

PLANNING PROPOSAL ADDENDUM REPORT UPDATE

**4 MITCHELL STREET,
ENFIELD**

3 SEPTEMBER 2018
FINAL
PREPARED FOR TIAN AN ENFIELD PTY LTD

URBIS

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

| | |
|-------------------|---------------|
| Director | Andrew Harvey |
| Senior Consultant | Nik Wheeler |
| Assistant Planner | Jamie Fermio |
| Project Code | SA6613 |
| Report Number | Final |

TABLE OF CONTENTS

| | |
|---|----|
| Executive Summary | 5 |
| 1. Introduction | 7 |
| 2. Background and Planning History | 9 |
| 2.1. Background..... | 9 |
| 2.2. Early Engagement with Senior Council Officers..... | 10 |
| 2.2.1. Meeting with Council – 28 th April 2017 | 10 |
| 2.3. Concept Refinement | 10 |
| 2.3.1. Meeting with Council – 17 th May 2017..... | 10 |
| 2.3.2. Meeting Three – 30 th June 2017 | 11 |
| 2.4. Lodgement of Planning Proposal..... | 11 |
| 2.5. Community Consultation..... | 11 |
| 2.6. Engagement with Council and Independent Assessment Expert..... | 12 |
| 2.6.1. Meeting with Cardno – 22 nd August 2017 | 12 |
| 2.6.2. Meeting with Cardno - 11 th October 2017..... | 13 |
| 2.7. Further Concept Refinement and Meetings with Council | 13 |
| 2.7.1. Meeting with Cardno - 12 th December 2017..... | 13 |
| 2.7.2. Meeting with Cardno - 9 th January 2018..... | 13 |
| 2.7.3. Meeting with Council - 31 st January 2018..... | 13 |
| 2.7.4. Meeting with Council - 23 rd April 2018 | 14 |
| 2.8. Amended Planning proposal Lodgement..... | 14 |
| 2.8.1. Response to Issues Raised by Council | 14 |
| 2.9. Independent Assessment by Cardno..... | 17 |
| 2.10. Burwood Local Planning Panel..... | 18 |
| 3. Site Context | 19 |
| 3.1. The Site..... | 19 |
| 3.2. Surrounding Land Uses | 20 |
| 3.3. Current Planning Framework..... | 22 |
| 4. The Design Concept | 23 |
| 5. Planning Proposal..... | 28 |
| 5.1. Overview | 28 |
| 5.2. Part 1 – Objectives and Intended Outcomes | 28 |
| 5.3. Part 2 – Explanation of Proposed Provisions | 28 |
| 5.4. Part 3 – Justification of Proposal | 29 |
| 5.4.1. Section A – Need for the Planning Proposal | 29 |
| 5.4.2. Section B – Relationship to Strategic Planning Framework | 30 |
| 5.4.3. Section C – Environmental, Social and Economic Impact..... | 46 |
| 5.4.4. Section D – State and Commonwealth Interests..... | 53 |
| 5.5. Part 4 - Mapping | 54 |
| 5.6. Part 5 – Community and Stakeholder Consultation..... | 55 |
| 5.7. Part 6 – Timeline..... | 55 |
| 6. Conclusion | 56 |
| Disclaimer. | 59 |

| | |
|-------------------|--|
| Appendix A | ADG Compliance Summary |
| Appendix B | Draft Site Specific DCP |
| Appendix C | Additional Supplementary Traffic Information |

FIGURES:

| | |
|---|----|
| Figure 1 – Stages of the Planning Proposal Process | 9 |
| Figure 2 – Aerial Image of the Subject Site | 19 |
| Figure 3 – Context of the Site | 20 |
| Figure 4 – Surrounding Land Uses..... | 21 |
| Figure 5 – Education Facilities Surrounding the Site | 21 |
| Figure 6 – Zoning and Development Standards Applicable to the Site..... | 22 |
| Figure 7 – Mitchell Street View and Perspective | 23 |
| Figure 8 – Henley Park Views and Perspective | 25 |
| Figure 9 – Baker Street View and Perspectives | 26 |
| Figure 10 – View of Existing and Proposed Buildings..... | 26 |
| Figure 11 – Proposed Landscaping Approach | 39 |
| Figure 12 – 18m Height Plane | 47 |
| Figure 13 – Communal Open Space | 48 |
| Figure 14 – Solar Access to Principal Useable Open Space | 49 |
| Figure 15 – Overshadowing Analysis 9am Winter Solstice | 50 |
| Figure 16 – Overshadowing Analysis 3pm Winter Solstice | 50 |
| Figure 17 – Building Setbacks | 51 |
| Figure 18 – Landscaped Rooftop Amenity Area | 51 |
| Figure 19 – Proposed Height of Buildings Plan..... | 54 |
| Figure 20 – Proposed Floor Space Ratio Plan | 54 |

TABLES:

| | |
|---|----|
| Table 1 – Points Raised by the Community and Applicant's Response | 12 |
| Table 2 – Matters Raised by Council and Applicant's Response | 14 |
| Table 3 – Consistency with A Plan for Growing Sydney | 30 |
| Table 4 – Consistency with Greater Sydney Region Plan..... | 33 |
| Table 5 – Consistency with Eastern City District Plan..... | 35 |
| Table 6 – Strategic Merit Assessment..... | 40 |
| Table 7 – Site Specific Merit..... | 42 |
| Table 8 – Relevant SEPPs Applicable to the Planning Proposal | 43 |
| Table 9 – Consistency with Section 9.1 Directions | 45 |

EXECUTIVE SUMMARY

This Addendum Report supports a Planning Proposal which seeks amendments to Burwood LEP 2012 (BLEP) to amend the building height and FSR development standards applicable to the site, along with an additional permitted use for the site. This will ultimately facilitate housing diversity with a contemporary and elegant residential development, creating a community adjacent to Henley Park.

This Report provides an update to Planning Proposal Report Proposal Addendum Report that was lodged in May 2018, which followed the lodgement of the original Planning Proposal in July 2017. The scheme has been worked up following extensive discussions with Council and their independent advisors, Cardno, as well as consultation with the local community. The local community were consulted again in August 2018, to inform of the latest updates to the scheme and the reporting of the Planning Proposal to the Local Planning Panel.

This latest update to the Planning Proposal follows the presentation of the scheme to the Burwood Local Planning Panel on 14th August 2018. The Panel resolved to support the proposal, but made a number of recommendations, which have now been incorporated into this final Planning Proposal package.

The site is located at 4 Mitchell Street, Enfield and is a strategically significant site located in a highly desirable location directly adjacent to Henley Park. It has a large site area and is within a single ownership, whilst it is also within walking distance of high frequency bus services and surrounded by a range of other local community, residential and open space uses. Few sites in the locality have comparable strategic credentials and attractiveness for higher density residential housing or are available for unique renewal opportunities.

The site is presently occupied by a large commercial/warehouse building which was the former offices of Vision Australia, and the current built form fails to respond positively to the opportunities provided by its location. The site is underdeveloped and lacks an appropriate form of development. It therefore fails to positively contribute to the strategic direction for the local area.

Whilst the zoning of the site permits residential flat buildings, the current development standards applicable to the site (FSR and Height of Buildings) are inconsistent with the current built form on the site. The current FSR and Height of Building controls reflect the surrounding lower scale residential properties. This means that the existing building height already exceeds the control for the site, in circumstances where the development standards were the result of a 'translation' from the previous Burwood Planning Scheme Ordinance to Burwood LEP 2012.

However, since the adoption of Burwood LEP 2012, *A Plan for Growing Sydney*, along with the recent publication of the *Eastern City District Plan* and the *Greater Sydney Region Plan* provides a strong policy emphasis on urban renewal opportunities close to public transport, strengthening and growing local centres, and promoting higher density development in areas where there is strong housing demand.

In response to the strategic site qualities and opportunities with the current form of development on the site, Tian An Enfield Pty Ltd (the Applicant) is proposing the future redevelopment of the site incorporating the following elements:

- A vision of providing a high quality, residential development which offers a variety of new apartments sizes and potential for new local day to day facilities to provide for the local community.
- Creating a residential community with a unique sense of place and new identity for the site; to carefully manage and provide a response to the existing built form context; achieve design excellence; provide a diversity of housing opportunities and affordable housing in the local area; and to provide enhancements and tangible community benefits and a positive response to the setting of Henley Park.
- This vision would enable the direct achievement of a range of both regional and local strategic planning objectives, including job and housing growth and renewal of a prominent part of Enfield that is well connected to community infrastructure.

In response to comments from the community, Council and their independent advisors on the originally lodged Planning Proposal, the Applicant has prepared indicative design options to address the unique, strategic qualities of the site. These options have comprehensively evaluated the site conditions, context, connectivity and views, along with the amenity of surrounding properties.

As such, the Urban Design and Architecture Report, which supports this Planning Proposal, provides an update of the scheme following comments on the previous scheme. Importantly, the proposed design options have carefully considered the local character but also provide the opportunity for a highly resolved architectural and landscape theme for the site.

To facilitate the future redevelopment of the site this Planning Proposal seeks to amend the height and FSR standards under Burwood LEP 2012 as they apply to the site. This will involve amending the height of building control to a maximum allowable Height of Building of 18m, stepping down to 15m and 12m at various parts of the site to accommodate the new building form and the floor space ratio control to 1.4:1.

It is also proposed to amend the BLEP to facilitate additional local food and drink uses on the lower ground floor of the proposal to activate the park frontage and enhance the connection between the park and the development. As such, this proposal seeks a new additional use to be set included within Schedule 1 of the BLEP.

In summary, the proposal will provide a range of substantial local and regional benefits which warrant support, including:

- Urban renewal of a key strategic site within Enfield which seeks to facilitate a high quality residential development outcome;
- Facilitate the provision of new, high quality designed residential dwellings and apartments which supports the subregional housing targets for Burwood LGA;
- Enhancements to the public domain including active street frontages, ground floor uses and coordinated pedestrian linkages between the community precinct; and
- Potential for new local day to day facilities to serve the local community, activate the park frontage and provide a level of replacement employment generation at the site.

1. INTRODUCTION

This updated Planning Proposal has been prepared on behalf of Tian An Enfield Pty Ltd (the Applicant), and seeks to amend the Burwood Local Environmental Plan 2012 (BLEP 2012) in relation to the site at No.4 Mitchell Street in Enfield. The site is currently occupied by an office building formerly used by Vision Australia, who have now relocated to Parramatta.

The original Planning Proposal Report was lodged in July 2017, subsequent to extensive discussions with Burwood Council (the Council) and their independent advisors, Cardno, as well as consultation with the local community. The discussions with Council continued through the assessment process, which led to a substantial redesign of the proposal and an Addendum Planning Proposal being lodged with Council in May 2018.

This latest update to the Planning Proposal follows the presentation of the scheme to the Burwood Local Planning Panel on 14th August 2018. The Panel resolved to support the proposal, but made a number of recommendations, which have now been incorporated into this final Planning Proposal application package.

The objective of the Planning Proposal remains to formally amend BLEP 2012 to alter the building height and Floor Space Ratio (FSR) development standards applicable to the site. This is along with an additional permitted use for the site, which will allow the limited provision of food and drink uses, including a café at the lower ground floor which will assist in activating the park frontage. This will ultimately facilitate a contemporary and elegant residential development and local retail/ cafe provision, whilst creating a well-connected community adjacent to Henley Park.

The Planning Proposal has been prepared having regard to the NSW Department of Planning's '*A Guide to Preparing Planning Proposals*' (2016) and '*A Guide to Preparing Local Environmental Plans*' (2016). This Planning Proposal includes the following:

- Background that has led to the need for a Planning Proposal.
- Description and analysis of the site and its local context.
- Consideration of the existing planning framework.
- Objectives and intended outcome of the Planning Proposal.
- Explanation of the proposed amendments to the BLEP 2012 and amended maps.
- Justification of the Planning Proposal.
- Consideration of the community consultation likely to be associated with the proposal and potential timeline for the proposal.

It is requested that the Council forward the Planning Proposal to the Minister for Planning for Gateway Determination in accordance with Section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Gateway Determination by the Minister will decide:

- Whether the matter should proceed (with or without variation).
- Whether the matter should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal).
- The community consultation required before consideration is given to making the proposed instrument.
- Whether a public hearing is to be held into the matter by the Independent Planning Commission or other specified person or body.
- The times within which the various stages of the procedure for the making of the proposed instrument are to be completed.

The Planning Proposal is accompanied by a range of plans and reports prepared by specialist consultants to provide a comprehensive analysis of the site opportunities and constraints. These address the key issues and impacts associated with the proposed LEP amendments.

SUPPORTING INFORMATION

This Report is also supplemented by the following documentation, which comprise additional recommendations from the Local Planning Panel (LPP), following the Planning Proposal being reported to the LPP on 14th August 2018:

- An ADG (SEPP65) Compliance Summary Report prepared by Bureau of Urban Architecture
- A working Draft Site Specific DCP which identifies principal design parameters for the concept design.
- An updated Traffic Report prepared by Bitzios Consulting.
- The removal of the previous request for add 'Additional Local Provisions' under Part 6 of the BLEP, along with the removal of the proposed addition of business premises and retail premises up to 300sqm from Schedule 1 of BLEP.

This Update to the Addendum for the Planning Proposal should also be read in conjunction with the information which was originally lodged in July 2017 and the Addendum in May 2018. This comprises:

- Environmental Site Investigation Report (prepared by JBS&G, 28 June 2017) – lodged in July 2017.
- Report on Geotechnical Investigation (prepared by Douglas Partners, June) – lodged in July 2017.
- Letter from Vision Australia dated 28th June 2017 – lodged in July 2017.
- Community Benefit Feedback Session Memo (dated 3rd July 2017) – lodged in July 2017.
- Construction Cost Estimate (dated 30th June 2017) – lodged in July 2017.
- Urban Design Report & Architecture Report (prepared by Bureau of Urban Architecture, dated 21st May 2018) – lodged in May 2018.
- Updated Traffic and Parking Impact Assessment Report (prepared by Bitzios Consulting, dated 18th May 2018) – lodged in May 2018.
- Arboricultural Impact Appraisal and Method Statement (prepared by Naturally Trees, dated 29th January 2018) – lodged in May 2018.
- Consultation Outcomes Report (prepared by Urbis, dated November 2017) – lodged in May 2018.
- LEP Mapping (prepared by Bureau of Urban Architecture) – lodged in May 2018.
- Letters from Council dated 5th February 2018 and 30th April 2018.
- Revised Services and Utilities Report (prepared by Northrop Consulting Engineers, dated 5th July 2017) – lodged in May 2018.
- Landscape Concept Report (prepared by Site Image Landscape Architects, dated 7th May 2018) – lodged in May 2018.

2. BACKGROUND AND PLANNING HISTORY

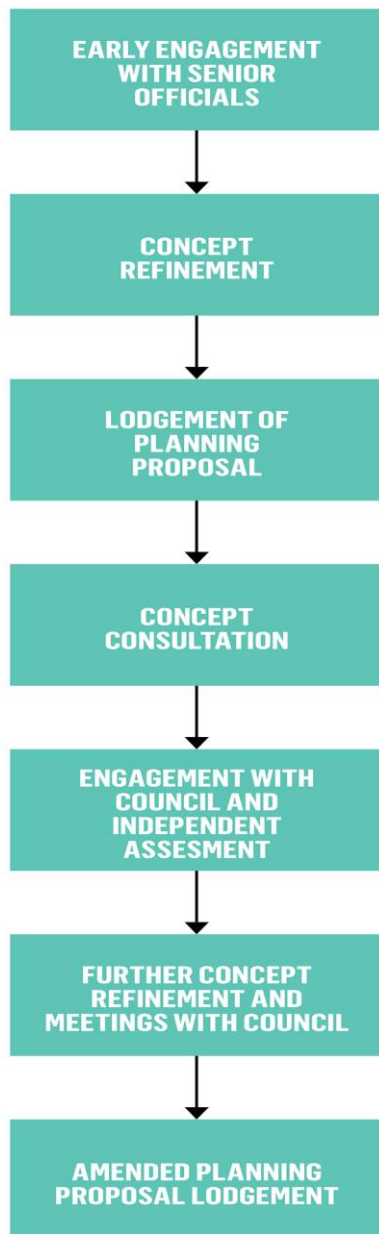
2.1. BACKGROUND

Prior to the adoption of BLEP 2012 the site was zoned Special Use (Institution) under the Burwood Planning Scheme Ordinance 1979, with no development standards for the site. The zoning of the site changed to R1 General Residential within the BLEP 2012. Within this zoning, commercial premises are prohibited, which includes the former Vision Australia offices on site, who have since relocated their operation to Parramatta.

