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12 May 2020

Mr Brendan Metcalfe
Director Eastern and South Districts
Department of Planning and Environment
Sydney Region East
GPO Box 39
Sydney NSW 2001

Dear Brendan,

REQUEST FOR REZONING REVIEW FOR PLANNING PROPOSAL - 152 BUNNERONG ROAD, EASTGARDENS

1. INTRODUCTION

On behalf of Scentre Group co-owners and managers of the Westfield Eastgardens Shopping Centre, together with co-owner Terrace Tower Group (the Proponent), we request a Rezoning Review of a revised Planning Proposal submitted to Bayside Council (the Council) on 23rd December 2019. The Planning Proposal seeks to amend the maximum building height and floor space ratio controls under the *Botany Bay Local Environmental Plan 2013* (BBLEP) as it applies to 152 Bunnerong Road, Eastgardens (the site).

The Rezoning Review request has been initiated by the Proponent as Council has failed to indicate its support 90 days after the lodgement of the Planning Proposal, which was initially submitted to Council in May 2017.

This request has been prepared in accordance with Section 5.1 of '*A guide to preparing local environmental plans*' and includes an overview of the site, its context and the strategic and site-specific merit of the proposal.

This request is accompanied by the following documentation:

- **Part 1:** A completed Rezoning Review application form and requisite application fee;
- **Part 2:** A copy of the Planning Proposal and supporting documentation as lodged; and
- **Part 3:** A copy of the relevant correspondence with Council.

In our view, the Planning Proposal has clear strategic and site-specific merit to support a Gateway Determination. In summary, the reasons include:

- The Planning Proposal was unanimously supported by the Bayside Local Planning Panel (LPP) at the LPP meeting on 18th February 2020.

- The Planning Proposal was supported and recommended that it proceed to Gateway by Council's Assessment Staff as detailed within their Planning Proposal Assessment Report presented at the 25th March 2020 Ordinary Council Meeting.
- The Site is recognised as part of the Maroubra – Eastgardens Strategic Centre under the Eastern City District Plan.
- The Planning Proposal will facilitate the expansion of Westfield Eastgardens and deliver an upgraded, high quality mixed-use retail centre incorporating expanded retail; two new commercial towers and an enhancement of the existing commercial building which combined have the capacity to accommodate an additional circa 3700 jobs at completion and thus strengthen the economic role of the Strategic Centre.
- The proposal will deliver a range of tangible public benefits in the form of an upgraded bus terminus and publicly accessible civic plaza. This will benefit the existing and future community as well as residents of the adjacent Meriton site.
- The anticipated environmental and amenity impacts arising from the Planning Proposal have been considered and the specialist reports submitted with the Planning Proposal conclude that the proposal will facilitate a development that will not result in any unreasonable impacts on the surrounding locality.
- The Planning Proposal satisfies both the strategic and site-specific merit test of the *A Guide to Preparing Local Environmental Plans (2018)* published by the Department of Planning and Environment (now DPIE). This is outlined in detail within Section 5.1 and Section 5.2 of this Rezoning Review letter.

2. THE SITE

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.

The site is known as 152 Bunnerong Road, Eastgardens and legally described as Lot 1 DP1058663. The site has a total site area of approximately 9.3ha. The Westfield Eastgardens shopping centre occupies a site which is bound by Wentworth Avenue to the south, Bunnerong Road to the east, Westfield Drive to the north and Banks Avenue to the west (see Figure 1 overleaf). Note that Westfield Drive is a private road and forms part of 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. The centre is a fully enclosed, multi-level regional shopping centre. It is anchored by Myer, Big W, Coles, Target, Woolworths, Kmart and over 250 specialty stores.

The centre provides some 84,400sqm of Gross Leasable Area which accommodates approximately 70,500sqm of retail floor space (excluding cinemas, banks and travel agents etc), some 5,000sqm of office floor space and a 723-seat cinema complex, supported by over 3,100 car parking spaces. The site also contains a Council library and customer service counter which extends to approximately 1,500sqm and exists by virtue of the requirement of planning condition on the original consent for the shopping centre in 1987.

The total consented gross floor area (GFA) for the site is currently 100,926sqm (following DA14/123), although the full extent of this floor space has not yet been developed. A desktop survey of the existing building performed by Scentre Group in 2018 calculates the existing built GFA as 99,440sqm.

