

PLANNING PROPOSAL REPORT

APPLICATION FOR A PLANNING PROPOSAL

Amendment to Zoning, FSR & Height Controls

**Land bound by Mitchell Street,
and Tangarra Street East,
Croydon Park**

7 April 2013 (updated 29.8.13)



LJB Urban Planning Pty Limited

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SUPPORTING DOCUMENTATION

Concept Masterplan – Prepared by LJB Urban Planning & PBD Architects

Traffic Report – Prepared by Varga Traffic Planning Pty Ltd

Phase 1 Contamination Report – Douglas Partners

1.0 INTRODUCTION & HISTORY

- 1.1 This Planning Proposal has been prepared by LJB Urban Planning Pty Ltd on behalf of Flower Power Pty Ltd and is submitted to Burwood Council for consideration. It is prepared in response to a formal invitation from Burwood Council to submit the Planning Proposal.
- 1.2 It contains an explanation of the intended effect and justification of a proposed amendment to the Burwood Local Environmental Plan 2012 (BLEP 2012).
- 1.3 The BLEP 2012 came into effect on 9 November 2012.
- 1.4 The LEP amendment relates to land bound by Mitchell Street and Tangarra Street East, Croydon Park.
- 1.5 The proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.
- 1.6 It seeks an amendment to the BLEP 2012 to allow for:
- Rezoning of the subject site from part R2 Low Density Residential and part IN2 Light Industrial to R1 General Residential,
 - Amendment of the Maximum Building Height and Maximum Floor Space Ratio Maps as detailed in table below:

Zone	Maximum Height	Maximum Floor Space Ratio
R1	11m	1.2:1

- 1.7 This Planning Proposal has been prepared in conjunction with PBD Architects + Project Managers.
- 1.8 The Planning Proposal will result in a community benefit by the dedication of land (approx. 1650m²) and existing dwelling on the Mitchell Street frontage for use as a community facility. The land dedication and community facility will be facilitated via a Voluntary Planning Agreement. A letter of offer in this regard has been made to the Council.

2.0 THE SITE DESCRIPTION AND LOCALITY

Subject Site

- 2.1 The subject site is located in the local government area of Burwood City Council.
- 2.2 It is known as 27 Mitchell Street, Croydon Park and its real property description is:
 - Lot 101 DP 737342
 - Lot 23 DP 774159
- 2.3 The subject site has frontage to Mitchell Street to the north of 63.3 metres and frontage to Tangarra Street East to the south of 67.09 metres. The central portion of the site extends to the west creating a T shaped site.
- 2.4 It has an area of 1.9 hectares (19,269m²).
- 2.5 The subject site is currently owned and operated by Flower Power and includes the Flower Power Nursery, Fruit Shop, Pet Shop and Cafe. In addition, there is a single dwelling on the Mitchell St frontage.
- 2.6 The site is nestled in a residential precinct. The relationship of the site and the surrounding area is shown in the following aerial:



- 2.7 To the north of the site is Henley Park, a large public park which offers excellent access to passive and active recreation for residents in Burwood and Croydon Park. The park includes Enfield Swimming Centre to its north.

- 2.8 To the east of the site, off Stanley Street, is existing low density residential housing, comprising a range of one and two storey dwellings.
- 2.9 To the south of the site is a continuation of the low density residential area. Comprising a mix of one and two storey dwellings.
- 2.10 To the west of the Tangarra Street East frontage is a medium density residential development comprising 3 storey walk up flats contained within 4 separate buildings.
- 2.11 To the west of the units is the Council Depot site which contains a series of warehouse buildings. This site was rezoned under Burwood LEP 2012 from Industrial to R1 Residential.
- 2.12 Further to the west of the Council Depot site are low density residential allotments.
- 2.13 To the west along Mitchell Street are low density residential dwellings with direct visibility of Henley Park.
- 2.14 The area is characterised as a predominantly residential area with the exception of the subject site and the Council Depot. The subject sites retained industrial zoning is incompatible with the residential area
- 2.15 The following photos identify the subject site:



Photo 1: Subject site – Mitchell Street entry.



Photo 2: Subject site Tangarra Street frontage.



Photo 3: Looking south into subject site from Mitchell Street entry.



Photo 4: Middle of the subject site looking south from the 'T' intersection of the site.



Photo 5: Looking west along the site from the 'T' intersection of the site.



Photo 6: Looking north-west towards the rear of residential properties that front Mitchell Street from the 'T' intersection of the site.



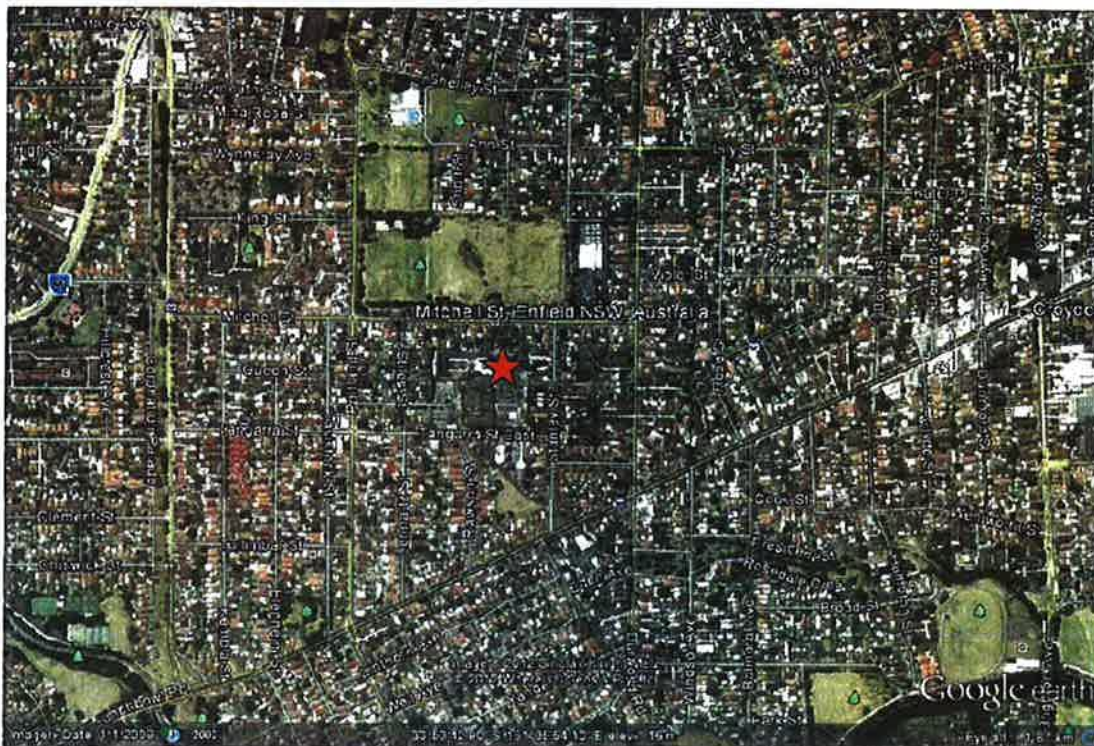
Photo 7: Taken from the north-eastern section of site looking towards the adjoining RFB located on Tangarra Street East.

The Locality

- 2.16 The subject site is located in the local government area of Burwood City Council. It is located in the heart of the inner west. Burwood has been identified in the Metropolitan Strategy as a Major Centre highlighting its strategic importance within the Sydney Metropolitan Area.
- 2.17 Burwood is a mixed residential and commercial area with more than 1,800 businesses across a wide range of sectors and includes two major shopping centres. Burwood has significant

education services with 12 schools in the LGA and TAFE's Open Training and Education Network.

- 2.18 The Croydon Park area is located in the southern precinct of the Burwood Local Government Area. The suburb is conveniently located to access major roads including Georges River Road and Coronation Parade. The area benefits from being in close proximity to major parks and schools. The location of the site is shown in the following aerial:



- 2.19 The dominant land use in the area is residential, with pockets of mixed use land interspersed with the residential area. The precinct would be categorised as primarily residential and the southern portion of the subject site is the only land under the LEP to have remained Industrial zoned land.
- 2.20 The only other nearby non-residential land use is the Council Depot site, to the west. However, this site was rezoned from Industrial to R1 General Residential under the BLEP 2012.
- 2.21 The presence of industrial uses would have an adverse impact on the residential amenity of parts of the Croydon Park area.
- 2.22 A row of shops is located at the intersection of Tangarra Street East and Portland Street. The shops include: Post Office, convenience store and restaurants. The shops are approximately 270 metres directly west of the Tangarra Street frontage.
- 2.23 The following photos identify the surrounding locality and demonstrate the residential nature of the area:



Photo 8: Looking towards subject site from Henley Park across Mitchell Street



Photo 9: Looking south-west towards subject site along Mitchell Street.



Photo 10: Residential dwellings along Mitchell Street located to the west of the subject site.



Photo 11: Henley Park located on the northern side of Mitchell Street, opposite subject site.



Photo 12: Looking south along Tangarra Street East towards residential dwellings opposite site.



Photo 13: 3 Storey residential flat building located to the west of the subject site on Tangarra Street East.



Photo 14: Residential properties along the western side of Stanley Street. These properties adjoin side boundary of subject site.



Photo 15: Looking south along Stanley Street. Properties to right of photo adjoin side boundary of subject site.



Photo 16: Corner of Stanley Street and Mitchell Road.



Photo 17: Residential properties along the southern side of Mitchell Street and located to the east of the entry to the subject site.

- 2.24 As can be seen from the photographs above, there is no buffer between the portion of the site retained for industrial use and the adjoining low and medium density residential uses.
- 2.25 The site has excellent accessibility to public transport, local schools, childcare, employment and local conveniences including:
- Tangarra Street Shops;
 - Enfield East/West shops;
 - Enfield Public School;
 - St Josephs Catholic School;
 - Henley Park;
 - Burwood – Major Centre;
 - Several Railway stations – Burwood, Campsie and Croydon;
 - Campsie; and
 - Near the Metro bus services route, that services Burwood Road.

Site History

- 2.26 Burwood Council's recently adopted Burwood Local Environmental Plan 2012 (BLEP 2012) retained the residential zoning of approximately two thirds of the site (northern and middle portion) being R2 Residential Low Density and the remaining third (southern portion) to be retained as industrial land and zoned IN2 Light Industrial.
- 2.27 A submission, in response to the exhibition of the draft BLEP 2012, was prepared by LJB Urban Planning on behalf of Flower Power Pty Ltd and submitted to Council to request amendment of the draft BLEP 2012 in regards to zoning, height and floor space.
- 2.28 At the Council meeting held on 15 May 2012, Council resolved to invite the owners of the subject site to prepare and submit a separate Planning Proposal for the site.
- 2.29 The Planning Proposal is required to cover the planning concepts in the submission, taking into account the comments made by Council and providing the necessary additional information identified in the Council's report. A number of subsequent meetings were held with Senior Council Staff in regards to Flower Power Planning Proposal. Discussions were also held in regards to the opportunity for the site to provide a public benefit by way of opportunity for a community facility.
- 2.30 This Planning Proposal report is in response to the outcome of the meetings and provides justification to support the rezoning of the land to residential.
- 2.31 The BLEP 2012 was gazetted on 9 November 2012. This Planning Proposal seeks to amend the BLEP 2012.

