

# **PLANNING PROPOSAL**

## **MERCEDES BENZ, CROYDON**

SEPTEMBER 2017  
PREPARED FOR STAR AUTO PROPERTIES PTY LTD

**URBIS**

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# 1. INTRODUCTION

## 1.1. OVERVIEW

This Planning Proposal request has been prepared by Urbis on behalf of Star Auto Properties Pty Ltd (“the applicant”) to initiate the preparation of a Local Environmental Plan (LEP) to amend the statutory planning controls applying to the land at 1-1A Cheltenham Road, Croydon (“the subject site”).

The proposal seeks to enable a commercial development on the site that is consistent with the development controls to the north and west fronting Parramatta Road, through the following amendments:

- Introduce a B6 Enterprise Corridor zoning for the site;
- Establish a maximum height control of 15 metres; and
- Establish a maximum floor space ratio (FSR) control of 1.75:1.

Under the *Burwood Local Environmental Plan 2012* (Burwood LEP 2012), the subject site is zoned R3 Medium Density Residential, with an 8.5m height limit and 0.55:1 FSR. The site directly adjoins a B6 Enterprise Corridor Zone which includes a 15m height and 1.75:1 FSR standard.

Despite the site currently operating as an ancillary use to the adjoining Nissan Dealership, development for the purposes of ‘*vehicle sales or hire premises*’ is prohibited in the R3 Medium Density Residential zone.

The intended outcome of this Planning Proposal is to amend the Burwood LEP 2012 to formalise the existing use of the site by rezoning the subject site to match the zoning and development controls applying to the adjoining sites fronting Parramatta Road.

The key objectives of the Planning Proposal are to demonstrate the strategic planning merit of amending the planning provisions, specifically zoning, height and FSR, of the site and to assess the relevant environmental, social and economic impacts of the proposal.

## 1.2. STRUCTURE OF REPORT

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the 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. It includes the following:

- Description of the subject site and its context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal.
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.

The Planning Proposal is supported by the following documentation:

- Survey Plan prepared by Linker Surveying and submitted at **Appendix A**;
- Indicative Concept Design prepared by Turner and submitted at **Appendix B**; and
- Traffic and Parking Assessment prepared by Parking and Traffic Consultants and submitted at **Appendix C**.

## 2. SITE DESCRIPTION

### 2.1. THE SITE

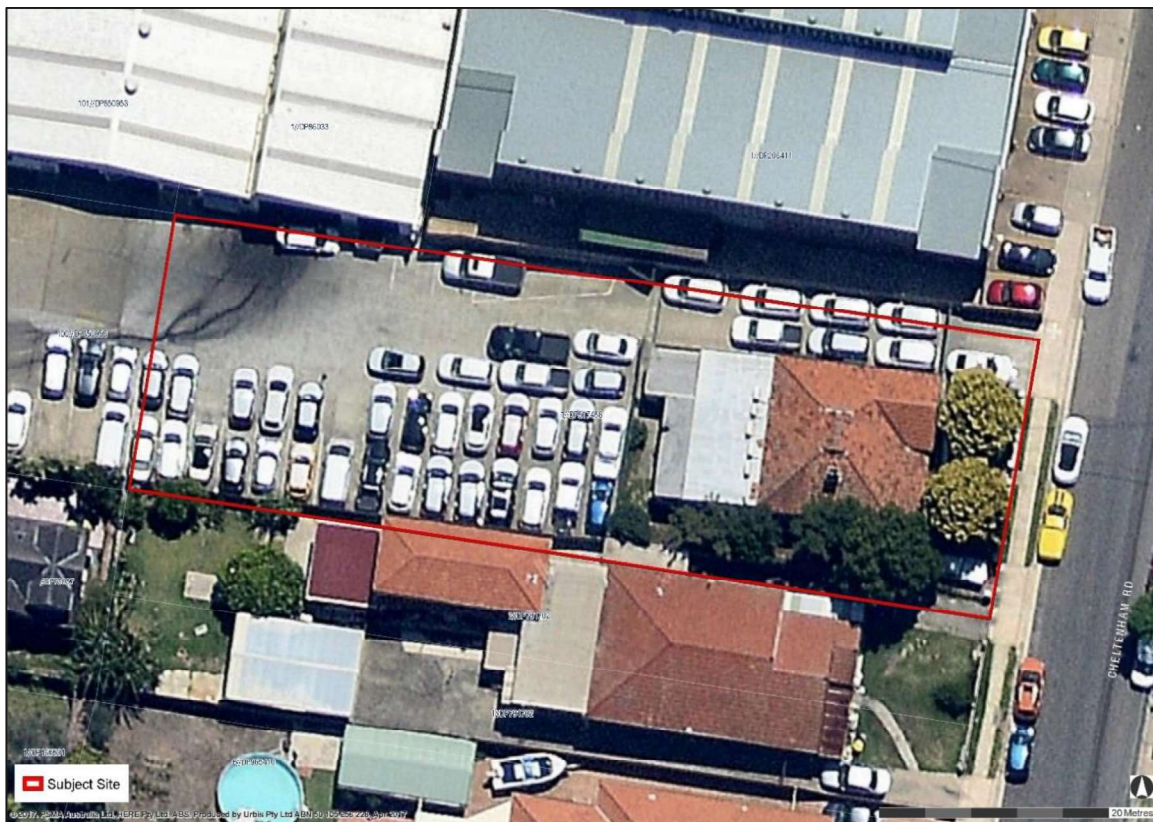
The subject site is located at 1-1A Cheltenham Road, Croydon. The site is legally described as Lot 1 in Deposited Plan 817488, and has an approximate area of 1287.7m<sup>2</sup> and a frontage of 20.395 metres to Cheltenham Road (refer to Survey Plan submitted at **Appendix A**).

The site currently comprises a single-storey dwelling house, a driveway and at grade park to the rear which is utilised for car storage by the existing Nissan car dealership to the north-west of the site. The adjoining car dealership fronts Parramatta Road and has frontage to Lucas Road. These separate landholdings are held in the same ownership and form part of a single car dealership operation.

The site features a fall to the western rear boundary and three (3) existing trees are clustered in the front setback to Cheltenham Road.

An aerial photograph of the site is illustrated in the following **Figure 1**.

Figure 1 – Aerial Photograph of the Site



### 2.2. THE SITE: PLANNING HISTORY

The site's hard paved areas are and continued to be used for car storage ancillary to the adjoining Nissan Dealership. It is understood that the site has not been occupied as a dwelling house for some time.

Following a search of Council's archival files and a subsequent meeting with Council staff on the 17 March 2017, it became apparent that the existing use of the site for car storage is not a lawful use and there is no development consent for this use applying to the land. Therefore, in accordance with Section 106 of the *Environmental Planning and Assessment Act 1979*, existing use rights cannot be exercised.

## 2.3. SITE CONTEXT

The site is located within the suburb of Croydon in the Burwood Local Government Area (LGA). Croydon is located 10km west of the Sydney CBD within Sydney's Inner West. The suburb is in close proximity and highly accessible to the Burwood and Strathfield Town Centres. Burwood Train Station is located some 1.8km to the south west of the site and Croydon Train Station is located some 1.6km to the south east of the site.

The site is located some 60m south of Parramatta Road, a major east-west artery which connects the Sydney CBD with Parramatta. The site represents the transition from the Parramatta Road enterprise corridor towards the Croydon residential district to the south.

Development along the Parramatta Road corridor is characterised by commercial and light industrial developments on large scale lots. The north and south of the corridor is characterised by predominately residential land uses, with a green network connecting to the Parramatta River.

The location of the site in a regional context is indicated **Figure 2**.

Figure 2 – Site Context





## 2.4. SURROUNDING DEVELOPMENT

Development within the immediate vicinity of the site comprises:

- **North:** Immediately adjacent to the site on the northern boundary is a two-storey storage warehouse fronting Parramatta Road, part of which is occupied by the Salvation Army. The remaining portion of the building is currently vacant. Further north of the site is the six-lane Parramatta Road, along which is a mix of industrial and large-scale retail/commercial uses.
- **South:** To the south of the site is generally characterised by low-medium density residential uses. Wangel Park including sports fields and associated facilities is located further south along Cheltenham Road.
- **East:** To the immediate east of the site on the opposite side of Cheltenham Road are single storey dwelling houses. To the north-east fronting Parramatta Road is a warehouse commercial building currently occupied by Fantastic Furniture and other commercial tenants.
- **West:** To the western rear boundary of the site is a Nissan car dealership. Restricted access to the dealership is currently provided via a driveway along Cheltenham Road. Further west of the site is warehouse commercial uses.

Photographs of the site and surrounds is illustrated in **Figure 3**.

Figure 3 – Photos of the site and surrounds



Picture 1 – The subject site



Picture 2 – The St Vincent de Paul warehouse adjacent to the site



Picture 3 – Fantastic Furniture on Parramatta Road



Picture 4 – Residential development adjacent to the subject site





Picture 5 – Commercial warehouse on Parramatta Road



Picture 6 – Nissan car dealership on Parramatta Road

## 2.5. PUBLIC TRANSPORT AND SURROUNDING ROAD NETWORK

The subject site fronts Cheltenham Road, which connects with Parramatta Road at a signalised intersection providing convenient access to Sydney's Western Suburbs and Inner City suburbs. Access to Burwood, being the most proximate major centre, is most readily achieved via the local road network serving the site.

According to the NSW administrative road hierarchy, Cheltenham Road is identified as a Local Road and Parramatta Road is a State Road.

Public transport options within easy access of the subject site include:

- Local and regional bus routes operate throughout the area within many within 800m of the site along Parramatta Road, Queen Road and Queens Street.
  - Route 493, 460 & L39 – located along Queens Road, north of Parramatta Road.
  - Route 407, 415 & 461 – located along Parramatta Road on the opposite side of the subject site.
  - Route 490 & 492 – located along Queens Street, south of the subject site.
- Trains at Croydon Railway Station on the Inner West and South Line are located 1.6km from the site and provide regular and frequent service to the Sydney CBD and Parramatta.
- Trains at Burwood Railway Station on the Inner West and South Line are located 1.8km from the site and provide regular and frequent service to the Sydney CBD and Parramatta.
- Pedestrian and cycleway networks are also located within the immediate locality providing connections to key surrounding land uses.

