

ATTACHMENT 7. Council Resolution 11 December
2014

OFFICERS REPORTS**13 15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL**

FILE NO: T-29-156

Attachments: Peer Review Report

REPORT BY: ACTING DIRECTOR CITY PLANNING

Summary:

- This matter was deferred by Council on 27 November 2014 for consideration by the City Development Committee on 12 February 2015 (see Additional Supplementary Information).
- This matter was deferred by Council on 25 September 2014 (see Supplementary Information).
- A planning proposal seeking the rezoning of the subject land from IN2 Light Industrial to permit a residential redevelopment of the site with some additional retail/commercial activities has been received.
- The planning proposal has been assessed by independent planning and economic development consultants.
- Their report concludes that the land is not part of a key industrial/employment area and a rezoning to permit residential redevelopment could be supported.
- Their report, however, also concludes that the level of redevelopment sought is excessive and that if Council supports the rezoning then building heights should be fixed at 11.5 metres (three storeys) and the floor space ratio fixed at a maximum of 0.9:1 in keeping with predominant surrounding land uses and scales of development.
- It is recommended that rezoning the land as R4 High Density Residential, subject to the maximum building height (11.5 metres) and floor space ratio (0.9:1) recommended in the independent consultants report be supported.

Council Delivery Program and Budget Implications:

This report has no implications for the Budget and supports our Community Strategic Plan long term goal of Balanced Development.

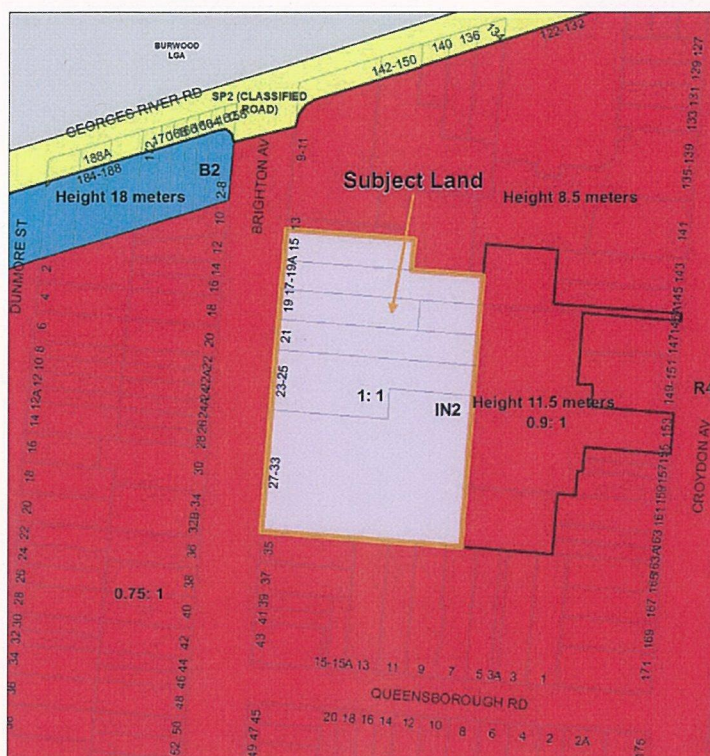
Report:

A planning proposal in respect of land at 15-33 Brighton Avenue, Croydon Park has been received.

The land is currently zoned IN2 Light Industrial under the provisions of Canterbury Local Environmental Plan 2012. It is a relatively small and isolated light industrial precinct.

The diagram below shows the site and surrounding land use zones.

15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL (CONT.)



Current zoning, height and FSR controls

The proponents are seeking to rezone the land to R4 High Density Residential in order to permit redevelopment for residential apartments along with some associated retail/commercial floor space. Maximum building heights of up to eight storeys are being sought in conjunction with a floor space ratio of 2.5:1.

The planning proposal suggests that a dwelling yield in the order of 250 to 280 apartments is being sought. More specifically, for the southern half of the site, approximately 155 apartments and 600 square metres of commercial/retail floor space is proposed.

The planning proposal was referred to SGS Economics and Planning for an independent assessment and report. Their report is included in the Attachments.

The SGS report concludes that the planning proposal could be conditionally supported as this light industrial precinct is relatively isolated in terms of serving as a business and/or employment hub and has experienced recent decline in this context. While the site is deemed suitable for residential development, the SGS report further concludes that new development should be considered in line with the surrounding built form and character. Preferred locations for high density and high rise development are close to railway stations, which this site is not.