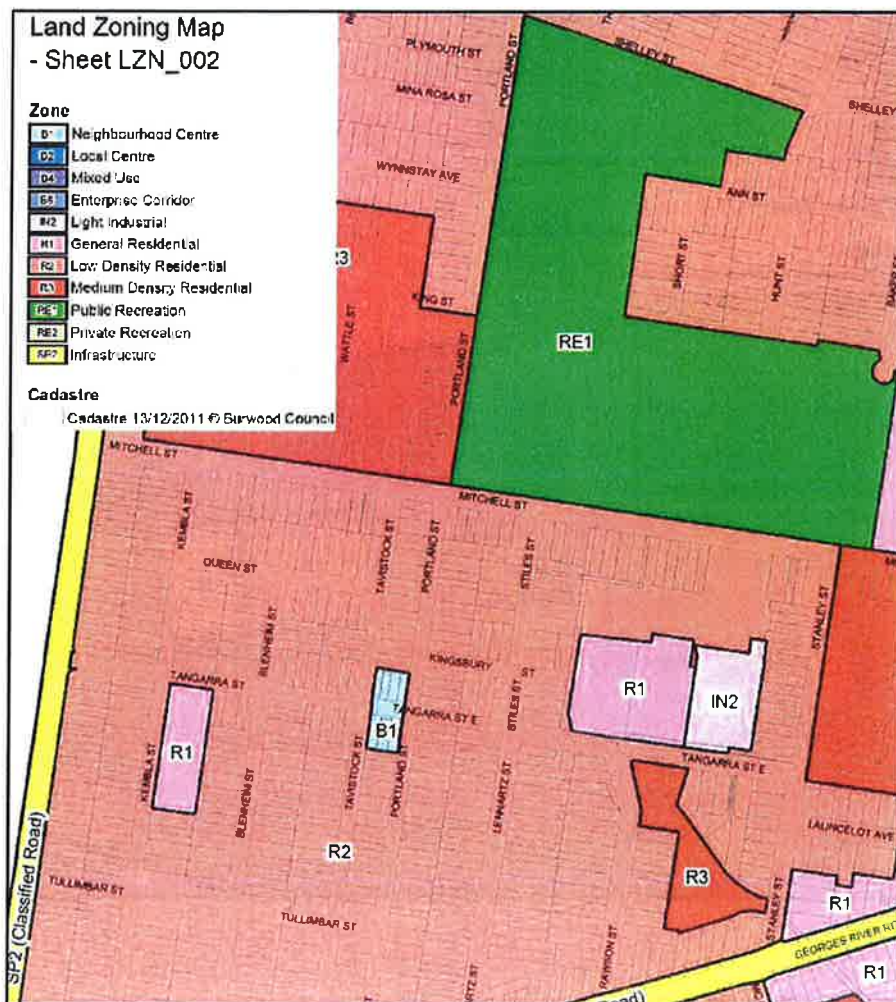
3.0 LOCAL PLANNING FRAMEWORK

3.1 Burwood Local Environmental Plan 2012

Zoning

- 3.1.1 The land to which this Planning Proposal relates is zoned Part R2 Low Density Residential and Part IN2 Light Industrial under the provisions of BLEP 2012 as shown in Figure 1:

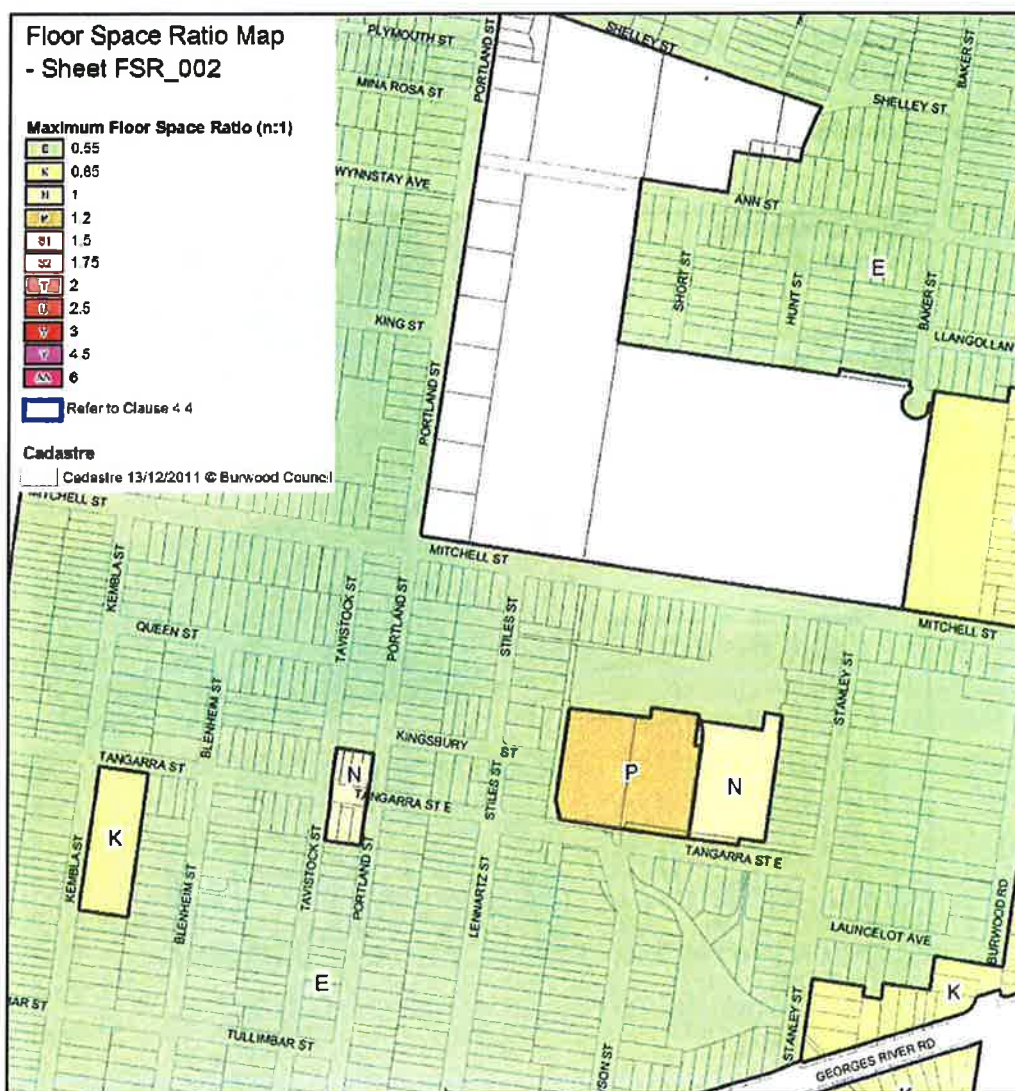
Figure 1 – Current Zoning



Floor Space Ratio

3.1.2 The land to which this Planning Proposal relates has a floor space ratio control of 0.55:1 for the residential zoned land and 1:1 for the industrial zoned land, as shown in Figure 2 below.

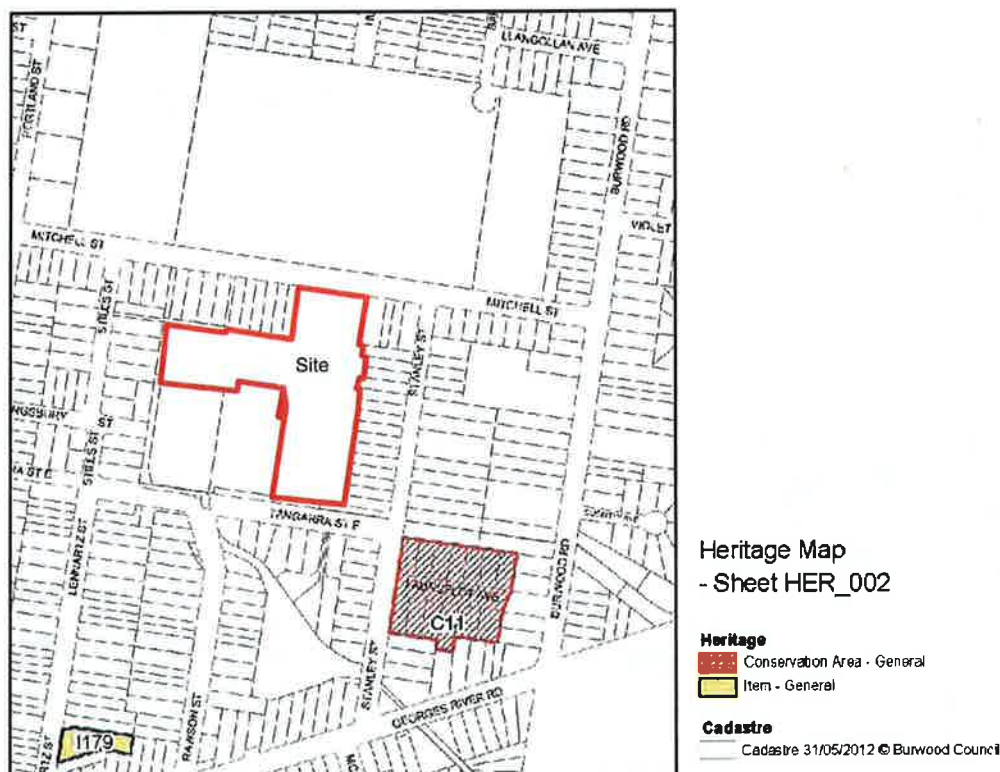
Figure 2 – Maximum Floor Space Ratio



Heritage

- 3.1.4 The land to which this Planning Proposal relates does not contain a heritage item and is not within a heritage conservation area. The site is located near Conservation Area C11, as shown in Figure 4:

Figure 4 – Heritage Map



Acid Sulfate Soils

- 3.1.5 The land to which this Planning Proposal relates is identified on Councils Acid Sulfate Soils map as Class 4. Class 4 requires works more than 2 metres below the natural ground surface and by which the watertable is likely to be lowered more than 2 metres below the natural ground surface to be accompanied by an acid sulfate soils management plan.
- 3.1.6 The LEP requires development consent for works and this is to be accompanied by an acid sulfate soils management plan.
- 3.1.7 The potential impact on acid sulfate soils is not relevant to this Planning Proposal and can be resolved as part of any future development application.

Flooding

- 3.1.8 The land to which this Planning Proposal relates is not identified as a Flood Planning Area.

4.0 THE PLANNING PROPOSAL

4.1 Part 1 - Objectives - Intended outcomes

4.1.1 This section of the Planning Proposal sets out the objectives or intended outcomes of the Planning Proposal. The following objectives will be developed further as studies are undertaken to inform the Planning Proposal.

4.1.2 The objectives of the Planning Proposal are to:

1. Enable the redevelopment of the flower power site at 27 Mitchell Street, Croydon Park, for medium density residential development;
2. Provide new housing to assist in achieving sub-regional housing targets;
3. Encourage the development of buildings that achieve design excellence;
4. Encourage the layout of new buildings to minimise overshadowing to adjoining properties;
5. Enhance the local environment by improving the built form relationship and streetscape along both Mitchell Street and Tangarra Street East;
6. Maximise the use of public transport by providing higher density residential housing in close proximity to public transport;
7. Provide for a more appropriate land use that is consistent with surrounding residential uses;
8. Remove potential conflict between industry and residential land use; and
9. Provide for the orderly and economic development of land.