### 3. STRATEGIC PLANNING CONTEXT

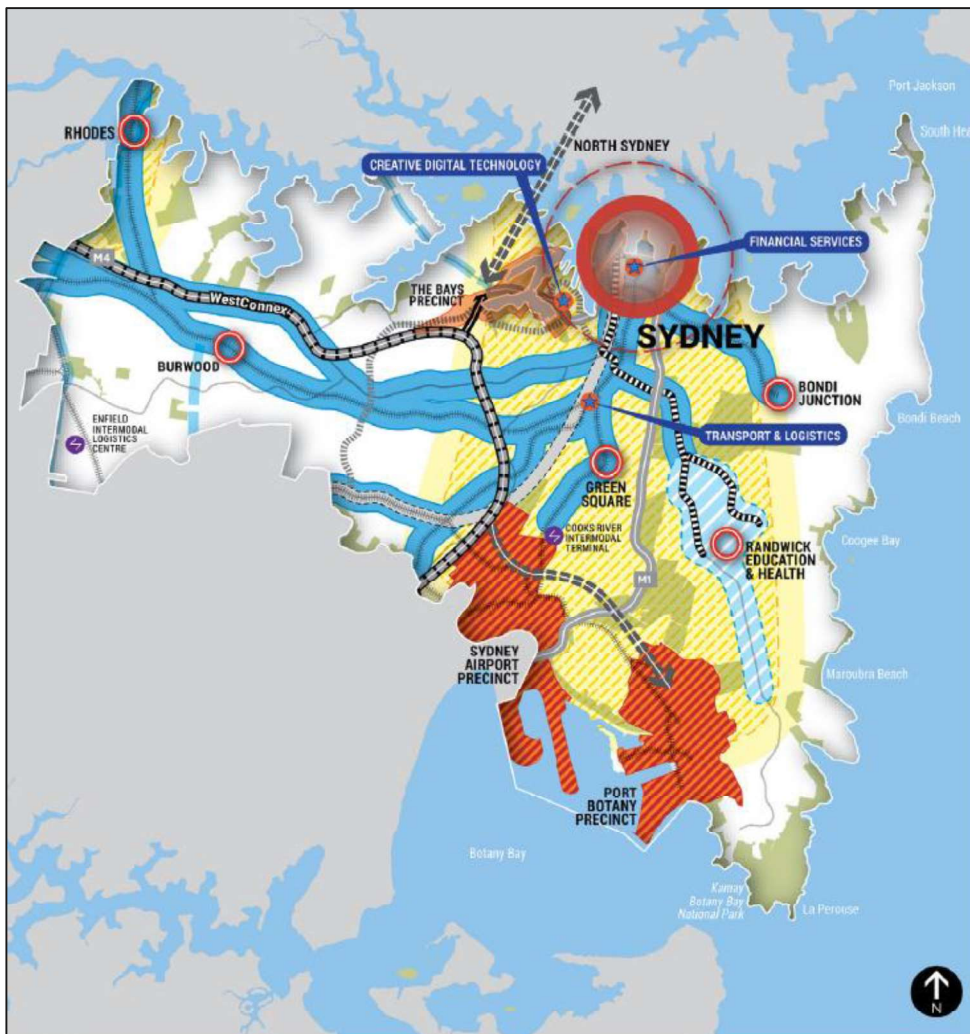
From a strategic context, the site is located in close proximity to the Burwood Strategic Centre and sits on the boarder of the Parramatta Road Corridor as identified in the Parramatta Road Urban Transformation Strategy. The key strategic drivers of the proposal are generally summarised in the sub headings below.

#### 3.1. A PLAN FOR GROWING SYDNEY

*A Plan for Growing Sydney*, released by the Department of Planning & Environment (DP&E) in December 2014, is the NSW Government's strategic planning vision for metropolitan Sydney. The Plan is focused on creating a competitive economy and accelerating housing supply, choice and affordability.

Under *A Plan for Growing Sydney*, the Burwood LGA is within the Central Subregion (refer **Figure 4**). The Strategy identifies that increases in housing supply and urban renewal, including employment agglomerations should be focussed particularly around Priority Precincts, established and new centres, and along key public transport corridors.

Figure 4 – Central Subregion Map



Source: *A Plan for Growing Sydney* (Figure 27)

Burwood is identified as a Strategic Centre in *A Plan for Growing Sydney*. The policy direction seeks to grow these centres to provide more jobs closer to home (Direction 1.7) and recognises that Burwood should work with Council to provide capacity for additional mixed-use development including offices, retail, services and housing.

Development in Burwood located along the Parramatta Road is identified as being part of the Parramatta Road Corridor. The Corridor refers to a 20km long corridor strategically connecting the two largest concentrations of jobs in Sydney- Sydney CBD and Greater Parramatta. The Corridor is identified as being a focus for increased housing, economic activity and social infrastructure, especially around centres with good public transport access and amenity.

The planning proposal assists in meeting the objectives and targets of *A Plan for Growing Sydney* by increasing employment generating development within an existing precinct of commercial development generally concentrated along Parramatta Road. Furthermore, the proposed development will contribute to a number of jobs through the construction phase of the development, as well as on-going retail / commercial employment opportunities.

## 3.2. DRAFT CENTRAL DISTRICT PLAN

The Draft Central District Plan (DCDP) was released in November 2016 and is one of six such plans covering the Greater Sydney Metropolitan Area. It maintains the long-held policy of a centres hierarchy, and aims to reinforce existing centres, and plan for new centres to form. Burwood is specifically identified a 'District Centre'. The DCDP sets out priorities and actions relating to improve the productivity, liveability and sustainability of the district.

Key priorities and actions for the Central District which are relevant to the site's context and this planning proposal include:

- To protect and support employment and urban services land.
- Increase jobs in Burwood from 10,300 in 2016 to 12,000-14,000 in 2036, an increase of 1,700-3,700.
- Manage growth and change in district centres by considering opportunities:
  - For existing centres to grow and new centres to be planned to meet forecast demand across a range of retail types.
  - Help to stimulate economic activity and innovation through the co-location of industries.
  - Ensure the most efficient use of infrastructure.
  - Provide jobs closer to home in support of the 30-minute city.
  - Reduce the need to travel by car by co-locating residential, health, employment and education facilities.
  - Provide healthier lifestyles and community cohesion with improved walking, cycling and transport access to a wider range of services and opportunities.
  - Provide attractive, safe and inclusive locations for communities to meet, recreate and spend time.

The Strategy also references the Parramatta Road Urban Transformation Strategy and the need to develop Parramatta Road into a multi-use corridor with improved amenity, better transport choices, more job opportunities and increased quantity and diversity of housing.

While the site is not located in the Burwood District Centre nor does it form part of the Parramatta Road Corridor, it is located in close proximity and is consistent with the strategic aims of the District Centre and Corridor.

## 3.3. BURWOOD 2030

The *Burwood 2030 Community Strategic Plan* is the Council's community strategic plan for the future of the local government area (LGA) to help guide decision making and planning for the next 20 years. The plan aims to identify important issues and challenges for the future of the area, establish short and long-term goals and outline key directions to achieve these strategic goals.

The vision for Burwood is a well-connected, sustainable and safe community that embraces and celebrates its diversity. This vision is underpinned by four social justice principles; equity, participation, rights and access.

The five key strategic themes through which the plan is centred around are a sense of community, leadership through innovation, a sustainable natural environment, accessible services and facilities and a vibrant economic community. These key themes are supported by strategic goals and actions and a timeframe to ensure implementation of the goals. Of importance is Goal 5, a vibrant economic community, which aims to ensure “*an economically sustainable and prosperous future in Burwood*” through providing support to businesses and increasing employment opportunities.

### 3.4. PARRAMATTA ROAD URBAN TRANSFORMATION STRATEGY

The Parramatta Road Urban Transformation Strategy was released by Urban Growth NSW in November 2016, and sets out the vision, land use and transport principles to stimulate growth and change in the Corridor over the next 30 years. The Corridor is a priority area for the long-term growth and improvement of Sydney.

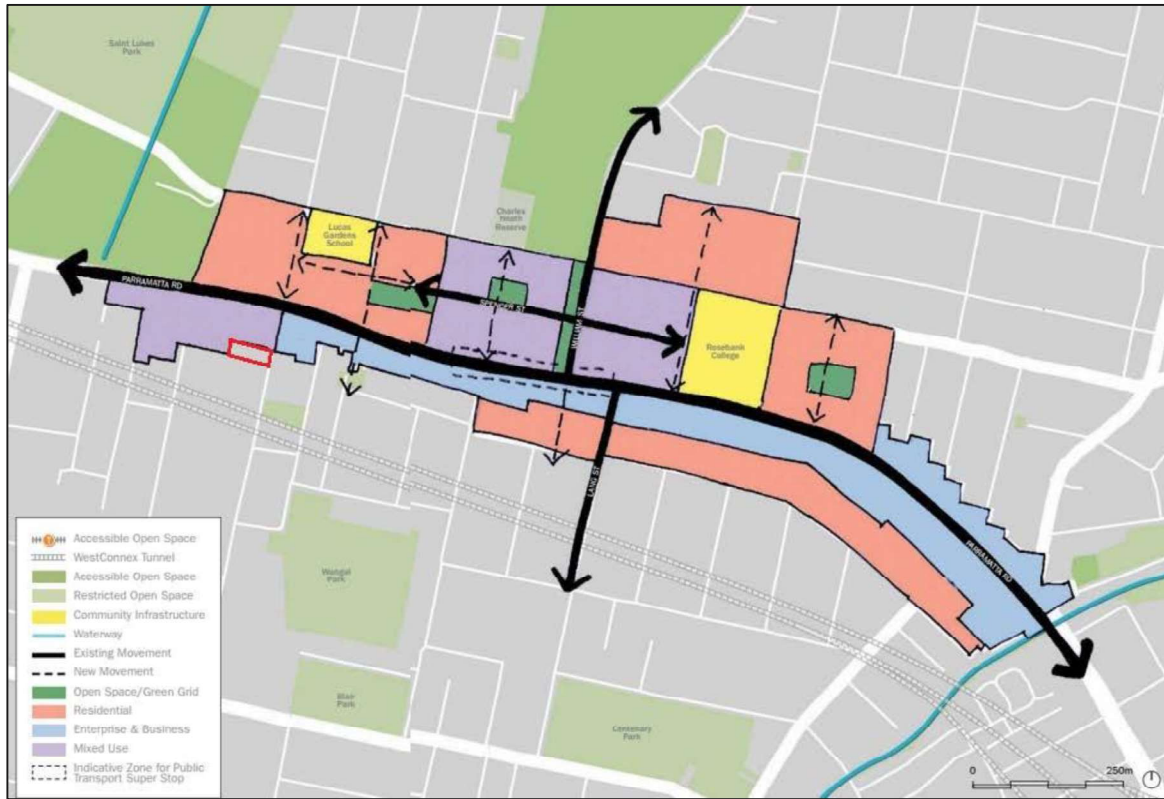
The Strategy divides the Corridor into eight (8) precincts and guided by seven principles, which are supported by a suite of strategic actions. The subject site is located on the boarder of the Kings Bay Precinct (see **Figure 5**). While the Strategy does not technically apply to the site, it is broadly consistent with the strategic actions underpinning the Strategy as it:

