

NOTICE OF COUNCIL MEETING

PUBLIC AGENDA

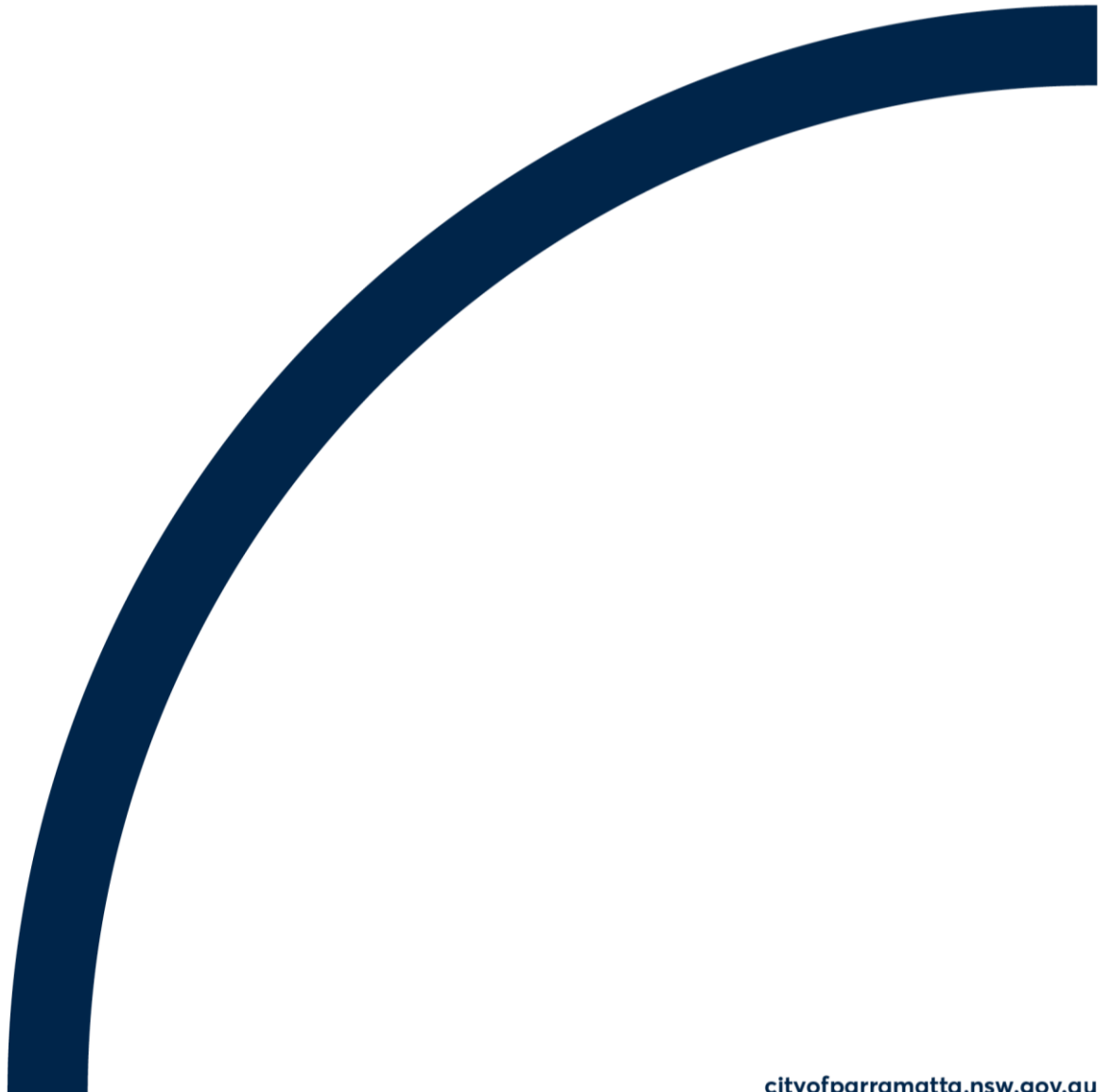
An Ordinary Meeting of City of Parramatta Council will be held in the Cloister Function Rooms, St Patricks Cathedral 1 Marist Place, Parramatta on Monday, 11 November 2019 at 6.30pm.

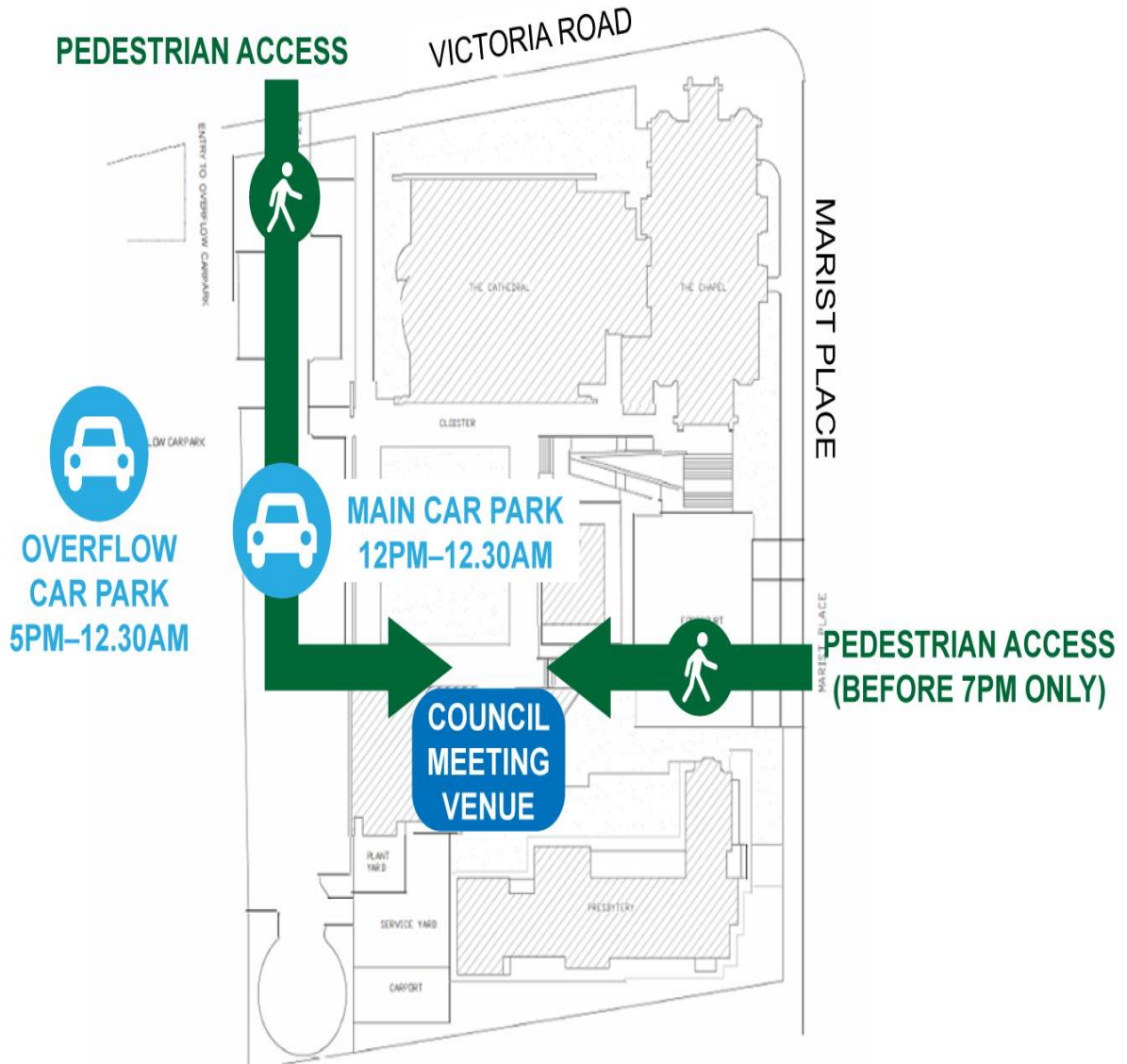
Brett Newman
CHIEF EXECUTIVE OFFICER



**CITY OF
PARRAMATTA**

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COUNCIL CHAMBERS

Group Manager Governance & Risk	Lord Mayor Clr Bob Dwyer	Chief Executive Officer

Minute Clerk	Minute Clerk
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Clr Phil Bradley					Clr Lorraine Wearne	Sound
Clr Sameer Pandey					Clr Andrew Wilson	
Clr Paul Han					Clr Bill Tyrrell	
Clr Dr Patricia Prociv					Clr Andrew Jefferies	IT
Clr Pierre Esber					Clr Benjamin Barrak	
Clr Donna Davis					Clr Martin Zaiter	
Clr Michelle Garrard, Deputy Lord Mayor					Clr Steven Issa	

Executive Director City Engagement & Experience	Executive Director Community Services	Executive Director City Strategy & Development	Executive Director City Assets & Operations	Executive Director Corporate Services	Director Property Development Group
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Press	Press
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Public Gallery

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21 CLOSED SESSION

- 21.1 FOR APPROVAL: Tender ITT 15/2019 Receipt and Processing of Clean Up Material

This report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

- 21.2 FOR APPROVAL: Outdoor Dining Licence - 4 Parramatta Square

This report is confidential in accordance with section 10A (2) (c) (d) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.

22 PUBLIC ANNOUNCEMENT OF RESOLUTIONS PASSED IN CLOSED SESSION**23 CONCLUSION OF MEETING**

RESCISSION MOTIONS**11 NOVEMBER 2019**

- 12.1 RESCISSION MOTION 1: Parramatta CBD Planning Proposal -
Response to Gateway Determination Conditions8
- 12.2 RESCISSION MOTION 2: 21-21A Tucks Road, Toongabbie..... 193

RESCISSION MOTION

ITEM NUMBER	12.1
SUBJECT	RESCISSION MOTION 1: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions
REFERENCE	F2018/03742 - D07088014
REPORT OF	Councillor Tyrrell

To be Moved by Councillor Tyrrell and seconded by Councillors Jefferies and Han as per Rescission Motion form signed and submitted on 28 October 2019 after the close of the Council Meeting.

RECOMMENDATION

That the resolution of the Council Meeting held on 28 October 2019 in relation to Item 15.1 regarding the Parramatta CBD Planning Proposal – Response to Gateway Determination Conditions, namely:

- (a) **That** Council endorse the updated draft Parramatta CBD Planning Proposal (“Proposal”) informed by technical studies contained at **Attachment 2** for the purposes of consultation with State agencies, and subject to the following amendments being incorporated:
- (i) Amend maximum building heights shown on both the base and incentive height of building maps as 243m (RL) to 211m (RL) to account for the 15% design excellence bonus.
 - (ii) Amend the incentive height of building map for 295 Church Street, Parramatta to include a 211m (RL) height limit for that portion of the site that was inadvertently left uncoloured.
 - (iii) Amend the incentive height of building map for the block bound by Station Street West, Raymond Street, Peace Lane and Raymond Lane, Parramatta from 72m to 80m, consistent with other 6:1 Incentive FSR sites in the Proposal.
 - (iv) Amend the base height of buildings map from 18m to 12m for the two sites at 83 Macquarie Street and eastern portion of 38 Hunter Street, Parramatta (to align with the rear boundary of 83 Macquarie Street) so as to ensure heritage significant views to St John’s Church from Church Street (looking south) can be maintained.
 - (v) Amend the Proposal to include the sites at 7-11 Great Western Highway, Parramatta as they were inadvertently taken out as part of the removed area (as referenced in part (g) below), and reinstate draft controls for these sites as per the original Proposal endorsed by Council on 11 April 2016, including a zoning of B4 Mixed Use, Base Height of 12m, Incentive Height of 80m, Base FSR of 2:1 and Incentive FSR of 6:1.
 - (vi) Amend the Proposal so that the area of the Proposal north of Ross Street (adjacent to the Sorrell Street and North Parramatta Conservation Areas) is amended to adopt the FSR controls as recommended in the “*Heritage Study – CBD Planning Controls*” prepared by Urbis (December 2015) as Incentive FSRs, which includes FSRs of 0.6:1, 2:1, 3:1 and 6:1, and that the Incentive Heights be amended to 11m, 26m, 40m and 80m respectively to align accordingly with these FSRs.
 - (vii) Amend the Proposal so that the area zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) fronting Elizabeth Street, Parramatta is amended to adopt the FSR controls as recommended in the

"Heritage Study – CBD Planning Controls" prepared by Urbis (December 2015) as Incentive FSRs, which includes FSRs of 0.8:1, 2:1 and 5.2:1, and that the Incentive Heights be amended to 11m, 26m and Solar Access Plane (to protect the Parramatta River Foreshore), respectively to align accordingly with these FSRs.

- (viii) Amend the Proposal so as to remove the area zoned R4 High Density Residential (as shown on the Proposed Land Zoning Map) generally bounded by Lansdowne Street, Inkerman Street, Boundary Street and Church Street and that this area be included in the future work on the 'Planning Investigation Areas' as per the Parramatta CBD Planning Strategy.
- (b) **That** the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.
- (c) **That** subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.
- (d) **That** Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (I) to:
 - i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.
 - ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.
- (e) **That** following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.
- (f) **That** the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.
- (g) **That** Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.
- (h) **That** Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.
- (i) **Further, that** draft amendments to Parramatta Development Control Plan to support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.

be and is hereby rescinded.

ATTACHMENTS:

- 1 [Report of Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions](#)

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Pages

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GREEN

ITEM NUMBER	15.1
SUBJECT	FOR APPROVAL: Parramatta CBD Planning Proposal - Response to Gateway Determination Conditions
REFERENCE	F2018/03742 - D07056509
REPORT OF	Team Leader –Land Use Planning

PURPOSE:

To seek Council's endorsement of the updated draft Parramatta CBD Planning Proposal that responds to the conditions of the Gateway Determination issued by the Department of Planning, Industry and Environment (DPIE) on 13 December 2018.

RECOMMENDATION

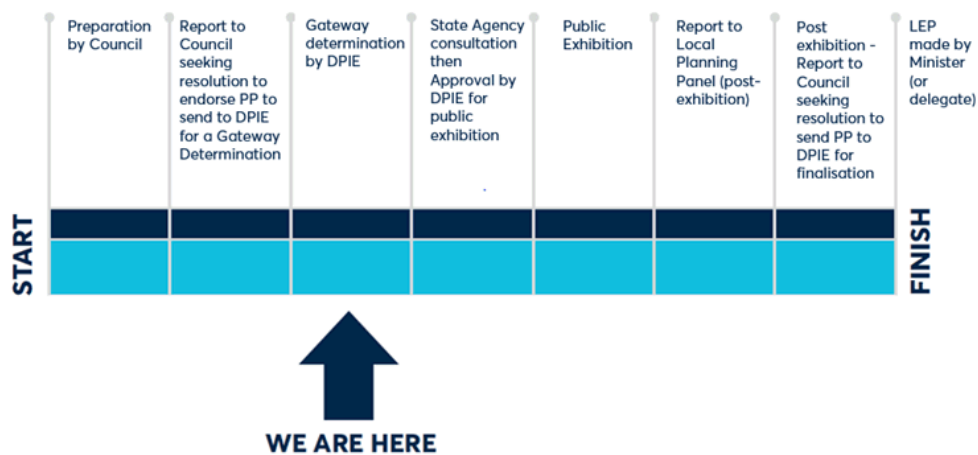
- (a) **That** Council endorse the updated draft Parramatta CBD Planning Proposal ("Proposal") informed by technical studies contained at **Attachment 2** for the purposes of consultation with State agencies.
- (b) **That** the CEO be authorised to make any minor amendments of a non-policy nature that are consistent with the intent of the draft Proposal and that may arise during the State agency consultation.
- (c) **That** subject to the outcome of consultation with State agencies being that only minor amendments of a non-policy nature are required, that the Proposal be forwarded on DPIE for approval for public exhibition.
- (d) **That** Council write to the DPIE with a request to amend the Gateway Determination in relation condition 1 (l) to:
 - i. Update the condition to require the mesoscopic model and integrated transport plan be completed prior to the finalisation of the draft Proposal.
 - ii. Update the condition to only require the Strategic Transport Study (endorsed in April 2017) for public exhibition.
- (e) **That** following approval from the DPIE, the Proposal be placed on public exhibition for a minimum period of 28 days.
- (f) **That** the outcomes of public exhibition of the Proposal and the consideration of submissions are reported back to Council.
- (g) **That** Council endorse the removal of the area south of the Proposal boundary, bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta from the Proposal, and that this area be included in the future work on the Planning Investigation Areas as per the Parramatta CBD Planning Strategy.
- (h) **That** Council note that the draft Community Infrastructure Funding Study for the Parramatta CBD is currently underway in response to Gateway conditions 1(m) iii-iv, and that it be reported to Council when finalised later in 2019.
- (i) **Further, that** draft amendments to Parramatta Development Control Plan to

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support the Proposal, and a draft Infrastructure Strategy (incorporating a development guideline for the provision of community infrastructure and new contributions plan) be reported to Council prior to public exhibition.

PLANNING PROPOSAL TIMELINE



Note: Referral to the Local Planning Panel (pre-Gateway) was not required as this Proposal pre-dates the creation of the Local Planning Panel.

BACKGROUND

1. On 27 April 2015, Council endorsed the Parramatta CBD Planning Strategy. The Strategy established Council's future vision for the growth of the Parramatta CBD as Australia's next great city; established principles and set out actions and technical studies required to prepare a planning proposal to implement new controls seeking to achieve this vision.
2. The Parramatta CBD Planning Strategy was the basis for the draft Parramatta CBD Planning Proposal (Proposal), defining the city centre boundary (and its potential expansion through the investigation of adjoining 'planning investigation areas'), primary built form controls, land use mix and infrastructure needs. The strategy also identified a number of technical studies that would form the evidence base for the Proposal and request for a Gateway determination including heritage, flood management, contamination, sustainability, economic, urban design, and infrastructure needs and funding.
3. On 11 April 2016, Council endorsed the draft Proposal to amend the planning controls for the Parramatta CBD, for the purposes of requesting a Gateway Determination from the Department of Planning, Industry and Environment (DPIE), formerly known as the Department of Planning and Environment (DPE). At the time, the proposal identified that the consideration of a further expansion of the CBD boundary based on the 'planning investigation areas' would be the subject of a separate planning proposal.

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4. Following the 11 April 2016 resolution of Council, the Proposal and supporting technical studies were forwarded to the DPIE for a Gateway Determination in April 2016. Additional research and technical studies were also undertaken between April 2017 and September 2018 to support refinements to the Proposal, including transport, infrastructure funding, heritage, sustainability, flood management, and heritage and policy matters.
5. Further additional works also commenced following the Gateway Determination request, including work on a draft amendment to the Parramatta Development Control Plan (DCP) 2011 in relation to the Parramatta CBD, draft mesoscopic model and draft integrated transport plan all required to support the development and growth envisioned for the Parramatta CBD. These works are yet to be completed and are still underway.

CBD PLANNING PROPOSAL GATEWAY DETERMINATION & KEY RESOLUTIONS OF COUNCIL

6. On 13 December 2018, the DPIE issued a conditional Gateway Determination allowing the Proposal to proceed subject to thirty-four (34) conditions. A full copy of the Gateway is contained at Appendix 3 in **Attachment 2**.
7. The Gateway Determination also identified that Council's request for exceptional circumstances (in relation to flood planning controls) had been granted to enable further agency consultation and community consultation, although, consistency with the Ministerial Direction for flood prone land would require further consideration and agreement by the Department's Secretary. Under the conditions of the Gateway Determination, Council is required to finalise the Proposal to amend Parramatta Local Environmental Plan (PLEP) 2011 within 24 months of the date of the Gateway Determination, being 13 December 2020.
8. Since the receipt of the Gateway Determination, Council officers have held a number of workshops with Councillors regarding the conditions of the Gateway Determination. To date, eight (8) Councillor Workshops have been held between February and September to discuss key matters that have arisen following further investigation of certain Gateway Determination conditions (Refer to the Table at **Attachment 1**).
9. A resolution of Council on 25 March 2019 also provided the strategic framework in which Council officers would respond to and progress various matters resulting from the Gateway Determination in relation to policy direction on key issues. Subsequent to this resolution, Council officers proceeded to report two (2) matters to Council for the purposes of satisfying certain Gateway Determination conditions and updating the Proposal pertaining to overshadowing of Heritage Conservation Areas (HCAs) and open spaces, and also the Church Street Precinct. Details of these previous Council reports are provided below.

