

STATEMENT OF ENVIRONMENTAL EFFECTS

**THE UNITING CHURCH IN AUSTRALIA
PROPERTY TRUST (NSW)**

Concept Development Application
134A-134C Burwood Road &
29A-33A George Street, Burwood

OCTOBER 2018



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EXECUTIVE SUMMARY

The Burwood-Croydon Uniting Church (**BCUC**) makes an important contribution to the Burwood Town Centre, considering both its physical presence within the streetscape and the significant benefits it provides the local community. However, the existing church facilities are outdated and need to be upgraded to facilitate the continuation and expansion of the existing services provided by its congregations.

This Statement of Environmental Effects (**SEE**) has been prepared by Urbis Pty Ltd on behalf of The Uniting Church in Australia Property Trust (NSW) (**the Applicant**) to accompany a Concept Development Application (**Concept DA**) for the proposed redevelopment of their land at 134A-134C Burwood Road and 29A-33A George Street, Burwood to accommodate a mixed-use development.

This Concept DA outlines a concept proposal for the redevelopment of the site, with future detailed proposals to be subject to further detailed DAs. The Concept DA includes the retention of the existing church buildings, as well as concept envelopes for new buildings (as outlined in further detail below). The concept proposal has been carefully designed to optimise the site opportunities to better engage with its surroundings and the local community, while respecting the heritage significance of the existing buildings and the amenity of existing and future developments on the surrounding land.

Concept Proposal

The Concept DA incorporates the amalgamation of nine existing lots to create a large consolidated site to accommodate a new mixed-use development within the Burwood Town Centre, well located and close to existing services and high-frequency public transport. Key features of the concept proposal include:

- Retention of the existing heritage listed buildings, including the continued use of Burwood Uniting Church as a place of public worship and adaptive re-use of the School Hall as a food and drink premises.
- Building envelopes for three new buildings to be constructed to the west, south and north of the heritage listed buildings, ranging in height from 7.1 metres (Building 3) to 91.5 metres (Building 1).

Figure 1 – Concept Proposal (Source: Turner, 2018)



- Total floorspace of 21,174sqm gross floor area (**GFA**) comprising both existing and new buildings and accommodating a range of land use activities, including:
 - 282sqm for a place of public worship
 - 974sqm for ancillary offices and meeting spaces
 - 1,078sqm centre-based child care centre floor space
 - 1,380sqm medical centre
 - 2,465sqm of commercial floor space, including retail premises and office premises
 - 15,089sqm of residential floor space, including apartments and student accommodation
- Private communal resident spaces will be located on the upper levels of Buildings 1 and 2, providing outdoor areas to be enjoyed by residents and students within each of the respective buildings.
- Ancillary car parking and service areas are located below Building 1, providing sufficient capacity to accommodate all existing and future land use activities.
- Future access arrangements include limiting vehicle access from Burwood Road to special events associated with the church (eg weddings or funerals). General vehicle access to the site and basement car park will be via the secondary frontage on George Street.
- Publicly accessible open space and a through-site pedestrian connection will be provided from Burwood Road to George Street, complemented by landscaping, bespoke furniture and outdoor dining, activating the public domain and strengthening relationships between the church and local community.

Future detailed DA(s) will be submitted for the detailed proposals, facilitating the redevelopment of the site in accordance with the Concept DA approval.

Planning Approvals Pathway

The estimated cost of works within the concept proposal is \$98,133,000 excluding GST. As the cost of works exceeds \$30 million, the Concept DA will be submitted to Burwood Council for assessment and referred to the Sydney Eastern City Planning Panel for determination.

The application has been submitted under Division 4.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*. The Applicant is requesting the application be treated as a Concept DA in accordance with section 4.22(3) of the Act.

Summary of Key Planning Issues

The proposal has been assessed in accordance with relevant environmental planning instruments and policies, including the relevant matters for consideration listed in section 4.15 of the Act. The key planning issues have been satisfactorily addressed as outlined in detail within the SEE and as summarised below:

- **Consistent with State and local strategic planning policies:** the proposal is consistent with the goals and strategies contained within *A Metropolis of Three Cities* and the *Eastern City District Plan*. The layout and design of the proposed development responds to the existing and likely future development within the locality. Additional housing and employment within the Burwood Town Centre will contribute to the delivery of the '30 Minute City' concept
- **Predominantly complies with environmental planning instruments:** the proposal fully satisfies the aims and objectives of relevant environmental planning instruments, including State Environmental Planning Policies and *Burwood Local Environmental Plan 2012 (LEP)*. The proposal substantially complies with the detailed provisions of the relevant instruments except for the maximum height of Building 1. The proposed variation is appropriate and acceptable, considering the significant benefits arising from the alternate solution and satisfactory assessment of the environmental impacts. A written Clause 4.6 request has been submitted which demonstrates the objectives and intent of the numerical provision have been met and the proposed variation is considered acceptable based on the circumstances of the case.
- **Predominantly complies with detailed design requirements:** the concept proposal has been assessed in accordance with Burwood Development Control Plan (DCP) and generally complies with the relevant requirements for the Burwood Town Centre. The proposed variation from the podium height to George Street is considered acceptable based upon the floor-to-ceiling heights required to deliver non-residential

activities on the lower levels and an active ground plane and streetscape. The proposed built form outcome is also consistent with the adjoining property and appropriate for the streetscape.

- **No unacceptable environmental impacts and significant social and economic benefits:** the potential environmental outcomes have been assessed in detail, including the built form, heritage conservation, landscape/tree preservation, visual privacy, acoustics and other potential amenity impacts. The recommended measures to avoid, minimise or manage potential impacts can be incorporated into the detailed proposal(s) and future DA(s) to avoid unacceptable outcomes. Further, the assessment has concluded that the proposal will result in positive social and economic outcomes, including the continuation and expansion of the existing community services in accordance with the Church vision for the proposed redevelopment.
- **Suitable for the site:** the surrounding locality is transitioning to accommodate a range of higher-density mixed-use developments. The proposal is compatible with the existing and likely future built form and character of the surrounding locality. The retention of the Church and School Hall buildings will maintain its existing contribution to the streetscape. The introduction of new land use activities and public realm, with a commitment to design excellence, will contribute to an active and vibrant centre with a high quality design outcome.
- **Public interest:** the comprehensive assessment of the concept proposal concludes that it is in the public interest for the reasons outlined above and on the previous page.

Summary and Recommendation

The proposed redevelopment will make a significant contribution to delivering the vision to transform Burwood Town Centre into a Strategic Centre with employment-generating activities and high density residential in an attractive and accessible urban location.

The proposed development will facilitate the continuation of the important legacy and ongoing service of the BCUC to the local community. The proposed design respects the heritage significance of the site and the amenity of the surrounding properties, as well as delivering a mix of land use activities that will optimise the development potential of the site and provide for employment opportunities and additional housing supply.

Accordingly, it is recommended that approval be granted for the proposed development, subject to the imposition of appropriate conditions of consent.

1. INTRODUCTION

1.1. OVERVIEW

This SEE has been prepared by Urbis Pty Ltd on behalf of The Uniting Church in Australia Property Trust (NSW) (**the Applicant**) to support a Concept DA to Burwood Council for the redevelopment of 134A-134C Burwood Road and 29A-33A George Street, Burwood to accommodate a mixed-use development, including:

- Retention of the existing heritage listed buildings, including continued use of Burwood Uniting Church as a place of public worship and adaptive re-use of the School Hall as a food and drink premises.
- Building envelopes for three new buildings of various heights to be constructed to the west, south and north of the heritage listed buildings and accommodating a mixture of land use activities, including retail, commercial, child care, medical centre, student housing and residential apartments.
- Private communal resident spaces on the upper levels of the residential and student housing buildings.
- Basement level car parking to accommodate all existing and proposed land use activities with vehicle access from George Street.
- Site improvements including publicly accessible open space and a through-site connection, with landscaping, bespoke furniture and outdoor dining, activating the public domain and strengthening relationships between the church and local community.

The applicant is requesting this application be treated as a Concept DA, with future detailed DA(s) to be submitted for the detailed proposals, including the construction of the proposed buildings in accordance with the concept proposal.

1.2. STRUCTURE OF THIS REPORT

This SEE is structured in the following manner:

- **Section 2:** outline of the project vision of the Uniting Church in Australia Property Trust (NSW) for the proposed mixed-use development including the long-term and ongoing role of the BCUC within the local community
- **Section 3:** description of the site and surrounding locality; including existing development and local context analysis
- **Section 4:** summary of pre-lodgement consultation discussions with Council officers and responses to identified planning issues
- **Section 5:** detailed description of the concept proposal including the numerical outcomes and planning approvals pathway for future detailed DA(s)
- **Section 6:** assessment of the concept proposal in accordance with relevant strategic and statutory planning policies and controls, including the proposed variation to the maximum building height
- **Section 7:** assessment of potential impacts, including environmental, social and economic matters
- **Section 8:** assessment of the suitability of the site for the proposed mixed-use development
- **Section 9:** consideration of future public submissions and the public interest of the proposal
- **Section 10:** summary and recommendation

1.3. SUPPORTING DOCUMENTATION

This SEE is to be read in conjunction with the following supporting documentation outlined in **Table 1** below:

Table 1 – Supporting Documentation

Document	Consultant	Appendix
Detailed Cost Report	WT Partnership	Appendix A
Survey Plan	Veris	Appendix B
Arboricultural Impact Assessment	Tree iQ	Appendix C
Architectural Plans and Design Report	Turner Studio	Appendix D
Landscape Concept Report	Place Design Group	Appendix E
Apartment Design Guide Table	Urbis	Appendix F
Preliminary Site Investigation	Douglas Partners	Appendix G
Clause 4.6 Variation – Height of Building	Urbis Pty Ltd	Appendix H
Heritage Impact Statement and Schedule of Conservation Works	GBA Heritage	Appendix I
Geotechnical Investigation and Waste Classification Assessment	Douglas Partner	Appendix J
Civil Engineering Report and Civil and Stormwater Plans	TTW	Appendix K
Access Review	MGAC	Appendix L
Traffic and Parking Impact Assessment	TTPA	Appendix M
Operational Waste Management Plan	Elephants Foot	Appendix N
Acoustic Assessment	Acoustic Logic	Appendix O
Building Code of Australia Report	McKenzie Group	Appendix P

2. PROJECT VISION

The Uniting Church in Australia Property Trust (NSW) is a Christian non-for-profit organisation and the registered land owner and Applicant for the proposed redevelopment of 134A-134C Burwood Road and 29A-33A George Street, Burwood.

The Burwood-Croydon Uniting Church (BCUC) is responsible for delivering worship, witness and service to the local community in Burwood. Key mission areas include:

- Growing Communities and Enlivening Leadership
- English Conversation
- Child Care/Early Education
- Student Community
- Music Connections
- Other groups including bible study classes, play groups and outreach programmes.

However, the existing church facilities are outdated and need to be upgraded to enable the continuation and expansion of the existing services provided by BCUC congregations. The project vision for the proposed development includes the following objectives and desired outcomes:

- Provide space within the growing Burwood Town Centre for spiritual space/pause
- Expand the existing pre-school services to accommodate the needs of local families
- Deliver educational/training spaces that meet the needs of the church and local community
- Provide suitable accommodation for the ministry team, Sydney Presbytery and other partner(s)
- Expand the staffing/ministry team to meet the needs of the local community, including an Aboriginal Worker, Children's Ministry Worker, Chinese Language Minister, Social Worker and Tertiary Chaplains
- Deliver low cost housing including student community, as well as ministry residences
- Enhance and improve the emergency support service and provide employment support and training opportunities
- Provide for the ongoing maintenance of the heritage-listed buildings
- Secure an ongoing income stream to assist with delivery of the above goals, including ongoing services and programmes

The siting and design of the proposed development has been carefully considered to optimise the opportunity to 'open up' the site and build stronger relationships with the community. The proposed layout seeks to accommodate a mixture of compatible uses within a space that allows for dynamic interaction and relationship between a variety of social groups, including:

- BCUC congregations
- Local community including families and isolated and aged residents.
- Workers within the Burwood Town Centre
- Tertiary students
- Not-for-profit local community groups

The proposed vision of the Uniting Church in Australia Property Trust (NSW) and the BCUC congregations for the redevelopment of the site comprises an interconnected set of services with multiple layers of support, relationship and social development.

The key spatial components that will contribute to the delivery of the vision include:

- **Retention of the existing Burwood-Croydon Uniting Church:** the foundations for the BCUC were laid in July 1866. The original church was destroyed by a fire in 1879, with a new church reopened by the congregation in April 1880. Since this time, the BCUC has become an important place of public worship and community support, growing life-changing communities who love, learn and serve in Jesus Christ. The proposed development will facilitate the continuation and improvement of the long-term contributions of the church to the local community. It also provides a significant opportunity to strengthen community relationships by creating a space that welcomes and encourages local residents, workers and visitors to access and utilise the existing and expanded services. It builds on the legacy of care for the community began in 1866.
- **Retention of the existing Church Hall for adaptive re-use as a food and drink premises:** the existing Church Hall will be adaptively re-used to accommodate a food and drink premises known as the Café Ministry and operated by the BCUC. The proposal will create a gathering place for residents and workers. It will equip locals with healthy, sustainable cooking skills and develop support networks, as well as offering employment opportunities and skill development opportunities for those connected with the BCUC congregation.
- **New and improved child care facility:** the Church Hall currently accommodates a non-for-profit preschool, which is part of the Uniting Care Children's Services. The demand for the pre-school has grown rapidly, and a larger facility is required to accommodate the population growth and needs of the children. The proposed development will increase the capacity of the existing services from 40 children per day to 120 children per day at Burwood.
- **New office and meeting facilities** will be delivered to meet the existing and ongoing needs of the church and local community groups. Ancillary offices will be delivered to provide appropriate accommodation for the existing and expanded ministry team. Upgraded meeting room facilities will continue to support and encourage the growth of a wide diversity of not-for-profit community groups.
- **Tertiary Student Accommodation:** the Uniting Church in Australia has developed a model of accommodation that places students within a network of support, including strong mentoring relationships and active involvement in local community leadership development.
- **New public space and pedestrian connection:** the proposed development will deliver a significant new public space for Burwood. It will provide breathing space along the high street and activated connections to George Street, extending Burwood Council's vision of well-connected pedestrian links. The semi-public domain will give new life to the heritage buildings, surrounding them with active uses that encourage good passive surveillance and active use of the ground plane for a mix of activities and social groups.

