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SITE COMPATIBILITY CERTIFICATE APPLICATION

677 and 687 Canterbury Road, 44 and 48 Drummond Street and 35, 37 and 39 Anderson Street, BELMORE, NSW, 2194



Pacific Community Housing[®]

PROMOTING AND PROVIDING ACCESS TO SAFE
AND SECURE AFFORDABLE HOUSING

Submitted to Department of Planning
Industry and Environment
February 2023

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Attachment B	Architectural Design Set
Attachment C	Architectural Statement
Attachment D	Building Form Analysis
Attachment E	Traffic Advice
Attachment F	Stage 1 and 2 Environmental Site Investigation
Attachment G	Remedial Action Plan
Attachment H	Contamination Review
Attachment I	Confirmation of Community Housing Provider
Attachment J	Authority to Lodge

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1. Introduction

1.1 Overview

This Report has been prepared by Pacific Planning on behalf of Pacific Community Housing to accompany an application to the NSW Department of Planning and Environment (DPE) for a Site Compatibility Certificate (SCC) under Division 5 of Part 2 of State Environmental Planning Policy (Housing) 2021 (Housing SEPP). The application relates to land located at 677 and 687 Canterbury Road, 44 and 48 Drummond Street and 35, 37 and 39 Anderson Street, Belmore.

The SCC supports the development of the site which will facilitate 226 dwellings, of which at least 50% (113 dwellings) will be designated affordable housing units, managed by Pacific Community Housing, a registered and accredited housing provider, for a period of 15 years in accordance with the provisions of Clause 40 of the Housing SEPP.

The subject site is zoned part B6 Enterprise Corridor and part R3 Medium Density Residential under the Canterbury LEP 2012 within which development for the purpose of a ‘*residential flat building*’ is prohibited. The site is approximately 684 metres from the entrance to Belmore railway station and is therefore within the 800 metres designated by Clause 36 of the Housing SEPP. Therefore, as per Section 36(1)(a) the provisions of Division 5 of Part 2 of the Housing SEPP apply.

A SCC was issued by the Department of Planning and Environment on 15 July 2014 under clause 37(5) of the Affordable Rental Housing SEPP 2009 (ARH SEPP). Given the SCC was due to expire in July 2019, and on advice from the Department in early 2019, a new SCC application was progressed given there was no legal framework to extend the existing SCC. However, on 7 February 2020, the Deputy Secretary, determined that an application for a SCC for land at 677, 687 Canterbury Road and 48 Drummond Street, Belmore not be issued as “*the merits of the application do not satisfy the requirements of the Affordable Rental Housing SEPP*”.

Having regard to the reasons for the decision not to issue a SCC, the context has now changed. The scheme has evolved being informed from a consultation process with previously concerned neighbours and the local strategic planning framework has advanced with specific employment land analysis to provide clarity on primary issues raised in the previous SSC determination. This has included the following:

1. New site amalgamation (including 35-39 Anderson Street)
2. Updated strategic planning framework – Canterbury Bankstown Local Strategic Planning Statement (LSPS)
3. Zero loss of Employment Lands and the creation of opportunities for new employment pursuant to the strategic planning framework.
4. The specific need for affordable housing identified by the planning framework and deliberate council policy targets to deliver the objectives of the Greater Sydney Plan.

It is in this context that a new SCC application with a new design is progressed to the Department of Planning and Environment.

This report describes the site, its context and existing environment. It also outlines the proposal, the project justification and provides an environmental assessment of the concept facilitated by the SCC against the provisions of the Housing SEPP and relevant matters for consideration, including relevant legislation, environmental planning instruments, planning policies and strategies. In particular, the report demonstrates:

- The compatibility of proposed development with the existing and anticipated future context.
- The prime location of the site, within a short distance of the Belmore town centre and Belmore train station entrance.
- The unique opportunity to revitalise an underutilised site, that is a significant size, has been amalgamated to minimise any land use conflict, is near public transport and infrastructure and supports the *Canterbury Road and Kingsgrove Road medical precinct*.
- The ability to provide significant affordable housing near a major metro train station, to meet the need to increase the supply of new affordable housing in an area of Sydney that is consistently noted (by Commonwealth and State policy, and official comments from the Senior levels of those Governments) as being urgently required.
- Assisting the delivery of a significant supply of new affordable housing that is sustainable in its context that practically promotes a progression of outcome to assist meet the targets of the State, District and Local Strategic planning frameworks, and the notified targets of supply in new affordable housing.

The SCC application is supported and should be read in conjunction with the following reports and documentation:

Attachment	Report	Author
Attachment A	Site Plan	JBW Surveyors
Attachment B	Architectural Design Set	Jakaan Architects
Attachment C	Architectural Statement	Jakaan Architects
Attachment D	Building Form Analysis	Jakaan Architects
Attachment E	Traffic Advice	Lyle Marshall & Partners
Attachment F	Stage 1 and 2 Environmental Site Investigation	Geo-Environmental Engineering
Attachment G	Remedial Action Plan	Geo-Environmental Engineering
Attachment H	Contamination Review	Sullivan Environmental Sciences
Attachment I	Confirmation of Community Housing Provider	Pacific Community Housing
Attachment J	Authority to Lodge	

Table 1: List of SCC supporting documentation

1.2 Background

1.2.1 Original Site Compatibility Certificate (2014)

In June 2013, an application was made to the Department of Planning and Environment for a SCC pursuant to the provisions of Division 5 of the ARH SEPP 2009.

On 15 July 2014, the Acting Secretary of the Department of Planning and Environment issued a Certificate under Clause 37(5) of the Affordable Housing SEPP.

In accordance with the provisions of clause 37(7) of the Affordable Housing SEPP, the SCC imposed the following requirements:

- (1) The proposed development is to be configured to ensure a transition in height between Canterbury Road and the surrounding single storey dwelling houses to the north. Higher buildings should be located along Canterbury Road, stepping down in height towards the low density residential zone to the north.*
- (2) The final dwelling number and unit mix are to be to the satisfaction of the consent authority in determining the development application.*
- (3) The final scheme will be subject to the consent authority undertaking a detailed assessment of the proposal's building design and height, and its impact on solar access and overshadowing and the amenity of surrounding residential development as part of the development application.*
- (4) The proposed specific uses of the ground level commercial tenancies are to be to the satisfaction of the consent authority in determining the development application.*

The conditions of the SCC were addressed in detail in the Statement of Environmental Effects that supported the Concept Development Application (DA) discussed below.

1.2.2 Concept Development Application

A Concept Development Application under Section 4.21 and 4.22 of Part 4, Division 2A – Special Procedures concerning staged DAs of the Environmental Planning and Assessment Act 1979 (EP&A Act) was lodged with Canterbury Bankstown Council on 22 March 2019.

The Concept Masterplan sought consent under section 4.22 of the EP&A Act 1979 for the concept proposal for a residential flat building with ground floor retail and commercial development, which was facilitated by the SCC discussed above. Specifically, the aspects of the final development included in the concept for which approval was sought included:

- (a) the building footprint locations,
- (b) building elevation and massing,
- (b) the location of internal pedestrian links and circulation,
- (c) location of the site entry and exit, and
- (d) open space and landscaping.

However, the application was not determined prior to the expiration of the SCC, which expired on 15 July 2019. Subsequently, the South Sydney Planning Panel determined to refuse the Concept DA because “*since the application was lodged, the SCC has expired which means for the purposes of determination today the proposed uses are prohibited*”.

1.2.3 Site Compatibility Certificate Application 2019

In early 2019 significant interface and consultation was undertaken between Pacific Planning and the Department regarding an appropriate process to guide the consideration of the extension of the existing SCC discussed above, which was issued by the Department in 2014 and was set to expire in July 2019. On advice from the Department a new application for an SCC was progressed in mid-2019.

On 7 February 2020, the Deputy Secretary, determined that an application for a Site Compatibility Certificate for land at 677, 687 Canterbury Road and 48 Drummond Street, Belmore not be issued as “*the merits of the application do not satisfy the requirements of the Affordable Rental Housing SEPP*”.

The basis for a SCC not to be issued was because the Deputy Secretary felt the SCC would:

- *permit a mixed-use residential development on industrial and urban services land, which is inconsistent with Direction 7 and Objective 23 of the Greater Sydney Region Plan, which seeks to retain and manage existing industrial and urban services land;*
- *permit a mixed-use residential development on industrial and urban services land, which is inconsistent with Planning Priority S10 of the South District Plan, which seeks to retain and manage existing industrial and urban services land;*
- *permit a mixed-use residential development inconsistent with the relevant recommendations of the Canterbury Road Review;*
- *permit a mixed-use residential development on industrial and urban services land, which is inconsistent with the actions of the Draft Canterbury-Bankstown LSPS, which seeks to retain and manage existing industrial and urban services land and implement the Canterbury Road Review;*
- *be pre-emptive of the Canterbury-Bankstown Local Housing Strategy which will need to identify the mix, diversity and suitability of land for residential development through evidence-based analysis mandated by the South District Plan;*
- *inconsistent with the applicable development standards for the site;*
- *the Council does not support the SCC;*
- *the South District Regional Panel recommended that a future application for this site was consistent with the new strategic planning framework established by the Canterbury Road Review; and*
- *reduce industrial land which the Sydenham to Bankstown Urban Transformation Strategy has identified maybe necessary to support greater intensification of development within the corridor.*

1.2.4 Site Compatibility Certificate Application 2023

Having regard to the above reasons, it is noted that the context of the site and the strategic planning framework has now changed which addresses the above matters to the extent that they are no longer reasons to not issue a SCC. As such, this report considers the following:

1. New site amalgamation
2. Updated strategic planning framework – Canterbury Bankstown LSPS
3. Zero loss of Employment Lands
4. The need for affordable housing identified by the planning framework.
5. The reasons for the previous refusal

1. New site amalgamation

The land subject to the original application, that received a SCC in 2014 and to which was refused an application in 2020 included five (5) lots at 677 and 687 Canterbury Road and 48 Drummond Street, as below:



Figure 1: Previous site amalgamation

This land incorporated a two-storey brick and rendered industrial building at 677 Canterbury Road, and a single storey brick, rendered and metal industrial/commercial building at 687 Canterbury Road, both zoned B6 Enterprise Corridor. A 2-storey brick apartment building is located at 48 Drummond Street, which is zoned R3 Medium Density Residential.

The subject site has now increased in area and incorporates the four adjoining residential properties. While the previous SCC application had sought to transition sensitively to the single dwelling houses, it is obvious that the inclusion of the additional properties adjoining the site in Anderson Street and residential flat building in Drummond Street within the site area and forming part of the development would assist to *satisfy the requirements of the Affordable Rental Housing SEPP* (now Housing SEPP) enabling an appropriate transition and to mitigate any adverse amenity impacts associated with the built form. Subsequently, and different to the previous application, the adjoining land has been incorporated within the site area facilitating a revised built form outcome for the site.

Importantly, this change has significantly increased the quantum (approximately 39% at 3840sq.m) of the land that is zoned residential under the underlying LEP land use controls including a small portion which benefits from existing uses. Some land that is zoned non-residential already contains residential development. The table below illustrates the land use mix.

Zone	Area sq.m (approx.)	Percentage
B6 Enterprise Corridor	6,060	61%
R3 Medium Density Residential	3,840	39%
Total	9,900	100%

Non-residential land use	5,475	55%
Residential land use	4,425	45%
Total	9,900	100%

Table 2: Land use and zone mix of subject site

The revised scheme includes 35, 37 and 39 Anderson Street and 44 Drummond Street, to be included in a new urban renewal process, for a total site area of approximately 9,900sq.m.

See below the new site area and revised strategic context within which the application can be considered.

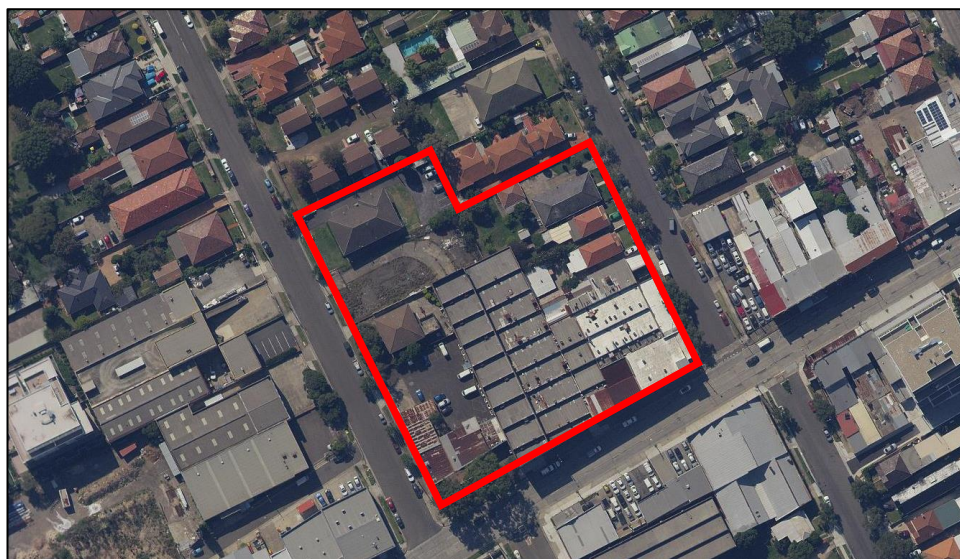


Figure 2: Aerial of new site area

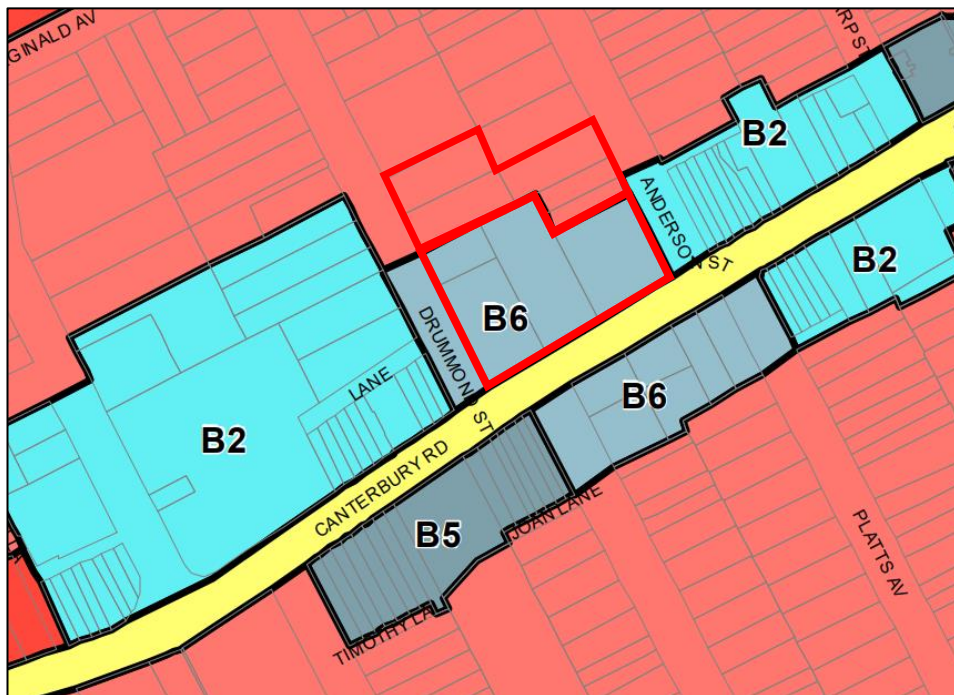


Figure 3: Zoning of new site area

It is considered such is an important context in a new scheme as residents along Anderson Street were very vocal opponents to the original application due to potential impacts of the development. However, since this time, a detailed consultation process with these residents has occurred with a focus to assist improved understanding of those stakeholder concerns and also to assist those stakeholders understand the objectives the project is seeking to achieve. This time-consuming process has resulted in residents being better informed and enabled the applicant to consider additional design options and opportunities that may be applied to a future scheme. The practical outcomes have seen the expansion of the site area that includes previously excluded adjacent land and improved stakeholder knowledge and support of the outcome presented in this application (that also includes their land).

Number 39 Anderson Street is owned by the Aboriginal Land Council. The Aboriginal Land Council (ALC), which is a body, formed under NSW legislation is amongst other things, is set up to provide and manage for the housing needs of their community. Through a similar consultation process with adjoining landowners, and with the review and guiding support of a respected national intermediary property advisory firm that has an existing relationship with the Land Council, the Land Council have provided their consent to the application proceeding. Opportunities to incorporate new Aboriginal housing will thus be explored through the continuing planning process as the provisions of Division 5 of the Housing SEPP enables the ability to significantly leverage the dwelling yield return to the Aboriginal Land Council.

Therefore, it is considered that the increase in residential zoned land as part of the application, and the inclusion of the additional properties does provide a very different context and improved urban design interface design opportunities for the application. This changes the transition assessment considerations and the additional social and community outcomes that can be facilitated. It provides greater orthogonal land size to facilitate improved place making design principles and deliver new affordable housing above that than in previous schemes.

The revised site area facilitates the desired rear laneway and publicly accessible through site link for vehicles and pedestrians, in addition to a publicly accessible open space for the community. These design attributes assist council to achieve its objectives and vision under the Canterbury Road Urban Design documentation to create a network of rear laneways to sites along Canterbury Road and provide for green open spaces for the community for which there is a critical shortage. It is intended that these public benefits will be delivered as part of a continuing DA process in a planning agreement or similar process as enabled under the Act.

The Vision Plan below clearly illustrates the location of the rear laneway and the desired street frontage to Canterbury Road. This reflects the role of the subject site as being a key site to contribute to public benefit as part of future redevelopment. In this context the concept will contribute a rear laneway and 3.5 metre Canterbury Road setback that supports the aims and objectives of the Review.

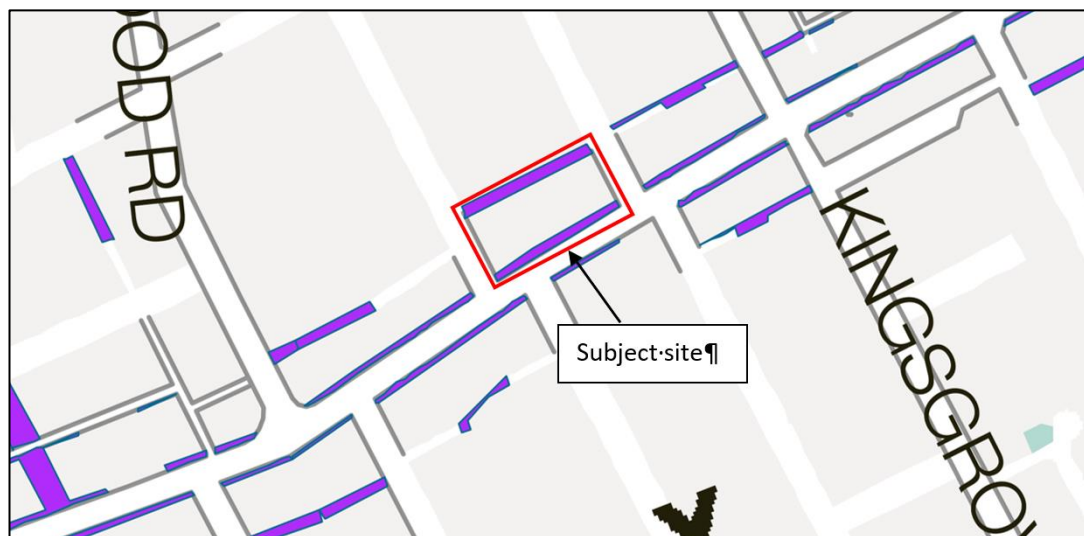


Figure 4: Canterbury Road Vision Plan (rear laneways)

2. Updated strategic planning framework – Canterbury Bankstown LSPS

Council’s Housing Strategy was adopted in June 2020 and a “Plan for a Connected City 2036” was released in March 2020, following the decision on the 2019 SCC Application (7 February 2020). These documents inform the strategic planning framework (LSPS) for Canterbury Bankstown going forward.

It is also noted that the council raised in submissions during 2018 and 2019 that the draft strategy was indicating possible retain and manage considerations for a proportion of the land. The status of the draft planning framework uncertainty was a contributing factor of the previous SCC determination. It is considered that a cautionary approach was applied to balancing the provision of a significant level of new affordable housing against the possible outcomes of an emerging unclear strategic planning framework. In this context the possible protection of unimproved and non-productive urban services land on this site was taken to err in favour of not progressing to issue the SCC.

Since those earlier submissions and the settling of the LSPS by the State, it is importantly noted, that risk mitigation of not proceeding at that time, is now not a consideration that can have validity. The outcomes is that the site is not captured by the “*retain and manage industrial and urban services land*” mapping (extract below).

As a result of further and detailed analysis and finalisation of the LSPS, the plan now clearly identifies areas clustered throughout the LGA where industrial and urban services land are intended to be retained to achieve the strategic employment land strategy outcomes. It is noted this land could not achieve a cluster of urban services or industrial land. This aspect is particularly relevant to the objectives of the strategy as it incorporates residential land uses which are counter intuitive to an intensification of employment guided by the strategy. To the contrary of the LSPS objective for employment land retainment, this is an isolated site surrounded by and including existing residential land uses, and therefore demonstrates why the land is has not be mapped as an area to be retained as employment land. The balance of consideration favours a decision to drive the growth of new affordable housing in a scheme that also provides attributes to deliver the medical service land use outcomes and other ancillary services to meet the needs of the community now considered desirable by the strategy and is considered compatible under the definition in the Housing SEPP.



Figure 5: Canterbury Bankstown LSPS Extract

While not identified within the Belmore Local Centre or the Burwood Road Neighbourhood Centre, the site does form part of the area identified as “*local centre potential for residential growth*”. Further, the Canterbury Road and Kingsgrove Road Medical Precinct appears to also adjoin and form part of the site. Division 5 can assist to guide these strategic objective outcomes of the LSPS noting there is a requirement for a non-residential component to be achieved in a final scheme. It is logical that a quantum of supportive medical uses combined with key worker housing and Aboriginal housing would align with the LSPS direction. The concept scheme is designed to enhance the delivery of new medical floor space complimentary to the wider context.

Therefore, while advice received notes that the operation of Division 5 is not structured to be subservient to the strategic planning framework as primarily relevant to the future use of the subject site (noting the reading

of Division 5 notes the consideration is on surrounding land to determine compatibility) it is considered that given the LSPS only recently been finalised, such provides a changed strategic context within which to assess the application outside that of a site which shares residential and non-residential land uses as defined in the LEP. Clause 8 of the LEP operates to enforce the application of the provision of the Housing SEPP to facilitate it as the primary environmental planning instrument to which this application applies.

3. Zero loss of Employment Lands

The increase in site area now includes nearly 40% of land used for residential purposes. This results in just over 60% of the site that contains industrial, and warehouse uses, albeit these buildings are currently vacant.

Importantly, the application for a SCC does not change the land use zones of R3 Medium Density Residential and B6 Enterprise Corridor. The land use zone remains zoned B6 Enterprise Corridor which still facilitates urban services land and the objectives of the District Plan. Therefore, there is no loss of urban services land as the land use zone does not change.

