

CANADA BAY LOCAL  
ENVIRONMENTAL PLAN  
2013 (PP2024/0002)

# PLANNING PROPOSAL – Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) – Stage 2

PP2024/0002

30 May 2024

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5. Public Domain Plan 2024
6. Burwood DCP 2024
7. Kings Bay DCP 2024
8. Heritage Assessment 2024
9. Infrastructure Strategy 2024 – Addendum to Stage 1
10. Sustainable Precincts Strategy 2020
11. Sustainable Precincts Strategy 2023 – Addendum to Stage 1
12. Flood Risk Assessment – Kings Bay and Burwood-Concord Precincts 2024
13. Preliminary Site Investigation (Contamination) 2023
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## Introduction

The Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) is a significant State Government strategy that has been developed to deliver a vision for transforming the Parramatta Road Corridor into Places for People, with new housing (including affordable housing), commercial and retail centres and public infrastructure.

A planning proposal for the PRCUTS Stage 1 Precincts of Kings Bay, Burwood-Concord and Homebush North was gazetted on 16 December 2022. The planning proposal that is the subject of this report (the Proposal) seeks to implement Stage 2 of PRCUTS for the Kings Bay and Burwood-Concord Precincts within the City of Canada Bay by amending the Canada Bay Local Environmental Plan (CBLEP) 2013.

Note that, whilst the Homebush Precinct also falls within Stage 2 of PRCUTS, it is omitted from the Proposal due to rezoning work that is being undertaken by the Department of Planning, Housing and Infrastructure (DPHI) as part of the Homebush Accelerated Transport Oriented Development (TOD) program.

The Proposal is the result of a comprehensive strategic planning process, which is intended to deliver and refine the PRCUTS and to give effect to the Eastern Sydney District Plan, the Canada Bay Local Strategic Planning Statement (LSPS) and the Canada Bay Local Housing Strategy (LHS).

The Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and addresses the requirements of cl 3.8 (3) of the EP&A Act 'on the preparation of planning proposals under section 3.33 to give effect to the district strategic plan'. It is also in accordance with the *Local Environmental Plan Making Guideline*.

## Part 1 - Objectives or Intended Outcomes

The objective of the Proposal is to amend the Canada Bay Local Environmental Plan 2013 (CBLEP) to implement Stage 2 of the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) Kings Bay and Burwood-Concord precincts, with refinements that are justified by technical studies.

The **Objectives** of the Proposals are to:

- Create fine-grained precincts that are safe, socially activated and community and family friendly;
- Support Parramatta Road to be socially and economically activated;
- Create public domain and development that is well-designed, sustainable, and resilient and that is supported by commensurate public benefits.

The **Intended Outcome** of the Proposal is to:

- Implement planning controls for land within the Stage 2 areas (including Frame areas) in the Canada Bay LGA that are consistent with the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), with refinements that are underpinned by local strategic planning.
- Deliver infrastructure commensurate with the planned intensity of development, including as prescribed in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) Infrastructure Schedule.

## The Stage 2 precincts

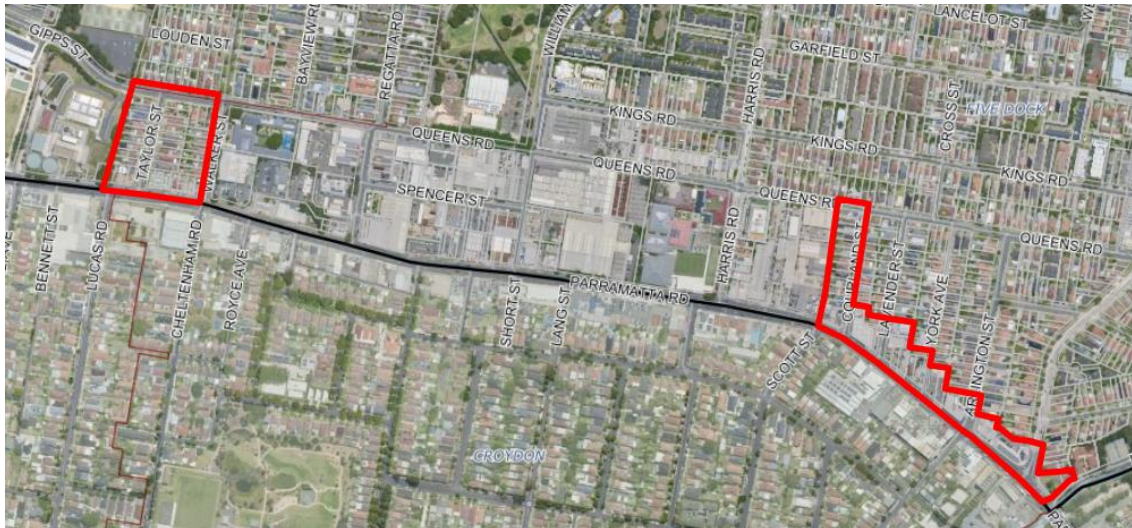
The Proposal will deliver the planning outcomes of the PRCUTS Stage 2 areas of the Kings Bay and Burwood-Concord Precincts. Note that planning work commenced for the Stage 2 areas of the Homebush Precinct, but this work has been suspended due to the Precinct falling within the bounds of the Homebush TOD area, that is being progressed by DPHI. The PRCUTS Stage 2 Precincts consist of:

- Kings Bay Stage 2 adjoins the Stage 1 area, that is being developed as a mixed use precinct, activated by a new commercial centre along Spencer Street. The Stage 2 areas extend the Stage 1 area eastward and westward along the Parramatta Road frontage. They consist of residential development with active frontages to Parramatta Road. Additional community infrastructure consists of extensions to the 6m Green Edge along Parramatta Road, plus some minor land boundary adjustments to enable existing public domain to be accommodated within the road reserves.
- Burwood-Concord Stage 2 adjoins the Stage 1 area, that is being developed as a mixed use precinct, activated by the future new Metro West train station. The Stage 2 areas extend the Stage 1 area westward along the Parramatta Road frontage, with active frontages to Parramatta Road, and northward to create additional opportunity for housing. Additional community infrastructure consists of extensions to the 6m Green Edge along Parramatta Road, a new proposed road and a new proposed pedestrian through-link to improve connectivity.



*Figure 1: Land within Stage 2 of PRCUTS within the Canada Bay LGA (Stage 1 Precincts shown brown).*





*Figure 2: Land within Stage 2 of the Kings Bay Precinct.*



*Figure 3: Land within Stage 2 of the Burwood-Concord Precinct.*

## Part 2 - Explanation of Provisions

### Proposal

The Proposal seeks to amend the CBLEP 2013 by changing the zoning and development standards, and to require and incentivise delivery of community and sustainability infrastructure, for land within two PRCUTS precincts within the Canada Bay LGA.

### **Amended maps**

The Proposal is seeking to amend the following maps:

- Land zoning

- Height of Buildings Map
- Floor Space Ratio Map
- Key Sites Map
- Incentive Height of Buildings Map
- Incentive Floor Space Ratio Map
- Affordable Housing Contribution Map
- Active Street Frontages Map
- Design Excellence Map
- Additional Permitted Uses Map

Refer to Appendix B – Proposed Maps below

### Amended clauses

The Proposal is seeking to amend various clauses:

- 8.1 Application of Part
- 8.3 Additional floor space ratio and building heights for Areas 1-35
- 8.4 Minimum site area requirements
- 8.6 Setback requirements
- 8.7 Pedestrian link and road requirements
- 8.8 Service access way requirements
- 8.9 Additional floor space for BASIX buildings
- Schedule 1 Additional Permitted Uses
- 22 Use of certain land at Kings Bay Precinct

### Table of changes to planning controls

*Table 1: Existing and proposed planning controls*

Precinct	Current zone/s	Proposed zone/s	Current FSR/s	Proposed bonus FSR/s	Current HOB/s	Proposed bonus HOB/s
<b>Kings Bay Precinct</b>	E3	R3	1:1	1.4:1, 1.5:1, 1.6:1, 1.8:1, 1.9:1, 2.0:1,	12m	2.5m, 16m, 19m, 22m
	R2	R3	0.5:1	1.5:1, 1.6:1, 1.8:1, 1.9:1, 2.0:1	8.5m	2.5m, 18m, 19m, 21m, 22m
<b>Burwood-Concord Precinct</b>	E3	R3	1.0:1, 1.35:1, 2.0:1	0.9:1, 1.1:1, 1.8:1, 1.9:1, 2.0:1, 2.3:1, 2.4:1, 3.2:1,	12m, 18m	12m, 12.5m, 19.5m, 22.5m,



	R3	R3	0.5:1	0.8:1, 1.1:1, 1.2:1, 1.3:1, 1.4:1, 1.5:1, 1.7:1, 1.8:1, 1.9:1, 2.0:1, 2.3:1, 2.4:1	8.5m	2.5m, 9m, 12m, 15m, 15.5m, 18m, 21.5m, 22.5m, 40m
	R2	R3	0.5:1	1.6:1, 1.7:1, 1.9:1, 2.0:1, 2.1:1, 2.2:1, 2.5:1, 2.4:1	8.5m	2.5m, 9m, 19m, 21.5m, 34m, 40m



Figure 4: Land within Stage 2 of the Kings Bay Precinct (Stage 1 is shown between the two areas)

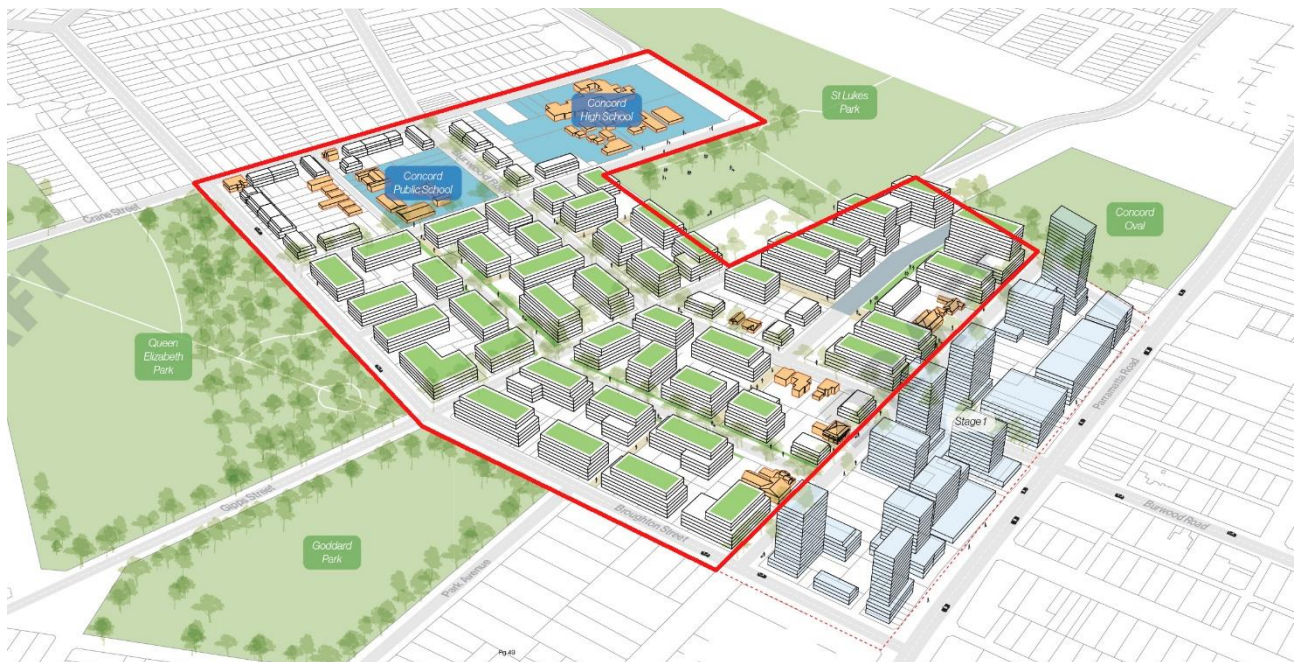


Figure 5: Land within Stage 2 of the Burwood area of the Burwood-Concord Precinct (Stage 1 is shown adjoining on the south)



*Figure 6: Land within Stage 2 of the Concord area of the Burwood-Concord Precinct (Stage 1 is shown adjoining on the east)*

## **Background and rationale**

### **Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)**

In November 2016, Urban Growth NSW released the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) together with a package of implementation and reference documents. In June 2021, the PRCUTS and Ministerial Direction were updated in the *PRCUTS Implementation Update 2021*.

Direction 1.5 issued by the Minister for Planning under Section 9.1 of the *Environmental Planning and Assessment Act 1979* gives the Strategy and Implementation Tool Kit statutory weight.

PRCUTS aims to renew Parramatta Road and adjacent communities through investments in homes, jobs, transport, open spaces and public amenity. It presents significant urban renewal opportunities for land within defined development precincts.

### **City of Canada Bay Local Strategic Planning Proposal**

On 25 March 2020, the Greater Sydney Commission (GSC) endorsed the Canada Bay Local Strategic Planning Statement (LSPS). The LSPS sets out Council's vision for how the LGA will respond to significant residential growth, including the new housing and jobs to be delivered under the PRCUTS.

The Proposal is consistent with the LSPS Principles for Growth, principally that:

- *Planning around future metro stations will be coordinated and precinct-based. In this way, Proposals which seek to respond to the location of metro stations will be discouraged until such time as a local planning study has been completed. This will enable consideration to be given to infrastructure demand and provision, appropriate distribution of development potential across an area, value capture for public benefit and the orderly sequencing of development.*
- *Proposals in local and Strategic Centres must be considered through precinct-level planning to sequence and fund growth with provision of public transport, open space and other infrastructure for the whole centre.*

The Proposal will contribute to, or finalise the implementation of Actions 1.2, 5.5, 5.6, 10.1, 10.2, 14.3, 16.5, 17.1, 18.1 BASIX and 18.3 of the LSPS.



### City of Canada Bay Local Housing Strategy

The Canada Bay Local Housing Strategy (LHS) is a primary technical study that was undertaken by Council to inform the LSPS and deliver needed housing, including housing diversity. The LHS estimated that the majority of new housing within the LGA will be delivered through PRCUTS, including through this Proposal, and the Rhodes Place Strategy, which has since been implemented.

### City of Canada Bay PRCUTS Stage 2 Kings Bay and Burwood-Concord Studies

Council has prepared a series of supporting studies to determine the appropriate urban design and infrastructure response that will deliver Stage 2 of PRCUTS:

- Urban Design Masterplans. Determine the maximum possible yield relative to the building heights and FSRs recommended by PRCUTS, whilst ensuring ADG compliance and minimum impacts on liveability and amenity. Recommends provision of certain infrastructure to enhance liveability and permeability. The recommendations create capacity for:

- 667 dwellings in the Kings Bay Stage 2 precinct
- 3,321 in the Burwood-Concord Stage 2 precinct, comprising 2,860 apartments and 461 townhouses

This 3,988 new dwellings represents 95.3% of the City of Canada Bay's 6-10 year housing target of 3,800 (2021-2026) and 31.9% of the City of Canada Bay's 10-20 year housing target of 12,500.

Note that Stage 1 and Stage 2 combined will deliver 8,055 new dwellings, which represents 64.4% of the City of Canada Bay's 10-20 year housing target and 5.1% of the Eastern City District 20-year housing target of 157,500.

- Public Domain Plan. Identifies the public domain needs that will be required to support the future development and informs detailed planning for the Corridor, including requirements for private land (e.g. for street widening).
- Heritage Assessment. Provides advice about management of heritage items and conservation areas within and within the vicinity of the Precincts, identifies opportunities for planning and urban development to protect and enhance heritage significant items, places and areas.
- Infrastructure Strategy (addendum to Stage 1 Infrastructure Strategy). Identifies the infrastructure that is required to be delivered to support the uplift, the planning nexus between the infrastructure and future development, and the planning mechanism used to equitably allocate the delivery of the infrastructure to each amalgamated parcel of land.
- Sustainable Precincts Strategy (addendum to Stage 1 Sustainable Precincts Strategy). Tested the Stage 1 mechanisms to facilitate future development that can achieve higher, aspirational environmental performance and makes recommendations to achieve environmentally sustainable precincts.
- Flood Risk Assessment. Determined the nature and extent of current flooding and compared existing and proposed development. Makes recommendations to achieve the proposed development, so as to prevent increased flooding, including to downstream properties.

- Preliminary Site Investigation (Contamination). Assessed potential contamination on development land and provided a risk ranking of sites, to assist in identifying requirements to address contamination as part of future site-specific DAs.
- Feasibility Analysis. Assessed feasibility of proposed development and determined the amount of affordable housing that could be feasibly provided as part of an affordable housing contribution. The feasibility testing undertaken found that, of the 10 representative sites tested, the following rates are feasible:
  - 5% - Burwood (north) precinct – Key Site 47, Loftus St, Gipps St, Burton St Concord
  - 1% - Kings Bay precinct – Key Site 44, Taylor St, Queens Rd, Walker St Five Dock

It is intended that the Affordable Housing Contribution Scheme (AHCS) be amended to apply 5% contribution rate to Key Site 47 prior to public exhibition and exhibited with the planning proposal.