4.1.3 Preliminary floor space calculations indicate that the proposal could generate approximately 21,142 of residential floor space, providing a development density of approximately 239 new dwellings.

4.2 Part 2 - Explanation of Amended Provisions

4.2.1 This section sets out the means through which the objectives described in Part 1 will be achieved.

4.2.2 Burwood City Council's support is sought for this Planning Proposal that seeks the following:

1. Zoning – amend BLEP 2012 zoning map to rezone the subject sites to R1 General Residential Development refer to Figure 5 below;
2. Floor Space Ratio – amend BLEP 2012 Floor Space Ratio Map to permit a max FSR of 1.2:1 for the R1 zoned land refer to Figure 6 below; and

3. Height of Buildings - amend BLEP 2012 Height of Buildings Map to permit a maximum building height of 11 metres on the R1 zoned land, refer to Figure 7 below.
- 4.2.3 The proposed zoning would facilitate a choice of housing, being residential flat buildings that will contain a mix of 1, 2 and 3 bedroom dwellings.
- 4.2.4 The LEP will conform to the *Standard Instrument (Local Environmental Plans) Order 2006*. It will identify the land to which it relates and alter the zoning map, the Maximum Floor Space Ratio Map and Height of Buildings Maps currently forming part of BLEP 2012.
- 4.2.5 The Heritage, Flood Planning and Acid Sulfate Solis Maps which currently form part of the BLEP 2012 will remain unchanged as a result of the Planning Proposal.
- 4.2.6 The requested amendments to the maps that form part of BLEP 2012 are shown below:

Figure 5 – Proposed Land Zoning Map

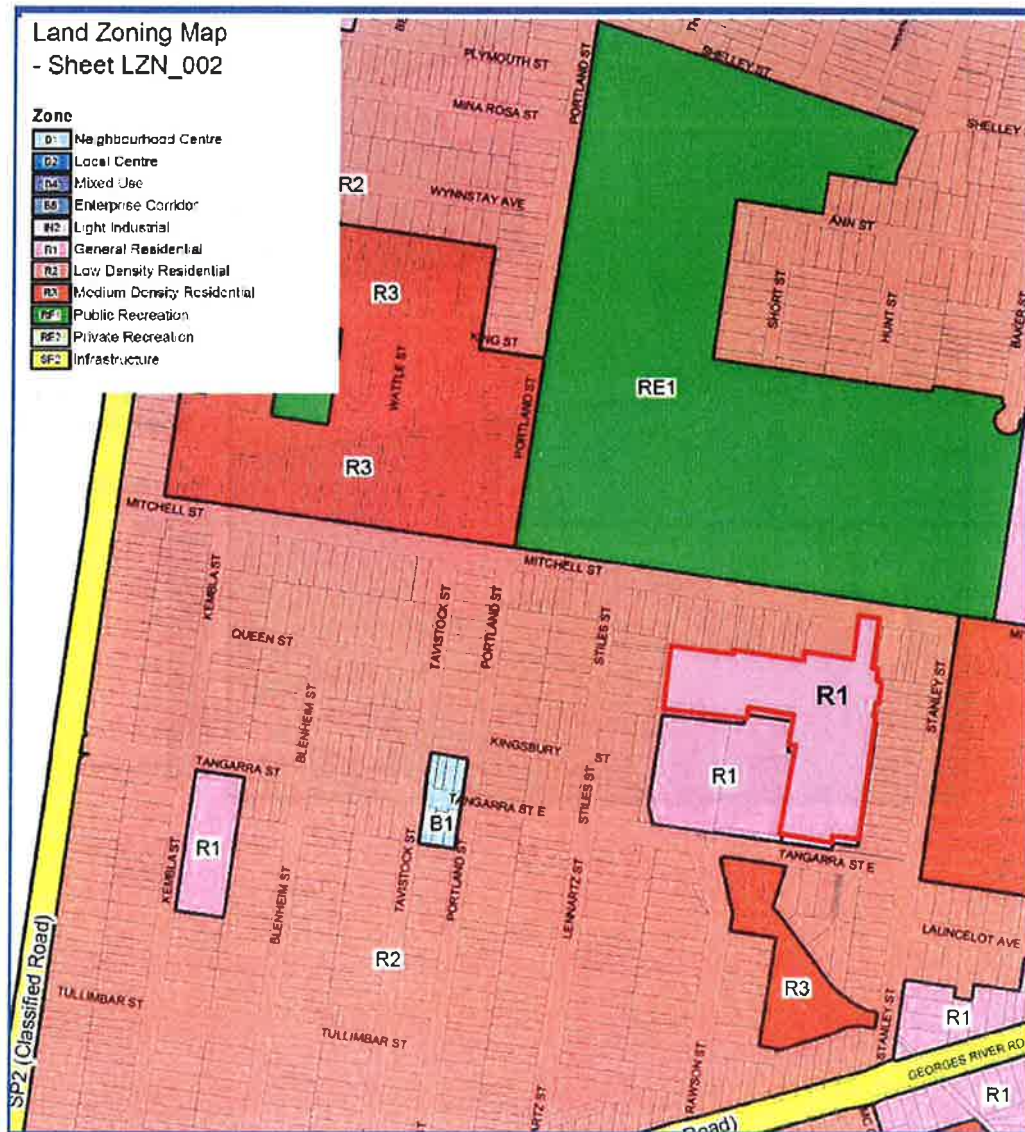


Figure 6 – Proposed Maximum Floor Space Ratio Map

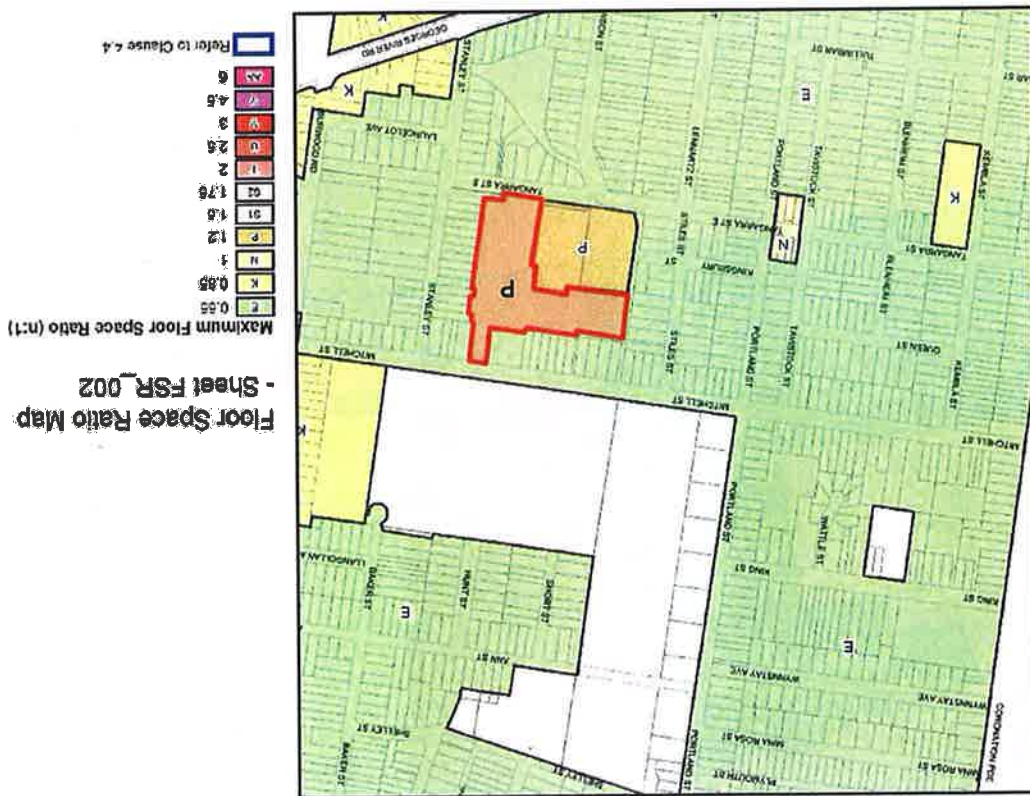
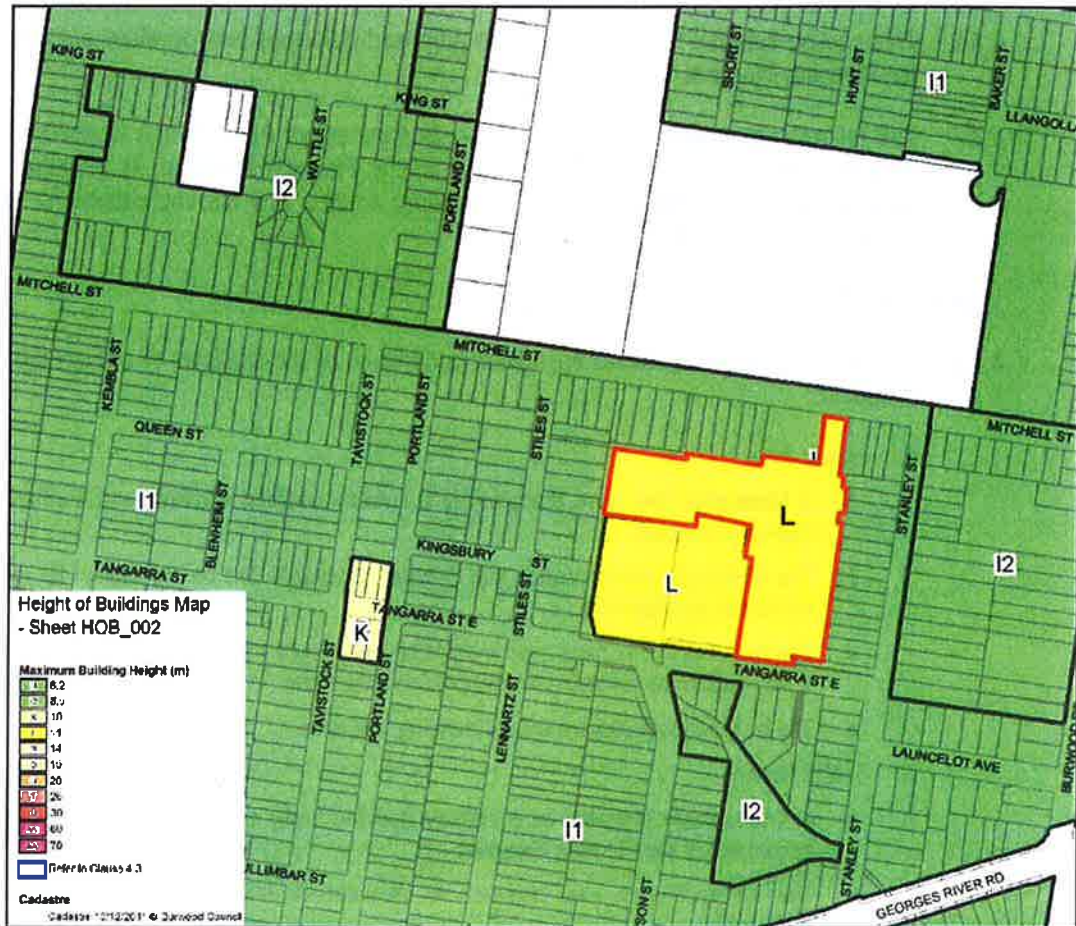


Figure 7 – Proposed Maximum Height of Building Map



4.3 Part 3 – Justification

- 4.3.1 This section sets out the reasons for the proposed outcomes and development standards in the Planning Proposal.
- 4.3.2 The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the Planning Proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth Government agencies.