The key question in the application is if the development foreshadowed in the SCC application is compatible with the surroundings, and the anticipated surrounding future land uses. The application would facilitate affordable housing if considered compatible with existing and future surrounding land uses with non-residential land uses fronting Canterbury Road, which could be of a medical nature to align with the Canterbury Bankstown LSPS.

Moreover, the existing built form arrangement creates very few jobs as the warehouse buildings are vacant. It has the potential as warehouse development however, when fully operational land to create 8.8 jobs, and 44 jobs if used as industrial. However, having regard to the strategic planning framework above, and the potential for complementary medical uses and key worker accommodation, development that includes non-residential land uses could accommodate up to 300 jobs in the new scheme, whilst simultaneously facilitating a planning outcome that is considered to be better aligned with the local strategic planning framework and the desired future uses of surrounding land.

Therefore, regardless of the fact that the zone remains B6 Enterprise Corridor, the scheme facilitated by the issuing of a SCC for the site will create approximately 300 jobs, more than under the current scenario. A condition in the Certificate could ensure this is also achieved. The table below illustrates the job provision under existing and proposed scenarios.

Development scenario	Non-residential floorspace	Jobs	
Existing employment potential on site (industrial land use)	4,400sq.m	1 job per 100sq.m (industrial)	44 jobs
Existing employment potential on site (warehouse land use)	4,400sq.m	1 job per 500sq.m (warehouse)	8.8 jobs
Proposed under SCC (commercial)	6,100sq.m	1 job per 20 (commercial)	300 jobs

Table 3: Job creation comparison

4. The need for affordable housing identified by the planning framework.

The LSPS discussed above, also provides a renewed focus on the need for affordable housing throughout the LGA. It is noted that the LSPS states that in the Canterbury Bankstown LGA (2016) *“9.7 per cent of households were experiencing mortgage stress and 39.1 per cent were experiencing rental stress”*. 39.1% of household numbers in housing stress. This information is critical to the assessment of the provision of approximately 113 affordable dwellings in an area identified for future residential.

In addition to research identified in the LSPS, including what the LSPS has not covered, based on the NSW Communities & Justice Local Government Housing Kit database, 96% (ABS census 2016) of *very low income* households are in rental stress for which 4.7% (September 2017) of the existing stock. Preliminary economic data indicates that the recent economic climate due to Covid 19 would make the impact of affordability worse for those most vulnerable to which the majority of this scheme is targeted. The pandemic has resulted in a generally lower supply in dwelling approvals and construction over the long run exacerbated by a falling of approvals since the pandemic over the short run.

These additional figures not included in the LSPS notifies a very bleak future social impact for the community if the serious undersupply of new affordable housing continues. 113 additional affordable dwellings can be provided with incorporated housing for the Aboriginal Land Council in an area that so desperately needs it.

Further, having regard to the above map extract from the LSPS, the Canterbury Road and Kingsgrove Road Medical Precinct is nearby and the mapping merges this area into the subject site, along with the potential residential growth area. This provides a perfect response to the LSPS to provide residential accommodation for the medical precinct key workers, supporting affordable solutions for employees in a much-needed area.

During the preliminary review of the project since the previous SCC decision, consultation by Pacific Community Housing included consultation with representatives of the Allied Health Union NSW. That meeting provided direct advice from that organisation’s leadership of the serious difficulties of finding housing that their members can afford in close location to areas of employment for health industry employees. It was the advice of those stakeholders that this context is a contributing factor in the difficulty the health industry has in increasing the level of employment of key health workers into the NSW economy and locally. Having improved housing options close to health services employment centres is strongly desired by the Union.

Noting the uncertainty of the provision of new housing on this land during consultation, Pacific Community Housing has committed to re-engaging with these stakeholders on approval of the SCC when the opportunity to deliver outcomes is considered an opportunity that can be achieved. The intention being that it was sensible to interrogate opportunities and needs outcomes to a level of specificity once an established planning pathway to deliver a product is defined and the investment required for delivery can be applied.

Further, throughout the LSPS the document reiterates an underlying objective to *“provide affordable housing typologies, especially for very low, low and moderate income households”* (e.g Page 70).

the Affordable Housing Strategy policy decision by council includes ambitious targets seeking 15% affordable housing within all new development in growth precincts. This policy outcome however seems at odds with the expert economic studies supporting council’s housing strategy. That economic advice included detailed modelling that concluded that in all areas of the LGA delivery of 15% was impossible and even minor increases

in affordable housing yield outcomes of between 2%-5% were unviable for suppliers unless significant incentivisation was applied to land yield outcomes in planning decisions to offset the impact of the additional cost.

The preferred model of the council to achieve the policy supply outcomes, is a council centric controlled, high administration cost methodology, combined with an inefficient complicated value capture model (as considered by the economic modelling) that seeks to achieve a process of gaining private sector resources through a penalty levying process that increases project delivery risk. Despite the significant administration inefficiencies, that would see the leaking of gained funds applied to administration purpose rather at the expense of new affordable housing such a system will have a propensity to disincentive suppliers from commencing projects to which such a levy applies if they cannot offset those costs which their capital suppliers stakeholders will require, in either lower input costs or greater sales reviews of contributory market housing in schemes (which exacerbates housing affordability for first home buyers, investor and market renters).

Thus, whereas the council policy outcome is commendable in terms of aspiration, the reality is that the methodology devised to deliver it will likely lead to worse outcomes for housing affordability unless significant incentives are provided to suppliers. It is contended such a policy position also challenges the ability to meet the requirements of S7.32 of the Act that guides what is required to be considered by a consent authority when seeking to apply a levy for affordable housing to a development outcome.

Thus, it is not known if the State will support such blanket policy targets and enable the council to set such inclusionary tax targets in new housing investment. At worst such targets typically lead to undersupply of housing and greater impacts on affordability. Again, it is worth noting that this development proposition supported by private sector capital investment, is in line with the incentive objectives of the Housing SEPP 2021 and the numerical requirements in Division 5 alone can support 50% against that LSPS 15% target and at no direct cost to Government.

5. Reasons for the previous SCC determination refusal

Under the current context and recent local strategic planning framework, the proposal has been reconsidered against the reasons for the recent SCC refusal of 2019. This is considered in detail below and demonstrates that the previous issues have been overcome, albeit not all issues were matters for consideration for compatibility under Division 5 of the Housing SEPP.

Reason for previous refusal	Response
<ul style="list-style-type: none"> <i>permit a mixed-use residential development on industrial and urban services land, which is inconsistent with Direction 7 and Objective 23 of the Greater Sydney Region Plan, which seeks to retain and manage existing industrial and urban services land;</i> 	<p>In consideration of the objectives and directions of the Greater Sydney Region Plan and the South District Plan, council prepared an Employment Lands Strategy and Housing Strategy. The outcome of this process was that the subject land was not key industrial and urban services land given its isolated nature. The local strategic planning framework clearly identifies areas clustered throughout the LGA where industrial and urban services land are intended to be retained to achieve the strategic employment land strategy outcomes. Having regard to this context, the site does</p>
<ul style="list-style-type: none"> <i>permit a mixed-use residential development on industrial and urban services land, which is inconsistent with Planning Priority S10 of the South District Plan, which seeks to retain and</i> 	

<p><i>manage existing industrial and urban services land;</i></p>	<p>form part of the area identified as “<i>local centre potential for residential growth</i>”. Further, the Canterbury Road and Kingsgrove Road Medical Precinct also adjoins and forms part of the site. Therefore, given the outcomes of the local strategic planning framework, which implements the Greater Sydney Plan, it is noted that the subject land is no longer required to support the retention of industrial and urban service land. Refer to Figure 24.</p>
<ul style="list-style-type: none"> • <i>permit a mixed-use residential development inconsistent with the relevant recommendations of the Canterbury Road Review;</i> 	<p>The proposal is not inconsistent with the recommendations of the Canterbury Road Review. While the subject site is not within one of the 11 localities or junctions, it does adjoin the Burwood Road neighbourhood centre. The setbacks envisaged for Canterbury Road have been adopted, including a 3.5 metre setback. Many of the design principles including through site links, publicly accessible spaces and public domain interfaces have also been adopted. This includes a rear laneway connecting Drummond Street to Anderson Street, and 1,290 sq.m of publicly accessible open space in an area where it is urgently required. The Canterbury Road Review does not make specific recommendations for the subject site in terms of land use, albeit it does for design elements such as setbacks and the rear laneway. The site is fortunate in that the land use controls do not permit residential flat buildings, yet the site is surrounded by either existing residential flat development or on sites where residential flat development or mixed use development is permitted or identified by the local planning framework. The incentive provisions of the SEPP specifically target such sites where affordable housing can be delivered on sites where such development is compatible within its context. Affordable residential development is compatible with the existing and preferred future uses as there are either residential flat buildings surrounding the site or where this form of development is permitted. While it is considered that the proposal is not inconsistent with the Review, it is also noted that the Review is not the overarching statutory framework for consideration, against the provisions of the legislative framework that the Housing SEPP seeks to deliver.</p>
<ul style="list-style-type: none"> • <i>permit a mixed-use residential development on industrial and urban services land, which is inconsistent with the actions of the Draft Canterbury-Bankstown LSPS, which seeks to</i> 	<p>The site has an important role to play in the future of the Canterbury Bankstown LGA. Housing, job growth and local economies are expected to increase in line with transport infrastructure investment and required</p>

<p><i>retain and manage existing industrial and urban services land and implement the Canterbury Road Review;</i></p>	<p>strategic planning to ensure appropriate outcomes are achieved. Connective City 2036 makes the following statement:</p> <p><i>“The Sydenham to Bankstown Metro corridor has been identified by the NSW Government as a location for new housing. We will aim to maintain the character of these areas and plan to develop adjoining and surrounding lands and sites, including high-density development. We will work with the NSW Government on a high-level principles-based strategy and place plans for each centre in consultation with the community.</i></p> <p><i>Greatest growth will be planned for the centres of Canterbury, Campsie, Belmore, and Lakemba, with more modest growth in Punchbowl, Wiley Park and Hurlstone Park.”</i></p> <p>The classification applied to the site within the Canterbury Bankstown LSPS, includes <i>“local centre potential for residential growth”</i> and the Canterbury Road and Kingsgrove Road Medical Precinct which also adjoins and forms part of the site. Importantly, the concluded strategy confirms that the site is not captured by the <i>“retain and manage industrial and urban services land”</i> mapping. Refer to Figure 24.</p>
<ul style="list-style-type: none"> <i>be pre-emptive of the Canterbury-Bankstown Local Housing Strategy which will need to identify the mix, diversity and suitability of land for residential development through evidence-based analysis mandated by the South District Plan;</i> 	<p>Canterbury Bankston Housing Strategy and Employment Lands Strategy were adopted by Council at its meeting of 23 June 2020. The Employment Lands Strategy does not identify the site as land for industrial and urban services land from retention and management. The Housing Strategy includes 8 strategic directions. The proposal aligns with these directions, in particular the following:</p> <ul style="list-style-type: none"> • Focus at least 80% of new dwellings within walking distance of centres and places of high amenity. • Ensure new housing in centres and suburban areas are compatible with the local character. • Provide a choice of housing types, sizes tenures and prices, to suite each stage of life. • Design quality housing to maximise liveability and provide positive built form outcomes.
<ul style="list-style-type: none"> <i>inconsistent with the applicable development standards for the site;</i> 	<p>The applicable development standards relate to development in the R3 Medium Density Residential zone and the B6 Enterprise Corridor zone. Both zones</p>

	<p>do not permit residential flat buildings and the applicable controls are not designed for residential flat buildings. However, the indicative development outcome facilitated by the SCC is more reflective of the controls and emerging development outcomes of nearby and adjoining development. The test for compatibility under Division 5 of the Housing SEPP is not whether a proposal complies with the development controls, rather is a residential flat building compatible with the existing and approved uses in the area and the preferred future uses of the surrounding land. No FSR control applies to the majority of the site, however in relation to compatibility of the height to surrounding development and future anticipated built form, the development is compatible with the “existing uses and approved uses of land in the area” and “the impact that the residential flat building, including its bulk and scale, is likely to have on the existing uses, approved uses and uses that, in the opinion of the Planning Secretary, are likely to be the preferred future uses of the land”, which is the critical test under the legislation.</p>
<ul style="list-style-type: none"> the Council does not support the SCC; 	<p>It is noted that council will be consulted on the SCC when it is lodged. It is also noted the council seems to have a different ideological view that seeks to place the council at the centre of the process of affordable housing delivery as the means of how new affordable housing should be stimulated and delivered to meet State planning social objectives.</p> <p>However, given that the council’s local strategic planning framework does not seek to retain the site as urban services land, and facilitates opportunities for local centre residential growth, medical precinct ancillary uses, and affordable housing delivery, while also providing a setback to Canterbury Road, a rear laneway and public open space, we cannot see on merit why council would be opposed to the inclusion of a residential flat building being permitted on the site to deliver affordable rental housing and other community social benefits that will assist to deliver State and council policy objectives for improved social outcomes.</p>
<ul style="list-style-type: none"> the South District Regional Panel recommended that a future application for this site was consistent with the new strategic planning framework established by the Canterbury Road Review; and 	<p>As noted, the proposal is not inconsistent with the Canterbury Road Review, but more importantly reflects the desired outcomes of the Canterbury Bankstown LSPS.</p>

<ul style="list-style-type: none"> • <i>reduce industrial land which the Sydenham to Bankstown Urban Transformation Strategy has identified maybe necessary to support greater intensification of development within the corridor.</i> 	<p>The Department of Planning and Environment has announced a new approach to the Sydenham to Bankstown Urban Transformation Corridor Strategy to develop a high-level, principle-based planning strategy for the corridor. Therefore, the application has not considered the Corridor Strategy. However, it is noted that study through the council’s local strategic planning statement that found that the subject land was not key industrial and urban services land given its isolated nature. The local strategic planning framework clearly identifies areas clustered throughout the LGA where industrial and urban services land are intended to be retained to achieve the strategic employment land strategy outcomes. Having regard to this context, the site does form part of the area identified as “<i>local centre potential for residential growth</i>”. Further, the Canterbury Road and Kingsgrove Road Medical Precinct also adjoins and forms part of the site.</p>
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Table 4: Response to previous reasons for refusal

1.3 Housing SEPP

The Housing SEPP was introduced on 26 November 2021, to deliver housing to meet the needs of the whole community, by providing for more affordable homes, more choice of homes and creating new types of homes to meet these changing needs. The new SEPP sought to incentivise the supply of affordable and diverse housing in the right places and for every stage of life and help support the economic recovery of the home building sector in NSW following the COVID-19 pandemic.

Since the release of the Housing SEPP, the department has commenced several refinements and updates to seek improve the application of the SEPP to further facilitate supply of affordable housing. The more recent consultation program that concluded in January 2023 (and is under consideration) seeks to implement further changes to the SEPP to in part increase incentive provisions to stimulate industry to invest in affordable housing supply. Whereas Division 5 is not subject to these reviews, it is important to note that the department’s policy framework acknowledges that it is through increased incentivisation and positive adjustment of the planning framework that promotes more transparent and outcome focused planning process that has the better chance of increasing new affordable housing supply. This SCC application is aligned with that objective and is the most efficient way to gain significant levels of private sector capital applied to the delivery of affordable housing.

Throughout NSW there is a strong need for a range of affordable housing options amongst the community, and it is well recognised that government at all levels, private industry and the non-government sector must work in partnership towards finding innovative ways to provide more affordable housing. The Affordable Housing SEPP is a policy mechanism to facilitate this co-operation.

As stated above, the Housing SEPP applies to the subject land. Clause 36 *Land to which Division applies*, states:

This Division applies to the following land—

- (a) *land in the Greater Sydney region within 800m of—*
 - (i) *a public entrance to a railway station or light rail station, or*
 - (ii) *for a light rail station with no entrance—a platform of the light rail station,*
- (b) *land in the following towns within 400m of land in Zone B3 Commercial Core or Zone B4 Mixed Use, or an equivalent land use zone—*

Albury, Ballina, Batemans Bay, Bathurst, Bega, Bowral, Cessnock, Charlestown, Coffs Harbour, Dapto, Dubbo, Glendale–Cardiff, Gosford, Goulburn, Grafton, Lismore, Maitland, Morisset, Newcastle, Nowra, Orange, Port Macquarie, Queanbeyan, Raymond Terrace, Shellharbour, Tamworth, Taree, Tuggerah–Wyong, Tweed Heads, Wagga Wagga, Warrawong, Wollongong.

Therefore, the SEPP applies as follows:

- the land is within 800 metres of the entrance to Belmore train railway station (see Figure 6 below); and
- is zoned part R3 Medium Density Residential and part B6 Enterprise Corridor under the Canterbury LEP 2012 under which ‘residential flat buildings’ are not permitted.

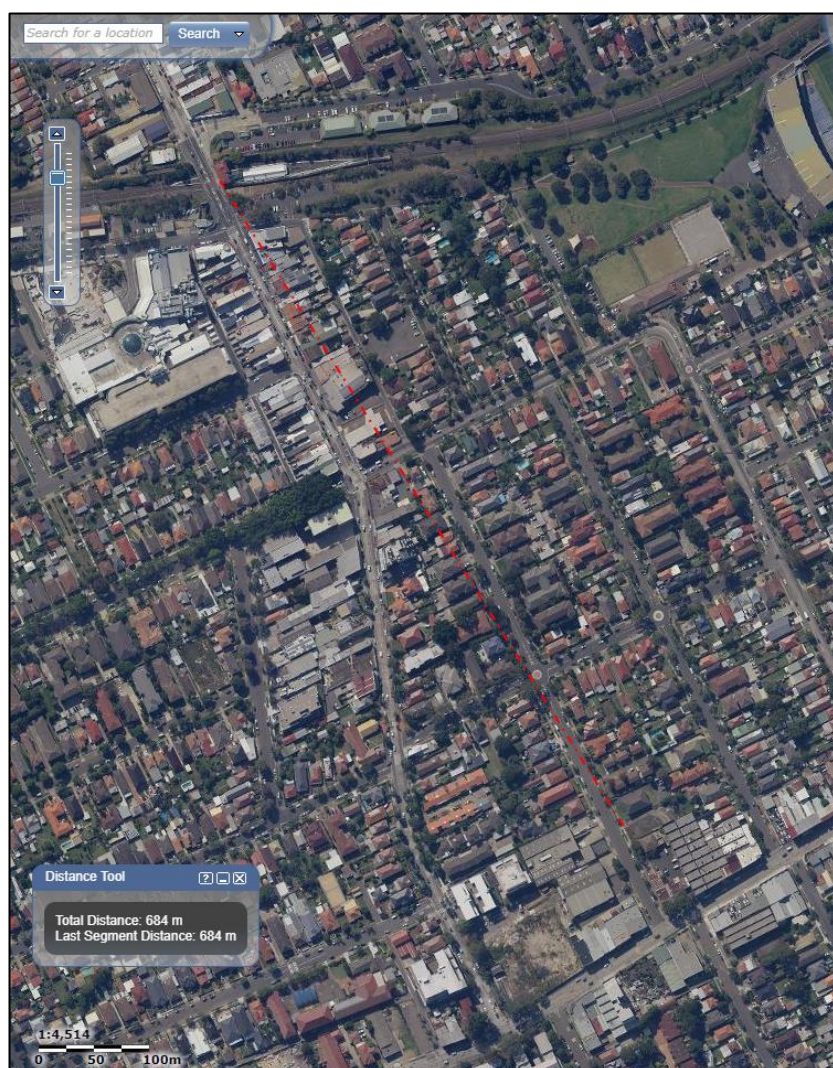


Figure 6: Distance of site from Belmore railway station – circa 684 metres

Further, in accordance with the requirements of the SEPP, this report will demonstrate:

- Compatibility with surrounding land uses;
- Acceptable impact, in respect to bulk and scale, on existing and approved uses;
- Sufficient services and infrastructure to meet the demands arising from the development; and
- That the development concerned will not have an adverse effect on the environment.