- Urban Canopy Assessment 2023. Assessed the potential for the proposed development to achieve Council's 25% tree canopy coverage target. Note that the assessment was based on an early draft Masterplan but, as the building footprints and deep soil provision are comparable with the current draft Masterplans, the findings and are commendations remain valid.

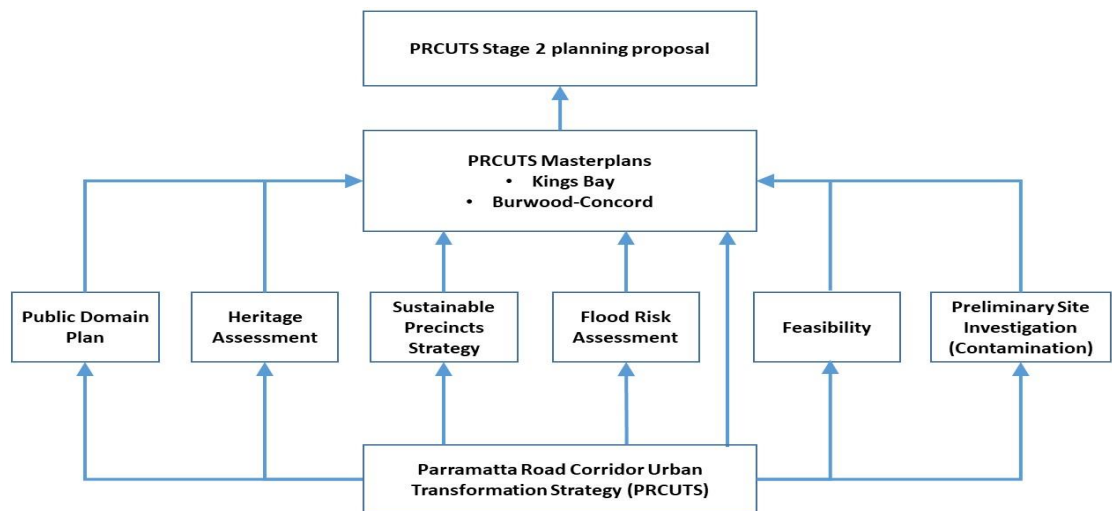
A draft amendment to the Canada Bay Development Control Plan (DCP) for the Kings Bay and Burwood-Concord Precincts has been prepared to guide finer grain planning outcomes.

The proposal is also informed by other strategies and Council studies:

- Canada Bay Local Strategic Planning statement (LSPS), endorsed by the Greater Sydney Commission on 25 March 2020 as being consistent with the requirement to deliver the Eastern City District Plan;
- Canada Bay Local Housing Strategy (LHS) 2019, endorsed by the Department of Planning, Industry and Environment on 1 May 2021;
- Canada Bay Employment and Productivity Strategy 2019;
- Canada Bay Social Infrastructure Strategy 2019;
- Canada Bay Open Space and Recreational Strategy 2019.

### Consistency with PRCUTS

The Proposal is generally consistent with PRCUTS, with some minor variations where recommended by the Masterplans and studies to ensure best urban design and public domain outcomes. This is discussed further below under *Direction 1.5 Parramatta Road Corridor Urban Transformation Strategy*.



*Hierarchy of studies to inform the Proposal. Note that the studies were also informed by the Eastern City District Plan and the City of Canada Bay Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS).*

## Part 3 - Justification

### Section A – Need for the planning proposal

#### **Q1. Is the planning proposal a result of any strategic study or report?**

The Proposal is consequential to, and generally consistent with, the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment. Minor variations are the result of supporting studies and to ensure best urban design and community outcomes.

The Proposal is also consequential to Council's LSPS, that was endorsed by the Greater Sydney Commission on 25 March 2020.

#### **Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The Proposal is the only means to achieve the intended outcome, as the proposal is seeking to make changes to the Canada Bay LEP2013.

### Section B – Relationship to strategic planning framework

#### **Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

##### **Assessment Criteria**

##### **a) Does the proposal have strategic merit? Will it:**



- give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or
- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.

The Proposal has strategic merit.

It gives effect to the Greater Sydney Region Plan and the Eastern City District Plan by delivering the PRCUTS. It is generally consistent with the PRCUTS, with variations supported by the recommendations of Council's evidence-based studies that were undertaken to deliver the best urban design and community outcomes.

It also delivers objectives that were either not covered by PRCUTS or that have only subsequently become Government policy:

- The proposal responds to and is consistent with the State Government's *Explanation of Intended Effect: Changes to Create Low and Mid-rise Housing* (LMR EIE). Building heights of 6-storeys or more are proposed within 400m of the Burwood North Metro station and Strathfield station, and 4-storey housing within 400-800m. However, where land amalgamation necessary to facilitate RFBs is not feasible due to constraints from existing infrastructure and heritage, terrace-housing is proposed. This is consistent with the State Government objective to facilitate low-rise housing choices.
- The Proposal seeks to facilitate urban support services, reduce unnecessary travel on local roads and enable vehicle movement along Parramatta Road by proposing active frontages along Parramatta Road. The Canada Bay DCP also provides for the likely spatial and functional requirements of urban support services and requires ground floor commercial space to be serviced from the rear.
- The Proposal seeks to increase permeability of the existing road and active transport network through the delivery of a new road, wider footpaths and new cycleways.
- The Proposal seeks to incentivise the delivery of precinct-wide sustainability infrastructure and outcomes.

**b) Does the proposal have site specific merit, having regard to the following?**

- The natural environment (including known significant environmental values, resources or hazards) and
- The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and
- The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

The Proposal has site specific merit.

It relates to land that is urban and has been generally continuously occupied for several decades. It seeks to improve the quality of the urban environment for residential and commercial uses.

The Proposal is also supported by a Draft Infrastructure Strategy, which includes infrastructure required to be provided under the PRCUTS Infrastructure Schedule and to support the new development and population.

The Proposal will deliver the Draft Masterplans, which:

- synthesise the aims, vision and principles of the PRCUTS, including the site-specific requirements under the Implementation Tool Kit, to renew Parramatta Road and adjacent communities through investments in homes, jobs, transport, open spaces and public amenity;
- seek to ensure that all future decisions about rezoning of land will be made with a thorough understanding of potential cumulative impacts;
- seek to deliver orderly, transparent and high-quality design outcomes for development in the individual precincts and sites;
- are informed by detailed built form and urban design testing of the PRCUTS planning and design controls; and
- will guide the future built form and urban environment and inform amendments to the Canada Bay LEP 2013, DCP and development contributions plan for the PRCUTS Stage 2 precincts and sites within the precincts.

**Q4. Is the planning proposal consistent with a council local strategy or other local strategic plan?**

The Proposal is consistent with the following Actions of Council's endorsed LSPS:

- 1.2 Collaborate to enable dedicated rapid public transport and place-based outcomes along Parramatta Road Corridor.
- 5.5 Require a minimum of 5% GFA of new development to be dedicated as affordable housing for Key Site 47. Note that whilst the LSPS required a contribution of 5% in all PRCUTS Precincts, this has been amended following feasibility testing.
- 5.6 Ensure that Planned Precincts, Parramatta Road Corridor and redevelopment of large sites deliver a diversity of housing types ranging from terraces to apartments.
- 10.1 Investigate and encourage new mixed-use forms, larger format uses and urban support services on Parramatta Road ground floor development in Kings Bay Precinct.
- 10.2 Ensure that Kings Bay precinct has access from roads other than Parramatta Road; double height ceilings for Parramatta Road ground floor uses; rear lane low bay access for small trucks and customer parking; and shared loading docks for non-residential uses.
- 14.3 When preparing planning studies and controls, create links to habitat sites through canopy cover, the Green Grid and waterways, and improve planting of shrubs and understory.
- 16.5 Ensure that Master Plans and Precinct Plans achieve a minimum of 25% canopy cover.

- 17.1 Consider and implement the Social Infrastructure (Open Space and Recreation) Strategy, including delivery of ... passive recreation; new open space in ... Concord West and along the Parramatta Road Corridor.
- 18.1 Advocate for increased BASIX water and energy targets on sites that are proposed for sufficient uplift that increased targets are feasible.
- 18.3 Where appropriate, develop controls to compel developers to connect to planned recycled water schemes for all non-potable water uses.

**Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes the Proposal is generally consistent with relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs.

SEPP Title	Consistency
SEPP (Biodiversity and Conservation) 2021	The Proposal does not contain Provisions that contradict or would hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	The Proposal does not contain Provisions that contradict or would hinder application of this SEPP.
SEPP (Housing) 2021	The Proposal does not contain Provisions that contradict or would hinder application of this SEPP.
SEPP (Industry and Employment) 2021	Consistent
SEPP (Planning Systems) 2021	The Proposal does not contain Provisions that contradict or would hinder application of this SEPP.
SEPP (Precincts – Central River City) 2021	N/A
SEPP (Eastern Harbour City) 2021	N/A
SEPP (Precincts – Regional) 2021	N/A
SEPP (Precincts – Western Parkland City) 2021	N/A
SEPP (Primary Production) 2021	N/A
SEPP (Resilience and Hazards) 2021	Consistent
SEPP (Resources and Energy) 2021	N/A



SEPP (Sustainable Buildings) 2021	The Proposal is seeking to apply clause 8.9 to incentivise increased BASIX targets as per the clause, where increased targets are feasible.
SEPP (Transport and Infrastructure) 2021	N/A

**Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Council has undertaken a review to ensure the Proposal is consistent with all relevant Section 9.1 Ministerial Directions. Relevant Directions are discussed in detail below:

Direction	Comments
<b>Focus area 1: Planning Systems</b>	
1.1 Implementation of Regional Plans	<p>The Proposal is consistent with the vision, land use strategy, goals, directions and actions of <i>Greater Sydney Region Plan – A Metropolis of Three Cities</i> and the Eastern City District Plan. Council's LSPS received Assurance by the Greater Sydney Commission on 25 March 2020, which granted assurance that the LSPS will deliver the District Plan.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment. Objective 23 of the <i>Greater Sydney Region Plan</i> – to plan, retain and manage industrial and urban services land – does not apply to land within the PRCUTS.</p>
1.3 Approval and Referral Requirements	<p>The Proposal is consistent with the Direction. It does not seek to increase requirements for concurrence, consultation or referral provisions and does not identify any developments as designated development.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p>
1.4 Site Specific Provisions	<p>The proposal is consistent with the Direction. It is seeking to rezone land to a SI LEP zone. However, the proposal is seeking additional permitted uses to permit active frontages along Parramatta Road to ensure consistency with PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p> <p>The proposal does not contain or refer to drawings that show DA-level details of any potential future development.</p>
1.4A Exclusion of Development Standards from Variation	The proposal is consistent with the Direction. It is not seeking to introduce or alter an existing exclusion to clause 4.6.

### Focus area 1: Planning Systems – Place-based

1.5 Parramatta Road Corridor Urban Transformation Strategy	<p>The Proposal is largely consistent with the Direction. It will deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Housing and Industry, with some minor variations that respond to more recent Government policy and to deliver precinct-wide best urban design, community infrastructure and public benefits. These are discussed further below.</p> <p>The Proposal is also seeking to modify the boundary of the Kings Bay Precinct to include 1 Lavender Street, Five Dock. This is discussed further below.</p>
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### Focus area 3: Biodiversity and Conservation

3.2 Heritage Conservation	<p>The Proposal is consistent with the Direction. The supporting PRCUTS Stage 2 Heritage Assessment (<a href="#">Attachment 8. Heritage Assessment</a>) made recommendations to facilitate the conservation of local heritage items that are listed in the CB LEP 2013 and that are located within and adjoining the Precincts. The draft Masterplan was subsequently revised to align with the recommendations of the Heritage Assessment. This is discussed further below under Direction 3.2 Heritage Conservation.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p>
3.7 Public Bushland	<p>The Proposal is consistent with the Direction. The proposal is not seeking to change or impact bushland in urban areas, including rehabilitated areas and no bushland is located within the subject Precincts.</p>
3.9 Sydney Harbour Foreshores and Waterways Area	<p>The Proposal is consistent with the Direction. It does not pertain to any land on or adjacent to the Sydney Harbour foreshore. It is also seeking to improve water quality in Sydney Harbour by managing stormwater and overland flow through the Precincts.</p>

### Focus area 4: Resilience and Hazards

4.1 Flooding	<p>The Proposal is consistent with the Direction. Whilst it is seeking to facilitate development in flood prone land, the proposed development is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.</p> <p>The supporting PRCUTS Stage 2 Flood Risk Assessment (<a href="#">Attachment 12. Flood Risk Assessment</a>) found that some land in the western section of the Burwood Precinct will be flood affected</p> <p>The proposal is commensurate with flood behaviour as determined by a Flood Risk Assessment undertaken to inform the proposal and which gave consideration to the potential</p>
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	<p>flood impacts both on and off the subject land.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p>
4.4 Remediation of Contaminated Land	<p>The Proposal is consistent with the Direction. It seeks to rezone some land that has been used for industrial purposes, including as automotive repairs/workshops, to residential purposes.</p> <p>The supporting PRCUTS Stage 2 Preliminary Site Investigation (<a href="#">Attachment 13. Preliminary Site Investigation (Contamination)</a>) found that the subject land can be made suitable for the proposed uses and, therefore, that the rezoning can proceed.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p>
4.5 Acid Sulfate Soils	<p>The Proposal is consistent with the Direction. Whilst it seeks to intensify land uses on land identified as having a probability of containing Class 2 and Class 5 acid sulfate soils, the CB LEP 2013 contains the Acid Sulfate Soils Model LEP clause, which includes the requirement that an acid sulfate soils management plan be prepared in accordance with the Acid Sulfate Soils Manual prior to a development consent being granted.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p>

#### **Focus area 5: Transport and Infrastructure**

5.1 Integrating Land Use and Transport	<p>The Proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice</i> and <i>The right Place for Business and Services</i>. The Proposal is consistent with Principle 9 - Improve road management of <i>Improving Transport Choice</i>.</p> <p>The supporting PRCUTS Stage 1 and 2 precinct-wide traffic study (<a href="#">Attachments 14 &amp; 15. Traffic and Transport Study</a>), which is a requirement under PRCUTS, identifies traffic interventions to ensure operability of the local road network and of Parramatta Road.</p> <p>The Proposal will also deliver the PRCUTS, which is an integrated land use planning and transport policy framework for the transformation of the Parramatta Road Corridor (the Corridor) that is approved by the Secretary of the Department of Planning, Industry and Environment.</p>
5.2 Reserving Land for Public Purposes	<p>The Proposal is consistent with the Direction. It does not propose any land for acquisition, but it includes the potential to allocate land for acquisition during the plan-making process, should the Department determine this is necessary. This</p>



	outcome would be consistent with the PRCUTS Stage 1 plan-making process, during which DPHI introduced a Land Acquisition Map as the best means to facilitate a variable road widening along Parramatta Road sought by TfNSW, to facilitate a dedicated bus lane. The planning proposal is able to accommodate the same outcome,
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## Focus area 6: Housing

6.1 Residential Zones	<p>The Proposal is consistent with the Direction. It seeks to facilitate a variety and choice of housing types to provide for existing and future housing needs, make more efficient use of existing infrastructure and services, and minimise the impact of residential development on environmental and resource lands.</p> <p>The proposal is also consistent with the State Government's <i>Explanation of Intended Effect: Changes to Create Low and Mid-rise Housing</i> (LMR EIE). It proposes building heights of 6-storeys or more within 400m of the Burwood North Metro station and Strathfield station, and 4-storey housing within 400-800m. Where land amalgamations necessary to facilitate RFBs are not feasible due to constraints from existing infrastructure and heritage, terrace-housing is proposed. This is consistent with the Direction and with the State Government objective to facilitate low-rise housing choices. This is discussed further below under Direction 6.1 Residential Zones.</p> <p>The Proposal also seeks to ensure that requirements are in place prior to any development occurring under the proposed new controls to ensure the proposed increased housing capacity is adequately serviced.</p> <p>The Proposal will also deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment.</p>
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## Focus area 7: Industry and Employment

7.1 Employment Zones	<p>The Proposal is partially consistent with the Direction. It seeks to rezone existing E3 Productivity Support land to land that is zoned R3 Medium Density Residential. However, the Proposal is also seeking to introduce additional Active Frontages along Parramatta Road, to permit additional permitted uses for commercial premises and light industrial uses.</p> <p>Further, the Proposal is consistent with Direction 1.1 and 1.5.</p> <p>Direction 1.1 requires planning proposals to be consistent with the <i>Greater Sydney Region Plan</i> and the <i>Eastern City District Plan</i>. Whilst Objective 23 of the <i>Greater Sydney Region Plan</i> is to plan, retain and manage industrial and urban services land, the Plan states that "the land subject of this [Parramatta Road] Corridor Strategy is not subject to the industrial land strategies and actions of the Plan."</p> <p>Direction 1.5 requires planning proposals within the Parramatta Road Corridor to deliver the PRCUTS. PRCUTS</p>
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recommends retention of the E3 zone in the eastern section of the Stage 2 Kings Bay precinct and a change of zone from E3 to B4 Mixed Use along Parramatta Road in the Burwood-Concord Precinct. The Proposal is seeking to permit commercial and urban support services along Parramatta Road, consistent with the intent of PRCUTS.