The proposed mixed-use development also includes residential accommodation and commercial floorspace within the rear part of the development site. These uses will be essential to provide an ongoing stream for the church and ensure the ongoing vitality, success and support for the community services offered on site.

3. SITE AND SURROUNDING LOCALITY

3.1. SITE DESCRIPTION

The site is an amalgamation of nine existing lots within the Burwood Town Centre. The street address and legal description of each of these nine lots is outlined within **Table 2**. A copy of the Survey Plan is held as **Appendix B**.

Table 2 – Site Details

Street Address	Legal Description
134A Burwood Road, Burwood	Lot 1 DP795259 and Lot M DP409157
134C Burwood Road, Burwood	Lot N DP409157
134B Burwood Road, Burwood	Lot A DP306236
29A-29B George Street, Burwood	Lot 10 DP669145
31A George Street, Burwood	Lot 2 DP102050
31B George Street, Burwood	Lot 1 DP102050
33 George Street, Burwood	Lot 2 DP511068
33A George Street, Burwood	Lot 1 DP511068

The site is irregular in shape and has a total site area of 5,028sqm. It benefits from two street frontages – a 40 metre western frontage to Burwood Road and 40 metre southern frontage to George Street, as shown in the aerial photograph held as **Figure 2** below.

Figure 2 – Aerial Photograph (Source: NearMap/Urbis, 2018)



3.2. EXISTING DEVELOPMENT

The site accommodates existing buildings and structures as outlined below and shown within the site photographs held as **Figure 3 (Pictures 1-6)**:

- Burwood Uniting Church and ancillary church offices
- School Hall building
- At-grade car park with vehicle access from Burwood Road
- Two storey commercial building fronting Burwood Road
- Three single-storey detached dwelling houses fronting George Street

Figure 2 – Site Photographs (Source: Pictures 1 and 3-6 Urbis, 2018; Picture 2 Google, 2018))



Picture 1 – Burwood Uniting Church



Picture 2 – Burwood Uniting Church



Picture 3 – At-grade car park and commercial building at 134C Burwood Road



Picture 4 – School Hall Building with new mixed-use developments to rear along George Street



Picture 5 – Dwelling houses at 29A-33A George Street and adjoining mixed-use development under construction at 29 George Street



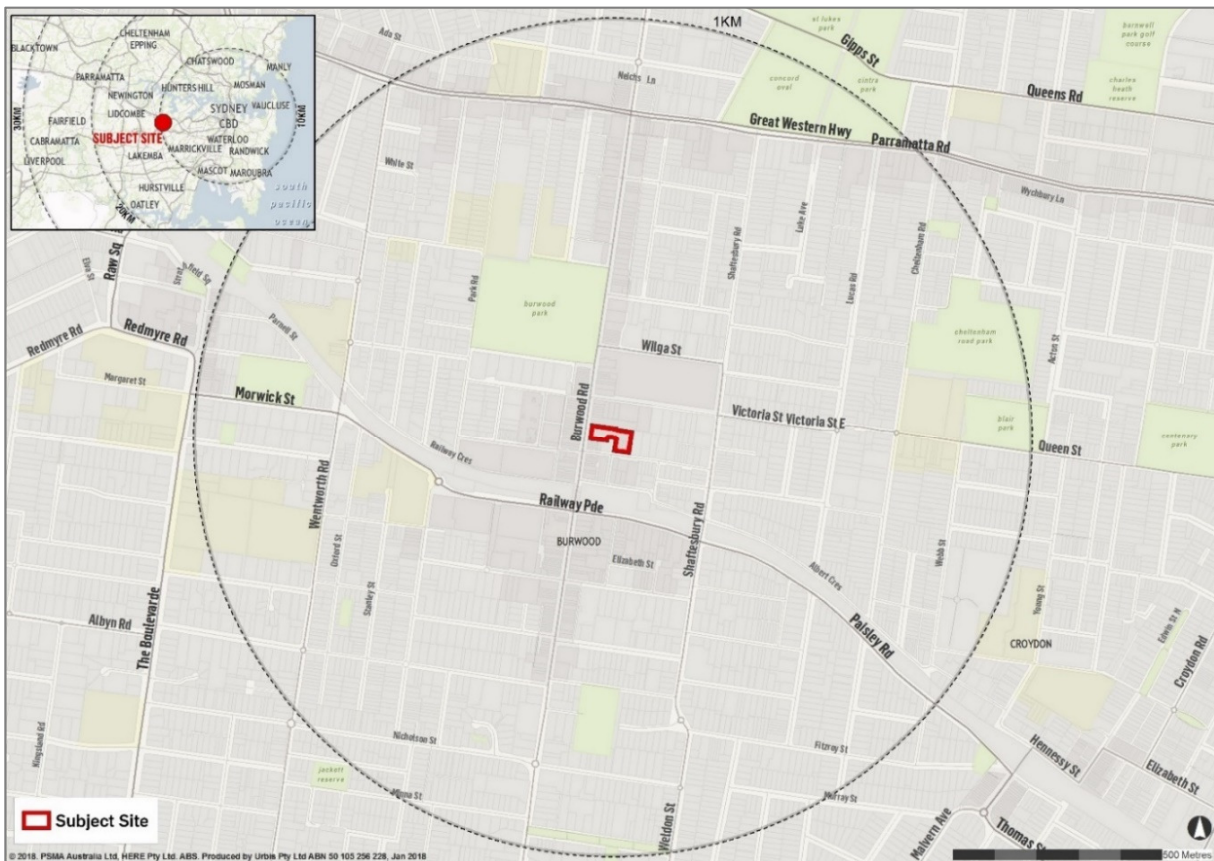
Picture 6 – Dwelling Houses on George Street, looking north-west

The Arboricultural Impact Assessment prepared by TreeIQ (attached as **Appendix C**) identified 15 existing trees, six of which were assessed as having ‘moderate’ landscape significance, with the balance assessed as having ‘low’ landscape significance. There are also a range of small shrubs scattered across the site and grassed open space in the north-eastern corner. Four trees are located outside the site boundaries on the Burwood Road and George Street East road reserves.

3.3. SURROUNDING CONTEXT

Burwood is approximately nine kilometres from the Sydney central business district (CBD) and 11 kilometres from Parramatta CBD (refer to **Figure 5**). The Burwood Town Centre is undergoing a major transformation with significant redevelopment including higher-density mixed-use developments.

Figure 5 – Surrounding Context (Source: Urbis)



The land immediately adjoining the site contains the following:

- **North:** a two-storey commercial building immediately adjoins the site to the north and currently contains a homeware store and restaurant.
- **East:** the adjoining site at 29 George Street is being redeveloped to facilitate a 19-storey mixed-use development.
- **South:** multiple two-storey commercial buildings are located to the south, as well as a three-storey residential flat building.
- **West:** Burwood Road immediately fronts the western boundary of the site. A range of commercial buildings are located on the opposite side of Burwood Road.

The site is well located close (within 800 metres) to a range of existing retail and commercial services, educational establishments, community facilities and open spaces. These include:

- **Retail and commercial:** Westfield Burwood, Burwood Plaza, B1 Square and the Burwood Road main street are all located within walking distance of the site.
- **Education:** the site benefits from close access to numerous public and private tertiary, secondary and primary level educational establishments, including:
 - TAFE NSW
 - Sydney School of English
 - Sydney School of Business and Technology
 - Burwood Girls High School
 - Burwood Public School
 - MLC School
 - Southern Cross Catholic Vocational College
 - Holy Innocents Catholic Primary School
 - Christ College
- **Community facilities:** Burwood Library and Burwood Park Community Centre
- **Open spaces:** Burwood Park and Wangal Park

The site benefits from excellent accessibility to high-frequency public transport services. Burwood Train Station is located approximately 115 metres to the south. This station services the 'T1 North Shore, Northern and Western Line', the 'T2 Inner West and Leppington Line' and the 'Central Coast and Newcastle Line'.

The site is also located close to dedicated bus stops that service a variety of routes and destinations, including Bondi Junction, Ryde and Sydney CBD.

4. PRE-LODGEEMENT DISCUSSIONS

A pre-DA package for the proposed development was submitted to Council on 2 March 2018. Preliminary feedback on the pre-DA package was received from Council on 8 May 2018, with comments primarily relating to:

- Urban Design and Built Form
- Heritage
- Traffic and Parking
- Waste Management
- Building Code of Australia
- Tree Management

An updated pre-DA package with an amended design was prepared in response to the preliminary comments received from Council. The updated package was submitted to Council on 6 July 2018, with a meeting held at Council on 11 July 2018 to discuss the amended design and responses to the preliminary feedback.

The following table outlines the key comments made by Council during the pre-DA meeting and the architectural responses that have been incorporated into the final Concept DA design and documentation package.

Table 3 – Pre-DA Response

Council Comment	Response
Greater consideration should be placed on the interaction between the proposed church administration building and the existing Burwood Uniting Church building. It is recommended that the church administration building should be further setback from the Burwood Road site frontage	<p>The Statement of Heritage Impact prepared by GBA Heritage provides a comprehensive assessment of the building envelopes, considering the heritage curtilage of the existing buildings. The report concludes:</p> <p><i>The proposed two storey Church office building has been designed and will be located so as to be minimally visible from the public realm. It will be set back from the front facade of the Church and (we understand) will provide views to the northern facades of the Church and Hall through glazed southern walls while providing sufficient open space for close visual and maintenance access.</i></p> <p>Further detailed consideration is given to the built form and heritage impact assessment in Section 7.1 and Section 7.3 of this SEE.</p>
Greater detail is required on what heritage conservation works are proposed to be done to the existing Burwood Uniting Church and hall building (both identified as local heritage items).	<p>A Schedule of Conservation Works has been prepared by GBA Heritage and is submitted with the Concept DA. The report outlines the various conservation works for the Church and School Hall buildings to ensure their conservation and ongoing use.</p> <p>Further detailed consideration is given to the heritage impact assessment in Section 7.3 of this SEE.</p>

Council Comment	Response
<p>The student accommodation building is considered to be too high against the Burwood Uniting Church spire.</p>	<p>The Statement of Heritage Impact prepared by GBA Heritage states:</p> <p><i>The proposed eight storey building south of the heritage items will visibly defer to them, be sympathetic in form and materiality and has been designed to enhance visual and physical access to the site and minimise impact on views of the Church steeple.</i></p> <p>Further detailed consideration is given to the heritage impact assessment in Section 7.3 of this SEE.</p>
<p>Further detail is required on the impacts of the proposal in the view of the Burwood Uniting Church spire. Accordingly, plans identifying the view of the spire from various angles, as well as 3D modelling, should be undertaken.</p>	<p>The architectural package prepared by TURNER and submitted with the Concept DA includes 3D modelling and massing diagrams.</p>
<p>The proposal should ensure that it creates appropriate street and pedestrian connections that are in accordance with the Burwood Development Control Plan.</p>	<p>The proposal includes a through-site pedestrian link from Burwood Road to George Street which is complemented by surrounding land use activities, including food and drink premises with outdoor dining, to provide for active uses and natural surveillance</p>

Each of the above matters is comprehensively addressed throughout the SEE and including the assessment of impacts within **Section 7**.

5. PROPOSED DEVELOPMENT

5.1. CONCEPT PROPOSAL

The application has been submitted by the Uniting Church in Australia Property Trust (NSW) under Division 4.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*. The Applicant is requesting the application be treated as a Concept DA in accordance with section 4.22(3) of the Act.

The concept proposal comprises a mixed-use development including the following key features:

- Retention of the existing Burwood Uniting Church for its continued use as a place of public worship with conservation works to facilitate its preservation and ongoing use.
- Retention of the existing Church Hall and adaptive re-use as a 'food and drink premises' with training and employment opportunities associated with church outreach programmes and community activities.
- Building envelopes for three new buildings to be constructed to the west, south and north of the heritage listed buildings, including maximum heights ranging from 7.1 metres (Building 3) to 91.5 metres (Building 1).
- Total floorspace of 21,174sqm GFA comprising both existing and new buildings and accommodating a range of land use activities, including:
 - 282sqm for a place of public worship
 - 974sqm for ancillary offices and meeting spaces
 - 1,078sqm centre-based child care centre floor space
 - 1,380sqm medical centre
 - 2,465sqm of commercial floor space, including retail premises and office premises
 - 15,089sqm of residential floor space, including apartments and student accommodation

The proposed maximum heights, land use activities and floorspace for each of the three buildings are outlined within Table 4 and Table 5 and depicted within the reduced size plan extract at **Figure 3**.

