

(ITEM 23/22) COMPREHENSIVE REVIEW OF BURWOOD LOCAL ENVIRONMENTAL PLAN

File No: 21/56290

REPORT BY DIRECTOR CITY STRATEGY

Summary

This report provides an overview of the comprehensive review of Burwood Local Environmental Plan 2012 (BLEP) project. It provides a summary of the work undertaken to date and the issues which have already been identified for inclusion as part of the review.

The report also identifies the additional suite of studies which are proposed to be developed to ensure that there is a comprehensive evidence base. The outcomes of these studies will be used to inform the development of the Planning Proposal.

The work relating to the comprehensive LEP review is structured under the following key themes:

- City Excellence: Promoting design excellence, place creation and economic growth within the Town Centre.
- Burwood North Precinct: Delivery urban renewal outcomes associated with the PRCUTS and Sydney Metro
- Procedural Amendments: General updates reflecting legislative or other administrative changes.

Operational Plan Objective

1.2.1 Inform the community of Council's activities, facilities and services using accessible communication

2.1.3 Ensure transparency and accountability in decision making

Background

Burwood Local Strategic Planning Statement and Local Housing Strategy

On 11 February 2020, Council endorsed the Burwood Local Strategic Planning Statement (LSPS). The LSPS sets out Council's vision for how Burwood will respond to significant residential growth, including the delivery of new housing and jobs in the Burwood-Concord Precinct as identified in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) and the 2016-2023 Implementation Plan, which includes a target for 5,500 new homes in the precinct by 2050, to accommodate an additional population of 11,400.

At the time of the preparation of the LSPS (2018), Burwood's estimated residential population (ERP) was 39,886. Burwood's ERP is currently estimated at 45,800 (2021) – it is expected that our population will continue to increase to 2036 to 73,550. (Based on 2019 NSW Population Projections)

As part of the LSPS process Council also commissioned a local housing strategy to inform the delivery of additional housing to meet the needs of our growing and changing population

The Burwood Housing Strategy (BHS), prepared by SGS, was endorsed by Council on 20 February 2020. The objectives of the BHS focus on:

- Increasing the diversity of housing;
- Encouraging housing affordability
- Delivering high density residential development near existing centres and public transport;

- Creating places for people and ensuring the continued vibrancy and vitality of centres

The BHS estimates that the majority of Burwood's new housing to 2036 will be delivered within the Burwood-Concord Precinct close to the Burwood North Metro Station and Burwood Town Centre. The BHS recognises the continued growth of our population and identifies the Burwood-Concord Precinct as an opportunity to respond to this population growth through the urban renewal of the precinct.

Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

In November 2016, Urban Growth NSW released the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) together with a package of implementation and reference documents. PRCUTS aims to renew Parramatta Road and adjacent communities through investment in homes, jobs, transport, open space and public amenity. It presents significant urban renewal opportunities for land within defined development precincts.

The PRCUTS is given statutory weight under section 9.1(2) of the Environmental Planning & Assessment Act 1979

The PRCUTS identifies the staged delivery of renewal along the Parramatta road Corridor. Stage 1 (also known as the 2016-2023 release areas) contains three renewal areas that impact on the Burwood LGA, including the Homebush North Precinct (Canada Bay LGA), Kings Bay Precinct and Burwood-Concord Precinct (Canada Bay and Burwood).

The comprehensive review of the Burwood LEP will focus on the part of the Burwood-Concord Precinct that falls within the Burwood LGA, known as the Burwood North Precinct.

The PRCUTS Study Area for the Burwood North Precinct is indicated in Figure 1 below.



Figure 1: Burwood-Concord Precinct (PRCUTS), known as the Burwood North Precinct

PRCUTS vision for this Burwood North Precinct is:

Burwood-Concord will be re-imagined as a gateway to the Burwood Town Centre and Concord Oval, and a thriving commercial and residential village precinct for new residents

The Precinct will ... connect to existing open space areas, such as Burwood Park to the south, and Queen Elizabeth Park and St Luke's Park to the north. Extending north from Burwood Station, the renewed streetscape will likely continue to Parramatta Road and form part of the regeneration of the Parramatta Road area.