- **Housing Choice** – will enable the provision of urban services in a location close to households, whilst diversifying the land uses within the precinct.
- **Diverse and Resilient Economy** – provide support to urban services in a highly accessible location close to residential areas. In generating a diversity of employment opportunities for the local community, commuting times will be reduced and the quality of life for residents in the area will be increased. Furthermore, the rezoning will support the Burwood District Centre to be developed in line with the centres hierarchy established under *A Plan for Growing Sydney* and the *Draft Central District Plan*.
- **Accessible and Connected** –will encourage sustainable travel options and manage travel demand to/from the site.
- **Suitability and Resilience** – incorporate environmentally sustainable initiatives into the design of the building.

The Kings Bay Precinct is envisaged as a new residential urban village on Parramatta Road. The precinct will accommodate 5,200 new people, 2,500 new homes and 2,900 new jobs by 2050. Key actions for the precinct include facilitating the mixed use of land on Parramatta Road, encouraging medium and high-density residential development north of Parramatta Road and facilitate site amalgamations in appropriate locations to provide opportunities for development.

The subject site lies directly on the southern boundary of the Kings Road Precinct (outlined in ‘red’ in the following **Figure 5** extract). Use of the subject site for commercial purposes will complement the town centre and support business functioning, and enable growth of the Parramatta Road Corridor as envisaged by the plan.

Figure 5 – Kings Bay Precinct Area



Source: Parramatta Road Urban Transformation Strategy (2016)



## 4. STATUTORY PLANNING CONTEXT

The *Burwood Local Environmental Plan 2012* (BLEP 2012) is the principle environmental planning instrument governing development on the site. The following sections sets out the relevant provisions applicable to the subject land.

### 4.1. ZONING

The site is currently zoned R3 Medium Density Residential under the BLEP 2012 as shown in **Figure 6**.

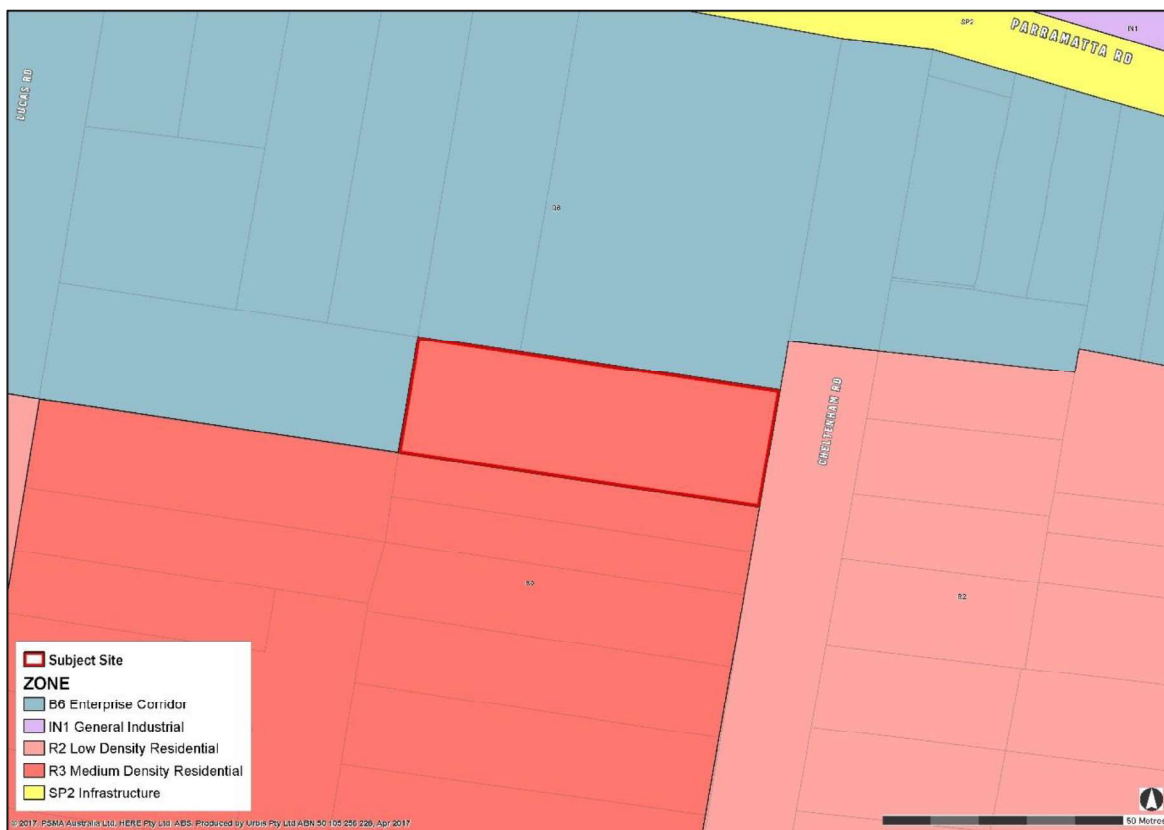
The objectives of the R3 zone are as follows:

*To provide for the housing needs of the community within a medium density residential environment.*

*To provide a variety of housing types within a medium density residential environment.*

*To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Figure 6 – Existing Land Use Zone (BLEP 2012)



### 4.2. LAND USE

The range of permitted and prohibited uses within the R3 zone as set out within the BLEP 2012 are as follows (emphasis added):

#### Permitted without consent

*Home occupations; Roads.*

#### Permitted with consent

*Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home industries; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care*

centres; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified as permitted without consent or prohibited.

#### Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; **Commercial premises**; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water storage facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies.

'Vehicle sales or hire premises', are a type of 'retail premises' which is defined under the umbrella term as a form of 'commercial premises'. 'Commercial premises' and 'retail premises' are defined as follows and are prohibited in the R3 zone:

*commercial premises means any of the following:*

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

*retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:*

- (a) *bulky goods premises,*
- (b) *cellar door premises,*
- (c) *food and drink premises,*
- (d) *garden centres,*
- (e) *hardware and building supplies,*
- (f) *kiosks,*
- (g) *landscaping material supplies,*
- (h) *markets,*
- (i) *plant nurseries,*
- (j) *roadside stalls,*
- (k) *rural supplies,*
- (l) *shops,*
- (m) *timber yards,*

**(n) vehicle sales or hire premises,**

*but does not include highway service centres, service stations, industrial retail outlets or restricted premises.*

### 4.3. HEIGHT AND FSR CONTROLS

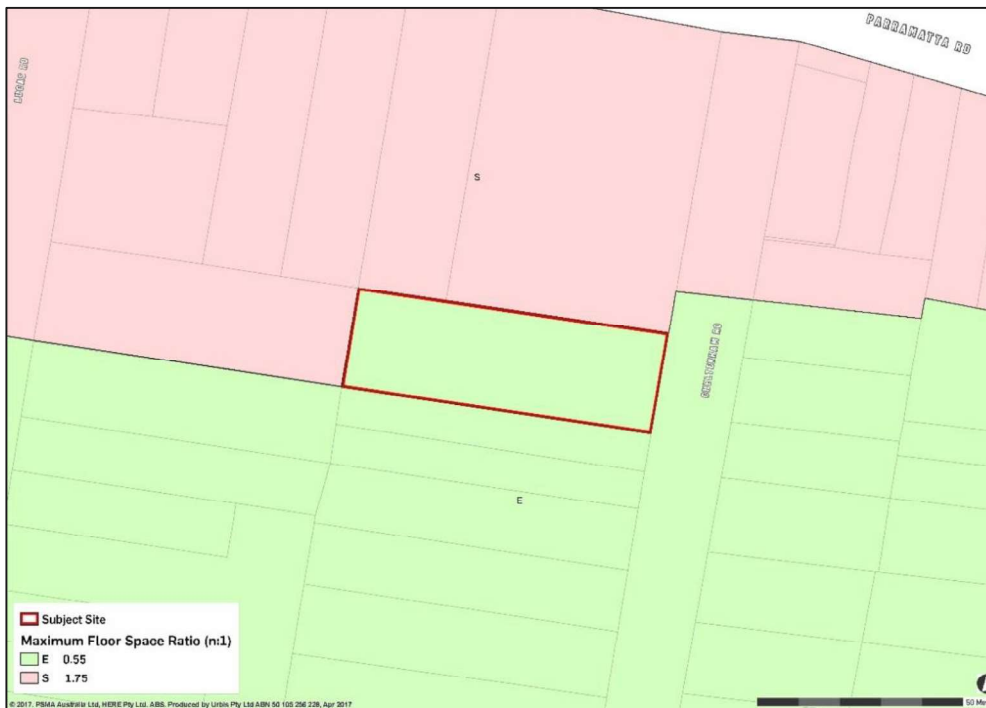
The development standards under the BLEP 2012 that are applicable to the site include:

- Building Height – Maximum building height of 8.5 metres (as shown in **Figure 7**).
- Floor Space Ratio – Maximum floor space ratio of 0.55:1 (as shown in **Figure 8**).

