

8 September 2016

NSW Department of Planning and Environment
Carolyn McNally, Secretary
GPO Box 39
SYDNEY NSW 2001

Attention: Karen Armstrong, Director, Sydney Region East

Dear Karen,

**Rezoning Review Request
124-142 Beamish Street, Campsie**

I write to you in relation to a planning proposal to amend the Canterbury Local Environmental Plan 2012 for a significant and large consolidated site within Campsie town centre, located at 124-142 Beamish Street. The site is bound by Beamish Street, Ninth Avenue and Campsie Street and is 3,833 sq.m in size.

The planning proposal seeks to increase the maximum building height from 21 metres to a range of building heights including 50 metres; 60 metres; and 79 metres and will facilitate a mixed use development comprising up to 36,299sq.m of GFA including 310 dwellings and 6,900sq.m of retail and commercial floorspace. The site is zoned B2 Local Centre, within which "shop top housing" is permissible with consent. No floor space ratio (FSR) controls apply to the subject land.

Summary of Planning Proposal

The subject site is a large amalgamated site comprising 3,833 sq.m of land area within the centre of Campsie, approximately 150 metres from the Campsie train station. The site is nominally rectangular in shape, and has three street frontages: Ninth Avenue to the north, Beamish Street to the east and Campsie Street to the south. The site is adjacent to key council facilities and a large community park. The amalgamation of such a significant land size in the centre of the Campsie town centre is rare due to the historical small and fragmented land ownerships in the town centre.

Due to its size and central location to the Campsie town centre, the site is considered a key location to assist Council to meet its housing targets under *A Plan for Growing Sydney* and the imminent South Subregional District Plan.

The Planning Proposal will facilitate the future development of the site, which will include:

- A 2 storey podium across the site
- 5 buildings ranging in height from 8-25 storeys
- 25 storey element in the form of a tower at the corner of Beamish Street and Ninth Avenue
- Communal open space on roof of Building D and podium courtyard.

To facilitate development, the Planning Proposal seeks to amend the Height of Buildings Map under Canterbury Local Environmental Plan 2012 to accommodate building heights on the site of 50 metres; 60 metres; and 79 metres. The proposed height of buildings map and development concept is included in Figures 1 and 2 below:

