

Alexander Galea
Senior Planning Officer
Sydney Region East
Department of Planning and Environment

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Emailed to: alexander.galea@planning.nsw.gov.au

**Subject: Application for a Site Compatibility Certificate
applying to 677, 687 Canterbury Road and 48
Drummond Street, Belmore
(SCC_2019_CBANK_001_00)**

Thank you for your email of regarding the Site Compatibility Certificate (SCC) applying to land at 677, 687 Canterbury Road and 48 Drummond Street, Belmore. I note the site was the subject of a previous SCC application that was granted by the department in 2014, which expires on 15 July 2019, and that I wrote to the department previously on 27 June 2018 requesting that application be rescinded in accordance with a resolution of Council.

Council does not support the new SCC application as it is inconsistent with local and state policies, specifically the Canterbury Road Review and South District Plan.

The strategic context for this site has changed considerably since the SCC was issued for this site in 2014, and it is important that this be considered in the assessment of the new application.

Canterbury Road Review

Shortly after the former Canterbury and Bankstown Councils merged to create Canterbury Bankstown Council in May 2016, the Council prepared and adopted the Canterbury Road Review, which sets a new strategic vision for the corridor. The review was guided by a steering committee chaired by the department, with representation from Transport for NSW, Roads and Maritime Services, and the Greater Sydney Commission.

In response to the long string of mixed use development that was occurring along the corridor due to ad-hoc decision making on planning proposals and development applications, the review proposes to cluster development into a series of strategic locations referred to as junctions and localities. The junctions and localities have been defined to concentrate development in locations that will provide opportunities for the creation of open space, pedestrian connectivity,



take advantage of north/south bus links and result in the lowest levels of additional traffic congestion.

As shown in Figure 1 below, this site is not within a junction or locality, and is therefore not recommended for multi storey residential development.

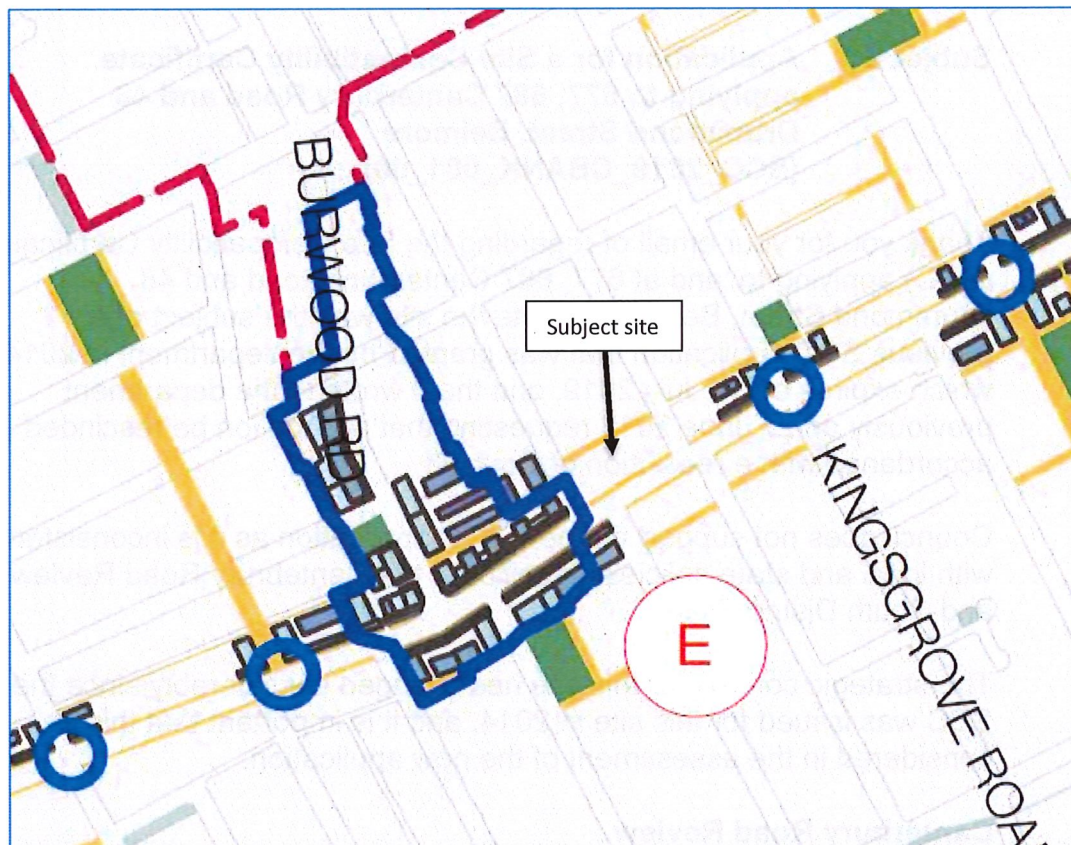


Figure 1: Extract from Canterbury Rd Review Urban Design Study (Hill Thalys, 2018)

