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PLANNING PROPOSAL

68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood



Prepared for X-Sealant Pty Ltd
Submitted to Burwood Council

February 2017

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APPENDICES	TITLE
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Appendix C	Traffic and Parking Impact Report (February 2017) prepared by Motion Traffic Engineers
Appendix D	Landscape and Public Domain Improvement Plan (February 2017) prepared by Canvas Landscape Architects

Introduction

This planning proposal is submitted in accordance with Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 and provides an outline and justification for the proposed amendments to the development controls of residential land at 68-72 Railway Parade and 2-2A, 4-10 Oxford Street, Burwood (“the subject site”).

The subject site is known legally as follows:

- 68 Railway Parade – Lot 1 DP 794978
- 68A Railway Parade – Lot 4 DP 1105410
- 70 Railway Parade – Lot 2 DP 591171
- 72 Railway Parade – Lot 1 DP 80269
- 2-2A Oxford Street – SP 39363
- 4-6 Oxford Street – SP83675
- 8-10 Oxford Street – Lot 1 and 2 DP 226905

The proposal will amend the Burwood Local Environmental Plan (LEP) 2012.



Figure 1: Aerial view of the subject site

The planning proposal has been prepared in support of an application to amend the development controls that apply to the subject site. The site, being 3,413 m² has recently been amalgamated facilitating a review of the controls given the relatively isolated nature of the site in the context of nearby residential land and adjoining land uses.

The attached Urban Design Report has considered a number of development options including the best future design and built form and the impact of any future redevelopment on neighbouring land. It is therefore proposed to increase the maximum building height control from 26 metres to 58 metres (18 storeys), and to increase the maximum floor space ratio control from 3:1 to 5.45:1. The planning proposal will facilitate the lodgement of a future Development Application (DA) for a residential flat building on the subject land.

In accordance with relevant NSW Department of Planning and Environment guidelines, including '*A Guide to Preparing Local Environmental Plans*' (2013) and '*A Guide to Preparing Planning Proposals*' (2012), this planning proposal comprises the following parts:

Part 1	A statement of the objectives or intended outcomes of the proposed instrument
Part 2	An explanation of the provisions that are to be included in the proposed instrument
Part 3	The justification for those objectives, outcomes and the process for their implementation based on technical studies
Part 4	The existing controls that apply to the site based on the Councils LEP Maps
Part 5	Details of the community consultation to be undertaken on the planning proposal
Part 6	The timeframe to complete the amendment

This planning proposal forms part of a package of supporting documents for consideration by the Gateway under Section 56 of the EP&A Act 1979. The Planning Proposal application is therefore supported by the following studies:

- Urban Design Report and Concept Design (December 2016) prepared by Aleksandar Design Group
- Traffic and Parking Impact Report (February 2017) prepared by Motion Traffic Engineers
- Landscape and Public Domain Improvement Plan (February 2017) prepared by Canvas Landscape Architects

This Planning Proposal has been prepared by Pacific Planning on behalf of X-Sealant Pty Ltd in support of the amendment to the applicable development controls under the Burwood LEP 2012.

Site Identification

The land to which this Planning Proposal applies is situated on the corner of Railway Parade and Oxford Street, to the west of the Burwood town centre between the Strathfield and Burwood train stations. The land the subject of this planning proposal is identified in **Figures 1 and 2**.

The site fronts Railway Parade to the north which adjoins the western railway line and Oxford Street to the west, which is characterised by medium to high density residential development. The site directly adjoins the Burwood public school to the east and south; these boundaries being directly on to the schools open playground space.

The site is approximately 500 metres from the entrance to the Burwood railway station and approximately 510 metres from the Strathfield railway station and the surrounding Strathfield town centre. Further, the site also adjoins a bus corridor with the nearest bus stop approximately 50 metres away. In terms of location therefore, the site is very well connected to public transport; jobs; and community services and facilities.

The site has an approximate area of 3,400m² and comprises eight allotments. The northern boundary to Railway Parade measures approximately 60 metres, and the eastern boundary to Oxford Street measures approximately 80 metres. The remaining boundary of the subject site borders the Burwood Public School and measures approximately 110 metres.



Figure 2: Site context

The northern six allotments being 68, 68A, 70 – 72 Railway Parade and 2-2A Oxford Street, previously contained a number of landuses including a two storey boarding house; an auto electrical premises; an auto services premises with adjoining yard; and two storey brick building. These buildings have since ceased and the buildings demolished in accordance with the recent development approval for an 8 storey building (DA 74/2015) issued on 4 December 2015.

Since this approval the two allotments to the south have been acquired, providing an opportunity to undertake further analysis of the ability of the site to deliver additional housing having regard to the impact on adjoining land and the site's strategic location. The additional two allotments at 4-10 Oxford Street contain a two storey dwelling house and dual occupancy. 8 Oxford Street is also subject to a current Development Application for a boarding house that is yet to be determined by Council (DA 177/2015).

Principle Development Standards

Table 1 below summarises the Burwood LEP 2012 principle standards that currently apply to the subject site:

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Minimum Lot Size
R1 General Residential	26 metres	3:1	400m ²

Table 1: Site Development Standards

The site is currently zoned R1 General Residential under the Burwood Local Environmental Plan 2012. It is surrounded by land of the same zoning; however it is located approximately 130 metres from the B4 Mixed Use zone that defines the Burwood town centre to the east and 80 metres from the B4 Mixed Use zone that defines the outer region of the Strathfield town centre to the west. The western railway line to the north is zoned SP2 Infrastructure (Railway). Figure 3 illustrates the broader zoning context.

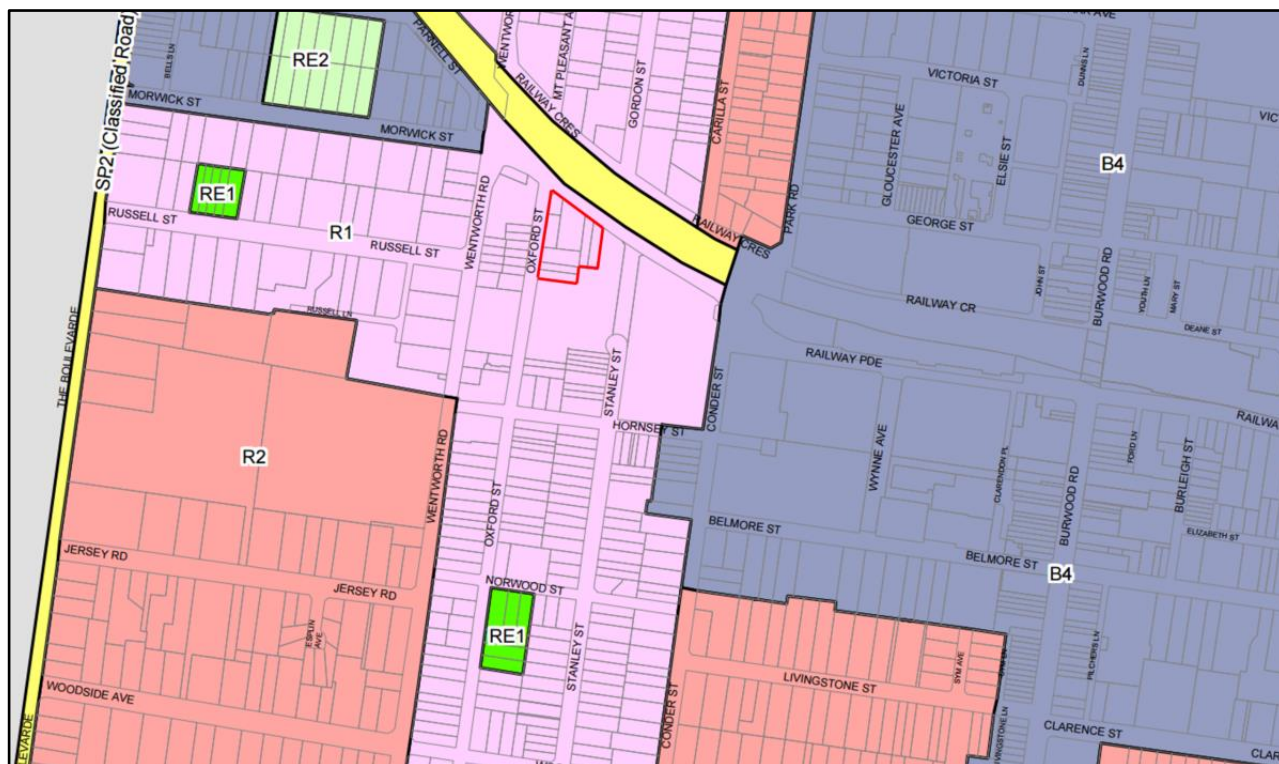


Figure 3: Burwood LEP 2012 Zoning Map

Figures 4 and 5 below, identify the relevant development controls that apply to the site under the Burwood LEP 2012.

