

# Burwood Council

heritage ▪ progress ▪ pride

## Planning Proposal

### Northern Portion of the Precinct bounded by Wentworth Road, Railway Crescent, Carilla Street and Gladstone Street, Burwood

July 2013

*A Planning Proposal is the first step in proposing amendments to Council's principle environmental planning instrument, known as Burwood Local Environmental Plan (BLEP) 2012. A Planning Proposal explains the intended effect of the proposed amendment and also sets out the justification for making the change. The Planning Proposal is submitted to the NSW Department of Planning and Infrastructure (DP&I) for its consideration, referred to as the Gateway Determination, and is also made available to the public as part of the community consultation process.*

#### Part 1 – Objectives or Intended Outcomes

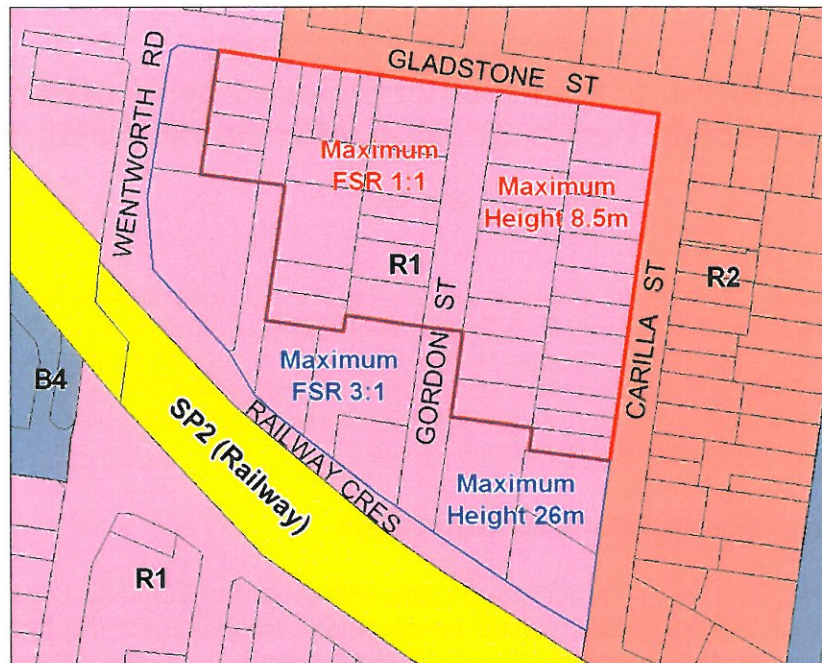
The Planning Proposal seeks to facilitate an amendment to the Burwood Local Environmental Plan (BLEP) 2012 to incorporate revised development standards for the northern portion of the precinct bounded by Wentworth Road, Railway Crescent, Carilla Street and Gladstone Street. The proposed development standards would allow for a maximum building height of 8.5m and a maximum floor space ratio (FSR) of 1:1. The Planning Proposal has been informed by community submissions submitted during the public exhibition of the BLEP and a further landowner survey carried out during February 2013. The Planning Proposal is being prepared in conjunction with proposed controls for terrace style development that would be incorporated into the Burwood Development Control Plan (BDGP).

The objectives of the Planning Proposal are to:

- Enable redevelopment of the precinct in a manner which complements the heritage items and is compatible with the streetscape
- Provide a transition towards the low density residential areas to the north and east of the precinct
- Provide for a new housing choice
- Ensure that a balance is provided between complementing the existing heritage character whilst allowing for some redevelopment potential

## Part 2 – Explanation of the Provisions

The Planning Proposal seeks to encompass development standards that will allow for a maximum building height of 8.5m and a maximum FSR of 1:1 for the northern part of the precinct (see map below). The southern portion of the precinct is to retain the current planning provisions stipulated under the BLEP 2012. No changes are proposed to the existing zoning.