The site is presently occupied by a large commercial/warehouse building which was the former offices of Vision Australia, and the current built form fails to respond positively to the opportunities provided by its location. The site is underdeveloped and lacks an appropriate form of development. It therefore fails to positively contribute to the strategic direction for the local area.

To address the development opportunity presented at the site, extensive discussions were held with Council and their advisors. The various stages are detailed in the sections below and illustrated in Figure 1 below.

Figure 1 – Stages of the Planning Proposal Process



2.2. EARLY ENGAGEMENT WITH SENIOR COUNCIL OFFICERS

The Applicant engaged with senior officers at Council at the start of this process, some 12 months ago, to explore opportunities to amend the built form controls, to reflect the development opportunity at the site. Options for the site were first presented to Council at a meeting with senior officers April 2017, as detailed below.

2.2.1. Meeting with Council – 28th April 2017

An initial meeting was held with the Manager of Strategic Planning and Manager of Development Assessment to provide the Council with an overview of the applicant's vision for the project, and preliminary design work that had been undertaken by the project team.

At this meeting, there was discussion on what the most appropriate planning approval pathway for the project would be, with Officers suggesting that the building height and floor space ratio standards being proposed would be beyond the extent of variation that they could support as a Development Application, and that a Planning Proposal to formally amend the LEP would be the most appropriate way to facilitate the redevelopment outcome.

Council Officers acknowledged that there was likely to be a strong community response to the redevelopment of the site, following the Planning Proposal for the Flower Power site nearby. It was acknowledged that the key assessment matters relevant to that Planning Proposal related to traffic generation, built form and the existing character of Mitchell Street, and the loss of employment land.

The Council recommended that addressing these issues as part of any Planning Proposal would be critical, and suggested that engaging with the local community would be a very important to the success of the project. It was also suggested that a meeting with the Deputy General Manager and a suite of Council Officers would be beneficial, to present to a preliminary design and seek their feedback on the merits of the proposal.

2.3. CONCEPT REFINEMENT

In light of this preliminary feedback from Council during the meeting April 2017, the Applicant engaged an experienced project team to prepare indicative design concepts for the site, along with relevant supporting studies. Following this early refinement, the Applicant arranged further meetings with Council to discuss progress, as outlined below.

2.3.1. Meeting with Council – 17th May 2017

Following the initial meeting, the applicant's project team presented to the Deputy General Manager, and senior Council Officers including planners, traffic, waste, community, assets and heritage teams.

The project architect took each of the officers through the design concept, and had an informal discussion about key elements of the project. The key feedback from Council's planning officers was recommending that the scale along Mitchell Street was more consistent with the surrounding local character, and it was agreed to examine this matter in further detail.

In addition, the Council's traffic officer clarified that the Flower Power proposal attracted a lot of concern from local residents about local traffic generation, and recommended that this matter be dealt with by a reputable traffic consultant as part of the Planning Proposal submission.

The applicant also sought clarification from the Council regarding opportunities to provide local community benefits to ensure that the proposed development has a positive impact on the local community. Specifically, feedback was sought on potential embellishments to Henley Park, which is a key local community asset.

The Council advised that they had Community Strategic Plans and a Public Benefit Policy (which currently only applies to Burwood Town Centre) which provide some commentary on community needs, but clarified that any of these community benefits if provided via a Voluntary Planning Agreement (VPA) would be dealt with through appropriate probity guidelines.

The meeting also was an opportunity for Urbis's Director of Social Planning to seek views from the Council regarding a community engagement strategy to ensure that the applicant proactively seeks to understand the views of the local community. The Council shared some views on the key community issues which were relevant to the Flower Power proposal, and provided comments on the best way to brief the community on the project.

2.3.2. Meeting Three – 30th June 2017

This meeting was held with the Deputy General Manager and the other senior Council Officers who were present at the previous meeting.

The project architect took the officers through the design development and scheme alteration since the last session, including additional concept sketches, rendered images illustrating articulation options for the proposed buildings and the landscaping approach.

The Manager of Development Assessment raised a point in relation to the horizontal form of the residential flat buildings which are proposed to front onto Henley Park. This was noted by the architect, who has subsequently revised the illustrative design to amend the roof design and alter the framing around the façade balconies to address this point.

The second part of the meeting involved a session with a facilitator appointed by the applicant (Nicola Wass of Straight Talk), who sought to explore potential Council and community requirements in the area. This was undertaken to inform the applicants approach to a potential VPA. There was a discussion around a range of potential options, including the ability to assist with the delivery of a new multi-use community facility which would benefit local residents.

It was advised at this meeting that the matters raised would be considered, and the Planning Proposal would be lodged in early July 2017.

2.4. LODGEMENT OF PLANNING PROPOSAL

The Planning Proposal package was lodged with Council on 6th July 2017. The Planning Proposal contained the following documentation:

- Planning Proposal Report
- Urban Design Study Report
- Traffic and Parking Impact Assessment
- Environmental Site Investigation Report
- Geotechnical Report
- LEP Mapping
- Letter from Vision Australia
- Services and Utilities Report
- Notes of Community Benefit Session with Council
- Construction Cost Estimate

2.5. COMMUNITY CONSULTATION

A Stakeholder and Community Consultation Strategy was developed as part of the preparation of the Planning Proposal. Urbis was engaged by the Applicant to undertake community consultation to inform the planning proposal. Further detail of the community consultation is set out in the Summary of Consultation Outcomes Report.

In summary, the community consultation was undertaken over 3 weeks in July 2017. Consultation activities included:

- Distribution of a letter and project fact sheet to 600 households notifying them of the planning proposal, doorknock, community information and feedback sessions and contact details for further information.
- Doorknock of residential properties within an immediate catchment of the site on two consecutive nights.
- Two Community Information and Feedback Sessions (three hours each) attended by approx 24 people.
- One stakeholder briefing meeting as requested by three stakeholders.
- Communications channels including a dedicated project email, 1800 phone number and project website.

The community feedback received during the consultation process generally supported the redevelopment of the site for residential purposes. However, there were a number of points raised by the community which the Applicant has sought to address. These are identified in Table 1 below:

Table 1 – Points Raised by the Community and Applicant's Response

| Community Points | Applicant's Response |
|--|---|
| Concern over the proposed 6-storey height and a change in character from the lower density housing in the surrounding streets. | The Applicant has engaged a new architect to develop an alternative design which reduced the height of the proposal to 4 storeys, increased various setbacks, and enhance the on-site open space. |
| Uncertainty over the preliminary traffic assessment and a concern over the traffic congestion on local roads. | The Applicant has undertaken additional traffic studies which demonstrate that minimal delays are predicted at the Mitchell St/ Burwood Rd intersection and confirming that the surrounding road network can adequately cater for the proposed development. |
| Concern over the sewer infrastructure on Barker Street. | The Applicant has confirmed that there would be no requirement for the development to connect to the Sydney Water sewer main on Barker Street. |
| Confusion over the planning process and how the Planning Proposal process differs from a DA. | The Applicant's Planning Consultant, Urbis, sought to clarify the clarify the process for a Planning Proposal with the community, and explained that this stage would be a precursor to an eventual DA at the site. |
| General support for a café or small convenience store to be brought forward as part of a scheme at the site. | The architect has redesigned the scheme to provide opportunities for future convenience retail and café uses |

Overall, there were clear views expressed during community consultation, with support for re-development of the site for residential purposes, but opposition to the proposed height and concern regarding the associated impacts of increased pressure on the local roads and infrastructure.

Accordingly, this community feedback has been carefully considered by the project team and has resulted in the revised design response for the proposal and the provision of updated supporting information. As identified above, further information on the community consultation process is set out in Appendix D to this report.

2.6. ENGAGEMENT WITH COUNCIL AND INDEPENDENT ASSESSMENT EXPERT

Following the lodgement of the Planning Proposal, the Council appointed an Independent Assessment Expert from Cardno to review the proposal.

The Applicant engaged with representatives from Cardno to present the proposal and discuss the scheme concept in August 2017. The key points from the meetings are set out in the below.

2.6.1. Meeting with Cardno – 22nd August 2017

- It was suggested that some convenience retail and café uses would provide a good community facility at the site, given it is not close to other local shops. This would also help to provide some additional local employment at the site.
- It was suggested that the bulk and massing of the scheme should be reviewed to better integrate with the surrounding low density properties, including a reduction in the height of the proposal and greater connectivity to the park.

- Additional traffic analysis was required to reflect the accesses to the site, the SIDRA analysis and how the weekend operation of the park may affect the network.
- An Arborist Report was requested as well as details of the Community Consultation which was undertaken.

Further to this meeting, the Applicant considered it was appropriate to change architect on the project from DEM to the Bureau of Urban Architecture (Bureau) to obtain a new perspective and fresh impetus on the projects. This led to a substantial redesign of the proposal, with various alternatives schemes being prepared for discussions with Cardno at the next meeting.

2.6.2. Meeting with Cardno - 11th October 2017

- The Applicant presented three alternative proposals indicative designs for the site, prepared by the new architect, Bureau of Urban Architecture, which received positive feedback from Cardno. The 'twin U-shaped' buildings scheme was selected as the most favoured design solution.
- It was suggested by Cardno that a site specific DCP could be utilised to control the variance of heights across the site, which could be progressed post Gateway determination.
- The idea of removing the floor space ratio for the site was discussed as part of a Schedule 1 amendment, given that the design of the site could readily accommodate more than the 1.4:1 proposed. However, Cardno indicated that the Department of Planning do not normally favour this approach.
- Cardno directed the Applicant to work up the designs and represent the scheme for further discussion with Cardno.

2.7. FURTHER CONCEPT REFINEMENT AND MEETINGS WITH COUNCIL

As part of the ongoing process of concept refinement several meetings were held with both Cardno and the Council to progress the design of the proposal and agree the most appropriate approach to take for the site. These discussions are detailed below.

2.7.1. Meeting with Cardno - 12th December 2017

- An updated design with two courtyards was presented by Bureau of Urban Architecture, which incorporated employment generating uses at lower ground level. Cardno sought a reduction in the number of live/work units and welcomed the provision of community facilities and small-scale convenience retail.
- Cardno advised that the rooftop communal areas should be confined to the parts of the flat buildings which front onto the park.
- Cardno commented that the new scheme has far better potential for ADG compliance than the previously lodged scheme.
- Cardno suggested that the Applicant should consider a design that better addressed Henley Park, with potential for ground floor uses to activate the park edge.
- The potential to consider the FSR for the community and employment uses as additional floors space above the 1.4:1 for the residential units was discussed.

2.7.2. Meeting with Cardno - 9th January 2018

- The Applicant advised that an LEP clause could be prepared which allows site specific provisions to accommodate additional FSR for employment generating uses.
- Cardno advised that a response would be prepared for Council which summarised views on the design, along with recommendations for ancillary options on site such as child care and community facilities.
- It was agreed that the Applicant and Cardno would meet with Council officers to discuss progress on the proposal.

2.7.3. Meeting with Council - 31st January 2018

- Council was pleased with the concept presented by Bureau for Urban Architecture and advised that a 1.4:1 FSR and generally 4 level height built form with variations was appropriate.

- Council advised that solar access to communal open space, overshadowing of nearby properties and building separations were important considerations.
- Council advised that the ground floor employment uses such as cafes and shops could be considered to recreate employment at the site and activate the park. This could be examined further in consultation with the Department of Planning if the Planning Proposal progressed to the LEP drafting stage.
- Council indicated that they are not interested in entering into a Voluntary Planning Agreement with Tian An for the provision of affordable housing or embellishments to Henley Park, as was offered by the proponent upon initial lodgement of the Planning Proposal.

2.7.4. Meeting with Council - 23rd April 2018

- Council confirmed that they are supportive of small component of non-residential uses to activate the park edge and create a connection with the park. This could include convenience shopping, café or business uses and could be progressed through an additional local provision under Part 6 of the LEP and in Schedule 1. If provided these uses would be restricted to a minimum of 200sqm and a maximum of 400sqm and would not count towards the overall FSR of the proposal.
- Council requested an LEP height map amendment which reflects the distribution of heights across the site based on the concept design presented at the meeting.
- It was suggested that a site specific DCP would be required should the PP progress to a Gateway Determination.
- It was confirmed that additional elements on the rooftop of any proposal which give rise to a minor height breach such as lift overruns could be dealt with at the DA stage through a Clause 4.6 variation, depending on the circumstances.

2.8. AMENDED PLANNING PROPOSAL LODGEMENT

Following the above extensive engagement with both Council and their independent expert, the May 2018 Addendum to the Planning Proposal was prepared, and accompanied by the following updated reports:

- Urban Design Report & Architecture Report prepared by Bureau of Urban Architecture.
- Updated Traffic and Parking Impact Assessment prepared by Bitzios Consulting.
- Arborist Report prepared by Naturally Trees
- Consultation Outcomes Report prepared by Urbis.
- LEP Mapping prepared by Urbis.
- Revised Services and Utilities Report prepared by Northrop Consulting Engineers.
- Landscape Concept Report prepared by Site Image Landscape Architects.

2.8.1. Response to Issues Raised by Council

Following the previous meetings with Council, the Applicant was provided with two response letters detailing the key comments raised by Officers. The Applicant's response to these matters are summarised in Table 2 below.