2. Site Description and Context

2.1 Site Description

The land to which this SCC application applies is located at 677,687 Canterbury Road, 44-48 Drummond Street, and 35, 37 and 39 Anderson Street, Belmore. The site is on the northern side of Canterbury Road between the intersections with Anderson Street and Drummond Street. The site has three street frontages and contains old industrial and residential development. The land the subject of this SCC application is identified in Figures 2, 3 and 4. The subject site comprises nine (9) lots and is known legally as follows:

Address	Lot details	Area
44 Drummond Street	Lot 90 DP3862	
48 Drummond Street	Lot A DP 952115	
687 Canterbury Road	Lot B DP952115	
677 Canterbury Road	Lot 1 DP 533919	
	Lot 2 DP 533919	
	Lot 91 DP3862	
35 Anderson Street	Lot 97 DP3862	
37 Anderson Street	Lot A DP322858	
39 Anderson Street	Lot B DP322858	
Total Area		9,900sq.m

Table 5: Site details



Figure 7: Site Description

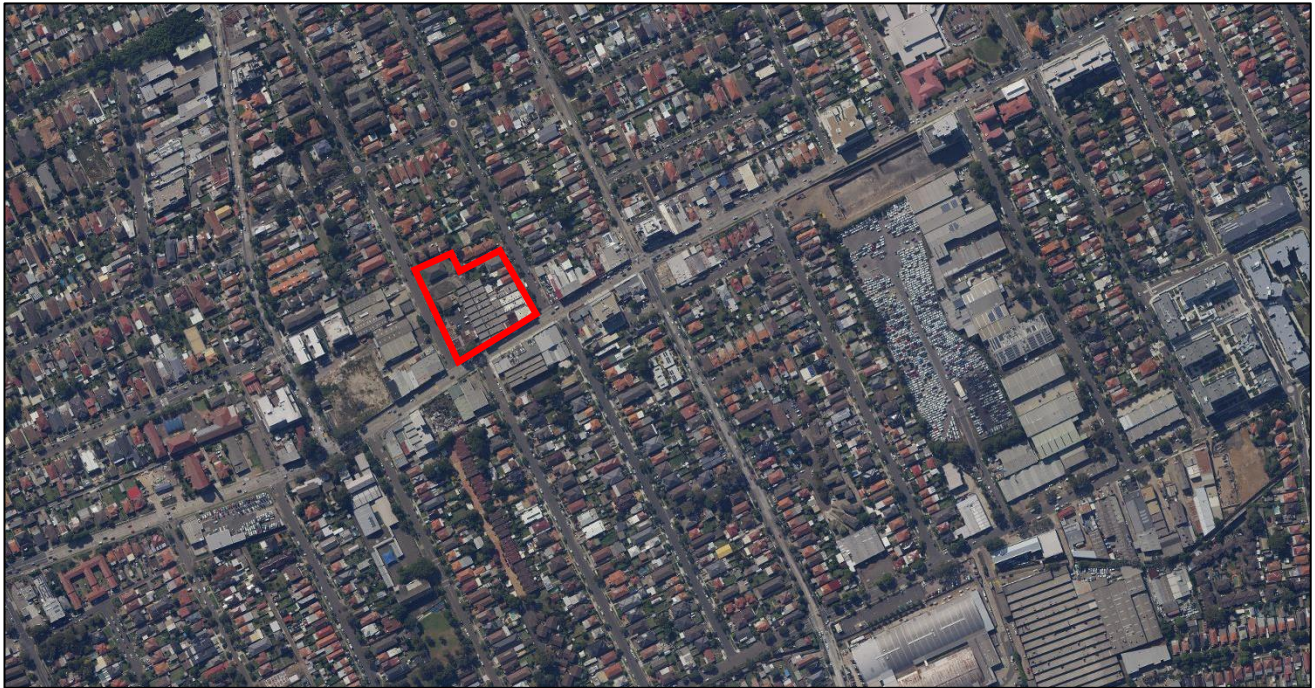


Figure 8: Site context

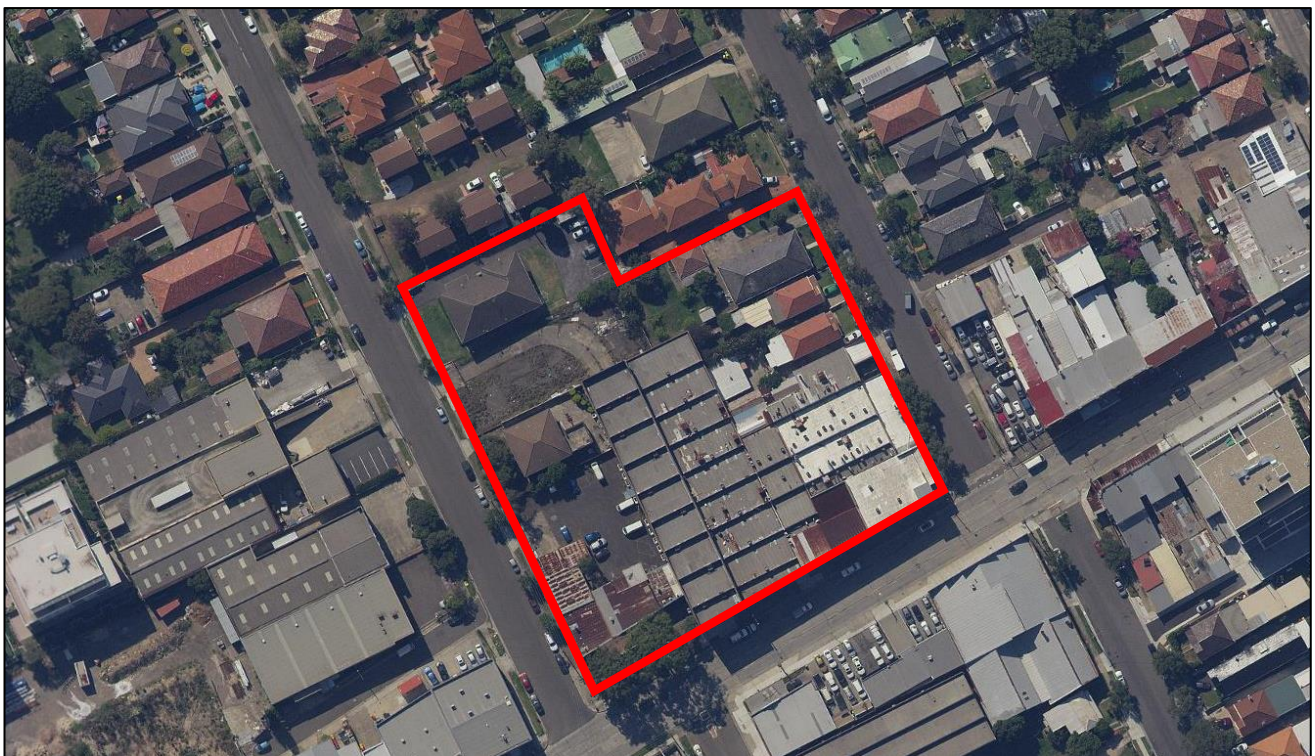


Figure 9: Aerial view of the subject site

The site at approximately 9,900sq.m, is located on Canterbury Road, within 800 metres of the entrance to the Belmore railway station or approximately a 9-minute walk. It is approximately 400 metres from the edge of the commercial district, or a 5 minute walk, of the Belmore town centre.

The site has a frontage of 101 metres to Canterbury Road; a 113 metres frontage to Drummond Street and a 84 metres frontage to Anderson Street. Existing development includes a two storey brick and rendered industrial building at 677 Canterbury Road, a 2 storey brick apartment building at 44 Drummond Street and 48 Drummond Street Drummond Street, and single storey dwelling houses at 35-39 Anderson Street. The single storey brick, rendered and metal industrial/commercial building at 687 Canterbury Road has been demolished.



Image 1: View of corner of Anderson Street and Canterbury Road



Image 2: View of Canterbury Road frontage



Image 3: Existing residential flat building at 44 Drummond Street



Image 4: Existing dwellings at 35, 37 and 39 Anderson Street



Image 5: Existing surrounding development – 680 and 702-704 Canterbury Road



Image 6: Existing surrounding development – Corner of Canterbury Road and Burwood Road

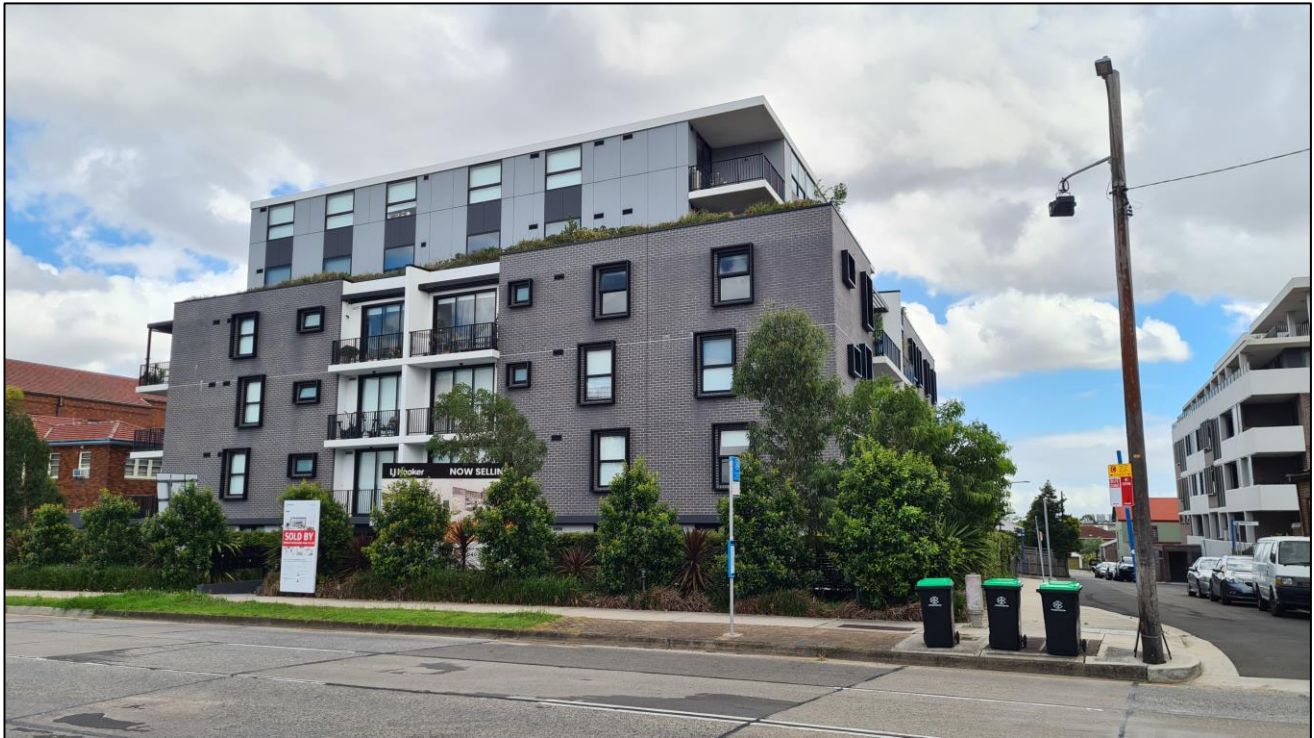


Image 7: Existing surrounding development – 749 Canterbury Road

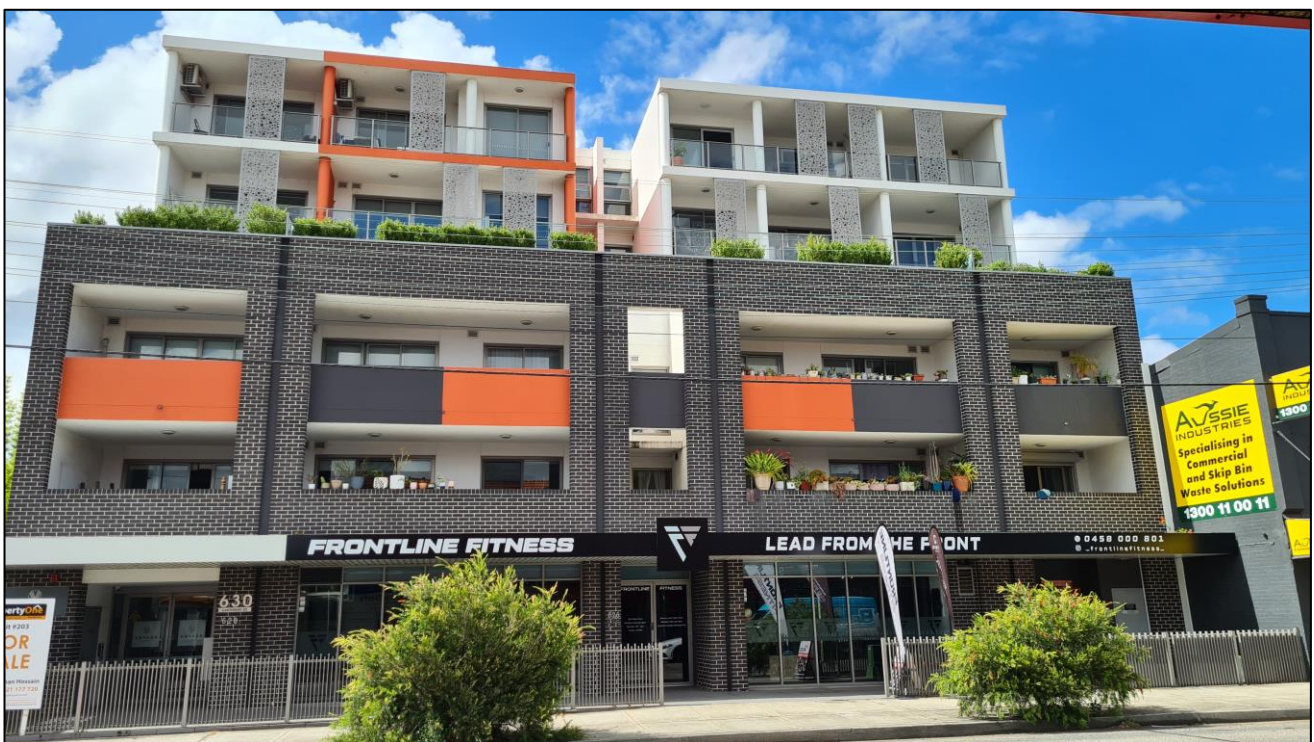


Image 8: Existing surrounding development – 630 Canterbury Road



Image 9: Existing surrounding development – residential flat development, 33 Anderson Street



Image 10: Existing surrounding development – 512 Burwood Road

2.2 Site Context

The site is currently zoned part B6 Enterprise Corridor and part R3 Medium Density Residential under the Canterbury Local Environmental Plan 2012.

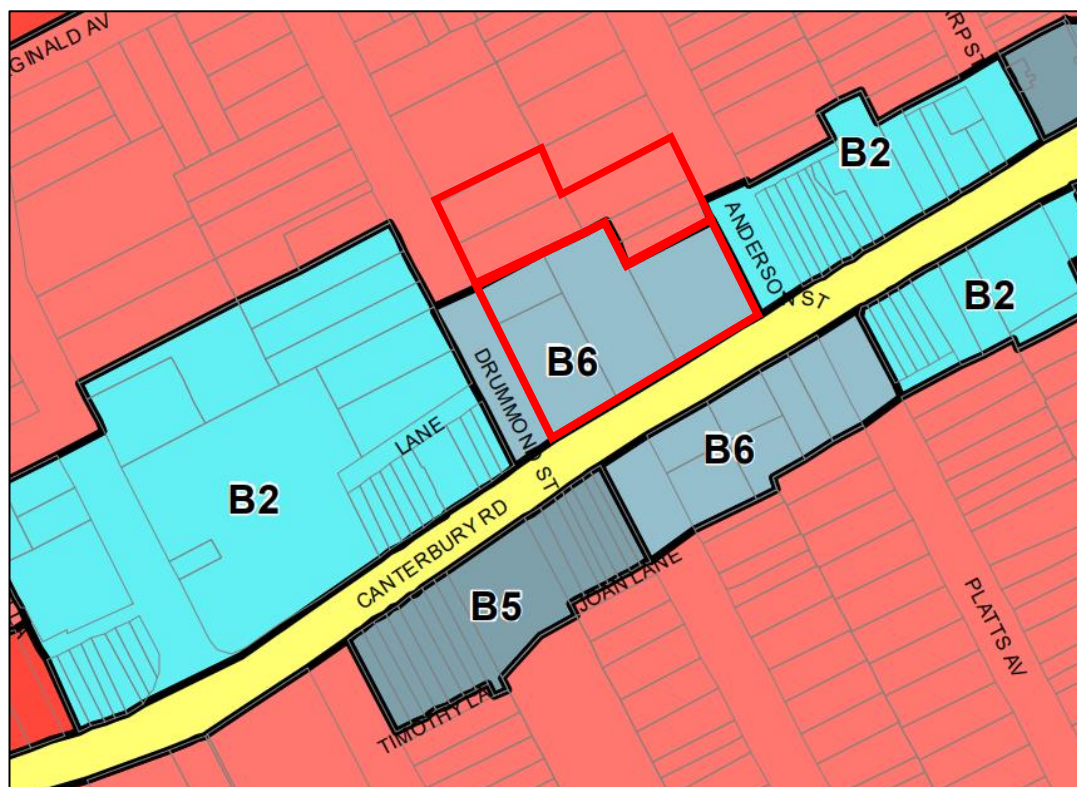


Figure 10: Zoning Map under Canterbury LEP 2012

As ‘residential accommodation’ is prohibited in the B6 Enterprise Corridor zone, and ‘residential flat buildings’ are prohibited in the R3 Medium Density Residential zone, Division 5 of the Housing SEPP applies.

The previous SCC (2014) determined that the proposed development is compatible with the surrounding land uses. The surrounding land uses define the area and include commercial and residential developments along Canterbury Road and residential flat buildings immediately to the north. Following the amalgamation of the site to include the three single storey dwelling houses along Anderson Street, the northern boundary is now adjoined by two storey residential flat buildings at 33 Anderson Street and 40 Drummond Street. It is therefore difficult to argue that a residential flat building is not compatible with its existing surroundings when it is immediately joined by two residential flat buildings. Note residential flat buildings are defined as “a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing”.

To the east and west, the site is adjoined by B2 Local Centre zoned land. This includes shop top housing, commercial buildings and mixed-use developments. To the south, a number of mixed-use developments have been constructed or are under construction, while a derelict old industrial building and mechanic are directly opposite the subject site.

The site forms part of a section of Canterbury Road that is undergoing change and transition to a mixed-use neighbourhood, in part due to its proximity to the Belmore town centre and associated public infrastructure. Similar scale mixed-use developments in the immediate vicinity include:

- 629 Canterbury Road: A 5 storey mixed use development on the corner of Canterbury Road and Kingsgrove Road (constructed);
- 630 Canterbury Road: A 6 storey mixed use development on the south side of Canterbury Road on the block to the east (constructed);
- 680 Canterbury Road: A 6 storey mixed use development on the south side of Canterbury Road on the block to the west (constructed);
- 684-700 Canterbury Road: A 6 storey mixed use development on the south side of Canterbury Road on the block to the west (approved not constructed);
- 702-704 Canterbury Road: A 6 storey mixed use development on the south side of Canterbury Road on the block to the west (constructed);
- 717-727 Canterbury Road: 6 storey mixed use development on the north side of Canterbury Road on the block to the west (constructed);
- 749-757 Canterbury Road: 6 storey mixed use development on the north side of Canterbury Road on the block to the west (constructed);
- 510-514 Burwood Road: 6 storey mixed use development on the north side of Canterbury Road on Burwood Road to the west (constructed);
- 531-533 Burwood Road: 5 storey mixed use development on the east side of Burwood Road (constructed); and
- 529 Burwood Road: 6 storey mixed use development on the east side of Burwood Road (constructed);

The Belmore railway station connects Belmore to the Harbour CBD and Greater Sydney. The Belmore station is part of the future Sydenham to Bankstown Sydney Metro City and Southwest rail upgrades to provide faster and more frequent services. Under existing timetables (i.e. prior to metro rail services) from Belmore, the Harbour CBD metropolitan centre is accessible within 22 minutes; Bankstown strategic centre and health and education precinct within 9 minutes; and Campsie strategic centre within 2 minutes.

2.3 Existing Environment

The site has limited existing vegetation as the existing factory and parking area occupies much of the site. Remnant vegetation on the edges includes some existing mature native Brushbox trees on the corner of Canterbury Road and Drummond Street (Image 2) and some landscaping associated with the front yard of the residential apartment building on Drummond Street. Small street trees are located in the grassed street verges on Drummond and Anderson Streets.

The Subject Site is relatively flat. Along Drummond Street the site slopes gradually about 3 metres over almost 100 metres which is approximately a 1 in 33 slope.

There are no known hazards or other natural constraints to the site.

3 Description of the Proposal

This report provides a detailed description of the development proposal in support of the application for a SCC that will facilitate 226 dwellings, of which a minimum 50% (113 dwellings) of the accommodation will be used for the purpose of affordable housing. The residential flat building forms part of a development with non-residential use in the form of retail and medical development fronting Canterbury Road within 800 metres of the Belmore train station.

3.1 Development Overview

An overview of the development proposal is included in Table 5 below:

Address	687 and 677 Canterbury Road, 44-48 Drummond Street and 35, 37 and 39 Anderson Street, Belmore
Site Description	Lot 90 DP3862 Lot 91 DP3862 Lot A DP 952115 Lot B DP952115 Lot 1 DP 533919 Lot 2 DP 533919 Lot 97 DP3862 Lot A DP322858 Lot B DP322858
Area	9,900sq.m
Community Housing Provider	Pacific Community Housing
LGA	Canterbury-Bankstown
Zoning	B6 Enterprise Corridor and R3 Medium Density Residential
Permissibility	The site is zoned part B6 Enterprise Corridor and part R3 Medium Density Residential under the Canterbury LEP 2012. 'Residential accommodation' is prohibited in the B6 Enterprise Corridor zone and 'residential flat buildings' are prohibited in the R3 Medium Density Residential zone. Therefore, Division 5 of Part 2 of the Housing SEPP 2021 applies.
Development Description	This application seeks a SCC to facilitate the progression of a development concept for redevelopment of the site, including approximately 226 dwellings (of which 113 are affordable dwellings), and approximately 6,150sq.m of non-residential uses including ancillary convenience retail and medical facilities to contribute and complement the Canterbury Road and Kingsgrove Road Medical Precinct. The concept is subject to a future major project application with the Department of Planning and Environment which will be subject to a design process through the

	State Design Review Panel, which will refine the scheme and its dwelling yield. The major project will deliver significant build-to-rent housing and affordable housing in an area of Sydney in urgent need of rental assistance to address local housing stress within the community. This application demonstrates that the indicative built form designs identified in the attached design documentation are compatible with the existing and future anticipated and proposed development in the area.
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Table 6: Proposal Overview

3.2 Development Background

On 15 July 2014, a SCC was issued under clause 37(1) of State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP) in relation to the subject site.

The certificate certified that *“the development of the site described in Schedule 1 is compatible with the surrounding land uses, having had regard to the matters specified in clause 37(6)(b), only if it satisfies certain requirements specified in Schedule 2 of this certificate; and is not likely to have an adverse effect on the environment and does not cause any unacceptable environmental risks to the land”*.

The development proposed and described in Schedule 1 was as follows:

“The demolition of all existing buildings on the site and the construction of a mixed-use development comprising three (3) buildings, with ground floor commercial space along Canterbury Road and residential development pursuant to the provisions of the State Environmental Planning Policy (Affordable Housing) 2009”.

A Concept Development Application was lodged with Canterbury Bankstown Council on 22 March 2019, which sought consent for a concept for the site including building footprints, massing and elevation, in accordance with the SCC.

As the SCC was due to expire during the assessment process of the concept application, on advice from the Department of Planning and Environment, a new application for a SCC was lodged.

However, as the concept application was not determined prior to the expiration of the SCC, which expired on 15 July 2019, the South Sydney Planning Panel determined to refuse the Concept DA because *“since the application was lodged, the SCC has expired which means for the purposes of determination today the proposed uses are prohibited”*.

Further, on 7 February 2020, the Deputy Secretary, determined that an application for a Site Compatibility Certificate for land at 677, 687 Canterbury Road and 48 Drummond Street, Belmore not be issued as *“the merits of the application do not satisfy the requirements of the Affordable Rental Housing SEPP”*.

However, the planning framework and site area has since evolved and changed, providing a pathway for a new SCC and development process to occur that delivers significant affordable housing and supports key worker accommodation, and facilities associated with the Canterbury Road and Kingsgrove Road medical precinct.

A meeting and presentation was held with the Department in February 2022 regarding the evolving planning framework and the commencement of a new SCC process. The lodged SCC application is a culmination of detailed consideration of the future development scenario and outcome, noting the changed environment within which it is advanced:

1. New site amalgamation

The revised scheme includes 35, 37 and 39 Anderson Street and 44 Drummond Street, to be included in a new urban renewal process, for a total site area of approximately 9,900sq.m.

This change has significantly increased the quantum (approximately 39% at 3840sq.m) of the land that is zoned residential under the underlying LEP land use controls. When including a small portion which benefits from existing residential uses, the site contains 45% of residential land. This is a significant change and increase from that contemplated under previous SCC processes.

2. Updated strategic planning framework – Canterbury Bankstown LSPS

The classification applied to the site within the Canterbury Bankstown LSPS, includes “*local centre potential for residential growth*” and the Canterbury Road and Kingsgrove Road Medical Precinct which appears to also adjoin and maybe form part of the site. As such, the recently changed strategic context provides a new framework within which to assess the application.

3. Zero loss of Employment Lands

The existing built form arrangement creates very few jobs as the warehouse buildings are vacant. It has the potential as warehouse development however, when fully operational land to create 8.8 jobs, and 44 jobs if used as industrial.

However, having regard to the strategic planning framework which includes potential medical facilities in associated with the proximity of the site to the Canterbury hospital and key worker accommodation, development that includes non-residential land uses could accommodate up to 300 jobs in the new scheme.

4. The need for affordable housing identified by the planning framework.

It is noted that the LSPS states that in the Canterbury Bankstown LGA (2016) “*9.7 per cent of households were experiencing mortgage stress and 39.1 per cent were experiencing rental stress*”. 39.1% of household numbers in housing stress. This information is critical to the assessment of the provision of approximately 111 affordable dwellings in an area identified for future residential.

