail of the Planning Proposal, which was originally lodged in March 2018 with Bayside Council, in March 2019, then in December 2019 and again in April 2022.

The March 2019 update responded to comments from Council and their independent advisors on the original proposal, and incorporated associated documentation including an Urban Context Report, revised Retail and Commercial Economic Impact Assessments, Traffic Modelling, an updated Quantitative Risk Assessment and an Aeronautical Report.

The December 2019 revision to the Planning Proposal Request seeks to respond to additional comments from Council and their independent advisors, which included a series of items that required further resolution. The key themes of this feedback related to overshadowing impact to the five most impacted dwellings to the south of Wentworth Avenue, improvements to the presentation and pedestrian safety of Westfield Drive, and various comments with respect to the draft DCP to improve the certainty of the outcome. A series of workshops were held between the Proponent and Council staff to resolve these matters and this latest revised Planning Proposal Request incorporates amendments to address the matters raised.

The 2022 update sought to update references to planning documents and legislation that have been superseded or updated in the intervening period whilst the proponent and DPE have been working through outstanding risk issues. It also added the requirement for an additional clause in the LEP which specifically refers to risk matters associated with the site. These amendments do not materially change the proposal or the demonstrable strategic and site-specific merits of the scheme.

This 2023 update is prepared following the issue of the gateway determination by DPE on 4<sup>th</sup> October 2023 and serves to update this report to respond to various conditions of the gateway approval. Specifically this updated report addresses the following conditions set out in Table 1 below.

Table 1 - Gateway Conditions Addressed in this Updated PP Report

Condition	Requirement	Report
1a	Include the proposal to add the site to the Design Excellence Map	See below (Section 8.5)
1b	Include the additional strategic justification lodged on 3 April 2022	See below (Section 9.2)
1c	Address Ministerial Direction 4.1 relating to flooding	See Flood Report at Appendix L
1d	Update Figures to label development that is part of a future phase	See below (Figures 7,12 &14)
1e	Include a revised Traffic Assessment	See Traffic Technical Note at Appendix M and Section 9.3.2 of this Report

Condition	Requirement	Report
1f (i)	Provide further detail on solar access to 224 & 226 Wentworth Ave	See below (Section 9.3.6)
1f (ii)	Provide a plain English explanation of the how the proposed built form achieves a reasonable balance between activating the corner and transition to the streetscape opposite, similar to that achieved in the residential development to the north.	See below (section 9.3.1)

The intended outcome of the Planning Proposal is to amend the BLEP as follows:

- **Floor Space Ratio:** Introduce a new maximum allowable floor space ratio (FSR) of **1.8:1**
- **Height of Buildings:** Introduce a new maximum allowable building height of **Part 34m, Part 40m, Part 59m** (with the remainder of the site no change at 25m).
- A new clause to implement the consideration of the Eastgardens Technical Note (December 2021) as part of relevant future development applications at the site.
- Adding the site to the Design Excellence Map 'LEP Map DEX\_012' such that Clause 6.10 of the LEP applies to the site.

These proposed amendments are detailed in **Table 2** below:

Table 2 – Summary of Proposed Development Controls

Development Standard	Present BLEP Control	Proposed Amended Control
Floor Space Ratio	1:1	1.8:1
Height of Building	25m	34m / 40m / 59m (remainder of site 25m)
Zone	E2 Commercial Centre	E2 Commercial Centre (no change)
New Clause	N/A	A new clause to implement the consideration of the Technical Note as part of relevant future development applications at the site.  Adding the site to the LEP Design Excellence Map.

The expansion of the Westfield Eastgardens Shopping Centre seeks to respond to a range of factors, these include:

- The creation of new jobs and employment opportunities;
- The densification and gentrification of the trade area;
- Current and forecasted population growth of the Eastgardens-Maroubra Strategic Centre and surrounding area;
- The popularity of the existing fresh food offer, and to meet changing consumer expectations;
- To meet the demand for fashion retail by residents in the trade area that is currently being fulfilled at shopping destinations outside the trade area;
- To leverage off the existing strategic bus route links via the bus interchange at the site;

- A change in the modal shift towards public transport orientated travel to and from the precinct;
- Satisfying the shopping centre renewal cycle, in a situation where there have been no significant upgrades to the centre in over 20 years, whilst the needs of the community have evolved, and other competitors are reinvesting in their retail experience; and
- Providing opportunity for a greater level of commercial floor space, in close proximity to the bus interchange, given the identification of Eastgardens-Maroubra Junction as a 'Strategic Centre' within the Eastern City District Plan.
- The new commercial office space will help to meet demand from other centres, whilst the proposed floorplate sizes offer a point of difference to the local stock, thereby attracting a wider cross-section of future tenants.
- To facilitate a modern precinct which can accommodate future student accommodation or open market residential accommodation, in response to the identification as a Strategic Centre.

The scheme for the site seeks to introduce an increase in floor space at the centre by approximately 64,800sqm (GFA) (51,500sqm GLA) of which approximately 37,500sqm GFA (27,500sqm GLA) would be for retail purposes and 27,300sqm GFA (24,000sqm GLA) would be for a new commercial building.

A commensurate level of car parking will also be provided at the site to support the expanded centre, however benefiting from improvements to public transport and the balancing of peak demand between the multiple uses at the site.

## 1.2. REPORT STRUCTURE

Planning Proposals should be prepared in accordance with NSW Department of Planning and Environment documents 'Local Environmental Plan Making Guideline' August 2023.

This stipulates that the following information is required for a Planning Proposal:

1. A statement of the objectives and intended outcomes of the proposed instrument;
2. An explanation of the provisions that are to be included in the proposed instrument;
3. The justification for those objectives, outcomes and the process for their implementation;
4. Identify the intent of the Planning Proposal and the area to which it applies;
5. Details of community consultation that is to be undertaken on the Planning Proposal; and
6. A project timeline to detail the anticipated timeframe for the plan making process.

The level of detail required for a Planning Proposal should also be proportionate to the complexity of the proposed LEP amendment. It is considered that this Planning Justification Report contains sufficient information relating to the above bullet points to address the relevant environmental, social, economic and other site-specific considerations.

This Planning Justification Report is supported by the following documentation:

- Urban Context Report prepared by Architectus (**Appendix A**) (lodged in November 2019).
- Retail Economic Impact Assessment prepared by Urbis (**Appendix B**) (lodged in March 2019).
- Commercial Office Economic Impact Assessment prepared by Colliers International (**Appendix C**) (lodged in March 2019).
- LEP Maps prepared by Architectus (**Appendix D**) (lodged in November 2019).
- Traffic Assessment and Addendum to Review of Transport Matters prepared by SLR Consulting (**Appendix E**) (lodged in March 2019 and November 2019 respectively).
- Quantitative Risk Assessment Report prepared by Systra (**Appendix F**) (lodged in March 2019).

- Draft Site Specific DCP prepared by Architectus (**Appendix G**) (lodged in November 2019).
- Aeronautical Assessment prepared by Strategic Airspace (**Appendix H**) (lodged in March 2019).
- Updated Eastgardens Development Societal Risk Results Technical Note (**Appendix I**) (dated December 2021)
- Letter to the Proponent from DPE dated 31 March 2022 regarding the Land Use Safety Study (**Appendix J**)
- Westfield Eastgardens Planning Proposal Technical Advice from DPE (**Appendix K**) (dated March 2022)
- Flood Risk Assessment prepared by Stantec (**Appendix L**) (dated December 2023).
- Updated Traffic Advice prepared by SLR (**Appendix M**) (dated December 2023).

## 2. WESTFIELD EASTGARDENS

### 2.1. REGIONAL CONTEXT

The site is located within the suburb of Eastgardens within the Bayside Council Local Government Area (formerly Botany Bay Council). This is in south eastern Sydney, some 8km south of the Sydney CBD. It is situated between Sydney Airport at Mascot and the coastal areas of South Coogee, Maroubra and Malabar.

Figure 1 below identifies the wider site location and other main shopping locations in the region. The orange dotted line indicates the 5km radius from the Westfield Eastgardens site, whilst the dotted line shows the extent of the light rail network that is being developed in this part of Sydney, from Circular Quay through to both Kingsford and Randwick.

Figure 1 – Nearby Key Centres



Source: Urbis



## 2.2. LOCAL CONTEXT

There are a variety of land uses surrounding the shopping centre, including industrial, residential and open space. Sydney Airport is located a short distance to the southwest of the site while the heavy industrial areas of Port Botany and the Botany Industrial Precinct are located to the south and west of the site. This is shown in greater detail in Figure 2 below, where the site is outlined in red.

In terms of the immediate surroundings, to the north of the site is a former industrial area comprising the former British American Tobacco (BATA) site which has planning consent for new residential apartments. These new apartments are currently under construction by Meriton, with Stage 1 complete and Stage 2 under construction.

To the south of the site beyond Wentworth Avenue is the Hensley Athletic Field and an area of detached dwelling houses accessed from Denison Street. Bonnie Doon Golf Course is situated to the west of the site, whilst further residential areas are located to the east between the site and Maroubra Junction.

Other uses in the general area include the University of New South Wales and a large hospital precinct, including the Sydney Children's Hospital, the Prince of Wales Hospital and the Royal Hospital for Women, in Randwick.

Figure 2 – Aerial Site Image



Source: Nearmap 2023 (Site outlined in red)

## 2.3. THE SITE

The shopping centre was officially opened in October 1987 and extended and refurbished in 2001. No significant upgrade works have been undertaken at the centre since 2002.

It is a fully enclosed, multi-level major regional shopping centre. It is anchored by Myer, Big W, Coles, Target, Woolworths, Kmart and over 250 specialty stores. The legal description of the site is Lot 1 DP1058663. The site has a total site area of approximately 9.3ha.

The Westfield Eastgardens shopping centre occupies a site which is bounded by Wentworth Avenue to the south, Bunnerong Road to the east, Westfield Drive to the north and Banks Avenue to the west. The centre

provides some 84,400sqm of Gross Leasable Area (GLA) which accommodates approximately 70,500sqm of retail floor space (excluding cinemas, banks and travel agents etc.), along with some 5,000sqm of office floor space and a 723-seat cinema complex, supported by over 3,100 car parking spaces.

A desktop survey of the existing building performed by Scentre Group in 2018 calculates the existing built GFA as 99,440sqm.

Photographs of the existing shopping centre are provided in Figure 3.

Figure 3 – Existing Site Photographs



Picture 1 – View from Bunnerong Road

Source: Google Earth



Picture 2 – View from Banks Avenue

Source: Google Earth



Picture 3 – View from Westfield Drive

Source: Google Earth



Picture 4 – View from Wentworth Avenue

Source: Google Earth



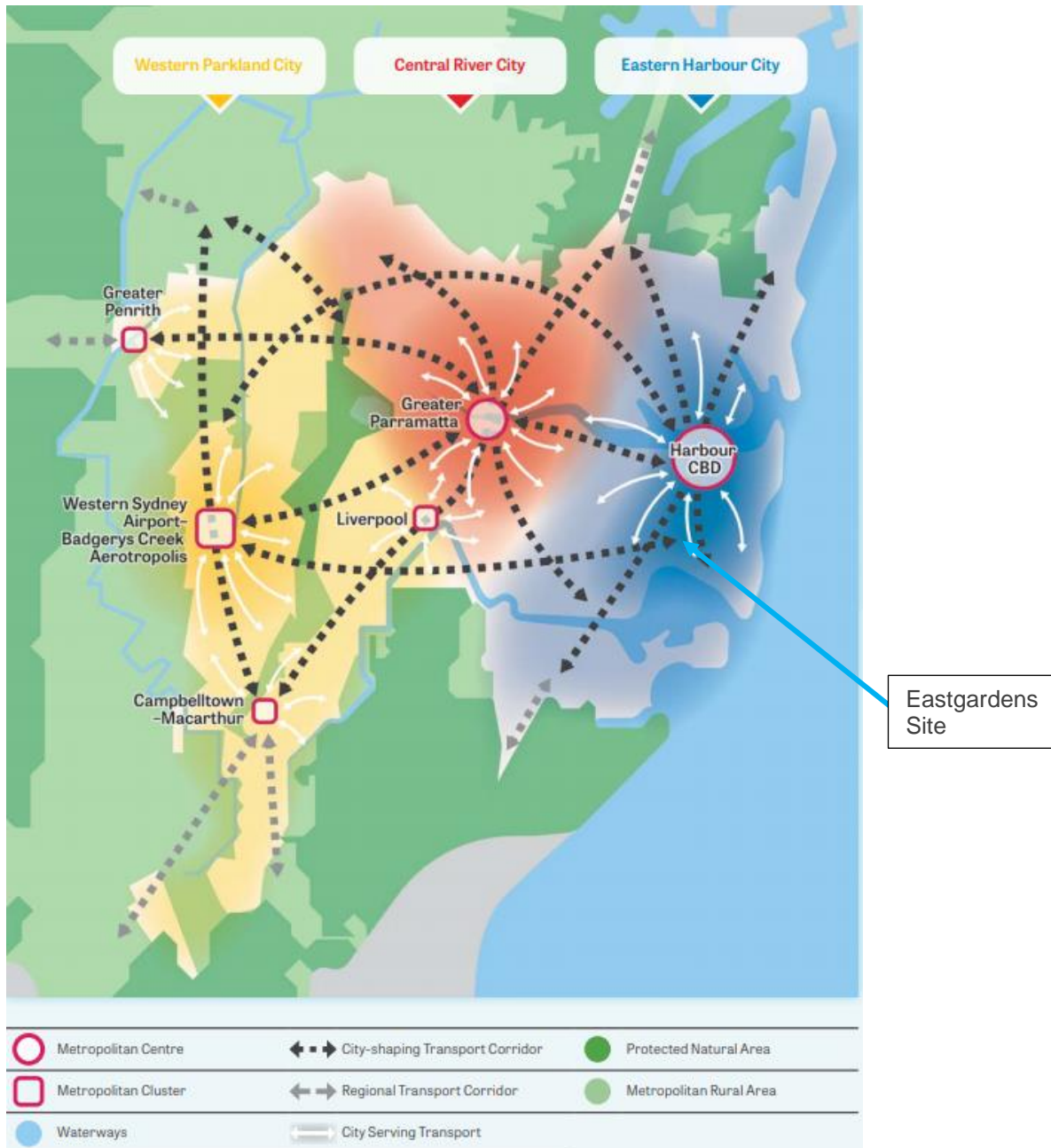
### 3. STRATEGIC PLANNING CONTEXT

#### 3.1. A METROPOLIS OF THREE CITIES – THE GREATER SYDNEY REGION PLAN

Released in March 2018, the final version of the Region Plan ensures land use and transport opportunities develop more equitably across Greater Sydney.

The Region Plan conceptualises Greater Sydney as a metropolis of three ‘30-minute’ cities and is presented with the District Plans to reflect the most contemporary thinking about Greater Sydney’s future. The site is located within the broader ‘Eastern Harbour City’, as shown in Figure 4 below.

Figure 4 – Greater Sydney as Three Cities



Source: Greater Sydney Commission

It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. For the first time, the Plan has been prepared in conjunction with the *NSW Government's Future Transport 2056 Strategy* and informs Infrastructure NSW's State Infrastructure Strategy providing full integration of land use, transport and infrastructure planning.

The Region Plan is underpinned by four key pillars which outline specific objectives to be achieved. The four pillars include:

- Infrastructure and Collaboration
- Liveability
- Productivity
- Sustainability

An assessment of the Planning Proposal against the relevant objectives of the Region Plan is provided in Section 9.2 of this Report.

## **3.2. EASTERN CITY DISTRICT PLAN**

Released in March 2018, the final version of the Eastern City District Plan is a 20-year vision that provides strategic guidance on the economic, social and environmental growth in the Eastern City District of Greater Sydney. The District Plans have been prepared to align the Region Plan and the detailed planning outcomes for local areas.

The District Plan sets out priorities and actions for the development of the Eastern City District, which includes the LGAs of Bayside, Burwood, Canada Bay, Inner West, Randwick, Strathfield, the City of Sydney, Waverley and Woollahra, as shown in The Eastern City District encompasses the areas identified within the red line in Figure 5 overleaf.

This figure indicates that the site is proposed to be within the Eastgardens-Maroubra Junction Strategic Centre.

The priorities for this Eastern City District include:

- Growing investment, business opportunities and jobs in strategic centres;
- Providing services and social infrastructure to meet people's changing needs;
- Fostering healthy, creative culturally rich and socially connected communities;
- Growing investment in health and education precincts and the Innovation Corridor; and
- Providing housing supply, choice and affordability, with access to jobs and services;

As required by the *Environmental Planning and Assessment Act 1979* (EP&A Act), the District Plan:

- Provides the basis for strategic planning in the District, having regard to economic, social and environmental matters;
- Establishes planning priorities that are consistent with the objectives, strategies and actions of the Region Plan; and
- Identifies actions required to achieve the planning priorities.

Figure 5 – Eastern City District



Source: Greater Sydney Commission

Figure 5 above is reproduced in the Eastern City District Plan and it identifies Eastgardens-Maroubra Junction as a 'Strategic Centre'. Within Planning Priority E11, it states that the centre has a large retail catchment and opportunities to link the two centres along a corridor of activity should be investigated.

The 'Actions No.48' for the centre are identified as the following:

*"Strengthen Eastgardens-Maroubra Junction through approaches that:*

- a. protect capacity for job targets and a diverse mix of uses to strengthen and reinforce the economic role of the centre*
- b. extend and investigate additional economic activities to connect Eastgardens and Maroubra Junction and complement the existing activities*
- c. leverage future public transport connections in the south east and west of the District*
- d. encourage provision of affordable housing to support the nearby health and education facilities and employment lands*
- e. promote place making initiatives to improve the quality and supply of public spaces, promote walking and cycling connections and integrate with the Green Grid*



*f. improve public transport connections and walking and cycling between Eastgardens-Maroubra Junction and Randwick.”*

It is clear from the above actions that significant growth is expected within the centre over the plan period and given its new status as a ‘Strategic Centre’. The Plan outlines the jobs targets for the various centres including Eastgardens-Maroubra Junction as illustrated in the Table 2 below:

Table 3 – Eastern City District Job Targets

Centre	2016 Estimate	2036 Baseline Target	2036 Higher Target
Eastgardens Maroubra	6,900	8,000	9,000

These job targets are intended to provide guidance to Councils and government agencies as to the likely scale of employment growth, whilst also helping to inform land use and infrastructure planning. The reason a range is provided is to account for varying economic conditions, and the higher growth scenario would reflect further investment in the centres.

The expansion of Westfield Eastgardens to provide approximately 51,500sqm of Gross Lettable Area (GLA) of which approximately 27,500sqm (GLA) would be for retail purposes and 24,000sqm (GLA) would be for the new commercial buildings.

The Economic Assessments (attached at Appendix B & C) identify that the proposal will generate new jobs within the retail expansion (full-time and part-time), along further full-time-equivalent jobs as part of the new commercial office buildings. The overall floorspaces may have changed slightly since these documents were prepared but will still significantly contribute to meeting the job targets set out in the District Plan and cement the precinct as a strategic centre.

Allied to the proposed jobs target within the Plan, are the five-year housing targets which are based upon the District Plan’s dwelling need and are said to provide an opportunity to deliver supply. This is broken down into Local Government Areas (LGAs). **Table 4** below sets out this housing target:

Table 4 – Five Year Housing Target

Area	2016-2021 Housing Target
Bayside LGA	10,150
Eastern City District Total	46,550

The Bayside Council LGA has the second highest housing target of the LGAs in the Eastern City District after the City of Sydney and represents almost a quarter of the new dwelling target for the District. This demonstrates that the Greater Sydney Commission views Bayside LGA as a location which can accommodate significant population growth, the consequence of which is that other services and facilities would need to be expanded to support this growth. This includes the provision of adequate retail floor space and offer to meet the needs of local residents and new office space to support employment growth.

Furthermore, the former BATA site adjacent to Westfields Eastgardens will contribute to this increase in residential population within the local area. The site is being developed by Meriton and is being marketed as ‘Pagewood Green’.

The site extends to approximately 16ha, with the first 10ha constructed and delivering some 2,200 dwellings. The completed site is expected to yield approximately 3,800 dwellings. This will create a significant new resident population immediately adjacent to the shopping centre. The whole of the Meriton site is within 500m walking distance to Westfield Eastgardens, and the improved retail offer around dining, entertainment and leisure will be conveniently accessible by foot.

Furthermore, Planning Priority E11 within the Plan has a wider set of Actions for which seek to manage growth and change in strategic and district centres. This sets out ‘Actions 38 and 39’ which include:

- *Attracting significant investment and business activity in strategic centres to provide jobs growth;*
- *Diversifying the range of activities in all centres;*

- *improving public transport services to all strategic centres;*
- *Co-locate health, education, social and community facilities in strategic centres along the economic corridor.*

Given this, it is clear that there will be a need to grow existing centres to provide job growth, but also to attract health and education activities into centres. To address this, the future commercial building at the site could accommodate a wide range of office and business uses, including the potential for health and education sectors. This co-location of retail and health uses has already been achieved at Bondi Junction, where there are a significant number of medical offerings in the commercial towers above the Westfield Bondi Junction Shopping Centre.

The message from the above 'Priorities' and 'Actions' is clear in that retailers situated within centres should be allowed to grow in line with demand and operator requirements, and that Eastgardens centre should be strengthened to support job growth and encourage business activity.

To assist in achieving the above, Planning Priority E10 of the Plan seeks to deliver greater integration of land use and transport planning. It identifies that access to strategic centres and interchanges will be supported by improvements to the transit network. This includes investigating the feasibility of future mass transit corridor to the south of Kingsford, linking to Maroubra Junction. This would benefit significantly benefit the Eastgardens- Maroubra Junction Strategic Centre and could provide a potential location for interconnecting trips with the strategic bus network.

As an advance investment, it is proposed to upgrade the bus interchange at Westfield Eastgardens as part of the proposal to add operating capacity, connect with a public plaza above, and improve the passenger experience to encourage great use of public transport to the site.

### **3.3. BOTANY BAY PLANNING STRATEGY 2031**

The Botany Bay Planning Strategy (the "Strategy") was published in 2009 and identifies Eastgardens as a standalone shopping centre built in the last 30-40 years, which is designed to be visited by car and does not integrate well with the surrounding residential areas. However, the Strategy goes on to indicate that the Strategic Bus Corridor will use the bus interchange at Westfield Eastgardens. This part of the Strategy has been implemented, with approximately ten bus services visiting the bus interchange. This has significantly improved public transport connections.

The Strategy is clearly dated given the time that has passed since its publication, and it does not envisage an intensification of retailing activities at Eastgardens. However, it indicates that when the BATA site adjacent to the centre is developed, alternate land uses should be the subject of a detailed planning study. The former BATA site is currently being redeveloped and this represents a change in local circumstances, whereupon the future growth of the centre would need to be reconsidered.

### **3.4. FUTURE TRANSPORT STRATEGY 2056**

The Future Transport Strategy 2056 is a vision for how transport can support growth and the economy of NSW over the next 40 years. It was published by Transport for NSW at the same time as the GSC released the Greater Sydney Region Plan in March 2018. The strategy is underpinned by the Regional Services and Infrastructure Plan and Greater Sydney Services and Infrastructure Plan.

It identifies a range of transport objectives for Greater Sydney including:

- Safely, efficiently and reliably moving people and goods;
- Connecting people and places in a growing city;
- Sustaining and enhancing the liveability of our places; and
- Accessibility for all customers, convenient and responsive to customer needs; and makes best use of available resources and assets.

As identified above, the Future Transport Strategy 2056 vision for the Greater Sydney mass transit network identifies a new mass transit corridor to Maroubra Junction, which would significantly enhance the public transport accessibility of the strategic centre and support the growth of the centre in the future.

Scentre Group made a submission on the draft report of Future Transport 2056 in December 2017, which supported the confirmation of Eastgardens as a strategic centre and identified the imperative to provide for greater mass transit services to the centre which would be achieved by an extension of light rail or metro rail connection to Westfield Eastgardens. Eastgardens is the logical location for intermodal transport connections to maximise the future development benefit around new transport infrastructure; whereas Maroubra Junction is essential already developed, and its Local Centre zoning makes it unlikely to achieve a commercial precinct of any substance given permissible residential development will always provide a great return for landowners than office.

The engagement process with Transport for NSW is ongoing.

### **3.5. BAYSIDE LOCAL STRATEGIC PLANNING STATEMENT**

Bayside Council adopted '*Future Bayside –Local Strategic Planning Statement*' (LSPS) in March 2020. This set out a 20-year vision for land use in Bayside, described the special characteristics and community values of the Bayside area that should be retained and outlined how growth will be managed in the future. This document was formally endorsed by the Greater Sydney Commission on 18th March 2020.

