



Your Reference SSD-69615996  
Prity Cleary  
Department of Planning, Industry and Environment  
Via Major Projects Planning Portal

25 July 2024

**Submission to SSDA  
Mixed Use development including infill affordable housing  
Victoria Street and George Street Burwood**

Thank you for your correspondence inviting Burwood Council to comment on the State Significant Development Application (SSDA) and submitted documentation relating to a mixed use development at 28-34 Victoria Street, 17 George Street and 21 George Street, Burwood.

The SSDA relates to demolishing existing structures at 21 George Street, Burwood, and constructing a new mixed-use development, including retail, commercial, serviced apartments, and residential units. It includes amendments to previous approved developments at 28-34 Victoria Street and 17 George Street, incorporating additional floor space and height bonuses under updated planning policies, with 15% allocated to affordable housing. The development also proposes community infrastructure, additional residential units, car parking, and landscaping enhancements.

This submission is not conclusive or able to cover all potential issues given the tight timeframe.

Council supports the provision of significant development within the Burwood Town Centre and acknowledges the increasing need to address affordable housing. Notwithstanding this Council has conducted a preliminary review of the SSDA documentation and raises the following concerns:

**Design Excellence**

The applicant has not demonstrated design excellence in accordance with a Clause 6.5 of the Burwood LEP 2012. Specifically concerns are raised with:

- (a) whether a high standard of architectural, landscape and urban design has been achieved (including in the materials used and in detailing appropriate to the location, building type and surrounding buildings),
- (b) whether the form and external appearance of the proposed building, and ground level detailing, will significantly improve the quality and amenity of the public domain,
- (c) how any streetscape and heritage issues have been addressed,
- (d) whether the amenity of the surrounding area, including any view corridors, vistas or landmark locations, will be adversely affected,
- (e) how traffic circulation and vehicular access will be addressed and whether the proposed development supports the provision of high quality pedestrian, cycle and service access,
- (f) whether any adverse effect on pedestrian movement and experience will be avoided (and whether the public transport interchange as the focal point for pedestrian movement in the surrounding area will be reinforced and the ease of pedestrian access to and from that interchange will be facilitated),
- (g) whether the development supports an integrated land use mix in Zones E1 and MU1, including a diversity of public open spaces at the ground level, as well as the roof and other levels of buildings,
- (h) how the bulk, mass, modulation, separation, setback and height of buildings have been addressed and whether they are appropriate in the context of existing and proposed

- buildings,
- (i) whether a high standard of ecologically sustainable design (including low-energy or passive design) will be achieved and overshadowing, wind effects and reflectivity will be minimised.

Notwithstanding, that the application has not addressed the above criteria, it is noted the material schedule includes 'or similar' which does not provide certainty in the final material selection.

The Council is committed to ensuring that developments in the Local Government Area (LGA) exhibit exceptional design quality. These buildings are defining elements of the Burwood Town Centre skyline and will be in place for an extended period. Therefore, it is critical to ensure that the developments meet the Council's Local Environmental Plan (LEP) design excellence criteria and comply with the recommendations of the State Design Panel.

### **Through site link**

The applicant has not consulted with the Council regarding the final design of the building. Preliminary discussions have taken place, including discussions about a through-site link, which is required by the Burwood Development Control Plan (DCP) in accordance with section 3.11.3. However, this link has not been provided to extent envisioned by the controls. The Council has previously advised the applicant that the link is required by the DCP, must be accessible. It should not form part of a future application or Voluntary Planning Agreement (VPA). Additionally, the link must either include a portion of the adjoining site or ensure the proposed building envelope is set back sufficiently to provide a through-site link that meets the DCP objectives and requirements.

### **Relationship to adjoining site**

Concern is raised that the proposal will result in site isolation for the adjoining property at east. The proposal does not appear to comply with the Apartment Design Guide or provide solutions to address non-compliances. Specifically, the separation distances and screened windows will not provide sufficient amenity for the intended occupancies or future occupiers of the adjoining site. Further modeling is required to demonstrate a viable envelop for the adjoining site and adequate amenity can be achieved.

### **Car parking**

The proposed basements are to be aligned and connected to reduce driveways and car movement. Breakaway walls are also to be provided for the adjoining sites with corresponding easements to reduce driveways and facilitate waste management.

### **Waste management**

Insufficient detail regarding waste collection has been provided. Submitted plans indicate that waste will be collected from the street. This arrangement is not supported. Waste is to be collected from a basement on site. As discussed above, basements are to be aligned. This will ensure that waste can be communally collected minimising the need for transfers and reducing truck movements.

### **Ground floor interface**

The applicant has not demonstrated how the ground floor tenancies can achieve street activation. It appears from the submitted plans that utilities, substations, boosters and ventilation have not been considered. In addition, several ground floor tenancies do not appear viable as they do not include ducting, kitchens, storage or amenities.

## Contributions

The development proposed is within the Burwood Town Centre. The 'Burwood Council Section 7.12 Local Infrastructure Contributions Plan for Burwood Town Centre' ("the Contributions Plan") applies to the development of the Land the subject of the application.

One of the primary purposes of the Contributions Plan is to provide for funding towards the provision, extension or augmentation of public amenities and public services identified by Burwood Council as necessary to support the expected growth and development in the Town Centre.

The growth in residential population brought about by the development, employment and use of services in the Burwood Town Centre will require and generate demand for new, extended and augmented public amenities, services and infrastructure.

Given the significant uplift in FSR proposed for the development and the associated demands that it will generate in the Burwood Town Centre, it is imperative that any consent has an appropriate condition in relation to 7.12 contributions in accordance with the Contributions Plan. This includes an adjustment for CPI at the time of payment.

