



**Burwood** Inc.1874  
Burwood . Burwood Heights . Croydon . Croydon Park . Enfield . Strathfield

## **EXTRAORDINARY MEETING**

Notice is hereby given that an extraordinary meeting of the Council of Burwood will be held in the Conference Room, 2 Conder Street, Burwood on Wednesday 29 January 2025 at 6:00pm to consider the matters contained in the attached Agenda.

The public gallery will be open for those wishing to observe the meeting. In addition, an opportunity to observe the meeting via audio visual link will also be made available.

### **Public Forum**

A public forum will be held at 5:00pm, prior to the commencement of the meeting, to allow members of the public to make oral submissions about an item on the Agenda for the meeting. The opportunity will also be provided to speak via audio visual link.

Brooke Endycott  
**Acting General Manager**

## Councillors



Cr John Faker  
Mayor  
9911 9916  
[mayor@burwood.nsw.gov.au](mailto:mayor@burwood.nsw.gov.au)



Cr George Mannah  
Deputy Mayor  
0428 363 826  
[george.mannah@burwood.nsw.gov.au](mailto:george.mannah@burwood.nsw.gov.au)



Cr Sukriti Bhatta  
0499 811 652  
[sukriti.bhatta@burwood.nsw.gov.au](mailto:sukriti.bhatta@burwood.nsw.gov.au)



Cr Pascale Esber  
0428 459 667  
[pascale.esber@burwood.nsw.gov.au](mailto:pascale.esber@burwood.nsw.gov.au)



Cr David Hull  
0428 369 269  
[david.hull@burwood.nsw.gov.au](mailto:david.hull@burwood.nsw.gov.au)



Cr Alex Yang  
0482 933 247  
[alex.yang@burwood.nsw.gov.au](mailto:alex.yang@burwood.nsw.gov.au)



Cr Deyi Wu  
0484 123 988  
[deyi.wu@burwood.nsw.gov.au](mailto:deyi.wu@burwood.nsw.gov.au)

## Council meeting room

General  
Manager

Mayor

Cr  
Mannah

Cr Bhatta

Cr Yang

Cr Esber

Cr Wu

Cr Hull

Public gallery

## Agenda

**For an Extraordinary Meeting of Burwood Council to be held in the Conference Room, 2 Conder Street, Burwood on Wednesday 29 January 2025 commencing at 6.00pm.**

**1. Prayer**

*Lord, we humbly beseech thee to vouchsafe thy blessing on this Council, direct and prosper its deliberations for the advancement of this area and the true welfare of its people. Amen.*

**2. Acknowledgement of Country**

**3. Statement of Ethical Obligations**

**4. Recording of Meeting**

**5. Apologies**

**6. Declarations of Interest**

**7. Declaration of Political Donations**

**8. Reports to Council**

(Item 1/25)            Croydon Transport-Oriented Development (TOD) Program -  
Alternate Masterplan Post Exhibition Report and Final Submission  
to the NSW Government ..... 4

**9. Conclusion of the Meeting**

## Reports to Council

### (Item 1/25) Croydon Transport-Oriented Development (TOD) Program - Alternate Masterplan Post Exhibition Report and Final Submission to the NSW Government

File No: 25/944

Report by Director City Strategy

#### Summary

This report seeks a decision from Council regarding its final submission to the NSW Government in response to the Croydon Transport-Oriented Development (TOD) Program.

Following the public exhibition of Council's draft [alternative Masterplan](#), this report presents four (4) dwelling density distribution options (included under Attachment 1) for Council's consideration:

1. The original NSW Government TOD proposal.
2. Council's exhibited alternative Masterplan within the Housing Investigation Area (HIA).
3. A refined Council alternative Masterplan redistributing density within the HIA.
4. A refined reduced-density Masterplan near Croydon Station with unmet targets redistributed to the Burwood North Masterplan.

This report also presents the community feedback received during the public exhibition of Council's alternative Masterplan for the TOD, held between 23 October 2024 and 22 December 2024 (in Attachment 2). It also provides a copy of all submissions received by Council during the consultation period (in Attachment 3).

Council must finalise its decision by 31 January 2025, as the NSW Government will proceed with the TOD Program or an alternative through a State Environmental Planning Policy (SEPP) from February 2025. Any alternative submitted to the NSW Government must meet or exceed the housing targets set by the NSW Government's TOD proposal.

#### **Operational Plan Objectives**

- A.98 Undertake comprehensive community engagement programs to seek community input on Council projects, operations, initiatives and major decisions.
- C.3 An urban environment that maintains and enhances our sense of identity and place.
- C.3.1 Facilitate well designed, high quality and sustainable land use and development that is appropriately scaled to complement its surroundings.
- C3.2 Protect our unique built heritage and maintain or enhance local character.
- C.4 Sustainable, integrated transport, infrastructure and networks support population growth and improve liveability and productivity.
- C.4.2 Plan for a city that is safe, accessible and easy to get to and move around in.

#### **Background**

In December 2023, the NSW Government launched the Transport-Oriented Development (TOD) Program, aligned with the National Housing Accord, to accelerate housing delivery by increasing density around 38 train stations, including Croydon. The TOD Program seeks to address housing supply challenges by promoting higher densities near public transport and activity centres.

The Department of Planning, Housing, and Infrastructure (DPHI) released documents outlining the program's criteria and approach: [Transport-Oriented Development Program \(December 2023\)](#) and [Transport-Oriented Development \(TOD\) Program – Assessment Criteria \(March 2024\)](#). However, no details were provided on infrastructure capacity.

The Croydon TOD Precinct, spans the Burwood and Inner West LGAs. Confidential dwelling yield requirements have been assigned to each Council.

Council successfully advocated for the protection of heritage areas, resulting in the deferral of Croydon's inclusion in the NSW Government TOD Program until January 2025. This allowed time for a localised planning process to address housing and growth needs.

On 11 April 2024, the Minister for Planning and Public Spaces formalised the deferral. However, TOD provisions were incorporated into [Chapter 5 of the SEPP \(Housing\)](#), gazetted on 29 April 2024 and made effective from 13 May 2024. These provisions apply to other TOD precincts and set the framework for implementation.

By June 2024, Council identified a Housing Investigation Area (HIA) on the northern side of the rail corridor between Croydon and Burwood Town Centres, and a precinct south of the corridor near Shaftsbury Road. These areas were selected to meet housing targets while preserving heritage conservation zones. The decision was guided by community feedback, the *Burwood Housing Strategy 2020*, and principles prioritising connectivity, density transitions and improved liveability. Consultants were engaged to analyse constraints and draft an alternative Masterplan.

On 22 October 2024, Council resolved to exhibit the draft Masterplan for four weeks, which was later extended to 22 December 2024 to enable further community engagement. In response to community feedback, Council has now prepared four (4) density distribution options for Council's consideration.

The following table summarises key milestones in Council's response to the NSW Government TOD Program.

**Table 1: Key Milestones - Council's response to the NSW Government TOD Program**

Timeframe	Activity
<b>December 2023</b>	Initial NSW Government announcement. <a href="#">Council resolved</a> to commence advocacy.
<b>February 2024</b>	<a href="#">Council resolved</a> against TOD and determined to protect HCAs.
<b>March 2024</b>	<a href="#">Council resolved</a> against TOD.
<b>April 2024</b>	<a href="#">NSW Government announced deferral</a> . Council initiated community engagement.
<b>June 2024</b>	<a href="#">Council resolved</a> Housing Investigation Area (HIA).
<b>August 2024</b>	DPHI TOD Planning Guidelines released. Consultants engaged to complete constraints analysis and prepare an alternate Masterplan.
<b>October 2024</b>	<a href="#">Council resolved</a> to exhibit the <a href="#">alternate Masterplan</a> with removal of the precinct south of the rail corridor from further consideration. Council commenced consultation as per engagement plan as well as direct consultation with Lucas Road HCA residents.
<b>October to December 2024</b>	Exhibition of Alternate Masterplan. <a href="#">Council resolved</a> to extend exhibition period to two months and prepare alternate options to TOD.
<b>December 2024 to January 2025</b>	Review of submissions and preparation of options for consideration by Council.
<b>29 January 2025</b>	Extraordinary Council Meeting to consider public submissions and options, and determine final submission to the NSW Government.