5. Supports the Private Sector Investment into New Affordable Housing.

An application of Division 5 is supported by the investment stakeholder and the CHP as the most effective planning process to gain support for the delivery of the significant capital required to deliver the project.

3.3 Development and Design Principles

The proposed development facilitated by the SCC seeks to deliver a proposed built form that delivers affordable rental housing with ground floor non-residential uses. A key element of the proposal is the integration of a large urban park of 1,290sq.m, a rear laneway, and generous setbacks to Canterbury Road, complementing the delivery of social benefits for the community.

While the concept will be subject to detailed design and planning, and consultation with the NSW Government Architect, in summary, the proposal seeks to deliver the following:

- A ground level podium, supporting non-residential uses, such as medical facilities and ancillary retail to support the day to day needs of the community;
- Four above podium residential buildings;
- Maximum heights of six and seven storeys;
- A 1,290sq.m public park;
- 3.5 metre setback to Canterbury Road;
- Podium rooftop communal open space;
- A rear laneway connecting Drummond Street to Anderson Street;
- 226 dwellings, of which 113 will be affordable rental housing;
- 6,100sq.m of non-residential floorspace;
- An overall FSR of 2.6:1

3.3.1 Built Form and Scale

The build form and scale has been designed having regard to the existing and future surrounding development and the compatibility with the built context and environment. The attached design report and architectural statement has been prepared by Jakaan Architects in support of the SCC application. These are included at Attachments B and C. The reports demonstrate how the site could be developed in a future development application scenario, that delivers 113 affordable dwellings in a development of up to 226 dwellings, that complies with the requirements of the relevant built form guidelines and legislation, facilitates open space and rear laneway access. The future development concept will be refined working with the NSW Government Architect and the Department of Planning and Environment in a major project process.

The built form includes one ground level podium of non-residential uses, setback 3.5 metres to Canterbury Road. This provides an approximate building setback of 7 metres to the existing Canterbury Road curb, facilitating a generous area of public domain, allows for greening and planting, and allows for the future widening of Canterbury Road should that be required in the future. Residential lobbies are located on the side streets, with vehicular access to the development and loading to the commercial floorspace located along the rear laneway.

The podium is just one level and incorporates the non-residential uses supporting jobs and employment, and while the application does not seek consent for these uses, it is envisaged that they will support some convenience retail to support the needs of the community, and ancillary medical and health facilities to complement the Canterbury Road and Kingsgrove Road medical precinct and the key worker housing within the development. Residential buildings are separated by 12 metres, with podium rooftop open space for

residents. This is in addition to the public open space to the north. The proposed concept is illustrated in the figure below.

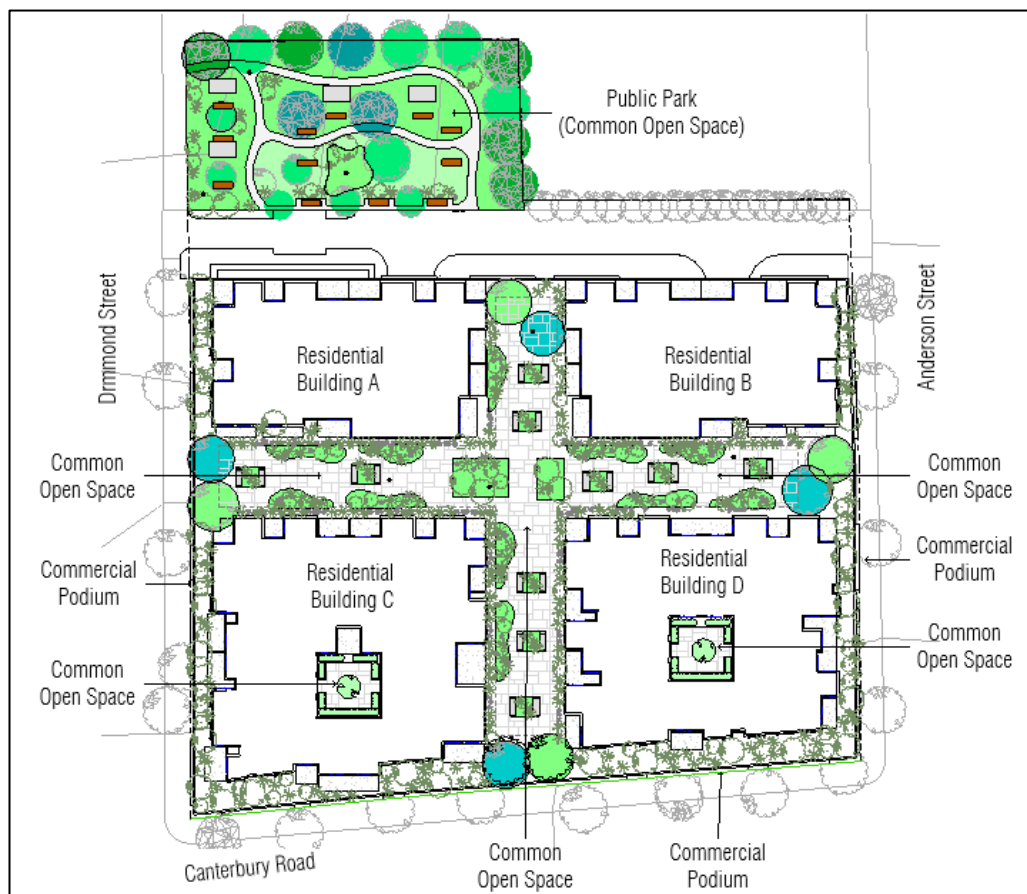


Figure 11: Indicative Concept site plan



Figure 12: Indicative Concept Building Form

3.3.2 Building Height

The maximum building height has been carefully considered having regard to the surrounding building height controls, the existing and future development, the impacts and compatibility of building heights, and the ability to transition to adjoining development.

The development is substantially 6 storeys in height, the same as the existing controls associated with adjoining and surrounding sites, and the existing and emerging development for residential flat development and mixed use buildings in the area and along Canterbury Road generally.

There is a small element at 7 storeys which is setback and only located atop buildings C and D. This was carefully considered and tested in terms of impact and compatibility through the design process, and will be subject to further consideration and testing under a future DA process and consultation with the NSW Government Architect. While the additional storey is required to facilitate the deliver of the important social outcome of affordable housing, it is also noted that from a design perspective the following impacts associated with the built form were considered:

- The proposed build form has been refined and tested to ensure that the overshadowing of existing and proposed future buildings is restricted to acceptable levels. Overshadowing in the main and for the critical times of the day between 9 am and 3 pm has been largely restricted to the future podium levels of any proposed buildings.
- The proposed building form has been defined with central building separation which not only provides appropriate separation between apartments within the site but ensures additional access to sunlight on adjacent sites by reducing direct overshadowing. The reduction in overshadowing created by the central building separations enhances compatibility with adjacent sites.
- Consideration of the future development of the adjacent B2 and B6 zonings particularly regarding future height and use. The diagrams below highlight the modulation of the proposed built form with the future heights of buildings on the adjacent B2 & B6 zones.

The below figures illustrate how the proposed development will transition to adjoining existing and future nearby development. This illustrates the minor impact and compatibility with potential residential flat buildings and mixed use development along Canterbury Road. Further, the public open space incorporated in to the site and the design provides a separation between the future development and adjoining residential flat buildings to the north, which provides further support and justification for the 7 storeys rather than incorporating massing and development within this footprint.

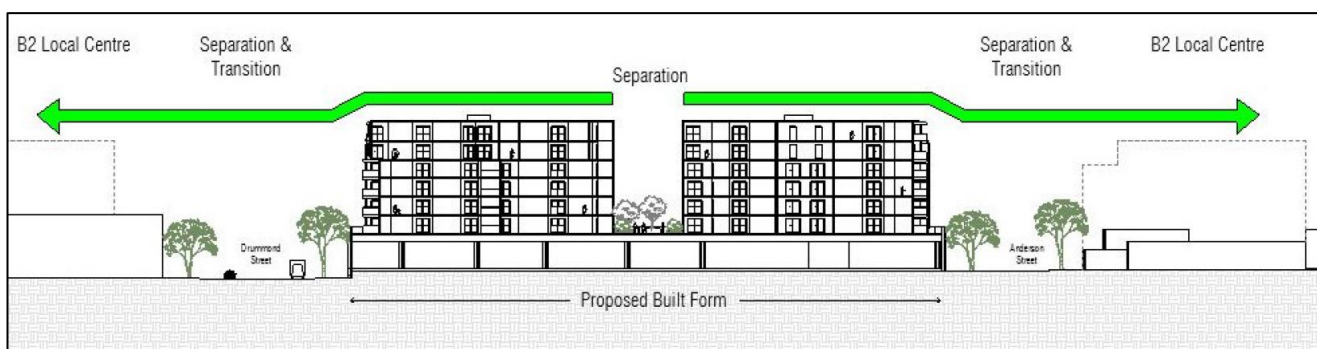


Figure 13: Building height transition and compatibility along Canterbury Road

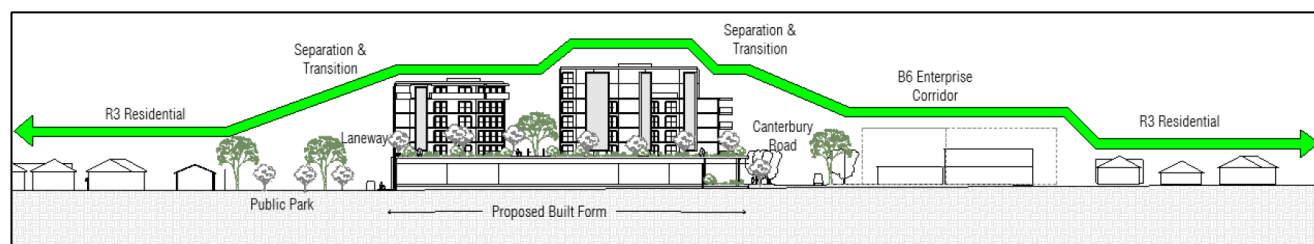


Figure 14: Building height transition and compatibility north to south

3.3.3 Apartment Size and Layout

The indicative floor plans attached demonstrate that future development of the site will be able to achieve a range of apartment sizes and layouts in line with the Objectives of the Apartment Design Guide (ADG), and the aims of the Housing SEPP 2021 to deliver significant affordable housing supply in Belmore and the Canterbury Bankstown area.

The following mix of unit types and sizes is provided:

- 14 x studio apartments (6%)
- 84 x 1 bed apartments (37%)
- 116 x 2 bed apartments (51%)
- 12 x 3 bed apartments (5%)
- 226 total apartments

A minimum of 27 apartments (12% min) of apartments will be designed as adaptable apartment and achieve compliance with AS 4299. More detailed layouts and plans are included at Attachment B. The design supports the ability of future development to achieve SEPP 65 compliance.

3.3.4 Landscape and Common Areas

The development seeks to provide for significant areas of communal and publicly accessible open space and pedestrian areas in support of the vision for the site to create a people friendly destination.

A key element of the proposal is the integration of a 1,290sq.m open space to the north of the site along Drummond Street. While the design of the space will be undertaken through a detailed landscape design process as part of the development application, it does provide opportunities for active and passive recreation, deep soil planting, shelters and shade, tree cover, soft landscaping and child facilities. An indicative plan is included in the figure below, which importantly illustrates the scale of the space.

Overall, there is 3,240sq.m of open space provided as part of the development. In addition to the public park, there is also communal open space for residents on the roof of the single storey podium. The figure below illustrates the indicative landscape and open space strategy.

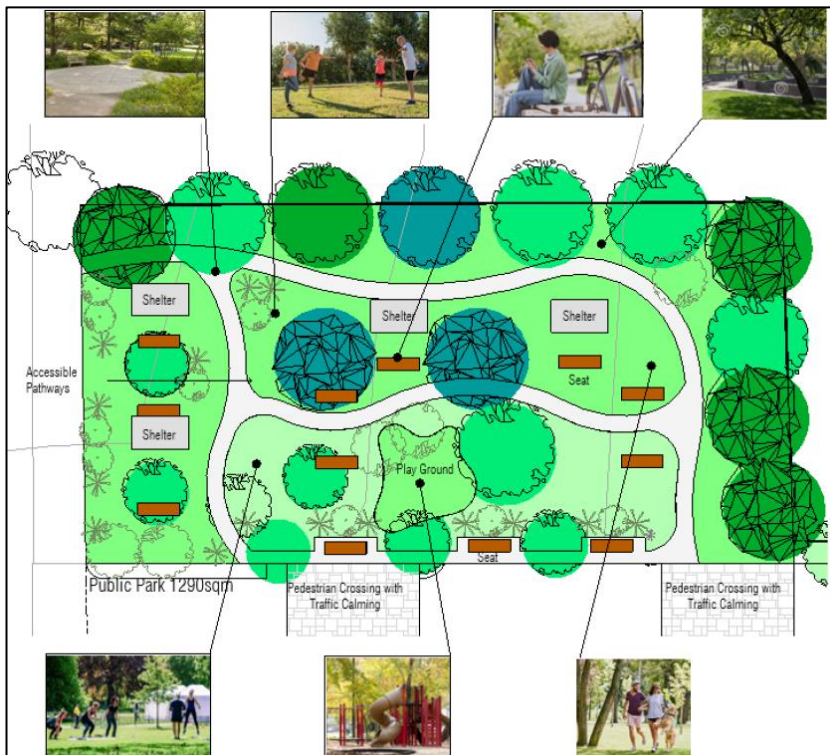


Figure 15: Publicly accessible open space

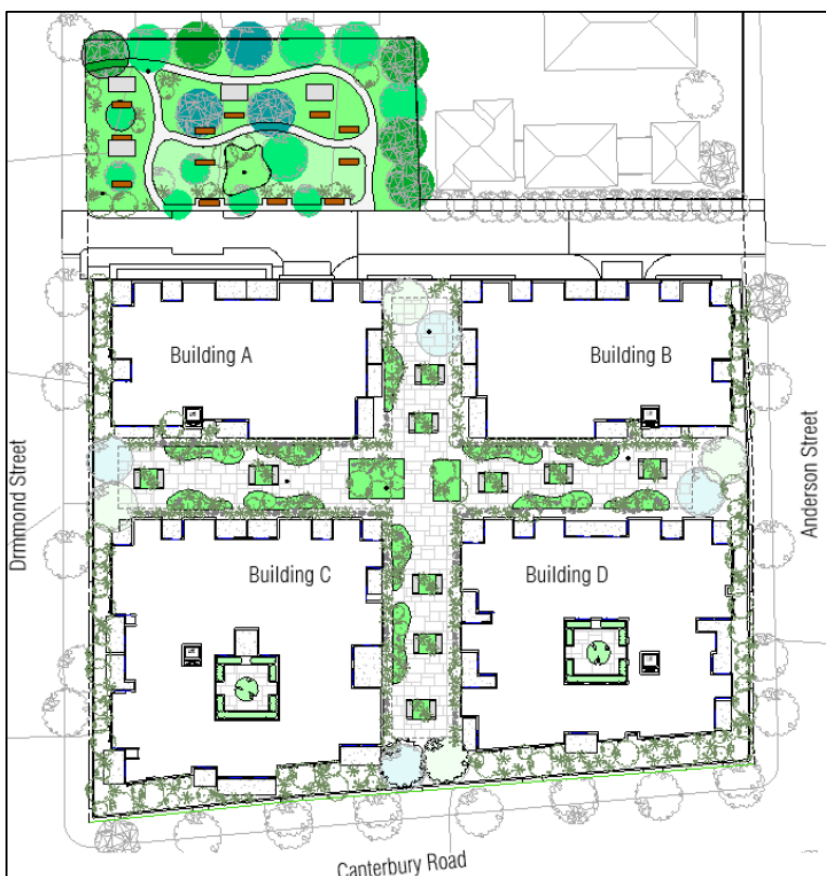


Figure 16: Concept Landscape Plan

3.3.5 Access and Vehicles

While parking is not required under Clause 38(4) of the Housing SEPP given its proximity to public transport, car parking spaces will be provided as basement car parking, with the final number of parking spaces to be determined through the future development application process.

However, the indicative calculation proposed, in accordance with council's DCP is 496 spaces across three basement levels. This is calculated as follows:

Residential spaces	261.2
Residential visitor spaces	45.2
Residential car wash space	2
Commercial spaces	186
Courier Space	1
Total spaces	496

Table 7: Car Parking Calculations

The driveway access of 6.5 metres in width is provided with the roller shutter set back from the laneway to reduce the dominance on the street. The concept for the placement of the one-way laneway to the north of the site is to increase setbacks and amenity to adjacent northern sites, whilst providing access to the delivery dock and basement parking to reduce impacts on Anderson and Drummond Streets.

The detail of the parking arrangements will be included with a future Development Application.

3.3.6 Amenity

The development concept has been designed to ensure high standards of amenity for future residents and visitors. Good amenity has been achieved through the combination of ADG compliant room dimension, regular room shapes, access to sunlight, natural ventilation, building separation, outlook, quality outdoor spaces, large balconies and wide public corridors and communal areas. Specifically, the following is noted:

- The four residential buildings have been designed with the primary aspect to the north (sun) with buildings A,B,C and D designed to maximise north facing aspect.
- Buildings C & D have been designed with two central courtyards to maximise solar access to a very high percentage of apartments.
- Buildings A,B,C and D have been designed to maximise solar access with 70% of apartments capable of achieving in excess of 2 hours of direct sunlight
- Additionally, Buildings A,B,C and D have been designed to maximise cross ventilation with 88% of apartments capable of achieving cross ventilation.
- All apartments have been designed with living rooms achieving a minimum width of 4 metres for studios, 1 bed, 2 bed and 3 bed apartment apartments.
- All apartments have a private open space accessed directly from the living area and can meet the minimum area guidelines of the ADG.
- Private open spaces are capable of achieving an external area of 8sq.m for studios, 10sqm for 1 bed apartments, 10sq.m for 2 bed apartments and 12sqm for 3 bed apartments.

- The lift and stair cores are setback and deep within the overall form of the building, with lift overrun and plant setback from the face of the building and are largely unseen from street level as can be seen in the 3D views presented in the architectural plans.
- Visual and acoustic privacy is achieved through orientation, internal layouts, and acoustic treatment internally and between communal open spaces.
- The residential entry lobbies have been located directly from the adjacent streets and achieves level access on a sloping site. The entries are clearly visible from the street. Letterboxes can be situated outside of the entry lobbies and fronting each street to provide excellent casual interactions and surveillance. The entry lobby spaces provide opportunities for casual interaction between residents.
- Communal open space of 3,240 sq.m (33% of the site area) is provided within the site which exceeds the minimum recommendation of the ADG for 25% communal open space. Communal open spaces will include active and passive recreation areas include seating areas, planter boxes, BBQ facilities and accommodate the existing and new large trees.
- Landscaped area of 1,290 sq.m (13% site area) is provided as deep soil meeting ADG requirements.
- A generous setback of 3.5 metres is provided to Canterbury Road, with an average of approximately 7 metres to the existing Canterbury Road curb. This allows for planting and greening of the Canterbury Road edge while also allowing for the potential widening of Canterbury Road should that be required in the future.

3.3.7 Crime Prevention

The proposed concept seeks to create an active interface on all streets to allow for greater passive surveillance. A key objective for the project is about the pedestrian and human experience, with a publicly accessible open space and through links.

Passive safety and observation of public area was an integral consideration in the concept and design of the proposed buildings, particularly the design of the public spaces.

Clear definition of private spaces, living spaces and balconies was paramount, and all opportunities to maximise passive surveillance of the public and communal open spaces was a strong consideration for the overall concept of the building.

The public open space and private open spaces are clearly defined with secure access. The common spaces will be well lit and easily maintained due to their regular shape without any hidden areas.

As detailed design advances, the proposal will be consistent and address the principles of Crime Prevention Through Environmental Design (CPTED) and optimise the safety of the public domain. Further detailed assessment will occur during the development application process and in accordance with the key design objectives outlined in the attached built form study.

3.3.8 Infrastructure and Services

As previously discussed, the site has historically been utilised for residential and commercial purposes. The site is well serviced by utilities infrastructure required to support residential land uses in accordance with the existing SCC. Notwithstanding, a Utilities Infrastructure and Services Report will be prepared in support of development applications for the site to ensure the provision of gas, water, sewer and electricity.

4. Statutory Context

4.1 Environmental Planning & Assessment Act 1979

The proposal is consistent with the objects of the Environmental Planning & Assessment (EP&A Act) 1979 as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment while promoting the delivery and maintenance of affordable rental housing.

Relevant objectives under Section 1.3 Objects of the Act of the EP&A Act 1979 include:

- (d) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (g) to promote good design and amenity of the built environment,*

The development is consistent with the above objectives as follows:

- The application for a SCC will facilitate the orderly and economic development of a site within a key urban renewal area of Sydney, close to the Belmore town centre, the Burwood Road neighbourhood centre, and forming part of the Canterbury Road and Kingsgrove Road medical precinct.
 - The development is orderly in that it is generally compliant with the proposed future maximum building height along Canterbury Road and the Burwood Road neighbourhood centre.
 - The proposed six to seven storeys height reflects the desired existing and future character of the area with detailed design consideration given to the interface and amenity impacts on the existing and future surrounding built form.
 - The development will be designed to ensure that it is economically viable. Given the connectivity of the site to the region and the Sydney CBD, the site is be considered underutilised in its ability to support a social and community need for affordable housing without the need for private transport use.
 - At the scale and yield proposed future development can provide additional affordable housing supply to meet the social needs of the community.
 - The development proposition seeks the orderly and efficient use of land to assist the housing needs of those in need. The proposal is aimed to be sustainable through an appropriate balance of social, economic and ecological considerations.
- The Development will directly achieve the objectives of Section 1.3 of the EP&A Act 1979 to promote the delivery and maintenance of affordable rental housing. It does this by facilitating the development of 222 dwellings, of which a minimum of 111 will be affordable homes in accordance with the Housing SEPP 2021 in an area of Sydney with increasingly significant housing stress.
- The design, layout and bulk of future development facilitated by this application will be advanced through a future detailed design led process, with particular attention to the following:

- Compatible height with existing and future development surrounding the site;
- An architectural response to the site's location within a residential environment, near the Belmore town centre and train station, and the Burwood Road neighbourhood precinct;
- The architectural character will be compatible with the existing developments in the immediate context, but be clearly defined to give a variety of grain and character within this framework.; and
- Layout and orientation of apartments will be designed to maximise amenity.

4.2 State Environmental Planning Policies

4.2.1 Housing SEPP 2021

The Housing SEPP commenced on 26 November 2021 consolidating five existing housing-related policies, with the intention of delivering more affordable, more diverse forms of housing and to create new types of homes to meet the changing needs of people across NSW.

Division 5 of Part 2 of the Housing SEPP applies to land in the Greater Sydney region within 800 metres of a public entrance to a railway station or light rail station but *“does not apply to land on which development for the purposes of a residential flat building is permitted under another environmental planning instrument”*.

