



Planning Proposal for the Flower Power Enfield site - 27 Mitchell Street, Croydon Park

Proposal Title : Planning Proposal for the Flower Power Enfield site - 27 Mitchell Street, Croydon Park

Proposal Summary : The planning proposal applies to land at 27 Mitchell Street, Croydon Park ('the site'). The site is more commonly known as Flower Power Enfield.

The proposal seeks the following amendments to the Burwood Local Environmental Plan 2012 ('Burwood LEP 2012'):

- Rezone the site from part IN2 Light Industrial and part R2 Low Density Residential to R1 General Residential;
- Apply an 11 metre maximum building height across the site (currently, a height control of 8.2 metres applies to the R2 zoned land and 10 metres applies to the IN2 zoned land);
- Apply a 1.2:1 maximum Floor Space Ratio across the site (currently, 0.55:1 applies to the R2 zoned land and 1:1 applies to the IN2 zoned land).

The planning proposal also refers to a proposed dedication of land to Council through a Voluntary Planning Agreement.

PP Number : PP_2016_BURWO_001_00

Dop File No :

16/03799

Proposal Details

Date Planning
Proposal Received : 17-Feb-2016

LGA covered : Burwood

Region : Metro(CBD)

RPA : Burwood Council

State Electorate : STRATHFIELD

Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 27 Mitchell Street

Suburb : Croydon Park

City : Sydney

Postcode : 2133

Land Parcel : Lot 101 DP 737 342 and Lot 23 DP 774 159

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings 0 (where relevant) :
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government **Yes**
Lobbyists Code of
Conduct has been
complied with :
If No, comment :

Have there been **No**
meetings or
communications with
registered lobbyists? :

If Yes, comment : **The Department is not aware of any meetings with registered lobbyist in relation to this proposal.**

Supporting notes

Internal Supporting
Notes : **The proposal seeks to amend development controls applicable to 27 Mitchell Street, Croydon Park, known as Flower Power Enfield, under the Burwood LEP 2012. The site is formally identified as Lot 101 DP 737342 and Lot 23 DP 774159.**

The site is T-shaped with a total combined area of 19,269m² (1.9 hectares) and has frontages of 63.3 metres on Mitchell Street and 67.09 metres on Tangarra Street East.

The site is used as a Flower Power Garden Centre (a nursery) and the site has a fruit shop, pet shop, café, and a single dwelling on the Mitchell Street frontage.

Currently, the following zoning and development controls apply to the site:

- zoning: part R2 Low Density Residential and part IN2 Light Industrial;
- maximum building height: part 8.2 metres and part 10 metres; and
- maximum FSR: part 0.55:1 and part 1:1.

The following amendments to the Burwood LEP 2012 are sought:

- zoning: R1 General Residential;
- maximum building height: 11 metres across the site; and
- maximum FSR: 1.2:1 across the site.

The proposal indicates 21,142m² of residential floor space or an estimated 239 dwelling units could be provided through the amended controls. Existing zoning controls do not permit residential accommodation (in the IN2 Light Industrial zone) or residential flat buildings (in the R2 Low Density Residential zone).

HISTORY OF THE PLANNING PROPOSAL

In November 2013, Burwood Council submitted the planning proposal to the Department for Gateway determination.

On 7 February 2014, the Department issued a Gateway determination, enabling the proposal to go to public exhibition. On 24 February, Council requested a withdrawal of the planning proposal as Council no longer supported it. On 7 March, the Department withdrew the proposal.

On 10 July 2014, the proponent submitted a pre-Gateway review request to the Department, after Council refused to support the planning proposal.

On 18 December 2014, the Department determined the planning proposal had strategic planning merit and requested an independent assessment by the Sydney Region East Joint Regional Planning Panel (the Panel).

The Panel met on 28 January 2015 to review the proposal. The Panel determined the proposal should proceed to Gateway determination and did not suggest any amendments or further reviews to the proposal.

In April 2015, Council were offered the role of Relevant Planning Authority (RPA) for the proposal. In May 2015, Council declined to be the RPA. In August 2015, Council revised its position and requested to be the RPA.

Council submitted the planning proposal for Gateway determination to the Department on 17 February 2016.