Figure 7 – Height Map



Figure 8 – FSR map



#### **4.4. BURWOOD DEVELOPMENT CONTROL PLAN 2012**

The Burwood Development Control Plan (Amendment 3) was adopted by Council on 22 November 2016 and came into effect on 6 December 2016.

Any development application that results from this proposal will need to consider the DCP and its relevant sections.

## 5. THE DEVELOPMENT CONCEPT

### 5.1. PROPOSED CONCEPT DESIGN

This Planning Proposal is informed by a concept architectural schematic (Indicative Concept Design), prepared by Turner Architects, which analyses the development opportunities for the site. This development concept will facilitate the redevelopment of the site whilst delivering on metropolitan planning objectives to increase employment in close proximity to the Burwood District Centre and Parramatta Road Enterprise Corridor.

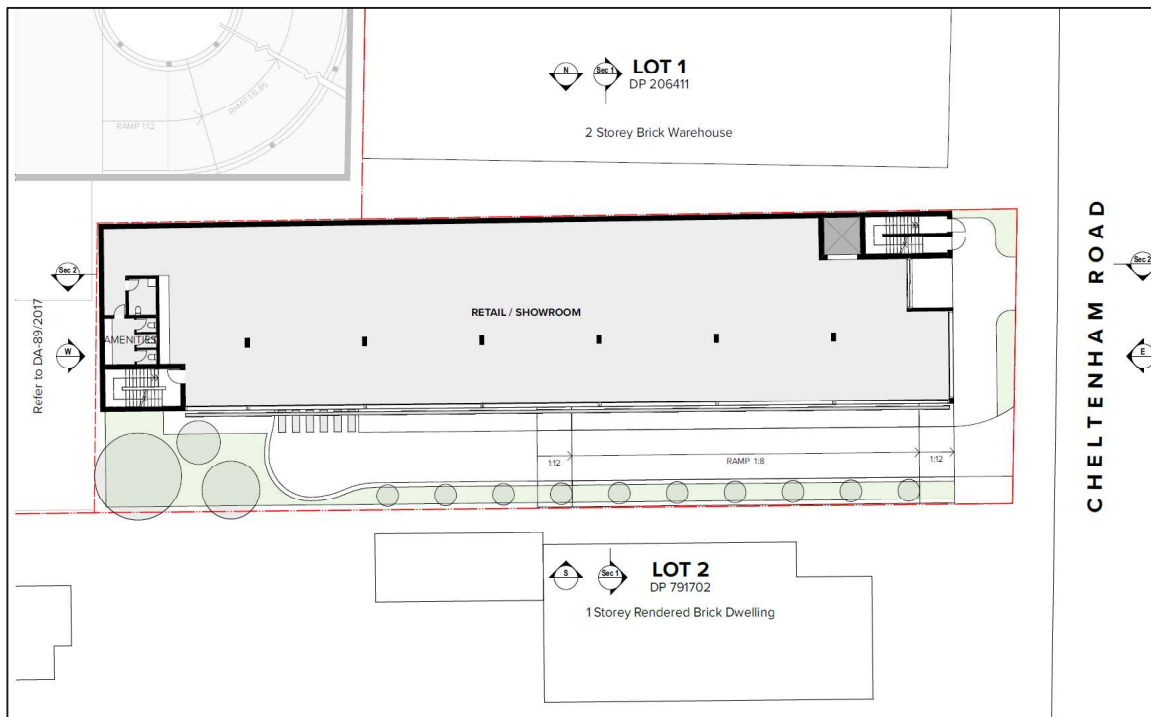
As the Planning Proposal is seeking to amend both the land use and key development standards on the subject site, an indicative design concept has been prepared to inform the potential bulk, scale and massing of built form on the site, and to determine the potential impacts of this amendment on the surrounding context.

The indicative concept scheme broadly comprises:

- A 3-storey boutique car showroom.
- Ground level car park accessible via a vehicular driveway along the southern site boundary.
- Two- storeys of retail showroom.
- Setback to southern boundary with built form sited on a 45-degree height plane commencing at 1.8m.

Error! Reference source not found. shows the indicative concept of the proposal (Refer to **Appendix B** for scaled plans). The details are indicative only, and the final design specifications will be finalised at the subsequent Development Application stage.

Figure 9 - Indicative Concept Level 1 Plan



Source: Turner



## 5.2. NUMERICAL OVERVIEW

The Planning Proposal seeks to amend the Height of Buildings Map to a maximum height of 15 metres, which is consistent with the maximum height applying to the adjoining site's fronting Parramatta Road. The concept design has a maximum height of 15 metres measured to the top most point of the building. Consistent with the built form controls contained in the Burwood DCP 2012 the building is setback to the southern rear boundary on a 45-degree height plane (refer **Figure 10**).

The Planning Proposal also seeks to amend the Floor Space Ratio Map to a maximum FSR of 1.75:1, which is consistent with the maximum FSR applying to the adjoining site's fronting Parramatta Road. The concept design has an FSR of 1.47:1, demonstrating an indicative built form within this FSR limit. The final scheme will be prepared to maximise the GFA available on the site consistent with an FSR of 1.75:1.

A numeric overview of the preferred design concept is provided below in **Table 1**.

Table 1 – Summary of Proposed Development Concept

Element	Proposed
Site area	1287.7m <sup>2</sup>
Building height	15 metres
Car parking	16 spaces
Gross Floor Area (GFA)	1,897m <sup>2</sup>
Floor Space Ratio (FSR)	1.47:1
Built form	3-storey built form; setback from the southern residential boundary interface.

## 5.3. DESIGN DEVELOPMENT

The following factors were influential in developing the proposed concept design for the site:

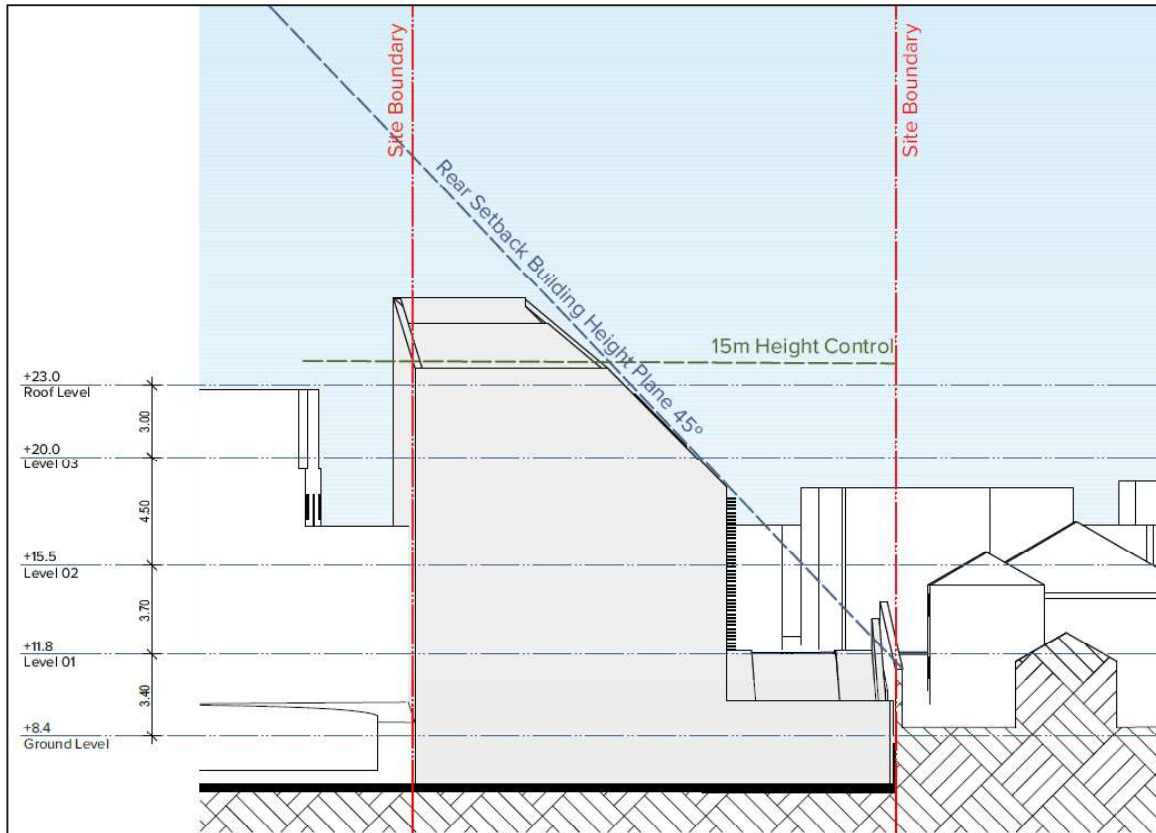
- Burwood Development Control Plan 2012, including the design controls for the Parramatta Road Enterprise Corridor; and
- Proposed Mercedes Benz Car Showroom Development at the adjoining Nissan Dealership Site.

### 5.3.1. Parramatta Road Enterprise Corridor (BDCP)

The proposed scheme has been developed within regard to the Area Based Controls for the Parramatta Road Enterprise Corridor as set out in the Burwood DCP 2012. Specifically, the proposal:

- Includes larger than typical floor to ceiling heights at 3.40 metres- 4.50 metres to encourage activation of the street frontage.
- A 4.2 metre setback to Cheltenham Road to align with the existing Salvation Army Building to the north.
- Nil setback to the adjoining commercial development adjoining the northern site boundary.
- Nil setback to the adjoining proposed Mercedes Benz Car Showroom adjoining the western site boundary.
- 45-degree height plane projected over the site commencing at 1.8m from the southern site boundary adjoining residential development (refer **Figure 10**).

