



# Burwood Council

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## Planning Proposal

### Matters Following from the Public Exhibition of Draft Burwood Local Environmental Plan (BLEP) 2012

June 2012

*A Planning Proposal is the first step in proposing amendments to council's principle environmental planning instrument, known as the Burwood Planning Scheme Ordinance (BPSO) 1979, and/or Burwood Local Environmental Plan (BLEP) 2012. A Planning Proposal explains the intended effect of the proposed amendment and also sets out the justification for making the change. The Planning Proposal is submitted to the NSW Department of Planning and Infrastructure (DP&I) for its consideration, referred to as the Gateway Determination, and is also made available to the public as part of the community consultation process.*

*At the present time, while the BPSO is the governing principle environmental planning instrument, Council has submitted the draft BLEP 2012 to the DP&I, requesting that the draft BLEP be reported to the Minister for Planning under section 69 of the Environmental Planning and Assessment Act 1979 for making the final plan. Therefore, this Planning Proposal has been drafted to amend the BLEP when it comes into force.*

## Part 1 – Objectives or Intended Outcomes

The Planning Proposal seeks to facilitate a series of amendments to the draft Burwood Local Environmental Plan (BLEP) 2012 following on from matters raised in the public exhibition of that document. The nine separate items are being progressed under this Planning Proposal to avoid the re-exhibition of the draft BLEP and to enable the items to be considered in more detail.

## Part 2 – Explanation of the Provisions

The Planning Proposal encompasses the following nine matters:

- Item 1 Road Widening Western Side of Wentworth Road
- Item 2 Splay Corner at 35 Luke Avenue, Burwood
- Item 3 Inclusion of 19-21 and 23-25 Everton Road in B4 Zone

- Item 4 Increase Development Standards Applying to Strathfield's R1 General Residential Zone
- Item 5 Reduce Development Standards Applying to Royal Sheaf Hotel and Adjoining Properties
- Item 6 Zoning of Land in the Vicinity of St John of God Hospital
- Item 7 Increase of Maximum FSR Applying to R3 Zone
- Item 8 Increase of Maximum FSR in Precinct Bounded by Wentworth Road, Conder Street, Woodside Avenue and Hornsey Street
- Item 9 Inclusion of Properties in the B6 Enterprise Corridor Zone

Each of the items is outlined separately at Appendix One, and an explanation provided of each therein, in the interests of clarity.

## **Part 3 – Justification**

### **Section A – Need for the Planning Proposal**

#### **1. *Is the planning proposal part of any strategic study or report?***

Yes. On 15 May 2012, Council considered a report on the public exhibition of the draft BLEP 2012. Council resolved, in part:

- "4. That Council endorse initiation of a Planning Proposal to encompass all of the other changes to planning controls on land identified in this report as justified, with the aim of coordinating implementation of the Planning Proposal with notification of the BLEP 2012.*
- 5. That Council adopt as policy that any DA or pre-DA discussions for sites that are included in this Planning Proposal, are to be dealt with and determined having regard to the planning controls foreshadowed in this report and intended to apply under that Planning Proposal".*

This Planning Proposal seeks to implement Point 4 of the Council resolution.

#### **2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes. The Planning Proposal is the best means of achieving the objectives or intended outcomes. Council received advice from the DP&I on amendments to draft BLEP 2012 and a planning proposal was recommended to deal with matters where the extent of the change is a significant departure from the exhibited LEP and would trigger re-exhibition.

Progression of a separate Planning Proposal enables specific issues raised in submissions to the draft BLEP 2012 to be considered in greater detail and with community consultation specific to the site.

**3. *Will the net community benefit outweigh the cost of implementing and administering the planning proposal?***

The costs associated with the Planning Proposal would be relatively low as these costs relate to the preparation of the document and subsequent LEP, which are to be undertaken in-house by Council staff.

Each of the items, with the exception of Items 7 and 8, has come about as a result of submissions received during public exhibition of the draft BLEP 2012. Accordingly, these items reflect concerns held by the Burwood community. Items 7 and 8 are in response to further consideration of the proposed development standards by Council's technical staff.

It is considered that the net community benefit would outweigh the cost of implementing and administering the Planning Proposal, as this Planning Proposal has been prepared to address concerns of the community. The items have the endorsement of the elected Council and Council's technical staff.