Table 2 – Matters Raised by Council and Applicant's Response

| Comment or Issue Raised by Council | Applicant's Response | Matter Addressed |
|---|---|------------------|
| The original PP sought an increase in FSR from 0.85:1 to 1.4:1, the revised design should not exceed this original FSR request. | The FSR sought as part of the update to the Planning Proposal request is 1.4:1. | Yes |

| Comment or Issue Raised by Council | Applicant's Response | Matter Addressed |
|---|--|-------------------------|
| Council Officers are of the view that the design should be of various heights with a maximum of four storeys at its frontage to Henley Park and lower towards properties on Burwood Road. It was also suggested that the building segments be treated to increase building articulation. | The building has a maximum of four storeys of residential accommodation fronting onto Henley Park. The top level has also been recessed to further minimise the bulk of the building. The southern building is also stepped along the Mitchell Street frontage. | Yes |
| The Council is of the view that absolute minimum compliance with the ADG requirement is not sufficient and the design should seek design excellence. The two sunken courtyards should be reconsidered in terms of solar access. The developments should also not cause more shadow impact on Mitchell Street properties. | <p>The building design now incorporates additional building setbacks to enhance solar access to the courtyards which now receive 3 hours' solar access to the principal usable part of the open space in these courtyards.</p> <p>Furthermore, the proposal does not give rise to additional overshadowing on the properties on Mitchell Street.</p> | Yes |
| The roofs of the buildings should be treated to enhance the overall design, amenity and performance. In order to minimise overlooking and maintain privacy, communal access to the roof should be limited to areas fronting the park. | <p>The proposal delivers some 4,000sqm of communal open space on the ground level, including the communal courtyards.</p> <p>The communal rooftop open space has been pulled away from the properties to the east of the site within the design concept.</p> | Yes |
| The provision of limited non-residential uses to include cafes, neighbourhood shops, affordable retail and small start-ups was discussed, to recreate employment opportunities and activate the frontage to the park. This matter could be progressed as an additional local provision under Part 6 or in Schedule 1 of the BLEP. | <p>The proposal now includes the ability to accommodate these types of uses at the lower ground floor level, which would not result in an increase in the height of the building.</p> <p>To facilitate a range of uses, this proposal seeks a new local provision in Part 6 of the BLEP and new additional uses to be set out within Schedule 1 of the BLEP.</p> | Yes |
| The Council is of the view that the building separations appear | The design has been revised to achieve 18m separation between building forms. The building breaks have also been increased from 2.2m to 3.5m | Yes |

| Comment or Issue Raised by Council | Applicant's Response | Matter Addressed |
|--|---|-------------------------|
| to be minimal and raise concern. | creating definable breaks and relief within the building façade. | |
| The Council are seeking additional justification for the PP, which should not solely rely on published dwelling targets, as they can be easily met in Burwood LGA. | The strategic merit of the proposal is fully justified in Section 5.4 of this Report, along with the site-specific merit for the proposal. | Yes |
| Council planners are supportive of a small component of non-residential uses along the park edge to activate and create a connection between the development and the park. Such uses should be a maximum of 400sqm and a minimum of 200sqm, and uses can form part of an additional local provision under Part 6 of the of the LEP or in Schedule 1. | <p>The updated scheme facilitates the development of non-residential uses at the lower ground floor level to activate the park edge and provide valuable local shops and services for the local community.</p> <p>As advised by Council, this Planning Proposal now seeks to amend both Part 6 and Schedule 1 of the LEP, to facilitate shop, café and business uses; as well as permitting this limited additional floor space to not contribute to the FSR of the site.</p> | Yes |
| The design is required to confirm the actual feasible RLs and the comparison height sections are to be refined to reflect actual levels in relation to existing buildings and adjacent streets. | This has been addressed in this report within the 'Site Levels' Section on Page 47 and within Section 7 of the updated Urban Design and Architecture Report at Appendix A. | Yes |
| The 3D images are to be corrected to illustrate the correct final ground levels, along with a further perspective illustrating the experience of the public walking along the park edge. | The 3D perspectives have been updated and a further 3D image is provided for the park edge. These are contained within the Urban Design Report. | Yes |
| A draft LEP height map is required reflecting the distribution of heights across the site based on the design presented. A blanket height limited would not be accepted by Council. | The draft LEP height map has been agreed with Council and are appended to the Planning Proposal. | Yes |
| A site specific DCP may be required should the PP | This is noted and can be provided at an appropriate point. | Noted |

| Comment or Issue Raised by Council | Applicant's Response | Matter Addressed |
|--|---|------------------|
| progress to Gateway Determination. | | |
| Confirmation is required that the concept scheme can deliver the required deep soil zones to sustain landscaping of a size to provide adequate screening adjacent to residential properties and comply with the ADG. | It has been confirmed by the landscape architect that the deep soil zones are suitable to accommodate the landscaping which will be required. | Yes |
| The Council confirmed that there is an ability to utilise a Clause 4.6 variation to the maximum building height at the DA stage, depending on circumstances. Council would not object to a minor breach in the height limit for lift overruns. | This is noted. | Noted |

2.9. INDEPENDENT ASSESSMENT BY CARDNO

In July 2018, Cardno undertook an independent urban design and traffic assessment of the Planning Proposal on behalf of the Council.

This Report concluded that the reuse of the site for residential apartments as demonstrated in the PP Concept Plan has both urban design and planning merit for various reasons, including:

- The existing buildings are monolithic structures in the Brutalist architectural style with tenuous connections to the surrounding residential area and park.
- The Site is a large 12,619sqm parcel in one ownership which has enabled comprehensive master planning to address potential impacts on the surrounding neighbourhood.
- The current use is a nonconforming use in the R1 – General Residential under the Burwood LEP. That it is a prohibited use and does not support the objectives of the current residential zoning.
- The proposed residential flat buildings are permissible in the R1 zone and as such, the proposed land use will not require a zoning amendment.
- The Site is well located in terms of access to public transport, other services and employment centres.
- All essential utilities are available to accommodate the proposed apartment development.
- The site does not contain any fauna or flora that constitute “threatened or endangered species”.
- The Site is surrounded by residential uses and fronts a major public park.
- The Site presents the opportunity to provide greater housing choice and supply in Enfield.
- The PP is supported by a comprehensive Urban Design Report and final Concept Plan which has responded to all urban design and technical issues raised in numerous meetings with Cardno and Council planners and engineers.

- The final Concept Plan and proposed building heights and footprints have in our view been designed to have careful regard for the height of the existing structures on the site, the protection of solar access to surrounding residences and the park and the presentation of the development in the streetscapes and park interface. The building form ensures the future development should fit well in its context.
- The Concept Plan and proposed LEP amendments also include provision for new local day to day facilities to serve the future residents of the Site as well as the broader community, and will also serve to activate the park frontage and provide a level of replacement employment generation at the site.
- The PP Urban Design Report has demonstrated that the future development facilitated by the proposed LEP amendments and Concept Plan can readily achieve the Apartment Design Guide objectives, principles and guidelines.
- The Traffic Impact of the future development facilitated by the PP is assessed to be acceptable.

This report formed the basis of the Officer's Report which was presented to the Burwood Local Planning Panel for consideration.

2.10. BURWOOD LOCAL PLANNING PANEL

The Planning Proposal was reported to the Burwood Local Planning Panel on 14th August 2018. Following consideration, the Panel resolved to support the Planning Proposal subject to the following:

1. *The assessment under SEPP 65 and LEP 2012 being correct, as the Panel is not in a position to determine the accuracy of such assessment.*
2. *The preparation of a site specific DCP that reflects the principal design parameters in the hypothetical design. The Panel acknowledges that future development may occur, however any variation would be subject to consideration of the relevant planning controls.*
3. *The inclusion of a significant proportion of units between 5%-10% for affordable rental housing consistent with Metropolis of Three Cities by the Greater Sydney Commission.*

The Panel does not support the inclusion of the additional uses in Schedule 1 to LEP 2012 that are prohibited in the R1 zone. The Panel accepts that sufficient flexibility is provided through permissible uses in the R1 zone such as "Neighbourhood Shops".

The Panel does not support the exclusion of the proposed non-residential areas from the calculation of "gross floor area" given that any floor area adds to the bulk of any development.

The Panel does not fully accept the conclusions of the Traffic Assessment in relation to:

1. *The ingress/egress from Baker Street and the impact on the limited available capacity of nearby local streets.*
2. *The cumulative impact on Mitchell Road from the development of the Flower Power Site.*

Accordingly, the Planning Proposal documentation has been revised to address the matters raised above. This has resulted in the lodgement of an updated suite of information to the Council, including this Updated Addendum Report and the following supporting information:

- An ADG (SEPP65) Compliance Summary Report prepared by Bureau of Urban Architecture attached at Appendix A.
- A working Draft Site Specific DCP which identifies principal design parameters for the concept design attached at Appendix B.
- An updated Traffic Report prepared by Bitzios Consulting attached at Appendix C.
- The removal of the previous request for add 'Additional Local Provisions' under Part 6 of the BLEP, along with the removal of the proposed addition of business premises and retail premises up to 300sqm from Schedule 1 of BLEP.

The Applicant considers that following this extensive process, an appropriate scheme can be brought forward at this site, with the proposed LEP amendments facilitating a high-quality built form and beneficial outcome for the site and Enfield generally.

3. SITE CONTEXT

3.1. THE SITE

This Planning Proposal is made in relation to the site at 4 Mitchell Street, Enfield. The legal description of the site is Lot 3 DP 585664 and its total area is some 12,619.9sqm. The site is in a single ownership.

The site is located west of Burwood Road, and between the Hume Highway (Liverpool Road) to the north and Georges River Road to the South. It is approximately 2km south of Burwood CBD and 900m west of Croydon Park local shopping centre. The site is within 100m of a high frequency bus stop on Burwood Road, where the Route 400 and Route M41 buses connect the site with destinations including the Burwood Town Centre, Bondi Junction, Sydney Airport, Hurstville and Macquarie Park.

The NSW Head Office of Vision Australia was formerly located on the site, in a large-scale building, varying in height from one to three commercial storeys. This is equivalent to approximately 2-5 residential storeys. The existing building is a concrete monolithic structure in the Brutalist architectural style.

Figure 2 – Aerial Image of the Subject Site



Source: Urbis (site outlined in red)

Figure 3 – Context of the Site



Source: Real Commercial (site outlined in white)

3.2. SURROUNDING LAND USES

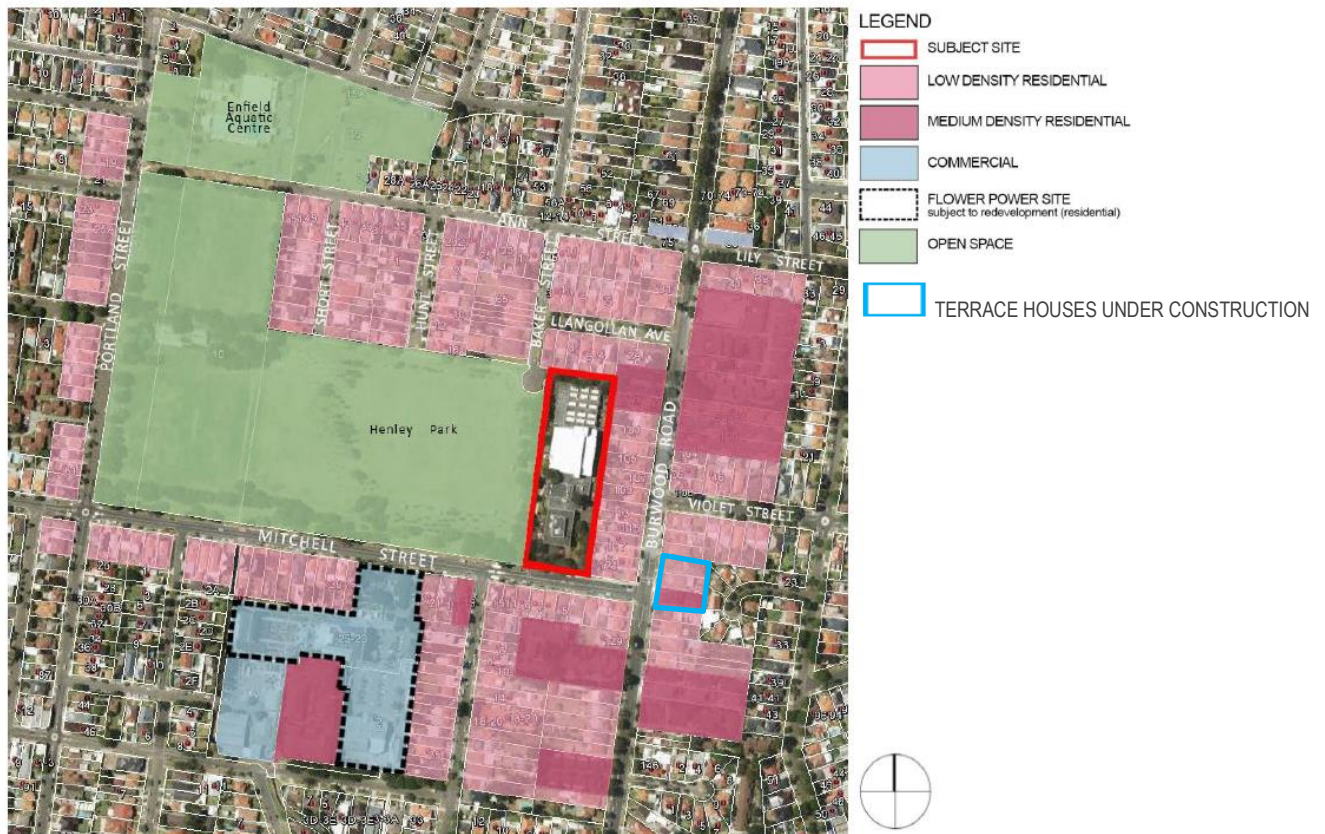
The site is located within a predominately residential area, characterised by detached one to two storey dwellings. Within this context there is also a two-storey apartment building at 93-95 Burwood Road, which lies beyond the north-east corner of the site, and there is a new terrace house development under construction at 116-118 Burwood Road (opposite Mitchell Street). This is illustrated in Figure 4 overleaf.

An extensive area of recreational open space, Henley Park, is located immediately to the west of the site. The park incorporates cricket wickets, an amenity building, barbeques and picnic facilities, play equipment, a bicycle and walking track, exercise equipment and large areas of passive open space. Enfield Aquatic Centre is also located at the northern edge of Henley Park.

There are two bus stops situated in close proximity to the site on Burwood Road, close to the junction with Mitchell Street. These stops are less than 200m walk from the site, and offer services from Burwood to Bondi Junction, and Hurstville to Macquarie Park. The location of the bus stops is identified on Figure 3 above.

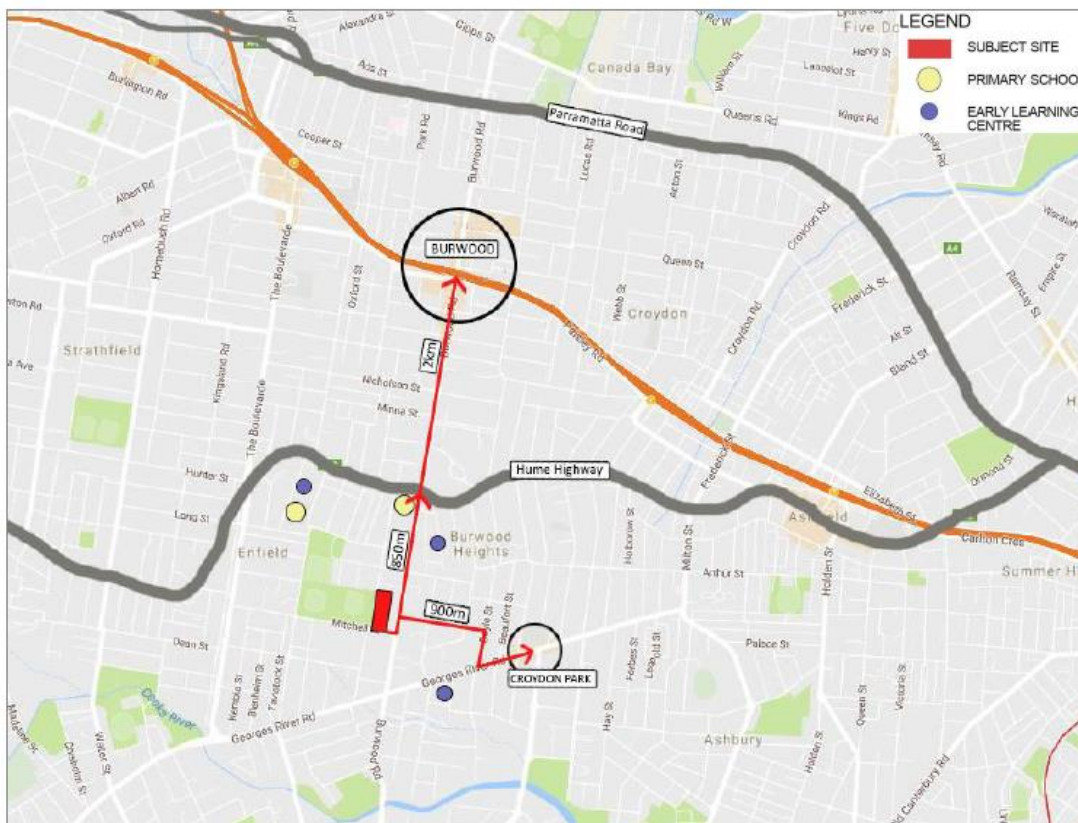
Two primary schools and three early learning centres are located between 800m and 1km of the site, as illustrated in Figure 5 below.