The applicable levy rate pursuant to the Contributions Plan is 4% for the development (developments for more than \$250,000). Conditions on exiting consent are to be update to reflect design changes and associated increases in building costs in addition new condition for contribution payment for new works.

## VPA

Several Voluntary Planning Agreements (VPAs) currently apply to the consolidated site as per the 10% increase in Floor Space Ratio (FSR) under clause 4.4A of the Burwood Local Environmental Plan (LEP). These include:

- a) Development Consent DA No. 91/2019 for 28–34 Victoria Street and the associated Planning Agreement between the Council and the Developer for a monetary contribution of \$3,337,775. The VPA has been entered into and conditions already apply
- b) Development Consent DA No. 110/2020 for 17 George Street and the associated Planning Agreement between the Council and the Developer for a monetary contribution of \$1,024,625. The VPA has been entered into and conditions already apply.
- c) State Significant Development Application No. SSD-69615996, currently under assessment, for 21 George Street and the associated Planning Agreement proposed between the Council and the Developer for a monetary contribution of \$828,765. This VPA is currently on exhibition. For more information, visit: Participate Burwood at <https://participate.burwood.nsw.gov.au/exhibition-vpa-explanatory-note-21-george-street-burwood>

Conditions on existing consents in relation to VPAs do not require amendment. A new condition for the VPA currently on exhibition should be applied through Deferred Commencement for SSD-69615996 if the Department of Planning, Housing and Industry (DPHI) grants consent to the application.

## Conclusion and recommendations

Burwood Council acknowledged that this is a challenging site with many constraints however the site also presents a number of opportunities to align with Council's vision for the town centre.

Council is not convinced by the current urban design of the proposed development, this iteration has highlighted challenges and problems associated with the site. We strongly encourage DPHI to work through the design matters raised to find solution and ensure a high quality urban environment and are reflective the site constraint and opportunities for the Burwood Town Centre

Any breaches to the development standards should only result from the merit of a design and the breach must not result in any adverse impact on the neighbouring sites and satisfy the requisite legislative tests.

Should consent be issued, appropriate conditions need to be applied to any consent to ensure payment of development contributions and the VPA to community infrastructure can be delivered to meet local infrastructure needs in accordance with Council's infrastructure schedule of works.

Moving forward, it is recommended Council be consulted on the issues raised above to allow support in delivering additional housing including affordable housing within an appropriately designed Town Centre development.

Thank you once again for engaging with Council. The above identified matters relate only to a preliminary review of the proposal within the limited timeframe provided. The comments provided and do not represent a full review of all potential impacts of the proposal on the site and the surrounding community. Following the submission of additional information further issues may be identified.

Regards



Jai Reid  
**Manager City Development**

If you require information in other languages contact the Telephone Interpreter Service directly on 131 450 (free service) and ask them to call Burwood Council on 9911 9911 on your behalf.

#### **ARABIC**

إذا كنت بحاجة إلى معلومات بلغات أخرى، اتصل بخدمة الترجمة الشفهية عبر الهاتف على الرقم 131 450 (خدمة مجانية) واطلب منهم الاتصال بالنيابة عنك بمجلس بيروود على الرقم 9911 9911.

#### **CANTONESE**

如果您需要以其他語言瞭解信息，請致電131 450聯繫電話傳譯服務中心（免費服務），並請他們代您致電9911 9911聯繫Burwood市議會。

#### **GREEK**

Εάν χρειάζεστε πληροφορίες σε άλλες γλώσσες επικοινωνήστε με την Υπηρεσία Μετάφρασης και Διερμηνείας στο 131 450 (δωρεάν υπηρεσία) και ζητήστε τους να καλέσουν εκ μέρους σας το Δήμο Burwood στο 9911 9911.

#### **HINDI**

यदि आपको अन्य भाषाओं में जानकारी की आवश्यकता है, तो सीधे 131 450 (निःशुल्क सेवा) पर टेलीफोन दुभाषिया सेवा से संपर्क करें और उनसे बरवुड काउंसिल को 9911 9911 पर आपकी ओर से कॉल करने के लिए निवेदन करें।

#### **ITALIAN**

Se avete bisogno di informazioni in altre lingue contattate il servizio di interpretariato telefonico direttamente al numero 131 450 (servizio gratuito) e chiedete loro di chiamare il Burwood Council al numero 9911 9911 per conto vostro.

#### **KOREAN**

다른 언어로 정보가 필요하시면 전화통역서비스(Telephone Interpreter Service)에 바로 연락하셔서(131 450번, 무료) 귀하를 대신해 버우드 카운슬(9911 9911번)로 전화를 걸어 달라고 요청하십시오.

#### **MANDARIN**

如果您需要以其他语言了解信息，请致电131 450联系电话传译服务中心（免费服务），并请他们代您致电9911 9911联系Burwood市议会。

#### **NEPALI**

अरू भाषामा यहाँलाई जानकारी आवश्यक भएमा 131 450 (निःशुल्क सेवा) मा सिधै टेलिफोन दोभाषे सेवामा सम्पर्क गर्नुहोस् र आफ्नो तर्फबाट 9911 9911 मा बर्नवुड काउन्सिलमा सम्पर्क गर्नका लागि उनीहरूलाई भन्नुहोस्।

#### **VIETNAMESE**

Nếu quý vị cần thông tin bằng các ngôn ngữ khác xin liên lạc trực tiếp với Dịch vụ Thông dịch qua Điện thoại qua số 131 450 (dịch vụ miễn phí) và nhờ họ thay quý vị gọi cho Hội đồng Thành phố Burwood qua số 9911 9911.