ATTACHMENT 8. Applicant's Planning Proposal Submission



30 August 2013

General Manager Canterbury City Council PO Box 77 Campsie NSW 2194 Attention: Mr. Jim Montague PSM

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Re: Submission of Planning Proposal – Brighton Avenue, Croydon Park Property: 15-33 Brighton Avenue, Croydon Park Project No.: 13-051 (Our Reference)

Dear Sir,

We write in response to our meetings with you on 4 June 2013 and 5 August 2013 regarding the potential rezoning of the isolated industrially zoned land known as 15-33 Brighton Avenue, Croydon Park. The legal description of the land is:

Lot C, DP 440959; Lot 2 DP 3010; Lot 2A DP 3010; Lot A, DP 333556; Lot 1, DP 123636; Lot 11, DP 862370; and Lot 10 DP 1026819.

Please find enclosed 4 copies of the proposal for your review. Please do not hesitate to contact us should you have any questions. I can be reached directly on 0419 228 204.

Yours faithfully Dickson Rothschild

Nigel Dickson Managing Director

cc: Mr Remon Fayad, Dyldam

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Brighton Avenue, Croydon Park, NSW



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> Project Ref: 13-051 28 August 2013



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1. Introduction

This planning proposal has been brought forward in accordance with the Department of Planning's Guidelines for the preparation of planning proposals. As is stated in the guide, it is expected that the applicant will enter into further discussions which Canterbury Council and bring forward additional information as necessary. This proposal addresses the current zoning and permissible land uses on the site and describes the suitability of the site for a change of zoning and development controls.

This planning proposal seeks a change in zoning for the site known as Brighton Avenue, Croydon Park, from the existing IN2 Light Industrial to R4 High Density Residential contained in Canterbury LEP 2012. The proposed change to permitted land uses is desirable in strategic planning terms as follows:

- Site zoning is isolated and not complimentary to adjoining land uses;
- Current land use is not compatible with surrounding residential sites;
- Re-zoning support from current site tenants;
- Its proximity to sustainable transport options;
- Its capacity to accommodate increased development densities and high density residential development while protecting the residential amenity of other sites in the immediate area;
- A change of zoning would be consistent with the Subregional Strategy which identifies Burwood Road as a corridor for future investigation for urban renewal and the new Draft Metropolitan Plan for Sydney which earmarks Burwood Road as part of a mass transit corridor from Burwood to Campsie.
- The proposed change in zoning does not hinder the attainment of the objectives of the Employment Lands Program.

In addition to the change in zoning to R4 High Density Residential, it is proposed to increase the maximum building height limit to 26 m and FSR control to 2.5:1 to compliment the proposed zoning change. The proposed change of zoning and increase in height and FSR on the site contributes to the achievement of strategic planning goals to provide high quality higher density housing in accessible locations.

The site is a small isolated industrial site. The site is surrounded on all sides by low, medium and high density residential development. All adjoining lands are zoned R4. The site is not well located in relation to the regional road network to serve industrial uses. Access to the site is via Brighton Avenue which has a residential avenue character. The visual impact of the existing industrial uses is negative. Due to the increase in residential densities surrounding the industrial site over time and the resulting increase in the number of people which reside in immediate proximity to the site, the environmental and amenity impacts of this particular industrial site have increased over time. The existing zoning itself gives rise to continued potential impacts given the range of permissible uses within the IN2 zone.

This report addresses the issues set out in the Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals (October 2012)" ('The Guide').

1.1 The Site

The subject site ('the site') is known as 15-33 Brighton Avenue, Croydon Park (Lot C, DP440959; Lot 2 and 2A DP 3010; Lot A, DP333556; Lot 1, DP 123636; Lot 11, DP 862370; and Lot 10 DP 1026819). The site is located within the Canterbury Local Government Area. The site has a single street frontage to Brighton Avenue.



Figure 1: Site Location

1.1.1 Site Area and Dimensions

The site comprises an area approximately 1.47 ha. The approximate site dimensions are:

- 64 m and 36 m to its northern boundary;
- 15 m and 137 m to its eastern boundary
- 100 m to its southern boundary; and
- 152 m to Brighton Avenue.

1.2 Context

The site is located at the northern edge of the Canterbury Local Government Area, 70 m south of Georges River Road. The Burwood LGA is located just north of Georges River Road.



Figure 2: Site Context

1.3 Regional Context

The site is located 9 km southwest of the Sydney CBD and 6 km north-west of Kingsford Smith Airport, key components of 'Global Sydney'. The site is 1.8 km from Burwood, identified by the existing and Draft Metropolitan Strategies as a Major Centre and 1.5 km from Campsie, identified in the Metro Strategy 2036 as a Town Centre. It is located near several train lines and between a number of key centres including Campsie and Ashfield. The site is located in a residential area with a relatively fine grain pattern of development. This area has been zoned R4 – High Density Residential under the Canterbury LEP 2012.

The site is in close proximity to schools, medical service and other social infrastructure. The site is located less than 400 m from the Cooks River and its associated regional network of public open space. The image below has been stitched together given the site is near to the boarder of the inner west subregion and south subregion.