Figure 1 Aerial view of Site (outlined in red and highlighted)



Source: Sixmaps

3. BACKGROUND

An overview of the lengthy process and timeframe of the planning proposal to date is provided below in Table 1.

Table 1 Planning Proposal Background

Date	Event
29 May 2017	Planning Proposal Lodged A Planning Proposal was submitted to Bayside Council. The draft planning proposal requested Council initiate an amendment to the BBLEP 2013 at 152 Bunnerong Road, Eastgardens to amend the Height of Building control to permit a maximum height of 34 metres and amend the FSR control to permit a maximum FSR of 1.7:1.
21 Mar 2018	Addendum to Planning Proposal Lodged The proponent submitted an addendum to the draft Planning Proposal, proposing a maximum FSR of 1.7:1 and a maximum height of 34 metres over the existing

Date	Event
	shopping centre and a maximum height of 70 metres along the Bunnerong Road frontage of the site.
5 Mar 2019	Revised Planning Proposal Lodged A revised Planning Proposal was submitted to Council, proposing a maximum FSR of 1.85:1 and height controls of part 34 metres, part 40 metres and part 70 metres.
23 Dec 2019	Response to Council comments provided The Proponent lodged a revised Planning Proposal designed in response to additional comments from Council and their independent advisors. This Planning Proposal is the subject of this Rezoning Review request. It seeks a maximum FSR of 1.8:1 and height controls of part 34 metres, part 40m and part 59 metres.
18 Feb 2020	Planning Proposal <u>supported</u> by Bayside Local Planning Panel The Planning Proposal was reported to the Bayside Local Planning Panel (LPP). The LPP provided the following recommendations: <i>The Bayside Local Planning Panel recommend to Council that pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979 (EPAA), the draft Planning Proposal for 152 Bunnerong Road, Eastgardens be submitted to the DPIE for a Gateway Determination subject to:</i> <ul style="list-style-type: none"> ▪ <i>The draft DCP being updated to include further details and controls in relation to: landscape strategy with the provision of canopy trees; public domain interfaces and active street frontages; car park screening; maximum building length, maximum footprint area, building depths and articulation; pedestrian connections; building separation; building height strategy; and - primary and secondary building setbacks.</i> ▪ <i>Further refinement of the built form to ensure reasonable solar access is provided to dwellings located on the southern side of Wentworth Avenue.</i> The reasons stated by the LPP in making the above recommendation was: <i>The Panel considers the site has both strategic and site-specific merits and intensification of uses on the site and commercial office space for employment is consistent with the Metropolitan, District and Local strategies and plans for the area.</i> <i>Furthermore, the increase in FSR and height on the subject site provides the opportunity to incorporate sustainability measures in the DCP /concept plan.</i>

Date	Event
8 Apr 2020	<p data-bbox="432 533 1155 566">Council Meeting resolved to <u>defer</u> the Planning Proposal</p> <p data-bbox="432 593 1426 763">The Planning Proposal was presented to the General Manager briefing of the Bayside Councillors. An assessment report for the Planning Proposal was prepared and included within the 8th April 2020 Ordinary Meeting of Council agenda. The assessment report provided the following recommendations for the revised Planning Proposal:</p> <ul data-bbox="432 790 1436 1489" style="list-style-type: none"> <li data-bbox="432 790 1436 947">▪ <i>That, pursuant to section 3.34 of the EPAA , Council considers the recommendation of the Bayside Local Planning Panel from 18th February 2020 and forwards the draft Planning Proposal for land known as 152 Bunnerong Road, Eastgardens to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.</i> <li data-bbox="432 969 1436 1489">▪ <i>That, pursuant to Clause 18 of the Environmental Planning and Assessment Regulation 2000, if a Gateway Determination is issued by DPIE, Council publicly exhibits the site-specific Development Control Plan (DCP) concurrently with the Planning Proposal for 28 days, subject to the following refinements being made to the site-specific DCP prior to exhibition:</i> <ul data-bbox="464 1142 1426 1489" style="list-style-type: none"> <li data-bbox="464 1142 1426 1205">– <i>Further refinement of the built form to ensure reasonable solar access is provided to dwellings located on the southern side of Wentworth Avenue.</i> <li data-bbox="464 1227 1426 1346">– <i>The Council invite the Scentre Group to enter into a Planning Agreement with Council to ensure public benefits are provided to the local community, in accordance with the provisions of the Environmental Planning and Assessment Act 1979.</i> <li data-bbox="464 1368 1426 1489">– <i>That if a Gateway Determination is issued by DPIE, a further report be presented to Council following the public exhibition period to demonstrate compliance with the Gateway Determination, and to provide details of any submissions received throughout that process.</i> <p data-bbox="432 1512 1426 1615">Despite the recommendation for approval within the assessment report and the LPP favourable recommendation, the Councillors unanimously resolved to defer the matter as per the following minute:</p> <p data-bbox="432 1637 611 1671">RESOLUTION</p> <p data-bbox="432 1693 636 1727"><i>Minute 2020/065</i></p> <p data-bbox="432 1749 1198 1783"><i>Resolved on the motion of Councillors Saravinovski and Tsounis</i></p> <p data-bbox="432 1805 1390 1879"><i>That this item be deferred for an independent peer review of the work to be done and be referred back to Council.</i></p>