Figure 10 – Indicative Concept Western Elevation



Source: Turner

### 5.3.2. 178 Parramatta Road (Nissan Dealership Site)

In developing the redevelopment concept for the subject site, it has been necessary to consider the proposed development on the adjoining site at 178 Parramatta Road, Croydon that is currently before Burwood Council.

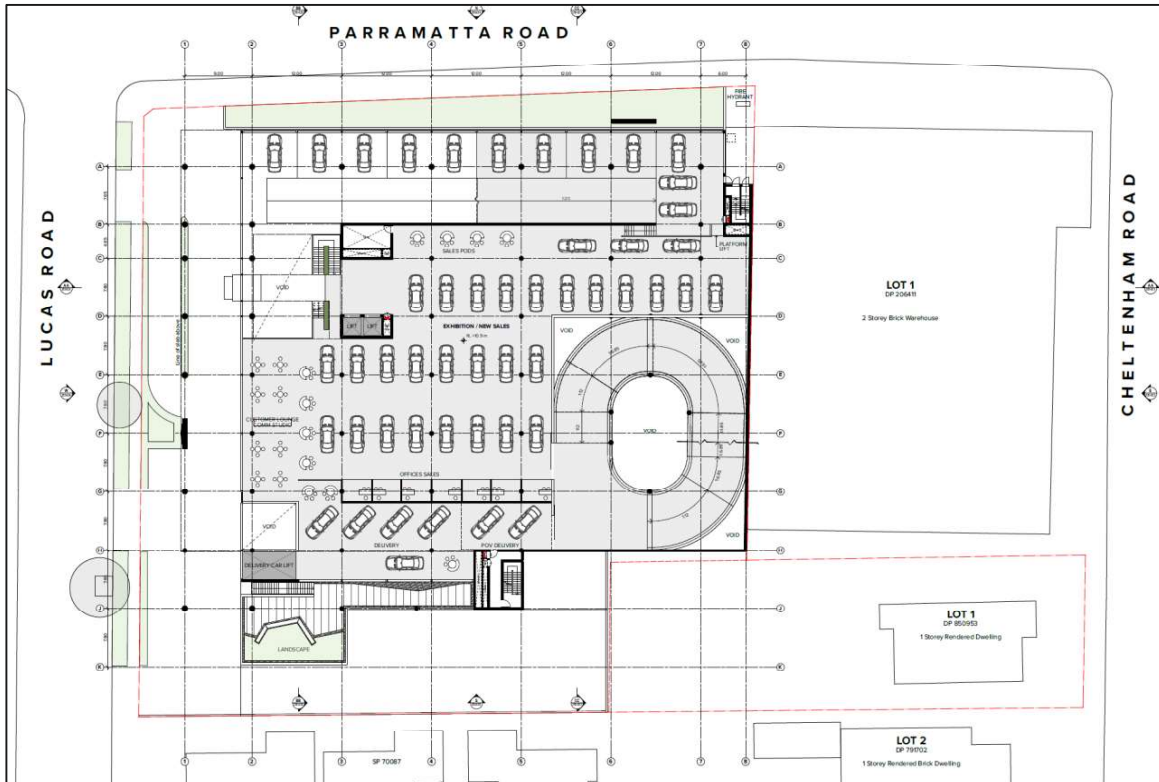
A Development Application (DA) was lodged with Burwood Council on the 3 July 2017 (DA Reference: D/88/2017) seeking approval for the following works:

- Construction of a four storey (reaching a maximum height of 16.5m) car showroom facility comprising ancillary workshop and office uses.
- Vehicular access from three cross overs along Lucas Road and on-site car parking for 260 vehicles including 160- maintenance vehicles, 25- customer spaces and 75- staff spaces.
- Removal of 12 existing trees along the southern boundary of the site and new landscaping throughout the site including along the Parramatta Road and Lucas Road street frontages.
- Installation of four (4) business identification signs and four (4) wayfinding signs.

This process has determined the most appropriate redevelopment concept for the subject site and demonstrates that the proposal can be accommodated on the subject site while complementing and not impacting upon the proposed development.

While the two showrooms will be held under the same ownership structure they are intended to be independent of one another will operate as separate standalone sites.

Figure 11 – Level 01 Floor Plan



Source: Turner

Figure 12 - Perspective – Corner of Parramatta Road and Lucas Road



Source: Turner

## 6. PLANNING PROPOSAL OVERVIEW

This Planning Proposal has been prepared in accordance with Sections 55(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 (August 2016).

Accordingly, the proposal is discussed in the following parts:

- Part 1 – Objectives or intended outcomes
- Part 2 – Explanation of the provisions
- Part 3 – The justification for the planning proposal
- Part 4 – Mapping
- Part 5 – Community consultation
- Part 6 – Project Timeline

Discussion for each of the above parts is outlined in the following chapters.

## 7. PART 1: OBJECTIVES OR INTENDED OUTCOMES

### 7.1. OBJECTIVES

The primary objective of the proposed rezoning is to amend the *Burwood Local Environmental Plan 2012* (BLEP 2012) to provide for:

- Vehicle sales and hire premises and other ancillary commercial land uses as permitted uses on the site; and
- Increased development standards that match the building height and FSR controls that apply to the adjoining B6 zoned land.

The proposed concept proposal has been developed to realise a high-quality car showroom development of the site that will make a meaningful contribution to the growth and enhanced physical quality of the Parramatta Road Corridor. The proposed built form response seeks to promote a taller building form commensurate with the development potential available on the adjoining development sites fronting Parramatta Road under the existing BLEP 2012 controls.

The proposed amendments to the BLEP 2012 controls have the objective of facilitating development which achieves the following:

- A logical use of the land which formalises the existing operation of the site being for commercial uses rather than residential.
- Complements the proposed development at 178 Parramatta Road for a Mercedes Benz Dealership.
- Realises increased density on the site and contributes to job provision without significantly impacting the adjoining residential precinct to the south.
- Supports the urban renewal of the Parramatta Road Corridor which directly abuts the northern boundary of the site.
- Leverages the site's strategic location proximate to the Burwood District Centre and rail and bus networks by providing high levels of accessibility for workers close to homes.
- Realises the redevelopment of the land in a manner consistent with the building height and FSR parameters of the immediately adjoining land.

### 7.2. INTENDED OUTCOMES

The intended outcome of the Planning Proposal is to facilitate the timely delivery of the redevelopment of the site to accommodate a high-quality car showroom that successfully integrates with the emerging context of the immediately adjoining development and broader Parramatta Road Corridor. This is proposed through the following actions:

- Amend the *BLEP 2012 Land Zoning Map* to provide for a B6 Enterprise Corridor Zoning (as shown in **Figure 13**);
- Amend the *BLEP 2012 Height of Buildings Map* to provide for a maximum building height of 15m on the subject site (see **Figure 14**);
- Amend the *BLEP 2012 Floor Space Ratio Map* to provide for a maximum floor space ratio of 1.75:1 on the subject site (see **Figure 15**);

An Indicative Concept Design for future development of the site has been prepared and discussed in **Section 5.1** and accompanies this Planning Proposal in **Appendix B**. However, the scheme will be refined as part of the DA process once the Planning Proposal has been endorsed by Council and the DPI 'Gateway' issue a determination that supports the preparation of an LEP amendment.



## 8. PART 2: EXPLANATION OF PROVISIONS

### 8.1. OVERVIEW

The purpose of the Planning Proposal is to amend BLEP 2012 to allow for a high-quality car showroom or similar development on the subject site. Accordingly, the proposal seeks amendments to the following provisions as they relate to the subject site as specified in the BLEP 2012:

- Land use zoning;
- Height of buildings; and
- Floor space ratio.

The proposed concept design and the requisite LEP amendments represent an invaluable opportunity to manage future development of the site in a logical and comprehensive manner, allowing for the introduction of development infrastructure of a suitable scale and nature. The proposed LEP amendments respond to the emerging pattern of development that surrounds the site (both immediately surrounding land and along the Parramatta Road Corridor). The proposed LEP amendments would facilitate the subsequent lodgement of a development application for the redevelopment of the subject site to Burwood Council.

### 8.2. PURPOSE

The proposed amendments will assist in achieving the following on the subject site and surrounding area:

- Formalisation of the existing operation and use of the site as an ancillary use to the adjoining '*vehicular sales and hire premises*'.
- An improved relationship with the adjoining commercial development to the north and west of the site.
- A high quality built form in the periphery of the Parramatta Road Urban Transformation Corridor.
- The provision of increased density in close proximity to rail and bus transport as well as homes.
- High quality commercial space that caters for the evolving nature of the Parramatta Road Corridor into a vibrant mixed-use corridor.

### 8.3. LAND TO WHICH THE PLAN WILL APPLY

The land that is proposed to be included in the site specific LEP amendment is located at 1-1A Cheltenham Road, Croydon. It is legally described as Lot 1 in Deposited Plan 817488.