## **Proposal**

Following the public exhibition period and an in depth review of community feedback, Council is now presented with the following four (4) dwelling density distribution options (refer to Attachment 1) for consideration:

1. The original NSW Government TOD proposal.
2. Council's exhibited alternative Masterplan within the Housing Investigation Area (HIA).
3. A refined Council alternative Masterplan redistributing density within the HIA.
4. A refined reduced-density Masterplan near Croydon Station with unmet targets redistributed to the Burwood North Masterplan.

Based on community feedback received during the exhibition period and alignment with the [Transport-Oriented Development \(TOD\) Program – Guide to Strategic Planning](#), this report seeks Council's endorsement of 'Option 3 - A refined Council alternative Masterplan redistributing density within the HIA' as the recommended density distribution option for submission to the NSW Government.

An overview of the community engagement process and feedback is provided below, followed by a detailed explanation of each option.

## **Consultation**

### *Phase One: Early High Level Community Engagement Process*

On 25 June 2024, Council endorsed a Housing Investigation Area (HIA) located on the northern side of the rail corridor between the Croydon and Burwood Town Centres, as well as a precinct south of the corridor near Shaftsbury Road.

In accordance with the Council resolution of March 2024, early engagement with the Croydon community was conducted from 11 April to 17 May 2024. During this time, 2,248 letters were distributed to property owners and occupiers in Croydon, and a dedicated section was launched on the Participate Burwood website. This engagement sought to identify preliminary community issues, concerns and opportunities for future development, particularly regarding potential housing locations. Feedback was gathered via a pin-drop map on the Participate Burwood website, where participants identified areas of interest.

The selection of the HIA was designed to meet housing targets while preserving heritage areas. This approach was informed by initial high-level community feedback, Council's commitment to heritage preservation, the [Burwood Housing Strategy 2020](#) and overarching planning principles, including connecting centres, transitioning densities, enhancing liveability and improving public spaces. Following the adoption of the HIA, notification letters were sent to property owners within and adjacent to the identified area.

This engagement was an initial step and was followed by a broader two-month public exhibition and consultation process conducted from October to December 2024. During this later consultation process, 6,454 notification letters were issued to property owners and occupiers within the HIA and surrounding areas.

### *Phase Two: Detailed Two Month Community Engagement Process*

On 22 October 2024, Council resolved to commence the formal public exhibition of an alternative draft Masterplan for a four-week period, beginning on 23 October 2024, with specific engagement requirements for the Lucas Road Heritage Conservation Area (HCA). In November 2024, the consultation period was extended by an additional four weeks, including further drop-in sessions, and concluded on 22 December 2024.

The consultation process followed a project-specific [Stakeholder Engagement Plan](#), aligned with Burwood Council's *Community Engagement Strategy 2023-2026*. This strategy incorporated both face-to-face and digital methods to maximise participation. It is important to note that while the DPHI's [Transit-Oriented Development – Guide to Strategic Planning](#) stipulates that consultation periods may be limited to two weeks, Council's formal detailed engagement program extended over a two-month period.

In early October 2024, over 6,000 letters were sent to property owners and occupiers within the HIA and surrounding areas to inform them of the October 2024 Council Meeting and the public exhibition of the alternative Masterplan. A dedicated section was created on the Participate Burwood website, and information was also shared via Council's e-newsletter.

Following Council's resolution to commence the formal public exhibition of the alternative draft Masterplan, updates were made to the Participate Burwood website, including copies of exhibition documents, explanatory details, a short explanatory video and FAQs. The public was notified through Council's e-news, social media, signage in public spaces and 12 face-to-face drop-in sessions held at various locations across Croydon and Burwood.

In addition, engagement efforts included direct notification letters, door knocks and a specific consultation session for the Lucas Road HCA as well as direct notification letters and door knocks for properties impacted by proposed open space. Targeted outreach to local schools, utility providers, emergency and health services and government organisations was also undertaken. Door-knock surveys and postcard drops were carried out at multiple times and locations to ensure broad participation from residents in the HIA and surrounding areas, particularly those impacted by proposed density changes.

### *Engagement Results*

Community interaction and participation levels associated with the engagement program are summarised in the following table.

**Table 2: Interaction during public exhibition of alternate draft Masterplan**

<b>Tool/Technique</b>	<b>Response</b>
Participate Burwood	17,376 views since December 2023. (10,331 views since 23 October 2024, exhibition commencement)
3D animation video	888 views on YouTube
Community Drop In Sessions	524 attendees
Written Submissions	743 written submissions
Door Knock Surveys	175 responses

During the exhibition period, Council received 743 individual submissions through emails, letters, and Council's Participate Burwood online portal. A further 175 provided valid responses to the snapshot door knock survey. All written submissions, with identifying details and inappropriate content redacted are included in Attachment 3.

Analysis of the formal submissions reveals the following:

**Table 3: Breakdown of feedback in response to exhibited alternative draft Masterplan**

	Number of submissions supportive of relevant plan	Percentage of submissions supportive of relevant plan
Alternative Masterplan	273	37%
TOD	173	23%
Hybrid	148	20%
Other*	149	20%

\* Other denotes feedback in complete objection to the exhibited alternative draft Masterplan or indicated no clear position for support or against the proposal.

The key themes raised in these submissions are summarised as follows:

**Table 4: Key themes from unique submissions expressed as number and percentage of total formal correspondence**

Key themes mentioned in submissions	Number of submissions mentioning theme	Percentage of submissions mentioning theme
Density	650	87.5%
Height	619	83.3%
Heritage	322	43.3%
Engagement	285	38.4%
Transport/Traffic	283	38.1%
Open Space/Infrastructure	211	28.4%
Parking	86	11.6%
Site Amalgamation	80	10.8%
Privacy	28	3.8%
Overshadowing	26	3.5%

A high-level summary of the key themes arising from formal submissions is as follows:

### High-Density Development

A diverse range of views were provided on density, with many submissions opposed to the extent of density in the exhibited Masterplan across the HIA, in particular the developments near Shaftsbury Road and the central 15 storey towers (corner of Cheltenham Road and Cross Street, and Cheltenham Road and Albert Crescent). Some expressed that such high densities should be contained to Burwood Town Centre and away from significant local heritage, while others objected to increased density altogether. A portion of residents supported greater uplift within the vicinity of Croydon Station to address housing affordability and provide future generations with opportunities to remain in the area. Areas to the south of Croydon Station, such as The Strand, were seen as underutilised and lacking vibrancy as a town centre. Overall, submissions were largely supportive of some density uplift, provided it was not excessive, compatible with medium-density forms, fairly distributed, and focused on higher densities near train stations.

### Building Heights

Objections centred on proposed 15 and 30 storey buildings, with concerns about overshadowing, privacy, and traffic. Many preferred lower buildings (4–6 storeys or up to 10 in appropriate areas) and equitable height distribution. Gradual height transitions were suggested to reduce heritage and visual impacts, particularly near Lucas Road HCA and schools. Supporters argued that taller buildings near railway corridors would minimise overshadowing of residential areas.



**Traffic and Transport**

Increased density was linked to concerns about traffic congestion, especially on Shaftesbury Road and near schools. Submissions called for comprehensive traffic modelling, road widening, and improved access during construction. Concentrating development near Croydon Station was seen as a way to alleviate pressure on Burwood Station. Support for active transport strategies, such as cycleways and reduced parking provisions, was also noted.

**Parking**

Opponents raised concerns about reduced on-street parking due to narrow streets and increased development. Issues included congestion, restricted emergency access, and driveway impacts. Supporters advocated for maximum off-street parking limits and strategies to encourage walking, cycling, and public transport use.