Date	Event
	During Councillors deliberation, and prior to making their resolution, Council's Director of City Futures verbally advised that the independent peer review could take up to 4 months to complete.

3.1. PROPONENT COMMENTARY

Council's resolution was prompted by a view expressed in the Chamber that as Council maintains a library and customer service counter within the Centre, a potential for conflict existed. Accordingly, the Councillors resolved that an independent review of the Proposal should have occurred prior to it being considered by elected official.

It should be noted that Council has no real property interests in this matter. Council's facilities within the site are not subject to any commercial lease, rather relying on a licence agreement that arose from a Condition required under the terms of the original planning consent for the shopping centre and office facilities, which was given approval on 23rd July 1987 by Botany Municipal Council (Ref 1043(c)). Condition 33 of this consent which states that:

"The applicant shall provide the following community facilities and services:

- a) A library and Council Office on Level 1 of the complex, adjacent to the Finance Court in the north-western corner, as shown on Plan A10.*

The total floor space of these facilities is to be provided to a stage of substantial completion, incorporating the following:

- (i) Air conditioning.*
- (ii) Lighting.*
- (iii) Floor and wall coverings.*
- (iv) Fixtures, including bookshelves.*
- (v) Public and staff amenities.*
- (vi) Partitioning.*
- b) The entrance corridor to these facilities shall have wall, floor and ceiling treatment and lighting to the satisfaction of the Council.*
- c) Internal and external signage for the facilities referred to in (a) is to be provided to the satisfaction of the Council.*

These facilities shall be made available to Council at a rental of \$1 per year on a perpetual lease basis and shall be ready for occupation by Council by not later than 1st January 1988."

The Proponent is clear that this Planning Proposal does NOT derogate from the obligations required by that consent

Accordingly, it is strongly considered that this independent review has already been undertaken by the Bayside LPP. Indeed, the Terms of Reference for the Bayside Local Planning Panel states in part:

“The Bayside Planning Panel is charged with considering Planning Proposals (PPs) of any scale and value and determining Development Applications (DAs) where the value is less than \$30 million, and where there is a potential conflict of interest....”

These Terms of Reference are based on Ministerial Direction dated 23 February 2018. Whilst directed at DAs, the intent of this Direction has been extended by Bayside to also apply to Planning Proposals. It is therefore considered that an independent review of the Planning Proposal had already been undertaken by the LPP prior to the matter being reported to Council.

The Local Planning Panel unanimously considered that the site has both strategic and site-specific merits and intensification of uses on the site and commercial office space for employment is consistent with the Metropolitan, District and Local strategies and plans for the area.

It should also be noted that the Proponent remains committed to working to deliver a site specific DCP in line with the recommendations of the Officer’s report to Council. However, given the uncertainty surrounding the resolution of Council, this process can only be continued subject to the proposal achieving Gateway approval.

4. SUMMARY OF PLANNING PROPOSAL

4.1. INTENDED OUTCOME & PROPOSED LEP AMENDMENT

The Planning Proposal has been prepared to amend the height and FSR controls that apply to the site under BBLEP 2013 as described in Table 2.