**Section B – Relationship to Strategic Planning Framework**

**4. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional and sub-regional strategy?***

Yes. The proposal is consistent with the Metropolitan Strategy and the draft Inner West Subregional Strategy.

As compared to the publicly exhibited and Council-endorsed draft BLEP 2012, this Planning Proposal involves a change of zoning in respect to three relatively small precincts (refer Items 3, 6 and 9), comprising only twelve land parcels. As such, the general approach to planning the Burwood area, as set by the draft BLEP 2012, is largely unchanged. Moreover, these zone changes involve "upzoning" as opposed to advocating more restrictive planning provisions. Similarly, Items 4, 7 and 8 relate to increases of the applicable development standards, predominately building height or Floor Space Ratio (FSR).

Only Items 1, 2 and 5 imply a reduction in development potential, but each is considered warranted on the basis of the provision of local road widening in the cases of Items 1 and 2, and in the interests of heritage values and established character in the case of Item 5. Further justification is provided in the outline of these matters in Appendix One.

**5. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?***

Yes. The Burwood 2030 Community Strategic Plan (refer to link on Page 8) recognises the challenge of finding a balance between the demands of residential areas and the demands for commercial space. Strategic Goal 5.5 of the Plan seeks to achieve economic growth in business centres while preserving residential areas. It also identifies the need to preserve heritage. This Planning Proposal is consistent with the strategic goal.

The Planning Proposal is also consistent with the key principles adopted by Council at its meeting on 12 October 2010 with regard to the preparation of the draft BLEP. The key principles that have been used to guide the BLEP preparation include focusing business and jobs growth in town and local centres with good public transport availability while protecting

Burwood's high quality residential areas and streetscapes, and using a like-for-like approach to the extent practicable for replacement zones and controls.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

There are no state environmental planning policies which would contravene the Planning Proposal.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?**

Yes. Consistency with the list of Directions (under section 117(2) of the Environmental Planning and Assessment Act 1979 issued by the Minister for Planning relevant to planning proposals lodged with the DP&I on or after the date the particular direction was issued) is assessed below.

| Direction                                                  | Issue Date / Date Effective | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Employment and Resources</b>                         | 1 July 2009                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1.1 Business and Industrial Zones                          |                             | Items 3, 5 and 9 relate to proposed business zones. Items 3 and 9 provide for a change of zoning (from residential) to facilitate expansion of established business zones. Items 3 and 9 therefore satisfy the direction.<br><br>Item 5 also relates to a business zone proposed under the draft BLEP. While this Planning Proposal seeks to reduce the height and FSR provisions from those in draft BLEP, it should be noted that the precinct is currently zoned residential under the BPSO. As such, Item 5 also provides an expansion of business opportunities compared to the present. |
| 1.2 Rural Zones                                            |                             | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1.3 Mining, Petroleum Production and Extractive Industries |                             | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1.4 Oyster Aquaculture                                     |                             | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1.5 Rural Lands                                            |                             | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>2. Environment and Heritage</b>                         | 1 July 2009                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 2.1 Environment Protection Zones                           |                             | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2.2 Coastal Protection                                     |                             | Not relevant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2.3 Heritage Conservation                                  |                             | Item 5 involves the Royal Sheaf Hotel which is located within a heritage conservation area. The Planning Proposal supports a reduction in the height and FSR standards (compared to the draft BLEP 2012) in recognition of the heritage values of the area. It should be noted that the proposed height is equivalent to the existing BPSO control and the proposed FSR would still be an increase compared to the BPSO.                                                                                                                                                                      |

