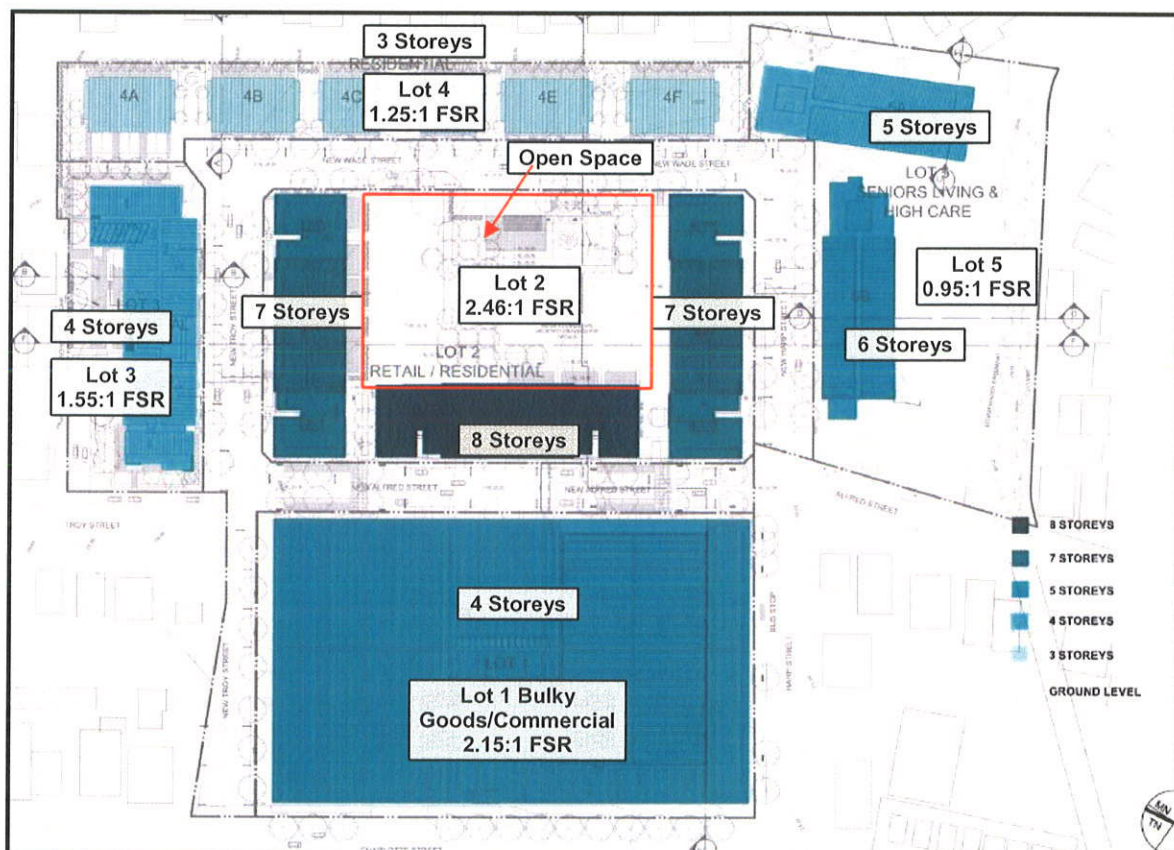


**Figure 3.** Proposed land uses. Note: Supermarket underneath open space on Lot 2.

### Building Heights, Envelopes and Location

Proposed building heights range from 3 storeys up to 8 storeys, with the higher buildings in the centre of the development. **Figure 4** shows the proposed heights, setbacks and separation between buildings on site.



**Figure 4.** Building heights, envelopes and floor space ratio (FSR), as proposed in the PPR



## Access and Car Parking

A new road network is proposed for the development that generally extends existing roads into the site and utilises a grid pattern. The new roads include New Troy Street (incorporating the closure of Troy Lane), New Wade Street, New Harp Street and New Alfred Street. The majority of traffic will access the site from Charlotte Street and Harp Street after entering the area from Canterbury Road to the North or Kingsgrove Road to the East. Car Parking will be provided at each lot of the development with a proposed total of 1,513 car parking spaces, including visitor spaces across the site.

## Open Space

A public park with an area of 5,378m<sup>2</sup> is proposed on Lot 2 Retail/Residential, to service the development and the local area. This park is located above an area of underground car parking and part of the proposed supermarket.