Streets within the Precinct will include tall and medium-density residential buildings, and mixed use buildings. Residential development will occur in adjacent streets. This development will be designed to sensitively respond to the character of heritage structures, open space, educational facilities and existing residential neighbourhoods.

Built form will generally taper down towards the north, transitioning to the adjoining lower-scale residential areas. The area north of Parramatta Road will be characterised by lower-scale development that will provide additional definition to street edges and open space areas. The Precinct's new open spaces and road connections will provide a denser network of walkable paths and reinforce links to surrounding open space areas. New streets are planned north of Parramatta Road, while new open space is included in the area south of Parramatta Road. These changes will increase connectivity and encourage pedestrian traffic.

The PRCUTS implementation Plan 2016-2023 required that prior to any rezoning commencing a Precinct wide traffic study and supporting modelling be completed which considers the recommended land uses and densities, as well as future Westconnex conditions, and identifies the necessary road improvements any upgrades to be delivered as part of any proposed renewal in the Precinct.

Council has worked collaboratively with Transport for NSW, Canada Bay and Strathfield Councils and the Department of Planning to finalise the traffic study, which was completed in February 2022.

The traffic study has been informed by the uplift proposed in the PRCUTS as well as relevant transport infrastructure projects (WestConnex M4 East and the proposed Sydney Metro West project) and implications for traffic on Parramatta Road and within each precinct.

Sydney Metro West

Sydney Metro West (Metro) is a proposed metro line linking the Sydney CBD with Westmead. In October 2019, Burwood North was confirmed as a station location. The station is sited in the Burwood North Precinct, on the corner of Parramatta Road and Burwood Road within the City of Canada Bay LGA.

Importantly the PRCUTS strategy was prepared before the advent of Sydney Metro and confirmation that the Precinct would be supported by a new Metro station. This is a significant change in the assumptions used to formulate the plan for that precinct.

Metro will assist in meeting the transport needs arising from the housing and employment growth planned along the corridor. The Project Application prepared by Sydney Metro includes the following place and design principles for the Burwood North Precinct:

- *Improve amenity north and south of Parramatta Road with Sydney Metro as a catalyst for positive change*
- *Facilitate transit-oriented development with public spaces and local services that support the station as a focal point for activity*
- *Deliver legible, safe and intuitive station entries that address both north and south of Parramatta Road*

- *Improve the priority and amenity for pedestrians in the area*
- *Facilitate activation and urban renewal around the station in accordance with the Parramatta Road Corridor Urban Transformation Strategy*
- *Enable provision of through-site links to enhance permeability in and around the station*

The planning approvals and environmental impact assessment for Sydney Metro West has been staged with Sydney Metro currently recently receiving a Concept approval and consent for all major civil construction works, including station excavation and tunneling between Westmead and the Sydney CBD. Station construction and over station development is subject of the current EIS 3 which is presently on public consultation.

The implications of these Sydney Metro Project needs to be considered as part of any proposed uplift in the Burwood North Precinct.

Scope of the Comprehensive Burwood LEP Review

Preliminary work has commenced on the comprehensive LEP Review and at this stage it is focused on the delivery the following:

Burwood North Precinct: Implementation of Stage 1 of PRCUTS

Issue

Council is required under Direction 7.3 issued by the Minister for Planning under Section 9.1 of the Environmental Planning and Assessment Act 1979 to deliver the PRCUTS. In doing so, we need to ensure that we are not only providing development controls that are economically feasible but that we are also creating a precinct that is a vibrant, activated and sustainable places to live.

Burwood North Precinct Study Area

The current Burwood North Precinct identified in the PRCUTS was determined in collaboration with Council in 2016 and is identified in Figure 1 above

Since then, engagement with the community has been undertaken. As a result of this consultation, Council officers have identified issues with respect to interface and transition of existing areas adjoining the Precinct which will need to be considered to ensure that the boundary of the Study Area contextually responds to the adjoining areas.

During the first phase of community consultation, the western side of Park Road and the southern side of Meryla Street were two areas that were identified as areas that should be included as part of the Study Area.

The western side of Park Road is currently outside of the PRCUTS boundary and is zoned R2 Low Density Residential and is a pocket of single detached dwellings surrounded by residential flat buildings located on land zoned R1 General Residential.

