



New South Wales

Burwood Local Environmental Plan No 49

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(S99/01443/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

Burwood Local Environmental Plan No 49

1 Name of plan

This plan is *Burwood Local Environmental Plan No 49*.

2 Aims of plan

This plan aims:

- (a) to rezone an existing right of way from Zone No 2 (a) Residential “A” to Zone No 2 (b1) Residential “B1”, and
- (b) to facilitate redevelopment of land known as No 59 Park Road, Burwood and the right of way for the purpose of residential flat buildings.

3 Land to which plan applies

This plan applies to land situated within the Burwood local government area, being Lot 1, DP 826403 and No 59 Park Road, Burwood (Lot 1, DP 615429), as shown edged heavy black on the map marked “Burwood Local Environmental Plan No 49” deposited in the office of Burwood Council.

4 Amendment of Burwood Planning Scheme Ordinance

Burwood Planning Scheme Ordinance is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 4 Interpretation

Insert in appropriate order at the end of the definition of *scheme map* in clause 4 (1):

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[2] Clause 78K

Insert after clause 78J:

78K Development of certain land—No 59 Park Road and Lot 1, DP 826403

- (1) This clause applies to Lot 1, DP 826403 and Lot 1, DP 615429 fronting Park Road, Burwood, as shown edged heavy black on the map marked “Burwood Local Environmental Plan No 49” deposited in the office of the Council.
- (2) A person may, with the consent of the Council, carry out development on the land for the purpose of residential flat buildings, but only if the Council is satisfied that:
 - (a) the maximum number of storeys above the natural ground level in any building will not exceed 2 plus an attic, and
 - (b) the building will be set back a minimum of:
 - (i) 4.5 m from the northern boundary, and
 - (ii) 4.7 m from the southern boundary of Lot 1, DP 826403, and
 - (iii) 6.0 m from the western boundary, and
 - (iv) 15 m from Park Road, and
 - (c) Lot 1, DP 826403 will not be built upon and will only be used for vehicular access purposes, and
 - (d) the land between the building and boundary, excluding Lot 1, DP 826403, will be adequately landscaped.

BY AUTHORITY