Table 2 Existing and Proposed BBLEP 2013 controls

Provision	Existing Control	Proposed Control
Height of Buildings	25m	Part 34m, part 40m and part 59m (with the remainder of the site unchanged at 25m).
Floor Space Ratio	1:1	1.80:1 Note. current consented FSR on site is 1.087:1.

4.2. CONCEPT PROPOSAL

4.2.1. Intended Future Development

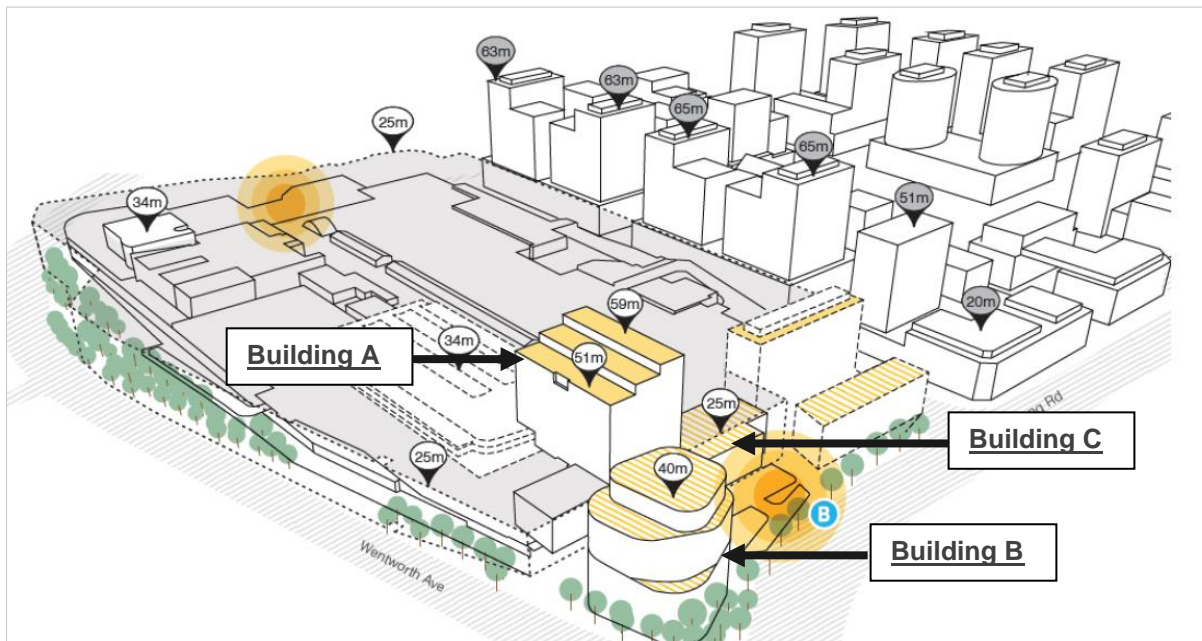
The intended future development for the site, of which would be facilitated by the Planning Proposal, comprises the following:

- Expansion of the existing shopping centre;
- Construction of two new towers and enhancement of an existing building comprising:

- 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.
 - 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.
- Upgrades to the existing bus interchange; and
 - Delivery of a new publicly accessible plaza fronting Bunnerong Road.

The proposed masterplan for the site is illustrated in Figure 3. Further detailed design documentation was submitted as part of the revised documentation lodged on the 23rd December 2019. The design has been informed by the vision, opportunities and constraints of the site, and feedback from Bayside Council that included its own independent peer review.

Figure 2 Proposed Masterplan



Source: Architectus

4.2.2. Project Vision

The concept proposal is driven by a vision to transform Westfield Eastgardens into a vibrant, mixed use town centre accommodating an improved arrival experience, expanded retail and leisure offering, and new commercial office towers integrated into an active civic plaza (as illustrated in Figure 3 below), 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.

Figure 3 Proposed Masterplan CGI Image of Civic Plaza



Source: Architectus

There is also a longer-term aspiration to introduce new uses on the site such as student accommodation or a hotel on the northern Bunnerong Road frontage. This does not form part of the current Planning Proposal however is illustrated on the Masterplan to show how this portion of the site may be developed in the future.