Figure 4 – Surrounding Land Uses



Source: DEM Architects

Figure 5 – Education Facilities Surrounding the Site



Source: DEM Architects

3.3. CURRENT PLANNING FRAMEWORK

The site is located within the Burwood Council Local Government Area. The principal environmental planning instrument affecting the site is the Burwood Local Environmental Plan 2012 (BLEP). The key development standards in the BLEP are explained below.

Zoning

The site is currently zoned R1 – General Residential. Residential flat buildings are permissible in this zone and as such, the zoning will not require amendment. Within the Local Government Area (LGA) other residential flats of a similar and larger scale are developed within the R1 zone.

Height

The site has a maximum building height of 8.5m. The existing building height already exceeds this control with heights between 6.47m-16.34m.

FSR

The site has a maximum FSR of 0.85:1, whilst the current FSR is 0.79:1.

Figure 6 – Zoning and Development Standards Applicable to the Site



ZONING



BUILDING HEIGHT



FSR

4. THE DESIGN CONCEPT

The urban design approach has been updated since the original lodgement of the Planning Proposal in July 2017, and the subsequent receipt of feedback from both Council and Cardno following an initial assessment of the proposal.

The Applicant appointed a new architect for the project, Bureau of Urban Architecture (Bureau), following a review by Cardno of the DEM scheme.

Bureau worked collaboratively with the Applicant, Cardno and Council staff through a series of design workshops and presentations, to create an amended proposal in response to Cardno's comments and to improve upon the original Planning Proposal submission design by the previous architectural firm DEM.

Bureau's scheme creates two U-shaped buildings that allow the largest number of apartments possible to have either frontal or oblique views of Henley Park.

By creating two buildings on the site separated by a 18m wide landscape space in the centre of the site, each building has a Henley Park address as well as a street address, either Mitchell Street or Baker Street.

These two buildings are much lower than the previous heights of buildings proposed for the site and they fit comfortably within the new proposed 18m upper height limit.

Each building is also conceived around a communal open space courtyard that is approximately 25m x 28m in size. This means that non-park facing apartments can also enjoy a generous landscape outlook.

This design strategy has the added benefit of creating a circa 40m setback to the rear boundaries measured through the courtyards. Setback distances from the north, south and eastern boundaries are circa 12m and 14m whilst adopting a more typical setback from the western or Henley Park boundary.

The Mitchell Street frontage has been designed with a stepped form to diminish its bulk and scale, and also having the added benefit of not creating new sun-shadows that would affect any Mitchell Street properties.

Improving the relationship between built form and Henley Park was a high priority, so curved corners of the buildings create a continuous 1m deep balcony planter detail wrapping around every floor plate. In addition, a landscaped roof garden has also been introduced, such that each building is softened and can take on an organic appearance.

The courtyard apartment design typology increases both amenity and environmental standards for the benefits of the residents. Landscaped courtyard entries are combined with natural light and ventilated lift lobbies. Oversized and fire engineered glazed fire stairs with central light-well design and skylight provide the ability to access natural light at each level encourage the use of stairs in the building.

The indicative design concept seeks to accommodate 183 residential dwellings, consisting of 1, 2 and 3-bedroom apartments.

It is also anticipated that provision is made for a potential shop, café and business use on site which would potentially meet day to day needs of the future residents at the development and within the local area. It is proposed that this will be provided at the lower ground floor level adjacent to Henley Park which will serve to activate the park edge and provide a pleasant outlook for these uses.

This vision for the site is illustrated within the computer-generated images (CGIs) contained in Figure 7, 8, 9 & 10 below. These views are from the opposite side of Mitchell Street, from Henley Park looking back towards the site, from Baker Street and a close-up of the building design. On Figures 8 and 9, some of the trees have been removed on the CGI images to provide greater clarity, this does not infer that these trees will be removed as part of the proposal.

Figure 7 – Mitchell Street View and Perspective



Picture 1 – Existing View
Source: Bureau of Urban Architecture



Picture 2 – CGI View
Source: Bureau of Urban Architecture

Figure 8 – Henley Park Views and Perspective



Picture 3 – Existing View

Source: *Bureau of Urban Architecture*



Picture 4 – CGI View with Trees

Source: *Bureau of Urban Architecture*



Picture 5 – CGI View with Trees Removed for Clarity

Source: *Bureau of Urban Architecture*

Figure 9 – Baker Street View and Perspectives



Picture 6 – Existing View

Source: *Bureau of Urban Architecture*



Picture 7 – CGI View

Source: *Bureau of Urban Architecture*



Picture 8 – CGI View with Trees Removed for Clarity

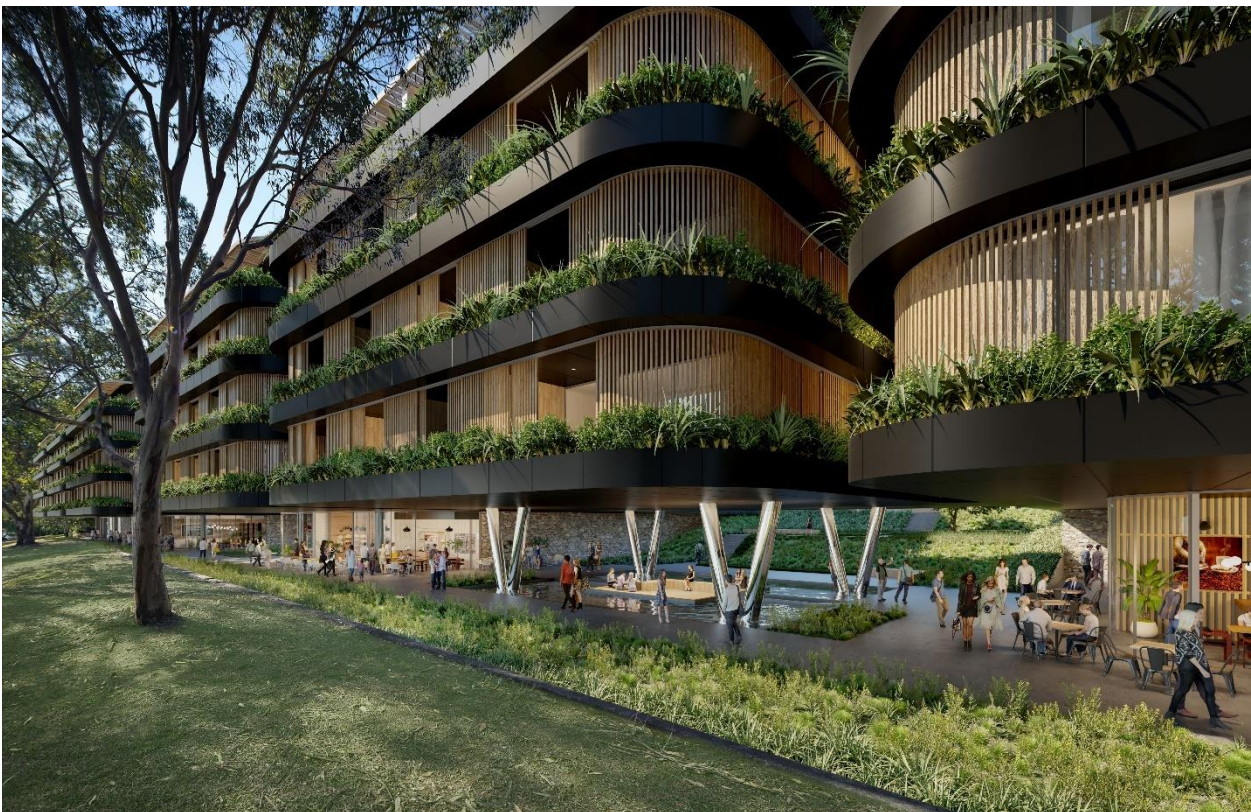
Source: *Bureau of Urban Architecture*

Figure 10 – View of Existing and Proposed Buildings



Picture 9 – Existing Building Photograph

Source: *Bureau of Urban Architecture*



Picture 10 – Proposed Building CGI

Source: *Bureau of Urban Architecture*

5. PLANNING PROPOSAL

5.1. OVERVIEW

This update to the Planning Proposal has been prepared in accordance with Sections 3.33 (1) and (2) of the *Environmental Planning and Assessment Act 1979* with consideration of the relevant guidelines, namely “A guide to preparing planning proposals” issued by the Department of Planning and Environment (August 2016).

Accordingly, the proposal is discussed in the following six parts:

- Part 1: A statement of the objectives or intended outcomes of the proposed amendment;
- Part 2: An explanation of the provisions that are to be included in the proposed amendment;
- Part 3: The justification for those objectives, outcomes and the process for their implementation;
- Part 4: The supporting maps which identify the aspects of the Planning Proposal;
- Part 5: Details of community consultation that is to be undertaken for the Planning Proposal; and
- Part 6: The prospective timeline.

Each of the above are addressed in the following sections of this Report.

5.2. PART 1 – OBJECTIVES AND INTENDED OUTCOMES

To amend the Burwood Local Environmental Plan 2012 to amend the ‘Height of Buildings’ and ‘Floor Space Ratio’ provisions, in order to facilitate the future development of high quality medium density housing to complement the existing infrastructure and facilities in proximity to the site.

Furthermore, as part of this updated Planning Proposal request, it is proposed to introduce a small component of retail and food & drink uses on the site along the park edge to activate and create a connection with the park, and to provide some additional local convenience shopping and café style facilities. To permit the food and drink uses it is proposed to introduce an additional permitted use under Schedule 1 of the BLEP.

Ultimately, this will enable the achievement of a range of both regional and local strategic planning objectives including housing growth at an accessible and connected location. The outcome would be the renewal of the site to provide new residential dwellings and apartments. The development would be at an appropriate scale to respond to the adjacent residential and recreation uses, whilst also enhancing the public domain, street frontages, pedestrian linkages and local shopping provision.

5.3. PART 2 – EXPLANATION OF PROPOSED PROVISIONS

The purpose of the Planning Proposal is to amend the Burwood Local Environmental Plan 2012 in the following manner:

- Amend the BLEP ‘Height of Buildings Map – Sheet HOB_002’

It is proposed that the existing ‘Height of Buildings Map’ be amended to provide a variable building height across the site with a maximum **18m**, stepping down to **15m** and **12m** at various points within the site, as shown on the updated LPE Maps at Appendix E.

- Amend the BLEP ‘Floor Space Ratio Map – Sheet FSR_002’

It is proposed that the existing ‘Floor Space Ratio Map’ be amended to provide a maximum FSR of **1.4:1**.

- Amend Schedule 1 of the BLEP to include the following:

Schedule 1

3 – Use of certain land at 4 Mitchell Street, Enfield

- (1) *This clause applies to land at 4 Mitchell Street, Enfield, being Lot 3 DP585664.*
- (2) *Development for the purposes of the following uses on the lower ground level of a proposed development is permitted with development consent;*
 - a) *Food and drink premises (up to a maximum of 300sqm GFA per premises)*

The proposed amendments to the BLEP will therefore facilitate the comprehensive redevelopment of the site for residential purposes and also facilitate the delivery of new local day-to-day food & drink facilities at the site, including a café which would assist in activating the park edge.

It is not proposed to amend the zoning for the site within this Planning Proposal. This is because the site is currently zoned as R1 General Residential. The objectives of the zone are to:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Within this zone residential flat buildings are permitted with consent and the proposal is consistent with the objectives for the zone set out above.

Amended LEP mapping to illustrate these changes are provided in Appendix E of this Report.

5.4. PART 3 – JUSTIFICATION OF PROPOSAL

5.4.1. Section A – Need for the Planning Proposal

Q1. Is the planning proposal a result of any strategic study of report?

The Planning Proposal is not directly the result of any local or state government strategic study or report.

However, a comprehensive evaluation of the site's physical and strategic attributes has been undertaken to inform the potential redevelopment. This analysis includes the preparation of indicative design concepts and an urban design analysis to arrive at an appropriate massing, bulk and height scenario which is responsive to the surrounding context.

The analysis undertaken demonstrates that the site's characteristics make it a unique, highly strategic and appropriate site for renewal. The technical reports accompanying this Planning Proposal support the intensification of use at the site, through the proposed height and FSR controls, along with the amended local provisions and permitted uses. The Planning Proposal also responds positively to the Burwood Community Strategic Plan, *Burwood 2030*.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means to achieve the objectives and intended outcomes described in Section 5.2 of this report for the following reasons:

- In order to achieve the future built form outcome, the underlying development standards applicable to the site require amending. The present controls would only permit the development of low rise residential development similar to the properties surrounding the site. This would not assist in providing a greater diversity, density and affordability of future housing, which forms a strategic objective in this area.
- The extent in numeric variation from the current built form controls in comparison to the proposed could not reasonably be achieved through use of Clause 4.6 – Exceptions to Development Standards. This was confirmed by Officers during the early engagement with Council.

- Burwood LEP 2012 came into effect on 9th November 2012 there is no current Council initiated proposal to amend the controls for this site. There is no alternative option available to progress this scheme, other than to progress a Planning Proposal.
- The BLEP is over five years old and the present controls have significantly limited the potential for this unique site to contribute positively to both the local and regional aspirations for the site and surrounding area.
- The indicative built form for the site will be most appropriately achieved through amendments to LEP FSR and Height controls.
- The addition of new local facilities as part of the proposal will be most appropriately achieved through an additional permitted use within BLEP for the site.
- Without an amendment to the planning controls, the opportunity to redevelop this site and maximise its potential to positively contribute to future growth will be lost.

5.4.2. Section B – Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft strategies)?

DPE's Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination is its strategic and site-specific merit. It is considered that the planning proposal meets these tests as outlined in the following sections.

A Plan for Growing Sydney – Metropolitan Plan

Although *A Plan for Growing Sydney* has effectively been superseded by the recently published *Greater Sydney Region Plan*, it remains a relevant consideration under the EP&A Act for Planning Proposals, as such the Plan is addressed in the following section of this Report.

Burwood is identified as a 'Strategic Centre'. As the site is in proximity to Burwood Town Centre, it is appropriate to analyse the site in this context. The Plan identifies various priorities for the metropolitan area, as well as specific priorities for Burwood. The consistency of the proposal with *A Plan for Growing Sydney* is assessed in Table 3 below.