Figure 3: Regional Centres from Sydney Metro Strategy 2036 (Composite image created by Dickson Rothschild)

1.4 Transport Context

The site is located in an "accessible area" as defined by the NSW Department of Planning--that is it enjoys frequent bus service within 400 m of the site with destinations to key centres in the subregion. The site has immediate access to bus stops on Brighton Avenue for Bus 490/492-Drumoyne to Hurstville and Rockdale via Campsie. The site is within 100 m of stops on Queensborough Road for Bus 413-City to Campsie and within 200 m of bus stops on Georges River Road Bus 462,464,466-Ashfield to Mortlake via Burwood. All the above-mentioned bus routes have frequent service of between 15-20 minutes. The Metropolitan Plan for Sydney 2036 also identifies the corridor between Burwood and Campsie as a "Strategic Bus Corridor" and the new Draft Metro Strategy identifies it as a "Mass Transit Intermediate" corridor. The Draft Metro strategy also identifies this corridor as a potential strategic location for urban renewal.

The site is located 1.6 m (20 minute walk) of Campsie Station, 1.8 k m from Croydon Station and 2 km from Ashfield Station. The site is well connected to the regional train network by the feeder buses mentioned above.



Figure 4: Public Transport Map (Source: City of Canterbury Public Transport Guide)

1.4.1 Cycling

The site is well located for cycling with an existing cycle lane along Brighton Avenue which connects to the regional Ryde to Botany Cycle way and a number of proposed cycle lanes which will enhance cycling connections in the area.



Figure 5: Cycle Path Plan (Source: City of Canterbury)

1.5 Existing Site Development



15-33 Brighton Avenue currently occupied by several light industrial business.

Figure 6: Site showing lot boundaries

The viability of business in the zone has declined over time. For example, Croydon Park Building Supplies' staff has reduced from 34 to 8 over the past 10 years. (Refer to Appendix 1).

The front setback to Brighton Avenue is variable. Most of the lots have high metal palisade fences at the front boundaries with gates.



Figure 7: Brighton Avenue Streetscape



Figure 8: Brighton Avenue Streetscape

1.6 Surrounding Land Uses & Existing/Approved Developments

1.6.1 Land Use

The site is an isolated industrial lot surrounded on all sides by R4-High Density Residential zoning. The site is located 70 metres south of Georges River Road and a strip of commercial development zoned B2. North of Georges River Road (within Burwood LGA) is a mixture of R1-General Residential, R3 Medium Density Residential and R2-Low Density Residential zoning.



Figure 9: Zoning (Source: Compiled from Burwood and Canterbury Zoning Maps)

The site is surrounded by a combination of dwellings, medium density residential development and residential flat buildings. Directly across from the subject site is a café. Brighton Avenue is approximately 18 m wide along the site frontage with 1 lane going in each direction, and combined cycle and parking lane adjacent to the kerb and a shared turning lane at the centre. The street has a traditional avenue character. Palm trees within the median and roundabouts together with street trees which flank the street add to its character.

1.6.2 Streetscape

Brighton Avenue has a distinctly residential character with relatively consistent front setbacks and domestic landscape.



Figure 10: Brighton Avenue looking north



Figure 11: Brighton Avenue at intersection of Queensborough Road

1.6.3 Neighbouring Development

The site adjoins a cluster of 3-4 storey residential flat building development to the east.



Figure 12: Residential Flat Buildings off Croydon Ave.

The building separation between the existing buildings on the subject site these residential flat buildings is less than that stipulated in SEPP 65 and the RFDC. Impacts are apparent indicated by the additional screening materials above the boundary fence and the heavy screening of west facing balconies on the residential flat buildings.







Figure 13: Boundary condition between subject site and residential development adjacent

2 Statutory Context

2.1 Zoning

The subject site is zoned IN2-Light Industrial under the Canterbury LEP 2012.



Figure 14: Zoning Map

The existing industrial zoning of the site differs from its adjacent zoning which is R4-High Density Residential.

The provisions of the IN2 General Industrial Zone under th	e LEP 2012 are:
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Objectives of the	• To provide a wide range of light industrial, warehouse and related land uses.
zone	• To encourage employment opportunities and to support the viability of centres.
	 To minimise any adverse effect of industry on other land uses.
	• To enable other land uses that provide facilities or services to meet the day to
	day needs of workers in the area.
	• To support and protect industrial land for industrial uses.

Permissible uses	Agricultural produce industries; Depots; Garden centres; Hardware and building
	supplies; Industrial training facilities; Landscaping material supplies; Light
	industries; Markets; Neighbourhood shops; Plant nurseries; Restaurants or cafes;
	Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire
	premises; Warehouse or distribution centres; Any other development not specified
	in item 2 or 4
Prohibited uses	Agriculture; Airstrips; Amusement centres; Boat launching ramps; Boat sheds;
	Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating
	facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist
	facilities; Educational establishments; Environmental facilities; Exhibition homes;
	Exhibition villages; Extractive industries; Forestry; Freight transport facilities;
	Function centres; General industries; Health services facilities; Heavy industrial
	storage establishments; Heavy industries; Helipads; Highway service centres;
	Home occupations (sex services); Information and education facilities; Jetties;
	Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport
	facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered
	clubs; Residential accommodation; Restricted premises; Rural industries; Sex
	services premises; Tourist and visitor accommodation; Water recreation
	structures; Wharf or boating facilities

2.2 Primary Development Controls

2.2.1 Height

LEP 2012 does not provide a maximum height limit for the subject site.

2.2.2 FSR

Under Clause 4.4 of LEP 2012, the maximum FSR applicable to the site is 1:1.

2.2.3 Heritage

The site does not contain any heritage listed items. The site is not located in a Heritage Conservation Area.