Please note: the planning proposal was submitted in advance of the release of A Plan for Growing Sydney (December 2014). The planning proposal makes reference to the Metropolitan Plan for Sydney 2036 and the draft Inner West Subregional Strategy and references to these documents have been made in this report. Updates to the planning proposal to reflect directions of A Plan for Growing Sydney can be a condition in the Gateway determination.

SITE IN LOCAL CONTEXT

Land surrounding the site is predominantly zoned R2 Low Density Residential, with the following exceptions:

- a small pocket of R1 General Residential land on the eastern edge of the site (Tangarra Street East frontage);
- two pockets of R3 Medium Residential to the south of the site (5-9 Tangarra Street East frontage) and east (from Stanley Street); and
- RE1 Public Recreation located opposite the site to the north (Henley Park).

The controls proposed are consistent with those in the adjacent R1 zone (Tangarra Street East).

The site is located approximately 2 kilometres from Burwood Train Station (a major rail hub) and is well serviced by bus routes operating along Coronation Parade and Burwood Road. Three major road corridors are in close proximity to the site – Coronation Parade (to the west), Georges River Road (to the south) and Burwood Road (to the east). The site is approximately 3 kilometres to the south of Parramatta Road and is not affected by the Parramatta Road Urban Transformation Strategy.

The site has access to a large public open space and recreation area, Henley Park, which is to the north of the site. Three schools are in close proximity – Enfield Public School, Croydon Park Public School and Strathfield South Public School.

There are no heritage items on the site or in the immediate area and redevelopment would not adversely affect the heritage conservation area to the south-east of the site.

The IN2 Light Industrial portion of the site (0.63 hectares) represents the last remaining industrial land in the Burwood LGA. This industrial land is isolated, is not connected to and does not support nearby industrial lands. It is not located near a Transport Gateway. There are other larger industrial lands in the subregion that are better connected to transport networks, the Transport Gateways and other industrial lands. Additionally, state planning policy supports Burwood as a major commercial and retail centre, rather than an industrial hub, and the loss of this small parcel of industrial land is not significant.

A Traffic and Parking Assessment Report as well as a Phase 1 Contamination Assessment report have been prepared and submitted with the planning proposal.

External Supporting
Notes :

This planning proposal has been reviewed by the Sydney Region East Joint Regional Planning Panel ('the Panel') through the pre-Gateway review process.

On 8 January 2015, the Department referred the planning proposal to the Panel for independent review.

On 28 January 2015, the Panel recommended the planning proposal proceed to Gateway determination.

On 16 April 2015, the Minister's delegate determined the planning proposal should proceed to Gateway determination.

On 5 May 2015, Council advised the Department that it did not wish to be the Relevant Planning Authority for this proposal.

On 11 August 2015, Council advised that it wished to be the Relevant Planning Authority.

On 9 December 2015, the Department provided Council with advice on the next steps for the proposal.

The Department received the planning proposal on 17 February 2016.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The objectives and intended outcomes of this planning proposal are to:

- enable the redevelopment of the Flower Power site at 27 Mitchell Street Croydon Park, for medium density residential development;
- provide new housing to assist in achieving sub-regional housing targets;
- encourage the development of buildings that achieve design excellence;
- encourage the layout of new buildings to minimise overshadowing to adjoining properties;
- enhance the local environment by improving the built form relationship and streetscape along both Mitchell Street and Tangarra Street East;

- maximise the use of public transport by providing higher density residential development in close proximity to public transport;
- provide for a more appropriate land use that is consistent with surrounding residential uses; and
- provide for the orderly and economic use of land.

The objectives and the intent of the proposal are clear.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The planning proposal provides an explanation of the requested provisions. The planning proposal seeks to:

- rezone the land from part R2 Low Density Residential and part IN2 Light Industrial to R1 General Residential Development;
- amend the building height controls from part 8.2 metres and part 10 metres to 11 metres across the site; and
- amend the FSR controls from 0.55:1 and 1:1 to 1.2:1 across the site.

