

Planning Services

IRF19/2216

Gateway determination report

LGA	Strathfield
PPA	Strathfield Council
NAME	Planning proposal to amend Strathfield LEP 2012 to reclassify land at 1 Loftus Crescent, Homebush from Community to Operational Land.
NUMBER	PP_2019_STRAT_001_00
LEP TO BE AMENDED	Strathfield Local Environmental Plan 2012
ADDRESS	1 Loftus Crescent, Homebush
DESCRIPTION	Lot D, DP340860
RECEIVED	26 March 2019
FILE NO.	IRF19/2216
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of planning proposal

The planning proposal seeks to amend Schedule 4 of Strathfield Local Environmental Plan (LEP) 2012 to reclassify land at 1 Loftus Crescent, Homebush from Community to Operational Land.

Site description

The site is located at 1 Loftus Crescent, Homebush and is legally described as Lot D DP 340860. The site is located on the northern frontage of Loftus Crescent. It encompasses a total site area of approximately 690m². The existing development on the site is a Council owned two-storey, 1930s art deco style residential flat building, comprising four apartments. The four apartments are currently leased by Council but are not used for affordable housing purposes.

The site is identified in the Homebush Precinct of the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS). The site is identified to have potential for increased density and mixed use development.



Figure 1: The site (Source: Nearmap)

Existing planning controls

The following controls apply to the site under Strathfield LEP 2012 (**Figures 2-4**):

- Zoned R4 High Density Residential
- Maximum building height of 16 metres
- Floor space ratio (FSR) control of 1.65:1.
- Identified as part of Key Site 86 on the Key Sites Map. The key sites map

The site is also identified in Area 1 on the height of building and FSR maps which allows for the application of clauses 4.3A and 4.4A. Under the clauses the site can exceed the maximum FSR and height of building controls to achieve an FSR of 2.7:1 and maximum height of 29 metres should additional lots as part of Key Site 86 be consolidated.

The site is not listed under Schedule 5 of the Strathfield LEP 2012 or listed in a heritage conservation area. However, directly adjacent to the site's east is an item of local heritage significance, identified on the heritage map and listed under Schedule 5 of the Strathfield LEP 2012. Homebush Station is also listed as an item of state heritage significance and is located adjacent to the site's south.