Previous planning proposal

This site was subject to a planning proposal, which sought to rezone the land to allow mixed use development. Council's Local Planning Panel considered this matter on 18 June 2018, and recommended that Council not progress with the planning proposal. The minutes noted that:

The Panel has placed significant weight on Council's in principle adoption of the Canterbury Road Review. This Panel considers that the planning proposal is not consistent with the Review, specifically in regard to employment lands and given that it is outside of a junction and locality. The proposal is also inconsistent with the principles of the South District Plan. The



Panel notes there was a site compatibility certificate issued in July 2014. However, this certificate was predicated on previous policy positions.

Consequently, Council resolved not to proceed with the planning proposal on 26 June 2018 and also to write to the department to request that the Site Compatibility Certificate be revoked.

South District Plan

Additionally, in March 2018 the Greater Sydney Commission produced the South District Plan. Under Planning Priority S10 of the plan, industrial and urban services land such as the B6 Enterprise Corridor zone is to be planned, retained and managed. Action 39 of the plan states:

"Retain and manage industrial and urban services land, in line with the Principles for managing industrial and urban services land, in the South District by safeguarding all industrial zoned land from conversion to residential development..."

Issuing a further SCC would contradict the direction by allowing the site to be redeveloped for primarily residential purposes, and impede opportunities for the site to be developed for genuine employment purposes.

Site isolation matters

The SCC application states that "the site is surrounded by mixed use business zones along Canterbury Road and residential land to the north" (page 5).

Land adjacent to this site (642-644, 650-658 Canterbury Road, 1-3 Platts Avenue, 2, 2A, 2B, 2C and 2D Liberty Street, Belmore) was subject to a planning proposal which Council decided not to proceed with in June 2018. The applicant sought a gateway review through the Independent Planning Commission which recommended that Council's decision should not be overturned on the basis of the current strategic planning policies, particularly the Canterbury Road Review and South District Plan. Consequently, the subject site forms part of a strategic grouping of employment uses between a junction and locality that reinforces the nodal approach along Canterbury Road, as opposed to an isolated parcel of employment land.



Development Application

On the basis of the current SCC, DA-70/2019 was lodged by Pacific Planning on 6 March 2019. The concept application seeks approval for three x six storey building envelopes (the initial application included one seven storey building, but this was later amended). Due to the lodgement of the development application relatively close to the expiry date of the SCC, it is unlikely that the DA will be able to be determined by the Sydney South Planning Panel.

The application has been assessed by Council staff irrespective of the upcoming expiry of the SCC. Attached to this submission is the assessment letter related to the application. The critical issues raised from the assessment include:

- The Roads and Maritime Services do not support the proposed additional residential density until further traffic and transport studies, mitigation works and funding mechanisms are finalised for Canterbury Road (including road widening requirements).
- The application is not 'by or on behalf' of a public authority or social housing provider. Therefore the applicant is not eligible to obtain development consent pursuant to Clause 35, Division 5 of State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH).
- The subject site must demonstrate by survey that it is within 800m walkable distance from the entrance of the train station (Clause 34, Division 5, SEPP ARH).
- The proposed excessive, unsupportable, height breaches should be addressed through a planning proposal, not clause 4.6.
- The site is zoned primarily commercial and therefore requires ground floor commercial on all frontages, not just Canterbury Road (Clause 36(2)(b)).
- The proposed FSR breach is not supported based on the submitted clause 4.6 written request.
- The three building envelopes do not meet the Apartment Design Guide design criteria for visual privacy/building separation, solar access and ventilation.
- Further contamination investigations are required, including appointment of a NSW Environment Protection Authority accredited site auditor to audit all reports.
- Inadequate and outdated traffic studies from 2014/2015 have been submitted. Current traffic studies are required.

**Conclusion**

Council does not support the new application for an SCC on this site as it is inconsistent with the Canterbury Road Review and South District Plan. Several issues arising from the assessment of the development application lodged under the current SCC raise concern about the new SCC application, particularly the applicability of Division 5 of SEPP ARH.

There has been a layering of strategic planning decisions affecting this site and others along the corridor which would be undermined if an additional SCC were to be issued allowing mixed use development in this location.

Kind regards

A handwritten signature in blue ink, appearing to be 'Mitchell Noble', written over the 'Kind regards' text.

Mitchell Noble
Manager Spatial Planning