

**42-50 and 52-60 Railway Parade, Burwood  
Development Control Plan**

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# Contents

<b>Part A – Preliminary</b> .....	3
<b>1.1 Land to which this DCP applies</b> .....	3
<b>1.2 Relationship with other plans</b> .....	3
<b>1.3 Map Reference</b> .....	3
<b>Part B – Background</b> .....	4
<b>2.1 Purpose</b> .....	4
<b>2.2 Aim</b> .....	4
<b>2.3 Vision</b> .....	4
<b>2.4 Development Principles</b> .....	4
<b>Part C – Development Application Requirements</b> .....	6
<b>Part D – Controls</b> .....	7
<b>2. Site Planning</b> .....	7
<b>3. Landscaping and Publicly Accessible Private Land</b> .....	9
<b>4. Height of Buildings</b> .....	12
<b>5. Setbacks separation and cross ventilation</b> .....	16
<b>6. Façade composition and articulation</b> .....	18
<b>7. Solar Access</b> .....	19
<b>8. Active Frontages</b> .....	23
<b>9. Transport</b> .....	26
<b>10. Building Materials, Finishes and Visual Appeal</b> .....	28
<b>11. Public Art</b> .....	29

## Part A – Preliminary

### 1.1 Land to which this DCP applies

The following controls apply to 42-50 and 52-60 Railway Parade, Burwood, and for the future development known as Burwood Place, as shown in Figure 1. This land is legally described as Lot 16 DP 832440 and Lot 1 DP 588368.

The site has a combined area of approximately 14,400 sqm (excluding Wynne Avenue) and has frontages to Railway Parade, Wynne Avenue and Clarendon Place.

### 1.2 Relationship with other plans

This DCP applies to the site if a Development Application is subject to Clause **xxxxxx** of the Burwood Local Environmental Plan 2012.

Where there are discrepancies between the controls outlined in this DCP and the LGA wide Burwood Development Control Plan, the controls in this DCP take precedence.

Any development on this site, is subject to the provisions of the 'State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development' and accompanying 'Apartment Design Guide' (ADG), except otherwise stated in this DCP.

### 1.3 Map Reference

For the purpose of this DCP, 42-50 Railway Parade is known as 'Block 1' and 52-60 Railway Parade is known as 'Block 2'.



Figure 1: 42-50 and 52-60 Railway Parade, Burwood

## Part B – Background

### 2.1 Purpose

The purpose of this DCP is to provide site specific controls for any future development on 42-50 and 52-60 Railway Parade, Burwood, to specifically align with the rezoning of the site, which was gazetted on xxxxxxxx.

### 2.2 Aim

The aim of this DCP is to guide future development of the site within an urban framework which is well connected and accessible, provides for a range of land uses and building forms. Development on the site, once complete, has the potential to create a vibrant landmark development which benefits from and contributes to the high quality and amenity of its location and setting.

### 2.3 Vision

The site is strategically located within the core of the Burwood town centre, directly adjacent to the Burwood train station. It has a rectangular shape and occupies the majority of two city street blocks situated in the south-western part of the main commercial and retail area of the town centre.

The urban renewal of the site has the potential to significantly enhance and activate the centre, creating a landmark development, supporting Burwood's role as a Strategic Centre, as outlined in the Eastern City District Plan.

Development will include a mix of uses to enhance and contribute to the vibrancy of the centre. A highly permeable street level will be activated by retail to all edges. Through site links and public laneways will be integrated within the development, to break up the large block and increase pedestrian permeability with the surrounding area.

Development also has the potential to include a wide range of significant public benefits, including new public domain areas, streetscape improvements, public art and a new public park adjacent to the Council library.

### 2.4 Development Principles

To achieve this vision, development on the site is to:

- deliver a landmark development, reinforcing Burwood's role as a "Strategic Centre".
- demonstrate design excellence by providing a high-quality development within the heart of the town centre.
- deliver publicly accessible, high quality through-site links that provide for a variety of both passive and active uses and responds to community needs.
- create new high quality public domain areas to address the lack of public open space on the south side of the railway line.
- locate active uses such as retail tenancies and public art along the ground level, to enhance the vibrancy of the streetscape and improve the site's relationship with the train station.
- ensure residential dwellings provide a high level of amenity through the design and layout of the built form.
- provide a suitable and appropriate mix of apartment sizes, to support the varying needs of the community.

- not adversely impact the amenity of the precinct by reason of the scale and bulk of the development.
- utilise “Crime Prevention Through Environmental Design” principles to reduce crime and increase perceptions of safety within the town centre.

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## Part C – Development Application Requirements

- (1) Any Development Application for new buildings (where relevant) on the subject site must be accompanied by the following specialist consultant documentation:
- a. Public Domain Plan.
  - b. Public Art Plan
  - c. Signage/Wayfinding Strategy.
  - d. Architectural Lighting Strategy.
  - e. Crime Prevention Through Environmental Design (CPTED) Report.
  - f. Sustainability Strategy.

Note: the above documentation is addition to the relevant requirements outlined in Burwood Council's "Checklist for lodgement Development Applications" and the Environmental Planning and Assessment Act 1979.

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## Part D – Controls

### 2. Site Planning

#### Objectives

- O1) To ensure buildings are appropriately located to support a range of uses including residential, business and retail.
- O2) To ensure that new development provides a strong interface to the Burwood Railway Station, Burwood Library and Community Hub, surrounding streets and the southern Pedestrian Link.
- O3) To create high quality urban spaces that retain a pedestrian scale.
- O4) To provide for multiple tower forms which minimise overshadowing on surrounding buildings and minimise view impacts on adjacent residential buildings.

#### Provisions

P1) Future buildings will generally be located as shown in Figure 2 (subject to detailed design), which includes:

- (i) Two tower building envelopes on Block 1;
- (ii) Three tower building envelopes on Block 2.

