



29 June 2018

Ms Amanda Harvey - Director
Department of Planning and Environment
Sydney Region East
GPO Box 39
SYDNEY NSW 2001

Dear Amanda,

**REQUEST FOR REZONING REVIEW OF PLANNING PROPOSAL AT 25-29 MITCHELL STREET,
CROYDON PARK**

- 1.1 This letter seeks a Rezoning Review of a Planning Proposal submitted to Council on or around the 23 March 2018. The request has been lodged as Council has failed to indicate its support within 90 days of lodgement and the Planning Proposal was accompanied by the required information.
- 1.2 The current Planning Proposal was submitted to Auburn Council to seek amendment of the Burwood LEP 2012 to amend the zoning, permit additional uses and increase the Maximum Building Height and Maximum Floor Space Ratio Maps. All changes are summarised in the table below:

Burwood LEP Control 2012	Existing	Proposed
Zone	Part R1 General Residential and Part R2 Low Density Residential	All R1 General Residential
Schedule 1 Additional Permitted uses	-	Restaurants or cafes and shops
Height	8.5m and 11m	22m
Floor Space Ratio	0.55:1 and 1.2:1	1.6:1 Non-residential uses are restricted to a maximum floor space ratio of 450m ² .

- 1.3 The Planning Proposal has been prepared in conjunction with Stanisic Architects who prepared an Urban Design Report and concept to identify the likely distribution of height and floor space across the site in accordance with the applicable planning controls.
- 1.4 The Planning Proposal is a direct result of a further fine grain urban design study and density increases in line with recent State Government strategies and policies. The proposal will achieve a better outcome on the site with the introduction of small scale retail shops and or cafes to Mitchell Street, with a publicly accessible forecourt and a landscaped through site link that will be publicly accessible encouraging pedestrian access from Tangarra Street to the park.
- 1.5 The Rezoning Review request has been prepared in accordance with Section 5.1 of “*A guide to preparing local environmental plans*”. This request provides background information and summary of the proposal, as well as strategic and site-specific merit assessment of the proposal.
- 1.6 The following documents accompany this Rezoning Review request:
- Rezoning Review Application;
 - Cheque for \$20,000;
 - Planning Proposal Report prepared by LJB Urban Planning dated 14 March 2018;
 - Traffic and Parking Assessment prepared by Varga Traffic Planning dated 15 February 2018;
 - Urban Design Report prepared by Stanisic Architects dated 1 March 2018; and
 - Phase 1 Contamination Report prepared by Douglas Partners dated January 2018.

1. Site Context and Background

Site Context

- 1.7 The subject site is located in the local government area of Burwood City Council.
- 1.8 It is known as 25-29 Mitchell Street, Croydon Park and its real property description is:
- Lot 101 DP 737342
 - Lot 23 DP 774159
- 1.9 The subject site has frontage to Mitchell Street to the north of 63.3 metres and frontage to Tangarra Street East to the south of 67.09 metres. The central portion of the site extends to the west creating a T shaped site. The site has a total area of 1.9 hectares (19,269m²).
- 1.10 The subject site is currently owned and operated by Flower Power and includes the Flower Power Nursery, Fruit Shop, Pet Shop and Cafe. In addition, there is a single dwelling on the Mitchell Street frontage.
- 1.11 The site is nestled in a residential precinct. The relationship of the site and the surrounding area is shown in the following aerial:



- 1.12 To the north of the site is Henley Park, a large public park which offers excellent access to passive and active recreation for residents in Burwood and Croydon Park. The park includes Enfield Swimming Centre to its north.
- 1.13 To the east of the site, off Stanley Street, is existing low density residential housing, comprising a range of one and two storey dwellings.
- 1.14 To the south of the site is a continuation of the low density residential area. Comprising a mix of one and two storey dwellings.
- 1.15 To the west of the Tangarra Street East frontage is a medium density residential development comprising 3 storey walk up flats contained within 4 separate buildings.
- 1.16 To the west of the units is the Council Depot site which contains a series of warehouse buildings. This site has also been rezoned under Burwood LEP 2012 from Industrial to R1 Residential.
- 1.17 Further to the west of the Council Depot site are low density residential allotments.
- 1.18 To the west along Mitchell Street are low density residential dwellings with direct visibility of Henley Park.