25 March 2019 – Parramatta CBD Planning Proposal – Gateway Determination

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10. At this meeting, Council resolved to endorse the recommendations responding to the conditions of the Gateway Determination which included minor technical updates to the planning proposal, policy direction from Council, amendments to existing supporting CBD PP technical studies and additional studies that would be required to satisfy the Gateway Determination conditions. A number of key policies were also resolved including the adoption of the following:
- i. The conditions in the Gateway Determination in respect of FSR sliding scale, the FSR out clause, and unlimited office premises FSR in the B3 Commercial Core zone.
 - ii. An interim 'no net financial loss' policy position regarding the negotiation of site-specific PP VPAs to ensure contributions are consistent with Council's adopted value sharing rates in the CBD.
 - iii. To not progress with the West Auto Alley precinct plan and heritage study which was underway at that time to support an FSR of 6:1.
11. In relation to part iii above, Council resolved on 22 July 2019 to reaffirm and amend the 25 March 2019 resolution to require an independent recommendation (and Precinct Plan with supporting Heritage Analysis) for the West Auto Alley Precinct that demonstrates the best possible urban design and public domain outcomes and having particular regard to the transition from Church Street ('Auto Alley') to the South Parramatta Heritage Conservation Area.

24 June 2019 – Parramatta CBD Planning Proposal - Urban Design, Heritage and Feasibility Analysis for Church Street Precinct

12. In accordance with the 25 March 2019 Council resolution, an urban design and feasibility study for the Church Street Precinct was prepared by Council officers, which included heritage input from consultants City Plan Heritage. The study was reported to Council on 24 June 2019. The findings of that study put forward revisions to the existing proposed height and FSR controls as well as the removal of opportunity sites and unlimited commercial FSR within this precinct to satisfy the relevant Gateway Determination conditions, and to update the planning proposal. Accordingly, Council resolved to defer this matter, which has enabled Council officers to undertake additional analysis in response to issues raised. The urban design, feasibility and heritage study for the Church Street Precinct is attached to the updated Proposal at **Attachment 2**.

24 June 2019 – Parramatta CBD Planning Proposal – Overshadowing Analysis

13. In accordance with the 25 March 2019 Council resolution, Council officers prepared an overshadowing analysis to respond to four (4) of the Gateway Determination conditions regarding overshadowing impacts on heritage conservation areas and open spaces, as well as the protection of sun access to key public areas within/around the CBD. At the time, the report recommended the reduction of height controls in a number of areas to satisfy the Gateway Determination conditions. Council resolved to defer the matter, which has enabled Council officers to undertake additional analysis in response to issues

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raised. The additional overshadowing analysis and recommended planning controls are part of the updated Proposal at **Attachment 2**.

RESPONDING TO THE GATEWAY DETERMINATION AND CONDITIONS

14. In satisfying/responding to the conditions of the Gateway Determination and updating the Proposal, this has required Council officers to either draft administrative and technical updates to the Proposal, seek policy direction from Council, submit additional information to support the Proposal including updates to initial Proposal studies, or the preparation of new studies. The table at **Attachment 1** provides a summary response to each of the Gateway Determination conditions, including the work undertaken to address these conditions and updates made to the Proposal accordingly.

STRATEGIC ALIGNMENT AND HOUSING AND JOB TARGETS

15. The Proposal is consistent with the State Government's strategic planning framework - *A Metropolis of three cities* and *Central City District Plan*, a key objective of which is to strengthen the significant economic function of the Parramatta CBD and its role in providing a high-density form of housing choice to promote more efficient land use outcomes.
16. Consistent with the Draft Local Housing Strategy (LHS) and Draft Local Strategic Planning Statement (LSPS) which are currently on public exhibition, this planning proposal adopts the following job and dwelling targets. As of 2016, being the established baseline for growth within the Parramatta CBD, there was 51,100 jobs and 4,769 dwellings (the latter, a 2011 figure) in the Parramatta CBD. Council's analysis in its Draft LHS and Draft LSPS is for 34,500 additional jobs and 8,748 additional dwellings to 2036 (in the CBD). Additionally, at the time the Draft LSPS and LHS were being drafted, multiple technical analyses affecting the controls in the CBD area had not been completed. However, the supporting technical analysis to the Proposal are now completed for a 2056 target, the Proposal will deliver 50,200 additional jobs and 15,900 additional dwellings.
17. The dwelling targets contribute to the City (whole LGA) exceeding its 2036 overall housing target as per the Greater Sydney Region Plan and the Central City District Plan. There is insufficient capacity under existing planning controls (PLEP 2011) in the CBD to meet these targets. However, the changes proposed under this planning proposal will significantly increase capacity for both jobs and dwellings in the Parramatta CBD, enabling Council to easily achieve or exceed these targets.

OTHER MATTERS

18. On 8 October 2019, Council considered report items 18.9 and 18.10 regarding site-specific PPs on 470 Church Street and 23-27 Harold Street, Parramatta. At that meeting, Council resolved to defer these matters until after Council

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considers a report regarding the response to the Gateway Determination for the Proposal (i.e. the subject of this report). The draft Proposal at **Attachment 1** adopts the approach recommended by Hector Abrahams Architects for this interface area, as originally adopted by Council in July 2017.

TIMING/NEXT STEPS

19. To update and prepare the consolidated Proposal and complete the requirements of the Gateway Determination within 24 months, the following timeline is proposed.

2019/2020	
Oct	Report amended and consolidated planning proposal to Council seeking endorsement for the purpose of consultation with Agencies and public exhibition
Nov – Dec	Pre-exhibition agency consultation on planning proposal.
Dec – Jan	DPIE assessment of planning proposal for purposes of public exhibition
Feb - Mar	Public Exhibition of the Proposal
Apr - Jun	Review submissions; amend/update planning proposal
Jul	Report final planning proposal to Council seeking endorsement to adopt for gazettal
Aug – Dec	DPIE Review; Parliamentary Counsel prepares LEP, DPIE finalisation and sign off by Minister (or delegate)

20. Should Council endorse the updated Proposal provided at **Attachment 2**, Council will commence pre-exhibition consultation with the relevant State agencies on the planning proposal. Subject to the outcomes of the pre-exhibition consultation only resulting in minor amendments to the Proposal that are of a non-policy and administrative nature, Council officers will revise the Proposal to reflect the changes prior to forwarding it to the DPIE for approval for public exhibition purposes. However, should the pre-exhibition agency consultation require amendments that present larger issues that are of a policy nature, Council officers will report these matters back to Council separately for endorsement, and prior to updating the Proposal and forwarding it to the DPIE for approval for public exhibition purposes. This will affect the timetable outlined above.
21. Moreover, subject to Council endorsing recommendation (d) relating to condition 1 (l) of the Gateway Determination regarding the requirement for a mesoscopic model and integrated transport plan, Council officers will write to the DPIE to seek an amended Gateway Determination. In the circumstance Council's request is successful; the mesoscopic model and integrated transport plan will be reported to Council at a later date and prior to the finalisation of the Proposal.
22. In addition, and in conjunction with the proposed timeline above, the following works will also continue to progress:

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- a) The completion of the draft Parramatta CBD Community Infrastructure study commissioned to address condition 1(m) iv of the Gateway Determination, which is due to be completed by the end of 2019.
- b) The preparation of the draft amendment to the Parramatta Development Control Plan (DCP) 2011 in relation to the Parramatta CBD. The Draft DCP will be reported to Council in 2020 and prior to its exhibition.
- c) As detailed within the CBD Planning Strategy endorsed in April 2015, the work required to progress the four planning investigation areas may occur following the public exhibition of the Proposal (subject to the availability of resources).

Janelle Scully
Team Leader – Land Use Planning

Roy Laria
Service Manager – Strategic Planning

Jennifer Concato
Executive Director – City Strategy & Development

ATTACHMENTS:

- | | | |
|---|---|--------------|
| 1 | Response table to the Gateway Determination Conditions of the draft Parramatta CBD Planning Proposal | 14
Pages |
| 2 | Draft Consolidated Parramatta CBD Planning Proposal - Response to Gateway Determination | 160
Pages |
| 3 | List of Technical Studies to support the Parramatta CBD Planning Proposal (provided under separate cover on Council's website via link) | 2 Pages |

REFERENCE MATERIAL

Response table to the Gateway Determination Conditions of the draft Parramatta CBD Planning Proposal	
<i>Gateway Condition 1. Prior to public exhibition, Council is to amend the planning proposal to:</i>	
Part	Response
1(a) consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific clause is to be retained in the Parramatta LEP or integrated with the proposed planning framework;	<p>In accordance with Council's resolution of 25 March 2019, Council officers undertook a review of all gazetted site-specific planning proposals, and associated clauses to ensure no repetition of clauses and/or that critical details associated with a site-specific PP were not lost or undone. The review has resulted in the removal of clauses/sub-clauses within a number of site-specific provisions in Part 7 of Parramatta LEP 2011 which will be integrated as part of the draft framework for the broader CBD. Development approval of these sites will be required to comply with the relevant draft LEP provisions. A copy of the review is attached to the updated CBD PP contained at Attachment 2.</p> <p>Council officers are also undertaking a review of all active site-specific CBD PPs which are yet to be gazetted and are at various stages of their assessment process, to ensure consistency with the overarching draft CBD PP framework.</p>
1(b) amend the objectives and intended outcomes to reflect the description of Parramatta as Sydney's Central City in the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas;	The CBD Planning Proposal has been updated to reflect this condition. Refer to Part 1 Objective 2 and 10 of the updated planning proposal contained at Attachment 2 .
1 (c) prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects;	<p>The draft Land Reservation Acquisition Map is proposed to be amended to reflect road widening to identify the following:</p> <ul style="list-style-type: none"> - Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing constraints such as

Item 15.1 - Attachment 1

Response table to the Gateway Determination Conditions of the draft
Parramatta CBD Planning Proposal

	<p>heritage and existing significant development.</p> <ul style="list-style-type: none"> - Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes. - Opportunities for a regional cycleway network within the Parramatta CBD. <p>In accordance with condition 2 of the Gateway Determination, Council officers will undertake formal consultation with TfNSW/RMS, where further amendments to the draft LRA map may arise.</p> <p>A copy of the draft LRA map is appended to the updated CBD PP at Attachment 2.</p>
1(d) assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans;	<p>The CBD Planning Proposal has been updated to provide an assessment against the Greater Sydney Region Plan and Central City District Plan including how the proposal will help to facilitate these plans. Refer to Part 3 Section 3.2.1 of the updated planning proposal contained at Attachment 2.</p> <p>It is considered that the CBD PP is consistent with the Greater Sydney Region Plan and Central City District Plan.</p>
1(e) assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Development Plan to demonstrate consistency with this document;	<p>The CBD Planning Proposal has been updated to provide an assessment against the Ministerial Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan. Refer to Part 3 Section 3.2.4 of the updated planning proposal contained at Attachment 2.</p> <p>It is considered that the CBD PP is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan.</p>
1(f) address the Community Strategic Plan 2018-2038, Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and	<p>The CBD Planning Proposal has been updated to address the local strategies identified in the condition. Refer to Part 3 Section 3.2.2 of the updated planning proposal contained at Attachment 2.</p> <p>It is considered that the CBD PP is consistent with these strategies.</p>

Item 15.1 - Attachment 1

Response table to the Gateway Determination Conditions of the draft
Parramatta CBD Planning Proposal

demonstrate consistency with these documents;	
1(g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;	The CBD Planning Proposal has been updated to reflect the demographic data, and job and housing numbers that could be delivered through the updated planning proposal. The Employment and Dwelling Projections are specified under the heading 'Job and Housing Targets' of the updated planning proposal contained at Attachment 2 .
1(h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;	<p>The CBD Planning Proposal and maps have been updated to consolidate the explanation of provisions and assessment of the intended outcomes resulting from the Gateway Determination.</p> <p>Additionally, the following reports have also been updated as required:</p> <ul style="list-style-type: none"> - Economic Review – Achieving A-Grade Office development (appended to Attachment 2) - Sustainability and Infrastructure Study (appended to of Attachment 2) - High Performing Building Study (Appendix 25 of Attachment 2) - Preliminary Site Investigation Study for the Auto Alley Area (appended to Attachment 2) - Update to the draft Parramatta Floodplain Risk Management Plans (FRMP) for the Upper and Lower Parramatta River (appended to Attachment 2) - Parramatta CBD Flood Evacuation Assessment (appended to Attachment 2)
Gateway Condition 1 (i) in relation to the proposed floor space ratio (FSR) controls and incentives:	
Part	Response
1(i) ii. amend the base and incentive FSR maps to reflect the Gateway conditions;	This condition has been informed by a number of other conditions contained in this Gateway Determination which Council was required to satisfy/address. The base and incentive FSRs have been revised to reflect Council's responses as appropriate (refer to discussion in relation to other relevant conditions).

Item 15.1 - Attachment 1

Response table to the Gateway Determination Conditions of the draft
Parramatta CBD Planning Proposal

1(i) ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;	<p>In accordance with Council's resolution of 25 March 2019, and consistent with this Gateway condition, the CBD Planning Proposal has been updated to adopt the FSR sliding scale option FSR-1 as detailed in the report to Council on 14 December 2015 (to increase the site area thresholds for sites to 1000sqm to 1800sqm for sites mapped with an incentive FSR of 4:1, 6:1, 7:1, 8:1 and 10:1). Sites less than 1000sqm will be subject to a reduced FSR under the sliding scale, sites between 1000sqm-1800sqm will be subject to a formula calculation, and only where sites are greater than 1800sqm will they be able to achieve the full FSR potential.</p> <p>Refer to Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
1(i) iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;	<p>In accordance with Council's resolution of 25 March 2019, and consistent with this Gateway condition, the CBD Planning Proposal has been updated to adopt the FSR out clause ALT-1 (as specified in the Council report of 14 December 2015) and isolated site conditions to allow the maximum FSR on sites between 1000sqm-1800sqm, provided design excellence is achieved and the site is an "isolated site".</p> <p>Refer to Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
1(i) iv. amend the planning proposal to clearly define what constitutes an isolated site;	<p>The Planning Proposal has been updated to clarify the definition of 'Isolated Sites' based on a NSW Land and Environment Court published planning principle on 'Redevelopment'.</p>
1(i) v. enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m ² . Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates;	<p>In accordance with Council's resolution of 25 March 2019, and consistent with the Gateway condition, the CBD Planning Proposal has been updated to permit unlimited office premises FSR in the B3 Commercial Core zone only on sites greater than 1800sqm.</p> <p>The issue of site size for commercial office development is also addressed in the updated 'Achieving A Grade Office Space - Economic Review' study prepared by Urbis. The study was also informed by urban design testing undertaken by Council, which recommended limiting small sites within the Commercial Core</p>

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	<p>to the maximum mapped FSR (10:1). The incentive for unlimited office space in the B3 Commercial Core is to apply only to sites over 1800sqm to encourage amalgamation and provision of suitable size floorplates (between 1,300 and 1,500 sqm) for A-Grade office development.</p> <p>Refer to Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2 and the Economic Review – Achieving A-Grade Office development Study (appended to Attachment 2).</p>
1(i) vi. review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance; and	<p>In accordance with Council's resolution of 25 March 2019, Council prepared an Opportunity Sites Study with heritage input from Lucas, Stapleton, Johnson and Partners (LSJ). The study reviewed opportunity sites having regard to heritage impact (appended to Attachment 2).</p> <p>The heritage component of the study provided a number of recommendations regarding the removal of opportunity sites, however, not all recommendations were supported by Council officers. Notwithstanding, when considering the combination of heritage, urban design and planning issues raised in the study, the CBD Planning Proposal has been updated to remove some of the previously mapped opportunity sites for the following reasons:</p> <ul style="list-style-type: none"> - To protect solar access to HCAs and open spaces consistent with the overshadowing analysis undertaken for the CBD (in response to other Gateway Determination conditions) - To protect "blue sky" background for St. John's Cathedral and Church Street - To protect the historic streetscape of Church Street, supported via a 12m podium setback to protect the historic streetscape; (with the exception of one site (286-300 Church Street), which following urban design testing did not demonstrate any perceivable difference having the additional 3:1 opportunity site FSR). - To ensure there was no inconsistency with solar access planes being introduced for Parramatta Square and Experiment Farm

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	<p>(which is consistent with the approach taken with other sun access planes).</p> <p>Amendments have also been made to the Opportunity Sites provision, including requirements in relation to minimum site dimensions and how the bonus 3:1 FSR is applied. In addition, further sites have been identified that are required to be amalgamated to achieve status as an opportunity site, being 286 – 302 Church Street and 5-7 Hassall Street (Area 1 and 2 on the Opportunity site Map).</p> <p>Refer to Part C of Key elements of this planning proposal and Part 2 Explanation of Provisions of the updated planning proposal at Attachment 2 for further information.</p>
1(i) vii. carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal;	<p>In accordance with Council's resolution of 25 March 2019, an update to the High Performance Buildings Bonus Study was prepared by Kinesis in July 2019 (appended to Attachment 2) to understand the scale/value of the bonus scheme when applied to sites with an incentive FSR of 6:1 or greater, and to investigate environmental performance across different building types and sustainability mechanisms.</p> <p>The study identified the difficulty in achieving higher levels of BASIX particularly as the height of a building increases due to increased centralised energy loads and that the cost increases with residential floor space. The CBD PP has been updated to identify that an FSR bonus of 5% will be available for mixed use development with a maximum incentive FSR of 6:1, where the site area is greater than 1800sqm and the front building line is greater than 24m, and where the site meets the eligibility criteria/prescribed BASIX targets for residential and mixed use buildings. Updated criteria in relation to commercial buildings have also been included.</p> <p>Refer to Key elements of this planning proposal Part G. and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>

Gateway Condition 1 (j) in relation to the proposed height of building controls:	
Part	Response
1(j) i. liaise with the Civil Aviation Safety Authority and the federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;	<p>Council officers will consult with CASA and other relevant agencies following endorsement of the updated Planning Proposal contained at Attachment 2 (the subject of this report) during pre-exhibition consultation with State Agencies.</p> <p>Council officers have also amended the CBD PP to specify height controls for all land. A copy of the revised height of buildings maps is attached to updated CBD PP at Attachment 2.</p>
1(j) ii. provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;	<p>In accordance with Council's resolution of 25 March 2019, Council officers prepared an Overshadowing Technical Paper based on several city blocks to address conditions 1 (j) ii-iv, to further assess the overshadowing impacts as a result of the proposed controls on public open spaces and heritage conservation areas. The analysis conducted included different scenario testing, urban design input and economic input (for certain blocks).</p>
1(j) iii. incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm);	<p>As a result of the analysis, the updated CBD proposal contains provisions relating to solar access plane provisions for Experiment Farm (and nominated curtilage) and Parramatta Square, as well as amendments to maximum building heights and FSRs and in certain areas required to protect solar access to public open spaces and heritage conservation areas surrounding the CBD.</p>
1(j) iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply;	<p>The results of the analysis, including the impacts of overshadowing on open spaces and heritage conservation areas, and how this has been improved by the proposed reductions in heights and FSR, are detailed in the Overshadowing Technical Paper, which is appended to the CBD PP in Attachment 2.</p> <p>Notwithstanding, the area south of the CBD PP bound by Great Western Highway and north of Lennox and Lansdowne Streets, and east of</p>