Technical Studies

- 4.3.3 The following technical studies have been undertaken by the applicant to support the Planning Proposal:
1. Master Plan
 - a. A Masterplan has been prepared by a suitably qualified Architect and accompanies this Planning Proposal.
 - b. The Masterplan demonstrates that 3 hours of sunlight can be maintained for surrounding residential development.
 - c. The buildings forms have been modulated and stepped to respect the adjoining single/two storey residential development and provide a transition.
 - d. The building footprints respect surrounding built form.
 2. Traffic Study
 - a. A Traffic Study prepared by a suitably qualified traffic consultant has been prepared and accompanies this Planning Proposal.
 - b. The Traffic Report was prepared in consultation with the Burwood Council's Traffic Engineers.
 - c. Following the gateway process the Traffic Report may need to be further refined to accommodate comments from Council or the community during the public consultation stage.
 3. Preliminary Contamination Assessment
 - a. A Preliminary Assessment has been undertaken by a suitably qualified person in accordance with the requirements of State Environmental Planning Policy 55 to determine if the land is suitable or can be made suitable for its intended purpose.
 - b. It was concluded that the site could be made suitable for residential purposes. This report accompanies this Planning Proposal.

4.4 Section A – Need for a Planning Proposal

1. Is the Planning Proposal a result of any Strategic Study or Report?

- 4.4.1 The planning proposal is not the result of a strategic study.
- 4.4.2 A submission was prepared by LJB Urban Planning and submitted on behalf of Flower Power Pty Ltd in relation to the exhibition and recommendations of the draft BLEP 2012. It raised concern with the proposed zoning, height and floor space ratio amendments for the site. This submission was considered at the Council meeting of the 15 May 2012.
- 4.4.3 On 15 May 2012, Council resolved to endorse changes to the draft BLEP 2012 following public exhibition. These included retaining the residential zone to the northern and middle sections (12,934m²) of the subject site being R2 low density residential and retaining the southern (approximately 6,335m²) for industrial purposes.
- 4.4.4 Burwood Council resolved to extend a written invitation to the owners of the site, to prepare and submit a separate Planning Proposal covering the planning concepts in their submissions, taking into account the comments and providing the necessary additional information identified in the Council report.
- 4.4.5 This Planning Proposal has been prepared on this basis.
- 4.4.6 The Planning Proposal also provides a response to the applicable State Government studies including:
- Metropolitan Plan for Sydney 2036 & Draft Metropolitan Strategy for Sydney to 2031
 - Inner West Subregion Draft Subregional Strategy
- 4.4.7 It is considered that this Planning Proposal is consistent with the studies undertaken by the State Government being the Metropolitan Plan for Sydney 2036 and the Inner West Subregion Draft Subregional Strategy and the recently released Draft Metropolitan Strategy for Sydney to 2031. These are discussed below.

Metropolitan Plan for Sydney 2036 & Draft Metropolitan Strategy for Sydney to 2031

- 4.4.8 The Metropolitan Strategy was originally released in December 2005. The Metropolitan Strategy identified ten subregions. The Burwood LGA is located in the Inner West Sub Region. Ashfield, Canada Bay, Leichhardt and Strathfield LGA's are also located in the Inner West Subregion. The Draft Inner West subregion strategy was released in 2008.
- 4.4.9 On 16 December 2010 the NSW Government launched the Metropolitan Plan for Sydney 2036. The purpose is to shape the future growth of Australia's major global city. This document is the five year review of the 2005 Metropolitan Strategy.
- 4.4.10 The strategy identifies the key challenges facing Sydney towards 2036 which are:
- Growing population
 - Changing population

- More suitable and affordable housing
 - More jobs closer to home
 - More efficient transport
 - More efficient infrastructure delivery
 - A more sustainable Sydney
 - Tackling climate change
 - Maintaining our global competitiveness
- 4.4.11 A key target of the 2036 strategy is to provide 80% of new dwellings in existing suburbs, a 10% increase from the original target of 70% in the Metropolitan Strategy 2005.
- 4.4.12 Of particular importance to this submission is the supply of housing to meet the growing and changing population of Sydney. Sydney's population is forecast to grow by 1.7 million people between 2006 to 2036, with an average growth per year of 56,650 people. To meet the growing population, Sydney will need to provide an additional 770,000 homes by 2036.
- 4.4.13 The strategy identifies a target of 113,000 new homes to be built at major sites in established suburbs.
- 4.4.14 Local Environmental Plans are crucial to the delivery of the Metropolitan Plan.
- 4.4.15 This Planning Proposal is consistent with the Metropolitan Plan for Sydney 2036, by providing a choice of housing types within an established area being consistent and compatible with the surrounding residential zones
- 4.4.16 The State Government recently released the Draft Metropolitan Strategy for Sydney to 2031 which once finalised is intended to replace the previous Metropolitan Strategy.
- 4.4.17 The Draft Strategy identifies new sub-regions for Sydney. Burwood Council along with Ashfield, Botany Bay, Canada Bay, Hunters Hill, Lane Cove, Leichhardt, Marrickville, Mosman, North Sydney, Randwick, Ryde, Strathfield, Sydney, Waverley, Willoughby and Woollahra is located in the Central Sub-region. The draft strategy identifies Burwood as a Major Centre.
- 4.4.18 The Strategy identifies a population target to 2031 of 1,385,000 an increase of 242,000.

Inner West Subregion Draft Subregional Strategy

- 4.4.19 The Burwood LGA is located in the Inner West Sub Region. Ashfield, Canada Bay, Leichhardt and Strathfield LGA's are also located in the Inner West Subregion. The Draft Inner West subregion strategy was released in 2008. It is understood that the subregion strategies are intended to be superseded by the new-subregional strategies developed as part of the Draft Metropolitan Strategy for Sydney to 2031. Notwithstanding this, consideration is given to the sub-regional strategy.
- 4.4.20 Burwood is the smallest and least populated LGA in the subregion at 7.7km² in size with a population of approximately 31, 200 (2004).
- 4.4.21 Burwood LGA is identified as a Major Centre consistent with its classification in the new Central sub-region.

4.4.22 The key directions for Inner West subregion are:

1. Support and differentiate the role of strategic centres
2. Protect employment lands and working harbour
3. Promote Parramatta Road as an enterprise corridor
4. Improve Housing Choice
5. Manage traffic growth and local travel demand
6. Protect and promote recreational activity and environmental assets
7. Celebrate cultural diversity

4.4.23 The Planning Proposal will directly address key directions 1, 4, 5 and 6.

4.4.24 The Centres and Corridors Housing Strategy from the WCDSS identified a centres typology for the Burwood LGA. It identified Tangarra Street East as a 'Neighbourhood Centre' which is defined as containing one or a small cluster of shops and services, servicing between 150 and 900 dwelling and having a centre radius of 150m. This is consistent with the Metropolitan Plan 2036.



4.4.25 The aerial image above illustrates the site which is located approximately 270 metres from shops located on Tangarra Street identified by the 'star'. Although outside the 150m radius the shops are still within walking distance. This row of shops includes: Post Office, convenience store and restaurants. The black line highlights the area that the shops potentially service, given the low density nature of the area there is likely to be less than 900 dwellings (including potential dwellings for subject site and Council Depot site) being consistent with the 'Neighbourhood Centre' typology within the WCDSS.

4.4.26 The draft Inner West Subregional Strategy identified a dwelling target for the Burwood LGA of 7,700 new dwellings for the period 2004 to 2031.

- 4.4.27 The housing subregional strategy identifies that 60-70% of new housing in this subregion is to be within existing urban areas. The housing is to be focused around centres and corridors to take advantage of existing services such as shops and public transport and reduce development pressures on other parts of Sydney.
- 4.4.28 Other key directions of the housing strategy include:
- *Ensure adequate supply of land and sites for residential development*
 - *Plan for a mix of housing near jobs, transport and services*
 - *Renew local centres*
 - *Improve housing affordability*
 - *Improve the quality of new development and urban renewal*
- 4.4.29 Although the site is located outside the strategic centre of Burwood, the site is within 400m of Burwood Road, which is serviced by Metropolitan Bus services route which providing regular services to Burwood, this trip time takes approximately 13 minutes.
- 4.4.30 This site is an ideal location to provide a mixture of housing types in close proximity to public transport, local conveniences and public open space.
- 4.4.31 The economy and employment strategy identifies Burwood as having an employment capacity target of 4,000 to 2031. This major centre is proposed to accommodate the second largest increase in employment within the Inner West Sub-region.
- 4.4.32 The draft Subregional strategy for the Inner West identifies a total of 250 Hectares of Class 1 Industrial Land.
- 4.4.33 The Tangarra Street East Precinct is nominated as Category 1 Industrial land, being land to be retained for industrial purposes. This equates to 12 000m² of land and includes approximately 6,335m² of land on the subject site. The remaining 5,665m² of the land is the Council Depot site, this has recently been rezoned to R1 General Residential under the BLEP 2012, this equates to a recent loss of 2.26% of employment land within this subregion.
- 4.4.34 The proposed rezoning of a part of the subject site from an industrial to residential zone would equate to a further loss of 2.59% of employment lands within this sub-region, this is based on the recent rezoning of the Council depot site.
- 4.4.35 Category 1 Industrial land is identified to be retained for industrial purposes and can be 'intensified' and 'redeveloped' to meet modern industrial requirements and create additional employment and economic benefits.
- 4.4.36 Council have not undertaken an Employment Lands Study. However, Council determined under the BLEP 2012 that the Council Depot site (5,665m²), located to the west of the Residential Flat Building on Tangarra Street East, be rezoned to Residential, having satisfied the s.117 Directions of the Minister, in respect of removal of industrial lands.
- 4.4.37 Part (6,335m²) of the subject site is the only remaining industrial land within the BLEP 2012. While an area of this size can function as an industrial precinct, it's the location of the site and its proximity to low density residential renders it unsuitable for potential intensification as suggested by the draft Subregional strategy.