The Interwar Street Trees along Brighton Avenue between Queensborough Road and Wentworth Street are heritage listed (Item I86, LEP 2012).

2.2.4 Acid Sulphate Soils

According to Council's LEP the site is classified as Class 5 acid sulphate soils, and while land to the west of the site is classified as Class 4 acid sulphate soils, actions can be taken to ensure the water tables will not be adversely impacted.

3 Objectives and Intended Outcomes of the Planning Proposal

This Planning Proposal is seeks the following objectives and intended outcomes:

- 1. To achieve permissible uses through an appropriate zoning that is sympathetic to adjoining land uses.
- 2. Facilitate opportunity for more high quality residential accommodation close to public transport with good connectivity to local and major subregional centres.
- 3. Achieve land use and density compatible with The Department of Planning's *Draft Metropolitan Strategy for Sydney to 2031.*
- 4. Achieve height and density on the site to take advantage of the strategic location without loss of amenity to the adjoining residential buildings.
- 5. To enable redevelopment of the site which recognises its uniquely large site area and capacity for development.
- 6. To provide height and built form controls on the site which allow a diversity of potential built form outcomes including quality communal open space, RFDC compliant building separation, and protection of solar access to adjoining properties.
- 7. To enable a residential yield on the site in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

3.1 Achieving the objectives and intended outcomes (Q1 and Q2 of the Guide)

A Planning Proposal is the best and only means of achieving the objectives stated above given the zoning is required to change if residential dwelling density is to increase on the site. The planning proposal aims to achieve the objectives of the Metropolitan Plan.

4 Explanation of Provisions

4.1 Zone

It is proposed to amend the LEP 2012 zoning from IN2 General Industrial to R4 High Density Residential. This change is consistent with the existing land uses of the development surrounding the site, which are zoned R4.

The following land uses are permitted with consent in land zoned R4 under the LEP 2012:

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Car parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Hostels; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Semi-detached dwellings; Serviced apartments; Shop top housing; Shops

The R4 zoning does permit a range of commercial/retail uses which are compatible with the residential zone but prohibit those uses which are currently permissible in the IN2 zone which have the potential to give rise to environmental impacts on the residential area.

4.2 Height

It is proposed to amend the LEP 2012 Clause 4.3 Height of Buildings from having no height limit to a maximum building height of 26 m on the site. This height limit is compatible with the R4 zoning and allows a range of building envelopes to ensure the development achieves excellent solar access while minimising overshadowing on neighbouring development.

4.3 FSR

It is proposed to amend the LEP 2012 Clause 4.4 Floor Space Ratio from a maximum FSR of 1:1 to an FSR of 2.5:1 on the site.

5 Justification

5.1 Introduction

The proposed modification of the zoning for the site is justified as follows:

- 1. Its contextual appropriateness in terms of land use;
- 2. Its contribution to sustainable development; and
- 3. The ability of the proposed development controls to result in a built form which does not have unreasonable environmental and amenity impacts on adjoining residential developments.
- 4. Compatibility of the proposed land use and development height and dwelling density with the Metropolitan Strategy which identifies the area as part of a mass transit corridor between Burwood and Campsie.

5.2 Urban Form and Context (Q4 of the Guide)

5.2.1 Built Form Context Analysis

The site is located at the northern edge of the Canterbury Local Government Area between Burwood, Campsie and Ashfield, all town centres with urban characters. Burwood town centre achieves significant heights of 70 m. Ashfield achieves heights of 21-29 m. Campsie town centre achieves heights of 21-25 m. The character of built form in these town centres differs in overall height but all the centres are characterised by minimal setbacks and buildings which define the street.

The site is an isolated industrial lot surrounded on all sides by R4-High Density Residential zoning. 100 m to the north is Georges River Road and a strip of commercial development zoned B2. North of Georges River Road (within Burwood LGA) is a mixture of R1-General Residential, R3 Medium Density Residential and R2-Low Density Residential zoning and a mix of residential accommodation types.

The site is surrounded by a combination of dwellings, medium density residential development and residential flat buildings. Directly across from the subject site is a café catering to the local community and consistent with the R4 zoning.

The site adjoins a cluster of 3-4 storey residential flat building development to the east. Several of these developments lack high quality communal open space and in many locations fail to achieve building separations set out in the Residential Flat Design Code. The subject site has a street frontage, shape and area which is well suited to achieving high quality built form outcomes which are consistent with SEPP 65 and achieve building separations and orientations which meet the RFDC.

5.2.2 Streetscape

Brighton Avenue is a wide road (approximately 18 m) with a traditional avenue character. Palm trees within the median and roundabouts together with street trees which flank the avenue contribute to its character. With the exception of the industrial pocket, Brighton Avenue has a distinctly residential character with a mix of residential typologies fronting the street. The setback of buildings varies (between 3-6 m setbacks to the front boundary) but achieves a relatively consistent street alignment (with the exception of the existing development on the subject site).

5.2.3 Visual Setting

The visual setting of the site has a generally residential character. The visual quality of the area is largely defined by the areas around the Cook River which includes a network of reserves, parks, ovals and recreational areas.



Figure 15: Croydon Park as viewed from Brighton Avenue near the Cooks River

Compared to its immediate residential and natural visual setting, the current use of the site is not consistent or complementary to its surrounds (subject site pictured in figure below).



Figure 16 Subject site



Figure 17: Subject Site

5.2.4 Lot Size

The large site area of 1.47 ha provides a unique opportunity in terms of development potential given its size, location close to public transport and recreational areas together with the existing R4 zoning in the immediate surrounds.