Table 3 – Consistency with A Plan for Growing Sydney

| Metropolitan Direction | Planning Proposal |
|---|---|
| Direction 1.7: Grow strategic centres – providing more jobs closer to home | <p>This Planning Proposal will facilitate the increase of housing in proximity to the strategic centre of Burwood and the Enfield Intermodal Terminal.</p> <p>The provision will complement the increase in economic activity within this area, and will support the provision of housing close to employment opportunities.</p> |
| Direction 1.9: Support Priority Economic Sectors | <p>This Planning Proposal will facilitate the increase of housing in proximity to services and employment without compromising the nearby industrial zoned land.</p> <p>This medium density infill development will support the protection of this land from conversion to residential uses, and will help to strengthen the centre at Burwood.</p> |

| Metropolitan Direction | Planning Proposal |
|---|---|
| Direction 2.1: Accelerate housing supply across Sydney | <p>As the area is characterised by single detached dwellings and a few medium density developments, in a location where there is strong housing demand. This proposal is required to support further provision of housing supply and to provide alternative housing options for different needs.</p> <p>This location is appropriate as it is serviced by frequent public transport and is in proximity to Burwood Town Centre and other local centres, as well as recreational land uses.</p> |
| Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs | <p>The Plan states that new housing will be supported by social infrastructure such as parks, and this proposal will seek to benefit from the proximity to and amenity of the adjacent Henley Park, which is a significant positive from the scheme.</p> <p>This Planning Proposal will also facilitate urban infill and an increase in the net total of housing within the area. The Plan states that <i>a significant proportion of Sydney's additional housing supply needs to come from urban infill across Sydney.</i></p> <p>The site is in proximity to employment opportunities (Burwood Town Centre and Intermodal Terminal) and high frequency transport networks connecting to other employment areas.</p> |
| Direction 2.3: Improve housing choice to suit different needs and lifestyles | <p>The Plan states that <i>the fastest growing households in Sydney are single person households and as the population ages, many people will choose to downsize their homes. Most people will prefer to remain in their communities.</i></p> <p>This Planning Proposal will facilitate the delivery of a range of housing typologies, including smaller housing options in response to this increasing need. The site is in a prominent location in proximity to Burwood Town Centre and recreational land uses, and is connected via high frequency public transport networks.</p> <p>The provision of this housing will also allow residents to downsize and remain within their community.</p> |
| Direction 3.1: Revitalising existing suburbs | <p>The Plan states that <i>research has found that focusing new housing within Sydney's established</i></p> |

| Metropolitan Direction | Planning Proposal |
|--|---|
| | <p><i>suburbs brings real benefits to communities and makes good social and economic sense.</i></p> <p>This Planning Proposal will contribute to the net increase in housing provision within the existing suburb of Enfield. This site is in a prominent location in proximity to Burwood Town Centre and connected via high frequency public transport networks.</p> <p>The Plan identifies that revitalising suburbs can provide the opportunity to improve public parks. The concept design displays how the redevelopment of the site can be used to provide improved connectivity through the site to the adjacent Henley Park, whilst there are opportunities for enhancements to the park which will stem from this proposal.</p> |
| <p>Direction 3.3: Create Healthy Built Environments</p> | <p>The location of the site, directly adjacent to the Henley Park and near Enfield Aquatic Centre, will support active lifestyles. This Planning Proposal will maximise the amount of housing with access to these facilities and provide a positive built form response to the park.</p> |
| <p>CENTRAL SUBREGION</p> | |
| <p>Accelerate housing supply, choice and affordability and build great places to live</p> <p><i>Work with Councils to identify suitable locations for housing intensification and urban renewal</i></p> | <p>This Planning Proposal will facilitate infill residential development and increase housing choice with the provision of smaller housing options. There is also potential within the scheme to bring forward a level of affordable housing.</p> <p>This location is in proximity to recreational facilities including the adjacent Henley Park and Enfield Aquatic Centre. The site is serviced by a nearby high frequency bus stop, linking the site with the Burwood Town Centre and other centres. It is therefore important to maximise the housing provision on this site.</p> |
| <p><i>Improve the accessibility of cultural and recreational facilities outside the Sydney CBD, such as the Moore Park sporting and entertainment precinct.</i></p> | <p>This Planning Proposal will facilitate the delivery of increased housing adjacent to Henley Park. Council are investing in this important public recreational space, and the concept design will complement this in providing through site connectivity and views through the site to the park.</p> |

| Metropolitan Direction | Planning Proposal |
|---|--|
| STRATEGIC CENTRE - BURWOOD | |
| A strategic centre is defined as having <i>higher density housing</i> . | This Planning Proposal supports the increase of housing near this strategic centre, with development at an appropriate scale and that carefully manages the response to the existing built form context. |

Greater Sydney Region Plan

The Greater Sydney Region Plan 'A Metropolis of Three Cities' was published by the Greater Sydney Commission (GSC) in March 2018. The Region Plan outlines how Greater Sydney will manage growth and change and guide infrastructure delivery.

It sets the vision and strategy for Greater Sydney, to be implemented at a local level through District Plans. For the first time, the Plan has been prepared in conjunction with the *NSW Government's Future Transport 2056 Strategy* and informs Infrastructure NSW's State Infrastructure Strategy providing full integration of land use, transport and infrastructure planning.

An assessment of the Planning Proposal against the objectives of the Region Plan is set out in Table 4 below.

Table 4 – Consistency with Greater Sydney Region Plan

| GREATER SYDNEY REGION PLAN | | |
|---|--|---|
| Planning Objective | Description | Comment |
| <i>Infrastructure and collaboration:</i> | | |
| <i>A city supported by infrastructure</i> | | |
| Objective 4 | Infrastructure use is optimised | <p>The site is well-situated approximately 2km from Burwood Town Centre, Burwood Railway Station and proximate to Croydon Station.</p> <p>The site is also serviced by several local bus routes which access Bondi Junction, Eastgardens, Concord Hospital, Strathfield and Ashfield.</p> <p>The provision of medium density housing in this location will encourage the use of these accessible transport options.</p> |
| <i>Liveability:</i> | | |
| <i>A city for people</i> | | |
| Objective 6 | Services and infrastructure meet communities' changing needs | The proposal will provide local shops and food & drink uses at ground level, which will benefit future residents and the wider community. |

| | | |
|-------------------------------------|--|---|
| | | There are currently few local shops and services located within a 500-metre radius of the site. Given the surrounding community is predominately residential, the provision of local facilities will meet increasing demand as the population of the LGA continues to grow. |
| Objective 7 | Communities are healthy, resilient and socially connected | The site is adjacent to Henley Park, and future residents will be provided with enhanced access to sporting and community facilities. |
| <i>Housing the city</i> | | |
| Objective 10 | Greater housing supply | <p>The proposal will provide in the order of 183 additional dwellings in Enfield, which will contribute to Burwood Council meeting its minimum targets of 2,600 dwellings and provide an attractive option for future residents.</p> <p>The Region Plan provides 20-year housing targets, the longer-term target means that the 5-year targets are not ceiling figures. It is noted that Burwood Council believe that they can already meet their 5-year target, however rolling provision is required to ensure sufficient capacity in the future, along with delivering housing affordability and choice.</p> |
| Objective 11 | Housing is more diverse and affordable | The proposal will contribute to a diversity of housing stock in a location predominately occupied by detached dwelling houses by providing opportunities for apartment living. The variety of dwelling types in residential flat buildings offer different price points for different needs, including those wishing to downsize, single person households and families. |
| <i>Liveability:</i> | | |
| Objective 12 | Great places that bring people together | The proposal provides for ample communal open space, landscaping, ground floor activation and accessible links to Henley Park. The site will offer great amenity for future residents, and contribute to the liveliness of the community through the provision of local shops and services. |
| <i>Productivity:</i> | | |
| <i>A well-connected city</i> | | |
| Objective 14 | A metropolis of three cities - integrated land use and transport creates walkable and 30-minute cities | Refer to Objective 4. |
| <i>Jobs and skills for the city</i> | | |

| Sustainability: | | |
|--------------------------------|---|--|
| <i>A city in its landscape</i> | | |
| Objective 30 | Urban tree canopy cover is increased | The proposal will provide significant landscaping for future residents, including tree plantings. This will positively contribute to urban tree canopy cover in the LGA. |
| Objective 31 | Public open space is accessible, protected and enhanced | The proposal will create a new link between the site and neighbouring Henley Park, which will enhance the accessibility of the park to future residents. |
| <i>An efficient city</i> | | |
| Objective 34 | Energy and water flows are captured, used and re-used | Future development on the site is capable of achieving this objective. |
| Objective 35 | More waste is re-used and recycled to support the development of a circular economy | Future development on the site is capable of achieving this objective. |

Eastern City District Plan

The site is situated within the area covered by the Eastern City District Plan, released in March 2018. This District Plan has been developed by the Greater Sydney Commission and outlines the priorities and actions for the District which includes the Burwood Council Local Government Area.

Burwood is identified as a 'Strategic Centre', which is indicated as having a relatively high level of economic activity, proving a range of retail and commercial activities, health care and community services. As the site is in proximity to Burwood Town Centre, it means that future residents will benefit from these services and facilities which can be readily accessed along Burwood Road. The District Plan identifies various priorities for the district area, as well as specific priorities for Burwood. The consistency of the proposal with the District Plan is assessed in Table 5 overleaf.

Table 5 – Consistency with Eastern City District Plan

| EASTERN CITY DISTRICT | | |
|--|---|---|
| Planning Priority | Description | Comment |
| <i>Infrastructure and collaboration:</i> | | |
| E1 | Planning for a city supported by infrastructure | <p>The proposal will leverage local transport options including several high-frequency bus services and Burwood Train Station.</p> <p>The travel time of the M41 bus service opposite Mitchell Street on Burwood Road to Burwood Station is approximately 5 minutes. The approximate travel time to Central Station from Burwood Station is between 14 minutes (express train), locating the site well within the desired 30-minute travel model.</p> |

| | | |
|---------------------|--|--|
| | | The site is also proximate to existing social infrastructure, including Henley Park, Enfield Aquatic Centre and local shops in Burwood Town Centre. |
| <i>Liveability:</i> | | |
| E3 | Providing services and social infrastructure to meet people's changing needs | <p>The proposal meets this objective by providing medium-high density housing in a walkable neighbourhood in close proximity to public transport, which appeals to a wide demographic.</p> <p>The proposal will also provide lower ground floor local shops and/or services, which will benefit future residents and nearby existing residents.</p> |
| E4 | Fostering healthy, creative, culturally rich and socially connected communities | <p>The site is adjacent to Henley Park and Henley Aquatic Centre and will provide views and vistas to the Park, as well as a direct pedestrian link for the use of future residents. This will maximise opportunities for future residents to use the park facilities.</p> <p>The site will also provide ample open space and landscaping for the use of future residents, which will encourage social interaction.</p> |
| E5 | Providing housing supply, choice and affordability with access to jobs and services | <p>This Planning Proposal will facilitate the redevelopment of the site for a range of dwelling types, including a significant number of smaller dwellings that can meet these needs, including the potential to offer affordable housing on site.</p> <p>Advice has been received from local residential agents that smaller size and more affordable housing is needed in the local area. At present the existing controls do not facilitate a viable scheme containing smaller footplate units to be brought forward. As such the height and FSR controls need to be amended to enable this form of development to be achieved.</p> <p>Additionally, the proposal will provide local employment opportunities through the proposed local shops and services at ground level.</p> <p>As identified in connection with the Region Plan, Burwood Council consider they have sufficient supply to meet 5-year housing targets, however the GSC is to work with individual Councils to develop 6-10-year housing targets. It is unlikely that these targets will solely be constrained to Burwood Centre, and therefore this site should be considered to have strategic merit to contribute to the ongoing supply in the LGA.</p> |
| E6 | Creating and renewing great places and local centres, and respecting the District's heritage | The existing commercial buildings on site do not provide a strong relationship with the streetscape or residential character of the locality. |

| | | |
|------------------------|--|---|
| | | <p>The proposal will provide a positive contribution to improving the public realm through enhancing the interface with the streetscape and residential character of the local area. This will be achieved by providing ground floor commercial uses and activation, generous communal open space and landscaping.</p> |
| <i>Productivity:</i> | | |
| E10 | Delivering integrated land use and transport planning and a 30-minute city | <p>With the nearby Burwood Town Centre to the north, and Enfield Intermodal Logistics Centre to the west, this site is in a prominent location for future residents to access nearby employment. The nearby high frequency transport, including a bus stop located within 100m of the site and the Burwood Railway Station, provides further options for residents in other centres of employment. The proposal will also potentially accommodate lower ground floor commercial uses, which can provide local employment opportunities.</p> <p>The proposal for mixed-use development on the site is therefore consistent with the objective of delivering a 30-minute city through integrated land use and transport planning.</p> |
| E12 | Protecting industrial and urban services land | <p>Whilst the proposal will reduce the current employment figures on the site, some employment uses will be retained through potential lower ground floor commercial uses. The site is also in close proximity to the Enfield Intermodal Terminal and Burwood Town Centre, which both provide a significant number of jobs in the local area.</p> <p>The current commercial use of the site is an anomaly in the locality, which is predominately characterised by low-density residential uses. It is therefore unlikely commercial office uses will co-locate in the future. The site is currently zoned to accommodate residential uses, and given the less favourable commercial outlook for the site, it is proposed that the site offers better potential for residential development with ground floor commercial uses in the form of local shops and/or services.</p> <p>The proposal is consistent with objective E12.</p> |
| <i>Sustainability:</i> | | |
| E16 | Protecting and enhancing scenic and cultural landscapes | <p>The indicative landscaping concept for the site enhances views and vistas to Henley Park and proposes landscaping to sensitive site edges that is consistent with the character of the locality.</p> |

| | | |
|-----|------------------------------------|---|
| E18 | Delivering high quality open space | <p>The proposal provides large communal open spaces for the benefit of future residents. These spaces will include paving, seating, lawns and tree plantings that encourage multi-faceted use for families and children.</p> <p>The proposal also provides a pedestrian link for residents to access Henley Park, contributing to the network of accessible pedestrian links in the locality.</p> |
|-----|------------------------------------|---|

Q4 Is the planning proposal consistent with a Council's local strategy or other local strategic plan?

Burwood 2030 – Community Strategic Plan

After extensive community and stakeholder engagement activities, the Burwood 2030 Plan was developed in 2010 and reassessed in 2013. The vision for Burwood includes:

- A Sense of Community
- Leadership Through Innovation
- A Sustainable Natural Environment
- Accessible Services and Facilities
- A Vibrant Economic Community

Within this plan are actions to be initiated by the Council, Community, and State bodies. The role of development is therefore to support these actions where appropriate. Consistency with the relevant aspects of this Plan are explored below.

A Sense of Community

The relevant issue noted is the *need to find a balance between increasing density (residential and commercial) and maintaining our lifestyle*. The design concept built form is based upon design principles to meet the following objectives:

- Create a contemporary and elegant residential community to complement and enhance the existing streetscape and the surrounding residential neighbourhood.
- Maintenance of the low density residential character of Mitchell Street.
- Minimal visual and physical impact on Henley Park.
- Providing a transition of building massing between lower and medium densities, by locating the larger building massing towards the centre of the site to minimise impacts on adjacent residential properties.

With these design principles, it is considered that the proposed development will contribute to the local supply and diversity of residential dwellings, without compromising the community's sense of place.

A Sustainable Natural Environment

The relevant issue noted is "*finding a balance between the built and natural environments as the population increases*." The concept design has been developed in conjunction with consideration for existing mature trees on the site, and the established landscaping.

The site is effectively framed by the existing mature tree planting, particularly on the northern and southern boundaries. The concept design seeks to retain this planting where possible to ensure a that future proposals will benefit from the amenity provided, along with the future landscaping which is intended to be provided as part of the proposal, as illustrated in Figure 11 below.

Figure 11 – Proposed Landscaping Approach



Source: Site Image Landscape Architects

In terms of future landscaping of the site, there is proposed to be extensive planting on the site boundaries, as well as planting within the communal courtyards of each block. The lineal break between the two buildings will also be planted and allow for user friendly common open space

Additional screen planting has been provided to the eastern and northern boundaries where there is an interface with neighbouring residential properties, which will supplement the existing trees that already give screening to the site

Accessible Services and Facilities

The relevant issues noted are “*finding a balance between growth in residential development and appropriate space for community services, preventing overdevelopment and improve the visual amenity of the area, and to activate streetscapes and make them more inviting.*”

This Planning Proposal will facilitate increased residential development on a site in proximity to recreational facilities including the adjacent Henley Park and Enfield Aquatic Centre. These will be highly accessible to future residents of this site. The indicative concept design displays how the site can increase residential capacity, without overdeveloping and compromising the visual amenity of the area, including the park.

In addition, the proposal has the potential to provide additional local facilities at the park frontage, which can accommodate new convenience retail and café uses, to activate the park edge and contribute to creating a community.

The concept design considers the land uses surrounding the site and proposes an appropriate massing to complement them.

A Vibrant Economic Community

The relevant issue noted is “*finding a balance between demands for residential areas and demands for commercial space.*” The Planning Proposal responds to this issue in facilitating increased residential development on an appropriate site.