The site is located within an area that has a maximum building height of 26 metres applying. This area is outside of the Burwood Town Centre as defined by the blue line below and also the Height Plane Controls that generally follow the edge of the town centre boundary.

To the east heights extend from 30 metres to 60 metres to 70 metres; towards the Burwood train station. To the west, heights extend from 11 metres to 30 metres and then to 42 metres and 54 metres in the Strathfield LGA.

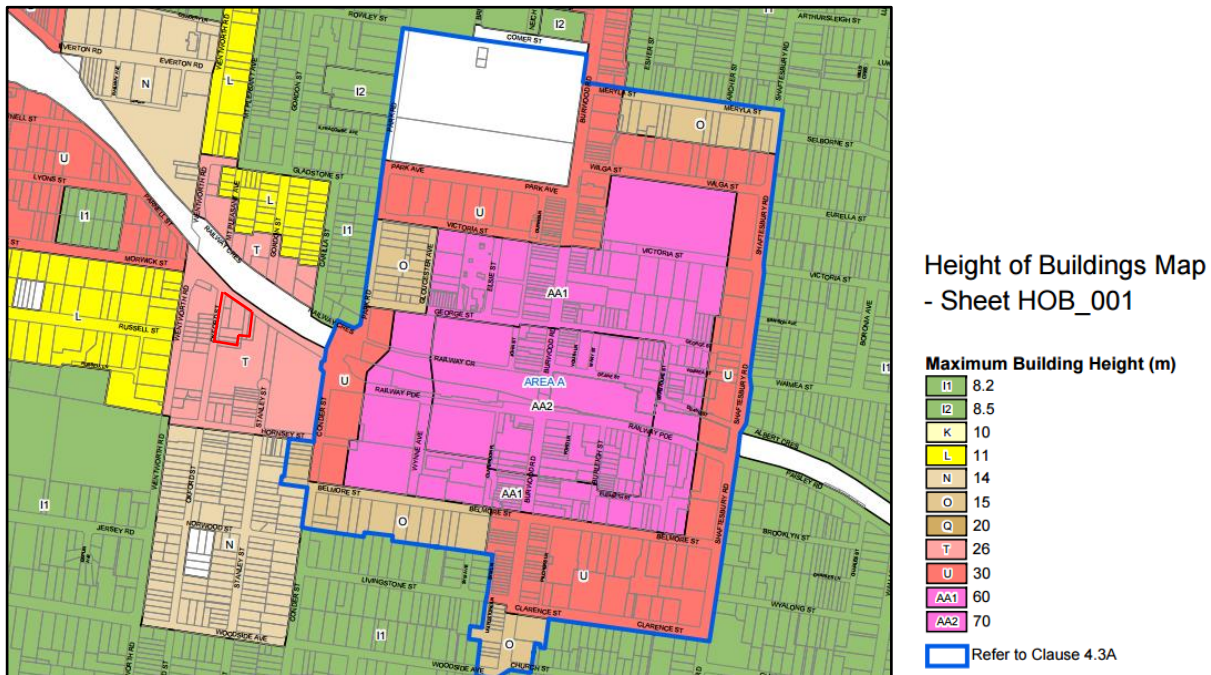


Figure 4: Maximum Building Height Map

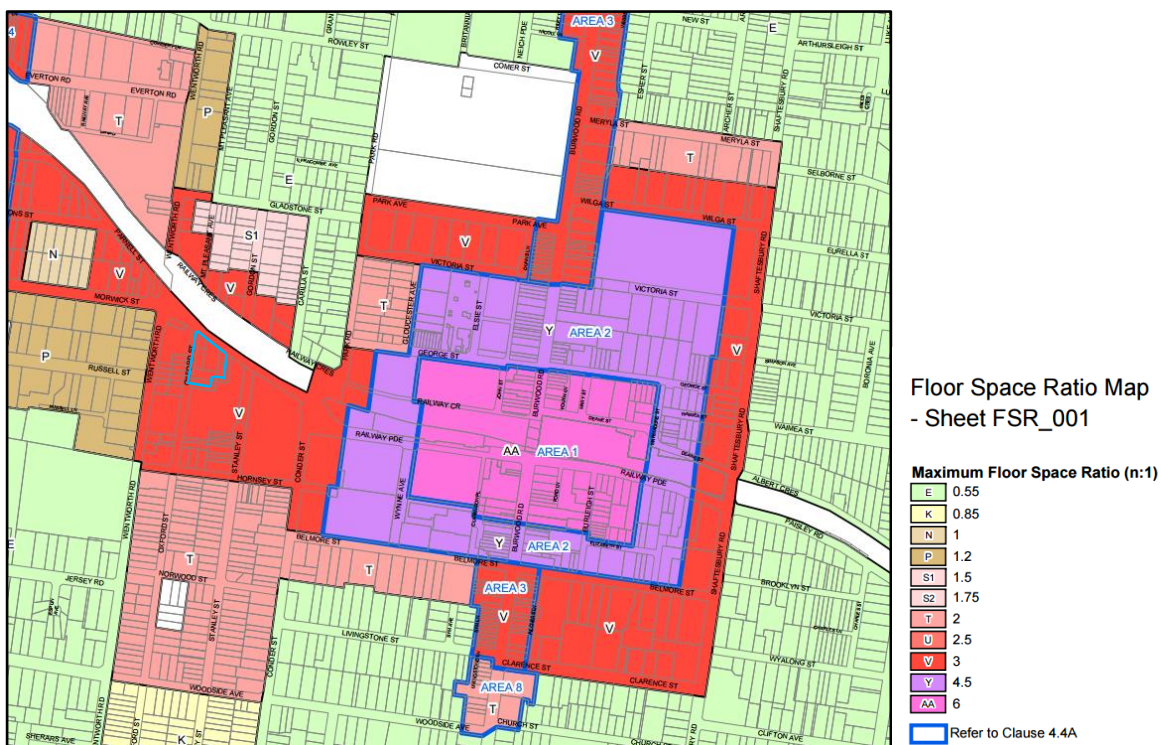


Figure 5: Floor Space Ratio Map

Heritage

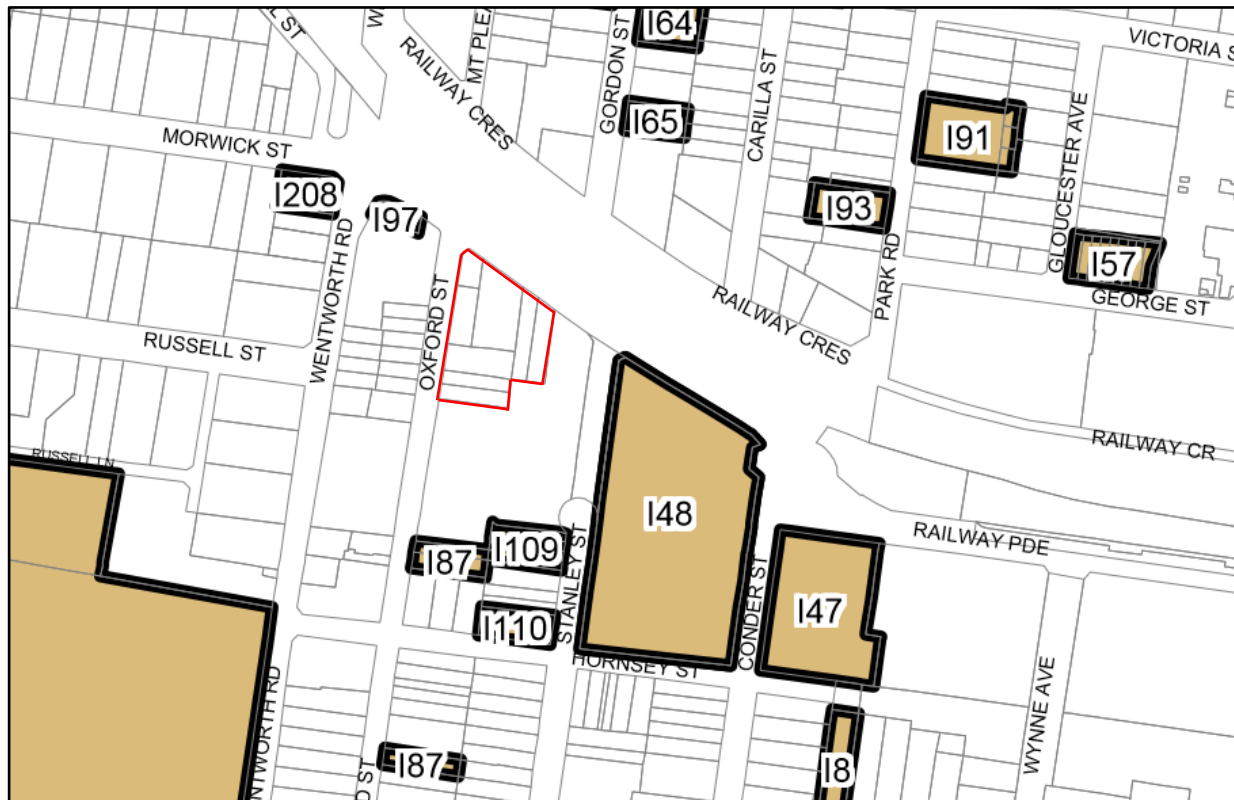


Figure 6: Heritage Map

The closest Heritage Item (I97) is located at 74A Railway Parade, being a sewer vent at the corner of Railway Parade and Wentworth Road. Other Items (I48 – former School of Arts, I87 – Victorian houses and I89 – Methodist Ladies’ College) are located to the south and east of the site, on the other side of the Burwood Public School’s open playground area.