The LSPS recommends that opportunities are identified to strengthen the economic capacity and jobs growth of Eastgardens-Maroubra Junction Strategic Centre, which this Planning Proposal Request directly responds upon.

It identifies that the Strategic Centre is forecast to grow to between 8,000-9,000 jobs by 2036, and this proposal can assist Council in meeting this target.

The LSPS is considered further in Section 9.2.4 of this Report.

## 4. STATUTORY PLANNING CONTEXT

### 4.1. BAYSIDE LOCAL ENVIRONMENTAL PLAN 2021

The Bayside Local Environmental Plan (BLEP 2021) is the principal environmental planning instrument applicable to the site.

#### 4.1.1. Zoning

The site is zoned as 'E2 Commercial Centre' (following the update to the employment zones by DPE in April 2023). The surrounding area is zoned for a variety of land uses including high and low density residential, mixed use, and light and general industrial.

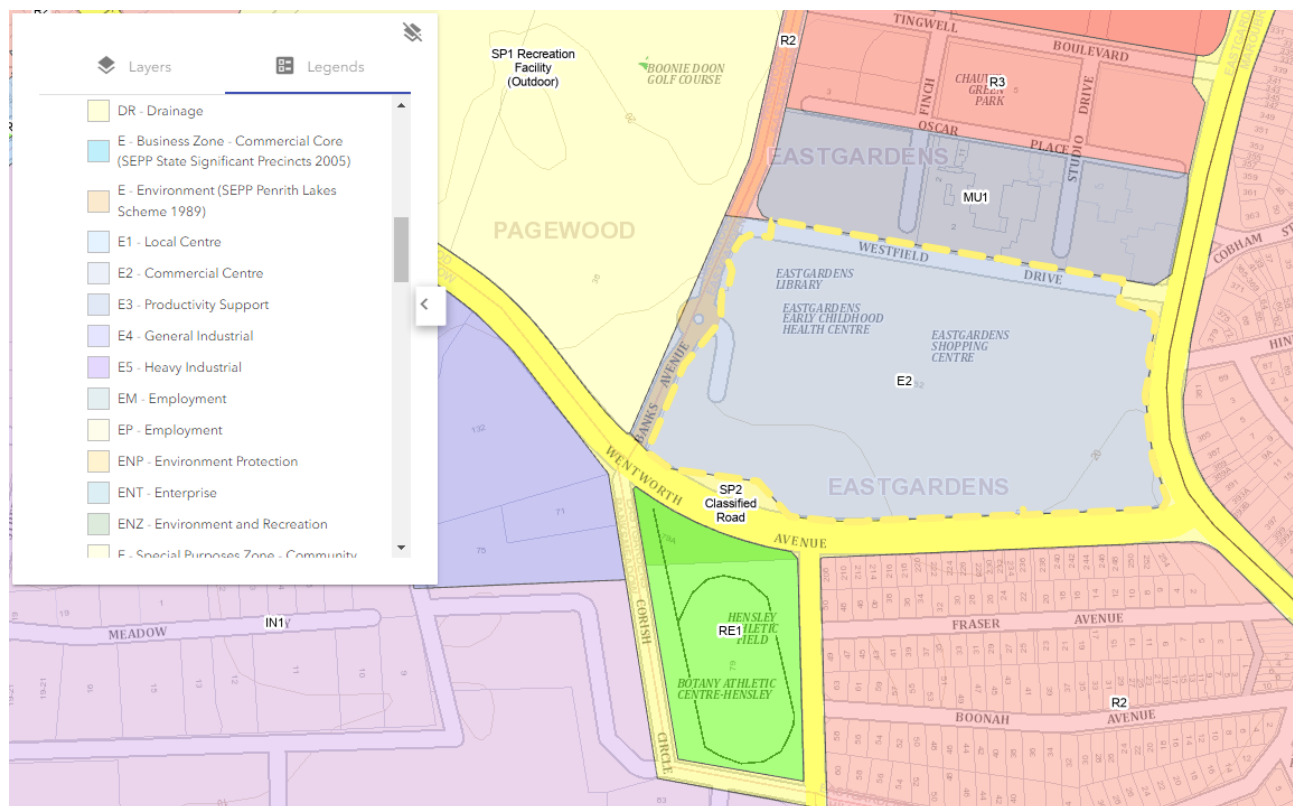
The objectives of the B3 Commercial Core zone are as follows:

- To provide a range of retail, business, office, entertainment and community uses that serve the needs of people who live in, work in and visit the local area;
- To encourage employment opportunities in accessible locations; and
- To maximise public transport patronage and encourage walking and cycling.

The uses which are permitted with consent include 'commercial premises' which include business, office and retail premises. The use of the site for retailing and commercial office is consistent with the zone objectives, and the proposal will provide a diverse range of retail, entertainment and employment uses to meet the needs of the community. The zoning of the site does not need to be amended as part of the Planning Proposal to facilitate the expansion of the centre.

Figure 6 below shows the current zoning of the site as outlined in BLEP 2021.

Figure 6 – Zoning Map



Source: DPE Spatial Viewer

### 4.1.2. Height of Building

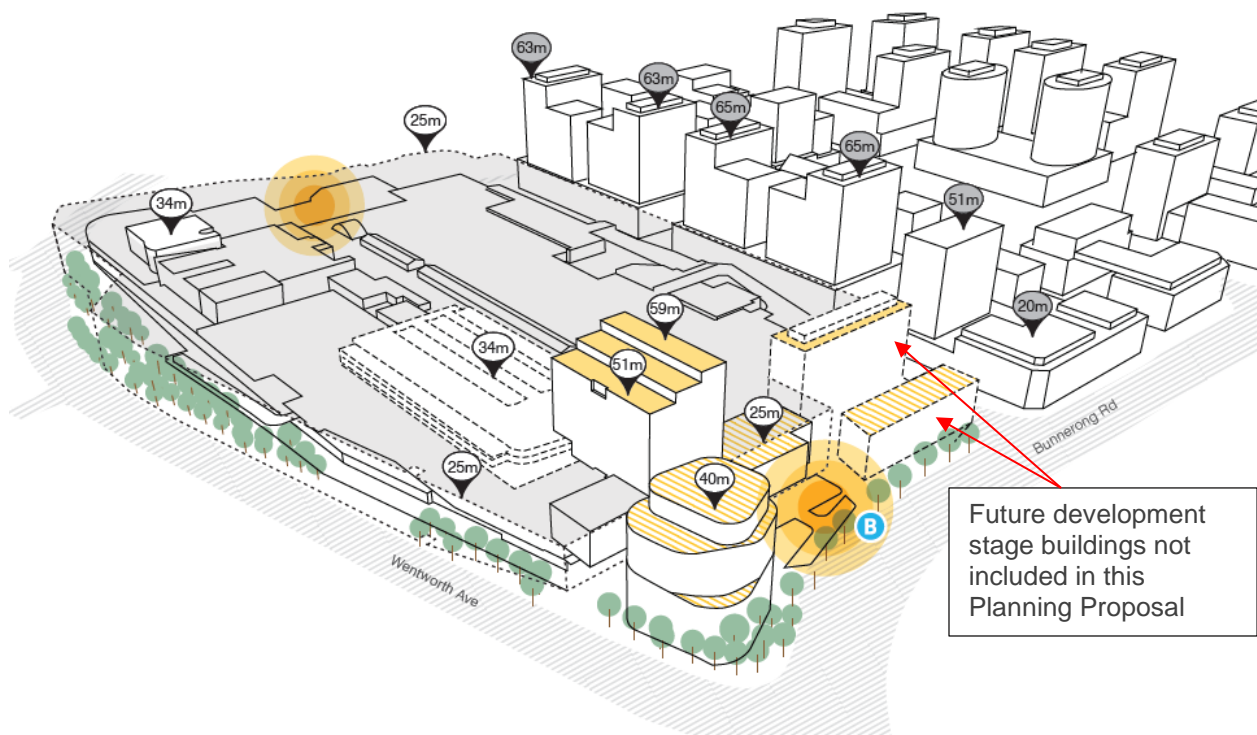
The current maximum height of building shown for the site within the BLEP 2021 Height of Building Map is 25m. This is proposed to be amended to facilitate a maximum height of building for the site of part 34m / part 40m / part 59m, with the remainder of the site does not change and remains at 25m.

The proposed part 40m and part 59m height controls have been allocated to two specific locations of the site to accommodate the two commercial office towers proposed in the indicative masterplan and to give appropriate certainty on built form outcomes. This has been reduced from the previous proposal which sought a height control amendment to 70m. This change has been made to address Council's concerns in regard to overshadowing of neighbouring properties, and now means the largest tower is lower in height than the adjacent Merriton development.

In the other parts of the site, a height control is proposed at 34m to accommodate outlier height elements of the existing and proposed retail centre such as the cinema expansion, additional mezzanine parking decks, and new solar panel shade structures over the car park.

This is illustrated below in Figure 7 below of the indicative built form that could be constructed under the proposed height controls. An outline is also shown of potential future built form in the north east corner of the site, which is excluded from this LEP amendment request and would be subject to a separate Planning Proposal in the future.

Figure 7 - Proposed Maximum Height Envelope for the site in metres



Source: Architectus



Figure 8 – Proposed Height of Buildings Map

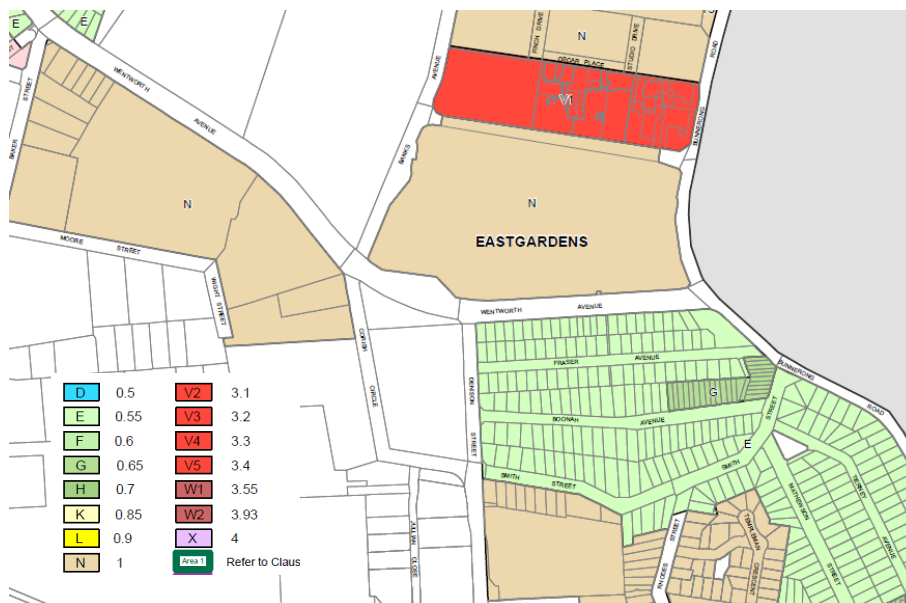


Source: Architectus

### 4.1.3. Floor Space Ratio

Under the BLEP 2021, the subject site has a maximum FSR of 1:1, however a current development approval at the site (DA14-123) has consented an FSR of up to 1.087:1.

Figure 9 – Existing FSR control



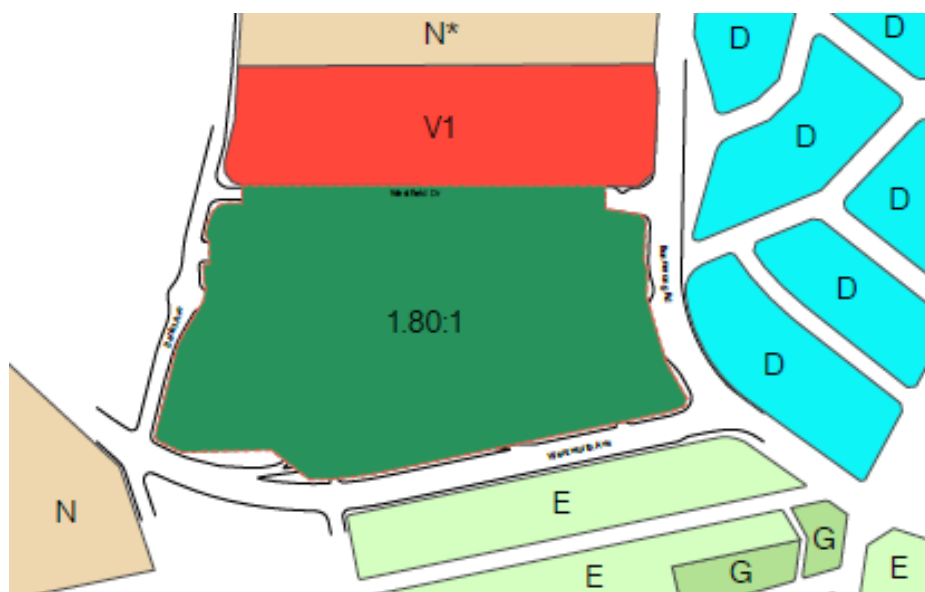
Source: DPE

It is proposed to amend the FSR control from 1:1 to 1.8:1.

This is a decrease from a previous proposal (March 2019) which sought an FRS of 1.85:1 and has been revised to address feedback previously received from Council.

The additional FSR will accommodate the expansion of the retail centre, the two new commercial office buildings and an enlargement of the floorplates of the existing commercial office building.

Figure 10 – Proposed FSR control



Source: Architectus

There is a market need and demand for the scale and type of retail expansion proposed for the shopping centre given the current leakage of retail spend to locations outside of the trade area, the changing trends in consumer spending towards services and experiences and the growing market population in the catchment area.

The Eastern District Plan sets the priority for delivering jobs around transport facilities within the Eastgardens – Maroubra Junction Strategic Centre, and Eastgardens plays an important strategic role for providing office land use given it is the only site zoned for Commercial Core in the strategic centre. The commercial office proposal will fill a gap in the market for large floorplate (>1,000sqm) layouts with the convenience of public transport and the amenity of a major regional shopping destination.

The amended LEP mapping for both FSR and height of building control is included at Section 10 of this Report.

## 4.2. BAYSIDE DEVELOPMENT CONTROL PLAN 2022

The Bayside Development Control Plan (BDCP) was adopted by the Council in March 2023.

The BDCP does not contain specific controls for the Eastgardens site, unlike previous versions of the DCP such as the Botany Bay DCP 2013. This is because a draft site specific DCP has been prepared by the proponent to provide more specific detail for the vision, objectives and controls for the future development of the site, in alignment with the Planning Proposal.

The BDCP contains other general controls which where applicable at the DA stage, compliance can be demonstrated where relevant.

### 4.2.1. Car Parking

Additional car parking will be provided in the scheme to compensate for the spaces lost for the Level 2 retail expansion (into the existing car park) and to support the additional retail and office GLA in the proposal.

The final provision of car parking will be resolved at DA stage based on occupancy modelling of the existing car park and the development overlay, considering the interplay of the different uses and their peak parking demand curves and the improved public transport accessibility. Much of the new retail will be experience-based offers (vs goods) that are more viable for non-car transport options.

### 4.2.2. Draft Site-Specific Development Control Plan

A draft Site Specific DCP for the subject site has been developed and is attached at **Appendix G**.

The draft DCP outlines the intended character, objectives and proposed controls to guide future development of the site, ensuring the vision can be achieved. The draft controls allow the site to be

developed into a mixed-use centre that meets the objectives of a Strategic Centre whilst minimising the impact to neighbouring land uses.

Although the draft Site Specific DCP was lodged with the original PP, Council has not formally endorsed the proposed controls. As such, it is proposed that this can be exhibited as an 'Interim' draft of the document and can be refined where needed post-exhibition.

## 5. PLANNING PROPOSAL VISION

The Westfield Eastgardens vision is to transform into a vibrant, mixed use town centre accommodating an improved arrival experience, enhanced retail and leisure, and new commercial office towers integrated into an active, civic plaza connected to an enhanced bus terminus. There is the opportunity to improve accessibility, connect better with the community, create jobs and strengthen the economic role of the centre, in line with its recognition as a strategic centre under the Eastern City District Plan.

With the addition of commercial office and future mixed use, the site will transcend its role in the community from a traditional shopping centre to a become a *Living Centre* - a morning to evening activity hub where the community can fulfil its daily needs and be connected by new opportunities and experiences.

Scentre Group uses the description of a *Living Centre* because its retail destinations are transitioning to places where the community come to gather and socialise, be entertained, dine, access services and experiences and shop.

The retail expansion will be a response to the changing customer expectations and lifestyle needs. The growth in consuming experiences versus goods sees the opportunity for new dining, entertainment, leisure, fitness and services retail. Further the leakage of fashion sales to online and the Sydney CBD demonstrates a product gap in the fashion retail offer that can be filled for the growing population in South East Sydney.

Centred above a civic plaza, a commercial employment hub will be a new destination for local businesses and residents to establish a workplace that enjoys the amenity of retail and dining with the accessibility of 12 bus routes and convenient ride share and end-of-trip facilities. Westfield Eastgardens will play a leading role in delivering the Strategic Centre actions in the East District Plan.

To complete the vision two future development buildings have been shown as part of a cohesive plan for the Bunnerong Road street address. It is Scentre Group's intention that these will form part of a future planning scheme that will explore additional land use for the site in the form of student accommodation of hotel development that further diversify the site and support the growth of the Randwick Health and Education precinct.

Figure 11 – Proposed Masterplan CGI Image of Civic Plaza



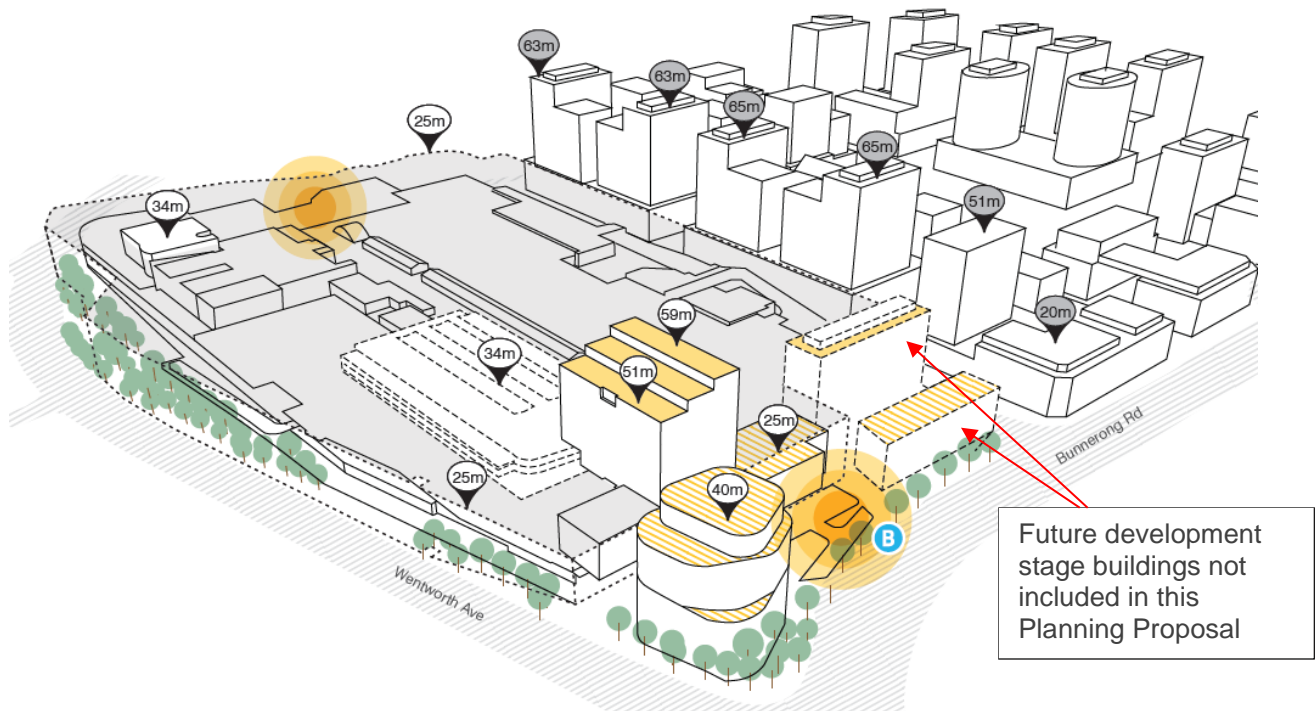
Source: Architectus



## 5.1. CONCEPT SCHEME

An Urban Context Report illustrating the type of development facilitated by the Planning Proposal has been prepared by Architectus and is provided at **Appendix A**. The proposed masterplan for the site is provided at **Figure 12**. The design has been informed by the vision, opportunities and constraints of the site, and feedback from Bayside Council and its independent review.

Figure 12 – Proposed Master Plan



Source: Architectus

## 5.2. DESIGN PRINCIPLES

The masterplan has been based on the following urban design principles:

- Destination hubs at each of the East and West ends of the existing central mall spine:
- Focus on entries at the ground plane
- Activating the corners of the site
- Defined street functions
- Heights relative to adjacent context
- Strengthening the green vegetation buffer to the site.

Key features of the masterplan include:

- **Land use:**

The land use zoning remains as commercial core, however in addition to retail new commercial office GFA is introduced to add diversity to the site and contribute to the job capacity targets of the strategic centre.

- **Height and built form:**

The placement of height has been closely analysed and allocated to two tower envelopes to the South-East of the site in accordance with the urban design principles. An integrated podium is established along Bunnerong Road, and the higher tower form is set back onto the retail podium to create a



transition to the neighbouring land uses and to minimise overshadowing. It is proposed to have three new height controls, part 59m, part 40m and part 34m, with the control across the remainder of the site remaining unchanged.

- **FSR:**

To facilitate the masterplan the FSR from the site must increase from 1:1 to 1.8:1. This additional GFA of +64,800sqm is indicatively allocated between retail at +37,500sqm and commercial office at +27,300sqm.

- **Enhanced bus terminus:**

A key benefit of the proposal is an upgrade to the existing bus interchange which will allow a reconfiguration to add additional operating capacity, and an improvement in the user experience by enclosing the interchange (yet with sky voids for ventilation and visual connection), and connectivity to a public plaza above. The upgrade of this critical transport hub will encourage public transport use for the retail and office uses, reducing the dependency on private vehicle transport.

- **New public plaza:**

A new publicly accessible plaza fronting Bunnerong Road will be defined by active uses at the ground plane such as externalised retail, access to individual entry lobbies for each of the commercial buildings, and direct vertical connection to the bus interchange below through landscaped voids.

The following points represent the key elements of the Vision:

To Create a *Living Centre* that acts as a community hub from morning through to late evening.

- Recognise the changing needs of the community by providing a range of new and improved retail offerings and services;
- Create a truly mixed-use precinct that provides a range of services and acts as the focal point for the local community;
- Facilitating the fulfillment of a range of community needs, including medical appointments, childcare, evening dining, entertainment and leisure;
- Creating a space where shoppers, residents, workers and students can relax and socialise;
- Meet the objectives of the Maroubra-Eastgardens Strategic Centre by renewing an existing centre and creating new public places and spaces;
- Creating a new rooftop open space and dining precinct, benefiting from views across the local golf course and towards the Sydney CBD;
- To improve pedestrian accessibility, amenity, safety and permeability;
- To create a better civic entry from the east by rearranging bus and taxi access, along with enhancing the public domain;
- Remodel and enhance the bus interchange and user experience by reconfiguring the underground areas and increasing bus service capacity;
- To provide a new A-grade commercial tower to accommodate a range of office uses, which will assist future employment growth and job creation at the centre;
- To provide a new multi-use commercial building containing flexible floorspace to accommodate potential office, health and wellbeing practices, and civic services uses;
- To improve the external interfaces and quality of the streetscape around the centre; and
- To retain existing car parking provision and provide additional parking appropriate for the expansion of the centre;
- Encourage additional commercial job opportunities for the local community
  - Provide large and flexible office floor plates that are unique to the Eastgardens-Maroubra Strategic Centre to encourage new businesses to the area without impacting existing local office stock.

- Meet the objectives of the 30-minute city as outlined in the Greater Sydney region Plan
- Provide commercial jobs within a highly accessible location and in proximity to new high-density residential development.
- Create the unique opportunity to have individual street addresses for commercial towers within the mixed-use centre.
- To make future provision for possible student accommodation or hotel buildings on the north-eastern side of the site to respond to the investment in the Randwick Health and Education Collaboration Area;

Importantly, the masterplan concept contains two elements that warrant specific mention:

#### Outline for future development:

The masterplan also identifies an area of 'future development' where two building forms are indicated for additional uses such as student accommodation, hotel or build-to-rent housing to the North of the Bunnerong Road frontage. This will complete a wholistic development of the Bunnerong Road façade and will add increased diversity to the mixed-use site. These uses and built form are not part of this planning proposal and are shown to demonstrate the ambition of the site how the masterplan has been designed to consider this future development.