5.3 State Strategies (Q3 of the Guide)

5.3.1 Sydney Metropolitan Strategy 2036

The proposal is in accordance with the aims of the broader Metropolitan Strategy with the provision of residential growth in existing urban area, close to Croyden Park village shops, a major public transport corridor and in an accessible area. Increasing residential dwelling density in this area is consistent with the principle of urban consolidation in accessible areas.

The Strategy actions emphasise the need to focus urban renewal where there is actual or planned transport capacity to assist in strategically responding to the need for 640,000 new dwellings by 2031 to sustain the growing metropolitan population. The Metropolitan Strategy aims to *'concentrate development to strengthen centres, towns, villages and neighbourhoods'* to accommodate 60–70 per of this residential growth in existing urban areas over the next 25 years.

More specifically, the proposed is in accordance with the dwelling target achievement which stipulates that 'the housing target of 35,000 new dwellings in the South Subregion between 2004 and 2031 will be accommodated within existing urban areas'. Furthermore, the plan for 'a housing mix near jobs, transport and services' further details that residential development should be focused 'within centres and corridors with access to public transport and local services'. As such, the proposed is well aligned to contribute to the achievement of these aims with concentration in an existing urban area between Burwood, Ashfield, Canterbury and Campsie.

5.3.2 Draft South Subregional Strategy (Metro Strategy 2036)

The existing (Draft) Subregional Strategy identifies Campsie as a town centre and Burwood and a major subregional centre. The new Draft Plan for Sydney 2031 appears to largely build on the strategic direction established in the Metro Strategy 2036, including increasing residential densities in existing areas to reduce pressure on the fringe and to locate development in accessible locations. The proposed development, being in an existing, accessible location is consistent with the aims of the Metro Strategy 2036.

5.3.3 Draft Metropolitan Plan for Sydney 2031

It is noted the existing industrial land is a remnant which has become isolated through the historic residential development of the area. The site is not well located logistically for industrial development and would be better located near other industrial lands and major vehicular transport nodes. The key industrial precincts in the area are identified in the *Employment Lands Development Program* as:

- Clemton Park
- Kingsgrove North
- Riverwood

Each of these precincts have attributes which make them more suitable to industrial zoning that the subject site including better access to the transport network and a significantly larger area of land. The attributes of the three key industrial zones in the subregion are:

Clemton Park

- 24.5 Ha of industrially zoned land
- 1 km to M5 via main road.
- Includes both undeveloped and developed lands

Kingsgrove North

- 35.7 ha of industrially zoned land
- Immediate access to M5

Riverwood

- 49.1 ha of industrially zoned land
- Immediate access to M5
- Includes both undeveloped and developed lands

In contrast, the subject site has the following attributes:

- Croydon Park has the smallest area of industrial zoned land in the LGA of 1.5 ha (along with Canterbury at 1.5 ha).
- The subject site is not well located in regard to transport and logistics being 5 km to the M5 going west (via congested Brighton Avenue and Campsie Town Centre) and 8 km to the M5 going east (via Georges River Road).
- No undeveloped lands

While strategic plans include the objective of retaining employment lands and in particular industrial lands, the subject site is not as well located for the purposes of employment generating lands as other more robust industrial agglomerations in the subregion. The site is too small to benefit from agglomeration effects. The site is also not on a high volume main road where business may benefit from high visibility. These attributes make the subject site less valuable as an employment generating industrial precinct.

5.3.4 Draft Subregional Strategy South

5.3.4.1 Overview

The site is located within the South Subregion catchment. Figure 23 below is an excerpt from the subregional strategy which demonstrates the location of the site within the subregion, particularly its close proximity to key centres and precincts, and transport corridors. The subregional strategy identifies the following priorities for the south subregion:

- a) enhance the subregion's role in housing and jobs delivery through urban renewal around Major Centres and accessible local centres, while maintaining the values of Sydney's fringing bushland, coast and waterways
- b) facilitate re-development for more intense housing in appropriate existing areas, particularly in and around centres on the Strategic Transit Network which includes the Illawarra and Airport and East Hills Lines

- c) strengthen connections to the Illawarra, including expanding capacity on the M5, investigating the F6 corridor and improving rail capacity on the Illawarra Line
- d) emphasise cross-regional transit links from Hurstville to Bankstown and Parramatta
- e) protect the health and resilience of environmental assets, including internationally significant wetlands, national parks and the drinking water supply catchment.

In cases such as this, infill sites zoned residential can play a very important role in meeting the goals of the Strategy. In this area, there are not many sites with a large site area and prominent and strategic location. In this regard the subject site is relatively unique. It is well positioned as an infill site to contribute to the strategic goals for the region in terms of dwelling density. The accessibility of the site via the feeder bus system to several nearby town centres and the accessibility of the site to the planned mass transit/urban renewal corridor from Burwood to Hurstville via Campsie further enhance the strategic location of the site in relation to increasing density in existing areas.

In contrast the locational attributes of the site are not as strong in terms of industrial development because, while the site is well located in terms of walking and public transport use, it is not well located in regard to the movement of goods. The map below shows the location of the site within the context of Major Centres.



Figure 18 Location of site in within Draft Metropolitan Strategy context (Source: Dept. Infrastructure and Planning NSW)

While the site is not suited to industrial zoning, the proposed R4 zoning does permit a range of nonresidential uses which are geared towards meeting the day to day needs of the local community. These uses including shops, offices, restaurants, etc., which are employment generating uses which relate to the largest portion of Australia's economy such as the services sector.