## 3.3 PROJECT APPLICATION – STAGE 1

A Project Application has been submitted concurrently with the Concept Plan, for development of Stage 1 of the project. This involves subdivision of the site into 5 Torrens Title allotments, progressive demolition and remediation, development for roads and services to be dedicated to Council and development on Lot 1 Bulky Goods/Commercial and Lot 3 residential and child care.

### Lot 1 Bulky Goods/Commercial – Bulky Goods

The proposed development on Lot 1 comprises a 4/5 storey bulky goods premises with a gross floor area of 30,117 m<sup>2</sup>. The proposed building will also house commercial uses, trade retail and retail shops, a gym and associated building services. It will provide 695 car spaces and have an FSR of 2.15:1 and height up to 25.1m.

Proposed Use	Level	Proposed floor space	
Bulky Goods Sales	Upper Level	3,628m <sup>2</sup>	14,804m <sup>2</sup> Total Bulky Goods
Bulky Goods Sales	Level 1	11,176m <sup>2</sup>	
Trade Retail (ie Plumbing Supplies)	Upper Level	3,191m <sup>2</sup>	5,960m <sup>2</sup> Total Commercial
Retail / Shops	Lower Level	1,254m <sup>2</sup>	
Commercial	Level 1	2,980m <sup>2</sup>	
Commercial	Level 2	2,980m <sup>2</sup>	
Gym	Upper Level	1,248m <sup>2</sup>	3,528m <sup>2</sup> Total area
Lobby	Lower Level	131m <sup>2</sup>	
Lobby/Circulation area	Upper Level	2,043m <sup>2</sup>	Total area
Lobby/Circulation area	Level 1	1,485m <sup>2</sup>	
<b>Total</b>		<b>30,116m<sup>2</sup></b>	

**Table 2.** Proposed uses and floor space area – Lot 1 Bulky Goods/Commercial



**Figure 5.** Artist Impression of Lot 1 Bulky Goods/Commercial building



### Lot 3 –Residential Apartment Building and Child Care Centre

The proposed development at Lot 3 comprises a four storey residential apartment building with a total of 58 units plus associated landscaping. It will provide 93 car spaces (incl. visitor + staff), a car wash bay, 16 bicycle spaces, have an FSR of 1.55:1 and a height up to 13m. The building will be setback 6.9m from Troy Street, 3.5m from New Troy Street and 8.1m to the north eastern property boundary.

The roof of the building on Lot 3 will house 58m<sup>2</sup> of solar panels that are expected to provide hot water to the apartments in the building.

Apartment Type	Quantity	Mix %	Size m <sup>2</sup>
1 bed + study	11	19	57-62
2 bed + study	39	67.2	73-95
3 bed + study	8	13.8	101-121
<b>Total</b>	<b>58</b>	<b>100</b>	

**Table 3.** Proposed apartment mix – Lot 3



**Figure 6.** Artist impression of Lot 3 Residential and Child Care Centre (Ground Floor Western Elevation) view from South West

The child care centre will be located on the ground floor and provide spaces for 75 children, 17 staff, a total floor area of 636m<sup>2</sup> and total outdoor area of 623m<sup>2</sup>. The centre is planned to operate from 7am to 7pm Monday to Friday.



## 4. STATUTORY CONTEXT

### 4.1 MAJOR PROJECT DECLARATION

The proposal is subject to assessment under Part 3A of the Environmental Planning and Assessment Act 1979 ("the Act") and the approval of the Minister for Planning is required to carry out the project.