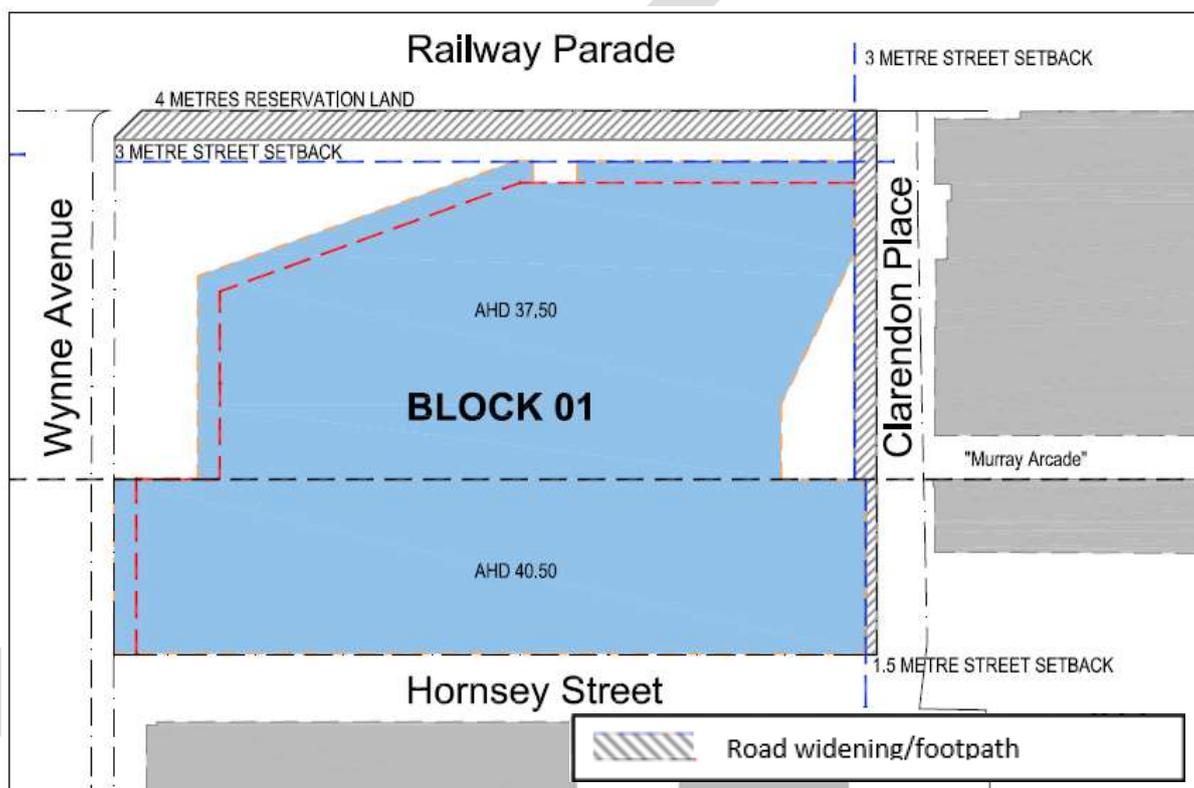


Figure 2: Indicative Building Locations

P2) Development under Wynne Avenue is subject to obtaining owner's consent and an agreement detailing the precise parameters and extent of the Wynne Avenue use. Council shall be satisfied that any use or development of public land serves the wider community interest and/or results in the provision of commensurate public benefits.

P3) Development of Block 1 shall facilitate the dedication of a 4 metre strip of land alongside Railway Parade (as shown on the Land Reservation Acquisition Map of the BLEP) to Council.

P4) Development of Block 1 shall facilitate public access along Clarendon Place for the purpose of a new footpath and road widening in accordance with the locations outlined in Figure 3.



--- Secondary Setback: 3 metre setback to the street front setback

Figure 3: Public access along Clarendon Place

P5) Development is permitted underneath any footpath or area to be used for road widening, only if it is located within the existing site boundary, as illustrated in Figure 1. For avoidance of doubt, development is permitted under Wynne Avenue, subject to obtaining owner's consent and approval from Council.

### 3. Landscaping and Publicly Accessible Private Land

#### Objectives

- O1) To encourage new publicly accessible areas and through-site pedestrian links.
- O2) To incorporate pedestrian links through the site, at points where these links are most legible and safely connected to the existing street and pedestrian network.
- O3) To promote pedestrian and cycle activity through the town centre.
- O4) To provide attractive publicly accessible private land that maximises the possibility of stormwater percolation, mature tree growth, and access to sunlight.

#### Provisions

- P1) Publicly accessible private land shall be provided in accordance with the indicative locations in Figure 4.
- P2) Publicly accessible private land shall equate to a minimum of 4,000 sqm (excluding Wynne Avenue).
- P3) Public through site links shall be provided in accordance with the indicative locations detailed in Figure 4. These links shall provide public access 24 hours, 7 days per week.
- P4) Publicly accessible through site links shall be provided in accordance with the indicative locations detailed in Figure 4. These links take the form of an arcade (but can also be open-air), and shall provide public access from at least 6am to 10pm daily.
- P5) Public through site links shall have a minimum width of 6 metres and publicly accessible through site links shall have a minimum width of 4.5 metres.
- P6) The through site link running east-west through Block 1 shall align with the existing arcade known as 'Murray Arcade' at 127-133 Burwood Road Burwood and shall facilitate a continuous path of travel for pedestrians.
- P7) CCTV cameras and other appropriate security measures shall be installed within the site to ensure the safety of members of the public and residents using the publicly accessible private land, southern pedestrian link, and through-site links.
- P8) Council may consider an alternative treatment for the Wynne Avenue road reserve (i.e. between Block 1 and Block 2). The desired future character of this section of Wynne Avenue is that of a road which facilitates the movement of vehicles through the Town Centre, as well as being an attractive place for pedestrians that facilitates movement of pedestrians between Block 1 and Block 2. Surface treatments and public domain works will be considered that enhance the space and connectivity, such as a raised threshold and widened footpath on the eastern side. Notwithstanding, Wynne Avenue (between Block 1 and Block 2) must provide for at least one lane of vehicle traffic in each direction. The remaining portion of Wynne Avenue is anticipated to remain as four trafficable lanes.