- Ancillary private communal open spaces for the residential apartments (Building 1) and student accommodation (Building 2), including aboveground spaces accessible to building occupants and oriented to maximise solar access and amenity as shown in the reduced sized plan extract at **Figure 4**.
- Ancillary car parking and service areas located across six levels below Building 1 and providing sufficient capacity to accommodate all existing and future land use activities to be accommodated on the site.
- Vehicle access arrangements include limited access for church activities from Burwood Road and general vehicle access to the basement carpark via George Street.
- Publicly accessible space and a through-site connection will be provided from Burwood Road, complemented by landscaping, bespoke furniture and outdoor dining, activating the ground plane and strengthening relationships between the church and local community (refer to **Figure 5**).

The Architectural Plans and Design Report prepared by TURNER are attached at **Appendix D**. The Landscape Concept Report prepared by Place Design Group is attached at **Appendix E**.

5.2. FUTURE DETAILED PROPOSALS

Further development application(s) will be prepared and lodged in accordance with the Concept DA, seeking development consent for the detailed works, including:

- Demolition, excavation and construction works
- Floor layouts, mix and number of dwellings and allocation of car parking spaces
- Detailed design of building exteriors, including façade and roof treatments.

Table 4 – Numerical Overview

Element	Proposed Development
Site Area	5,028sqm
Total GFA	21,174sqm
Total FSR	4.21:1
Residential GFA	15,089sqm (including residential apartments and student housing)
Residential FSR	3:1
Building Setbacks	0 metres to Burwood Road (Building 2) 3 metres to George Street (Building 1)
Building Heights (maximum)	Building 1 - 91.5 metres Building 2 - 25 metres Building 3 - 7.1 metres
Building Podium Heights	8.5 metres to Burwood Road (Building 2) 17.6 to 18.2 metres to George Street (Building 1)

Table 5 – Land-Use Activities

Building	Land Uses	GFA
1 and 3	Ancillary offices for church activities, including training rooms and gathering space (also available for use by local community groups)	974sqm
	Retail	273sqm
	Child-care centre	1,078sqm
	Medical centre	1,380sqm
	Commercial offices	1,482sqm
	Residential apartments	13,531sqm
2	Retail/restaurants	410sqm
	Student accommodation	1,558sqm
Church	Place of public worship	282sqm
School Hall	Restaurant	300sqm

Figure 3 – Land-Use Activities (Source: TURNER, 2018)

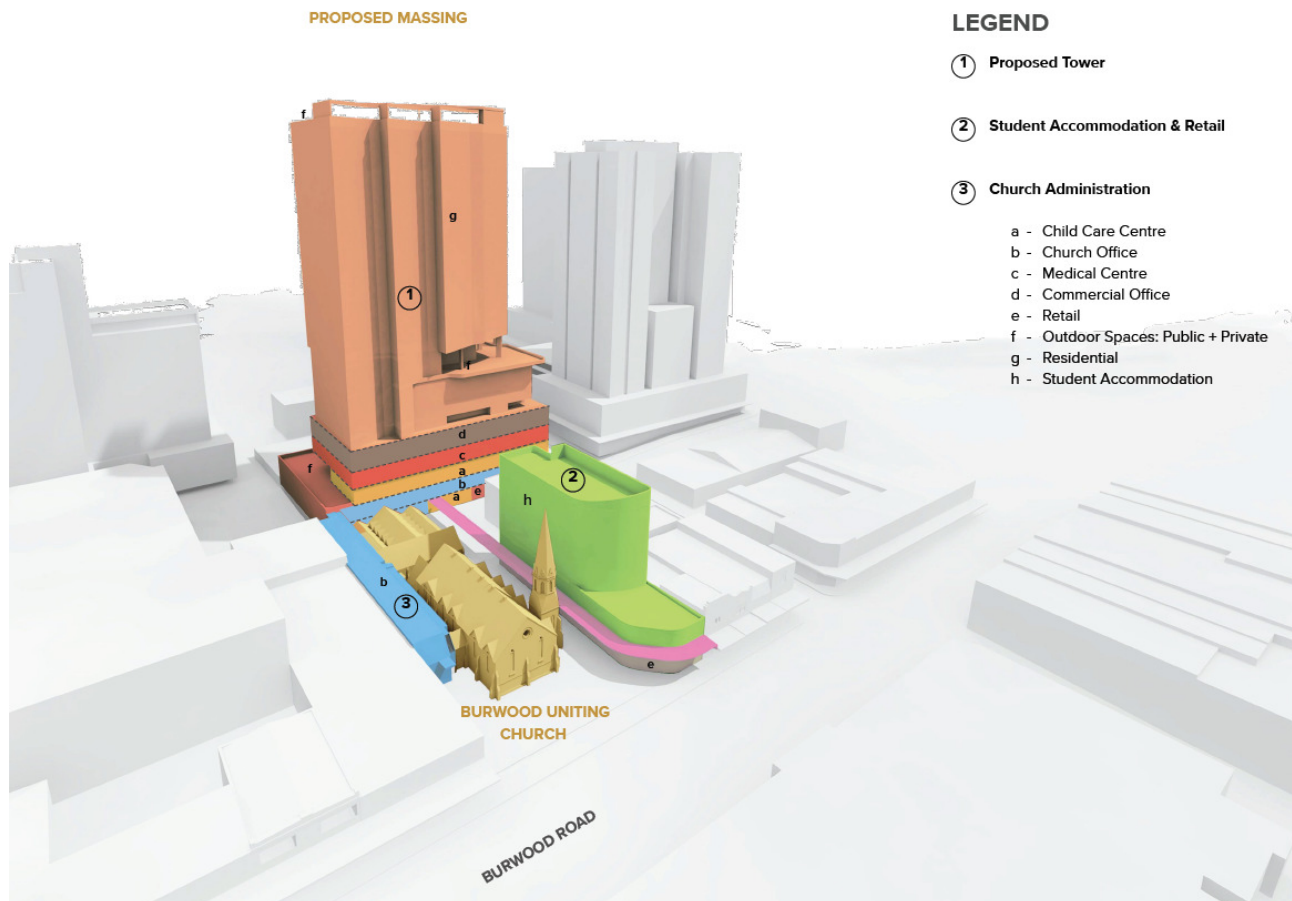
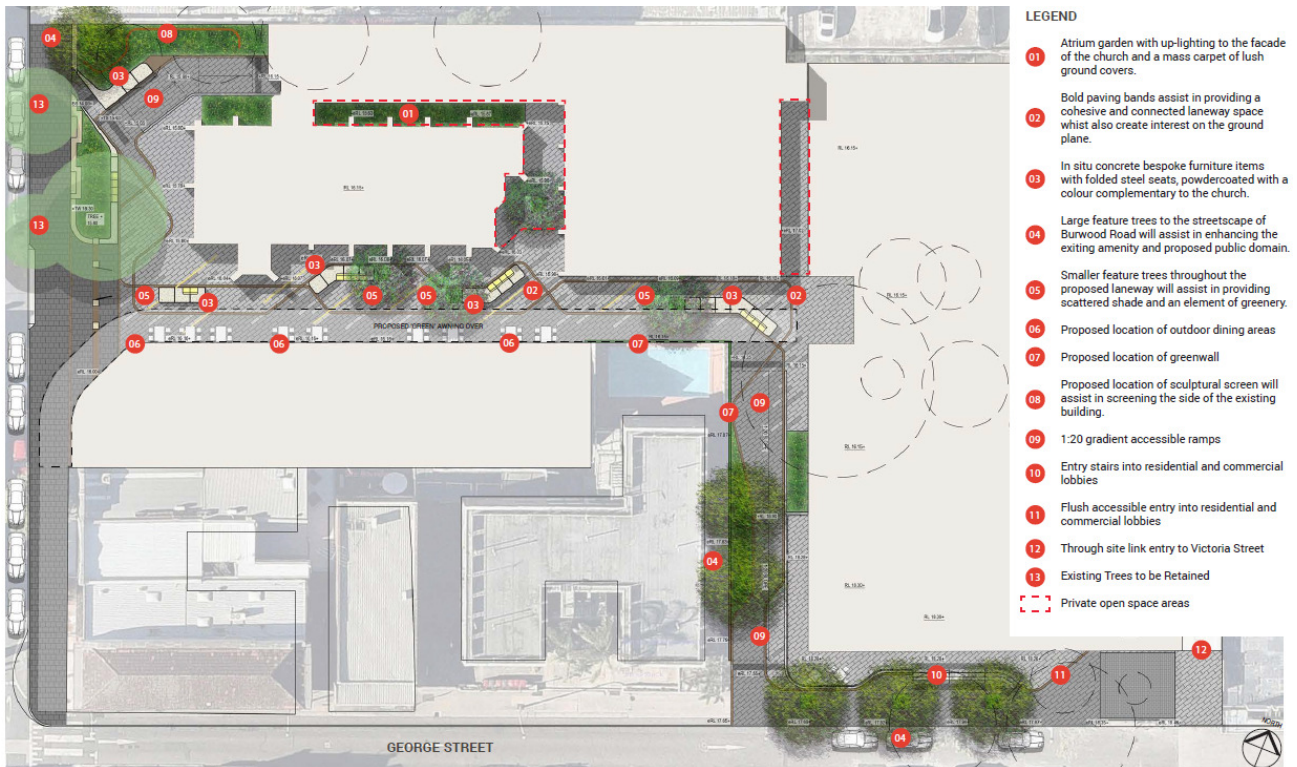


Figure 4 – Private Open Space Strategy (Source: Place Design Group, 2018)



Figure 5 – Landscape Concept Plan (Source: Place Design Group, 2018)



6. PLANNING COMPLIANCE ASSESSMENT

This section provides an assessment of the proposal against the relevant strategic and statutory planning policies and planning controls, including:

- *NSW State Priorities*
- *A Metropolis of Three Cities*
- *Eastern City District Plan*
- *Burwood 2030 Community Strategic Plan*
- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*
- *State Environmental Planning Policy (Affordable Rental Housing) 2009*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *Burwood Local Environmental Plan 2012*
- *Burwood Development Control Plan*

It is important to recognise the way in which a Concept DA is assessed in accordance with the relevant planning controls. Section 4.22(5) of the Act states:

The consent authority, when considering under section 4.15 the likely impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.

Each of the key matters for consideration identified within section 4.15 of the *Environmental Planning and Assessment Act 1979* is assessed within the following sections of the SEE, having regard to the assessment framework outlined above.

6.1. NSW STATE PRIORITIES

NSW State Priorities is the State Government's plan to guide policy and decision making across the State. The proposal is consistent with key objectives contained within *NSW State Priorities*, including:

- **Creating Jobs:** the proposal will create significant job opportunities during the construction phase, as well as ongoing employment opportunities associated with the proposed land use activities and on-site education and training programmes.
- **Increasing Housing Supply:** the proposed development includes the delivery of additional housing, including residential apartments and affordable housing, within a highly accessible location, close to jobs, services and public transport.
- **Improving Road Travel Reliability:** the proposal benefits from excellent access to high-frequency public transport, as well as existing retail and commercial services, educational establishments and community facilities, providing the opportunity for alternative travel options and reducing reliance on private motor vehicles.

Overall, it is considered that the proposed development is entirely consistent with the relevant goals and objectives set out within the *NSW State Priorities*.

6.2. A METROPOLIS OF THREE CITIES

The *Greater Sydney Region Plan: A Metropolis of Three Cities – connecting people* (the **Region Plan**) was finalised by the GSC and publicly released with the District Plans in March 2018. The Region Plan has been prepared in accordance with Section 3.3 of the *Environmental Planning and Assessment Act 1979*. The proposal supports the objectives of the Region Plan as summarised below

- The proposed redevelopment supports the ‘30 Minute City’ concept by delivering additional jobs and housing in a highly accessible location.
- The proposal will support the liveability and productivity objectives through the delivery of additional retail and commercial floor space, a medical centre, child care facility and housing to support the role of Burwood as a Strategic Centre.
- A diversity of apartment sizes will be provided to meet the needs of the existing and likely future community.
- The proposal will improve the east-west pedestrian connections between the town centre and residential areas, improving accessibility and pedestrian amenity.
- Detailed consideration has been given to the layout and design of the future buildings considering the significance of the heritage items on the site and within the immediate and surrounding locality.
- The proposed redevelopment supports the sustainability objectives through the delivery of infill housing within the existing urban area, encouraging greater use of public transport through improved facilities and ESD initiatives.

The Region Plan is supported by a series of District Plans which are aligned with and expand upon the objectives outlined for the Greater Sydney Region. The site is located within the Eastern City District which is described in further detail below.

6.3. EASTERN CITY DISTRICT PLAN

Our Greater Sydney 2056: Eastern City District Plan – connecting communities (the **District Plan**) was finalised by the GSC and publicly released with the Region Plan in March 2018. The District Plan has been prepared in accordance with Section 3.4 of the *Environmental Planning and Assessment Act 1979*.

The District Plan identifies a need for 157,500 homes within the Eastern City District by 2036, including 2,600 dwellings to be delivered in Burwood between 2016 to 2021. The proposal will assist with contributing a significant amount of this required housing stock into Burwood and the wider Eastern City District.

The District Plan also contains a range of actions that aim to strengthen the existing and ongoing role of Burwood as a Strategic Centre. Each of matters is addressed within **Table 8** below.