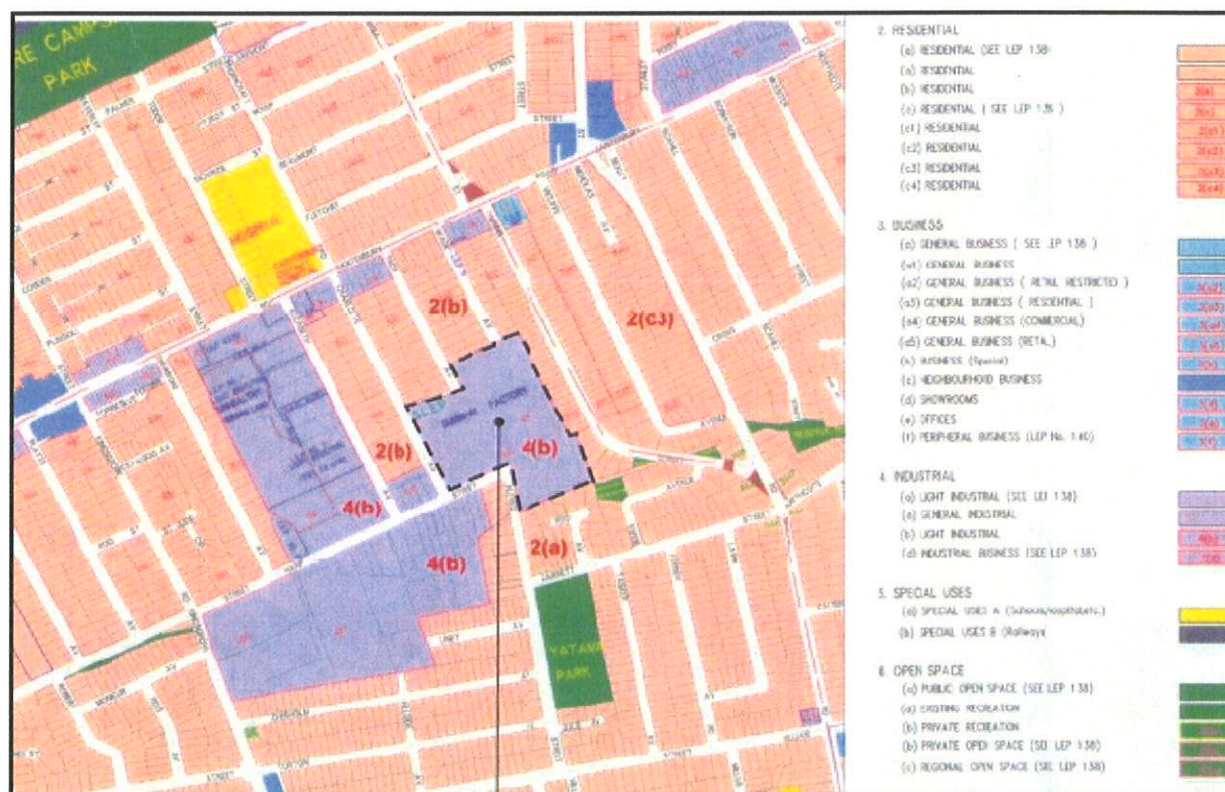
On 20 December 2007, the Minister formed the opinion that the development proposed at 60 Charlotte Street, Campsie (the former Sunbeam factory site) was a Major Project under Part 3A of the Act as it has a Capital Investment Value (CIV) of more than \$50 million and which, in the opinion of the Minister, achieved State or regional planning objectives of the State Environmental Planning Policy (Major Projects) 2005 (now the Major Development SEPP). The submission of a Concept Plan was authorised concurrently pursuant to Section 75M of the Act. Consequently, the Minister of Planning is the consent authority.

The proposal could still be a Major Project under the Major Development SEPP as the CIV of the proposal exceeds the non discretionary threshold of \$100 million.

### 4.2 PERMISSIBILITY

The site is currently zoned 4(b) Light Industrial within the Canterbury Planning Scheme Ordinance 1970 (**Figure 7**). All proposed land uses including retail, residential, seniors living, commercial offices, supermarkets, medical centres, gyms and child care centres are prohibited. Some small convenience retail uses are permissible.

A Concept Plan allows currently prohibited uses to be considered for approval. The zoning restrictions are set aside by Section 75R of the Act, where the Minister can permit those components of the proposal currently prohibited by making appropriate orders under Section 75R(3A) of the Act. Until such time as a new LEP for Canterbury is gazetted (which is not imminent at this time), the zoning variations to allow currently prohibited components will need to be accommodated by an Order, if approved. The Order may be gazetted after approval and will make the proposed new land uses permissible within each corresponding lot.



**Figure 7.** Zoning map – Canterbury Planning Scheme Ordinance

#### **4.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRs)**

The DGRs were issued on 28 May 2008 (refer to **Appendix A**). The Department is satisfied that the DGRs have been adequately addressed by the Proponent's Environmental Assessment (**Appendix B**), its accompanying reports and the Proponents Preferred Project Report (**Appendix D**).