The intensification of density within an accessible existing area also meets Priority A by reducing pressure on Greenfield development at the fringe of the Metropolitan Area. The proposed rezoning has no impact on existing bushland nor the coast. The range of potential uses which arise in the R4 zone have lesser potential amenity impacts than the current industrial zoning. The R4 zone also has lesser potential to impact on the Cooks River waterway nearby.

Priority B is particularly bolstered by the proposal as the proposal includes more intense housing within proximity to the "Strategic Transport Network".

In addition the close proximity of the existing industrial land to high density residential development as well as the Cooks River tends to exacerbate impacts on the amenity and quality of the area. As such, industrially zoned land is more appropriately located proximate to major vehicle transport nodes and networks and away from areas with large residential populations and natural assets. The proposed zoning however, does maintain potential employment generating uses, although of a character different to those jobs which would be achieved in a light industrial zone. The proposed alternative land use is more in line with Priority E, whereby residential development has a lower environmental impact than Industrial uses in proximity to the Cooks River.

The proposed building height control and FSR control, while representing a departure from the maximum height and FSR controls on surrounding blocks is appropriate within the context of the Strategic Plan. The site is of a sufficient size to achieve a coordinated medium sized development whereby amenity on the site is maximised and amenity impacts on other sites are minimised.

5.3.4.2 Housing Targets for Population Growth

Area: 434km ² 2011 Population density: 1,404 people/km ² 2010-11 % of GRP: 5.7 % (\$16.5 billion)	Current	Target to 2021 (2011-2021)	Target to 2031 (2011-2031)
Population	609,000	655,000 (46,000)	685,000 (76,000)
Housing	241,000	263,000 (22,000)	283,000 (42,000)
Employment	183,000	207,000 (24,000)	226,000 (43,000)

The Draft Subregional Strategy sets housing targets as follows:

Figure 19: South Subregion targets (pg. 99, Draft Metropolitan Strategy for Sydney)

5.3.5 Sydney Over the Next 20 Years – A Discussion Paper

The Discussion Paper is a first step in a new Metropolitan Plan for Sydney. As mentioned above, a key discussion point in the paper is the higher projected population growth rate for the region through to 2031 of 1.3 million rather than 1.1 million as previously thought. It is noted the 1.1 million projections formed the basis for the Metropolitan Strategy and Many Local Council controls.

The subject site is well positioned to assist in meeting demand through increased residential densities, locating new housing in highly accessible areas, reducing pressure for greenfield development given the importance among other thing of protecting high value agricultural land near Sydney, reducing unsustainable suburban development. A key point in the Paper is the fact that while housing demand continues to rise, particularly the demand for housing close to major employment and transport options, "housing production is at an all-time low (pg. 12)". The site has the potential to contribute to housing affordability by locating housing where there are very real sustainable transport options and by contributing to the general supply of housing stock.

Rezoning the site to allow residential development provides additional capacity to achieve additional dwellings in a highly strategic location with access to existing infrastructure.

5.4 State Environmental Planning Policies (Q5 of the Guide)

5.4.1 SEPP 32 – Urban Consolidation

State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land) sets out the following aims and objectives:

- (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.
- (2) The objectives of this Policy are:
 - a) to ensure that urban land suitable for multi-unit housing and related development is made available for that development in a timely manner, and
 - b) to ensure that any redevelopment of urban land for multi-unit housing and related development will result in:
 - i. an increase in the availability of housing within a particular locality, or
 - ii. a greater diversity of housing types within a particular locality to meet the demand generated by changing demographic and household needs, and
 - c) to specify:
 - i. the criteria which will be applied by the Minister to determine whether the redevelopment of particular urban land sites is of significance for environmental planning for a particular region, and
 - ii. the special considerations to be applied to the determination of development applications for multi-unit housing and related development on sites of such significance.

Comment on policy aims

Rezoning of the site will encourage orderly an economic redevelopment of the site for multi-unit residential purposes with the generous site area, which is currently bound by other multi-unit residential purposes. The uses of the industrial zoning of the land are not compatible with the surrounding residential uses. The site is also not well located with regard to light industrial uses which function best along major vehicular transport corridors such as the M5 and/or benefit from the agglomeration effects of larger employment precincts such as Riverwood, Clemton Park and Kingsgrove North. The subject site must rely on congested local roads to gain access to the regional transport network. Access by large vehicles to and from the site also gives rise to acoustic impacts on adjoining residential development.

Due to the impacts on surrounding development of industrial uses, the small and isolated nature of the site in the context of industrial development, and the lack of direct and easy access to the regional logistics network of the metropolitan area, the proposed rezoning of the site is consistent with SEPP 32.

While the site is not well suited to industrial uses, the site is well positioned close to existing social and public transport, with public open space a short 5 minutes' walk from the site. Increasing dwelling density on this site will reduce the pressure on fringe development by infilling a currently underutilised site. The accessibility of the site positions it close to employment as it connects the site to the region.

5.4.2 SEPP 65 – Design Quality of Residential Flat Buildings

The height together with the FSR proposed allows future residential developments to distribute built form across the site in such a way that the following is achieved:

- Reduced building depths of residential portions of the development to maximise natural day lighting and ventilation.
- Provision of common open space at lower levels of the development rather than relying on rooftop terraces alone.
- Height which allows achievement of upper level setbacks to maintain a desirable streetscape along Brighton Avenue.
- Height which allows generous building separations to existing residential development in the area.
- Increased density and housing supply in an accessible area.