The explanation of the requested provisions is clear.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 6.1 Approval and Referral Requirements**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of A Plan for Growing Sydney**

Is the Director General's agreement required? **N/A**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

- SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)**
- SEPP No 55—Remediation of Land**
- SEPP No 65—Design Quality of Residential Flat Development**
- SEPP No 70—Affordable Housing (Revised Schemes)**
- SEPP (Building Sustainability Index: BASIX) 2004**
- SEPP (Infrastructure) 2007**
- SEPP (Affordable Rental Housing) 2009**

e) List any other matters that need to be considered :

The following strategic planning documents have been considered in respect of this planning proposal:

- **A Plan For Growing Sydney;**
- **State Environmental Planning Policies;**
- **Section 117 Directions;**
- **Burwood 2030 Community Strategic Plan;**
- **Views of Council;**
- **Transport, traffic and infrastructure;**
- **Strategic Industrial Lands Checklist; and**
- **Parramatta Road Urban Transformation Strategy.**

1. A PLAN FOR GROWING SYDNEY

In December 2014, the State Government released A Plan For Growing Sydney (the Plan), the strategic plan for Sydney over the next 15 years.

The planning proposal was prepared prior to the Plan's December 2014 release. As

such, the proposal does not contain an assessment of its consistency with the objectives and directions of the Plan. This is not a major issue and it can be rectified at Gateway determination by a condition requiring this work to be completed prior to public exhibition.

In reviewing the Plan, the Department considers the proposal demonstrates consistency with the following directions:

- Planning Principle 1: Increasing housing choice around all centres through urban renewal in established areas;
- Planning Principle 3: Connecting centres with a networked transport system;
- Direction 2.1: Accelerate housing supply across Sydney;
- Direction 2.3: Improve housing choice to suit different needs and lifestyles;
- Action 3.1.1: Support urban renewal by directing local infrastructure to centres where there is growth.

The Department considers the planning proposal partially consistent with the following directions:

- Direction 1.7: Grow Strategic Centres – providing more jobs closer to home; and
- Direction 1.9: Support key industrial precincts with appropriate planning controls.

2. STATE ENVIRONMENTAL PLANNING POLICIES

The proposal demonstrates consistency with the following State Environmental Planning Policies (SEPP):

i. SEPP 65 Design Quality of Residential Flat Buildings

This SEPP improves the design quality of residential flat development and provides a consistent policy mechanism applicable to the State. Amendments to SEPP 65 were introduced in July 2015 along with a new Apartment Design Guide.

The proposal states it is consistent with the SEPP as the indicative masterplan demonstrates the SEPP can be met and an assessment of compliance will be undertaken at development application stage. This position is agreed.

As the SEPP and the Apartment Design Guide have been amended since the proposal was submitted, it is recommended the proposal and the indicative masterplan be revised prior to public exhibition.

ii. SEPP 55 Remediation of Land

The objective of the SEPP is to provide a state-wide approach to the remediation of land to reduce risk of human health and the environment.

The site has some contamination due to previous and current land uses. A preliminary contamination report has been submitted with this proposal. The report recommends further investigation of odorous soils (potentially from organic material or sewerage leak) and additional soil testing as part of a phase 2 study.

The report states the site is suitable for residential development and it indicates contaminants on site would not prohibit more intensive use of land.

The proposal demonstrates consistency with this SEPP as a preliminary contaminated soils investigation has been conducted for the consideration of the planning authority. It is recommended that further soil testing, in line with the report's recommendation, be prepared for development application stage. Consultation with the NSW Environmental Protection Agency is recommended.

iii. SEPP 32 Urban Consolidation

This SEPP promotes the development of land which is no longer required for its purpose for multi-unit housing and to locate housing in areas that are already serviced by existing infrastructure, public transport and community facilities and in accessible locations. The proposal is consistent with the objectives of this SEPP. The site is well located and makes use of existing infrastructure, public transport and community

facilities.

The following SEPPs have been identified by the proponent in the planning proposal and these SEPPs are either not applicable or compliance will be addressed at development application stage:

- SEPP (State and Regional Development) 2011;
- SEPP (Urban Renewal) 2010;
- SEPP (Affordable Rental Housing) 2009;
- SEPP (Exempt and Complying Development) 2008;
- SEPP (BASIX) 2004;
- SEPP 70 (Affordable Housing);
- SEPP 64 (Advertising and Signage); and
- SEPP 1 – Development Standards.

3. SECTION 117 DIRECTIONS

The following section 117 Directions are relevant to this proposal:

1.1 Business and Industrial Zones

This direction protects employment land in business and industrial zones and it applies where a planning proposal will affect land in an existing or proposed business or industrial zone. Planning proposals:

- must retain areas of existing business and industrial zones;
- must not reduce potential floor space for employment use; and
- must not reduce potential floor space for industrial use in an industrial zone.