4.4.38 Action E3.2 of the Metropolitan Plan for Sydney 2036 provides a checklist for assessing the strategic importance of employment lands, an assessment of this checklist is provided in the table below:

Action E3.2 – Checklist for Strategic Assessment Checklist	Comments
Consistency with Subregional Strategies	<i>Proposal is inconsistent with the Subregional Strategy, as discussed. However, is justified in the circumstances.</i>
Current use of the area, and existing transport and infrastructure.	<i>The site adjoins medium density and low density development. Site does not have specific infrastructure to support industry or transport.</i>
Impacts on the long-term viability of the employment land precinct and any industry clusters in the precinct or surrounding area.	<i>The Burwood LGA is only 7.7km² in area. The rezoning of this site will result in loss of industrial employment lands with this LGA. However, the surrounding inner west region will still maintain approximately 244.34 hectares. While surrounding suburbs, including: Canterbury, Auburn, Chullora, Homebush South and Silverwater contain in excess of 500 hectares of industrial lands on larger tracts of land in close proximity to transport corridors and therefore better suited to employment lands.</i> <i>The Employment Lands Development Program 2010 – Report 4 – Inner West Subregion acknowledges that the employment lands within Burwood are not of a significant size to be incorporated into job analysis.</i>
Whether the employment lands support national or state significant infrastructure.	<i>The land does not support national or state significant infrastructure.</i>
Trends in local land use activity.	<i>The trend for local employment under the Metropolitan Strategy and Sub-regional strategies is towards employment in Burwood Town Centre, rather than industrial employment lands. Although the site may provide local employment and services the rezoning of the site may result in a loss of approximately 18 persons currently employed on this portion of the site.</i> <i>The rezoning of the site will be compatible with surrounding land uses, being residential. This is considered to be a more appropriate trend in land use activity for this area of Burwood, given the recent rezoning of the Council Depot site to the west of this site.</i>
Suitability and extent of measures implemented to improve an areas employment lands viability.	<i>The site is 6,335m² in size and the only site within Burwood LGA zoned industrial. The site is surrounded by low-medium density residential development and trucks service the site via residential streets. The site is suited to residential development as industrial development conflicts with the existing and future residential character of the area.</i>
Potential to redevelop for industrial uses and/or new industrial uses (eg: creative industries)	<i>The site is surrounded by low-medium residential properties. The small site area, location (away from arterial roads) and proximity to residential means it is unlikely to be redeveloped for new industrial uses.</i>
Impacts on stocks of local employment lands and the ability of remaining stocks to meet future local industries.	<i>Burwood LGA is only 7.7km² in size. The existing sub-region will still provide approximately 244.34 hectares of Industrial land and surrounding subregion LGAs will provide in excess of 500 hectares of Industrial land.</i>

	<i>The retention of this industrial land is not critical to the Burwood LGA as the supply of employment lands and local industries will be sustained by land in surrounding LGAs.</i> <i>The loss of 0.63 hectares of employment lands is of minor significance when considered in a regional context and its ability to meet future employment needs is limited due to the sites location.</i> <i>Burwood Town Centre increased their employment capabilities under the Burwood Town Centre LEP 2010. The following precincts: Strathfield Town Centre, North Burwood Road, Parramatta Road and Liverpool Road/Coronation Parade have also had their employment capabilities increased under the Burwood LEP 2012.</i> <i>Overall, the main objectives for Burwood is to provide greater housing and employment opportunities within the Burwood Town Centre, the rezoning of this site will not affect the Council from achieving their main objectives</i>
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4.4.39 The majority of the employment capacity increase of 4,000 by 2036, will be accommodated as commercial and/or retail type employment in the Burwood major centre and not on the only small portion of industrial zoned land remaining in Tangarra Street East, this is the direction of the Metropolitan Plan and sub-regional strategies.

4.4.40 On the basis of the above it is considered that the rezoning achieves the intent of the Metropolitan Plan and draft subregional strategy for the inner west and the site be rezoned for residential use.

2. Is the Planning Proposal a better means of achieving the objectives or intended outcomes, or is there a better way?

4.4.41 The main objectives or intended outcomes of the Planning Proposal are to permit residential development on the entire subject site.

4.4.42 The increased housing choice from higher densities and more compatible building forms will assist Burwood Council in achieving their intended outcomes.

4.4.43 Amending the existing zoning, buildings heights and FSR controls is the best way of achieving the intended outcome.

4.4.44 A Planning Proposal is the best way.

3. Is there a Net Community Benefit?

4.4.45 Under the Department of Planning's Guideline to Preparing Planning Proposals, it is recommended that a Net Community Benefit Test be undertaken. The Draft Centres Policy includes guidance on preparing a 'Net Community Benefit Test'.

4.4.46 The justification to proceed with a rezoning must take into consideration the public interest and the consequence of not proceeding with the changes in land use.

4.4.47 The following section provides a response to the 15 questions (a – o) that form part of the Net Community Benefit Test:

“a. Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?”

4.4.48 The Inner West Subregion Draft Subregional Strategy (IWSDSS) is the primary document for setting the strategic direction for the Burwood LGA for the year 2031. The key sections of the policy relate to housing and economy and employment.

Key Directions - Housing

4.4.49 The planning proposal is consistent with key directions of the Housing section of the IWSDSS as discussed below:

- *Ensure adequate supply of land and sites for residential development*

4.4.50 The IWSDSS identifies Burwood LGA as having a dwelling target of 7,700 new dwellings for the period 2004 to 2031.

4.4.51 12,934m² of land on the subject site is available for residential development. The Planning Proposal also seeks to make a further 6,335m² of land available for residential development within the Burwood LGA this will assist in providing new residential dwellings within an area dominated by residential uses.

- *Plan for a mix of housing near jobs, transport and services*

4.4.52 A change in zoning and increase in densities across the site will allow for a mix of 1, 2 and 3 bedroom residential units to be provided on the subject site. This will assist in meeting housing targets for the LGA.

4.4.53 The site is in close proximity to jobs, transport and services, being within close proximity to local and metropolitan bus services. Burwood town centre is a 13 minute trip from the subject site via the bus service on Burwood Road and Tangarra Street shops are within walking distance.

4.4.54 Burwood town centre is identified as having a significant increase in employment land capabilities likely to be in the retail/commercial sector.

- *Improve housing affordability*

4.4.55 The Planning Proposal will provide increased housing choice and density which improves housing affordability.

- *Improve the quality of new development and urban renewal*

4.4.56 New residential buildings will have an improved relationship with the adjoining properties and provide for more compatible development for adjoining residential zones.

4.4.57 The redevelopment of the land will improve the street frontage along Mitchell Street and Tangarra Street East, with residential flat buildings required to be of high architectural design.

Key Directions - Economy and Employment

- 4.4.58 Council has not undertaken a separate Employment Lands Study.
- 4.4.59 The Planning Proposal conflicts with the key directions for Economy and Employment for the subregion, which classifies the land as Category 1 Industrial Land to be retained.
- 4.4.60 The draft Subregional strategy nominates 12,000m² of industrial land to be retained along Tangarra Street.
- 4.4.61 The Council Depot site (5,665m²) located to the west at 2 Tangarra Street was recently rezoned to R1 Residential General under the BLEP 2012.
- 4.4.62 The planning proposal seeks to rezone 6,335m² of land at the southern end of the Flower Power site from IN2 Industrial to R1 Residential General and this is consistent with the recently rezoned Council depot site.
- 4.4.63 This site is the only land within the Burwood LEP zoned for industrial uses and the Planning Proposal seeks to rezone to R1 Residential General being more compatible with surrounding residential uses and minimising potential conflicts of use.
- 4.4.64 Intensification of this site would create significant adverse impacts on the surrounding properties and residential character of the area, namely:
- Acoustic impact - increase in the movement of heavy vehicle and operations on the site.
 - Visual impact – the BLEP 2012 permits industrial buildings to a height of 10 metres which would dominate the streetscape and impact on the residential character of the area and being less likely to achieve design excellence.
 - Intensification of uses - the zoning would permit a range of uses including industrial retail outlets, light industries, depots, warehouse or distribution centres, electricity generating works, transport depots and truck depots, places of public worship and research stations. An intensification of these uses is not compatible with the residential character of the area.
- 4.4.65 This land is inappropriate for industrial use given its proximity to low density residential areas. The residential amenity of the surrounding areas would be enhanced by the removal of the current uses.
- 4.4.66 While an area of less than 6,335m² can function as an industrial precinct, it's the location of the site and proximity to low density residential dwellings that renders it unsuitable for potential intensification, namely: intensification of uses, acoustic impacts and visual impacts.
- 4.4.67 It is more appropriate that the site be rezoned for residential use to ensure compatibility with the surrounding land uses and improve residential amenity.
- 4.4.68 The Planning Proposal is compatible with the strategic direction of the area and will be a loss of only 2.59% of Class 1 Employment Lands within the inner west subregion, which is considered to be minor.
- 4.4.69 Other suburbs within the inner west subregion as well as suburbs located within adjoining subregions contain significantly larger tracts of employment lands that can absorb the loss of this minor amount within the Burwood LGA.

“b. Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?”

- 4.4.70 The Centres and Corridors Key Direction of the IWSDSS identified a centres typology.
- 4.4.71 Tangarra Street East is identified as a 'neighbourhood centre'.
- 4.4.72 Although the site is located more than 150 metres from the Tangarra Street shops, they are easily reached by walking and only 270 metres from the site.
- 4.4.73 In addition, Burwood Road is located 400 metres from the subject site and is serviced regularly by metro buses.
- 4.4.74 The site is not located within a global/regional city, strategic centre or corridor.
- 4.4.75 However, given the location of the site to Burwood Road, the rezoning of the site to residential is consistent with surrounding land uses.

“c. Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?”

- 4.4.76 The subject site is the only site within the Burwood LGA to be retained as industrial land and there is no buffer between the site and adjoining/future residential uses. Therefore, amendment under the LEP will not create a precedent.
- 4.4.77 The proposed amendments to the LEP will change the expectations of the landowners as the proposed rezoning and increased FSR and height controls will enable a higher density of residential development on the land. However, this is consistent with the surrounding densities and therefore appropriate.
- 4.4.78 The concept Masterplan demonstrates that an appropriate built form could be constructed on the site within the maximum height and FSR limits. This demonstrates that the adjoining lands owners will not be unreasonably affected.
- 4.4.79 The LEP is not likely to create a precedent.

“d. Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?”

- 4.4.80 The Council depot site located to the west of the subject site was recently rezoned from industrial to R1 General Residential under the BLEP 2012, which came into effect on 9 November 2012. This was like a spot rezoning but undertaken as part of the comprehensive LEP review process.
- 4.4.81 The rezoning of this site increases the residential density within the area and is a more compatible land use. This site is well positioned to access local shops and bus services.
- 4.4.82 As the Council Depot site has been rezoned, the subject site is the last remaining industrial zoned site within the Burwood LGA. As such, there would be no further spot rezoning's of this nature.

4.4.83 The cumulative effects of the Council Depot rezoning have been considered as part of the Planning Proposal. This Planning Proposal will ensure that future development is consistent with surrounding residential land uses.

“e. Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?”

4.4.84 The LEP will result in a small loss of employment generating land on part of the site, equivalent to 6,335m² (2.59%) of the 244.34 hectares of Class 1 lands identified in the inner west sub-region. Note the Class 1 lands have been reduced by the recently rezoned Council Depot site.

4.4.85 It is noted that Council has not undertaken a separate employment lands study.

4.4.86 Notwithstanding the above, the West Central Subregion draft regional study identifies 3 367.4 hectares of Class 1 employment land to be retained for industrial purposes. This region contains Auburn, Bankstown, Fairfield, Holroyd and Parramatta LGAs. This region adjoins the Inner West subregion, where the subject site is located.

4.4.87 The subject site is located in close proximity to several Class 1 sites, in the adjoining west central region, which contain significantly larger tracts of industrial land, they are listed below:

- Chullora – 210.3 hectares (Freight and logistics)
- Homebush South – 49.8 hectares (Freight and logistics, manufacturing light)
- Silverwater – 152 hectares (Manufacturing – light, utilities and urban services)
- Parramatta Road Corridor – 122.6 hectares (Utilities and urban services)

4.4.88 Industrial uses are generally better suited to sites closer to the M4 motorway, Parramatta Road and Liverpool Road/Hume Highway. These roads are designed to take heavy vehicle traffic.

4.4.89 Currently, on average, the uses on site employ the following number of people per day:

- Pet Shop – 4 persons;
- Fruit Shop – 12 persons; and
- Flower Power – 16 persons.