The principles of the Housing SEPP are as follows:

- (a) *enabling the development of diverse housing types, including purpose-built rental housing,*
- (b) *encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,*
- (c) *ensuring new housing development provides residents with a reasonable level of amenity,*
- (d) *promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,*
- (e) *minimising adverse climate and environmental impacts of new housing development,*
- (f) *reinforcing the importance of designing housing in a way that reflects and enhances its locality,*
- (g) *supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,*
- (h) *mitigating the loss of existing affordable rental housing.*

This application is made pursuant to the provisions of Division 5 Part 2 to enable affordable housing to meet the needs of the more vulnerable members of the community, providing residents with a reasonable level of amenity in a location where it will make good use of existing and planned infrastructure and services. The development directly meets the principles of the Housing SEPP listed above.

The critical provision of Division 5 Part 2 of the Housing SEPP is clause 39(6), which provides:

- (6) *The Planning Secretary must not issue a certificate unless the Planning Secretary—*
 - (a) *has taken into account comments, if any, received from the council within 14 days after the application for the certificate was made, and*

- (b) *is of the opinion that the residential flat building is compatible with the surrounding land uses considering the following matters—*
 - (i) *the existing uses and approved uses of land in the area,*
 - (ii) *the impact that the residential flat building, including its bulk and scale, is likely to have on the existing uses, approved uses and uses that, in the opinion of the Planning Secretary, are likely to be the preferred future uses of the land,*
 - (iii) *the services and infrastructure that are or will be available to meet the demands arising from the development, and*
- (c) *is of the opinion that the development is not likely to have an adverse effect on the environment and will not cause unacceptable environmental risks to the land.*

There are six express factors for consideration. First the Planning Secretary must take into account any comments received from the Council. The second matter is under the general rubric of compatibility with existing and future surrounding land uses. This is an opinion which must be formed before the certificate can be issued.

In forming the opinion about compatibility, the SEPP requires the Secretary to have regard to three matters: existing and approved neighbouring uses, the impact of the development on those uses and "*uses that, in the opinion of the Planning Secretary, are likely to be the preferred future uses of that land*" and the availability of services and infrastructure. By far the most important matter in this context is the likely preferred future uses of neighbouring land. Subclause (7) provides that the certificate if issued may certify that the development is only compatible if it satisfies the requirements specified in the certificate.

Finally, another opinion must be formed, that the development is not likely to have an adverse effect on the environment or cause any unacceptable environmental risks to the land.

What is a mandatory consideration is the question of compatibility. It is unnecessary to imply any further factors for consideration and it would seem to be contrary to the scheme of compatibility certification that other issues should interfere with the express statutory purpose, which clearly is not to set aside existing prohibitions unless the Secretary considered that the proposal was or could be made compatible with surrounding land uses.

The opinion of compatibility is wholly concerned with surrounding land, not the land proposed for development. Paragraph (b)(ii) requires regard to be had to the impact of the development including its bulk and scale "... on the existing uses, approved uses and uses that... are likely to be the preferred uses of **that land**". The reference to existing and approved uses picks up the reference in the preceding paragraph to the uses of land "in the vicinity of the development". The reference in paragraph (ii) to "that land" is to the land referred to in paragraph (i), and there can be no other construction of that provision, given that the opinion to be formed related to compatibility with "the surrounding land uses".

Compatibility is not a question of how well the proposed development measured up against the standards and requirements of the LEP for the subject land. Rather, it was a comparison between the proposed development and the surrounding land, including existing and future uses.

In this context, the existing height limit of adjoining land along Canterbury Road is 18 metres, facilitation six storey development in a mixed use setting in accordance with the relevant B2 Mixed Use zone. It is reasonable

to anticipate therefore that the site will be bound by mixed use development to the east and west under the preferred future land use development. The site is already bound by 2 storey residential flat building development in the R3 Medium Density Residential to the north. Further, a number of developments have already been completed in the immediate vicinity which are already defining the future character of the area.

The exact height and built form will be subject to the detailed development application assessment in the future notwithstanding that a 'residential flat building' as a use is clearly compatible with the existing and future surrounding land uses.

A detailed consideration of Division 5 of the Affordable Housing SEPP is included below:

Housing SEPP 2021	
Clause	Comment
<p><u>3 Principles of Policy</u></p> <p>(a) enabling the development of diverse housing types, including purpose-built rental housing,</p> <p>(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</p> <p>(c) ensuring new housing development provides residents with a reasonable level of amenity,</p> <p>(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</p> <p>(e) minimising adverse climate and environmental impacts of new housing development,</p> <p>(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,</p> <p>(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</p> <p>(h) mitigating the loss of existing affordable rental housing.</p>	<p>The SCC will facilitate the development of 111 affordable dwellings (50% of the development) to be managed by a community housing provider for a minimum of 15 years in an area where it is urgently required.</p> <p>The NSW Communities & Justice Local Government Housing Kit database, states that as of September 2017, only 32.7% of rental stock in the Canterbury-Bankstown LGA was affordable for low income housing households and 4.7% of rental stock was affordable for very low-income households. As a comparison to NSW standards as a whole, 54.1% of rental stock was affordable for low income housing households and 1.1% of rental stock was affordable for very low-income households. The comparison to NSW as a whole paints a bleak outlook for low and very low income families in the Canterbury-Bankstown LGA.</p> <p>Further, the 'Supporting Economic Recovery in NSW' report, released on 14 May 2020 to help the state recover from the COVID-19 pandemic argues the most immediate challenges are rapidly rising unemployment, the widespread failure of small and medium enterprises, falling incomes and wealth, and rising inequality and disadvantage.</p> <p>The ideal policy response would simultaneously address these issues, with greater investment in social and affordable housing presenting a possible solution, the report states.</p>

	<p>As noted earlier, the rental crisis in Canterbury Bankstown is profound and requires affordable rental housing to be built to ensure supply.</p> <p>In response to this, the development facilitated by the subject SCC supports the principles of the Housing SEPP by providing affordable dwellings within close proximity to Belmore, within walking distance of the Belmore train station, connecting future residents to places of work, services and amenities and entertainment and recreation.</p> <p>The subject site is such land that the Housing SEPP contemplates for such a development. A site within the middle of an industrial area for example, surrounded by industrial land would not necessarily be the right location for affordable housing under the SEPP as it is not compatible with the surrounding land. The subject site, however, is adjoined by B2 Local Centre land on both sides with an envisaged future height of 6 storeys. Further, residential flat buildings adjoin the site to the north. A laneway and park are included in this location to transition to lower density development.</p> <p>The proposed development is therefore consistent with the objectives, and meets the locational requirements for compatibility.</p>
<p><u>36 Land to which Division applies</u></p> <p>(1) This Division applies to the following land—</p> <p>(a) land in the Greater Sydney region within 800m of—</p> <p>(i) a public entrance to a railway station or light rail station, or</p> <p>(ii) for a light rail station with no entrance—a platform of the light rail station,</p> <p>(b) land in the following towns within 400m of land in Zone B3 Commercial Core or Zone B4 Mixed Use, or an equivalent land use zone—</p> <p>Albury, Ballina, Batemans Bay, Bathurst, Bega, Bowral, Cessnock, Charlestown, Coffs Harbour, Dapto, Dubbo, Glendale–Cardiff, Gosford, Goulburn, Grafton, Lismore, Maitland, Morisset, Newcastle, Nowra, Orange, Port Macquarie, Queanbeyan, Raymond Terrace, Shellharbour,</p>	<p>As illustrated in Figure 1 on page 3, the land is within 800 metres of the entrance to Belmore train station.</p> <p>The site is zoned part B6 Enterprise Corridor and part R3 Medium Density Residential under the Canterbury LEP 2012 under which '<i>residential flat buildings</i>' are prohibited.</p> <p>Therefore, Division 5 of Part 2 of the Housing SEPP applies to the subject site.</p>

<p>Tamworth, Taree, Tuggerah–Wyong, Tweed Heads, Wagga Wagga, Warrawong, Wollongong.</p> <p>(2) This Division does not apply to land on which development for the purposes of residential flat buildings is permitted under another environmental planning instrument.</p>	
<p><u>37 Development to which Division applies</u></p> <p>(1) This Division applies to development for the purposes of residential flat buildings carried out on land to which the Division applies —</p> <ul style="list-style-type: none"> (a) by or on behalf of a public authority or social housing provider, or (b) by a person who is carrying out the development with the Land and Housing Corporation. <p>(2) The Division does not apply to —</p> <ul style="list-style-type: none"> (a) development to which this Part, Division 1 applies, or (b) development to which Chapter 3, Part 4 applies. 	<p>Future development will be on behalf of Pacific Community Housing who will manage the affordable housing component of the future development for a period of 15 years.</p> <p>See Attachment I for communication from the community housing provider.</p>
<p><u>38 Development may be carried out with consent</u></p> <p>(1) Development to which this Division applies may be carried out with consent.</p> <p>(2) Development consent must not be granted under this Division unless the consent authority is satisfied that—</p> <ul style="list-style-type: none"> (a) the Planning Secretary has certified in a site compatibility certificate that, in the Planning Secretary’s opinion, the residential flat building is compatible with the surrounding land uses, and (b) if the development relates to a building on land in a business zone—no part of the ground floor of the building that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use. <p>(3) Nothing in this section prevents a consent authority from—</p> <ul style="list-style-type: none"> (a) consenting to development on a site by reference to site and design features that are more stringent than the ones identified in a site compatibility certificate for the same site, or 	<p>This application seeks a SCC for land at 677 and 687 Canterbury Road, 44 and 48 Drummond Street and 35, 37 and 39 Anderson Street, Belmore for the purpose of a residential flat building with a 50% component of affordable housing in accordance with the provisions of the Housing SEPP.</p> <p>‘Residential flat buildings’ are prohibited in the B6 Enterprise Corridor and R3 Medium Density Residential in under the Canterbury LEP 2012.</p> <p>The development outcome facilitated by the SCC application seeks to provide a development of up to six and seven storeys supporting the provision of approximately 222 units (111 affordable units), open space, a landscaped ground floor and parking spaces.</p> <p>This application specifically considers the compatibility of residential flat buildings within the context of the surrounding area and the future anticipated development associated with the Burwood Road neighbourhood centre, the Belmore town centre and the Kingsgrove Road and Canterbury Road medical precinct. Residential flat development and mixed use development is already common in the</p>

<p>(b) refusing consent to development by reference to the consent authority's own assessment of the compatibility of the residential flat building with the surrounding land uses, or</p> <p>(c) considering another matter in determining a development application.</p> <p>(4) Car parking is not required to be provided in relation to development to which this Division applies.</p>	<p>area, with a 6 storey residential flat building diagonally opposite at 680 Canterbury Road, and another at 702-704 Canterbury Road. The site is also adjoined by two residential flat buildings at 40 Drummond Street and 33 Anderson Street. Therefore, the use itself is not uncommon in the area, and this also informs the anticipated future uses in the area.</p> <p>In terms of the compatibility of the bulk and scale, the proposed future development facilitated by the SCC has been designed to provide heights that are similar to existing development in the area and what could be anticipated in the future, noting the ambitious and facilitative provisions of the Housing SEPP to deliver and achieve affordable housing supply in areas of need. The final design and heights will be subject to a rigorous and detailed assessment process including input from the state design review panel associated with the lodgement of a state significant development application. The built form will be designed to ensure the development responds to its context and surroundings to ensure compatibility, including supporting the provision of ground floor non-residential uses given the existing and future business zones (refer to clause 38(2)(b)).</p> <p>Only part of the site has a density control applying to it, with the existing residential zoned land having an FSR control of 0.5:1. The remainder of the site has no density applying to it. The density sought through the SCC process would be enough to facilitate a minimum of 113 affordable homes for a minimum of 15 years. In the context of the site's location, surrounding controls and existing adjoining development, the proposal is considered compatible.</p> <p>Finally, noting the location of the site to the Belmore train station and the local public transport network along Canterbury Road, active transport is encouraged. The development seeks to provide car parking spaces and bicycle parking and will support green modes of transport through a travel plan. Final parking and bike spaces will be subject to the assessment process under a future development application and preparation of the EIS.</p>
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<p><u>39 Site compatibility certificates</u></p> <p>(1) An application for a site compatibility certificate under this Division may be made to the Planning Secretary:</p> <p>(a) by the owner of the land on which the development is proposed to be carried out, or</p> <p>(b) by any other person with the consent of the owner of that land.</p> <p>(2) An application under this clause:</p> <p>(a) must be in a written form approved by the Planning Secretary, and</p> <p>(b) must be accompanied by the documents and information required by the Planning Secretary, and</p> <p>(c) must be accompanied by the fee, if any, prescribed by the regulations.</p> <p>(3) The Planning Secretary may request further documents and information to be furnished in connection with an application.</p> <p>(4) Within 7 days after the application is made, the Planning Secretary must provide a copy of the application to the council for the area in which the development is proposed to be carried out, unless the Planning Secretary refuses, before those 7 days have elapsed, to issue a certificate.</p> <p>(5) The Planning Secretary may determine the application by issuing a certificate or refusing to do so.</p> <p>(6) The Planning Secretary must not issue a certificate unless the Planning Secretary—</p> <p>(a) has taken into account comments, if any, received from the council within 14 days after the application for the certificate was made, and</p> <p>(b) is of the opinion that the residential flat building is compatible with the surrounding land uses considering the following matters—</p> <p>(i) the existing uses and approved uses of land in the area,</p> <p>(ii) the impact that the residential flat building, including its bulk and scale, is likely to have on the existing uses, approved uses and uses that, in the</p>	<p>This report supports the application for a SCC to facilitate the development of affordable housing, in an area in urgent need of affordable dwellings, being the Canterbury-Bankstown LGA, on land within close proximity to an established town centre and train station.</p> <p>The report addresses in detail the issues of compatibility with the surrounding uses, the impact the development may have on surrounding approved uses and uses that, in the opinion of the Planning Secretary, are likely to be the preferred future uses of that <i>surrounding</i> land. In summary, the key findings of the assessment of compatibility with surrounding development include:</p> <ul style="list-style-type: none"> • The site is ideally situated within close proximity to the Belmore town centre and the Belmore train station. • The site is adjoined to the north by residential flat buildings, albeit at 2 storeys in height. The design of the proposal seeks to minimise impact on these residences. • The future anticipated surrounding pattern of development is for residential flat buildings and mixed use development along Canterbury Road in accordance with the existing zones and the local LEP controls. • The proposal to permit a residential flat building on the site, which incorporates non residential uses such as medical facilities and convenience retail, aligns with the local strategic planning framework, in particular the council's local strategic planning framework.
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<p>opinion of the Planning Secretary, are likely to be the preferred future uses of the land,</p> <p>(iii) the services and infrastructure that are or will be available to meet the demands arising from the development, and</p> <p>(c) is of the opinion that the development is not likely to have an adverse effect on the environment and will not cause unacceptable environmental risks to the land.</p> <p>(7) A certificate may certify that development is compatible with the surrounding land uses only if it satisfies certain requirements specified in the certificate.</p> <p>(8) A certificate continues to apply to the land in relation to which it was issued despite any change in the ownership of that land.</p> <p>(9) A certificate is valid for—</p> <p>(a) 5 years, or</p> <p>(b) otherwise—the period specified in the certificate.</p>	
<p>40 Must be used for affordable housing for 15 years</p> <p>(1) Development consent must not be granted under this Division unless the consent authority is satisfied that, for at least 15 years from the date of the issue of an occupation certificate—</p> <p>(a) at least 50% of the dwellings to which the development relates will be used for affordable housing, and</p> <p>(b) the dwellings used for affordable housing will be managed by a registered community housing provider.</p> <p>(2) Subclause (1) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by a public authority.</p>	<p>It is proposed that 50% of the accommodation of the future development will be used for the purpose of affordable housing.</p> <p>The community housing provider that will manage the affordable housing is Pacific Community Housing. See Attachment I for confirmation.</p>
<p>41 Continued application of SEPP 65</p> <p>Nothing in this Policy affects the application of <i>State Environmental Planning Policy No 65—Design Quality of Residential Flat Development</i> to development to which this Division applies.</p>	<p>It is noted that SEPP 65 applies to any DA lodged against the site compatibility certificate as it relates to the land.</p> <p>While this application is for a SCC and is not for development, the built form needs to demonstrate</p>

	<p>that future development of the site will achieve compliance with SEPP 65.</p> <p>A request for SEARs associated with an SSD application will be lodged on receipt of the certificate. The EIS process will ensure a design that addresses the principles of the SEPP relevant to the assessment of the SCC application that relates to context, neighbourhood character, built form and scale, and density. It is noted that there is some flexibility in the application of certain design requirements and criteria of the ADG as per Clause 75 of the Housing SEPP.</p>
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Table 8: Assessment of Affordable Housing SEPP

4.2.2 Relationship with other environmental planning instruments

This application demonstrates the proposed development of a residential flat building at the controls sought, is compatible with the existing and future surrounding uses of the land.

4.2.3 SEPP (Resilience and Hazards) 2021

Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021 requires the consent authority to consider whether land is contaminated during the development application process. A Stage 1 and Stage 2 Environmental Site Investigation was undertaken by Geo-Environmental Engineering in March 2014, a Remediation Action plan was subsequently prepared, and a peer review undertaken in 2015 by Sullivan Environmental Sciences.

The site has historically been utilised for residential and commercial purposes. The majority portion of the site has been operating as a shoe factory since approximately 1979, with a clothing factory operating since approximately 1937. The Drummond Street frontage includes residential properties, which have been present since 1916 at the latest. The Canterbury Road/Drummond Street vacant corner site appears to have been utilised most recently for the purposes of a motor vehicle workshop and service station, since circa 1929. This former service station use represents the highest potential for contaminating activities on the site, and as such, Clause 7 of the SEPP is relevant to confirm if the site is contaminated.

A Stage 1 and Stage 2 Environmental Site Investigation was undertaken by Geo-Environmental Engineering in March 2014 to *“identify the potential for contamination from past and present activities, and possible constraints on future site development”*.

The Investigation concludes that, based on observations made during the field investigations, the sampling and analysis program conducted at the site and with respect to the proposed land use, there exists some localised soil contamination relating to lead. The Investigation concludes however, that the site can be made fit for the intended use by undertaking conventional remediation measures.

A Remediation Action Plan was subsequently prepared by Geo-Environmental Engineering, which “*outlined the remediation methodology proposed, including the process for the removal of existing underground fuel storage tanks and associated infrastructure and the remediation and validation of surrounding soils*”.

Sullivan Environmental Sciences also undertook a review in 2015 of the Stage 1 and 2 Environmental Site Investigation and Remediation Action Plan. The review discussed key issues related to lead contamination, groundwater quality, and waste classification. The Investigation, Remediation Action Plan and review are included at Attachments F, G and H.

Having regard to the above, the SCC application does not seek consent for development or demolition, and therefore further contamination investigations will be required to be undertaken at a development stage, including demolition when the site will be largely accessible. Notwithstanding, based on the analysis and investigations undertaken to date, it is considered that the site can be made suitable for actual development.

4.2.4 SEPP 65 Design Quality of Residential Apartment Development

SEPP 65 seeks to improve the design quality of residential apartment development and enhance streetscapes and neighbourhoods in New South Wales to deliver a better living environment for the residents now choosing this form of housing. It does this by establishing a consistent approach to the design and assessment of apartments and the way they are assessed.

Compliance with SEPP 65 and the Apartment Design Guidelines informed the building footprint and proposed massing envelope sought by the proposed development outcome.

An architectural design statement has been prepared by Jakaan architects which includes an assessment of the design quality principles of SEPP 65, including key considerations against the requirements of the ADG. The following is noted from the attached Architectural Statement at Attachment C, which notes:

- The four buildings have been designed with the primary aspect to the north (sun) with buildings A,B,C,D designed to maximise north facing aspect.
- Buildings C & D have been designed with two central courtyards to maximise solar access to a very high percentage of apartment to ADG requirements.
- Buildings A,B,C,D have been designed to maximise solar gain with 75% of apartments are capable of achieving in excess of 2 hours of direct sunlight
- Additionally, Buildings A,B,C,D have been designed to maximise cross ventilation with 95% of apartments are capable of achieving cross ventilation to ADG requirements
- All apartments have been designed with living rooms achieving a minimum width of 4m for studio, 1 bed, 2 bed and 3 bed apartment apartments.
- All apartments have a private open space accessed directly from the living area and can meet the minimum area guidelines of the ADG.
- Private open spaces are capable of achieving an external area of 8m² for studio, 10sqm for 1 bed apartments, 10m² for 2 bed apartments and 12sqm for 3 bed apartments.
- The lift and stair cores are setback and deep within the overall form of the building, with lift overrun and plant setback from the face of the building and are largely unseen from street level as can be seen in the 3D views presented in the architectural plans.

- Visual and acoustic privacy is achieved through orientation, internal layouts, and acoustic treatment internally and between communal open spaces.
- The residential entry lobbies have been located directly accessing the adjacent streets and achieves level access on a sloping site. The entries are clearly visible from the street. Letterboxes can be situated outside of the entry lobbies and fronting each street to provide excellent casual interactions and surveillance. The entry lobby spaces provide opportunities for casual interaction between residents.
- Communal open space of 3240 m² (33% of the site area) is provided within the site zones which exceeds the minimum recommendation of the ADG for 25% communal open space. Communal open spaces will include active and passive recreation areas include seating areas, planter boxes, BBQ facilities and accommodate the existing and new large trees.
- Landscaped area of 1290m² (13% site area) is provided as deep soil meeting ADG requirements.

Further detail on compliance with SEPP 65 and the ADG will be provided during the detailed development application process, however the attached Statement demonstrates that a residential flat building containing 222 dwellings can be accommodated on the site, while being compatible with the existing and future surroundings and being capable of compliance with the key criteria of the ADG.

4.3 Canterbury LEP 2012

Canterbury Local Environmental Plan (LEP) commenced on the 21 December 2012 when it was published on the NSW Government Legislation website.

Table 8 below summarises the Canterbury LEP 2012 principal development standards that currently apply to the subject site:

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Minimum Lot Size
Part B6 Enterprise Part R3 Medium Density Residential	Part 8.5 metres Part 12 metres	N/A	Part 460m ² and part N/A

Table 9: Site Development Standards

The development is consistent with the objectives of the Canterbury LEP 2012. The following are of relevance:

- to provide for a range of development that promotes housing, employment and recreation opportunities for the existing and future residents of Canterbury,
- to promote a variety of housing types to meet population demand,
- to ensure that development is of a design and type that supports the amenity and character of an area and enhances the quality of life of the community,
- to create vibrant town centres by focusing employment and residential uses around existing centres and public transport nodes,

The site is within close proximity to the Belmore town centre and adjoins the Burwood Road Neighbourhood precinct. Given the close proximity to the Belmore train station entrance, the site is perfectly located with regards to access to public transport infrastructure and services and public amenities. This also connects residents to the region, the Sydney CBD and Greater Sydney. Concentrating development, such as that proposed, in such a location, that is compatible with its surroundings therefore directly achieves this objective, while also providing housing choice for residents within Belmore and broader Canterbury-Bankstown LGA.

4.3.1 Zoning

The site is zoned Part B6 Enterprise Corridor and part R3 Medium Density Residential under the Canterbury LEP 2012. 'Residential accommodation' is prohibited in the B6 Enterprise Corridor, and 'Residential flat buildings' are prohibited in the R3 Medium Density Residential zone. Therefore, Division 5 of Part 2 of the Housing SEPP 2021 applies.