It is recommended that the boundary of the Study Area be extended to include the eastern side of Grantham Street, which incorporates the existing pocket on the western side of Park Road (refer Figure 2 below)

The proposed PRCUTS study boundary includes the northern side of Meryla Street but does not include the southern side of Meryla Street.

The southern side of Meryla Street Burwood is currently zoned B4 Mixed Use and is within the precinct known as the Burwood Town Centre. The height limit is currently 15m with a FSR of 2:1.

Given the land use and development controls which will be implemented for the Burwood North Precinct it is appropriate that this area be considered in the context of those changes and existing

controls across the Burwood Town Centre. This would allow future amendments to address any interface issue with the southern side of Meryla Street being surrounded by higher density development.

It is recommended that the study boundary be extended to include the southern side of Meryla Street, Burwood, as identified in Figure 2 below.



Figure 2: Proposed Burwood North Study Area

Economic Feasibility

The PRCUTS Policy Framework identifies the Burwood Precinct as a gateway to Burwood Town Centre based around the enlivened spine of Burwood Road strengthening the existing amenity for new residents.

The development controls for Burwood North within the PRCUTS Policy recommended a mixed use zone along Parramatta Road, transitioning to a R3 Medium Density zone with building heights ranging from 17m – 32m (6 storeys to 11 storeys).

Since the release of the PRCUTS in 2016, there have been a number of changes which were not originally envisioned as part of the development of the Strategy.

Together with changes in the property market since 2016, and the proposed Sydney Metro West and location of a station at Burwood North there has been a significant impact on land values and development viability.

Council appointed HillPDA in late 2021 to undertake a Feasibility Assessment of sites in the Burwood LGA, including the Burwood North Precinct. This assessment has tested the economic viability of a number of options, including the PRCUTS recommended heights and densities, the Burwood Town Centre heights and densities and alternate options.

The assessment provides an understanding as to the minimum height and density required to ensure an economically viable “tipping point” for feasible development to occur. The outcomes of

the testing indicate that there are opportunities for place making with the advent of the metro station in creating a new precinct above and beyond what was anticipated in the PRCUTS.

City Excellence

The focus on City Excellence is responding to the growth which will be occurring around Burwood North and recognising the regional significance of the Burwood Town Centre. Burwood already has a reputation as a vibrant dining precinct, is receiving continue investment with several major projects in the pipeline and has a strategic location midway between Parramatta and the City of Sydney.

There is a need to respond to these opportunities in a positive manner which reinforces the place based outcomes that need to be delivered for the town centre and builds upon the unique identity of Burwood as a place and community.

The LEP review will explore the principles of City Excellence and the policy settings that need to be in place to achieve this outcome. Achieving design excellence will be part of this but there will be a broader consideration of this principle in the context of the future growth and expansion of the town centre.

The issues that will be explored include:

- Review of existing LEP and DCP controls to ensure that a positive identity and sense of place is created for Burwood
- Review of existing Design Excellence provisions, including existing heights controls to promote positive built form and urban outcomes for our new communities
- Integration of the Burwood Design Review Panel into LEP and DCP controls to enforce design and architectural excellence
- Development policy mechanisms to promote place activation and creation of creation of public spaces, with a focus on lanes and small venues.
- 24-hour economy - Continuation of economic vibrancy with a focus on strengthening the night time economy and encourage a diverse employment profile

Delivery of city excellence principles will focus on the Burwood LEP and DCP to ensure that a positive identity will be promoted for Burwood North and the Burwood Town Centre. This includes creation of a shared vision for Burwood into the future.

Procedural Amendments

The following relate to minor amendments and investigations that will be undertaken as part of the LEP review.

Heritage investigation – Listing of Ausgrid substations

Issue

Ausgrid has informed Council of their intention to remove 7 electrical substations located within the Burwood LGA from their Section 170 Heritage Register under the *NSW Heritage Act 1977*. This will mean that they will no longer have heritage protection. As part of the comprehensive LEP review an assessment will be undertaken and where appropriate recommendations will be made to include them as local items in Schedule 5 of the BLEP.