**Heritage Conservation**

Submissions supported the Masterplan's effort to protect HCAs, particularly south of the railway. However, concerns were raised about the impact of surrounding density on heritage areas like Lucas Road HCA. Suggestions included exploring respectful infill development near Croydon Station and re-evaluating height transitions to preserve heritage character. The Strand was seen as underutilised and lacking vibrancy as a town centre with possible inclusion with an appropriate character response.

**Community Engagement**

Criticism was directed at the engagement process, with claims of inadequate transparency and insufficient consultation time. Some felt the Masterplan favoured certain areas, unfairly impacting others. Suggestions included better collaboration with neighbouring councils and more community engagement sessions.

**Site Amalgamation**

Concerns included forced acquisitions, property devaluation, and inconsistent streetscapes if some owners chose not to sell.

**Open Space and Infrastructure**

Many submissions highlighted inadequate open space and community facilities to match the proposed density. Suggestions included larger central parks instead of small pocket parks, enhanced connectivity to open spaces, and better planning for libraries, community centres, and cultural amenities.

**Affordable Housing**

Submissions criticised the 2% affordable housing target as insufficient. Equitable distribution of affordable housing across the area, including south of the rail corridor, was recommended to ensure better access and address housing affordability challenges.

A detailed review of the themes and a location-based analysis is provided in the Engagement Outcomes Report in Attachment 2. A copy of all submissions received by Council during the consultation period is also available under Attachment 3 (with identifying details and inappropriate content redacted and duplicates removed).

**Options**

Key themes, concerns and suggestions raised through public submissions and community engagement have been considered and tested in further iterations of the exhibited draft Masterplan. As per Council's resolution of 26 November 2024, additional viable options have also been developed for Council's consideration.

In addition to the original NSW Government TOD proposal and Council's exhibited alternative Masterplan, two (2) additional options have been prepared in response to the community feedback received.

The Masterplan refinement process and development of options have been driven by the following feedback responsive design principles, including:

A: Reduced building heights.

B: Reduced impacts to heritage character and significance.

C: Reconsideration and redistribution of density to minimise impacts to residential amenity.

D: Higher density within 400–600m of key centres of activity, the railway corridor and transport hubs.

Further testing has been undertaken to develop the additional options. In addressing the key issues raised by the community, the two additional options respond to the following community feedback:

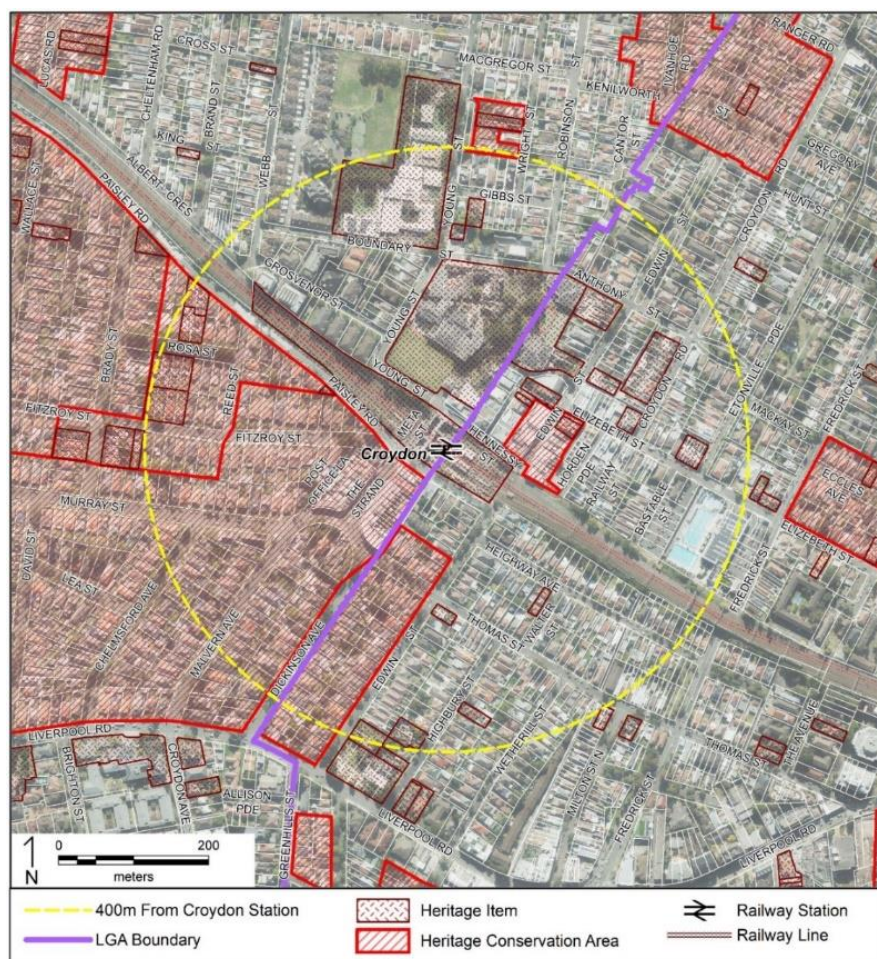
- Reduced height and density along Shaftsbury Road.
- Concentrated height along the railway corridor with gradual height transition to the north.
- Lower heights at the interface with low density and/or heritage items/conservation areas.
- Focus on areas within the 400m catchment of the railway station for additional height/density, including The Strand.
- Reduced density at the centre of the HIA, particularly in Boronia Avenue, Webb Street, Cross Street, and Lucas Road.
- Exclude Lucas Road HCA from rezoning under the Masterplan.
- Transition heights gradually from Lucas Road HCA interface to minimise impacts to heritage significance and built form character.
- Include PLC site, which is zoned R2 Low Density Residential, as an opportunity for future growth.
- Density uplift to include Hampton Court site (10 Webb St) to achieve more evenly distributed heights across the HIA.
- Remove requirements for private lots to be dedicated as public domain as part of site amalgamations.
- Remove proposed density to the north of Cross Street, between Cheltenham Road and Webb Street.
- Additional setback controls combined with landscape buffer at transitional boundaries between proposed higher density and existing low-density (to incorporate into DCP).
- Consideration of compatible uplift in The Strand to benefit from the site's proximity to Croydon Station.

The redistributed densities maintain the vision for a localised planning and design response to Croydon by further compacting uplift within 400-600m of both Croydon and Burwood stations. This approach ensures the principles of distinct neighbourhoods located within proximity to high amenity areas with increased opportunities for walkability and cycling, and reduced car-dependence are achieved.

An explanation of each option is provided below.

### **OPTION 1 - ORIGINAL NSW GOVERNMENT TOD PROPOSAL**

The first option available to Council is the adoption of the Original NSW Government TOD proposal. The Croydon TOD Precinct, identified in the SEPP (Housing) (Figure 1), spans the Burwood and Inner West LGAs. Confidential dwelling yield requirements have been assigned to each Council.



**Figure 1: Croydon TOD precinct as identified in SEPP (Housing)**

Despite the deferral of the Croydon TOD precinct until 31 January 2025, the TOD provisions were incorporated into Chapter 5 of the SEPP (Housing), which was gazetted on 29 April 2024 and took effect on 13 May 2024. These provisions now apply to other TOD precincts and establish the framework for implementation.