Table 6 – Burwood Precinct Actions

Action	Concept Proposal Response	Complies
<i>Protect capacity for job targets and a diverse mix of uses to strengthen and reinforce the economic role of the centre.</i>	<p>The proposal includes employment generating land-uses that will strengthen job growth and economic development, including:</p> <ul style="list-style-type: none"> • Commercial premises, including retail, restaurant and office uses • Child-care centre • Medical centre • Community services 	YES

Action	Concept Proposal Response	Complies
<i>Consider development initiatives that encourage the development of large floorplate mixed-use buildings.</i>	The proposal has been carefully considered to provide multiple mixed-use buildings with floorplates that respond to the existing site conditions, the project vision and associated spatial requirements and likely future development expected to be accommodated within the immediate locality.	YES
<i>Improve connections across the centre, including permeability of the rail line.</i>	The proposal will improve pedestrian connections within the Burwood Town Centre by delivering a through-site link which increases pedestrian permeability and access between Burwood Road and George Street.	YES
<i>Expand the function and type of land uses in the centre.</i>	<p>The proposal includes a range of land-uses which will strengthen the overall function and success of the Burwood Town Centre, including:</p> <ul style="list-style-type: none"> • Place of public worship and ancillary community facilities • Centre-based child care facility • Affordable housing (student accommodation) • Commercial premises, including a medical centre • Residential apartments 	YES
<i>Investigate opportunities to improve and diversify night-time economy offerings.</i>	<p>The proposal includes non-residential land use activities, including outdoor dining, at the ground plane and facing Burwood Road which will contribute to the vitality and vibrancy of the town centre and natural surveillance of the surrounding road network.</p> <p>Local community services and outreach programmes will continue to be delivered at the site, with new meeting spaces available for use by local community groups.</p>	YES
<i>Promote place making initiatives to improve the quality of public spaces.</i>	The proposal includes a high quality public space and associated landscaping and works, including a new through-site link that increases pedestrian permeability and public gathering opportunities.	YES

6.4. BURWOOD 2030 COMMUNITY STRATEGIC PLAN

The Burwood 2030 Community Strategic Plan (the **2030 Plan**) provides a strategic vision for the growth of Burwood. The proposed mixed-use development will contribute to the achievement of a range of the 2030 Plan objectives, including:

- 1.1 - High quality facilities, services and initiatives to meet the diverse needs of the community
- 1.3 - A safe community for residents, workers and visitors
- 3.1 - Enhanced green and open spaces, and streetscapes
- 4.2 - Connected and accessible infrastructure
- 4.3 - Burwood's existing heritage integrated with high quality urban design
- 5.1 - Maximise Burwood's regional status
- 5.3 - Enhance and foster the local identity

The proposed mixed-use development will be of a high quality design that is responsive to the existing and changing needs of the local community. The proposed new land use activities, including the residential apartments, student housing and commercial floorspace, will form an important revenue stream for the BCUC, allowing the church to continue and expand existing community services and outreach programmes.

6.5. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) aims to facilitate high quality planning decisions and outcomes for the people of NSW. It includes 10 objects each of which are listed and responded to within the following table.

Table 7 – Objects of the EP&A Act

Object	Concept Proposal Response	Complies
(a) <i>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The proposal comprises the redevelopment of the BCUC site to facilitate the continuation and expansion of their existing services and programmes to meet the needs of the local community. The introduction of new land use activities will provide an ongoing income stream to facilitate this core objective, as well as providing for the efficient and economic use of land within a town centre that benefits from access to existing services and infrastructure	YES
(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The siting and design of the proposed buildings and land-use activities outlined within the concept proposal incorporates Ecologically Sustainable Development (ESD) principles, including optimisation of solar access and natural ventilation opportunities to minimise reliance and use of utility services to achieve a comfortable site amenity. Specific initiatives will be identified at the detailed design phase and included within the future DA(s). The proposal also provides for economic and social	YES

Object	Concept Proposal Response	Complies
	sustainability through the provision of employment, training and services that benefit the long term future and opportunities for the local community	
(c) <i>to promote the orderly and economic use and development of land,</i>	The proposed mixed-use development will promote the orderly and economic use and development of the land by optimising the potential floorspace that may be achieved and incorporating additional land use activities that will generate employment and ongoing income to assist with funding for local community services	YES
(d) <i>to promote the delivery and maintenance of affordable housing,</i>	The concept proposal includes affordable housing for students within Building 2. The final number of dwelling units will be confirmed within the future detailed proposal and associated DA	YES
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	No threatened species or ecological communities will be impacted by the proposal.	YES
(f) <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The concept proposal includes the retention of the existing Burwood Uniting Church and School Hall. The siting and design of the proposed mixed-use development, including the relocation of existing car parking and new public open space, has sought to preserve and enhance the setting of these items and avoid unacceptable impacts on the heritage significance of these buildings.	YES
(g) <i>to promote good design and amenity of the built environment,</i>	The Concept DA includes a commitment to design excellence provisions. The future detailed architectural design, including building elevations, materials, etc, will demonstrate the way in which this will be achieved in the future detailed DA(s).	YES
(h) <i>to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The Concept DA is supported by technical documents which assess the compliance of the concept proposal with relevant standards, including access and BCA requirements	YES
(i) <i>to promote the sharing of the responsibility for environmental planning</i>	The project has an estimated cost over \$30 million and accordingly, will be assessed by	YES

Object	Concept Proposal Response	Complies
<i>and assessment between the different levels of government in the State,</i>	Council and determined by the Sydney Eastern City Planning Panel.	
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	The Concept DA will be publicly notified and local landowners, building occupants and residents provided with the opportunity to provide submissions on the proposal. Any submission based upon relevant planning matters pursuant to Section 4.15 of the EP&A Act should be considered in the assessment of the proposal.	YES

The Concept DA has been assessed in accordance with the relevant matters for consideration listed in section 4.15. The report section references are outlined within the following table.

Table 8 – Section 4.15 consideration

Matters for Consideration	Reference
<p><i>(a) the provisions of:</i></p> <p><i>(i) any environmental planning instrument, and</i></p> <p><i>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i></p> <p><i>(iii) any development control plan, and</i></p> <p><i>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</i></p> <p><i>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),</i></p>	Section 6
<i>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	Section 7
<i>(c) the suitability of the site for the development,</i>	Section 8
<i>(d) any submissions made in accordance with this Act or the regulations,</i>	Section 9
<i>(e) the public interest.</i>	

The Concept DA does not seek to undertake works or propose any development to be carried out. Future DA(s) for the detailed proposals may be considered as ‘integrated development’ in accordance with Division 4.8 and requiring referrals to relevant authorities, depending on whether the detailed design will require any of the approvals listed within section 4.46 of the Act (eg Water Management Act 2000).

6.6. STATE ENVIRONMENTAL PLANNING POLICY NO 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development) (SEPP 65) applies to residential apartment buildings with three or more storeys and four or more self-contained dwellings.

Section 28(2) requires the following matters to be considered in the determination of a DA:

- (a) the advice (if any) obtained from the design review panel, and
- (b) the design quality of the development when evaluated in accordance with the design quality principles, and
- (c) the Apartment Design Guide.

The Concept DA has been assessed in accordance with the Design Quality Principles within Schedule 1 of SEPP 65 and considering the relevant requirements of section 4.22(5) of the Act (and as outlined previously within **Section 6.5** of this report). Each of these matters has also been addressed by TURNER in their Architectural Design Report attached as **Appendix D**.

Table 9 – Assessment of Design Quality Principles

Principle	Concept Proposal Response	Complies
<p>Principle 1: Context and neighbourhood character</p> <p><i>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</i></p> <p><i>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>The concept proposal has been designed to accommodate the retention of the existing Church and School Hall buildings and their heritage significance. The three new buildings have been carefully located to maintain sightlines to the existing buildings, including the church steeple, while optimising the floorspace that can be delivered on the site, consistent with the transitioning character of the locality.</p> <p>Detailed consideration has been given to the site context and the existing, approved and proposed buildings within the surrounding area. The proposed built form and scale has been designed to be compatible and consistent with the existing and likely future development, as well as providing for a satisfactory amenity outcome, including solar access/overshadowing, visual privacy, etc.</p> <p>The site is well-located within a town centre environment, close to high-frequency public transport, employment, services and educational establishments. The proposed mixed-use development, including residential apartments, is considered entirely appropriate for the site context and the character of the neighbourhood.</p>	YES
<p>Principle 2: Built form and scale</p>	<p>The proposed built form and scale is consistent and compatible with the existing</p>	YES

Principle	Concept Proposal Response	Complies
<p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>and desired future character of the street and surrounding buildings. Detailed consideration is given these issues within Section 7.1, as well as the clause 4.6 request that has been prepared in support of the proposed variation to the maximum building height (refer to Appendix H).</p> <p>The siting and configuration of the concept building envelopes will facilitate the optimal delivery of the future residential floorspace in a manner that protects the heritage significance of the existing buildings, while providing for additional housing supply. The potential environmental impacts have been assessed in detail and it is considered that the future buildings will make a positive contribution to the city skyline. Further the proposed landscape works and through-site connection will enhance the pedestrian experience and improvements to the public realm.</p>	
<p>Principle 3: Density</p> <p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p>	<p>The future detailed DA(s) will document the level of amenity that will be achieved for residents and each apartment. However, the concept proposal has been designed to facilitate future compliance in accordance with the design principles and the ADG.</p> <p>The proposed floorspace complies with the maximum and residential FSR controls prescribed by the LEP.</p>	YES
<p>Principle 4: Sustainability</p> <p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil</i></p>	<p>The general configuration and layout of the building envelopes as shown within the concept proposal have been designed to maximise access to natural daylight, natural cross ventilation and passive thermal design.</p> <p>The future detailed DA will outline the specific measures to be incorporated regarding sustainability. Consideration has been given to the potential operational waste of the individual land use activities, as outlined in Section 7.8.</p>	YES

Principle	Concept Proposal Response	Complies
zones for groundwater recharge and vegetation.		
<p>Principle 5: Landscape</p> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</i></p>	<p>A Landscape Concept Report has been prepared by Place Design Group which outlines the overall landscape concept for the development site. This includes a through-site link that will improve the pedestrian permeability of the site and bespoke furniture and landscaping to encourage the use of the central open space as a place for spiritual pause and reflection.</p> <p>The proposed landscape design also includes the treatment of the communal spaces on the upper floors of Buildings 1 and 2 which will accommodate residential apartments and student housing. The proposed layout and concept design seeks to embrace the site orientation, as well as the future building design.</p> <p>An Access Review has been completed which demonstrates the future detailed proposal(s) will be able to achieve equitable access. All detailed works, including ongoing maintenance, will be documented within the future DA(s).</p>	YES
<p>Principle 6: Amenity</p> <p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	<p>The configuration and layout of the building envelopes have been designed to achieve a satisfactory level of amenity for the future residential apartments, as well as the amenity of existing, approved and proposed uses within the immediate locality.</p> <p>The apartment layouts will be shown with the detailed proposal and subject to further detailed assessment in association with the related future DA.</p>	YES
<p>Principle 7: Safety</p> <p><i>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to</i></p>	<p>The proposed mix and location of the various land use activities have been designed to provide for the activation of the ground plane and the natural surveillance of the public domain and through-site pedestrian link. The retail/restaurant uses and associated dining</p>	YES

Principle	Concept Proposal Response	Complies
<p><i>maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	<p>area will be oriented to the street and the central part of the site, with clear and legible wayfinding to the various buildings on the site.</p> <p>The proposed landscape concept has been designed to facilitate the public use of the site, including furniture and spaces that embrace and encourage greater interaction between the church congregation and the local community.</p>	
<p>Principle 8: Housing diversity and social interaction</p> <p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</i></p>	<p>The future detailed proposal will document that proposed mix of apartment sizes and housing choice suitability for the locality.</p> <p>The proposed ground level and upper level open spaces provide opportunities for future residents to engage with other occupants across the site and the local community, as well as residents within their own building.</p>	YES
<p>Principle 9: Aesthetics</p> <p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	<p>The concept proposal provides a commitment to design excellence. The detailed architectural design elements will be resolved and shown within the detailed proposal and associated DA.</p>	YES

The Concept DA has also been assessed in accordance with the relevant provisions of the Apartment Design Guide (**ADG**) as outlined within the compliance assessment table held as **Appendix F**.

The table outlines the way in which the concept proposal has responded to relevant matters within the ADG in accordance with the Act. The detailed design requirements will be addressed in the future detailed DA for the residential apartment building in accordance with section 4.22(5) of the Act.

6.7. STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) requires all residential development in NSW to achieve a minimum target for energy efficiency, water efficiency and thermal comfort.

The siting and layout of the concept proposal has been designed to facilitate compliance of the future detailed proposal with the relevant requirements of the SEPP. A BASIX Certificate will be required with the future detailed DA(s) to demonstrate achievement of the relevant water and thermal performance ratings.

6.8. STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) provides the planning framework for the delivery of affordable rental housing supply.

Division 3 of the ARH SEPP applies to 'boarding houses' which include student housing. Each of the relevant requirements has been addressed in accordance with section 4.22(5) of the Act and as outlined in **Table 10**.