P9) Landscaping shall be provided within publicly accessible private land. A minimum of 20% of the publicly accessible private land shall comprise 'soft' landscaping. For the avoidance of doubt, planter boxes and raised plant beds shall be included in this landscaping calculation.

P10) The publicly accessible private land shall be designed to create a high-quality address and setting for buildings, including the provision of a variety of plant types and sizes; trees capable of offering shade to public spaces; a variety of seating options for use by the public (not restricted to outdoor dining); a high quality pavement design; and public art.

P11) Council must be satisfied that a Public Domain and Landscape Plan has been submitted which confirms the nature of the public domain works, their placement within the site, timing for installation, and ongoing management requirements.

P12) The development shall provide for communal open space and landscaped areas on the top of podium levels.

P13) Communal open space shall equate to 25% of the area used for the purpose of residential towers and podiums (i.e. the site excluding land dedicated for publicly accessible private land as shown in Figure 4 and commercial development).

P14) At least 50% of the podium and Tower E roof shall be vegetated with grasses, shrubs and trees.

P15) Public art shall be provided within new publicly accessible private land along ground level.

P16) Public through site links and publicly accessible through site links shall:

(a) Be legible and direct throughways for pedestrians.

(b) Have signage at the street entries indicating public accessibility and the street to which the through site link connects.

P17) Given the site's high-density location, "deep soil" planting may be offset by a reasonable component of alternative landscaping being provided, consistent with Objective 3E-1 of the ADG.

P18) Publicly accessible private land and public through site links may be partially covered.



Figure 4: Indicative locations of publicly accessible private land and through site links

Note: Publicly accessible private land, as identified in Figure 4, include:

- Vehicular ingress/egress locations; and
- Public domain elements such as escalators.

## 4. Height of Buildings

### Objectives

- O1) To ensure that there is no significant loss of amenity to surrounding buildings, streets or urban spaces.
- O2) To minimise overshadowing of new and existing public domain areas and publicly accessible private land.
- O3) To recognise this site as an important gateway to the Burwood Town Centre.
- O4) To provide multiple tower forms and varying heights.

### Provisions

- P1) Development shall comply with the Building Height Plane as outlined in Clause 4.3A of the Burwood Local Environmental Plan 2012.
- P2) Development on Block 1 shall not result in a building with a building height that exceeds 144 metres;
- P3) Development on Block 2 shall not result in a building with a building height that exceeds 136 metres;
- P4) Architectural roof features, rooftop structures, and mechanical equipment such as lift overruns, shall be accommodated within the maximum building height of buildings.
- P5) To address the appearance of bulk and to provide articulation to the built form, a variation in height must be provided, in accordance with the minimum heights outlined in Figures 6 and 7.
- P6) Development shall incorporate the setbacks and secondary setbacks illustrated in Figure 5.
- P7) Podiums shall not exceed the heights as detailed in Figure 5. Structures used for landscaping and communal open space such as barbecues, pergolas and planters may exceed these heights.