|                                                                                                         |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.4 Recreation Vehicle Areas                                                                            |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| <b>3. Housing, Infrastructure and Urban Development</b>                                                 | 1 July 2009 (Except for new Direction 3.6 – effective 16 February 2011)                                      |                                                                                                                                                                                                                                                                                                                                                            |
| 3.1 Residential Zones                                                                                   |                                                                                                              | Items 4, 6, 7 and 8 relate to residential zones. Item 6 involves an "upzoning" in so far as a greater range of residential uses would be permitted. Items 4, 7 and 8 involve an increase in the permissible FSR, thereby supporting a greater amount of residential development and ensuring its economic viability.                                       |
| 3.2 Caravan Parks and Manufactured Home Estates                                                         |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 3.3 Home Occupations                                                                                    |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 3.4 Integrating Land Use and Transport                                                                  |                                                                                                              | The planning framework adopted in draft BLEP 2012 seeks to integrate land use with public transport and has consideration of traffic networks. In particular, Items 3 and 4 in this Planning Proposal propose to increase the permissible heights and FSRs applicable to the precincts, partly on account of their close proximity to Strathfield Station. |
| 3.5 Development Near Licensed Aerodromes                                                                |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 3.6 Shooting Ranges                                                                                     |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| <b>4. Hazard and Risk</b>                                                                               |                                                                                                              |                                                                                                                                                                                                                                                                                                                                                            |
| 4.1 Acid Sulfate Soils                                                                                  |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 4.2 Mine Subsidence and Unstable Land                                                                   |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 4.3 Flood Prone Land                                                                                    |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 4.4 Planning for Bushfire Protection                                                                    |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| <b>5. Regional Planning</b>                                                                             | 1 July 2009 (Except for new Direction 5.4 effective 29 November 2009 & Direction 5.2 effective 3 March 2011) |                                                                                                                                                                                                                                                                                                                                                            |
| 5.1 Implementation of Regional Strategies                                                               |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 5.2 Sydney Drinking Water Catchments                                                                    |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast                              |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast                            |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |
| 5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010) |                                                                                                              | Not relevant                                                                                                                                                                                                                                                                                                                                               |

|                                                                                   |                 |                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1) |                 | Not relevant                                                                                                                                                                                                                                                                                                                                                                         |
| 5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)               |                 | Not relevant                                                                                                                                                                                                                                                                                                                                                                         |
| 5.8 Second Sydney Airport: Badgerys Creek                                         |                 | Not relevant                                                                                                                                                                                                                                                                                                                                                                         |
| <b>6. Local Plan Making</b>                                                       | 1 July 2009     |                                                                                                                                                                                                                                                                                                                                                                                      |
| 6.1 Approval and Referral Requirements                                            |                 | This direction allows a Planning Proposal to be prepared provided it is consistent with the objective of the direction which is to ensure LEP provisions encourage the efficient and appropriate assessment of development. The Planning Proposal will not be inconsistent with this direction.                                                                                      |
| 6.2 Reserving Land for Public Purposes                                            |                 | Items 1 and 2 involve the identification of land for the purpose of local road widening. The reservations have been sought by Council, rather than the Minister or other public authority. As such, this Planning Proposal satisfies the direction.                                                                                                                                  |
| 6.3 Site Specific Provisions                                                      |                 | Not relevant                                                                                                                                                                                                                                                                                                                                                                         |
| <b>7. Metropolitan Planning</b>                                                   | 1 February 2010 |                                                                                                                                                                                                                                                                                                                                                                                      |
| 7.1 Implementation of the Metropolitan Plan for Sydney 2036                       |                 | This direction applies because Council is preparing a planning proposal that is within the area covered by the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010. The Planning Proposal is not inconsistent with the overall intent of the Plan, and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions. |

## Section C – Environmental, Social and Economic Impact

### **8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

No. There is no known critical habitat or threatened species, populations or ecological communities, or their habitats affected by the Planning Proposal.

### **9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No. There are no other likely environmental effects as a result of the planning proposal, such as flooding, landslip, bushfire hazard and the like.

**10. *How has the planning proposal adequately addressed any social and economic effects?***

The Planning Proposal is not expected to have any adverse social or economic effects. Community consultation was undertaken to ascertain the community's views in respect to the draft BLEP 2012.

**Section D – State and Commonwealth Interests**

**11. *Is there adequate public infrastructure for the planning proposal?***

The changes proposed under this Planning Proposal are considered to be within the capacity of the existing, and future planned upgrades of, public infrastructure.

**12. *What are the views of State and Commonwealth authorities consulted in accordance with the gateway determination?***

The gateway determination will specify any consultation required with State and Commonwealth authorities on the planning proposal.

**Part 4 – Community Consultation**

The gateway determination will specify the community consultation that must be undertaken on the Planning Proposal.

Extensive community consultation has been undertaken by Council as part of the public exhibition of the draft BLEP 2012, which has lead to the proposed amendments herein. As the Planning Proposal has been progressed, primarily, to address the community's concerns, Council requests an exhibition period of 28 days. The exhibition period is also requested with the view to a coordinated implementation with the BLEP 2012.