The site is also located close to Burwood Town Centre and is highly accessible with nearby high frequency transport links. The provision of increased housing along with the potential for day-to-day facilities on this site will assist in alleviating the pressures of balancing commercial and residential space in the Burwood Town Centre core, whilst also providing a new resident population to support the services which are present in the centre.

Strategic Merit

The strengthened strategic merit test criteria contained in 'A Guide to Preparing Planning Proposals' require that a planning proposal demonstrate strategic merit against (at least one of) the following three criteria set out in Table 6 below:

Table 6 – Strategic Merit Assessment

| Assessment Criteria | Response |
|---|---|
| <p>Consistent with:</p> <ul style="list-style-type: none"> Regional Plan outside of Greater Sydney Relevant District Plan in Greater Sydney Corridor or Precinct Plan applying to the site Draft Regional, District or Corridor Plan released for public comment. <p>(or)</p> | <p>The site is located within Greater Sydney</p> <p>There is no corridor or precinct plan relating to the site.</p> <p>The proposal is consistent with the aims of the Eastern City District Plan in terms of promoting urban renewal across Sydney, including around major centres to provide jobs closer to homes and minimise commuting times.</p> <p>The proposal will maximise the provision of new residential accommodation at this site to assist in meeting housing targets, as well as providing a greater diversity of housing stock in the locality. The Greater Sydney Region Plan identifies both 5-year and 20-year targets for new residential accommodation.</p> <p>Although the Council consider that they can meet their 5-year housing targets, there is a requirement to have a rolling provision of new accommodation to meet the needs of a growing population and this site provides an ideal opportunity for urban renewal to provide high quality residential accommodation.</p> <p>The potential provision of new local shopping facilities at the site will help to meet local demand, given the current limited provision locally and the changing needs of the community as the population grows.</p> <p>The proposal is well connected to the park, which will offer great amenity and accessibility for future residents, and the new local facilities will contribute to the liveliness of the community in this location.</p> |
| Consistent with a relevant local council strategy that has been endorsed by the Department (or) | The proposal is consistent with the Burwood 2030 Community Strategic Plan |
| Responding to a change in circumstances, such as investment in new infrastructure or changing demographic trends not recognised by existing planning controls. | The site was rezoned in 2012 when the standard instrument LEP was introduced, however the development standards relating to height and |

| Assessment Criteria | Response |
|---------------------|---|
| | <p>FSR were not altered to address the site and its potential.</p> <p>This proposal now responds to the opportunity presented by this strategically significant site becoming available for redevelopment, whilst also promoting a higher density of development in an area where there is strong housing demand.</p> |

It should also be considered that there are a range of other factors which contribute to the strategic justification for the proposal, which are as follows:

- Burwood is a 'Strategic Centre' and 'Planned Precinct' within the 'Eastern City District Plan' and will accommodate a significant quantum of housing growth. Burwood Town Centre has and will continue to provide high density residential housing, directly adjacent to Burwood Railway Station.
- However, outside of Burwood Town Centre, the area contains a number of dormitory suburbs (such as Burwood Heights, Croydon Park, and Enfield) which also accommodate pockets of medium to higher density housing in selected locations. While these areas are not directly adjacent to rail infrastructure, they are served by regular bus services with connection to Burwood Railways Station, Sydney CBD and other surrounding centres.
- In close proximity to the site, there are nearby examples of 6 storey residential flat buildings with floor space ratios of 2.5:1 on the corner of Liverpool Road and Burwood Road. A number of these properties are in locations which have reduced residential amenity comparative to the subject site, as they are co-located directly adjacent to very busy and noisy main arterial roads. These buildings often contain ground floor retail spaces which are compromised by this poor amenity.
- Conversely, the subject site currently contains an unused and unsightly, dated commercial office building, with the existing long-term tenant, Vision Australia, having vacated the site and moved to a more appropriate location in Parramatta CBD. Given that the site is located within a residential zone (which specifically permits residential flat buildings) and already contains a built form which is significantly exceeding the current height permitted on the site, it represents a unique, site specific opportunity to renew the site and provide a high-quality outcome.
- Although Burwood Town Centre is earmarked to accommodate most of the new dwellings required as part of the Greater Sydney Commission housing targets, it is noted that the centre has traffic congestion issues, with many intersections rated 'F', thereby providing a very poor level of service. However, the immediate locality around the subject site can readily accommodate the traffic generation from the proposal, with the level of service rated as 'A' for the Burwood Road/Mitchell Street intersection following implementation of the scheme. It is clear that this location will provide a suitable alternative location to accommodate new housing, and therefore relieving the pressure on the town centre.
- Few sites within the local context are appropriate for additional height and floor space uplift. Also, few sites have comparable strategic credentials such as a significant site area, expansive frontage to Henley Park, dual street frontages and large east-west orientation (to maximise northern orientation and minimise south-facing apartments).
- The 'locational criteria' for urban renewal investigation opportunities in the District Plan includes areas with "high-frequency transport services" which can create efficient connections to local transport services and expand the catchment area of people who can access regional transport. In response, the site is located directly adjacent, and with a significantly large frontage to, Henley Park and right next to a regular, high frequency regional 'M' bus service on Burwood Road which takes approximately 5 mins to Burwood Railway Station (leaving approximately every 10 mins). Within this context, the site is very well located from a public transport perspective.
- The NSW Apartment Design Guide (Section 1B) has guidance in relation to 'local character and context' within suburban neighbourhoods. A number of these considerations have been directly relevant to the careful urban design work undertaken on the site to arrive at the proposed 'concept' for the Planning

Proposal. Specifically, the proposal has sought to respond to the relationship and interface with existing lower scale dwellings, provide an alternative to dwelling houses and/or townhouses which are at a much higher price-point, and provision of a very high quality, landscape and public domain response.

- From a strategic context, the Planning Proposal demonstrates that the additional building height and density can easily be accommodated within the surrounding context. Firstly, the proposal seeks to limit building height directly adjacent to Mitchell Street (mandated through the LEP height map), provides generous setbacks to surrounding sites, and provides for a reasonably prescriptive built form arrangement which creates a very high degree of residential amenity and design quality.
- As shown in the amended Planning Proposal documentation, the proposal provides for a unique, site-specific opportunity to provide a very high-quality design and amenity response to the surrounding properties, including:
 - A reduced height and form from the original Planning Proposal in response to community feedback.
 - Provide a better level of solar access (and minimised overshadowing) compared to the existing built form on the site.
 - Provides 'over-compliance' in relation to provision of communal open space and deep soil landscaping.
 - Increased building separation and setbacks from the existing built form arrangement, and a more 'tapered' and 'stepped' form to properties adjacent to Burwood Road.
 - Provision for a future level of retail activation directly adjacent to Henley Park to create new local jobs, and a level of provision of local services to the Enfield community.

It is considered that the Planning Proposal meets the relevant criteria of the Strategic Plan test as it is entirely consistent with the existing Metropolitan Strategy and associated Eastern City District Plan. It also accords with the Council's Strategic Plan and responds to a change in circumstances at the site, which offers an opportunity for urban renewal.

Site-Specific Merit

In addition to meeting at least one of the strategic merit criteria, 'A Guide to Preparing Planning Proposals' requires that Planning Proposals demonstrate site-specific merit against the following criteria set out in Table 7 below.

Table 7 – Site Specific Merit

| Assessment Criteria | Response |
|---|---|
| Does the planning proposal have site specific merit with regard to: | |
| The natural environment (including any known significant environmental values, resources or hazards); and | <p>The site is not environmentally sensitive land or land with significant biodiversity value.</p> <p>Henley Park is located adjacent to the site and the proposal is designed to minimise any adverse impact upon the park, whilst promoting enhanced connectivity including through site links and new view corridors.</p> <p>There is also potential as part of this proposal to provide a contribution to new or upgraded facilities within the park, or to enhance the setting.</p> <p>Furthermore, there are no environmental constraints or hazards of such significance that would preclude the redevelopment of the site for residential purposes.</p> |

| Assessment Criteria | Response |
|---|---|
| The existing uses, approved uses and likely future uses of land in the vicinity of the proposal; and | <p>The site is presently occupied by the now vacant former offices of Vision Australia who have relocated to Paramatta into more modern and suitable premises for their operation.</p> <p>Consequently, this will facilitate the redevelopment of the site to provide new residential accommodation within an area that is zoned R1 general Residential. The proposed use therefore has site specific merit in terms of the future use of the site.</p> |
| The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision. | <p>A Services and Utilities Report was attached as part of the previous lodgement package. This confirms that the proposed development can be adequately serviced.</p> <p>It is also confirmed in the Traffic Report that the traffic generated by the proposed development is expected to be less than the existing site, thereby the scheme will not give rise to any adverse impacts upon the surrounding road network.</p> |

It is therefore evident from the above that the Planning Proposal meets the relevant criteria of the site-specific merit test.

Q5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified in Table 8 overleaf.

Table 8 – Relevant SEPPs Applicable to the Planning Proposal

| Policy | Details |
|---|--|
| SEPP (State and Regional Development) 2011 | <p>The aims of this policy are to identify development that is State Significant Development, State Significant Infrastructure and Critical State Significant Infrastructure. It confers functions on Sydney Planning Panels and Joint Regional Planning Panels to determine development applications.</p> <p>The proposal is not currently identified within any of the relevant schedules of the SEPP nor is it identified as State or Regional Development.</p> |
| SEPP 65 – Residential Flat Design Quality | <p>SEPP 65 raises the design quality of residential apartment development across the state through the application of a series of design principles.</p> <p>The future form of any residential flat buildings contained within the scheme has the potential to achieve a high amenity and design quality.</p> |

| Policy | Details |
|------------------------------------|--|
| | <p>Compliance with the provisions of SEPP65 and the Apartment Design Guide has been confirmed following an independent review by Cardno, the Councils Urban Design consultants.</p> <p>In addition, attached at Appendix A is a ADG Compliance Summary prepared by Bureau which also confirms compliance with the relevant requirements.</p> <p>Ultimately, a further detailed assessment of SEPP 65 compliance would be undertaken at the DA stage.</p> |
| SEPP (Infrastructure) 2007 | <p>This SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process.</p> <p>While not specifically relevant to this Planning Proposal, future infrastructure works may require development consent in accordance with the SEPP.</p> |
| SEPP 55 Remediation of Land | <p>SEPP 55 introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.</p> <p>The Preliminary Site Investigation (at Appendix C) indicates that initial sampling has found:</p> <ul style="list-style-type: none"> • A lead exceedance at one location on site within the shallow soil sampling location; and • Groundwater investigation have found copper, nickel and zinc above the criteria for fresh water systems, but are representative of the regional groundwater and are not related to contamination of the site. <p>Given these findings, it is evident that a suitable remediation strategy can be developed prior to the submission of a future development application at the site</p> |

| Policy | Details |
|--|--|
| SEPP (Buildings Sustainability Index: BASIX) 2004 | <p>The BASIX SEPP requires residential development to achieve mandated levels of energy and water efficiency.</p> <p>The proposed development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the DA stage.</p> |

In view of the above, it is demonstrated that the Planning Proposal is consistent with applicable State Environmental Planning Policies.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Table 9 – Consistency with Section 9.1 Directions

| Direction | Planning Proposal |
|--|---|
| 3.1 Residential Zones | |
| A planning proposal must include provisions that encourage the provision of housing that will; broaden the choice of building types and locations available in the housing market; makes more efficient use of existing infrastructure and services, and reduce the consumption of land for housing and associated urban development, and be of good design. | <p>The Proposal supports the efficient use of land in facilitating a higher density in an established suburb. The site currently has a R1 zoning and is adequately serviceable for residential development. The Proposal seeks to provide a higher density in response to the prominent and location of the site the strategic planning policy direction for the location.</p> <p>The concept design displays how the proposed controls can broaden the housing choice available in the local housing market in the provision of numerous smaller dwellings. Smaller dwellings are identified within the metropolitan plan as a housing type that the market requires to meet different people's needs.</p> |
| 3.4 Integrating Land Use and Transport | |
| <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> | <p>The proposal is consistent with the direction for the following reasons:</p> <ul style="list-style-type: none"> • The site supports the principle of integrating land use and transport. • The site exhibits good access to public and private transportation use. • The site's proximity to public transport will provide opportunities for residents to access the site. There are bus stops |

| Direction | Planning Proposal |
|---|---|
| (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. | positioned close to the site on Burwood Road, which are readily accessible from the site. |
| 6.3 Site Specific Provisions | |
| A planning proposal must not contain or refer to drawings that show details of the development proposal. | This Planning Proposal refers to an indicative design concept only. The design concept has the role of displaying what is potentially achievable with the proposed changes to BLEP 2012. Detailed design will be subject of a future development application. |
| 7.1 Implementation of <i>A Plan for Growing Sydney</i> | |
| The objective of this direction is to give legal effect to the policies contained in <i>A Plan for Growing Sydney</i> . | The Planning Proposal is consistent with the aims of <i>A Plan for Growing Sydney</i> as detailed previously within this Report. |

5.4.3. Section C – Environmental, Social and Economic Impact

Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is fully developed and comprises relatively limited vegetation, except for mature trees lining the boundaries of the site, many of which are proposed to be retained. There are no known critical habitats or threatened species, populations or ecological communities located on the site and therefore the likelihood of any negative impacts will be minimal.

Q8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Given the proposed uplift in building height and density, the potential environmental effects that are relevant to the Planning Proposal include the indicative building design, residential amenity and traffic impacts.

Bulk, Scale and Massing of Indicative Design Concept

Through the discussions with Council and the consultation with the community, it became evident that the key issues with the original concept were as follows:

- The extent of the height with a 6-storey building proposed on the site;
- The character of the scheme on Mitchell Street relative to the scale of surrounding properties; and
- The impact of the additional height and floor space on the surrounding area.

Given the above, these were the key matters which Bureau considered as the new architects on the project, along with a comprehensive Urban Design Analysis to help deliver an improved built form outcome for the site.

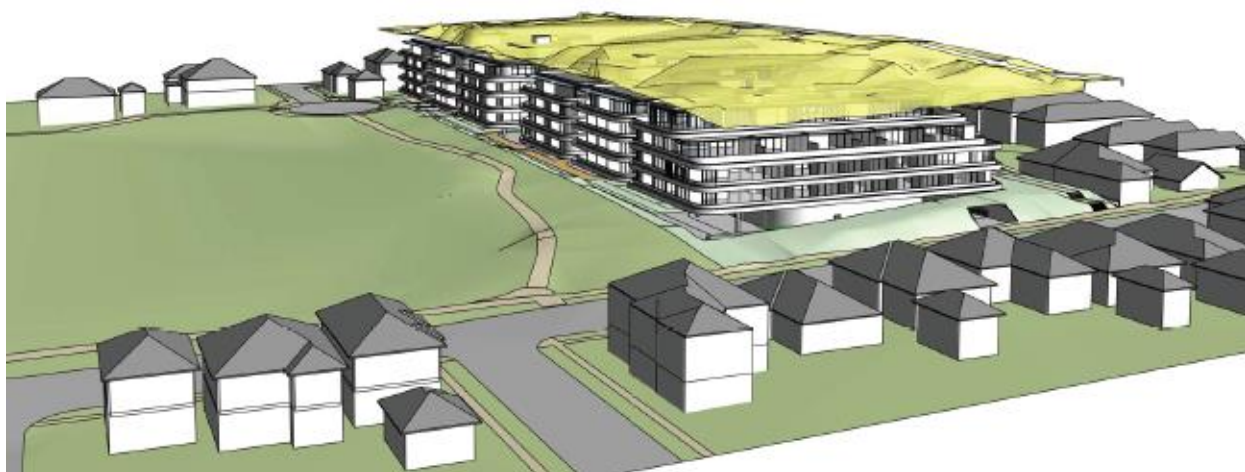
This analysis reviewed the constraints and opportunities provided by this unique site, but also explored what would be the design principles which would guide a high quality residential development outcome. It was also clear that there were a range of matters to be addressed as part of the updated scheme to respond to comments made by the Council and Cardno.