Given the desire to progress a future stage of the development at Westfield Eastgardens, following this first approval stage of the Planning Proposal, it is intended that a collaborative process can be undertaken between Council and Scentre Group as part of the Bayside LEP Review. With Bayside identified as a Priority Council for its LEP Review, Scentre Group are eager to be a key stakeholder in discussions and engagement concerning the future identification of the centre within the revised LEP.

#### Additional car parking according to RTA 2002 guidelines

Additional car parking will be provided in the scheme to compensate for the spaces lost for the Level 2 retail expansion (into the existing car park) and to support the additional retail and office GLA in the proposal.

The final provision of car parking will be resolved at DA stage based on occupancy modelling of the existing car park and the development overlay. Much of the new retail will be experience-based offers (vs goods) that are more viable for non-car transport options.

An 34m height zone has been included within the proposal for 4 additional mezzanine parking levels if the Applicant is required to provide parking based on the 2002 RTA Guide to Traffic Generating Developments.

The RMS (now TfNSW) now considers this ratio methodology to be outdated given:

- the progress in car park data collection and modelling,
- the fact that as major retail centres have evolved many additional activities are overlapped in the one trip; and
- additional usages as part of retail expansions often have a peak demand that sits outside the traditional park periods for shopping centres (i.e. dining and cinema peak periods are in the evening).

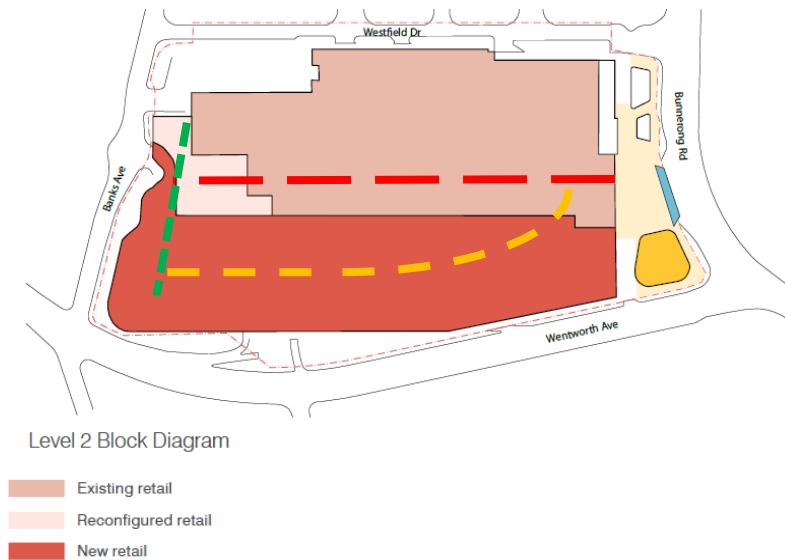
The Applicant expects that the 4 levels of additional mezzanine parking identified in the extra parking envelope will be further justified at the DA stage as not being required for construction.

## 5.3. RETAIL, COMMERCIAL AND PUBLIC DOMAIN

### 5.3.1. Retail arrangement

The proposal includes the expansion of the retail centre by approximately 27,500sqm of gross lettable area (approximately 37,500sqm GFA when common mall and services are included). **Figure 13** below provides an illustration of how the additional retail is proposed to be configured, and further detail is described in the Urban Context Report prepared by Architectus attached at **Appendix A**

Figure 13 – Illustrative Retail Layout



Source: Architects

The existing shopping centre is oriented along a distinct East-West mall axis.

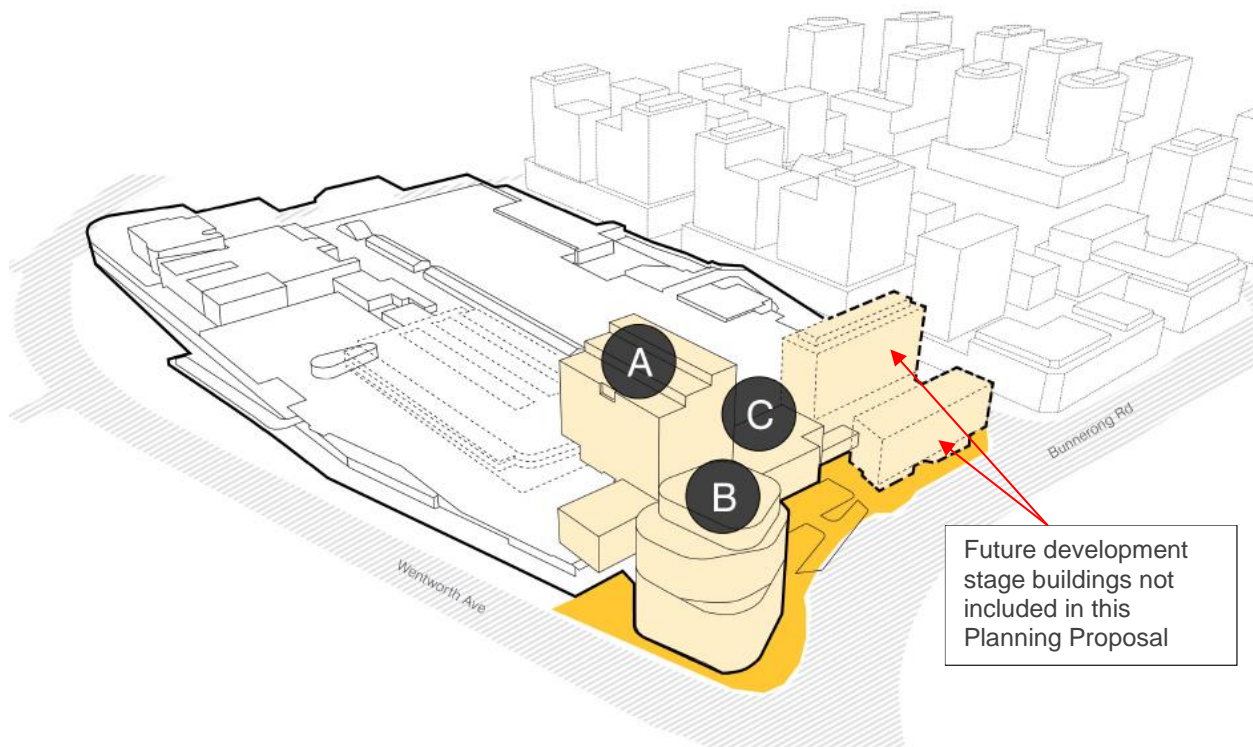
A new parallel fashion, accessories and beauty mall (shown as yellow dashed line) will be built into the existing Level 2 car park. The 'loop' mall layout is a logical and tested model for convenient retailing.

Along the Western edge (green dashed line) an interconnected food, dining and leisure offer will be added over levels 1, 2 and 3, which will reconfigure and re-image the fresh food, food court and cinema into indoor-outdoor destination with views over the golf course and to the Sydney skyline beyond

### 5.3.2. Commercial office arrangement

The proposal includes the addition of approximately 24,000sqm of commercial office GLA (approximately 27,300sqm GFA when lift lobbies, amenities and services are included).

Figure 14 – Commercial Office Arrangement



Source: Architectus

The indicative size and theme of each building is summarised below and described in more detail in the Architectus report.

- **Tower Building A:** A new A-grade commercial tower of 9 full storeys and 1 partial storey above the retail podium which will target traditional large floor plate office occupiers by providing plates of approximately 1,250sqm NLA. This tower will provide a total NLA of approximately 11,600sqm; and
- **Tower Building B:** A new corner tower of 8 full storeys and 2 partial storeys that will be geared at commercial usages around services and health. This tower will have floorplates of approximately 1,000sqm net lettable area (NLA), equating to a total NLA of approximately 9,500sqm;
- **Tower Building C:** Modifications to the existing 4 storey office tower to improve the core location and enlarge the floorplate to approximately 1,600sqm. This arrangement should be appealing to innovative workplace arrangements such as co-working and serviced offices.

### 5.3.3. Bunnerong Road Public Plaza and bus terminus

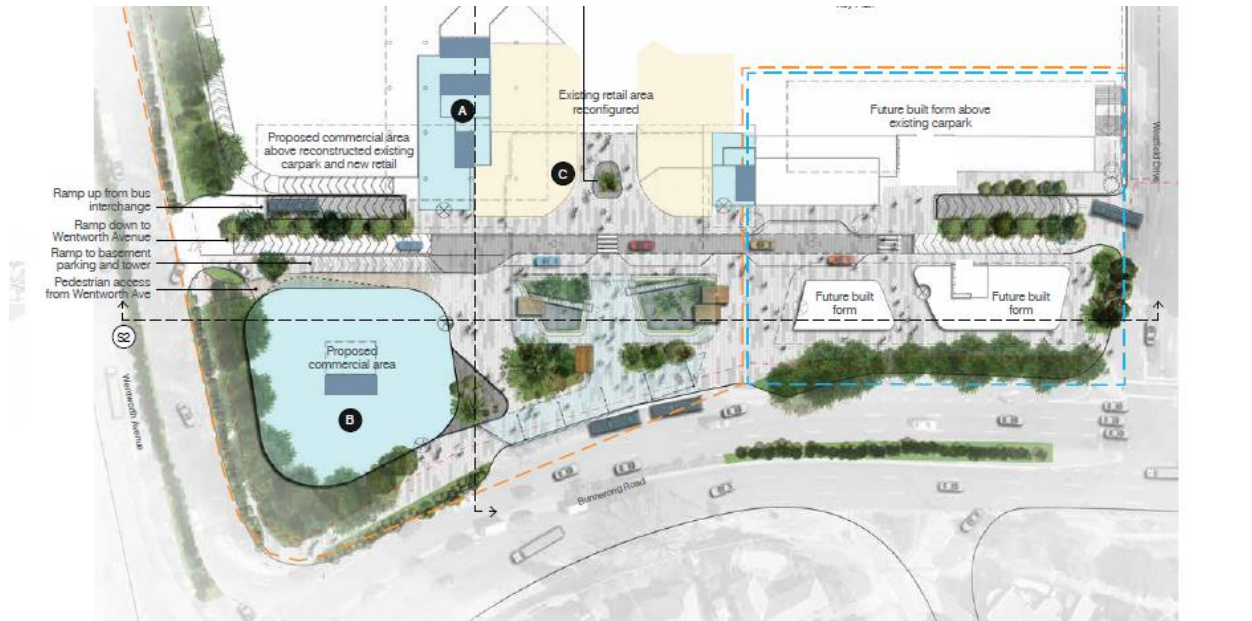
As part of the rearrangement of the Bunnerong Road façade and upgrade to the existing bus interchange, a new public plaza will be created at ground level on top of the bus terminus. The public plaza will be activated by:

- Landscaped open voids and travelators to connect to the bus interchange below.
- A reconfigured entrance to the shopping centre with externalised retail such as cafes and outdoor seating, stimulating life into the area.
- A laneway with drop-off / pick-up bays to encourage new modes of ride-share transport.
- New commercial towers which will provide an injection of workers during the weekdays, with each tower having its own building lobby which opens to the public plaza.

- The opportunity to connect future uses to the plaza, such as student accommodation or hotel, which will further activate the plaza during the night and weekends, creating a constant buzz.

Figure 15 below shows the proposed Bunnerong Road Public Plaza which interfaces with the bus terminus (sunken below), retail entry and individual office lobbies for each building.

Figure 15 – Proposed Bunnerong Road Public Plaza



Source: Architectus

It is anticipated that as part of the process to address the Gateway conditions and beyond, that further consultation with TfNSW on the likely requirements and design of the proposed upgraded bus interchange will occur. The Proponent is committed to delivering an appropriate outcome for this part of the shopping centre.



## 5.4. RESPONSES TO PEER REVIEW OF PREVIOUS SCHEME

Following the lodgement of the original and the revised planning proposal scheme, several peer reviews were commissioned by Council into the technical studies provided with the proposal. This led to a range of feedback and comments which have now been addressed as part of this revised proposal. Given the November 2019 amendments to the scheme, the further comments raised by Council as identified in **Section 1.1** are also addressed in this latest update.

**Table 4** below outlines the mains comments highlighted and how this proposal has responded to this as a result.

Table 5 – Previous 2019 Peer Reviews and Responses

Peer Review comment	Response
<b>Transport and Traffic report</b>	
The peer review by Cardo requested a full study be undertaken assessing potential impacts to the surrounding road network and intersections, incorporating the traffic generation from the neighbouring Meriton development in conjunction with the subject proposal.	An updated Traffic and Transport Assessment was undertaken by SLR along with revised traffic modelling in response to the peer review. The updated assessment demonstrates that the identified intersection upgrades are sufficient to accommodate the expected traffic increase resulting from the proposal along with the development proposed on the adjacent Meriton site (Stages 1 and 2).
	<i>The updated modelling and findings were presented to Council for review in late 2018 and considered acceptable.</i>
	The assessment was not updated for the 2019 revised Planning Proposal Request, although a new Traffic Technical Note (Appendix M) has been prepared for this 2023 update.
	The previous (March 2019) request updated the traffic modelling and reported accordingly. Given the commercial GLA has been reduced previously within the proposal, it can therefore be reasonably assumed that the nominated road capacity improvements will continue to be sufficient in mitigating traffic impact associated with this revised proposal.
<b>Retail Economic Impact Assessment</b>	
RPS conducted a peer review of the original Retail EIA, noting several comments regarding the proposed retail component. This includes the following:	A response letter prepared by Urbis answered the concerns raised by the RPS review.
	<i>The letter was submitted to Council for review in late 2018 and understood to have been accepted.</i>
	The letter provided the responses below to the comments raised by RPS.

A quantitative market need assessment	<p>Overall, the response to this maintains that the proposed increase in retail floor space is warranted given the current population growth and expenditure in the trade area, including the adjacent high-density development.</p> <p>The report presents new analysis including that 76% of expenditure by trade area residents on apparel, homewares and leisure goods (discretionary items) is undertaken at centres/locations outside the trade area. This loss of local sales is referred to as 'leakage', and Eastgardens has the highest percentage of discretionary expenditure leakage among Westfield centres. This can be explained by the lack of range in fashion, homewares and leisure retailers, and the result is that residents are forced to drive to other locations and local jobs and economic activity is lost.</p>
A retail sustainability assessment showing impacts of the proposed expansion.	<p>The updated report (Appendix B) contains a detailed impact assessment which specifies the estimated turnover and impacts of all strategic, district and local centres within the retail catchment for Eastgardens.</p> <p>The analysis shows that the forecast impact of the retail expansion to other centres is marginal, in the range of 1% to 3.1% depending on the centre. The report assesses that this level of impact is well below the threshold of 10% where impacts are generally considered to be a concern.</p> <p>It concludes that there is more than sufficient market demand in support of the expansion and that the trading impacts are well within the bounds of a normal and healthy competitive environment.</p>
An updated economic impacts and benefit section	<p>The report assesses that the marginal negative trading impacts described above are far outweighed by the positive impacts including the generation of circa 1,000 direct operational jobs per annum once the retail expansion opens (many of which will be local jobs), 223 construction jobs per annum during the two year construction period, and gross value added to the NSW economy of +\$258m during construction and +\$190m per annum during the operational phase.</p>
<b>Commercial Office Economic Impact Assessment</b>	
The peer review conducted by RPS identified that further explanation was needed regarding the demand and impact on other centres of the proposed commercial component, and justification on the methodology used to identify this.	<p>In response to the peer review feedback a new commercial office EIA was prepared by the consultancy team of office real estate experts <i>Colliers International</i>.</p> <p>The report (Appendix C) provides an in-depth analysis of the existing office markets in the region, what factors drive business occupancy decisions, and the points of difference of the Eastgardens office proposal that will</p>

	<p>make it unique and attractive as a new workplace precinct.</p> <p>The EIA comments that the proposed office component is consistent with the B3 Commercial core zoning of the centre along with being identified as a strategic centre, and therefore is suitable for the site.</p> <p>In contrast, the majority of sites in Maroubra Junction along Anzac Parade are zoned B2 Local Centre, which permits (with consent) shop-top housing. This zoning setting reduces the likelihood of a standalone office development from eventuating given that housing typically renders the highest development return. Moreover, the majority of sites in Maroubra Junction are already developed or are relatively small, which will require some form of amalgamation, which is costly and time-consuming</p> <p>The proposed floor plates of &gt;1,000sqm are much larger than currently available in the area and would appeal to a different sector in the market. Given this, the proposal is not considered to be in competition with the existing stock. Therefore, impacts are considered minimal.</p> <p>The planning proposal request has been reduced in terms of incremental commercial gross lettable area by 6,500sqm compared to when the report was submitted to Council in 2019. The proposal retains the commercial office component, albeit in a reduced quantity, and therefore the assessment and conclusions contained in the commercial office EIA remain applicable.</p>
<b>Quantitative Risk Assessment</b>	
<p>The primary recommendation was to update the report to include the commercial office proposal, as the previous modelling and conclusions were based on the retail scheme only.</p> <p>The specific comments and responses are outline below.</p>	<p>An updated Quantitative Risk Assessment has been provided to address the recommendations raised. The report demonstrates that the proposal is capable of addressing the risk requirements for proximity to the Botany Industrial Precinct and the hazardous goods route along Wentworth Avenue.</p> <p>The updated report (Appendix F, March 2019) includes the commercial scheme (previously only modelled on the retail scheme) which is positioned away from the Denison Street / Wentworth Avenue intersection, results in limited incremental risk, and the proposal in totality is with the acceptable risk range.</p> <p>However, the revised Planning Proposal Request results in a reduction in incremental commercial gross lettable area of 6,500sqm compared to when the report was</p>

	issued to Council, meaning the risk that was previously assessed as manageable is now reduced further.
Refer to Department of Planning and Environment (DPE) for interpretation of 'incremental risk' in societal risk assessment for new developments	Systra Scott Lister has engaged with DPE as explained in Appendices I, J & K attached to this Report, in seeking an agreed position for how societal risk can be addressed within this Planning Proposal.
Update for the inclusion of the commercial office scheme, including consequence results of incidents.	The commercial scheme as presented in this Planning Proposal was included in the updated modelling.
The existing cumulative F-N curve must be compared with an updated F-N curve including the population from the proposed future development	This is included in the updated report.
Update the report to address <ul style="list-style-type: none"> <li>a) risk contributors to the incremental risk and rank them</li> <li>b) assumed population distribution of the 1640 persons</li> <li>c) whether the risk was assessed for persons inside and outside the building, and at different levels in the building, and</li> <li>d) how the risk mitigation in design suggested in Ref.1 have been addressed in the incremental risk assessment.</li> </ul>	<p>The risk contributors (incident types) have been identified in the model outputs chart. The modelling assumptions used for population distribution, inside/outside population, and risk mitigations have all been outlined in the updated report.</p> <p>The recommended risk mitigations have not been included in the modelling, hence the results as presented do not enjoy any benefit from these mitigations.</p>
If the updated F-N curve for the area still falls within the ALARP and the incremental risk is deemed marginal, the development cannot be precluded.	This was a statement only; however the updated results do fall into the ALARP range. This matter has since been explored in depth with DPE through 2021-2022 and the Department is satisfied that the work undertaken satisfied the societal risk framework.
The emergency response plan for the Westfield Eastgardens complex must include response to a dangerous goods transport accident near the intersection of Denison Street and Wentworth Avenue.	This is a management recommendation that can be incorporated at DA stage.
There must be a public address system in the Eastgardens complex to notify shoppers of the actions to take in the event of a dangerous goods transport accident that may affect the car park on Wentworth Avenue.	This is a management recommendation that can be incorporated at DA stage.

## Overshadowing

Overshadowing impact to the five most impacted dwellings to the south of Wentworth Avenue was deemed not supportable. It was clarified that there were no plans to change to the zoning or density of these properties in the foreseeable future as part of the Local Strategic Planning Strategy process and LEP updates.

The massing of the largest commercial office tower was remodelled, and it now gives rise to an acceptable level of additional overshadowing the residential properties located on the southern side of Wentworth Avenue on June 21. The impacts to the existing dwellings (apart from 5 existing dwellings) are minor and do not impact on the ability of these properties to comply with the solar access requirements specified under existing DCP controls.

More detailed overshadowing analysis was carried out to ascertain the impact to the 5 most affected residential dwellings on June 21. Analysis of this revised scheme confirms that:

- There is no additional overshadowing to the primary open space (otherwise known as rear yards) of the subject properties.
- The living areas of the dwellings are concentrated toward the rear/ southern end of the dwelling and is not overshadowed by the proposed massing.
- The proposal ensures a minimum of 1 hour of solar access is provided to the front building facades and 1 hour of solar access is achieved to at least 50% of the front yards despite there being no requirement to demonstrate this.

During the equinox period (21st September to 21st March) the proposed massing does not create any additional overshadowing impact to adjacent properties.

Beyond the equinox period (3rd August to 10th May) all properties achieve a minimum of 2 hours solar access to 100% of the front yards and northern facade of the 5 properties in question.

## Pedestrian Safety and Public Domain

Improvements to the presentation and pedestrian safety of Westfield Drive were requested to be addressed.

The revised Planning Proposal Request now includes the following updated elements:

- **Prioritising pedestrians and traffic calming** – raised crossings are proposed near the intersection of the new Meriton site streets. These are intended to provide clear points of pedestrian crossing at desire lines, as well as to slow traffic and deter vehicles using Westfield Drive as a 'rat-run'.
- **Separating pedestrians from loading areas** – limit pedestrian movement in the footpath immediately outside the loading docks. Improvement works will encourage pedestrians to



	<p>use the north side of Westfield Drive to move along the centre of the street block, and to cross to the southern side on newly proposed raised pedestrian crossings once they are beyond the dock areas located towards the middle of Westfield Drive.</p> <ul style="list-style-type: none"><li>• <b>Improved amenity</b> – landscaping, widening footpath at points, lighting, wayfinding, and public art opportunities are proposed to improve the amenity of the street and provide a buffer to the facade of the existing back-of-house areas.</li></ul>
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## 6. PLANNING PROPOSAL OVERVIEW

This Planning Justification Report is intended to inform the preparation of a Planning Proposal which can be prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979*, for consideration by the Department of Planning and Environment.

Accordingly, this Report addresses in the following parts:

- Part 1: A statement of the objectives or intended outcomes of the proposed amendment;
- Part 2: An explanation of the provisions that are to be included in the proposed amendment;
- Part 3: The justification for those objectives, outcomes and the process for their implementation;
- Part 4: The supporting maps which identify the aspects of the Planning Proposal;
- Part 5: Details of community consultation that is to be undertaken for the Planning Proposal; and
- Part 6: The prospective timeline.

Discussion for each of the above parts is outlined in the following sections which are structured in accordance with the document '*Local Environmental Plan Making Guideline*' (August 2023), published by the Department of Planning and Environment.

## **7. PART 1 – OBJECTIVES AND INTENDED OUTCOMES**

### **7.1. OBJECTIVE**

The primary objective of the Planning Proposal is to amend the planning controls for Westfield Eastgardens to facilitate its expansion, in order to deliver an upgraded, high quality retail centre, along with new commercial buildings to assist in the creation of jobs and strengthening the economic role of the centre to meet the 'Strategic Centre' status. This is in accordance with the Eastern City District Plan objectives and the 'Vision' outlined in Section 5 above.

This will ensure that Westfield Eastgardens can evolve its important role in the community and transform from a traditional everyday needs shopping centre to a mixed-use community hub for dining, entertainment, leisure, services and employment. It ensures the centre maintains its market position in the face of competition from other centres, in a situation where the centre has not been upgraded for fifteen years. It will also provide sufficient offer to keep pace with the increasing residential densities and population growth within the trade area.

The enhanced shopping centre and new commercial buildings will further strengthen and reinforce the economic role of the centre, and benefit from the existing and future public transport links to the site.

### **7.2. INTENDED OUTCOME**

The Planning Proposal is intended to have the following outcomes:

- Amendment to the BLEP to amend FSR and height of building controls to the site. This includes amendments to the LEP maps, which are contained in Section 10 of this Report;
- It seeks to increase the FSR to 1.8:1;
- A new clause to implement the consideration of the framework and the risk assessment as part of relevant future development applications at the site;
- It seeks to increase maximum height of building to part 34m, part 40m and part 59m, whilst the reminder of the site is unchanged;
- Adding the site to the Design Excellence Map 'LEP Map DEX\_012' such that Clause 6.10 of the LEP applies to the site; and

## 8. PART 2 – EXPLANATION OF PROVISIONS

### 8.1. OVERVIEW

The objectives and intended outcome of this Planning Proposal can be achieved by:

- Amending the BLEP 2021 Height of Buildings Map for the site from a maximum of 25m to allow for areas to have maximum of part 34m, part 40m and part 59m.
- Amending the BLEP 2021 FSR Map for the site from 1:1 to 1.8:1.
- A new clause to implement the consideration of the Technical Note (December 2021) as part of relevant future development application at the site.
- Adding the site to the Design Excellence Map 'LEP Map DEX\_012' such that Clause 6.10 of the LEP applies to the site.