Comment

Ausgrid wrote to Council on 22 December 2021 informing they have undertaken a review of their Section 170 heritage and conservation register. A list of assets that no longer fulfilled the criteria for inclusion on this register was provided which includes the following electrical substations:

- 5 Burwood Road, Burwood Heights
- 4 Badminton Road, Croydon Park
- 2B Cooper Street, Strathfield
- 25 Angel Road North, Strathfield
- 32 Wallace Street, Burwood
- 12 Icton Street, Burwood
- Princes Street & Cheltenham Road, Burwood

Once removed from the Section 170 heritage and conservation register these substations will have no heritage protection. Although they no longer fulfil the criteria to be included in the Section 170 heritage and conservation register, Council has the option to locally list these in Schedule 5 of the BLEP as items of local significance.

Council's Heritage Advisor has undertaken preliminary investigations and recommends a Group Listing may be appropriate for the abovementioned substations (given building typology, historical use and related significance).

It is recommended that as part of the comprehensive LEP review a detailed heritage assessment of each substation be undertaken.

Rezoning of Sydney Water LandIssue

Sydney Water has requested a rezoning of 11 Sydney Water owned land parcels to a SP2 - Infrastructure zone to better reflect their use as water infrastructure.

Comment

Sydney Water has undertaken a review of its landholdings across the Burwood LGA and has identified 11 sites as identified in Table 1 below, that contain critical water infrastructure. These sites are currently zoned R1 – General Residential or R2 – Low Density Residential.

Table 1 – Sydney Water Sites: Rezoning

Site Address	Lot/DP	Suburb	Current Zoning	Proposed Zoning	Use of Land
Grantham Street	1/348631	Burwood	R1	SP2	Sewer Vent
Wentworth Road	1/745161	Burwood	R1	SP2	Sewer Vent
Stiles Street	1/668357	Enfield	R2	SP2	Sewer Main
Stiles Street	301/663196	Enfield	R2	SP2	Sewer Main
Tangarra Street	3/445956	Croydon Park	R2	SP2	Storm Water Main
Tangarra Street	1/445956	Croydon Park	R2	SP2	Storm Water Main
Tangarra Street	2/213599	Croydon Park	R2	SP2	Storm Water Main
Tangarra Street	1/207977	Croydon Park	R1/R2	SP2	Storm Water Main
Tangarra Street	5/215775	Croydon Park	R1/R2	SP2	Storm Water Main
Tangarra Street	1/1019067	Croydon Park	R2	SP2	Storm Water Main
Paisley Road	1/744565	Croydon	R2	SP2	Sewer Vent

Sydney Water is of the opinion that these sites should be rezoned to SP2 – Infrastructure for the following reasons:

- Better reflects the lands ongoing, permanent use as vital water and sewerage infrastructure;
- Provides clarity to the local community as to the current and intended use of the land;
- Is consistent with Burwood LEP 2012, SP2 Zone objectives to provide for infrastructure and related uses;
- Confirms the land use is intended to support population growth within the LGA, providing services and infrastructure to meet peoples changing needs.

Two of these sites are listed as State heritage listed items. Concurrence will be required from Heritage NSW as part of the rezoning process.

A review of the request from Sydney Water and the impact of rezoning, particularly on the State listed items will be undertaken, and where appropriate recommendations for rezoning will be included in the Planning Proposal for the comprehensive LEP review.

DUBA, BUDU, BARRA: Ten Steps to a Living River – the Parramatta River Masterplan

Issue

The Parramatta River Masterplan includes recommendations relating to stormwater management, water sensitive urban design and landscape requirements with the aim of improving the health of local waterways through the inclusion of aims and objectives and the development of local provisions in Council's LEP.

Comment

DUBA, BUDU, BARRA: Ten Steps to a Living River – the Parramatta River Masterplan aims to create a world class river and make the Parramatta River swimmable again.

The aim of the Masterplan is to improve the health of local waterways by ensuring that new development reduces the quantity and improves the quality of stormwater runoff, including meeting any runoff quantity and quality standards adopted by Council.