The planning proposal is inconsistent with this direction as it seeks to rezone industrial land to residential land and will reduce floor space for industrial use in an industrial zone of 6,335m².

The proposal argues the inconsistency can be justified as follows:

- the loss of industrial land is minor and is equivalent to a loss of 2.59% of the Class 1 employment land in the Inner West (as identified under the draft Inner West Subregional Strategy 'dIWSRS');
- approximately 18 people are employed in the industrial zoned part of the site (up to 30 people are employed, at the time the proposal was written, across the whole Flower Power site). The Burwood Town Centre is proposed to provide an additional 4,000 jobs by 2036;
- redevelopment for residential use will support the viability of the town centre and Burwood's role as a strategic centre;
- the site is not suitable for industrial use as the site is located in a predominantly residential area. The proponent notes the Council depot (also located on Tangarra Street East) has been rezoned to residential;
- industrial land would be better suited towards Liverpool Road and Parramatta Road where traffic impacts on local roads will be reduced;
- redevelopment for housing will improve housing affordability and choice in the precinct by offering a range of densities;
- current use is not suitable as it is in conflict with surrounding residential uses and character; and
- Burwood is a small LGA to support 'true' employment lands. The Metropolitan Plan and dIWSRS identify Burwood as a commercial and retail hub; industrial employment would be inconsistent with this strategy.

The Department considers inconsistency with this Direction to be justified. The site is located in a predominantly residential area and industrial land uses can cause conflict with residential uses. Additionally, the site is small and a low employment generator and industrial activity on the site could not be intensified in the future, as it would conflict with the surrounding residential environment. Redevelopment would also reduce heavy vehicle movements along Tangarra Street East which service the nursery and garden centre.

2.3 Heritage Conservation

The direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

There are no heritage items within the site. Although the site is located near two large heritage conservation areas (Launcelot Avenue and Mitchell and Kembla Street Heritage Conservation Areas), the proposal will not have a detrimental effect on these areas. Council, however, considers the site to have local significance and the gates at the Mitchell Street entrance to be a local landmark. While items of social or aesthetic significance can have heritage value, a case for the preservation of the gates has not been made as a heritage item. The Panel also did not provide formal advice in respect of the Mitchell Street gates. It is considered that this direction is not applicable.

3.1 Residential Zones

The direction encourages a variety and choice of housing types, make use of existing infrastructure and services, ensure new housing has appropriate access to infrastructure and services, and minimise impact of residential development on environment and land resources. The proposal is consistent with this direction as it will increase housing choice in Croydon Park and the site is well serviced by existing infrastructure and services.

3.4 Integrating Land Use and Transport

This direction seeks to ensure that development is located in areas that are accessible by non-private vehicle journeys. The direction applies to planning proposal that seek to create, alter or remove a zone relating to urban land, including land zoned for residential, business or industrial purposes.

The proposal is consistent with this direction as it will provide housing in an area that is within close proximity to public transport. Regular bus services along Coronation Parade and Burwood Road allow quick access to Burwood Town Centre. Increased residential density close to public transport encourages public transport usage and decreased reliance private vehicle use. Redevelopment will reduce heavy vehicle movements through the residential zone as these vehicles will no longer be needed to service the nursery.

4.1 Acid Sulfate Soils

The direction seeks to avoid significant adverse environmental effects from the use of land that has acid sulfate soil.

The proposal is inconsistent with this direction as it proposes to intensify use on land with Class 4 Acid Sulfate Soil. However, the Preliminary Contaminated Soils report indicates the land is suitable for more intense development and compliance with Acid Sulfate Planning Guidelines should be assessed at development application stage. Consultation with the NSW Environmental Protection Agency is recommended.

7.1 Implementation of A Plan for Growing Sydney

The planning proposal was submitted prior to the release of A Plan For Growing Sydney. It is recommended that an assessment of proposal against the Plan is prepared and placed on public exhibition.

The following section 117 have been identified by the proponent and are either not applicable or compliance will be addressed at development application stage:

- 4.3 Flood prone land;
- 4.4 Planning for bushfire protection;
- 6.1 Approval and Referral Requirements; and
- 6.3 Site specific provisions.