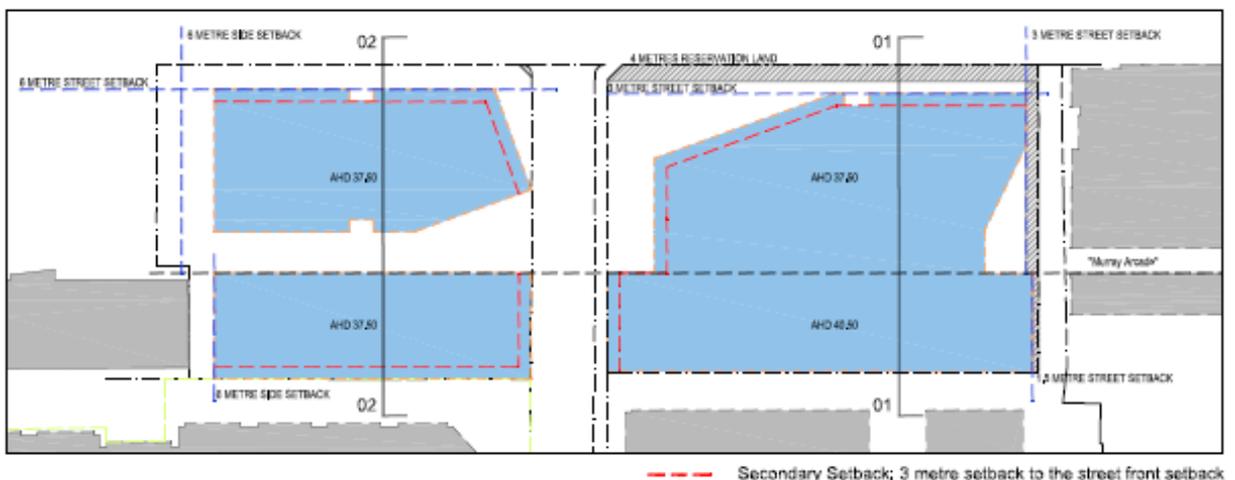
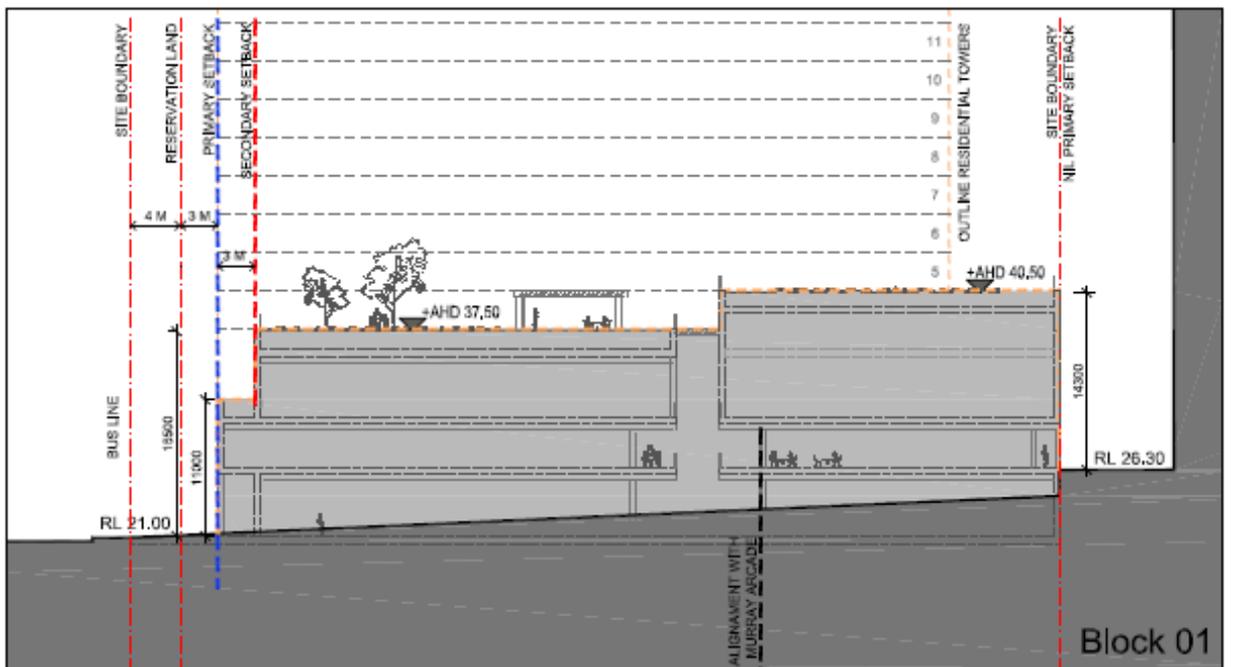
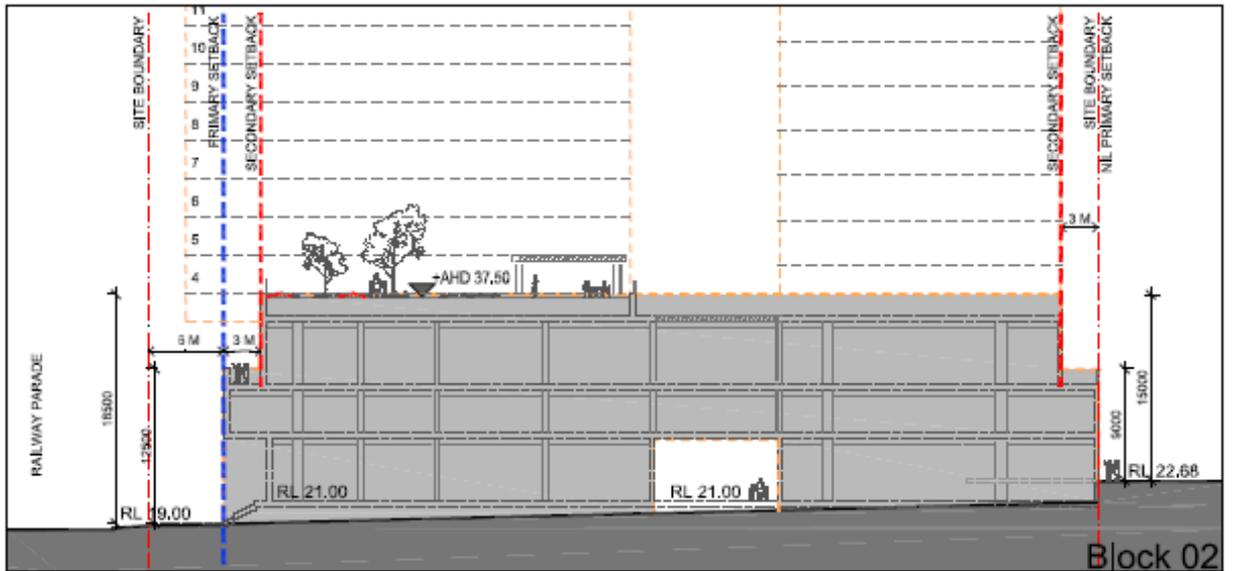


