



New South Wales

Burwood Local Environmental Plan 2012 (Amendment No 22)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

KATIE JOYNER

As delegate for the Minister for Planning

Burwood Local Environmental Plan 2012 (Amendment No 22)

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1 Name of Plan

This Plan is *Burwood Local Environmental Plan 2012 (Amendment No 22)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Burwood Local Environmental Plan 2012* applies, including certain land in Burwood and Enfield.

4 Maps

The maps adopted by *Burwood Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Burwood Local Environmental Plan 2012

[1] Clause 4.3A Exceptions to height of buildings

Omit “1.8 metres” from Column 2 of the matter relating to B in the table to the clause.
Insert instead “7.2m”.

[2] Clause 4.6 Exceptions to development standards

Omit “E2” from clause 4.6(6), note. Insert instead “C2”.

[3] Clause 4.6(6), note

Omit “E3”. Insert instead “C3”.

[4] Clause 4.6(6), note

Omit “E4”. Insert instead “C4”.

[5] Clause 5.1 Relevant acquisition authority

Omit “E1” from clause 5.1, note. Insert instead “C1”.

[6] Part 6 Additional local provisions

Insert at the end of the Part, with appropriate clause numbering—

Development on certain land at Burwood

- (1) This clause applies to certain land at Burwood identified as “A”, “B” or “C” on the Additional Local Provisions Map.
- (2) Development consent must not be granted to the erection of a building unless the consent authority is satisfied the building—
 - (a) will have a minimum setback from each street frontage of 6m, and
 - (b) for a building on land sharing a boundary with land containing a heritage item—will have a minimum setback from the boundary of 8m, and
 - (c) will have a height not exceeding—
 - (i) for the part of a building located within 12m of the primary street frontage on land identified as “A”—11m, or
 - (ii) for the part of a building located within 7.5m of the primary street frontage on land identified as “B”—8m, or
 - (iii) for the part of a building located within 9m of the primary street frontage on land identified as “C”—11m, and
 - (d) will not have a basement—
 - (i) extending beyond the building’s footprint, or
 - (ii) occupying more than 70% of the site area.
- (3) Development consent must not be granted to development for the following purposes unless the consent authority is satisfied the building will be located on a site with a primary street frontage of at least 28m—
 - (a) attached dwellings,
 - (b) multi dwelling housing,
 - (c) residential flat buildings.

- (4) Development consent must not be granted to development on a lot containing a heritage item unless the size of the lot is at least 1,500m².

[7] Schedule 1 Additional permitted uses

Insert at the end of the Schedule, with appropriate clause numbering—

Use of certain land at 94 and 96 Mitchell Street, Enfield

- (1) This clause applies to part of Lots 2 and 3, DP 325376, 94 and 96 Mitchell Street, Enfield, identified as “4” on the Additional Permitted Uses Map.
- (2) Development for the purposes of multi dwelling housing is permitted with development consent.

[8] Schedule 5 Environmental heritage

Omit “47 Belmore Street” from the matter relating to I8 in Part 1.

Insert instead “45 Belmore Street”.

[9] Schedule 5, Part 1

Omit “Lot 1, DP 309715” from the matter relating to I8.

Insert instead “Part of Lot 104, DP 1258893”.

[10] Dictionary

Insert in alphabetical order—

Additional Local Provisions Map means the Burwood Local Environmental Plan 2012 Additional Local Provisions Map.

Additional Permitted Uses Map means the Burwood Local Environmental Plan 2012 Additional Permitted Uses Map.