This is discussed further below under Direction 7.1 Employment Zones.

### **Direction 1.5 Parramatta Road Corridor Urban Transformation Strategy**

The Direction applies to planning proposals for land that is within a PRCUTS precinct. Planning proposals must be consistent with the *Parramatta Road Corridor Urban Transformation Strategy* (November, 2016), the *Parramatta Road Corridor Implementation Tool Kit*, and the *Parramatta Road Corridor Urban Transformation Implementation Update 2021*. They must also provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community and guide the incremental delivery of necessary infrastructure. In addition, planning proposals must contain a requirement that development is not permitted until land is adequately serviced consistent with the *Parramatta Road Corridor Implementation Plan 2016 – 2023* (November, 2016) and be consistent with the District Plan.

The Proposal directly addresses Objective 1 (c) of the Direction, *to guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure*, as the Proposal includes a planning mechanism to deliver items of public infrastructure that are itemised in the included in the *Parramatta Road Corridor Implementation Plan Infrastructure Schedule* or the Draft Public Domain Plan. The infrastructure items are also included in the Draft Infrastructure Strategy that supports the Proposal (refer to [Attachment 9. Infrastructure Strategy](#)).

The Proposal is generally consistent with the Principles and Strategic Actions of PRCUTS:

- Principle 1: Housing choice and affordability – The Proposal will deliver 4,291 new dwellings, representing 85.82% of the City of Canada Bay's recently announced 5-year housing target of 5,000 (by 2029). Stage 1 and Stage 2 of PRCUTS combined will deliver 8,358 new dwellings, which represents 167% of the 5-year housing target. Note, however, that the target is for new completed homes. Council is able to create the developmental capacity for new homes, and ensure delivery is feasible, but Council has no control over lodgement of Development Applications or construction. 5% of all dwellings on Key Site 47 will be affordable housing and the CB LEP requires that 20% of all apartments will be one-bed or studio and 20% will be 3-bed apartments.
- Principle 2: Diverse and resilient economy – The Proposal will deliver Active Frontages along Parramatta Road, a major connector route and freight corridor mid-way between the Sydney CBD and the Parramatta CBD. This will assist in creating new jobs and delivering urban support services to the local population.
- Principle 3: Accessible and connected - The Proposal will deliver two new development precincts with access to good public transport. The Burwood Precinct is centred on the future Metro West Burwood North station and both Precincts will be serviced by buses along Parramatta Road, which TfNSW is planning to widen to be able to accommodate a dedicated bus lane.

However, improvements to the road network will be required and the Traffic and Transport Modelling identifies various traffic interventions to ensure operability of the local road network and of Parramatta Road.

- Principle 4: Vibrant communities and places - The Proposal will deliver quality places and built form outcomes that will transform the Corridor over time to be places that people love. The local character will be guided by detailed design requirements in the Canada Bay DCP, including building landscape setbacks, tree canopy coverage, and cycleway locations.
- Principle 5: Green spaces and links - The Proposal will deliver a new road and pedestrian through-link to increase permeability and encourage active lifestyles.
- Principle 6: Sustainability and resilience - The Proposal will encourage development in the Precincts that is sustainable and resilient to future environmental, climate and social change via increased BASIX standards bonuses.
- Principle 7: Delivery- The Proposal is the best mechanism to facilitate the delivery of holistically and strategically planned PRCUTS precincts.

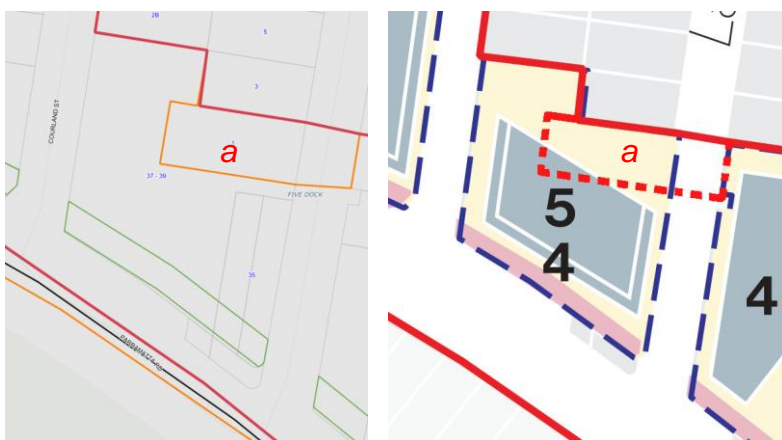
Whilst the Proposal is consistent with the Direction, it includes some variations that will either deliver better urban design and public benefits and that are the result of the evidence-based studies that were produced to support the Proposal. These are discussed below.

The Proposal also includes a number of inconsistencies, that are discussed below.

## **Variations that will deliver better urban design and public benefits**

### ***Precinct boundary adjustment***

- Adjustment of the Kings Bay boundary to include 1 Lavender Street, Five Dock ('a' below). This will result in better outcomes than the PRCUTS. PRCUTS requires a 6m Green Edge, which significantly reduces the development potential of a lot that is significantly constrained by the 'dog-leg' configuration. The inclusion of a single lot will create a more homogenous lot that is able to be exponentially further developed.



*Inclusion of 1 Lavender Street in the Kings Bay Precinct to create a homogeneous developable lot (Council mapping and Kings Bay Masterplan)*

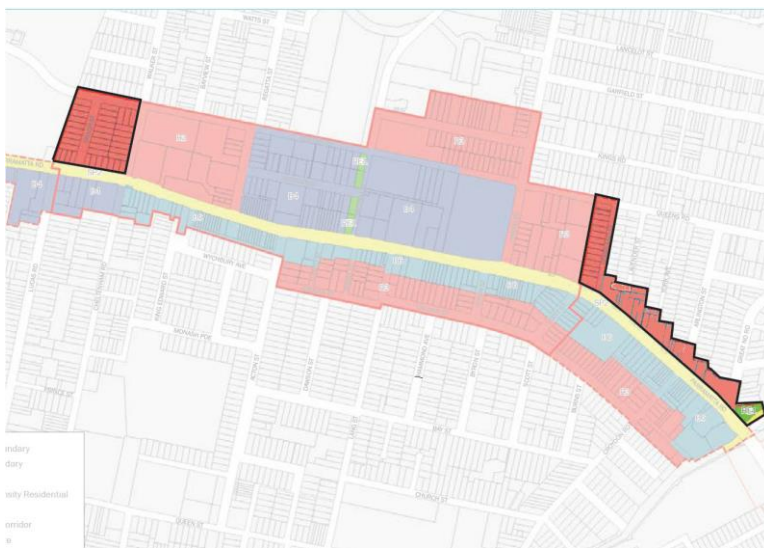
## Zoning

- The Proposal is seeking to vary the rezoning recommended by PRCUTS by rezoning all of the Kings Bay and Burwood Precincts to R3 Medium Density Residential. PRCUTS recommends retention of the B6 Enterprise Corridor zone (now E3 Productivity Support) in the eastern section of the Stage 2 Kings Bay precinct and a change of zone from E3 Productivity Support to B4 Mixed Use (now MU1 Mixed Use) along Parramatta Road in the Burwood-Concord Precinct.

However, financial testing undertaken to inform the Proposal found that the amount of commercial development recommended by PRCUTS, in addition to the required site amalgamations, is not feasible. Therefore, in order to ensure consistency with the intent of PRCUTS, the proposal is seeking to introduce Active Frontages along Parramatta Road and to permit additional permitted uses for commercial premises and light industrial uses. This approach is consistent with the intent of PRCUTS, Ministerial Direction 1.1 (discussed above) and clause 22 of the LEP, which applies to R3 land along Parramatta Road in the Stage 1 PRCUTS Precincts.

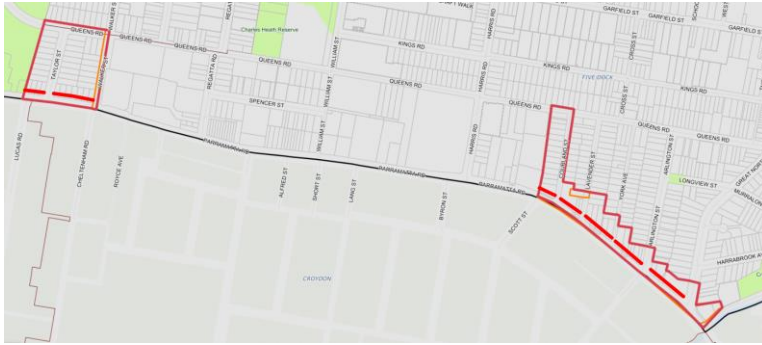


*Current zoning – Kings Bay Precinct (Kings Bay Masterplan)*

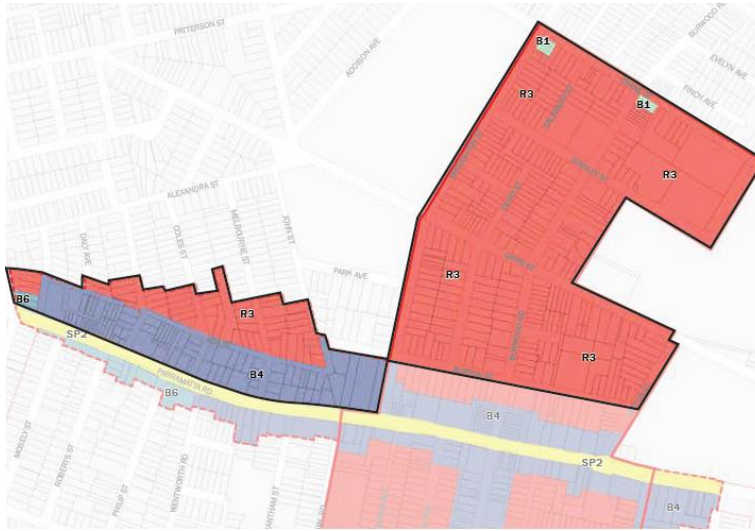


*Proposed zoning – Kings Bay Precinct (Kings Bay Masterplan)*

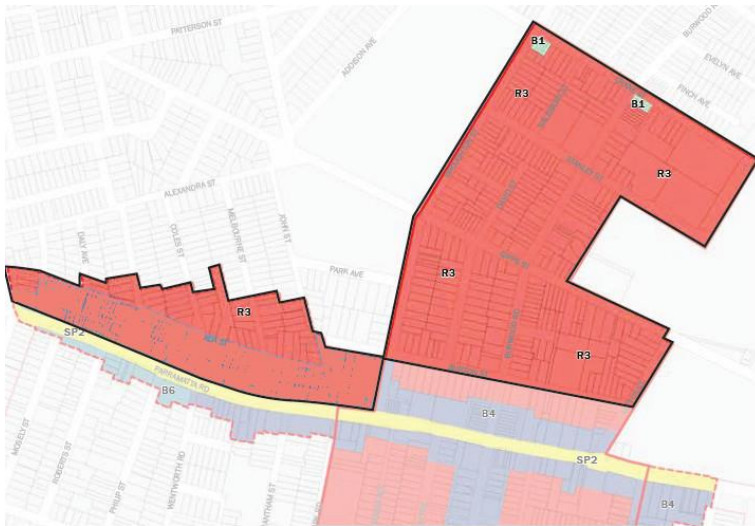




*Proposed Active Frontages – Kings Bay Precinct (Council mapping)*



*Current zoning – Burwood Precinct (Kings Bay Masterplan)*



*Proposed zoning – Burwood Precinct (Kings Bay Masterplan)*



*Proposed Active Frontages – Burwood Precinct (Council mapping)*

### ***New public domain***

The Proposal is seeking to deliver new public domain, whereby private land is voluntarily dedicated to Council. The mechanism to deliver the public domain is a continuation of the mechanism applied in the PRCUTS Stage 1 planning proposal to deliver infrastructure required by PRCUTS.

The mechanism consists of the development potential of the infrastructure area being relocated to the developable part of the site. However, the mechanism only comes into effect if the development application is seeking to utilise the bonus heights and FSRs that which become permissible if the site is amalgamated as per the Key Sites Map and the specified infrastructure is delivered.

- Key Sites 37, 38 & 39 - Widening of York Avenue, Lavender Street and Courland Street at 23, 33 and 37-39 Parramatta Road and 2-4 Lavender Street, Five Dock. This will enable the existing public footpaths, which are currently located within private land but maintained by Council, to be located within the public domain. This will formalise the historical location of the footpaths and give Council clear jurisdiction for their maintenance.

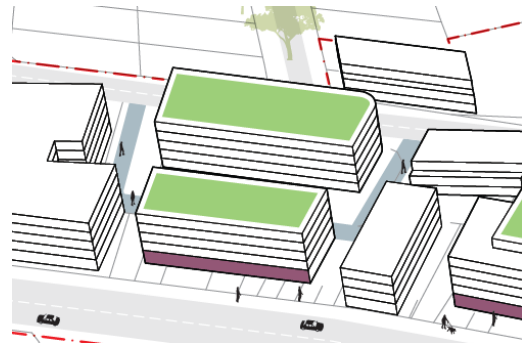
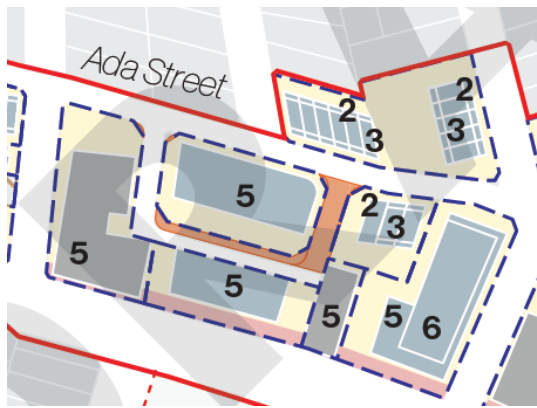


*York Avenue, Lavender Street and Courland Street widening to formalise the location of the public footpaths within the public domain (Kings Bay Masterplan)*

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- The site plan on the left shows the layout of the development. It includes two lots, LOT C1 and LOT C2, situated along Courland Street. The plan also shows the location of the proposed building, the existing road, and the surrounding context, including the intersection with Miller Street.
- The cross-section on the right provides a detailed view of the proposed road layout. It shows the existing road with a 10.4m width, including a 4.4m existing path and a 1.7m existing verge. The proposed layout includes a 3.0m landscape setback, a 2.4m foot path, a 1.0m one-way cycle path, a 3.2m travel lane, a 3.2m one-way travel lane, a 1.7m one-way cycle path, and a 2.4m foot path. The total proposed road width is 15.4m. The diagram also shows the proposed building, trees, and the surrounding context, including the intersection with Miller Street.

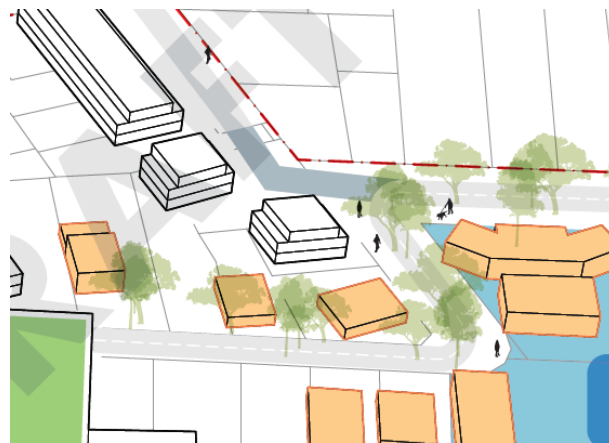
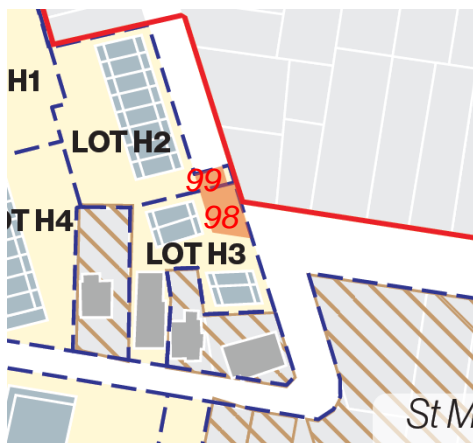
- **Key Sites 47 & 50** - A new road corridor is proposed to connect the Moreton Street cul-de sac through to Loftus Street ('a' below). This will increase building street frontage, notably for Key Site 50. It will also increase the permeability of the Precinct and the potential for improved tree coverage.