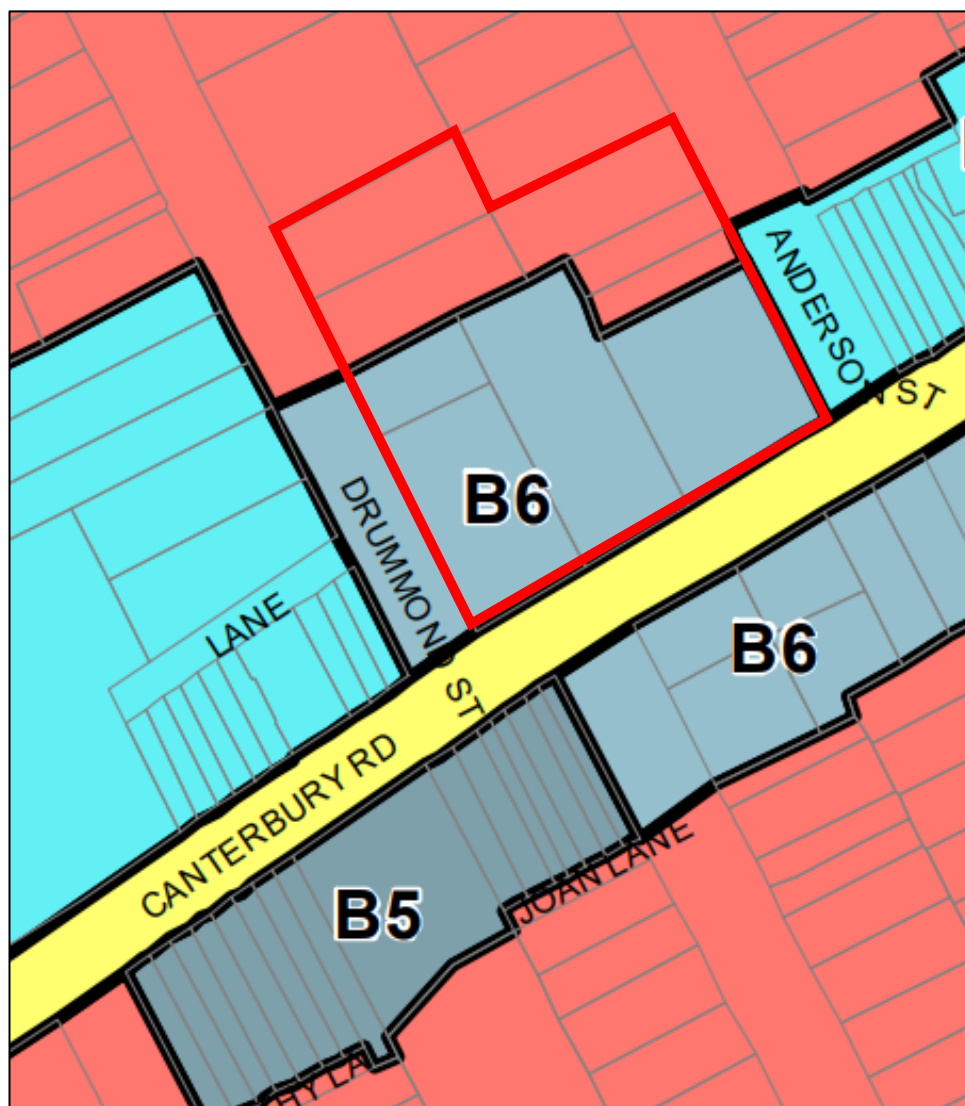


Figure 17: Canterbury LEP 2012 Land Zoning Map

B6 Enterprise Corridor

1 Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To facilitate the revitalisation of Canterbury Road and create an attractive streetscape supported by buildings of a high standard of design.
- To support urban renewal and a pattern of land use and density that reflects the existing and future capacity of the transport network.

2 Permitted without consent

Home Occupations

3 Permitted with consent

Business premises; Community facilities; Food and drink premises; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Passenger transport facilities; Plant nurseries; Roads; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Places of public worship; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Resource recovery facilities; Respite day care centres; Restricted premises; Retail premises; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Truck depots; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2 Permitted without consent

Home Occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Home businesses; Home industries; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Seniors housing; Shops

4 Prohibited

Any development not specified in item 2 or 3

Clause 36 of Division 5 of Part 2 of the Housing SEPP states:

This Division applies to the following land:

- (a) land in the Greater Sydney region that is within 800 metres of:*
 - (i) a public entrance to a railway station or light rail station, or*
 - (ii) for a light rail station with no entrance—a platform of the light rail station,*

This Division does not apply to land on which development for the purposes of residential flat buildings is permitted under another environmental planning instrument.

As discussed, residential flat buildings are not permitted in the B6 Enterprise Corridor zone or the R3 Medium Density Residential zone. The site is also within 800 metres of the entrance to the Belmore train station. A site compatibility certificate was subsequently issued by the Department of Planning and Environment on 15 July 2014. The certificate determined that the development “*is compatible with the surrounding land uses*” and “*is not likely to have an adverse effect on the environment and does not cause any unacceptable environmental risks to the land*”.

In this regard, the site is surrounded by similar development and/or zones to that proposed and facilitated by this SCC application. Land to the east and west is zoned B2 Local Centre under which “shop top housing” is permitted, and emerging nearby development such as at 630 Canterbury Road, 680, 684 and 704 Canterbury Road and 717 Canterbury Road, are all within 90 metres of the subject site and include six storey mix use developments.

Further, the site is no longer identified under council’s local strategic planning framework for urban services land given its isolated nature. While Division 5 of the Housing SEPP focusses on compatibility with surrounding land rather than the future use of the subject land, it is clear that a residential flat building in some form is compatible with surrounding land uses as the form of development is either permitted or exists on the adjoining sites.

There is also an urgent need for affordable housing in one’s of Sydney’s most disadvantaged areas, and the site falls within the Canterbury Road and Kingsgrove Road medical precinct providing opportunities for future development to support the provision of medical facilities and supporting homes for key workers that may be

associated with employment or training at Canterbury hospital. The social impact and opportunities is proposed to be studied further as the development process advances following the issuing of a SCC for the site.

4.3.2 Height of Buildings

The maximum building height for the subject site is part 8.5 metres (R3 Medium Density zoned land) and part 12 metres (B6 Enterprise Corridor zoned land).

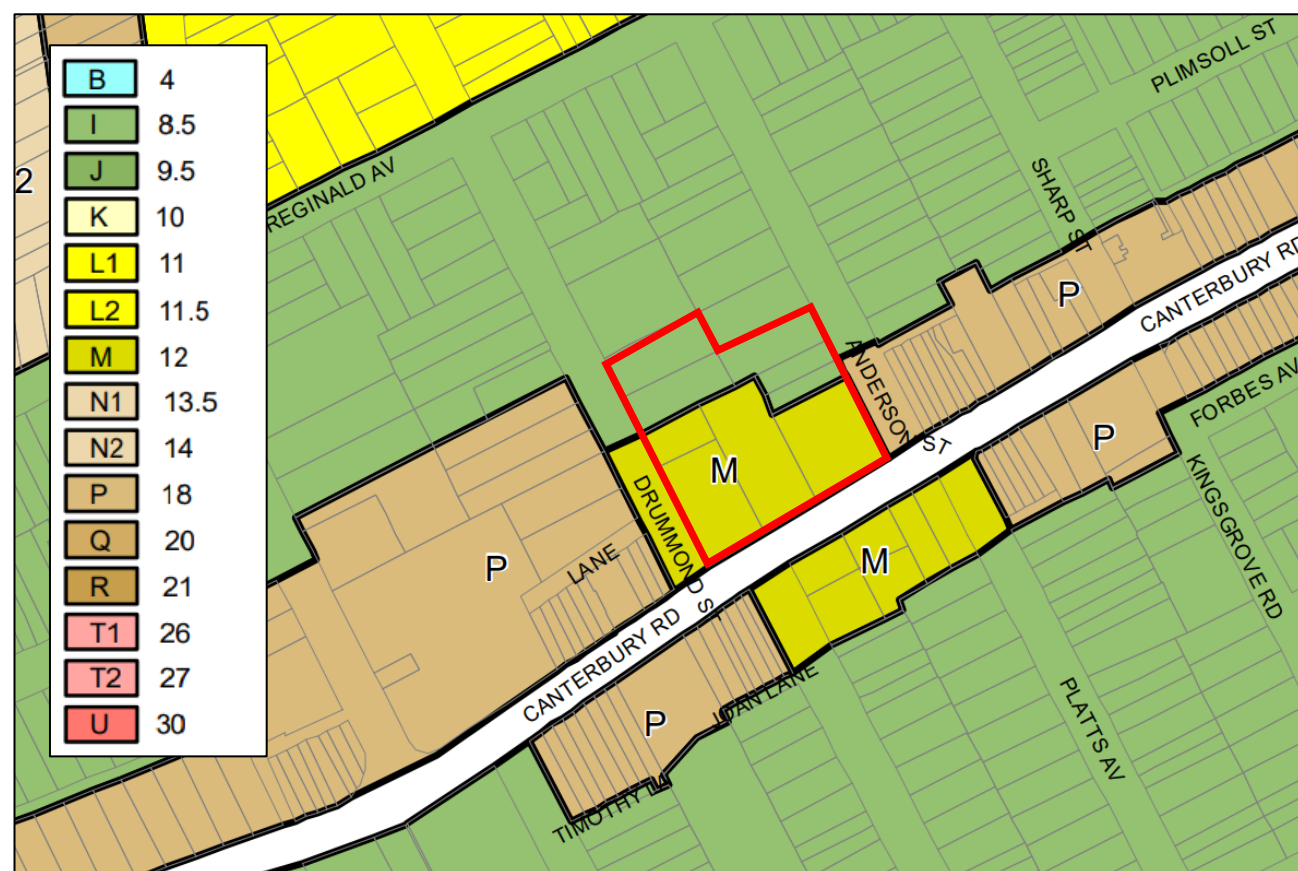


Figure 18: Canterbury LEP 2012 Building Height Map

The height limit that applies to the site relates to business uses associated with the B6 Enterprise corridor zone, and residential development associated with the R3 Medium Density Residential zone. The principal development controls do not reflect or provide for residential flat buildings, which would be facilitated by the SCC. However, the site is adjoined by controls that facilitate approximately six storey development, with an 18 metre height limit.

The concept for the site includes a part 6 and part 7 storey development, with four separate residential buildings above a ground level podium. The design has evolved with regard to the existing and approved nearby developments, the surrounding land use controls, and adjoining development. The design includes above podium setbacks, and further setbacks at upper levels to reduce the sense of bulk and scale. The final height was determined based on visual impact and the impact of overshadowing on existing and future adjoining development.

The residential flat buildings to the north are two storeys in height. The development has an excellent northern exposure and therefore there is no overshadowing impacts to these developments. In terms of transition, the proposal incorporates a 1,290sq.m public park which bounds the two lots to the north. This provides an excellent opportunity to provide separation between the site and the adjoining existing development while also providing open space, which is urgently needed in the area. The northern boundary also incorporates a laneway which adds further separation from the 6 storey height at the north of the site.

A building form analysis is included at Attachment D to illustrate surrounding and nearby development and existing heights of development to illustrate and demonstrate the evolving buildings heights of development within the area.

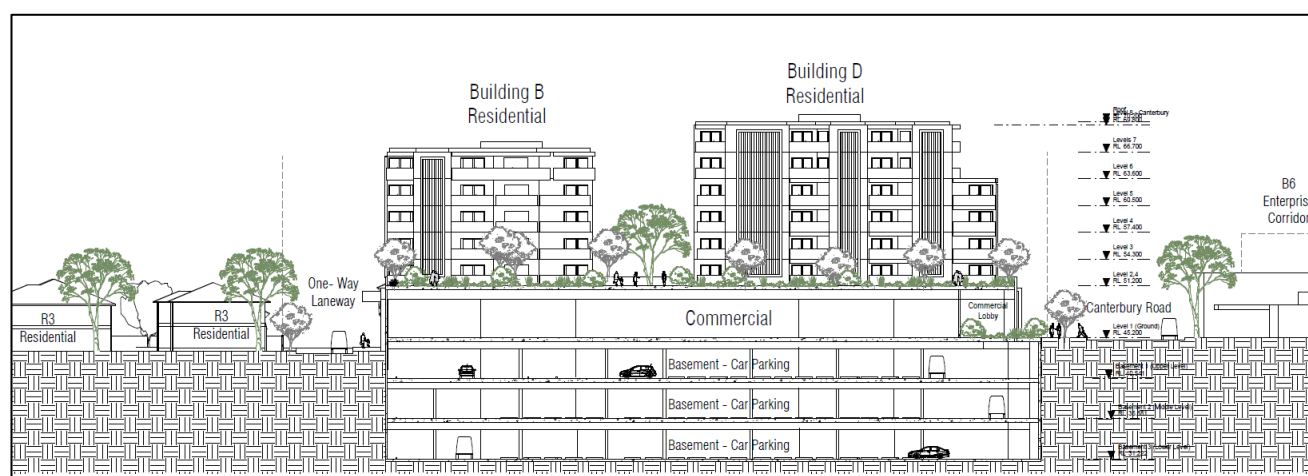


Figure 19: Height section

Therefore, in relation to compatibility of the height to surrounding development and future anticipated built form, the development is compatible with the “existing uses and approved uses of land in the area” and “the impact that the residential flat building, including its bulk and scale, is likely to have on the existing uses, approved uses and uses that, in the opinion of the Planning Secretary, are likely to be the preferred future uses of the land”, in accordance with Clause 39(6) of the Housing SEPP.

4.3.3 Floor Space Ratio

Under the Canterbury LEP 2012, the maximum floor space ratio (FSR) control does not apply to the land zoned B6 Enterprise Corridor. An FSR of 0.5:1 applies to the part of the site zoned R3 Medium Density Residential.

The development concept that supports this SCC application provides approximately 226 dwellings (with 113 affordable dwellings) at a density of 2.5:1.

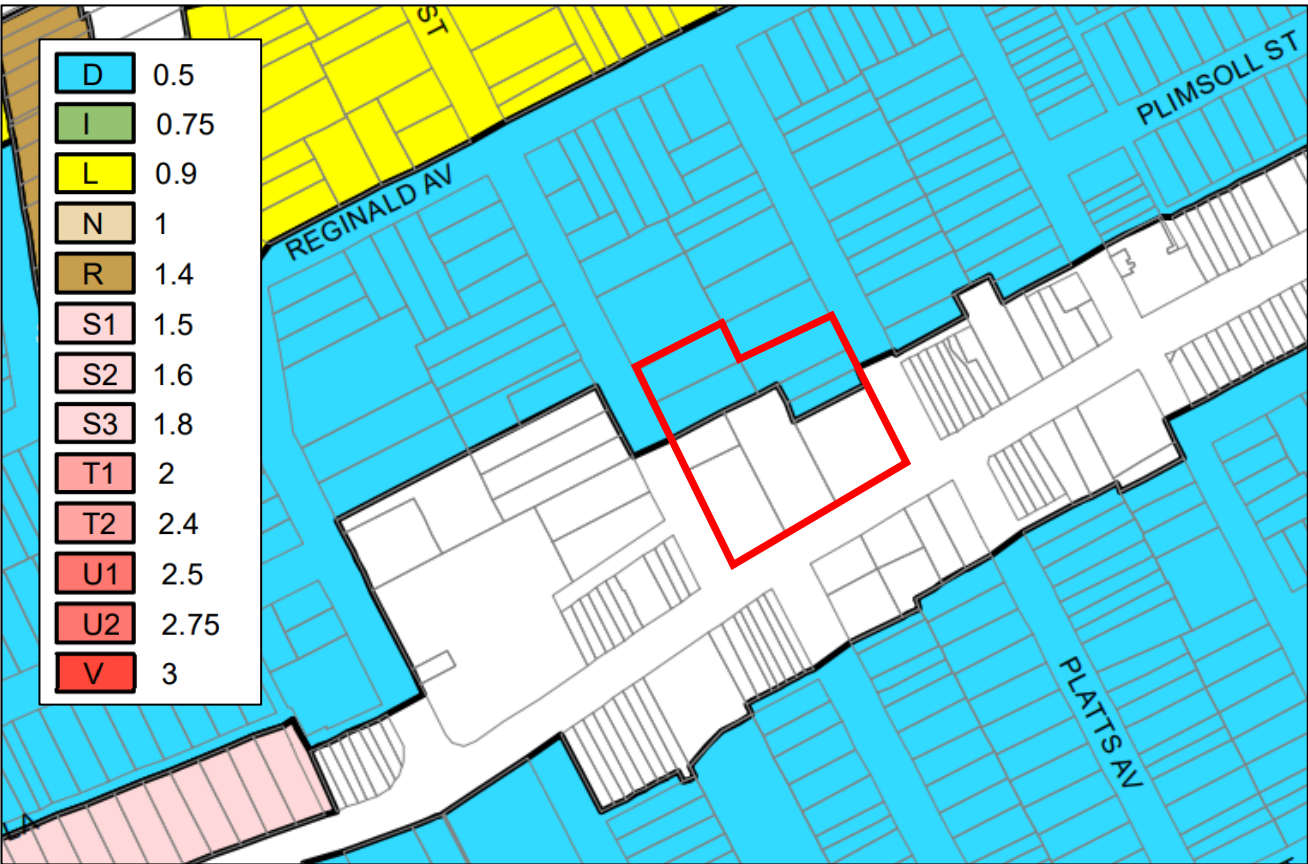


Figure 10: Maximum FSR Map under Canterbury LEP 2012

4.3.4 Acid Sulfate Soil

This clause and associated mapping details acid sulphates soils within the Canterbury-Bankstown LGA. the subject site and adjoining land is not classified as acid sulfate soils and therefore is not subject to this clause.

4.3.5 Heritage

The subject sites are not located within a heritage conservation area, is not identified as a heritage item, and is not affected by any nearby heritage. The nearest item is at 2 Wilson Way, being a federation bakery building, White House Bakery (former) listed as I30 under Schedule 5 Environmental Heritage of the Canterbury LEP 2012. The item is over 300 metres away and not visible from the site.

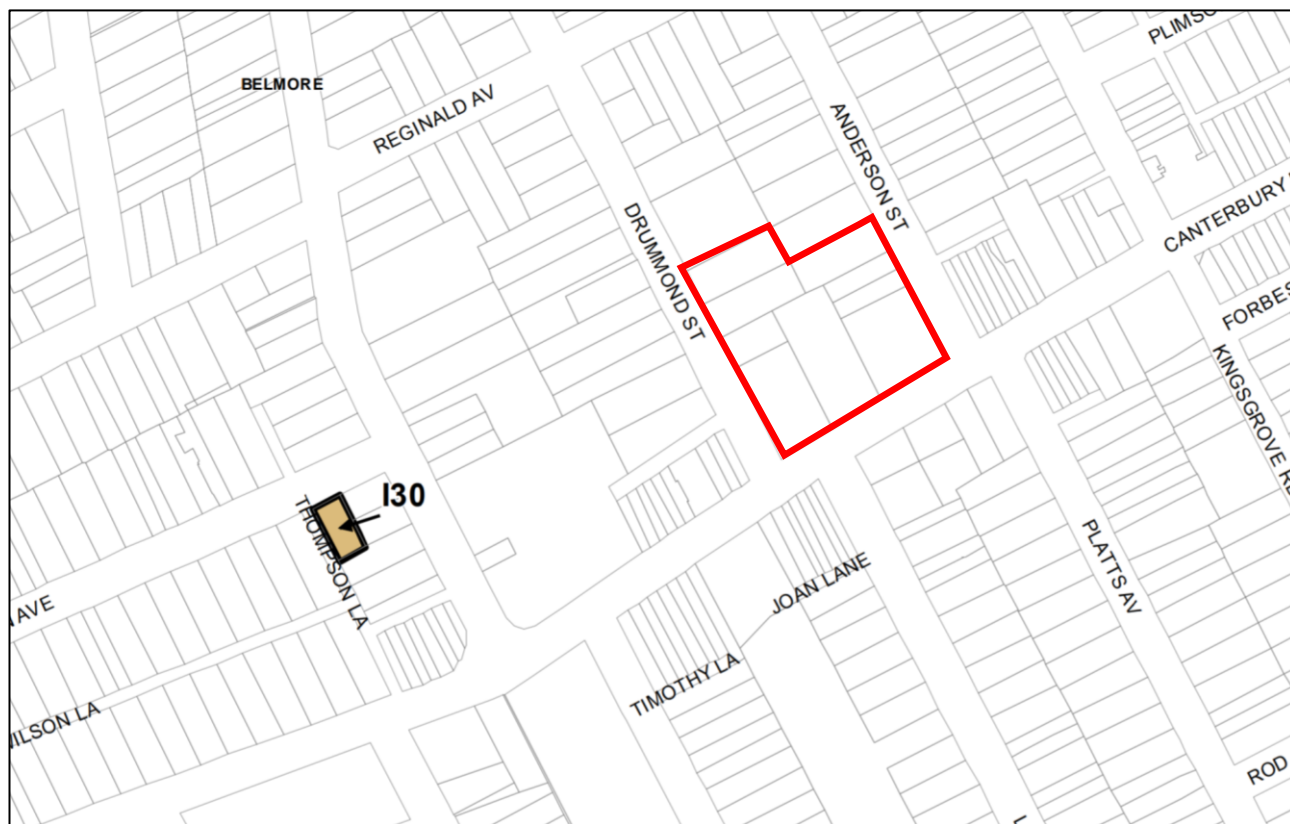


Figure 21: Canterbury LEP 2012 Heritage Map

5 Strategic Context

This section considers the strategic planning framework relevant to the subject site. The strategic context is considered having regard to the existing zones, the surrounding zones and development patterns, and the proposal for the site that seeks to facilitate a residential flat development above a non-residential podium with, incorporating four key buildings up to 6 and 7 storeys, supporting an important affordable housing contribution to the Canterbury-Bankstown LGA.

5.1 A Metropolis of Three Cities – The Greater Sydney Region Plan

In March 2018, the NSW Government published A Metropolis of Three Cities – The Greater Sydney Region Plan (The Plan). The Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places. This is consistent with the 10 Directions in Directions for a Greater Sydney which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Plan's performance.

The Plan further projects the population of Greater Sydney to grow to 8 million over the next 40 years. The Plan seeks to rebalance the economic and social opportunities and leverage that growth and deliver the benefits more equally across Greater Sydney. The goals are for:

- residents to have quick and easy access to jobs and essential services;
- housing supply and choice to increase and meet the growing and changing needs of the community;
- the environment and precious resources to be protected; and
- Infrastructure to be sequenced to support growth and to be delivered concurrently with new homes and jobs.

To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

The site is located in the Eastern Harbour City. The population of the Eastern Harbour City is projected to increase from 2.4 million people to 3.3 million people over the next 20 years.

The subject site is on Canterbury Road within 800 metres of the entrance to Belmore train station. Belmore is part of the 'Sydney Metro and Southwest' urban renewal corridor that will provide faster access to the Harbour CBD and on to Chatswood. The site is a 9-minute walk to the train station, and therefore achieves many of the locational attributes identified in the Plan having excellent proximity to public transport, jobs and employment opportunities within a walkable catchment area.