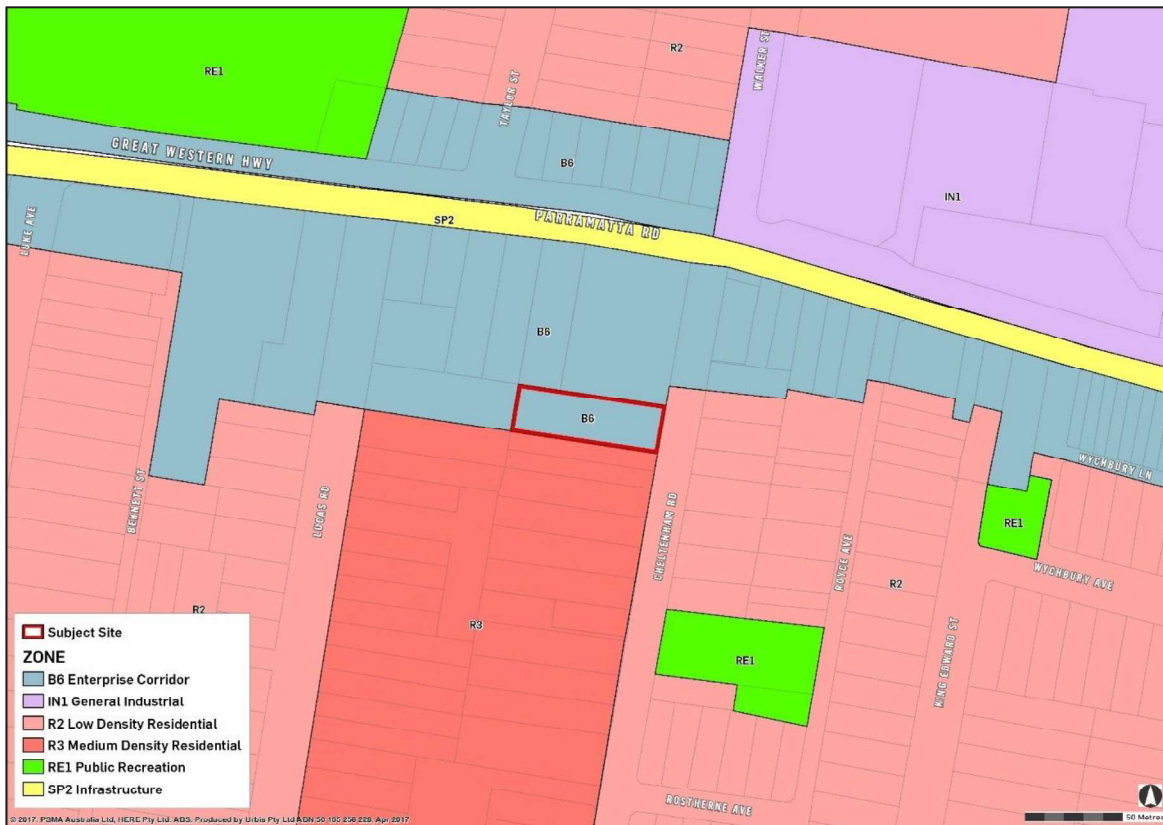
## 8.4. PROPOSED LEP AMENDMENTS

### 8.4.1. Zoning and Land Use

It is proposed to zone the land B6 Enterprise Corridor. This will enable development on the site for the purposes of a *'vehicle sales and hire premises'* and also provide flexibility for the site to also accommodate ancillary commercial uses, if deemed necessary.

The proposed outcome will be achieved by amending the existing Land Use Zoning Map Sheet LZN\_001 of the Burwood LEP 2012 to reflect this B6 zoning, as shown in **Figure 13**.

Figure 13 – Proposed Land Zoning Map Sheet LZN\_001



Source: BLEP 2012, as amended by Urbis

### 8.4.2. Building Height

It is proposed that a 15-metre maximum height control applies to the site. The Indicative Concept Design demonstrates a maximum height of 15 metres with a reduced height toward the southern side boundary consistent with the 45-degree height plane setback control in the Burwood DCP 2012.

The proposed outcome will be achieved by amending the existing *Height of Buildings Map Sheet HOB\_001* of the Burwood LEP 2012 to reflect this maximum height, as shown in **Figure 14**.

Figure 14 – Proposed Height of Building Map Sheet HOB\_001



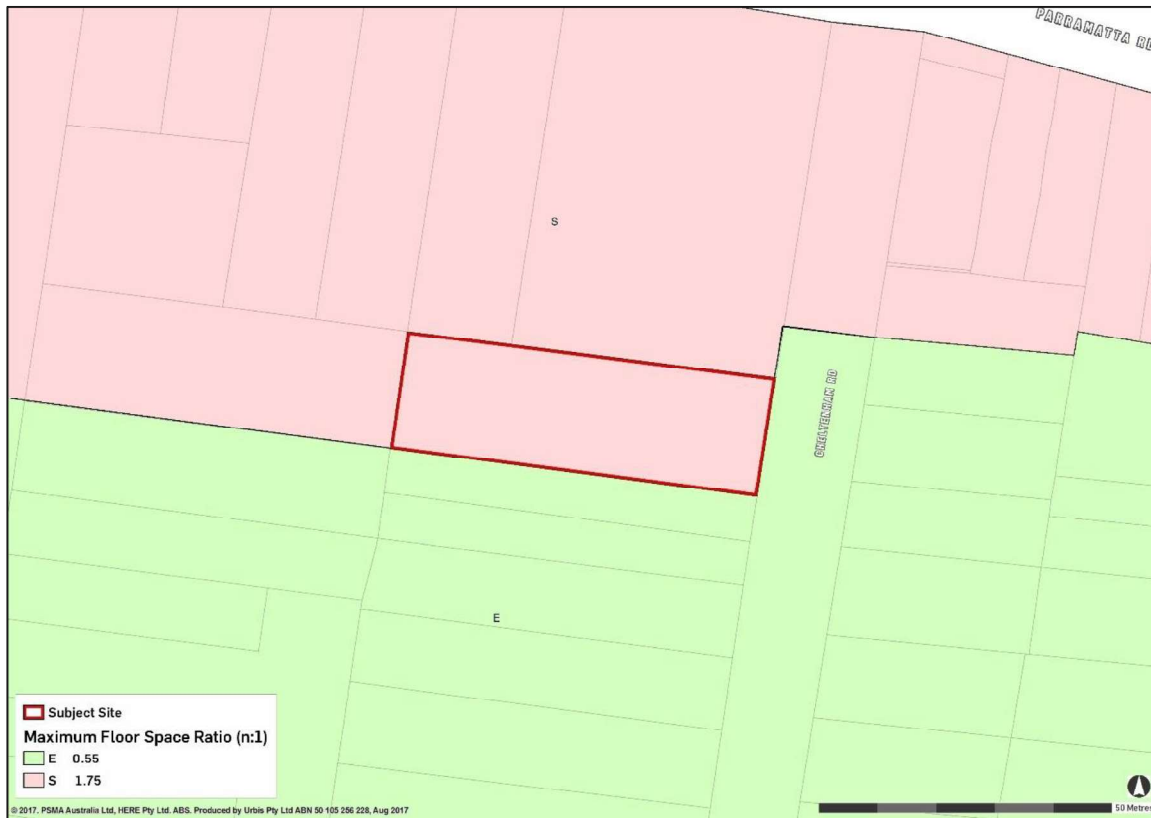
Source: BLEP 2012, as amended by Urbis

### 8.4.3. Floor Space Ratio

It is proposed that a maximum Floor Space Ratio control of 1.75:1 applies to the site, this provides some minor tolerance from the concept scheme maximum FSR of 1.47:1 for changes to the design during design development.

The proposed outcome will be achieved by amending the existing *Floor Space Ratio Map Sheet FSR\_001* of the Burwood LEP 2012 to reflect this maximum FSR, as shown in **Figure 15**.

Figure 15 – Proposed FSR Map Sheet FSR\_001



Source: BLEP 2012, as amended by Urbis

## 8.5. RELATIONSHIP TO EXISTING LOCAL PLANNING INSTRUMENT

It is proposed that BLEP 2012 will continue to apply to the site and will be amended by the site specific LEP.

## 8.6. SAVINGS PROVISION

It is not considered necessary to include a savings provision.

## 9. PART 3: JUSTIFICATION FOR THE PROPOSAL

### 9.1.1. Section - Need for the Planning Proposal

#### Q1. IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The Planning Proposal is not the direct result of a strategic study or report prepared by Council, but is supported by detail analysis within this planning proposal of the benefits of the rezoning, height and FSR amendment.

The strategic merit of the Planning Proposal when considered against the relevant actions and goals of the State Regional, District and Precinct plans (discussed below), demonstrates that the proposal is consistent with strategic policy direction of the site and its locality.

#### Q2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

Yes. Prior to lodging this Planning Proposal the Applicant explored the prospect of whether the site benefited from existing use rights in accordance with Section 106 of the *Environmental Planning and Assessment Act 1979*. A file search of Council's records was undertaken and concluded that there was insufficient evidence and detail to assert the existing use rights case. This prospect was also discussed with senior Council staff and Council agreed that it was not the preferable approach.

Consequently, it is considered the Planning Proposal is the best means of achieving the objectives and outcomes stipulated in this report. The proposed approach is the best, most efficient and most effective approach to delivering this outcome.

### 9.1.2. Section B – Relationship to Strategic Planning Framework

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

The Planning Proposal reflects the importance of Burwood and the Parramatta Road corridor as a strategic and district centre indicated in both metropolitan and district plans. The subject site has the potential to contribute to the economic growth of the region due to its strategic location off Parramatta Road and within a growing centre. The proposal is therefore a direct response to the demand for increased employment and economic opportunities along the Parramatta Road Corridor and Burwood District Centre.

##### A Plan for Growing Sydney (Metropolitan Plan)

Burwood is identified as a 'Strategic Centre' in the current metropolitan plan, *A Plan for Growing Sydney*. The Planning Proposal assists in meeting the objectives and targets of A Plan for Growing Sydney strategy by continuing to develop mixed-use economic activity within proximity to the Parramatta Road corridor.

The proposal is consistent with the following four goals of the Plan:

- Goal 1 – A competitive economy with world class services and transport:
  - The proposal supports the intensification of development in the Burwood Strategic Centre and Parramatta Road Urban Transformation Corridor through expansion of commercial uses.
  - The proposal enables the diversification of economic activity along the Parramatta Road Corridor.
- Goal 2 – A city of housing choices with homes that meet our needs and lifestyles
  - The proposal is consistent with Action 2.2.2 to intensify employment opportunities along the Parramatta Road Corridor and specifically in the Burwood Strategic Centre, and will deliver jobs within proximity to existing centres and transport options.
- Goal 3 – A great place to live with communities that are strong, healthy and connected
  - The proposal will contribute to the revitalisation of the Kings Bay Area within the Parramatta Road Urban Transformation Corridor through diversity in land uses and future redevelopment of the site.
  - The proposal will provide commercial services necessary to support growing densities along the Parramatta Road Corridor.



- Goal 4 – A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources
  - The proposal is consistent with Principle 2 to support stronger economic development in strategic centres to improve the city's productivity and reduce urban sprawl.