Precinct Map – Area bounded in red line is proposed to change

The amendment to the BLEP 2012 will be in accordance with the Standard Instrument (Local Environmental Plans) Order 2006. The Planning Proposal will identify the land to which the amendment relates and alter the Floor Space Ratio and Height of Building Maps under the BLEP 2012, in order to achieve the objectives outlined in Part 1.

## Part 3 – Justification

### Section A – Need for the Planning Proposal

#### 1. *Is the Planning Proposal part of any strategic study or report?*

Yes. A report was considered by Council on 25<sup>th</sup> June 2013 which discussed various options for the precinct. At this meeting, it was resolved:

1. That Council endorse Option 2, which involves an amendment of the BLEP 2012 to allow a maximum building height of 8.5m and a maximum FSR of 1:1 for the northern part of the precinct, bounded by Gladstone Street on the north and Carilla Street on the east
2. That a Planning Proposal be initiated to encompass the proposed changes to the BLEP 2012

3. That new provisions be formulated in the BDCP to guide terrace style housing, subject to the Planning Proposal going ahead
4. That Council adopt as policy that any DAs or pre-DAs for sites that are to be included in this Planning Proposal, are to be dealt with and determined having regard to the planning controls foreshadowed in this report and intended to apply under that Planning Proposal and BDCP

The Planning Proposal has been prepared in response to the Council resolution made on 25<sup>th</sup> June 2013 (as outlined above). Initial resolutions for the subject precinct and other related matters were made during the preparation and consideration of the BLEP 2012.

**2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes. The Planning Proposal is the best means of achieving the intended outcomes. The initiation of a separate Planning Proposal for the precinct allows for a transparent and detailed assessment of the amended development standards. The proposed amendments of building height and FSR standards seek to achieve a balance between development potential and preserving heritage within the precinct. The Planning Proposal process would also allow for more detailed site specific considerations.

**3. *Will the net community benefit outweigh the cost of implementing and administering the planning proposal?***

It is considered that there is a net community benefit that would outweigh the cost of implementing and administering the Planning Proposal, as this Planning Proposal has been prepared to address concerns raised by the community. The amendment of the BLEP 2012 has the endorsement of the elected Council and Council's technical staff.

**Section B – Relationship to Strategic Planning Framework**

**4. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional and sub-regional strategy?***

Yes. The Planning Proposal is deemed consistent with the Draft Metropolitan Strategy for Sydney to 2031. The Planning Proposal to include new development standards aims to ensure that balanced growth is achieved in accessible locations. The revised development standards, in conjunction with terrace style development controls in the BDCP, would seek to encourage a new housing choice and encourage housing growth. The Planning Proposal specifically meets *Objective 5: Deliver new housing to meet Sydney's Growth* and *Objective 6: Deliver a mix of well – designed housing that meets the needs of Sydney's population under A Liveable City*.

**5. *Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?***

The Burwood 2030 Community Strategic Plan anticipates the challenges associated with achieving a balance between facilitating growth in residential areas and heritage preservation. In particular, Strategic Goal 5.4: seeks to preserve residential areas. The objective also stipulates the need to preserve local heritage through relevant planning strategies. Therefore the revised development standards of a maximum 8.5m building height and maximum FSR of



1:1, together with terrace style housing controls in the BDCP, if managed appropriately, would respond to the challenges listed within Council's Community Strategic Plan.

Also, the amendment to the BLEP is consistent with the objectives adopted by Council in the preparation and consideration of the BLEP 2013, as outlined before.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

There are no state environmental planning policies which would contravene the Planning Proposal.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?**

Consistency with the list of applicable Directions (under section 117(2) of the Environmental Planning and Assessment Act 1979 issued by the Minister for Planning relevant to planning proposals lodged with the DP&I on or after the date the particular direction was issued) is assessed below:

Direction	Objectives	Consistent
2.3 Heritage Conservation	The Objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<p>Yes. The subject precinct has four heritage items in Gordon Street, and one heritage item in Carilla Street. The proposed development standards support a reduction in the maximum Building Height and maximum FSR standards, compared to what is currently permissible under the BLEP 2012. However it should be noted that the Planning Proposal does not put forward any changes to the heritage controls applying to the heritage items within the precinct.</p> <p>The Planning Proposal is consistent with this Ministerial Direction as it is considered to be the best option to provide a balanced approach between complementing the existing heritage character whilst allowing for some redevelopment potential.</p> <p>It is envisaged that the BDCP will also be amended to encourage terrace style housing within the precinct. It is</p>

		considered that this development type will complement the two storey Victorian terraces which are identified as heritage items.
3.1 Residential Zones	<p>The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>Yes. Even though the revised development standards offer a reduced development potential, development controls to be incorporated in the BDCP for terrace style housing would support a different form of housing and improve choice. The combination of new planning controls will also help mitigate the future impact of redevelopment.</p> <p>There has been limited take-up of development potential within the subject area since introduction of an 8 storey height limit in 2002. It is envisaged that the proposed development standards are more likely to be realised in the context of the current fragmented ownership and heritage constraints.</p> <p>Council resolved at its extraordinary meeting on 15<sup>th</sup> May 2012, to consider increase density related development standards for the Neich Parade and Britannia Avenue Precinct (Burwood) and Byer Street Precinct (Enfield).</p> <p>The loss in residential yield is likely to be offset by future “up zoning” for these in other precincts throughout the local government area.</p>
3.4 Integrating Land Use and Transport	<p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and</p>	<p>Yes. The Planning Proposal is consistent with the objectives of this direction as it provides redevelopment potential in a precinct that is accessible to housing, jobs and services.</p>

	the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Yes. The Planning Proposal does not introduce any concurrence, consultation or referral requirements.
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Yes. This Planning Proposal meets the objectives and actions of the Draft Metropolitan Strategy for Sydney to 2013, as outlined previously.

### Section C – Environmental, Social and Economic Impact

**8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?***

No. There are no known critical habitats or threatened species, populations or ecological communities, or their habitats which would be expected to be affected.

**9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No. There are no other likely environmental effects as a result of the planning proposal, such as flooding, landslip, bushfire hazard and the like.

**10. *How has the planning proposal adequately addressed any social and economic effects?***

The Planning Proposal has been prepared to incorporate revised development standards in response to concerns raised by the community during the public exhibition of the BLEP 2012. In accordance with the Council's resolution at that time, a survey was conducted of all land owners within the precinct in February 2013.

The survey questionnaire sent out to landowners asked whether they would like the development standards in their area changed and if so were asked to choose their preference from a range of options. Of the 59 respondents, 38 or 64% supported a density and height reduction in the precinct. The revised development standards in this Planning Proposal, in conjunction with new provisions in the BDCP to encourage terrace style housing, are considered an adequate method of managing social and economic impacts.

The community and public authority consultation of this Planning Proposal, in accordance with the conditions stipulated in the Gateway Determination, will also investigate social and economic effects, and explore options for their management.

## **Section D – State and Commonwealth Interests**

### **11. *Is there adequate public infrastructure for the planning proposal?***

Since the changes proposed are likely to reduce the dwelling capacity as compared to the development potential currently permissible under the BLEP, it is considered that the Planning Proposal does not create any additional demand or require any upgrades of existing infrastructure. The existing infrastructure is adequate to meet the needs of future development in the precinct.

### **12. *What are the views of State and Commonwealth authorities consulted in accordance with the Gateway Determination?***

The Gateway Determination will specify any consultation required with State and Commonwealth authorities on the Planning Proposal.

## **Part 4 – Mapping**

Mapping prepared to support the planning proposal is attached in Appendix 1.

## **Part 5 – Community Consultation**

Extensive community consultation has been undertaken by Council as part of the public exhibition of the draft BLEP 2012, and a survey was conducted of all landowners within the precinct in February 2013. Further community consultation on the Planning Proposal will be undertaken by Council subject to receiving a positive determination to proceed at the gateway stage.