- Key Sites 93, 95 & 96 – Widening of Ada Lane, a new laneway to connect Ada Lane and Ada Street, and new traffic turning-circles. This will give access to trucks and service vehicles that are servicing the new development.



*Ada Lane widening and extension (Burwood-Concord Masterplan)*

- Key Sites 98 & 99 - A new pedestrian through-site link is proposed to connect the John Street cul-de sac through to Burton and Forster Streets. This will increase the permeability of the Precinct.



*Pedestrian through-site link from John Street to Burton Street (Burwood-Concord Masterplan)*

- Land at 1C Henley Marine Drive, Five Dock. PRCUTS recommends this land be zoned RE1 Public Recreation and to have no maximum height or density. However, zoning the land to RE1 would place an obligation on Council to purchase it, which Council does not have the financial means to do. Further, as the site is recommended as public park (ie. it will have no development potential), it is not possible to deliver a park in this location via the planning mechanism discussed above, as there is not potential floor space to reallocate to a developable part of the site.

The planning proposal is therefore seeking to retain the current E3 Productivity Support zone and to consult with TfNSW, the owners of the land, about reducing the maximum building height from 12m to 2.5m.



## ***Amended building heights and densities***

The Proposal is seeking to refine the PRCUTS recommended building heights and FSRs by amending the Incentive Height of Building Map and the Incentive Floor Space Ratio Map. The proposed draft incentive height and FSRs will:

- largely deliver the yields recommended under PRCUTS;
- deliver a more refined built form than envisaged by PRCUTS;
- generally align with known site amalgamations;
- ensure that development applications are able to comply with the Apartment Design Guide;
- maximise the utilisation of land and site coverage, whilst ensuring adequate separation between buildings;
- deliver the built form envisaged in the draft masterplans and other studies that were produced to support the Proposal. These detailed and evidence-based studies considered impacts on, and interfaces with, the adjoining residential areas (both those proposed for change as well as existing areas not proposed for change), schools, public open space and heritage buildings. These are discussed individually below;
- locate taller development (over 6-storeys) as per the PRCUTS and also locate buildings of 4 and 6-storeys as per the *Explanation of Intended Effect: Changes to Create Low and Mid-rise Housing* (LMR EIE). However, towards the southern side of the lots to achieve better solar performance of open space and reduced solar impacts on building facades, including those on the southern side of Parramatta Road (in the Burwood LGA); and
- accommodate and incentivise the delivery of specified infrastructure and public domain (discussed above) by retaining the current maximum building heights and FSRs and allocating bonus maximum building heights and FSRs to the proposed Key Sites, in return for site amalgamation and infrastructure delivery.

However, the detailed built form testing showed that it is not possible on all sites or in every case to achieve the maximum building heights and FSRs recommended by PRCUTS. Where maximum building height was reached, but not the maximum FSR, the FSR is capped. And where the maximum FSR is reached, but not the maximum height, the maximum height is capped. This is required to prevent the development capacity of PRCUTS from being exceeded, which would require additional evidence-based strategic and site specific justification to that provided by PRCUTS. It would also require additional community and public infrastructure to be provided beyond what was envisaged by PRCUTS:

- **Kings Bay Precinct – Key Sites 36-46**

Amended heights and FSRs to those recommended by PRCUTS are proposed for the sites in the Kings Bay Precinct. This is to respond to the built form recommended by the Masterplan and minimum densities recommended by the feasibility analysis.

Both the masterplan and the feasibility analysis gave consideration to relevant constraints, including provision of new infrastructure required by PRCUTS, provision of other new infrastructure, amalgamation of sufficient (small) Lots to facilitate development of RFBs, existing heritage and adjoining low-scale residential development that is not proposed for change, and provision of



affordable housing under Councils AHCS. The masterplan has also sought to deliver new housing consistent with the LMR EIE.

The proposed heights, FSRs and relevant constraints are outlined in Table 2 below.

<b>Key Site</b>	<b>PRCUTS height, FSR</b>	<b>Proposed height, FSR</b>	<b>Feasibility constraints</b>	<b>Consistency with heights in the LMR EIE</b>
36, 38	12m, 1.4:1	16m, 1.5:1	6m Green Edge and Active Frontages, amalgamation of 4 / 9 Lots	Consistent
37	12m, 1.4:1	16m, 1.4:1	6m Green Edge and Active Frontages, amalgamation of 7 Lots	Consistent
39	12m, 1.4:1	19m, 1.6:1	6m Green Edge and Active Frontages, amalgamation of 4 Lots	Exceeds by 1-storey
40	17m, 1.4:1	19m, 1.8:1	6m Green Edge and Active Frontages, amalgamation of 4 Lots	Exceeds by 1-storey
41	17m, 1.4:1	18m, 1.8:1	Amalgamation of 4 Lots	Exceeds by 1-storey
42	17m, 1.4:1	18m, 1.8:1	Infrastructure delivery (through site-link), amalgamation of 7 Lots	Exceeds by 1-storey
43	17m, 1.4:1	22m, 2.0:1	6m Green Edge and Active Frontages, amalgamation of 13 Lots	Exceeds by 2-storeys
44	17m, 1.4:1	21m, 1.9:1	Infrastructure delivery (through site-link), amalgamation of 12 Lots	Exceeds by 2-storeys
45	17m, 1.4:1	22m, 1.9:1	6m Green Edge and Active Frontages, amalgamation of 8 Lots	Exceeds by 2-storeys
46	17m, 1.4:1	21m, 1.9:1	Amalgamation of 5 Lots	Exceeds by 2-storeys



- Burwood-Concord Precinct - Key Site 50

The proposed 40m height and 2.4:1 FSR exceed PRCUTS (24m & 2.1:1). The additional height and density will ensure the proposed RFB development is feasible given a new road reserve and pedestrian through-site link will be required to be delivered. The land is also owned by the Department of Housing and used to provide social housing, which should be encouraged.

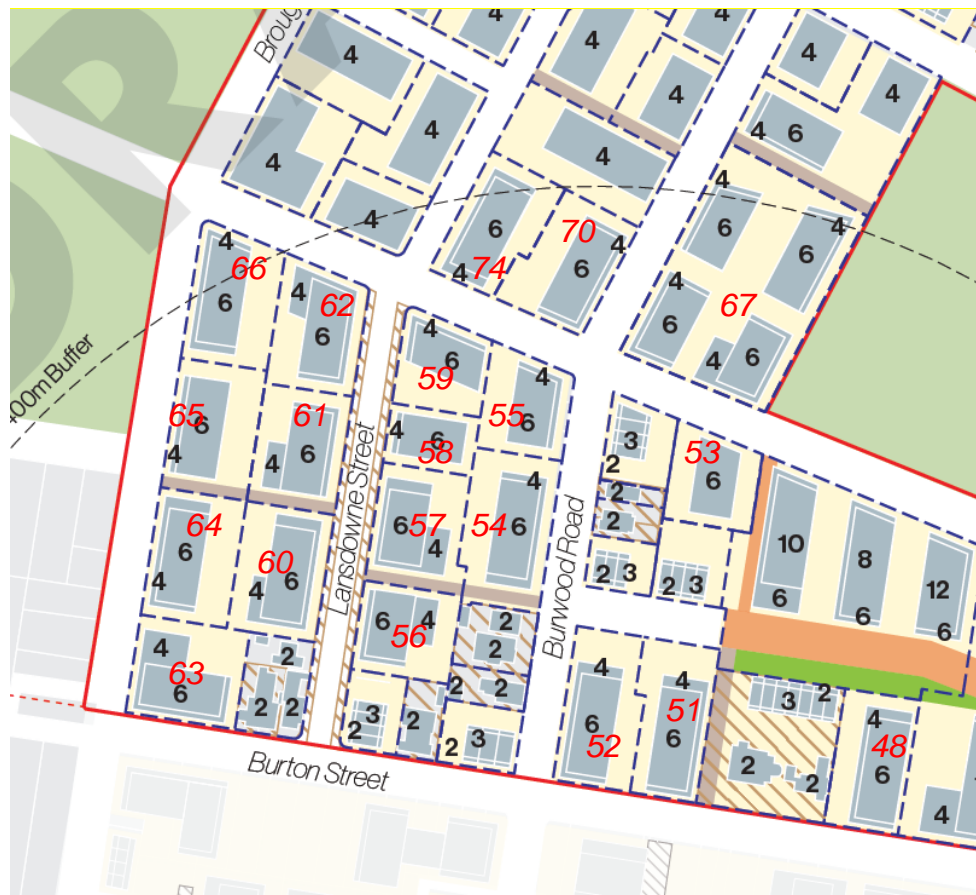


- Burwood sites in Burwood-Concord Precinct - Key Sites 48 & 51-67, 70 & 74

Amended heights and FSRs to those recommended by PRCUTS are proposed for these sites to primarily respond to the heights proposed in the LMR EIE, but also the built form recommended by the Masterplan and minimum densities recommended by the feasibility analysis.

The proposed height (21.5m) is consistent with the 6-storeys proposed in the LMR EIE, an increase from 8.5m (for Areas 70 & 74) and 17m under PRCUTS. The proposed FSRs, which range from 0.8:1 to 2.2:1 are consistent with delivering RFBs to the proposed height and also take feasibility constraints into account. The constraints include provision of new infrastructure under Council's DCP (Areas 54, 57, 61 & 65), and amalgamation of several small Lots (ranging from 3 to 6),.

Sites that are the location of, or isolated by, the location of existing heritage items have been excluded as Key Sites and are proposed to retain the current maximum height and FSR. These are discussed below under Sites not included in **Sites to retain current controls**.



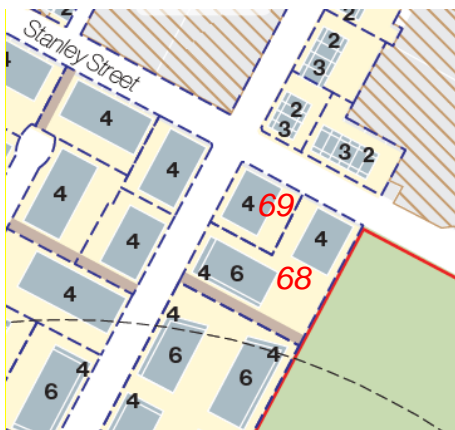
- Burwood sites in Burwood-Concord Precinct - Key Sites 68 & 69

Amended heights and FSRs to those recommended by PRCUTS are proposed for these sites to primarily respond to the heights proposed in the LMR EIE, but also the built form recommended by the Masterplan and minimum densities recommended by the feasibility analysis.

The proposed 21.5m height for Area 68 exceeds the PRCUTS 17m and the 4-storeys in the LMR EIE. The proposed 15.5m height for Area 69 is not consistent with the PRCUTS 17m, but is consistent with the LMR EIE. The FSR proposed for both sites is consistent with the 1.4:1 recommended by PRCUTS. These amendments respond to the built form recommended by the Masterplan and minimum densities recommended by the feasibility analysis.

Area 69 has been separated from Area 68 as it comprises an existing strata development that is not likely to be redeveloped in the short-medium term. Redevelopment of 68 is not constrained by strata development, but is feasibly constrained due to having to provide new infrastructure (under Council's DCP), amalgamate 8 individual Lots.

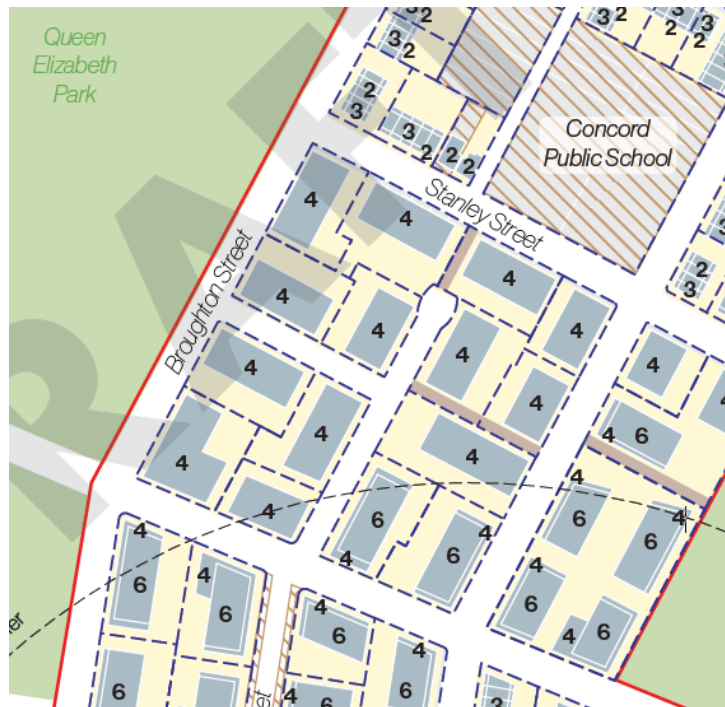
Both Key Sites are also constrained by the need to reduce impacts on the adjoining Concord Primary School and Concord High School, which are also both heritage listed.



- Burwood sites in Burwood-Concord Precinct - Key Sites 71-84

Amended heights and FSRs to those recommended by PRCUTS are proposed for these sites to primarily respond to the heights proposed in the LMR EIE, but also to respond to the built form recommended by the Masterplan and minimum densities recommended by the feasibility analysis.

The proposed 15.5m height exceeds the 8.5m height recommended by PRCUTS, but is consistent with the 4-storeys proposed in the LMR EIE. The proposed FSRs, which range from 0.8:1 to 1.8:1, exceed the 0.5:1 recommended by PRCUTS, but are consistent with delivering RFBs to the proposed height and also take feasibility constraints into account. The constraints include provision of new infrastructure under Council's DCP (Areas 72, 75& 76), amalgamate several individual small Lots (ranging from 4 to 6).



- Concord sites in Burwood-Concord Precinct - Key Site 90

The proposed 12m height and 0.9:1 FSR are not consistent with PRCUTS (24m & 2.3:1). The site is the location of a functioning sub-station, which is an essential utility and not likely to be relocated. However, to ensure potential future redevelopment is feasible should it occur, the site would be required to deliver the 6m Green Edge and commercial Active Frontages to Parramatta Road.



- Concord sites in Burwood-Concord Precinct - Key Sites 85-89 & 91-101

Amended heights and FSRs to those recommended by PRCUTS are proposed for the sites in the Concord area of the Burwood-Concord Precinct. This is to respond to the built form recommended by the Masterplan and minimum densities recommended by the feasibility analysis.

Both the masterplan and the feasibility analysis gave consideration to a range of constraints, including provision of new infrastructure required by PRCUTS, provision of other new infrastructure, the existing small Lot size and fragmentation due to local roads and laneways and proposed new links, existing heritage and low-scale residential development that is not proposed for change, and provision of



affordable housing under Councils AHCS. The masterplan has also sought to deliver new housing consistent with the LMR EIE.

The proposed heights and FSRs, and constraints on achieving feasibility, is outlined in Table 2 below. Sites not listed are either consistent with PRCUTS or described elsewhere.