4. BURWOOD 2030 COMMUNITY STRATEGIC PLAN

The proposal demonstrates consistency with the following actions under the Burwood Community Strategic Plan 2030:

- Action 4.2.8: Improve accessibility of Council owned facilities. The site is opposite Henley Park, a large parcel of Council-operated open recreational space, which is

accessible;

- Action 4.5.3: Encourage architectural integrity and aesthetically appealing buildings. Improving aesthetics of buildings within Burwood LGA can be achieved through compliance with Burwood's Development Control Plan and the new Apartment Design Code;

Although the development is outside Burwood Town Centre and Burwood Major Centre (as defined under the dIWSRS), the site is accessible to Burwood Town Centre via public transport. The development will also contribute to a mix of housing types in the Croydon Park / Enfield locality.

Local traffic and parking is an issue that has been raised by Council and the community in respect of this proposal. Strategic Goal 4.1: Effective traffic management and adequate parking provision under the Community Strategy has been addressed through the traffic study, provided by the proponent.

5. VIEWS OF COUNCIL

Council has resolved on two occasions not support the planning proposal.

In submitting the planning proposal in February 2015, Councillor Faker, Mayor of Burwood, reiterated Council's objections with the planning proposal for the following reasons:

- the significance of this local employment/business centre within the Municipality;
- the effect on local employment and the potential loss of jobs;
- the overall effect on traffic and parking, thus increasing the burden on traffic in Burwood and around the Burwood Town Centre as residents from Croydon Park/Enfield will have to travel to Burwood for basic needs and groceries;
- NSW Department of Planning take into consideration the fact that Council are meeting housing targets under the NSW Metro Strategy and there is further pressure for additional housing;
- the need to protect the low density residential character of Enfield/Croydon Park;
- the large amount of community concern and opposition to the proposal;
- moving forward with a proposal that allows three levels of unit development would not be in the public interest of the overall Burwood Community; and
- Council has resolved to not support the planning proposal on two separate occasions.

At pre-Gateway review stage, Council lodged a submission outlining its objection to the planning proposal:

i. Local business and employment/jobs targets

At present, the Flower Power site employs approximately 30 people through on-site businesses. These businesses cater for the local community. Council is concerned a redevelopment for residential purposes will result in a loss of those jobs. Council also argues local residents will have to travel further for their shopping with loss of on-site retail (pet shop and fruit shop).

ii. Traffic and parking

Council objects to the planning proposal due to community concern about loss of parking in the area. Council states that Henley Park, a large community open space located opposite the Flower Power site, is regularly used by community sporting groups and parking around Henley Park is difficult during periods of high usage.

Council, on behalf of the community, is concerned local residential traffic volumes will increase with redevelopment. Council is of the view that the development will not only have an adverse impact on the immediate road network but also have traffic implications for the wider Burwood LGA and the Burwood Town Centre.

iii. Local residential character

Council contends the proposed development will alter local residential character through intensified use of the land. Currently, development surrounding the site is generally low density, comprising of one to two storey residences, with the exception of a three storey residential development located next to the site (western boundary).

Council considers three storey residential flat buildings on the site to be incompatible with the surrounding residential environment.

iv. Public interest

Council states the planning proposal is not in the public interest as local residents have expressed strong concerns and objections about the proposal. A petition against the development has collected over 1,400 signatures and Council argues this demonstrates the proposal is not in the public interest.

v. Heritage

While there are no heritage items located on the site or in the immediate vicinity, Council contends that Flower Power site has significant value to the local community. In the submission, Council state the Flower Power entrance gate is considered to be a local landmark and contributes to streetscape character.

vi. Amenity and interface issues

The proposed redevelopment would create amenity and interface issues with the surrounding existing development, particularly with residences located on Stanley and Mitchell Streets and Council are concerned about overshadowing, overlooking, noise and urban design issues.

vii. Natural environment

Council argues the natural environment will be impacted by the redevelopment as the site is currently characterised by low density development and open space areas and more intensive use would be detrimental to the local environment.

6. TRANSPORT, TRAFFIC and INFRASTRUCTURE

i. Public Transport

The site is located between two high use bus routes – Coronation Parade and Burwood Road – as well as being close to public bus routes on Georges River Road. Burwood Train Station, a strategic transport interchange, is 2.2km from the site. The closest bus stop is located on Burwood Road, 300m from the site.

ii. Traffic and car parking

A traffic study has been prepared and submitted with the planning proposal. The proposal suggests traffic issues will be mitigated by rezoning the site to residential development, as the number of heavy vehicles travelling along Mitchell Street and Tangarra Street East to access the nursery will be reduced. It is argued the reduced number of heavy vehicles on this road will support the residential nature of the area.