## Part 6 – Project Timeline

Anticipated commencement date	August 2013
Anticipated timeframe for the completion of required technical information	September 2013
Timeframe for government agency consultation	October 2013
Commencement and completion dates for the public exhibition period	By Mid December 2013
Dates for public hearing	Not Applicable
Timeframe for consideration of submissions	January 2014
Timeframe for the consideration of a proposal post exhibition	February 2014
Anticipated date RPA will make the plan (if delegated)	March 2014
Anticipated date RPA will forward to the department for notification (if delegated)	April 2014

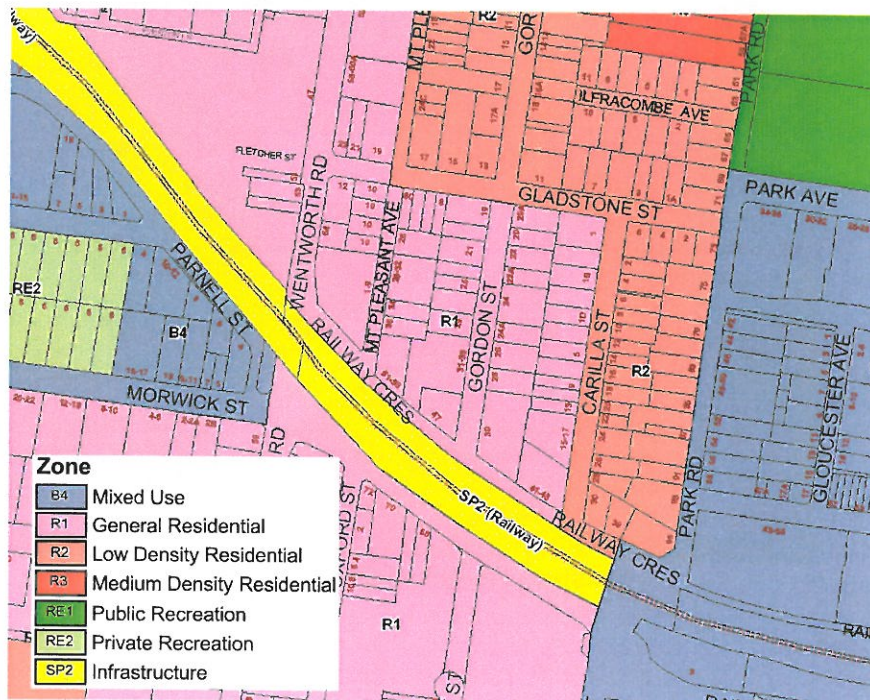


# Appendix One

## Map 1: Land Subject to the planning proposal

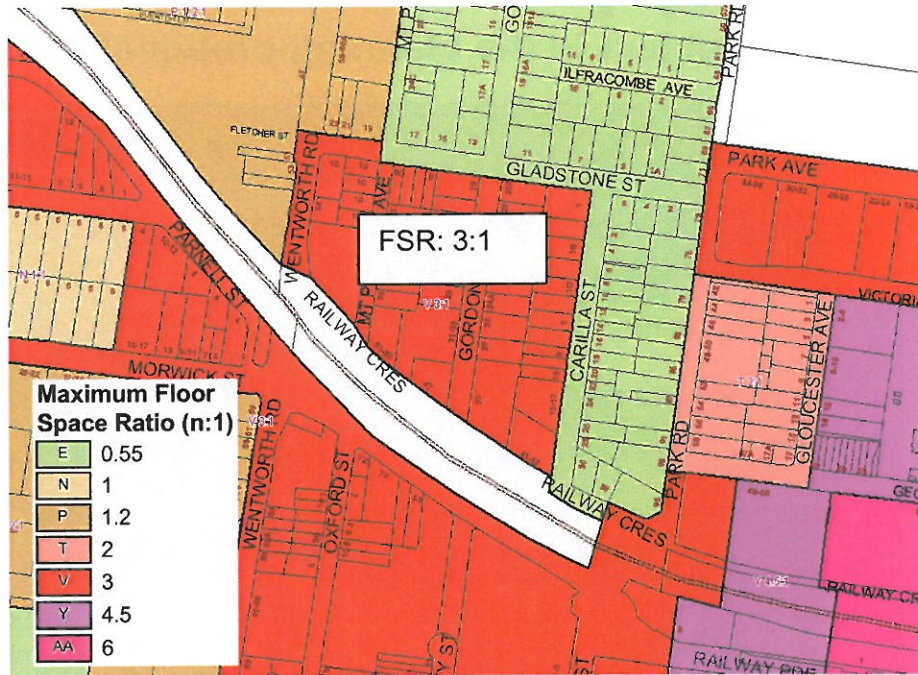


## Map 2: Current Land Use/Zoning

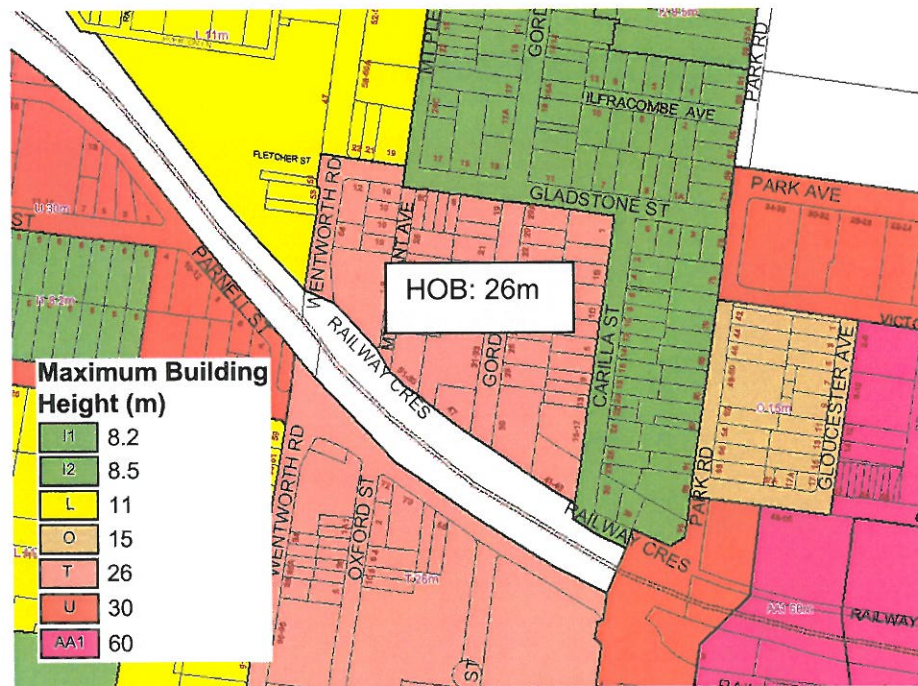