Background

- 1.19 A Planning Proposal was previously prepared by the owner to amend the zoning, FSR and height of part of the site under Burwood Local Environmental Plan 2012. The amendment to the LEP was gazetted on 16 December 2016. The amending LEP included the following amendments to BLEP 2012:
- Rezoning of the subject site from part R2 Low Density Residential and part IN2 Light Industrial to part R1 General Residential, with the part R2 Low Density Residential retained along Mitchell Street; and
 - Amendment of the Maximum Building Height to 12m and Maximum Floor Space Ratio to 1.2:1 across the rezoned land.
- 1.20 The current Planning Proposal has evolved from further urban design refinement resulting in a better planning outcome from surrounding residential uses and existing public open space. It also permits additional residential housing and small scale shops to support the surrounding area.

2. EXPLANATION OF THE PLANNING PROPOSAL

- 2.1 The Planning Proposal sought Burwood Council's support for the following amendments:
- Rezone the R2 Low Density portion of the site to R1 General Residential;
 - Permit additional permitted uses on the site including restaurant or café and shops;
 - Increase the FSR across the site to 1.6:1;
 - Permit a maximum non-residential GFA of 450m²; and
 - Increase the height across the site to 22 metres.
- 2.2 Stanasic Architects prepared an Urban Design Study that contains detailed analysis and justification for the proposed amendments to the zoning, floor space ratio and height controls on the subject site and should be read in conjunction with this Planning Proposal.
- 2.3 The Urban Design report demonstrates that an increased height and floor space ratio can be achieved on the site, consistent with the strategic vision for Burwood while ensuring the development will be of an appropriate bulk and scale, without adversely affecting adjoining sites by way of bulk and scale, overshadowing and privacy. It will enable the provision of a through site link to Henley Park and ensures that superior landscaping is provided throughout the development.
- 2.4 The Stanasic Architects Urban Design study has had greater consideration of the existing built form and existing conditions on site. It seeks to improve the connectivity of the site with the surrounding public domain and provide a greater sense of community interaction with the inclusion of a publicly accessible forecourt along Mitchell Street, publicly accessible through site link and retail uses to replace the current retail uses on the site.
- 2.5 The study considered a series of massing studies that determined the most appropriate envelope based on a distribution of heights across the site, integration with the existing and future streetscape as well as providing usable open space to improve activity around and across the site, particularly along Mitchell Street.

2.6 The recommended building envelopes are detailed in the following images:



2.7 The intended design outcome and treatment of the retail forecourt and through site link are identified in the following indicative perspectives:



VIEW 1: NORTHERN FORECOURT, SHOPS AND PEDESTRIAN WAY



VIEW 2: THROUGH SITE PUBLIC PEDESTRIAN WAY

- 2.8 The reference design accompanying the Planning Proposal positions buildings away from the southern boundaries and distributed height across the site to ensure a high level of solar access for

future residential units, private open space and communal open space. The design transitions building height and provides sufficient setbacks to respond to the existing uses and scale of buildings surrounding the site.

- 2.9 Sturt Noble Associates have prepared an architectural Landscape Plan (an annexure to the Urban Design Report prepared by Stanasic Architects) that highlights the substantial landscape qualities that can be incorporated into a future proposal.
- 2.10 The landscape design intent for the site is to achieve 'buildings among the gardens' which reflects the existing use of the site and maintaining a homage to its current use. The importance of the landscape treatment is also reflective of the sites location and proximity to Henley Park.
- 2.11 The proposed network of publicly accessible and private pathways throughout the site will be clearly delineated and provide the opportunity for outdoor seating, outdoor dining, outdoor exercise facilities, community gathering spaces and water features.
- 2.12 Overall, the built form and landscaping concepts demonstrate that the proposed density and heights as well as uses will result in a desirable outcome for the locality.

3. Merit Assessment

Strategic Merit Test

- 3.1 The Planning Proposal will satisfy the strategic merit test as demonstrated below:

Is the Planning Proposal consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment;

- 3.2 The position of the site is within very close proximity to the Burwood Town Centre. The additional housing provisions are located in an area that can achieve the '30 minute city' objective of the recently endorsed *Greater Sydney Region Plan 2056 – A metropolis of Three Cities*.
- 3.3 The addition of non-residential floor space, which is limited to 450m², will enhance the public domain and improve connectivity through the site with the provision of local services, which will not affect the viability of any nearby centres due to the recommended cap.