Table 10 – Assessment of ARH SEPP Provisions

Requirement	Concept Proposal Response	Complies
Clause 29 – Standards that cannot be used to refuse consent		
• Floor space ratio	The proposed FSR for both the mixed-use development and the residential component complies with the LEP controls	YES
• Building height	The maximum height of Building 2 – which accommodates the affordable housing component of the development - complies with the maximum building height prescribed by the LEP	YES
• Landscaped area	The proposed landscape treatment has been designed to be compatible with the streetscape and enhance the setting and appearance of the heritage-listed church building	YES
• Solar access • Private open space • Parking • Accommodation size	Each of the detailed numeric matters will be resolved in the future detailed proposal and assessed in the relevant DA. However, the concept proposal has been designed to facilitate compliance with the detailed controls	TBC
Clause 30 – Standards for boarding houses		
(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	Each of the detailed numeric matters will be resolved in the future detailed proposal and assessed in the relevant DA. However, the	TBC

Requirement	Concept Proposal Response	Complies
<p>(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,</p> <p>(c) no boarding room will be occupied by more than 2 adult lodgers,</p> <p>(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</p> <p>(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,</p> <p>(f) (Repealed)</p> <p>(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use,</p> <p>(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.</p>	<p>concept proposal has been designed to facilitate compliance with the detailed controls</p>	
30A Character of local area		
<p>A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.</p>	<p>The proposed mixed-use development is compatible with the surrounding area which comprises a mixture of land use activities including retail, commercial, education, community and residential uses. The site is located close to educational establishments as outlined within Section 2 and will contribute to the delivery of the project vision for the proposed redevelopment of the site. This includes providing students with a network of support, with mentoring and community involvement.</p>	<p>YES</p>

Overall, the concept proposal satisfactorily responds to the relevant requirements of the ARH SEPP. The detailed design requirements will be addressed in the future DA for the student housing component in accordance with section 4.22(5) of the Act.

6.9. STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the **Education SEPP**) provides a State based regulatory framework to facilitate the delivery of educational establishments, early education and child care facilities across NSW.

Part 3 of the Education SEPP requires proposals to be assessed in accordance with the *Child Care Planning Guideline* dated August 2017. The matters relevant to the assessment of a Concept DA are addressed within the following table. The layout and fit-out of the internal and external physical environments will be assessed as part of the detailed proposal in the future DA.

Requirement	Concept Proposal Response	Complies
Design Quality Principles		
<p>Principle 1 - Context</p> <p><i>Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</i></p> <p><i>Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood.</i></p> <p><i>Well-designed child care facilities take advantage of its context by optimising nearby transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic makeup of the facility users and surrounding communities.</i></p>	<p>The site currently provides child-care for up to 40 children. The concept proposal provides for a large, modern facility that can accommodate up to 120 children in a town centre location accessible by walking, cycling, public transport and private car. The site is well-located close to existing employment and services, allowing for multi-purpose trips and convenient travel movements.</p> <p>The proposed child care facility is located within Building 1 at the rear of the site. The proposed entry is adjacent to the central pedestrian link with clearly visible sightlines from Burwood Road. The proposed child care facility has been located to facilitate compliance with relevant requirements, including adequate floorspace and outdoor play area that is oriented to the north</p>	YES
<p>Principle 2 - Built form</p> <p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area.</i></p> <p><i>Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design also uses a variety of materials, colours and textures.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views</i></p>	<p>The proposed child care facility will be accommodated on Level 1 of a new building at the rear of the existing Church and School Hall buildings. The scale, bulk and height of the mixed-use building is considered in detail elsewhere within this report.</p> <p>The detailed architectural treatments and elevations will be addressed within the future detailed proposal and associated DA. The siting and configuration of the proposed facility as outlined with the concept proposal will facilitate compliance with the design principles and the detailed development standards.</p>	YES

Requirement	Concept Proposal Response	Complies
<p><i>and vistas, and provides internal amenity and outlook.</i></p> <p><i>Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm.</i></p>		
<p>Principle 3 - Adaptive learning spaces</p> <p><i>Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces fit-out.</i></p> <p><i>Good design achieves a mix of inclusive learning spaces to cater for all students and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.</i></p>	<p>The layout of the internal and external learning spaces will be detailed within the future DA seeking approval for the delivery of the child care facility in accordance with the Concept DA. The concept proposal has been designed to facilitate future compliance.</p>	YES
<p>Principle 4- Sustainability</p> <p><i>Sustainable design combines positive environmental, social and economic outcomes.</i></p> <p><i>This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p> <p><i>Well-designed facilities are durable and embed resource efficiency into building and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.</i></p>	<p>The general configuration and layout of the proposed child care facility as shown within the concept proposal has been designed to maximise access to natural daylight, natural cross ventilation and passive thermal design. The future detailed DA will outline the specific measures to be incorporated regarding sustainability. Consideration has been given to the potential operational waste of the proposed child care facility, as outlined in Section 7.8.</p>	YES
<p>Principle 5 - Landscape</p> <p><i>Landscape and buildings should operate as an integrated and sustainable system,</i></p>	<p>A Landscape Concept Report has been prepared by Place Design Group which outlines the overall landscape concept for the</p>	YES

Requirement	Concept Proposal Response	Complies
<p><i>resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p>	<p>entire site, including the through-site link which provides access to Building 1 (refer to Appendix E).</p> <p>The detailed design for any landscaping works within the outdoor play area would be resolved as part of the future DA for the detailed proposal.</p>	
<p>Principle 6 - Amenity</p> <p><i>Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning environments and the well-being of students and staff.</i></p> <p><i>Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.</i></p> <p><i>Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.</i></p>	<p>The general configuration and layout of the proposed child care facility as shown within the concept proposal has been designed to achieve a satisfactory level of amenity for both the future child care facility and its neighbours.</p> <p>The proposed location of the internal and external spaces seeks to maximise access to natural daylight, natural cross ventilation and views. The future DA will outline the detailed design features, including the layout of individual spaces within the facility.</p>	YES
<p>Principle 7 - Safety</p> <p><i>Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately.</i></p> <p><i>Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for quality public and private spaces that are inviting, clearly defined and allow</i></p>	<p>The proposed location and access to the facility has been designed in accordance with CPTED principles, including natural surveillance of the surrounding public domain. The future DA will outline the detailed design features, including compliance with relevant health and safety matters.</p>	YES

Requirement	Concept Proposal Response	Complies
<i>controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).</i>		
Matters for consideration		
Site selection and location Appropriate zone considerations are assessed when selecting a site. Site selected for a proposed child care facility is suitable for the use. Sites for child care facilities are appropriately located. Sites for child care facilities do not incur risks from environmental, health or safety hazards.	The proposed child care facility is permitted and encouraged within the B4 Mixed Use zone. The site is well-located close to existing services, employment and high-frequency public transport. The general layout and design of the concept proposal, including the location and entry to the child care facility, has been well-considered, including compatibility with the surrounding development and the opportunity to provide for safe and legible travel to and from the town centre and the railway station.	YES
Local character, streetscape and the public domain interface Child care facility is compatible with the local character and surrounding streetscape. Clear delineation between the child care facility and public spaces. To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	The proposed child care facility will be located on Level 1 of Building 1. The appropriateness of the mixed-use building is comprehensively addressed elsewhere within this SEE. The entry to the proposed facility will be clearly legible, with lifted access available immediately adjacent to and visible from the central pedestrian link from Burwood Road.	YES
Building orientation, envelope and design Respond to the streetscape and site, while optimising solar access and opportunities for shade scale of the child care facility Compatible with adjoining development and the impact on adjoining buildings is minimised. Setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context. Built form, articulation and scale of development relates to its context and	The proposed child care facility will be located on Level 1 of a high-rise mixed use development. The appropriateness of the building orientation, envelope and design is comprehensively addressed elsewhere within this SEE. The general siting and layout of the child care facility as outlined within the Concept DA is considered appropriate, providing for access to natural daylight and ventilation. The setbacks to the building are consistent with the existing and likely future built form. The architectural design and treatment of the building, including the child care facility, will be provided within the future detailed	YES

Requirement	Concept Proposal Response	Complies
<p>buildings are well designed to contribute to an area's character.</p> <p>Buildings are designed to create safe environments for all users</p> <p>Child care facilities are designed to be accessible by all potential users</p>	<p>proposal and the associated DA seeking its approval.</p> <p>An Access Review has been completed (refer Section 7.7) and the child-care facility will be accessible to all potential users.</p>	
<p>Landscaping</p> <p>Provide landscape design that contributes to the streetscape and amenity</p>	<p>A Landscape Concept Report has been prepared by Place Design Group which outlines the overall landscape concept for the entire site, including the through-site link which provides access to Building 1.</p> <p>The proposed landscape design will enhance the Burwood Road streetscape and provide for improved site amenity, including opportunity for public gathering spaces with bespoke furniture and landscaping that encourages its use as a place for spiritual pause and reflection.</p>	YES
<p>Visual and acoustic privacy</p> <p>Protect the privacy and security of children attending the facility.</p> <p>Minimise impacts on privacy of adjoining properties.</p> <p>Minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.</p>	<p>The Concept DA seeks to accommodate the proposed child care facility on Level 1 of a new high-rise mixed-use building at the rear of the existing Church and School Hall buildings. Visual and acoustic privacy measures will be outlined within the detailed proposal and associated future DA.</p>	YES
<p>Noise and air pollution</p> <p>Outside noise levels on the facility are minimised to acceptable levels.</p> <p>Air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.</p>	<p>The proposed facility is located at the rear of the site, away from Burwood Road, which is considered acceptable.</p> <p>Measures to address acoustic privacy will be outlined within the future detailed proposal and the associated DA seeking its approval. The acoustic assessment undertaken by Acoustic Logic and provided with the Concept DA (refer to Section 7.2) states:</p> <p><i>The child care centre (including external play areas) is largely screened from surrounding environmental noise sources and would not be adversely impacted.</i></p>	YES

Requirement	Concept Proposal Response	Complies
Hours of operation Minimise the impact of the child care facility on the amenity of neighbouring residential developments.	The proposed hours of operation will be provided within the future detailed DA.	TBC
Traffic, parking and pedestrian circulation Provide parking that satisfies the needs of users and demand generated by the centre. Provide vehicle access from the street in a safe environment that does not disrupt traffic flows. Provide a safe and connected environment for pedestrians both on and around the site.	The Traffic and Parking Impact Assessment prepared by TTPA (and outlined in detail within Section 7.5) confirms that the proposed basement car park in Building 1 is adequate to accommodate all land use activities, including the child care facility. Vehicle access will be provided from George Street and the forecast traffic generation is unlikely to result in unacceptable impacts for the local road network.	YES

Overall, the concept proposal satisfactorily responds to the relevant requirements of the Education SEPP. The detailed design requirements will be addressed in the future DA for the child care centre facility in accordance with section 4.22(5) of the Act.

6.10. STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across NSW. The ISEPP identifies matters to be considered in assessing development adjacent to infrastructure such as classified roads and prescribes consultation requirements for certain development types.

Schedule 3 of the ISEPP relates to 'traffic generating development' that must be referred to the Roads and Maritime Service (**RMS**) for comment. The proposed mixed-use development is anticipated to include over 200 car parking space and will require a referral in accordance with section 104 of the ISEPP.

The future detailed proposal may include works that affect an electricity substation, however, this is yet to be confirmed. If this is the case, the future detailed DA would be referred to the relevant authority in accordance with section 45 of the ISEPP.

6.11. STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) provides a state-wide planning approach for the remediation of land to reduce the risk of harm to human health or the environment. Clause 7(1) requires the consent authority to consider whether land is contaminated prior to consent of a development application.

A Report on Preliminary Site Investigation for Contamination has been prepared by Douglas Partners and is attached at **Appendix G**. The report confirms that the site has a low risk of significant contamination and can be made suitable for the proposal, subject to the following recommendations:

- *A pre-demolition hazardous building materials survey must be undertaken on all buildings proposed for demolition or refurbishment, such that hazardous materials are identified for appropriate management;*
- *Post demolition inspection and sampling of building footprints (currently inaccessible) to assess the contamination status of the soils, the requirement for remediation, and to confirm the preliminary waste classification documented in the geotechnical investigation report. It is noted that given the presence of building rubble recorded within filling in some of the bores, it is possible that asbestos may also be present between sampling locations and therefore may be uncovered during the proposed additional*

investigations and earthworks. In this regard, the building footprint investigations should be undertaken using test pits to enable a more thorough assess of the potential for asbestos;

- It is advised to extend the building footprint investigations through test pitting to other areas of the site to assess more thoroughly the extent of asbestos impact, if any; and
- Incorporation of an unexpected finds protocol in the civil and construction works plans.

Each of the above recommendations can be incorporated as conditions of consent and implemented as part of the future detailed DA(s) as considered appropriate.

6.12. BURWOOD LOCAL ENVIRONMENTAL PLAN 2012

Burwood Local Environmental Plan 2012 (BLEP) is the principal environmental planning instrument relevant to the site. An assessment of the proposal against the relevant controls is provided within the following table.

