

Reduction of maximum building height and Floor Space Ratio (FSR) controls for land in the northern portion of a precinct bounded by Wentworth Road, Railway Crescent, Carilla and Gladstone Streets Burwood ('Wentworth Road precinct').

Proposal Title : **Reduction of maximum building height and Floor Space Ratio (FSR) controls for land in the northern portion of a precinct bounded by Wentworth Road, Railway Crescent, Carilla and Gladstone Streets Burwood ('Wentworth Road precinct').**

Proposal Summary : **To reduce the maximum building height from 26 metres to 11 metres and the maximum FSR from 3:1 to 1.5:1 applicable to the precinct under the Burwood Local Environmental Plan 2012 (BLEP2012).**

PP Number : **PP_2014_BURWO_001_00** Dop File No : **14/07118**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Not Recommended**

S.117 directions : **2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **Not recommended.**

Supporting Reasons : **The planning proposal is not supported for the following reasons:**

1. It is inconsistent with the following s.117 Ministerial Directions:
 - a. 3.1 Residential zones;
 - b. 3.4 Integrating Land Use and Transport; and
 - c. 7.1 Implementation of the Metropolitan Plan for Sydney 2036.
2. Council's argument that the loss of dwellings in the precinct will be off-set by other redevelopment, including the WestConnex Urban Revitalisation programme along Parramatta Road, has not been adequately justified as housing targets and an agreement between Burwood and UrbanGrowth NSW have yet to be reached.
3. Reduction of development potential inconsistent with Action B1.3 and the Future Directions for Burwood contained in the Metropolitan Plan for Sydney 2036.
4. Council has not indicated how it is planning to reduce its housing deficit to reach the current 7,700 dwelling target by 2031, which may rise under the revised Metropolitan Strategy and Subregional Delivery Planning process.

The RPA should be advised that:

1. The proposal is inconsistent with s.117 Directions 3.1 Residential zones, 3.4 Integrating Land Use and Transport and 7.1 Implementation of the Metropolitan Plan for Sydney 2036; and
2. The strategic justification given to support the reduction of development standards in the precinct is not adequate.

The Department is willing to assist Council to explore alternative measures to implement Council's objectives, such as a Design Excellence clause in the Local Environmental Plan.

Council has relied on preliminary estimated dwelling figures under the proposed WestConnex Urban Revitalisation programme to justify the proposed reduction of development standards. However, these figures cannot be relied upon at this early stage, nor can they be used to off-set housing loss, particularly in locations close to public transport in a major centre.

While Council has developed the planning proposal with the Draft Metropolitan Strategy for Sydney to 2031 in mind, suggesting Council is proactively engaging in future planning

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strategies, the planning proposal does not adequately address objectives of the relevant Metropolitan Plan for Sydney 2036.

Panel Recommendation

Recommendation Date : **03-Jul-2014**

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

1. Council's intent to manage the interface between adjoining low density areas to the north and east and provide a balance between complementing the existing heritage and low density character whilst allowing for some redevelopment potential is supported. However, the proposed blanket reduction in height and floor space ratio controls is not as the reduction in potential dwelling yield is not considered acceptable and has not been adequately justified. Therefore, as discussed with Council, an alternative mechanism is to be prepared to achieve the objective for the precinct in consultation with the Department's regional office. Council is to amend the planning proposal accordingly prior to the commencement of public exhibition.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

4 / 7 / 14