The proposed changes to the maximum height of building and maximum FSR maps are illustrated in the figures provided at **Section 10**.

These amendments will support the development of the site as a mixed-use community hub and is consistent with the concept plan and achieves the key objective and intent of this Planning Proposal request.

It is considered that the proposed amendments to the BLEP 2021 are the best, most efficient and time effective approach to delivering the intended outcome of the proposal.

The purpose of the Planning Proposal is to amend the BLEP 2021 to allow the expansion of the shopping centre at the site to provide a greater level of retail, commercial and leisure floor space, along with additional car parking provision on the same site footprint. The existing height of building control is a blanket approach across the site, however within this there are existing varying building heights across the site.

Accordingly, the proposal seeks amendments to the BLEP 2021 provisions as they pertain to the site as follows:

- Floor Space Ratio: Introduce a new maximum allowable floor space ratio (FSR) of 1.8:1
- Height of Buildings: Introduce a new maximum allowable building height of part 34m, part 40m and part 59m (whilst retaining a maximum 25m height on the remainder of the site).

It is considered that the proposed amendments to the BLEP 2021 are the best, most efficient and time effective approach to delivering the intended outcome of the proposal.

### 8.2. AMENDMENT TO FLOOR SPACE RATIO

The existing BLEP Floor Space Ratio Map specifies the maximum FSR for the site as 1:1. However, a previous development consent (DA reference 14/123) at the site varied this FSR such that the approved FSR is slightly above this level. This DA was determined by the Council on 11<sup>th</sup> March 2015, following its consideration by the Sydney East Joint Regional Planning Panel (JRPP).

Condition 83 on this consent states that:

*"Prior to the issue of the Occupation Certificate, a Certificate of Survey from a Registered Surveyor shall be submitted to the Principal Certifying Authority and the Council to the effect that:*

*...b) A Floor Space Ratio (FSR) of 1.087:1 and height of 39.5m AHD (top of parapet) and 44.1 m AHD (for tower along eastern elevation) as approved under this Development Consent No. 14/123 have been strictly adhered to and any departures are to be rectified in order to issue the Occupation Certificate"*

The JRPP concluded on this point that:

*"The proposed development provides a high-quality commercial development that facilitates the orderly and economic development of land in a manner that is appropriate for the site. Additional commercial services will be provided in an appropriate location and will provide increased employment and investment opportunities for the area. The impacts from the proposed development on the amenity of surrounding properties resulting from the departing FSR are considered minimal and the built form is considered*



*compatible with the existing development on the site. Council officers agree that the proposal will result in a public benefit.*

As such, the current consented FSR for the site should be assessed as being 1.087:1.

It should also be noted that the height of buildings referenced in the condition above are measured to a Reduced Level linked to an Australian Height Datum (AHD) point, rather than indicating the actual height of the building from ground level to the top of the building, which forms the LEP control.

The objectives of the FSR clause (Clause 4.4) in the BLEP are as follows:

- (a) to establish standards for the maximum development density and intensity of land use,*
- (b) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality,*
- (c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,*
- (d) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing, and are not likely to undergo, a substantial transformation,*
- (e) to ensure that buildings do not adversely affect the streetscape, skyline or landscape when viewed from adjoining roads and other public places such as parks, and community facilities,*

It is considered that the above objectives can be satisfied whilst facilitating the expanded shopping centre.

The proposed outcome will be achieved by amending the BLEP Floor Space Ratio Map in accordance with the proposed FSR Map contained in Section 10 and Appendix D of this Report.

### **8.3. AMENDMENT TO BUILDING HEIGHT**

The existing BLEP Height of Buildings Map specifies that the maximum building height of Westfield Eastgardens site is 25m.

It is proposed to amend the development standard to permit a maximum height of building of part 34m, part 40m and part 59m (with the remainder of the site unchanged at 25m), meaning that the Planning Proposal will seek up to an additional 9m in maximum height for parts of the retail element of the centre and an additional maximum of 15m and 34m for the future commercial building envelopes.

The indicative building height map (Figure 7 earlier in this report) has clearly identified zones where the additional height can be placed, giving certainty to Council, whilst maintaining sufficient flexibility for building articulation as part of the detailed design and future DA process.

It is clear that the approach set out within this Planning Proposal will facilitate the realisation of the Priorities and Actions in the Eastern City District Plan to encourage growth, meet jobs targets for the centre and provide a diverse mix of uses.

The additional height for the shopping centre element will principally be utilised to provide for an expansion to the cinema and additional car parking that may be required for the development, along with solar panel shade structures above the top level of the car park. The proposed height limit of 34m would therefore allow the development of any structures associated with this use.

The 40m and 59m maximum height for the two commercial towers proposed consists of up to 27,300sqm (GFA) of new office floor space.

It should also be noted that the adjacent Pagewood Green development comprises residential towers of a greater height to the proposed commercial buildings, meaning that the proposal cannot be out of character with what has been consented on the neighbouring site.

The objectives of the height of buildings clause (Clause 4.3) within the BLEP are as follows:

- (a) To ensure that building height is consistent with the desired future character of an area;*
- (b) To minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development; and*
- (c) To nominate heights that will provide an appropriate transition in built form and land use intensity.*

It is considered that the objectives of this clause can be satisfied following the grant of an additional maximum height level at the site, where a considered design response is proposed, given its location, surroundings and current built form.

The proposed outcome will be achieved by amending the BLEP Height of Buildings Map in accordance with the proposed Height of Building Map contained in Section 10 and Appendix D of this Report.

## **8.4. NEW CLAUSE ASSOCIATED WITH THE MANAGEMENT OF RISK**

Further to discussions with DPE on societal risk matters, it has been identified that a new clause can be agreed post-Gateway in consideration of the Technical Note (December 2021) provided by Sherpa Consulting demonstrating no increase in societal risk and accepted by DPE, as part of any relevant future development applications at the site. Specifically, this future provision will:

- Apply to development at 152 Bunnerong Road, Eastgardens, which is legally described as Lot 1 DP 1058663 (the site).
- Give effect to the conclusions of the risk assessment to ensure no change in the cumulative societal risk as indicated in the BIP QRA 2018 Approved Case; and
- Ensure notification to and consideration of any comment from the Department's Hazard and Risk technical experts by the consent authority prior to the issuing of any development consent.

It has been agreed that this provision can be worked up and further redefined with DPE during the post-Gateway process, and ultimately form a proposed new clause in the BLEP.

## **8.5. DESIGN EXCELLENCE**

Following negotiations with the Eastern City Planning Panel after the rezoning review process, it was recommended for Council's Design Review Panel to consider the scheme once it has been worked up in detail at the DA stage.

To ensure that this occurs, it is agreed with Council that as part of the PP, the Site will be added to the Bayside Local Environmental Plan 2021 (BLEP) Design Excellence Map (Sheet DEX\_012), which serves to link the sites identified on the Map to Clause 6.10 in the BLEP that covers design excellence. See Figure 21 below.

Clause 6.10 requires that Council's Design Review Panel (DRP) reviews (and the consent authority takes into account any findings of the DRP) for any development over 12m and up to 40m in height, whilst an architectural design competition is needed for any development over 40m in height. These provisions would variously capture the proposed towers at the Site.

## 9. PART 3 – JUSTIFICATION OF THE PLANNING PROPOSAL

### 9.1. NEED FOR THE PLANNING PROPOSAL

#### ***Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?***

No - it is not the direct result of the LSPS, a strategic study or report. However, this proposal follows extensive engagement with Council and is strongly aligned with the LSPS and Eastern City District Plan which set targets for jobs growth in the Eastgardens-Maroubra Junction Strategic Centre and set an action to achieve a diverse mix of uses to strengthen and reinforce the economic role of the centre.

#### ***Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The Planning Proposal is the best means for achieving the objective and intended outcomes identified in Section 7 of this Report. The amendments to the BLEP will ensure the orderly and economic expansion of the Westfield Eastgardens.

Without an amendment to the planning controls, the opportunity for additional office floorspace and to expand the retail offer to reinforce the position economic role of the 'Strategic' Centre will be lost.

The site is a logical and appropriately placed to concentrate future economic growth within the Bayside LGA given it is already the main shopping centre for the immediate area, and it benefits from well-established public transport links with the potential for future mass transit to connect at the site. It is also adjacent to a large new residential development constructed by Meriton immediately to the north, which can give rise to the benefits of co-location where future residents will be able to live, work and shop in the immediate surroundings.

### 9.2. SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

DPE's Planning Circular (PS 22-003) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic merit and site-specific merit. It is considered that the Planning Proposal meets these tests as outlined in the following sections.

#### ***Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plans or strategy (including any exhibited draft plans or strategies)?***

The 'Guideline' published by DPE advises of the assessment criteria for this stage of the Planning Proposal process.

- a) It refers to how proposals can demonstrate strategic and site-specific merit, which is outlined below.

*"Does the proposal have strategic merit? Is it:*

- Give effect to 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 a place strategy for a strategic precinct including any draft place strategy; or*
- Demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or*
- Respond to a change in circumstances that has not been recognised.*

- b) To demonstrate site-specific merit, the Guideline advises the following:

*"Does the proposal have site-specific merit, having regard to the following:*

- the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources or hazards)*
- the built environment, social and economic conditions*

- *existing, approved and likely future uses of land in the vicinity of the land to which the proposal relates; and/or*
- *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 following sections below assess the proposal against these criteria.

### 9.2.1. Greater Sydney Region Plan

The Greater Sydney Region Plan ‘*Our Greater Sydney 2056 – A Metropolis of Three Cities*’ was published by the Greater Sydney Commission (GSC) in March 2018. The Plan outlines how Greater Sydney will manage growth and change and guide infrastructure delivery.

An assessment of the Planning Proposal against the objectives of this plan is set out in Table 6 below.

Table 6 – Assessment Against Greater Sydney Region Plan

<b>GREATER SYDNEY REGION PLAN</b>		
<b>Planning Objective</b>	<b>Description</b>	<b>Comment</b>
<i>Infrastructure and collaboration:</i>		
<i>A city supported by infrastructure</i>		
Objective 4	Infrastructure use is optimised	The site contains a bus interchange and sits along the strategic bus corridor. It is therefore well located in terms of being easily accessible through existing public transport routes and infrastructure. the proposed upgrade to the operational capacity of the bus interchange and the integration with a public plaza above will provide a superior user experience and will encourage greater public transport use for visitors to the centre and the office buildings.
<i>Liveability:</i>		
<i>A city for people</i>		
Objective 6	Services and infrastructure meet communities' changing needs	<p>The expansion of Westfield Eastgardens will enhance the retail, services, dining and leisure facilities which are available to local residents. This is a response to changes in consumer preferences towards experience-based retail, yet also provides important amenity for the significant new residential community that will occupy the adjacent Meriton development.</p> <p>The proposed new commercial buildings will also provide the opportunity to accommodate new employment space which could take the form of ‘A’ Grade offices, flexible co-working and serviced offices, as well as services such as a gym, childcare and medical centre which are permissible within the B3 Zone.</p>



## GREATER SYDNEY REGION PLAN

Objective 7	Communities are healthy, resilient and socially connected	<p>Loneliness and social isolation are being recognised as significant contributors to mental illness in the community. As shopping centres transform, they are prioritising their important role as town centres and places for the community to socialise and connect with others.</p> <p>The proposal achieves this through the new civic plaza as a public meeting place; the focus of the western end for additional dining, leisure and entertainment retail; and the introduction of innovative workplace arrangements such as co-working. The Bayside Library will remain as an important part of the community services on the site.</p> <p>The large number of new high-density residential dwellings adjacent to the site will generate demand for a 'third place' where these residents can spend their leisure time. Designing comfortable spaces for this is a key pillar of the masterplan vision.</p> <p>A focus on more medical services within the office development, a larger gym, and the improved site accessibility and public transport experience helps promote an active and healthy lifestyle.</p>
Objective 9	Greater Sydney celebrates the arts and supports creative industries and innovation	<p>Towers B and C of the proposal are intended to provide flexible and innovative working space in the form of shared workspace (co-working) and serviced office arrangements. These environments are supportive of creative industries and innovation as they allow flexible leasing arrangements and the ability for businesses to grow within the same location.</p> <p>These office arrangements are currently missing in the Eastgardens-Maroubra Junction Strategic Centre, yet Westfield Eastgardens provides the required mix of amenity and accessibility to attract these flexible workspace operators.</p>
<i>Liveability:</i>		
Objective 12	Great places that bring people together	<p>The reconfiguration of the bus interchange and frontage to Bunnerong Road allows for the creation of a new public plaza at street level, consisting of external facing shops and cafes, and providing an individual address point to the outdoors for each of the three commercial buildings and the shopping centre.</p>

## GREATER SYDNEY REGION PLAN

The activation of commercial office, retail and transport will deliver an outdoor place that brings people together around a high quality of landscaped amenity.

The future student accommodation land use proposed in the masterplan (but which does not form part of this Planning Proposed) will be located adjacent to the public plaza, adding vibrancy from the social nature of student interactions.

### *Productivity:*

### *A well-connected city*

Objective 14	A metropolis of three cities - integrated land use and transport creates walkable and 30-minute cities	<p>As identified in Objective 4 above, the site is ideally located in terms of public transport accessibility, being the location of the key transport terminus for the South East suburbs. The bus terminus is accessed by 12 bus routes that connect to the City, Bondi Junction, Burwood, Sydney Airport, Sydney Port and surrounding suburbs.</p> <p>The 'Future Transport 2056 Vision' identifies a new mass transit corridor to extend to the Eastgardens - Maroubra Junction Strategic Centre, and the Applicant has positioned to Transport for NSW that Eastgardens is the logical location for intermodal transport connections, and to maximise the future development benefit around new transport infrastructure.</p> <p>Furthermore, the extensive high-density residential development by Meriton to the immediate north of the site will provide an eventual proximate new community of circa 7,000 residents who will benefit from being in walking distance of the expanded shopping facilities and work opportunities that are proposed.</p>
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### *Jobs and skills for the city*

Objective 21	Internationally competitive health, education, research and innovation precincts	<p>The adjacent centre of Randwick has been prioritised as the Health and Education Collaboration Area for the region, and the Eastgardens proposal will play an important supporting role for employment space for complementary businesses and services.</p> <p>The constraints on Randwick's ability to expand could be relieved by locating administrative and back-office functions within office space at</p>
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## GREATER SYDNEY REGION PLAN

		<p>Eastgardens. The two locations and easily connection by a direct 3km bus trip, making Eastgardens a viable overflow workspace.</p> <p>The health and education precinct also requires lifestyle amenity for its residents, workers and students, and the this will be provided as part of the Eastgardens retail expansion.</p> <p>The future student accommodation land use proposed in the masterplan (but separate to this Planning Proposed) will provide affordable and transport-connected accommodation for students to relieve the pressure on housing around Randwick.</p>
Objective 22	Investment and business activity in centres	<p>Westfield Eastgardens has been the largest commercial investment in the locality since 1987. Now recognised as part of the Eastgardens – Maroubra Junction Strategic Centre, and as the only Commercial Core zoned property, Westfield Eastgardens plays a strategically important role in the future investment in jobs generation capacity and business activity.</p> <p>This proposal will deliver on that role by enabling a large investment in a strategic centre by an experienced and well-capitalised commercial landowner.</p> <p>The retail expansion and new commercial precinct is forecast to deliver circa 1000 retail jobs and a workplace for circa 1000 commercial jobs. This investment will deliver the capacity to meet the District Plan job targets.</p> <p>The retail expansion will correct the leakage of retail sales that is currently being spent by residents of the trade area at locations outside of the trade area (i.e. online or at Bondi Junction or the City).</p> <p>Currently 76% of all spending on apparel, homewares and leisure goods (i.e. discretionary items) by residents of the Eastgardens trade area is spent at locations that are outside the trade area. (refer to the Retail Economic Impact Assessment at Appendix B).</p> <p>This is the highest leakage from a trade area of all Westfield centres, and it means that local businesses and jobs are missing out on resident</p>

## GREATER SYDNEY REGION PLAN

spending. The expansion of the retail centre will capture more resident spend by local businesses and generate more local jobs.

### 9.2.2. Eastern City District Plan

The site is covered by the Eastern City District Plan which was published in March 2018. The Planning Proposal's consistency with the Plan is set out in Table 7 below:

Table 7 – Consistency with Eastern City District Plan

EASTERN CITY DISTRICT PLAN		
Planning Priority	Description	Comment
<i>Infrastructure and collaboration:</i>		
E1	Planning for a city supported by infrastructure	<p>The proposal is aligned with this priority by upgrading the bus interchange and delivering three new office buildings connected to the bus interchange.</p> <p>There are several bus routes that service the site, providing connections to other Strategic Centres such as the Sydney CBD, Bondi Junction, Randwick, Maroubra Junction, Burwood and the international trade infrastructure of Sydney Airport and Port Botany.</p> <p>The improvements to the bus interchange will increase operating capacity and make it more appealing for customers to use public transport when visiting the centre. The site is also well serviced by major arterial roads.</p> <p>The Proponent is willing to work with Council and other authorities to identify relevant infrastructure needed for this proposal, including any relevant road intersection upgrades where necessary.</p> <p>The existing shopping centre is in itself is a significant piece of infrastructure, and expansion of the retail centre benefits from the existing bus interchange, loading docks, car parking and services, where there is suitable capacity for the proposal within the existing sub-stations.</p>
	Objective 3 - Infrastructure adapts to meet future needs.	It is the Proponent's intention to engage with TfNSW to ascertain the optimum format and provision of the enhanced bus interchange at the centre. However, the enhancement and upgrade to this infrastructure

EASTERN CITY DISTRICT PLAN		
	Objective 4 – infrastructure use is optimised.	is intended to meet future needs and ensure that the use of the facility is appropriately optimised.
E2	Working through collaboration	It is identified that the Proponent is willing to collaborate with the local Council and State Agencies to assist in the delivery of the proposal, including working with TfNSW on the bus interchange.
	Objective 5 – Benefits of growth realised by collaboration of governments, community and business.	<p>The existing centre already contains community uses including the library, medical centre and Centrelink.</p> <p>It is also proposed that a new Services NSW operation will shortly be introduced into the centre. Given this, it is evident that the leasing strategies for the shopping centre have sought to provide a greater range of facility and community services beyond standard retail outlets, which will help to support growth and change within the surrounding community.</p>
<i>Liveability:</i>		
E3	Providing services and social infrastructure to meet people's changing needs	<p>The community composition around Eastgardens is changing, as developments such as Meriton's Pagewood Green add premium high-density residential units to a neighbourhood that has historically composed modest low-density housing and light industrial activity.</p> <p>This change is resulting in shifting demographics regarding employment types, disposable income and spending habits, and the need for additional public space for leisure and socialising.</p> <p>The proposal is aligned to this priority of meeting people's changing needs as it facilitates an evolution of the Westfield Eastgardens shopping centre from everyday needs retailing to a contemporary environment with additional categories such as dining, entertainment, leisure, health and wellness, chemists, Services NSW and as well as the existing library and Centrelink.</p> <p>The other categories of facility proposed for the centre expansion are also well aligned to indoor/outdoor environments and evening activation, which are both attributes desired by people in high density residential who have less private space in their apartments to socialise, and who often seek</p>



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		<p>night-time convenience options to balance with their daytime working commitments.</p>
E4	<p>Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>Loneliness and social isolation are being recognised as significant contributors to mental illness in the community. As shopping centres transform, they are prioritising their important role as town centres and places for the community to socialise and connect with others.</p> <p>The proposal is aligned to this priority through creating the new civic plaza as a safe and inviting public meeting place; the focus of the western end for additional dining, leisure, and entertainment retail; and the introduction of innovative workplace arrangements such as co-working.</p> <p>The Bayside Library will remain as an important part of the community services on the site, and the Proponent is open to potentially relocating the library close to the existing community services hub at the eastern end of the centre.</p> <p>The large number of new high-density residential dwellings adjacent to the site will generate demand for a 'third place' where these residents can spend their leisure time. Designing comfortable spaces for this is a key pillar of the masterplan vision.</p> <p>A focus on more medical services within the office development, a larger gym, and the improved site accessibility and public transport experience helps promote an active, connected and healthy lifestyle.</p>
	<p>Objective 7 – Communities are healthy, resilient and socially connected.</p>	<p>As part of the redevelopment of the retail offering of the centre, there is an option to expand the medical centre at the eastern end of the centre, to enhance the offer and further leverage its position close to the bus interchange. This will make these services more accessible and easier to reach for a wider range of the community, helping to assist in creating healthy communities.</p> <p>At the western edge of the centre, the proposal is also seeking to expand and enhance the entertainment and leisure precinct, which will provide a new and improved location within the centre where local residents can spend leisure time and engender social connections.</p>

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

Scentre Group actively facilitates and hosts a variety of community events. These include:

- **The Westfield Local Heroes** - which is a recognition and awards program that shines the spotlight on individuals and their organisations in Australia and New Zealand who make a positive impact to their local community or environment.
- **Community Activation Spaces** - Westfield Eastgardens is highly engaged with the local community and opens its doors to ensure it can assist in facilitating the needs and requirements for various community groups. An example of this includes large format spaces for the likes of local markets. By having a multi-purpose space which can be used in various formats, the centre is able to assist the community by providing options to engage with their direct market and also broaden their reach to the Westfield Customer.
- **Winter Skate Jam** - As part of the Scentre Group community pillars, there is a significant focus on making a human connection with youth and younger demographic. Westfield Eastgardens is regarded by the community as a key venue to host and foster these relationships. Community initiatives such as the Winter Skate Jam; a free event in which the community can come together, learn to skateboard, engage with our retailers and build connection, works to bring all these demographics together in one central location.
- **Toddler Time** – The purpose of Toddler time is to engage with Mum's and babies through facilitating educational sessions for children aged 2-5yrs. Utilising retailers whilst also sourcing external services, these sessions are designed to build connection through engagement such as sensory options, motor skills and informative programs.
- **Connections with Police and Youth Officers** Scentre Group work with community services including the Police, to help give customers confidence. Scentre Group is proactively engaged in building a strong, safe and progressive community. As an example, Scentre Group works closely with youth officers

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		<p>such as Alumni Local Hero, Beaches Outreach, on a regular basis who communicate what is going on in the local area. To better facilitate this, Scentre Group provides a safe space for youth officers to engage with these groups within the centre.</p>
	Action 14 – Facilitate opportunities for appropriate development of the night-time economy.	<p>As indicated above, the proposal is also seeking to expand and enhance the entertainment and leisure precinct, which will provide a new and improved location within the centre where local residents can spend leisure time into the evening and night-time.</p>
E5	Providing housing supply, choice and affordability, with access to jobs, services and public transport.	<p>The proposal does not seek to introduce new residential accommodation; however it responds to the new Meriton development situated immediately to the north which has introduced a new high-density residential development adjacent to the site but does provide additional services for the community.</p> <p>It is also evident that Bayside LGA had the second largest housing target within the Eastern District to 2021 (after City of Sydney). Given the size of the LGA, it is anticipated that this requirement will be rolled into the update to the District Plan, meaning that the proposed development at Eastgardens can help to support this housing growth by providing accessible services for the new growing residential population.</p>
E6	Creating and Renewing Great Places and local centres, and respecting the District's heritage	<p>The proposal is aligned to this priority by allowing for the upgrade and renewal of the centre which is valued by the community for the convenient and wide range of services, whilst providing the opportunity for the centre to develop into a mixed-use centre that caters to the changing needs of the community.</p> <p>The proposal seeks to improve the interface of the shopping centre with the public domain by creating a new open plaza with voids to the subterranean bus interchange below. New address points are enacted and established at the Eastern and Western ends that are legible place-makers and easily accessible by foot.</p>

