



**PLANNING PROPOSAL FOR
THE REZONING OF LOTS 1, 2, 3 DP 30405
HILLCREST AVENUE &
Lot 8 DP 30405 CORONATION PARADE STRATHFIELD
SOUTH**

Part 1 – Objectives or Intended Outcomes

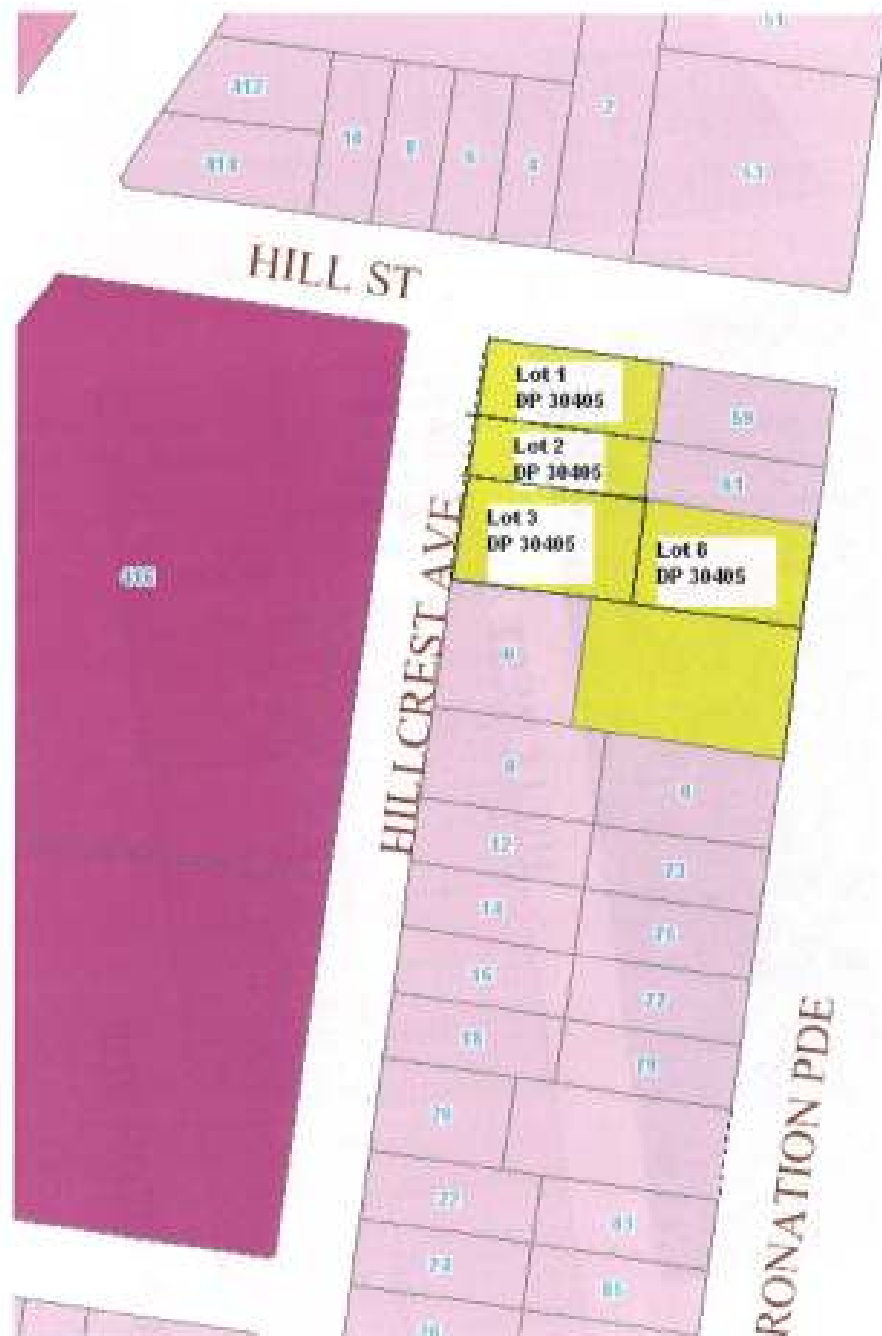
To enable the redevelopment of the subject lots 1, 2, 3 DP 30405 Hillcrest Avenue & Lot 8 DP 30405 Coronation Parade Strathfield South as shown below for uses other than Sydney Water uses by changing the zoning from Special Uses 5(a) - Water Supply to Residential 2(a).