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	<p>Marsden Street, Parramatta is proposed to be remove from the CBD PP due to the effects of overshadowing on the South Parramatta heritage conservation area and open space spaces to the south. This area will be considered in further detail as part of the adjoining planning investigation areas (as identified in the Parramatta CBD Planning Strategy).</p> <p>Refer to Key elements of this planning proposal Part B) and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2 for further detail.</p>
1(j) v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts;	An additional subclause to the proposed sun access LEP provision has been included in the CBD Planning Proposal to address minor intrusions into the protected area of Parramatta Square, including non-useable parts/structural elements of a building, heritage parts that relate directly to the restoration of a heritage item, and amenity parts, e.g. shelters, shade structures, street furniture etc.
Gateway Condition 1 (k) in relation to heritage matters, which may also influence the height and FSR outcomes:	
Part	Response
1(k) i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed;	<p>The CBD PP has been the subject of a series of heritage studies and subsequent draft LEP controls since 2015, including the Parramatta CBD Heritage Study (2015), Heritage study of interface areas (2017) and most current, separate heritage studies which have been required by the Gateway Determination and Council resolution of 25 March 2019 for certain areas where the previously endorsed planning controls were inconsistent with the previous studies as a result of subsequent Council resolutions.</p> <p>Additional studies were undertaken for the following areas:</p>

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	<ul style="list-style-type: none"> - West Auto Alley Precinct Study (prepared by Russell Olsson, Jane Irwin, Howard Tanner) - Marion Street Precinct Urban Design and Heritage Study (prepared by SJB and Paul Davies) - Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study (prepared by Council staff and City Plan Heritage) <p>The findings of these studies has ultimately led to revised planning controls within the updated CBD PP, which have been required to demonstrate consistency with Division 9.1, Direction 2.3 (Heritage) of the Environmental Planning and Assessment Act 1979.</p> <p>The outcomes of these studies are discussed in detail below.</p>
West Auto Alley Precinct	<p>The proposed LEP controls resulting from the West Auto Alley Precinct Study have been developed independently by the consultant team to respond to urban design and heritage principles for improving the public domain and creating a transition between the south Parramatta HCA and high rise development planned in Auto Alley (along Church Street). This has resulted in revised planning controls within this precinct including:</p> <ul style="list-style-type: none"> - Reduced incentive FSR of 1.4:1 and height of 17m for sites north of Lansdowne and Lennox Streets* - Reduced incentive FSR of 2:1 and height of 24m in the remainder of the precinct, subject to the site being at least 26m wide. - Bonus FSRs of 3:1 and 4:1 and heights of 55m and 80m (exclusive of design excellence and high performing building bonuses), for sites within the core area of the precinct is also available subject to the development being at least 48m wide. <p>*For sites located within Lennox and Lansdowne Streets, these areas are being deferred from the CBD PP for consideration in a separate planning proposal of 'planning investigation areas' adjacent to the CBD PP boundary as identified within the CBD Planning Strategy (see</p>

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	<p>comments in relation to the overshadowing analysis).</p> <p>Refer to Key elements of this planning proposal Part A) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
Marion Street Precinct	<p>The proposed LEP controls resulting from the Marion Street Precinct Study have been developed to respond to the heritage values of the precinct and to protect the amenity and character of existing heritage items as part of its potential future development. This has resulted in revised planning controls within this precinct including:</p> <ul style="list-style-type: none"> - Varying incentive FSRs of 2:1 (and opportunity for a 4:1 FSR subject to site amalgamation) and 6:1 within certain areas - No incentive height of building control within the precinct*, and - An active street frontage requirement along Marion Street and intersection streets with no residential development permitted within existing heritage buildings or ground levels of new development. <p>*Height controls for this precinct have been prepared which align with the recommended FSRs (refer to separate Gateway Determination condition 1 (j)) regarding consultation with CASA and the mapping of height controls).</p> <p>Refer to Key elements of this planning proposal Part A) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
Church Street Precinct	<p>The Urban Design, Heritage and Feasibility Analysis undertaken by Council officers for the Church Street Precinct (with heritage input prepared by consultants City Plan Heritage) was required to determine the impact of an upper level setback within this precinct. This has resulted in revised planning controls within this precinct including a 12m podium setback to Church Street and also recommended removal of opportunity sites, except 286-302 Church Street (see Council officer response in relation to condition 1(i) vi.) and unlimited commercial</p>

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	<p>FSR within this Precinct in recognising the heritage and overshadowing constraints.</p> <p>However, rather than removal of the unlimited commercial FSR, Council officers have recommended that this be contained within the relevant height control. This will ensure commercial development remains incentivised within the CBD, and that impacts in relation to excessive height in sensitive areas is controlled through the established height controls.</p> <p>Refer to Key elements of this planning proposal Part A) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
1(k) ii. Carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and	<p>In accordance with Council's resolution of 25 March 2019 and 24 June 2019, Council officers prepared an Overshadowing Technical paper and analysis which reviewed several city blocks within the CBD. The analysis included overshadowing modelling of several blocks to identify which land parcels within the heritage conservation areas (outside the CBD) were not able to achieve the minimum solar access requirements and for those that did not, identifying the city blocks in the CBD that were impacting those parcels from achieving the minimum requirements including alternative maximum building heights.</p> <p>In increasing the number of land parcels that achieve a minimum of 2 hours of sunlight access between 9am and 3pm on 21 June within the HCAs, the updated CBD PP proposes reduced maximum building heights and FSRs within city blocks in the CBD. Refer to Key elements of this planning proposal Part B - Building Form, and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p> <p>Notwithstanding the above, it is recommended as part of this report that the area south of the CBD PP bound by the Great Western Highway and north of Lennox and Lansdowne Streets, and east of Marsden Street, Parramatta, is removed from the CBD PP, and is included as part of the future work on the planning investigation areas which will be the subject of</p>

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	consideration of future planning controls and a separate planning proposal. It is anticipated that commencement of the planning investigation areas will occur following the exhibition of the CBD Planning Proposal.
1(k) iii. along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;	<p>In accordance with Council's resolution of 25 March 2019, Council officers prepared an Urban Design, Heritage and Feasibility Study for the Church Street Precinct (with heritage input prepared by consultants City Plan Heritage). See Council officer's response in relation to 1(k) i. – Church Street precinct and (1)(i)vi. for further information.</p> <p>Council officers recognise that the response to condition (1)(i)vi in relation to Church Street and the heritage study recommendations to remove opportunity sites demonstrates an inconsistency with the relevant 9.1 Ministerial Direction. This is because one site-specific PP within this precinct (being 286-300 Church Street), is being recommended by Council officers to retain the opportunity site FSR provision on this site, subject to it being amalgamated with the adjoining site at 302 Church Street, as per a condition on the Gateway Determination for that site-specific PP. This recommendation has also been based on the Urban design analysis, which shows little perceivable difference between 12:1 and 15:1 for this site with a tower setback at 12m. The analysis also demonstrated that the amalgamation of 286-300 Church Street and 302 Church Street with an FSR of 15:1 would result in a lower building height due to a larger and more efficient floorplate. Nonetheless, as an unresolved matter, the DPIE as the plan making authority will be required to determine the outcome of this matter.</p> <p>Refer to Key elements of this planning proposal Part a) Heritage and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
Gateway Condition 1 (I) <i>prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime</i>	<p>Works relating to the mesoscopic model and integrated transport plan is currently underway and will be completed prior to the finalisation of the CBD PP.</p> <p>Notwithstanding, Council has already prepared a Strategic Transport Study in consultation with</p>

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Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;	<p>TfNSW/RMS (endorsed in April 2017) and this is proposed to be exhibited alongside the CBD Planning Proposal. Measures included within the CBD PP to address transport conditions include the adoption of maximum car parking rates in accordance with the City of Sydney rates and the preparation of the draft Land Reservation Map which seeks to leverage the opportunity for improved road and transport networks (refer to condition 1(c) for further information).</p> <p>Given these circumstances, it is recommended that Council write to the DPIE to seek an amendment to this Gateway condition, requesting that the mesoscopic model and integrated transport plan currently required for exhibition be required prior to the finalisation of the CBD PP, and that the Strategic Transport Study only be required for exhibition purposes.</p>
Gateway Condition 1(m) in relation to infrastructure funding:	
Part	Response
1(m) i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure;	The CBD Planning Proposal has been updated to include a satisfactory arrangements clause to fund regional infrastructure. Refer to Part 2 Explanation of Provisions of the updated Planning Proposal contained at Attachment 2 .
1(m) ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure';	The CBD Planning Proposal has been updated to replace all references to 'value sharing' with 'provision of community infrastructure'.
1(m) iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and	In accordance with Council's resolution of 25 March 2019, Council officers sought advice in relation to condition 1(m)iii which was prepared by consultants GLN Planning in October 2019 (and appended to the CBD PP in Attachment 2). The advice ultimately recommends that Council update the relevant clauses in the draft Parramatta CBD PP to reflect the approach used in Clause 8.7 – 'Community Infrastructure on certain key sites' of Penrith Local Environmental Plan 2010 as a mechanism which recognises the opportunities for community infrastructure to be provided on numerous development sites identified within the CBD area.

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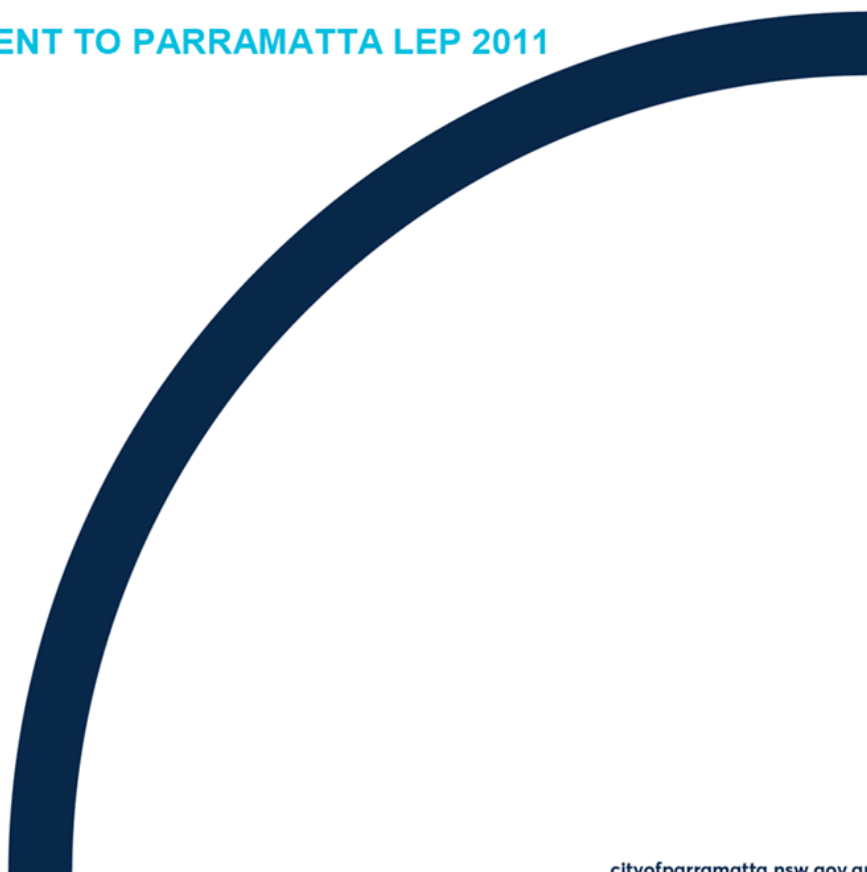
	<p>This has resulted in updates to the CBD Planning Proposal including a revision of the community infrastructure clause to reflect the Penrith LEP 2010 approach, as well as changes to the presentation of the Incentive Height of Building (IHOB) Map, and Incentive FSR (IFSR) map to only identify sites which are eligible to receive the uplift i.e. sites being redeveloped for residential purposes (consistent with Council's policy position regarding the provision of community infrastructure, previously referred to as value sharing) and all IHOBs/IFSRs on land zoned B3 Commercial core removed.</p> <p>Refer to Key elements of this planning proposal part F) infrastructure funding and Part 2 Explanation of Provisions of the updated planning proposal contained at Attachment 2.</p>
1(m) iv. Consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new Section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.	<p>In accordance with Council's resolution of 25 March 2019, Council commissioned a Parramatta CBD Community Funding Study (being prepared by GLN Planning and AEC Group) in relation to condition 1(m) vi. which is currently underway. It is anticipated that the draft Community Funding Study will be reported to Council at the end of the year (2019).</p>



PLANNING PROPOSAL

Parramatta CBD

AMENDMENT TO PARRAMATTA LEP 2011



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Planning Proposal drafts

Council versions:

No.	Author	Version
1.	City of Parramatta Council	3 December 2015 – Internal comment on Draft Report
2.	City of Parramatta Council	19 February 2016 – Changes following Council Meeting on 14 December 2015 – Council Report on Key Policy Areas for CBD Planning Proposal
3.	City of Parramatta Council	11 April 2016 - Council Meeting recommending Gateway Determination
4.	City of Parramatta Council	20 April 2016 – Amendments following Council Meeting on 11 April 2016
5.	City of Parramatta Council	October 2019 – Amendments following Gateway Determination

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PLANNING PROPOSAL – Parramatta CBD

INTRODUCTION

Parramatta is Sydney's Central City. Located in the heart of the Sydney metropolitan area, the Parramatta Central Business District performs key economic, social and cultural roles, particularly for Western Sydney, which is home to nearly half of Sydney's population. The metropolitan importance of the Parramatta CBD will increase as Western Sydney's population grows and regional transport infrastructure connects people faster to Parramatta.

The City of Parramatta Council is preparing a new planning framework to facilitate and strengthen the Parramatta CBD as a metropolitan centre. The new framework is guided by the vision for growth established in the *Parramatta CBD Planning Strategy 2015* and gives effect to the priorities and actions of the *Central City District Plan* to manage growth in the context of economic, social and environmental matters and grow a stronger and more competitive Greater Parramatta.

The *Parramatta CBD Planning Proposal* will deliver a new planning framework for the Parramatta CBD through amendments to *Parramatta Local Environmental Plan 2011*. The amendments expand and intensify commercial activities and support higher density mixed use and residential development. The vision is for new buildings to define streets and public spaces to deliver a comfortable, functional and attractive public domain; while the towers above are tall and slender and are set back to allow daylight, views and circulation of air to the streets and public spaces below. The heritage significance of heritage items and conservation areas is respected and managed within the city form and buildings perform to high environmental standards.

This Planning Proposal has been prepared in accordance with 3.31 of the *Environmental Planning and Assessment Act 1979* (the EPA Act), the *Standard Instrument – Principal Local Environmental Plan* (Standard Instrument) and guidelines published by the Department of Planning, Industry and Environment, including *A guide to preparing planning proposals* and *A guide to preparing local environmental plans*.

This Planning Proposal explains the intent of, and justification for, the amendments to Parramatta Local Environmental Plan 2011 (Parramatta LEP 2011) and is supported by technical studies and documentation. The amendments proposed by this planning proposal include:

- rezoning of some land;
- an increase in the floor space ratio permitted on some land;
- an increase in the height of buildings permitted on some land;
- the removal of the height of buildings clause on some land;
- an amendment to the sun access protection clause;
- an amendment to the airspace operations clause;
- a new clause to permit additional floor space and height on some land;
- an amendment to the design excellence clause;
- a requirement for non-residential floor space in parts of the mixed use zone;
- a requirement for end of journey facilities;
- an amendment to encourage high yielding employment uses;
- a new clause to encourage high performing buildings;
- a new clause to encourage the provision of community infrastructure;
- a new clause to preserve existing controls in the 'Park Edge Highly Sensitive' area, Parramatta Park and Parramatta Stadium;
- some additions to Schedule 1 – Additional Permitted Uses;

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PLANNING PROPOSAL – Parramatta CBD

- a new clause to require active frontages to certain streets and public spaces;
- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street and West Auto Alley precincts;
- amendments to the following maps in the Parramatta LEP 2011:
 - Additional Local Provisions Map
 - Land Zoning Map
 - Floor Space Ratio Map
 - Height of Buildings Map
 - Additional Permitted Uses Map
 - Special Provisions Area Map
 - Heritage Map
 - Land Reservation Acquisition Map
- create new maps for inclusion in the Parramatta LEP 2011:
 - Incentive Floor Space Ratio Map
 - Incentive Height of Buildings Map
 - Sun Access Protection Map
 - Active Frontages Map
 - Opportunity Sites Map
 - Floodplain Risk Management Map

Amendments to the Parramatta Development Control Plan 2011 (Parramatta DCP 2011) will be prepared and exhibited to support the planning provisions in the CBD PP.

Affected Land

This planning proposal applies to land collectively referred to as the 'Parramatta CBD', within the City of Parramatta Council Local Government Area (LGA) (refer to Figure 1).

Consistent with the Implementation Plan in the *Parramatta CBD Planning Strategy 2015*, this Planning Proposal does not make any changes to the controls that apply to the 'Park Edge (Highly Sensitive)' area on the western edge of the CBD adjacent to the World Heritage listed Old Government House and Domain. Council has an existing Conservation Agreement with the Commonwealth and State Governments regarding development in this area and for this reason, further review of the planning controls for this precinct is not warranted. Some provisions will be necessary in the Planning Proposal to make it clear that only the existing planning controls currently in place for the Park Edge (Highly Sensitive) area will apply to this precinct, instead of the new controls proposed in the Planning Proposal. This is referenced on the *Special Provisions Area Map* as Area A.

Current Planning Controls

The current planning controls for the Parramatta CBD are set out in Part 7 of *Parramatta LEP 2011*. An extract of the critical controls are provided at Appendix 1 and a full copy of the controls are available at <https://www.legislation.nsw.gov.au>

Proposed Planning Controls

The proposed planning controls for the Parramatta CBD are provided in Appendix 2a – Proposed draft LEP amending instrument and Appendix 2b – Proposed LEP maps.

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Figure 1 – Parramatta CBD Planning Proposal area

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Background to this Planning Proposal**Parramatta CBD Planning Strategy**

In recognition of Parramatta's growing role, Council resolved in 2013 to prepare a study based on world's best practice to develop and implement a planning framework to create a 'world-class' city. In 2014, Council commissioned urban design and economic consultants to prepare planning framework studies for the Parramatta CBD and the Auto Alley precinct within the CBD.

These studies were publicly exhibited in 2014 and, together with stakeholder feedback, were integrated into the *Parramatta CBD Planning Strategy 2015*. The purpose of this Strategy was:

1. *To set the vision for the growth of the Parramatta CBD as Australia's next great city.*
2. *To establish principles and actions to guide a new planning framework for the Parramatta CBD.*
3. *To provide a clear implementation plan for the delivery of the new planning framework for the Parramatta CBD.*

The Actions within the Parramatta CBD Planning Strategy identified the research and technical studies required to inform the preparation of new planning controls and amendments to Parramatta LEP 2011. Actions within the Strategy were:

- investigate the potential expansion of the CBD boundaries
- conduct detailed testing of the proposed FSR controls
- removal of any height controls, except in some key areas
- investigation of potential sun access controls to key public spaces
- investigate impacts of expanding the commercial core and potentially opening it up to some residential uses (subject to commercial also being provided)
- setting an employment growth target of 27,000 additional jobs and residential growth target of 7,500 additional dwellings by 2036 for the CBD
- investigation of infrastructure needs, including funding mechanisms
- promotion of tower slenderness and design excellence

A copy of the Parramatta CBD Planning Strategy is provided at Appendix 3.