The Masterplan demonstrates a cohesive and integrated approach to the redevelopment of the shopping centre that facilitates 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 key elements of the project vision are summarised below:

- 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 two new commercial buildings to accommodate a range of office uses, which will assist future employment growth and job creation at the centre.
- Create a new food and leisure precinct with rooftop dining, benefiting from views across the local golf course and towards the Sydney CBD.
- Upgrade the existing bus interchange to add more capacity and improve the passenger experience.
- 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.
- 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 large 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.

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

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

4.3. ENVIRONMENTAL IMPACTS

The Concept Master Plan demonstrates that a viable building envelope can be achieved on the site to accommodate the proposed uses without any significant adverse environmental impacts. Notwithstanding this, given the proposed uplift in height and density, the potential environment effects that are relevant to the Planning Proposal are addressed below.

4.3.1. Overshadowing

An extensive overshadowing assessment using 3D modelling of the revised massing has been undertaken by Architectus and is documented in the Urban Context Report. The revised modelling concludes that:

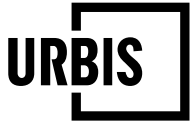
- The proposed massing gives rise to an acceptable level of additional overshadowing to some of the residential properties located on the southern side of Wentworth Avenue on June 21. The impacts to the existing dwellings (apart from 5 existing dwellings) are minor and do not impact on the ability of 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. The analysis confirmed 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 dwellings and are 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.

Overall the potential overshadowing impacts are considered reasonable.

4.3.2. View Impact Assessment

A View Impact Assessment of the revised massing has been prepared by Architectus and documented in the Urban Context Report. The assessment analyses the visual impact of the proposed massing from 14 viewpoints that were chosen in collaboration with Council.

Overall, the visual impacts of the proposed massing are low to moderate and considered acceptable given the emerging urbanised context, the role that the commercial core must play in the strategic centre and the high visual absorption capacity due to the proposal being seen in context with the new Meriton development and busy roads.



4.3.3. Traffic

Traffic modelling was undertaken and submitted as part of the Planning Proposal. The assessment concluded that external traffic impacts of the incremental gross lettable area is supported, and the nominated road capacity improvements are deemed sufficient in offsetting the Westfield Eastgardens traffic impact.

4.3.4. Aeronautical

An Aeronautical Impact Assessment was submitted as part of the Planning Proposal. The assessment found that the concept plan informing the Planning 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.

4.3.5. Economic Impact

Two Economic Impact Assessments were prepared and submitted with the Planning Proposal. One was prepared to support the retail expansion and the other for the commercial office component. The Retail Assessment demonstrated that the proposal could address large retail demand shortfalls and provide greater opportunities for retail, food and beverage to be located in the trade area, as well as retaining local expenditure and economic activity within the Eastgardens-Maroubra Strategic Centre.

The Commercial Office Assessment concluded that the impact from the proposed office component will be negligible on existing office provision in the region, and that there is demand for the amount of floor space sought having regard to the site's strategic and accessible location.

5. JUSTIFICATION FOR THE REZONING REVIEW

Section 5.1 of 'A Guide to Preparing Local Environmental Plans' outlines the test in determining whether the Planning Proposal has merit and should be submitted for a determination under Section 3.34 of the EP&A Act. The Planning Proposal must demonstrate both strategic merit and site-specific merit. This has been assessed in detail within the following subsections.

5.1. STRATEGIC MERIT

The Planning Proposal has strategic merit for the reasons outlined below:

Table 3 Strategic Merit Test

Criteria	Planning Response
<i>Give effect to 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.</i>	<p>The proposed amendments to BBLEP 2013 deliver on a range of key desired outcomes contained within the <i>Greater Sydney Region Plan – A Metropolis of Three Cities</i> and the <i>Eastern City District Plan</i>. This is outlined in detail below.</p> <p><u>Greater Sydney Region Plan</u></p> <p>Objective 4 - Infrastructure use is optimised</p> <p>The site contains a bus interchange and adjoins a strategic bus corridor. The proposed upgrade to the operational capacity of the bus interchange and the integration with a public plaza above will improve user experience and encourage greater public transport use.</p> <p>Objective 6 - Services and infrastructure meet communities' changing needs</p> <p>The expansion of Westfield Eastgardens will respond to changes in consumer preferences by providing experience-based retail and important amenities for the new residential community that will occupy the adjacent Meriton development.</p> <p>The proposed commercial buildings will also 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.</p> <p>Objective 7 - Communities are healthy, resilient and socially connected</p> <p>As societal trends evolve, shopping centres are prioritising their role as town centres and places for the community to socialise and connect with others. The proposal achieves this through the new civic plaza, additional dining, leisure and entertainment uses and the introduction of innovative workplace arrangements such as co-working.</p> <p>The Bayside Library will remain an important part of the community services provided on site. The large number of new high-density</p>

