

28 October 2020

Mr Matthew Stewart
General Manager
Canterbury-Bankstown Council
council@cbc.city.nsw.gov.au

Attn: Larissa Hubner, Strategic Planner

Dear Mr Stewart,

Request for a Rezoning Review – 2020SSH003 – RR_2020_CBANKS_001_00

I refer to the request for a Rezoning Review for a proposal at 24-142 Beamish Street and 16-18 Ninth Avenue, Campsie to amend the Canterbury Local Environmental Plan 2012 (LEP) to increase the maximum building height from 21 metres to 86 metres.

The Sydney South Planning Panel has considered the request for a Rezoning Review together with the advice provided by Council and recommended that the proposal should not be submitted for a Gateway determination. This decision is final and there are no opportunities for it to be reconsidered or challenged on its merits. A copy of the panel's decision is attached.

Although the proponent's request for a Rezoning Review has been unsuccessful, the proponent may still lodge a new proposal for the site in the future. Therefore, I have encouraged further liaison directly with Council, if the proponent would like to pursue this matter further.

If you have any queries on this matter, please contact Stuart Withington, Manager, Planning Panels Secretariat on (02) 8217 2062 or via email to stuart.withington@planning.nsw.gov.au

Yours sincerely



Helen Lochhead
Chair, Sydney South Planning Panel

encl. Rezoning Review Record of Decision

DATE OF DECISION	20 October 2020
PANEL MEMBERS	Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Nadia Saleh, Bilal Hayek
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

2020SSH003 – Canterbury-Bankstown – RR_2020_CBANKS_001_00 at 24-142 Beamish Street and 16-18 Ninth Avenue Campsie (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ should be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ should not be submitted for a Gateway determination because the proposal has
- ☐ not demonstrated strategic merit
 - ☒ has demonstrated strategic merit but not site specific merit






The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the presentations by Department of Planning Industry and Environment (DPIE), Council and the applicants. Based on the information provided the rezoning review was not supported for the following reasons:

- A new approach to the strategic planning for the precinct was developed by DPIE in 2019 to collaborate with Councils. With DPIE support, a new Council-led process, is due for completion by March 2021. This masterplanning process includes active engagement with all stakeholders including land owners. Once the Planning Proposal and Master Plan is approved by Council DPIE will work with Council to ensure Gateway determination is done as quickly as possible.
- DPIE's funding agreement requires Council's Master Plan and studies be delivered by mid-next year.

- As the site still needs to complete the Masterplanning and associated technical studies it is premature to consider this planning proposal and pre-empt the outcome of the process which appears to be thorough and well considered.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Stuart McDonald
 Heather Warton	 Nadia Saleh
 Bilal Hayek	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF – ADDRESS	2020SSH003 – Canterbury-Bankstown - RR_2020_CBANKS_001_00 24-142 Beamish Street and 16-18 Ninth Avenue, Campsie
2	LEP TO BE AMENDED	Canterbury Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The proposal seeks to increase the maximum building height from 21 metres to 86 metres.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning, Industry and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Briefing with Department of Planning, Industry and Environment (DPIE): 20 October 2020 <ul style="list-style-type: none"> Panel members in attendance: Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Nadia Saleh, Bilal Hayek DPIE staff in attendance: Pengfei Cheng, Simon Ip, Laura Locke, Renee Coull, Chloe Desgrand Briefing with Council & Proponent: 20 October 2020 <ul style="list-style-type: none"> Panel members in attendance: Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Nadia Saleh, Bilal Hayek DPIE staff in attendance: Pengfei Cheng, Simon Ip, Laura Locke, Chloe Desgrand, Renee Coull Council representatives in attendance: Michtell Noble, Shona Porter, Larissa Hubner Proponent representatives in attendance: Joseph Alha, Jake Marsh, Nick Turner, James McCarthy, John Wynne Papers circulated electronically 7 October 2020



7 September 2020

Brendan Metcalfe
Acting Director, Eastern and South Districts
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Attn: Ms Teresa Gizzi, Senior Planner

To Mr Metcalfe,

RE: Council Response to Rezoning Review for Planning Proposal at 124-142 Beamish Street and 16-18 Ninth Avenue, Campsie (Ref: RR_2020_CBANK_001_00)

The purpose of this submission is to provide Council's perspective on the Rezoning Review for 124-142 Beamish Street and 16-18 Ninth Avenue, Campsie to assist the Department of Planning, Industry and Environment and the Sydney South Planning Panel. It is an officer level submission which has not been endorsed by the elected representatives due to the tight timeframe for response. The planning proposal and supporting reports on the rezoning review tracker appear to reflect those lodged to Council.