4.4.90 The 6,335m² of industrially zoned portion of the site is occupied by the Pet Shop, Fruit Shop and landscape section of Flower Power. The rezoning of the site is likely to result in the loss of employment for approximately 18 people.

4.4.91 This loss of employment is 0.45% of the total employment capacity target for the Burwood LGA under the Metropolitan Strategy, therefore considered a minor loss given the recommended target.

4.4.92 Burwood LGA is only 7.7km² in area, as such the loss of employment lands in this LGA is reasonable for the following reasons:

- removes conflict between industrial and adjoining residential uses;
- close proximity to west central region and larger tracts of industrial land;
- industrial land better suited to main arterial roads not small residential streets; and

- employment capacity increase of 4 000 will be achieved within the Burwood major centre through commercial and/or retail employment not industrial development on the subject site.

4.4.93 The loss of this industrial zoned land will have minimal impact on the provision of employment land to meet the forecast demand due to the small size of the site.

4.4.94 It is noted that the State Governments Employments Land Development Program Report 2010 - Report 4 does not include Burwood within the job analysis for the inner west precinct as its employment lands is not of a sufficient area.

“f. Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?”

4.4.95 The LEP will impact on the supply of residential land and housing supply. The LEP would facilitate higher development yield on the proposed R2 Low Density Residential zoned land and conversion of existing industrial land to residential.

4.4.96 The rezoning of this land to R1 General Residential would have a positive impact on the supply of housing in the area and the affordability of housing.

4.4.97 The future development of the land will provide a mix of housing types and unit sizes consistent with the Rules of Thumb under the Residential Flat Design Code to encourage housing affordability.

4.4.98 The proposed zone, height and FSR changes for the site allows for the construction of residential flat buildings being consistent with recently rezoned Council depot site and existing adjacent site at 2A Tangarra Street East.

4.4.99 Overall the increased density across the site should be supported for the following reasons:

- Assists in meeting the housing targets of 7,700 new dwellings by 2031 for Burwood LGA;
- The concept Master-plan demonstrates that the apartment buildings and indicative setbacks will not unreasonably impact on adjoining properties in respect of overshadowing and privacy;
- The residential unit blocks also provide for an appropriate transition between lower residential properties and residential units located on Tangarra Street East. The design will maintain a 2 storey building height when it adjoins adjoining single residential allotments.
- Increased housing will assist in increasing the need for local employment activities within the Burwood Town Centre which can be accessed regularly by surrounding bus services; and
- No other industrial sites, except for this one, remain within the Burwood LGA. This increased density is not likely to create a precedent.

4.4.100 The supply of additional housing in the area would assist in providing affordable housing in an area with excellent accessibility to public transport and local services.

“g. Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?”

Public Transport

4.4.101 The site is located less than 400m from Burwood Road, where regular buses provide services to Burwood or Campsie railway stations, which are approximately 2.2km from the subject site. The M41 metro bus services these stations on the route between Hurstville and Macquarie Park.

4.4.102 There are approximately 295 inbound bus services and 287 outbound bus services available in the vicinity of the site on weekdays. On weekends, bus services comprise of 190 services in each direction on Saturday and approximately 140 bus services on a Sunday.

4.4.103 The existing rail infrastructure is capable of servicing the site.

Private Vehicles and Traffic

4.4.104 A Traffic Report has been prepared by Varga Traffic Planning and accompanies this Planning Proposal. The Traffic report considers the potential development outcome as a result of the rezoning and the implications for the existing road network.

4.4.105 An assessment was undertaken of the traffic generation of the site for existing conditions and than those proposed in the indicative Masterplan.

4.4.106 The analysis found that traffic generation for in and out of the existing Flower Power site resulted in 140 vehicles per hour (VPH) during morning peak, 220 VPH during the afternoon peak and 460 VPH during the Saturday Peak.

4.4.107 The indicative Masterplan provides a medium density redevelopment on the site for 239 dwellings resulting in 65 vehicle trips per hour during peak commuter periods. The peak vehicles per hour will be reduced considerably, during afternoon peak and Saturday peak periods, as a result of the Planning Proposal.

4.4.108 This reduction in vehicle and heavy truck movement will provide a direct benefit to the local community and facilitate a lesser traffic generating use of the land.

4.4.109 The analysis also found that the planning proposal would have no adverse impact on the operation of key intersections.

"h. Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?"

4.4.110 Not relevant to LEP.

"i. Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?"

4.4.111 There are no known State or Federal investments in infrastructure or services in the area. Given the sites proximity and accessibility to Burwood and Campsie Stations, the rezoning would increase patronage of the railway system which supports the ongoing economic viability of the infrastructure.

"j. Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?"

4.4.112 The land is not constrained by any known environmental factors.

"k. Will the LEP be compatible / complimentary with surrounding land uses? What is the impact on amenity in the location and wider community?"

4.4.113 The LEP will be compatible with the existing residential areas to the east, west and south. The accompanying indicative Masterplan identifies the form and scale of the proposal and shows the appropriate transition to the low density residential areas.

4.4.114 The east to west building footprints, proposed through the centre of the site, will step down to two storeys at both the eastern and western ends ensuring the scale is similar to surrounding low density residential dwellings and maintaining appropriate solar access.

4.4.115 The amenity of the surrounding residential areas will be improved by the proposal. The orientation of the site will maintain 3 hours of sunlight to surrounding residential properties between 9am and 3pm on 21 June. The possible building configuration on the site is compliant with the Residential Flat Design Code and facilitates appropriate separation to maintain and enhance visual and acoustic privacy.

4.4.116 The Masterplan provides for generous north facing communal open space within the central east-west corridor of the site, ensuring future residents enjoy high level amenity will providing appropriate separation from the rear of the properties fronting Mitchell Street.

4.4.117 The nature of the proposed use of the land will be complimentary to the existing residential land uses adjacent to the site.

"l. Will the public domain improve?"

4.4.118 The public domain would be significantly improved as a result of this Planning Proposal. By allowing residential development with higher densities there will be an incentive to redevelop the land and see the removal of the conflicting industrial uses on the site.

4.4.119 The redevelopment of the site will improve the public domain by providing a built edge to the Mitchell Street frontages. The design of the buildings will achieve design excellence and result in a visual improvement.

4.4.120 In addition to the physical works, the future development of the site will generate payment of Developer Contributions under Section 94 of the Environmental Planning & Assessment Act. These contributions would facilitate additional public domain improvements in the locality.

"m. Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?"

4.4.121 The proposal will have no impact on increasing choice for retail or commercial premises.

"n. If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?"

4.4.122 The proposal is a stand-alone proposal and is unlikely to develop into a centre in the future.

“o. What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?”

4.4.123 The Planning Proposal is in the public interest for the following reasons:

- It will increase the provision of housing in Croydon Park, an area that is within close proximity to Burwood and Campsie Stations/centres. The proposal will accommodate future growth and reduce development pressure on existing residential areas.
- It will result in the efficient use of existing infrastructure, allowing for medium density housing in an area that is well serviced. It will reduce the pressure on development of Greenfield sites that are not as well serviced or have access to efficient public transport networks.
- Improve the residential amenity of existing residential areas to the east, west and south by improving their visual outlook and reducing acoustic impacts associated with industrial uses on this site.
- Significant reduction in traffic generation as a result of the use of this site and reduction in heavy vehicle movements.
- It will provide for the provision of a community facility in Croydon Park which has been identified as needed for the local community by Burwood Council. The dedication of land (approx. 1650m²) and retention of the existing dwelling will enable Burwood Council to undertake community based activities such as computer classes or a meeting space for local community groups. The community facility will provide a direct benefit to the local community for the long term.

4.4.124 The implications of not proceeding would be the continuation of the conflict between the industrial and residential uses on the site. Not proceeding with the Planning Proposal would not provide an incentive to redevelop this land and would continue the lack of community facilities in this area.

4.4.125 The Planning Proposal meets the 'Net Community Benefit Test'.

4.5 Section B – Relationship to Strategic Planning Framework

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

4.5.1 The applicable sub-regional strategy is the Inner West Subregion Draft Subregional Strategy (IWSDSS) under the Metropolitan Plan for Sydney 2036. It is noted that the recently released Metropolitan Strategy for Sydney to 2031 identifies revised sub-regions. The subject site is located in the Central sub-region. Due to the detail in the Draft sub-regional strategy its consideration is provided below

4.5.2 The key directions for Inner West subregion are:

1. Support and differentiate the role of strategic centres
2. Protect employment lands and working harbour
3. Promote Parramatta Road as an enterprise corridor
4. Improve Housing Choice
5. Manage traffic growth and local travel demand

6. Protect and promote recreational activity and environmental assets
7. Celebrate cultural diversity

4.5.3 The Planning Proposal will achieve the key directions 1, 4, 5 and 6 in the following ways:

- Provide housing in close proximity to public transport corridors. The site is within a 13 minute walk and bus ride to Burwood Station or Campsie stations.
- The proximity to the major centre of Burwood will see local job opportunities for future residents, given the 4 000 employment capacity increase identified between now and 2036.
- It will provide greater housing choice by the permissibility of town houses and residential flat buildings. The increased density will encourage housing affordability through increased housing supply and greater variety of dwelling sizes and configurations.
- It will result in a 2.59% loss of employment lands for the entire inner west subregion. This is considered to be minor and will remove conflicts between industrial and residential uses.
- Employment lands are better suited in close proximity to major roads, like Parramatta Road and Liverpool Street/Hume Highway and not residential streets.
- Residential uses are likely to decrease vehicular traffic movements compared to current use as demonstrated in the Traffic Report.

4.5.4 The subregional strategy is broken into 6 key sections. The relationship of this Planning Proposal to the sections of the subregional strategy is discussed separately under each section below:

A - Economy and Employment

4.5.5 The Key Directions for Economy and Employment are to:

- Protect employment lands and the working harbour
- Promote Parramatta Road as an enterprise corridor
- Plan for 12,500 new jobs.

4.5.6 An Employment Lands Study has not been undertaken by Council. Notwithstanding, only 1.2 hectares is identified to be retained as Class 1 employment land within the Burwood LGA of 7.7km². This relates to a portion of the subject site.

4.5.7 Only 6,335m² of the subject site is zoned IN2 Industrial under the BLEP 2012 and this is surrounded by low and medium density residential zones.

4.5.8 As the site can be remediated for residential development and is in close proximity to Burwood major centre, rezoning industrial land to residential land is appropriate.

4.5.9 As discussed previously, the West Central subregion has 3,367.4 hectares of Class 1 employment lands. The site is located between 4.5 to 10.9km from Chullora, Homebush South, Silverwater and Parramatta Road Corridor, which provide 543.7 hectares of the 3,367.4 hectares of employment lands in the West Central subregion.

4.5.10 Given the small geographical area of the Burwood LGA and proximity to surrounding employment lands, the retention of the industrial zoning is not essential.

- 4.5.11 The rezoning of the site will remove conflicts between industrial and residential uses and will provide increased housing and choice to support the future employment capacity of Burwood major centre.
- 4.5.12 This rezoning is consistent with recent rezoning changes for the adjoining Council depot site under the BLEP 2012.

B - Centres and Corridors

- 4.5.13 Croydon Park is identified as a neighbourhood centre under the WCDSS and the Metropolitan Plan for Sydney 2036. The majority of the site is located within a radius of 270 metres to the shops on Tangarra Street.
- 4.5.14 Burwood Road is within 400m of the site and a combined 13 minute walk and bus ride to Burwood Town Centre. Excellent metropolitan bus services support the viability of additional housing on this site.