Figure 5: Setbacks and podium heights

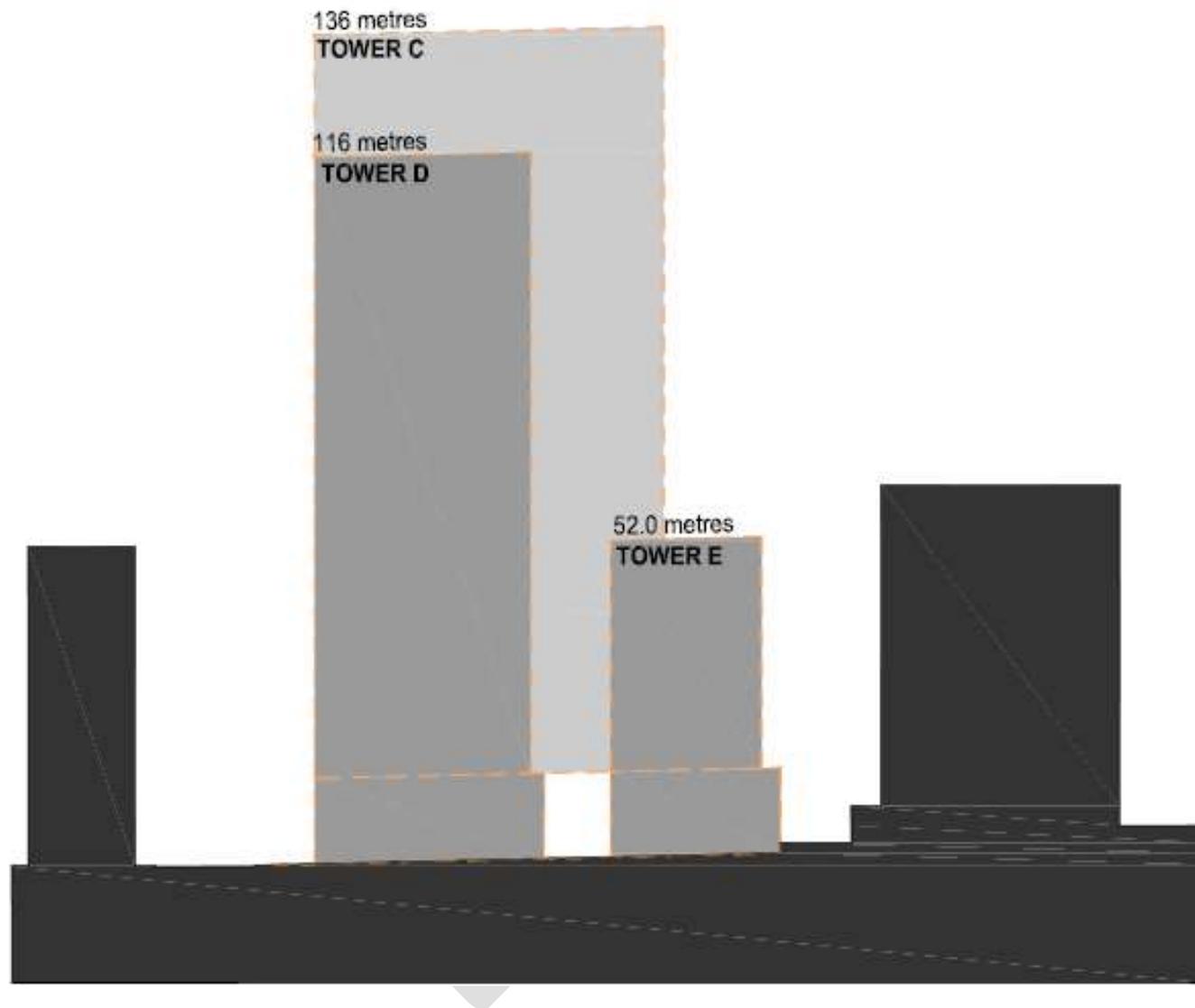


Figure 6: Maximum building heights – Western direction

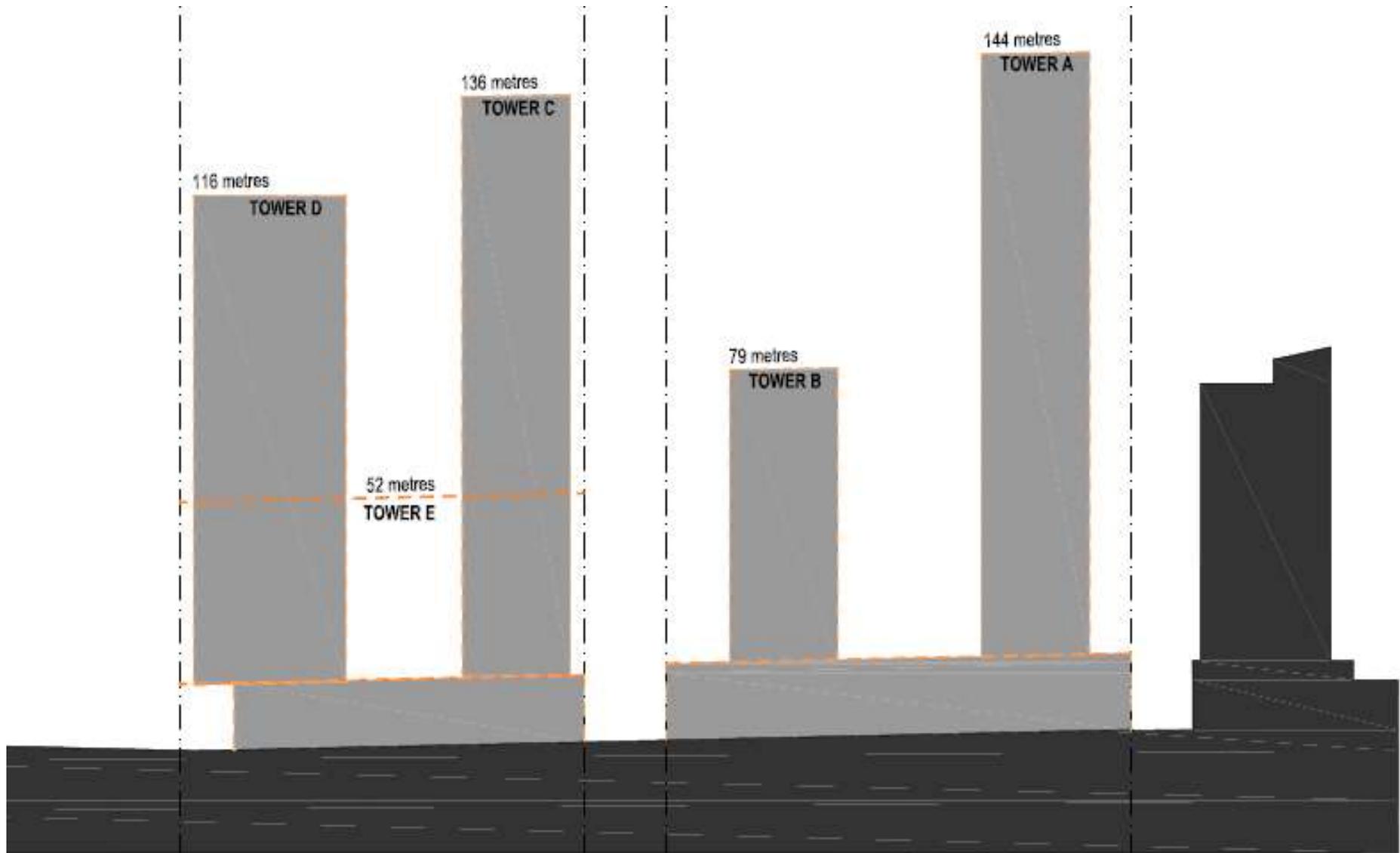


Figure 7: Maximum building heights – Southern Elevation

## 5. Setbacks separation and cross ventilation

### Objectives

- O1) To ensure that buildings have adequate separation to minimise visual bulk and to ensure adequate amenity within the site.
- O2) To control overshadowing and maintain amenity to surrounding residences, public domain areas, publicly accessible private land and development within the site.
- O3) To provide visual and acoustic privacy for occupants and surrounding residents.
- O4) To ensure building setbacks have adequate regard to building amenity, privacy, access points, solar access and publicly accessible private land.
- O5) To ensure that the building mass and articulation does not detract from surrounding heritage items and maintains significant views and vistas.
- O6) To ensure that buildings are of a high architectural quality, modulated where appropriate and articulated to provide visual interest.