#### **4.4 EXHIBITION AND NOTIFICATION**

Under Section 75J of the EP&A Act, the Director-General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA, the Department:

- Made it publicly available from 10 December 2008 until 02 February 2009 (total of 55 days) on the Department's website, at the Department's Information Centre and at the Canterbury Council Offices;
- Notified landowners in the vicinity of the site about the exhibition period by letter;
- Notified relevant State government authorities and Council by letter; and
- Advertised the exhibition in the Daily Telegraph and the Sydney Morning Herald newspapers.

This satisfies the requirements in Section 75H(3) of the EP&A Act.

#### **4.5 OTHER STATUTORY CONSIDERATIONS**

**Appendix E** contains further consideration of the following Statutory Context:

- Objects of the Environmental Planning and Assessment Act;
- Ecologically Sustainable Development;
- Environmental Planning Instruments which apply to the proposal.

**Appendix F** contains a Statement of Compliance.

## 5. ASSESSMENT OF ENVIRONMENTAL IMPACTS

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In addition to the Environmental Planning Instruments and planning policies addressed in Appendix E, the key issues considered in the Department's assessment includes:

- Strategic Justification
- Flooding
- Built Form and Urban Design
- Bulk and scale (project application)
- Privacy, Overshadowing and Amenity
- Seniors Living
- Traffic and Parking
- Contributions / Voluntary Planning Agreement (VPA)
- Heritage
- Demolition/Remediation/Subdivision staging
- The Public Interest

### 5.1 STRATEGIC JUSTIFICATION

The proposed redevelopment will effectively create a new 'village centre'. From a strategic planning perspective this raises two key issues which require consideration. The first issue concerns the establishment of a new centre outside an established centre location and the second issue concerns the loss of existing industrial land to alternative uses. Both issues are discussed in detail below.

#### Impact on Centres

To address this issue, the Department engaged an independent expert (Hill PDA) to assess the potential impact of the proposal on nearby centres, including Campsie, Earlwood and Canterbury. The key issues raised regarding impact on centres are discussed below:

#### Supermarket Retail / Bulky Goods

Council and public submissions raised concern regarding the proposed retail uses and their potential impact on the viability of surrounding centres. Council were further concerned about the effective creation of a new town centre which may be to the detriment of existing centres in an area with limited public transport. Council also recommended a condition limiting the size of the proposed supermarket to 1500sq.m.

The Hill PDA report indicated that there is strong evidence suggesting an undersupply of supermarket floor space in the locality. Hill PDA found that there is a forecast undersupply of supermarket floor space in the locality of approximately 5000m<sup>2</sup> in 2011 (when the proposed centre is expected to have its first full year of trade). The proposed development will supply approximately 50% of this retail trade gap (2,585sq.m). Hill PDA also found that there was strong evidence of an undersupply of bulky goods retail floor space in this locality. Hill PDA identified that there is a forecast undersupply of 56,000sq.m of bulk good floor space. Therefore the proposed 18,000sq.m of bulk goods floor space will supply approximately 32% of the trade gap. Hill PDA also suggest that existing centres including Campsie, Earlwood and Canterbury are likely to be trading above the metropolitan average and the loss associated with new competition is reasonable. Hill PDA concluded that whilst there will be an impact on existing centres there is a sufficient undersupply of retail and bulky goods floor space within the locality to support the proposal.

Hill PDA also commented on the specialty retail component of the proposal noting that if the supermarket is supported there should be a component of specialty stores (between 10-25 shops) to complete the site's role as a convenience centre. The proposed development includes 4000sq.m of specialty retail floor space for 10 individual shops. It is considered that the 10 shops will ensure the viability and economic sustainability of the new centre, while at the same time maximising street activation.

The proposal is also consistent with the Draft Centres Policy which allows for the consideration and support for new centres or "out-of-centre" locations where there is a need or demand for the provision of additional floor space in areas where opportunities are limited in existing centres. Given the undersupply of retail floor space identified in the locality and as no specific growth potential has yet been identified within existing surrounding centres, it is considered that the site by virtue of its size and potential for redevelopment is appropriately placed to facilitate a new centre location in keeping with the Draft Centres Policy.

Based on the Hill PDA report, the proposal is considered to be acceptable as there is sufficient undersupply of both supermarket and bulky goods floor space in the locality, meaning the proposal is unlikely to impact upon established centres.