Parramatta CBD Planning Proposal - Gateway Application

Following Council endorsement of the Parramatta CBD Planning Strategy in April 2015, Council officers began the work to prepare a planning proposal to amend the controls within Parramatta LEP 2011 – Part 7 Parramatta City Centre. In April 2016 Council resolved to endorse the Parramatta CBD Planning Proposal and forward it to the Department of Planning, Industry and Environment (DPIE) for assessment and issuing of a Gateway determination. During the Gateway assessment period, Council endorsed several amendments and studies and these were also forwarded to DPIE in support of Council's Gateway Application. The council report (Items 10.4) can be accessed via:

- https://businesspapers.parracity.nsw.gov.au/Open/2016/RC_11042016_AGN_AT.PDF (pp. 380-387);
- https://businesspapers.parracity.nsw.gov.au/Open/2016/RC_11042016_AGN_AT_SUP.PDF - supplementary Report;
- https://businesspapers.parracity.nsw.gov.au/Open/2016/RC_11042016_MIN.PDF -

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Council minutes.

Greater Sydney Commission's Region Plan and District Plans

In March 2018 the Greater Sydney Commission (GSC) released the *Greater Sydney Region Plan, A Metropolis of Three Cities* and five *District Plans*. The 40-year vision of the Region Plan to transform Greater Sydney into a metropolis of three cities puts Parramatta CBD within the Central River City, and together with the Western Parkland City and Eastern Harbour City, will connect residents within 30 minutes to jobs, education and health facilities, services and recreation.

The City of Parramatta Council together with Blacktown, Cumberland and The Hills councils are within the *Central City District*. This 20-year Plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney supports Parramatta CBD's "emergence as a powerhouse of new administrative, business services, judicial and educational jobs, with Parramatta Square as its heart and Western Sydney University as its knowledge-producing engine".

Parramatta CBD Planning Proposal - Gateway determination

In December 2018, the DPIE issued a conditional Gateway determination in respect of the Parramatta CBD Planning Proposal. The Gateway determination allows the Planning Proposal to proceed subject to 34 conditions. The conditions require preparation of further clarification or evidence and then re-submission to DPIE for approval prior to the planning proposal being publicly exhibited. A copy of the Gateway determination is at Appendix 4a and a summary of the work undertaken to address each condition is at Appendix 4b.

The Gateway determination conditions can be broadly grouped as follows:

- Technical updates to the CBD PP
- Policy changes and/or further evidence to support the CBD PP
- Submission of additional information to support the CBD PP
- Consultation requirements with public authorities, public exhibition requirements and timeframes for completing the LEP amendment

Council is required to finalise the amendments to the LEP within 24 months of the Gateway Determination by December 2020. The Minister may direct the Secretary of DPIE to take action under section 3.32 (2)(d) of the Act if the timeframe outlined in the determination is not met. There are no conditions in the Gateway to make Council the local plan-making authority.

This planning proposal has been prepared in accordance with the conditions of the Gateway Determination, as required by the DPIE.

Research and Technical Study process informing this Planning Proposal

The initial research and technical studies prepared to support a new planning framework for the Parramatta CBD is was per the 'Implementation Plan' in the *Parramatta CBD Planning Strategy*. These studies include heritage, flood management, contamination, sustainability, economic, urban design, infrastructure needs and infrastructure funding and formed the evidence base for Council's Gateway request in April 2016. Additional research and technical studies undertaken between April

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2017 and September 2018 to support refinements to the CBD PP include transport, heritage, sustainability, flood management, heritage and policy matters.

The Gateway determination issued in December 2018 identified further research and technical studies to be prepared. This included updating the original studies prepared to support Council's Gateway request as detailed above; new studies to address specific issues identified in the Gateway, and new studies to support Council resolved pathways for some of the Gateway conditions.

The Gateway determination also identified the relevant section 9.1 Directions that Council needs to obtain agreement from the Department's Secretary. Direction 9.1 – 2.3 Heritage Conservation and 4.3 Flood Prone Land are addressed in commissioned studies.

The studies prepared to inform the CBD PP and respond to the Gateway determination are detailed in Table 1 and explained below in further detail.

Table 1 – List of technical studies informing the Parramatta CBD PP

Research and Technical Studies undertaken to inform the Parramatta CBD Planning Proposal	
Heritage and Urban Design	
Parramatta CBD Heritage Study, prepared by consultants Urbis	October 2015
Heritage Study of Interface Areas, prepared by consultants Hector Abraham Architects (HAA); with a Response to the HAA Heritage Study of Interface Areas, prepared by Council	July 2017
Church Street Precinct: Urban Design, Feasibility and Heritage Study, prepared by Council with heritage input from consultants City Plan Heritage	June 2019
Marion Street Precinct Plan, prepared by consultants SJB with heritage input from heritage consultant Paul Davies	September 2019
West Auto Alley Precinct Plan, prepared by consultants Olsson Associates with landscape input by Jane Irwin and heritage input by Howard Tanner Architects	September 2019
Opportunity Sites Study, prepared by Council with heritage input from Lucas, Stapleton, Johnson and Partners (LSJ)	October 2019
Overshadowing Technical Paper and analysis, prepared by Council with market and feasibility analysis for specific blocks by JLL consultants (September 2019)	June 2019, updated October 2019
Sustainability, Infrastructure and High Performing Buildings	
Sustainability and Infrastructure Study, prepared by consultants Kinesis	November 2015, updated June 2019
High Performance Building Bonus Study, prepared by consultants Kinesis	February 2016, updated in July 2017 and July 2019
Economic	
Economic Review – Achieving A-Grade Office development, prepared by consultants Urbis	October 2015, updated September 2019
Contamination	
Preliminary Site Investigation Study for the Auto Alley Area, prepared by consultants JSB&G and updated with an addendum	February 2016, updated August 2019
Stormwater and Flood Risk Management	
Update to the draft Parramatta Floodplain Risk Management Plans (FRMP) for the Upper and Lower Parramatta River, prepared by consultants Molino Stewart	February 2016, updated in September 2019
Parramatta CBD Flood Evacuation Assessment, prepared by consultants Molino Stewart, with a High Level Evacuation Route Concept Design, prepared by Studio GL	September 2017, updated in September 2019
Horizontal Evacuation Pilot Study for Parramatta CBD, prepared by consultants SJB	August 2017
Community Infrastructure Funding	
The Community Facilities Needs Study, prepared by consultants Elton	January 2016

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Infrastructure Funding Models Study, prepared by consultants GLN	May 2016
Discussion Paper: Infrastructure Planning and Funding, prepared by Council and Aurecon	March 2017
Parramatta CBD Infrastructure Funding Peer Review, prepared by Aurecon	February 2017
Draft CBD Infrastructure Needs Analysis, prepared by Council	March 2017
Draft Infrastructure Strategy (formerly called 'Delivery Plan')	2016
Community Infrastructure Funding Study - Memo, prepared by consultants GLN Planning with economic input from AEC	October 2019
Transport	
Parramatta CBD Strategic Transport Plan and Technical Papers, prepared by consultants Aecom	April 2017

The research and technical studies undertaken to inform the CBD PP and the recommendations contained within are discussed in detail below:

A. Heritage

The key heritage issue for this Planning Proposal is providing for urban intensification and integration of new development while protecting and enhancing the heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views. Specific issues considered include,

- Planning controls for heritage items and adjacent development;
- Planning controls for areas on the edge of the CBD adjacent to heritage conservation areas;
- Matters raised by the Heritage Office of NSW
- Ministerial Direction 9.1(2) – 2.3 Heritage Conservation
- Heritage matters raised by the DPIE in the Gateway Determination dated 13 December 2018.

Consistent with the Implementation Plan in the adopted CBD Planning Strategy, this planning proposal retains the existing planning controls the 'Park Edge Highly Sensitive Area' adjacent to the World Heritage listed Old Government House and Domain. The Implementation Plan also identified the need to prepare a heritage study to ensure the planning proposal facilitated the conservation and management of listed items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Council commissioned a heritage study of the Parramatta CBD in 2015 to investigate heritage issues for the entire Parramatta CBD Planning proposal boundary and provide recommendations for the protection of heritage while supporting the vision for growth.

A further heritage study of the 'interface areas' was commissioned by Council in 2017 in response to issues raised by the DPIE and Heritage Council of NSW arising during the assessment of certain site-specific planning proposals. The interface areas within the Parramatta CBD are located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas. This heritage study recommended amendments to the 2015 heritage study provisions for sites within the interface areas of the CBD PP, and also recommended a new heritage provision to apply to the entire CBD PP to ensure the relationships between heritage items and development sites is conserved and managed.

Following receipt of the Gateway determination in December 2018, further heritage studies were prepared to address specific Gateway conditions. These included heritage studies to address inconsistencies between the planning proposal outcomes and heritage reports prepared; overshadowing impacts on heritage conservation areas; and planning and heritage outcomes for

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Item 15.1 - Attachment 2

Draft Consolidated Parramatta CBD Planning Proposal - Response to Gateway Determination

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the Church Street precinct. Some of the recommended amendments in these further heritage studies amend the provisions in the original 2015 and 2017 heritage studies.

The evolution of the heritage analysis and studies informing the planning proposal outcomes are summarised as follows:

1. Council endorsed draft FSR and HOB controls to protect heritage significance based on recommendations in the *Parramatta CBD Heritage Study 2015*.
2. Council endorsed amendments to the draft FSR and HOB controls within the 'interface areas' of the CBD and a new heritage clause to apply to all land in the CBD PP boundary based on recommendations in the *Heritage Study of Interface Areas 2017*.
3. Separate Council resolutions amended the draft FSR and HOB controls for sites within areas of the CBD now referred to as 'the Church Street Precinct' (between the River and Macquarie Street), 'the Marion Street Precinct' and 'the West Auto Alley Precinct'.
4. Separate heritage studies commissioned to investigate the heritage impacts of amended draft FSRs and HOBs controls for the three precincts as required by the Gateway determination.
5. The findings of the heritage analysis and the recommended planning controls in the *Church Street Precinct Heritage Study (June 2019)* supersedes the planning controls within the 2015 Heritage Study for this part of the CBD.
6. The findings of the heritage analysis and the recommended planning controls in the *Marion Street Precinct Heritage Study (September 2019)* supersedes the planning controls within the 2017 Heritage Study of Interface areas for this part of the CBD.
7. The findings of the heritage analysis and the recommended planning controls in the *West Auto Alley Precinct Heritage Study (September 2019)* supersedes the planning controls within the 2017 Heritage Study of Interface areas for this part of the CBD.
8. Heritage study commissioned to investigate the impact of an additional 3:1 FSR above the Incentive FSR of 10:1 for sites identified as 'Opportunity Sites' as required by the Gateway determination.
9. The findings of the heritage analysis and the recommended planning controls in the *Heritage Review of Opportunity Sites (October 2019)* supersedes the planning controls for the Opportunity Sites within the 2017 *Heritage Study of Interface areas*. In addition, amendments to several clauses are also proposed and will apply to land within the CBD PP boundary. The 2015 *Heritage Study* did not consider Opportunity Site FSR as this did not exist as a planning outcome for the CBD PP when the study was finalised.

The Council endorsed LEP recommendations from the 2015, and 2017 heritage studies are detailed below, followed by a description of the recommended planning controls in the three precinct plans and study of Opportunity Site FSR and a statement about the consistency of the recommendations with Ministerial Direction 9.1 – 2.3 Heritage Conservation (EPA 1979).

Parramatta CBD Heritage Study (2015), prepared by Urbis consultants

The Council endorsed LEP recommendations from this study include:

- FSRs of 10:1 (including design excellence bonus) and no height limit for all sites including heritage items except for:
 - o Some sites directly north of Lancer Barracks, being an item of national heritage significance, where the existing height and FSR controls in PLEP 2011 will continue to apply;

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- Some sites adjoining state heritage items within a significant landscape setting, including St John's Cathedral Church and St John's Cemetery where the existing FSR control in PLEP 2011 will continue to apply, but includes a new height control;
- Harrisford House, being an item of state significance where the existing height control in PLEP 2011 will continue to apply, but includes a new FSR control

Note:

- This planning proposal introduces height of building controls for the Roxy Theatre site (69 George Street) based on the outcomes of a recent court case and the evidence tabled during the hearing including from the Office of Environment and Heritage.
- The St John's Cathedral site and surrounding land owned by the Church is the subject of a site-specific planning proposal to increase the FSR and height of building control.

A copy of the 2015 Urbis Heritage Study is at Appendix 5.

The Council endorsed LEP recommendations from this study include:

- FSRs of 6:1 (including design excellence bonus) and no height limit for most sites within the 'North Parramatta Interface Area' including heritage items, except for the following:
 - Sites within the Sorrell Street HCA, Catholic Institutional Area, All Saints Church heritage items and some sites adjacent to Prince Alfred Square where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum.
 - The sites at 452 – 456 Church Street where the incentive HOB is replaced with a maximum 10 metre incentive HOB for the first 10 metres of the site.
 - The sites at 2 Sorrell Street and 14 – 16 Lamont Street where the incentive FSR of 6:1 is removed for the part of the site fronting the River, and the base FSR of 4:1 is the maximum.
 - The site at 5 Elizabeth Street where the incentive FSR of 6:1 is removed and the base FSR of 0.8:1 is the maximum.
- Retain the Incentive FSR of 10:1 (including design excellence bonus) and no height limit for all sites within the South East Parramatta Interface Area, except for:
 - The sites recommended to be retained in the reconfigured boundary of the Harris Park West HCA where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum.
 - The sites recommended to be removed from the Harris Park West HCA where the incentive HOB is amended to 20 and 26 metres.
 - The sites impacting on overshadowing of Experiment Farm to be subject to a solar access plane
- Retain the range of incentive FSRs between 2-10:1 and no height limit for all sites within the South West Parramatta Interface Area, except for:
 - Sites at the western end of Marion Street where a 12m incentive height of building control should be applied
 - Sites on the eastern and western side of High Street where the incentive HOB for the first 18 metres of a site is removed, and the base HOB of 12m is the maximum permitted.
 - Marion Street, West Auto alley, ...
- Removal of Active Frontage requirement for sites in Fennell, Grose and Ross Streets
- New heritage clause that includes specific heads of consideration for Parramatta CBD in addition to the standard LEP heritage provisions to give guidance to what constitutes an appropriate transition.

A copy of the Heritage Study of Interface Areas is at Appendix 6a and Council's response report at Appendix 6b.

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Heritage Studies to address Gateway Conditions

The research and technical studies prepared to address the Gateway conditions that relate to heritage matters and the recommended LEP amendments from each study are discussed as follows.

Condition 1 (k) of the Gateway determination required Council to *carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed.*

There were three areas in the CBD PP where the previously endorsed planning controls were inconsistent with either the 2015 or 2017 heritage studies as follows:

- West Auto Alley Precinct
- Marion Street Precinct
- Church Street Precinct (the area between Parramatta River and Macquarie Street)

As a result of these inconsistencies, further heritage analysis was undertaken and is discussed below.

West Auto Alley Precinct

The West Auto Alley Precinct is located between the South Parramatta HCA and Auto Alley (Church Street) and is bound by Lansdowne and Lennox Streets to the north, Inkerman Street to the west, Boundary Street to the south and a new street behind Auto Alley to the east.

The 2017 Heritage Study of Interface Areas study recommended for this precinct an Incentive FSR of 3:1 and Incentive height of building control of 80m, 40m and 26m. Council on 10 September 2018 resolved to apply an Incentive FSR of 6:1 for the precinct and no height of building control. (Refer to the Council report - Item 13.2 – at:

https://businesspapers.parracity.nsw.gov.au/Open/2018/OC_10092018_AGN_470_AT.PDF

and minutes at:

https://businesspapers.parracity.nsw.gov.au/Open/2018/OC_10092018_MIN_470.PDF

To address the inconsistency between the HAA heritage study recommendation and the Council resolution for this precinct, Council commissioned Olsson and Associates (with Jane Irwin Landscape Architects and Howard Tanner Architects) to prepare an independent urban design, landscape and heritage study for the West Auto Alley Precinct Plan.

The LEP and DCP controls recommended by the consultant team for the West Auto Alley Precinct Plan respond to urban design and heritage principles for improving public domain and creating a transition between the South Parramatta HCA and planned high rise development in Auto Alley along Church Street. The proposed initiatives are:

- Tower and podium building typology within a continuous perimeter block to create pedestrian scale streets, unified built form, maximise yield and minimise the visibility and environmental impact of towers.
- New public park following Clay Cliff Creek.
- Allowing greater heights on sites north of Dixon Street to reflect the flood affectation over the rear of these sites that cannot be built upon.
- Widening Dixon Street to enhance its function and amenity
- Visually widening the existing relatively narrow streets in the precinct, with substantial

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landscaped front setbacks

- Ground floor building setbacks to provide areas of deep soil to support landscape in front, side and rear setbacks
- Lower scale development in the transition areas (Lennox, Lansdowne and Inkerman Streets) to minimise visual impact and avoid overshadowing of the HCA.

To achieve the above initiatives, the West Auto Alley Precinct Plan recommends the following LEP controls:

- An Incentive FSR of 1.4:1 and Incentive HOB of 17m for sites north of Lansdowne Street and Lennox Street (see note below).
- An Incentive FSR of 2:1 and Incentive HOB of 24m for all other sites subject to the development site being at least 26m wide. Resulting tower heights range from 14 to 27 storeys.
- For sites within the core area of the precinct, bonus FSR for a total site FSR of 3:1 and 4:1 and bonus height for a total height of 55m and 80m (exclusive of design excellence and high performing building bonuses) is available subject to the development site being at least 48m wide. Resulting tower heights range from x to x storeys.

The consultant report states that *these recommendations, if adopted, should ensure that future development would occur in a form that protects and manages the city's heritage assets, achieves the design principles established for the West Auto Alley Precinct and demonstrates consistency with Section 9.1 Direction 2.3 Heritage Conservation. The recommendations in this study only relate to the precinct that is the subject of the study and do not apply to the broader Parramatta CBD.*

Note: The sites within Lennox and Lansdowne Streets (Area 4) are being deferred from this planning proposal for consideration in a separate planning proposal of 'Planning Investigation Areas' adjacent to the CBD PP. This is a result of the separate overshadowing study, which considered overshadowing on the HCAs and open spaces.

To incorporate the controls recommended by the consultant for the West Auto Alley Precinct, this planning proposal includes the following LEP controls:

- No changes to the base FSR and height of building controls
- Amending the Incentive FSR and HOB maps to show incentive FSRs of 2:1, 3:1 and 4:1; and incentive heights of 24m, 55m, 80m and 0m.
- Amend the Special Provisions Area Map to identify three (3) areas within the West Auto Alley Precinct marked "Area B", "Area C" and "Area D".
- Including a new clause in the LEP provisions requiring development that is seeking incentive FSR and height to include community infrastructure and have a minimum street frontage width in the case of Areas B, C and D.

A copy of the West Auto Alley Precinct Plan is provided at Appendix 7.

Marion Street Precinct

The Marion Street Precinct is between the railway line and Church Street and bound generally by sites fronting Marion Street. The street contains a cluster of heritage items amongst a varied range of developments in terms of style, age and use.

The 2017 HAA study recommended for this precinct an Incentive FSR of 2:1 and Incentive height of building control of 12 metres for the first 18 metres. Council on 11 December 2017 resolved to apply an Incentive FSR of 6:1 (exclusive of DE and HPB bonuses) for the precinct and no height of building controls. To address the inconsistency between the HAA heritage study recommendation and the council resolution for this precinct, Council commissioned SJB Urban

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Design and Planning with Paul Davis Heritage Consultants to prepare an urban design, planning and heritage study for the Marion Street Precinct, which took a closer look and more in depth analysis of the precinct.