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		<p>A design principle that has informed the masterplan is the retention and strengthening of the green buffer of vegetation and established trees around the edges of the site. This will be retained to respect the streetscape and continue the softening effect that the trees have for the transitional environment from Commercial Core to Low Density Residential land use.</p>
	Objective 12 – Great places that bring people together.	<p>It is evident that the shopping centre is a well patronised facility, given it receives some 11 million customers per year.</p> <p>The redevelopment and strengthening of the offer in response to population growth, along with creating a true mixed-use development at the site, will create a great place that can bring people together.</p> <p>The development will also be designed in alignment with Crime Prevention Through Environmental Design (CPTED) principles.</p>
<i>Productivity:</i>		
E7	Growing a stronger and more competitive Harbour CBD	<p>Although the site is not located within the Harbour CBD, it is situated within the Eastern Economic Corridor. The proposal can contribute and support this corridor which business and institutions generate circa 775,00 jobs for the region.</p>
E8	Growing and investing in health and education precincts and the Innovation Corridor	<p>The adjacent centre of Randwick has been prioritised as the Health and Education Collaboration Area for the region. Westfield Eastgardens proposal will play an important complementary role for this through the provision of new employment space that can support the health and education uses.</p> <p>Any constraints on Randwick's ability to expand could be relieved by locating administrative and back-office functions within office space at Eastgardens. The two locations and easily connection by a direct 3km bus trip, making Eastgardens a viable overflow workspace.</p> <p>The health and education precinct also requires lifestyle amenity for its residents, workers, and students, and the this will be provided as part of the centre expansion.</p> <p>Potential options for future student accommodation land use proposed in the masterplan (but separate</p>

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		to this Planning Proposed) are being assessed which provide affordable and transport-connected accommodation for students to relieve the pressure on housing around Randwick.
E9	Growing International Trade Gateways	The proximity of the shopping centre to Sydney Airport and Port Botany means that the site is ideally placed to provide functional and commercial supporting services to these freight hubs.
E10	Delivering integrated land use and transport planning and a 30-minute city	<p>The extensive high-density residential development to the immediate north of the site will provide a proximate new community who will benefit from being within 5-10 minutes walking distance of the expanded shopping facilities and work opportunities that are proposed.</p> <p>The site is also ideally located in terms of public transport accessibility, being the location of the key transport interchange for the South East suburbs. The bus interchange is accessed by several bus routes that connect to the City, Bondi Junction, Burwood, Sydney Airport, Sydney Port and surrounding suburbs.</p> <p>The new commercial office buildings included in the proposal will provide a viable new workplace precinct for residents in the South East of Sydney, delivering on the ambition of a 30-minute city. The large floorplate provision and views available at Tower A will be appealing to medium to large sized businesses, and the varied and flexible floorplate arrangement available in Towers B and C will be appealing to smaller operations and operators of co-working and serviced offices.</p> <p>The 'Future Transport 2056 Vision' identifies a new mass transit corridor to extend to the Eastgardens - Maroubra Junction Strategic Centre, and the Applicant has positioned to TfNSW that Eastgardens is the logical location for intermodal transport connections, and to maximise the future development benefit around new transport infrastructure.</p>
E11	Growing investment, business opportunities and jobs in strategic centres.	As indicated above, the new commercial office buildings included in the proposal will provide a viable new workplace precinct for residents in the South East of Sydney, delivering on the ambition of a 30-minute city. The large floorplate provision and views available at Tower A will be appealing to



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		medium to large sized businesses, and the large and flexible floorplate arrangement available in Towers B and C will be appealing to small office suites and operators of co-working and serviced offices.
	<p>Provide access to jobs, goods and services in centres by:</p> <p>a. attracting significant investment and business activity in strategic centres to provide jobs growth</p>	<p>Westfield Eastgardens has been the largest commercial investment and shopping centre in the locality since 1987. It is now recognised as part of the Eastgardens – Maroubra Junction Strategic Centre, and it plays a strategically important ‘anchor’ role in the future investment in jobs generation capacity and business opportunities.</p> <p>The Planning Proposal will allow the future expansion of retail, leisure and commercial uses. This will bring significant future investment to the centre and increase business activity at the centre from a growing population of new workers as well as shoppers and the nearby community.</p>
	b. diversifying the range of activities in all centres	The introduction of new commercial office floorspace at the centre will serve to diversify the offer and range of uses at the site. It is intended that the floorplate sizes on offer within the new commercial buildings will bring a greater variety and diversity to the market from small businesses, co-working and corporates.
	c. creating vibrant, safe places and quality public realm	<p>The proposal will be well-designed and offer a place where shoppers and the community can dine, participate in leisure activities, shop and engage in recreation in both internal and external environment.</p> <p>As with the existing centre, all areas will be covered by CCTV and the scheme design will have consideration to Crime Prevention through Environmental Design (CPTED) principles and safe space provision.</p>
	d. focusing on a human-scale public realm and locally accessible open space	A new publicly accessible plaza fronting Bunnerong Road will promote active uses at the ground plane such as externalised retail, access to individual entry lobbies for each of the commercial buildings, and direct vertical connection to the bus interchange below through landscaped voids.

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		There is also a pedestrian access at the western edge of the centre where the restaurant and leisure precinct is located, which can link to the new residential properties at the former BATA site beyond the northern boundary, which is being developed by Meriton.
	e. balancing the efficient movement of people and goods with supporting the liveability of places on the road network	The co-location of an enhanced retail offer and new office accommodation immediately adjacent to the new residential development at the former BATA site to the north will serve to create a new sense of place at this location where the local community can conveniently live, work and spend leisure time. The close proximity of all facilities will promote walkability between the various uses and also help to reduce car trips on the local road network.
	f. improving the walkability within and to centres	<p>As indicated above, the proximity of the enhanced centre, new commercial uses and the high-density residential development immediately adjacent to the site will enhance the walkability of the centre.</p> <p>Furthermore, the Proponent will consider enhancing the linkages and public domain along Westfield Drive which separates the shopping centre from the adjacent residential development at the former BATA site which is being developed by Meriton.</p>
	g. completing and improving a safe and connected cycling network to and within centres	The proposal can accommodate new cycle parking and end of trip facilities to improve opportunities for cycling as a mode of transport to visit the centre for shoppers and workers.
	h. improving public transport services to all strategic centres	It is proposed to rebuild the entire bus interchange as part of the proposal (see image below) and provide the opportunity to add operating capacity, connect with a plaza above, vastly improving the safety and ambience of passenger experience, which can in turn encourage the enhanced use of public transport to the site
	i. conserving and interpreting heritage significance	There are no heritage items at the site.
	j. designing parking that can be adapted to future uses	The proposal will allow for the future provision of adequate car parking on site to cater for demand at the site, at a rate that can be accommodated within the capacity of the existing road network.
	k. providing for a diverse and vibrant night-time economy in a way that	The proposal will seek to enhance the offering at the centre, to relocate the existing dining precinct

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	<p>responds to potential negative impacts.</p>	<p>to benefit from the views over the adjacent golf course and expand the western end of the entertainment and leisure precinct, connecting with the existing cinema.</p> <p>The proposal will serve to attract and appeal to broader community groups, which will have major beneficial impacts on the destination purpose of the centre, thereby helping to stimulate the night-time economy at the site.</p>
	<p>I. creating the conditions for residential development within strategic centres and within walking distance (10 minutes), but not at the expense of the attraction and growth of jobs, retailing and services; where appropriate, strategic centres should define commercial cores informed by an assessment of their need.</p>	<p>It is not proposed to accommodate new residential development within the scheme. However, the proposal is immediately adjacent at the Meriton Pagewood Green (former BATA site, see image below), where there is a new high density residential community, providing circa 4,000 new apartments. Further residential opportunities can be explored at Maroubra Junction.</p>
<p><i>District Plan Actions for Eastgardens-Maroubra Junction Strategic Centre</i></p>		
	<p>39. Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the economic corridor.</p>	<p>The proposal will serve to upgrade the bus interchange at the site to improve the functionality of operation and customer experience.</p> <p>The intention is to consult with TfNSW on the upgrade and to seek rapid transport options to be extended to key locations.</p>
	<p>40. Prioritise transport investments that enhance access to the economic corridor and between centres within the corridor.</p>	<p>The Proponent is willing to work with Council and other authorities to identify relevant infrastructure needed for this proposal, including any relevant road intersection upgrades where necessary.</p> <p>Other opportunities for enhanced transport corridors can be identified with the relevant Council or TfNSW.</p>
	<p>41. Co-locate health, education, social and community facilities in strategic centres along the economic corridor</p>	<p>The proposal seeks to link the existing community facilities at the centre. The eastern end of the centre already provides significant community services, which includes the medical centre, Centre Link, and a future Service NSW (where terms are agreed to lease the space). The Proponent is exploring the relocation and enhancement of the library, potentially to this location. The proposal can</p>

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		<p>therefore bring these services closer to the public plaza and redeveloped bus interchange.</p> <p>The proposal includes flexibility within the commercial floorplates on offer, which provides the opportunity for education facilities and expansion of community and medical services.</p>
	42. Create new centres in accordance with the Principles for Greater Sydney's centres.	The proposal does not seek to create a new centre, rather it will assist the Eastgardens-Maroubra Junction Strategic Centre in becoming a true mixed-use hub that is synergetic with the variety of offer and collectively contributes to the local economy.
	43. Review the current planning controls and create capacity to achieve the job targets for each of the District's strategic centres.	The proposed amendment to the Bayside LEP controls at the site will assist in facilitating new jobs at the site which can help the Strategic Centre meet its targets in the District Plan, including the 8-9,000 job target for the Eastgardens-Maroubra Junction Strategic Centre by 2036.
	44. Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional retail floor space.	The Proponent is willing to work with Council and other authorities to identify relevant infrastructure needed for this proposal, including any relevant road intersection upgrades where necessary.
	45. Encourage opportunities for new smart work hubs.	The proposal seeks to introduce new commercial office space, including potential for a variety of sized offices, which could accommodate a co-working offer for smaller companies and start-up businesses.
	48. Strengthen Eastgardens-Maroubra Junction through approaches that:	The Planning Proposal seeks to bring forward new jobs associated with the proposed commercial office floorspace and expanded retail offer.
	a. protect capacity for job targets and a diverse mix of uses to strengthen and reinforce the economic role of the centre	This supports the capability for the development to assist in meeting the District's jobs targets. This will also help strengthen and reinforce the economic role of the Eastgardens-Maroubra Junction Strategic Centre.
	b. extend and investigate additional economic activities to connect Eastgardens and Maroubra Junction and complement the existing activities	<p>The expansion of Eastgardens will assist in expanding economic activities at the shopping centre.</p> <p>Improving the connections between the two parts of the centre is an action identified for the two Councils to undertake (Bayside and Randwick) within the District Plan, however the Proponent is</p>

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		<p>willing to liaise and participate in working groups on this matter where appropriate.</p> <p>It is noted that through discussions with both Bayside Council and Randwick Council, a programme to investigate the linkages and joint economic activities for the Strategic Centre across the LGA boundaries is not going to commence until the end of 2023.</p>
	c. leverage future public transport connections in the south-east and west of the District.	The proposal will seek to enhance the bus interchange, at no cost to Council or TfNSW. The redeveloped interchange will provide an upgraded, modern and safe environment, improving the user experience, encouraging increased patronage to all routes linked to the centre.
	d. encourage provision of affordable housing to support the nearby health and education facilities and employment lands.	The proposal does not seek to bring forward residential development. Furthermore, the ability to do this may be constrained by the societal risk issue related to the Botany Industrial Precinct.
	e. promote place making initiatives to improve the quality and supply of public spaces, promote walking and cycling connections and integrate with the Green Grid.	<p>The proposal seeks to incorporate a new publicly accessible plaza fronting Bunnerong Road will promote active uses at the ground plane. The plaza will be activated and provide linkages connecting to the retail, offices and new Meriton development.</p> <p>New high-quality landscaping will also be introduced at the site, which will enhance the appearance of the centre and help to delineate the pedestrian connections.</p>
	f. improve public transport connections and walking and cycling between Eastgardens-Maroubra Junction and Randwick."	It is noted that the draft Local Character Statement for Maroubra Town Centre simply seeks to increase economic vibrancy and does not refer to improving active transport linkages to Eastgardens.
E13	Supporting growth of targeted industry sectors.	As indicated above, the site is close to two international trade hubs in Sydney Airport and Port Botany. As such the growth of the centre provides the potential for Eastgardens-Maroubra Junction to support the growth of industries associated with these locations.
	Action 54 – Tourism and visitation considerations	The site is located close to the International Airport and Maroubra beach which is a tourist attraction, and with the expansion and enhancements to the centre, it can further contribute to creating exciting and attractive amenity for tourists to visit.



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	Action 57 – Consider opportunities to enhance the tourist and visitor night-time economy.	The proposal is also seeking to expand and enhance the entertainment and leisure precinct, which will provide a new and improved location within the centre where the community can spend leisure time into the evening and night-time.
<i>Sustainability</i>		
E16	Protecting and enhancing scenic and cultural landscapes. (Action 64 – Enhance and protect views of scenic and cultural landscaped from public realm).	The proposal is seeking to expand and enhance the entertainment and leisure precinct, which is situated on the western boundary of the site and given its elevated position, it will benefit from high amenity views of the nearby Mutch Park and Bonny Doon Golf Course.
E17	Increasing urban tree canopy cover and delivering Green Grid connections.	<p>A design principle that has informed the masterplan is the retention and strengthening of the green buffer of vegetation and established trees around the edges of the site.</p> <p>Furthermore, it is the intention through this proposal to introduce additional planting along Westfield Drive.</p>
E18	Delivering high quality open space.	The proposal will incorporate high quality design and proposes an active civic plaza which will enhance the public realm at the shopping centre, and provide a new public meeting place for the local community.
E19	Reducing carbon emissions and managing energy, water and waste efficiently.	<p>The Proponent takes it responsibility for sustainable development very seriously. It is proposed that any future development at the site will have high levels of environmental sustainability with energy, water and waste.</p> <p>The Proponent is prepared to consider the latest design principles for the proposal, along with incorporating electric vehicle charging points within the upgraded car parking area.</p>
E20	Adapting to the impacts of urban and natural hazards and climate change.	The Proponent will ensure that shade and wind break structures are accommodated within the future car parking areas at the site, along with ensuring the shopping centre is appropriately air conditioned to reduce the impact of heatwaves on the shoppers and workers at the site.

With regard to demonstrating the strategic merit for the Planning Proposal, Table 8 contains an assessment of the proposal against the relevant points set out in the assessment criteria in the Guideline.

Table 8 – Strategic Merit Assessment

Assessment Criteria	Response
<p>Give effect to:</p> <p>Regional Plan outside of Greater Sydney</p> <p>Relevant District Plan in Greater Sydney</p> <p>Corridor or Precinct Plan applying to the site</p> <p>Regional, District or Corridor Plan released for public comment.</p> <p>(or)</p> <p>Place Strategy for a strategic precinct, including any draft place strategy.</p>	<p>The site is located within Greater Sydney.</p> <p>There is no corridor or precinct plan relating to the site.</p> <p>The proposal is consistent with the aims of the Eastern City District Plan in terms of managing growth, innovation, and evolution of Strategic Centres, by attracting investment and diversifying the range of activity in centres.</p> <p>The provision of new commercial office space within the E2 Commercial Centre will enhance the provision of employment opportunities locally whilst also strengthening the economic role of the centre.</p> <p>Furthermore, the additional retail floor space will serve to meet the changing retail and services requirements of the community through a contemporary and expanded offer.</p> <p>The proposal is consistent with the aims of the Region Plan given it seeks to provide additional facilities and land uses within an existing retail centre, it seeks to utilise and improve existing public transport connections and it will provide investment in business activity in a Strategic Centre.</p>
<p>Demonstrate consistency with the relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement (or)</p>	<p>The LSPS was adopted in 2020 and recommends that opportunities are identified to strengthen the economic role of Eastgardens-Maroubra Junction Strategic Centre, which this Planning Proposal Request directly responds upon. This includes creating new jobs within the Strategic Centre.</p>
<p>Responding to a change in circumstances that has not been recognised by existing planning controls.</p>	<p>The proposal responds to a change in circumstances locally. As a result of the significant and continuing investment in the former BATA site adjacent (Meriton Pagewood Green), the site is positioned immediately adjacent to one of Sydney's largest urban renewal sites. The consequence is that the land use relationships and strategic planning context has changed significantly, from light industrial sheds to high-density residential of 2,200 approved dwellings, and a further 1,600 in construction. The co-location of retail, office, transport and adjacent residential uses in close proximity will create a new mixed-use town centre at Eastgardens which is aligned with the actions of the District Plan.</p>

Assessment Criteria	Response
	<p>The proposal facilitates the response of the shopping centre to this imminent and significant increase in local population, through the provision of additional retail and service categories in an improved and contemporary environment.</p> <p>Additionally, the expansion of the centre is also appropriate forward planning to the likely new mass transit which is under investigation to be extended to the Eastgardens - Maroubra Junction strategic centre. This would represent investment in new infrastructure locally which is a change in circumstances and should be appropriately leveraged.</p>

Accordingly, strategic merit is demonstrated on two counts, given the consistency with the District Plan and the change in circumstances at the site, meaning that the Planning Proposal to increase the height and FSR at Westfield Eastgardens meet this part of the test as set out in the Guideline.

**Table 9** below contains an assessment of the proposal against the relevant points set out in Part B of the Assessment Criteria in the Guideline relating to the site-specific merit of the proposal.

Table 9 – Site Specific Merit Assessment

Assessment Criteria	Response
Regard to the natural environment on the site (including any known significant environmental values, resources or hazards).	<p>The site is already developed as a shopping centre and car park meaning there is limited natural environment at the site. The only natural environment of note is the vegetation and established trees to the South and South East corner of the site.</p> <p>There are no known significant environmental values, resources or hazards which would be affected or encountered through the new development works to expand the centre.</p> <p>Any risk from the RMS dangerous goods route along Wentworth Avenue and Denison Street can be minimised during the detailed design phase for the scheme, and this is discussed in more detail in <b>Section 9.3.3</b> of this Report.</p>
The built environment, social and economic conditions.	<p>These are addressed in detail in <b>Section 9.3</b> of this Report, however in summary the proposal would not give rise to significant adverse impacts in terms of environmental or social conditions. Indeed it is anticipated that the built environment impacts, including overshadowing have been addressed in this Report, whilst other matters can be adequately controlled by the DCP.</p>

Assessment Criteria	Response
The existing uses, approved uses and likely future uses of land in the vicinity of the proposal; and	<p>The proposal will give rise to positive economic and social conditions, including the generation on circa 2,000 new job opportunities. It will also provide an improved retail experience and offer, commensurate with the expectation of its customers.</p> <p>These improved retail services along with the introduction of additional commercial building including a range of office space will enhance the business activity within Eastgardens and support its future growth as a Strategic Centre;</p> <p>The existing use is as a major regional shopping centre and the increase in height and FSR at the site will facilitate its expansion, which will help to maintain its relevance and offer within the region. The proposed office buildings are permissible within and appropriate for the Commercial Core zoning of the</p> <p>The proposal is entirely appropriate for the site given that it will evolve the existing retail and services provision for the local residential community. It will provide for the generation of new local jobs, is situated in a highly accessible location and it responds to the growth in population locally by providing an increased offer.</p> <p>The proposal seeks to minimise any adverse environmental effects on neighbouring residents by retaining the green buffer of screening trees and by orienting and tower forms to minimise overshadowing impacts to an acceptable level.</p> <p>The proposal can also act as a catalyst for reviewing and potentially up-zoning existing low density residential in the vicinity of the site given the increased amenity, upgraded transport infrastructure, and evolving character of the location as a Strategic Centre.</p>
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.	<p>There is sufficient infrastructure to accommodate the increased floor space with adequate public transport, the ability to provide sufficient car parking on site, and capacity within the local road network to accommodate the increased demand, assisted by a limited recommendation of intersection improvements to be undertaken by the Applicant.</p>

It is therefore evident from the above, that the Planning Proposal has demonstrated site-specific merit.

**Q4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the planning secretary or GCC, or another endorsed local strategy or strategic plan?**

### 9.2.3. Botany Bay Planning Strategy

The Botany Bay Planning Strategy is clearly an aging document given the time that has passed since its publication. However, it indicates that when the adjacent former BATA site is developed, alternate land uses at the shopping centre should be the subject of a detailed planning study.

This Planning Proposal seeks land uses which are appropriate in the B3 Commercial Core, including expanding the existing retail and commercial uses. The proposal also foreshadows a potential future development stage, which would align with the Botany Bay Planning Strategy, as it envisages future growth at the centre through additional land uses at the time when the former BATA site is redeveloped.

Given that construction is currently underway at the BATA site for a principally residential development, this presents a suitable opportunity to improve the retail and commercial offering at the centre, as a significant new resident population will soon be occupying the adjacent site. The proposal would therefore help to create a new mixed-use precinct where people can live, work and play.

### 9.2.4. Bayside Local Strategic Planning Statement

The Bayside Council LSPS 'Future Bayside' (LSPS) was endorsed by the Greater Sydney Commission and adopted by Council in March 2020, so can be considered as an endorsed LSPS. It focuses on the vision and priorities for land use within the LGA. The LSPS re-affirms the identification of Eastgardens- Maroubra Junction as a Strategic Centre. Table 10 below identifies how the proposal complies with the LSPS.

Table 10 - Local Strategic Planning Statement

Planning Priority	Description	Comment
Planning Priority B1	Align land use planning and transport Infrastructure planning to support the growth of Bayside	<p>The proposal seeks to develop additional commercial and retail floorspace at a location that is well served by public transport and close to future transport investigation areas.</p> <p>There are several bus routes that service the site, providing connections to other Strategic Centres such as the Sydney CBD, Bondi Junction, Randwick, Maroubra Junction, Burwood and the international trade infrastructure of Sydney Airport and Port Botany.</p> <p>The proposal incorporates an upgrade to the bus interchange at Westfield Eastgardens to add operating capacity, connect with a public plaza above, and improve the passenger experience to encourage enhanced use of public transport to the site, which will benefit customers, workers and the surrounding community.</p>
Planning Priority B5	Foster healthy, creative, culturally rich and socially connected communities.	The proposal seeks to provide new commercial office space and employment opportunities, adjacent to existing and future residential apartment development.