Council has not indicated its support or disagreement to the proponent for the planning proposal as a master planning process is currently underway to inform future development in Campsie. Without that work, there is no strategic planning context to assess the proposal against. However, masterplanning for Campsie is scheduled to be completed in March 2021, just six months away. Further information about why Council is yet to make decision on the proposal are outlined at Attachment A.

Council's communications with the applicant have been clear and consistent. During pre-lodgement discussions earlier this year, Council advised the proponent not to submit the planning proposal until the desired future outcomes with associated design and planning parameters for the Strategic Centre are established. Despite this advice, the proponent decided to lodge the proposal.

Council maintains its position that assessment of the planning proposal should be deferred until the masterplan is finalised in early 2021. The applicant has also been involved in discussions with Council about the masterplanning for Campsie.

I trust this information is of assistance to the Department and Planning Panel. If you would like more information, please feel free to contact me on (02) 9707 5470.

Yours sincerely

A handwritten signature in black ink, appearing to read "M Noble", written over a light blue horizontal line.

Mitchell Noble
Manager Spatial Planning



ATTACHMENT A: REASONS FOR DEFERRED COMMENT

1. Sydenham to Bankstown Urban Renewal Corridor

The Planning Proposal for 124-142 Beamish Street and 16-18 Ninth Avenue adopts the *Draft Sydenham to Bankstown Urban Renewal Corridor Strategy* as grounds to justify the proposed height and development potential for the subject site.

In July 2016 Council resolved to “*defer planning proposals that primarily rely on the Draft Sydenham to Bankstown Urban Renewal Corridor Strategy for justification ... until the strategy is finalised and reflective of local needs*” (refer Attachment B). However, The NSW Government’s Urban Renewal Strategy for the corridor was not adopted as policy. Instead, the Department of Planning, Industry and Environment (DPIE) transferred responsibility for planning of the Sydenham to Bankstown Urban Renewal Corridor to the City of Canterbury-Bankstown and Inner West Councils earlier this year. The subject planning proposal is therefore unable to rely on the *Draft Sydenham to Bankstown Urban Renewal Corridor Strategy* to support the proposal.

Separately, Canterbury-Bankstown’s Local Strategic Planning Statement (LSPS) was completed in 2020 and the masterplan process for Campsie was initiated. The LSPS provides a city-wide vision and strategic actions to achieve the visions, however it does not provide any guidance on delivering the localised vision through design, built form and planning controls for Campsie. The LSPS specifies that masterplanning will occur for key centres in the LGA in order to achieve housing, employment, open space and infrastructure requirements. The overall strategy, density and built form controls will be informed by the masterplan project currently underway, with priority given to delivery of the Campsie and Bankstown Centres. The masterplan responds to the LSPS and the July 2016 Council resolution for the growth and renewal of the Campsie and Bankstown Strategic Centres, two significant centres within the Sydenham to Bankstown Urban Renewal Corridor.

Importantly, as part of handing the Sydenham to Bankstown Urban Renewal Strategy back to Council, DPIE has financially contributed to the masterplans for Campsie and Bankstown and has agreed to the timeframes set by Council, which targets reporting to Council in early 2021.

2. Campsie Masterplan – Status and Timeline

The Campsie masterplan is currently under development by Council to establish appropriate design and planning parameters to achieve the desired future outcome and meet the dwelling and job targets set in the LSPS, employment strategy and housing strategy. Evidence based, high-quality master planning involves considering a precinct in its entirety and understanding how suitable development of key sites can significantly contribute to revitalising a centre.

To this end, the Campsie masterplan is to be informed by a strong evidence-based approach that provides guidance on appropriate built form controls, desired character outcomes and planning initiatives to ensure sustainable growth of the Strategic Centre. A suite of detailed studies are currently underway to establish this evidence-base, which include:

- *Urban Design and Place Character Analysis* – evaluating opportunities and constraints related to the natural environment, open space, heritage, built form, activities and uses, movement and lot types.