## **Appendix One**

- Outline of Proposed Changes
  - Item 1 Road Widening Western Side of Wentworth Road
  - Item 2 Splay Corner at 35 Luke Avenue, Burwood
  - Item 3 Inclusion of 19-21 and 23-25 Everton Road in B4 Zone
  - Item 4 Increase Development Standards Applying to Strathfield's R1 General Residential Zone
  - Item 5 Reduce Development Standards Applying to Royal Sheaf Hotel and Adjoining Properties
  - Item 6 Zoning of Land in the Vicinity of St John of God Hospital
  - Item 7 Increase of Maximum FSR Applying to R3 Zone
  - Item 8 Increase of Maximum FSR in Precinct Bounded by Wentworth Road, Conder Street, Woodside Avenue and Hornsey Street
  - Item 9 Inclusion of Properties in the B6 Enterprise Corridor Zone

## **Appendix Two**

- Maps of Subject Sites Under the Proposed Amendment to Draft BLEP 2012  
(Land Zoning, Height of Building and Floor Space Ratio Maps)

## **Appendix Three**

- Maps of Subject Sites Under the Previously Exhibited Draft BLEP 2012  
(Land Zoning, Height of Building and Floor Space Ratio Maps)

## **Appendix Four**

- Map of Subject Sites Under the Existing Burwood Planning Scheme Ordinance (BPSO)  
(Land Zoning Map)

## **Links to Supporting Material**

- Report to Council Meeting of 15 May 2012 on the Public Exhibition of the draft BLEP 2012 is available on Council's website:  
[http://www.burwood.nsw.gov.au/verve/resources/CM\\_22052012\\_AGN\\_AT.PDF](http://www.burwood.nsw.gov.au/verve/resources/CM_22052012_AGN_AT.PDF)
- Minutes of Council Meeting of 15 May 2012 are available on Council's website:  
[http://www.burwood.nsw.gov.au/verve/resources/CM\\_15052012\\_MIN\\_PF\\_EXTRA.pdf](http://www.burwood.nsw.gov.au/verve/resources/CM_15052012_MIN_PF_EXTRA.pdf)
- Burwood 2030 Community Strategic Plan is available on Council's website:  
[http://www.burwood.nsw.gov.au/verve/resources/FINAL\\_BURWOOD\\_CSP\\_2030\\_low\\_res.pdf](http://www.burwood.nsw.gov.au/verve/resources/FINAL_BURWOOD_CSP_2030_low_res.pdf)
- The Vision Document is available on Council's website:  
<http://www.burwood.nsw.gov.au/verve/resources/VisionDocument.pdf>

# **Appendix One**

## **Outline of Proposed Changes**

## Item 1 – Road Widening Western Side of Wentworth Road

### **Proposal:**

Identify a section of local road widening on the western side of Wentworth Road between the rail line and opposite the intersection with Gladstone Avenue. The road widening would need to be identified on the Land Reservation Acquisition Map of the draft BLEP 2012 at 3m wide.

### **Provisions Under Existing BPSO:**

No road widening identified.

### **Provisions Under Exhibited Draft BLEP 2012:**

No road widening identified on Land Reservation Acquisition Map.

### **Ownership:**

NSW Government Department of Education & Communities (under various earlier names).

### **Rationale:**

As far back as the 1970s a road widening affectation was applied to 2 Everton Road (residential flat building on the corner of Wentworth Road) and 47 Wentworth Road, being the Open Training and Education Network (OTEN/TAFE) site. The road widening was subsequently dedicated to Council, being a strip of land 3.05m wide generally between Gladstone Road and Everton Road.

It is understood that the road widening affectation did not extend to the more southern properties along Wentworth Road, presumably because of the two cottages that exist (and two others since demolished) in this location. The remaining cottages now fall under the ownership of the NSW Department of Education & Communities, but were privately owned at the time of the road widening affectation.

One public submission was received during the public exhibition period identifying the extent of the earlier road widening and supporting its progression southward to the railway line. Upon consideration, Council's Traffic and Transport, Assets and Design Teams support the additional section of road widening, proposing a width of 3m.

This road widening, once implemented, would align with Wentworth Road north of Gladstone Street as well as south of the rail line (note the road widening on western side of Wentworth Road between Russell St and Morwick Street in the exhibited draft BLEP).

Council is the relevant acquisition authority for local road widening. The Department of Education & Communities has yet to comment on the proposal, but would be specifically consulted during the community consultation to this Planning Proposal.