### Provisions

- P1) Building setbacks and separation distances for above ground development, shall be provided generally in accordance with the distances outlined in Figure 8.
- P2) Setbacks shall be measured from the property boundary after any land acquisition required by the BLEP 2012 has taken place.
- P3) Where there is a non-compliance with the ADG, appropriate mitigation measures such as privacy screens, should be implemented if required, to ensure issues such as visual privacy to surrounding residential buildings are reasonably addressed.
- P4) The towers shall be designed to achieve tall, slender profiles and fast-moving shadows. In respect to Towers A, B and C, the east-west width of each tower, at its widest point, shall not exceed 25 metres. Tower D shall not exceed 28 metres.
- P5) Amenity and configuration of apartments shall comply with ADG unless where better amenity can be provided through alternate configurations.
- P6) Cross ventilation will include (in part) naturally cross ventilated plenums.



**Note:**

\*Separation distances are measured from above podium to top of tower.

Setbacks and separation distances to comply or exceed minimum ADG requirements other than where reduced distances can be demonstrated to deliver better amenity outcomes relatively to solar access, privacy and views.

Figure 8: Setbacks and Separation Distances

## 6. Façade composition and articulation

### Objectives

- O1) To ensure the development has well articulated and harmonious facades which define the publicly accessible private land and create an appropriate human scale.
- O2) To ensure that building openings and through-site links are clearly visible from the street.
- O3) To ensure that building elements, such as balustrades, awnings and signage are integrated.
- O4) To ensure that corners are articulated to address both frontages.

### Provisions

- P1) Facades are to incorporate a balance of horizontal and vertical elements, to visually relieve any apparent building bulk.
- P2) Unrelieved facades, such as those created by curtain walling, large expanses of glass and concrete, are to be avoided.
- P3) Where the length of a building (other than a podium) exceeds 45 metres, appropriate articulation/modulation shall be implemented to alleviate building mass.
- P4) Mechanisms which may be employed in the composition of building facades include:
  - Maintaining a consistent street wall height for the podium.
  - Clear identification of building entries and through-site links.
  - The use of architectural features which give pedestrian scale at street level.
- P5) The dominance of one architectural style shall be avoided.
- P6) Roof forms are to generate an interesting skyline and minimise view impacts from adjoining developments.
- P7) Rooftop signage is not permitted, nor signage upon the tower components.

## 7. Solar Access

### Background

The site is located within the core of the Burwood town centre. Three developments immediately surround the site to the south and east (refer to Figure 9), including:

- Burwood Grand (under construction) – to the south of Block 2.
- Emerald Square (complete) – to the south of Block 1.
- Burwood Central (approved) – to the east of Block 1.