MAP 1: LOCATION OF SUBJECT SITES



Subject Sites

MAP 2: EXISTING ZONING

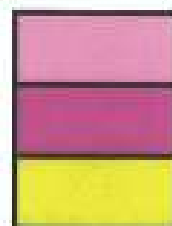


KEY:

Residential 2(a)

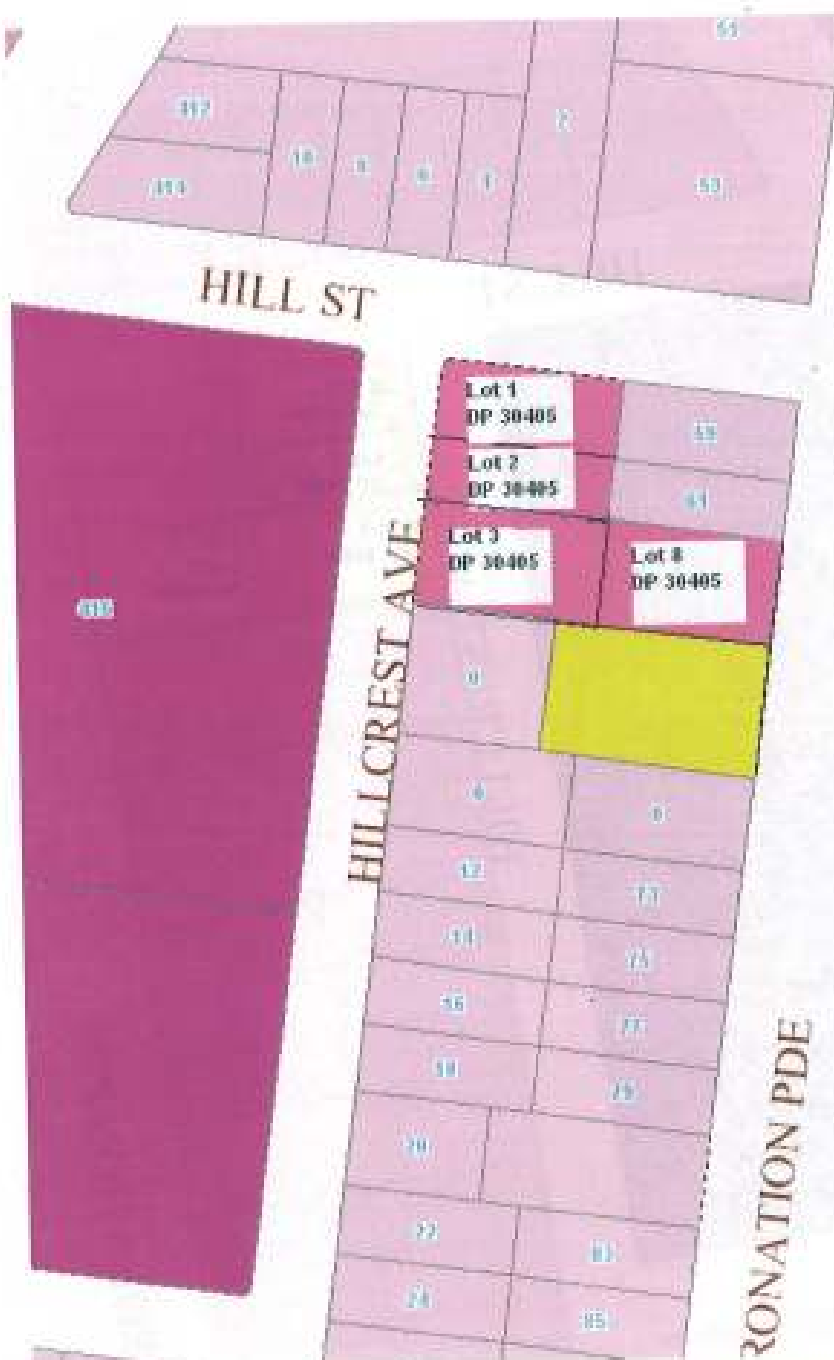
Residential 2(b)

Special Uses 5(a) – Water Supply



Subject Sites: Lots 1, 2, 3 & 8 DP 30405

MAP 3: PROPOSED ZONING



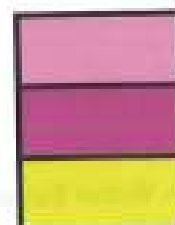
KEY:

Residential 2(a)

Residential 2(b)

Special Uses 5(a) – Water Supply

Subject Sites: Lots 1, 2, 3 & 8 DP 3405



Part 2 – Explanation of Provisions that are to be included in the proposed LEP

This planning proposal has been proposed in order to:

Amend Schedule 4 of the Strathfield Planning Scheme Ordinance (SPSO) "Scheme map" or amend draft Strathfield Local Environmental Plan 2008 (2003) land use zoning map (if draft LEP 2008 is gazetted prior to this Amendment) in accordance with the proposed zoning map shown in Map 3 and summarised in Table 1.