Key Site	PRCUTS height, FSR	Proposed height, FSR	Feasibility constraints	Consistency with heights in the LMR EIE
85	21m, 2.4:1	17m, 1.1:1	6m Green Edge and Active Frontages, reducing impacts on adjoining heritage-listed school, amalgamation of 5 Lots	Consistent
86	21m, 2.4:1	22.5m, 1.8:1	6m Green Edge and Active Frontages, amalgamation of 5 Lots	Exceeds by 2-storeys
87	24m, 2.3:1	22.5m, 1.1:1	6m Green Edge and Active Frontages, amalgamation of 7 Lots	Exceeds by 2-storeys
88 & 89	24m, 2.3:1	22.5m, 1.9:1	6m Green Edge and Active Frontages, amalgamation of 4 & 3 Lots respectively	Consistent
91	24m, 2.3:1	22.5m, 2.4:1	6m Green Edge and Active Frontages, amalgamation of 10 Lots	Consistent
92	24m, 2.3:1	19.5m, 3.2:1	Existing 4-storey strata, 6m Green Edge and Active Frontages	Exceeds by 1-storey
94	24m, 2.3:1	18m, 1.9:1	6m Green Edge and Active Frontages	Exceeds by 1-storey
95	24m, 2.3:1	19.5m, 2.1:1	Infrastructure delivery (laneway widening, new laneway, splayed corners for truck turning), amalgamation of 6 Lots (including existing strata)	Exceeds by 1-storey
96	24m, 2.3:1	19.5m, 2.3:1	Existing 4-storey strata, 6m Green Edge and Active Frontages	Exceeds by 1-storey
98 & 99	12m, 1.0:1	9m, 0.7:1	Infrastructure delivery (through site-link), proposed terrace typology to reduce impacts on adjoining heritage, amalgamation of 4 Lots each	Not consistent. Will facilitate low-rise housing choices
100 & 101	21m, 1.4:1	15m, 1.3:1 & 1.2:1	Amalgamation of 5 & 6 Lots respectively	Consistent



### Sites to be developed as terrace-housing

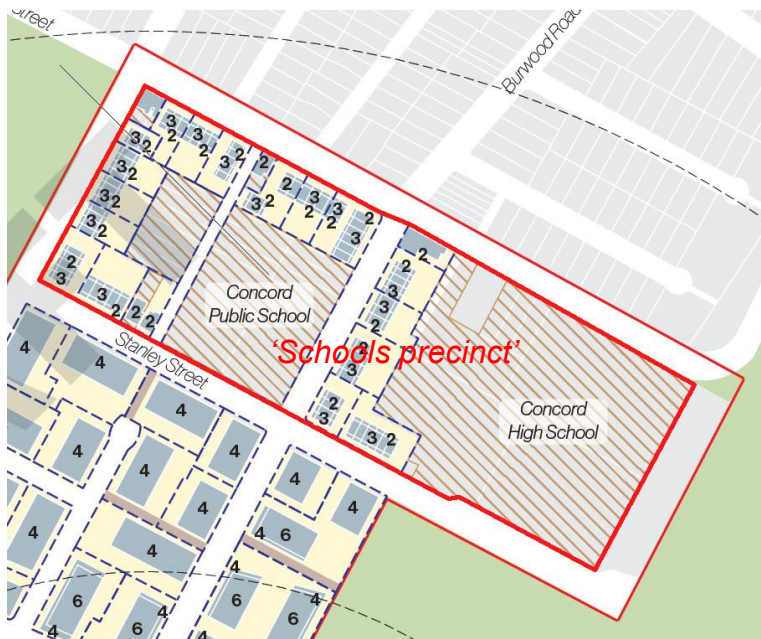
- Sites in proximity to public schools

Concord Primary School and Concord High School are located at the northern boundary of the Burwood-Concord Precinct and in close proximity to each other, which creates a 'schools precinct'. The 'precinct' is zoned R3 Medium Density Residential, includes a HCA and several individual heritage items. Both schools are also heritage-listed.

The number of students who attended both schools in 2022 was 302 and 1262 respectively. Given these are both public schools, the number of students is highly likely to increase proportionately with the proposed increase in residential development, given that public schools are required to place students within the respective catchment. It is therefore important that the amenity of this critical State infrastructure is not impacted by new development. Limiting the proposed development within the 'schools precinct' to terrace housing is the best way to ensure this, as pressures from additional through-traffic and in school drop-off and pick-up zones would be minimised. Overshadowing of the school grounds would also be minimised.

The Proposal is therefore seeking to exclude the area bounded in red below from application of the proposed changes for low and mid-rise housing under the Housing SEPP.

Note that, given that the CB DCP permits 3-storey terrace housing development where the third-storey is located within the roof space, the Proposal is also seeking to increase the density in the subject area by increasing the maximum FSR from 0.5:1 to 0.7:1.



- Isolated sites

There are a several locations within the Burwood-Concord precinct that contain clusters of individual local heritage items. This clustering results in there being several isolated Lots, Lots that are unable to be redeveloped as RFBs due to their small size and/or irregular configuration.

PRCUTS recommends maximum building heights for these Lots of 12m, 17m and 21m. The heights proposed in the LMR EIE would nominally permit heights of 4 or 6-storey RFBs. However, their size and configuration mean that the PRCUTS and the LMR EIE building heights will not be able to be achieved and only achieved if the heritage listings were removed.

The Proposal is therefore seeking to retain the current maximum building height and FSR on land where there is a heritage item ('a' on the map below). And to retain the current maximum building height of 8.5m and increase the FSR from 0.5:1 to 0.7:1 on land that is isolated by the heritage items ('b' in the map below).

This will enable the development of the isolated lots, but as terrace housing. Further, as the CB DCP also permits building heights of 9m for terrace housing (3-storeys) where the third-storey is located within the roof space.





### **Direction 3.2 Heritage Conservation**

The Direction requires that planning proposals must contain provisions that facilitate the conservation of heritage items, places, buildings, or precincts of environmental heritage significance to an area that have been identified in a study of the environmental heritage of the area.

The Proposal relates to heritage items within the Precincts that are included in Schedule 5 of the CB LEP. A Heritage Assessment of the environmental heritage of the area was undertaken to inform the proposal (Refer [Attachment 8. Heritage Assessment](#)). The Heritage Assessment made recommendations aimed at facilitating the conservation of the local heritage items that could be impacted by future development within and immediately adjoining the Precincts. The recommendations informed the height, densities and built form proposed in the Draft Masterplan.

Note that, as the Heritage Assessment provided advice based on an early draft Masterplan, which was subsequently revised to respond to the recommendations in the heritage advice, some of the details in the Heritage Assessment do not align with those in the final Draft Masterplan (eg. amalgamated Lot boundaries and numbering, building heights and footprints).

The Kings Bay Precinct is largely unconstrained by heritage items and the assessment found that the heritage impacts will be minimal, except for those to heritage item I522 at 1A & 5 York Ave.

The Burwood-Concord Precinct includes several detached houses that have a local heritage listing. These are generally located in clusters. The Heritage Assessment recommended that, when a development lot is adjacent to a heritage item, there should be a transition zone of 2 to 3-storeys along the shared boundary interface, to respond to the existing prominence of the 1 to 2-storey heritage buildings. Also that new development around St Luke's Church should minimise heritage impacts to the church building, as well as its landscape setting, including grounds and significant trees. The Draft Masterplan was then subsequently revised to recommend that apartment buildings adjacent to a heritage item include a 2 or 3-storey podium. And where apartments are not possible, due to constraints from size or configuration of the land (discussed above), 2-storey terrace housing with a third storey within the roof pitch is recommended. The latter is consistent with existing planning controls for terrace housing in the CB DCP.

### **Direction 4.1 Flood Prone Land**

The Direction applies where a planning proposal is seeking to create, remove, or alter a zone or provision for land that is flood prone.

The planning proposal is seeking to amend the zoning and provisions of some land that has been identified as flood prone by the PRCUTS Stage 2 Flood Risk Assessment, including:

- Land within the western part of the Burwood precinct within the Exile Bay catchment.
- Certain Lots within the northern part of the Burwood Precinct within the St Lukes catchment.
- Land within the eastern section of the Kings Bay Precinct within the Dobroyd Canal Catchment.

The planning proposal is consistent with the Direction as, whilst it seeks to create, remove or alter a zone or a provision that affects flood prone land:

- 1) (a) The Proposal is consistent with the NSW Flood Prone Land Policy, the principles of the Floodplain Development Manual 2005 and the Considering flooding in land use planning guideline 2021.
- (b) The Proposal is consistent with the recommendations of the draft Stage 2 PRCUTS Flood Risk Assessment, which has been prepared in accordance with the principles of the Floodplain Development Manual 2005, and which will be considered for endorsement by Council with the Proposal.

It should be noted that the Assessment does not comply with some non-technical requirements, such as public exhibition and review by a technical committee. However, it models flooding across all four catchments and is therefore able to inform flood mitigation recommendations for the land within Stage 2 of the Kings Bay and Burwood precincts.

- 2) The Proposal is not seeking to rezone land within the proposed Flood Planning Area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Employment, Mixed Use, W4 Working Waterfront or Special Purpose Zones.
- 3) (a) Whilst some land in the Precinct is identified as in a floodway, the development area is not in a floodway. That is, the Proposal is not seeking to permit development in a floodway area.
- (b) The Flood Risk Assessment has made recommendations to address flood risk and that results in no in significant flood impacts to other properties.
- (c) No residential development is proposed in high hazard areas.
- (d) Whilst the Proposal is seeking to significantly increase development and dwelling density in a flood affected area, the Canda Bay DCP will be amended to show an amended Flood Planning Area to include land that the PRCUTS Stage 2 Flood Risk Assessment has identified as Medium Flood Risk, defined as land within the 1% AEP extent and not subject to high hydraulic hazard.

There are small isolated areas of land (roadways) within the Precincts that is identified as High Flood Risk, defined as land within the 1% Annual Exceedance Probability (AEP) extent and within a high hydraulic hazard category (H4, H5 and H6, included in the proposed Flood Planning Area. However, this land is not proposed for development.



There is also land that is identified as Low Flood Risk, identified as land above the 1% AEP extent but within the PMF extent, but this land is not included in the proposed Flood Planning Area.

- (e) The Proposal may result in Development Applications for sensitive uses. However, as the Proposal is seeking to identify land that is Medium (or High) Flood Risk, the impacts and mitigation will be required to be assessed at the DA stage.
- (f) The purpose of the Flood Planning Area is to prohibit development being carried out within the flood affected area without development consent, except exempt development.
- (g) The introduction of the proposed Flood Planning Area is the best way to minimise Government spending by ensuring risks and their mitigation is assessed up front.
- (h) The introduction of the proposed Flood Planning Area is the best way to minimise the use of land for use or storage of hazardous materials during a flood.

The Canada Bay LEP 2013 and DCP already include planning controls that require proposed developments to address flood behaviour and impacts;

The planning proposal also implements the recommendations of the Canada Bay Parramatta Road Corridor Flood Risk Assessment 2020, which is consistent with the technical requirements of the NSW Floodplain Development Manual 2005 (including the *Guideline on Development Controls on Low Flood Risk Areas*). It should be noted that the Assessment does not comply with some non-technical requirements, such as public exhibition and review by a technical committee. However, it models flooding across the entire St Lukes and Williams Street catchments and is therefore able to inform flood mitigation recommendations for the land within the Kings Bay and Burwood precincts;

The proposed Flood Planning Map is essential for achieving a coordinated approach to designing elevated ground floor levels and shopfronts within a mixed use urban centre, which will be required to implement the necessary Flood Planning Levels.

### **Direction 5.1 Integrating Land Use & Transport**

The Direction applies where a planning proposal is seeking to create, alter or remove a zone or a provision relating to urban land, to improve access to housing, jobs and services by walking, cycling and public transport; transport choices are increased; car dependency is reduced; freight movement efficiencies are created.

The Proposal is consistent with the aims and objectives of *The Right Place for Business and Services – Planning Policy (DUAP 2001)* and the principles of *Improving Transport Choice – Guidelines for planning and development (DUAP 2001)*, as it seeks to concentrate new residential and commercial development and services in proximity to new mixed use centres (Principles 1 and 2), which are aligned with the Parramatta Road corridor and the PRCUTS and Council's land use strategy (Principles 3 and 4). The Proposal seeks to connect streets, improve pedestrian access, improve cycle access, manage parking supply, reduce car dependency and implement good urban design (Principles 5-8, 10).

The Proposal also seeks to improve road management (Principle 9) by prioritising freight movement along the Parramatta Road, minimising access ways off Parramatta Road, identifying potential intersection upgrades on Parramatta Road and local streets

as recommended in the supporting PRCUTS Stage 1 and 2 Traffic and Transport Study.

The Stage 1 Traffic and Transport Study had assumed preliminary forecasts only for the Stage 2 areas (2026-2036). The Stage 2 forecasts were able to be firmed up following the detailed built form testing undertaken by the Stage 2 Masterplans, making the traffic analysis for the Stage 2 impacts more reliable. Refer to the table below from the Study for a comparison. Note that the Study examined the traffic associated with estimated uplift in the Bakehouse Quarter in Homebush Precinct, as well as the Burwood and Kings Bay Precincts, as the planning proposal initially included this Precinct. It was removed when DPHI commenced the Accelerated Homebush TOD.

**Table 2.1: Population and Dwelling Numbers**

STFM	Precinct	Population 2036 Uplift			Difference in Dwelling Numbers
		PRCUTS	Updated	Difference	
735	Kings Bay (West)	6,531	5,767	-764	-364
744	Kings Bay (East)	970	1,382	412	196
706	Burwood (North)	3,058	5,882	2,824	1,345
707	Burwood (West)	1,697	2,507	810	386
719	Bakehouse (North)	1,280	769	-511	-244
740	Bakehouse (South)	0	905	905	431
<b>Total</b>		<b>13,536</b>	<b>17,212</b>	<b>3,676</b>	<b>1,750</b>

The recommended traffic interventions include:

- intersection upgrades – Queens Road / Arlington Street (outside of the Precinct)
- a new roundabout – Ada Street / Melbourne Street
- right-turn bans – Broughton Street into Gipps Street, Gipps Street into Loftus Street, Burton Street into Burwood Street
- new bypasses – Gipps Street / Leigh Avenue (outside of the Precinct), Queens Road / Taylor Street, Queens Road / Bayview Road (outside of the Precinct), Queens Road / Regatta Road (outside of the Precinct)
- new approach lane – northern half of William Street (Stage 1 area)

### **Direction 6.1 Residential Zones**

The Proposal is consistent with the Direction. It seeks to facilitate a variety and choice of housing types to provide for existing and future housing needs, make more efficient use of existing infrastructure and services, and minimise the impact of residential development on environmental and resource lands.

The proposal is also consistent with the State Government's LMR EIE. It proposes building heights of 6+-storeys within 400m of the Burwood North Metro station and 4-storeys within 400-800m. Where land amalgamations necessary to facilitate RFBs are not feasible due to constraints from existing infrastructure and heritage, terrace-housing is proposed. This is consistent with the Direction and with the State Government objective to facilitate low-rise housing choices.

The Proposal also seeks to ensure that requirements are in place prior to any development occurring under the proposed new controls to ensure the proposed increased housing capacity is adequately serviced.

### **Direction 7.1 Employment Zones**

The Proposal is partially consistent with the Direction, as it seeks to rezone existing E3 Productivity Support land to land that is zoned R3 Medium Density Residential. However, the Proposal is seeking to zone the E3 and B4 land to R3 and to permit additional permitted uses for commercial premises and light industrial uses to facilitate viable development, including urban support services along Parramatta Road.

Further, the inconsistency is consistent with Directions 1.1 and 1.5.

Direction 1.1 requires planning proposals to be consistent with the *Greater Sydney Region Plan* and the *Eastern City District Plan*. Whilst Objective 23 of the *Greater Sydney Region Plan* is to plan, retain and manage industrial and urban services land, the Plan states that “the land subject of this [Parramatta Road] Corridor Strategy is not subject to the industrial land strategies and actions of the Plan.”

Direction 1.5 requires planning proposals within the Parramatta Road Corridor to deliver the PRCUTS, which is approved by the Secretary of the Department of Planning, Industry and Environment. PRCUTS recommends retention of the E3 zone in the eastern section of the Stage 2 Kings Bay precinct and a change of zone from E3 to B4 Mixed Use along Parramatta Road in the Burwood-Concord Precinct. The Proposal is seeking to ensure commercial and light industrial uses along Parramatta Road are facilitated by introducing additional permitted uses for commercial premises and light industrial uses and Active Frontages along Parramatta Road.

## **Section C – Environmental, social and economic impact**

### **Q7. 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?**

The Proposal relates to land that is developed for residential and industrial uses and is therefore unlikely to result in any adverse effects on critical habitat for threatened species and ecological communities. Further, any remediation that may be necessary, and that would be determined at DA stage, would result in reduced adverse impacts on the Parramatta River and improve the water quality.

### **Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

The Proposal will result in beneficial environmental effects as it is seeking to implement the following sustainability measures, as recommended in the Canada Bay Sustainable Precincts Strategy 2020:

- Extend the scope of clause 8.9 Additional floor space for BASIX buildings to include development within the Precincts where a feasibility assessment determines the additional provisions are feasible.
- Extend the scope of clause 8.10 Other development standards to include land subject to the Proposal, to require new development to include construction of both potable water pipes and recycled water pipes for all

internal and external water uses to future proof water supply security and increase water usage efficiency.

**Q9. Has the planning proposal adequately addressed any social and economic effects?**

The proposed changes are unlikely to result in any adverse social or economic effects. The planning proposal will result in beneficial effects as it is seeking to largely facilitate needed housing.

**Section D – State and Commonwealth interests**

**Q10. Is there adequate public infrastructure for the planning proposal?**

There is currently insufficient public infrastructure to support the proposed increase in residential development. The planning proposal is seeking to provide the following public infrastructure, which is required to be delivered under PRCUTS and the Eastern City District Plan within the Stage 2 Precincts:

- Public pedestrian through-site links to increase connectivity
- 6m wide landscaped setbacks to Parramatta Road
- Green Grid pedestrian public domain and cycleways
- 25% tree canopy coverage

The planning proposal is the only mechanism to ensure that the infrastructure that is required to be delivered under PRCUTS and itemised as 'Opportunity through development' in the PRCUTS Infrastructure Schedule is delivered. PRCUTS was underpinned by a *Social Infrastructure Analysis Report* and an *Economic Analysis Report*. These documents confirmed that social infrastructure should be provided in association with the roll-out of new housing, within either short term (2016-2023) or medium to long term (2024-2054) timeframe.