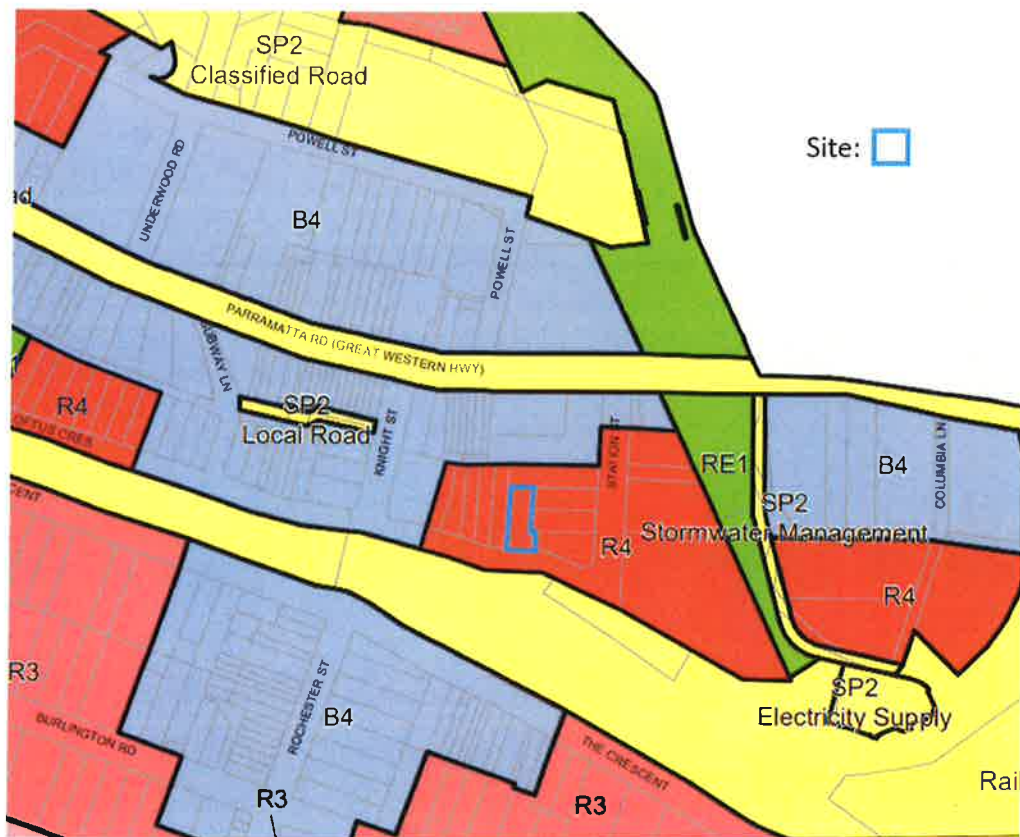


Figure 2: Land use zoning (Strathfield LEP 2012)



Figure 3: Height of buildings (Strathfield LEP 2012)



Figure 4: Floor space ratio (Strathfield LEP 2012)

Surrounding area

The surrounding context is summarised in the following table and can be seen in **Figure 5** below.

Aspect	Surrounding context
North	<ul style="list-style-type: none"> • Parramatta Road and surrounding B4 mixed use zone. • Adjacent to the site is a residential flat building and the Horse and Jockey Hotel. • Further to the north east is Powells Creek and the North Strathfield Shopping Village
East	<ul style="list-style-type: none"> • Adjacent to the site is a one storey residential building that is listed as an item of local heritage significance. • Characterised by R4 High Density Residential zoning • Large mixed use commercial and residential developments at

	Nipper Street and Columbia Lane.
South	<ul style="list-style-type: none"> • Adjacent to the site is Homebush Station • Further south of Homebush Station is a range of medium and low density residential uses characterised by R3 Medium Density zoning • A B4 mixed use zone also applies south of Homebush Station • Homebush Public School
West	<ul style="list-style-type: none"> • Loftus Crescent is primarily characterised by low density housing • Sporadic medium density housing is also found throughout the street.



Figure 5: Locality Context of 1 Loftus Crescent, Homebush (Source: Nearmap)

Summary of recommendation

The planning proposal is recommended to proceed subject to conditions as it will:

- allow Council to consider the redevelopment and/or sale of the land;
- allow for the potential redevelopment of the site in accordance with its existing zoning and/or proposed zoning under the PRCUTS;
- allow for the provision of greater housing supply including affordable housing in an identified precinct with access to services, jobs and public transport; and
- align the classification of the land with the site's existing zoning and use.

PROPOSAL

Objectives or intended outcomes

The planning proposal seeks to amend Strathfield LEP 2012 to reclassify land at 1 Loftus Crescent, Homebush from Community to Operational land to consider the redevelopment of the site.

Council has advised that a future redevelopment of the site is likely to be facilitated via a joint venture agreement. Council intends to ensure the provision of affordable housing on the site through any future agreement.

Explanation of provisions

The planning proposal seeks to amend Part 1, Schedule 4 of the Strathfield LEP 2012.

Schedule 4 identifies land that is to be classified or reclassified as either Community or Operational land. It is divided into three parts:

- Part 1: land being classified or reclassified as Operational land where no interests will change
- Part 2: land being classified or reclassified as Operational land where interests will change
- Part 3: land being classified or reclassified as Community land

As there are no interests registered on the title of the land to be changed an amendment to Part 1, Schedule 4 is appropriate. A draft amendment has been prepared:

Column 1 – Locality	Column 2 – Description
1 Loftus Crescent, Homebush	Lot D 3P 340860

The explanation of provisions is considered clear and does not require amendment prior to public exhibition.