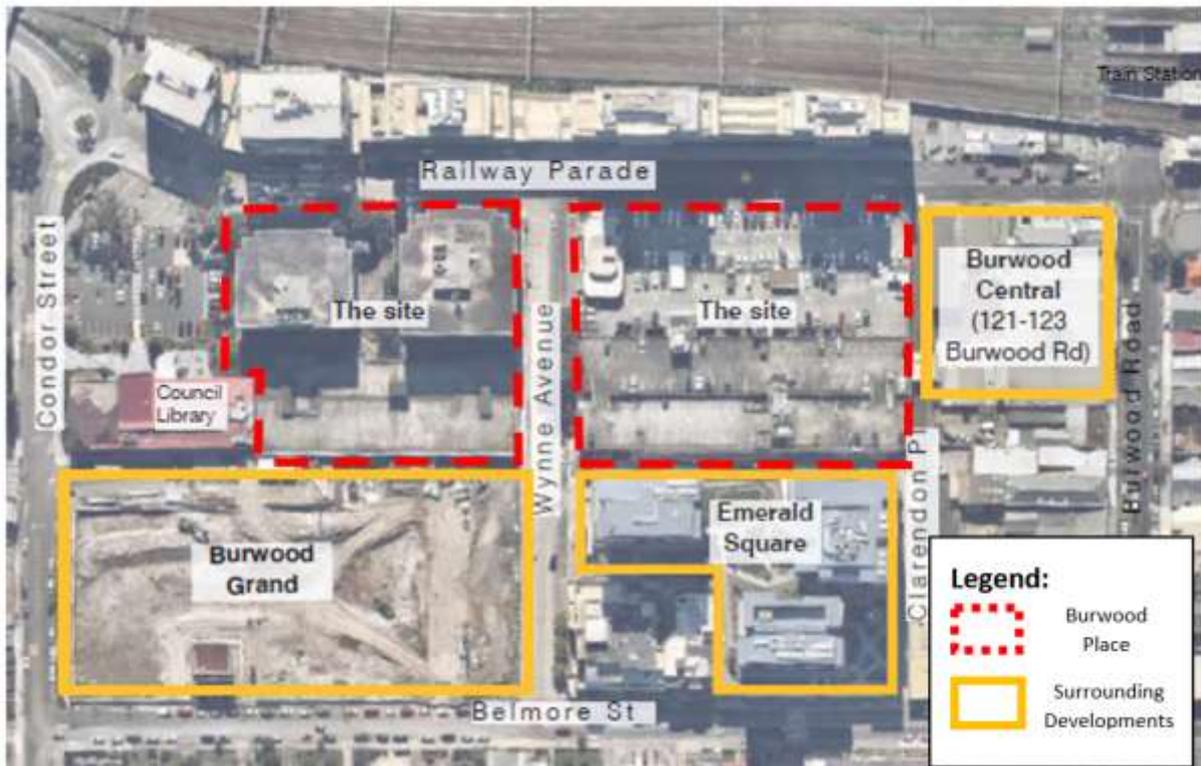
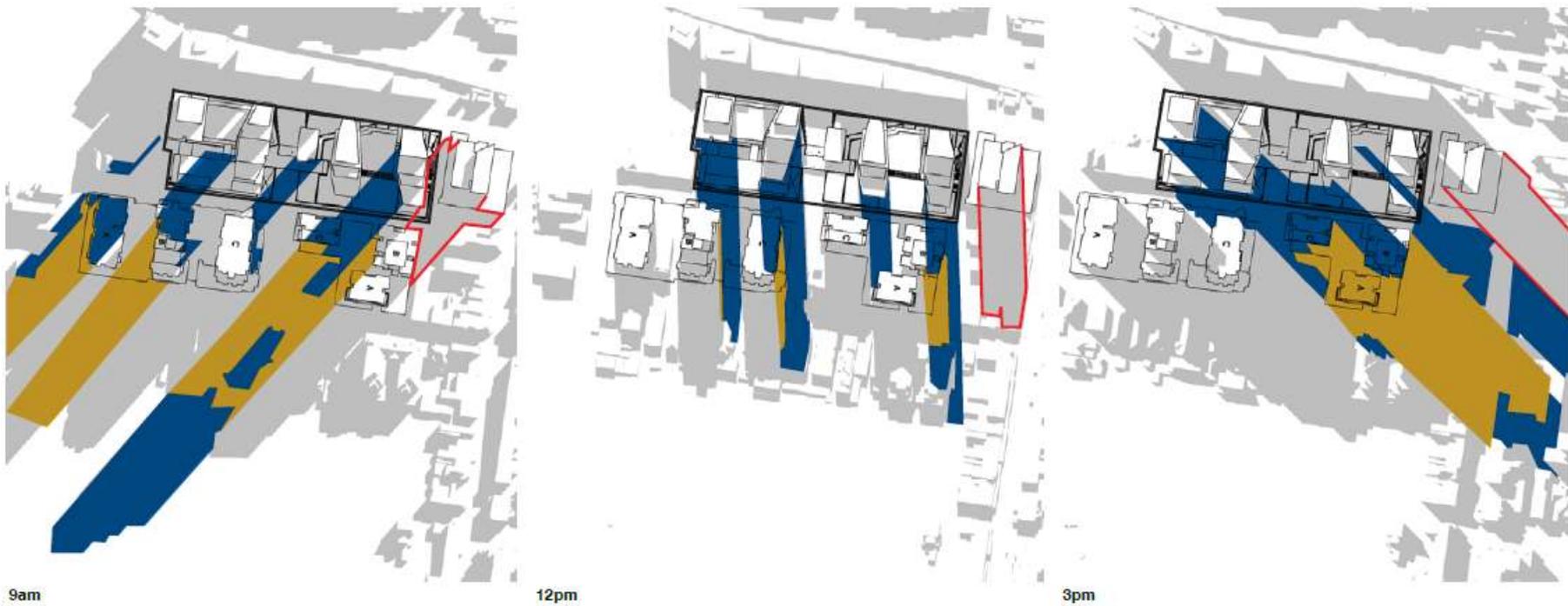


Figure 9: Surrounding development

Given the dense urban context of the area surrounding the site, existing (approved and constructed) developments mutually overshadow each other, as demonstrated in Figures 10 and 11.

The site is surrounded by approved developments which will have implications on the subject site in terms of achieving the solar criteria of the ADG. Architectural modelling and analysis was undertaken to maximise solar access to adjoining development as a result of the proposal, which has resulted in the proposed concept design identified in this DCP. Due to the nature and form of existing buildings, the proposal aims to maximise solar access and minimise shadow impacts to adjoining development as far as practicable.



9am

12pm

3pm

**Legend:**

- Additional shadowing caused by Burwood Place proposal
- Shadowing caused by Burwood Central
- Mutual shadowing

Note: While the shadow diagrams are indicative, they are based on carefully modelled building envelopes which will be the basis for the Development Application stage and provide a reasonable analysis of shadow impact.

Figure 10: Indicative Shadow Diagrams



9am



12pm



3pm

**Legend:**

■ Burwood Central Development Application approved

Note: While the views from the sun are indicative, they are based on carefully modelled building envelopes which will be the basis for the Development Application stage and provide a reasonable analysis of views from the sun.

Figure 11: Indicative Views from the Sun

## Objectives

- O1) To not unreasonably reduce solar access where existing developments mutually overshadow each other.
- O2) To orientate development to optimise solar access.
- O3) To maximise separation at the lower levels of towers within Burwood Place to enhance solar access.

## Provisions

### External Solar Access – Surrounding Developments

P1) Given the dense urban context of the site and surrounds, solar access to existing and any new apartments in surrounding developments (as shown in Figure 9) is not to be unreasonably reduced. As a minimum, solar access to 50% of apartments in a development (including Emerald Square and Burwood Grand developments) is to be retained in mid-winter, between 9am and 3pm for at least 2 hours.\*

### Internal Solar Access

P2) Living rooms and private open spaces of at least 70% of apartments in Burwood Place shall receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter.\*

P3) Internal solar access for any future apartments shall be calculated based on the total number of apartments per Block, as defined in Figure 1 of this DCP.

### Communal Open Space and Publicly Accessible Land

P4) Publicly accessible private land and communal open space for the development and surrounding developments shall be consistent with the solar access design guidelines for “dense urban areas”, as outlined in Section 3D of the ADG.