### Map 3: Current Development Standards relating to the land

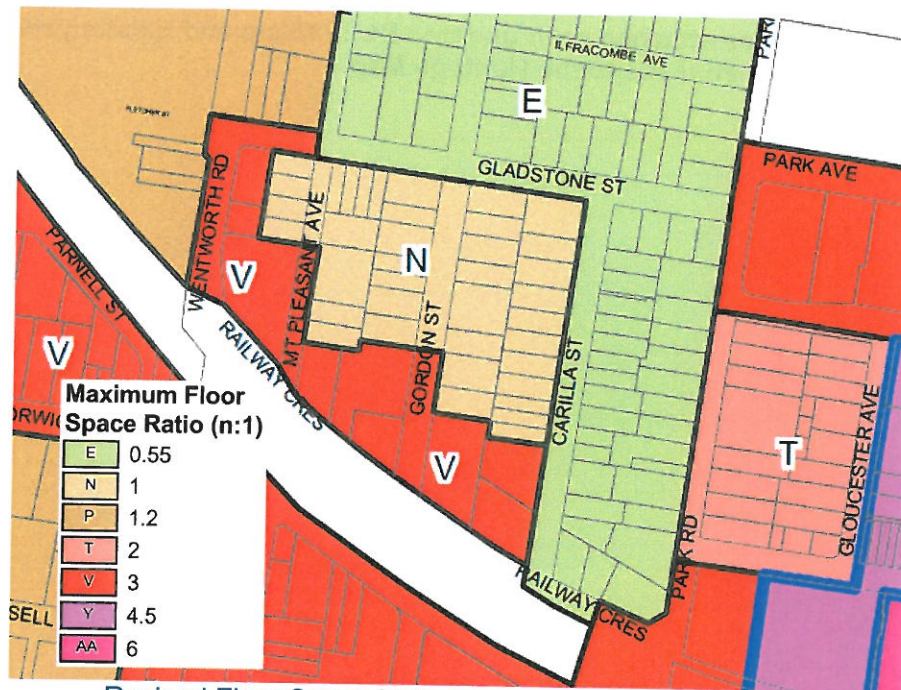


Existing Floor Space Ratio Map

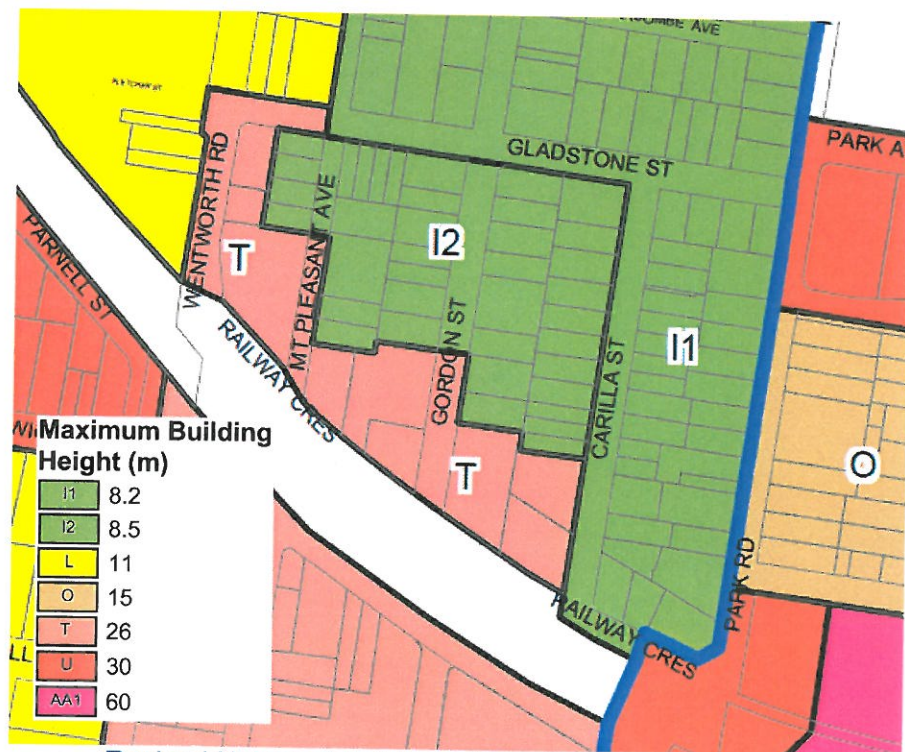


Existing Height of Building Map

## Map 4: New Development Standards



Revised Floor Space Ratio Map



Revised Height of Buildings Map



# Map 5: All other Relevant Maps

**Note: Please also see attached draft updated BLEP Maps and Existing Heritage Map. No changes have been made to the Heritage Map.**