A Plan for Growing Sydney (applied at time of lodgement)

- 3.4 This plan seeks to provide new housing that will be located close to jobs and public transport. It is expected that the population of Sydney and surrounds will grow by 1.6 million requiring 664 000 new homes by 2031. The Plan seeks to guide planning for the next 20 years.

- 3.5 There are four goals to establish the direction for the future planning of Sydney and the Planning Proposal can satisfy each as outlined below:

Goal 1: A competitive economy with world-class services and transport.

- 3.6 One of the key directions of this goal is to grow strategic centres, like Burwood, by providing jobs closer to home. Both the State Government and Greater Sydney Commission will work with Burwood Council to develop job targets. In addition, future residents can access Burwood Centre within 13 minutes and can also go on to connect to Parramatta with an 18 minute train ride or Sydney CBD with a 12 minute train ride. This is consistent with the State Government's current vision of a '30 minute City'.

- 3.7 The provision of additional housing in this location is appropriate.

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.

- 3.8 This increased density across the subject site will accelerate housing supply within the Burwood LGA and provide increased housing choice for future residents and key workers within close proximity to the Burwood strategic centre. The Planning Proposal is consistent with Direction 2.1 and Action 2.1.1 of the plan in this respect.

- 3.9 The increased density across this site will increase housing choices and lifestyle requirements, which have changed in recent years, allowing people to live in an area that has improving accessibility to employment, services, parks, education, transport and employment.

Goal 3: A great place to live with communities that are strong, healthy and well connected.

- 3.10 The Planning Proposal will achieve Direction 3.1 *Revitalise Existing Suburbs* through the provision of additional housing combined with non-residential uses and improved connections across the site, which will create opportunities for social interactions.

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

- 3.11 The provision for increased housing in an urban area will alleviate the pressure to develop on the urban fringe which has occurred under previous Metropolitan Plans. This is an encouraging action that will assist in meeting this goal.

Greater Sydney Region Plan

- 3.12 The regional plan incorporates 10 guiding directions to create a greater Sydney by 2056. The Plan provides a broad vision with detailed strategies and actions to create a global metropolis of three cities. The subject site is located within the 'Eastern City Harbour'.

- 3.13 The proposal will satisfy the following objectives of the Plan:

a) *Objective 10 - Greater Housing Supply*

- 3.14 The Planning proposal satisfies the objective through the provision of infill development within an existing urban area in close proximity to jobs and services.

b) Objective 11 - Housing is More Diverse and Affordable

- 3.15 The additional housing will provide for more diverse housing choice for future residents all within '30 minutes' of the Burwood Town Centre, Parramatta and Sydney CBDs. This is a significant goal within the current Plan.

c) Objective 12 - Great Places that bring people together.

- 3.16 The Urban Design Report demonstrates that a future concept has the ability to create a fine grain urban form with improved pedestrian connectivity. The proposed non-residential floor space will provide for some local shops/services and this will assist in activating the forecourt and creating the opportunities for greater social interaction.

d) Objective 14 - A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.

- 3.17 The site is located within the '30 minute city' concept and will achieve this objective. Croydon Park has regular bus services that will enable access to the strategic centre of Burwood within 13 minutes. Fast trains then provide train services from Burwood to both the Sydney CBD and Parramatta CBD as well; this Planning Proposal is consistent with this Objective.

e) Investment and business activity in centres.

- 3.18 The Plan will see further investment and job creation within the Burwood Town Centre. The provision of additional housing on the site will support the increasing employment opportunities and further support the '30 minute city' goal.

Eastern City District Plan

- 3.19 The Eastern City District Plan seeks to implement the directions established within the Greater Sydney Region Plan 2056. It seeks to ensure that the district is developed in accordance with the 'three cities' approach to improve social, economic and environmental conditions.

- 3.20 The Planning Proposal is consistent with the planning priorities within the district plan as outlined below:

a) Planning Priority E1 - Planning for a City Supported by Infrastructure.