C - Housing

- 4.5.15 The IWSDSS is required to accommodate 30,000 new dwellings by 2031. Of this total 7,700 dwellings had been allocated to the Burwood LGA. Resulting in a total housing target of 22,300 dwellings for the remainder of the LGA.
- 4.5.16 The Planning Proposal seeks to provide increased density housing in an appropriate location to major bus routes and public open space. Permitting a mixture of residential flat buildings and town houses with a higher FSR will assist Burwood Council in meeting its housing targets under the Metropolitan Strategy and Subregional draft plan.
- 4.5.17 The Planning Proposal will facilitate residential housing on land that is unconstrained and has excellent accessibility to Tangarra Street local shops, Enfield, Henley Park and Burwood Town Centre.

D - Transport

- 4.5.18 The subject site has excellent access to public transport networks, the site is within 5 minutes walking distance to Burwood Road which has regular bus services to Burwood Station, having approximate bus travel time of 8 minutes.

E - Environment, Heritage and Resources

- 4.5.19 The environmental challenges for the Inner West Subregion focus on managing the environmental impact of development and reducing consumption of natural resources.
- 4.5.20 The subject site is an existing infill site that is being used for industrial uses. The Planning Proposal seeks the removal of the industrial uses and a higher density of residential uses. Potential matters of Land Contamination have been considered and a preliminary site investigation has been undertaken as required by State Environmental Planning Policy 55 to ensure the land is suitable for its intended use. It was concluded that the site could be made suitable for residential use.
- 4.5.21 The Planning Proposal land is not within the vicinity of heritage items but is located in proximity to a heritage conservation area on Stanley Street. Given the location and proposed height of

the development, as shown in the indicative Masterplan there is likely to be no significant impact the conservation area.

F - Parks, Public Spaces and Culture

4.5.22 The indicative Masterplan, attached to this planning proposal, proposes medium density development which is in close proximity to Henley Park.

4.5.23 Section 94 contributions from potential redevelopment will contribute to improving community interests.

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

4.5.24 Burwood 2030 is the Council's community strategic plan. It was prepared in June 2011. The plan focuses on the outcomes Burwood Council would like to achieve over the next 20 years. The Plan establishes the long-term vision for Burwood Council as:

A well connected, sustainable and safe community that embraces and celebrates its culture and diversity

4.5.25 The plan focuses on the outcomes Burwood Council would like to achieve over the next twenty years. The study looks at five themes and goals for Burwood City. These are detailed below:

- A sense of community
 - A safe community for residents, workers and visitors
 - High quality activities, facilities and services
 - A current understanding of the community's needs
 - A well informed community
 - A supported and engaged community which celebrates diversity
 - A well connected community
 - A sense of community pride
- Leadership through innovation
 - Accountable and transparent decision making
 - Improved connections between young and older people
 - A supported and supportive community with strong leadership
 - An engaged community
 - Visible leadership
 - Strong partnerships to benefit the community
 - Strategic Goal: To implement best practice effective governance
 - Responsible employer of choice
 - Minimise risk & ensure continuity of critical business functions
 - Ensure Burwood Council is financially sustainable
 - Efficient, effective, customer focused services
- A sustainable natural environment
 - Retained and maintained open green spaces
 - Improved waste management

- Community educated on sustainable practices
- Reduced impacts of population growth on the environment
- Clean waterways
- Leadership in environmental sustainability
- Accessible services and facilities
 - Integrated, efficient and affordable public transport
 - Effective traffic management and adequate parking provision
 - Accessible services and facilities that are well utilised
 - Affordable housing
 - Safe facilities and services
 - High quality health services
 - Vibrant and clean streetscapes
- A vibrant economic centre
 - The commercial hub for the Inner West
 - Supported small business
 - Increased employment and training opportunities
 - A diverse range of businesses attracted
 - Economic centre growth and preserved residential areas

4.5.26 The planning proposal will assist in meeting the key outcomes for:

- 'a sustainable natural environment' by achieving environmental and energy targets for future residential development;
- 'accessible services and facilities' by providing off-street parking and providing a mix of residential dwellings;
- 'a sense of community' by the provision of a community room on site; and
- 'a vibrant economic centre' by facilitating more residential development in an area that is well serviced by public transport and the potential to support the increased employment demands within the Burwood Town Centre.

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

4.5.27 Should the Planning Proposal be supported at the gateway, the relevant State Environmental Planning Policies (SEPPs) that will apply to the redevelopment of the land include:

- Statement Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development;
- State Environmental Planning Policy No. 55 – Remediation of Land; and
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;

4.5.28 Consistency with State Environmental Planning Policies will be determined at the Development Assessment stage.

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



4.5.29 The following table provides an assessment against the Ministerial Directions:

Table 4 - Planning proposal's consistency with Ministerial Directions

s.117 Direction Title	Consistency of Planning Proposal
1. Employment & Resources	
1.1 Business and Industrial Zones	The planning proposal results in the loss of 6,335m² of industrial land. The loss of industrial land is inconsistent with this direction. However, the loss of industrial lands is considered reasonable for the following justifications: 1) The loss of industrial land will be equivalent to 2.59% of the 244.34 hectares of Class 1 employment land in the inner west being a minor loss. 2) At a rate of approximately 27 jobs per hectare (based on figures obtained from Employment Lands Development Program 2010 Report 4) employment loss on this site would equate to 10.8 jobs, being minor considering Burwood town centre is proposed to provide an additional 4,000 jobs by 2036. Approximately 18 people are currently employed on the industrial portion of the site. 3) The redevelopment of the site for residential use will increase the population of the LGA and this will assist in supporting the viability of Burwood strategic centre and in particular achieving employment increase consistent with both the subregional draft policy and the Metropolitan Strategy for Sydney 2036. 4) The site is not suitable for industrial use as residential development surrounds the site and includes the recently rezoned Council Depot site to the west from industrial to R1 General Residential. 5) Industrial land would be better suited towards Liverpool Road or Parramatta Road to reduce traffic impacts on the local road network. 6) The additional housing will improve housing affordability and choice, by offering a range of housing densities. 7) The planning proposal is not contrary to the objectives of the direction as this site is not considered a suitable location given its existing uses and proximity to residential uses. 8) This size of Burwood LGA is 7.7km², which is a very small geographical area to support true employment lands. The Metropolitan Strategy and Subregional Policy recognise that Burwood is going to be a Strategic Centre therefore commercial/retail employment is expected to rise and these increases are likely to be support the projected employment growth of this region, not employment lands. Given the size of the industrial zoned land, its change to residential would be of minor significance to this region.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production & Extractive industries	Not applicable
1.4 Oyster Aquaculture	Not applicable

s.117 Direction Title	Consistency of Planning Proposal
1.5 Rural Lands	Not applicable
2. Environment and heritage	
2.1 Environment Protection zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	The site is within close proximity to a heritage conservation area. As discussed previously, the rezoning and potential future redevelopment of the site will not detrimentally affect this area.
2.4 Recreation Vehicle areas	Not applicable.
3. Housing, Infrastructure and urban development	
3.1 Residential Zones	An intensification of residential uses on the subject site will provide for existing and future housing needs and make efficient use of existing infrastructure. The planning proposal will facilitate a broader range of housing options in Croydon Park. The Planning Proposal will facilitate good residential design in accordance with the principles of SEPP 65 and Rules of Thumb of the Residential Flat Design Code. These aspects will be assessed during the subsequent Development Application Process.
3.2 Caravan parks and manufactured home estates	Not applicable.
3.3 Home occupations	Not applicable.
3.4 Integrating Land Use and Transport	The Planning Proposal seeks to provide increased residential development on land that is within close proximity to regular metropolitan bus services, on Burwood Road. These buses, service Burwood strategic centre and the travel time is approximately 5 minute walk from the site to Burwood Road and an 8 minute bus trip to the Burwood centre. Increased residential density, in this location will encourage the use of public transport and may reduce the reliance on private vehicle use. The change in use of the site will result in a significant reduction of traffic generation in the local area and reduce heavy vehicle movements which are positive outcomes for adjacent established residential area.
3.5 Development near licensed aerodromes	Not applicable.
3.6 Shooting ranges	Not applicable.
4. Hazard and risk	
4.1 Acid Sulfate Soils	The land to which this Planning Proposal relates is identified on Councils Acid Sulfate Soils map as Class 4. The Burwood LEP 2012 requires the submission of an acid sulfate soils management plan. This matter will be addressed at the development application stage.

s.117 Direction Title	Consistency of Planning Proposal
4.2 Mine subsidence and unstable land	Not applicable.
4.3 Flood Prone Land	Not applicable, the land is not identified as subject to flood related development controls.
4.4 Planning for bushfire protection	Not applicable, the land is not identified as bushfire prone land.
5. Regional Planning	
5.1 Implementation of regional strategies	Not applicable.
5.2 Sydney's drinking water catchments	Not applicable.
5.3 Farmland of State or regional significance	Not applicable.
5.4 Commercial and retail development along the Pacific Hwy	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton & Millfield	Not applicable.
5.6 Sydney to Canberra corridor	Not applicable.
5.7 Central Coast	Not applicable.
5.8 Second Sydney Airport	Not applicable.
6. Local Plan Making	
6.1 Approval and Referral Requirements	The planning proposal includes provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.
6.2 Reserving Land for Public purposes	Not applicable.
6.3 Site Specific Provisions	The planning proposal seeks to rezone the land to an existing zone contained in Burwood LEP 2012. The planning proposal does not contain drawings that show details of the development proposal. The planning proposal is accompanied by an indicative Masterplan; this is provided to enable the community to have a better understanding of the potential outcome of the planning proposal. Approval of the Masterplan is not sought.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	The Planning Proposal achieves the overall intent of the plan and does not undermine the achievement of its vision, land use strategy, policies or outcomes. Although, the land has been identified by the associated draft

s.117 Direction Title	Consistency of Planning Proposal
	sub regional strategy as land that is to be retained for employment purposes, its removal will equal only 2.59% of employment lands within the inner west being a loss of approximately 18 jobs. The proposal will achieve increased residential densities in an area that is highly accessible and has excellent access to public transport, employment opportunities, local schools and shopping centres. The rezoning of the industrial site will remove incompatibilities between residential and industrial uses and improve the amenity for existing residents. The increased population will be able to assist in achieving employment targets for Burwoods town centre.

4.6 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?

- 4.6.1 No. Given the existing uses on the site, it is unlikely that any critical habitats or threatened species exist on the site.

9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

- 4.6.2 No. There are no identified environmental effects of the planning proposal. The subject site is not identified as flood prone, bushfire prone or land that is subject to natural hazards.

10. How has the Planning Proposal adequately addressed any social and economic effects?

- 4.6.3 The proposal will result in an increase in the availability of residential housing stock and dwelling mix within the locality and will contribute towards the provision of housing for population forecast increase within the Burwood LGA.
- 4.6.4 The loss of the current industry across the entire site will result in a job loss of approximately 32 people with 18 persons working on the industrial zoned portion of the site. The retention of the 6,335m² is not critical for employment capacity targets, which is likely to be achieved within the major town centre of Burwood, through commercial and retail employment.