The full conclusion from the SGS report is reproduced below for information:

“The industrial precinct on Brighton Avenue in Croydon Park, currently zoned IN2 Light Industrial is not considered a strategic industrial precinct. The precinct is not part of a larger industrial or freight and logistics concentration and has experienced some decline in regards to use with low employment and vacancies. It is not contributing to significant industry clusters in the Canterbury LGA or surrounding region. The precinct is not assessed as being critical to meeting future employment demands in Canterbury LGA or the surrounding region or to the provision of land for population servicing light industrial land uses.”

15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL (CONT.)

The regional employment context, along with the need to increase housing supply, presents residential as an appropriate use for the site. The site has been identified as suitable for residential land uses as it is located near a local centre and a bus corridor with access to the inner west and central Sydney. However, the development should be considered in line with the surrounding built context and character. The site is not located near a rail station, which could be considered as a preferred location to locate higher density residential forms.

Even though the surrounding residential area is zoned R4 High Density Residential, the planning controls reflect a medium density built form with FSRs of 0.75:1 and 0.9:1 (on the site to the direct east of the subject precinct where there is opportunities for a consolidated site area for redevelopment).

It is recommended that the precinct be considered for change to a non-employment related land use. From a strategic planning perspective, retail uses may be better located in the Croydon Park local centre which adjoins the precinct and this should be considered when assessing development proposals for the site.

This assessment is limited to the proposed zoning and controls for the site. Other development specific impacts (such as traffic considerations, appropriateness of character and scale, and the geographic environment) would need to be considered when assessing development applications for the site. Nevertheless, development feasibility has been assessed to highlight some preliminary considerations when considering the appropriate FSR (or height) controls for the site.

If a residential land use was considered for the site, there are opportunities with a larger site area to incorporate a development with higher FSR into the area. The FSR of 2.5:1 that has been proposed for the site does not appear to be required to make the redevelopment feasible, with our modelling showing that a lower FSR of 0.9:1 and height of 11.5 metres (as per the adjoining site) is sufficient to provide a feasible outcome, and may be more appropriate given the site's location."

Given the nature of the assessment, conclusions and recommendations of the SGS report, the planning proposal seeking to rezone this land to permit a residential redevelopment can be supported. It is noted that the SGS report recommends a maximum building height of 11.5 metres and a maximum floor space ratio of 0.9:1, commensurate with surrounding development, as opposed to the 26 metres height limit and 2.5:1 FSR limit sought by the proponents.

It is considered the heights and densities sought by the proponents are excessive given the scale and intensity of surrounding development and therefore the recommendations of the SGS report are supported. It is noted that the SGS report concludes that at a floor space ratio of 0.9:1 redevelopment is commercially viable and there is no compelling reason to increase the FSR further.

It is further considered that specific provision for retail and/or commercial floor space to the amount sought in the planning proposal (600 square metres) is not warranted at this location.

15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL (CONT.)

Supplementary Information:

It is understood that the applicants for this planning proposal now wish to have the matter considered on the basis of a proposed B5 Business Development zone instead of the originally requested and reported R4 zone. All documentation originally submitted with this planning proposal referred only to a requested R4 zone and it is on this basis SGS Economics and Planning prepared their assessment and report.

Given the potential for a B5 zone to accommodate significant amounts of commercial floor space it would not be unreasonable to expect specific supporting documentation, for example in terms of parking and traffic generation, to be supplied.

The applicants have been written to on two separate occasions seeking advice and an indication whether any further or additional information to support a B5 zone instead of a R4 zone would be forthcoming.

While some documentation expressing support for a B5 zone has been received it fails to address any of the issues raised in the initial assessment undertaken by SGS, in particular relating to height, bulk and scale of new buildings. Adequate additional technical or strategic documentation or justification supporting a B5 zone has not been provided.

In the absence of such supporting documentation regarding this requested change in zoning, it is difficult to properly assess such a request. One of the advantages to rezoning this small precinct to residential redevelopment at a scale similar to that existing on adjoining and nearby land is that it will reduce the potential impacts relating to noise, truck movements, odours, etc. A B5 zone has the potential to increase traffic movements given the wider range of permissible land uses.

Additional supplementary information: Comparison of potential dwelling yields

A comparison of potential dwelling yields for the entire Brighton Avenue industrial precinct has been undertaken in order to provide an indication of the number of dwellings that could be built under different development scenarios. It must be noted that these figures are broadly indicative only and many other factors, such as built form controls in our DCP and building separation requirements in SEPP 65 will potentially impact on the final design and yields in any given scenario. It is also important to note that higher buildings will require greater separation between buildings which can further impact on theoretical returns.