Key provisions include:

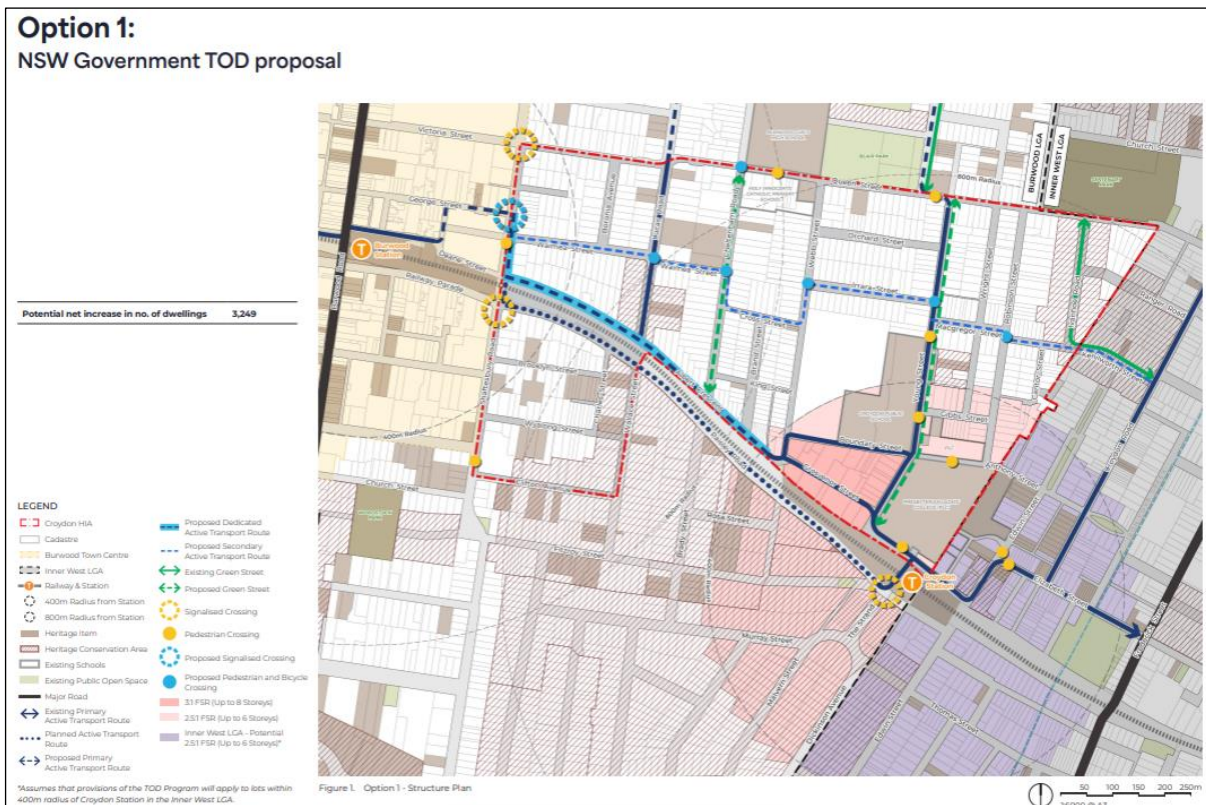
- **Permissibility** – Allowing residential flat buildings in residential and local centre zones, along with shop top housing in local centre and commercial zones within identified 400m precinct of TOD stations.
- **Building height** – Maximum 22m height for residential flat buildings and 24m for shop top housing for commercial ceiling heights.
- **Floor Space Ratio** – Maximum FSR of 2.5:1.
- **Lot size and width** – Minimum lot width of 21m and no minimum lot size.
- **Street frontages** – Clause encouraging active street frontages of buildings at ground floor.
- **Affordable housing** – A 2% mandatory affordable housing contribution (increasing over time), delivered onsite and in perpetuity for developments with a minimum Gross Floor Area of 2000 m<sup>2</sup>. managed by a registered community housing provider.
- **Apartment Design Guide** – under SEPP Housing will apply.

Much of the Burwood LGA south of the NSW Government TOD proposal lies within two Heritage Conservation Areas (HCAs): Malvern Hill Estate (circa 1909) and Cintra Estate (circa 1911–1920), which are well-preserved examples of early 20th-century garden suburb design. These areas have maintained largely unchanged subdivision patterns and housing since the 1930s. North of Croydon railway station, the area consists mainly of medium to high-density strata developments and large school properties. The largest development, completed in the early 2000s, includes townhouses,

apartment towers, and open space. While Croydon Public School is unlikely to redevelop, sites like Presbyterian Ladies College (PLC) could offer future housing opportunities.

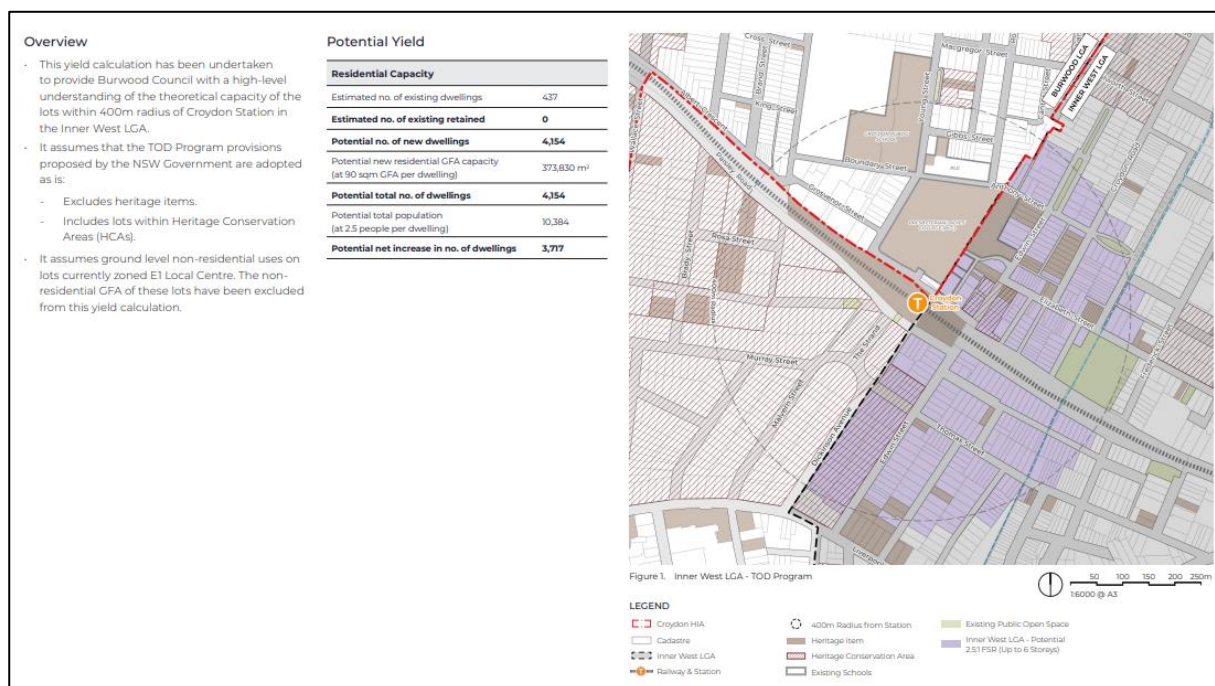
The implementation of SEPP (Housing) provisions would override Council’s planning controls, including those for land use, building heights, floor space ratios, and protections for Heritage Conservation Areas (HCAs), which are distinct from Local and State heritage-listed items.

A visual representation of how Part 5 of the SEPP (Housing) TOD provisions would apply to the Burwood LGA, projecting an estimated dwelling capacity increase of 3,249 within the Burwood LGA, is provided in Attachment 1 (with key extracts shown in Figure 2 below).



**Figure 2: Structure Plan as exhibited for the alternative draft Masterplan**

For reference, a visual representation of how Part 5 of the SEPP (Housing) TOD provisions would apply to the Inner West LGA portion of the NSW TOD precinct is available. This includes an estimated dwelling capacity increase of 3,717, in addition to the capacity required for the Burwood LGA. See Figure 3 below.



**Figure 3: Inner West Council's TOD Program**

Based on the analysis and the application of the gazetted TOD provisions, the combined dwelling yield capacity increase for both the Burwood and Inner West LGAs is approximately 6,966 dwellings.

