

Report by Roger Brook, Strategic Planning Co-ordinator

RECOMMENDATION

- 1. That Council undertake a survey of all of the landowners in the Smallwood Avenue precinct to further investigate the community's view in relation to supporting a change of zoning from R4 - High Density Residential and B4 Mixed Use to R2 - Low Density Residential through the preparation of a Planning Proposal.**
- 2. That a further report be presented to Council for consideration following the results of the landowner's survey.**

PURPOSE OF REPORT

- To inform Council that submissions have been received following the gazettal of Strathfield Local Environmental Plan (LEP) 2012 requesting Council to prepare a Planning Proposal to amend the zoning of the Smallwood Avenue precinct from R4 - High Density Residential to R2 - Low Density Residential and associated height and floor space ratio controls.
- To seek Council's endorsement to further investigate the views of all the landowners before a decision is made whether to prepare and commence the planning proposal process regarding the Smallwood Avenue precinct.

REPORT

Background

The draft LEP as publicly exhibited in February/March 2012 proposed to zone the Smallwood Avenue precinct from Low Density Residential to B4 - Mixed Use & R4 - High Density Residential. The Smallwood Avenue precinct includes the properties 6 - 32 & 11 - 35 Smallwood Avenue, 50 - 53 Loftus Crescent and 19 Bridge Road, Homebush.

Based on the issues raised by the community in their submissions Council resolved at the 24 July 2012 (adjourned 31 July) meeting to revert the subject area back to the existing equivalent controls under the Strathfield Planning Scheme Ordinance i.e R2 - Low Density Residential and associated height of 9.5m and FSR controls (between 0.65:1 - 0.50:1).

Council forwarded the draft LEP (s68 submission) with the Council endorsed amendments to the Department of Planning and Infrastructure (the Department) in August 2012 with a request to make the plan (gazettal). This included zoning the Smallwood Avenue precinct as R2 - Low Density Residential.

On 29 November 2012 the Department sent Council confidential correspondence indicating that it did not support a number of Council post exhibition amendments to the draft LEP including the precinct identified above.

This matter was discussed at a closed session of Council on 18 December 2012 and on 19 December 2012 Council sent correspondence to the Department indicating its concerns and

objecting that the Department was proposing to overturn Council resolutions and local planning considerations in relation to the above sites.

On 15 March 2013 the Department notified Council that the Strathfield LEP 2012 had been gazetted and came into effect on 29 March 2013. The gazetted LEP changed the zoning of the Smallwood Avenue precinct from R2 - Low Density Residential to R4 - High Density Residential and B4 - Mixed Use, despite Council's objections to the Department on this and other matters.

Requests to Prepare a Planning Proposal

Since the gazettal of Strathfield LEP 2012 in March 2013, Council has received 13 submissions from residents on Smallwood Avenue and Loftus Crescent. The submissions are requesting Council to prepare a potential Planning Proposal as an amendment to Strathfield LEP 2012 to change the current zoning for 11 – 35 & 6 – 32 Smallwood Avenue, 50-53 Loftus Crescent and 19 Bridge Road precinct from R4 - High Density Residential to R2 - Low Density Residential with the associated height and FSR controls.

The general issues raised by residents in their submissions to support their proposal include loss of character, streetscape, traffic congestion, narrow streets, parking issues, lack of adequate infrastructure, lack of public transport, lack of green space, stormwater implications, difficult emergency access, increased crime, loss of privacy due to overlooking, increased noise and pollution.

Community Survey

As preparing and lodging Planning Proposals are a time and resource intensive process, before Council considers this matter it is important for Council to have a balanced representation of the local landowners.

To date 13 submissions have been received which represent approx 41% of the views of the 32 landowners in the precinct, which means that the views of the remaining 59% have not yet been tabled or considered.

It is therefore recommended that Council survey all landowners in the precinct not just those who recently made submissions in regard to zoning in the gazetted LEP 2012.

It is proposed that the survey is to involve Council consulting with each landowner to complete and sign a survey form. The results of the survey will assist Council in determining whether or not it should allocate the time and resources to proceed with the preparation and commencement of a Planning Proposal that seeks the Department's approval to change the Smallwood Avenue Precinct zoning.

REFERRAL FROM OTHER DEPARTMENTS

No referral was required.

FINANCIAL IMPLICATIONS

There are no financial implications.

Report approved by:

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A/Manager Strategic Planning	A/Director Technical Services