4.7 Section D - State and Commonwealth Interests

11. Is there adequate public infrastructure for the Planning Proposal?

- 4.7.1 A Traffic Assessment has been undertaken in the preparation of this Planning Proposal to determine how the existing road network may be impacted and whether there is sufficient road infrastructure to support the Planning Proposal. The Traffic report prepared by Varga Traffic Planning Pty Ltd accompanies this report.

- 4.7.2 The report confirms that the traffic generation of the Planning Proposal will be significantly less than the current uses and will have no adverse impact on the surrounding street networks with the existing road infrastructure being sufficient to cater for the proposed residential densities.
- 4.7.3 No other specific studies have been undertaken prior to preparation of the Planning Proposal.
- 4.7.4 The site is located within an established urban area which is well serviced by road networks, public transport, utilities, local schools, community facilities, shopping centres and employment opportunities.
- 4.7.5 It is expected that existing infrastructure, will be capable of supporting the planning proposal as follows:
- Public transport
 - Rail – The site is in close proximity to railway stations. (13 minute bus trip to Burwood and Campsie Railway Stations on M90 Bus Service route).
 - Buses – There are a number of local bus routes located in close proximity to the site.
 - Utilities – the site is currently connected to water, sewer and electricity. The availability of the services to accommodate the planning proposal will be discussed with the relevant public authority following the Gateway Determination.
 - Waste management and recycling - Waste management and recycling services will be available through Burwood City Council.
- 4.7.6 It is expected that there will be a slight increase in demand on public infrastructure, so consultation will be required on this matter with the appropriate public authorities to be identified through the Gateway Determination.

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

- 4.7.7 At this stage, the appropriate State and Commonwealth public authorities have not been identified or consulted. This will occur following the Gateway Determination and are likely to include:
- Department of Education and Communities
 - Housing NSW
 - Energy Australia
 - Department of Health
 - NSW Police Service
 - Transport NSW
 - Rail Corporation of NSW
 - Roads and Traffic Authority
 - Sydney Water

4.8 Part 4 – Community Consultation

- 4.8.1 Following the Gateway Determination, the Department of Planning will advise the extent of 'formal' public consultation that is required.
- 4.8.2 It is likely to be publicly exhibited for a period of 28 days.

5.0 CONCLUSION

- 5.0 This Planning Proposal has been prepared by LJB Urban Planning Pty Ltd on behalf of Flower Power Pty Ltd and is submitted to Burwood Council for consideration.
- 5.1 It is requested that the Burwood LEP 2012 be amended in regards to zoning, floor space ratio and height controls as it relates to the land bound by Mitchell Street and Tangarra Street East, Croydon Park.
- 5.2 The planning proposal will have a positive impact and provide a Net Community Benefit for the following reasons:
- The removal of the existing non residential uses that are incompatible and in conflict with the existing and desired future character of the area.
 - Provide a more appropriate use of land consistent with the residential character of the precinct which will enhance the residential amenity of surrounding dwellings.
 - Provide an incentive to redevelop the site by permitting a higher residential density consistent with the residential zoning to the west.
 - The site is located opposite Henley Park, the proximity of the site will provide convenient access to residents to utilise this space which supports higher density living.
 - Will assist in achieving the housing target for the Burwood Area under the Metropolitan Plan for Sydney.
 - Would avoid possible intensification of the uses on the site which could have significant impact on adjoining dwellings in terms of acoustic and visual privacy.
 - Would result in a significant reduction of heavy traffic movements which would assist in reducing traffic congestion in the local street network.
 - Will result in a minor loss (2.59%) of employment land for the Inner West region, but will assist in achieving the population targets for the Burwood LGA and assist in meeting employment targets for Burwood strategic centre under the Inner West draft regional strategy.
 - Site is within 400 metres of Burwood Road which provides regular metro bus services to Burwood Town Centre. The trip is estimated to be approximately 13 minutes, which includes a 5 minute walk to and from the bus stop.
 - It will result in the efficient use of existing infrastructure, allowing for higher density housing in an area that is well serviced. It will reduce the pressure on development of Greenfield sites that are not as well serviced or have access to efficient public transport networks.
 - It will provide for the provision of a community facility in Croydon Park which has been identified as needed for the local community by Burwood Council. The dedication of land and retention of the existing dwelling for use as a community facility will enable Burwood Council to undertake community based activities such as computer classes or a meeting space for local community groups. The community facility will provide a direct benefit to the local community.
- 5.3 The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

5.4 It is therefore requested that Burwood Council progress the requested amendments to Burwood LEP 2012 as follows:

- Rezoning of the subject site from part R2 Low Density Residential and part IN2 Light Industrial to part R1 General Residential;
- Amendment of the Height of Building Map to apply a maximum building height of 11m; and
- Amendment to the Floor Space Ratio Map to apply a maximum Floor Space Ratio of 1.2:1 on the R1 zoned part of the subject site.

Figure 5 – Proposed Land Zoning Map

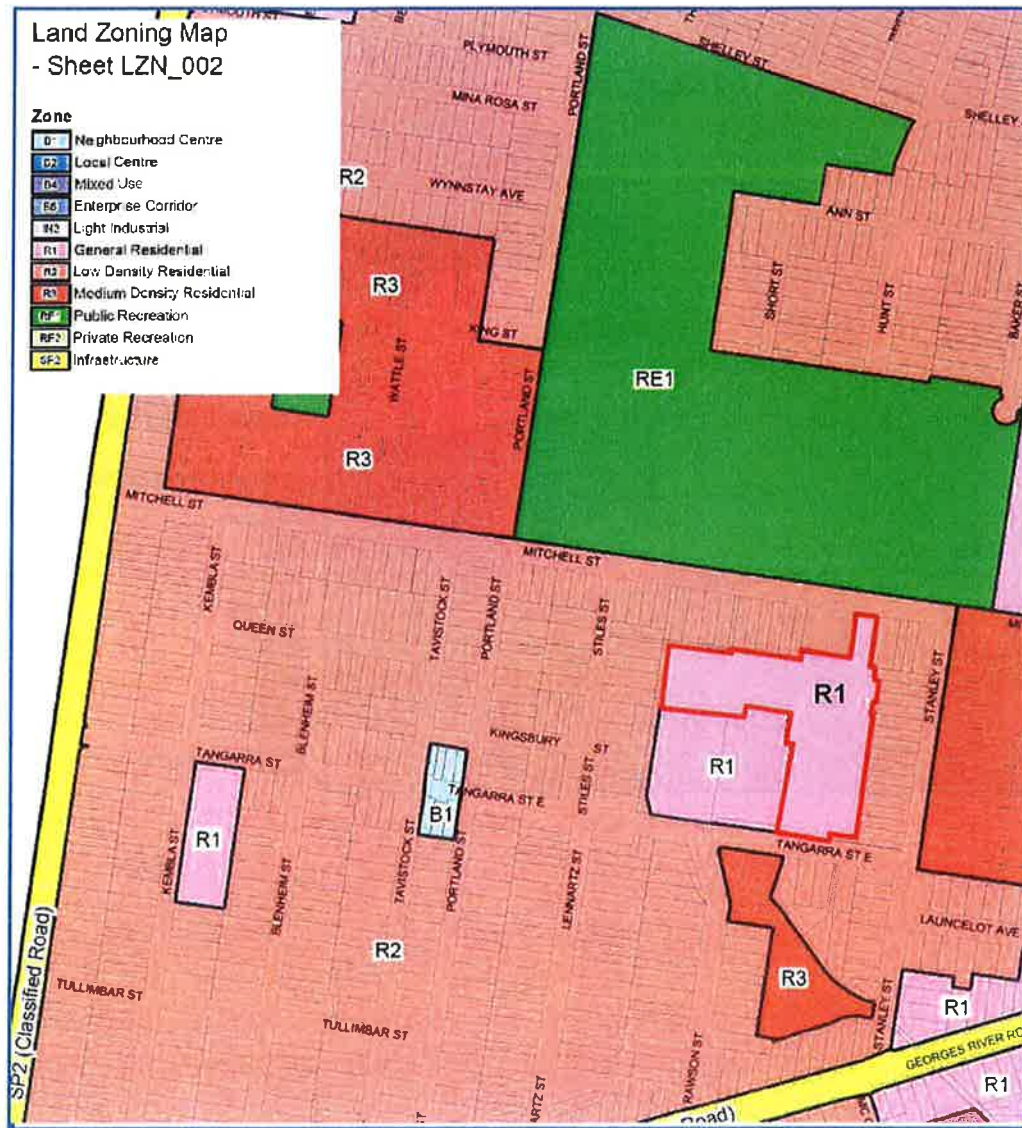


Figure 6 – Proposed Maximum Floor Space Ratio Map

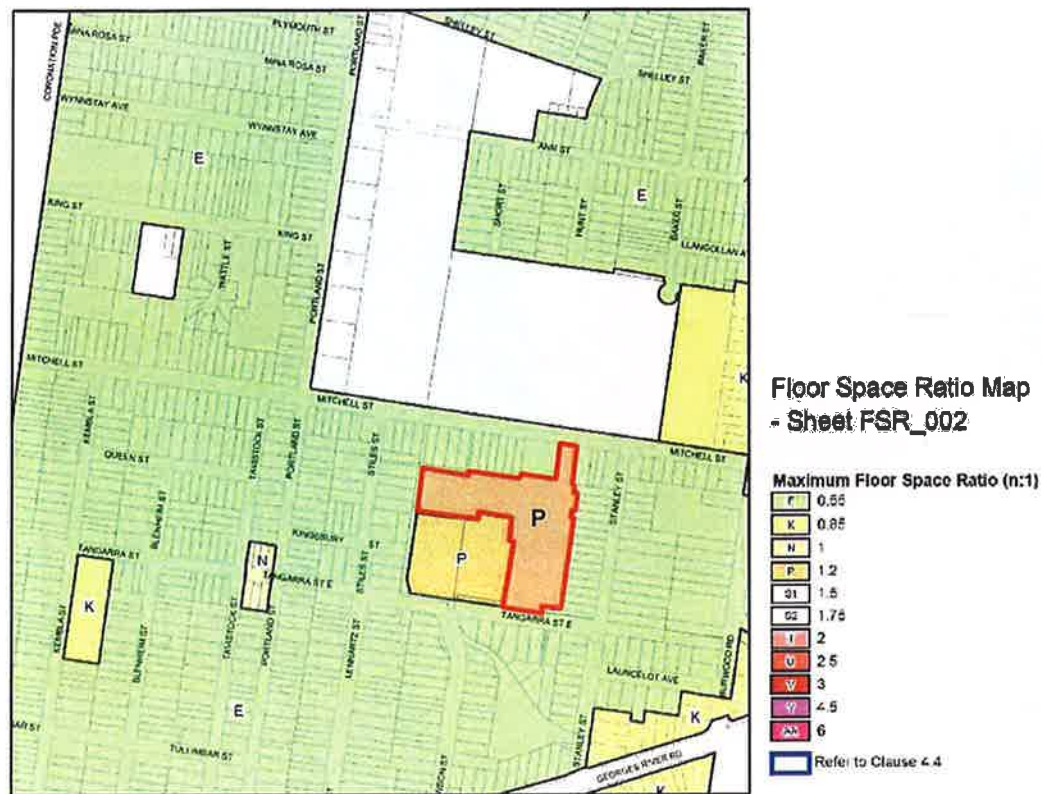


Figure 7 – Proposed Maximum Height of Building Map