- *Urban Density Study* – exploring different development scenarios to accommodate the dwellings and jobs targets outlined in the LSPS, employment and housing strategies for Campsie.
- *Sustainability Study* – investigating how Campsie can become more sustainable and set targets to achieve a carbon neutral precinct by 2050.
- *Economic and Land Use Study* – recognising key job and dwelling trends and capacity for accommodating future jobs and dwelling targets.
- *Feasibility Study* – testing potential master plan scenarios to advise on economic feasibility for developers.
- *Tall Building Design Study* – defining what a tall building is in Campsie. The threshold will be the trigger for specific Tall Building controls in the DCP. The study will propose landscape and built form controls to achieve good streetscapes and built form.
- *Student & Workers Needs Study* – identifying social infrastructure needs specifically related to students and workers that may differ from the needs of residents.
- *Urban Tree Canopy Master Plan* – measuring current tree canopy, propose controls to maintain existing healthy canopy and increase canopy cover to targets outlined in the Draft Greener Places and the LSPS.
- *Aboriginal Culture and Heritage Study* – identifying significant sites for Aboriginal culture and heritage for protection and/or interpretation.
- *Private Parking Study* – ascertaining the needs for parking on private land.

The findings of the studies currently underway will inform several strategic decisions that Council will need to resolve in relation to the future character of the Campsie Town Centre. It is difficult to assess the current proposal given the early stage of Masterplan development. Consideration of the proposal against the current context of built forms and planning controls, the scale of the built form controls proposed in the planning proposal starkly contrast with the character of the existing and future area.

Proceeding with site specific planning proposals prior to the finalisation of the master plan would set an undesirable precedent and would change the character of Campsie, thus undermining any future vision. It is noted that there are four planning proposals in the Campsie masterplan area. Proceeding with the current proposal ahead of the masterplan would lead to ad hoc planning at a scale that is not adequately supported by infrastructure (including traffic, open space and affordable housing), nor contextually inappropriate for the area at this time. As such, a site-specific planning proposal within the Campsie Town Centre should not be progressed until the Campsie masterplan is completed.

To this end, Council has a dedicated team committed to a clear timeframe for the Campsie masterplan and associated planning proposal. The combined masterplan and associated planning proposal submission to DPIE requesting a Gateway Determination is due to Council in March 2021.

Given that Council is in the midst of completing the Campsie masterplan and has an established timeframe for delivery (including financial support from DPIE), it is reasonable to defer assessment of this planning proposal until the framework has been established for the centre in March 2021. Should the planning proposal be consistent with the masterplan, the planning proposal will be rolled into the masterplan process.

The merit of the subject planning proposal will be considered as part of the masterplan process. The proponent has been invited to participate in various engagement points to



provide feedback to the masterplan throughout the process as part of the Council's ongoing engagement with all site-specific planning proposal proponents in the study area.

For these reasons, it would be premature to proceed with the planning proposal at this time, ahead of the imminent Campsie masterplan.

3. Strategic Merit

The subject site is located in close proximity to a future Metro Station and within a strategic centre. Council's employment and housing strategies seek capacity growth of up to 5,600 dwellings and 7,000 jobs in the Campsie centre. The subject site has the potential to contribute to housing, jobs and public benefits for the Campsie Centre. The planned growth of Campsie is currently occurring through preparation of the masterplan, particularly as the proposed scale of planning proposals in Campsie contrasts starkly against the current character.

The increased densities proposed by the various planning proposals and the subject planning proposal requires investigation of appropriate built forms across the centre, as well as the types of community needs that are required to support the anticipated growth (amongst other studies engaged by Council).

Council has therefore not specifically progressed the subject proposal until both strategic and site specific merit can be clearly established from a robust masterplan process to test the scale of height and scale proposed. The proposed four-fold increase in building height sought by the applicant could adversely change the character of Campsie and undermine the future vision - if considered in isolation.

With this in mind, Council does not support proceeding with the planning proposal ahead of the Campsie masterplan (including finalising the background / supporting studies) and associated planning proposal. The Campsie centre is currently a low rise established fine grain main street. Achieving Campsie's housing and employment growth targets in this important strategic centre needs to be carefully balanced with place based planning, density testing of the precinct, future resident needs and potential infrastructure / public benefits to Campsie. Consideration of the scale proposed at this point is premature and absent an evidence base to progress alone.