#### Canterbury Road Retail Impacts

Hill PDA identified that the proposal is likely to have an impact on Canterbury Road retail establishments. Hill PDA noted that Canterbury Road is not a centre, rather a dispersion of individual retailers and that any adverse impact on Canterbury Road retailers is not an adverse impact on centres, nor is it contrary to the Draft Centres Policy. Hill PDA also noted that Canterbury Road offers few single destination shopping centres with ample parking which are important contemporary characteristics of successful retail models. Furthermore it is considered that similar proposals, whether they are located in established centres or not will have similar impacts on Canterbury Road. For these reasons the Department considers the likely impact on Canterbury road retailers to be reasonable.

#### Commercial Component

Hill PDA raised concerns regarding the commercial (offices) component of the proposal and questioned its viability in this location. Of particular concern to the Department was the fact that no demand calculation or assessment of the impacts on surrounding centres was undertaken for the commercial component.

The Department has considered the Hill PDA report and the proponent's assessment and recommends that a condition be imposed requiring further assessment be undertaken including demand calculation for commercial office space in this location and the impact of additional office space on surrounding centres, prior to the release of a construction certificate for the Bulky Goods/Commercial component on Lot 1.

#### Location

While Hill PDA's report demonstrated the need for additional retail and bulky goods floor space in the locality, the appropriateness of the former Sunbeam site to accommodate the proposed uses also requires consideration.

The location of this proposal is considered to be acceptable as the site lies within the Canterbury Road Corridor and is a short walking distance from Canterbury Road (approximately 250m) and Bexley Road, which provide public transport in the form of buses linking the site to nearby centres and train stations. Accordingly the proposal would support the Government's integrated land use and transport policies

The site is also sufficiently separated from surrounding centres. The site lies approximately 1.3 km from Campsie which is the nearest town centre. The site lies a further 2.0km from Kingsgrove, 2.7km from Earlwood and 2.9km from Lakemba which are all classified as village centres. It is considered that the site is appropriately located in terms of its physical separation from surrounding centres and given the shortfall in retail and bulky good floor space in this locality appropriately positioned for the establishment of a new village centre.

The site is also appropriately located to take advantage of the existing infrastructure and the site, by virtue of its size, location and potential for redevelopment will facilitate urban consolidation of an otherwise underutilised former industrial site with in metropolitan Sydney.

The establishment of a village centre at this location, will also provide increased level of service as well as convenience and amenity for surrounding residents. The development will integrate



effectively with the adjacent residential dwellings, whose residents will be able to take advantage of the walkable options provided by the retail, commercial, community and medical facilities to be provided at the site.

### **Industrial/Employment Lands**

The subject site is identified within the Draft South Sub-Regional Strategy as Category 1 Land, which seeks to retain industrial zoned land for industrial purposes. However no industrial uses are proposed as part of this redevelopment. The Strategy aims to conserve existing employment/industrial land within the Metropolitan area to preserve jobs and land uses which help sustain and provide support/services for surrounding local and regional economies.

To ensure this issue was adequately addressed, the Department required (through the DGRs) that an appropriate amount of land be provided for employment generating uses. The Department has assessed the proposal and considers that the proposed land uses are appropriate, for the following reasons:

- Since the closure of the Sunbeam Factory the site has been left vacant for approximately 7 years, indicating that the site can no longer fulfil an industrial role. Inserting another similar major industrial tenant on this site amongst the surrounding residential development, on a site constrained by size and access needs of modern industry, is undesirable given possible land use conflicts. A proposal providing a varied mix of employment generating uses (albeit not industrial) is considered more desirable.
- This proposal seeks to provide alternative employment generating uses including retail, bulky goods, trade retail, commercial and medical and it is estimated that between 957 (Hill PDA for the Department) and 1497 (Macro Plan for the Proponent) jobs will be created, which is equal to or more jobs than was previously provided by the former industrial uses (which at their peak employed approximately 1000 people).
- The job numbers generated by the proposed development exceed the Sub Regional employment target of 500 jobs for the Canterbury LGA by 2031.
- The proposal will also provide a trade retail component of 3301sq.m which is a land use envisaged by the Sub Regional Strategy for Category 1 land. The provision of trade supply outlets such as building and plumbing supplies will provide a support role for local industry.
- Residential development makes up 52% of the total floor space of the proposal and Council's Draft *Economic Development and Employment Lands Strategy* found that higher density residential development including seniors living is an appropriate alternative land use for the site.