Criteria	Planning Response
	<p>residential dwellings adjacent to the site will generate demand for a 'third spaces' where residents can spend their leisure time.</p> <p>Objective 9 - Greater Sydney celebrates the arts and supports creative industries and innovation</p> <p>The commercial towers are intended to provide flexible and innovative workspaces 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>Objective 12 - Great places that bring people together</p> <p>The reconfiguration of the bus interchange, new plaza and activation of commercial office, retail and transport will deliver an outdoor place that brings people together amidst a high-quality landscaped environment.</p> <p>Objective 14 - A metropolis of three cities - integrated land use and transport creates walkable and 30-minute cities</p> <p>The site is highly accessible by public transport. The bus terminus is serviced by 12 bus routes that connect to the City, Bondi Junction, Burwood, Sydney Airport, Sydney Port and surrounding suburbs. The <i>'Future Transport 2056 Vision'</i> identifies a new mass transit corridor to extend to the Eastgardens - Maroubra Junction Strategic Centre. The Applicant has positioned to Transport for NSW that Eastgardens is the logical location for intermodal transport connections.</p> <p>The high-density residential development by Meriton to the immediate north of the site will provide a future community of approximately 7,000 residents who will also benefit from being in walking distance of the expanded shopping facilities and work opportunities that are proposed.</p> <p>Objective 21 - Internationally competitive health, education, research and innovation precincts</p> <p>The close by centre of Randwick has been prioritised as the Health and Education Collaboration Area for the region. The Eastgardens proposal will play an important role supporting employment space for complementary businesses and services.</p> <p>Objective 22 - Investment and business activity in centres</p> <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 job creation and business activity.</p> <p>The proposal will deliver on that role by enabling a large investment in a strategic centre by an experienced and well-capitalised commercial</p>

Criteria	Planning Response
	<p>landowner. The retail expansion and new commercial precinct is forecast to deliver 900-1000 retail jobs and a workplace for 950 to 1,200 commercial jobs. This investment will deliver the capacity to meet the District Plan job targets.</p> <p><u>District Plan</u></p> <p>Priority E1 - Planning for a city supported by infrastructure –</p> <p>The proposal will upgrade the bus terminus and deliver two new office buildings above. The improvements to the bus terminus will increase operating capacity and make it more appealing for customers to use public transport when visiting the centre.</p> <p>Priority E3 - Providing services and social infrastructure to meet people's changing needs</p> <p>The community composition is changing due to the addition of residential units to a neighbourhood that has historically comprised modest low-density housing and light industrial activity.</p> <p>The proposal aligns with peoples changing needs as it facilitates an evolution of the Westfield Eastgardens shopping centre from 'everyday needs' retail to a contemporary environment with a focus on dining, entertainment, leisure, health and wellness, medical services and a greater depth of contemporary fashion.</p> <p>Priority E4 – Fostering healthy, creative and culturally rich socially connected communities</p> <p>As shopping centres transform, they are prioritising their important role as town centres and places for the community to socialise and connect with others. The proposal is aligned to this priority though creating the new civic plaza. The proposed expansion also aligns with 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.</p> <p>Priority E6 – Creating and Renewing Great Places and Centres</p> <p>The proposal is aligned to this priority by allowing for the renewal of a site with a high importance on delivering fresh food, retailing and convenience needs and providing the opportunity for it to develop into a mixed-use centre that caters to the changing needs of the community.</p> <p>Priority E8 – Growing and investing in health and education precincts and the Innovation Corridor</p> <p>The adjacent centre of Randwick has been prioritised as the Health and Education Collaboration Area for the region. The Westfield Eastgardens proposal will play an important supporting role for employment space for complementary businesses and services.</p>