In addition, adequate building separation to buildings within the site, and neighbouring multi-unit residential developments, will be ensured as per SEPP 65 requirements. The indicative concept design (refer to Appendix 2) for the southern portion of the site accompanying this proposal complies with the requirements demonstrated in the figures below.



Figure 20 Excerpt from SEPP65: Building separation is proportionate to building height to facilitate better urban form and improved residential amenity



Figure 21 Excerpt from SEPP 65: Where buildings step back in response to minimum building separations, the building separation for the floor below applies to encourage habitable outdoor terraces

5.4.3 SEPP (Infrastructure)

Given the site area is over a hectare, residential development may be considered Traffic Generating Development given the total number of units that may be developed under the proposed FSR of 2.5 is likely to yield 300-350 units. Individual lots within the site, however, would not yield the 300 units required to trigger the SEPP.

5.4.4 SEPP 55 - Remediation of Land

The site is likely to have some contamination due to the history of light industrial uses on the site. The contamination is not considered to be unexpected or unusual and could be investigated during a DA process.

5.5 Relevant Ministerial Directions (S117) (Q6 of the Guide)

The following Local Directions under S117 must be considered in this Planning Proposal:

1.1 Business and Industrial Zones

Direction 1.1 generally aims to encourage and retain employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.

The current land use is considered unsuitable for the site, however proposed rezoning creates potential for employment generating uses on ground level given the R4 zone permits:

- Business premises
- Child care centres
- Community facilities
- Home-based child care
- Home businesses
- Hostels
- Neighbourhood shops
- Office premises
- Places of public worship
- Respite day care centres
- Restaurants or cafes
- Serviced apartments
- Shop top housing
- Shops

The proposed zoning, having a range of potential uses provides flexibility and allows uses to change over time to meet demand. The proposed concept plan and building typology which accompanies this proposal include shoptop housing with a commercial component. The mix of uses on the site would be subject to subsequent DA applications and are likely to respond to market demand.

It is noted the existing industrial land is a remnant which has become isolated through the historic residential development of the area. The site is not well located logistically for industrial development and would be better located near other industrial lands and major vehicular transport nodes. The key industrial precincts in the area are identified in the *Employment Lands Development Program* as:

- Clemton Park
- Kingsgrove North
- Riverwood

Each of these precincts have attributes which make them more suitable to industrial zoning that the subject site including better access to the transport network and a significantly larger area of land. The attributes of the three key industrial zones in the subregion are:

Clemton Park

- 24.5 Ha of industrially zoned land
- 1 km to M5 via main road.
- Includes both undeveloped and developed lands

Kingsgrove North

- 35.7 ha of industrially zoned land
- Immediate access to M5

Riverwood

- 49.1 ha of industrially zoned land
- Immediate access to M5
- Includes both undeveloped and developed lands

In contrast, the subject site has the following attributes:

- Croydon Park has the smallest area of industrial zoned land in the LGA of 1.5 ha (along with Canterbury at 1.5 ha).
- The subject site is not well located in regard to transport and logistics being 5 km to the M5 going west (via congested Brighton Avenue and Campsie Town Centre) and 8 km to the M5 going east (via Georges River Road).
- No undeveloped lands

While strategic plans include the objective of retaining employment lands and in particular industrial lands, the subject site is not as well located for the purposes of employment generating lands as other more robust industrial agglomerations in the subregion. The site is too small to benefit from agglomeration effects. The site is also not on a high volume main road where business may benefit from high visibility. These attributes make the subject site less valuable as an employment generating industrial precinct

3.1 Residential Zones

Direction 3.1 generally seeks to facilitate housing choice, meet existing and future housing needs, make efficient use of existing infrastructure, and minimise the impact of residential development on the environment.

The Direction specifies that a Planning Proposal must include provisions that will improve the choice, accessibility and distribution of housing stock, reduce the consumption of land on the urban fringe, and be of good design.

This Planning Proposal will allow a greater provision of housing in an existing urban area, improve housing choice, and increase the efficiency of existing infrastructure, services and amenities.

3.4 Integrating Land Use and Transport

Direction 3.4 aims to ensure that urban structures, building forms, land uses, developments, subdivision and street layouts achieve improved accessibility, increased choice of transport, reduced travel demand, and efficient movement of freight.

The proposed changes allow additional housing within close walking distance of public transport infrastructure, thus reducing the demand for private vehicle use and improves accessibility to Sydney's primary employment lands. Additional housing in this location contributes to easing traffic demand on Sydney's road network, given public transport use is a real option for the site. While the site is not within the typical 800 m catchment of a railway station, it is in the immediate proximity of a robust bus network which connects to several centres with rail access. These centres also provide employment opportunities and a full range of services and amenities. This is particularly the case with Burwood Town Centre which has been identified in the existing and draft Metro Strategy as a Key Subregional Centre.

6.1 Approval and Referral Requirements

Direction 6.1 aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. The planning proposal meets the requirements of this direction since it does not contain any provision which would result in a subsequent application requiring the concurrence, consultation or referral to the Minister or a public authority. The proposal does not contain any provision that would deem a development designated development.