The LEP and DCP controls recommended by the consultant team for the Marion Street Precinct Plan respond to the heritage values of the precinct and aim to protect the amenity and character of existing heritage items within a potential future development. The proposed initiatives are:

- Retain the existing listed heritage items; however, do not schedule the Marion Street Precinct as a heritage conservation area.
- Focus density and height at each end of the heritage core, to harmonise with the scale of development proposed within the Auto Alley Precinct and to frame the view corridor from Marion Street east.
- Deliver a through-site link between Marion Street and Peace Lane to improve north-south connectivity.
- Reinforce the street edge with podium developments.
- Maximise setback between new building and heritage buildings to minimise impacts on the heritage items and streetscape character.
- Preserve solar access to Marion Street and heritage items
- Footpath widening along both sides of Marion Street (east of Cowper Street) with increased boundary setback (up to 3 meters) to facilitate landscaping and pedestrian movement

To achieve the above initiatives, the Marion Street Precinct Plan recommends the following LEP controls:

- Retain the current statutory heritage listing of the 11 heritage items within the precinct.
- An Incentive FSR of 6:1 for sites at the eastern of Marion Street and an Incentive FSR of 2:1 (with potential for an FSR of 4:1 subject to site amalgamation) for sites at the western end and no Incentive HOB control.
- An incentive FSR of 2:1 for sites within the heritage core of the Precinct and no Incentive HOB control.
- Require an Active Frontage along Marion Street and intersecting streets with no residential development within the existing heritage buildings or ground levels of new development.

The consultant report states that *the recommendations, if adopted, should ensure that future development will occur in a form that protects and manages the city's heritage assets, achieves the core urban design principles set out for the Marion Street Precinct and demonstrates consistency with Section 9.1 Direction 2.3 Heritage Conservation.*

To incorporate the controls recommended by the consultant for the Marion Street Precinct, this planning proposal includes the following LEP controls:

- No changes to the base FSR and height of building controls
- Amending the Incentive FSR and HOB maps to show incentive FSRs of 2:1, 4:1 and 6:1,; and incentive heights of 24m and 80m.
- Amend the Special Provisions Area Map to identify one (1) area within the Marion Street Precinct marked "Area E".
- Including a new clause in the LEP provisions requiring development that is seeking incentive FSR and height to include community infrastructure and apply to the whole of the area marked "Area E".

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- Amending the Active Frontages Map to identify additional sites subject to this LEP clause

A copy of the Marion Street Precinct Plan is provided at Appendix 8.

Church Street Precinct

The Church Street Precinct is identified as the area between Macquarie Street and Parramatta River and is bound generally by sites fronting Church Street. The Precinct contains a number of heritage items within a 2-3 storey street wall building form.

There are two Gateway conditions that relate to the Church Street Precinct requiring Council to provide justification for the draft planning controls and address the appropriateness of Opportunity Sites within the Precinct.

Condition 1 (k) iii states: *along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values.*

Condition (i) vi. - *Opportunity Sites states: review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance.*

To address the Gateway conditions, Council prepared an Urban Design and Feasibility Study and commissioned a Heritage Study to inform the draft planning controls for the Church Street Precinct.

The focus for the urban design and feasibility testing was about achieving a viable tower floor plate acknowledging existing site conditions and the heritage and retail streetscape. The testing also considered three active site-specific planning proposals within the precinct.

The study tested 18m, 12m and 10m upper level (tower) setback scenarios and opportunity site FSR for sites outside the Solar Access Plane for Parramatta Square. Sites affected by a Solar Access Plane are not eligible for Opportunity Site bonus FSR (consistent with the policy direction taken in the original CBD PP as adopted by Council in April 2016). Sites identified on the Opportunity Site Map may be eligible for an additional 3:1 residential FSR (above that already permitted elsewhere under this planning proposal, provided the land to which the development is situated that meets the minimum site dimension requirements. Opportunity Site FSR is further discussed in this planning proposal under the heading 'Urban Design – Opportunity Sites'.

Key findings of the urban design and feasibility testing were:

- a 12m upper level (tower) setback control was appropriate;
- a building with an Incentive FSR of 12:1 and a 12m upper level (tower) setback can be accommodated within the Solar Access Plane for Parramatta Square.
- only one site on Church Street (outside the Solar Access Plane) could achieve an FSR greater than 12:1, this being 286-300 Church Street.
- any additional bonuses of opportunity sites and unlimited commercial GFA is best located outside this precinct.
- Development sites should have vehicular access other than from Church Street.

The consultant heritage investigation reviewed the Council urban design and feasibility testing and considered whether the draft planning controls will provide for the appropriate management of heritage outcomes for the Church Street Precinct.

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The key finding of the heritage testing was that, *"The above findings of the urban design and feasibility study are supported as it will allow for controlled future development that together with the heritage recommendations of this report will adequately manage protection of the unique and distinctive heritage streetscape and values of Church Street Precinct"*.

Heritage recommendations within the consultant heritage study included:

- Guidance/recommendations required for the ground floor and parapet level treatments when adjacent to heritage items. Podium heights while set at maximum 12m, should be based on the adjoining heritage item(s)' dominant parapet height to ensure the item(s)' dominance is maintained along the streetscape as currently experienced.
- Tower developments should be guided by a comprehensive heritage assessment or a Conservation Management Strategy or Plan (CMS or CMP) to guide the management of established and assessed heritage significance of each item as well as the contributory buildings.
- Podiums should be designed in consideration to the narrow subdivision pattern and rhythm of the traditional shopfronts.

Many of these matters recommended by the heritage consultant will be addressed through avenues other than the CBD PP.

In summary, the recommendations from the Urban Design, Feasibility and Heritage Study were:

- a 12m upper level (tower) setback control to Church Street and a maximum Incentive FSR of 12:1 (inclusive of bonuses) for the majority of sites; and no opportunity site bonus FSR and no unlimited commercial FSR controls.
- a maximum Incentive FSR of 3:1 with a maximum 12m Incentive Height of Buildings control for some smaller, narrow sites that mostly contain heritage items; and no opportunity site bonus FSR and no unlimited commercial FSR controls.

These recommendations were reported to Council in June 2019; however, Council resolved to defer making a recommendation which allowed Council officers to consider the recommendations in context of broader city-wide urban design and heritage analysis being undertaken. This included the work to review the Opportunity Sites – discussed in this planning proposal under the heading 'Urban Design – Opportunity Sites'. In summary, the additional testing found for the site at 286-300 Church Street that opportunity site FSR could be accommodated provided the site to the north was included within the design outcome. Specifically, that 302 Church Street was amalgamated with 286-300 Church Street and a single tower above a podium provided on the site. This is consistent with the intended outcomes of the Gateway determination Condition 1(a) for the SSPP on 286-300 Church Street. The urban design analysis indicates a shorter tower form with amalgamation given a more efficient tower floor plate.

Therefore, to protect the heritage significance of the Church Street Precinct while balancing the feasibility of tower development on some sites, as permitted by the 10:1 FSR and tested through site-specific Planning Proposals, this Planning Proposal recommends the following LEP controls:

- The incentive FSR and HOB maps show a 12m upper level (tower) setback to Church Street and a maximum Incentive FSR of 10:1 (inclusive of bonuses) for the majority of sites;
- maximum 12m podium height; and no opportunity site bonus FSR controls; and The incentive FSR and HOB maps show a maximum Incentive FSR of 3:1 with an Incentive Height of Buildings control for some smaller, narrow sites that mostly contain heritage items;
- remove Opportunity Sites for all sites within the Church Street Precinct, except for sites at 286-302 Church Street identified on the Opportunity Site Map as "Area 1", and allow an amount of additional residential floor space (above that already permitted elsewhere) provided the consent authority is satisfied that the development relates to the whole of "Area 1" (i.e. amalgamation is required to achieve the additional bonus 3:1 FSR as an "opportunity site");

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- Include a height limit for all sites that will apply residential and non-residential uses'
- Still allowing unlimited commercial FSR, so as to facilitate more jobs, but ensuring development occurs within the established height controls.

Refer to Appendix 9a for a copy of the Urban Design and Feasibility Study prepared by Council with the Heritage Study prepared by consultants City Plan Heritage at Appendix 9b.

B. Urban Design

Urban design research and technical studies undertaken to inform this CBD PP address issues related to building form, overshadowing, transitional areas and heritage items and conservation areas. The studies consider urban intensification and integration of new development and ensuring development is of an appropriate scale for the site, adjoining development and the wider city. Specific consideration includes compliance with *State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development* and associated *Apartment Design Guideline*.

The Gateway determination included conditions to amend proposed controls or provide additional evidence to support alternative controls related to FSR sliding scale, FSR sliding scale out-clause and isolated sites; and site area requirements for developments including unlimited commercial FSR. Additional research technical and studies undertaken by Council and prepared in parallel with overshadowing and heritage analysis; site area reviews; development feasibility and site isolation address the Gateway conditions as follows:

FSR sliding scale

Gateway condition 1 (i) ii states: *amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate.*

Council resolved on 24 March 2019 in relation to the sliding scale Gateway condition to endorse option FSR-1 to increase the site area thresholds to 1000sqm to 1,800sqm for sites mapped with an Incentive FSR of 4:1, 6:1 and 10:1 sliding scale. (Refer to the Council report – Item 11.1 via: https://businesspapers.parracity.nsw.gov.au/Open/2019/OC_25032019_AGN_493_AT.PDF and the minutes from the meeting via this link: https://businesspapers.parracity.nsw.gov.au/Open/2019/OC_25032019_MIN_493.PDF).

To satisfy the Gateway condition, this CBD PP includes the following LEP condition for development sites (extract of clause 7.2):

Table 2 – LEP condition for development sites FSR Shown on Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1,800sqm	Site is equal to or greater than 1,800sqm
4:1	3:1	(3+1X):1	4:1
6:1	4:1	(4+2X):1	6:1
7:1	4.5:1	(4.5+2.5X):1	7:1
8:1	5:1	(5+3X):1	8:1

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10:1	6:1	(6+4X):1	10:1
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X = (the site area in square metres – 1000)/800

FSR sliding scale out clause and isolated sites

Gateway condition 1 (i) iii states: *amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved.* In relation to isolated sites, Gateway condition 1 (i) iv states: *amend the planning proposal to clearly define what constitutes an isolated site.*

Council resolved on 24 March 2019 in relation to the FSR out clause and isolated site Gateway conditions to endorse option ALT-1 to allow the maximum FSR on sites between 1000sqm – 1800sqm provided design excellence is achieved and the site is isolated, and to define what constitutes an isolated site. To satisfy Gateway condition, 1(i) iii, this CBD PP includes the following LEP condition (extract of clause 7.2):

Permit the maximum FSR provided the development site is greater than 1,000 sqm and up to 1,800 sqm, is an isolated site, exhibits design excellence and includes community infrastructure (where the development includes residential accommodation).

To satisfy Gateway condition, 1(i) iv, this CBD PP defines isolated sites based on a NSW Land and Environment Court published planning principle on 'Redevelopment' (Isolation of site by redevelopment of adjacent site(s) - role of Court in assessing consolidation negotiations) and includes the following LEP condition (extract of clause 7.2):

isolated site means a site:

- (a) *where amalgamation with adjoining sites is not physically possible; or*
- (b) *where amalgamation with adjoining sites is not reasonably feasible due to the nature of surrounding development; or*
- (c) *that will be unable to reasonably achieve its development potential due to its size, shape and location.*

Site area for developments including unlimited commercial FSR.

Gateway condition 1 (i) v states: *enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1,800m². Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates.* Council resolved on 24 March 2019 to allow unlimited office premises FSR in the B3 Commercial Core zone on sites with an area greater than 1800 sqm, and address this issue of site size for commercial office development in the update of the Economic Review.

The update to the Economic Review recommended consideration of the issue of site size for commercial office development in the updated 'Achieving A Grade Office Space - Economic Review' study prepared by Urbis. The study was also informed by urban design testing undertaken by Council, which recommended applying maximum FSRs on small commercial core lots, and to only allow unlimited office space in the B3 Commercial Core for sites over 1800sqm to encourage amalgamation. Following broader city-wide urban design and heritage analysis undertaken, this planning proposal includes provisions to allow development comprising wholly of commercial

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premises in Zone B4 Mixed Use up to the floor space ratio as specified on the Incentive Floor Space Ratio Map and the height of building as specified on the Incentive Height of Building Map to be provided without the need for that development to include community infrastructure. This issue is discussed further in the planning proposal under the heading 'Infrastructure Funding'.

To satisfy Gateway condition, 1(i) iii, this CBD PP has updated the unlimited FSR in the B3 zone to include the minimum 1800sqm requirement.

Solar access

The four (4) Gateway conditions that relate to overshadowing require the submission of additional information to support the planning proposal to assess the potential impacts of overshadowing from proposed controls and the protection of sunlight access to key public areas (including parks) and heritage conservation areas within and around the Parramatta CBD. To address the Gateway conditions, Council officers have prepared a Technical Paper on overshadowing that sets out the terms of the conditions issued by the DPIE; the method used to undertake the analysis and the findings to address each of the conditions. The Gateway Determination conditions and response are detailed below.

Overshadowing of Experiment Farm

Gateway Condition 1. (j) iii – Experiment Farm states: *incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm).*

On 10 July 2017, Council endorsed a sun access plane from 10am to 2pm for Experiment Farm following consideration of a heritage study of the interface areas in and adjacent to the Parramatta CBD. To address the Gateway condition, Council officers tested the impact of an “all-day” (10am-4:30pm) 21 June Sun Access Protection surface from Experiment Farm. The results of the testing indicate that an area across the entire CBD between the railway line to the south and Phillip Street to the north and over to Westmead will be captured by this “all day” surface. The results of the testing also show that extending the protection beyond 2pm has major impacts on existing and potential development, particularly in the eastern parts of the CBD where height controls would be a maximum of 80-90m (RL). Further, any benefits from an extended surface is already compromised by existing development, particularly on the eastern side of the CBD that already cast a shadow over Experiment Farm in the late afternoon.

To balance the impacts on sites across the whole CBD PP while protecting sunlight access to Experiment Farm and the nominated curtilage, the CBD PP will include a Solar Access Plane that protects sunlight access to Experiment Farm and the nominated curtilage area for the period from 10am to 2pm on 21 June.

Detailed analysis on this issue is provided at Section 4 of the *Technical Paper* at Appendix 10a along with the Market and Feasibility Analysis undertaken by JLL at Appendix 10b.

Overshadowing of Parramatta Square

Gateway Condition 1. (j) iv – Parramatta Square states: *provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply.*

To address this condition, Council officers tested four (4) overshadowing scenarios for the Parramatta Square Protected Area between 12noon to 2pm for the following times of year:

- 21 June (mid-winter)

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- 14 April to 31 August (nominated dates to avoid daylight saving in Autumn (14 April) and Spring (31 August))
- 21 March to 23 September (equinox to equinox)
- 21 December to 21 December (year-round)

Detailed analysis on the testing of the four scenarios is provided at Section 5 of the *Technical Paper*.

The additional land parcels affected beyond the base case of 21 June (mid-winter) are minimal, and maintaining the currently resolved position will meet the Gateway condition and derive the greatest benefit to amenity within the Parramatta Square protected area for mid-winter, with additional periods of the year deriving marginal incremental improvements over the mid-winter (21 June) scenario. This is mainly due to the Parramatta Square Solar Access Plane surface partly overlapping with the Solar Access Plane for Lancer Barracks.

Therefore, to ensure sunlight access to the major civic open space and public plaza component of Parramatta Square during lunchtime periods, this CBD PP includes a Solar Access Plane that protects sunlight access to the protected area of Parramatta Square for the period 12noon to 2pm on 21 June.

Detailed analysis on this issue is provided at Section 5 of the *Technical Paper* at Appendix 10.

Overshadowing of Heritage Conservation Areas

Gateway Condition 1. (k) ii – Heritage Conservation Areas states: *carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly.*

To address the Gateway condition, Council officer overshadowing testing consisted of:

- Comparing the current HOB controls in PLEP against the 'proposed' IHOB controls in the CBD PP at 30-minute intervals between 9am and 3pm on 21 June.
- Modelling overshadowing of HCAs at a parcel level to test whether a minimum 2 hours of sunlight access (non-consecutively) between 9am and 3pm on 21 June could be achieved. (NB: this detailed site-by-site testing was not required for North Parramatta and Sorrell Street HCAs due to all land parcels in these HCAs achieving 2 hours of sunlight access between 9am and 3pm on 21 June).
- For those land parcels that did not receive the minimum 2 hours of sunlight access (non-consecutively) between 9am and 3pm on 21 June, identifying the blocks impacting those parcels and testing alternative maximum building heights to improve solar access for the land parcels within the HCAs.

The results of the testing are detailed in Sections 6 and 8 of the *Technical Paper* at Appendix 10.

To increase the number of land parcels across the four HCAs that will be able to receive a minimum of 2 hours of sunlight access (non-consecutively) between 9am and 3pm on 21 June, the CBD PP includes reduced maximum building heights (which includes the Incentive Height of Buildings control and any Design Excellence and/or High Performing Building bonuses) for various blocks across the CBD.

Detailed analysis on this issue is provided at Sections 6 and 8 in the *Technical Paper* at Appendix 10.

Overshadowing of public open space surrounding the Parramatta CBD

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Gateway Condition 1. (j) ii - public open space states: *provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls.*

The public open spaces surrounding the CBD that formed part of the Council officer assessment are shown in Figure 2 and were selected on the basis of potential impacts from overshadowing, particularly where IHOB controls in the CBD core propose heights of up to 243m (RL).

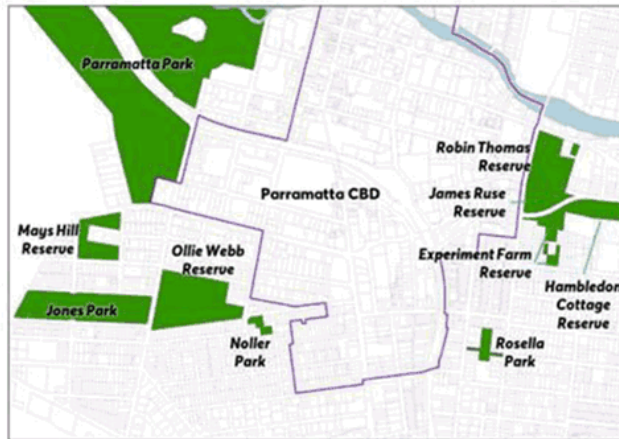


Figure 2: The ten (10) open space areas selected for testing

Detailed analysis of the overshadowing impacts on each of the ten open spaces is provided in Section 7 of the *Overshadowing Technical Paper* at Appendix 10.

To address the Gateway condition, Council officer overshadowing testing consisted of:

- Comparing the current Height of Building controls in Parramatta Local Environmental Plan (LEP) 2011 against the 'proposed' Incentive Height of Building (IHOB) controls in the CBD PP at 30-minute intervals between 9am and 3pm on 21 June.
- Developing criteria (including a benchmark) to test solar access to open spaces, and then applying these criteria to test the impact of overshadowing by planning controls;
- For those open spaces that did not receive the amount of solar access required by the benchmark, identifying the blocks impacting those open spaces and testing alternative maximum building heights to improve solar access for the open spaces.

A comparable benchmark for testing solar access to open space areas is contained within the City of Sydney Development Control Plan 2012 (Clause 3.1.4). The benchmark is - 50% of the total park area to receive 4 hours of sunlight access between 9am and 3pm on 21 June. This does not have to be continuous exposure.

As a consequence of alterations to maximum building heights to address overshadowing of the HCAs, some improvements were also gained to the open space areas including Noller Park, Ollie Webb Reserve, James Ruse Reserve and Hambledon Cottage Reserve. It is noted that Blocks containing SSPPs, recently gazetted SSPPs or new strata titled developments, the height sought did not significantly contribute to overshadowing when compared with the 'no height control' scenario.

