

# (ITEM 67/15) INVESTIGATE PLANNING CONTROLS FOR THE NORTHERN SIDE OF LIVINGSTONE STREET AND SYM AVENUE BURWOOD

File No: 15/20223

REPORT BY DEPUTY GENERAL MANAGER LAND, INFRASTRUCTURE AND ENVIRONMENT

## Summary

Council Officers have investigated the planning controls for Livingstone Street, Sym Avenue and the surrounding area. It is recommended that a survey of land owners be conducted concerning options of rezoning and development standards, and that results of the survey be workshopped with Councillors prior to any Planning Proposal being initiated.

## Background

It was resolved at the Council Meeting of 8 December 2014:

*That the General Manager investigate the possibility of moving the Burwood Town Centre boundary to include the northern side of Livingstone Street, Burwood and a report be submitted back to Council.*

The above resolution was carried following Council's approval of a Development Application (DA) for a mixed commercial and residential development of six and four storeys at No. 44 Belmore Street, Burwood. Council received 11 submissions to the DA mainly in relation to impacts of the proposed development on properties on the northern side of Livingstone Street.

Sym Avenue is off the northern side Livingstone Street, as such, should be included in the investigation.

## Investigation

### Current Planning Controls

The zoning, maximum Building Height and maximum Floor Space Ratio (FSR) controls for the subject land and adjoining areas under the Burwood Local Environmental Plan (BLEP) 2012 are shown on the map below.



The above map reveals that the subject land adjoins the Burwood Town Centre to the north and east, and is adjacent to an R1 General Residential Zone to the west. These adjoining areas are subject to much greater Building Height and FSR limits under the BLEP 2012.

## Heritage Status

The map below shows the heritage items in the subject and surrounding areas.



There are four heritage items in Livingstone Street, two on the northern side and two on the southern side. A further property on the northern side has been nominated by a community group for investigation as a potential heritage item. The nearby streets also contain several heritage items.

## Existing Streetscape Character

The tree-lined Livingstone Street features predominantly single storey dwelling houses. Sym Avenue contains single storey dwelling houses only. Both streets are included on the map titled *Streets and Sites subject to Building Appearance and Streetscape Provisions* in the Burwood Development Control Plan, for being recognised as having a quality building appearance and streetscape character which should be maintained.

## Interface with Burwood Town Centre

It is evident that the high rise developments in the Burwood Town Centre can be seen from the properties in Livingstone Street and Sym Avenue. These developments provide a stark backdrop.

The photo below shows the contrast of a multi-storey development in Belmore Street and the single storey dwelling houses in Sym Avenue. This is what properties in Livingstone Street would be confronted with when the southern side of Belmore Street is developed.



View of Sym Avenue Burwood

### **Consultation**

Council's Strategic Planners met with the Deputy General Manager – Land, Infrastructure & Environment and the Manager Building and Development before writing this report. No external consultation has been undertaken at this stage.

### **Planning or Policy Implications**

A Planning Proposal (PP) is required to be prepared to amend the BLEP 2012, should Council decide to rezone, and/or change the development standards for the subject land.

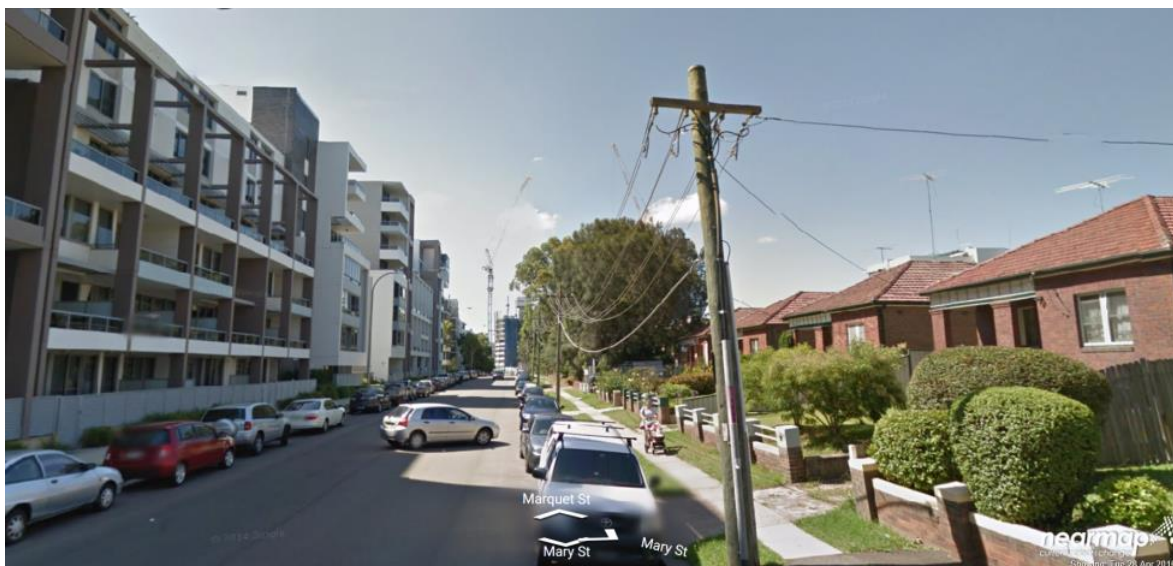
The arguments for a rezoning and/or increasing the Building Height and FSR standards for the subject land include:

- Livingstone Street forms a logical division between the higher and the lower density areas than the current midblock division between Belmore Street and Livingstone Street.
- Despite the Building Height Plane control in the BLEP 2012 and setback controls in the Burwood Development Control Plan (BDCP), it is difficult to address the amenity issues at the interface between the developments which are subject to much different development standards.
- The subject land is bounded by an area with 15m maximum height (or five storeys) and 2:1 maximum FSR to the north, an area with 30m maximum height (or 10 storeys) and 3:1 maximum FSR to the east and an area with 14m maximum height (four to five storeys) and 2:1 maximum FSR to the west. These surrounding developments would 'overlook' the subject land, causing privacy impacts.
- The subject land could provide a transition between the higher density areas to its north, east and west and the low density area further south.

The arguments against a rezoning and/or increasing the Building Height and FSR standards for the subject land include:

- Redefining the Burwood Town Centre boundary would have flow-on impacts on the properties on the southern side of Livingstone Street.
- Building character changes with a midblock division would usually be less obvious from the public domain. The photo below shows contrasting building characters with a street division.





A street showing a different building character on each side (not in Burwood LGA)

- Upzoning the subject land would not help conserve the existing heritage items in Livingstone Street.
- The streetscape character of Livingstone Street and Sym Avenue would change completely.
- Since new development takes time, there is expected to be a period where some of the existing low density housing is impacted by denser development adjacent.

In view of the above, a survey of land owners in Livingstone Street and Sym Avenue would be appropriate to gauge their opinion concerning the planning controls for the subject land. Outcomes of the survey will inform any recommendation by Council Officers and any decision by Council.

### **Options**

In the survey, the land owners could be provided with several options as follows:

- Option 1 – No change to the planning controls for the subject land.
- Option 2 – Rezone the subject land to R1 General Residential, with a maximum Building Height of 14m (four to five storeys) and a maximum FSR of 2:1, to match the development standards of the land to the west.
- Option 3 – Rezone the subject land to R1 General Residential, with a maximum Building Height of 11m (three storeys) and a maximum FSR of 1.5:1, to provide a transition.
- Option 4 – Rezone the subject land to R1 General Residential, with a maximum Building Height of 8.5m and a maximum FSR of 1:1. These controls would allow two storeys terrace style housing with lofts or dormer windows incorporated. This option would be more compatible with the character of properties on the southern side of Livingstone Street.
- Option 5 – Rezone the subject land to B4 Mixed Use, with a maximum Building Height of 15m (five storeys) and a maximum FSR of 2:1, to match the development standards of the land to the north. This option will extend the Burwood Town Centre boundary to Livingstone Street. Mixed development would be permitted, and development therein could be subject to the higher contribution levy of 4%. The Building Height Plane control under the BLEP 2012 currently applying to the midblock division could be removed and/or relocated.

**Financial Implications**

There are no financial implications for Council apart from involving staff time resources. The above Option 5 could bring more revenue for Council, however, is likely to be voted against in the land owners survey.

**Conclusion**

A survey of land owners in both sides of Livingstone Street and Sym Avenue will help gauge the land owners' opinion about the planning controls for the subject land and inform Council's decision making.

**Recommendation(s)**

That a survey of land owners on both sides of Livingstone Street and Sym Avenue be conducted concerning options of rezoning and development standards for the subject land, and that results of the survey be workshopped with Councillors prior to any Planning Proposal being considered.

**Attachments**

There are no attachments for this report.