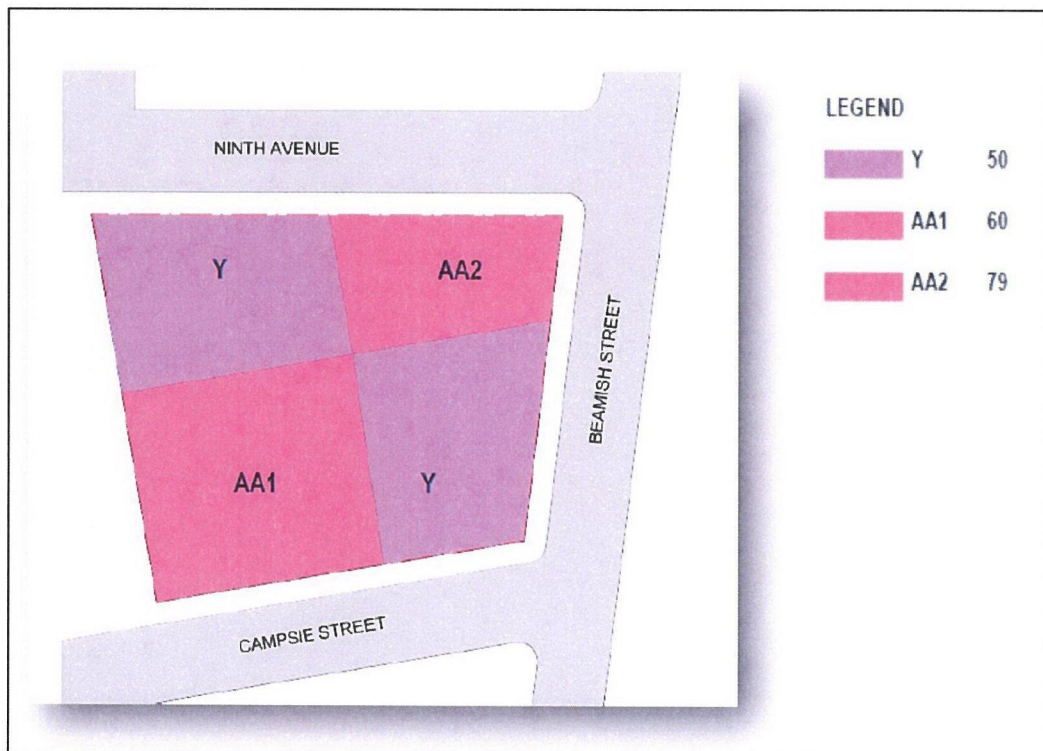


Figure 1: Proposed Maximum Height of Buildings Map

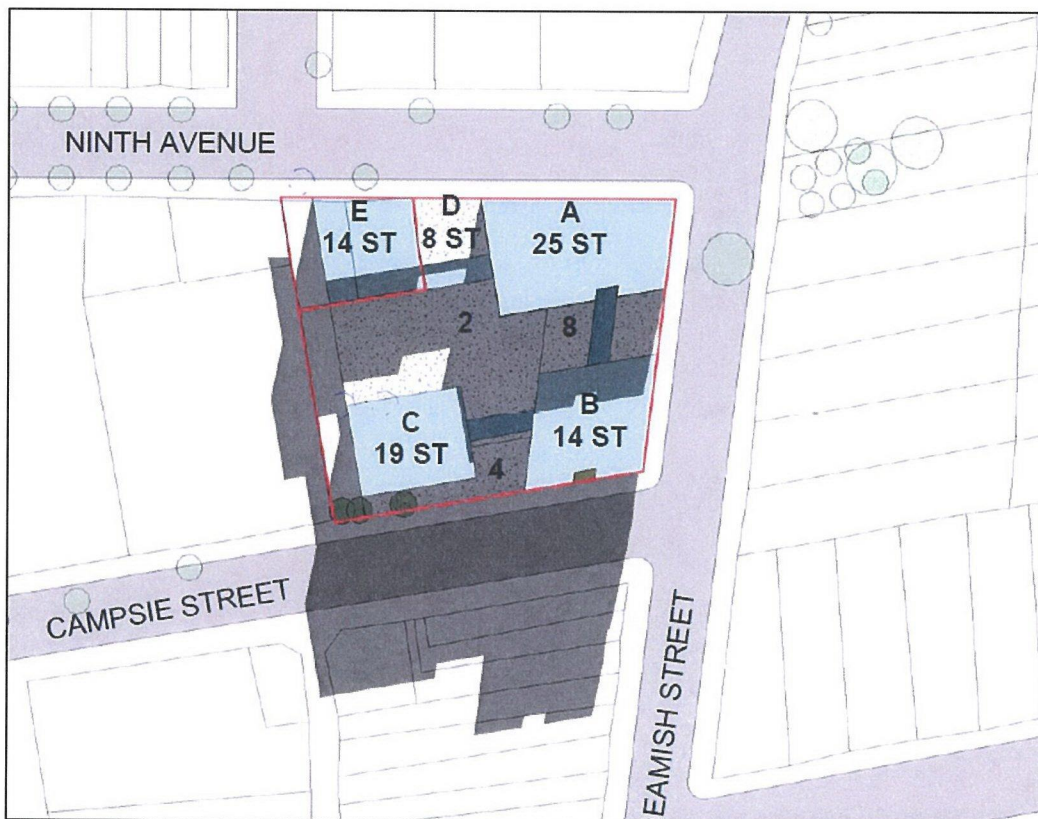


Figure 2: Proposed development concept

Supporting Documentation

Please find attached the completed application form that accompanies this letter. The following documents are also attached in support of the rezoning request:

Attachment 1 – The Planning Proposal, prepared by DDC Urban Planning dated December 2015

Attachment 2 – Urban Design Report, prepared by Stanisic Architects dated December 2015

Attachment 3 – Traffic and Parking Assessment, prepared by Varga Traffic Planning dated December 2015

Attachment 4 – Heritage Impact Statement, prepared by Urbis dated December 2015

Attachment 5 – Preliminary Site Investigation, prepared by Benviron Group dated November 2015

A cheque in the sum of \$20,000 being the Department's fee for the Rezoning Review (initial assessment & referral to Panel/Commission) accompanies this application.