Council’s assessment of the previous Development Application (DA 74/2015) noted that direct impacts on these items would be unlikely and any visual impacts could be mitigated by ensuring the retention of trees on the school grounds. On that basis the proposal was considered acceptable. While there will be an increase in height as a result of the planning proposal, the increase in height will have no additional impacts to that under the approved 8 storey building height, and the retention of trees on the school grounds and landscaped buffer to the indicative east elevation will ensure appropriate mitigation measures are retained and enhanced.

Background

The subject site has a redevelopment proposals and development applications which has been the subject of numerous applications and meetings with Council staff. While a consent was granted for an 8 storey residential flat building in 2015, the approval process goes further back as follows:



DA 1/2011

In November 2011, consent was granted for the demolition of the existing buildings and construction of a 7 storey residential flat building at 68A-70 Railway Parade and 2-2A Oxford Street under DA 1/2011.

Attempts were made to include 72 Railway Parade as part of this application, however, the applicant was unsuccessful with their negotiations. As a result, Council considered that their attempts were satisfactory in terms of the relevant Planning Principles for site isolation, and subsequently approved the DA.



DA 139/2014

In September 2014 a DA was lodged with Council for the demolition of the existing buildings, and construction of an 8 storey residential flat building on the site, being, 68, 68A -70 Railway Parade and 2-2A Oxford Street.

Throughout the assessment of the application, the owner of the site acquired the land at 72 Railway Parade in early 2015. This facilitated a better planning outcome that would not isolate 72 Railway Parade and provide an improved building footprint that would address the street corner. A new DA was subsequently prepared and lodged.



DA 74/2015

DA 74/2015 was lodged on 25 May 2015 and included 68 – 72 Railway Parade and 2-2A Oxford Street. By including 72 Railway Parade, concerns over the isolated nature of the corner site and the capacity for future development was resolved.

The DA sought the demolition of the existing buildings on the land and the construction of an 8 storey residential flat building that included a total of 87 residential apartments and basement car parking for a total of 116 vehicles and 24 bicycle spaces.

The DA was approved on 4 December 2015 following consideration by the Sydney East Joint Regional Planning Panel on 26 November 2015. The consent included a condition that required the dedication to Council of a 1 metre wide strip of land across the Railway Parade frontage for the purpose of footpath widening.

Existing buildings have been demolished and the land cleared as of February 2017.

Since this approval of DA 74/2015, the two allotments to the south being 4-10 Oxford Street have also been acquired. This provides an opportunity to undertake further analysis of the ability of the site to deliver additional housing having regard to the impact on adjoining land and the site's strategic location. The acquisition also rounds off the residential site with no other adjoining residential land uses or isolated allotments.

The additional two allotments at 4-10 Oxford Street contain a two storey dwelling house and dual occupancy. 8 Oxford Street is also subject to a current Development Application for a boarding house that is yet to be determined by Council (DA 177/2015).

Proposed Development Scenario

While this planning proposal seeks to amend the Burwood LEP 2012 by way of an amendment to the principle development controls through an increase in the maximum floor space ratio and building height controls, an Urban Design Report that includes massing and building forms has been prepared Aleksander Design Group to inform the desired height and floor space controls. A copy of the Report is included at Appendix B and the indicative development concept is provided in figures 7, 8 and 9 below



Figure 7: Indicative development elevation

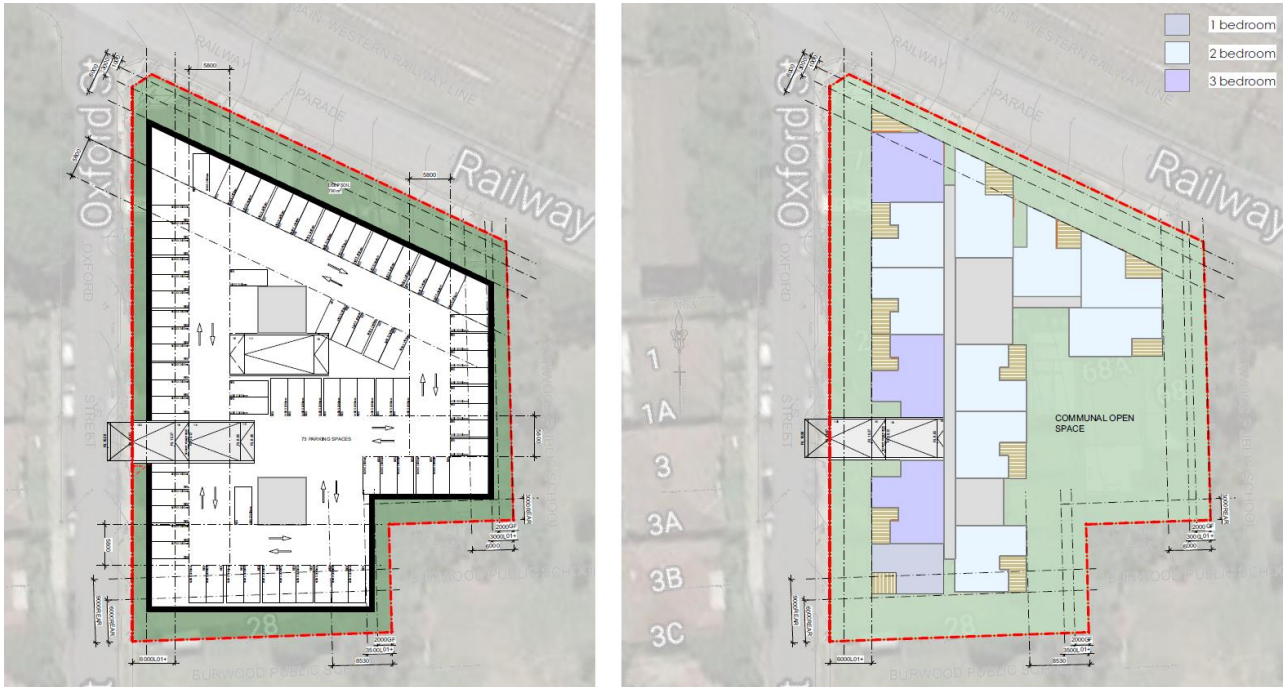


Figure 8: Indicative development concept - floorplan



CONCEPT ELEVATION WEST - OXFORD STREET



CONCEPT ELEVATION NORTH - RAILWAY PARADE

Figure 9: Indicative development concept - elevations

Having regard to the adjoining school to the south and east, surrounding residential development to the west, the railway line to the north and the character of Railway Parade, the proposed indicative future development concept seeks to achieve the following outcomes:

- The preferred concept includes an 18 storey signature corner building with two lower 14 storey building elements to the street edges, separated by a recessed building edge. The preferred option includes approximately 219 units – approximately 132 additional apartments to that currently approved.
- The urban design analysis has also considered another two options, which includes:
 - A 14 storey corner element and 10 storey street edge building form (total of 163 apartments); and
 - A 16 storey corner element and 12 storey street edge building form (total of 191 apartments).
- The concept includes a taller corner element to define the Oxford Street and Railway Parade corner, and provides for lower elements along the street to provide a transition in scale of building form, height and density.
- The design incorporates recessed elements to create the appearance of a cluster of buildings to break up the building bulk to minimise the appearance and impact of a dominant building address to the street frontages.
- The different parts of the building comprise several different materials and colours, to differentiate between the parts.
- The building is to be set back by at least 6 metres which will be well landscaped to create a green corridor along Railway Parade and Oxford Street connecting to the green edges along the frontages of the Burwood Public School. While this setback is currently greater than the setback to the school it will align with the nature of the green edge providing a more attractive pedestrian environment and streetscape at pedestrian level. A Landscape and Public Domain Improvement Plan is included at Appendix D to illustrate the intent of the landscape interface between the building and Railway Parade.
- Communal open space is provided to the rear of the site behind the main building elevations. The open space, in conjunction with the landscaped setbacks provide a buffer to the school grounds and ensure adequate separation.