Table 11 – Compliance with Burwood LEP 2012

Requirement	Concept Proposal Response	Complies
<p>Clause 2.3 Zone Objectives and Land Use Table</p> <p>Zone B4 Mixed Use</p> <ul style="list-style-type: none"> • To provide a mixture of compatible land uses. • To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. <p>Permitted with consent include:</p> <ul style="list-style-type: none"> • Boarding houses • Centre-based child care facilities • Commercial premises • Community facilities • Medical centres • Residential flat buildings • Shop top housing • Any other development not specified in item 2 or 4 <p>Places of public worship are not listed in item 2 or 4 and accordingly, are permitted with consent</p>	<p>Each of the land use activities proposed within the mixed-use development are permitted with consent and consistent with the B4 land use objectives as:</p> <ul style="list-style-type: none"> • The proposal comprises a mix of compatible uses. The existing place of public worship will be retained and complemented by non-residential activities on the ground and lower levels of the existing and proposed buildings to activate the town centre and the streetscape, provide employment and training opportunities and the expansion of the existing community services. The proposal also includes residential apartments and student housing, providing for a diverse residential population. • The proposal provides for employment-generating development and residential dwellings in an appropriate and accessible location, close to high-frequency public transport including heavy rail, and local and regional bus services. The site improvements works include a through-site link which will improve pedestrian and cycle connections to and through the Burwood Town Centre. 	YES

Requirement	Concept Proposal Response	Complies
Clause 4.3 Height of Buildings Maximum of 60 metres <i>(a) to establish the maximum height of buildings to encourage medium density development in specified areas and maintain Burwood's low density character in other areas,</i> <i>(b) to control the potentially adverse impacts of building height on adjoining areas.</i>	The proposal comprises three new buildings, with the following maximum building heights: <ul style="list-style-type: none"> • Building 1 – 91.5 metres • Building 2 - 25 metres • Building 3 – 7.1 metres Building 1 exceeds the maximum height of building control by 31.5 metres. The other two buildings are significantly less than the maximum – Building 2 is 35 metres less than the maximum while Building 3 is 52.9 metres less than the maximum height.	NO – justified under clause 4.6 (refer below)
Clause 4.3A Building Height Plane <i>(a) to focus greater building height in the inner part of the Burwood Town Centre and to provide a transition in heights towards the edge of the Burwood Town Centre,</i> <i>(b) to mitigate any adverse effects on the amenity of existing and future residents living adjacent to the Burwood Town Centre,</i> <i>(c) to limit building heights to facilitate adequate solar access to land adjoining the Burwood Town Centre.</i>	The proposal complies with the maximum Building Height Plane that applies to the site as shown in the BHL diagram that forms part of the architectural plans package.	YES
Clause 4.4 Floor Space Ratio 4.5:1 base FSR <i>(a) to enable development density and intensity of land use to achieve an appropriate urban form,</i> <i>(b) to focus higher development density and intensity of land use in the inner part of the Burwood Town Centre and to provide a transition in development density and intensity of land use towards the edge of the Burwood Town Centre.</i>	The proposal has a total FSR of 4.21:1 which is 0.29:1 less than the maximum FSR control	YES
Clause 4.4A Exceptions to Floor Space Ratio 3:1 residential FSR <i>(a) to limit the density of residential development in certain business zones to</i>	The proposal has a residential FSR of 3:1, including the residential apartments and student housing, which complies with the maximum control	YES

Requirement	Concept Proposal Response	Complies
<p><i>ensure that it does not dominate non-residential development in those zones,</i></p> <p><i>(b) to limit the floor space of serviced apartments in certain business zones to ensure that they do not dominate service-providing and employment-generating commercial premises in those zones.</i></p>		
<p>Clause 4.6 Exceptions to Development Standards</p> <p>Written request required to justify contravention to a development standard</p> <p><i>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,</i></p> <p><i>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</i></p>	<p>The proposed non-compliance of Tower 1 with the maximum height of building control is addressed within the written request attached at Appendix H. The request has been prepared in accordance with the detailed requirements outlined within clause 4.6.</p>	YES
<p>Clause 5.10 Heritage Conservation</p> <p><i>(a) to conserve the environmental heritage of Burwood,</i></p> <p><i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p><i>(c) to conserve archaeological sites,</i></p> <p><i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p>Lot 1 DP795259 is listed as a local heritage item - I20 – ‘Congregational (Uniting) Church and Church Hall’. The site is also close to other local heritage items.</p> <p>An assessment of the potential impact of the proposal on the heritage significance of the site and surrounding heritage items has been undertaken by GBA Heritage and is considered acceptable.</p> <p>A copy of the Heritage Impact Statement and Schedule of Conservation Works is attached at Appendix I and discussed in detail within Section 7.3 of this report.</p>	YES
<p>Clause 6.1 Acid Sulfate Soils</p> <p>Class 5</p> <p><i>To ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</i></p>	<p>The Report on Geotechnical Investigation and Waste Classification Assessment prepared by Douglas Partners (attached as Appendix J) advises that the site is not located within an area of acid sulfate risk. Any detailed construction requirements will be addressed within the future detailed proposal</p>	NA
<p>Clause 6.2 Flood Planning</p> <p><i>(a) to minimise the flood risk to life and property associated with the use of land,</i></p>	<p>The Civil Engineering Report prepared by TTW (attached at Appendix K) states that the area is not at risk of flooding. The future detailed design will address the required</p>	YES

Requirement	Concept Proposal Response	Complies
<p>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</p> <p>(c) to avoid significant adverse impacts on flood behaviour and the environment.</p>	freeboard for basement and building floor level entries.	
<p>Clause 6.3 Active Street Frontages</p> <p>to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B4 Mixed Use.</p>	<p>The proposal has been designed to provide an active street frontage to Burwood Road, including:</p> <ul style="list-style-type: none"> Retail/restaurant floorspace with covered awning and associated outdoor dining area at the ground level of Building 2 Retention of the existing place of public worship and public gathering spaces, including heritage significant features 	YES
<p>Clause 6.5 Design Excellence in Zones B2 and B4</p> <p>(a) whether a high standard of architectural, landscape and urban design has been achieved (including in the materials used and in detailing appropriate to the location, building type and surrounding buildings),</p> <p>(b) whether the form and external appearance of the proposed building, and ground level detailing, will significantly improve the quality and amenity of the public domain,</p> <p>(c) how any streetscape and heritage issues have been addressed,</p> <p>(d) whether the amenity of the surrounding area, including any view corridors, vistas or landmark locations, will be adversely affected,</p> <p>(e) how traffic circulation and vehicular access will be addressed and whether the proposed development supports the provision of high quality pedestrian, cycle and service access,</p> <p>(f) whether any adverse effect on pedestrian movement and experience will be avoided</p>	<p>The Architectural Design Report prepared by TURNER (and attached as Appendix D) demonstrates the way in which the concept proposal commits to the delivery of design excellence within the future detailed proposal. The concept proposal has been carefully considered to enable all relevant matters to be addressed in the detailed architectural design, including:</p> <ul style="list-style-type: none"> The siting of the proposed new buildings has been carefully considered regarding the existing and likely future development within the surrounding area, including compatibility of the building height, scale, shadow impacts and the like. The proposed buildings have also been designed to respect and maintain the heritage significance of the existing Church and School Hall buildings, including the existing sightlines and streetscape. The amenity of the surrounding area has been addressed, including the potential view impacts, visual privacy and solar access and overshadowing impacts, including future compliance 	YES

Requirement	Concept Proposal Response	Complies
<p><i>(and whether the public transport interchange as the focal point for pedestrian movement in the surrounding area will be reinforced and the ease of pedestrian access to and from that interchange will be facilitated),</i></p> <p><i>(g) whether the development supports an integrated land use mix in Zones B2 and B4, including a diversity of public open spaces at the ground level, as well as the roof and other levels of buildings,</i></p> <p><i>(h) how the bulk, mass, modulation, separation, setback and height of buildings have been addressed and whether they are appropriate in the context of existing and proposed buildings,</i></p> <p><i>(i) whether a high standard of ecologically sustainable design (including low-energy or passive design) will be achieved and overshadowing, wind effects and reflectivity will be minimised.</i></p>	<p>with the detailed requirements in SEPP 65 and the ADG.</p> <ul style="list-style-type: none"> • Traffic, access and car parking issues have been resolved, including the location of the proposed vehicle access and basement car park entry on George Street, as well as the through-site link that improves the existing permeability of the site and town centre connectivity • Safe and direct access is provided to encourage pedestrian movements through the site and to Burwood railway station • The proposed mixed-use development includes a variety of compatible land use activities with an active ground plane that complements the proposed uses and is compatible with the town centre, as well as aboveground communal open spaces that meet the needs of future residents • The bulk, mass, modulation, separation, setbacks and height of buildings have been carefully considered within the context of the site and the locality, including both existing and proposed buildings. The proposed built form is considered entirely consistent and compatible with the transitioning built form within the town centre and will make a positive contribution to the streetscape and the city skyline • The concept proposal has considered ecologically sustainable design principles, including building envelopes that will facilitate access to natural daylight and ventilation and the opportunity to minimise energy use <p>The future detailed proposal and associated DA for the construction of the buildings will further outline the way in which design excellence will be achieved through the</p>	

Requirement	Concept Proposal Response	Complies
	selection of appropriate materials, detailing and the like.	

The concept proposal complies with each of the LEP controls apart from the maximum height of Building 1. The proposed departure from the maximum height of building control is considered appropriate based on the specific circumstances of the case and has been fully justified within a written request lodged in accordance with the provisions of Clause 4.6 (refer to **Appendix H**).

6.13. BURWOOD DEVELOPMENT CONTROL PLAN

Burwood Development Control Plan (**BDCP**) provides detailed controls for specific development types and locations. An assessment of the proposal against the key controls of the BDCP is provided within the following table.

Table 12 – Compliance with Burwood DCP

Control	Concept Proposal Response	Complies
3.2.1 - Building Design Building design must represent architectural design excellence in the following ways: <ul style="list-style-type: none"> The form and external appearance of any development should significantly improve the quality and amenity of the public domain. The development should respond positively to the environment and context. Appropriate consideration must be given to the existing or likely potential development of adjoining sites. 	The Concept DA includes a commitment to design excellence, including: <ul style="list-style-type: none"> The proposed buildings have been carefully located and designed to enhance the quality and amenity of the public domain, including active street frontages, outdoor dining and through-site connection The proposed mixed-use development responds positively to the environment and context, including retention and preservation of the heritage significance of the existing buildings and sightlines to and from the public domain The building envelopes have been designed to respond to the existing, approved and proposed buildings within the surrounding locality, including solar access and overshadowing impacts, visual privacy and the like The future DA(s) will demonstrate the way in which this commitment will be implemented and achieved in accordance with the DCP	YES
3.2.4 - Street Front Activities and Building Access Separate and clearly identifiable entrances must be provided from the street for	The concept proposal has been designed to comply with the relevant setbacks for Burwood Road and George Street. The future detailed design and associated DAs will	YES

Control	Concept Proposal Response	Complies
<p>pedestrians and cars, and different uses (residential and non-residential).</p> <p>Building entrances must have a direct physical and visual connection with the street.</p>	demonstrate compliance with the DCP controls.	
<p>3.2.19 - Access and Mobility</p> <p>Ensure development is designed to facilitate access by the whole community, including those with mobility impairment.</p>	<p>An Access Review report has been prepared by MGAC which is attached at Appendix L. The assessment confirms that the proposed development demonstrates an appropriate degree of accessibility and can comply with the relevant statutory, subject to the implementation of a range of design recommendations within the future detailed proposal(s) and associated DA(s).</p>	YES
<p>3.3.2 - Podium Height</p> <ul style="list-style-type: none"> Burwood Road: maximum 13 metres George Street: maximum 15 metres 	<p>The concept proposal includes the following podium heights:</p> <ul style="list-style-type: none"> Burwood Road: 8.5 metres George Street: 17.6 to 18.2 metres <p>The proposed variation to the George Street podium height arises from the floor-to-ceiling levels required to accommodate non-residential land use activities on the lower levels, including the child care centre, medical centre and commercial offices, and the vehicle access to the basement level car park. The proposed podium height is consistent with the adjoining property and will achieve an appropriate building appearance and streetscape. The variation is considered appropriate as it will not result in any unacceptable environmental outcomes, will facilitate the delivery of employment generating development within the town centre and an active ground plane.</p>	NO – justified on merit
<p>3.3.2 - Street Front Setbacks</p> <ul style="list-style-type: none"> Burwood Road: zero setback George Street: 3 metre setback 	<p>The concept proposal has been designed to comply with the relevant setbacks for Burwood Road and George Street.</p>	YES
<p>3.3.2 - Secondary Setbacks</p> <p><u>Along Burwood Road:</u> The development above 13m is to be setback a minimum of 8m</p>	<p>The concept proposal has been designed to comply with the relevant setbacks for Burwood Road and George Street. The future detailed design and associated DAs will</p>	YES

Control	Concept Proposal Response	Complies
<p><u>Along George Street:</u> The development above 15m is to be setback a minimum of 6m</p>	demonstrate compliance with the DCP controls.	
<p>3.3.2 - Side and Rear Setbacks + Building Separation/Frontage</p> <p>To comply with the building separation distances of the ADG.</p>	The concept proposal has been designed to comply with the relevant setbacks for Burwood Road and George Street. The future detailed design and associated DAs will demonstrate compliance with the DCP controls.	YES
<p>3.3.2 - Communal Open Space</p> <p>Podium areas are required to be made accessible as communal open space.</p> <p>Landscaping is required to be provided within communal open space. This landscaping must have a minimum of 0.6m soil depth for at least 50% of the area.</p>	The concept proposal includes communal open spaces on the upper levels of the residential apartment and student housing buildings. The future detailed design and associated DAs will demonstrate compliance with the DCP controls.	TBC
<p>3.7.2 – Transport and Parking in Burwood Town Centre</p> <p>Provide on-site car parking spaces for each proposed land use in accordance with Table 2</p>	<p>The Traffic and Parking Impact Assessment prepared by TTPA and attached as Appendix M confirms the proposed traffic generation, vehicle access and on-site car parking can accommodate the land use activities proposed within the Concept DA.</p> <p>The future detailed DAs will address the compliance of each component with the relevant car parking requirements.</p>	YES
<p>3.8 - Heritage in Centres and Corridors</p> <p>A Heritage Impact Statement is required to be submitted for development applications which affect a heritage listed building.</p>	<p>A Heritage Impact Statement has been prepared by GBA Heritage. The report is attached at Appendix I and discussed in further detail in Section 7.1.5.</p> <p>The relevant recommendations are considered appropriate and can be incorporated as conditions of consent. The future detailed DAs will need to address the compliance of the detailed design with the recommendations within the report.</p>	YES
<p>3.9.1 - Public Domain and Amenity (Burwood Town Centre) and 3.9.3 - Pedestrian Links</p> <p>Council's Public Domain Strategy identifies a north-south pedestrian link between Deane Street and Victoria Street East and an east-</p>	The concept proposal includes a through-site pedestrian link that connects Burwood Road to George Street, improving the existing pedestrian permeability of the site and facilitating connections with other planned	YES