		<p>This co-location of uses will assist in creating opportunities for people to walk to shops and places of work, and by providing more retail facilities for day to day needs of local communities.</p> <p>At the eastern edge of the site the proposal seeks to create a new civic plaza as a public meeting place. The focus of the western end is for additional dining, leisure and entertainment retail, along with and the introduction of innovative workplace arrangements such as co-working. The Bayside Library will remain as an important part of the community services on the site.</p> <p>Public Art will be appropriately incorporated into all areas of the development by the Proponent. As part of its detailed design, local and Indigenous art installations and features will be accommodated in the development. (Mount Druitt entertainment and dining precinct also developed by Scentre Group is a good example of this).</p>
Planning Priority B9	Manage and enhance the distinctive character of the LGA through good quality design and enhancement of public realm.	<p>The proposal will incorporate high quality design and proposes an active civic plaza which will enhance the public realm at the shopping centre.</p> <p>The supporting information for the Planning Proposal includes a site-specific DCP that has been worked up following comments from Council's independent design advisor (Gabrielle Morrish – as confirmed on the Panel's Record of Decision as a declaration of interest was stated). Work on this document can be continued to be refined post-Gateway.</p> <p>The redevelopment seeks to create a true mixed-use development for the Strategic Centre, with the proposal being designed in alignment with CPTED principles.</p>
Planning Priority B12	Deliver an integrated land use and a 30-minute city	<p>The site is ideally located in terms of public transport accessibility, being the location of the key transport interchange for the South East suburbs. The bus interchange is accessed by several bus routes that connect to the City, Bondi Junction, Burwood, Sydney Airport, Sydney Port and surrounding suburbs.</p> <p>The new commercial office buildings included in the proposal will provide a viable new workplace</p>

		<p>precinct for residents in the South East of Sydney, delivering on the ambition of a 30-minute city.</p> <p>The centre is also readily walkable from the existing surrounding community as well as the new build residential apartments on the adjacent BATA site being developed by Meriton.</p>
Planning Priority B14	Protect and grow the international trade gateways	The proximity of the shopping centre to Sydney Airport and Port Botany means that the site is ideally placed to provide functional and commercial supporting services to these freight hubs.
Planning Priority B15	Growing Investment, business opportunities and jobs in Bayside's Strategic Centres	<p>The Strategic Centre of Eastgardens-Maroubra Junction is forecast to grow to 8,000-,9000 jobs by 2036, with the proposal assisting in meeting that target.</p> <p>The retail expansion and new commercial precinct is forecast to deliver circa 1000 retail jobs and a workplace for circa 1,000 commercial jobs. This investment will deliver the capacity to meet the District Plan job targets.</p> <p>The retail expansion can help to correct the leakage of retail sales that is currently being spent by residents of the trade area at locations outside of the trade area (i.e., online or at Bondi Junction or the City). The investment in the centre will ensure its future vibrancy and ability to meet increasing retail demand.</p> <p>The co-location of an enhanced retail offer and new office accommodation, along with the residential development to the north of the site will serve to create a new sense of place at this location where the local community can live, work and spend leisure time.</p>
Planning Priority 15.5	Collaborate with Randwick Council and identify opportunities to strengthen the economic role of the Eastgardens – Maroubra Junction centre based on the Bayside Centres and Employment Lands Strategy, with clear complementary roles for Eastgardens and Maroubra Junction.	<p>This Planning Priority is for Bayside and Randwick Councils to collaborate on the Strategic Centre to integrate land use and strategic planning. It is understood that this has not occurred yet.</p> <p>The Bayside Centres and Employment Lands Strategy was published in May 2019 and is an evidence base document used to inform the LSPS. It identifies challenges and opportunities for the LGA and identifies that Eastgardens is twinned with Maroubra Junction. It however offers little in the way of future guidance for the centre and suggest that insights from the strategy are</p>

		<p>developed into a range of recommendations and objectives to inform the future of the future planning of Bayside.</p> <p>However, the Eastgardens site is the only designated commercial core within Bayside LGA. Maroubra Junction is within Randwick LGA as is a zoned E2 Commercial Centre, but represents a clearly different role and function to Eastgardens, as it permits residential development in the form of shop top housing under the zoning at the site which is not available at Eastgardens.</p> <p>As such, it is clear that Eastgardens is the primary location for new commercial office space within this Strategic Centre.</p> <p>It is understood that a collaboration programme between the two Councils (Bayside and Randwick) concerning the Strategic Centre will be embarked upon at the end of 2023. Scentre Group would be willing to participate in the process where appropriate.</p> <p>It is also noted the Bayside Centres and Employment Land Study is due to be updated, but has not been published at the time of preparing this Report.</p>
Planning Priority 15.6	<p>15.6 Promote place making initiatives and walking and cycling connections to open space and the Green Grid including:</p> <p>a) The priority north-south cycle link identified in Future Transport 2056 linking Port Botany and Eastgardens with Randwick and green space in both Bayside and Randwick LGAs.</p> <p>b) Support the east-west link identified in Future Transport 2056 to connect Maroubra Junction with Eastgardens and west to Mascot and Green Square and green space in both Bayside and Randwick LGAs.</p>	<p>The Planning Proposal will support placemaking at the shopping centre and will bring forward an accessible public plaza at the site.</p> <p>The rapid bus network between the two parts of the Strategic Centre is proposed by TfNSW within Future Transport 2056. Clearly the proposed enhanced bus interchange at the Centre can have a role to play with accommodating buses along this new service.</p>
Planning Priority 15.7	Advocate to Transport for NSW, Department of Planning, Industry and Environment and Greater Sydney Commission for improved	As referred to above, TfNSW prepared a South East Sydney Transport Strategy in August 2020. This identifies a 'preferred scenario' where by 2056 there is a new Metro Station at Maroubra

	public transport provision to the centre.	Junction and rapid buses linking to Eastgardens along Maroubra Road.  In this scenario, there would be clear development potential and future growth at Maroubra Junction, including residential development, which can help to support the 'balanced growth' of the Strategic Centre as sought through strategic policy.
Planning Priority B20	Increase urban tree canopy cover and enhance green grid connections	A design principle that has informed the masterplan is the retention and strengthening of the green buffer of vegetation and established trees around the edges of the site. This will be retained to respect the streetscape and continue the softening effect that the trees have for the development and assist with providing urban tree canopy cover.
Planning Priority B23	Reduce carbon emissions through improved management of energy, water and waste.	The Proponent takes it responsibility for sustainable development very seriously. Any future development at the site will have high levels of environmental sustainability for energy, water and waste, and will seek to utilise contemporary technologies.

**Q5. Is the planning proposal consistent with any other applicable State and Regional Studies and Policies?**

### 9.2.5. Future Transport Strategy 2056

As identified above, the Future Transport Strategy 2056 vision for the Greater Sydney mass transit network identifies a new mass transit corridor to the Eastgardens - Maroubra Junction strategic centre, which would significantly enhance the public transport accessibility of the strategic centre and support the growth of the centre in the future.

Scentre Group made submissions to draft Future Transport 2056 in December 2017, which supported the confirmation of Eastgardens as a strategic centre and identified the imperative to provide for greater mass transit services to the centre which would be achieved by an extension of light rail or metro rail connection to Eastgardens.

The integration of land use and transport is referred to in Section 9.1 Direction '3.4' above. To support this, the Future Transport Strategy 2056 is the key NSW integrated transport strategy which brings together land use planning with transport planning. Table 11 below outlines the Planning Proposal's consistency with the 'Objectives' within the Strategy.

Table 11 – Future Transport Strategy 2056 Strategy objectives

Objective	Response
Safely, efficiently and reliably moving people and goods	The Proposal includes the upgrade of the existing bus interchange to in capacity, improve accessibility and improve customer experience, as well as improve customer safety in and around the interchange.

Objective	Response
Connecting people and places in a growing city	As part of the proposed upgrades to the bus interchange, an increase in bus standing areas will provide the opportunity for greater bus services to and from the centre, increasing the sites accessibility.
Sustaining and enhancing the liveability of our places	The proposed commercial towers will provide increased employment opportunities for the strategic centre and will be supported by an upgraded bus interchange along with a new public plaza and pedestrian access.
Accessibility for all customers, convenient and responsive to customer needs; and makes best use of available resources and assets.	The proposal responds to the changing modal needs of customers by improving the user experience of the bus interchange by reconfiguring the underground terminus and providing connectivity to a new active public plaza above with improvements to passenger experience.

The proponent will also seek to encourage visitors to travel to the site through modes of transport other than private motor vehicle. To achieve this, it is proposed to adopt a travel demand management approach through a travel access guide to meet the specific needs of the site, future employees and visitors.

The site is well served by public transport, meaning that employees and visitors can be encouraged to use this mode through the provision of information, maps and timetable as part of the travel access guide. The detail of the travel access guide can be developed at the development application stage, such that it can respond to the transport circumstances and guidelines at that stage.

#### **Q6. Is the planning proposal consistent with applicable SEPPs?**

An assessment of the Planning Proposal against the relevant applicable State Environmental Planning Policies (SEPP) is provided in **Table 12** below.

Table 12 – State Environmental Planning Policy Assessment

SEPP Title	Consistent	Comment
SEPP Resilience and Hazards 2021 (Section formerly SEPP 55)	Yes	Any future development application will be accompanied by a relevant contamination assessment where necessary.
SEPP Industry and Employment 2021 (Section formerly SEPP 64)	N/A	SEPP 64 is not relevant to the Planning Proposal but may be a consideration for the future development application.
SEPP – (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP Transport and Infrastructure 2021 (Section formerly Infrastructure SEPP)	Yes	<p>Whilst engagement with TfNSW has already occurred, a referral to TfNSW for traffic generating development will be required at the development application stage.</p> <p>The Transport Review Addendum is included at Appendix E demonstrates that the</p>



SEPP Title	Consistent	Comment
		proposed development will not create adverse traffic impacts on the local road network.

In view of the above, it is demonstrated that the Planning Proposal is consistent with applicable State Environmental Planning Policies.

**Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 Directions)?**

There are various Ministerial Directions under Section 9.1 of the EP&A Act that provide guidance in the assessment of Planning Proposals and making LEPs that pertain to the land and/or type of development contemplated on the subject site. The applicable Section 9.1 directions and relevant objectives are discussed in **Table 13** below.

Table 13 – Section 9.1 Directions

Direction	Comment
<i>Planning Systems</i>	
1.1 Business and Industrial Zones	Consistent - The proposal is consistent with this Direction, as compliance with the Greater Sydney Region Plan is explained in Section 9.2.1 of this Report
1.2 Development of Aboriginal Land Council Land	Not Applicable (N/A)
1.3 Approval and Referral Requirements	Consistent - This Planning Proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral.
1.4 Site Specific Provisions	Consistent – The requirement site specific control that is proposed which relates to the societal risk matter has been agreed with DPE's Hazard Team and will require a further referral for relevant future DAs. This provision is considered to be necessary based upon the work undertaken to date in connection with this matter.  The requirement for future design excellence (Clause 6.10) is consistent with Council requiring supportable site specific outcomes for the Site.
<i>Planning Systems Place Based</i>	
Ministerial Directions 1.5 – 1.22	None of these are applicable
<i>Design and Place - 2</i>	N/A
<i>Biodiversity and Conservation</i>	
Ministerial Directions 3.1 – 3.10	None of these are applicable
<i>Resilience and Hazards</i>	
4.1 Flooding	A Flood Impact Assessment has been prepared by SLR and is attached at Appendix L. This indicates that the proposal is in accordance with both Council's flood control requirements and the Planning Proposal flood requirements of Ministerial Direction 4.1.

Direction	Comment
4.2 Coastal Management	N/A
4.3 Planning for Bushfire Protection	N/A
4.4 Remediation of Contaminated Land	Not applicable. The site is not within an investigation area. The use of the site has involved retail and commercial uses contained within the confines of the shopping centre building.
4.5 Acid Sulfate Soils	N/A
4.6 Mine Subsidence and Unstable Land	N/A
<i>Transport and Infrastructure</i> 5.1 Integrating Land Use and Transport	<p>The Planning Proposal will both serve to encourage employment generation at the site through the provision of an increased retail offer and new commercial buildings accommodating a range of office space formats, whilst also supporting the viability of an identified strategic centre.</p> <p>The site is well located in terms of being accessible through a variety of modes of transport, including public transport. The site contains a bus interchange and forms part of a strategic bus corridor.</p> <p>The Planning Proposal will also assist in reducing travel demand, as the enhanced retail offer proposed will mean that local residents and people living to the south of the site, will no longer need to travel past Westfield Eastgardens to visit other centres, (such as Bondi Junction or the Sydney CBD) to be able to access the variety of fashion and beauty retailers that meet their needs.</p>
5.2 Reserving Land for Public Purposes	N/A
5.3 Development near Airports and Defence Airfields	The proposed development is situated in proximity to Sydney Airport. Where the proposed development breaches the Obstacle Limitation Surface, this will require approval from CASA. Further details are contained in the Aeronautical Assessment at <b>Appendix H</b> .
5.4 Shooting Ranges	N/A
<i>Housing</i> Ministerial Directions 6.1 & 6.2	N/A
<i>Industry and Employment</i> 7.1 Employment Zones	Consistent - The Planning Proposal will both serve to encourage employment generation at the site through the provision of an increased retail offer and new commercial buildings accommodating a range of office space arrangements, whilst also supporting the viability of an identified strategic centre.

Direction	Comment
7.2 Reduction in Non-Hosted Short Term Rental Accommodation	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
<i>Resources and Energy</i>	
8.1 Mining, petroleum Production and Extractive Industries	N/A
<i>Primary Production</i>	
Ministerial Direction 9.1-9.4	None of these are applicable

In view of the above, it is demonstrated that the Planning Proposal is consistent with applicable Ministerial Directions under Section 9.1 of the EP&A Act.

## 9.3. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

***Q8. 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 situated within an urban context and is currently used for commercial purposes. The site is previously developed and therefore the Planning Proposal will not affect any critical habitat or threatened species, populations or ecological communities.

***Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

Given the proposed uplift in building height and density, the potential environmental effects that are relevant to the Planning Proposal are addressed below, along with the pertinent parts of the DCP.

### 9.3.1. Bulk, Scale and Massing

The planning proposal will increase the permissible heights and floor space ratio across the site. As such, the proposal will allow for an increased scale of built form beyond that which currently exists. This is demonstrated in the Urban Context Report prepared by Architectus attached at **Appendix A**. The Report illustrates the proposed building envelopes and how the centre could be developed to accommodate the new retail and commercial floor space.

The location of future height and density uplift has been based on a detailed review of the opportunities and constraints for the site and guided by the design principles established in the Architectus study. The key considerations include:

- The constraints provided by the existing location of major retail tenants of the shopping centre who have rights under long term leases.
- The location of existing loading facilities at the centre which are a critical to the continuing operation of the centre.
- The requirement to minimise the impacts from the built form on surrounding residential land uses, including overshadowing on properties to the south.
- The desire to locate the bulk of the new built form away from the Wentworth Avenue / Denison Street intersections which is on a hazardous goods route.

- The desire to locate commercial office development adjacent to existing transport infrastructure (the bus terminus); and
- The location of towers along Bunnerong Road to allow for separate street addresses, improving legibility for commercial tenant operations and contributing to the public domain.

## Height for Commercial Office Towers (part 59m, part 40m)

The Urban Context Report (Appendix A) includes a height strategy which reviews alternative options for providing height on the site. The selected option was successful in minimising overshadowing impacts whilst achieving the requirement for successful commercial developments.

The indicative design illustrates how the commercial and multi-use towers could be designed to create a unique and welcoming precinct that is tailored to the needs of the community and cements the centre as a mixed-use strategic centre.

Land on the corner of Wentworth Avenue and Bunnerong Road is proposed to have a 40m height limit to accommodate a future multi use commercial tower containing flexible floorspace to accommodate potential office, health and wellbeing practices, and civic services uses, to meet the needs of the local community. The site, which contains an existing single storey commercial building, occupied by a gym, is envisaged to accommodate an 'iconic' building to form the gateway to the Eastgardens precinct.

It will be designed with setbacks to retain the established vegetation buffer, and the height has been established to minimise overshadowing impacts to surrounding residential land uses whilst bookending the street wall along Bunnerong Road.

The part 59m envelope has been redesigned following discussions with Council as part of the Planning Proposal Request. It is now positioned with an increased (35m) setback from the Wentworth Avenue site boundary, above a podium of retail and car parking. Whilst being set back, the location still allows for an address point from the public plaza and connectivity to the bus terminus. The East-West orientation and slender configuration of the tower has been designed to achieve the DCP objectives and minimise the overshadowing impacts on the surrounding low-density residential land uses.

The final design of the towers will be subject to further design development after the Planning Proposal stage, and will be subject to the proposed design excellence provisions within the BLEP given the site will be identified on the Design Excellence Map. However, it is the case that the part 59m and part 40m height limit will provide flexibility for future tower forms to achieve a high quality design, meet the objectives of the District Plans, fulfil the needs of future tenants, and minimise the impact on the surrounding land uses adjacent to the Commercial Core.

## Height Zone for Retail (part 34m)

The other amended height control is proposed at 34m to accommodate outlier height elements of the existing and proposed retail centre such as the cinema expansion, additional mezzanine parking decks, and new solar panel structures over the car park. The remainder of the site will retain the existing height control.

The proposed amendment to the controls will facilitate suitable building envelopes and future development concept, which will ensure an appropriate design, whilst accommodating the requisite additional floor space and additional levels of development across the site. The site is well positioned to accommodate additional height and density, and the proposal will also serve to bring the maximum height of development on the eastern part of the site in relative alignment with the current redevelopment of the site to the north.

The Meriton site opposite Westfield Drive, is currently being redeveloped into a high-density mixed-use precinct consisting of several residential flat building of between 16 and 20 storeys in height. This provides a reference point for the future extent of development within this part of the strategic centre.

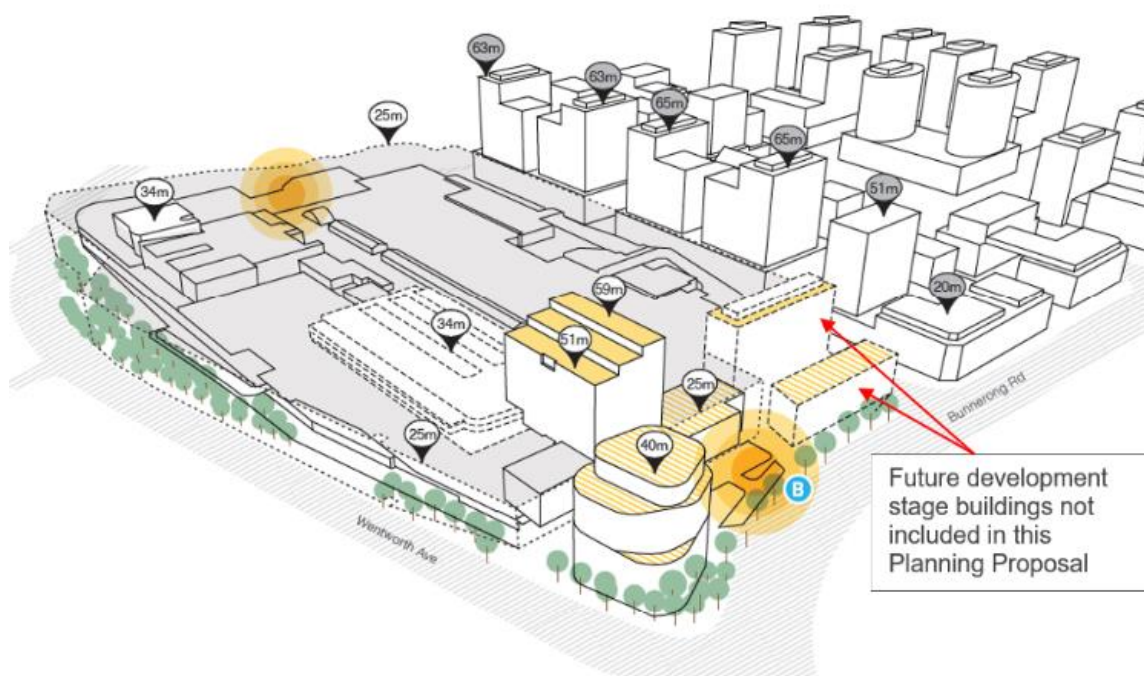
## Height Transition to Surroundings Streetscape

It is considered that the proposal will provide an appropriate transition in heights to the surrounding built form including the residential dwellings on the opposite side of the surrounding roads. The proposal would also facilitate appropriately sized development that would provide A-grade office floorspace to respond to market demands within the strategic centre.

When In considering the height transition within the PP, it is also acknowledged that the indicative proposal can be further developed at DA stage. However, the potential design for future development is considered as follows:

- The proposed building heights are in context with those approved on the adjacent Meriton site, and will appear acceptable in the context of a strategic centre.
- The maximum tower height proposed at Westfield Eastgardens (59 metres) is below the maximum height being delivered at the Meriton site (65 metres).
- The proposed tower is setback a minimum 35 metres from the street boundary which mitigates the visual impact from the edges.
- The buildings fronting Bunnerong Road purposefully and sympathetically step down in height to relate to the mid-scale height of building delivered at the neighbouring Meriton development. The proposed building along the Bunnerong Road and Wentworth Avenue frontage is proposed to be 40 metres in height to deliver a landmark and signature corner building, providing a gateway to the new strategic centre development, as illustrated in Figure 16 below.
- The wide road reserve dimensions of Bunnerong Road and Wentworth Avenue creates an appropriate buffer and separation to the low scale residential neighbourhood across the road.
- The upper levels of the proposed tower step down to the south to ensure overshadowing impacts to adjacent dwellings is reasonable.
- Future additional development proposals have been indicated on the diagrams in the urban Context Report, and the building heights proposed provide the appropriate scale of corner land mark development interfacing with potentially lower built form, which is reflective of the existing scale of the Meriton buildings fronting Bunnerong Road.
- View northwards from Bunnerong Road, the creation of a new 40m building will naturally remove the current dominance of the Meriton buildings fronting Bunnerong Road (See Picture 6 within Figure 18),

**Figure 16 - Proposed Heights of Building**



Source: Architectus



**Figure 17** - Comparison of existing and proposed building heights on corner of Bunnerong Road and Wentworth Avenue



**Picture 5** - CGI Render of Landmark Mixed Use Building

Source: Architectus



**Picture 6** - Existing conditions with Meriton adjacent towers

Source: Urbis

## Adherence to Aeronautical Height Requirements

The Meriton site has established a height datum that has been tested and approved by the relevant authorities to be compliant with aeronautical movements in proximity to Sydney Airport.

That aside, the applicant has engaged a study specifically for this proposal which has confirmed that the proposed buildings heights (and clearance for cranes to construct the buildings) have no technical issues that would prevent them from being approved at the time when such an application is lodged (recommended to be at Development Approval stage)

Specifically, the Aeronautical Assessment contained at **Appendix H** demonstrates that although the proposal penetrates the OLS, the proposal is considered acceptable given the tallest tower at RL 83 has sufficient clearance below the lowest relevant PANS-OPS height datum of RL 126.4m. I should be noted that the previously lodged Aeronautical Assessment (in March 2019) was based on the previous scheme of up to RL94.4m. As this is now reduced by 11m to RL83m, the revised proposal is more compliant and the submitted report does not need updating to reflect these changes.

In summary, the location of the proposed maximum height envelopes at the site is demonstrated to have been carefully selected as a result of site constraints and opportunities and the guiding urban design principles. Whilst the final design will include design features to break up the facade including articulation, modulation, softening and permeability, which can all be addressed in more detail at the development application stage.

### 9.3.2. Traffic Generation and Parking

#### Traffic

In 2019 an addendum to the Transport Assessment was undertaken by SLR and is attached at **Appendix E**. The previous Traffic Report that was lodged with the original proposal was prepared based on an increase of 27,500sqm retail GLA and 25,000sqm commercial office GLA, and confirmed that the proposed external intersection upgrade works detailed in the original report were acceptable to cater for development traffic. Since this time the overall commercial GLA has been reduced to 24,000sqm.

This latest planning proposal scheme has some 1,000sqm less office GLA than originally proposed. Furthermore, the adjacent Meriton proposal was reduced to an FSR of 2:1 (from 2.35:1 assumed at the time of traffic modelling) meaning that the local modelled traffic levels would be further reduced. As such, the proposed external intersection upgrade works detailed in the original report also remain valid.



## Car Parking

The existing centre provides over 3,100 car parking spaces in an arrangement of covered multi-deck and rooftop parking.

A controlled car parking and parking guidance system has recently been installed across Westfield Eastgardens and has significantly improved the availability of car parking spaces to retail customers through the removal of non-retail car parking (e.g. commuter car parking for the bus interchange, employees of adjacent sites, and even airport parking), and through the relocation of staff car parking (i.e. through the provision of 'nested' staff parking areas) to previously underutilised rooftop car parking areas;

Additional car parking will be provided in the scheme to compensate for the spaces lost for the Level 2 retail expansion (into the existing car park) and to support the additional retail and office GLA in the proposal.

The final provision of car parking will be resolved at DA stage based on occupancy modelling of the existing car park and the development overlay. Much of the new retail will be experience-based offers (vs goods) that are more viable for non-car transport options.

An envelope has been included in the proposal for 4 additional mezzanine parking levels if the Applicant is required to provide parking based on the 2002 RTA Guide to Traffic Generating Developments.

The RMS now considers this ratio methodology to be outdated given:

- the progress in car park data collection and modelling,
- the fact that as major retail centres have evolved many additional activities are overlapped in the one trip; and
- additional uses as part of retail expansions often have a peak demand that sits outside the traditional peak periods for shopping centres (i.e. dining and cinema peak periods are in the evening; and commercial offices are not occupied on the weekends when retail centres are at their busiest). This can allow effective sharing of car parking spaces across the development.

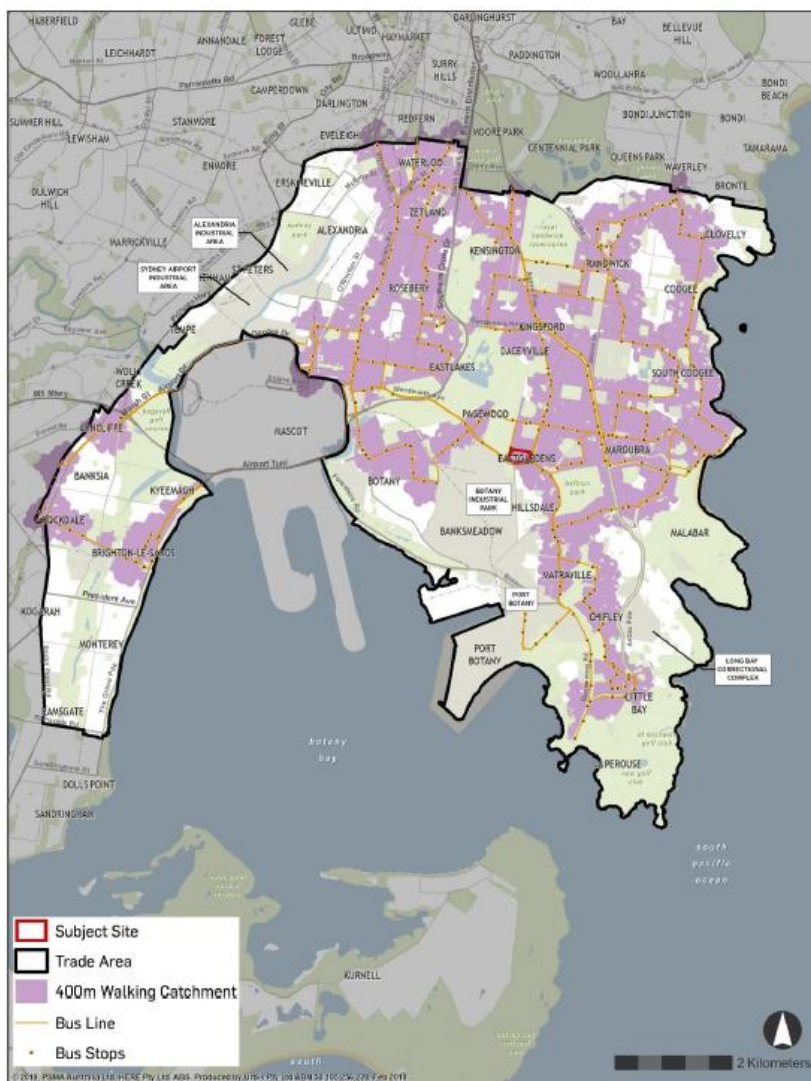
The Applicant expects that the 4 levels of additional mezzanine parking identified in the extra parking envelope will be justified at the DA stage, as not being required for construction, once reliable data is available for modelling, following the introduction of ticketless parking data capture at Westfield Eastgardens since December 2018.