Background

Discussions with Council commenced in early 2014 regarding the future development potential of the land given its key location in the Campsie town centre and proximity to transport and services. At this time the size of the subject land was approximately 1000 sq.m; and Council encouraged the applicant to pursue opportunities for land amalgamation to facilitate a larger development footprint and a better built form outcome capable of achieving greater density and height due to the strategic advantages of the location. Subsequently, by early 2015, approximately 4000 sq.m of land had been acquired and consolidated and a new scheme for the larger site was studied through continual consultation and dialog with Council staff.

The consultation process with Council resulted in the presentation of a number of design schemes to Council senior staff during early to mid-2015. A formal lodgement of a detailed urban design scheme, that supported a planning proposal seeking to amend only the height permissible on the land was prepared. A design excellence process to guide the development and design of a future building for the site was also suggested by the applicant to ensure a quality outcome as a result of the process.

The planning proposal was subsequently formally lodged on **9 October 2015** following months of extensive conversation and pre-lodgement collaboration with the then Canterbury City Council. Subsequently, the planning proposal was refined following concerns over the extent of the increase in height and the planning proposal was amended on advice from staff in **December 2015** with revised maximum height of building controls.

The original Planning Proposal sought to amend the maximum building height from 21 metres to building heights of 40 metres; 52 metres; and 105 metres and following discussion with Council, a revised proposal was lodged for building heights of 50 metres (14 storeys); 60 metres (19 storeys); and 79 metres (25 storeys).

Following extensive consultation processes, it was advised that the planning proposal would be presented to a meeting of Council in May 2016, with a recommendation to progress to the Gateway for consideration. However, the formal consideration of the Planning Proposal has been delayed due to the recent formation of the Canterbury-Bankstown Council and the establishment of the revised arrangements for the Council's operation.

Further, at its Ordinary Meeting of 26 July 2016, the Canterbury-Bankstown Administrator moved a minute to defer planning proposals that *"primarily rely on the draft Sydenham to Bankstown Urban*

Renewal Corridor for justification and have not received a Gateway approval from the Department of Planning and Environment, until the strategy is finalised and reflective of local planning needs”.

While the need to finalise the Strategy and the important role it will play to evidence based strategic planning along the corridor is recognised, the Concept Plan for the subject site has been designed in accordance with the draft Strategy as it seeks to deliver on the unique position of a large amalgamated site within 150 metres of a major transport interchange at Campsie railway station.

Further, the application process commenced in early 2014 when the applicant started working collaboratively with Council on an appropriate development outcome given the strategic alignment with Council’s expectations for the subject site and the Campsie town centre. The draft Sydenham to Bankstown Urban Renewal Corridor Strategy was released for public comment in October 2015 well after this process had commenced. It should be noted however, that the Planning Proposal recognises the strategic planning framework of the Strategy and the relationship of the proposal to the Government’s strategic direction is discussed further below.

At all times the applicant has sought to work with the Council executive and planning staff on the progression of the development of the site. Unfortunately, these latest delays have caused an urgent need to apply a process that will enable the project to progress through the planning system.

The landowner at great expense and at considerable risk has followed the direction of public sector staff in good faith to acquire additional land to ensure a scheme to the satisfaction of the then council could be achieved. Whereas the realignment of the new council and establishment of business units is understood; it is not appropriate in terms of business investment that the application should face further unnecessary delays. The loss of a large amalgamated site and the positive community and strategic benefits in a key central location is a real possibility if delays continue.

Justification for Review

It is noted that the Department of Planning and Environment recently announced changes to the Rezoning Review process (formerly pre-Gateway review) which commenced on 1 September 2016. The revised process seeks to increase independence, transparency and to focus reviews on a strengthened strategic merit test. The Department is commended for the reforms and the strengthened strategic threshold for proposals.