As part of the comprehensive review of BLEP, a review of the Masterplan will be undertaken, and where appropriate local provisions will be included to ensure that consideration is given as part of the assessment of new development to achieving the following sustainability outcomes:

- minimum landscaped areas to ensure the protection of existing trees and vegetation;
- appropriate stormwater management so as to limit runoff from new development;
- delivery of water sensitive urban design outcomes, particularly in large scale developments

Review of zone objectives for the E3 Productivity Support zone (formerly the E6 Enterprise Corridor zone)

Issue

A review of the zone objectives for the proposed E3 Productivity Support zone will be undertaken to ensure that the zone continues to provide for the delivery of urban service uses.

Comment

The existing E6 Enterprise Corridor zone, which applies to land along the Parramatta Road corridor is proposed to be replaced with the new E3 Productivity Support zone as part of the Employment Lands Review currently being undertaken by the Department of Planning (DPE).

One of the objectives of the existing E6 zone is to *provide for residential uses, but only as part of a mixed use development*

The existing land use objectives in the proposed E3 zone will need to be reviewed as part of the work being undertaken in the Burwood North Precinct. As part of this review there may be an opportunity to better align the objectives and land uses to ensure the retention of existing urban services land and discourage residential uses.

Increasing housing diversity – medium density development

Issue

The need for more medium density development to increase housing diversity and aid in affordability has been identified as a key issue through the State government strategies and Burwood's LSPS and Local Housing Strategy.

Comment

The need for more medium density development (townhouses and terraces) to increase housing diversity and aid in affordability has been identified. However development of many existing R3 Medium Density zoned areas of the Burwood LGA are not economically viable given the local conditions (high land costs, small lot sizes requiring the amalgamation of 2-3 properties, current planning controls).

The Burwood Local Housing Strategy identified that there is a shortfall of capacity for attached dwellings (medium density development), and some of the attached dwelling capacity is not likely to be feasible to develop. Historically, there has been a lack of take up of medium density housing in R3 Medium Density Residential zoned areas in Burwood.

Economic viability testing undertaken by HillPDA in Enfield and Croydon Park has identified that development in these zones is currently not economically viable. This is taking into account existing land values, allowable yield, development costs and development revenues.

Further work will be undertaken to identify with respect to alternative options for the delivery of medium density housing to increase housing diversity and improve affordable housing options across the LGA.

Investigation Areas

Belmore Street Precinct

Issue

The Housekeeping LEP rezoned the Livingstone Street and Sym Avenue Precinct which resulted in an interface issue with the southern side of Belmore Street. The southern side of Belmore Street will now be lower in height than the northern side of Livingstone Street.

Comment

The southern side of Belmore Street between Conder Street and Burwood Road has a current height limit of 15m.

Economic viability testing as part of the Housekeeping LEP determined a height of 17m was the minimum viable height limit on the northern side of Livingstone Street. This has been addressed as part of the Housekeeping LEP which proposed to increase the height of buildings on the northern side of Livingstone Street has been increased to 17m with a Floor Space Ratio (FSR) of 1.8:1. The Housekeeping LEP is in the final stages and it is anticipated it will be gazetted shortly.

The increase in building height on the northern side of Livingstone Street will create an interface issue with the southern side of Belmore Street. It is proposed that the interface issue be reviewed as part of the comprehensive LEP review to align with the northern side of Livingstone Street.

Community Engagement

To inform the issues and options paper, early engagement has been undertaken, with a focus on the Burwood North precinct. This was to identify and test the core planning principles which need to be addressed as part of future study.

Stage 1 consultation: Principles

A dedicated page on Participate Burwood was created for the Comprehensive Local Environmental Plan Review. Within this page was a dedicated page for the Burwood North Precinct.

The following was undertaken for Stage 1 consultation:

- Letters sent to owners in and surrounding the precinct
- Emails with letter attached sent to key stakeholders
- Participate Burwood page with details of the principles
- Community consultation information sessions on Zoom
- Survey on precinct principles on Participate Burwood
- One on one meetings with residents and stakeholders
- Social media, newsletter and email notification

The Strategic Planning team were available to answer questions by phone, letter or email. Follow up meetings were available for those who wanted to discuss matters in more detail.

Table 2 below provides an overview of community's interaction with the comprehensive LEP Review page on Participate Burwood, up to 13 April 2022:

Table 2 – Community's Interaction, up to 13 April 2022

Views	Visits	Visitors	Contributions	Contributors	Followers
2,256	1,348	614	127	106	54

32 people registered for a community information session where the Strategic Planning team discussed the principles in more detail and guided people on how to share their ideas and answered questions.

