

**ADJOURNMENT OF ITEMS 9.3 - PLANNING PROPOSAL - 160 BURWOOD ROAD, CONCORD (BUSHELLS SITE) AND 9.4 - PLANNING AGREEMENT - 160 BURWOOD ROAD, CONCORD (THE BUSHELLS SITE)**

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**RESOLVED 035/23**

Moved: Cr Bazouni

Seconded: Cr Megna

That consideration of Items 9.3 - Planning Proposal - 160 Burwood Road, Concord (Bushells Site) and 9.4 - Planning Agreement - 160 Burwood Road, Concord (the Bushells site) be deferred until later in the Meeting to allow staff to consider the matters raised in tonight's public forum.

**CARRIED**

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*Note: Item 10.1 - City of Canada Bay Local Traffic Committee Meeting Minutes 23 February 2023 and 16 March 2023 was considered next.*

**ITEM 9.3 PLANNING PROPOSAL - 160 BURWOOD ROAD, CONCORD (BUSHELLS SITE)**

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**RESOLVED 036/23**

Moved: Cr Cordaro

Seconded: Cr Megna

That:

1. Council notes the Report on Submissions at Attachment 3 and the Urban Design Review at Attachment 4.
  2. That the Planning Proposal – 160 Burwood Road, Concord at Attachment 1 be submitted to the Department of Planning and Environment for making as a Local Environmental Plan, subject to the following amendments:
    - (a) The Land Use Zones being consistent with the proposed Land Zoning Map at Attachment 2.
    - (b) The maximum building heights being consistent with the proposed Height of Building Map at Attachment 2.
    - (c) The maximum Floor Space Ratio being consistent with the proposed Floor Space Ratio Map at Attachment 2 with the LEP including a bonus 0.15 Floor Space Ratio where the Central Roasting Hall is retained and adaptively reused.
    - (d) The Local Heritage Listing being consistent with the proposed Heritage Map at Attachment 2.
    - (e) The Foreshore Building Line being consistent with the proposed Foreshore Building Line Map at Attachment 2.
    - (f) Reduction of the minimum amount of non-residential floor space from 10,000sqm to 7,500sqm.
    - (g) Additional permitted uses to be limited to office premises, shops, restaurants and cafes within the proposed R3 Medium Density Residential zone.
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3. The draft Development Control Plan at Attachments 5 and 6 be adopted and come into effect upon the gazettal of the Local Environmental Plan, with an amendment to the alignment of the Zoeller St entry to ensure there is no encroachment on the golf course.
  4. The draft Affordable Housing Contribution Scheme at Attachment 20 be adopted and come into effect upon the gazettal of the Local Environmental Plan subject to an amendment for an affordable contribution on the site of 10%.
  5. Authority be delegated to the General Manager to make any minor modifications to the Planning Proposal and draft Development Control Plan prior to finalisation.

In Favour: Crs Tsirekas, Bazouni, Cordaro, Megna and Ruggeri

Against: Crs Di Pasqua and Jago

**CARRIED 5/2**

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#### **ITEM 9.4 PLANNING AGREEMENT - 160 BURWOOD ROAD, CONCORD (THE BUSHHELLS SITE)**

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*Note: The following person addressed Council on this item:*

- Stephen Moore (on behalf of the owner)

#### **RESOLVED 037/23**

Moved: Cr Cordaro

Seconded: Cr Megna

That:

1. The Draft Planning Agreement be re-negotiated to update the terms to:
  - a. state the developer of 160 Burwood Road, Concord, will be responsible for the maintenance of the proposed Foreshore Park, for a period of 10 years post completion of the park embellishment works; and
  - b. require a Stage 1 Development Application to be submitted for the adaptive reuse of the Roasting Hall.
2. Subject to the parties agreeing to the modification outlined in 1. above, the Draft Planning Agreement be revised and authority be delegated to the General Manager to execute the revised Draft Planning Agreement for 160 Burwood Road Concord between the City of Canada Bay and New Concord Development Pty Ltd, and sign all documents necessary to register the Planning Agreement on the title to the land to which it relates.

In Favour: Crs Tsirekas, Bazouni, Cordaro, Megna and Ruggeri

Against: Crs Di Pasqua and Jago

**CARRIED 5/2**

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