This Planning Proposal is not seeking consent for the development, but has outlined the development outcome required when the proposed development controls and zoning are applied.

PLANNING PROPOSAL

Part 1 – Statement of Objectives

The main objectives of the Planning Proposal are to:

- To support urban growth and the provision of housing in the Burwood LGA;
- To provide appropriate development controls for the subject site to facilitate a high density residential development on a site within in walking distance to two major train stations;
- To support the Burwood town centre’s role as a District Centre under the draft South District Plan;
- To provide for a residential development that is compatible with the surrounding character and development on adjoining land;
- To facilitate the provision of additional housing close to public transport, the Sydney road network, jobs and employment opportunities and the Burwood and Strathfield town centres.

The proposed amendment will facilitate an application for a residential flat building of up to 18 storeys in height comprising 18,199 m² of residential floorspace.

Part 2 – Explanation of Provisions

This Planning Proposal seeks to amend the Burwood LEP 2012, to achieve the objectives outlined in Part 1, as follows:

- Amend the Height of Buildings Map (Sheet HOB_001) to amend the maximum Building Height control from 26 metres to 58; and
- Amend the Floor Space Ratio Map (Sheet FSR_001) to amend the maximum Floor Space Ratio control from 1:1 to 5.45:1.

Land Zoning	Maximum Building Height	Maximum Floor Space Ratio (FSR)	Minimum Lot Size
R1 General Residential	58 metres	5.45:1	400m ²

Table 2: Proposed development controls

The above amendments will facilitate the future redevelopment of the site in accordance with the objectives of the zone and the permissible land uses, with the consent of Burwood Council.

R1 General Residential

1. Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2. Permitted without consent

Home occupations; Roads

3. Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Any other development not specified in item 2 or 4

4. Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition villages; Extractive industries; Farm buildings; Forestry;

Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water storage facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

The R1 General Residential Zone under the Burwood LEP 2012 is an 'open zone' which allows for greater flexibility than the more restrictive 'closed zone' approach, and provides for a mix of retail, residential, community and recreational activities to assist development achieve the objectives of the zone.

Part 3 – Justification

Section A - Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The recent acquisition of 4-10 Oxford Street and its amalgamation with the remainder of the block (i.e. 68-72 Railway Parade and 2-2A Oxford Street) has facilitated a review of the controls given the relatively isolated nature of the site in the context of nearby residential land and adjoining land uses. The site at 3,413 m², being a corner block with two street frontages, and no adjoining residential neighbours has created an opportunity to provide an appropriate urban design response.

Further, given the location of the site in such close proximity to public transport; Strathfield and Burwood town centres; and community facilities and social services, the site presented a good opportunity to review its ability to provide additional housing.

Therefore, while the planning proposal is not specifically a result of any strategic study or report, it is a response to an opportunity following a land consolidation and the strategic planning framework provided for by A Plan for Growing Sydney, the draft Central District Plan and the Burwood 2030 Community Strategic Plan.

While the planning proposal does not rely on housing and dwelling targets it is important to consider the context within which the proposal is to be considered. The NSW Government's dwelling targets, informed by the future household projections provides for an additional 7,200 dwellings in the Burwood local government area between 2016 and 2036, growing from 14,750 in 2016 to 21,950 in 2036. This equates to the construction of approximately 360 dwellings per year over the target period.

While dwelling approvals in the Burwood local government area are considered healthy, they remain below the average required to accommodate the projected population growth and subsequent dwelling targets. While the Burwood Place planning proposal could provide for significant supply over the next few years other opportunities will still be required as growth associated with the State strategic planning framework is realised.

In this context, the subject planning proposal applies to a site that has an existing approval for 87 residential apartments. The planning proposal under the 18 storey option would deliver an additional 132 apartments to a total of 219. Page 32 of the Urban Design Report included at Appendix B details the dwelling yield associated with the built form outcome proposed. Demolition and early works have commenced in accordance with the existing approval. Therefore, this is a project that can be delivered and housing supply realised in the short term.

While the proposal aligns with the strategic planning framework, in that it creates additional housing it also has site specific merit. The proposed development controls are informed by an urban design and architectural response to the sites size, orientation and surrounding land uses. The future building has been designed to respond to the corner of Railway Parade and Oxford Street, to provide an appropriate streetscape address away from the corner, and be sufficiently setback to provide a green setback and edge to the pedestrian realm.

The design also seeks to reduce bulk and mass through recessed sections and variations to the building height. This will reduce the impact of dominance on the public domain and create architectural variety. This will be subject to further design process throughout the development application stage.

Further, with maximum exposure and no land use conflict associated with the railway corridor to the north, the development can receive generous sun access and causes minimal overshadowing impacts due to the nature of the land uses to the south, being school grounds immediately adjoining the site.

Pre-lodgement meeting with Burwood Council

A pre-lodgement meeting was held with Council staff on 24 November 2016. Council provided comments on the proposal on 23 December 2016. These are considered below:

Council comment	Response
<p><u>Dedication of Land to Widen Footpath and Green Corridor</u></p> <p>Council acknowledges your offer to dedicate land along Railway Parade frontage. The footpath at that location is indeed narrow, and a slightly wider path may be useful. However, the adjoining properties fronting Railway Parade are owned by the Department of Education (ie, the school land to the east), NSW Land & Housing Corporation (west of Oxford Street), and Sydney Water (eastern corner of Wentworth Road). It would be difficult to convince these authorities to also dedicate land for a continuously widened footpath and/or green corridor. Council believes that your offer would generate only limited benefits for the location.</p>	<p>Council's comments are noted, and there is clearly a need to provide a wider footpath in this location strengthening the connection from the site to Burwood town centre. Therefore, noted there will be some benefit, even if it is currently considered limited.</p> <p>The landowners of adjoining land are noted and the difficulties of acquiring and widening the entire strip may be challenging but may set a precedent for the future desired direction for the street, including the safe movement of children to and from the school along Railway Parade. This would be considered to have benefit, even if just a long term desirable. It is important that the proposal provides for this possibility now, even if minor at this point in time, as when development has occurred it will be too late to provide any widening or acquisition.</p>

<p><u>Urban Design Advice</u></p> <p>I have been advised that Council's urban design consultants provided advice on the pre-DA for 68-72 Railway Parade and 2-2A Oxford Street Burwood, which your client should have a copy of. It was commented in that advice that the building could be raised a little at the corner of Railway Parade and Oxford Street, but certainly not for the entire building frontages, nor to the extent as shown in your urban design report.</p> <p>Council would be seeking further urban design advice upon receiving a full planning proposal (PP) from you.</p>	<p>Council's comments are noted and the urban design analysis that has been undertaken considered an appropriate extent of height increases and the appropriate amount. A strong corner address was considered important and a difference of 4 storeys was also considered appropriate to provide a strong transition. This was initially considered at 14 and 10 storeys. However, greater height was subsequently tested having regard to adjoining existing development and open space and the broader height plane between Strathfield and Burwood centres. As noted in the elevation diagrams in the urban design report have noted the ability across the suburban context to transition to existing and proposed buildings having regard to planning proposals currently being considered, and existing controls to which development could potentially be built.</p>
<p><u>Surrounding Buildings</u></p> <p>The 3D contextual analysis in your urban design report shows buildings which are subject to the height limits of 26m (and 30m). The 3D building envelopes shown do not reflect the actual existing buildings or buildings proposed. For example, a DA is under assessment for a 2 to 3 storey development at 5 Hornsey Street, a 4 and 8 storey development at 98 Wentworth Road and 9-11 Oxford Street; there are heritage items at 34-36 Oxford Street (two storey terraces), 11-17 Stanley Street (single storey terraces), and 25 Stanley Street (2 storey building). Most of these buildings are way below the height limit. The 3D analysis and height comparison plans have given the impression that the proposed buildings, the subject of the Pre-PP, would be higher than the adjoining buildings by about 6 storeys, while they would actually be more than doubling the height of those buildings.</p> <p>The proposed buildings at Burwood Place, the subject of a PP, have reduced the height, following the Council resolution in May this year. Please confirm whether the plans show the original heights or the reduced heights.</p>	<p>It is noted that there are a number of applications and constraints to developing to the maximum building height. However, the 3D contextual analysis was only an indicative comparison against the permissible height limits. In practice, many sites can develop to the maximum permissible height limit otherwise that height would not have been applied as being desirable in this location.</p> <p>Notwithstanding, the heights proposed by the 3 options are all greater than the existing and permissible heights. The proposal has therefore sought to achieve a balance between the sites location, with northern exposure to the main road and train line and a well designed building that exhibits architectural excellence.</p> <p>It is noted that the heights sought by the planning proposal are now to a maximum of 144 metres and 107 metres. This has been amended within the Urban Design Report.</p>