6.3 Site Specific Provisions

Direction 6.3 aims to discourage unnecessarily restrictive site specific planning controls and relate primarily to land use. The proposal only aims to rezone to a more appropriate land use consistent with adjoining properties, and increase the density and height to capitalise on its accessible location and contribute to housing supply.

Referral is likely to be required under the SEPP 55 (Remediation of Land) given the proposed change from industrial to residential. Given the size of the site it is also likely the proposal will require referral to the RMS under the SEPP (Infrastructure) 2007.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

The proposed development is consistent with the Metropolitan Plan for Sydney and facilitates increased dwelling densities in highly accessible locations.

The proposed zone change and increased density makes possible a robust mix of uses on this currently underutilised but strategically located site, which in turn can contribute to the desired activity in the locality.

The proposal is also consistent with the Draft Metropolitan Plan for Sydney 2031.

5.6 Environmental, Social and Economic Impact (Q7, Q8, and Q9 of the Guide)

1. 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?

No critical habitat or threatened fauna have been identified in relation to this site.

2. Are there any other likely environmental impacts as a result of the Planning Proposal (and if so), how are they to be managed?

Amenity Impacts

The proposal, through a change of land use, achieves a reduced environmental impact on neighbouring dwellings by virtue of removing industrial uses from being in immediate proximity to residential uses. The proposed R4 zoning does have the potential to give rise to privacy and shadow impacts. However, the subject site has an appropriate depth to achieve internal and external building separations which achieve SEPP 65 objectives, meet the Rules of Thumb contained in the RFDC and minimise overshadowing.

Visual Impacts

As demonstrated in the indicative concept design, higher elements can set back from the street frontage, achieving a reduced mass at the streetscape and maintaining reasonable solar access to nearby existing residential properties. The accessible location of the site together with the proposed Height and FSR controls allow for orderly and economic development which meets the vision of the Metropolitan Strategy to intensify development in existing areas with good access to public transport.

Proposed developments that satisfy SEPP 65 will ensure quality design outcomes with good articulation and visual interest. This would be a marked improvement from the existing building which does not contribute to the streetscape or provide any visual appeal. There are no constraints in terms of significant view corridors.

Environmental Impacts

Contamination

Uses on the site are of a light industrial nature and include logistics, building supplies and automotive industry uses. These uses do not give rise to the likelihood of serious contamination and could be remediated through the DA/CC process.

Flooding

The site has not been classified as land prone to flooding. The site is in a built up urban area. It is almost 100% hard paved. Redevelopment of the site would likely be for mixed use and/or residential flat building development. In this case it is likely that the area of hard paving will actually reduce and stormwater infiltration will improve.

Urban Ecology

The site is not located in an environmental protection are as identified by Council's LEP. The site currently contains some trees in the front setback of the site. Any trees lost during redevelopment would be accounted for in mature tree planting as prescribed by Landscape Consultant. There is nothing about the proposed FSR and height controls which is inconsistent with this arrangement.

3. Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal has demonstrated consistency with strategic planning documents which seek to accommodate the future residential population of Sydney more sustainably. This goal can be achieved by locating new dwellings in already established urban areas within walking distance of public transport. Such a strategy provides residents with employment opportunities, services and amenities, all in an accessible location.

Removal of industrial uses away from the immediate vicinity of low, medium and high density residential development provides a social benefit by removing potential impacts including pollution, acoustic impacts, air quality impacts and visual impacts. The ELDP demonstrates there is some additional capacity in the existing larger industrial precincts of Clemton Park and Riverwood to compensate for the loss of the proposed 1.47 ha of industrial lands.

The unsightly character of the industrial land also impacts on the quality and value of residential development in the immediate vicinity.

The R4 zoning allows for a mix of uses and provides opportunities for orderly residential development with increased dwelling densities in an accessible area. Therefore, social benefits arise in both the immediate local and the regional context. Furthermore, the removal of unsightly industrial landscape will improve the property values of the surrounding development.

With the loss of industrial lands there is always a concern about loss of employment lands. The R4 zoning is not a strictly residential zone and includes many permissible employment generating uses which are more compatible with the residential character of the area. This provides the potential for future development which creates jobs.

Urban Consolidation

The provision of housing in existing areas helps reduce pressure for fringe development. In particular, this consolidation strategy lowers the risk of highly fertile agricultural fringe land being developed to accommodate the growing population. In this regard, consolidating urban development contributes to Sydney's food security. Additionally, the subject site is located within a medium walking distance of several train stations (approximately 20 minutes) and within 5 minutes by bicycle. A frequently serviced bus network makes access to a railway station possible in less than 10 minutes, making it highly accessible and well connected to the Sydney CBD. As such, the site effectively utilises existing infrastructure and encourages the use of sustainable transport options.

Neighbourhood Activity, Safety and Security

The site is currently underutilised socially and does not contribute to neighbourhood vitality. Increasing density on the site will provide the opportunity for a mix of residential and commercial uses to be
introduced into the neighbourhood. The proposed zoning also allows development on site to meet market demand in terms of business and residential development.

Increased density will also increase casual surveillance on the street, contributing to a safer environment.

Traffic and Pedestrian Amenity

Future developments have the opportunity to contribute to the amenity of the street through a range of potential design features which may include landscaped setbacks, active street frontages, additional street tree planting, etc. This would be a marked improvement from the current condition of the site where built form turns away from the public domain and creates visual clutter within the front setback.