It should be noted that according to a report tabled at the Inner West Council (IWC) Meeting of 3 December 2024, the Minister for Planning and Public Spaces informed IWC in April 2024 that the TOD Program for the Croydon Station precinct was deferred until January 2025, similar to Burwood. However, the report indicates that IWC has opted to prepare a Local Environmental Plan (LEP) for the entire LGA, encompassing precincts near train stations, light rail stops, and main streets, rather than creating a Croydon-specific masterplan. As a result, the TOD provisions for the IWC portion of the Croydon TOD precinct are expected to be activated by the NSW Government in the near future.

**OPTION 2 - COUNCIL EXHIBITED ALTERNATIVE MASTERPLAN WITHIN HIA**

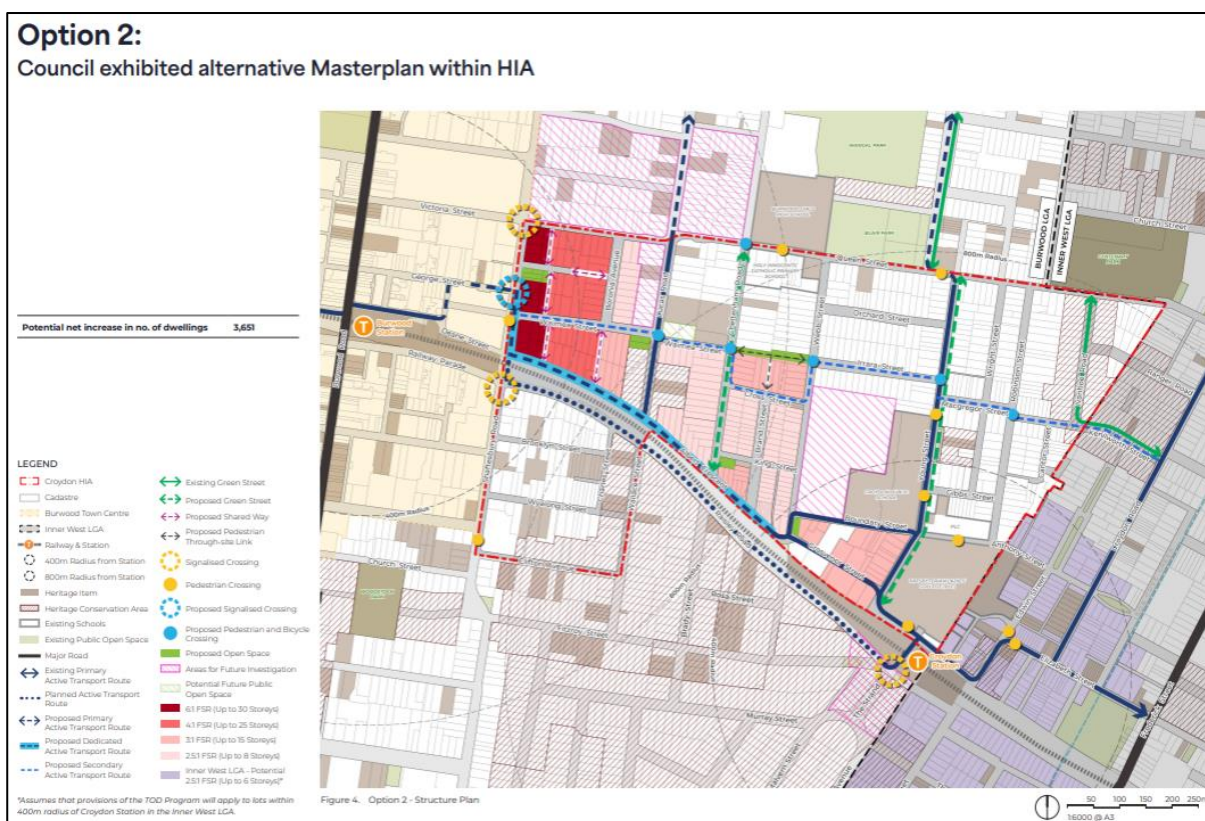
The exhibited [alternative Masterplan](#) in response to the NSW TOD Program proposed 3,651 additional dwellings within the HIA precinct, aiming to meet the required housing capacity while achieving "City Excellence" and transit-oriented development outcomes. The plan was developed through site analysis, visioning sessions and scenario workshops.

The Masterplan was underpinned by a vision statement and five priorities to guide the precinct's evolution. These priorities are outlined as follows:

1. Locate well-designed housing in areas with high amenity
2. Create neighbourhoods that are distinct and contextual
3. Plan for better active transport outcomes to improve connectivity to surrounding centres
4. Improve access to existing open spaces and provide opportunities for new ones
5. Create a green and resilient neighbourhood

The vision, priorities, and principles were translated into five character areas or precincts, along with a structure plan, reflecting a strategic approach to density, built form, amenity, liveability, open space, movement, and connectivity across the HIA. The plan facilitates development uplift on key sites to improve east-west connectivity and public open space. Higher densities near Croydon Station and the rail corridor capitalise on the proximity to public transport and local amenities. The draft Masterplan integrates heritage fabric by retaining heritage items and incorporating some into larger developments, while preserving all Heritage Conservation Areas (HCAs).

Please refer to the exhibited alternative Masterplan and supporting documentation. Figure 4 shows the structure plan for the alternative draft Masterplan.



**Figure 4: Structure Plan for alternative draft Masterplan**

**OPTION 3 - ALTERNATIVE MASTERPLAN REDISTRIBUTING DENSITY WITHIN HIA**

This is a refined alternative redistributing dwelling yields throughout the HIA with reduced heights.

Key adjustments include:

- Concentrate additional density in areas within a 400-500m catchment of both Burwood and Croydon stations.
- Areas within a 400m catchment of both Burwood and Croydon stations have the highest density.
- The height across the HIA, with two notable exceptions, is six (6) storeys, consistent with the TOD requirements.
- The block bound by Waimea Street/Shafsbury Road/Albert Crescent and the block bound by Boundary Street/Young Street/the rail corridor/Webb Street comprises a maximum height of 10 storeys.
- A gradual height transition between proposed higher density and existing low density, with 4 storeys at the interface edge.
- PLC is included as a large private land holding site that provides an opportunity for up to 6 storeys with a sensitive approach to its existing built form values.
- Inclusion of lower level uplift in The Strand to a maximum 4-storey height limit, subject to character review in accordance with the October 2024 Council resolution.
- Option for Council to include the western side of Lucas Road HCA notwithstanding initial and secondary heritage advice (see Attachment 4).

This design response results in an estimated increased dwelling capacity of approximately 3,481 (or 3,569 if the optional areas of the western portion of Lucas Road HCA are included). It also includes additional dwellings within the HIA, with a maximum FSR of 3.5:1 for a maximum height of 10 storeys, with the majority of additional density sitting at 6 storeys, and 4-storey transition zones to lower density areas.

This net increase in dwellings is similar to Council's exhibited Masterplan of 3,651 but contained within reduced height and density to address community feedback and concerns. It also includes capacity from larger privately owned allotments with redevelopment potential, including the large landholding fronting Boundary and Webb Streets and the PLC site.

This is the recommended option as it responds to community feedback and DPHI requirements for an alternative proposal, thereby reducing the risk of non-acceptance by the NSW Government. The built form outcome of this response is presented below in Figure 5.

### Option 3:

A refined Council alternative Masterplan redistributing density within HIA

#### Overview

- This option redistributes density within the HIA to provide a comparable yield to Option 2. It locates density close to Croydon Station and at the north-western portion of the HIA, close to the Burwood Town Centre.
- This option assumes development capacity on the PLC sites with heritage items on the PLC sites to be retained. Appropriate built form response that considers the interface with these heritage items to be provided, subject to future studies and detailed design.
- Refer to Section 5: Notes and Assumptions for further information.