Control	Concept Proposal Response	Complies
west connection from Elsie Street to Burwood Road	pedestrian links on adjoining and surrounding properties within the town centre.	
5.3 - Child Care Centres The DCP outlines the approvals process for obtaining development consent, including local development controls and other relevant provisions	The proposed child care centre is compatible with neighbouring land uses, capable of maintaining the amenity of neighbours and is accessible by public transport. The future DA will assess the compliance of the detailed proposal with the relevant provisions	YES
5.4 - Boarding Houses The DCP outlines the broad objectives for the delivery of boarding houses, including other relevant legislation, building form and appearance and detailed development requirements	The proposed student accommodation is considered suitable and entirely appropriate for the site. The proposed development will provide a high quality design and a satisfactory appearance within the Burwood Road streetscape. The future DA will assess the compliance of this component of the mixed-use development with the relevant detailed DCP requirements	YES
6.2 - Waste Management Reduce the demand for waste disposal through waste separation and resource recovery in demolition, design, construction and operation of buildings and land use activities. Design waste and recycling storage systems in buildings and land use activities which are hygienic, accessible, quiet to operate, adequate size and visually compatible with their surroundings.	An Operational Waste Management Plan has been prepared to confirm that the concept proposal can comply with Council's requirements. A copy of the Plan is attached at Appendix N and discussed in further detail within Section 7.8 . The demolition and construction waste management requirements will be addressed within the future detailed DA(s).	YES
6.3 - Acid Sulfate Soils An Acid Sulfate Soils Plan should be prepared.	The Report on Geotechnical Investigation and Waste Classification Assessment prepared by Douglas Partners (attached as Appendix J) advises that the site is not located within an area of acid sulfate risk. Any detailed construction requirements will be addressed within the future detailed proposal	NA

7. IMPACT ASSESSMENT

This section of the SEE assesses the likely impacts of the development in accordance with the provisions of section 4.15(1)(b) of the Act, including the potential impacts on both the natural and built environments, as well as the social and economic impacts in the locality.

7.1. BUILT FORM AND URBAN DESIGN

A Design Statement has been prepared by TURNER (refer to **Appendix D**) which outlines the key design influences underpinning the concept proposal, including the location and general configuration of the envelopes for the three new buildings to be delivered in the future detailed proposal(s).

The concept proposal is described as a '*considered composition of buildings, each one making a specific contextual response*'. Building 1 is located away from Burwood Road and close to the existing and approved cluster of high-rise mixed-use buildings. Buildings 2 and 3 have been designed to be at a much smaller scale, respecting the heritage significance of the Church and School Hall buildings and reducing their potential view and visual impacts.

The building envelopes have also been designed to facilitate their future architectural design treatment and considering the range of land use activities that are expected to be accommodated. For example, the George Street entries to Building 1 have been specifically located to facilitate 24 hour access, while other day-time uses are oriented to the central part of the site and the east-west through-site pedestrian connection. The future residential building has been designed to facilitate future compliance with the *Apartment Design Guide*, including solar access, cross ventilation and private and communal open spaces.

The proposed land use activities are integrated with the surrounding public domain. Retail and/or restaurants are proposed on the ground level of Buildings 1 and 2, activating the primary and secondary road frontages and allowing for outdoor dining within the central part of the site. The extended podium setback for Building 2 will preserve views of the church steeple, while the curved form will enhance views of the church and steeple. The adaptive re-use of the School Hall building will complement the ground floor activities on the surrounding future buildings.

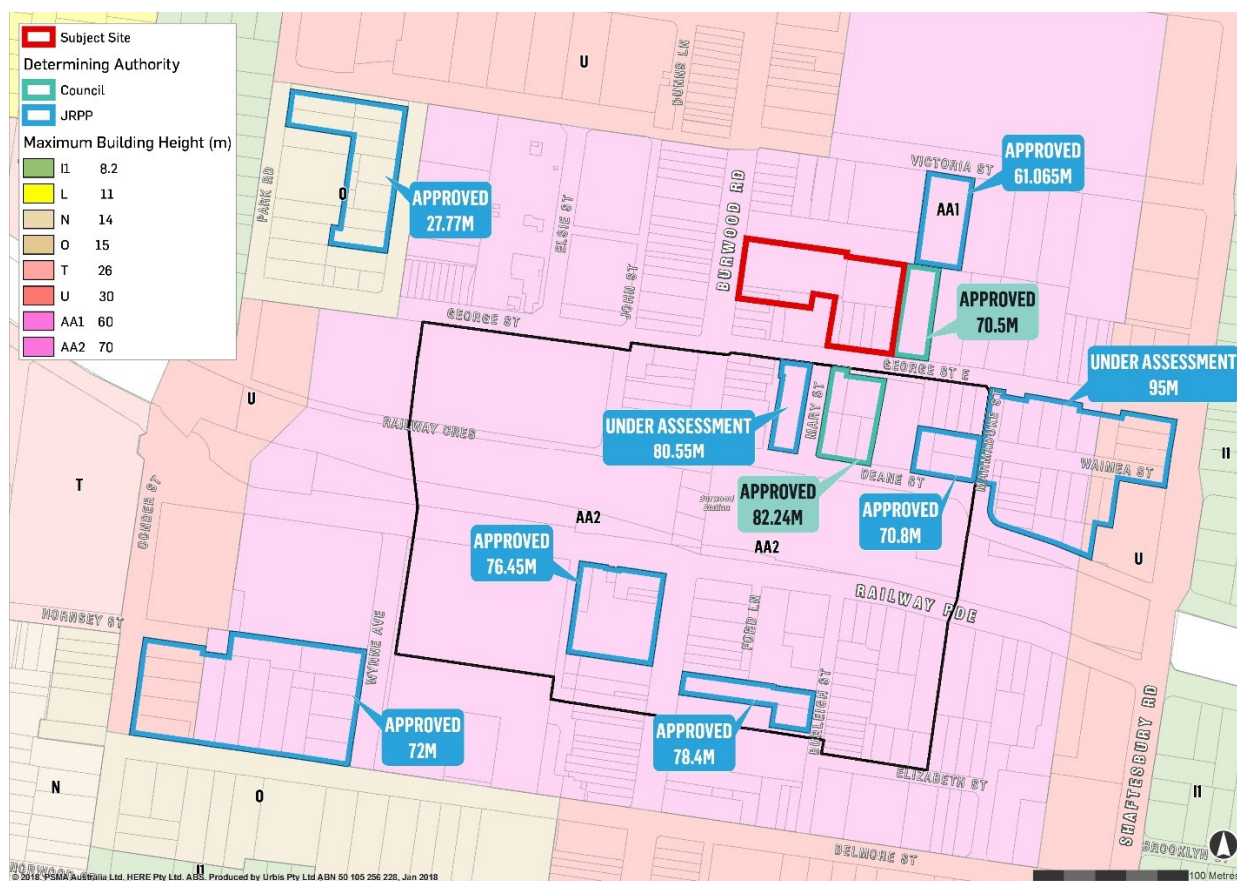
The retention of the existing Church building and the future delivery of the Building 3 envelope will facilitate the continuation and expansion of the existing church activities. This includes its primary function as a place of worship but also for the significant role it plays within the local community including the delivery of various outreach programmes and other services. The new building will improve the functionality of the church, including the opportunity for weather protected gathering spaces and improved access for people with a disability or mobility issues and parents with prams. The proposed future detailed design and building materials selection incorporates views and connections to the heritage-listed church.

The building envelopes for the three new buildings have been designed to be consistent and compatible with the existing, approved and proposed buildings within the surrounding locality as identified within **Figure 6**. Detailed consideration has been given to the appropriateness of the height of Building 1 as outlined within the clause 4.6 request held as **Appendix H**. The proposed design response is considered entirely reasonable and appropriate based on the specific circumstances of the case, including the compatibility of the proposal with the existing and likely future building heights within the locality. The proposed building is located to the west of the development site, close to the emerging cluster of high-rise mixed-use buildings along George Street. The Architectural Design Statement demonstrates that the minimum solar compliance requirements outlined within the ADG can be complied with for the existing and approved buildings.

The proposed publicly accessible open space and through-site pedestrian link forms a key component of the design response, serving several important functions. It provides 'breathing space' between the heritage-listed buildings and the future retail/restaurant and student housing to the south. It allows for vehicles or pedestrians travelling north along Burwood Road to appreciate the existing building and its ongoing role as a place of worship for the local community. The landscaped space provides an opportunity for spiritual pause and reflection within the town centre. It encourages public access and use of the retail and commercial facilities, as well as providing a greater understanding of the programmes and services offered by the congregation.

Overall, the concept proposal provides a holistic response to the key features of the site and local context, as well as embracing the heritage significance of the existing buildings and the aspirations of the BCUC to continue and strengthen their role and engagement with the local community.

Figure 6 – Approved and Proposed Developments in Burwood Town Centre



7.2. RESIDENTIAL AMENITY

7.2.1. Solar Access and Overshadowing

The Concept DA includes a comprehensive assessment of the proposed impacts of the building envelopes regarding solar access and overshadowing. The architectural package prepared by TURNER and attached as **Appendix D** includes shadow diagrams that show the potential impacts of the proposed buildings on the adjoining and surrounding properties at the winter solstice on 21 June.

Buildings 2 and 3 are significantly lower than the maximum permitted building height of 60 metres. The mixed-use retail and student housing building to the south (Building 2) has a maximum height of 25 metres. The church administration building to the north (Building 3) has a maximum height of 7.1 metres respectively). The potential overshadowing impacts of these buildings is considerable less than what would be expected within the town centre and having regard to their maximum potential height.

Building 1 proposes to vary from the prescribed control and has a maximum building height of 91.5 metres. Detailed and careful consideration has been given to the potential impacts of this building and the variation to the height control, particularly regarding solar access and overshadowing. The shadow diagrams prepared by TURNER indicate the potential shadow impacts are generally consistent with the shadows cast by approved developments within the surrounding area, including 7 Deane Street and 11-15 Deane Street.

While the building will result in shadow impacts, the site orientation and the reduced height of Building 2 means that the residential apartments immediately to the south (11-15 Deane Street) will still enjoy solar access either in the early morning or late afternoon. The property to the east (29 George Street) has also been assessed in detail and it is concluded that the proposal will maintain ADG compliance with the solar access control.

7.2.2. Visual Privacy

The siting, location and general configuration of the building envelopes within the concept proposal have been designed to accommodate satisfactory levels of visual privacy between the various land use activities on the site, as well as between the proposed development and the surrounding properties.

Building 1 generally comprises an L-shape with future residential apartments oriented to the east or west along the north-south axis and north or south along the east-west axis running parallel to George Street. The proposed layout allows for a reduced setback to be provided to the northern side boundary, with visual screening restricting potential sightlines to the north. Glazed areas and apartment balconies are generally oriented east to the central part of the site, George Street to the south or the increased setback to the northern and eastern boundaries.

The future DA will provide additional detail regarding the proposed visual privacy screening measures to be integrated with the architectural design of the building and provide for an appropriate level of privacy and amenity for the surrounding properties.

7.2.3. Acoustics

An environmental noise assessment has been prepared by Acoustic Logic and is attached at **Appendix O**. The report assesses the existing noise environment, including identification of potential noise sources, as well as the potential impacts of the future development on the surrounding properties.

The report concludes that the proposed development will satisfy the relevant noise criteria subject to adoption of the recommended design measures, including glazing assemblies and external doors. The proposed roof/ceiling construction and external walls are considered appropriate and do not require acoustic upgrading. A detailed review of the mechanical plan items will be required at the detailed design phase, including compliance with relevant criteria.

Each of the above recommendations can be included as conditions of consent, including demonstration of compliance as part of the future detailed DA(s).

7.3. HERITAGE

The Church and School Hall buildings on Lot 1 in DP795259 are collectively listed as a local heritage item under the Burwood LEP. The site is also located in close to other local heritage items, including 55-55A, 57 and 59 Burwood Road and 71-77 Burwood Road, both of which are located to the east on the opposite side of Burwood Road.