## Public Transport

The Planning Proposal presents a significant opportunity to improve travel by sustainable transport modes to Westfield Eastgardens and the surrounding area. Due primarily to the bus interchange located within the site, Westfield Eastgardens has good existing access to public transport with six existing bus routes servicing the site.

Extracted below is a figure from the report at Appendix E (Figure 18) which demonstrates the high proportion of the Westfield Eastgardens trade area catchment located within 400m walking distance of an existing bus route that services Westfield Eastgardens. Generally, the gaps in coverage only exist for golf course and bushland, or the large industrial estates. The proposed upgrades to the existing bus interchange are intended to improve the customer experience as well as provide additional operating capacity for increased buses stopping at the centre as patronage numbers continue to grow. The overall upgrade is intended to encourage more travel to and from the centre by public transport, and to make the bus interchange a feature of the public plaza and arrival experience to the centre.

Figure 18 – Bus Stops 400m Walking Catchment Area



Source: Urbis

## Active Transport

The Meriton development to the immediate North of the site will provide a resident population of approximately 7,000 people who are all within a 500m walk of Westfield Eastgardens. The proposal responds to this opportunity by improving the arrival experience for pedestrians by clear placemaking of the East and West entrance points and improving the public domain at these locations, as follows:

- Introducing an active publicly accessible pedestrian plaza and upgraded transport interchange at the eastern end of the site, together with the revitalisation of the western end of the centre, provides the opportunity to re-focus activity from a central internalised mall to active hubs at each end.
- Corner activation is purposely separated to create an activated public plaza, and to give a separate identity to the office building that is distinct from the retail mall. The tower will not feel dislocated from retail but will be an important part of activating the public plaza. The proposed new buildings will have entries and active frontages to Bunnerong Road.
- The extensive perimeter of the site, and existing centre layout cannot support a continuous active pedestrian edge. It is therefore preferable to focus activity around the eastern and western ends with urban, walkable precincts with street-based interfaces.
- The proposal for western facade is to externalise tenancies via outdoor terraces and for eastern entry to be centred around a new external plaza and active retail frontages. These proposed upgrades will re-focus activity from a central internalised mall to active hubs at each end.

- The scheme will also accommodate new end of trip facilities which will serve to promote both cycling and walking to the site for both the retail and office workers.
- While the current functions of Westfield Drive and Wentworth Ave are operationally important and need to be retained, the quality of both streetscapes will be improved (including new public art, lighting, landscaping, pedestrian paths and traffic calming measures along Westfield Drive and strengthened landscape buffering and improved pedestrian crossings along Wentworth Avenue), including:

### **Separating pedestrians from loading areas**

- The generous landscaped setback to the Meriton buildings to the north of Westfield Drive acts as a natural incentive to use the northern footpath for pedestrian travel.
- Improvement works will add crossings to the south of Westfield Drive at locations either side of the central loading area. This will encourage pedestrians to cross to the southern side once they are beyond the dock area, to the eastern and western ends of the street.

### **Traffic calming**

- Raised crossings are proposed near the intersection of the new Meriton site streets. These are intended to provide clear points of pedestrian crossing, as well as to slow traffic and deter 'rat-running' through Westfield Drive.
- 'Chicane' style traffic calming is not recommended as this cannot be navigated by buses and loading vehicles that use the street.

### **Pedestrian priority**

- The raised crossings slow traffic, prioritise pedestrians and increase the visibility of pedestrians crossing.
- A variety of options for circulating are proposed to suit individual pedestrian needs and offer best practice urban design connectivity.
- A pedestrian barrier in the centre of the road was discussed with Council, but is not proposed as it is felt that it would prioritise vehicular movement, encourage increased speed from vehicles, and result in a hostile pedestrian environment.

### **Improved amenity**

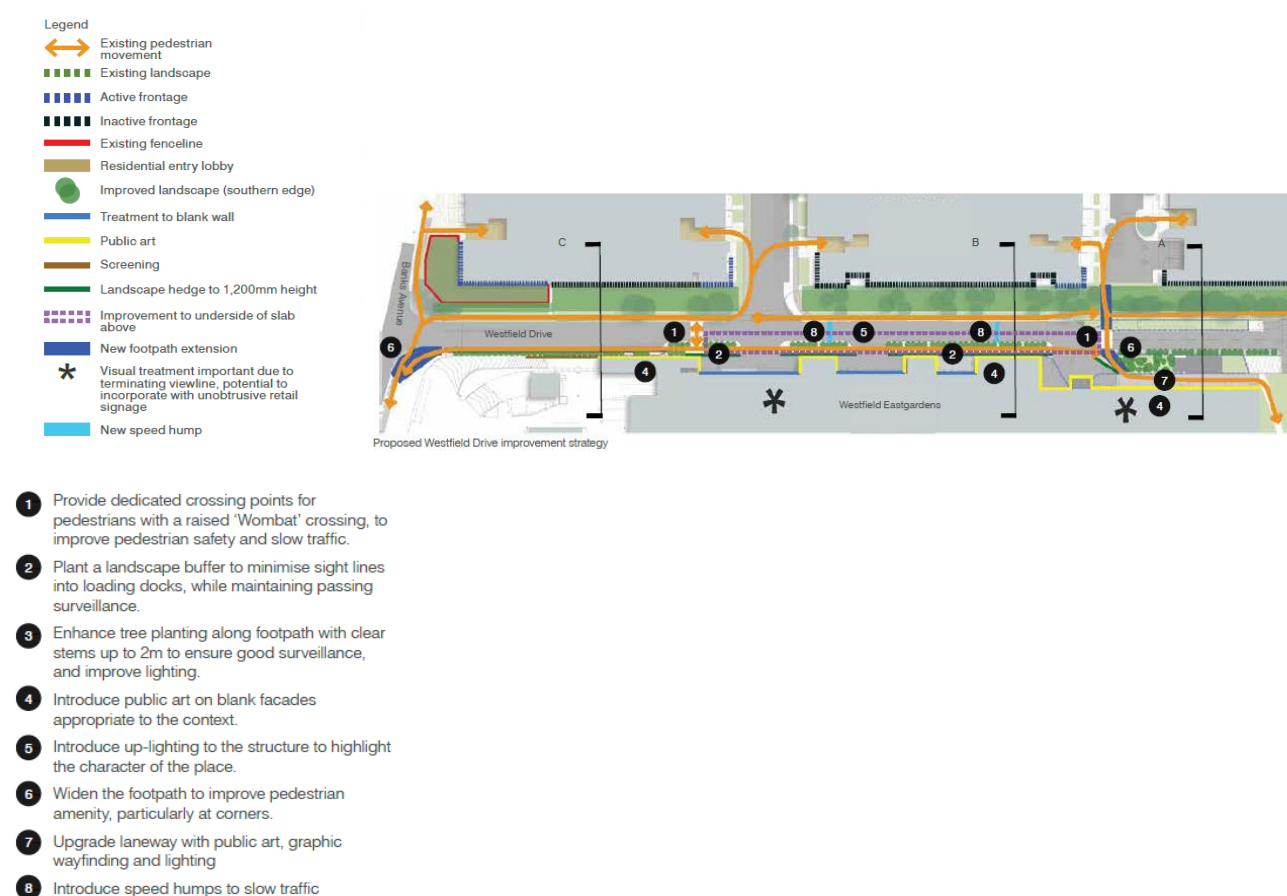
- New landscaping is proposed to improve the amenity and comfort of the street and provide a buffer against the loading docks. It is proposed to use a mixture of low planting to enable visibility and ensure pedestrian safety, as well as some taller planting to provide a canopy and shade.

### **Safety and security**

- The safety of the pedestrian path between the substation and the shopping centre has been discussed with Council. It was determined initially that it will be important to retain this connection in order to offer sufficient choice for pedestrians, and that the short length of obscured path can be managed with CCTV.

See the Proposed Westfield Drive Improvement Strategy in Figure 19 below.

**Figure 19 - Proposed Westfield Drive Improvement Strategy**



Source: Architectus

### 9.3.3. Quantitative Risk Assessment

A Quantitative Risk Assessment Report (QRA) was undertaken by Systra Scott Lister and is included at **Appendix F**. The report assessed the proposed amendments to the original proposal, being the increased population generated by the commercial office development, and the weighting of population distribution towards the East of the site which is the location of the commercial development.

The assessment notes that the increased population results in an increase in the societal risk for the dangerous goods route along Wentworth Avenue, but that this increased risk sits within the ALARP (as low as reasonably practical) range based on the modelling assumptions for the site; and based on DPE guidance a development that sits within the ALARP cannot be precluded.

Since the publication and assessment of the Quantitative Risk Assessment, the DPE Hazard Team has been in discussion with the Proponent regarding potential exceedances of the cumulative societal risk when compared with the Botany Industrial Park QRA 2018. These discussions led to the preparation of an updated Technical Note on Societal Risk (Eastgardens Development Societal Risk Results Scentre Case – Technical Note December 2021) attached at **Appendix I**.

This Technical note proposed to reduce the overall scale of the planning proposal within the 1x10<sup>-9</sup> per year contour on the model such that it should not exceed 2444 people, which equated to a reduction of 2,441sqm, of the proposed Gross Leasable Floorspace (GLA) for this part of the retail centre. This contour is at the southern part of the centre (as identified in Appendix I), so would impact the overall uplift of the retail floorspace within the proposal.

DPE accepted this position set out in the Technical Note and responded to the proponent in March 2022 (see **Appendix J**) confirming that:

*'The Department is satisfied that the planning proposal adequately addresses the Framework, provided that the population within the area identified in Section A2 of Appendix A in the risk assessment does not exceed 2,444 people, assuming 1 person per 16 m<sup>2</sup> of GLA. In this regard, it is necessary to reduce the GLA from 14,152 m<sup>2</sup> to 11,711 m<sup>2</sup>, or to approximately 83% of the proposed GLA, within the 1 x10<sup>-9</sup> per year contour.'*

The letter also indicated that the LEP amendment will ultimately need a future clause which includes provisions that ensure the consideration of the Eastgardens Technical Note (December 2021), that was provided by Sherpa Consulting as demonstrating no increase in societal risk and accepted by DPE, as part of any relevant future development application at the site. Specifically, this provision will need to:

- Apply to development at 152 Bunnerong Road, Eastgardens, which is legally described as Lot 1 DP 1058663 (the site).
- Give effect to the conclusions of the risk assessment to ensure no change in the cumulative societal risk as indicated in the BIP QRA 2018 Approved Case; and
- Ensure notification to and consideration of any comment from the Department's Hazard and Risk technical experts by the consent authority prior to the issuing of any development consent.

It has been agreed that this provision can be worked up and further defined to form a proposed new clause in the BLEP during the post-Gateway process. As such, the Department agrees that there are no outstanding matters relating to risk that would prevent the planning proposal from proceeding to Gateway determination.

#### **Q10. Has the planning proposal adequately addressed any social and economic effects?**

#### **9.3.4. Economic Impact**

Two Economic Impact Assessments have been prepared to assess the proposal, one for retail expansion and another for the commercial office development.

The analysis of market need, demand and economic impacts of the proposed results in the following key conclusions:

- The proposal is aligned to the priorities of the Region Plan and Eastern City District Plan.
- There is a market need and demand for the scale and type of retail expansion proposed for Westfield Eastgardens given the forecast growth in population and expenditure in the trade area.
- The impacts to surrounding retail centres are well within the bounds of a normal and healthy competitive environment.
- The expansion will generate circa 1,000 direct operational jobs and +\$190m Gross Value Added per annum to the NSW economy during the operational phase.
- The expansion of Westfield Eastgardens is complementary to the objectives of the *Eastern City District Plan*, underpinning Westfield Eastgardens' position and place in the hierarchy as a Strategic Centre, as well as providing employment opportunities to target the Bayside Council area.
- The Eastgardens precinct is the only area within the Eastgardens-Maroubra strategic centre that is zoned B3 Commercial core and therefore provides the opportunity to develop a truly mixed-use centre.
- The proposed floor size of the commercial tower (up to 1,000sqm) is unique within the Eastgardens-Maroubra centre which typically provides smaller floorplates (50-200sqm) and therefore, would attract specific tenants that would otherwise not consider this strategic centre. Further the predicated impact on existing commercial tenancies is therefore considered negligible.
- The proposal would attract new companies to the local area, providing significant jobs growth in an area that is currently experiencing high population growth due to neighbouring high-density developments as well as a regional trend towards more medium density development. There is the ability to accommodate circa 1,000 new commercial office-based jobs.
- The expansion supports the objective of a 30-minute city by providing additional employment opportunities within an established centre.



## Retail

The retail economic impact assessment at Appendix B is an addendum to the previous report by Urbis to respond to the comments received from the peer review undertaken by RPS.

The addendum provides extensive support for the expansion of the Eastgardens Shopping Centre, given the current size of the centre's trade area and the expected growth of the market, which is forecast to continue to grow strongly and increase by \$1.1 billion or 24% in constant dollar terms from 2017 to 2023.

The analysis demonstrates:

- The expansion of the centre would result in Westfield Eastgardens capturing an additional \$149 million or 13% of the forecast growth in trade area retail expenditure. The trade area market share would increase by 2.6 percentage points, with a resulting market share of 10.4%.
- The assessed market shares are within the typical range achieved by higher order centres of a similar scale and role to that of Westfield Eastgardens. The centre would be capturing a share of the market consistent with the role of regional scale shopping centres and not be taking an unreasonable proportion of market demand.
- The report presents new analysis including that 76% of expenditure by trade area residents on apparel, homewares and leisure goods (discretionary items) is undertaken at centres/locations outside the trade area. This loss of local sales is referred to as 'leakage', and Eastgardens has the highest percentage of discretionary expenditure leakage among Westfield centres. This can be explained by the lack of range in fashion, homewares and leisure retailers, and the result is that residents are forced to drive to other locations and local jobs and economic activity is lost.
- There is strong demand for food catering offerings within the centre, with the proposal to address the shortfall and contain expenditure within the local community.
- The assessed impact on other retail centres is marginal, calculated at between 1.0% and 3.1% depending on which centre, and is far below the threshold of 10% impact that is commonly considered to raise concern in terms of retail impacts.
- The expansion can deliver 1,000 operational jobs per annum, and a Gross Value Added of \$190m per annum to the NSW economy, once completed.
- The shopping centre has not been redeveloped in over 20 years and is at serious risk of failing to respond to changing consumer expectation and losing relevance and market share in an environment where other retail centres are investing in their product.

Overall, the proposal is considered to address large retail demand shortfalls and provide greater opportunities for retail and food and beverage to be located within the trade area, enabling the local community the opportunity to stay within the parameters of the trade area.

## Commercial

A commercial office EIA has been prepared by *Colliers International* (Appendix C) which provides an in-depth analysis of the existing office markets in the region, what factors drive business occupancy decisions, and the points of difference of the Eastgardens office proposal that will make it attractive as a new workplace precinct.

The report demonstrates that:

- There is strong demand for commercial office space within the Greater Sydney Area.
- Demand is not confined to Sydney CBD, with many tenants looking at precincts within close proximity, particularly where close to public transport, such as the bus interchange at Eastgardens.
- The proposed floor size of the commercial tower (up to 1,000sqm) is unique within the Eastgardens-Maroubra centre which typically provides smaller floorplates (50-200sqm) and therefore, would attract specific tenants that would otherwise look outside of the centre.
- The predicated impact on existing commercial tenancies within the trade area is therefore considered negligible as they fulfil the needs of a different occupier type.



- The mix of large floor plates, transport accessibility and retail/dining/leisure amenity will be an appealing point of difference for establishing a workplace precinct.
- The proposal would attract new companies to the local area, providing significant jobs growth in an area that is currently experiencing high population growth due to neighbouring high-density developments as well as a regional trend towards more medium density development.

The proposal enables the centre to meet the objectives of a strategic centre by providing additional commercial employment opportunities within an accessible and established precinct. The report demonstrates that there is high demand for commercial floor space within the centre, especially the large floor plates proposed as part of future office towers. The report notes that the ability to achieve such large floor plates provides a great opportunity to attract new tenants to the area, diversifying the local economy and provide additional employment within the area.

Ultimately, the proposed expansion of Westfield Eastgardens will result in a net community benefit. The range of choice available to residents will be enhanced, with existing and planned centres still continuing to serve their role in the retail hierarchy.

The proposed office development will make an important contribution to the realisation of the strategic goals for the Eastgardens Strategic Centre, including:

- Diversification of its role into a multi-functional activity centre.
- The proposal will also address a need for the provision of new office development to provide employment opportunities locally for the large and growing white collar workforce in the region, which provides economic, social and environmental benefits.
- The economic benefits are significant including the ability to provide for circa 900 to 1,200 full time equivalent jobs once constructed.

### **9.3.5. Social Impact**

The proposal will have positive social impacts on the local community and wider LGA:

- The proposal provides additional retail floor space in an existing shopping centre which is close to transport infrastructure and is highly accessible;
- Upgrading of this retail shopping centre will provide an improved retail experience and offer, commensurate with the expectation of its customers. These expectations are changing along with society habits around shopping and socialising change. These expectations are becoming greater following the gentrification and densification of the surrounding suburbs.
- These improved retail services along with the introduction of additional commercial building including a range of office space will enhance the business activity within Eastgardens and support its future growth as a Strategic Centre;
- The proposal will assist in meeting job targets set by the State Government and Greater Sydney Commission, with jobs created in both the construction and operational phase of the development; and
- The development is likely to result in a reduction in the number of vehicular trips made by customers within the trade area which pass the site to visit competing centres due to a wider available offer.

The proposal will generate positive social and economic effects that will be beneficial to Eastgardens and the broader region.

### **9.3.6. Overshadowing**

The prevailing characteristic of the surrounding area to the south and east is predominantly low density residential and therefore presents a challenge when adding additional height at the site. The proposed increase in height and density results in some overshadowing to adjacent residential dwellings.

Following the March 2019 PP submission, Council, informed by independent consultant assessment, provided feedback on the proposal, with the key matter being overshadowing. This centred on the overshadowing impact to the five most impacted dwellings to the south of Wentworth Avenue, which was deemed not supportable.

It was clarified that there were no plans to change to the zoning or density of these properties in the foreseeable future as part of the Local Strategic Planning Strategy process and LEP updates. As such further justification and analysis for the location of the height was requested.

A series of workshops were held between the Proponent and Council staff where proposed solutions were presented and this submission (and specifically the Urban Context Report by Architectus) represents the adoption of these amendments as the revised Planning Proposal Request.

Detailed shadow diagrams are included in the Urban Context Report attached at **Appendix A**.

The study analyses existing shadows, including self-shadowing of primary private open space and living area windows at the rear of the dwellings, and compares these with shadows cast by the proposal, to assess additional overshadowing to primary private open space on dwellings in the vicinity of the proposal.

To limit the impacts of overshadowing and maintain residential amenity, the height strategy for the proposal was amended to be outcomes based, to achieve the following at the Winter Solstice:

- Maintain approximately 2 hours of solar access between 9am and 3pm to 50% of the primary private open space areas located at the rear of the single residential dwelling houses to the south of Wentworth Avenue;
- Where the primary private open space of the adjoining development currently receives less than the required amount of sunlight (50% coverage for a minimum of 2 hours), which is the case due to the self-shadowing under existing conditions, then development is to not create additional overshadowing to the primary private open space of the adjoining development;
- In addition, where the primary private open space of the adjoining development currently receives less than the required amount of sunlight (50% coverage for a minimum of 2 hours), development is to ensure that 50% of each front yard receives approximately 1 hour of solar access between 9am and 3pm.

The study indicates that during the winter solstice the proposed towers cast long shadows that are relatively fast moving and affect the surrounding residential areas for relatively short periods of time. The greatest impact on residential dwellings is seen in the area immediately to the south of Wentworth Avenue. There are 5 houses on Wentworth Avenue (Numbers 244, 246, 248, 250, 252). More detailed analysis of these 5 dwellings found that:

- There is no additional overshadowing to primary private open space at the rear of the 5 properties. (per DCP Section 4A.4.3, Clause C3.)
- A desktop study revealed that it can be reasonably assumed that the living areas of the 5 houses in question are located at the rear/ southern side of each property and so do not require the minimum 2 hours of solar access on 21 June to their front façades. (per DCP 4A, 4.3, clause C1)
- Notwithstanding the location of living areas for the 5 dwellings, the proposal ensures a minimum of 1-hour solar access to at least 50% of the front-yards in mid-winter between the times of 9am to 3pm.
- The proposal also ensures a minimum of 1-hour solar access to the front building façades.
- Between the equinox times (from the 21st September to 21st March), the proposed development does not create any additional overshadowing impact
- Before and after the equinox, from approximately the 3rd August to the 10th May, all 5 properties achieve a minimum of 2 hours solar access to 100% of the front yards and northern facade.

#### **Additional Assessment on 224 and 226 Wentworth Avenue**

As part of the Gateway determination that was issued by DPE on 4<sup>th</sup> October 2023, it was requested that dwellings at 224 and 226 Wentworth Avenue were also considered within the solar access analysis.

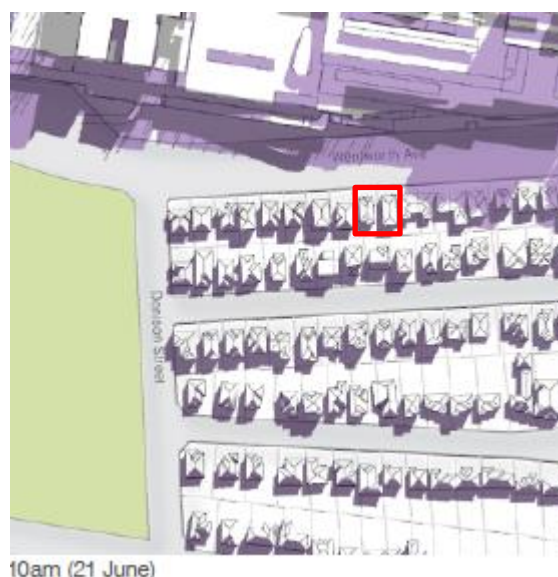
The solar access study within the Urban Context Report (Appendix A) identifies that both No. 224 and 226 Wentworth Avenue will experience a minor impact of overshadowing from the proposal at midwinter. It is clear from Figure 18 below that the additional overshadowing arising from the proposal would only occur at these properties between 9-10am in the morning, with no additional overshadowing experienced after 10am. This represents only a limited impact arising at a specific time from the proposal, which is short-lived and considered acceptable.

Figure 20 - Solar Access Analysis 224 and 226 Wentworth Avenue (extract from Urban Context Report)



Picture 7 – 9am Midwinter in the shadow (see purple overlay)

Source: Architectus



Picture 8 - 10am Midwinter properties no longer in shadow

Source: Architectus

In light of the above and given the strategic importance of the site in the context of developing the Eastgardens-Maroubra Junction Strategic Centre, the potential overshadowing impacts of the proposal on existing dwellings is considered to be reasonable and acceptable. Furthermore, at DA stage the solar impacts of the proposal can be assessed in greater detail once the final proposed tower forms are settled.

## 9.4. STATE AND COMMONWEALTH INTERESTS

### ***Q11. Is there adequate public infrastructure for the planning proposal?***

It is understood that the existing infrastructure at and surrounding the site has the capacity to accommodate further development on the site, subject to any necessary expansion and augmentation at the detailed application stage. The adequacy of the road network is identified in Section 9.3.2 and is evidenced in the updated Traffic Report Addendum at Appendix E and Additional Traffic Advice at Appendix M.