Therefore, to achieve solar access to at least 50% of each nominated park (with the exception of James Ruse Reserve and Noller Park – which is a drainage reserve) for a minimum 4 hours between 9am and 3pm on 21 June, the CBD PP recommends reduced maximum building heights (which includes the Incentive Height of Buildings control and any Design Excellence and/or High

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Performing Building bonuses) for identified sites; to protect a minimum 4 hours of sunlight access between 9am and 3pm on 21 June to at least 50% of the open space for eight of the ten nominated open spaces (excluding James Ruse Reserve and Noller Park).

Further testing of the proposed controls recommending reductions in height control to provide "blue sky" access along Church Street and Centenary Square had the consequential benefit of providing an extra hour of sunlight access to Noller Park due to the "gap" created in the height at Westfield and the block bounded by Campbell Street, Marsden Street, Church Street and the Great Western Highway.

Detailed analysis of this issue is provided in Sections 6 and 8 of the *Technical Paper* at Appendix 10.

Opportunity Site FSR

There are two (2) Gateway conditions that relate to Opportunity Sites that require the submission of additional information to support the planning proposal to assess the potential impacts of additional bulk and scale on the amenity of surrounding localities and areas of heritage significance.

Sites identified as Opportunity Sites may be eligible for an additional FSR of 3:1 up to a maximum FSR of 15:1 (inclusive of bonuses) provided the development site meets minimum site requirements, design excellence is achieved, the building is a high performing building and community infrastructure is provided. Opportunity Sites are identified on the Opportunity Sites Map and are zoned B4 Mixed Use which are located adjacent to the B3 Commercial Core zone.

Gateway condition 1 (k) iii applies to the impacts of opportunity site FSR on the Church Street Precinct and is discussed in this planning proposal under the heading 'Heritage – Church Street'.

Gateway condition 1 (i) vi applies to all opportunity sites as identified on the Opportunity Sites Map and requires the following: *review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance.*

To address Gateway condition 1 (i) vi, Council prepared a 'Review of Opportunity Sites Report' (refer to Appendix 11a) and commissioned a supporting Heritage Study (Appendix 11b) to investigate the impacts of additional FSR on surrounding localities and areas of heritage significance.

The focus of the Review of Opportunity Sites Report considered:

- Site requirements and site isolation
- Impact of additional bulk and scale (resulting from 3:1 bonus FSR)
- Solar access at specific times of the day on public open spaces, Heritage Conservation Areas, Experiment Farm and Parramatta Square
- Recommendations from Council's recent work relating to Overshadowing Analysis and the Church Street Precinct (June 2019)
- Recent site-specific planning proposals, development applications and sites at design competition stages relevant to the testing
- Historic view corridors along Church Street
- Views of the opportunity site built form from adjacent low scale areas
- Implications of review of opportunity sites on other proposed planning controls (i.e. unlimited commercial FSR)

The first refinement to opportunity sites came from removing opportunity sites affected by a Solar Access Plane consistent with the policy direction taken in the original CBD PP as adopted by Council in April 2016. Since this time and consistent with the Gateway conditions, two additional solar access planes are included in this planning proposal being Parramatta Square and Experiment Farm.

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The second refinement to opportunity sites came from removing opportunity sites impacting solar access to heritage conservation areas and public open spaces. These sites are now subject to a maximum height to satisfy Gateway conditions relating to overshadowing. This is discussed in greater detail in this planning proposal under the heading 'Urban Design – Solar Access'.

The brief for the consultant heritage study was to:

- assess the suitability of mapped opportunity sites with regard to impact on areas of heritage significance;
- to consider the removal of opportunity sites where the additional bulk and scale resulting from the 3:1 bonus FSR could have an adverse impact on amenity and areas of heritage significance;
- to consider whether the provision of opportunity sites will provide for the appropriate management of heritage values; and
- to peer review the consultant heritage report recommendations relating to opportunity sites within the Church Street Precinct.

The key issues and findings of the heritage study were:

- for Opportunity Sites: proximity to heritage items and conservation areas; location of opportunity sites on historic streets or along a historic view corridor; loss of blue sky/sky line due to podium heights and tower setbacks; isolation of heritage items; overshadowing impacts on areas of heritage significance; and scale of new developments (including setbacks and podiums).
- for the Unlimited Commercial FSR: negative impacts on areas of heritage significance in terms of scale and visual impacts on setting and historic view lines; and negates protective provisions under the draft clause for opportunity sites.
- for the Church Street Precinct: key corridor with a historic vista from Lennox Bridge and Parramatta River through to St John's Anglican Cathedral; high concentration of listed heritage items and heritage character; visibility and daylight access to street; limited sites can accommodate additional 3:1 FSR; potential to impact on the physical fabric and finishes of heritage items.

The recommendations of the heritage study were:

- Remove certain opportunity sites based on the following:
 - o To protect solar access to HCAs consistent with recommendations in Council's Overshadowing Technical Paper (refer to Appendix 10a)
 - o To provide blue sky background to Lancer Barracks
 - o Due to inadequate site depth
 - o To provide blue sky background to St Georges Terraces
 - o To protect historic streetscape
 - o To protect blue sky background for St Johns Cathedral and Church Street
- Remove unlimited commercial FSRs for sites where Opportunity sites are being removed.
- Include additional Heritage Provisions to: CI 7.10 Design Excellence; CI 7.6J Opportunity Sites; and CI 7.6K Managing Heritage Impacts.
- Additional B4 Mixed Use zone objectives for heritage items, HCAs and special precincts.
- Remove opportunity sites and unlimited commercial FSR from the Church Street Precinct.

The majority of the heritage recommendations were supported, with exception of the following:

- The removal of opportunity site FSR from sites considered to be within the blue sky background of two heritage items being Lancer Barracks and St Georges Terraces would not result in a perceivable difference compared to the already permitted 12:1 FSR; and in the case of Lancer Barracks, blue sky background is already protected indirectly by a Solar Access Plane and reduced heights and FSRs for sites immediately to the north and east. A detailed assessment of the recommendations for blue sky background is contained within the Review of Opportunity Sites Report at Appendix 11.

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- The removal of opportunity site FSR from one site within the Church Street Precinct being 286-300 Church Street for the reasons discussed in this planning proposal under the heading 'Heritage – Church Street'.
- Removal of opportunity sites due to inadequate site depth was not supported as detailed Council testing indicates either opportunity sites can be accommodated or is addressed by additional detailed LEP provisions in relation to minimum site dimensions (see discussion below).
- The additional provisions recommended for CI 7.10 Design Excellence are not included because they are general provisions and not specific to Opportunity Sites.
- The additional provisions recommended for CI 7.6C Commercial Premises in Zone B4 Mixed Use are not included as the issue has been addressed via a height of building control as tested by Council.
- The additional provisions recommended for CI 7.6K Managing Heritage Impacts are not included because these are inconsistent with statutory processes.

The third refinement to opportunity sites reconciles the supported heritage study recommendations and the findings in the Review of Opportunity Site Report, and includes the opportunity sites as included in this planning proposal and shown on the Opportunity Sites Map; and amends CI 7.16 Opportunity Sites (extract of relevant clauses below with amendments in italics) as follows:

- *where the development site contains a heritage item, the repair, restoration and reconstruction of the heritage item forms part of the development proposal* (Clause 7.6J (5) (c)).
- *any heritage issues and streetscape constraints, including the issues of scale, increased overshadowing, podium heights, tower setbacks and side setbacks between the development and any adjacent heritage items* (Clause 7.6J (8) (c) (iii));
- *the impact on any conservation area, including additional overshadowing* (Clause 7.6J (8) (c) (iv));

As required by Gateway condition 1 (i) vi, the Review of Opportunity Site Report also considered the Opportunity Site LEP clause having regard to site depth and site isolation. The finding from the review was: that the clause should be amended to include the land to which the development is situated:

- has an area of at least 1,800 square metres; and
- contains a regular shaped area with minimum dimensions of:
 - o 40 metres by 35 metres, where the site is a corner site with at least two street frontages; or
 - o 40 metres by 40 metres, for all other sites;

That in addition to the amendments to the clause endorsed by Council in September 2018, this planning proposal includes amendments to the Opportunity Sites clause (Clause 7.6J) to address isolated sites, relationship with adjoining towers and bulk, massing and modulation of buildings as follows:

- (vi) *site amalgamation and how no isolated sites (on adjoining properties) with an area less than 1,000 square metres will be created by the development,*
- (vii) *the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
- (viii) *the bulk, massing and modulation of buildings.*

Refer to the proposed Clause 7.6J - Opportunity Sites in the draft provisions at Appendix 2a and map changes in Appendix 2b.

C. Employment and dwelling projections

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The key employment and dwelling projection issue for this Planning Proposal is for Parramatta to meet job and housing targets, which are consistent with the current Greater Sydney Region Plan and Central City District Plan.

Specific issues to be considered are:

- Reinforcing Parramatta CBD as one of Sydney's three metropolitan centres;
- Achieving A-Grade commercial office space in the Parramatta CBD; and
- Retaining a commercial core and creating opportunities for an expanded office market in response to the Central City District Plan.

Job and Housing Targets

Consistent with the adopted Parramatta CBD Planning Strategy this planning proposal adopts the following job and dwelling targets. These targets have been recognised in both the Greater Sydney Region Plan and the Central City District Plan. Using economic analysis prepared by consultants SGS in 2014, the resulting gross floor area and population figures from these targets are outlined in Table 3.

Table 3 - Job and Dwelling figures for the Planning Proposal area

Capacity Analysis - additional jobs and dwellings under the Planning Proposal								
	Baseline (as at 2011)		2036 Target (additional)		Additional Capacity under existing controls		Additional Capacity under Planning Proposal	
Jobs	49,513	jobs ¹	27,000	jobs	28,500	jobs*	50,200	jobs*
	1,188,312	sqm ²	972,000	sqm [^]	1,026,040	sqm	1,808,290	sqm
Dwellings	4,769	dwgs ³	7,500	dwgs	4,410	dwgs*	15,900	dwgs*
	476,900	sqm ⁴	1,125,000	sqm [^]	662,100	sqm	2,387,060	sqm
Total floor space	1,665,212	sqm	2,097,000	sqm	1,688,140	sqm	4,195,350	sqm
Notes								
¹ Source: NSW Transport Performance and Analytics, Employment Forecasts, September 2014 release figure								
² Assumption based on an average of 24sqm/job (SGS, 2014)								
³ Figure provided by Forecast.id for the planning proposal area								
⁴ Assumption based on an average of 100sqm/dwg								
[^] Equivalent Floorspace needed to meet the jobs/dwellings target plus 50%, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								
*Additional capacity is modelled based on yield in GFA (sqm). Conversion from yield to jobs/dwellings is calculated based on 66% take-up of total capacity, given 100% take-up of capacity is unrealistic in practice (SGS, 2014)								

As of 2011, being the established baseline for growth within the Parramatta CBD, there was 49,513 jobs and 4,769 dwellings in the Parramatta CBD. Council adopted targets in the Parramatta CBD Planning Strategy for 27,000 additional jobs and 7,500 additional dwellings to 2036. The table above demonstrates there is insufficient capacity under existing planning controls to meet these targets. However, the changes proposed under this planning proposal will

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significantly increase capacity for both jobs and dwellings in the Parramatta CBD, enabling Council to easily achieve or exceed these targets. It should be noted that these numbers differ to the version of the Planning Proposal originally endorsed at April 2016. This is due to changes in the development that has occurred since that time, including: gazettal of site-specific planning proposals; conversion of Parramatta Square floor space from mixed-use to wholly commercial; and development commencements or completions resulting in sites being removed from the yield calculations.

A-Grade commercial office space

To ensure the Parramatta CBD can fulfil all its functions as one of Sydney's three metropolitan centres, policies that encourage an on-going supply of A-Grade commercial office space development and retaining a commercial core are required. The need to fulfil this function is identified in the Greater Sydney Region Plan and the Central City District Plan. To address this issue, Council commissioned an *Economic Review – Achieving A-Grade Office 2015*. The key findings and recommendations were:

- *New A-Grade office space generally needs to have a floorplate size of at least 1,300 sqm, with most major tenants likely to want a floorplate of over 1,500 sqm.*
- *Commercial and office development remain the dominant uses within the Commercial Core, and residential be considered where a development increases the supply of commercial floor space by at least 20,000 sqm, with residential development supplied in a separate tower (i.e. horizontal separation) rather than as a part of the commercial tower.*
- *Remove maximum FSRs for commercial office development in the Commercial Core and be more flexible on allowable building heights for commercial development, subject to meeting other design and impact requirements.*
- *Only allow FSRs greater than 3:1 for those sites over 2,000 sqm to promote site amalgamation.*
- *Expand the Commercial Core to create a more cohesive commercial precinct and integrate key commercial nodes (including Westfields) and establish a future Commercial Core along Church Street (Auto Alley) to be redeveloped in the long-term.*
- *Continue to encourage non-residential employment generating land uses in the Auto Alley Precinct.*

Consistent with the Gateway condition requiring studies to be updated (Condition 1 (h)) and to address the Condition recommending unlimited office space incentives only apply to sites of 1,800 sqm or more condition xxx), this study was reviewed and updated in September 2019 to:

- (a) take account of the time elapsed since the original study was prepared in 2015 and changes to market conditions over that time; and
- (b) review the 1800sqm requirement for unlimited office space within the Commercial Core.

The recommendations from the updated study are generally consistent with those from the 2015 study. Given the changes in the commercial market and sustained demand for A-Grade office space within the Parramatta CBD, the updated Study recommends that residential development only be considered within the Commercial Core by exception, and this is on the condition that a development will be able to increase the supply of office floor space by at least 20,000 sqm on the development site and any residential component is to be supplied in a separate tower – i.e. “horizontal mixed use development”. This approach may assist in facilitating an office development in a softer commercial development cycle and should only be considered where the relative viability of office development has deteriorated. The Study's findings also support applying a minimum 1,800sqm site size to development before allowing unlimited office space on the basis of urban

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design and floorplate requirements that will result in A-Grade office space being provided, a position which is consistent with the condition of the Gateway Determination.

The Study also makes the observation that as new office stock is delivered, there could be a transition of existing office stock that may have been classed as "A-Grade" to lower grades, providing opportunities for refurbishment or redevelopment. A diversity of office space quality is considered important to provide opportunities for commercial and office uses at a variety of sizes and levels of affordability. Consequently, there is an ongoing need to ensure a focus on enabling new A-Grade office space to be developed and meet the demands of the market; and provide opportunities and appropriate incentives that will enable refurbishment and redevelopment of sites to provide high quality commercial and office space within the Parramatta CBD.

A copy of the *Economic Review – Achieving A-Grade Office* is provided at Appendix 12, and a discussion of the land use provisions in the draft planning proposal is provided in Part 2.

D. Transport, traffic and parking

The key transport, traffic and parking issue for this Planning Proposal is for transport is access to support and complement urban intensification of the Parramatta CBD.

Specific issues to be considered are:

- The scale of the transport task required to support the Planning Proposal
- Capacity of existing and proposed public transport services and infrastructure;
- Timing of infrastructure and services to support the identified land use mix for the CBD;
- Managing transport demand and travel behaviour.

Consistent with the Implementation Plan in the adopted Parramatta CBD Planning Strategy, Council commissioned the *Parramatta CBD Strategic Transport Study*, 2016. This study is the first stage of work required to inform the 'Parramatta CBD Integrated Transport Plan'. The Strategic Transport Study is a high level, strategic analysis that assesses the likely impacts on the transport network from proposed increases in residential and commercial development. The recommendations from the *Parramatta CBD Strategic Transport Study* that are incorporated into this Planning Proposal are discussed in the section following. A partnership was formed with Transport for NSW and the Roads and Maritime Services to complete this strategic study that focused on what role each transport mode will play in future movements to and from Parramatta CBD.

Consistent with the Actions in the adopted Parramatta CBD Planning Strategy, new streets and lanes through large blocks in the Auto Alley area are proposed. These will deliver a more permeable road network in this precinct. This Planning Proposal also contains controls to widen some roads as indicated on the draft Land Reservation Acquisition Map. These reservations, identified to support potential road, public transport and active transport improvements will be tested through transport modelling. The modelling will assess the benefits and timing of any upgrades, as well as the proposed off-street residential and commercial car parking rates. The results of the transport modelling will be incorporated into the *Integrated Transport Plan* being prepared for the Parramatta CBD.

Parramatta CBD Strategic Transport Study

The *Strategic Transport Study* identified current and future traffic and transport demands on the network, and the capacity constraints for rail, buses and ferries and at interchanges such as

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Parramatta Interchange for both trains and buses. Based on these challenges, the study suggested the need for a second Parramatta CBD train station by 2056, and encouraged planning work be undertaken to identify an appropriate location.

The State Government's plans to deliver Parramatta Light Rail and connect Westmead to Carlingford via Parramatta CBD and Camellia has the potential to alleviate pressure on existing services and support Greater Parramatta. The *Strategic Transport Study* also discussed the need for expanded future light rail network and higher order bus services and facilities.

Introduction of Metro West will also provide a critical second railway station for the Parramatta CBD and improve east-west connectivity, however high capacity public transport services are also needed to connect Parramatta north and south.

The Study acknowledged that the current road network has limited capability to expand; and new surface transport infrastructure like light rail further impacts on the road space allocation for private vehicles. Council is proposing limited road widening as part of the planning proposal through an amendment to the Land Reservation Acquisition Map. The draft Land Reservation Acquisition Map in Appendix 2b is subject to further consultation with Transport for NSW and the Roads and Maritime Services, in addition to testing through transport modelling.

While provision of public transport is a State Government responsibility, Council can actively contribute to encourage mode shift for commute trips by reducing the capacity to support on-site car parking in future developments. Council is also able to advocate for better services and infrastructure and work with the State Government to manage congestion.

The *Strategic Transport Study* was also reviewed by officers from Transport for NSW and Roads and Maritime Services throughout the process. On 10 April 2017, Council made resolutions in relation to transport and community infrastructure funding, which resulted in additional information being submitted to DPIE. Specifically, Council resolved:

- That Council endorses the attached Parramatta CBD Strategic Transport Study and accompanying Technical Papers for the purposes of forwarding to the Department of Planning and Environment as part of the Parramatta CBD Planning Proposal.
- That Council endorses the action recommended by the Parramatta CBD Strategic Transport Study to reduce maximum car parking rates to levels currently used by City of Sydney CBD and that the Parramatta CBD Planning Proposal be amended to reflect this prior to public exhibition.
- That Council notes the Study will be publicly exhibited at the same time as the Parramatta CBD Planning Proposal and associated supporting technical documentation so as to facilitate stakeholder input at that time.

It is noted that if the Parramatta CBD Planning Proposal were fully realised, by adopting Sydney CBD off-street parking rates compared to Parramatta CBD under LEP 2011, total off-street private parking supply would be 46% of what was permissible for residential, and 80% for commercial. The City of Sydney parking rates have been incorporated into the planning proposal accordingly.

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A copy of the *Parramatta CBD Strategic Transport Study* is included in this Planning Proposal in Appendix 13.

E. Stormwater and flood risk management

A significant proportion of the Parramatta CBD is within the floodplain of the Parramatta River and its tributaries (refer to Figure 3). Flooding within the Parramatta CBD is typical of flash flood catchments with floodwaters arriving quickly without significant warning, cutting access to areas and buildings, before receding quickly. The key stormwater and flood risk management issue for this Planning Proposal is balancing growth in the CBD with managing risks to life and property from flooding.

The Parramatta CBD PP will allow for a significant increase in development within the floodplain area of the Parramatta CBD and therefore Ministerial Section 9.1 Direction 4.3 Flood Prone Land applies.

To address Direction 4.3 Flood Prone Land, Council commissioned an *Update of Parramatta Floodplain Risk Management Plans 2016* for the Upper and Lower Parramatta River. Consistent with the Gateway condition requiring studies to be updated (Condition 1 (h)), the plan was reviewed by the original consultants. Minor amendments were made however the original conclusion of the study remained unchanged being that the intensification of development in the Parramatta CBD represents a tolerable risk to life and property provided there are amendments to Parramatta LEP and DCP 2011 improving management of flood risks to life.