The traffic report indicates the proposed development will result in a significant reduction in traffic generation potential during the morning, afternoon and Saturday peak periods and the proposal will not have unacceptable impact on road network capacity.

iii. Infrastructure and Services

As the site is currently being used for urban purposes, the site has established connections to infrastructure and services. Consultation with essential service providers is required to ensure existing infrastructure can be augmented to service the additional load.

Overall, the site is well serviced by public transport and the traffic report concludes traffic impacts will be acceptable. If the proposal proceeds, heavy vehicle movements along Tangarra Street East will be reduced, improving safety and amenity in this residential area. The traffic report indicates traffic generation, as a result of the proposed development, is expected to decrease along Mitchell Street but increase along Tangarra Street East but is within acceptable levels. Given that the site is located within an existing urban area, augmentation of existing services infrastructure is a reasonable expectation.

7. STRATEGIC INDUSTRIAL LANDS CHECKLIST

The proposal provides an assessment against the strategic industrial lands checklist contained in the Metropolitan Plan for Sydney 2036. A review of the Strategic Industrial Lands Assessment Checklist (as updated in the draft Metropolitan Strategy) has been prepared by the planning team based on the advice in the planning proposal.

- Is the proposed rezoning consistent with State and/or council strategies on the future role of industrial lands?

The proposal states that it is inconsistent with State strategy, as the dIWSRS classified the land as Category 1 Industrial Land (Tangarra Street East is 1.2 hectares). Under the dIWSRS, Category 1 land is to be retained for industrial purposes.

The proposal argues the loss of this industrial land is justified, as 0.56 hectares of the 1.2 hectares is Burwood Council's depot, which was rezoned to R1 General Residential during the Comprehensive LEP. In reality, only 0.63 hectares of industrial land remains (the Flower Power site). The site is located in an established residential area and industrial operations cannot be expanded. As the site is an isolated industrial pocket, rezoning to residential uses will address potential local land use conflict.

- Is the site:

- o near or within direct access to key economic infrastructure?
- o contributing to a significant industry cluster?

The site is located within a large residential area. It is not located near or within direct access to key economic infrastructure. It does not contribute to a significant industry cluster.

- How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for industrial land activity?

The proposal argues that rezoning the site will result in the loss of industrial employment lands in the Burwood LGA but it does not affect industrial lands in other nearby areas, such as Canterbury, Auburn, Chullora, Homebush South or Silverwater.

It is considered that this industrial land is not a significant contributor to employment and is an isolated pocket surrounded by residences. The loss of this land will have minimal impact on the industrial activity in the subregion.

- How would the proposed rezoning impact on the achievement of the subregion/region and LGA employment capacity targets and employment objectives?

It is considered the rezoning would have little impact on the employment achievements of the subregion/region as it is a small site and a small employment generator. Employment targets can be achieved in Burwood Town Centre or in other employment lands in the subregion.

- Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?

The site is located within a predominantly low to medium density residential area. Industrial activities may be difficult to expand or intensify, given the site's location among established housing and its isolation from other industrial areas and arterial road connections. The site is small (0.63 hectares) and is unlikely to attract other industry types. Residential zoning is the best fit and will reduce localised land use conflict.

- High-tech or creative industries are better supported by mixed business zonings that allow the establishment and clustering of other, non-industrial, businesses in the same area.

See above. Further, State policy directs Burwood as a commercial and retail centre over a future high-tech or creative industry area.

- Is the site critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies?

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No. Further, Council does not have an industrial or employment lands strategy. The land is not critical to meeting alternative purposes.