#### Overall Yield

Residential Capacity (within HIA and along The Strand)	
Estimated no. of existing dwellings	1,790*
Estimated no. of existing dwellings retained	1,077*
Potential no. of new dwellings	4,288*
Potential new residential GFA capacity (at 90 sqm GFA per dwelling)	385,886 m <sup>2</sup> *
Potential total no. of dwellings	5,359*
Potential total population (at 2.5 people per dwelling)	13,397*
Potential net increase in no. of dwellings	3,569*

#### LEGEND

- Croydon HIA
- Cadastre
- Burwood Town Centre
- Inner West LGA
- Railway Station
- 400m Radius from Station
- 800m Radius from Station
- Heritage Item
- Heritage Conservation Area
- Existing Schools
- Existing Public Open Space
- Major Road
- Existing Primary Active Transport Route
- Planned Active Transport Route
- Proposed Primary Active Transport Route
- Proposed Dedicated Active Transport Route
- Proposed Secondary Active Transport Route
- Existing Green Street
- Proposed Green Street
- Signalised Crossing
- Proposed Signalised Crossing
- Proposed Pedestrian and Bicycle Crossing
- 3.5:1 FSR (Up to 10 Storeys)
- 2.5:1 FSR (Up to 6 Storeys)
- 1.5:1 FSR (Up to 4 Storeys)\*\*
- 10m landscaped setback\*\*\*
- Inner West LGA - 2.5:1 FSR (Up to 6 Storeys)\*\*\*

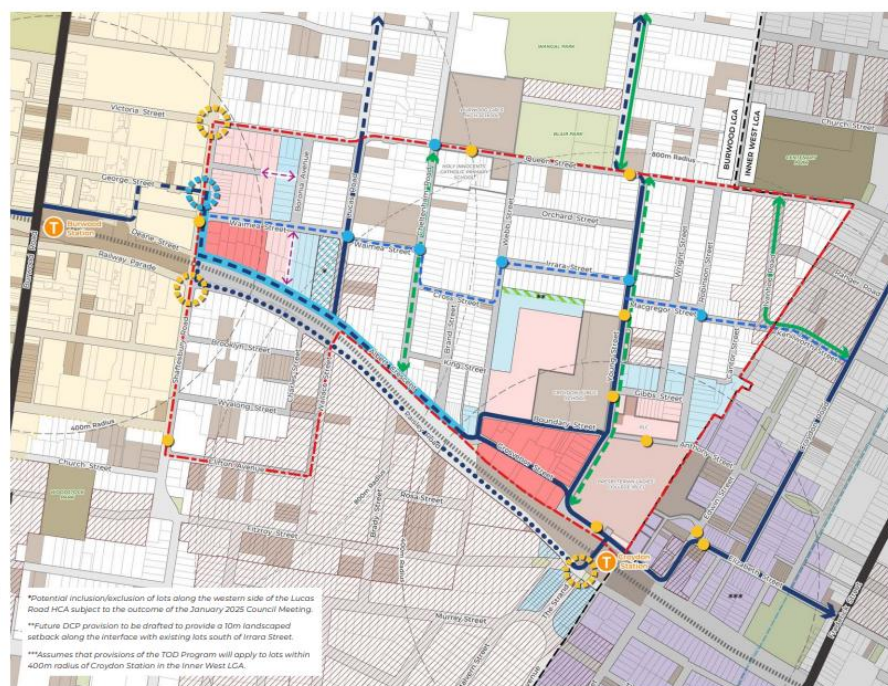


Figure 32. Option 3 - Structure Plan

Figure 5: Design Response Option 3 Structure Plan – redistributed densities

Option 3 also responds to all the additional Key Design Principles. It includes a significant reduction in overall height and density within the HIA, with a substantial decrease in height and density from Shaftesbury Road, reducing potential traffic impacts. Height is concentrated along the railway corridor, with a gradual reduction towards the north and east, minimising impacts on residential amenity.

The impact on Boronia Avenue, Lucas Road HCA, Cheltenham Road, and the majority of Brand Street and Webb Street is also reduced due to the lower density. The option also enhances the development potential for Grosvenor Street and aligns with TOD height and density principles in the majority of the areas.

### OPTION 4 - REDUCED-DENSITY MASTERPLAN NEAR CROYDON STATION, UNMET TARGETS REALLOCATED TO BURWOOD NORTH MASTERPLAN

This is a reduced-density option near Croydon Station, reallocating unmet targets to Burwood North. This option largely responds to community feedback regarding reducing density and heights within the TOD portion, while still allowing for some flexibility by including dwelling capacity in The Strand, with an emphasis on protecting heritage. This design option:

- Significantly limits heights, density, and its application to certain blocks within a 400-500m catchment of both Burwood and Croydon stations.

- Concentrates density around Croydon Station with minimal encroachment into the Burwood Station Precinct.
- Limits additional density around Burwood Station to one block bound by Waimea Street/Shafsbury Road/Albert Crescent.
- The block bound by Boundary Street/Young Street/the rail corridor/Webb Street comprises a maximum height of 10 storeys.
- The maximum height for the remainder of the HIA is six (6) storeys, consistent with TOD principles.
- A gradual height transition between proposed higher density and existing low-density areas, with four (4) storeys at the interface boundary.
- Inclusion of a maximum height of up to four (4) storeys for The Strand, which benefits from proximity to Croydon Station, with a sensitive approach to the existing built form value of the precinct.

Option 4 results in an estimated increased dwelling capacity of approximately 2,433, with a maximum FSR of 3.5:1 and a maximum height of 10 storeys. The majority of additional density sits at 6 storeys and 4 storey transition zones to lower-density areas. This option aims to minimise the volume of development within the HIA to protect the existing residential context, while still meeting the NSW Government’s requirements to deliver appropriately located additional housing. See Figure 6 (below).

**Option 4 :**

A refined reduced-density masterplan near Croydon Station, unmet targets redistributed to Burwood North Masterplan

**Overview**

- This option considers an overall reduction in density and only locates density close to Croydon Station
- This option assumes development capacity on the PLC sites with heritage items on the PLC sites to be retained. Appropriate built form response that considers the interface with these heritage items to be provided, subject to future studies and detailed design
- This option does not provide the number of dwellings required by the TOD Program. Additional dwellings will need to be provided elsewhere (e.g. Burwood North), subject to discussion with the NSW Government
- Refer to **Section 5: Notes and Assumptions** for further information

**Overall Yield**

Residential Capacity (within HIA and along The Strand)	
Estimated no. of existing dwellings	1,790
Estimated no. of existing dwellings retained	1,234
Potential no. of new dwellings	2,989
Potential new residential GFA capacity (at 90 sqm GFA per dwelling)	268,977 m <sup>2</sup>
Potential total no. of dwellings	4,223
Potential total population (at 2.5 people per dwelling)	10,557
Potential net increase in no. of dwellings	2,433

**LEGEND**

- Croydon HIA
- Cadastre
- Burwood Town Centre
- Inner West LGA
- Railway & Station
- 400m Radius from Station
- 800m Radius from Station
- Heritage Item
- Heritage Conservation Area
- Existing Schools
- Existing Public Open Space
- Major Road
- Existing Primary Active Transport Route
- Planned Active Transport Route
- Proposed Primary Active Transport Route
- Proposed Dedicated Active Transport Route
- Proposed Secondary Active Transport Route
- Existing Green Street
- Proposed Green Street
- Signalised Crossing
- Pedestrian Crossing
- Proposed Signalised Crossing
- Proposed Pedestrian and Bicycle Crossing
- 3.5:1 FSR (Up to 10 Storeys)
- 2.5:1 FSR (Up to 6 Storeys)
- 1.5:1 FSR (Up to 4 Storeys)
- 10m landscaped setback\*
- Inner West LGA - 2.5:1 FSR (Up to 6 Storeys)\*\*