The Parramatta Road Corridor is identified as a major project site within the Plan, and a key priority of the plan is to increase economic activity and employment opportunities along the Corridor. The proposal will provide a significant contribution to the desired increase in economic activity on Parramatta Road and specifically increased employment in Burwood.

#### Draft Central District Plan

The Draft Central District Plan outlines key priorities for the growth of the District categorised under three overarching goals; a Productive City, a Liveable City and a Sustainable City.

The proposal is consistent with the priorities outlined in Goal 1, A Productive City, as it will facilitate the continued economic growth and development of the Central District.

- Productivity Priority 1 – Creating opportunities for the growth of commercial floor space
  - The planning proposal supports the growth of the Burwood District Centre through providing employment opportunities and commercial services in a targeted location.
  - Rezoning of the site to a commercial zone will enable the provision of a diverse range of commercial activities to meet the retail and service needs of the community.
- Productivity Priority 3 – Manage growth and change in strategic and district centres, and, as relevant, local centres
  - The proposal attracts jobs in a location which is supported by transport networks, existing urban services and residences. The strategic centre has the capacity to grow and the rezoning of the site will allow the Centre to meet the forecast demand for jobs and services.
  - The concentration of commercial activity along an existing hub on the Parramatta Road Corridor will create a competitive market and increase the net productivity of both the centre and the overall District.
- Productivity Priority 4 – Prioritise the provision of retail floor space in centres
  - The proposal will provide for retail floor space within the Burwood District Centre and enhance the viability and vitality of the centre.
  - Based on the Department of Planning and Environment's projected population growth, the Burwood LGA is forecast to increase from 34,200 to 57,500 over the next 25 years, representing an annual growth of 2.1%. The conversion of floor space to retail is a direct response to the future demand for retail floor space within the area.
  - The proposal presents the opportunity for a commercial land use, generating the potential for a range of business types within the local community.
- Productivity Priority 5 – Protect and support employment and urban services land
  - The rezoning protects and supports employment and urban services land as the future intended use of the site involves a car showroom or similar development, which will attract a range of employment opportunities.

Furthermore, the renewal of Parramatta Road is reiterated throughout the plan as an important economic opportunity. The Planning Proposal takes advantage of this opportunity outlined in the Draft Plan. Despite being located on the periphery of the Strategy area, it is clear the Proposal directly responds to the priorities outlined in the Plan, and will result in a net community benefit.

#### Q4. IS THE PLANNING PROPOSAL CONSISTENT WITH A COUNCIL'S LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN?

##### Burwood 2030

Burwood Council has prepared a local strategic plan that reinforces the key local matters relevant to the LGA. Of relevance to this planning proposal is the strategic goal of a vibrant economic community. The theme aims to *“ensure an economically sustainable and prosperous future in Burwood with a strong network of services that support existing businesses and institutions, and attract new and diverse organisations”*. The Planning Proposal is consistent with Burwood 2030 for the following reasons:

- The strategy aims to promote growth for local business and support Burwood's major centre status through rezoning to a commercial use and increasing height and density along the Parramatta Road corridor.
- The Proposal will enable a proposal which will provide diversity in business services along the Parramatta Road corridor, and improve the standard of shopping precincts along Parramatta Road Corridor. The proposed development will have active street frontages to promote engagement and vibrancy in the public domain.

#### Q5. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The Planning Proposal is consistent with the applicable State Environmental Planning Policies (SEPPs) as summarised in Error! Reference source not found..

Table 2 – Application of SEPPs

SEPP	Consistency	Justification
SEPP 14 – Coastal Wetlands	n/a	Not relevant
SEPP 19 – Bushland in urban areas	n/a	Not relevant
SEPP 21 – Caravan Parks	n/a	Not relevant
SEPP 26—Littoral Rainforests	n/a	Not relevant
SEPP 30 – Intensive Agriculture	n/a	Not relevant
SEPP 33 – Hazardous and offensive development	n/a	Not relevant
SEPP 36—Manufactured Home Estates	n/a	Not relevant
SEPP 44 Koala Habitat Protection	n/a	Not relevant
SEPP 47 – Moore Park Showground	n/a	Not relevant
SEPP 50 – Canal estate development	n/a	Not relevant
SEPP 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	n/a	Not relevant
SEPP 55 – Remediation of Land	Yes	A Phase 1 contamination report will be prepared for the DA stage and any necessary remediation will be carried out in accordance with SEPP 55.
SEPP 62 – Sustainable Aquiculture	n/a	Not relevant

<b>SEPP</b>	<b>Consistency</b>	<b>Justification</b>
SEPP 65 Design Quality of Residential Flat Buildings	n/a	Not relevant
SEPP 70 - Affordable Housing (Revised Schemes)	n/a	Not relevant
SEPP 71 – Coastal Protection	n/a	Not relevant
SEPP (Affordable Rental Housing) 2009	n/a	Not relevant
SEPP - (Building Sustainability Index: BASIX) 2004	n/a	Not relevant
SEPP (Housing for seniors or people with a disability) 2004	n/a	Not relevant
SEPP (Major Development) 2005	n/a	Not relevant
SEPP (Mining, Petroleum production and extractive industries) 2007	n/a	Not relevant
SEPP (Miscellaneous consent provisions) 2007	n/a	Not relevant
SEPP (State and Regional Development) 2011	n/a	Not relevant
SREP (Sydney Harbour Catchment) 2005	n/a	Not relevant
SEPP - (Integration and Repeals) 2016	n/a	Not relevant
SEPP - (Kosciuszko National Park— Alpine Resorts) 2007	n/a	Not relevant
SEPP - (Kurnell Peninsula) 1989	n/a	Not relevant
SEPP – (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal does not contain provisions that will contradict or hinder the application of the SEPP.
SEPP – (Infrastructure) 2007	Yes	There are no relevant considerations in this SEPP with respect to the Planning Proposal.  Consideration of potential traffic impacts by the RMS may be required at a future Development Application phase.
SEPP - (Mining, Petroleum Production and Extractive Industries) 2007	n/a	Not relevant
SEPP - (Miscellaneous Consent Provisions) 2007	n/a	Not relevant

SEPP	Consistency	Justification
SEPP - (Penrith Lakes Scheme) 1989	n/a	Not relevant
SEPP - (Rural Lands) 2008	n/a	Not relevant
SEPP - (State and Regional Development) 2011	n/a	Not relevant
SEPP - (State Significant Precincts) 2005	n/a	Not relevant
SEPP - (Sydney Drinking Water Catchment) 2011	n/a	Not relevant
SEPP - (Sydney Region Growth Centres) 2006	n/a	Not relevant
SEPP - (Three Ports) 2013	n/a	Not relevant
SEPP - (Urban Renewal) 2010	n/a	Not relevant
SEPP - (Western Sydney Employment Area) 2009	n/a	Not relevant
SEPP - (Western Sydney Parklands) 2009	n/a	Not relevant

#### Q6. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S.117 DIRECTIONS)?

Yes. The Planning Proposal has been assessed against the applicable s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 3**.

Table 3 – Section 117 Directions

Direction	Comment
<b>1. Employment and Resources</b>	
<p>1.1 Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p>	<p>The proposal accords with the objectives of this direction as follows:</p> <ul style="list-style-type: none"> <li>• The proposal will permit employment growth on site in an area which is near residences, transport and other commercial uses along Parramatta Road.</li> <li>• The proposal will support and contribute to the economic development of the Burwood District Centre and the greater Sydney region.</li> </ul>

Direction	Comment
(c) support the viability of identified strategic centres.	
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	The proposal satisfies the objectives of this Direction
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not relevant
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	The site has no identified or known items of European or Aboriginal significance, as such the proposal does not require to include provisions
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<p>The proposal is not entirely consistent with the objectives of this direction as it will rezone the land from residential to enable a commercial use.</p> <p>Given the subject site is a single dwelling, has and continues to be used for commercial uses at present and the fact that the locality is planned for substantial housing growth, this proposal will have no negative effect on housing growth objectives and thus deemed to be acceptable.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport	<p>The proposal accords with the objectives of this direction as follows:</p> <ul style="list-style-type: none"> <li>• The site supports the principle of integrating land use and transport.</li> <li>• The site exhibits good access to Burwood and Croydon Railway Stations as well as several bus services.</li> </ul>

Direction	Comment
	<ul style="list-style-type: none"> <li>The proposal will provide additional employment within the Burwood LGA within close proximity to existing services and infrastructure.</li> <li>Contributes to the strengthening of commercial uses along Parramatta Road and clustering of motor dealerships, which will provide convenience for people and reduce small trip generation.</li> </ul>
3.5 Development near licensed aerodromes	Not applicable
3.6 Shooting ranges	Not applicable
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<p>According to the Burwood LEP 2012, the site is located within a Class 5 Acid Sulfate Soils area. However, the Acid Sulphate Soil Rise Map published by the former Department of Land and Water Conservation indicates there is no known occurrence of acid sulfate soils onsite. Furthermore, the sites elevation and geology are not conducive to acid sulphate soils.</p> <p>This will be further explored and documented as part of the Development Application process.</p>
4.2 Mine subsidence and unstable land	Not applicable
4.3 Flood prone land	Not applicable
4.4 Planning for bushfire protection	Not applicable
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking water catchment	Not applicable
5.3 Farmland of state and regional significance on NSW far north coast	Not applicable
5.4 Commercial and retail development along the Pacific Highway, North Coast	Not applicable
5.5 -5.7	Revoked
5.8 Second Sydney Airport	Not applicable



Direction	Comment
5.9 North West Rail Link Corridor Strategy	Not applicable
5.10 Implementation of Regional Plans	The proposal is consistent with this Direction. This proposal outlines an assessment demonstrating the achievement of the objective of this Direction.
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	This is an administrative requirement for Council.
6.2 Reserving Land for Public Purposes	This is an administrative requirement for Council.
6.3 Site Specific Provisions	Not applicable
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	<p>The Planning Proposal is consistent with the aims of the Metropolitan Plan as detailed within this Planning Proposal.</p> <p>The planning proposal is consistent with the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney. This is further discussed at <b>Section 9.1.2</b>.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation	Not relevant
7.3 Parramatta Road Corridor Urban Transformation Study	<p>The site is not located within the Parramatta Road Urban Transformation Strategy Corridor. Notwithstanding, the planning proposal accords to the objectives of this direction as follows:</p> <ul style="list-style-type: none"> <li>• Enables the development of commercial uses along the Parramatta Road Corridor in a higher density built form than currently exists on the site.</li> <li>• The proposal provides a diversity of jobs in an accessible location close to houses and transport.</li> </ul> <p>Considering the subject site falls outside of the Strategy area, there is no requirement for this subject planning proposal to consider or be consistent with the staging and other identified thresholds for land use change identified in the <i>Parramatta Road Corridor Implementation Plan 2016 – 2023</i>.</p>

### **9.1.3. 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 little vegetation. There are no known critical habitats; threatened species or ecological communities located on the site and therefore the likelihood of any negative impacts are minimal.