<p><u>Shadow Diagrams</u></p> <p>The shadow diagrams show the shadow cast by 14 storeys, while 3 options are provided in the urban design report, being 12, 14 and 18 storeys. It would be necessary to show the shadow impact of 18 storeys, which would have the greatest impact to the area.</p>	<p>The shadow diagrams on pages 35 and 36 have been amended to reflect the 18 storey and preferred option on 21 June. It is noted that throughout the day the school grounds are not significantly impacted until late in the day when school hours have concluded and the space is not being utilised. Further, the impact during the morning through to early afternoon is not considered significantly greater than the approved 8 storey option.</p>
<p><u>Three Options</u></p> <p>The PP presents 3 options, being 12, 14 and 18 storeys. While it is not the intent of this email to provide detailed design advice, the general feeling amongst all staff consulted was that the 18 storey option would be excessive and wholly inappropriate for the site, and its context.</p>	<p>The three options have been refined as follows:</p> <p>Option 1</p> <p>14 storey corner element; 10 storey remainder 16 storey corner element; 12 storey remainder 18 storey corner element; 14 storey remainder</p>
<p><u>Building Envelopes and Bulk</u></p> <p>Concern is raised in respect to the bulk of the proposed building envelopes. Large building expanses across both street frontages would not be supported, and the break-up of building bulk would be required. It is recommended that building height and FSR calculations be based on much more refined building envelopes. In particular, adequate solar access must be provided to the common open space areas of the development, as well the school's grounds.</p>	<p>It is agreed that large building expanses would not provide a architecturally desirable outcome and may dominate the streetscape. Therefore, it is proposed to recess part of the frontage to differentiate between the two building forms. This will also be reinforced by the difference in height between the corner element and the lower building elements that front the street. This has been illustrated on page 31 of the attached Urban Design Report.</p> <p>The buildings will also have generous and well landscaped setbacks to ensure that development does not dominate the street.</p> <p>Approximately 2000m² of communal open space is proposed, which equates to approximately 59% of the site area. Approximately 1420m² of this will be located on the roof of the buildings, which also means that more than 50% of the communal open space will receive greater than 2 hours of sunlight.</p> <p>The FSR calculation is therefore a product of the building design, including the generous setbacks and recessed elements.</p>
<p><u>Street Names</u></p> <p>The captions for site photos on Page 16 of the urban design report have mentioned a few streets which do not exist in Burwood.</p>	<p>Noted. These have been amended accordingly.</p>

<p><u>Voluntary Planning Agreement (VPA)</u></p> <p>Council in 2014 adopted the recommendations of a consultancy study of Open Space and Community Facilities for Burwood that:</p> <ul style="list-style-type: none"> • Both the developer and Council share equally the financial benefit from any density increase. • A monetary contribution rate be set at \$800/m² additional GFA for the Burwood Town Centre. • The rate be subject to periodic reviews. <p>Following a review of the monetary contribution rate, Council resolved in October 2015 to increase the rate to \$1,100/m² additional GFA. This rate is currently under review again. I note the subject site is outside the Burwood Town Centre. This rate is provided to you for reference purposes. I am unable to advise what rate Council would be looking to accept, but I know that Council expects a VPA be negotiated prior to the submission of a PP for Gateway, and that if the Gateway Determination is positive, the VPA to be exhibited concurrently with the PP.</p>	<p>Noted. We look forward to working collaboratively with Council and negotiating any planning agreement in accordance with the Department of Planning and Environment's draft Practice Note (November 2016).</p>
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Table 3: Consideration of Council comments

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

Yes. Amending the Burwood LEP 2012 is the best means of achieving the key objectives of the planning proposal and facilitating a high density residential development on the subject site.

The planning proposal seeks to amend the height and floor space ratio development controls to facilitate the submission of a Development Application for an 18 and 14 storey residential building.

Section B – Relationship to the strategic planning framework

3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?*

A Plan for Growing Sydney

In December 2014, the NSW Government published *A Plan for Growing Sydney*, the new strategic document to manage the growth of Sydney over the next 20 years. It is intended to guide land use planning decisions and presents a strategy for accommodating Sydney's projected population growth. It envisages a globally competitive Sydney with a population increase of 1.6 million people, including 689,000 new jobs and 664,000 new homes by the year 2031.

The plan sets out four goals:

1. A competitive economy with world class services and transport;
2. A city of housing choice and homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The site is located in the Central subregion, and while the focus for growth is to continue to provide an agglomeration of high-value industries and employment, and strengthen Sydney's global influence, the subregion does seek to support a variety and density of activities in centres within liveable communities to make the subregion a desirable place to live, work and visit.

To achieve the objectives for the Central subregion, the plan includes 22 directions, supporting actions and priorities for each subregion. Relevant directions with which this Planning Proposal is consistent include:

1. Direction 1.7 – Grow strategic centres – providing more jobs closer to home. Burwood is identified as a strategic centre under the Plan, which supports the growth of jobs and housing and create hubs of activity.
2. Direction 2.1 - Accelerate housing supply and local housing choices. Increasing housing affordability and choice is identified as a high priority for meeting Sydney's future housing need.
3. Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs. Well-planned and well-designed infill development can improve the feel of a place, its vitality and sense of community. It can make the local environment more attractive and improve services.

4. Direction 2.3 – Improve housing choice to suit different needs and lifestyles. A Plan for Growing Sydney encourages the introduction of planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services. It will also encourage further innovative, well-designed, smaller homes to suit lifestyles and budgets.
5. Direction 3.1: Revitalise existing suburbs. The Government will prioritise the delivery of housing in or near centres in the established urban areas to help more people to live where they want – close to jobs, services and transport.

A higher density residential development on the subject site will provide additional housing supply close to jobs and existing employment opportunities. The site is close to the Burwood and Strathfield centres and public transport nodes supporting transit orientated development and access to broader metropolitan Sydney.

Further, the acquisition of the remaining isolated lots will also support the strategic Plan by *“unlocking developable land by consolidating fragmented sites for redevelopment and improving planning policies and regulations will encourage flexibility, higher density and a more diverse range of activities”*.

Draft Central District Plan

The Greater Sydney Commission released the draft District Plans for public comment on 21 November 2016 to manage Sydney’s growth over the next 20 years. The goal of the Plans is to “have well-coordinated, integrated and effective planning for land use, transport and infrastructure”. The District Plans provide the means by which the Greater Sydney Region Plan, A Plan for Growing Sydney can be put into action at the local level.

While the strategy is in draft format, it does seek to unlock the potential for employment growth and urban renewal along the corridor, including planning for greater housing supply in appropriate locations. While the planning proposal doesn’t rely on housing targets given the established strategic merit within this submission, the housing targets and projections are relevant in support of the increase in density on the consolidated site and the broader objectives for the Burwood District Centre.

The Central subregion is projected to grow by more than 325,000 people over the next 20 years. The Greater Sydney Commission proposes a number of approaches to assist Council’s with the delivery and supply of housing in well-planned locations served by sufficient local and regional infrastructure. The minimum 20-year housing target for the Central District is 157,500 and the five-year supply target for the Burwood local government area is 2,600. While Council has indicated that it is currently meeting it’s housing targets, the proposal will facilitate additional housing and take advantage of the opportunities presented by the site’s strategic location.

Actions and Priorities

The draft District Plan interweaves the goals of A Plan for Growing Sydney by identifying actions and priorities for the District in terms of a productive city, a liveable city and a sustainable city. Burwood is identified as a District Centre with relatively high levels of economic activity, providing a range of retail and commercial activities, health care and community services as well as night life activities.

In creating a liveable city the draft Plan aims to *“develop a city of housing choice, with homes that meet our needs and lifestyles in a great place to live”* and *“maintain and improve residents’ quality of life by providing more housing and employment opportunities and the infrastructure that makes these opportunities accessible”*. The draft District Plan addresses the need for good access to education, health, community and emergency services people require through every stage of their life; and the subject site is well located in close proximity to social services and community facilities to support a growing and sustainable community.