- 3.21 The existing infrastructure including roads, open space and transport services is able to adequately service the additional units anticipated by this Planning Proposal.

- 3.22 The 450m² of non-residential uses will support the future residents as well as existing residents.

- b) *Planning Priority E3 - Providing Services and Social Infrastructure To Meet Peoples Changing Needs*
- 3.23 The additional dwellings will result in more 'universal housing' being provided within the locality to enable older people to remain in their homes for longer.
- c) *Planning Priority E4 - Fostering Healthy, Creative, Culturally Rich and Socially Connected Communities.*
- 3.24 The provision of a through site link and significant landscaping will provide the community with an improved public domain outcome that will benefit the wider community. When combined with the non-residential uses, there will be much improved pedestrian connectivity and higher probability of social interaction. The Planning Proposal can achieve this Planning Priority.
- d) *Planning Priority E5 - Providing Housing Supply, Choice and Affordability with Access to Jobs and Services.*
- 3.25 A further 89 dwellings are likely based on the accompanying urban design concept plan. The increased density will provide housing diversity and housing choice for seniors and more affordable homes for young people. Given the proximity to Burwood strategic centre and then the Sydney CBD and Parramatta CBD the Planning Proposal satisfies this planning priority.
- e) *Planning Priority E6 - Creating and Renewing Great Places and Local Centres and Respecting the District's Heritage.*
- 3.26 The proposal will improve the liveability of future residents by providing additional housing within a '30 minute city', with Burwood Town Centre accessed within 13 minutes from the site. The Burwood Town Centre also has a growing night economy being recognised as a dining and night-time precinct. The proposal will assist in renewing and growing the great suburb of Corydon Park.
- f) *Planning Priority E10 - Delivering Integrated Land use and Transport Planning and a 30 Minute City.*
- 3.27 The proposal achieves the '30 minute City' model. The site is located within a 13 minute walk and bus trip from Burwood strategic town centre and a '30 minute City' is achievable for connections to Sydney CBD and Parramatta CBD, subject to waiting times between bus and train connections. The additional residential accommodation will enable homes closer to jobs.
- g) *Planning Priority E17 - Increasing Urban Tree Canopy and Delivering Green Grid Connections.*
- 3.28 The accompanying Urban Design prepared by Stanasic Architects illustrates that a 'greener' development is achievable through the provision of significant landscaping contributing to an increased on 'urban canopy'.

Is The Planning Proposal Consistent with a relevant local strategy that has been endorsed by the Department?

Burwood 2030

- 3.29 Burwood 2030 is the Council's community strategic plan. It was prepared in June 2011. The plan focuses on the outcomes Burwood Council would like to achieve over the next 20 years. The Plan establishes the long-term vision for Burwood Council as:

A well connected, sustainable and safe community that embraces and celebrates its culture and diversity

- 3.30 The strategy provides five themes and goals for Burwood City. The Planning Proposal will satisfy the relevant goals as follows:

a) *A Sense of Community*

- 3.31 The provision of the through-site link, small scale retail uses and connection for Tangarra Street residents to Henley Park will provide for improved social interaction, which assists in building a community.

b) *A Sustainable Natural Environment*

- 3.32 A future development will achieve environmental and energy targets and the improved landscaping across the site will enhance the natural environment further.

c) *Accessible Services and Facilities*

- 3.33 Provision of off-street parking and combination of residential uses as well as local retail will improve facilities for both future and current residents.

d) *A Vibrant Economic Centre*

- 3.34 By facilitating more residential development in an area that is well serviced by public transport and the potential to support the increased employment demands within the Burwood Town Centre.

Is the Planning Proposal responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls?

- 3.35 The Burwood LEP 2012 was adopted prior to Greater Sydney Region Plan. As outlined above the Planning Proposal seeks to provide for additional housing within close proximity to Burwood Town Centre.

- 3.36 The changing demographics, within the current regional plan, have not been formalised within the current LEP. The proposal is responding to likely demographic change that will provide for additional housing within an achievable '30 minute city' due to the sites location.