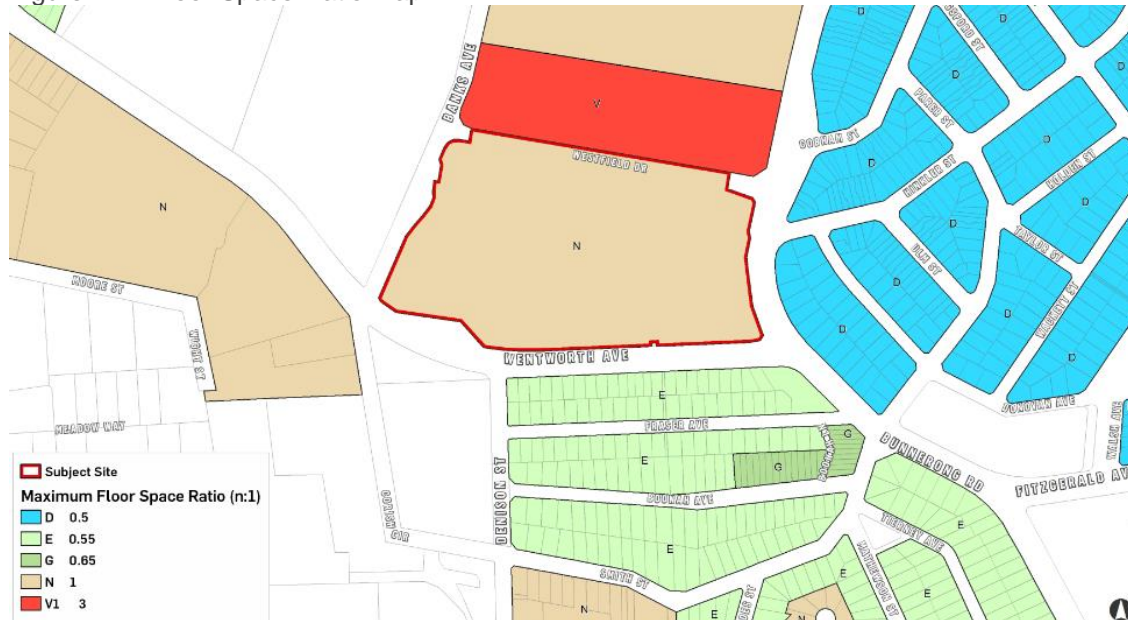
### ***Q12. What are the views of State and Federal public authorities and government agencies consulted in order to inform the Gateway determination?***

The Planning Proposal is still in a preliminary stage. All relevant State and Commonwealth public authorities will be consulted as required following the Gateway Determination

## 10. PART 4 – MAPPING

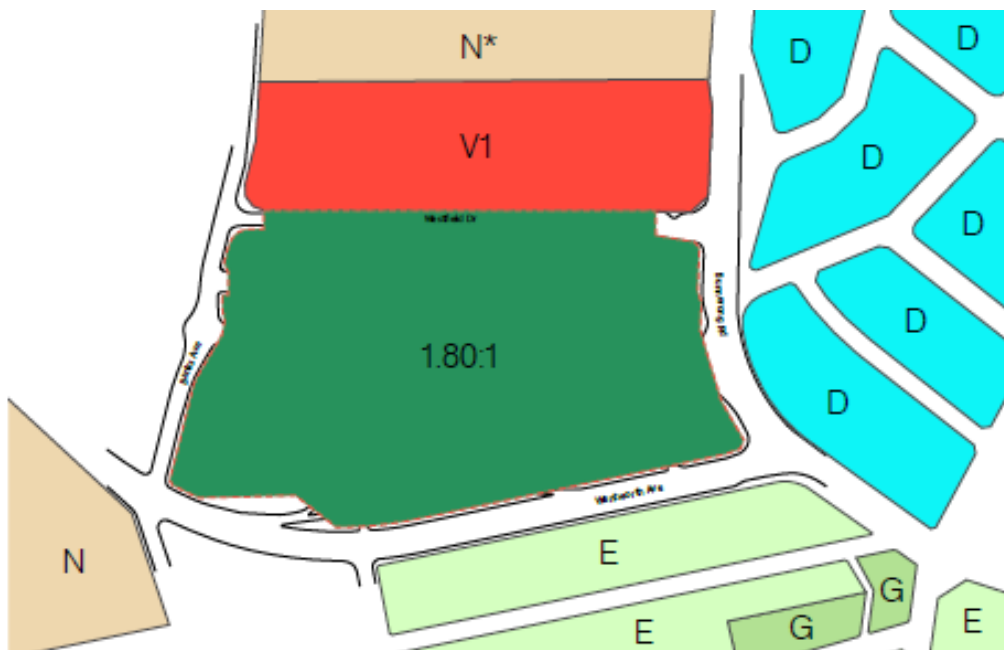
THE BLEP incorporates the FSR and Height of Building Maps which will need to be altered through the Planning Proposal process. Figure 21 below illustrate the proposed LEP Map amendments. The below maps are also attached individually at Appendix D.

Figure 21 – Floor Space Ratio Map



Picture 9 – Existing FSR Map

Source: Urbis

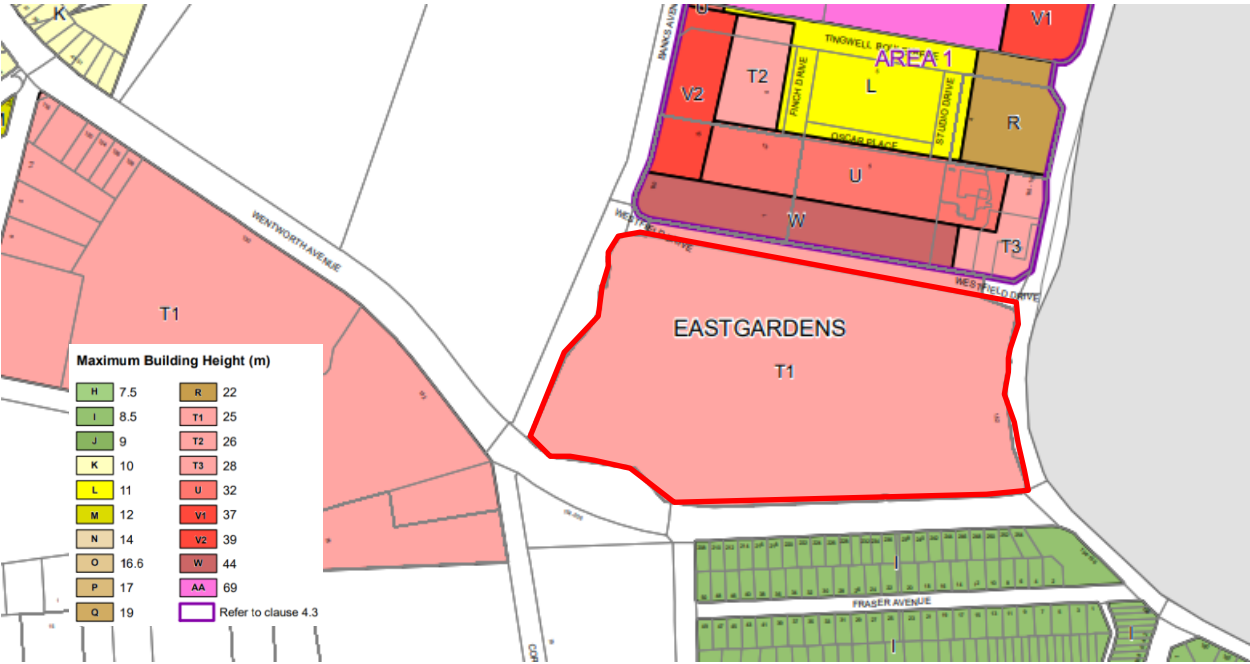


Picture 10 – Proposed FSR Map

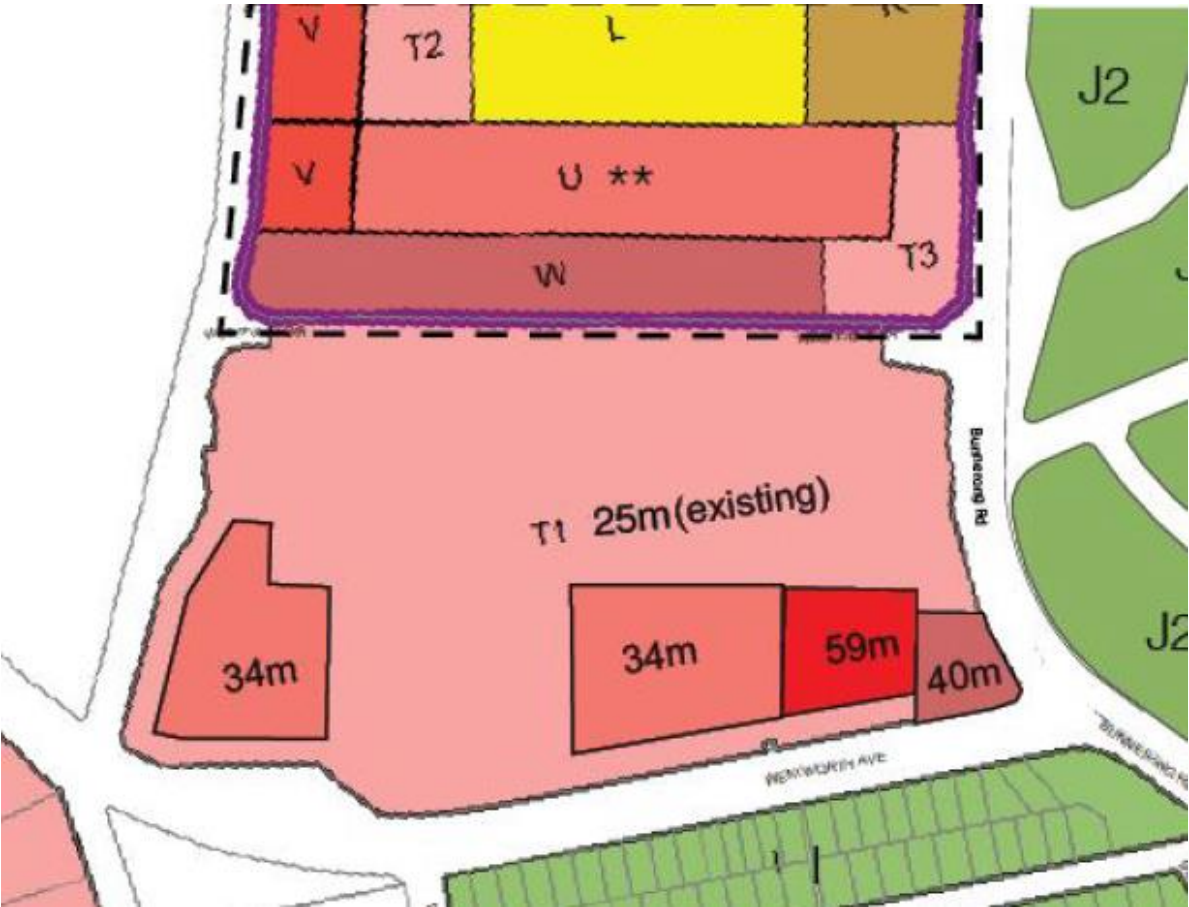
Source: Architectus

The above illustrates the increase in FSR at the site on the LEP FSR Map from the existing 1:1 (Picture 9) to the proposed 1.8:1 (Picture 10).

Figure 22 – Height of Building Maps



Picture 11 – Existing Height of Building Map  
Source: Urbis



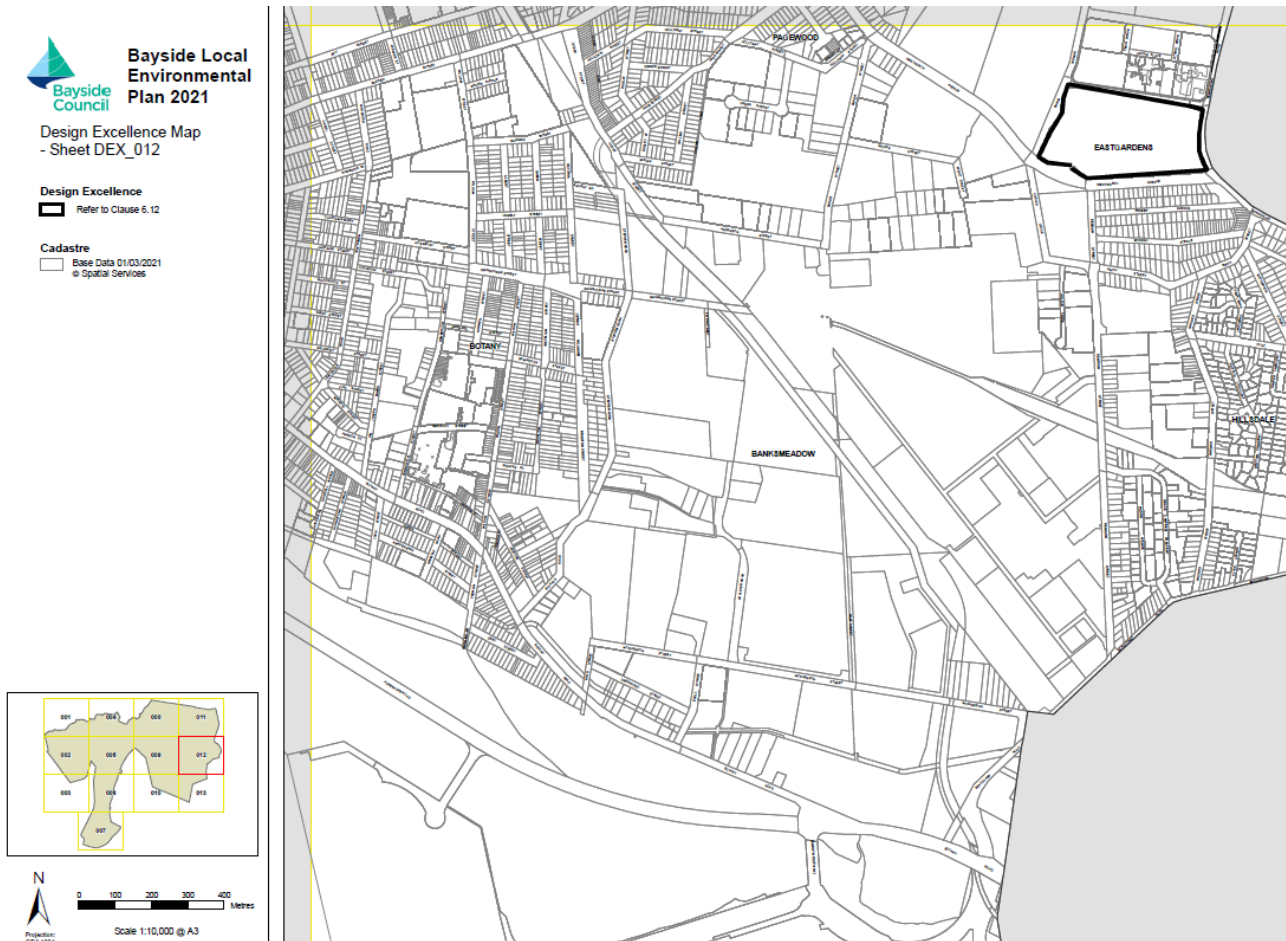
Picture 12 – Proposed Height of Building Map  
Source: Architectus



The above Figure 22 illustrates the increase in the maximum height of building at the site on the LEP Height of Building Map from 25m (Picture 11), to part 34m / part 40 / part 59m with the remainder of the site unchanged (Picture 12).

Figure 23 below identifies the new Design Excellence Map with the site added.

Figure 23 Design Excellence Map



Source: Urbis

To confirm the intended outcome of the Planning Proposal, the above maps illustrate the following amendments to the LEP controls:

Floor Space Ratio: Introduce a new maximum allowable FSR of **1.8:1** (from existing 1:1 on LEP Map)

Height of Buildings: Introduce a new maximum allowable building height of part **34m**, part **40m** and part **59m** (with the remainder at 25m as per existing controls).

Design Excellence: To add the site to the Design Excellence Map.



# 11. PART 5 – COMMUNITY CONSULTATION

The proponent has had continuing engagement with Bayside Council since March 2017. During this time feedback has been received from council, either directly from officers or through the peer review reports prepared by advisers to Council. This feedback has been well considered, and elements of the proposal have evolved considerably as a response.

This revised proposal represents a consolidated submission to support the revised Planning Proposal Request that was originally presented to Council officers in December 2018, in March 2019 and again in December 2019. It was reported to the Bayside Local Planning Panel in February 2020 where the proposal was supported by panel members and then it was reported to a Council meeting in April 2020, where the matter was deferred. During this deferral period, the proponent has resolved any outstanding matters pertaining to risk management at the site.

The proponent has also had continuing engagement with Meriton as owner and developer of the adjacent Pagewood Green masterplan.

Clause 57 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway determination.

It is noted that the Council have a policy relating to community consultations, which include proposals for major re-zonings. However, in this instance, it is noted that the Gateway determination identifies that the Planning Proposal will be required to be publicly exhibited for 20 working days in accordance with the requirements of the DPE '*Local Environmental Plan Making Guideline*'.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in the local newspaper(s).
- A notice on the Council website.
- Written correspondence to adjoining and surrounding landowners.

The Planning Proposal would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

In light of the above, the direction as to the nature and extent of the necessary public consultation will be decided after receiving Gateway determination to ensure the State Government supports the merit of the proposal before opening wider community feedback.

## 12. PART 6 – PROJECT TIMELINE

The 'Local Environmental Plan Making Guideline' published in August 2023 indicates that the following details should be provided, with our estimated dates for each stage in Table 14 below.

Table 14 – Project Timeline

Stage	Timeframe and/or Date
Consideration by Bayside Council	Q2 2022
Planning Proposal referred to DPE for Gateway Determination	Q2 2022
Gateway Determination by DPE	Q3 2023
Commencement and completion of public exhibition period	Q1 2024  Anticipated timeframe for public exhibition is 20 working days.
Consideration of submissions	Q1 2024
Consideration of the Planning Proposal post-exhibition	Q2 2024
Submission to DPE to finalise the LEP	Q2 2024
Gazettal of LEP Amendment	Q3 2024

The above information will be crystallised by the PPA following the issue of the Gateway determination and through the production of the formal Planning Proposal. The proponent will continue to liaise closely with DPE in consideration of the nomination of the PPA for this planning proposal.

## 13. CONCLUSION

This Planning Justification Report supports a Planning Proposal which seeks amendments to Bayside LEP 2021 to facilitate an expansion of the shopping centre at Westfield Eastgardens.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the relevant guidelines prepared by the NSW Department of Planning and Environment 'Local Environmental Plan Making Guideline'.

The Planning Proposal seeks to introduce a new maximum allowable FSR of 1.8:1 a new maximum allowable building height of part 34m, part 40m and part 59m at the site (and the remainder unchanged at 25m), which is the only E2 zoned Commercial Centre within the Eastgardens-Maroubra Strategic Centre.

The Vision for the site is to develop a vibrant, mixed use centre accommodating an enhanced retail and leisure offer, as well as commercial buildings containing 'A' grade offices. This proposal will also accommodate a new multi-use commercial tower containing flexible floorspace to accommodate potential office, health and wellbeing practices, and civic services, along with an improved arrival experience for visitors travelling on foot, by car or public transport.

The Planning Proposal provides a comprehensive justification of the proposed amendment to the BLEP 2021. The proposal is consistent with the objectives and actions contained within 'Greater Sydney Region Plan, Eastern City District Plan and Council's Strategic Plan. It is also consistent with applicable State Environmental Planning Policies and Section 9.1 Directions.

The proposal will allow the future expansion of a mixed-use precinct at the site which reflects the importance of Westfield Eastgardens as a major regional shopping centre within a key strategic centre as identified within the Eastern City District Plan. The market need and demand for this expansion is supported by the gentrification and densification of the trade area, along with the relative shortfall in retail floor space when compared to available expenditure.

The proposal will improve the arrival experience and connections to transport modes including bus, taxi and car. This will ensure the centre is more accessible to all demographics as well as encourage alternative modes to and from the centre other than the car. The proposal will create an external experience, currently not seen at the centre by creating a new public plaza, with cafes and restaurants as well as improvements to pedestrian access.

The proposal includes an upgrade to the existing bus interchange to meet growing demand and modal shifts towards public transport, by increasing bus standing capacity and improving customer experience within an enclosed interchange.

The proposal is consistent and responds to the current large-scale redevelopment of the adjacent site, by providing additional employment opportunities and services within a high accessible area.

The site is highly accessible, given that it is close to main arterial roads which form part of a Strategic Bus Corridor and the site already accommodates a bus interchange which caters for six separate bus services. Furthermore, the potential for future mass transit to the site (rapid bus, light rail extension or metro train) is being investigated and would also serve to enhance the accessibility of the site.

The proposal will facilitate a future redevelopment of Westfield Eastgardens that will improve the interface between the internal and external elements of the centre and provides clear public benefits including an upgraded bus terminus, a new publicly accessible plaza fronting Bunnerong Road and enhanced pedestrian linkages.

The introduction of a new commercial buildings at the site will facilitate the co-location of a variety of uses at the site and immediate vicinity, which also benefit from the proximity of the bus interchange. The enhanced retail offer and new office accommodation, along with the residential development to the north will serve to create a new sense of place at this location where the local community can live, work and spend leisure time.

The proposed vision includes the possible future development of student accommodation of hotel which would add activation to the new public plaza and be supported by the upgraded interchange and employment opportunities.

This additional investment in the centre will serve to improve business activity and create approximately 2,000 new jobs (retail & commercial) at this location, which will help to grow and evolve the Eastgardens-Maroubra Junction Strategic Centre.

It has been agreed that a future clause in the BLEP relating to risk protection can be worked up and further defined during the post-Gateway process. As such, the Department agrees that there are no outstanding matters relating to risk that would prevent the planning proposal from proceeding to Gateway determination.

It has been demonstrated that the proposed amendment to the BLEP 2021 has strategic merit because:

- The scheme would be consistent with the aims of the Greater Sydney Region Plan and the Eastern City District Plan, which means that the proposal accords with the range of strategic policies which cover the site,
- The proposal is consistent with the objectives of the Greater Sydney Region Plan by providing additional employment opportunities outside of the Sydney CBD to meet the objectives of a 30-minute city.
- The proposal also responds to a change in circumstances locally, with the significant investment in the adjacent former BATA site and resulting in an increase in local population requiring modern retail facilities and additional commercial employment opportunities.

It has been demonstrated that the proposed amendment to the BLEP 2021 has site specific merit because:

- The existing centre is recognised as a major shopping centre and the increase in height and FSR at the site will facilitate its expansion, which will help maintain its relevance and offer within the region;
- The proposal will allow for a building envelope which can accommodate the expansion of the shopping centre and provides the benefits of co-location with the proposed new commercial buildings;
- The development has been designed to minimise any adverse environmental effects on the neighbouring residents;
- The proposal is entirely appropriate for the site given that it will augment the existing retail, commercial and leisure provision, and provide new local job opportunities, at a location which is highly accessible location, and which responds to the growth in population locally; and
- There is sufficient infrastructure to accommodate the increased floor space with adequate public transport, sufficient car parking provided on site and capacity within the local road network to accommodate the increased demand.

Overall, the revised Planning Proposal Request and associated Urban Context Report presents a scheme that directly responds to the comments from previous rounds of consultation with both Bayside Council and Council's independent advisors.

As such, there is a clear public benefit for proceeding with this Planning Proposal and it should be favourably considered by Council, and that Council resolve to forward it to the Department of Planning and Environment; to allow the Department to consider the Planning Proposal for Gateway Determination, under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.



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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.





# APPENDIX A    URBAN CONTEXT REPORT

# APPENDIX B ECONOMIC IMPACT ASSESSMENT (RETAIL)

# **APPENDIX C ECONOMIC IMPACT ASSESSMENT (COMMERCIAL)**

# APPENDIX D      LEP MAPPING

# **APPENDIX E      UPDATED TRAFFIC MODELLING**



# APPENDIX F    UPDATED QUANTITATIVE RISK ASSESSMENT

# APPENDIX G

# SITE SPECIFIC DCP

# **APPENDIX H      AERONAUTICAL ASSESSMENT**

# **APPENDIX I EASTGARDENS SOCIETAL RISK RESULTS TECHNICAL NOTE**

# **APPENDIX J LETTER TO PROPONENT FROM DPE DATED 31 MARCH 2022**

# **APPENDIX K   TECHNICAL ADVICE FROM DPE MARCH 2022**



# **APPENDIX L      FLOOD IMPACT ASSESSMENT**

# **APPENDIX M      ADDITIONAL TRAFFIC ADVICE**



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