Further, a key action of the Plan seeks to *‘increase housing capacity across the District’*. In increasing housing supply across the Burwood local government area, the Plan identifies a number of actions including to *“investigate local opportunities to address diversity and demand in the short to medium term at local centres and close to transport”*. The planning proposal is therefore considered to be an opportunity to support additional housing supply above that currently approved, given the amalgamation of a larger residential site. The planning proposal is consistent with the goals and priorities for the Central subregion, including to accelerate housing supply, revitalise suburbs, and identify suitable locations for new homes and jobs close to transport.

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

The Burwood 2030 Community Strategic Plan sets the communities vision for the future of Burwood to create a *“well connected, sustainable and safe community that embraces and celebrates its culture and diversity”*. It is the 20 year Community Strategic Plan, which is set to become the blueprint for any Council activity in the future.

The Strategic Plan is based around five key themes which are supported by strategic actions and goals. The key themes include:

1. A Sense of Community
2. Leadership Through Innovation
3. A Sustainable Natural Environment
4. Accessible Services and Facilities
5. A Vibrant Economic Community

The planning proposal has been considered against relevant actions and goals of the Plan as follows:

A Sense of Community	
1.1 Strategic Goal A safe community for residents, workers and visitors	The proposal will facilitate a development with a strong street address that encourages passive surveillance and a strong street edge. This presentation improves the image of the street and creates a safer environment that encourages pedestrian movement.
Strategic Goal 1.5 – A sense of community pride	As Burwood grows, the community will inevitably grow with it. Fostering a sense of community pride can be assisted by the built fabric that define the place. The planning proposal facilitates an improved building footprint, a larger pedestrian footpath, landscaped setbacks, and a stronger corner feature defining the entry to central Burwood. The planning proposal seeks to deliver a building that the community can be proud of; both new and existing residents.
A sustainable natural environment	
3.1 Strategic Goal Maintain and enhance open green spaces and streetscapes	The proposal will facilitate a stronger streetscape. The generous setbacks provide an attractive green edge and the proposed dedication of additional floorspace for the purposes of footpath will strengthen movement along Railway Parade, particularly improving connections to the Burwood centre.
Accessible services and Facilities	
4.1 Strategic Goal Effective traffic management and adequate parking provision	While the vehicular and bicycle parking will be provided in accordance with the relevant requirements, the site is located within 500 metres of the Burwood train station and 510 metres of the Strathfield train station. This provides excellent access to the other centres along the western railway line such as Sydney and Parramatta and further afield to metropolitan Sydney. This supports the principles of transit orientated development and reduced car dependency.
4.4 Strategic Goal: Encourage active and healthy lives	The location of the site being approximately 500 metres from two major train stations and town centres supports the movement of

	<p>people between their home and a centre with community services and facilities and public transport. Burwood Park and the MLC Aquatic centre are also to the north of the railway line and offer open space and access to leisure within walking distance of the site. Burwood generally is well connected to broader open space networks across Sydney which also encourage active and healthy lifestyles.</p>
<p>4.5 Strategic Goal: Vibrant and clean streetscape</p>	<p>The proposal seeks to facilitate a well-designed and attractive building. The indicative building concept is intended to meet the objectives of this strategic goal by delivering well designed and aesthetically appealing building. Further, the proposal seeks to deliver an attractive, clean and active street frontage, whether through activities or design. It is intended to be a landmark building on a key corner, that complements the town centre, defines the approach and supports growth within Burwood.</p>
<p>A Vibrant Economic Community</p>	
<p>5.1 Strategic Goal: Support and manage Burwood's major centre status</p>	<p>Burwood is identified as a District Centre under the draft Central District Plan. While the site is technically just outside the town centre, it is still within 500 metres of the train station and 150 metres from the edge of the town centre. While the proposed maximum height of 58 metres is greater than some buildings within the centre, it is still considerably shorter than the 144 metres proposed on the Burwood Place site. While this is in the centre of Burwood and will significantly contribute to defining Burwood's character and standing as a major centre, the subject proposal reflects the growing nature of Burwood and facilitates the delivery of contributory buildings both within the centre and on the edge.</p>
<p>5.4 Strategic Goal Economic centre growth and preserved residential areas</p>	<p>While the centre of Burwood will continue to grow as a District centre supporting economic growth, commercial enterprise, jobs and homes, the site is located within a</p>

	residential area on a road that connects Burwood to Strathfield. The planning proposal therefore seeks to protect the residential character ensuring that economic growth is focussed within the centre of Burwood. While shop top housing is permissible in the zone, some ground floor commercial may assist with encouraging an interactive ground floor with the street and Railway Parade/Oxford Street edge.
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Table 4: Burwood 2030 Community Strategic Plan

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

The consistency of this Planning Proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in Table 4 below.

State Environmental Planning Policy	Comment
SEPP No 1—Development Standards	Not applicable. SEPP repealed by Clause 1.9 of Burwood LEP 2012.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 19—Bushland in Urban Areas	Consistent. The subject site to be rezoned is not affected by bush land. However, vegetation exists on the adjoining school grounds. The proposal does not seek to disturb this land and meets the objectives of the SEPP to protect and preserve any bushland in urban areas.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 33—Hazardous and Offensive Development	Consistent. The Planning Proposal does not include any development for the purposes of a potentially hazardous or offensive industry and does not hinder the application of the SEPP.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable
SEPP No 47—Moore Park Showground	Not applicable
SEPP No 50—Canal Estate Development	Not applicable
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable

SEPP No 55—Remediation of Land	<p>Consistent.</p> <p>A detailed Site Investigation report prepared by SMEC Testing Services accompanied the previous development application.</p> <p>The report identified soils within the site as containing elevated levels of chemical contaminants (including heavy metals) which are above the criteria that are protective of human health and the environment for residential use. Therefore, remediation of the site would be necessary. The report concluded that <i>"remediation of the site can easily be achieved and would most effectively be undertaken in conjunction with the proposed redevelopment when the existing buildings, sealed surfaces and installations (including the AGST and separator/wastewater pit) are removed and the site is bulk excavated for the proposed basement car parking area. However, prior to redevelopment the chemically impacted soil which is present on the site should be appropriately managed."</i></p> <p>A Remedial Action Plan was also included, which outlined the measures required to ensure the site could be made suitable for development. The report concluded that <i>"following completion of the remediation and validation program in accordance with this RAP the site will be made suitable for a high-density residential land use without restrictions"</i>.</p> <p>The previous development consent DA 74/2015 considered the matter of contamination in accordance with Clause 7 of SEPP 55. In approving the development Council confirmed that the land was suitable for residential development in accordance with the necessary remediation and any conditions of consent. Subsequently, the site has been cleared and excavation commenced in accordance with the consent.</p> <p>In regards to the additional land included as part of this application being 4-10 Oxford Street. These lots are currently being occupied by residential land uses and therefore no contamination is considered to be present. Notwithstanding, further analysis of this part of the site can be carried out during the plan making process if considered necessary.</p>
SEPP No 62—Sustainable Aquaculture	Not applicable.
SEPP No 64—Advertising and Signage	<p>Not applicable.</p> <p>The Planning Proposal does not include signage, however the current R1 zone does permit 'building identification signs' and 'business identification signs'.</p>

	Should any signage be proposed under the final development concept, it would be subject to the normal assessment processes as part of the development application process. Therefore, the Planning Proposal does not contain any provisions to hinder the application of the SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent The attached Urban Design Guide at Appendix B has considered the potential development concept facilitated by this Planning Proposal against the objectives of SEPP 65 and the Apartment Design Guide. Further detailed analysis and compliance against the detailed requirements will be undertaken as part of the DA process. Notwithstanding, the proposal was designed to ensure that solar access, cross ventilation, open space and access to communal open space would all comply. This has been detailed in the Urban Design Report.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent. Applies to land within the Greater Metropolitan region and specifically mentions Ultimo/Pymont precinct, City of Willoughby and Green Square. Notwithstanding, the Planning Proposal does not contain any provisions that would hinder the application of this SEPP.
SEPP No 71—Coastal Protection	Not applicable.
SEPP (Affordable Rental Housing) 2009	Consistent Part 3 Retention of existing affordable housing is applicable as 68 Railway Parade previously contained a registered boarding house and the 9 x 1 bedroom units have since been demolished and are proposed under the existing development consent for the 8 storey residential flat building. Therefore, it is proposed to include the 9 x 1 bedroom units as affordable housing as part of the planning proposal. Therefore, the planning proposal is consistent with subclause 2 of Clause 50 of the SEPP as there is no reduction in affordable housing on the land to which the SEPP applies.
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable. SEPP BASIX requires the submission of a BASIX certificate to accompany an application for development consent for any “BASIX affected building”. A BASIX certificate was included with the current approved development application that applies to the subject land. The application of the SEPP will be further addressed at the development application stage.