Table 1 Proposed Zoning Changes

Sites	Existing Zoning	Proposed Zoning
Lot 1 DP 30405 Hillcrest Avenue	Special Uses 5(a) - Water Supply	Residential 2(a)
Lot 2 DP 30405 Hillcrest Avenue	Special Uses 5(a) - Water Supply	Residential 2(a)
Lot 3 DP 30405 Hillcrest Avenue	Special Uses 5(a) - Water Supply	Residential 2(a)
Lot 8 DP 30405 Coronation Parade	Special Uses 5(a) - Water Supply	Residential 2(a)

Part 3 Justification For LEP:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal for Lots 1, 2, 3 DP 30405 Hillcrest Avenue & Lot 8 DP 30405 Coronation Parade Strathfield South is a result of housing studies undertaken with the preparation of draft LEP 2008(2003). It was intended to rezone the subject lots to Residential 2(a) in the draft LEP to be consistent with the adjacent surrounding zonings. Lot 8 however was inadvertently omitted from the draft LEP as publicly exhibited in September 2003. The rezoning of this lot is rationalised in the Rezoning Application Report provided by David Crane & Associates dated 6 June 2007. The critical justification provided in the report for the rezoning to Residential 2(a) relates to site specific and local planning justification.

The report indicates that the subject land was originally owned by Sydney Water and was used as a water and sewer maintenance depot. However, with the reduction in Sydney Water personnel during the 1980's and 1990's the depot had been closed and the existing buildings had remained empty for several years, leading to the site being declared surplus.

The surplus depot site comprising lots 1,2 ,3 and 8 were sold at auction to Youma Constructions No. 2 (the current owners) in March 2006. Whilst the property comprising all four lots was sold with the existing special uses zoning under the Strathfield Planning Scheme Ordinance, the new owners were informed that a draft LEP was in place that intended to rezone the land to residential. Although three of the lots were in fact included in an active draft LEP at the time (proposing Residential 2(a) zoning) although lot 8 was not. The present owner has always expected that the land will be rezoned to Residential 2(a) consistent with LEP 2008 (2003) and lots 1, 2, 3.

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

The planning proposal to change the zoning from Special Uses (5a) Water Supply to Residential 2(a) is the most effective means of addressing the site as it is no longer required by Sydney Water for their operations. The present zoning is a very restrictive specific purpose zoning that effectively sterilises the site other than for purposes ancillary to water supply utilities.

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

The present owners bought the land with the expectation of residential zoning development potential and the planning process has delayed their intentions to redevelop the site. The current special uses zone is highly restrictive, enabling almost no development other than the original water utility uses. The site is therefore effectively restricted from re-development until a rezoning occurs.

There is no community benefit advantages in the site being left vacant. For example:

- The inability to actively utilise the existing buildings (due to the restrictive zoning) could potentially pose safety issues.
- Adjoining neighbours have an expectation of residentially 2(a) zoned land and future development on these properties, particularly as a draft residential rezoning has already proposed over 3 of the 4 properties in a previous draft LEP to become Residential 2(a) zoning.
- There is strong demand for new housing in the area and the existing zoning will result in no new dwellings
- Redevelopment of the land will provide opportunities for the creation of additional jobs during construction.

It is therefore considered that the net community benefit will substantially outweigh the cost of implementing and administering the planning proposal.

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 (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Strategy and Inner West Subregion Draft Subregional Strategy

The revised Metropolitan Strategy for Sydney titled *City of Cities: A Plan for Sydney's Future* was released in December 2005. More detailed planning was proposed to follow and be incorporated into the Strategy framework via regional strategies and sub-regional strategies and in this respect the Inner West Subregion Draft Subregional Strategy was released for public comment on 30th June 2008.

The revised Metropolitan Strategy is based on anticipated population, economic and demographic trends and has five aims as follows:

1. Enhance Livability
2. Strengthen Economic Competitiveness
3. Ensure Fairness
4. Protect the Environment
5. Improve Governance

The Draft Subregional Strategy provides a 2031 housing target for Strathfield LGA of 8,300 estimated dwellings. Residential 2(a) zoning of the site would be compatible and consistent with the surrounding

residential area. In addition it is consistent with the Metropolitan Strategy and the Inner West Subregion Draft Subregional Strategy as potentially four new dwellings will be able to be constructed on these sites.