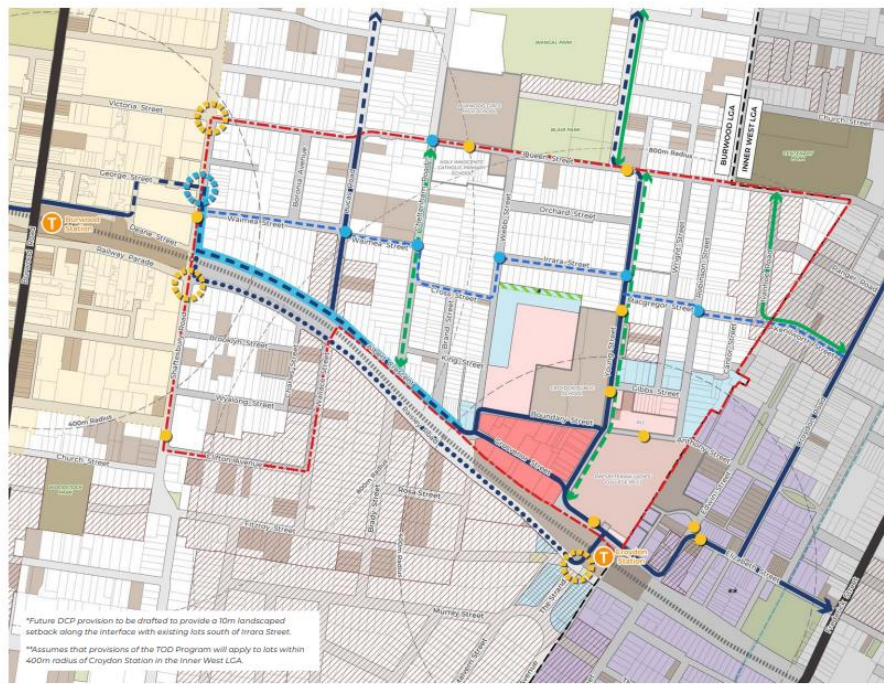


Figure 47: Option 4 - Structure Plan

**Figure 6: Design Response Option 4 Structure Plan – reduced densities**

However, while this option responds to community feedback, there is a significant risk that it may not be accepted by the NSW Government. If the option is not approved, the original Transit-Oriented Development (TOD) proposal for the entire Burwood LGA could come into effect as initially proposed by the NSW Government.

To mitigate this risk, this option seeks to redistribute unmet dwelling targets to the Burwood North Masterplan precinct, which was adopted by Council in May 2024. In that resolution, Council committed to ongoing review of densities through a site-specific process.

It is important to note that the Burwood North Masterplan, as adopted in May 2024, provided an estimated additional dwelling yield of 7,729. This yield calculation was based on the division of the



Burwood North Masterplan area into specific zones, each with its own targeted dwelling capacity. See Figure 8 below.



**Figure 7: Block Identification for Burwood North Masterplan (Source: Cox Architect)**

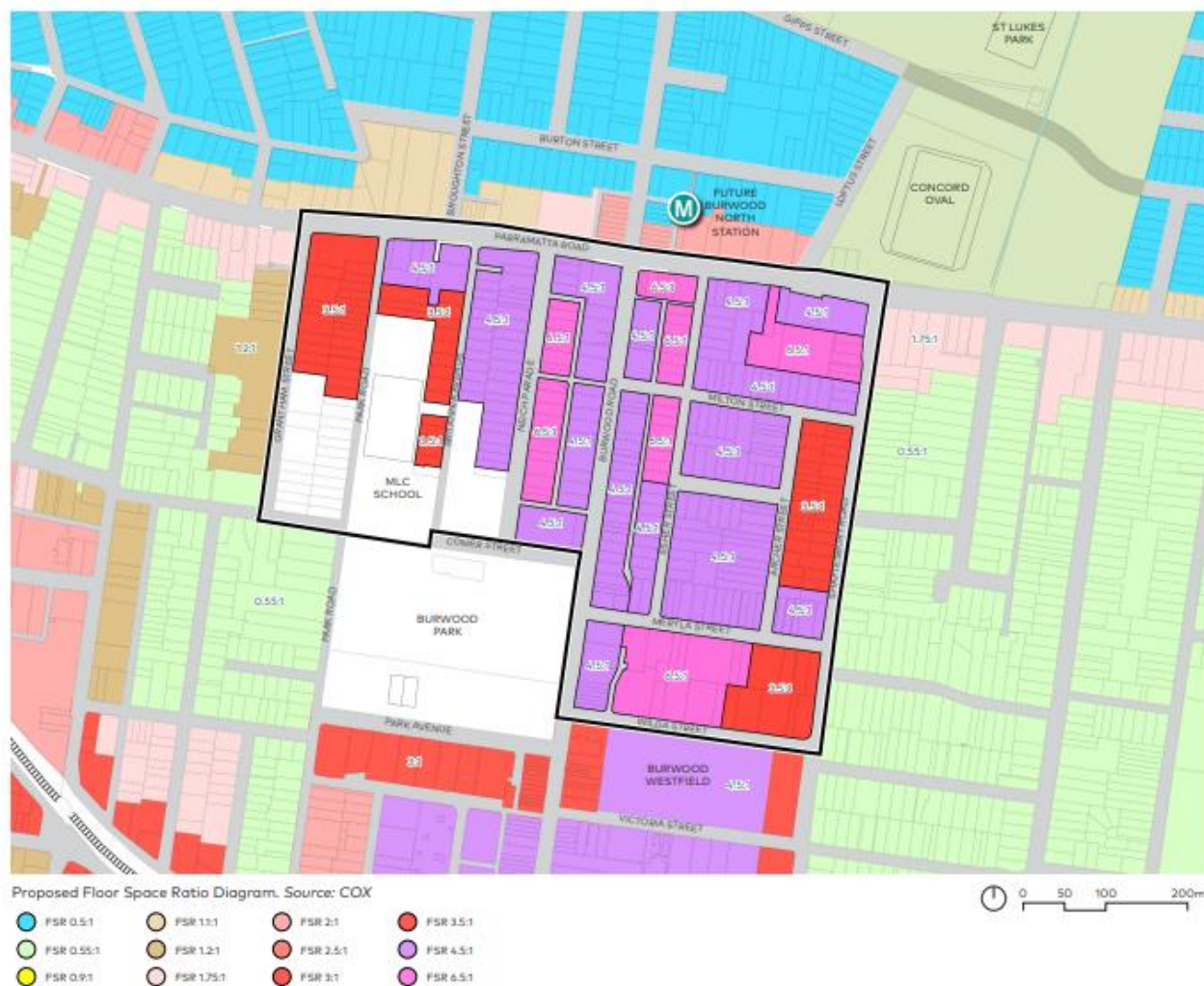
An extract of the correlating adopted FSR plan is provided in Figure 8.



**Figure 8: Adopted FSR Plan for Burwood North Masterplan (Source: Cox Architect)**

To redistribute the unmet dwelling yields from the Croydon TOD Program and meet the overall target, a simple increase of 0.5:1 Floor Space Ratio (FSR) across each block in the Masterplan precinct could be implemented. Additionally, increasing the FSR in the areas C1-C3 and F1-F3 from 3:1 to 4.5:1 would better align the densities with adjoining and adjacent blocks, facilitating smoother transitions between areas.

An updated FSR map for the Burwood North Master incorporating the proposed changes is provided in Figure 9.



**Figure 9: Proposed amendments to the Adopted FSR Plan for Burwood North Masterplan (Source: Cox Architect)**

This update would result in an increased estimated additional dwelling yield in the Burwood North Masterplan of 9,073 dwellings, an increase of 1,344 dwellings. As a result, the combined estimated dwelling yield for Option 4 would rise to 3,777.

This option responds to all the additional Key Design Principles and minimises impacts on the existing residential character and context by proposing a similar density to the original TOD, with a maximum height of 6 storeys and a FSR of 2.5:1, except for the block bounded by Boundary Street, Young Street, the rail corridor, and Webb Street. It limits development within a 400m catchment of both Burwood and Croydon stations. The option includes The Strand, benefiting from its proximity to Croydon Station, with a considered and sensitive approach to the precinct’s existing built form value.

**Planning or Policy Implications**

Key strategic documents guiding land use changes within the Burwood LGA include *A Metropolis of Three Cities* and the *Eastern City District Plan*. Locally, the *Community Strategic Plan - Burwood 2036*, *Burwood Local Strategic Planning Statement*, and *Burwood Housing Strategy 2020* inform planning.