SEPP (Exempt and Complying Development Codes) 2008	Not applicable. To be considered at DA stage.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable. If a DA for this type of housing is lodged under this SEPP it would be considered at the relevant stage.
SEPP (Infrastructure) 2007	<p>Consistent <u>Road consideration</u> The site fronts Railway Parade which in this location is part of a Regional Road classified by the RMS. Under Clause 101 of the Infrastructure SEPP (ISEPP) Council must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the development addresses a number of vehicular access and operational matters. The existing approval for the 8 storey residential building satisfied the criteria in that access to the development was provided from an adjoining road and not the classified road itself and this did not impact the ongoing operation of the Classified Road. While the proposed development that will be facilitated by this Planning Proposal does not rely on this previous concurrence it is proposed to retain the existing access arrangements from the adjoining road. Further, a Traffic and Parking Impact Report has been prepared by Motion Traffic Engineers, which concluded that the proposed development was considered a moderate trip generator during peak hours and would not significantly impact nearby intersection performance. Further assessment against the requirements of Clause 101 of the ISEPP will be addressed at the development application stage.</p> <p>Clause 104 of the ISEPP requires Council to refer development proposals to the RMS for <i>sites that have direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access) is within 90 metres of the connection, and the development is of a certain size</i>. The proposal seeks to facilitate an apartment or residential flat building of 75 dwellings or more. While the Planning Proposal is not for development, rather it facilitates a subsequent development application, RMS may be consulted as part of the Gateway process. RMS will also be consulted as per the requirements of the ISEPP at the subsequent development application stage. However, consultation during the Gateway process may also assist with preliminary consideration of matters related to accessibility and</p>

	<p>efficiency of movement given the additional traffic that would be generated by a future development application.</p> <p><u>Rail corridor considerations</u></p> <p>Division 15 Subdivision 2 of the ISEPP concerns development in or adjacent to rail corridors. Clause 85 does not apply as the development site is not contiguous with the rail corridor. The proposal is not immediately adjacent to the rail corridor to the north as it is separated by Railway Parade, as such it is considered that the provisions of clause <i>85 Development immediately adjacent to rail corridors</i> does not apply.</p> <p>Clause 86 applies as the site is within 25 m (measured horizontally) of the main western rail corridor and excavation of more than 2 m depth is involved. Any application for development cannot be granted unless the concurrence of the rail authority is obtained. Sydney Trains was consulted on the existing development approval and concurrence was issued by letter on 17 September 2015. The subject Planning Proposal will likely result in amendments to the approved excavation to accommodate the additional parking generated by a future development application. While Sydney Trains will likely be consulted as part of the Gateway process, formal concurrence will be sought at the relevant development application stage.</p> <p>Clause 87 applies to development for certain non-rail related land uses <i>that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration</i>. An Acoustic Noise and Vibration Report supported the approved development application over the subject site and concluded that the proposed development <i>"will meet the required noise reduction levels as required by Clause 87(3) and 102 of the State Environmental Planning Policy – (Infrastructure)"</i>. This incorporates the NSW Department of Planning publication "Development Near Rail Corridors and Busy Roads - Interim Guidelines". Therefore, for the purposes of the planning proposal, it is considered that the proposed controls will meet the requirements of the ISEPP and the Interim Guidelines and further rail noise impact assessment will be undertaken at the development application stage to ensure that relevant acoustic criteria meets the building standards under the BCA and Australian Standard.</p>
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SEPP (Integration and Repeals) 2011	Not applicable
SEPP (Kosciuszko National Park— Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Development) 2005	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable The application does not propose any mining, extractive or agricultural activities.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (State and Regional Development) 2011	Consistent This Planning Proposal does not contain any provisions that will hinder the application of this SEPP.
SEPP (State Significant Precincts) 2005	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable Applies to land in the Sydney water drinking catchment.
SEPP (Sydney Region Growth Centres) 2006	Not applicable Applies to land in the 'North West' and 'South West' Growth Centres.
SEPP (Three ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Consistent. Applies to land within or around existing or potential urban renewal precincts. While the subject site is not within or around an urban renewal precinct it does seek the orderly and economic redevelopment of the subject land for residential purposes, which is well located in proximity to public transport meeting the objectives of the Governments strategic publication <i>A Plan for Growing Sydney</i> , and therefore meets the objective of this SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable Applies to land within Penrith, Blacktown, Holroyd and Fairfield LGAs. Refer to State Environmental Planning Policy (Western Sydney Employment Area) 2009 Land Application Map.
SEPP (Western Sydney Parklands) 2009	Not applicable. Applies to land within the Blacktown, Fairfield and Holroyd LGAs (Quakers Hill to West Hoxton).

Table 5: SEPPs

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

This Planning Proposal has been assessed against each relevant Section 117 Direction. Consistency or otherwise is addressed in Table 2 below.

No.	Title	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	<p>Not applicable</p> <p>This direction applies to planning proposals that will affect land within an existing or proposed business or industrial zone. Therefore the direction does not apply to the subject site which is zoned R1 General Residential.</p> <p>Notwithstanding, the zone does permit some business uses through the land use table including ‘neighbourhood shops’ and ‘shop top housing’.</p> <p>The objective of these uses is to provide facilities or services to meet the day to day needs of residents. Therefore, the size and scale of any business uses on the subject site would meet the objectives of the direction to ‘protect employment land in business and industrial zones. Further, the development concept to increase the development potential and capacity of the site to accommodate additional population would support the viability of an identified strategic centre i.e. Burwood, further boosting the local economy and increasing spending.</p> <p>In this regard, while the direction is not applicable it could be considered relevant.</p>
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2. Environment and Heritage		
2.1	Environment Protection Zones	<p>Not applicable</p> <p>No lands of environmental sensitivity are affected.</p>
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	<p>Consistent</p> <p>The proposal does not seek to change any heritage provisions under the LEP and no sites or areas of heritage or archaeological significance are affected or proposed to be disturbed as a result of this Planning</p>

		Proposal. Further, vegetation on adjoining land will not be disturbed and additional planting provided on the subject site to ensure adequate screening of view corridors.
2.4	Recreation Vehicle Areas	Not applicable
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	<p>Consistent</p> <p>This direction applies as it affects land that is zoned for residential purposes. The objectives of the direction are:</p> <ul style="list-style-type: none"> • to encourage a variety and choice of housing types to provide for existing and future housing needs, • to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and • to minimise the impact of residential development on the environment and resource lands. <p>Having regard to the above objectives, the planning proposal is consistent with this 117 Direction as follows:</p> <ul style="list-style-type: none"> • The proposal will broaden the choice and building types available in the housing market; • The proposal will make more efficient use of existing infrastructure and services – the site is within 50 metres of a bus stop and approximately 500metres of two major railway stations and is already serviced by a full range of utility services including electricity, telecommunications, water, sewer and stormwater; • The proposal will reduce the consumption of land for housing on the urban fringe by developing a site to a greater density than that currently approved; • The proposal will be of good design as demonstrated in the attached Urban Design Report.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable

3.3	Home Occupations	Not applicable
3.4	Integrating Land Use and Transport	<p>Consistent</p> <p>The objective of this Direction is to support the efficient and viable operation of public transport services through improving access, increasing choice and reducing car trips.</p> <p>The Planning Proposal is consistent with this 117 Direction as it provides an opportunity to integrate land use and transport through its location in proximity to two train stations and a comprehensive bus network.</p> <p>The suggested walkable catchment for a railway station under the Government's publication Improving Transport Choice – Guidelines for Planning and Development (DUAP 2001) is 800-1000 metres. The closest existing railway station is Burwood train station which is 500 metres away; and supported by Strathfield train station which is 510 metres away.</p> <p>Further, a Traffic and Parking Impact Report has been prepared in support of the application. The Report found that the development at the density achievable by the Planning Proposal would be a moderate trip generator, and that the additional trips could be accommodated at the nearby intersection without noticeably affecting intersection performance, delays or queues.</p>
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4. Hazard and Risk		
4.1	Acid Sulfate Soils	<p>Consistent</p> <p>The site is mapped as being on Class 5 acid sulfate soils which is the least affected category. This means that the water table is likely to be 1 metre lower than the AHD of natural ground level.</p> <p>Further, the site is not within 500 metres of any Class 1, 2, 3 or 4 land and the site is not located in an area with a probability of acid sulphate soil occurrence. Accordingly, the proposal is consistent with this Direction.</p>
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land	<p>Not applicable.</p> <p>The site is not identified as being flood prone.</p>