#### **Q8. ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?**

There are not likely to be any environmental impacts associated with the future development of the land that cannot suitably be mitigated through detailed design. The following sections address the environmental impacts of the Planning Proposal.

#### **Bulk, Scale and Massing of Indicative Design Concept**

The Indicative Concept Design (refer **Section 5**) includes a three-storey boutique car showroom across the site, which achieves consistency with the built form controls for Parramatta Road Enterprise Corridor. In particular, the proposal is built to the northern and western site boundaries and close to the Cheltenham Road street frontage to contribute toward activation. The proposal includes the vehicular driveway along the southern side boundary with the building further setback. Above ground level the building is setback on a 45-degree height plane to the southern boundary to ameliorate impacts to the adjoining residential uses.

#### **Amenity impacts on surrounding properties**

Operational impacts and overshadowing are the two key potential amenity impacts arising from the proposed increase in height and density on the site, and have accordingly guided the appropriate height, bulk and scale for the site.

#### Operational Impacts

The site has and continues to operate as car storage associated with the adjoining Nissan Dealership (refer **Figure 16**).

This Planning Proposal seeks to formalise the existing use of the site. As the Indicative Concept Plans illustrate, the intention is to use this site as a boutique car showroom which will result in similar operational impacts to the existing situation.

Any additional operational impacts will be further considered and appropriately mitigated through design measures at Development Application stage.

Figure 16 – Aerial photograph of site



### Overshadowing

In developing the preferred scheme for the site, consideration has been given to the shadows impacts resulting from the proposed built form. While further refinements will be made at the detailed design stage, the preliminary shadow analysis has shown that properties in the surrounding area will not receive an unreasonable amount of additional overshadowing.

Shadow diagrams at hourly intervals between 9am and 3pm on 21 June (winter solstice) are provided in **Figure 17**. In summary, the shadows demonstrate the existing dwelling house immediately south of the site at 3 Cheltenham Avenue is the most affected property.

The diagrams demonstrate that this property is impacted by shadow between 9am-3pm. However, the shadow is worse during the morning and late afternoon periods. During early afternoon, the shadow impact from the proposed development is less. It is acknowledged that the shadow is generally confined to the northern elevation, with the eastern elevation to Cheltenham Road generally not affected resulting in the dwelling receiving good levels of solar access during the morning period. It is understood that the shadow cast from a compliant 8.5 metre building would also result in a greater level of shadow impact compared to the existing situation. On this basis, the proposed shadow impact is considered acceptable.

Some additional shadow is also cast on the residential dwellings at 12 Lucas Road in the morning period. However, the proposal doesn't affect these dwellings from 12pm onwards. In addition, the residential properties on the opposite side of Cheltenham Road are impacted by shadow at 3pm only.

Figure 17 – Shadow Diagrams



Source: Turner

## Traffic Impacts

A Traffic and Parking Assessment has been prepared by Parking & Traffic Consultants and is submitted at **Appendix C**. The assessment provides a summary of the impact of the potential rezoning on traffic and parking based on the anticipated uses of the site.

### Traffic

The Assessment undertook a traffic generation assessment based on a range of permissible land uses within the B6 zone. Based on the proposed FSR of 1.75:1, the trip generation rates suggest that the proposed rezoning has the potential to generate up to 65 trips during the network PM peak if developed as a major hardware store (worst case scenario), or, a net increase of 60 trips when discounting the potential trip generation of the existing land zone. When considering the 'vehicular sales and hire premise' land use illustrated in the Indicative Concept Design, the trip generation rates are far less being up to 16 trips during the PM peak.

The results of the SIDRA modelling found that Parramatta Road/Walker Street/Cheltenham Road intersection, will overall operate at satisfactory levels (LOS B-C). The Assessment concludes that on this basis the proposed rezoning will have minimal impact upon the overall operation of the intersection.

The Assessment acknowledges that the above conclusions are under the worst-case traffic generation scenario which are not anticipated to eventuate.

### Access

The Indicative Concept Design includes a single vehicular driveway along the southern boundary.

The Assessment concludes that given the property has only 1 road frontage, and that this is not located on a classified road, nor is it anticipated to impact upon the operation of a classified road, access via Cheltenham Road is considered appropriate.

### Parking

In accordance with the Traffic Assessment, an assessment of car parking provision has been undertaken based on a range of permissible land uses. The Assessment concludes that based on an FSR of 1.75:1, a car parking requirement of between 23-68 car parking spaces would be required.

The final car parking provision for the site will be assessed and determined as part of a subsequent DA.

### **Q9. HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?**

The existing development on the site is predominately used as car storage associated with the adjoining Nissan Dealership fronting Parramatta Road. This use is considered to contribute little to the existing and future urban amenity of the streetscape and broader Parramatta Road Corridor. The proposal would reinvigorate the area and promote activation of the streetscape and strengthen the commercial enterprise corridor along Parramatta Road.

The proposal will also contribute toward job provision through the construction and operational phases.

The proposal will generate positive social and economic effects that will be beneficial to Burwood and the broader Sydney central region.

### **9.1.4. Section D – State and Commonwealth Interests**

#### **Q10. IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?**

The Planning Proposal does not significantly alter the infrastructure requirements that would be required when compared to the existing zoning of the site. Several bus routes run in close proximity of the site, and Croydon and Burwood train station is approximately 1.6km and 1.8km respectively from the subject site.

Furthermore, *A Plan for Growing Sydney* indicated the possible investigation of light rail along Parramatta Road, which if completed will complement the existing public infrastructure network.

Upgrades to Parramatta Road as part of the Parramatta Road Urban Transformation Study and the construction of a tunnel from Homebush to Haberfield as part of WestConnex illustrates the adequacy of the future road infrastructure to cater for the rezoning of the site to a commercial use.

#### **Q11. WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?**

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal. It is acknowledged that Burwood Council will consult with relevant public authorities following the Gateway determination.



## 10. PART 4: MAPPING

The Planning Proposal seeks to amend the following BLEP 2012 Maps:

- Land Zoning Map Sheet LZN\_001.
- Height of Buildings Map Sheet HOB\_001.
- Floor Space Ratio Map FSR\_001.

The proposed changes are shown in **Figure 13**, **Figure 14**, and **Figure 15** of this report.



# 11. PART 5: COMMUNITY CONSULTATION

Clause 57 of the *Environmental Planning and Assessment Act 1979* requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning and Infrastructure guidelines “*A Guide to Preparing Local Environmental Plans.*”

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on Burwood Council website.
- Written correspondence to adjoining and surrounding landowners.

In terms of consultation with Council, the proponent has had several meetings with Council staff prior to the lodgement of this Planning Proposal. As per Council's advice this Planning Proposal has been prepared in lieu of relying upon existing use rights in accordance with Section 106 of the *Environmental Planning and Assessment Act 1979*.

## 12. PART 6: PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 9-12 months. An indicative project timeframe is provided at **Table 4**.

Table 4 – Indicative Project Timeline

<b>Milestone</b>	<b>Date</b>
Lodgement with Burwood Council	September 2017
Consideration by Burwood Council	42 calendar days (November 2017)
Council resolution to forward planning Proposal to DPE	December 2017
Planning Proposal referred to Department of Planning and Environment for Gateway Determination	December 2017
Gateway Determination by Department of Planning and Environment	January - February 2018
Commencement and completion of public exhibition	March-April 2018
Consideration of submissions and consideration of the proposal post-exhibition	April- May 2018
Proposal reported back to Council for endorsement	June- July 2018
Date of submission to the Department of Planning and Environment to finalise the LEP	August -September 2018

## 13. CONCLUSION

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 including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal provides a comprehensive justification of the proposed amendment to BLEP 2012, and is supported on the following grounds:

- The Planning Proposal seeks to formalise the existing use of the site as car storage ancillary to the adjoining Nissan Dealership.
- The Planning Proposal is a logical use of the land and is in accordance with the zoning, building height and FSR development standards applying to the immediately adjoining commercial land fronting Parramatta Road.
- The proposal is consistent with the objectives and actions contained in *A Plan for Growing Sydney, the Draft Central District Plan, Burwood 2030 Community Strategic Plan* and the *Parramatta Road Urban Transformation Strategy*. It is also consistent with applicable State Environmental Planning Policies and Section 117 Directions.
- Analysis of the proposed built form impacts namely overshadowing demonstrates that the proposal does not result in any unreasonable environmental impacts. Further consideration will be given to mitigation measures as part of the detailed design process and submitted as part of a subsequent DA.
- Traffic analysis has demonstrated that the proposal will allow for a land use which has minimal impact on the adjoining properties and the surrounding road and intersection network.

Following an extensive analysis of the site and its surrounding context, and applicable State and local planning policies, we submit there is a clear public benefit of proceeding with this Planning Proposal. The Planning Proposal supports the State government's direction of increasing economic activity in major centres and broadening retail land uses in areas with good public transport.

We submit that this Planning Proposal should be favourably considered by Council and that Council resolve to forward it to the Department of Planning and Infrastructure to allow the Department to consider the Planning Proposal for Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act, 1979*.

# DISCLAIMER

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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.

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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      SURVEY PLAN

# APPENDIX B      CONCEPT PLANS



# **APPENDIX C      TRAFFIC AND PARKING ASSESSMENT**

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