Mapping

The proposal does not seek to make any amendments to development standards or the site's zoning. Additionally, the reclassification encompasses the entire lot, as such, no mapping amendments are required.

NEED FOR THE PLANNING PROPOSAL

The planning proposal is the result of Council's resolution of 4 December 2018 which resolves to reclassify the site from Community to Operational land.

Council also resolved to automatically reclassify the land as Community land under Section 33 of the *Local Government Act 1993* should the redevelopment of the site not provide affordable housing.

Section 27(1) of the *Local Government Act 1993* requires the reclassification of public land be made by an LEP amendment. This is the only way the land can be reclassified from Community to Operational land, as such an LEP amendment is considered the best way to achieve the intended outcome.

STRATEGIC ASSESSMENT

Greater Sydney Region Plan – *A Metropolis of Three Cities*

In March 2018 the Greater Sydney Commission released the Greater Sydney Region Plan, the plan provides a strategic framework to coordinate and manage Sydney's growth. The plan contains objectives for the Greater Sydney Region over the next 40 years and informs the actions and directions of the commission's district plans.

The planning proposal is considered consistent with the plan, with particular relevance to the following objectives:

- Objective 10: Greater housing supply
- Objective 11: Housing is more diverse and affordable
- Objective 14: A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities

Eastern City District Plan

The planning proposal is considered consistent with the District Plan, with particular relevance to the following priorities:

Planning Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport

The reclassification will allow for Council to consider the redevelopment of the site. As discussed this is anticipated to be carried out through a joint venture agreement. The agreement is expected to facilitate the development of additional housing in a strategic location with access to transport, jobs and services. The anticipated redevelopment of the site will assist Strathfield in achieving its 0-5 year housing supply target of 3,650 dwellings.

As discussed, Council's resolution of 4 December 2018 indicates that the site is intended to be redeveloped for the purpose of affordable housing. Council also resolved to automatically reclassify the land under Section 33 of the LG Act should the provision of affordable housing not eventuate.

Additional information provided by Council on 27 March 2019, advises that it intends acquire eight apartments through the abovementioned agreement. However, the exact number of apartments to be used for affordable housing will be determined

when an agreement is made. The intent to provide affordable housing at the site also demonstrates consistency with the priority.

Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city

The site is directly accessible to Homebush Station via an adjacent pedestrian crossing, providing direct access from the site to the station in less than one minute.

Council's intent to consider the redevelopment of the site for additional housing supports the Greater Sydney Commission's vision for a 30-minute city. The site has excellent access to the Central River City in 18 minutes and the Eastern Harbour City in 25 minutes via public transport.

Local

Parramatta Road Corridor Urban Transformation Strategy (PRCUTS):

The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) is a long-term vision to guide future development to accommodate population and employment growth throughout the Parramatta Road corridor.

The PRCUTS Implementation Plan guides short-term land use planning and development decisions throughout the corridor. The strategy is intended to be implemented in stages, with stage one being delivered between 2016 and 2023.

The site is identified as being in the Homebush precinct under the PRCUTS and several changes to planning controls pertaining to the site are recommended. These recommended changes include:

- rezoning the site to B4 Mixed Use
- increasing the maximum building height to 80 metres; and
- increasing the maximum FSR control to 5.0:1

The planning proposal does not seek to amend the sites zoning or existing planning controls.

Section 9.1 Ministerial Directions

The proposal is considered consistent with all relevant 9.1 Ministerial Directions.

2.3 Heritage Conservation

The subject site is located adjacent to heritage items in the south and east. Although the proposal does not address the direction it only seeks to reclassify land and formalise the site's existing. The proposal does not seek to amend the site's zoning or development standards. As such, it is considered that potential heritage impacts can be considered as part of any future development application.

3.1 Residential Zones

The direction applies as the planning proposal affects land that is zoned R4 High Density Residential. The planning proposal is considered consistent with the direction as it does not seek to amend development standards or rezone the land.

7.3 Parramatta Road Corridor Urban Transformation Strategy

The planning proposal is considered generally consistent with the strategy. The strategy recommends that development standards are increased, and the site be rezoned from R4 High Density Residential to B4 Mixed Use.