The Department’s Planning Circular (PS 16-001) notes that a key factor in determining whether a proposal should proceed to a Gateway determination should be its strategic merit. It is considered that the Planning Proposal meets this test as follows:

Rezoning Review Strategic Merit Test	Comment
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	The draft Sydenham to Bankstown Urban Renewal Corridor Strategy was released by the Department of Planning and Environment in October 2015 for public comment. The Strategy as it relates to Campsie, identifies the site as ‘main street shop top housing’ at its frontage to Beamish Street and ‘high rise and mixed use’ for the remainder of the site. This includes buildings greater than 9 storeys, with towers and generally commercial premises at lower levels.

	The concept plan has been designed in accordance with the draft Strategy, and seeks to take advantage of the unique position of a large amalgamated lot within 150 metres of a major transport interchange at Campsie railway station. While the need to finalise the Strategy is supported, the proposal will provide significant housing, jobs and public space in an important location in Campsie, while also achieving outstanding design excellence. It is consistent with the State Government's Corridor Strategy and meets the vision and objectives to deliver <i>"medium to high rise housing around a larger centre featuring a wide range of new shops, businesses and community services"</i>. In summary, the Strategy comments: <i>"There is a strong market within Campsie for new unit developments, Campsie will continue to be a major hub of retail and commercial activity within the corridor"</i>.
Consistent with a relevant local strategy that has been endorsed by the Department; or	Canterbury does not have a specific local strategy that has been endorsed that is relevant to the subject site. The Planning Proposal is consistent however with Council's Community Strategic Plan, as it provides diverse, sustainable housing in appropriate locations near transport and services. There is also a focus to maintaining an appropriate mix of houses and units while allowing appropriate growth to nurture and prosper local business.
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.	Canterbury LEP 2012 commenced when it was published on the NSW Legislation website on 21 December 2012, 3 years and 9 months ago. The LEP was exhibited in May 2012, meaning it has been over 4 years since the community were last consulted. However, since this time, the NSW Government has announced the Sydney Metro City & Southwest metro line extension between Chatswood and Bankstown (June 2015) and the draft Sydenham to Bankstown Urban Renewal Corridor released by the Department of Planning and Environment in October 2015 for public comment. The Corridor includes 13km of the existing Bankstown Rail Line, and establishes a strategic planning framework to guide future development and infrastructure delivery including 36,000 additional dwellings and 10,000 additional jobs within the 11 rail station precincts. As discussed above, the Planning Proposal is entirely consistent with delivering housing and jobs in close proximity to the enhanced public transport network, and the draft controls contained within the draft Corridor Strategy.
Note: a proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test.	

It is noted that the revised strategic merit test under the Rezoning Review process states that *“a draft regional plan outside of the Greater Sydney Region, district plan within the Greater Sydney Region or corridor/precinct plan that has been released for public comment by the Minister for Planning, Greater Sydney Commission or Department of Planning and Environment does not form the basis for the Strategic Merit Test where the Minister for Planning, Greater Sydney Commission or Department of Planning and Environment announces that there is to be another exhibition of, or it is not proposed to finalise, that draft regional, district or corridor/precinct plan”*.

It is understood that the Department does not intend to exhibit the *draft Sydenham to Bankstown Urban Renewal Corridor Strategy* again which is currently being finalised. As demonstrated above, the Planning Proposal is consistent with the strategic planning framework and any changes to the draft Plan can be reflected in the Planning Proposal at a later stage if necessary. However, this should not prevent the Planning Proposal being considered by the Gateway and tested against the expectations and views of the local community.

Having met and addressed the Strategic Merit Test criteria above, the Rezoning Review process will undertake further assessment of the proposal based on site specific merit, addressed below:

Rezoning Review Site-Specific Merit Test	Comment
The natural environment (including known significant environmental values, resources or hazards);	The site is fully developed and is not likely to contain critical habitat, threatened species, populations or ecological communities or their habitats. Further, the site is not known to contain any significant environmental value and no resources or hazards are relevant to the site. Further, the subject site does not comprise heritage listed items and is not located within a heritage conservation area; however, it is in the immediate vicinity of heritage items, most notably the Orion Centre at 151-155 Beamish Street. The Orion Centre is an interwar cinema building which has been converted into a community meeting hall and is a locally listed item of heritage significance. A Heritage Impact Assessment has been prepared by Urbis in support of the Planning Proposal. The Assessment concludes: <i>“Extant site development is not of heritage significance and generally reflects a mix of later 20th century development and substantially altered early 20th century development, all of which is of poor architectural quality. The subject site does not contribute to the setting of the heritage items in the vicinity...”</i>. <i>“Whilst the development will be out of scale with the noted heritage items, the proposed redevelopment seeks to mitigate impacts by creating the two storey podium. The proposed option.... also seeks to mitigate impacts of massing by varying the scale of the tower forms and articulating the towers on the Beamish Street frontage and providing for slot views and separation between the towers”</i>.