8. PARRAMATTA ROAD URBAN TRANSFORMATION STRATEGY

The site is approximately 3 kilometres to the south of Parramatta Road and is not affected by the Strategy.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Further work is required to address the directions and objectives of A Plan for Growing Sydney and this can be addressed through a Gateway determination condition.**

Inconsistencies with section 117 Direction 1.1 Business and Industrial Zones and 4.1 Acid Sulfate Soils are justifiable.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The mapping and aerial photographs provided clearly demonstrate existing and proposed land use controls and show the site in context.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The proposal states public consultation will be directed by Gateway determination but would likely include notification letters to adjoining landowners, advertisements in the local paper and information on Council's website.**

Given the nature and the high level of public interest in this proposal, a public consultation period of at least 28 days is appropriate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The proposal is considered adequate and sufficient detail has been provided.**

Proposal Assessment

Principal LEP:

Due Date : **November 2012**

Comments in relation to Principal LEP : **The comprehensive Burwood LEP 2012 was made on 9 November 2012.**

Assessment Criteria

Need for planning proposal : **To amend a Local Environmental Plan, a planning proposal is required. Amendments to Local Environmental Plans cannot be advanced without a planning proposal.**

Consistency with strategic planning framework : **The planning proposal demonstrates consistency with relevant strategic planning frameworks.**

Further work is required to address A Plan for Growing Sydney and this can be completed as a condition of Gateway.

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Environmental social
economic impacts :

ENVIRONMENT:

No critical habitat or threatened species populations or ecological communities or their habitats would be adversely affected as a result of the proposal. The proponent notes it is unlikely that any critical habitats or threatened species exist on the site.

A preliminary contamination assessment report has been conducted on the site. While contaminated soil has been found and identified on the site, the report states the land is suitable to be used for more intense development. No natural hazards have been identified.

SOCIAL AND ECONOMIC:

The proposal will increase housing variety and stock in an established residential area. Additionally, the increase stock will have good access to open space and recreation facilities in Henley Park which is opposite the site.

The proposal states the rezoning will result in the loss of 32 jobs, with 18 people working in the industrial-zoned portion of the land. It argues that employment targets are likely to be achieved in elsewhere in Burwood, through commercial and retail employment. The loss of employment on the site is acknowledged.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Department of Education and Communities
Energy Australia
Transport for NSW
Transport for NSW - Roads and Maritime Services
Sydney Water
Telstra
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Planning Proposal for the Flower Power Enfield site - 27 Mitchell Street, Croydon Park

Documents

Document File Name	DocumentType Name	Is Public
Cover letter to Department - Burwood Council - Flower Power Enfield Planning Proposal.pdf	Proposal Covering Letter	Yes
Planning Proposal - Flower Power Enfield - as submitted by Council 9 Feb 2016.pdf	Proposal	Yes
Indicative Master Plan - Flower Power Enfield.pdf	Drawing	Yes
Traffic Report - Flower Power Enfield.pdf	Study	Yes
Contamination Report - Flower Power Enfield.pdf	Study	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions
- 7.1 Implementation of A Plan for Growing Sydney

Additional Information : The planning proposal is recommended to proceed on the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - (a) include a plain English explanation of the intended effect of the proposed provision;
 - (b) include an assessment of the proposal against A Plan for Growing Sydney;
 - (c) provide a revised indicative masterplan following the amendments to SEPP 65 - Design Quality of Residential Apartment Buildings and the Apartment Design Guide; and
 - (d) provide an assessment against the updated Strategic Industrial Lands Checklist.
2. The planning proposal is to be publicly exhibited for 28 days.
3. Consultation is required with the following public authorities:
 - Sydney Water;
 - EnergyAustralia;
 - Telstra;
 - NSW Environmental Protection Authority;
 - Transport for NSW;
 - Transport for NSW - Roads and Maritime Services; and
 - Department of Education and Training.
4. A public hearing is not required to be held.
5. The timeframe for completing the LEP is to be 9 months.

Supporting Reasons : The proposal demonstrates strategic merit as it will deliver additional housing stock and increase housing choice in an area that is close to a major centre and a major transport hub. The site is close to services, jobs and other activities and is opposite Henley Park, a significant local active and passive recreation area. Residential development is unlikely to have a significant impact on the local road network.

The loss of this employment land is a valid concern. However, this loss is considered minor, given the small size of the site, its disconnection from other employment lands in Sydney's Inner West, and the small number of employment and retail jobs existing on the site.

It is recommended that the planning proposal proceed, subject to conditions.

Planning Proposal for the Flower Power Enfield site - 27 Mitchell Street, Croydon Park

Signature:

K. Armstrong

Printed Name:

Karen Armstrong

Date:

17/3/16