Criteria	Planning Response
	<p>The 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 are easily connected by a direct 3km bus trip, making Eastgardens a viable overflow workspace. The health and education precinct also require lifestyle amenity for its residents, workers and students, and this will be provided as part of the Eastgardens retail expansion.</p>
<p><i>Give effect to a relevant local strategy that has been endorsed by the Department, such as the local strategic planning statement, housing strategy.</i></p>	<p>The Bayside Local Strategic Planning Statement has recently been endorsed by DPIE.</p> <p>The LSPS recommends in Priority 15 that opportunities are identified to strengthen the economic role of Eastgardens-Maroubra Junction Strategic Centre, which this Planning Proposal Request directly responds upon.</p> <p>Furthermore, it highlights that Eastgardens is forecast to accommodate an additional 1,100-2,100 jobs by 2036. As stated earlier, the proposal has the potential to generate up to 3,700 jobs post completion.</p>
<p><i>Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls</i></p>	<p>The proposal responds to a change in local circumstances. As a result of the significant and continued 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 planning assessment.</p> <p>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> <p>The proposal responds to this significant increase in local population, through the provision of additional retail and service categories. 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>

5.2. SITE SPECIFIC MERIT

In addition to demonstrating strategic merit, the Planning Proposal also demonstrates high degrees of site-specific merit for the reasons outlined below.

Table 4 Site Specific Merit Test

Criteria	Planning Proposal Response
<i>The natural environment (including known significant environmental values, resources or hazard</i>	<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 which provides a green buffer, softening the visual appearance of the existing centre and multi-deck parking. The retention of this green buffer was one of the design principles guiding the masterplan, and it is retained and strengthened through additional landscaping as part of the proposal.</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>
<i>The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal.</i>	<p>The increase in height and FSR will facilitate the expansion of a major regional shopping centre, 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 site.</p> <p>The proposal is entirely appropriate for the site given that it will increase the existing retail and service offering, provide quality services and amenity for the growing local residential community and increase jobs in a highly accessible location. The proposal seeks to minimise any adverse environmental effects on neighbouring residents by retaining the existing landscaped buffer of trees and orientating/stepping the tower forms to minimise overshadowing.</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> <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.</p>

Criteria	Planning Proposal Response
<i>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.</i>	There is sufficient infrastructure to accommodate the increased floor space due to the availability of 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 Proponent.

6. CONCLUSION

In our opinion, for each of the reasons outlined within this letter, as well as each of the reasons provided within the original Planning Proposal package, this Planning Proposal warrants support.

The Proponent has worked collaboratively with Council on the Planning Proposal since 2017 (as identified in Table 1 above) and remains highly committed to its realisation to ensure the most appropriate development outcome can be realised at the site.

The Proposal satisfies the strategic and site-specific merit tests outlined in 'A Guide to Preparing Local Environmental Plans' and thus warrants support to proceed to Gateway for public exhibition. The Planning Proposal will assist with facilitating a feasible future development at the site, that:

- Retains the B3 Commercial Core zoning of the site, reinforcing the role of the Eastgardens-Maroubra Strategic Centre and providing additional employment opportunities within the Eastern District, significantly contributing circa 3,700 new jobs towards the targets set out in the District Plan and cement the precinct as a strategic centre.
- Increases office space in a highly desirable precinct that has experienced a significant rise in residential apartment buildings. As outlined by the LPP, "an increase in commercial office space for the Centre would be consistent with, and fulfil the planning aspirations of the strategic plans coupled with the rapid supply of housing stock in residential apartments in close proximity and the investment in public transport infrastructure."
- Facilitates the development of a vibrant, mixed use centre that accommodates an enhanced retail and leisure offering as well as flexible floorspace to accommodate potential office, health and wellbeing practices, and civic services.
- Improves the arrival experience to the shopping centre for visitors travelling on foot, by car or public transport, and provides 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.
- Allows for a building envelope which can accommodate the expansion of the shopping centre and provide the benefits of co-location with the proposed new commercial buildings and high-density residential development being developed to the north of the site.
- Minimises any adverse environmental effects on neighbouring residents.



In our opinion the Planning Proposal warrants a Gateway Determination. This Rezoning Review therefore requests an independent review of the Planning Proposal, on its strategic and site-specific planning merits, recognising the LPP's and Council Officer's favourable recommendation

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nik Wheeler", with a long, sweeping horizontal stroke extending to the right.

Nik Wheeler
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