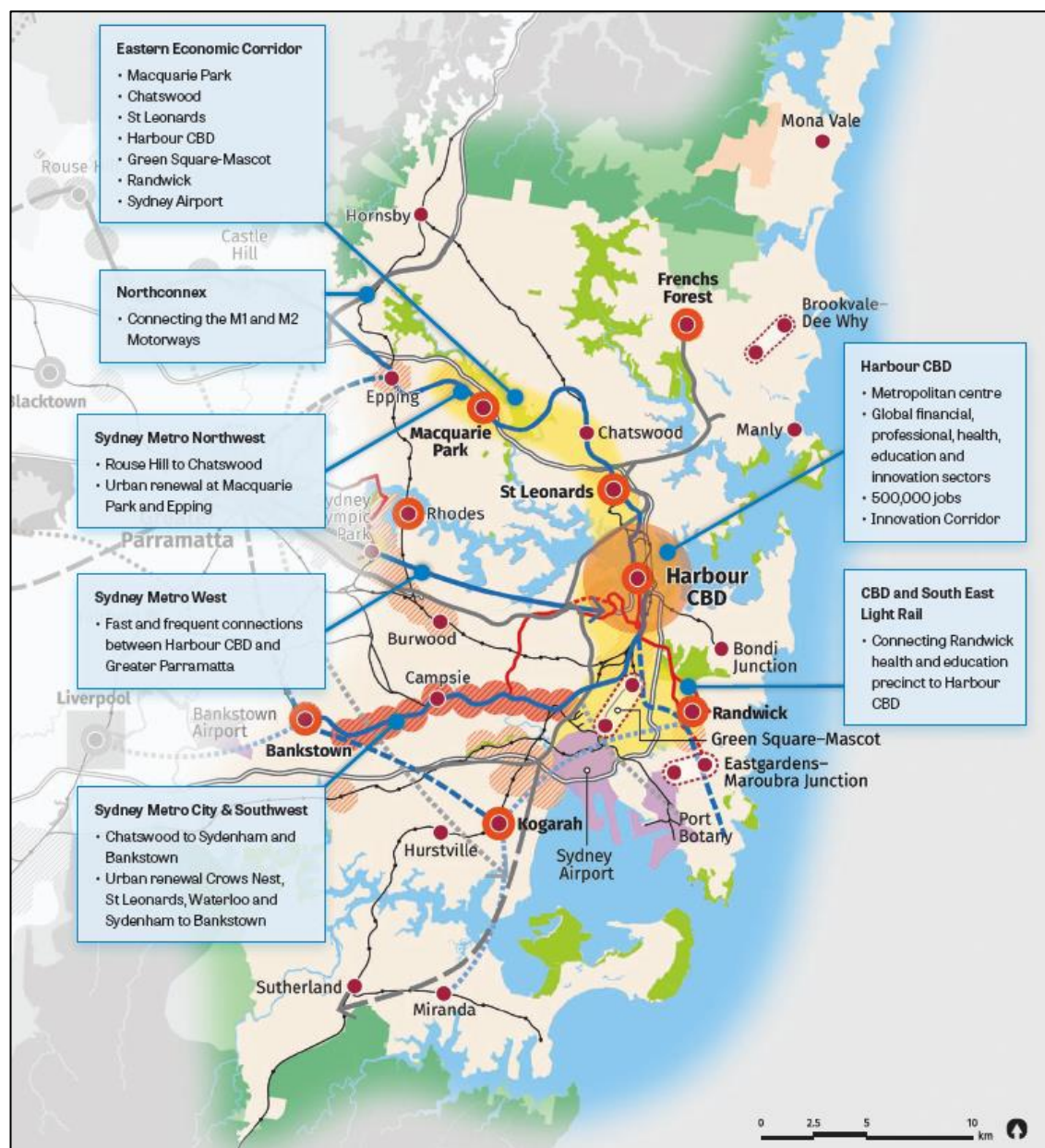


Figure 22: Eastern Harbor City Structure Plan

To achieve the objectives for the Eastern Harbour City, the plan includes 10 directions and 40 objectives, supporting actions and priorities for each “City”.

To improve liveability, The Plan seeks to create new great places, with well-connected communities which have access to a range of jobs and services, starting with public places, open spaces and transit-oriented developments. This SCC application seeks to deliver affordable housing close to public transport connecting residents to a network of jobs and opportunities.

Direction 4 “Housing the City” of the Greater Sydney Plan seeks to provide housing choice for people, which can be achieved through “greater housing supply”, “increased housing completions” and “more diverse and affordable” housing.

The NSW Communities & Justice Local Government Housing Kit database, states that as of September 2017, only 32.7% of rental stock in the Canterbury-Bankstown LGA was affordable for low income housing households and 4.7% of rental stock was affordable for very low-income households. As a comparison to NSW standards as a whole, 54.1% of rental stock was affordable for low income housing households and 1.1% of rental stock was affordable for very low-income households. SQM Research shows that only 91 dwellings were available for rent in the whole of Campsie in June 2022. The comparison to NSW as a whole paints a very bleak future for low-income families in the Canterbury-Bankstown LGA.

This application for a SCC will facilitate and contribute 222 dwellings, increasing housing supply, 50% of which will be affordable homes (111 dwellings). The site benefits from its location close to Belmore train station connecting the site to the region and other parts of Greater Sydney.

The site is an underutilised site with the ability to redevelop in the short term, meeting the desire and strategic planning framework of urban renewal in this location, connecting new residents with the Harbour CBD and nearby residents with new jobs associated with the retail frontage to Canterbury Road.

The Concept DA is also consistent with the principles for managing industrial and urban services land, as it provides for significant non-residential floorspace supporting the provision of jobs, medical facilities and convenience shops to meet the day to day needs of the community. The site is dilapidated and in need of urban renewal. The original SCC from 2014 recognised the suitability of the site for residential flat development with supporting retail floorspace and in doing so will avoid any land use conflict with the emerging mixed use pattern of development in the vicinity, and provide for the needs of the community through affordable housing supply and job and business opportunities.

The site is within the 30-minute city objective. Firstly, the site is a 9-minute walk from the Belmore train station, which connects Belmore to the Harbour CBD and Greater Sydney. The Belmore station is part of the future Sydenham to Bankstown Sydney Metro City and Southwest rail upgrades to provide faster and more frequent services. Under existing timetables (i.e. prior to metro rail services) from Belmore, the Harbour CBD metropolitan centre is accessible within 22 minutes; Bankstown strategic centre and health and education precinct within 9 minutes; and Campsie strategic centre within 2 minutes. With more frequent and faster trips these times are anticipated to further reduce.

It is noted that Objective 23 of the Greater Sydney Plan states “*industrial and urban services land is planned, retained and managed*”. It is also noted that Objective 11 states “*housing is more diverse and affordable*”. The purpose of the Housing SEPP is to provide for expanded permissibility on sites that are compatible with their surroundings and context. While the Greater Sydney Plan seeks to retain and manage industrial and urban services land, an assessment of urban services land has occurred through the preparation of the LSPS process. The Connective City 2036 maps clearly identify land throughout the government area which should be retained and managed. The subject site does not form part of the land. Refer to Figure 23 below.

In that context, while Objective 23 is important in the context of valuable employment lands, the objective needs to be considered in the context of objective 11; that seeks to provide more affordable housing; the location of the site to transport and services; the existing use on the site, being a vacant factory and residential zoned land; and compatibility with surrounding zones and land uses.

The site is adjoined by mixed use and residential zones with similar controls to that contemplated by the development sought through this SCC process. Therefore, while objective23 is not to be undermined, on balance the application for an SCC meets a key objective of the Act, meets the objectives of the SEPP, and is consistent with the provisions of the LEP which contemplates provisions of a SEPP that may prevail over the LEP.

Further, it is noted that Section 3.8 Implementation of strategic plans of the EP&A Act 1979, requires that in the preparation of a planning proposal the “*planning proposal authority is to give effect to any district strategic plan applying to the local government area to which the planning proposal relates*”. In this case, the application for a SCC and is not through the Part 3 plan making process, but rather is considered through an effective delivery mechanism for new affordable rental housing, in accordance with a key aim of the Act, by providing incentives by way of expanded permissibility.

Nevertheless, while the subject SCC application does not seek consent for any development, it will facilitate the provision of additional housing while balancing this with high standards of amenity and design. The site is not identified for future retention and management of urban serviced land and therefore the actions of the Greater Sydney Region Plan will be realised through future applications for development.

5.2 South City District Plan

Greater Sydney’s three cities identified in the Greater Sydney Region Plan – A Metropolis of Three Cities reach across five districts. The South District covers the Canterbury- Bankstown, Georges River and Sutherland local government areas. The district connects to the Central River City through Bankstown and to the Western Parkland city through Liverpool.

The South District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The goal of the Plan is to “*have well-coordinated, integrated and effective planning for land use, transport and infrastructure*”. The District Plan provides the means by which the Greater Sydney Region Plan can be put into action at the local level.

“The South District will continue to grow over the next 20 years with demand for an additional 83,500 dwellings. This will be provided through urban renewal, around new and existing infrastructure, and infill developments. The focus of growth will be on well-connected, walkable places that build on local strengths and deliver quality public places.”

In undertaking strategic planning processes, and/or preparing or considering planning proposals, planning authorities must give effect to the District Plan, specifically the Planning Priorities and Actions. While this application is not for development and does not seek to amend the Canterbury LEP 2012, it does seek to facilitate a significant benefit of affordable rental housing through the provisions of the Housing SEPP, which will be realised through future DAs.

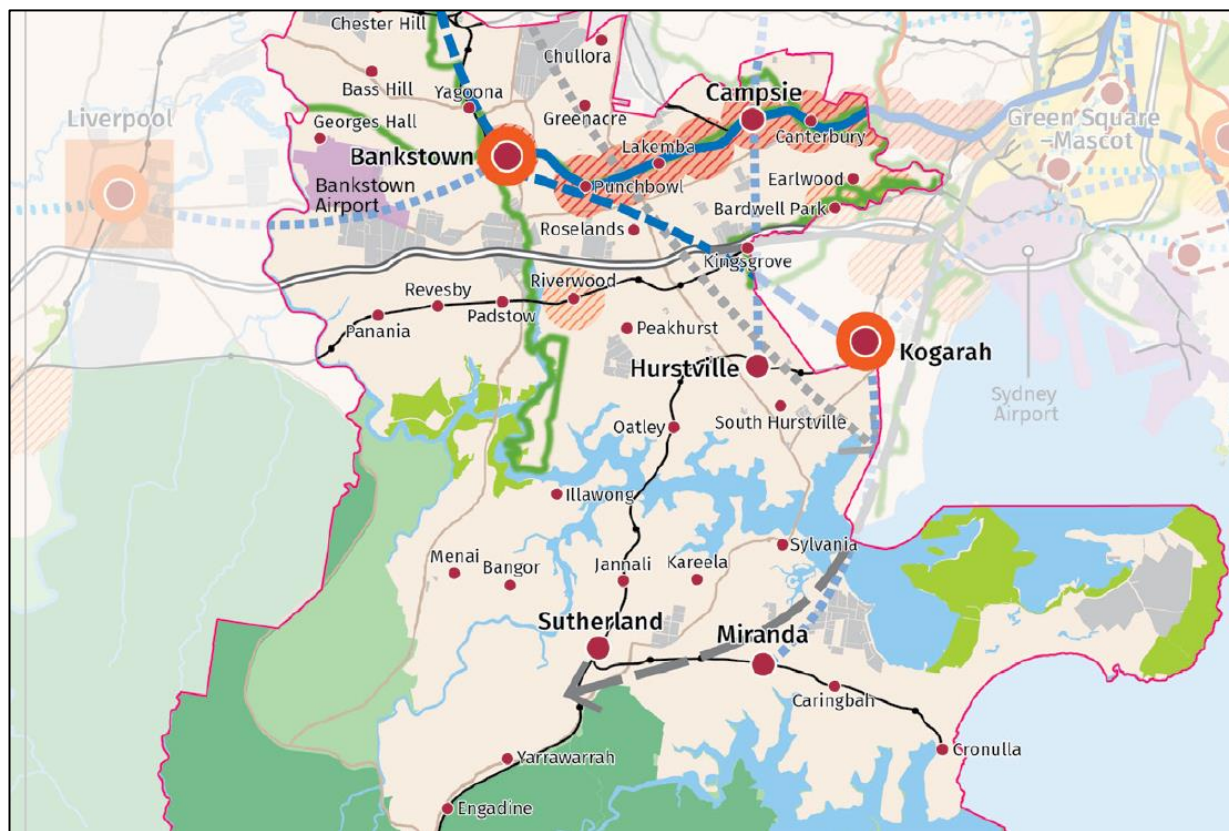


Figure 23: Extract from South District Structure Plan

In the South District the greatest increase in population is expected in Canterbury-Bankstown Local Government Area, where 70 per cent of new residents (142,450 additional people by 2036) will be accommodated due to anticipated urban renewal. *“The South District will continue to grow over the next 20 years with demand for an additional 83,500 dwellings. This will be provided through urban renewal, around new and existing infrastructure, and infill developments.”*

Further, the Plan sets a 0-5 year housing target for the District of 23,250, with 13,250 of these new dwellings targeted to be built in the Canterbury Bankstown LGA. The SCC application will facilitate future development applications that support an additional 222 dwellings of which 50% (111 dwellings) will be affordable – this is nearly 1.7% of the new dwellings target for the LGA for the next 0-5 years.

5.3 Sydenham to Bankstown Urban Renewal Corridor Strategy

The site is within the Belmore Precinct under the Sydenham to Bankstown Urban Renewal Corridor which identified areas for urban renewal in the Greater Sydney Regional Plan and in conjunction with the increased capacity of the public transport network resulting from the Sydney Metro City and Southwest upgrade of the Sydenham to Bankstown Railway corridor.

The Department of Planning and Environment has announced a new approach to the corridor to develop a high-level, principle-based planning strategy for the corridor. Therefore, the proposal to permit residential flat development on the site will be more specifically considered against the Canterbury Road corridor review and the council’s local strategic planning statement.

5.4 Canterbury Bankstown Local Strategic Planning Statement

Canterbury-Bankstown's commercial centres are distributed across the City. They form the focus for surrounding residential areas, with local services, community and civic places and public transport. They are intended to be convenient and cost effective for small business. There is a total of 88 centres, with 34 larger centres that provide for the needs of surrounding residential areas.

"Bankstown and Campsie are Canterbury- Bankstown's primary centres. These will continue to see an increase in well-designed medium and high-density housing along with infrastructure improvements, jobs and business opportunities. We aim to match this growth with improved building and public domain design, pedestrian safety and public transport."

The site is on the edge of the Belmore town centre and the Burwood Road neighbourhood centre. Connective City 2036 sets directions for local centres, noting the following:

"Canterbury, Belmore, Lakemba and Padstow could be serviced by a mass transit/train system. They will therefore be suitable for a greater mix of housing and urban service."

The site has an important role to play in the future of the Canterbury Bankstown LGA. Housing, job growth and local economies are expected to increase in line with transport infrastructure investment and required strategic planning to ensure appropriate outcomes are achieved. Connective City 2036 makes the following statement:

"The Sydenham to Bankstown Metro corridor has been identified by the NSW Government as a location for new housing. We will aim to maintain the character of these areas and plan to develop adjoining and surrounding lands and sites, including high-density development. We will work with the NSW Government on a high-level principles-based strategy and place plans for each centre in consultation with the community."

Greatest growth will be planned for the centres of Canterbury, Campsie, Belmore, and Lakemba, with more modest growth in Punchbowl, Wiley Park and Hurlstone Park."

The classification applied to the site within the Canterbury Bankstown LSPS, includes "local centre potential for residential growth" and the Canterbury Road and Kingsgrove Road Medical Precinct which also adjoins and forms part of the site. Importantly, the site is not captured by the "retain and manage industrial and urban services land" mapping. Refer to diagram below.

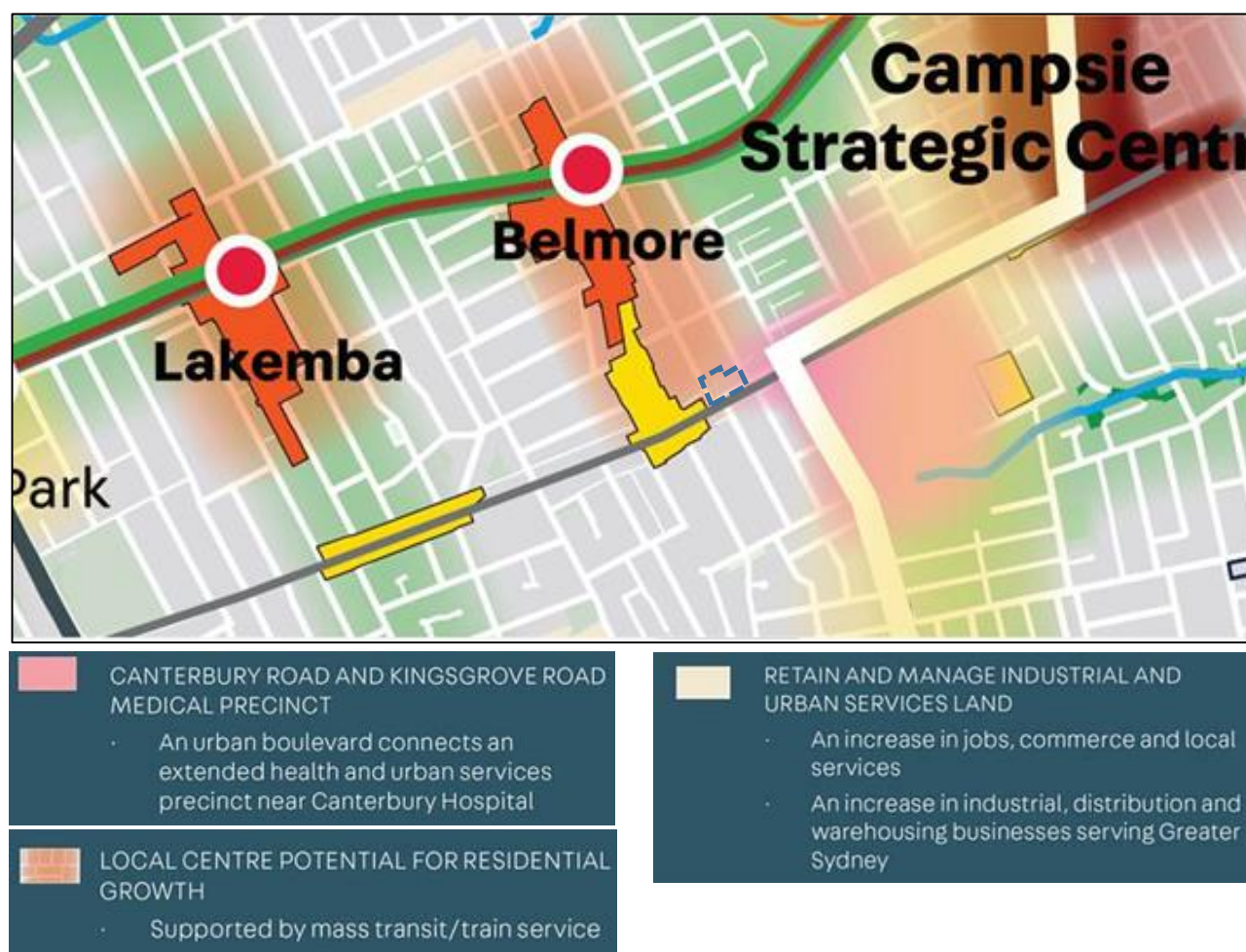


Figure 24: Canterbury Bankstown LSPS Extract

The LSPS clearly identifies areas clustered throughout the LGA where industrial and urban services land are intended to be retained to achieve the strategic employment land strategy outcomes. It is noted that the subject land could not achieve a cluster of urban services or industrial land particularly as it incorporates residential land uses which are counter intuitive to an intensification of employment guided by the strategy. To the contrary of the LSPS objective for employment land retainment, this is an isolated site surrounded by and including residential land uses, and therefore demonstrates why the land is considered compatible under the definition in the Housing SEPP.

As can be seen above, there is an area of land to the north of the Belmore town centre identified as “*retain and manage industrial and urban services land*”. This classification is not applied to the subject site.

While not identified within the Belmore Local Centre or the Burwood Road Neighbourhood Centre, the site does form part of the area identified as “*local centre potential for residential growth*”. Further, the Canterbury Road and Kingsgrove Road Medical Precinct also adjoins and forms part of the site. Division 5 can assist to guide these strategic objective outcomes of the LSPS noting there is a requirement for a non-residential component to be achieved in a final scheme. It is logical that a quantum of supportive medical uses combined with key worker housing and aboriginal housing would align with the LSPS direction.

Therefore, while advice received notes that the operation of Division 5 is not structured to be subservient to the strategic planning framework as primarily relevant to the future use of the subject site (noting the reading of Division 5 notes the consideration is on surrounding land to determine compatibility) it is considered that given the LSPS has only recently been finalised, such provides a changed strategic context within which to assess the application outside that of a site which shares residential and non-residential land uses in the LEP which is subservient in law to the SEPP.

5.5 Canterbury Bankstown Housing Strategy

The Canterbury Bankstown Housing Strategy forms part of Canterbury Bankstown's strategic planning framework, underpinned by the Canterbury Bankstown Local Strategic Planning Statement, Connective City 2036. The Strategy was adopted in June 2020 to provide the direction for housing policy and priorities in Canterbury Bankstown.

The vision of the Housing Strategy is as follows:

"Canterbury Bankstown will have housing that meets the needs of its growing and changing population. New housing development will provide a mix of housing types and sizes in a range of price points. Larger developments will provide affordable housing. New housing growth will be targeted to centres that can offer residents a high level of amenity and access to jobs, services and community facilities."

The Housing Strategy has an ambitious target of 50,000 dwellings by 2036, which, as acknowledged by the strategy will require increased housing delivery when compared to historic delivery trends. In the decade to 2016, 11,000 dwellings were delivered across the city. The 5 years from 2016 to 2021 requires 12,500 additional dwellings, with 25,000 to 2026 and 50,000 to 2036.