Bureau explored a number of potential designs and through discussions with Cardno settled on the proposal for two 'U-shaped' buildings on the site, which allows for a large number of the apartments to have views of Henley Park. Furthermore, the top level of the building has been heavily recessed and stepped, which will create a varied silhouette and built form from pedestrian eye level and breaking up the uniform height plane.

The revised scheme achieves an 18m separation between the two buildings on site, whilst the building breaks within the individual buildings extend to 3.5m, which creates definable breaks and relief within the building façade, which adds further to the segmentation of the building form.

As part of this process, the overall height of the proposal was reduced from 21m to 18m, where a 4-storey residential development above a lower ground level of retail can readily be accommodated, with a few pop-ups above for lift overruns, which the Council have advised are likely to be acceptable and can be dealt with through a C14.6 variation at the DA stage. This is illustrated in Figure 12 below.

Figure 12 – 18m Height Plane



Source: Bureau of Urban Architecture

The outcome is that the design is now of an appropriate scale that enables the provision of housing without compromising the amenity of surrounding residents, and improving the overshadowing impact on neighbouring properties from the current position.

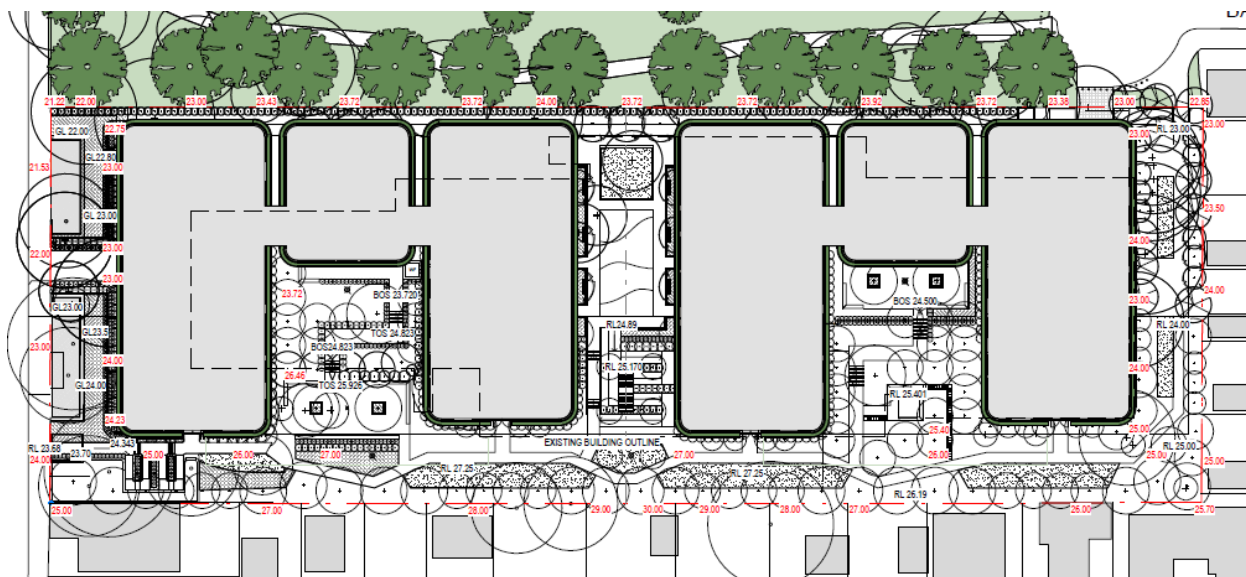
The Applicant has indicated that they are willing to work with Council to prepare a site specific DCP pre-Gateway determination, to ensure an appropriate built form is brought forward. This could potentially stipulate the numbers of storeys of development, setbacks, landscaping and the park frontage.

Site Levels

As part of the Council's response letter dated 30th April 2018, the existing and proposed ground Reduced Levels (RLs) were queried by officers. In order to address this point, the plan below in Figure 13 has been prepared. This illustrates the Existing Ground RLs in 'Red' and the Proposed Landscape RLs in 'Black' to provide an easy comparison of the levels across the site.

Furthermore, the height plane plan at Figure 12 above, along with the other Height Blanket diagrams at Section 7 of the Urban Design Report (Appendix A to this Report), clearly illustrate the relative scale of the concept proposal in the context of the local surrounding properties.

Figure 13 – Existing and Proposed RLs Plan



Source: Bureau of Urban Architecture

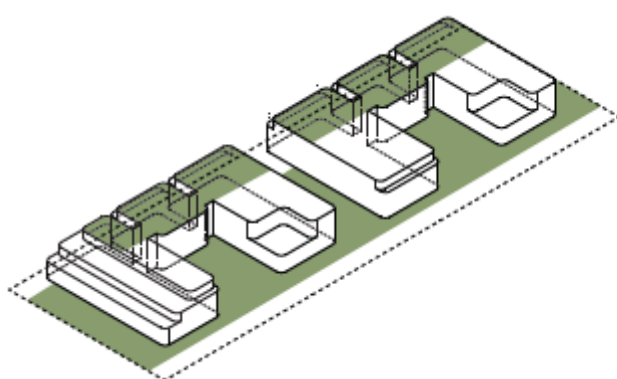
Communal Open Space

The concept design delivers an area of communal open space of some 4,000sqm on the ground floor which is equal to more than 30% of the site, plus additional rooftop open space. This is delivered around the two buildings along with a communal courtyard in each.

The area of rooftop communal open space, takes the total area to be provided up to 5,477sqm or 43% of the overall site. Further to concerns expressed by Council, the rooftop open space has been concentrated on the rooftop towards the park frontage, and away from the rear gardens of the properties to the east fronting Burwood Road. This is to protect the privacy and amenity of the neighbours to the east.

The communal open space is illustrated in as the green area of the building in Figure 14 below.

Figure 14 – Communal Open Space



Area: 5,477 m²
Percentage: 43%

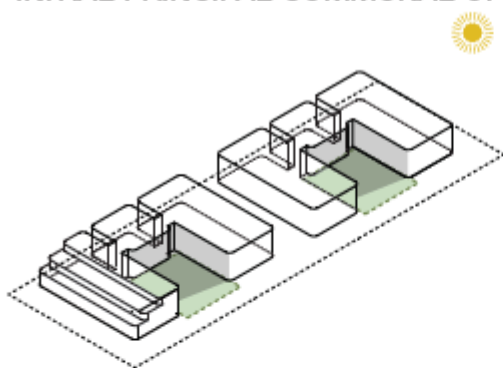
Source: Bureau of Urban Architecture

During discussions with Council Officers, there was a query in relation to the open space regarding the level of solar access which would be achieved in the courtyards of each building, as this was considered to be the 'principal useable' part of the communal open space. It was also considered by Officers that the minimum achievement of the basic *Apartment Design Guide* (ADG) requirement of 2 hours to 50% of the principle useable part of the open space would not be sufficient, given the desire for high quality design at the site.

In response to this, the Applicant amended the scheme to accommodate further stepping within the concept building design. This facilitated the achievement of 3 hours of solar access into the principal useable open spaces in the courtyards of the building at winter solstice, which exceeds the requirements of the ADG. This point is illustrated in Figure 15 below.

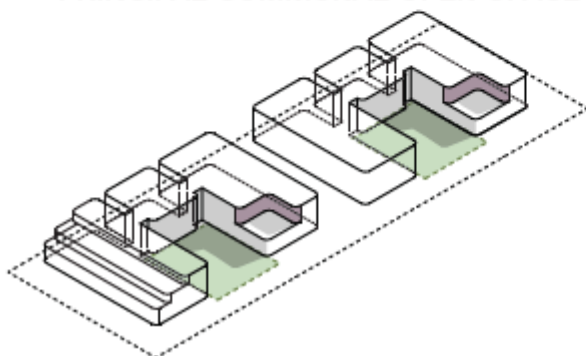
Figure 15 – Solar Access to Principal Useable Open Space

INITIAL PRINCIPAL COMMUNAL OPEN SPACE



The initial building shape allowed for 2 hours of direct sunlight into the principal useable part of the communal open space in accordance with ADG requirements.

PRINCIPAL COMMUNAL OPEN SPACE



Further analysis of the building mass resulted in stepping that allowed for 3 hours of direct sunlight into the principal useable part of the communal open space, exceeding ADG requirements.

Source: Bureau of Urban Architecture

Impacts on surrounding properties

Ultimately the final design of the proposal will be brought forward through the DA process, and will carefully manage and provide a response to the existing built form context. The concept plans demonstrate that an appropriate building design can be achieved which will have negligible impacts on the amenity of existing residents, including overshadowing or privacy.

Overshadowing – Given the orientation of the site in a north-south axis, most the of the off-site overshadowing effects will be experienced either on Mitchell Street in the morning, or upon the rear gardens of the properties to the east fronting Burwood Road in the afternoons.

The building has been designed that at the winter solstice there will be no additional overshadowing of the gardens of the properties on the opposite side of Mitchell Street, as illustrated in Figure 16 below. This represents an improvement over the current position from the existing building, where the existing shadows penetrate the front garden of the properties as illustrated by the blue line on the plan.

In the afternoon on the winter solstice at 3pm there will be some shadows that fall on the rear gardens of the properties to the east fronting Burwood Road. However, the extent of these shadows is reduced following the implement of the concept scheme as illustrated in Figure 17 below. It is evident that the dark shadows do not extend as far as the blue line into the gardens of the properties (to the bottom of the image which is east), which represents the position with the current office building on the site.

Given this, the concept proposal will serve to improve the overshadowing position in regard to the properties to the south and east, which can be considered a further positive benefit of the proposal.

Figure 16 – Overshadowing Analysis 9am Winter Solstice

SHADOW ANALYSIS JUNE 9AM



Source: Bureau of Urban Architecture

Figure 17 – Overshadowing Analysis 3pm Winter Solstice

SHADOW ANALYSIS JUNE 3PM

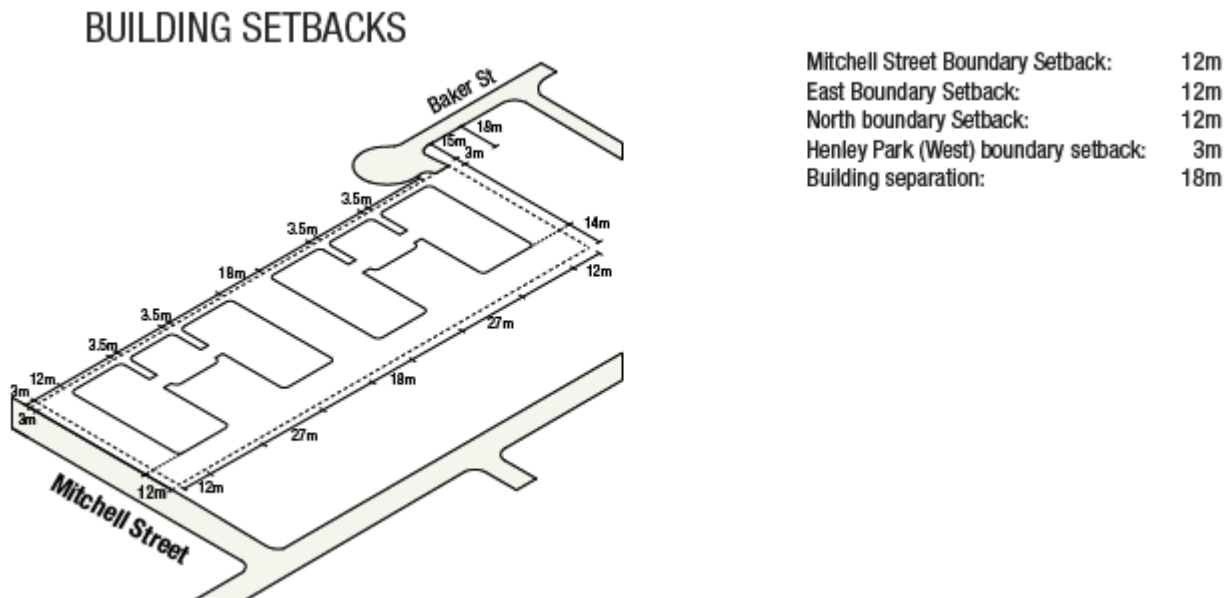


Source: Bureau of Urban Architecture

Privacy – The indicative design provides separation distances from surrounding properties and will not create any visual or aural privacy impacts. As mentioned earlier in this report, the rooftop communal open space to be provided within the scheme has been setback from the boundary with properties on Burwood Road and concentrated on the park frontage to protect privacy and amenity.

In addition, the setbacks from the boundaries have been enhanced to further protect the amenity of neighbours, as illustrated in Figure 18 below.

Figure 18 – Building Setbacks



Source: Bureau of Urban Architecture

In addition to this, and as mentioned above, there are two rooftop amenity areas on the top of each building. These are divided up into smaller spaces providing a range of uses which can be refined in the detailed design. However, these areas have been sited to the Henley Park side of the rooftop to provide an attractive outlook, whilst the areas to the eastern side, closer to the rear of the properties on Burwood Road are generally non-access areas to ensure privacy levels are maintained to the neighbouring properties. This is illustrated in Figure 19 below.

Figure 19 – Landscaped Rooftop Amenity Area



Source: Google Earth

SEPP 65 & Apartment Design Guide

One of the matters raised by the Local Planning Panel at the meeting on 14th August 2018 related to the likely compliance of the proposal with SEPP65 and the Apartment Design Guide. It should be noted that the Council's independent urban design advisors reviewed the Planning Proposal concept scheme and confirmed that the scheme complies with the relevant provisions within the Cardno 'Independent Urban Design and Traffic Assessment Report' dated July 2018.

Furthermore, as part of this updated package of information, the Proponent has provided an ADG Compliance Summary which is attached at Appendix A.

Trees and Landscaping

The Council's advisor requested that the Applicant provide an Arborist Report as part of the update package of documentation to be submitted to Council. This is provided at Appendix C and in summary it concludes that although the scheme will involve tree removal, a comprehensive landscaping scheme to mitigate the losses is proposed that will include significant new planting.

A Landscape Concept Report prepared by Site Image has been prepared to accompany the Planning Proposal. This sets out that there are four principal open space areas and a series of more intimate courtyard and under-croft spaces. The three spaces between the building are generous in scale and provide opportunity for a range of amenity from passive seating / gathering and reflection areas, to a playground and allied family seating.

The linear open space along the eastern boundary provides opportunity for a range of lawn and seating areas. The central space has switch-back ramps to provide for equitable access to all three courtyards. The undercroft space has feature shaded seating areas, with tree ferns and fern gardens, and up lit shallow water features.

The perimeter deep soil area is minimum three metres width and is located to allow effective screen planting and canopy shade trees to the interface with neighbouring properties, to reduce any the impact of the proposal.

Sculptural elements have been contemplated as feature elements of the landscape, located at focal locations on visual axis' or within gardens. They are not essential to the design, but are contemplated as a key part of the vision for the project as providing contemplative gardens as well as active areas, and creating a premium level of residential outcome.

Flooding

The updated building concept design ensures that the proposed development will not be adversely affected by future flooding issues. The Revised Services and Utilities Report which identifies report the 1 in 100year flood levels which affect the northern and north-eastern edges of the site. It is not proposed to bring forward development within these areas of the site.

In addition, the report also identifies the Probable Maximum Flood Level (PMF) for the site and the scheme has been designed such that the residential element of the building sits above this level, whilst any future lower ground floor uses will be sited further towards the centre of the building and park edge away from these potential flooding locations.

Furthermore, the existing site currently contains significant hard paved areas with its bitumen driveway and car park. As such, the management of storm-water will be improved as part of the proposal given the extensive new soft-landscaping throughout the site which is proposed.