The Proposal is seeking to amend clauses 8.3-8.8 of the CB LEP (as per Appendix A - Plain English Explanation of Amended Clauses) and to amend the Key Sites Map, Incentive Height of Buildings Map and Incentive Floor Space Ratio Map (as per Appendix B – Proposed Maps) to deliver the necessary additional infrastructure. The Proposal is supported by the draft Masterplan (Attachment - Burwood Precinct Masterplan) and Attachment – Kings Bay Masterplan) and draft Public Domain Plan (Attachment – Public Domain Plan) which have assessed and describe the infrastructure that is required to be delivered to support the residential uplift.

The draft DCP is seeking also to deliver additional and complementary infrastructure and Council intends to include the relevant items of infrastructure in the next amendment of the CB Local Infrastructure Contributions Plan to refer to.

**Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

The views of any relevant State and Commonwealth agencies will be sought through consultation following receipt of the Gateway Determination.

## **Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies**

The following map sheets are included at Appendix B – Proposed Maps and Attachment – Draft LEP Maps

- Land Zoning
- Height of Buildings Map
- Floor Space Ratio Map
- Key Sites Map
- Incentive Height of Buildings Map
- Incentive Floor Space Ratio Map
- Affordable Housing Contribution Map
- Design Excellence Map
- Active Street Frontages Map
- Additional Permitted Uses Map

## **Part 5 - Community Consultation**

Council has engaged with landowners as part of the development of the PRCUTS Public Domain Plan and PRCUTS Masterplans, giving consideration to potential cumulative impacts and high quality design. These Plans underpin the planning proposal.

It is intended to publicly exhibit the draft plan for a minimum period of 28 days.

Council intends to consult with the following agencies in respect of the planning proposal:

- Ausgrid
- Sydney Water Corporation
- Jemena Gas Networks
- Metropolitan Aboriginal Land Council
- Transport for NSW
- Sydney Metro
- School Infrastructure NSW
- Heritage NSW
- State Emergency Service



## Part 6 - Project Timeline

It is anticipated the planning proposal will take a minimum of **9** months to finalise. An indicative project timeline for this minimum period is provided below.

Action	Timeframe
Submission for Gateway	June 2024
Gateway Determination	September 2024
Government Agency Consultation	October/November 2024
Exhibition Period	October/November 2024
Consideration of submissions	December to February 2024
Consideration of proposal	February 2025
Council Meeting (TBC)	March 2025
Date of submission to the Department for drafting and finalisation	April 2025

## Appendix A – Plain English Explanation of Amended Clauses

### Affordable housing provision

The proposal is seeking to amend clause 6.12 Affordable housing to introduce a new affordable housing contribution area – ‘Loftus Street affordable housing contribution area’ - for land at 10-12 Gipps St, 3B-11, 4-10 Loftus St, 1-9 Burton St, Concord.

Refer to [Appendix B – Affordable Housing Contribution Map](#) below.

### Public benefits on land in the Parramatta Road Corridor Urban Transformation Strategy Precincts

1. The Proposal is seeking to add a new clause ‘Objectives of Part’, with the intent that the objectives will ensure that assessments under the Part will achieve:

- a) wholistic development of the Precincts.
- b) development of amalgamated sites (Key Sites) in order to avoid creation of isolated sites and reduced overall development capacity of the Precincts.
- c) development supported by infrastructure proportionate to the residential and commercial uplift.
- d) creation of liveable Precincts by delivering new and upgraded public plazas, public open space, streets and laneways.

2. The Proposal is seeking to amend clauses 8.3-8.8 as follows:

- **Clause 8.3 Additional floor space ratio and building heights for Areas 1–35**

Update references to ‘Areas 1-35’ to ‘Areas 1-101’.

- **Clause 8.4 Minimum site area requirements**

Update the table to also include the following Areas:

Column 1	Column 2
Area	Minimum Site Area
Area 36	2,883 m <sup>2</sup>
Area 37	2,782 m <sup>2</sup>
Area 38	3,936 m <sup>2</sup>
Area 39	2,344 m <sup>2</sup>
Area 40	2,007 m <sup>2</sup>
Area 41	1,668 m <sup>2</sup>
Area 42	2,525 m <sup>2</sup>
Area 43	5,436 m <sup>2</sup>
Area 44	5,706 m <sup>2</sup>
Area 45	3,182 m <sup>2</sup>

Area 46	2,348 m <sup>2</sup>
Area 47	9,746 m <sup>2</sup>
Area 48	2,664 m <sup>2</sup>
Area 49	4,531 m <sup>2</sup>
Area 50	11,856 m <sup>2</sup>
Area 51	2,854 m <sup>2</sup>
Area 52	2,930 m <sup>2</sup>
Area 53	2,070 m <sup>2</sup>
Area 54	3,384 m <sup>2</sup>
Area 55	2,169 m <sup>2</sup>
Area 56	2,265 m <sup>2</sup>
Area 57	2,802 m <sup>2</sup>
Area 58	1,373 m <sup>2</sup>
Area 59	2,044 m <sup>2</sup>
Area 60	2,963 m <sup>2</sup>
Area 61	2,732 m <sup>2</sup>
Area 62	2,757 m <sup>2</sup>
Area 63	2,804 m <sup>2</sup>
Area 64	2,877 m <sup>2</sup>
Area 65	2,937 m <sup>2</sup>
Area 66	2,907 m <sup>2</sup>
Area 67	9,182 m <sup>2</sup>
Area 68	4,735 m <sup>2</sup>
Area 69	1,642 m <sup>2</sup>
Area 70	2,843 m <sup>2</sup>
Area 71	3,374 m <sup>2</sup>
Area 72	1,961 m <sup>2</sup>
Area 73	1,692 m <sup>2</sup>
Area 74	2,608 m <sup>2</sup>
Area 75	2,743 m <sup>2</sup>
Area 76	2,438 m <sup>2</sup>
Area 77	1,709 m <sup>2</sup>
Area 78	2,523 m <sup>2</sup>
Area 79	2,867 m <sup>2</sup>
Area 80	2,747 m <sup>2</sup>
Area 81	2,109 m <sup>2</sup>
Area 82	3,222 m <sup>2</sup>
Area 83	2,374 m <sup>2</sup>
Area 84	2,349 m <sup>2</sup>
Area 85	1,936 m <sup>2</sup>
Area 86	4,127 m <sup>2</sup>

Area 87	4,040 m <sup>2</sup>
Area 88	4,355 m <sup>2</sup>
Area 89	4,958 m <sup>2</sup>
Area 90	3,730 m <sup>2</sup>
Area 91	2,955 m <sup>2</sup>
Area 92	548 m <sup>2</sup>
Area 93	1,057 m <sup>2</sup>
Area 94	1,595 m <sup>2</sup>
Area 95	2,713 m <sup>2</sup>
Area 96	2,415 m <sup>2</sup>
Area 97	727 m <sup>2</sup>
Area 98	1,911 m <sup>2</sup>
Area 99	2,423 m <sup>2</sup>
Area 100	2,993 m <sup>2</sup>
Area 101	3,275 m <sup>2</sup>

Note that the Minimum Site Areas are calculated similarly to those for Areas 1-35, whereby the area is the total land area plus 2%, for contingency.

- **Clause 8.5 Public open space**

Update the clause to also include Area 50:

- Area 50 - 10m wide along southern boundary

- **Clause 8.6 Setback requirements**

Amend “The minimum setback requirements are as follows—” and all references to setback’ to make it explicit that the land is to be dedicated to Council for use as community benefit and in exchange for bonus height and FSR. The necessity of this amendment is because, since publication of PRCUTS Stage 1 planning controls, it has become evident that clause 8.6 is being misinterpreted and therefore open to misapplication and/or challenge. The PRCUTS Stage 1 planning proposal sought to deliver additional public domain (wider footpaths) where the bonus (incentive) height and FSR are sought. The land is identified in the PRCUTS Stage 1 Infrastructure Strategy as ‘Area for public domain enhancement (dedicated to Council)’. However, the clause is being interpreted as a building setback line on land that will remain in private ownership. Whereas it should be interpreted as land that will, after application of clause 8.3 and dedication of the land to Council, become public land.

Update the clause to also include the following Areas:

- Areas 36-40, 43, 45, 85-92, 94, 96-97 – 6m wide additional public domain along the Parramatta Road frontage,
- Area 42 – 3.4m wide additional public domain wide along Queens Road frontage

- **Clause 8.7 Pedestrian link and road requirements**

Update the clause to also include the following Areas:

- Area 47 – 19.3m wide road that connects road on Area 50 to Loftus Street
- Area 50 – 19.3m wide road that connects road on Area 47 to Moreton Street
  - 6m wide pedestrian link along western boundary that connects road to Gipps Street
  - 6m wide pedestrian link along western boundary that connects road to Area 49
- Area 98 – 12.0m wide pedestrian link that connects pedestrian link on Area 99 to Burton Street
- Area 99 – 10.3m wide pedestrian link that adjoins Lot 8 DP 25630 and connects John Street to pedestrian link on Area 98

- **Clause 8.8 Service access way requirements**

Update the clause to also include the following Areas:

- Area 93 – a 5m x 5m truck turning splay at the north-west corner
- Area 95 – a 3.2m widening of Ada Lane way along the southern boundary and 9m wide along eastern boundary that connects to Ada Street
  - 5m x 5m truck turning splays at all four corners
- Area 96 – a 5m x 5m truck turning splay at the northeast corner

- **Schedule 1 Additional Permitted Uses**

**Clause 22 Use of certain land at Kings Bay Precinct**

Update clause 22 to:

- Include Burwood-Concord Precinct

To permit development for the purposes of commercial premises and light industries is permitted with development consent on the ground floor of a residential flat building.

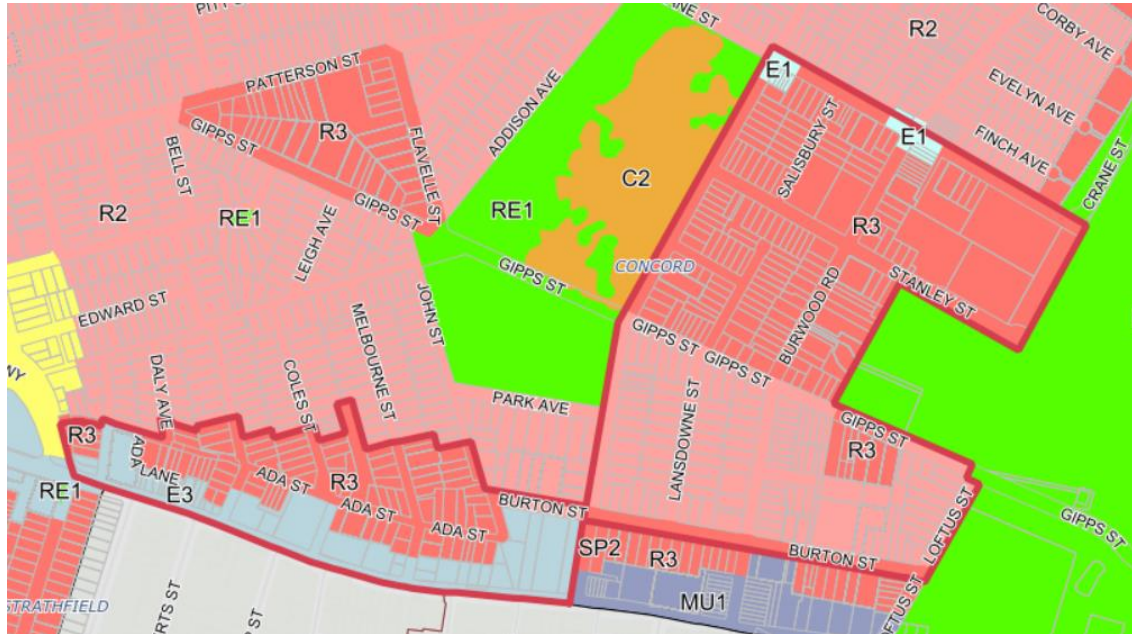
The proposed amendment is complementary to the proposed changes to the Additional Permitted Uses Map (refer Appendix B – Proposed Maps and Attachment 2. Proposed Draft LEP maps).



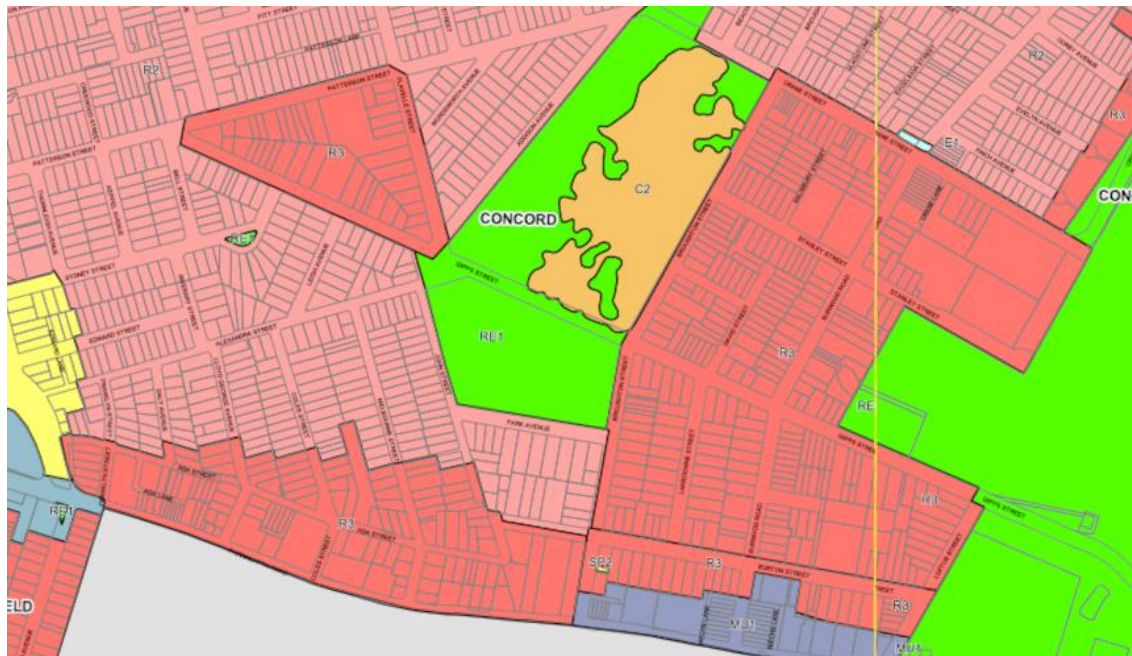
## Appendix B – Proposed Maps

### Land Zoning Maps

#### Burwood Precinct

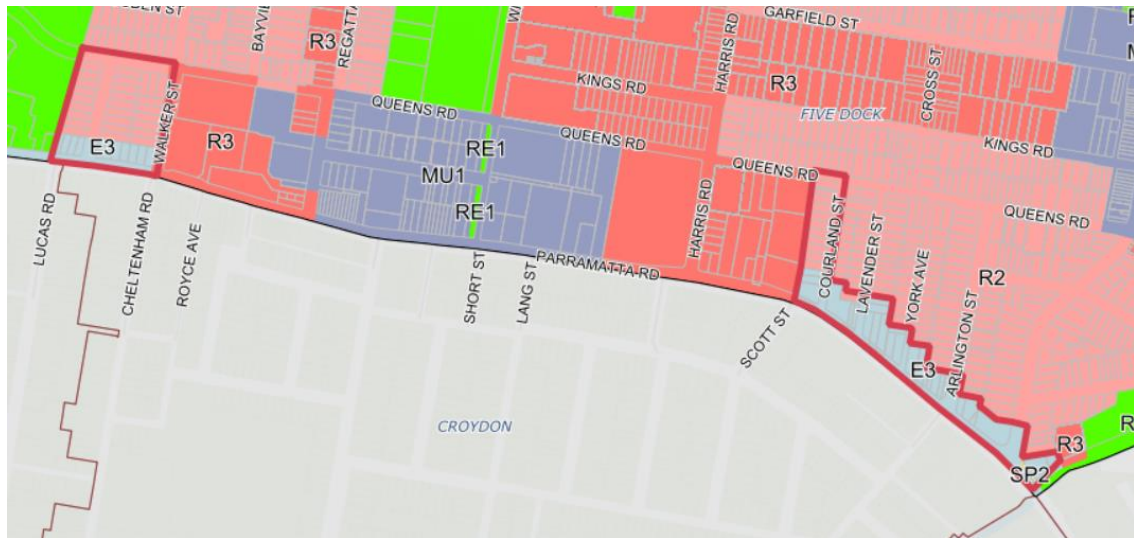


Current zoning (Land Zoning Map Sheet LZN\_003 and 005)