A direction to clause 5.1(2) in the Standard Instrument requires that an authority of the State only be listed as the acquisition authority where it provides consent. There is no contradiction of this direction as Council would be the acquisition authority.

## Item 1 – Road Widening Western Side of Wentworth Road (cont.)

Aerial View:



## **Item 2 – Splay Corner at 35 Luke Avenue, Burwood**

### **Proposal:**

Identify a section of local road widening (1m x 1m) on the south-east corner of the property at 35 Luke Avenue, Burwood for the purpose of a splay corner at the intersection of Bennett Street and a Private Right of Way. The road widening would need to be identified on the Land Reservation Acquisition Map of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

No road widening identified.

### **Provisions Under Exhibited Draft BLEP 2012:**

No road widening identified on Land Reservation Acquisition Map.

### **Ownership:**

Private.

### **Rationale:**

Bennett Street is a narrow road with a carriageway of approximately 5.25m wide. Bennett Street and the Private Right of Way at the termination of the public road provide a frontage to nine (9) properties. Six (6) dwellings have been constructed since 2000 with their sole vehicular access to this street.

Council's Traffic and Transport, and Assets and Design Teams have recommended the implementation of a splay corner at the intersection of Bennett Street and the Private Right of Way in order to provide easier and safer movement to and from Bennett Street, particularly given the recent intensification of development in this locality.

The property owner of 35 Luke Avenue would have the opportunity to comment during the community consultation to this Planning Proposal.

**Item 2 – Splay Corner at 35 Luke Avenue, Burwood (cont.)**

**Aerial View:**



## **Item 3 – Inclusion of 19-21 and 23-25 Everton Road in B4 Zone**

### **Proposal:**

Zone the subject properties within the adjoining B4 zone, and apply the development standards of Max Height of 30m, Max FSR of 3:1, and Max Residential FSR of 2.3:1 under clause 4.4(4). The proposal would alter the Land Zoning, Height of Building and Floor Space Ratio Maps of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

Residential 2(c1) Zone; Max Height 3 Storey; Max FSR 0.75:1 (but does not apply to housing).

### **Provisions Under Exhibited Draft BLEP 2012:**

R1 General Residential Zone; Max Height 11m; Max FSR 1.2:1.

### **Ownership:**

Private. Both parcels under same ownership.

### **Rationale:**

Each of the subject sites contain existing commercial premises at the Everton Road frontage and a detached 3 storey residential flat building behind the commercial component. The existing commercial premises have a similar character to the buildings to the west of the site. It is considered appropriate that the subject properties be included in the B4 zone with the same height and FSR standards permitted in the adjacent B4 zone.

By applying the Max Residential FSR to the subject properties, the delineation of this standard more closely aligns with that which applies to the precinct on the southern side of the railway line.

One public submission was received during the public exhibition period, on behalf of the property owner, advocating the zoning change as a means of contributing to the orderly revitalisation of this precinct of Strathfield and to optimise the close proximity to Strathfield Station.

**Item 3 – Inclusion of 19-21 and 23-25 Everton Road in B4 Zone (cont.)**

**Aerial View:**



## **Item 4 – Increase Development Standards Applying to Strathfield's R1 General Residential Zone**

### **Proposal:**

Apply the development standards of Max Height of 14m and Max FSR of 2:1 to the proposed R1 zone located north of the railway line, west of Wentworth Road and south of Cowdery Lane (including the precinct bounded by Cooper Lane, Cooper Street, Mosely Street and Cowdery Lane). The proposal would alter the Height of Building and Floor Space Ratio Maps of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

Residential 2(c1) Zone; Max Height 3 Storey; Max FSR 0.75:1 (but does not apply to housing), with the exception of the 5(a) Special Use Zone applying to the OTEN/TAFE property at 47-55A Wentworth Road.

### **Provisions Under Exhibited Draft BLEP 2012:**

R1 General Residential Zone; Max Height 11m; Max FSR 1.2:1.

### **Ownership:**

Private, except for the State owned OTEN/TAFE site.

### **Rationale:**

The request for higher development standards for the proposed R1 zone in this locality is considered reasonable by virtue of the number of existing residential flat buildings within this precinct ranging from three (3) storeys to eight (8) storeys.