A Statement of Heritage Impact and a Schedule of Conservation Works has been prepared by GBA Heritage which are attached at **Appendix I**. The key findings and recommendations within the heritage assessment are summarised below:

- The significance of the Church and School Hall buildings and their contribution to the streetscape and the locality will be retained.
- All significant views to the Church and Hall will be retained. The existing open space to the south and west of the heritage items will be retained and enhanced with landscaping.
- The concept building envelope for Building 2 (south of the heritage items) will visibly defer to the Church and Hall buildings, be sympathetic in form and materiality and has been designed to enhance visual and physical access to the site and minimise impact on views of the Church steeple.
- The concept building envelope for Building 3 (north of the heritage items) has been design and located to be minimally visible from the public realm and will be setback from the front façade of the church to provide views to the northern facades of the heritage items through the glazed southern walls.
- The concept building envelope for Building 1 (east of the heritage items) has been designed to echo the verticality of the Church and its podium will be a simple form to avoid visually competing with or dominating the heritage items. the proposed high-rise building will have minimal additional visual or heritage impact on the subject site, considering the existing buildings and skyline to the east.
- Based on the existing high-rise buildings, the proposal will have no adverse heritage impact on any items in the vicinity.

- The proposed development is consistent with the heritage requirements and guidelines contained within the LEP and DCP.
- Should any unexpected relics be disturbed during the excavation of the site, these relics must be managed in accordance with the archaeological provisions of the *NSW Heritage Act*.
- Each of the above recommendations could be included as conditions of consent, including demonstration of compliance as part of the future detailed DA(s).

GBA Heritage recommends the application for approval, pending the implementation of the recommended mitigation measures for site landscaping to avoid obstructing views, conservation of the stone boundary wall and selection of appropriate building materials for Building 2. Each of these matters can be imposed as conditions of consent and addressed within the future detailed DA(s).

A Schedule of Conservation Works has also been prepared and is submitted with the Concept DA. The detailed works outlined within the schedule will also be incorporated into the future detailed proposal(s) and associated DA(s).

7.4. LANDSCAPE DESIGN AND TREE PRESERVATION

The Concept DA is accompanied by a Landscape Concept Report prepared by Place Design Group (attached as **Appendix E**) and an Arboricultural Impact Assessment prepared by Tree IQ (attached as **Appendix C**).

The siting and layout of the concept proposal has been carefully considered to facilitate the retention of existing significant trees and heritage features, including along the streetscape and within the boundaries of the site. Large feature trees and other significant landscaping is proposed to complement the existing site features and provide for substantial improvements to the public domain and the amenity of the site.

Bespoke furniture items and feature soft and hard landscaping will highlight the proposed through-site pedestrian link, providing wayfinding and encouraging public movements through the site. The proposed landscaped treatment will encourage residents, workers and visitors to enjoy the space as an opportunity for spiritual space/pause and facilitate greater awareness and access to the existing and expanded community services to be accommodated within the proposal. The north-facing outdoor dining embraces the site orientation and views of the heritage listed church building.

Additional communal open spaces are provided in the upper levels of Buildings 1 and 2. These spaces will be able to be accessed by residents of these buildings, providing opportunities for passive and active recreation, community engagement with other residents and enjoyment of the external environment.

7.5. TRAFFIC, PARKING AND ACCESS

A Traffic and Parking Impact Assessment was prepared by TTPA and is attached at **Appendix M**. The report assesses the likely impacts of the land use activities proposed within the concept proposal, including on-site car parking, vehicle access and impacts of the likely traffic generation on the local road network. It also includes a high-level travel demand management strategy, including opportunities to encourage alternative modes of travel. The key findings and recommendations of the report are summarised as follows:

- The proposed basement levels are adequate to accommodate the car and bicycle parking rates for the various land use activities identified within the concept proposal.
- The traffic generated by the mixed-use development will maintain a satisfactory level of performance at key intersections within the local road network and there will be no adverse implications arising from the proposal.
- Separate Travel Plans should be prepared for the non-residential and residential components of the mixed-use development prior to the occupation of the relevant floor space.
- The proposed vehicle access, servicing and entry arrangements are acceptable with appropriate distances and clearances, with further details to be shown at the detailed design phase(s).
- A detailed Construction Traffic Management Plan will be required with the relevant Construction Certificate(s), including Traffic Control Plans prepared by the Traffic Control contractor and submitted to Council for approval.

Each of the recommended measures will be incorporated into the detailed proposal(s) and the future DA(s) to be lodged with Council.

7.6. STORMWATER MANAGEMENT

A Civil Engineering Report and Civil and Stormwater Plans have been prepared by TTW and attached as **Appendix K**. The key findings and recommendations are summarised as follows:

- The existing stormwater management will need to be replaced by a new pit and pipe system connecting to the existing drainage system in Burwood Road.
- A 138m³ detention tank with an orifice size of 225mm and dimensions of 6.5 metres wide, 17 metres long and 1.25 metres deep will be required to limit the peak discharge of the site to that of an equivalent site with no impervious surfaces.
- The stormwater quality treatment will include two SPEL Filters within the OSD tank to achieve the EPA requirements for stormwater discharge.
- The site is unlikely to be subject to flooding risk based on its location within the catchment and lack of records regarding previous incidents. The future detailed design will incorporate suitable freeboard for basement and building floor level entries.
- A concept erosion and sediment control plan has been prepared to outline the way in which the future detailed proposal(s) can comply with relevant requirements during the construction phase.

Further detailed information will be provided within the future detailed DA(s) seeking approval for the detailed proposal(s).

7.7. BCA COMPLIANCE AND ACCESS

A Building Code of Australia (BCA) Report has been prepared by McKenzie Group and is attached at **Appendix P**. The BCA Report confirms that the proposed development can comply with relevant BCA standards.

An Access Review has been prepared by MGAC and is attached at **Appendix L**. The assessment confirms that the proposed development demonstrates an appropriate degree of accessibility and can comply with the relevant statutory, subject to the implementation of a range of design recommendations within the future detailed proposal.

7.8. WASTE MANAGEMENT

An Operational Waste Management Plan (OWMP) has been prepared by Elephants Foot and is attached at **Appendix N**.

The report assesses the likely volumes of waste that would be generated by the mixed-use development and the capacity of various waste rooms shown within the concept proposal. Detailed recommendations are provided for each of the relevant land use activities, including residential, student accommodation, church, commercial and retail and medical waste streams.

The recommendations will be incorporated into a detailed OWMP for lodgement with the future detailed proposal(s) and associated DA(s).

7.9. SOCIAL AND ECONOMIC IMPACTS

The proposed mixed-use development has been designed to achieve an overall vision for the redevelopment of the site established by the Uniting Church in Australia Property Trust (NSW) and the BCUC congregations. The proposal has been focussed on clear objectives and desired outcomes as outlined within **Section 2** of this report and as summarised below:

- Public domain and site improvement works, including the delivery of additional publicly accessible open space for spiritual space/pause and a through-site pedestrian link to improve existing access.
- Significant increase in the capacity of the existing child care services from 40 children per day to 120 children per day, accommodating the needs of local families.

- Delivery of additional community facilities, including education and training spaces that meet the needs of the church and local community groups.
- Creating additional accommodation and expanding existing services to meet the existing and changing needs of the local community, including an Aboriginal Worker, Children's Ministry Worker, Chinese Language Minister, Social Worker and Tertiary Chaplains.
- Delivering low cost housing for students, including a string network of support with mentoring and opportunities for community engagement.
- Enhancing and improving emergency support service and providing employment support and training opportunities

The achievement of the above objectives and outcomes would result in significant social benefits for the local community, particularly regarding the delivery of additional affordable housing and community facilities, including the child care facility and use of meeting spaces by local community groups. The adaptive re-use of the existing School Hall building for the Ministry Café offers increased training and employment opportunities.

The potential social impacts of the proposal, including its future construction and operations, have also been identified and assessed. It is considered that the potential impacts can be appropriately mitigated, minimised or managed through the detailed DA process, including the development of a comprehensive Construction Management Plan and Traffic Management Plan.

The proposal includes 5,897sqm of employment generating floorspace including retail/restaurant tenancies, commercial offices, a medical centre, child care facility and expansion of the existing church-related administration activities. The project has an estimated cost of almost \$100 million and represents a substantial investment in the Burwood Town Centre, with significant construction and operational jobs likely to be generated through the future phases of the development.

The proposal also provides for an ongoing revenue stream for the BCUC, allowing for the ongoing conservation of the heritage listed buildings and the continuation and expansion of the existing services to the local community.

8. SUITABILITY OF THE SITE

The site is considered suitable for the proposal for the following reasons:

- The site is zoned B4 Mixed Use under the BLEP. The proposed development is permissible with consent and consistent with the land use objectives of B4 zoning.
- The proposed redevelopment of the existing church and three single detached dwellings houses to accommodate a mixed use development with an expanded range of services and facilities with residential accommodation above is considered entirely consistent with strategic planning policies.
- The character and built form of the surrounding locality is transitioning to facilitate a range of high-density mixed-use developments with similar scale and density. The proposed development is consistent with approved and proposed developments within the immediate locality including:
 - 82.24m mixed-use development at 9-15 Deane Street and 18-20 George Street, Burwood;
 - 78.4m mixed-use development at 180-186 Burwood Road and 7-9 Burleigh Street, Burwood;
 - 72m high mixed-use development at 39-47 Belmore Street, Burwood; and
 - 76.45m mixed-use development at 121-133 Burwood Road and 38-40 Railway Parade, Burwood.
- Adequate infrastructure is available to service the proposed development including electricity, water and sewage, as well as surrounding services including retail, commercial, education, community, public open space and transport.
- There are no environmental constraints which cannot be satisfactorily managed or mitigated to avoid significant adverse impacts on the amenity of the site or adjoining properties.

9. SUBMISSIONS AND PUBLIC INTEREST

The proposal will be publicly notified in accordance with Burwood Development Control Plan. Any submission received during the public exhibition period and raising planning matters pursuant to Section 4.15 of the EP&A Act should be considered in the assessment of the proposal.

The proposal is in the public interest for the following reasons:

- The proposal satisfies the objectives of the relevant environmental planning instruments and achieves a high level of planning policy compliance. The proposed variation to the maximum height of building control has been fully justified and is considered appropriate in accordance with Clause 4.6 of the LEP.
- The proposal will deliver a high-quality mixed-use development that will revitalise the site and make a positive contribution to the streetscape and the objectives for the Burwood Town Centre in accordance with State and local strategic planning policies.
- The environmental impacts have been assessed in detail and are considered acceptable, including the potential effects of the proposed works on the visual appearance of the site and streetscape, heritage significance of the Uniting Church and School Hall buildings and potential amenity impacts on surrounding properties, including solar access/overshadowing, visual privacy and the like.
- The proposal will result in positive social and economic outcomes to benefit the immediate locality and the broader community by:
 - Expanding housing choice within Burwood, including affordable housing suitable for students.
 - Providing additional housing opportunities close to existing services, employment opportunities and high-frequency public transport.
 - Delivering additional local employment opportunities and jobs closer to home, during both the construction and operational phases of the development.
 - Maintaining and increasing access to essential community services, including a childcare centre, medical centre, meeting rooms available for use by local community groups and support services delivered by the BCUC.
 - Providing affordable housing supported by mentoring programmes and opportunities to participate within the local community.
- The proposal will provide publicly accessible open space and through-site site links to encourage greater community engagement, pedestrian permeability and connectivity within the Burwood Town Centre.

10. SUMMARY AND CONCLUSION

This Statement of Environmental Effects (SEE) has been prepared by Urbis on behalf of the Uniting Church in Australia Property Trust (NSW) to support a Concept DA to Burwood Council for the redevelopment of nine amalgamated lots within the Burwood Town Centre to accommodate a mixed use development including:

- Place of public worship
- Centre-based child care facility
- Community facility
- Commercial premises (which includes retail premises, food and drink premises and office premises)
- Medical centre
- Boarding house (student accommodation)
- Residential flat building

The proposed development has been assessed in accordance with the relevant matters for consideration listed in section 4.15 of the Environmental Planning and Assessment act 1979, as summarised below:

- **The proposal is consistent with state and local strategic planning policies:** The layout and design of the proposed development has been specifically planned to respond to both existing and desired future development within the locality.
- **The proposal satisfies the applicable state and local planning controls:** the proposal is consistent with the objectives of the state and local planning controls and substantially complies with their relevant requirements. While the proposal does not fully comply with the numerical height of building control, the section 4.6 exception demonstrates that the built form is acceptable and justified on planning merits.
- **The proposal will avoid unacceptable environmental impacts and provide social and economic benefits:** the careful siting and design of the proposed new buildings will avoid any unacceptable impacts on the site or surrounding properties, while the proposed land use activities will facilitate the retention and expansion of existing services and provide for increased economic development and employment opportunities.
- **The proposal is suitable for the site:** the proposed mixed-use development is compatible and consistent with the transitioning character of the Burwood Town Centre. The existing church building and associated services will be retained to maintain their ongoing commitment to the health and well-being of the local community. The site is also ideally located close to existing services, educational establishments and high-frequency public transport to accommodate new housing and employment opportunities.
- **The proposal is in the public interest:** the proposal is permitted with consent in the B4 Mixed Use zone, compatible with existing and likely future development and has been designed to avoid unacceptable impacts and optimise its potential benefits. Accordingly, the proposal is considered to be in the public interest.

Having considered all relevant matters, the proposal represents a sound development outcome that fulfils the vision to transform Burwood Town Centre into a high quality mixed-use precinct that respects its heritage and engages with the local community.

Accordingly, it is recommended that approval be granted for the proposed development, subject to appropriate conditions.

DISCLAIMER

This report is dated 15 October 2018 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of The Uniting Church in Australia Property Trust (NSW) (**Instructing Party**) for the purpose of Statement of Environmental Effects (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.



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