97 surveys on precinct principles were completed. 95 of these were done online through Participate Burwood. 1 was mailed to Council and 1 was emailed as part of a professional submission from a planning consultant.

5 virtual face to face meetings have been undertaken with those who wanted to discuss the matters in more detail. One of these was with owners from Esher Street and another with owners from Neich Parade. A representative of an owner on Shaftesbury Road also had a phone meeting.

MLC School

MLC School is identified as a key stakeholder in the Burwood North Precinct. A briefing meeting was held with the MLC School to discuss future growth options for Burwood North.

Council will continue to engage with MLC throughout the review and development of the comprehensive LEP review.

Community Requests/Suggestions

During the Stage 1 consultation, Council received a number of requests from the community with respect to a number of properties. For the reasons outlined below, it is recommended that no further investigations be undertaken with respect these properties.

Burwood bus depot

The Burwood bus depot at 284 Parramatta Road is already included in the PRCUTS as a frame area. This is not included in the 2016-2023 implementation area and may be subject to a future implementation area as determined by State government. There is no suggestion from Transport for New South Wales (TFNSW) that they have a desire to relocate from this site.

There is a need to retain bus depots close to established routes. Any consideration of the re-development of the site would need detailed assessment and also address the continued service requirements for public transport in the area.

It is recommended that no further investigation be undertaken in relation to the rezoning of the Burwood bus depot as part of the comprehensive LEP review.

Park Avenue Burwood

Park Avenue, Burwood has very little redevelopment potential remaining, with a number of strata titled residential flat buildings present in the street, making comprehensive redevelopment difficult.

A previous review of the existing development standards in Park Avenue have been determined to be sufficient to encourage redevelopment of undeveloped properties. Any review of the existing controls would need to take into account the already developed sites as well as overshadowing and amenity impacts to Burwood Park.

It is recommended that no further investigation be undertaken in relation to this precinct as part of the comprehensive LEP review.

Clarence and Church Street Precinct

Residents have requested Council revisit the Clarence and Church Street Precinct. This was previously investigated as part of the Housekeeping LEP review and subsequently removed from the planning proposal.

It is recommended that no further investigation be undertaken in relation to this precinct as part of the comprehensive LEP review.

Enfield Local Centre

A number of residents have requested that Council investigate expanding the boundary of the Enfield Local Centre. The Burwood Local Employment and Investment Strategy prepared by SGS identified that the boundary of the existing Enfield Local Centre is sufficient with demonstrated capacity to meet the future demand, and any expansion of the centre would have an impact on viability to the existing centre.

It is recommended that no further investigation be undertaken in relation to this precinct as part of the comprehensive LEP review.

Next Steps

Additional Studies

A number of background studies will need to be prepared prior to the finalisation of the Planning Proposal for the comprehensive LEP review, particularly in relation to the review of the Burwood North Precinct. These studies will inform the Planning Proposal and will include:

Place Strategy will guide redevelopment in the Burwood North Precinct. The Place Strategy will build on the economic feasibility testing to and will identify appropriate planning and urban design

principles and strategies to encourage the creation of a sustainable residential Precinct that supports an appropriate scale and density of development, traffic and pedestrian management, opportunities for new public open space and landscaping and other public domain improvements

Affordable Housing Strategy The potential increase in density and associated land value uplift in the Burwood North Precinct will create the opportunity to deliver affordable housing. The Affordable Housing Strategy will identify opportunities and mechanisms for affordable housing delivery and will provide options to Council as to how these recommendations may be applied in the Burwood North Precinct.

Active Transport and Pedestrian Plan will build on the work of the Parramatta Road Precinct Transport Report prepared by Urban Growth in September 2015. It will make recommendations to ensure the delivery of pedestrian and cycle connectivity, improvement to active transport and bus connections, and address parking requirements ensure the reduction of additional private vehicle trips into and out of the Precinct.

Night time economy study and Economic strategy will build on current strengths of the Burwood Town Centre to create a diverse and vital offer that will meet the requirements of the current and future population. The study and strategy will aim to understand the economic benefits and costs of a night time economy, define the strengths of the existing day and night time economy, review the existing situation for the Burwood Town Centre with regards to existing night time activities, identify any impediments to creating a vibrant night time economy for the Burwood Town Centre and examine the impact of an increase of residents, with the development of the Burwood North Precinct, on the growth and expansion of the night time economy.