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

The planning proposal is consistent with draft LEP 2008 (2003) which sought to rezone the subject land and adjoining Lots 1, 2 & 3 in DP 30405 to Residential 2(a). The proposal is consistent with Council's Vision 2020 document for Strathfield which is implemented through Strathfield's Management Plan 2009-2012. The proposal is consistent with the Vision 2020 key directions of Strategic Planning, Integrated Transport, Community Building and Sustainable Development and Strathfield Management Plan's Principle Activity Areas of Sustainable Environment, Community Building and Economic Development by potentially permitting new dwellings located in close proximity to public transport (eg. bus services), open space areas, community facilities and employment opportunities.

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

State Environmental Planning Policies that are considered relevant to the proposed rezoning are set out as follows.

SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)

Gazetted: 15.11.91

Abstract:

States the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local Councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings.

SEPP No. 32 applies to all urban land and therefore the site. The aims and objectives of the SEPP are:

(1) This Policy aims:

- (a) to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development, and*
- (b) to implement a policy of urban consolidation which will promote the social and economic welfare of the State and a better environment by enabling:*
 - (i) the location of housing in areas where there are existing public infra-structure, transport and community facilities, and*
 - (ii) increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities, and*
 - (iii) the reduction in the rate at which land is released for development on the fringe of existing urban areas.*

Although consideration under the provisions of SEPP No. 32, has been given to whether the subject allotments are suitable for redevelopment into multi-unit housing, this is not considered appropriate given the context of the allotments being surrounded by and within what is generally an area zoned Residential 2(a). Under the provisions of the SPSO and that proposed under the provisions of draft LEP 2008 (2003) the subject allotments it is appropriate that the subject lots be rezoned to Residential 2(a).

SEPP No. 53 - Metropolitan Residential Development

Gazetted: 26.09.97

Abstract:

Repeals SEPP No. 12, SEPP No. 20, SEPP No. 25 and Sydney Regional Environmental Plan No. 12. Applies to councils in the Greater Metropolitan Region that have not prepared a suitable residential development strategy that addresses local housing needs while contributing to the metropolitan objective of more compact cities. The policy contains development controls for integrated housing and dual occupancy.

Strathfield Council prepared a Residential Development Strategy in 1999 that subsequently led to exemption from SEPP53 so that the strata subdivision of dual occupancy housing is not permitted in Strathfield Local Government Area. However the proposed rezoning is consistent with the intent of SEPP No.53 and the goal of more compact cities through infill housing.

SEPP No. 55 – Remediation of Land

Gazetted: 28.08.98

Abstract:

The SEPP introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires Councils to be notified of all remediation proposals. To assist Councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines

The SEPP applies across the state. The aims and objectives of the SEPP are

- (1) The object of this Policy is to provide for a Statewide planning approach to the remediation of contaminated land.
- (2) In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:
 - (a) by specifying when consent is required, and when it is not required, for a remediation work, and
 - (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
 - (c) by requiring that a remediation work meet certain standards and notification requirements.

The applicant's Rezoning report prepared by David Crane and Associates states that the site has been formerly used for a Sydney Water depot and provided office accommodation, garaging etc for Sydney Water personnel. The report also states that evidence has been uncovered to suggest that the site has ever been previously used for any industrial or semi-industrial use, or any other use likely to have resulted in contamination.

The proposed rezoning is therefore considered to be consistent with the provisions of the SEPP and the subject sites suitable for permissible residential uses under the proposed 2(a) residential zone.

SEPP (Infrastructure) 2007

Gazetted: 21.12.07; commences 1.1.08

Abstract:

Provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The SEPP allows for the efficient development, redevelopment or disposal of Government owned land. This is achieved by permitting additional uses on State land and allowing adjacent land uses to be undertaken on State land (except conservation lands) if the uses are compatible with surrounding land uses.

Although the subject sites are not Government owned land, the proposed rezoning is consistent with the intent of this SEPP of allowing efficient redevelopment of surplus land by allowing additional uses compatible with surrounding land uses.

Council's Housing Strategy

Consistent with State Government urban consolidation policies and to gain exemption from SEPP53, Council adopted a Housing Strategy in 1999. Strathfield LEP 79 gazetted in 2000 implemented key parts of that Strategy and provided greater opportunities for multiunit residential development particularly in the northern area of the LGA accessible to public transport infrastructure and other amenities. The strategy sought to preserve single dwelling allotments where multiunit development is not considered appropriate. The proposed rezoning will provide infill residential 2(a) zoned land for single dwellings, consistent with the Housing Strategy.