**\*Note:** Solar access to “apartments” is to be calculated on the basis of considering habitable rooms, bedrooms and adjoining private open space/balconies as a collective space. For clarity, one sqm of direct sunshine is to fall on either a balcony area or a living room/kitchen area or a bedroom area of an apartment.

## 8. Active Frontages

### Objectives

- O1) To promote pedestrian activity and safety in publicly accessible private land through passive surveillance.
- O2) To provide transparency and visual contact between public areas and the building interior.
- O3) To create a 'public face' for buildings to enhance the character of streets.
- O4) To provide access directly to the street.

### Provisions

P1) "Active uses" shall be provided in accordance with the indicative locations outlined in Figure 12, which includes the following categories:

- (i) "Key active frontages" – located along Railway Parade and partially along the new public park, Wynne Avenue and Clarendon Place.
- (ii) "Active street frontages" – located along new publicly accessible private land and street frontages.
- (iii) "Internal active frontages" – located along new internal through site links.
- (iv) "Activated elevated frontage/walkway" – located along the southern boundary of Block 1.

P2) "Active uses" shall include one or a combination of the following:

- (i) Entrances to retail.
- (ii) Shop fronts.
- (iii) Outdoor dining opportunities.
- (iv) Glazed entries to commercial and residential lobbies.
- (v) Active uses such as reception areas, if visible from the street.
- (vi) Business premises that provide direct overlooking of the street and footpath from windows.

P3) The proposed development must have a full active street frontage to land identified as "key active street frontage" in Figure 12. Fire exits are permitted along this frontage, where required.

P4) Other than the key active street frontages, the building facades, where possible, must be treated through public art, feature wall or the like, so that they are sympathetic to the surrounding environment.

P5) Building services and utilities shall be screened or otherwise treated to maintain attractive and safe frontages for pedestrians.

P6) Footpaths shall be provided along all active street frontages.

P7) Separate entrances shall be provided to commercial and residential development. All entrances shall be clearly visible and well lit.

P8) Active frontages shall not be obscured by signage (eg. large window decals), treated with opaque or reflective glass, or other treatment which restricts passive surveillance of the street and publicly accessible private land.

P9) Awnings or colonnades are encouraged where these would:

- Provide all weather protection at street level.
- Identify and protect entries to buildings.
- Give the development a pedestrian scale.
- Contribute to safety and security for pedestrians and people entering buildings.

P10) Lighting shall be provided in all publicly accessible private land and through site links.

P11) Building entrances must have a direct physical and visual connection with either the street, publicly accessible private land, public through site link or publicly accessible through site link.



Note: Topography/level differences may affect achievable extent of the above locations

Figure 12: Indicative active frontages

## 9. Transport

### Objectives

- O1) To ensure that building vehicular ingress and egress points are best located to reduce potential for vehicle and pedestrian conflict.
- O2) To create a hierarchy of transport within the site which prioritises pedestrians and cyclists.
- O3) To improve vehicle access and safety to minimise traffic impact.
- O4) To provide best practice end of trip facilities for active transport in the Burwood Town Centre.
- O5) To facilitate safe and efficient access for all transport modes.

### Provisions

P1) Vehicular ingress and egress points shall be provided in accordance with the indicative locations outlined in Figure 13.

In accordance with the Traffic Impact Assessment 2018, it is anticipated that heavy vehicles (e.g. loading and deliveries) shall utilise the Railway Parade loading dock ingress/egress point. A separate driveway on Railway Parade would serve light vehicles access for residents, visitors and retail/commercial customers. Only light vehicles (e.g. residential, visitor, customer movements) shall utilise the Wynne Avenue ingress/egress point.

Egress shall be provided for passenger vehicles onto Conder Street southbound only from the Council and Burwood Place carparks.

P2) Vehicle access shall be separated from pedestrian entries to avoid pedestrian and vehicular conflict.

P3) Residential and non-residential land uses may share common vehicular ingress/egress points. However, residential parking areas must be separate and secure from non-residential users.

P4) Parking and loading facilities shall be located underground.

P5) Car parking rates shall be in accordance with the parking requirements in Section 3.7 of the Burwood Development Control Plan.

P6) Appropriate end of trip facilities shall be provided for commercial office uses with high level amenity (e.g. showers, change room facilities and bike storage areas).

P7) The development shall allocate at least six parking spaces for use by a car share provider. The car share spaces shall be within a safe, convenient, and publicly-accessible part of the site. Adequate notices on behalf of the car share company are to be displayed within the development to clearly advise the provision of car share spaces.



Note: The volumes are indicative maximums based on modelling at PP stage.

Figure 13: Indicative building vehicular access and egress points

## 10. Building Materials, Finishes and Visual Appeal

### Objectives

O1) To ensure that buildings have a high-quality appearance and have regard to the character of the surrounding area.

### Provisions

P1) The design of each Tower shall provide visual relief elements, having regard to the high visibility of these Towers from the railway line and surrounding precincts.

P2) An Architectural Lighting Scheme shall be submitted with any development proposal for above ground work, where relevant. The lighting scheme shall seek to:

- a) Enhance the safety and security of residents and pedestrians at, and in the vicinity of, the site;
- b) Enhance the visual appeal and interest of the site at night and twilight hours;
- c) Minimise light spill to surrounding residents or users; and

A management plan is to be included to ensure the lighting scheme is maintained in perpetuity.

## 11. Public Art

### Objectives

- O1) To ensure that the development contributes to public art within the Town Centre.
- O2) To include public art so as to better integrate development into the environmental and cultural aspects of a locality and ensure the development contributes positively to the streetscape.

### Provisions

- P1) The development must provide public art. The provision of multiple art pieces across the development site is preferred.
- P2) The public artwork is to be generally located within the development site, within the publicly accessible private land and publicly-accessible through site links; except where the proponent has entered into a mutual agreement with Council to provide the public artwork on public land.
- P3) Council must be satisfied that a Public Art Plan has been submitted which confirms the value of the artworks, their placement within the site, timing for installation, and ongoing management requirements.
- P4) A Public Art Coordinator must be engaged for the planning, management and reporting of the public art.