To support the delivery of council's housing targets, the Strategy outlines 8 strategic directions to achieve the housing objectives of the strategy. Noting the proposal is assessed against compatibility with the existing and preferred surrounding land uses, it is important to consider the strategic direction of the Housing Strategy and understand the emerging strategic planning framework for the site. This is considered further below:

Housing Strategy Strategic Direction	Response
<p><u>Strategic Direction 1:</u> Deliver 50,000 new dwellings by 2036 subject to the NSW Government providing upfront infrastructure support.</p>	<p>The proposal will facilitate 226 additional dwellings with 113 of those dwellings affordable, managed by a registered housing provider for a minimum of 15 years.</p> <p>The site is within close proximity of public transport, services, schools and the Canterbury hospital.</p> <p>The proposal also seeks to deliver over 1,000sq.m of public open space for the community.</p>
<p><u>Strategic Direction 2:</u> Stage the delivery of new dwellings to address complex renewal issues affecting Canterbury Bankstown.</p>	<p>Since the announcement of the Sydenham to Bankstown metro upgrade and the release of the Sydenham to Bankstown urban renewal strategy, very little planning, development and delivery of housing has occurred. Meanwhile, housing continues to become more unaffordable, and the cost of rental accommodation ensures that the people that require housing the most cannot afford</p>

	<p>it. The pressure on older women and the spike in homelessness continues to grow while little implementation of policy gets delivered. Older women are facing the highest rate of homelessness in a decade, with the number of women over 55 experiencing homelessness growing by 31% between 2011 and 2016. While the federal government plans to build more social housing for older women, this proposal has the ability to provide housing for people in need immediately, on a site where the development is compatible with the existing and future land uses. The urgency of the housing crisis and housing need is not reflected in the planning system, given it has been 7 years since the corridor strategy was released, with further strategy, study and planning to come, while people continue to suffer housing stress and homelessness increases. The purpose of the Housing SEPP is to facilitate solutions to unaffordability on sites that are suitable, with the subject site being a specific example of where and how the Housing SEPP can deliver affordable housing.</p>
<p><u>Strategic Direction 3:</u> Focus at least 80% of new dwellings within walking distance of centres and places of high amenity.</p>	<p>The subject site is within close walking distance of the Belmore town centre and the entrance to the Belmore train station. The subject site meets the strategic direction to deliver new housing (and affordable housing) near and within centres.</p>
<p><u>Strategic Direction 4:</u> Ensure new housing in centres and suburban areas are compatible with the local character.</p>	<p>This report has studied in detail the compatibility of the proposal with its surroundings.</p> <p>The subject site is bordered by two residential flat buildings to the north, albeit of 2 storeys in height. To the east and west, land is zoned for Local Centre with mixed use residential developments supported up to 6 storeys in height. The emerging development in the area also includes ground floor retail/commercial and residential above, as can be seen from developments already constructed at the following locations which are all nearby:</p> <ul style="list-style-type: none"> • 680 Canterbury Road • 702-704 Canterbury Road • Corner of Canterbury Road and Burwood Road • 749 Canterbury Road • 630 Canterbury Road • 512 Burwood Road

	On this basis, and subject to further design and consultation with the NSW Government Architect, the proposal is clearly compatible with existing development and the existing character of the area.
<u>Strategic Direction 5:</u> Provide a choice of housing types, sizes tenures and prices, to suite each stage of life.	The proposal will facilitate the delivery of 113 affordable dwellings in a build-to-rent scheme. While the SCC application seeks to permit residential flat development, the development application process will refine the exact mix, having regard to a demographic analysis and social needs assessment. The proposal provides an indicative breakdown of dwellings types and sizes to demonstrate that the proposal can and will comply with the requirements of the ADG, and this will be further refined through the assessment process.
<u>Strategic Direction 6:</u> Design quality housing to maximise liveability and provide positive built form outcomes.	The indicative built form supports the application for a SCC. Following the issuing of the SCC a request for SEARs will be lodged with the Department of Planning and Environment for a build-to-rent scheme. As part of this process consultation with the NSW Government Architect will be required to ensure a high design quality. The indicative scheme already provides significant open space for the community maximising liveability close to existing community services and infrastructure.
<u>Strategic Direction 7:</u> Align the R2 and R3 zones in the former Canterbury LGA	N/A
<u>Strategic Direction 8:</u> Urgently review dual occupancies in the suburban neighbourhoods	N/A

Table 10: Housing Strategy Strategic Directions

5.6 Canterbury Bankstown Affordable Housing Strategy

The Canterbury Bankston Affordable Housing Strategy forms part of Canterbury Bankstown’s strategic planning framework, underpinned by the Canterbury Bankstown Local Strategic Planning Statement, Connective City 2036. The Strategy was adopted in June 2020 to “reduce the level of housing stress experienced by residents across the City of Canterbury Bankstown so that the community can thrive socially and economically by increasing the provision of affordable rental housing”.

The Strategy provides a bleak picture of affordability in Canterbury Bankstown. The Strategy notes:

“Almost twenty-two thousand households experience housing stress in the city, or 18.6% compared to 11.8% in Greater Sydney. Households on moderate, low or very low incomes and key workers, who spend more than 30 per cent of their income on housing are impacted in their ability to pay for essential items like food, clothing, transport and utilities and are said to be experiencing housing stress”.

“Renters experience housing stress more so than households with a mortgage, with 39% of renting households across the city paying more than 30% of their income on rent. Suburbs with a greater proportion of renters, experience proportionally more rental stress, implying that housing stress is an issue for the growing renter population”.

“The ongoing loss of more affordable dwellings through redevelopment and gentrification, combined with increasing housing costs, is leading to an undersupply of affordable accommodation in Greater Sydney. Local government can play a role in facilitating affordable housing delivery and promoting the provision/retention of affordable housing through strategic planning, the regulation of housing supply and its form, infrastructure planning and pricing policies, rate setting and community service delivery. Through careful planning, the application of these functions can create opportunities for additional housing, guide the form of housing in response to needs, and influence the cost of production and the availability of services”.

While the Strategy acknowledges the desperate need for affordable housing, it relies on regulation and rate setting to deliver it. The Affordable Housing Strategy policy decision by council includes ambitious targets seeking 15% affordable housing within all new development in growth precincts. This policy outcome however seems at odds with the expert economic studies supporting council’s housing strategy. That economic advice included detailed modelling that concluded that in all areas of the LGA delivery of 15% was impossible and even minor increases in affordable housing yield outcomes of between 2%-5% were unviable for suppliers unless significant incentivisation was applied to land yield outcomes in planning decisions to offset the impact of the additional cost.

The preferred model of the council to achieve the policy supply outcomes, is a council centric controlled, high administration cost methodology, combined with an inefficient complicated value capture model (as considered by the economic modelling) that seeks to achieve a process of gaining private sector resources through a penalty levying process that increases project delivery risk. Despite the significant administration inefficiencies, that would see the leaking of gained funds applied to administration purpose rather at the expense of new affordable housing such a system will have a propensity to disincentive suppliers from commencing projects to which such a levy applies if they cannot offset those costs which their capital suppliers stakeholders will require, in either lower input costs or greater sales reviews of contributory market housing in schemes (which exacerbates housing affordability for first home buyers, investor and market renters).

Thus, whereas the council policy outcome is commendable in terms of aspiration, the reality is that the methodology devised to deliver it will likely lead to worse outcomes for housing affordability unless significant incentives are provided to suppliers. It is contended such a policy position also challenges the ability to meet the requirements of S7.32 of the Act that guides what is required to be considered by a consent authority when seeking to apply a levy for affordable housing to a development outcome.

Thus, it is not known if the State will support such blanket policy targets and enable the council to set such inclusionary tax targets in new housing investment. At worst such targets typically lead to undersupply of housing and greater impacts on affordability. Again, it is worth noting that this development proposition supported by private sector capital investment, is in line with the incentive objectives of the Housing SEPP 2021 and the numerical requirements in Division 5 alone can support 50% against that LSPS 15% target and at no direct cost to Government.

The Housing SEPP seeks to deliver and facilitate affordable housing in locations where it is most at need. It seeks to incentivise the delivery of affordable housing supply and the ability for Community Housing Providers to deliver and manage new affordable housing stock with the support of private sector investment. This application is an example of the outcomes that the Housing SEPP can deliver, by providing 113 new affordable dwellings near existing public transport void of the before mentioned proposed local council administrative methodology process which results in significant efficiency to enable the highest possible maximum benefit of outcomes delivered to those most in need.

Guiding Principles	Response
Increase the supply of affordable housing in Canterbury Bankstown	The proposal seeks to deliver 113 new affordable dwellings houses.
Locate affordable housing near established centres to allow residents better access to transport, jobs and services	The subject site is approximately 680 metres from the entrance to the Belmore train station and within a few hundred metres of the Belmore town centre. The site also immediately adjoins the Burwood Road neighbourhood centre identified by the Canterbury Road Corridor Review and also adjoins other land zone B2 Local Centre. The site is ideally suited for this form of development, as guided by the Canterbury Bankstown Affordable Housing Strategy.
Focus on alleviating housing stress for very low and low income households and key workers	The proposal seeks to deliver affordable housing for those in need and will be managed by a registered community housing provider for a minimum of 15 years. The CHP (as is required by its registration conditions) has progressed engagement with organisations that represent key workers in the health industry.
Establish clear processes for the delivery and dedication of affordable housing dwellings	The Housing SEPP 2021 establishes clear processes for the delivery of affordable housing and in comparison, with council's desired process is significantly more efficient. By utilising the provisions of Division 5 of the SEPP, an additional 113 affordable dwellings can be delivered and managed by a registered community housing provider removing the need and cost for council, rather than applying further pressure on its already stretched resources that are required for its existing core services delivery.
Establish an internal framework for the management of affordable housing dwellings.	This development process (whereas not internally council focused) progresses to an outcome where the delivered affordable housing is efficiently transferred into a regulated, transparent and monitored affordable housing management system which is managed by a Registered Housing Provider which has a defined purpose of service delivery that is guided and regulated through an established legal national framework to ensure quality and reliable housing services are delivered that benefit better outcomes for disadvantaged people.

Table 11: Affordable Housing Strategy Guiding Principles

5.7 Canterbury Road Corridor Review

The Canterbury Road Review is a visionary document to guide development along Canterbury Road using numerous intersections between Canterbury Road and local arterial roads to create new junction points for development.

The Review commenced in 2016, was exhibited in late 2017 and given in-principal support by council at its meeting of 22 May 2018. The outcome of the review included 15 recommendations including a focus of the residential development within the 11 localities and 7 junctions (Recommendation 2), concentrate commercial office development within Canterbury Town Centre (Recommendation 5) and ensure a consistent setback (Recommendation 8).

The future built for Canterbury Road is to be focussed at the identified centres. The subject site adjoins the Burwood Road Neighbourhood centre. There appeared to be no rationale as to why the boundary stopped next to the subject site, particularly given that the site adjoins further B2 Local Centre zoned land to the east.

The review explores opportunities for road widening and setbacks, whereby medians are introduced to accommodate turning lanes and trees. The Review also made recommendations for ground and first floor commercial uses, design quality and building matrix. This included, but was not limited to:

- Specify a commercial FSR and a residential FSR for each town centre site;
Allow 1:2-1.8:1 residential FSR and 0.6:1 ground floor commercial FSR;
- Anticipate a greater diversity of housing;
- Require a dwelling mix of 1, 2 and 3 bedroom apartments;
- Consider introducing requirements for affordable housing;
- Allow corner sites to benefit from a floor space bonus, subject to satisfying design quality and processes;

The setbacks envisaged for Canterbury Road have been adopted, including a 3.5 metre setback. Many of the design principles including through site links, publicly accessible spaces and public domain interfaces have also been adopted. This includes a rear laneway connecting Drummond Street to Anderson Street, and 1,290 sq.m of publicly accessible open space in an area where it is urgently required.

The proposed residential development within the existing and future context is considered to be compatible. However, further detailed testing of design, application of design principles associated with the strategic planning framework will be applied following the issuing of the SCC and further consultation with the Government Architect occurs. The Housing SEPP provides incentives to deliver the social outcomes required and desired, and this area of Sydney is in urgent need of these social outcomes. The site is fortunate in that the land use controls do not permit residential flat buildings, yet the site is surrounded by either existing residential flat development or on sites where residential flat development or mixed use development is permitted. The incentive provisions of the SEPP specifically target such sites where affordable housing can be delivered, where such development is compatible within its context. Affordable residential development is compatible with the existing and preferred future uses as there are either residential flat buildings surrounding the site or where this form of development is permitted.

6 Need for Affordable Housing

6.1 Social and Economic Impact

The proposed development would be facilitated through the provisions of the Housing SEPP 2021. The Housing SEPP requires that 50% of the units in a development are rented as affordable housing by a community housing provider (CHP) for no less than 15 years. Under the proposed scheme, 113 apartments would be leased and managed by Pacific Community Housing.

The proposed development is likely to have few negative social impacts. It is likely that the positive impacts will far outweigh the negative impacts, with affordable housing need significantly increased in the LGA.

6.1.1 Strategic Context

An examination of housing needs reaffirms the critical importance of providing a diversity of housing across the housing continuum in Greater Sydney. The continuum recognises the fundamental importance of household income on the ability to access housing of different types, cost and tenure. Households on moderate, low or very low incomes, who spend more than 30% of their income on housing, are impacted in their ability to pay for essential items like food, clothing, transport and utilities.

Lower income households (earning up to approximately \$67,600 per annum) without other financial support cannot afford the average rental cost for even more moderately priced areas of Greater Sydney, which are generally on the outskirts of Greater Sydney.

Cities require a range of workers to be close to centres and jobs. An absence of affordable housing often results in workers having to commute for long distances.

Many moderate-income households face housing diversity and affordability challenges – typically households with incomes of \$67,400–\$101,400 per annum. Recent research indicates that about half of young Greater Sydney residents are considering leaving Greater Sydney within the next five years, with housing affordability being a key issue. It also highlights that smaller well-located dwellings are considered an acceptable approach to reducing housing cost.

As previously discussed, the NSW Communities & Justice Local Government Housing Kit database, states that as of September 2017, there was only 963 dwellings that are affordable for low income households. This constitutes only 32.7% of rental stock as being affordable for low-income housing households and 4.7% of rental stock was affordable for very low-income households in the Canterbury Bankstown LGA. As a comparison to the rest of NSW standards as a whole, 54.1% of rental stock was affordable for low-income housing households and 23.1% of rental stock was affordable for very low-income households. Compared with NSW as a whole, the proportion of affordable rental stock is low in the Canterbury-Bankstown LGA.

Further, the ‘Supporting Economic Recovery in NSW’ report, released on 14 May 2020 to help the state recover from the COVID-19 pandemic argues the most immediate challenges are rapidly rising unemployment, the widespread failure of small and medium enterprises, falling incomes and wealth, and rising inequality and

disadvantage. The ideal policy response would simultaneously address these issues, with greater investment in social and affordable housing presenting a possible solution, the report states.

"This is a prime opportunity for the NSW government to work with the community housing sector and the construction industry to invest in social and affordable housing, and support jobs, SMEs and NSW's vulnerable citizens," NCOSS chief executive Joanna Quilty is quoted as saying when the report was released. The Equity Economics modelling was commissioned by the NSW Council of Social Service, Homelessness NSW, Shelter NSW, the Community Housing Industry Association and the Tenants' Union of NSW.

Further, council's LSPS nominates Bankstown and Campsie as Canterbury- Bankstown's primary centres, that will continue to see an increase in well-designed medium and high-density housing along with infrastructure improvements, jobs and business opportunities. Council aims to match this growth with improved building and public domain design, pedestrian safety and public transport. The site has an important role to play in the future of the Canterbury Bankstown LGA. Housing, job growth and local economies are expected to increase in line with transport infrastructure investment and required strategic planning to ensure appropriate outcomes are achieved. Connective City 2036 makes the following statement:

"The Sydenham to Bankstown Metro corridor has been identified by the NSW Government as a location for new housing. We will aim to maintain the character of these areas and plan to develop adjoining and surrounding lands and sites, including high-density development. We will work with the NSW Government on a high-level principles-based strategy and place plans for each centre in consultation with the community. Greatest growth will be planned for the centres of Canterbury, Campsie, Belmore, and Lakemba, with more modest growth in Punchbowl, Wiley Park and Hurlstone Park."

If the proposed use of a residential flat building was able to be provided without the incentives of an additional permitted use under Division 5 of Part 2 of the Housing SEPP, the ability to provide the social need in the form of lower cost housing for those in the community that qualify would not be possible. History shows that new housing supply generated in the local market is targeted at significantly higher cost housing. The increased value created through the additional use, specifically enables those gains of increased value into the financial model of the project to support the provision of the social need without the burden of a specific levy that transfers those deadweight costs to other market sectors.

The proposal is compatible within its context and supports the Government's and Council's objectives to increase the provision of affordable housing while promoting the efficient use of public transport and existing infrastructure.

6.1.2 Affordable Housing Taskforce Report

The NSW Affordable Housing Taskforce released their interim report in March 2012. In this report, the Taskforce notes that *"Housing NSW has strategically facilitated the growth of the community housing sector in recent years, providing a range of capacity building opportunities. NSW government now has the opportunity to benefit from this increased capacity."*

Furthermore, the Taskforce said that inclusionary zoning policies do not work to provide affordable housing in all markets. While these policies provide a level of certainty about the type of contribution required for affordable housing and avoid the need for site based negotiation processes and the mandatory nature of the

provisions support the delivery of scale, they have been shown to work most effectively in very high value land locations and have limited application in lower cost markets.

Inclusionary zoning provisions may be considered to increase the costs of development which may be passed on to individual home purchasers. The application of such policy is complicated and can lead to a lowering of dwelling supply and an increase in market costs as suppliers seek to pass on the inclusion cost by raising general market prices or lowering delivery costs or both which can lead to lower supply and higher costs thus exacerbating the affordability problem.

6.1.3 Housing Affordability Report to the Premier

In 2017 the Governor of the Reserve Bank of Australia (RBA) Mr Glenn Stevens AC was asked by the Premier of NSW to provide a Report to the Premier of NSW on the issue of Housing Affordability including any recommendations that he advised should be implemented into the NSW Planning system. It is noted that report and recommendations were accepted by the NSW Government.

On the challenge of affordability Mr Stevens noted:

“Certainly, if our objective is housing being “affordable” in an environment of growth in population and income, we need to have the market clearing at lower prices for dwellings. This means we need to have the supply side able to respond to demand in a more elastic way. The only alternative would be to find other, non-price, ways of rationing demand. Tempting as these might be at times, they are likely to have serious unintended consequences. Even if they did not, suppressing demand at any given price level is surely inferior to meeting genuine demand through higher productivity.”

Stevens progresses to state that Sydney has attributes and challenges that work against affordability.

“So if government is serious about tackling the issues at the heart of the ‘affordability’ problem, and not just responding to symptoms, it needs a plan for growth. It also needs to articulate to a sometimes-sceptical populace – those who are already here - what we need to do to accommodate more people, why growth without a plan is not a good outcome but also why an even worse outcome would be stagnation. After all, houses tend to be quite affordable in locations that are declining - because people don’t want to live there.”

“To be sure, Sydney has geographical challenges that some other capitals do not. But it is worth asking the question why land has to be so expensive. Are there artificial constraints to land supply that may be exacerbating this problem? The costs are compounded by unwillingness to contemplate smaller lot sizes, in contrast to some other cities. If land is genuinely scarce, then we need to be prepared to use it more efficiently.

This SCC application in using the planning systems policy for a change in land use and more efficient assessment systems that seeks to supply increases of density in an area where people want to live assists directly to provide a scheme that is responding to the challenges of affordability.

6.1.4 Development Under the Housing SEPP

The proposed development would be facilitated by the provisions of the Housing SEPP. The Housing SEPP requires that 50 per cent of the units in a development are rented as affordable housing by a community housing provider for no less than 15 years (which allows for asset recycling). Under the proposed scheme, 113 apartments would be leased and managed by Pacific Community Housing.

The Housing SEPP gives the state and council the opportunity to work with a community housing provider to get an affordable outcome that provides housing choice and access for housing singles, families and couples. Specifically, the Canterbury-Bankstown Local Strategic Planning Statement observes:

“The Sydenham to Bankstown Metro corridor has been identified by the NSW Government as a location for new housing. We will aim to maintain the character of these areas and plan to develop adjoining and surrounding lands and sites, including high-density development. We will work with the NSW Government on a high-level principles-based strategy and place plans for each centre in consultation with the community. Greatest growth will be planned for the centres of Canterbury, Campsie, Belmore, and Lakemba, with more modest growth in Punchbowl, Wiley Park and Hurlstone Park.”

The subject site is underutilised in its locational context near the Belmore train station, which connects the site to other centres and the Sydney CBD.

This application has demonstrated that the development will avoid any perceived land use conflict, is a logical residential development, and enables the capture of the increased permissibility gains to be deliberately and directly applied to support the provision of affordable housing in an unaffordable area for low and very low-income families.

6.1.5 Objectives of the EP&A Act

When performing functions under the Act, authorities will be guided by three additional new objects promoting:

- good design and amenity of the built environment
- the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)
- the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants.
- to promote the delivery and maintenance of affordable housing

The new objects of the Act commenced from 1 March 2018.

The objects of the Act are guiding principles that need to be considered by planning authorities, such as councils and Local Planning Panels, when making decisions under the Act.

According to the Department’s own explanatory notes guiding how the new objects are to be interpreted, *“promoting social equity through the provision of Affordable Housing and directly dealing with the issues of housing stress in Sydney is already a relevant consideration that may be considered by decision-makers.”*

The explanation goes on to highlight the increased importance of affordable housing as a consideration: *“Having an affordable housing object elevates the importance of promoting and facilitating the provision of Affordable Housing as part of the planning system as a whole and will ensure that affordable housing provision is considered and balanced with the other objects of the Act.”*

As noted earlier, the Affordable Housing Taskforce report that was released in 2012, provides further evidence analysis of the need for the planning system to support the delivery of Affordable Housing.

It is clear that, the new Housing SEPP 2021 seeks to implement a critical key objective of the Act. Therefore, it can be seen that there is a deliberate planning approach applied about the practical application of the objectives of the Act and the use of an EPI to achieve the objective.

7 Conclusion

This report supports an application to the NSW DP&E for a SCC under Division 5 Part 2 of the Housing SEPP 2021. The subject site is at 677 and 687 Canterbury Road, 44 and 48 Drummond Street and 35, 37 and 39 Anderson Street, Belmore.

The SCC supports the development of the site which will facilitate 226 dwellings, of which 50% (113 dwellings) will be designated affordable housing units, managed by Pacific Community Housing, for a period of 15 years in accordance with the provisions of the Housing SEPP.

The subject site is zoned part B6 Enterprise Corridor and part R3 Medium Density Residential under the Canterbury LEP 2012 within which development for the purpose of a '*residential flat building*' is prohibited. The site is approximately 684 metres from the entrance to Belmore railway station and is therefore within the 800 metres designated by Clause 36 of the Housing SEPP. Therefore, as per Section 36(1)(a) the provisions of Division 5 of Part 2 of the Housing SEPP apply.

Due to the high unmet demand for affordable housing in Belmore and the Canterbury Bankstown LGA more generally, the site at Canterbury Road/Drummond Street/Anderson Street offers a real opportunity in a suitable/compatible location to support the provision of affordable housing. The subject site is underutilised in its locational context near a train station entrance that connects the site to a number of centres within a short time, directly achieving the aims and objectives of the strategic planning framework, including the Greater Sydney Plan, South City District Plan, the Canterbury Bankstown Local Strategic Planning Statement and the Canterbury Road Corridor Review.

As discussed in this report, the purpose of the Housing SEPP is to incentivise the supply of affordable and diverse housing in the right places and for every stage of life. This application demonstrates that proposed residential flat development at the height and density proposed will not have any unacceptable environmental impact and is compatible with the surrounding land uses having regard to existing and approved land uses and the bulk and scale and the preferred future land uses on land surrounding the subject site. Further design interrogation will occur through the development application process and through consultation with the NSW Government Architect.