The amendments recommended occupants of buildings in identified areas that have particular evacuation or emergency response issues to:

- Shelter within a building above the probable maximum flood level; or evacuate safely to land located above the probable maximum flood level;
- Have an emergency access point to the land that is above the 1% annual exceedance probability event, and
- The building is able to withstand the forces of floodwaters, debris and buoyancy resulting from a probable maximum flood event.

These recommendations recognise,

- flood prone land is a valuable resource and should not be sterilised by unnecessarily precluding its development;
- Evacuation of buildings within a flood event is dependent on the rate of water rise, flood depth and velocity and sheltering within an appropriate building may be a safer option; and
- Access into and out of a building during a flood event due to a medical or fire emergency is necessary where people are sheltering within a building;
- Consistency with the Ministerial Section 9.1 – 4.3 Flood Prone Land, and specifically permitting a significant increase in development within the floodplain and the residential flood planning level.

To address Direction 4.3 (7), Council submitted an application to the (then) Department of Planning for Exceptional Circumstances to apply flood planning controls above the FPL, in order to address the specific flooding conditions of the Parramatta CBD. Supporting flood documentation included:

- Draft Update of Parramatta Floodplain Risk Management Plans (2016)
- Summary of Council's Flood Risk Management Activities
- Parramatta CBD Flood Evacuation Assessment 2017
- Horizontal Evacuation Pilot Study for Parramatta CBD

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The aim of the *Flood Evacuation Assessment* was to identify the most suitable flood emergency response strategy for Parramatta CBD under existing and future conditions by assessing and comparing the following possible flood evacuation strategies:

- Horizontal Street Level (HSL) evacuation, achieved by vehicle and on foot before any roads are cut by floodwaters;
- Horizontal High Level (HHL) evacuation, achieved on foot by using a network of elevated walkways that would allow late evacuation.
- Vertical Evacuation through 'Sheltering In Place' (SIP), in which evacuees would take refuge above the flood level within their building and wait for floodwaters to recede.

The *Horizontal Evacuation Pilot Study* tested the viability of three types of Horizontal High Level (HHL) evacuation (top of podium, indoor street, above awning) on the proposed 'Civic Link'. The Civic Link concept is for a car-free north-south link through the heart of the Parramatta CBD, connecting Parramatta train station and Parramatta Square in the south, to the river foreshore in the north.

The key finding in both *Flood Evacuation Assessment* and *Horizontal Evacuation Pilot Study* is there are very significant practical challenges, costs and issues with implementing high-level horizontal evacuation routes in the Parramatta CBD and the preferable response option is SIP.

The Gateway determination for the CBD PP included an approval from the Minister of Environment for Council's request for exceptional circumstances for the purpose of enabling further agency consultation and community consultation. The Gateway determination also contains a condition (Condition 1 (h)) requiring the updating of the studies prepared to support planning proposal request in 2016. To address this condition, Council commissioned a review of the *Update of Parramatta Floodplain Risk Management Plans 2016* and the *Parramatta CBD Flood Evacuation Assessment 2017*. The review of both studies re-affirmed the original conclusions and recommendations and included two additional points:

1. That the recommended DCP control requiring building access at or above the 1% AEP to address a secondary emergency such as fire or medical emergency that occurs during a flood, be elevated to an LEP control to ensure these minimum life safety measures are applied to all developments. .
2. That the risk to life assessments undertaken as part of review of the FRMP be revisited following the completion of the flood study, or as part of a subsequent floodplain risk management study.

The recommendation for a building access at or above the 1% AEP to address a secondary emergency is included within this Planning Proposal. At the time of writing, Council is finalising a new flood study to cover the Upper and Lower Parramatta River floodplains within the LGA.

The new Flood Study will produce more detailed and accurate data for the assessment of flood risks within the LGA with completion anticipated in 2020, followed by an updated floodplain risk management study and plan. The adoption by Council of updates to the Flood Risk Management Plans as it affects the Parramatta CBD are a separate process to this Planning Proposal, however is programmed to occur concurrently.

Section 3.2.4 in this planning proposal details the assessment of the updated Floodplain Risk Management Plans against Section 9.1 Direction 4.3 Flood Prone Land.

A copy of the Updated Floodplain Risk Management Plan is provided at Appendix 14a, the Evacuation Study and Horizontal Evacuation Study provided at Attachment 14c with a discussion

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of the flooding planning provisions in the draft planning proposal is provided in Part 2 (Appendix 2a).

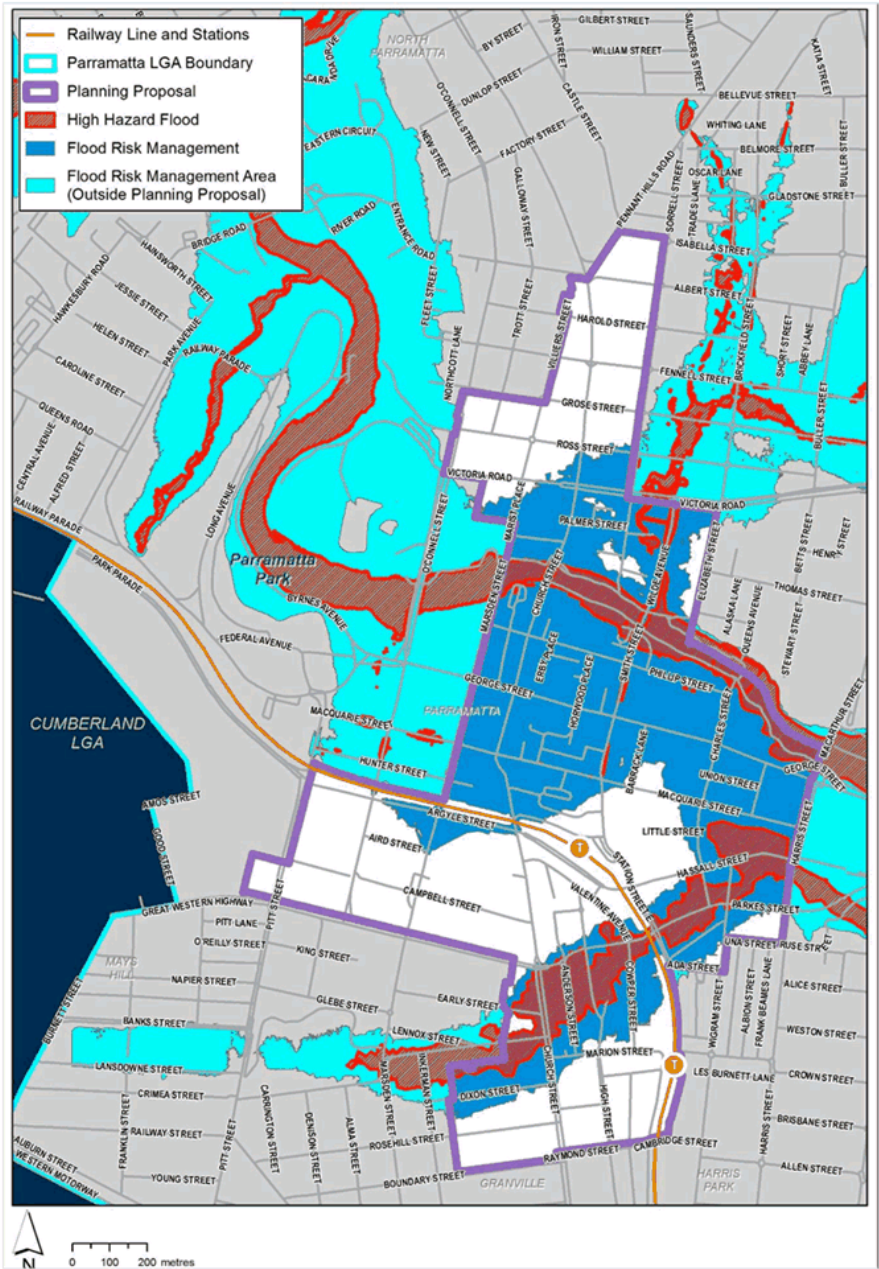


Figure 3 – Flood Risk Management Area - Probable Maximum Flood and the CBD Planning Proposal area

F. Contamination

Land within the CBD PP boundary includes sites identified for additional density and sensitive land uses. Land contamination research and technical studies consistent with the requirements of *State Environmental Planning Policy No. 55 Remediation of Land* and associated *Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land* support the CBD PP.

The 2016 studies included a desktop investigation of land within the CBD PP boundary and a *Preliminary Site Investigation Study for the Auto Alley area (2016)* prepared by consultants JBS&G. The European history of the B5 Industrial zoned land within the Auto Alley area is characterised by industrial/commercial uses and later car yards with high-quality freestanding buildings and therefore it is likely that a number of sites will have some level of contamination.

The key finding of the 2015 report was:

"Whilst the investigation identified the potential for soil and groundwater impacts to be present at the site, the investigation did not identify the potential for gross or wide spread contamination which may preclude rezoning of the site. Identified potential soil and groundwater impacts are considered representative of common contaminants and potentially contaminating land use activities which can be readily dealt with during the DA stage for redevelopment and assessment for site suitability. In the absence of gross or widespread contamination, the requirements of the DUAP (1998) Planning Guidelines for this type of rezoning are considered to have been satisfied, namely that the rezoning can proceed, "provided that measures are in place to ensure that the potential for contamination and the suitability of the land for any proposed use are assessed once detailed proposals are made" (s.4.1.2 – Generalised Rezoning, DUAP/EPA 1998). It is recommended that upon submission of a DA, Council enact their PDCP 2011, which incorporate SEPP 55 provisions. Specifically, it is recommended that a preliminary and detailed site investigation be undertaken upon submission of a DA for redevelopment of any land within the site".

The report also recommended that Hazardous Building Material Surveys (HBMS) be undertaken prior to any demolition and redevelopment works on individual land parcels within the site. Refer to Figure 4.

Consistent with Gateway Condition 1 (h) requiring a review of studies prepared to support the CBD PP, Council re-commissioned consultants JB&G to review the findings and recommendations of their 2016 report, and provide an update if required.

The consultant review process included a site inspection and examination of aerial photographs and EPA records for the intervening period since the issue of the PSI. The updated study did not identify any significant material changes from that documented in the PSI (JBS&G 2016) and reaffirms the recommendations from the original *Preliminary Site Investigation Study for the Auto Alley area*. The updated study also recommended that the PSI is considered as part of the Development Assessment process for land within the Auto Alley area. Based on this advice, Section 10.7(5) certificates issued by Council now contain a notation that describes both JBS&G's reports (dated February 2016 and May 2019) as a relevant matter for relevant properties. A copy of the JBS&G Report is provided at Attachment 15.

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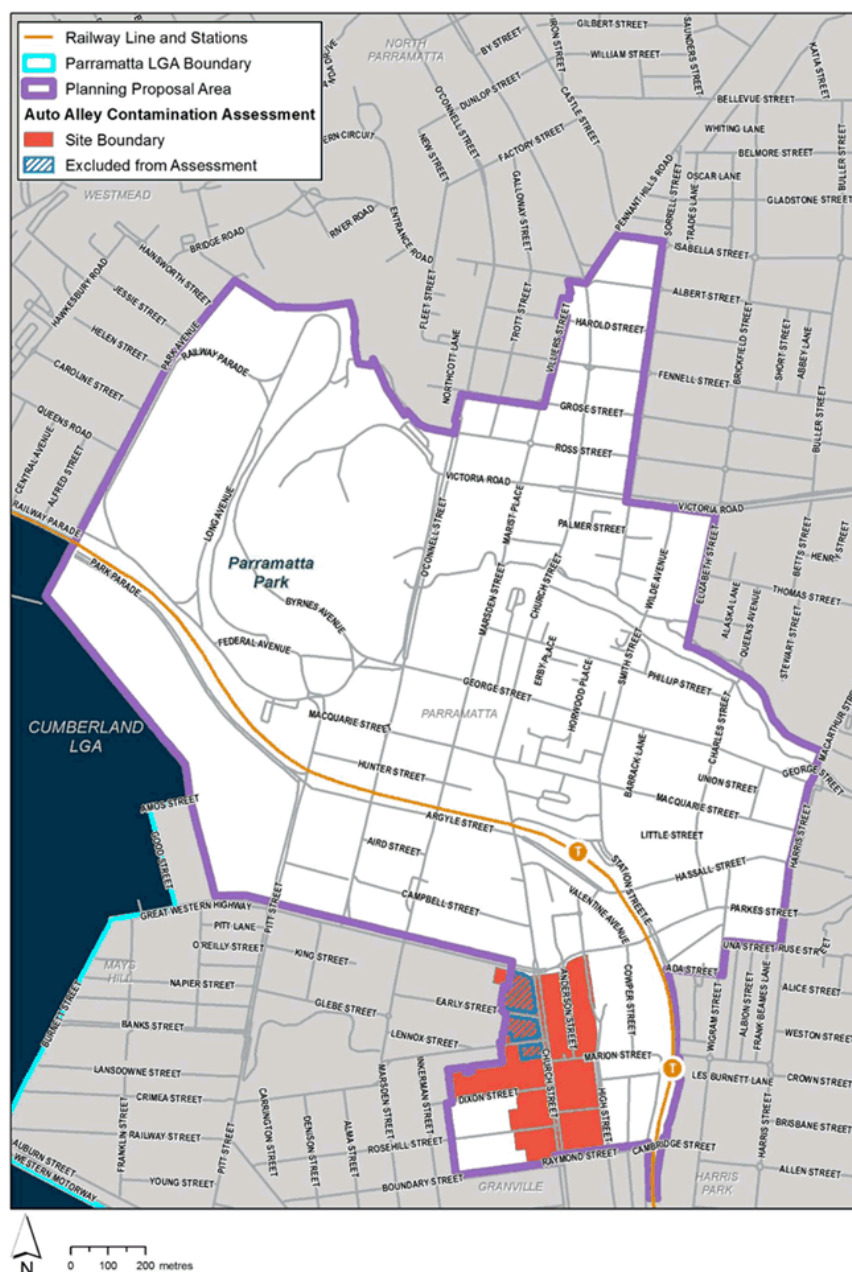


Figure 4 – Area of contamination assessment and the CBD Planning Proposal area

G. Sustainability and Infrastructure, and High Performing Buildings

A key environmental issue for this Planning Proposal is managing the increased demand for electricity, gas, water and sewer services from more intense development. Under a "business as usual" (BAU) scenario, new development will have significant implications for augmentation of existing infrastructure (especially sewer and energy networks) and the subsequent ongoing costs to households.

Specific issues are:

- ensuring resource and infrastructure efficiencies;
- exploring cost savings for residents and office tenants and attracting A-Grade office development; and
- future proofing the city for emerging technologies and investment.

To investigate these issues, Council commissioned the *Sustainability and Infrastructure Study 2015*. This study forecast the likely energy, water, sewer, transport consumption and demand under the likely Parramatta CBD growth scenario and estimated that under the proposed planning scenario when compared with existing demands:

- electricity demand will nearly triple, and peak day electricity demand is expected to increase by over 100MW (twice the existing demand);
- water demand is expected to triple;
- gas demand is expected to more than triple; and
- Increase sewer loads by nearly four times.

The study identified three opportunities to reduce water and energy consumption in the CBD being:

- higher performance building requirements: setting mandatory or incentive based higher BASIX; Future proofing all new buildings with dual reticulation for precinct level; and Requiring electric vehicle and battery storage infrastructure in new buildings.
- Strategic parking management: reducing parking rates across the CBD and across all building typologies, and provision of End of Trip Facilities in Commercial Buildings.
- Resilient Infrastructure and public domain to support the reduction of urban heat including reflectivity of building roofs, podiums and facades; and heat rejection sources.

Consistent with the Gateway Determination condition requiring studies to be updated (Condition 1 (h)), the Sustainability and Infrastructure Study 2015 study was reviewed by the original consultants in 2019. The review found that the original observations made in relation to the key trends for Parramatta CBD (car ownership, travel patterns, urban heat, cost of housing and living and building performance) are continuing under a BAU scenario, and in the case of urban heat, was accelerating due to an increase in the number of hot days in Parramatta and future climate projections.

Further, that if sustainability and parking controls remain unchanged electricity and water demand will continue to be significant, peak electricity demand will be high, sewer loads will be high, and there will be an oversupply of parking. The review concluded that given the significant implications of future growth under a BAU scenario, the original sustainability strategies for high performing buildings, resilient infrastructure and public domain and strategic parking management were still relevant.

This planning proposal includes sustainability strategies consistent with the recommendations in the Sustainability and Infrastructure Study as follows:

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- Higher performing building requirements (see discussion below)
- Reduce parking rates across the CBD (see the discussion under the heading 'Transport, traffic and parking' and proposed clause 7.3 at Appendix 2a).
- Provision of a dual water supply clause to require potable water pipes and recycled water pipes for the purposes of all available internal and external water uses (see clause 7.6B)
- Provision of End of Trip Facilities (showers, change rooms, lockers and bicycle storage areas) in commercial buildings to facilitate pedestrian and cycling access (see clause 7.6E).

The Resilient infrastructure and Public domain opportunities will be part of DCP amendments to support the planning proposal.

High Performing Building requirements

To investigate the introduction of higher performing building requirements as recommended in the *Sustainability and Infrastructure Study 2015*, Council commissioned a *High Performing Buildings Study (2016)*. This study explored the costs and benefits of higher performance standards for water and energy for commercial and residential development in the Parramatta CBD. A key objective of the Study was to ensure that any new planning controls were both cost effective and provide a genuine environmental outcome for Parramatta CBD.

The key findings and recommendations of the 2016 Study included:

- commercial premises over 10,000 square metres could deliver water and energy savings equivalent to NABERS 5-star Energy and NABERS 4 star Water.
- new residential development are able to deliver BASIX Energy and Water targets 10 points above current BASIX compliance levels. The State Environmental Planning Policy BASIX allows for incentives for the adoption of measures beyond those required by BASIX.
- future development to be built with dual reticulation for recycled water for both internal and external uses.
- Encourage high performing building design by awarding an FSR bonus of 0.5:1 for mixed use development that delivers higher BASIX scores above that required by the SEPP for sites with an FSR of 10:1.

In July 2017, an *Addendum to the High Performing Buildings Study* was undertaken that tested the impact of changes to BASIX to ascertain any impacts on the new bonus LEP clause. The Addendum report recommended that the draft LEP provision remain unchanged at that time.

In September 2018, a Council resolution amended the high performing building FSR bonus to apply to sites with an FSR of 6:1 or greater and to convert the 0.5:1 FSR bonus to a 5% bonus FSR to ensure a proportional scale outcome.

Consistent with the Gateway condition requiring studies to be updated (Condition 1 (h)), the *High Performing Buildings Study 2016* was reviewed and included further environmental analysis and feasibility testing to address Gateway Condition 1 (i) vii *to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal.*

To address the Gateway condition, the study approach included:

1. Understanding the scale and value of 5% FSR bonus scheme in the Parramatta CBD.
2. Reviewing environmental performance analysis across typologies.
3. Analysing sustainability pathway modelling across building typologies with varying FSRs and building heights to understand the achievability and feasibility (impact and cost) of higher environmental performance standards.

An early finding by the consultant was that the level of BASIX achievable depends on the building height because as buildings get taller, centralised energy loads increase making it increasingly difficult to achieve higher BASIX scores. Furthermore, the cost of achieving higher BASIX scores

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increases with residential floorspace. The consultant then modelled three sustainability pathways (building efficiency; on-site renewables; and combining building efficiency and on-site renewables) across various building heights and FSRs to understand the BASIX scores achievable across different building heights, and the pathways that are cost-effective across different FSRs.