Flood Risk Assessment will determine the nature and extent of flooding in respect of both existing and proposed development in the Burwood North Precinct and identify any constraints with respect to development capacity within the Precinct.

Preliminary Site Investigations (Contamination) will assess the potential extent of contamination in the Burwood North Precinct that could potentially constrain development within the Precinct for residential and other sensitive uses.

Infrastructure/Geotechnical Report will assess the impact of any proposed development on the structural stability and operation of existing Sydney Metro and Westconnex underground infrastructure and identify potential constraints, particularly with respect to excavation for basement car parking.

Timeframe

It is anticipated that the Planning Proposal for the comprehensive review of the Burwood LEP will be report to Council for endorsement in early 2023. This timeframe is based on the following, and may be subject to change depending on the time taken to prepare the evidence based studies:

April 2022	Report to Council on the scope of the comprehensive review of the Burwood LEP
May/June 2022	Engagement of consultants to prepare supporting studies
October 2022	Burwood North Precinct – Stage 2 Consultation – outcomes from studies and place based options
Early 2023	Preparation of Planning Proposal

Future reports to Council will provide updates with respect to the timeframes.

Planning or Policy Implications

Should Council adopt the recommendations of this report work will commence immediately to appoint consultants to prepare the studies as identified above.

Once these studies have been completed, work will commence on developing the Planning Proposal for the comprehensive LEP review. Once prepared, the planning proposal will be reported to the Burwood Local Planning Panel (BLPP) for its advice. BLPP's advice will then be reported to Council for a decision as to whether the planning proposal will be endorsed for submission to DPE for a Gateway Determination.

The public exhibition, community and agency consultations will take place following the Gateway Determination.

Parallel to this LEP review a comprehensive review of the Burwood Development Control Plan (BDGP) will be undertaken. A review of the local infrastructure contributions plans will also take place.

Financial Implications

The preparation of the evidence based studies which will inform the development of the planning proposal requires significant resources.

Budget has been allocated in the 2021-2022 financial year. Further budget will be required in 2022-2023 and 2023-2024 financial years. Ongoing work to conduct further reviews of the BLEP, and the preparation of the Burwood DCP amendments and local infrastructure contributions plans that will accompany implementation of the amended Burwood LEP, will require additional staff resources.

Conclusion

This is the first comprehensive review of the Burwood LEP since adoption in 2012. The focus is to ensure that Council has at its disposal a contemporary planning document that this able to respond to future growth and community needs in a proactive, considered and managed way.

The focus on City Excellence is a core element of this review. It is the measure by which assessment of new planning policy is considered and is a core outcomes that is being sought for Burwood North and the continued growth of the town centre.

Endorsement is sought from Council to progress the comprehensive LEP review with the appointment of suitably qualified consultants to undertake the evidence based work as outlined in the body of the report.

Further reports will be presented to Council as these studies are progressed.

Recommendation(s)

1. That Council note the contents of this report.
2. Council endorse in principle the scope of the comprehensive LEP review as outlined in the body of the report. This will focus on implementation of a City Excellence Strategy and described procedural amendments.
3. Council endorse to proceed with the appointment of suitably qualified consultants to prepare the relevant studies that will inform the preparation of the Planning Proposal for the comprehensive LEP review, as identified in the body of the report.

4. That a further report be presented to Council in September 2022 that provides an update on the status of the studies and outlines an engagement strategy for the Phase 2 consultation.

Recommendation(s)

1. Council endorse in principle the scope of the comprehensive LEP review as outlined in relation to the Burwood North Precinct and associated supporting studies.
2. Council endorse to proceed with the appointment of suitably qualified consultants to prepare the relevant studies that will inform the preparation of the Planning Proposal for the Burwood North Precinct as part of the comprehensive LEP review.
3. That a further report be presented to Council in September 2022 that provides an update on the status of the Burwood North Precinct, associated studies and outline an engagement strategy for the Phase 2 consultation.

Attachments

There are no attachments for this report.