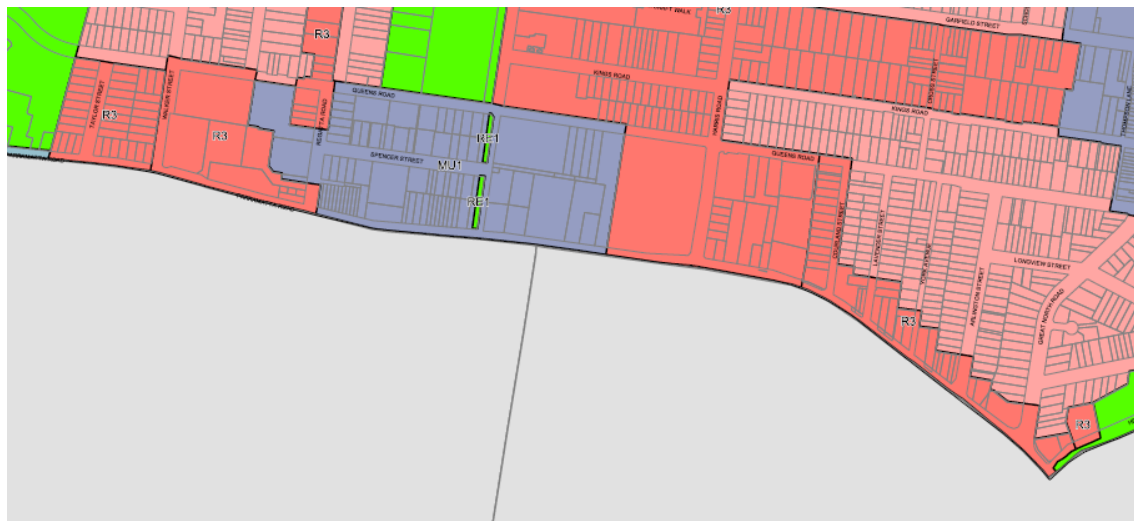


Proposed amended zoning (Land Zoning Map Sheet LZN\_003 and 005)

## Kings Bay Precinct



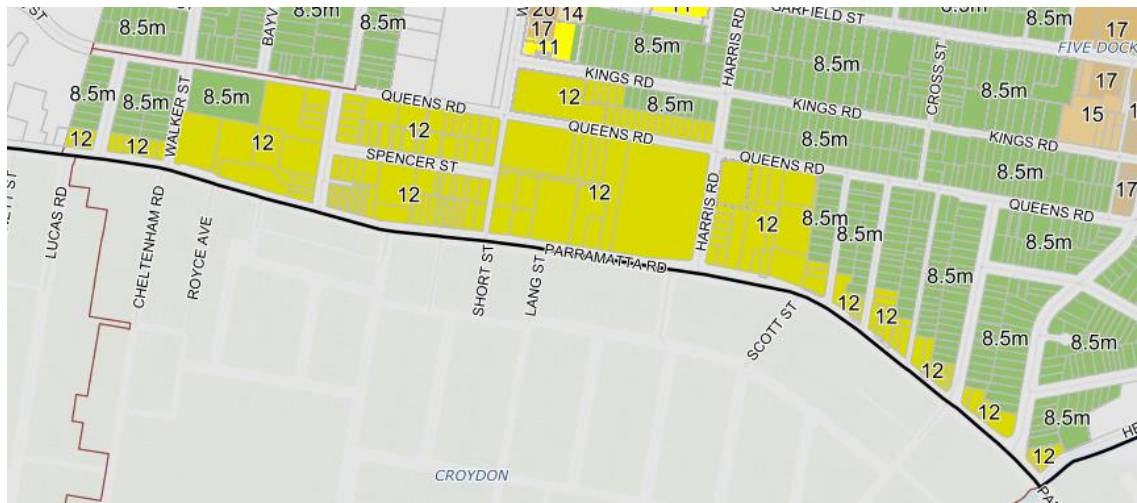
Current zoning (Land Zoning Map Sheet LZN\_005)



Proposed amended zoning (Land Zoning Map Sheet LZN\_005)

## Height of Buildings Maps

### Kings Bay Precinct



Current maximum building height (Height of Buildings Map Sheet FSR\_005)



Proposed maximum building height (Height of Buildings Map Sheet FSR\_005)

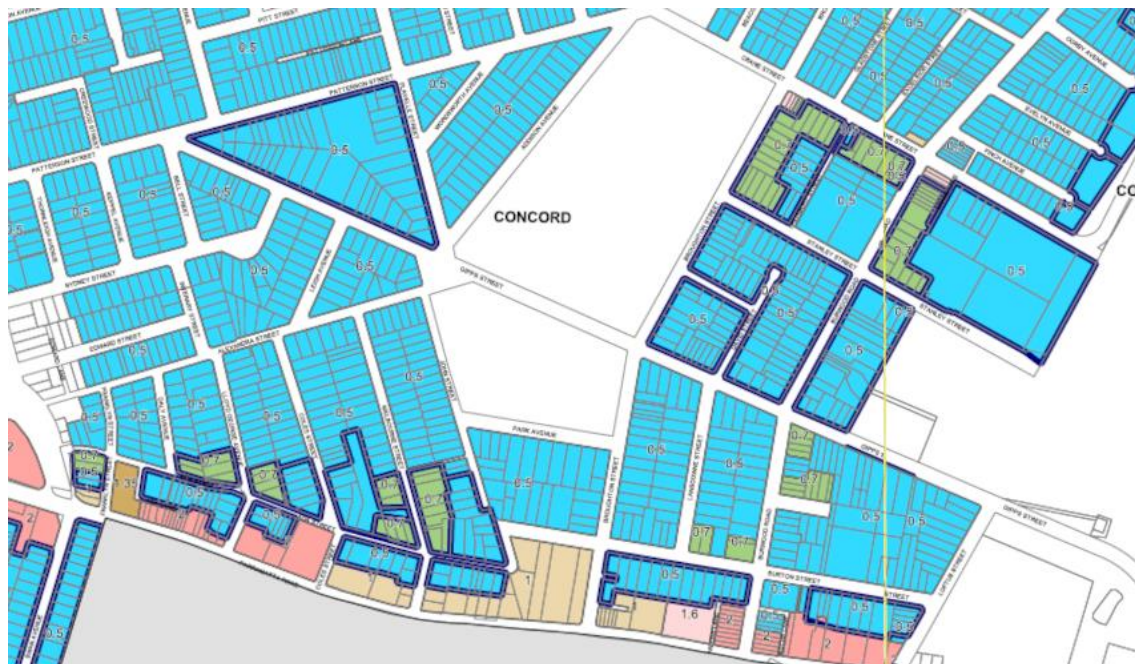


## Floor Space Ratio Maps

### Burwood Precinct



Current floor space ratio (Floor Space Ratio Map Sheet FSR\_003 and 005)

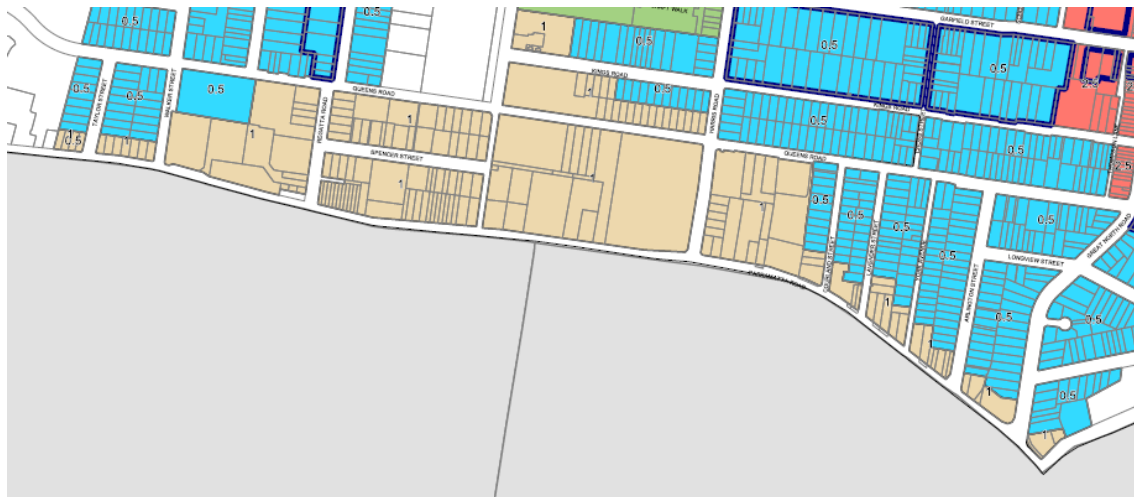


Proposed floor space ratio (Floor Space Ratio Map Sheet FSR\_003 and 005)

## Kings Bay Precinct



Current floor space ratio (Floor Space Ratio Map Sheet FSR\_005)



Proposed floor space ratio (Floor Space Ratio Map Sheet FSR\_003 and 005)



## Key Sites Map

### Burwood Precinct

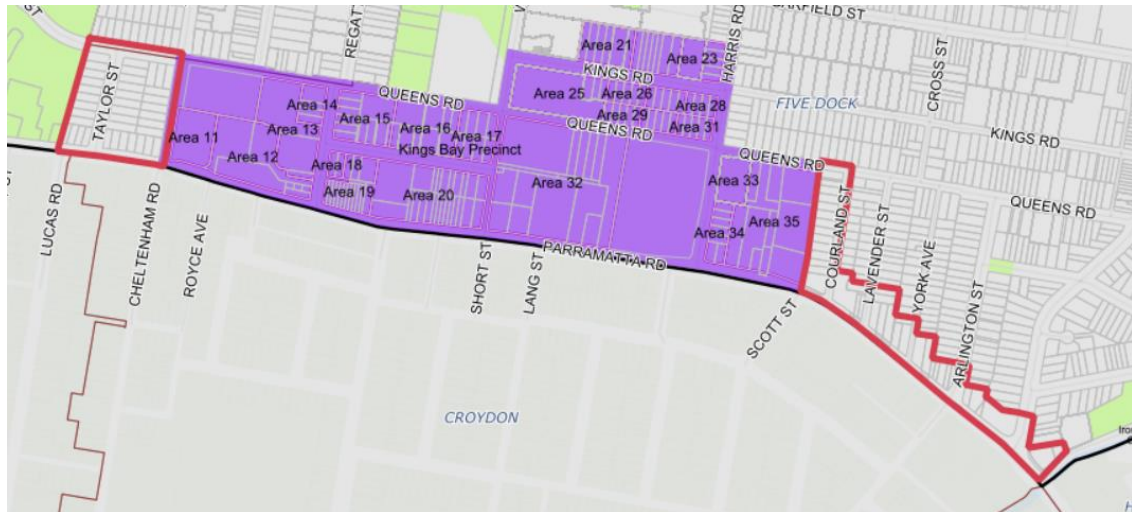


Current Key Sites Map (Key Sites Map Sheet KS\_003 and 005)



Proposed Key Sites Map (Key Sites Map Sheet KS\_003 and 005)

## Kings Bay Precinct



Current Key Sites Map (Key Sites Map Sheet KS\_005)

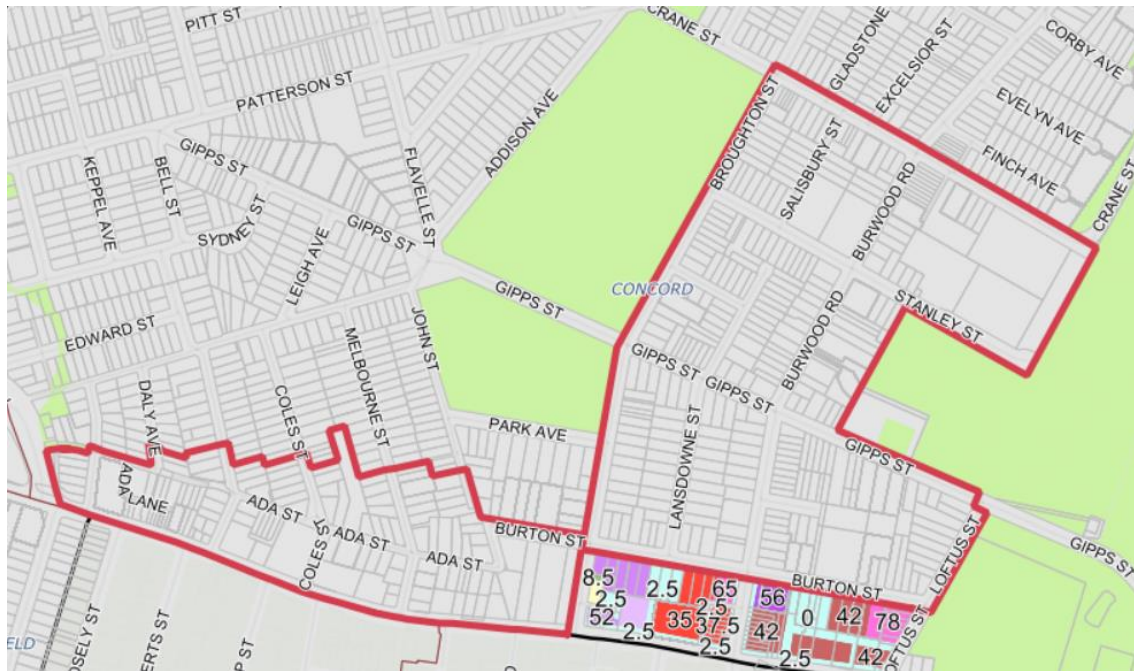


Proposed Key Sites Map (Key Sites Map Sheet KS\_005)

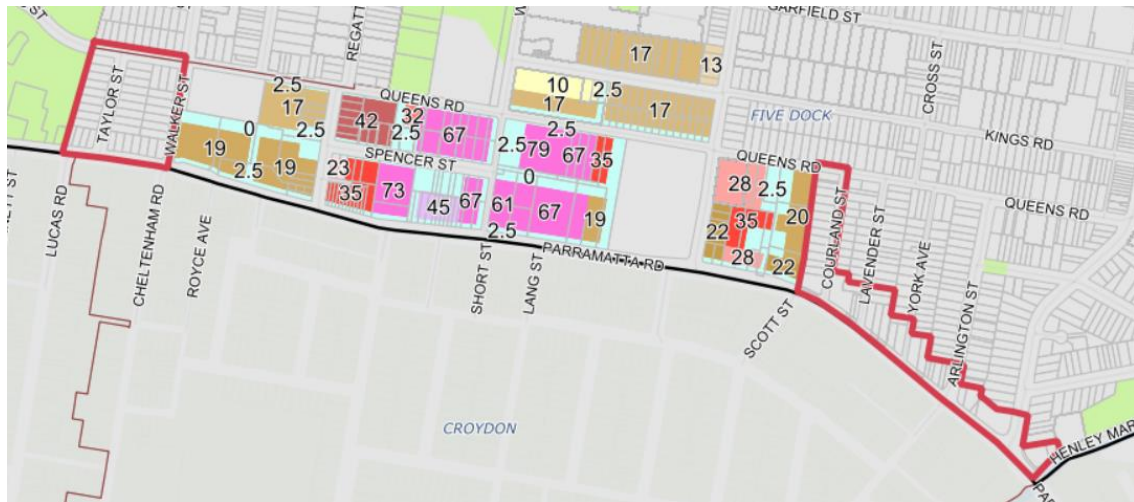


## Incentive Height of Buildings Maps

### Burwood Precinct



## Kings Bay Precinct



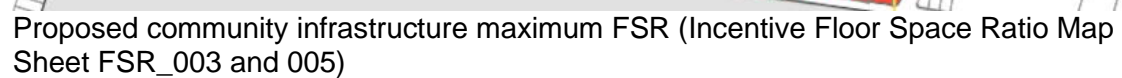
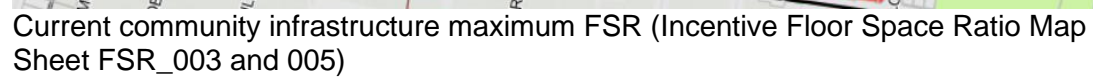
Current community infrastructure height of buildings (Incentive Height of Buildings Map Sheet HOB\_005)



Proposed community infrastructure maximum building heights (Height of Buildings Map Sheet HOB\_005)

