

**REZONING REVIEW
RECORD OF DECISION**
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DECISION	Thursday 31 May 2018
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Sue Francis, Bruce MacDonnell
APOLOGIES	Joseph Del Duca
DECLARATIONS OF INTEREST	George Mannah voted on the planning proposal at the Burwood Council meeting on 25 July 2017 and therefore has declared a non-pecuniary conflict.

REZONING REVIEW

2017SCL062 – Burwood - PGR_2017_BURWO_001_00 at 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
 - ☒ not demonstrated strategic merit nor site specific merit
 - ☐ has demonstrated strategic merit but not site specific merit



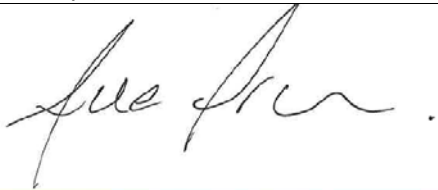

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considers that there is no valid strategic planning reason why the density (proposed 5.58:1) and height (proposed 18 and 14 storeys) should be increased for this site in relation to the numerous other sites in the R1 zone. The Panel notes that the existing planning strategy is to encourage high density tall buildings in the Strathfield and Burwood Town Centres and tapering heights and densities between the two. The existing height and density controls appear, in the Panel's view, to be appropriate for this location.

The Panel is aware of a reduced density and height proposal which was discussed at the meeting being a reduced height to 12, 10 and 9 storeys with a FSR in the order of 4.5:1. Likewise the Panel does not consider this has strategic or site specific merit.

The Panel is also aware that a development application for this site under the existing controls is being now assessed by the council's staff. That application was briefed to the Panel in December 2017 and the Panel is aware of discussions with council to reallocate the density and heights across the site in order to minimise the impact on the neighbouring school.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	 Bruce MacDonnell

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2017SCL062 – Burwood - PGR_2017_BURWO_001_00 at 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood
2	LEP TO BE AMENDED	Burwood Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The planning proposal seeks to amend the Burwood Local Environmental Plan 2012 to increase the maximum building height from 26m to part 36m, part 40m and part 46m, and to increase the maximum floor space ratio from 3:1 to 4.5:1 at 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment Memorandum of Advice present by Proponent 31 May 2018
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 31 May 2018 <ul style="list-style-type: none"> Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Bruce MacDonnell Department of Planning and Environment (DPE) staff in attendance: Wayne Williamson, Kris Walsh Briefing meeting with Department of Planning and Environment (DPE): 31 May 2018, 11.45am <ul style="list-style-type: none"> Panel members in attendance: as above DPE staff in attendance: as above Briefing meeting with Council & Proponent: 31 May 2018, 12.30pm <ul style="list-style-type: none"> Panel members in attendance: as above DPE staff in attendance: as above Council representatives in attendance: Marianna Kucic, Debra Sutherland, Robert Toohey Proponent representatives in attendance: James Matthews, Matthew Daniel, Aleksandar Jelcic, Anthony Georges