4. Public Benefit

An initial review highlights that the public benefit offered by the proposal does not correlate to the scale of uplift sought. The planning proposal seeks to increase the height of buildings control from the existing 21 metres (6 storeys) up to 86 metres (25 storeys), being a 410% increase in relative density. The current Campsie Town Centre character generally consists of low to medium rise development (2-6 storeys). Without a defined vision for the future character of Campsie, a 25 storey building would be out of character with the existing context and is not supported by the existing policies adopted.

The existing public benefit offered is nominal when compared to the 410% increase in height and relative density requested by the proponent. The public benefit proposed consists of:



- 5% Affordable Housing Contribution – the minimum requirements adopted in the South District Plan and Council's *Affordable Housing Strategy*. However this does not align with the 15% sought in Council's LSPS and up to 15% in Council's *Affordable Housing Strategy*.
- Small public plaza (approximately 445m²) – likely filled with outdoor retail uses that is predominately for paying users, thus providing minimal contribution to public space in Campsie.

Once informed by the foundational studies from the Campsie masterplan, Council looks forward to future discussions with the proponent to establish an appropriate public benefit that is commensurate with the scale supported by precinct based urban design.

5. Site Specific Issues

Beyond the strategic merit issues, there are a number of site-specific issues that Council looks forward to working through with the applicant. The issues that require further discussion include, but are not limited to:

- Proximity to a dedicated green space (Lofts Garden in front of the Campsie Council building is zoned B2 Local Centre and should not be relied on as a future green space).
- A four-fold increase to the building height control from the existing 21 metres (6 storeys) up to 86 metres (25 storeys) without current contextual analysis.
- Amenity of the various local heritage items along Beamish Street
- Urban design including character, density, ground plane interface, streetscape, setbacks and building separation
- Traffic generation and impacts on the broader network.
- Functional servicing and waste management that appropriately accommodates the requirements for a development of this scale.
- Social impact and community needs assessment.
- WSUD and Stormwater Design Principles.



ATTACHMENT B: COUNCIL RESOLUTION – 26 JULY 2016

Administrator Minutes - 26 July 2016

ITEM 4.2 Sydenham to Bankstown Urban Renewal Corridor

The proposed extension of the Sydney Metro system from Sydenham to Bankstown is a once in a generation opportunity for our city. The extension will increase the number of train services and is anticipated to reduce travel times by up to ten minutes between Bankstown and the Sydney CBD.

This important piece of infrastructure investment will help drive growth and renewal along the Sydenham to Bankstown corridor. Of the 11 stations in the corridor, eight will directly service commuters within the Canterbury Bankstown area. To support the extension of the metro, the NSW Department of Planning and Environment has prepared the draft Sydenham to Bankstown Urban Renewal Corridor Strategy. This is an initial strategy that will guide housing and employment growth along the corridor over the next 20 years. Importantly, the Strategy also identifies the need for new community facilities, public spaces, transport and other infrastructure and funding arrangements needed to support growth.

While a substantial amount of work has been prepared, the strategy remains a work in progress. Canterbury-Bankstown Council supports the need for a corridor strategy that will sensibly integrate and balance transport needs, opportunities for housing, jobs and community infrastructure and will continue to work collaboratively with the Department to achieve this.

Following the exhibition of the draft strategy in February this year, a number of planning proposals have been submitted to Council seeking increases to planning controls using the draft strategy as justification. Some of the applications propose increases to height and density controls that could not reasonably be supported without a comprehensive planning and infrastructure strategy in place.

It is my view that Council needs a clear way forward on how to deal with all applications for planning proposals within the corridor – based on evidence, quality urban design outcomes, community and industry input and with a sensitive transition to areas outside the corridor. We are simply not there yet and more work needs to be done.

In light of this, I have decided that Council will defer planning proposals that primarily rely on the draft Sydenham to Bankstown Urban Renewal Corridor Strategy 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. Existing proposals with approval in the corridor will continue to be assessed on their individual merits and existing planning framework.



I am however mindful not to stifle growth and investment in our area. I have already requested Council to partner with the State Government to complete the strategy as soon as possible and asked the General Manager to use his discretion to allocate funding and resources to help deliver the strategy. Given that Council is working very closely with the State Government on the final strategy for the corridor, I would also invite land owners and the community to engage with us as the strategy evolves.