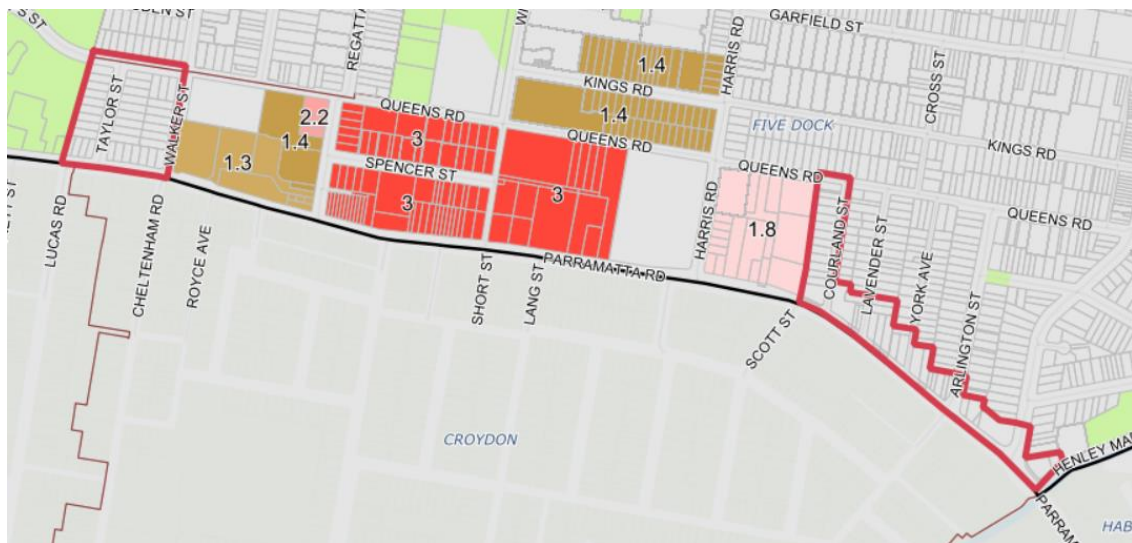


## Burwood Precinct





## Kings Bay Precinct



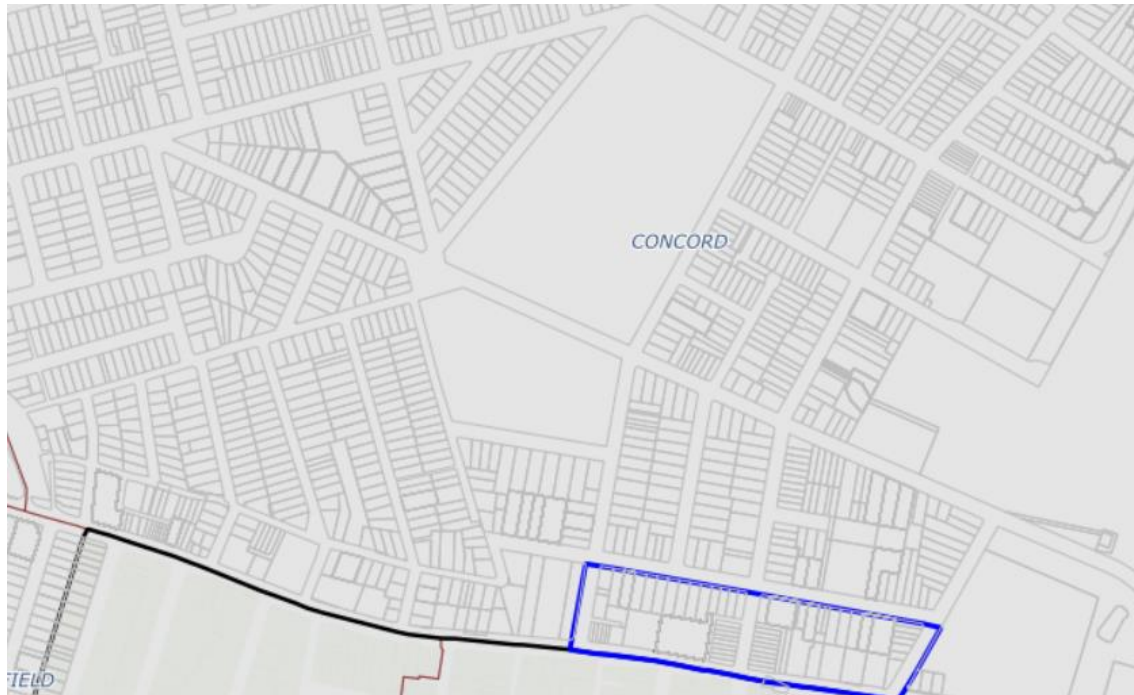
Current community infrastructure maximum FSR (Incentive Floor Space Ratio Map Sheet FSR\_005)



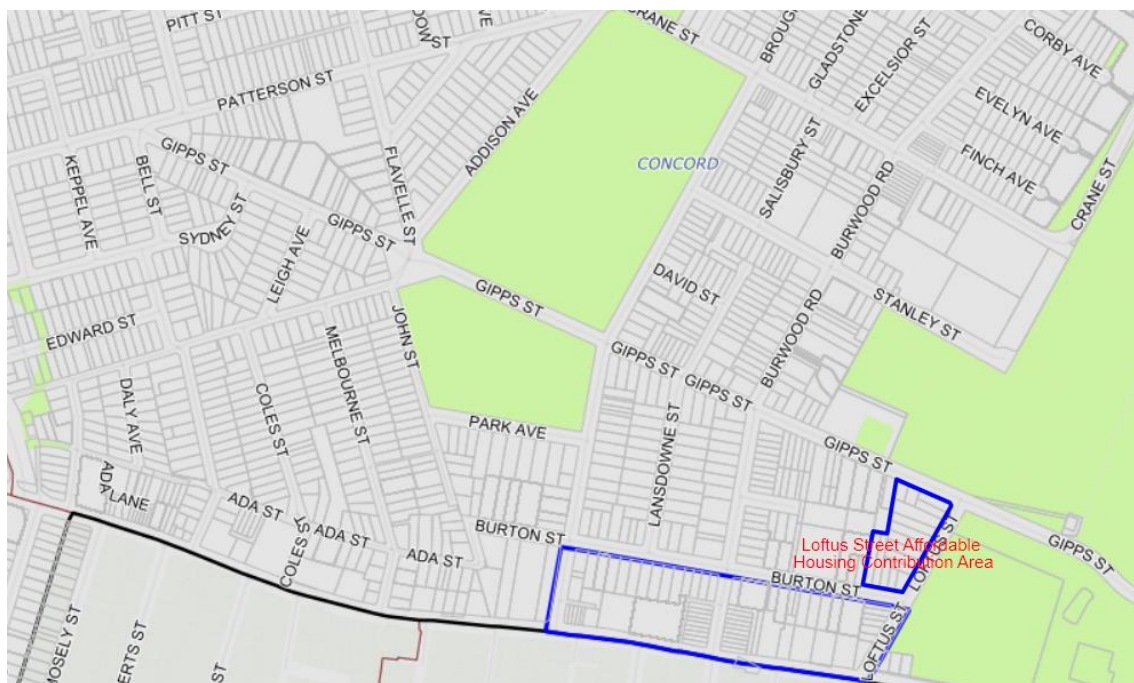
Proposed community infrastructure maximum FSR (Incentive Floor Space Ratio Map Sheet FSR\_005)

## Affordable Housing Contribution Scheme Maps

### Burwood Precinct



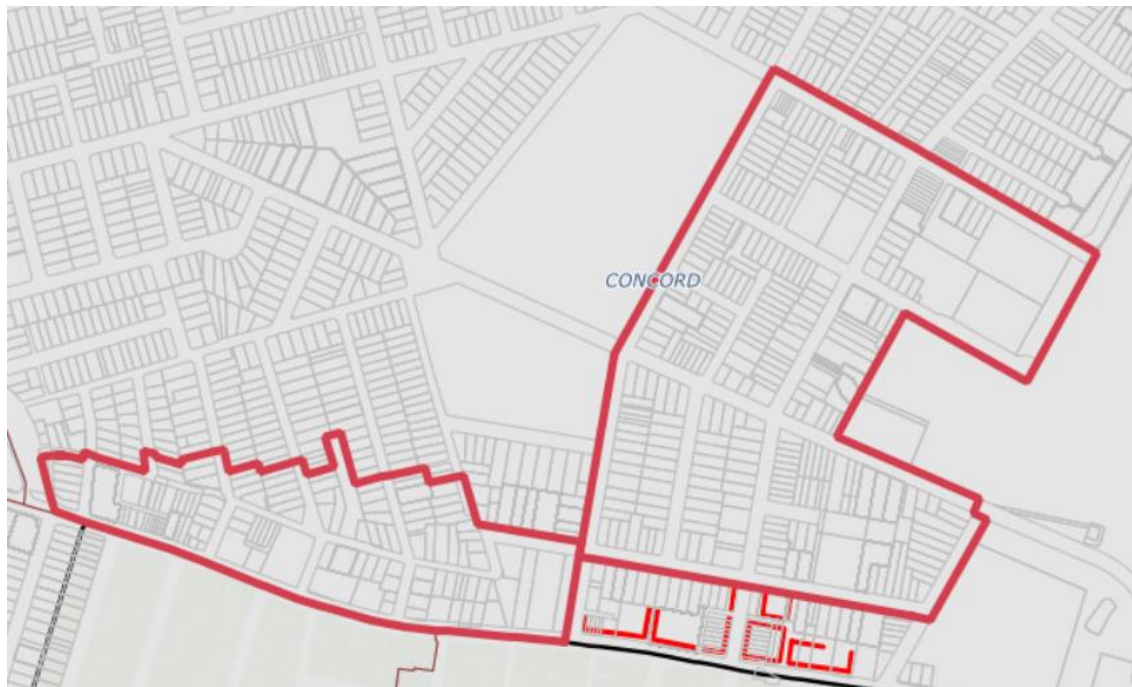
Current affordable housing areas (Affordable Housing Contribution Scheme Map AHCS\_003 and 005)



Proposed affordable housing areas (Affordable Housing Contribution Scheme Map AHCS\_003 and 005)

## Active Street Frontages Maps

### Burwood Precinct



Current active street frontages map (Active Street Frontages Map Sheet ASF\_0035 and 005)



Proposed active street frontages map (Active Street Frontages Map Sheet ASF\_0035 and 005)

### Kings Bay Precinct





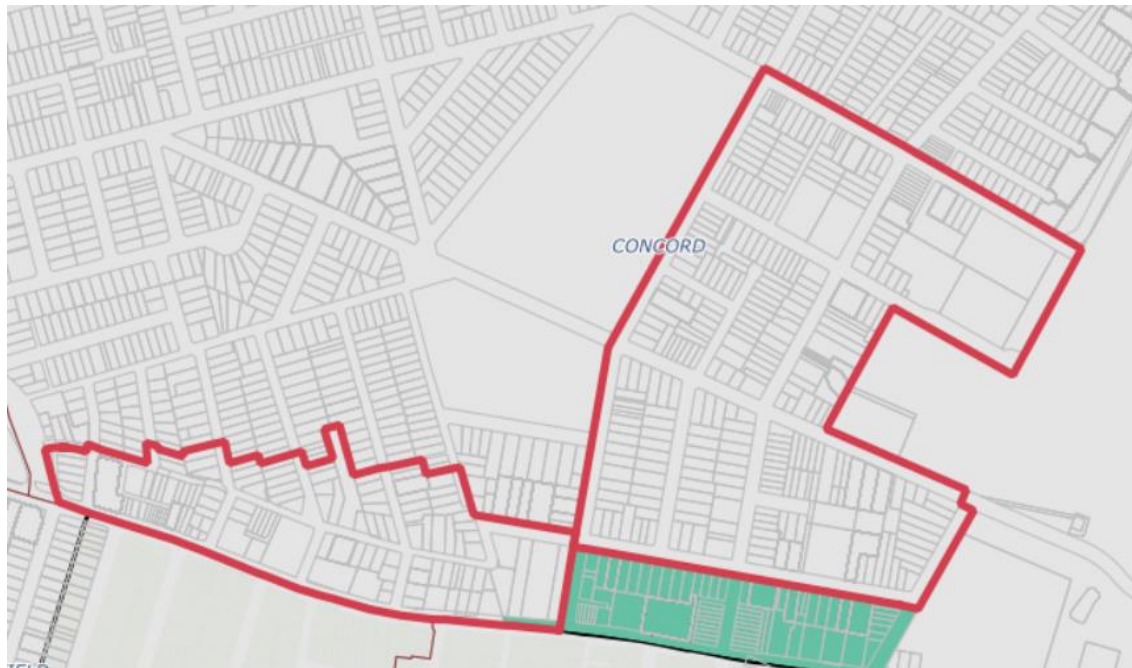
Current active street frontages map (Active Street Frontages Map Sheet ASF\_005)



Proposed active street frontages map (Active Street Frontages Map Sheet ASF\_005)

## Design Excellence Maps

### Burwood Precinct

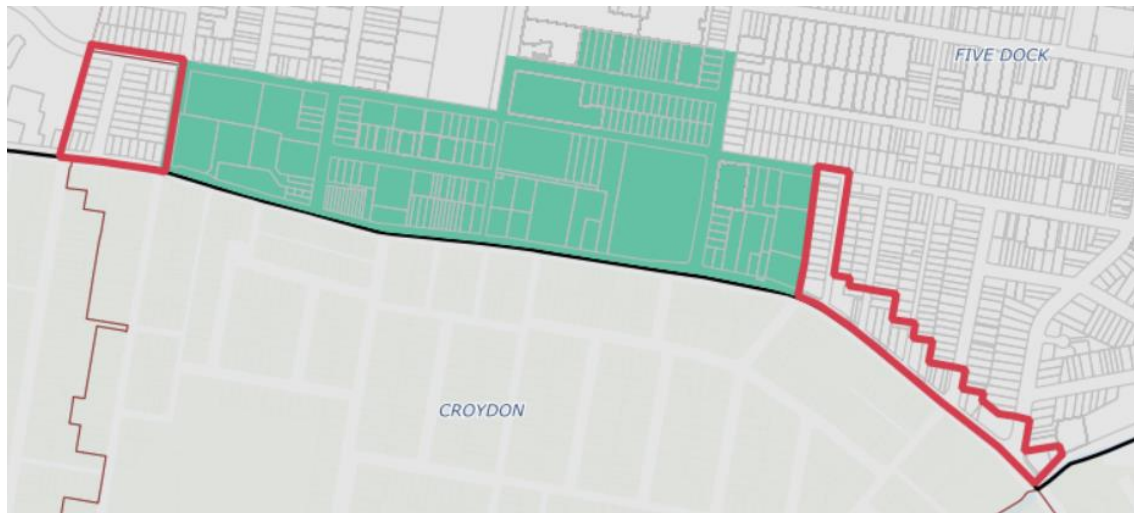


Current design excellence map (Design Excellence Map Sheet DEX\_003 and 005)



Proposed design excellence map (Design Excellence Map Sheet DEX\_003 and 005)

## Kings Bay Precinct



Current design excellence map (Design Excellence Map Sheet DEX\_005)



Proposed design excellence map (Design Excellence Map Sheet DEX\_005)



## Additional Permitted Uses Maps

### Burwood Precinct

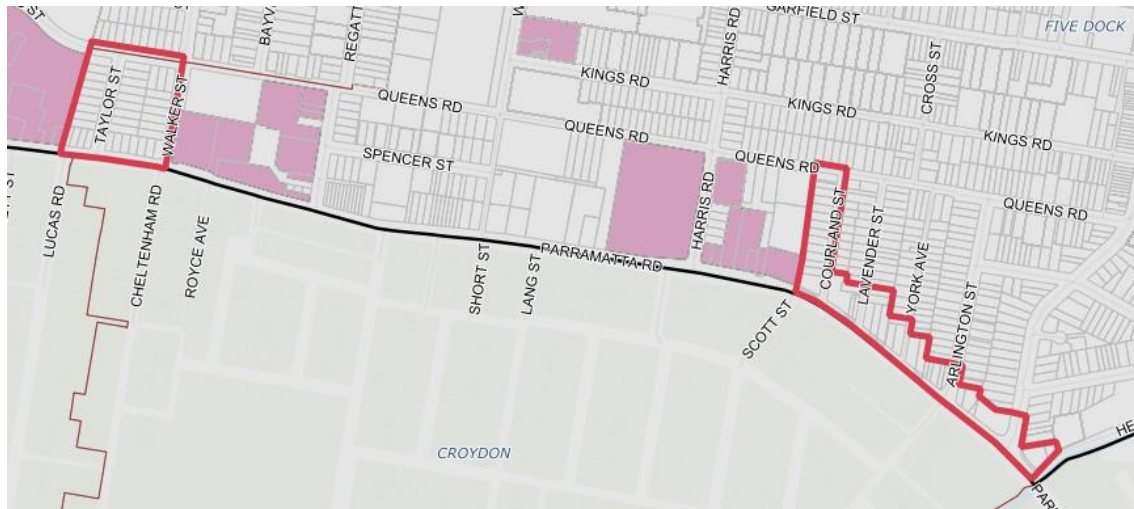


Current additional permitted uses (Additional Permitted Uses Map Sheet DEX\_003 and 005)



Proposed additional permitted uses (Additional Permitted Uses Map Sheet DEX\_003 and 005)

## Kings Bay Precinct



Current additional permitted uses (Additional Permitted Uses Map Sheet DEX\_005)



Proposed additional permitted uses (Additional Permitted Uses Map Sheet DEX\_005)