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

Ministerial S117 Directions

New local planning directions were issued by the Minister for Planning under section 117(2) of the Environmental Planning and Assessment Act 1979 on 19 July 2007. These directions replaced previous s117 ministerial Directions.

Section 3.1 Residential Zones of the s117 Directions is applicable when Council prepares a draft LEP that affects land within an existing or proposed residential zone and therefore would be applicable if Council prepares a draft LEP to rezone the site to a residential zone.

The objectives of this Section are:

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) to minimise the impact of residential development on the environment and resource lands.*

Council is required under this Direction to include in a draft LEP provisions that encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and*
- (b) make more efficient use of existing infrastructure and services, and*
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and*
- (d) be of good design*

and to

- (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and*
- (b) not contain provisions which will reduce the permissible residential density of land.*

The proposed LEP, by rezoning the subject sites to a residential zone, would be consistent with the requirements of this Direction subject to suitable site servicing and design standards.

The site is within an existing residential area which provides an appropriate level of infrastructure and services. The Strathfield Consolidated Development Control Plan 2005 provides appropriate planning/building standard requirements.

Section 3.4 Integrating Land Use and Transport of the s117 Directions is applicable when Council alters a land use zone including a residential zone.

The objective of this Direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) increasing the choice of available transport and reducing dependence on cars, and*
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) supporting the efficient and viable operation of public transport services, and*
- (e) providing for the efficient movement of freight.*

The rezoning proposal is generally consistent with this Direction given it is within an existing established residential neighbourhood in an established inner western suburb of Sydney.

Section 4.3 Flood Prone Land of the s117 Directions is applicable when a Council prepares a draft LEP that creates, removes or alters a zone or a provision that affects flood prone land.

The objective of this direction is

- (a) To ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 and*
- (b) To ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

The rezoning proposal falls within the Cooks River Catchment area. Council does not have a flood study for this catchment but is completing this flood study. Council's Development Engineer has confirmed that the subject lots are not affected by flood or overland flow being located towards the top of the catchment.

Section 6.1 Approval and Referral Requirements of the s117 Directions applies to the preparation of any draft LEP to minimize the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. This Direction will be taken into consideration in the preparation of a draft LEP to rezone the site.

Department of Planning Circulars, Practice Notes and Guidelines

Relevant Department of Planning Circulars, Practice Notes and Guidelines are considered below.

PS06-013 Local environmental studies 2 May 2006

This circular explains the processes that are used to identify when a local environmental study is required for an amendment to a local environmental plan and the information that is expected from a development proponent to support a rezoning request.

A local environmental study is not considered necessary for this Planning Proposal given that it only involves rezoning four lots to a residential zoning consistent with adjoining land uses and the zoning of most of the surrounding area.

This report includes the considerations that an LEP Review Panel might consider in assessing any draft LEP.

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?

The site which comprises a few small shrubs and trees is not likely to adversely affect critical habitat, threatened species, populations or ecological communities or their habitats.

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

There are no other likely environmental effects as a result of the planning proposal.

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

The applicant's rezoning report prepared by David Crane and Associates states that with the site now in private ownership, the land is sterilised for further use until a rezoning takes place. There is no environmental or other reason for the land to be sterilised, particularly given its prime position in a desirable local residential area in inner western Sydney. As the owner purchased the site in 2006, there are ongoing costs associated with the purchase and no potential for any return on the investment under the current zoning which limits the range of permissible uses. The current zoning restricts future development and does not allow for any uses for temporary leasing. The site involves ongoing costs with no economic benefit.

Rezoning to enable a wider range of uses will encourage the economic use of existing services, transport and other infrastructure within the locality. It will also have a beneficial social and economic effect in the locality since it will provide the opportunity to satisfy demand for additional residential dwellings within the district.

The proposal improves the economic viability of the site as it is no longer used by Sydney Water under its current zoning. The proposal provides the social benefit of improved housing choice.

Section D – State and Commonwealth Interests

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

The planning proposal which involves the rezoning of only four lots from Special Uses 5a – Water Supply to Residential 2(a) will not place significant demands on existing public infrastructure.

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

This section will be completed following consultation with the State and Commonwealth Public Authorities identified in the gateway determination.

PART 4 – Community Consultation

The proposal which involves the rezoning of four lots is considered to be low impact as defined in section 4.5 Community Consultation of the Department of Planning's guidelines to preparing a local environmental plan. The proposed rezoning is consistent with adjacent residential land uses and zones, is consistent with the strategic planning framework and presents no issues with regard to infrastructure servicing. This is therefore consistent with the Department's requirements for low impact proposals which is for a public exhibition period of 14 days.