4.4	Planning for Bushfire Protection	Not applicable
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport: Badgerys Creek	Not applicable
5.9	North West Rail Link Corridor Strategy	Not applicable
5.10	Implementation of Regional Plans	Not applicable
6. Local Plan Making		
6.1	Approval and Referral Requirements	This Planning Proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	<p>This Planning Proposal will not affect and does not include any land reserved or identified for public purposes.</p> <p>Notwithstanding, the existing consent for the 8 storey residential building on the site required the dedication of a 1 metres wide strip of land across the Railway Parade frontage for the purpose of footpath widening. The Planning Proposal does not affect the existing condition or its intent. In fact, on further analysis the Planning Proposal considers that the 1 metre dedication may be insufficient to create a strong street edge when considered against a greater building. Therefore, it is intended to dedicate further land to Council to strengthen the public domain in this location, regardless of the ability to acquire land all the way along Railway Parade. Establishing the intent now is important to the future of this section of Railway Parade as when the development is completed any further widening would not be possible.</p> <p>This does not affect the application of this Direction, which is not applicable to the Planning Proposal.</p>
6.3	Site Specific Provisions	<p>Not applicable</p> <p>There are no site specific provisions relevant to this site. The desired future land uses are permissible under the existing R1 General Residential zone.</p>

7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	<p>Consistent</p> <p>This Direction applies to the Burwood local government area. The Planning Proposal is considered to be consistent with the NSW Government's A Plan for Growing Sydney, and therefore this 117 Direction, as follows:</p> <ul style="list-style-type: none"> • Burwood is identified as a strategic centre under the Plan, which supports the growth of jobs and housing and create hubs of activity; • The proposal will provide more homes closer to jobs; • The proposal will improve housing choice to suit different needs and lifestyles through the introduction of planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services; • The proposal will accelerate housing supply and local housing choices assisting Burwood to meet Sydney's future housing need; • The proposal seeks to provide a variety of housing types in a well serviced location; • Supports the Government's priority to deliver housing in or near centres in the established urban areas to help more people to live where they want – close to jobs, services and transport. <p>Assessment against A Plan for Growing Sydney was considered in detail under Section 3 of this planning proposal.</p>
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable

Table 6: S117 Directions

Section C – Environmental, social and economic impact

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

The site is located in an urban environment. The site is subject to an existing consent for an 8 storey building and demolition has already occurred in accordance with the consent. The planning proposal includes 4-10 Oxford Street which contains residential development.

The site is therefore not known to contain any critical habitat or threatened species, populations or ecological communities or habitats.

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

Given the current land uses on the site and the proposed future development facilitated by this Planning Proposal, it is considered that no environmental effects are likely to arise from the Planning Proposal. Further, the site does not contain any environmental significance, however, any matters related to contamination and acid sulphate soils will be investigated further following determination by Gateway that the proposal has sufficient strategic merit to proceed.

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

Social

The Planning Proposal will facilitate a development that will provide approximately 219 additional apartments which will contribute to housing supply in the area, and include a variety of dwelling types and sizes. This will respond to the needs of the local community through housing choice for a variety of age groups, demographics and families. In doing so, it also provides access for workers to the Burwood town centre supporting growth, vibrancy and vitality of Burwood as a destination.

In terms of the site itself, the Planning Proposal seeks to facilitate a stronger street edge improving the aesthetics of the street scape and making it a more enjoyable place to walk and move and strengthening the connection of the site to the Burwood town centre and the adjoining school. At this stage, in conjunction with the dedication of a 1 metre strip for pavement widening along Railway Parade, required by the existing consent, it is proposed to include additional land to dedicate to Council and strengthen this street presence. This, with the architectural design and setback of the proposed building is intended to provide a strong perception of safety allowing access to the site and along Railway Parade as part of a broader green street edge system.

It is anticipated that this will also foster an element of community pride and the creation of a community and a landmark for the broader of neighbourhood to be proud of the place they live.

The Planning Proposal will also facilitate positive social benefits for future and existing residents and workers who will profit from jobs, goods and services closer to homes and work.

Economic and Employment

While no Economic Impact Assessment has been prepared at this stage, the existing approval briefly considered the economic and employment impacts of the development. While the removal of the old unsightly land uses is no longer relevant, the Planning Proposal does facilitate a further improved building that no longer isolates adjoining land and its ability to redevelop.

In doing so, the Planning Proposal facilitates additional housing supply and therefore employment supply within walking distance of a District Centre where job opportunities and subject to grow with the status of the Burwood centre. Further, given the access to transport networks the additional housing supply in this location provides access to a much larger network of jobs and employment opportunities. The Burwood centre and public transport can therefore only benefit from increased workforce and patronage.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the proposal?

The site is well serviced by public transport being within 500 metres walking distance from Burwood train station and 510 metres walking distance from Strathfield train station. Railway Parade is also on a bus corridor with the nearest bus station approximately 50 meters to the east. Railway Parade connects the site to a number of bus networks including the M90 (Burwood to Liverpool), the 415 Chiswick to Campsie, the 450 (Hurstville), the 458 (Macquarie University and Ryde), 525 (Parramatta and Olympic Park), and the 526 (Rhodes).

A Traffic and Parking Impact Report has been prepared by Motion Traffic Engineers that considered the impact of traffic and parking and any issues arising from the change to the development controls, having regard to the proposed development concept. The Report is included at Appendix C.

The Report considered the performance of the existing road network, additional parking requirements generated by the proposed development and the impact on nearby intersections and capacity to accommodate additional traffic. The report concluded that parking would be required in accordance with the requirements, potentially up to 185 spaces under the RMS

Guidelines. Further, the proposed development was considered a moderate trip generator during peak hours and would not significantly impact nearby intersection performance.

The full range of utility services including electricity, telecommunications, water, sewer and stormwater are all currently available on the site. These services were to be upgraded as part of the currently approved development application. Consultation with relevant authorities during the public exhibition of the Planning Proposal will confirm the capacity of current utilities to serve the increase in density on the site.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

RMS and Sydney Train issued concurrence to the approved 8 storey development as part of the Development Application process. RMS formally responded on 17 September 2015 and Sydney Trains also responded on 17 September 2015 following the exhibition of the DA in July/August of that year. Further consultation with the RMS and Sydney Trains will occur as part of the exhibition process and in accordance with the conditions of the Gateway.

Sydney Water were also consulted as part of the previous development application process and raised no objection to the proposal subject to conditions in their letter of 7 August 2015. Further consultation would likely occur on the increase in density sought by the Planning Proposal.

Part 4 – Mapping

Maps illustrating the current Burwood LEP 2012 land zoning, maximum height of buildings and floor space ratio controls for the Planning Proposal are located at Appendix A.

Part 5 Community Consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway Determination.

It is proposed that, at a minimum, this will involve the notification of the public exhibition of the Planning Proposal:

- On the Burwood Council website;
- At the information desk of the Burwood Council offices;
- In the relevant local newspaper(s); and
- In writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

It is anticipated that the Planning Proposal will be publicly exhibited for a period of not less than 28 days in accordance with the requirements of Section 5.5.2 of the Department of Planning and Environment's publication *A Guide to Preparing Local Environmental Plans*.

Part 6 – Project timeline

The following project timeline will assist with tracking the progress of the planning proposal through its various stages of consultation and approval. Indicative timeframes have suggested that this amendment to the Burwood LEP 2012 will be completed by December 2017. All timeframes are subject to a number of factors, including conditions of the Gateway determination, comments and requirements of Council, Council's timeframes, and consultation and exhibition requirements.

Stage	Timeframe
Submit Planning Proposal to Burwood Council	February 2017
Planning Proposal assessment undertaken by Council staff	February – March 2017
Consideration of Planning Proposal by Council and determination made	April 2017
Planning Proposal submitted to the Department of Planning and Environment for Gateway determination (if supported)	April/May 2017
Public exhibition and public authority consultation of Planning Proposal	June 2017
Review of submissions received during public exhibition	July 2017
Approval of amendment to LEP (if supported)	August 2017
Return to the Department for finalisation/Drafting of instrument and finalisation of mapping	September 2017
Finalisation of Plan and notification on the NSW Legislation website	November/December 2017

Table 7: Project Timeline

APPENDIX A

Existing LEP Maps

APPENDIX B
Urban Design Report and Concept Design prepared by
Aleksandar Design Group

APPENDIX C
Traffic and Parking Impact Report prepared by
Motion Traffic Engineers

APPENDIX D
Landscape and Public Domain Improvement Plan
prepared by Canvas Landscape Architects