The proposed height and FSR are moderately higher than those which were exhibited under the draft BLEP 2012, but relate appropriately to the scale of existing development. The precinct comprises a number of older style flat buildings which feature three storeys of residential accommodation and a further storey of aboveground parking. The proposed height is generally comparable to this established building form, while additional floor space would be attainable through the use of underground parking should the redevelopment of this older building stock be undertaken in the future.

Several submissions were received during the public exhibition period requesting additional height and/or FSR, predominately on the basis of existing building heights and character.

### **Note:**

The proposal excludes the two parcels being 19-21 and 23-25 Everton Road, Strathfield, as these are proposed to be rezoned – refer "Item 3".

**Item 4 – Increase Development Standards Applying to Strathfield's R1 General Residential Zone (cont.)**

**Aerial View:**



## **Item 5 – Reduce Development Standards Applying to Royal Sheaf Hotel and Properties to its West**

### **Proposal:**

Apply the development standards of Max Height of 11m and Max FSR of 1.5:1 to the proposed B2 zone located north of Liverpool Road, between Burwood Road and Quandong Avenue. The Max Residential FSR standard would be removed. The proposal would alter the Height of Building and Floor Space Ratio Maps of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

Residential 2(c1) Zone; Max Height 3 Storey; Max FSR 0.75:1 (but does not apply to housing).

### **Provisions Under Exhibited Draft BLEP 2012:**

B2 Local Centre Zone; Max Height 20m; Max FSR 2.5:1; Max Residential FSR 2.2:1.

### **Ownership:**

Private.

### **Rationale:**

The subject precinct is the only proposed rezoning in the draft BLEP for addition to Enfield's B2 Local Centre zone. The area is currently zoned residential under the BPSO with a three (3) storey height limit. The rationale for the change of zoning is the existing commercial character of Liverpool Road, dominated by the Royal Sheaf Hotel site on the corner of Burwood Road.

Submissions to the draft BLEP 2012 raised concern that the proposed zone and development standards would place undue redevelopment pressure on the hotel site, and that permissible building heights would be incompatible with the heritage character of the area.

The Royal Sheaf Hotel site is located within the Burwood Road Conservation Area and it is a landmark building with its Inter War Art Deco style. The existing building was constructed in 1939, but the site has been occupied by a hotel since 1880. The Burwood Road Conservation Area extends to the north and east of the hotel site, and beyond that is the Appian Way Conservation Area.

The change of zoning is supported, but it is considered reasonable that the development standards be revised to an FSR of 1.5:1 and a height of 11m, generally equivalent to the existing three (3) storey limit.

The Max Residential FSR control need not apply to this precinct in view of its current residential zoning under the BPSO, and the existence of three residential flats toward the western end of the precinct. Moreover, the proposed FSR of 1.5:1 would already be lower than the Max Residential FSR of 2.2:1 that is proposed to apply elsewhere in the Enfield Local Centre.

**Item 5 – Reduce Development Standards Applying to Royal Sheaf Hotel and Adjoining Properties (cont.)**

**Aerial View:**



## **Item 6 – Zoning of Land in the Vicinity of St John of God Hospital**

### **Proposal:**

Apply the R1 General Residential Zone to 18 and 20 White Street, and 13, 15 and 16 Moore Street (note 16 Moore Street consists of two parcels). The proposal would alter the Zoning Map of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

Residential 2(a) Zone, except 18 White Street which is zoned Special Uses (Private Landscape). Height and FSR controls are provided for under the Development Control Plan dependant on the land use, but development is generally limited to two storeys.

### **Provisions Under Exhibited Draft BLEP 2012:**

R2 Low Density Residential Zone; Max Height 8.2m; Max FSR 0.55:1.

### **Ownership:**

Properties are owned by St John of God Hospital, with the exception of 15 Moore Street which is privately owned.

### **Rationale:**

A submission on behalf of the St John of God Hospital was received during the exhibition period of draft BLEP 2012. The submission requested the inclusion of the subject properties in the R1 Zone, consistent with the majority of the Hospital site, arguing that fragmented zoning of the Hospital's land would inhibit the orderly and efficient development of future hospital buildings on the site, and potentially prohibit some uses ancillary to the Hospital's main functions.

On this basis, inclusion of sites already owned by the Hospital in the R1 zone is supported. The height and FSR standards would remain as exhibited, consistent with the R2 zone, as the subject properties address the predominantly residential White and Moore Streets.

No. 15 Moore Street is not owned by the hospital, but has been nominated for inclusion in the interests of orderly zone boundaries. The property owner would have the opportunity to comment during the community consultation process to this Planning Proposal.