4. Site Specific Merit

- 4.1 The proposed Planning Proposal will satisfy the site specific merit test, having regard to the following:

The natural environment (including known significant environmental values, resources or hazards)

- 4.2 The site has not been identified as having significant environmental values nor is known to contain any significant resource.
- 4.3 A Phase 1 contamination report accompanies this review and has determined that the site is capable of being made suitable for the intended residential use.
- 4.4 There are no other environmental hazards that affect the site.

The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal;

- 4.5 Currently the site used for a garden nursery operated by Flower Power as well as various ancillary uses including: a fruit and vegetable store and pet shop. The previous rezoning of land will enable residential development across the site.
- 4.6 However, the Planning Proposal seeks to extend the R1 General Residential zoning across the entire site replacing the portion currently zoned R2 low density along Mitchell Street. In addition, it seeks to insert an 'additional permitted use' on the site under Schedule 1 of the Burwood LEP 2012 to allow for restaurants or cafes and shops at ground level adjacent to the forecourt of the through site link at the northern end of the site.
- 4.7 The surrounding uses in close proximity to the site are predominately residential with a mixture of lower density detached dwelling and medium density walk-up units.
- 4.8 It is not likely that the surrounding land uses will seek to redevelop for any other purposes other than residential.
- 4.9 The proposed changes under the Planning Proposal combined with the increase in height up to 22 metres in parts and floor space ratio of 1.2:1, will result in a higher density development compared to the surrounding land uses, however, the accompanying Urban Design Reports demonstrates that there will be no adverse impacts for adjoining properties.
- 4.10 The likely development is appropriate on this site as outlined in the accompanying Stanasic Architects Urban Design Report. It demonstrates that appropriate setbacks combined with the proposed building layout and massing envelope approach enables flexibility for a future building design that will have the potential to achieve design excellence and construction of a high quality architectural built form with the integration of landscaping to enhance community connectivity.

- 4.11 The building height varies across the site to ensure solar access and privacy is maintained to adjoining properties. The heights will vary from between 3 storeys and 6 storeys and have been appropriately positioned within the landscaped network of spaces surrounding the buildings.
- 4.12 The additional density and non-residential uses are an appropriate land use that will further enhance social interaction and connectivity from Tangarra Street through to Henley Park. The provision of non-residential uses will be a positive outcome that can further support the local residents and assist in building the community.
- 4.13 Overall, the proposed amendments to Burwood LEP 2010 have site-specific merit.

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

- 4.14 The site is within a 400m of Burwood Road which has regular bus services that will enable access to the strategic centre of Burwood within 13 minutes. Fast trains then provide train services from Burwood to both the Sydney CBD (12 minute train ride) and Parramatta CBD (18 minute train ride) as well. This is consistent with the State Government's '30 minute City' approach within the Greater Sydney Region Plan.
- 4.15 The site is well serviced by public transport and located in close proximity to public open space. The proposed increase in density will not alter the infrastructure needs for the area. Any augmentation of services as a result of the minor increase in density will be determined and committed at Development Application stage.
- 4.16 Any future development application will be subject to Council's Section 94A Contribution Plans.
- 4.17 Given the minor increase in density sought by the Planning Proposal, no financial arrangement for infrastructure provision is required.

5 Conclusion

- 5.1 This letter has been prepared to accompany a Rezoning Review Request to the Department of Planning and Environment. It relates to a Planning Proposal at 25-29 Mitchell Street, Croydon Park.
- 5.2 The proposed changes will enable additional housing to be provided, which is ideally positioned close to public transport and within 30 minutes of the Burwood strategic centre and even the Sydney CBD and Parramatta centre, subject to wait times for connecting services.
- 5.3 The inclusion of up to 450m² of non-residential floor space will assist in increasing social interaction within the community and will provide for local amenities' of existing and future residents.
- 5.4 As discussed above and within the accompanying documentation, the proposed setbacks, building heights and landscaping within the accompanying concept demonstrates an improved urban design outcome with no detrimental effect to adjoining residential properties by way of shadow, scale and privacy.

- 5.5 It is concluded that the proposed Planning Proposal has strategic and site-specific merit and the support of the Panel is sought to enable the proposal to proceed to Gateway Determination.
- 5.6 Should you wish to discuss this matter further please contact Larissa Brennan on 0414730842 or via email larissa@ljbplanning.com.au

Yours sincerely



Larissa Brennan
Director
LJB Urban Planning Pty Ltd