	Therefore, the Assessment supports the proposal on heritage grounds concluding <i>“that there is no further impact posed to the heritage items in the vicinity by the increased heights”</i>
The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and	Currently the subject site is occupied by two storey retail and commercial buildings with on-site parking. The buildings match the height of the parapet shopping strip to the south of Campsie Street, which are post-1950s and generally of poor architectural quality. To the north of the site on Ninth Avenue are mixed use developments, 3 - 6 storeys in height. Directly opposite on Beamish Street is two storey strip shopping and the heritage listed Orion Theatre. Directly to the west of the site on Campsie Street is a 8-9 storey mixed use development. Due to its large amalgamated area, and its central location within the Town Centre the subject site is a key site for meeting Canterbury Council’s density and urban renewal targets. Council and the applicant have recognised the difficulties associated with land fragmentation and amalgamation throughout Campsie, and therefore this site presents a significant opportunity to provide a landmark development in conjunction with the rapid transport Metro Line and urban renewal throughout Campsie town centre.
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	As discussed above the NSW Government has announced the Sydney Metro City & Southwest metro line extension between Chatswood and Bankstown (June 2015). Stage 2 of Sydney Metro will extend metro rail from Sydney’s booming North West region, beneath Sydney Harbour, through new underground central business district stations and beyond to Bankstown. The line will be upgraded and converted to metro standards, increasing services from eight an hour in the peak to 15 new metro trains every hour with real time information at metro stations and on board trains. Further, the State Government through the Campsie Land Use and Infrastructure Analysis has identified improvements to the regional bus network and upgrades to the rail and bus interchange. Additionally, upgrades to the regional road network to improve capacity and enhance vehicle travel times and bus reliability will be delivered through Section 94 Contributions as will parks; open space; and community facilities. Finally, given the site is developed for urban purposes, existing water, waste and electrical utilities are considered available, with any management issues dealt with at the Development Application stage.

Conclusion

While we respectfully understand that the Councils amalgamation has caused delays across planning applications, it is important for this proposal and for investor confidence generally, that the momentum, understanding and agreement on controls developed between our consultant team and the then senior Council staff and Councillors during 2015 and 2016 is maintained.

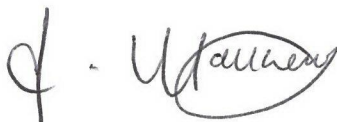
As discussed, the Planning Proposal as originally lodged with Council in October 2015 has been amended following Council advice during the preliminary discussions prior to being re-submitted in December 2015. It has now been 8-9 months since the proposal was lodged, without Council's formal consideration of the matter. Therefore, in accordance with the Department's revised Rezoning Review process and *A guide to preparing local environmental plans*, this request is submitted to the Department as Canterbury-Bankstown Council has not made a determination within 90 days.

It is important to note in closing the extensive background to this proposal; and the collaborative approach and dialogue between the applicant and the Council over the last 2.5 years. While the recent delays have been frustrating, the site offers a significant opportunity for urban renewal to support the NSW Government's objectives for the provision of jobs and housing in key strategic locations. The site is unique in terms of land ownership and a collaborative approach between the Council, applicant and the State Government is preferred; however, the recent Council amalgamation and Administrator minute has resulted in continued delays in progressing this important project.

At all times the applicant has sought to work with the Council executive and planning staff on the progression of the development of the site. Unfortunately, these latest delays have caused an urgent need to apply a process that will enable the project to progress through the planning system.

Thank you for your consideration of the subject planning proposal, and we look forward to progressing the matter with the Department and the independent advice from the relevant regional Panel/Commission. If you have any questions in relation to this matter, please do not hesitate to contact me on 0437 521 110.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Mathews', with a stylized flourish at the end.

James Mathews
Planning Director
Pacific Planning