## Item 6 – Zoning of Land in the Vicinity of St John of God Hospital (cont.)

Aerial View:



## **Item 7 – Increase of Maximum FSR Applying to R3 Zone**

**Proposal:**

Apply the development standards of Max FSR of 0.6:1 to the proposed R3 zone. The proposal would alter the Floor Space Ratio Map of the draft BLEP 2012.

**Provisions Under Existing BPSO:**

Not applicable.

**Provisions Under Exhibited Draft BLEP 2012:**

R3 Medium Density Residential zone is subject to Max FSR 0.55:1.

**Ownership:**

Mostly private. R3 precincts include a small number of Council-owned reserves and four (4) parcels identified as being owned by the NSW Department of Housing.

**Rationale:**

The primary purpose of the R3 zone is to accommodate "multi-unit dwellings" (i.e. town houses and villas). The proposed increase of the FSR from 0.55:1 to 0.6:1 is considered appropriate for this type of development which is generally a more intensive land use than low density residential development in the R2 zone (where the 0.55:1 FSR would apply).

## **Item 8 – Increase of Maximum FSR in Precinct Bounded by Wentworth Road, Conder Street, Woodside Avenue and Hornsey Street**

### **Proposal:**

Apply the development standard of Max FSR of 2:1 to the proposed R1 zone in the area bounded by Wentworth Road and Conder Street, north of Woodside Avenue and south of Hornsey Street (excluding Sanders Reserve). The proposal would alter the Floor Space Ratio Map of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

Residential 2(c2) Zone; Max Height 8 Storey; Max FSR 1:1 (but does not apply to housing).

### **Provisions Under Exhibited Draft BLEP 2012:**

R1 General Residential Zone; Max Height 14m; Max FSR 1.5:1.

### **Ownership:**

Private.

### **Rationale:**

Within the proposed R1 General Residential zone in the area between Wentworth Road and Conder Street, north of Woodside Avenue and south of Hornsey Street, a further review of the development standards has indicated that the proposed maximum FSR of 1.5:1 should be replaced with a 2:1 limit, as this will provide a better relationship to the height limit of 14m in the area.

**Item 8 – Increase of Maximum FSR in Precinct Bounded by Wentworth Road, Conder Street, Woodside Avenue and Hornsey Street (cont.)**

**Aerial View:**



## **Item 9 – Inclusion of Properties in the B6 Enterprise Corridor Zone**

### **Proposal:**

Apply the B6 Enterprise Corridor Zone to the following properties:

- 206-212 Parramatta Road, Burwood (Lot B, DP 302336 & Lot B, DP 432858)
- 2-4 Cheltenham Road, Croydon (Lot 5, DP 12646)
- 7 Royce Avenue, Croydon (Lot 3, DP 338378)

The proposal would alter the Zoning Map of the draft BLEP 2012.

### **Provisions Under Existing BPSO:**

The properties at 2-4 Cheltenham Road (Lot 5 only) and 7 Royce Avenue are zoned 5(a) Special Uses (Private Parking and Landscaping). The two parcels at 206-212 Parramatta Road Burwood (fronting Lucas Road) are zoned Residential 2(a).

### **Provisions Under Exhibited Draft BLEP 2012:**

R2 Low Density Residential Zone; Max Height 8.2m; Max FSR 0.55:1.

### **Ownership:**

Private.

### **Rationale:**

The two parcels pertaining to 206-212 Parramatta Road are under the same ownership as a much larger property to the north-west and providing a frontage to Parramatta Road. The two parcels are used for parking and loading facilities in connection with the larger site.

The properties at 2-4 Cheltenham Road and 7 Royce Avenue are under the same ownership as properties to the north, being 146-164 Parramatta Road. The two parcels are used as a car park in association with the business in Parramatta Road (access to the car park is from Cheltenham Road).

It is considered reasonable that the subject properties be included in the B6 zone, commensurate with their existing uses and connection to businesses within the Parramatta Road corridor. However, the development standards of maximum building height of 8.2m and FSR of 0.55:1 are proposed to be retained for compatibility with the adjoining R2 (ie. low density residential) zone and to limit any potential impact of future development on residences to the south.

**Item 9 – Inclusion of Properties in the B6 Enterprise Corridor Zone (cont.)**

**Aerial View:**