Whilst the proposal departs from the Department's policy on Category 1 lands, the proposal will support a number of priorities in the State Plan, such as *Goal E5 Jobs closer to home* and *Goal E6 Housing Affordability*. The proposal will help contribute to a greater supply and mix of housing helping to meet demand in the Greater Sydney Metropolitan Region.

The proposal is also consistent with the Draft South Sub Regional Strategy in terms of contributing to the targets of 35,000 new houses and 29,000 new jobs in the Sub Region by 2031. The employment target for the Canterbury LGA (500 new jobs) will be exceeded with an estimated 1000 jobs being provided at the site and the 395 new dwellings will contribute to the LGA target of 7,100 new dwellings by 2031.

It is also considered that the proposed development will not impact upon surrounding industrial land as few sites offer the same opportunity for a redevelopment of a site of this size under common ownership. It is therefore considered that as the redevelopment will facilitate higher employment generating uses (albeit a different type) within an otherwise underutilised industrial site, the proposal is acceptable.

### **5.2 FLOODING**

The site is flood affected particularly over the southern part of the site where the seniors living development is proposed adjacent to a storm water culvert which runs along the southern boundary of the site. The site is also flood affected to a lesser extent over the northern parts of the



site where the Stage 1 residential development and bulky goods building is proposed (see **Figure 8**).

The approximate 100 year ARI flood extent affects parts of future Lots 1, 2, 3 and 5. The Report outlined that water depths in the street during a 100 year flood will vary from approximately 0.5m at the intersection with Harp Street to 1.1m at the Alfred Street bridge over the Cup and Saucer Creek channel. Hyder suggested minimum floor levels be implemented that allowed for a freeboard of 0.5m above the Council's 'Standard Flood Level' (approximately the 100 year ARI flood level) for all residential development. Hyder considered that it is possible for development on the site to be compatible with the flooding conditions, and the proposed development incorporates a series of detention storage tanks across the site to account for much of the expected flooding.

Notwithstanding this, the Department, Council and Sydney Water raised concerns regarding the flooding impacts of the proposed development. Sydney Water requested a more detailed flood analysis and the Department and Council were concerned that the proposed location of the Seniors Living component was on a flood affected site which may be contrary to the Seniors Living SEPP.

In response to these concerns, the proponent amended the plans for Lot 5 removing one of the Seniors Living buildings and redistributing some of the floor area to other buildings on the site. The Proponent provided a further flood study (by Hyder) as part of the Preferred Project Report (**Appendix D**) that concluded the proposed building at existing ground levels on Lot 5 would result in no significant increase in flooding. The study also indicated that the remaining buildings on Lot 5 are considered to be outside the Cup and Saucer Creek channel floodway (but within the 100 year ARI provisional low risk hydraulic hazard area) and therefore not considered to be within *environmentally sensitive* land for the purposes of the Housing for Seniors or People with a Disability SEPP.

The flood report by Hyder submitted with the EA also indicated that the 100 year ARI flows expected at the northern part of the site (corner of Troy Street and Troy Lane) will exceed the pipe system capacity and spill over the kerb entering the site as overland flow. These flows exceed safe velocity depth requirements, with a ponding depth of up to approximately 0.5m in a 100 year flood event. Although storm water detention tanks are proposed in the vicinity, no rectification of the ponding issue has been indicated, which has a potential impact on the basement parking area as one of the exits is located on New Troy Street. In this respect a condition is proposed as follows:

- *Further investigation is to be undertaken into the likely ponding to be experienced in New Troy Street during a 100 year storm event, and its impact upon the bulky goods proposal. Details demonstrating resolution of this issue are to be submitted to the Certifying authority prior to the release of a Construction Certificate for the proposed bulky goods building.*

The Department considers that the issue of flooding on the site has been addressed with the provision of detention storage tanks and the removal of the most affected building on Lot 5. The Department considers that further detailed study is required on Lot 4 and 5 for future development applications. The Department recommends the following conditions of approval:

- *Further Flood Studies are to be prepared for future applications on Lots 4 and 5 to determine the potential impact of the proposed development on the local flood regime;*
- *Habitable floor levels are to be a minimum of 0.5m above the 100 year ARI flood level;*
- *An amended Flood Emergency and Evacuation Plan to be prepared based on the final configuration of the proposed construction at the site*