It is envisioned that car parking areas would be below ground. It is assumed that future development would contribute additional traffic to the current conditions, however it is expected that due to the proximity of the site to public transport, private car use will be reduced. Also, envisaged residential development would need to consider SEPP65 and the RFDC which require high quality outcomes including deep soil.

Economics

The proposed rezoning and adjustments to the FSR facilitates the increase in residential density in an accessible location with strong network links to employment hubs. The increase in residential density also contributes to housing affordability by adding to the general housing stock. It is noted the site is available for redevelopment in the immediate future allowing housing delivery in the short term.

The proposal also maintains the opportunity for employment generating uses in the locality, with the potential for future developments to incorporate, retail and commercial uses. The proposed R4 zoning achieves a flexibility to allow built form to change over time to meet demand.

5.7 State and Commonwealth Interests (Q10)

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

There is adequate public infrastructure to accommodate the increase in development density and several bus routes located close to the site.

The site has excellent access to major public open space in proximity to the Cooks River. There are a number of schools within walking distance of the site as well.

5. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination (Q11 of the Guide)?

The relevant State and Commonwealth authorities will be consulted during the gateway process.

5.8 Community Consultation

The planning proposal is considered to be a 'low impact' planning proposal for the following reasons:

- The amendment relates to the subject site only.
- The current industrial uses are not operating at full capacity with several of the sites in disuse.
- The amendment is consistent with state strategies relating to intensifying residential development in urban areas
- The amendment is consistent with state strategies relating to recognising well connected and highly accessible environments
- The proposal is consistent with surrounding land uses
- The proposed will improve the overall amenity of the residential area with opportunity for quality residential design and removal of dated industrial structures
- The proposal provides the opportunity for more people to live in close proximity to public transport, employment, infrastructure, services and amenities.

It is expected the Canterbury Council will complete the community consultation process in accordance with Section 57 of the EP&A Act 1979 during the gateway process.

6 Conclusion

This planning proposal has been brought forward in accordance with the Department of Planning's Guidelines for the preparation of planning proposals. As is stated in that guide, it is expected that the applicant will enter into further discussions which Council and bring forward additional information as necessary. This proposal sets out the issue on the site and brings forward arguments going to the suitability of the site for the proposed changes to zone, and height and FSR on the site.

Current controls do not adequately address the opportunities and constraints of the subject site and as a result the sites' capacity is not being realised. The subject site and its immediate surrounds have a distinctly residential character. Existing controls on the site ignore the site's close proximity to local centres and immediate proximity to a frequently serviced bus network which make it suited to residential development. The existing controls also ignore the lack of proximity to the major transport nodes and networks which support well-functioning industrial lands in Sydney's "post-industrial" economy. As a result, the existing controls on the site do not take full advantage of sustainable transport opportunities.

The Sydney South subregion is committed to achieving 283,000 dwellings by 2031 according to the Draft Metropolitan Strategy for Sydney 2031. This figure responds to the projected population growth and associated need for affordable and diverse housing. These targets exceed that calculated by previous state metropolitan strategies, indicating the population growth and need for housing is accelerating at a rate greater than that previously predicted.

While the current zoning, height and FSR controls do not acknowledge the strategic location of the site and it's great potential, the proposed rezoning, height and FSR will contribute to achieving the Department of Planning's strategic goals and address the recent increase in population projections for Sydney through to 2031.

The site is suitable for redevelopment with an absence of adjoining heritage items or encompassing heritage conservation area. The site does not contain any land zoned for environmental protection.

The subject site represents a unique infill opportunity. The development density proposed is consistent with its strategic context and potential built form capacity given its generous site depth and area. The rezoning and associated height and FSR proposed allows for a range of outcomes on the site while producing a building envelope which does not have unreasonable impacts on other sites in the area. Overall, the proposed rezoning will eliminate the conflict between industrial and residential uses which are currently in immediate proximity.

Appendix 1

Letter from Croydon Park Building Supplies addressing decline in staff



accountants • advisors • tax agents

FB:fc

23 August 2013

Canterbery Council

RE: CROYDON PARK BUILDING SUPPLIES PTY LTD

I act as accountant for the above and have done so for the past ten (10) years.

I confirm that in the year 2004, the company had approximately 34 staff. Presently the company has 8 staff.

Over the last ten (10) years, the company has experienced yearly declines in business trade predominately due to adverse economic conditions experienced in the building industry. This coupled with difficulties to finance new equipment resulting from the recent Global Financial Crisis.

All this has led to a shrinkage of business turnover generally.

This has been consistent with all economic data of the last decade showing slow and even declining growth in new building projects.

Although there has been signs of improvements of late, the "growth" is not and will not be sufficient to return to a business of its former size.

The business given its current size no longer warrants trading from such a large parcel of land.

Yours faithfully BRUZZANO & ASSOCIATES Frank Bruzzano

Ref: 84099_1



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Appendix 2

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Indicative layout in accordance with SEPP 65



Dickson Rothschild DR Design(NSW)Pty Ltd 9 Argyle Place, Millers Point, NSW, 2000

Phone +612 9252 2215 syd@slcksonrothschild.com.au www.dicksonrothschild.com.au Nominates Architect: Robert Nigel Dickson Registration Not 5354

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29.08.2013 JW/ND

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Dickson Rothschild DR Design(NSW)Pty Ltd 9 Argyle Place, Millers Point, NSW, 2000

Phone +612 9252 2215 syd@clicksonrothschlid.com.au www.dlicksonrothschlid.com.au Nominated: Architect: Robert Nigel Dickson Registration Not 5354

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