For the purposes of this comparison, a figure of 90 square metres gross floor area and 110 square metres (this includes corridors, entries and other common areas, etc) per two bedroom equivalent dwelling has been used. The Table below provides a comparison based on floor space ratios of 0.9:1 (as recommended in the independent SGS report), 1.4:1 and 1.5:1. The site area of the entire precinct is approximately 14,700 square metres.

FSR	Height	Floor area	No. Dwellings at 90m ² /dwelling	No. Dwellings at 110m ² /dwelling
0.9:1	11.5 metres (3 storeys)	13,230 sq metres	Approximately 147 dwellings	Approximately 120 dwellings
1.4:1	14 metres (4 storeys)	20,580 sq metres	Approximately 228 dwellings	Approximately 187 dwellings

15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL (CONT.)

FSR	Height	Floor area	No. Dwellings at 90m ² /dwelling	No. Dwellings at 110m ² /dwelling
1.5:1	17 metres (5 storeys)	22,050 sq metres	Approximately 245 dwellings	Approximately 200 dwellings

It is also important to note that surrounding residential zones have a floor space ratio of 0.75:1 and a maximum height of 8.5 metres (2 storey). The exception to this is an area of land immediately to the rear of 15-33 Brighton Avenue (access from Croydon Avenue) which has a floor space ratio of 0.9:1 and height of 11.5 metres (3 storey).

RECOMMENDATION:

THAT:

1. The conclusions and recommendations of the SGS report to rezone land at 15-33 Brighton Avenue, Croydon Park to R4 High Density Residential, set the maximum floor space ratio at 0.9:1 and the maximum building height at 11.5 metres, be supported.
2. A planning proposal be prepared as an amendment to Canterbury Local Environmental Plan 2012 and forwarded to the Department of Planning for Gateway determination and subsequent public exhibition.

COUNCIL MEETING**RESOLUTION - 11 DECEMBER 2014****13 15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL**

FILE NO: T-29-156

Min. No. 522 RESOLVED (Councillors Hawatt/Azzi)

THAT:

1. The land at 15-33 Brighton Avenue, Croydon Park be rezoned to R4 High Density Residential
2. The maximum floor space ratio be set at 2:1 and the maximum building height be set at 15.0 metres as the site has the capacity to accommodate increased development densities and will contribute to the achievement of strategic planning goals to provide higher density housing in an accessible location.
3. A planning proposal be prepared as an amendment to Canterbury Local Environmental Plan 2012 and forwarded to the Department of Planning for Gateway determination and subsequent public exhibition.
4. Councillor Hawatt gave the following reasons for amending the recommendation of the Council officers:
 - The proposed FSR of 2.5:1 is inconsistent with a height of 15 metres.
 - An FSR of 2.5:1 is more consistent with a height of 25 metres.
 - We would not be able to justify an FSR of 2.5:1 in conjunction with a height of 15 metres on urban design grounds to the Department of Planning and Environment.
 - The applicant's own planning proposal for this site suggested an FSR of 2.5:1 in conjunction with a height of 26 metres – they were of the view that this could meet SEPP65 design requirements.
 - The Department requires us to justify our planning proposals – we are looking at

15-33 BRIGHTON AVENUE, CROYDON PARK: PLANNING PROPOSAL (CONT.)

their latest response in relation to Sixth Avenue dated 1/12//2014 (increasing the FSR to 3.1:1). In that instance they have advised us they require more information before they will consider the matter for a gateway determination, including:

- Adequate evidence to justify the outcomes of the proposal.
- Explanation and justification of consistency with the relevant Metro, regional, subregional and Council policies, State Planning Policies and Minister's section 117 Directions, with each inconsistency individually outlined and justified.
- Environmental, social and economic impacts adequately outlined and justified.

FOR	AGAINST
Deputy Mayor, Councillor F. Kebbe	The Mayor, Councillor Robson
Councillor Azzi	Councillor Adler
Councillor Hawatt	Councillor K. Saleh
Councillor Nam	
Councillor Vasiliades	

At the time the Division was taken, Councillor Paschalidis-Chilas was absent from the Council Chambers.

During discussion on the above item,

- Councillor Paschalidis-Chilas left the Council Chamber at 8.39 p.m.
- Councillor Saleh left the Council Chamber at 8.40 p.m. and returned at 8.47 p.m.