Traffic Impacts

Bitzios Consulting prepared a Traffic and Parking Impact Assessment for the Planning Proposal which was lodged in May 2018. This report confirms that:

- There are significant traffic volumes along Burwood Road during the AM and PM peaks. However, only minimal delays are predicted at the Mitchell Street/Burwood Road intersection and on the egress to the subject site;
- Traffic generated by the proposed development is expected to be slightly less than the existing site based upon trip generation. The proposed development is not expected to impose any significant impacts on the surrounding road network.

- The SIDRA analysis and site observations conclude that the difference in future performance of the Mitchell Street/ Burwood Road intersection between the with and without development scenarios in 2022 and 2027 are negligible, whilst any impacts to the surrounding road network can be satisfactorily catered for by the existing intersection's configuration, assuming the cycle can be increased.
- Although private vehicle trips may be utilised by residents, given the site's proximity to local facilities, the site's easy pedestrian access to frequent bus services should encourage public transport as a good alternative option for transport to and from the proposed development.

As part of this updated package of information Bitzios Consulting have provided Additional Supplementary Information for Traffic which is attached at Appendix C (letter dated 3rd September 2018). This has been prepared to address the comments of the Local Planning Panel which queried the Baker Street ingress/egress against the local street capacity, and the cumulative impact on Mitchell Street from the proposed residential development of the nearby Flower Power site.

Within this letter, it is identified that Bitzios has undertaken additional traffic counts and SIDRA analysis. This additional information confirms that:

- Based the latest survey and expected traffic distribution, the development is unlikely to increase traffic volumes on Baker Street and nearby local streets, nor impact upon their capacity
- The position following the development of the Flower Power site for residential development is that the future operation of Burwood Road/ Mitchell Street intersection will operate with a Level of Service (LoS) of 'A' for all scenarios (AM/PM weekday and Saturday) in 2022, and will have a LoS of 'A' in the weekday PM and 'B' in the Weekday AM and Saturday. This demonstrates that the intersection will be operating appropriately even when the proposed development is considered in light of the Flower Power development.

Q9 Has the planning proposal adequately addressed any social and economic impacts?

The outcomes of this Planning Proposal will be overwhelmingly positive impacts on the community. The concept design displays how the site can increase its density without compromising the surrounding land uses and community. The concept design presents a high quality residential development that is a significant improvement from the existing structure, and contributes to the improvement of the streetscape.

The provision of apartments will broaden housing options for residents and provide downsizing options for those who want to stay in the community. This is a positive contribution, as it will maintain cohesion.

The applicant also offered to enter into a Voluntary Planning Agreement with Council to provide affordable housing in line with policy targets, along with the enhancement of local community facilities. However, the Council confirmed during the meeting on 31st January 2018 that they did not wish to enter into negotiations with the Applicant regarding a VPA.

The location of this site adjacent to recreational land uses will also encourage healthy lifestyles. Furthermore, there may be the potential for enhancements to the adjoining community facilities stemming from this proposal.

5.4.4. Section D – State and Commonwealth Interests

Q10 Is there adequate public infrastructure for the planning proposal?

The Planning Proposal does not alter the public infrastructure requirements that would be required when compared to the planning controls. The site is within walking distance of public transport, and recreational facilities within Enfield. Upgrades to infrastructure arising from the development of the site (such as utilities and traffic) would be assessed during the development application process.

The expected load from the proposed development will not have any effect on the existing high-pressure water tunnel, which is at a depth of between 57 m and 61 m beneath the surface, nor does the tunnel represent a constraint to the proposed development. This is confirmed in the Geotechnical Report which was attached to the original lodgement package.

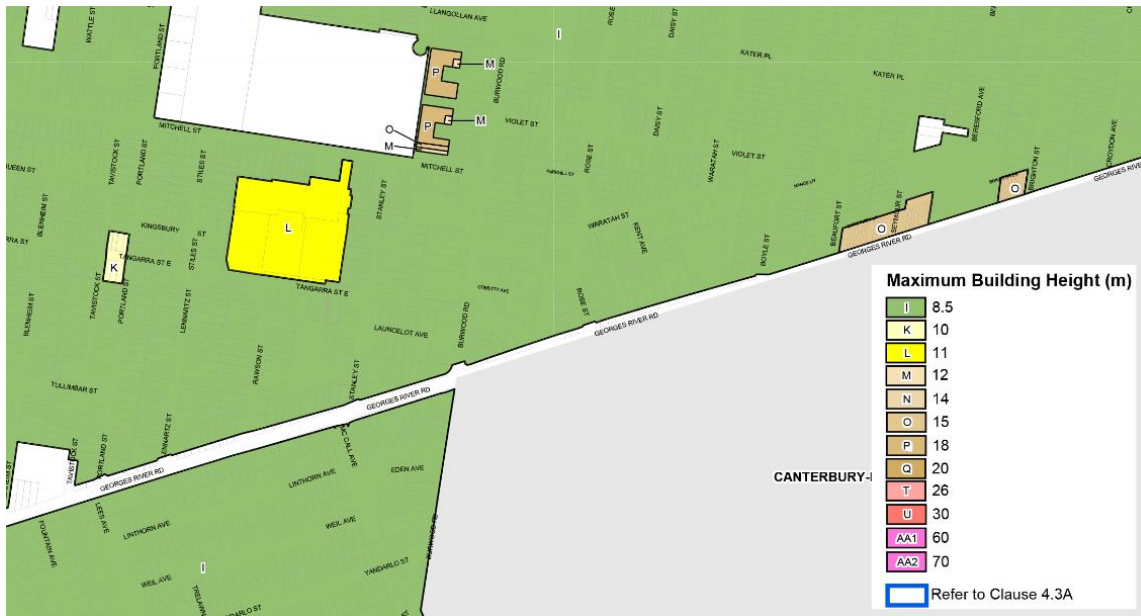
Q11 What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

The Planning Proposal is still in a preliminary stage. Appropriate consultation with relevant government agencies would be undertaken by Council following a gateway determination.

5.5. PART 4 - MAPPING

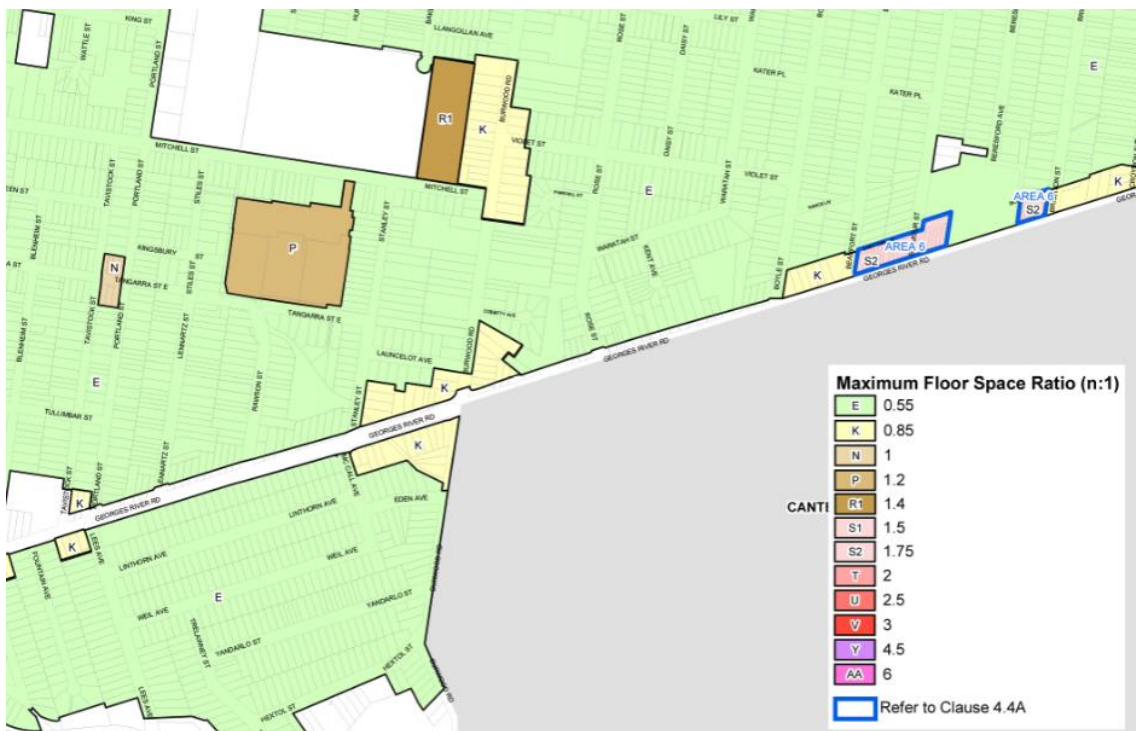
The BLEP incorporates the FSR and Height of Building Maps which will need to be altered through the Planning Proposal process. Figure 20 and Figure 21 below illustrate the proposed LEP Map amendments. The below maps were also attached separately in the May 2018 Addendum package.

Figure 20 – Proposed Height of Buildings Plan



Source: Bureau of Urban Architecture

Figure 21 – Proposed Floor Space Ratio Plan



Source: Bureau of Urban Architecture

5.6. PART 5 – COMMUNITY AND STAKEHOLDER CONSULTATION

A Stakeholder and Community Consultation Strategy was developed as part of the preparation of the Planning Proposal. Urbis was engaged by the Applicant to undertake community consultation to inform the planning proposal. Further detail of the community consultation is set out in Section 2.4 of this Report and within the Summary of Consultation Outcomes Report.

Furthermore, in advance of the Planning Panel meeting on 14th August 2018, a community leaflet was hand delivered to 600 properties within the catchment area, which were the same recipients as in Stage One of consultation, as outlined in the Consultation Outcomes Report. This updated the local community on the amendments made to the scheme in advance of the Panel meeting, as well as the stage of the process which the Planning Proposal has reached.

5.7. PART 6 – TIMELINE

The 'Guide to Preparing Planning Proposals' published in August 2016 indicates that the following details should be provided. As such, the timeline has been updated as part of this Addendum Report, with our estimated dates for each stage in *italics*:

- Anticipated commencement date (date of Gateway determination) – *Q3 2018*
- Anticipated timeframe for the completion of required technical information – *Q3 2018*
- Timeframe for government agency consultation (pre-and post-exhibition as required by Gateway determination) – *Q4 2018*
- Commencement and completion dates for public exhibition period – *Q4 2018*
- Dates for public hearing (if required) – *Not proposed to be required*
- Timeframe for consideration of submissions – *Q1 2019*
- Timeframe for the consideration of a proposal post exhibition – *Q1 2019*
- Date of submission to the Department to finalise the LEP – *Q2 2019*
- Anticipated date RPA will make the plan (if delegated) – *Q3 2019*
- Anticipated date RPA will forward to the Department for notification. – *Q3 2019*

The above information will be crystallised by the RPA following the issue of the Gateway determination and through the production of the formal Planning Proposal. However, it is considered that this would be a straightforward Planning Proposal, and based upon other similar proposals which are compliant with strategic policy, it is expected that the process can be finalised within 12 months and the consequential LEP amendments gazetted within this timeframe.

6. CONCLUSION

This Addendum Report supports a Planning Proposal which seeks amendments to Burwood LEP 2012 to amend the building height and FSR development standards applicable to the site, along with an additional permitted use. This will ultimately facilitate the development of a contemporary and elegant residential community adjacent to Henley Park.

This Report provides an update to Planning Proposal Report Proposal Addendum Report that was lodged in May 2018, which followed the lodgement of the original Planning Proposal in July 2017. The scheme has been worked up following extensive discussions with Council and their independent advisors, Cardno, as well as consultation with the local community. The local community were consulted again in August 2018, to inform of the latest updates to the scheme and the reporting of the Planning Proposal to the Local Planning Panel.

This latest update to the Planning Proposal follows the presentation of the scheme to the Burwood Local Planning Panel on 14th August 2018. The Panel resolved to support the proposal, but made a number of recommendations, which have now been incorporated into this final Planning Proposal package.

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including “A Guide to Preparing Local Environmental Plans” and “A Guide to Preparing Planning Proposals.”

The Planning Proposal seeks to introduce a variable building height across the site with maximum allowable Height of Building of 18m, stepping down to 15m and 12m at various parts of the site to accommodate the new building form, along with a new maximum allowable FSR of 1.4:1 at the site.

The Planning Proposal provides a comprehensive justification of the proposed amendment to the BLEP 2012. The proposal is consistent with the objectives and actions contained within ‘A Plan for Growing Sydney’, the, Region Plan, the Eastern City District Plan and Council’s Strategic Plan. It is also consistent with applicable State Environmental Planning Policies and Section 117 Directions.

The site is located at 4 Mitchell Street, Enfield and is a strategically significant site located in a highly desirable location directly adjacent to Henley Park. It has a large site area and is within a single ownership, whilst it is also within walking distance of high frequency bus services and surrounded by a range of other local community, residential and open space uses. Few sites in the locality have comparable strategic credentials and attractiveness for higher density residential housing, or are available for unique renewal opportunities.

The proposal provides for an intended outcome that will contribute to meeting future housing targets in the LGA and Eastern City District more broadly. It will also promote a high quality residential development which offers a variety of housing typologies, along with the potential provision of small scale retailing, café and business uses, which will benefit the local community.

The proposed bulk and massing of development has been re-considered by a new architect. They have developed a much-improved response considering the local context, including the established, low-density community surrounding the site. The new proposal incorporates a highly resolved architectural and landscaped theme for the site, which will enhance the existing Mitchell Street streetscape, surrounding residential neighbourhood and Henley Park

It has been demonstrated that the proposed amendment to the BLEP 2012 has strategic merit because:

- The scheme would be consistent with the aims of the Eastern City District Plan which means that the proposal accords with the policy; and
- The proposal also responds to a change in circumstances locally, with the opportunity for redevelopment and renewal of this strategically important site, to provide much needed new residential accommodation.

It has been demonstrated that the proposed amendment to the BLEP 2012 has site specific merit because:

- The proposal will facilitate the redevelopment of the site to provide new residential accommodation within an area that is zoned R1 general Residential. The proposed use therefore has site specific merit in terms of the future use of the site;

- The concept proposal incorporates a diversity of housing opportunities within the local area. It provides a positive response to the setting of Henley Park and creates potential for further activation of the park edge with additional uses;
- The proposal is entirely appropriate for the site given that it will augment the existing residential neighbourhood, it is situated in a highly accessible location and it responds to the growth in population locally by providing higher density of development; and
- There is sufficient infrastructure to accommodate the proposal and the development will not result in an increased demand. within the local road network.

As such, there is a clear public benefit for proceeding with this Planning Proposal and it should be favourably considered by the Council. We further seek that the Council resolve to forward it to the Department of Planning and Environment, to allow the Department to consider the Planning Proposal for Gateway Determination, under Section 56 of the *Environmental Planning and Assessment Act 1979*.

DISCLAIMER

This report is dated 3 September 2018 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Tian An Enfield Pty Ltd (**Instructing Party**) for the purpose of Planning Proposal (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

ADG COMPLIANCE SUMMARY

APPENDIX B DRAFT SITE SPECIFIC DCP

APPENDIX C

ADDITIONAL SUPPLEMENTARY TRAFFIC INFORMATION



BRISBANE

Level 7, 123 Albert Street
Brisbane QLD 4000
Australia
T +61 7 3007 3800

MELBOURNE

Level 12, 120 Collins Street
Melbourne VIC 3000
Australia
T +61 3 8663 4888

PERTH

Level 14, The Quadrant
1 William Street
Perth WA 6000
Australia
T +61 8 9346 0500

SYDNEY

Level 23, Darling Park Tower 2
201 Sussex Street
Sydney NSW 2000
Australia
T +61 2 8233 9900