### *Implementation of the TOD*

The NSW Government has amended the SEPP (Housing) to introduce the TOD Program, which would override existing planning instruments, including the Burwood LEP 2012. If Council endorses the NSW TOD Program or fails to respond in time, the provisions in Part 5 of SEPP (Housing) will be enforced. If Council adopts an alternative response, it is preferred to use a self-repealing SEPP process, enabling the inclusion of the provisions into Burwood LEP 2012, with site-specific provisions in the Burwood DCP. The following [proposed amendments](#) to Burwood LEP 2012 have been exhibited:

- Adjusting height and floor space ratio (FSR) maps.
- Exception clauses to permit higher-density development in designated areas.
- Extending design excellence requirements to the Housing Investigation Area (HIA).
- Adding environmental impacts as criteria for design excellence assessments.
- Allowing design competitions for certain developments.
- Exempting upper-level balconies and ground-floor bicycle parking from FSR calculations.
- Site amalgamation and area requirements - 2% affordable housing, public space and parking

### *Implications of NSW Low and Mid Rise Housing Program on TOD Program (or alternative)*

In December 2023, alongside the TOD program, the Low and Mid-Rise Housing Program was announced. The Low and Mid-Rise Housing Program reforms increase permissibility of low and mid-rise housing across Sydney, and include:

1. Low-rise housing - permit multi-dwelling housing (terraces) and manor houses in low density zones (R2) that are within station and town centre precincts;
2. Allow dual occupancy development and subdivision of dual occupancy development in all low density residential zones (R2) in Greater Sydney (already permitted in Burwood LGA);
3. Mid-rise housing - permit residential flat buildings in medium density zones (R3) within station and town centre precincts; and
4. Introduce non-refusal standards for the above forms of development.

A station and town centre precinct is defined as being within the Six Cities Region and within 800m walking distance of heavy rail, metro, or light rail stations; land zoned E2 Commercial Centre or SP5 Metropolitan Centre; or land zoned E1 Local Centre or MU1 Mixed Use, provided the zone includes a variety of frequently needed goods and services such as supermarkets, shops, and restaurants.

The DPHI's [TOD - Guide to Strategic Planning](#) reforms do not apply within activated TOD precincts, they are expected to extend beyond the 400m station radius.

The Croydon Housing Investigation Area (HIA) is primarily zoned R2 Low Density Residential, with some areas zoned R1 General Residential under the Burwood LEP 2012. Low-rise housing controls are therefore likely to apply. However, mid-rise housing reforms are not expected to apply within the Burwood LGA portion of the Croydon HIA, as there is no R3 Medium Density Residential land within 800m of Croydon Station, and The Strand's commercial zoning is included in the proposed NSW Government TOD precinct.

See the DPHI [statement of intended effects](#) and [factsheet](#) for further details including building typologies and non-refusal standards.

### *NSW Housing Targets for Burwood LGA*

The NSW Government recently released [local housing targets](#) for the period from 1 July 2024 to 30 June 2029. Burwood's new target is set at 3,300 new homes to be delivered by 2029. These targets refer to the actual construction of dwellings by 2029. While the TOD Program or any

alternative planning response could contribute to housing delivery, its primary aim is to provide future capacity within the planning framework for housing development.

### **Financial Implications**

The work undertaken by Council in response to the NSW Government's TOD Program has been funded by Council's City Planning Operational Budget. An application for \$600,000 under Stream 1 of the Australian Government's Housing Support Program was unsuccessful. Due to the lack of funding from the NSW Government, Council has redirected funds and resources from other projects to meet the tight timeline. This may slow progress on initiatives such as the Burwood North Masterplan implementation. To date expenditure associated with consultants is \$298,000 in addition to staff salaries.

### **Conclusion**

Public exhibition of Council's alternative Masterplan to the NSW TOD program was undertaken from 23 October 2024 to 22 December 2024, and was a crucial step in gathering community feedback to better align future planning decisions with the needs and priorities of the Croydon community. The engagement process was extensive and far exceeded the NSW Government's 2-week requirement. It also incorporated both face-to-face and digital methods, resulting in a wide range of feedback from residents, property owners, and stakeholders. This feedback has been instrumental in the development of additional options for Council's consideration.

In response to community feedback, Council has refined the Masterplan, developing two additional options. Option 3 (providing a potential net increase of 3,569 dwellings) proposes a redistribution of dwelling yields with reduced building heights, focusing density around transport hubs such as Croydon and Burwood stations. It also ensures gradual height transitions to existing low-density areas. Option 4 (providing a potential combined net increase of 3,777 dwellings), with its risks, provides a reduced-density alternative, reallocating dwelling targets to the [Burwood North Masterplan](#) precinct, which was developed in 2024 and offers additional opportunities for growth outside the Croydon precinct. Both options aim to achieve a balanced approach to meeting the NSW Government's dwelling capacity targets while addressing community concerns regarding residential amenity, heritage impacts, and traffic.

This report recommends that Council adopt Option 3 as its final alternative response to the NSW Government's TOD program. This is due to its closer alignment with the TOD Program guidelines and proximity to the Croydon Station, thereby reducing the risk of non-acceptance by the NSW Government.

To facilitate the implementation of an alternative Masterplan (if resolved to do so), Council proposes a number of amendments to the Burwood LEP 2012, including changes to height and FSR maps, the introduction of design excellence criteria, and the creation of specific development provisions for the Croydon precinct. The proposed amendments would enable the Masterplan's provisions to be integrated into the local planning framework, ensuring that development aligns with both the strategic vision for Croydon and the broader goals of transit-oriented development.

Council must finalise its decision by 31 January 2025, as the NSW Government will proceed with the TOD Program or an alternative through a State Environmental Planning Policy (SEPP) from February 2025. The chosen alternative must meet or exceed the housing targets set by the NSW TOD proposal. The SEPP may override local planning controls, with further changes potentially introduced without additional consultation.

### **Recommendation(s)**

1. That Council adopt Option 3 as an alternate response to the NSW Government Transit Oriented Development (TOD) program as included under Attachment 1.

2. That the adopted Option in (1) above include The Strand, Croydon; and Council's engaged consultants commence a precinct-specific study for the area to identify opportunities to preserve and strengthen character DCP provisions.
3. That the adopted Option in (1) above exclude any allotments in the Lucas Road Heritage Conservation Area from inclusion.
4. That Council endorse the Burwood Local Environment Plan 2012 clause amended as exhibited.
5. That the adopted Option in (1) be forwarded to the NSW Department of Planning Housing and Infrastructure and NSW Minister for Planning and Public Space by 31 January 2025 as Council's endorsed alternate response to the NSW Government Transit Oriented Development (TOD) program.
6. That Council prepare a report on the adopted option outlined in (1) above, which includes a public domain plan and works schedule, an updated Infrastructure Contributions Plan, and a Development Control Plan.
7. That the General Manager be delegated to undertake minor modifications to any numerical, typographical, interpretation and formatting errors, or amend any element of the adopted Option in (1) above, in order to address any post submission concerns or issues raised by the NSW Department of Planning Housing and Infrastructure and the NSW Minister for Planning and Public Space if required to enable implementation.
8. That all persons who made a submission to the draft Masterplan and landowners within the study area be advised of Council's decision.
9. That the Director City Strategy continue discussions with senior officers of the DPHI to request the acceleration of the Burwood North Masterplan Precinct implementation via a State Environmental Planning Policy.
10. That the General Manager provide updates to Council at key interval stages on the implementation process.

**Attachments (See separate Attachments Paper)**

- 1⇒ Dwelling Density Options - Post-Exhibition of Alternative Croydon TOD Masterplan
- 2⇒ Engagement Outcomes Report - Post-Exhibition of Alternative Croydon TOD Masterplan
- 3⇒ Engagement Outcomes – Redacted Formal Submissions
- 4⇒ Additional Heritage Review of Lucas Road HCA