The planning proposal states that it seeks to reclassify the site to facilitate development in accordance with the site's existing zoning, the intent is considered consistent as residential flat buildings are permitted under both the site's existing zoning and proposed B4 Mixed Use zoning.

State environmental planning policies (SEPPs)

The planning proposal is considered to be consistent with all relevant SEPPs. The following are of particular relevance:

SEPP 55: Remediation of Land

The site has a history of residential uses and is occupied by a 1930s art deco style residential flat building. However, the site is located adjacent to Homebush Station so there is potential for contamination at the site.

The reclassification of the land does not seek to amend the sites zoning or development standards. The anticipated future use of the land is also expected to align with its existing use. A detailed contamination study should be carried out as part of any future development application for the site.

SEPP 70: Affordable Housing (Revised Schemes)

Although there is no provision in the Strathfield LEP 2012 to ensure the provision of affordable housing as part of any future development application. The intent to enter a joint venture agreement is considered consistent with the overarching aims of the SEPP.

SITE-SPECIFIC ASSESSMENT

Social

The reclassification of the site is not anticipated to have a negative social impact. The site encompasses an existing building and does not provide a public use. The reclassification of the site is considered appropriate as it will align the site's classification with its existing and intended uses.

Environmental

The site is in an established urban area and its current use is a residential flat building. As such, there are no anticipated environmental effects as the site does not contain any critical habitat, threatened species or endangered communities.

Economic

As discussed, the reclassification of the land will allow Council to consider the redevelopment of the site to provide additional housing. The future redevelopment of the site will allow for the provision of additional housing in proximity to transport, services and facilities. The increased supply of housing is anticipated to have a positive impact on housing prices.

Council's intent to provide affordable housing at the site is also anticipated to have a positive economic impact.

CONSULTATION

Community

The planning proposal states that it will be exhibited on Council's website and a notice will be placed in the local newspaper. Planning proposals that reclassify public land are required to be exhibited for 28 days.

Additionally, an independently chaired public hearing must be held after the exhibition of the planning proposal. Council proposes to notify the hearing on its website and in the local newspaper. Notification letters will also be sent to individuals who make a submission during the public exhibition period.

Agencies

The planning proposal states that agency consultation has not commenced. Council proposes to undertake agency consultation in accordance with the Gateway determination.

As no public agencies have interests in the land and there are no proposed changes to development standards or the site's zoning, the Gateway should not require any agency consultation.

TIME FRAME

The planning proposal includes a project timeline that indicates an eight month timeframe for completion following the receipt of a Gateway determination. A nine month timeframe for completion is considered appropriate for the planning proposal.

LOCAL PLAN-MAKING AUTHORITY

As Council is the owner of the site, it is considered that Council has an interest in the land. Under Section 30 of the *Local Government Act 1993*, the Governor's approval is required when a reclassification proposal seeks to discharge any interests affecting public land. However, as Council's interest in the land is not being discharged through the reclassification the Governor's approval is not required.

Council cannot be authorised to act as the local plan-making authority when the Governor's approval is required for a planning proposal. Although the Governor's approval is not required Council has not requested to be the local plan-making authority for this planning proposal.

CONCLUSION

The planning proposal is recommended to proceed subject to conditions as it:

- allow Council to consider the development or sale of the land;
- allow for potential redevelopment of the site in accordance with its existing zoning and/or proposed zoning under the PRCUTS;
- allow for the provision of greater housing supply including affordable housing in an identified precinct with access to services, jobs and public transport; and
- align the classification of the land with the site's existing zoning and use.

RECOMMENDATION

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. The time frame for completing the LEP is to be 9 months from the date of the Gateway determination.
3. Given the nature of the planning proposal Council should be the local plan-making authority.
4. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act.
5. A public hearing is required to be held in accordance with section 29 of the *Local Government Act 1993* as the proposal seeks to reclassify the site from community to operational land.



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