For residential and mixed use development, the key findings and recommendations of the study were:

- cost benefit analysis of the three pathways found that land lift value exceeds the cost of implementing higher BASIX pathways.
- sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus extending the sustainability impact Council can have in the CBD.
- apartments of all building heights can achieve BASIX scores higher than the 2019 compliance standards. However, higher BASIX scores are harder to achieve as building height increases. As such, the BASIX targets at Parramatta CBD would vary by building height.
- The BASIX performance standards that are achievable for new residential and mixed-use development across the Parramatta CBD over and above 2019 BASIX compliance standards are BASIX Energy 25 and BASIX Water 40.

For commercial office buildings, large retail buildings and hotels, the updated study noted that since the original study was prepared in 2015, the National Construction Code was revised and released in May 2019. Under the revised standard, new commercial and other non-residential buildings have a choice between two mechanisms to achieve building code compliance being:

1. NABERS Energy for Office - A minimum 5.5-star NABERS Energy for Office Base Building Commitment Agreement is obtained along with satisfying additional conditions as outlined in Section JV1 and JV2 of the NCC.
2. Green Star - An alternative compliance pathway is for commercial and other non-residential buildings to be registered for a Green Star – Design & As-Built rating. Under this pathway, the proposed building needs to only demonstrate that its annual greenhouse gas emissions are less than 90% of the reference building - a hypothetical building to calculate the maximum allowable greenhouse gas emissions.

The intention was to include a NABERS rating provision in the LEP; however, this was not supported by the DPIE due to potential inconsistencies with commitments made by the NSW Government under the Australian Building Codes Board Intergovernmental Agreement. On the basis of this feedback, this planning proposal includes a revised High Performing Buildings clause taking a 'best-in-market' approach as the defining method for delivering 'high performing buildings' in the Parramatta CBD as follows:

- annual energy (base building) performance to be within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an emissions (CO₂e/sqm) basis at the time of application, and
- the annual water (whole building) consumption to be within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an net water demand (l/sqm) basis at the time of application.

The rationale for this approach is:

- The 15th percentile of current market performance is used to derive city specific emission intensity benchmarks for low carbon buildings under the International Climate Bond Standard.
- Since the introduction of the method in 2015, the process has been used to establish baselines for cities including New York, San Francisco, Singapore, Tokyo, Seoul, London and through extension, Paris, Berlin, Warsaw, Prague, São Paulo, etc.

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- The method is used by Climate Bonds to establish a baseline performance from which a city specific zero carbon trajectory to 2050 is applied to ensure the targets are in-line with the requirements of the Paris agreement.
- The Climate Bond method has been extensively tested and proven to be robust. Most recently in Australia it was used to establish the target used by Woolworths in their green bond for supermarkets <https://www.climatebonds.net/certification/woolworths>
- Applying the same 'best-in-market' test within the LEP will ensure that targets for new buildings improve over time and do not get outdated as is inevitable if a static target is published in the LEP.
- The use of a 'best-in-market' calibration on new development target will ensure the targets represent genuine best practice, are achievable and not cost prohibitive, given that 15% of the existing buildings of the relevant type in the Sydney metropolitan area will already be operating at the required level of performance at the time of application.

In summary, this planning proposal includes high performing building provisions consistent with the recommendations in the updated *High Performing Buildings Study* as follows:

- For applicable residential development: higher BASIX energy and water targets relative to both FSR and number of storeys of the building (this is optional and will be a 'opt-in' provision where developers can obtain the benefit of the 5% bonus FSR)
- For commercial and non-residential development: requirements to reflect a 'best-in-market approach' for the Sydney metropolitan region.

A copy of the *Sustainability and Infrastructure Study (2019)* and the *High Performing Buildings Study (2019)* is provided at Appendices 16a and 16b, and a discussion of the high performing building planning provisions in draft planning proposal is provided in Part 2. As included at Appendix 2a, the proposed clauses are:

- Clause 7.3 Car parking
- Clause 7.6E End of journey facilities
- Clause are 7.6A High performing buildings
- Clause 7.6B Dual water systems

H. Provision of Community Infrastructure

The changing demographic profile and significant anticipated growth in jobs and dwellings will place further demands on Council to provide new or augment existing infrastructure.

Specific issues to be considered are:

- Identification of required community infrastructure to meet anticipated needs.
- Ensuring infrastructure funding mechanisms enable the provision of sufficient community and public infrastructure needed in response to significant uplift in FSRs and development yields.
- Assessing development viability of any infrastructure funding arrangements; and
- Determining appropriate funding and delivery models to ensure sufficient local community infrastructure can be funded through a revised development contributions plan.

As a part of the preparation of the original CBD PP, Council prepared an *Infrastructure Funding Models Study*. This study evaluated potential infrastructure funding options to determine the most appropriate mechanism to fund and / or deliver new community infrastructure to meet the demands of anticipated growth in the Parramatta CBD.

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Further to the initial study, Council officers also prepared both a *Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD* and a detailed draft *Infrastructure Needs Analysis*. Council publicly exhibited both these reports together with an Independent Peer Review of Council's past work, which was prepared by consultant's Aurecon, and in April 2017, re-affirmed its support for the initial approach.

Two (2) of the Gateway Determination conditions that relate to infrastructure funding require technical updates to the planning proposal to include a satisfactory arrangements clause to fund regional infrastructure (condition 1 (m)); and amend references to 'value sharing' in the planning proposal to 'provision of community infrastructure' (Condition 1 (m) ii). These have both been completed in this planning proposal.

The other two (2) Gateway conditions that relate to infrastructure funding require the submission of additional information to support the planning proposal to amend Council's proposed community infrastructure mechanism and developing contributions plans, specifically,

Gateway Condition 1 (m) iii states: *amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and*

Gateway Condition 1 (m) iv states: *consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new Section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.*

To address these two conditions, Council resolved on 25 March 2019 to *undertake further study to understand the financial implications of the Gateway conditions, including s7.11 and s7.12 contribution rates needed to support community infrastructure (that would match value-sharing rates); and that Council adopt a no net financial loss Council policy position as an interim measure when negotiating Voluntary Planning Agreements in relation to site-specific PPs in the CBD to ensure contributions are consistent with Council's adopted value sharing rates in the Parramatta CBD.*

Consultants GLN Planning and AEC Group were commissioned by Council to prepare a Community Infrastructure Funding Study that:

- reviews and makes recommendations in relation to Council's adopted rates for the provision of community infrastructure
- reviews the draft Parramatta CBD Infrastructure Needs Analysis in light of the Gateway determination conditions, in particular any financial implications
- tests a number of levying options using conventional development contributions mechanisms (i.e. s7.11 and s7.12) to match the revenue that the Council had anticipated from implementing the community infrastructure mechanism
- contains findings to assist Council in responding to the Gateway Determination conditions in relation to infrastructure funding.

At the time of writing, the *Parramatta CBD Community Infrastructure Funding Study* was being finalised by the consultants to include additional analysis requested by Councillors relating to development feasibility assumptions and the calculation of proposed rates. For the purpose of the CBD PP and addressing Condition 1(m) iii, the consultant issued a letter detailing the effect of implementing the condition for the Parramatta CBD to determine items that could possibly be delivered as part of a development on site; and based on this, outlined suggested alternative wording to meet the Gateway Determination condition. The consultant has identified that \$259 million of community infrastructure from Council's draft *Parramatta CBD Infrastructure Needs*

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Analysis could be provided on development sites. To enable this infrastructure to be delivered on site, the consultant recommends Council's planning proposal include a community infrastructure clause based on clause 8.7 of Penrith LEP 2010.

Therefore, consistent with the consultant recommendation and to address the Gateway Determination condition, this CBD PP includes 'a provision of community infrastructure' draft clause to allow higher density development on certain land in the Parramatta City Centre where the development includes community infrastructure, and the land where the clause applies is identified on the Special Provisions Area Map. This clause is based on the Penrith LEP 2010 Clause 8.7 as per the consultant's recommendation.

A copy of the consultant's letter on the *Parramatta CBD Community Infrastructure Funding Study* is provided at Appendix 17f (under separate cover) and the full study will form part of this Planning Proposal during exhibition, assuming support by Council (at a later date).

The community infrastructure provision clause will be supported by an Infrastructure Strategy (to be prepared and reported to Council separately). The purpose of the *Parramatta CBD Infrastructure Strategy* will be to identify future infrastructure needs in the CBD resulting from growth in the CBD and provide a framework for funding and delivery of Council-led projects that will address those needs over the next 20 years. The Implementation Plan of the Strategy will include:

- a Prioritised Works Schedule: based on the work in the *Infrastructure Needs Analysis* (refer to Appendix 17c);
- a Development Guideline for the Provision of Community Infrastructure Mechanism: to explain the process for development that includes community infrastructure; and
- a s.7.11 and/or 7.12 Development Contributions Plan.

Other supporting studies that have guided this content of the planning proposal are the:

- Community Facilities Needs Study 2016 (refer to Appendix 17a),
- Infrastructure Funding Models Study 2016 (refer to Appendix 17b)
- Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017 (refer to Appendix 17c)
- Draft Infrastructure Needs Analysis 2017 (Appendix 17d)
- Independent Peer Review of Council's past work on community infrastructure prepared by Aurecon 2017 (Appendix 17e)
- Review (Memo) on the Parramatta CBD Community Infrastructure Funding Study 2019 (refer to Appendix 17f).

Further analysis analyses (ie. the final Parramatta CBD Community Infrastructure Funding Study and final Infrastructure Needs Analysis 2017) are yet to be finalised but will be discussed (and appended) in a future iteration of this planning proposal.

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Key elements of this Planning Proposal

The amendments sought to *Parramatta Local Environmental Plan 2011* (PLEP 2011) to give effect to the Objectives and Intended Outcomes in Part 1 of this Planning Proposal are as follows:

A. Parramatta CBD Boundary

Expanding the boundary of the Parramatta CBD to facilitate and strengthen Parramatta CBD's role as the Metropolitan Centre for the Central City.

The new areas to be included within the expanded boundary are:

- south of Grose Street and east of O'Connell Street, Parramatta;
- south of Isabella Street and west of Sorrell Street, North Parramatta;
- area bound by Ada, Kendall and Wigram Streets, Harris Park;
- areas along Dixon, Rosehill and Boundary Streets, Parramatta.

The planning controls that apply in the 'Park Edge Highly Sensitive' area on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain are not being changed. The 2015 Conservation Agreement between the Commonwealth and State Government and Council governs development within this area. This planning proposal includes a provision to preserve the existing controls that apply to this land.

An area to be removed from the original proposed CBD PP boundary is land south of the Great Western Highway and north of Lennox and Lansdowne Streets, east of Marsden Street, Parramatta. Consideration of future planning controls for this area will be incorporated into the work investigating the three 'Planning Investigation Areas' identified in the *Parramatta CBD Planning Strategy* (2015) to be undertaken in a separate planning proposal.

B. Land Use

Amending some of the zone provisions within the Parramatta CBD to facilitate long-term employment opportunities supported by high density residential development.

B3 Commercial Core zone

- Rezoning some sites to B3 Commercial Core that are currently zoned B4 Mixed Use and contain existing commercial land uses, including the Westfield Shopping Centre (between Marsden and O'Connell Streets) and sites along Argyle Street and along Station Street East (between Hassall and Parkes Streets).
- Prohibiting serviced apartments within the B3 Commercial Core zone
- Including an additional local provision to enable office floor space to be exempt from the overall maximum floor space ratio on sites zoned B3 Commercial Core with an area greater than 1,800 square metres.
- Requiring development to have an active frontage through provision of a business and or retail premises, and or community facility on the ground floor of sites identified on the Active Frontages Map and zoned B3 Commercial Core and B4 Mixed Use to promote pedestrian traffic in the City Centre.
- Rezoning some land to B3 Commercial Core that is currently zoned B5 Business Development and along Church Street (Auto Alley) to provide for an expanded area of higher order commercial core activities in the future.
- Permitting additional uses for 'vehicle repair stations', with development consent on land proposed to be rezoned from B5 Business Development to B3 Commercial Core (generally within the Church Street 'Auto Alley' area), so as to enable these uses to continue in the short-medium term.

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B4 Mixed Use zone

- Rezoning some sites to B4 Mixed Use that are currently zoned R3 Medium Density Residential and R2 Low Density Residential in the area south of Grose Street and north of Victoria Road, Parramatta; and in the area west of Sorrell Street.
- Rezoning some sites to B4 Mixed Use that are currently zoned B1 Neighbourhood Centre bounded by Ada, Kendall and Wigram Streets.
- Rezoning some sites B4 Mixed Use currently zoned B5 Business Development and along Church Street (Auto Alley). It is noted 'vehicle repair stations' are permissible with development consent on land zoned B4 Mixed Use.
- Rezoning some sites B4 Mixed Use currently zoned R4 High Density Residential west of Church Street between Lansdowne and Raymond Streets.
- Rezoning some sites B4 Mixed Use currently zoned R4 High Density Residential fronting the Great Western Highway (west of Church Street and east of Marsden Street)
- Including an additional local provision to enable commercial premises floor space in excess of the minimum 1:1 FSR required to be exempt from the overall maximum FSR on some sites zoned B4 Mixed Use with an area greater than 1,800 square metres and identified on the Additional Local Provisions Map.
- Requiring development to have an active frontage through provision of a business and or retail premises, and or community facility on the ground floor of sites identified on the Active Frontages Map and zoned B4 Mixed Use to promote pedestrian traffic in the City Centre.

C. Building Form

The planning controls that influence building form outcomes are floor space ratio and height of building controls, and in the Parramatta CBD will apply as follows:

Floor Space Ratio

1. Density of development is primarily controlled by Floor Space Ratio (FSR) controls.
2. All land within the CBD PP boundary will have an FSR control except land zoned SP1 – Special Activities, SP2 – Infrastructure, RE1 – Public Recreation and existing roads.
3. Land zoned B3 Commercial Core and sites that have been the subject of a gazetted site-specific planning proposal and made a VPA contribution (in the case of residential development) will have one FSR as identified on the 'Floor Space Ratio Map'.
4. Land zoned B4 Mixed Use and R4 High Density Residential and identified on the 'Incentive FSR Map' will have a second FSR (known as 'Incentive FSR').
5. The proposed FSR control (referred to as the 'base'):
 - a. Applies to all land zonings and development permitted within the B3 Commercial Core, B4 Mixed Use and R4 High Density Residential zones.
 - b. Is identified on the 'Floor Space Ratio Map'
 - c. Is largely the same FSR as currently gazetted and shown on the maps for PLEP 2011.
 - d. May not be achievable on some sites due to sun access protection and airspace operation controls also included in this Planning Proposal.
 - e. Is not subject to site area thresholds (i.e. FSR Sliding Scale).

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- f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base FSR or incentive FSR, but not both.
6. The proposed Incentive Floor Space Ratio (IFSR) control:
 - a. Applies to land zoned B4 Mixed Use and R4 High Density Residential
 - b. Is identified on the 'Incentive FSR Map'
 - c. Reflects Council Resolutions for land within the Parramatta CBD PP boundary
 - d. Applies to land where an uplift in FSR is proposed compared to the base FSR
 - e. Allows higher densities on certain land shown on the 'Special Provisions Map' (but not Area A) where the development includes community infrastructure,
 - f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base FSR or incentive FSR, but not both.
 - g. Is subject to site area thresholds (i.e. FSR Sliding Scale) which may result in a reduction of the maximum FSR due to the size of the site, with the minimum size area being 1000sqm up to 1800sqm.
 - h. The maximum FSR however can be achieved for sites provided the site is between 1000sqm and 1800sqm, meets the definition of an 'isolated site', is awarded design excellence and includes community infrastructure.
 - i. May not be achievable on some sites due to sun access protection, height of building controls, airspace operation controls and site frontage also proposed in this Planning Proposal.
7. Additional floor space in addition to the base and IFSR, is permitted on certain sites, where:
 - a. In the B4 zone, if the development includes a minimum of 1:1 commercial floor space and the site has an area greater than 1,800 square metres
 - b. In the B3 zone, office development is not subject to any floor space ratio controls provided the site has an area greater than 1,800 square metres.
8. Bonus FSR, in addition to the IFSR, can be achieved on some sites that meet certain conditions, by utilising planning provisions relating to Opportunity Sites and High Performing Buildings. This is explained as follows:
8. Opportunity Sites bonus FSR:
 - a. Is an FSR bonus up to a maximum of 3:1.
 - b. Is in addition to the 10:1 Incentive FSR.
 - c. Applies to some land zoned B4 Mixed Use within the City Core area subject to certain conditions including site dimensions).
 - d. Can be achieved provided the development includes community infrastructure (whether provided on site or not) in addition to the community infrastructure provided as part of the Incentive Floor Space Ratio control.
 - e. Can be achieved if a site specific DCP (or a Concept DA) is submitted.
 - f. Must undertake a competitive design process and exhibit design excellence.
 - g. Must achieve the water and energy targets under the high performing buildings clause.

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9. High Performing Buildings bonus FSR:

- a. Applies to sites (subject to certain minimum site width and size) within the B4 Mixed Use zone that have IFSR of 6:1 or greater.
- b. Is a 5% FSR bonus (on top of the IFS) that can be achieved provided energy and water targets (above BASIX requirements) are included.

Height

1. The maximum height of a building will be influenced by proposed controls for height of buildings, sun access protection and airspace operations.
2. All land within the Parramatta CBD Planning Proposal boundary will have a height control, as shown on the Height of Buildings Map except land zoned SP1 – Special Activities, SP2 – Infrastructure, RE1 – Public Recreation and existing roads.
3. All land is subject to the airspace operations control under the Radar Terrain Clearance Chart as prescribed by Sydney Airport.
4. All land zoned B4 Mixed Use and R4 High Density Residential and identified on the 'Incentive HOB Map' will have a second HOB (known as 'Incentive HOB'), except sites that have been the subject of a gazetted site-specific planning proposal and made a VPA contribution (in the case of residential development).
5. All land zoned B3 Commercial Core, including certain sites zoned B3 Commercial Core that have been the subject of a gazetted site-specific planning proposal, will have one HOB as identified on the 'HOB Map'.
6. The base maximum height control:
 - a. Applies to all land zonings – B3 Commercial Core, B4 Mixed Use and R4 High Density Residential,
 - b. Is largely the same height as currently gazetted and shown on the maps for PLEP 2011,
 - c. The height of a site with no base height limit is determined by sun access controls,
 - d. Land with a height control of 0m in the Church Street area (Auto Alley Precinct) and West Auto Alley Precinct reflects uses required to be dedicated to Council for the delivery of new roads and or open space,
 - e. Is impacted by an airspace operations control, and
 - f. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height, but not both.
7. The incentive maximum height control:
 - a. Applies to land zoned B4 Mixed Use and R4 High Density Residential
 - b. Is identified on the 'Incentive HOB Map'
 - c. Reflects Council Resolutions for land within the Parramatta CBD PP boundary
 - d. Applies to land where an uplift in height is proposed compared to the base height
 - e. Allows higher densities on certain land shown on the 'Special Provisions Map' (but not Area A) where the development includes community infrastructure,
 - f. May not be achievable on some sites due to sun access protection, FSRs, airspace operation controls and site frontage requirements also proposed in this Planning Proposal.
 - g. Only applies height controls to sites in the Auto Alley precinct, West Auto Alley Precinct, Church Street Precinct (between Macquarie and Parramatta River), some sites affecting heritage items and some sites to protect solar access to

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heritage conservation areas and open spaces. All others areas have no height controls specified under the incentive height control map.

- h. Where maximum building heights apply, it generally increases the building heights from the base height control to correspond with the incentive FSR control, except where impacted by heritage.
 - i. Can be achieved provided the development includes community infrastructure (whether provided on site or not) in conjunction with the IFSR.
 - j. Applies to some B3 Commercial Core zonings (Auto Alley) and all B4 Mixed Use and R4 High Density Residential zonings.
 - k. May not be achieved on some sites due to the sun access protection control and the airspace operations control detailed below.
 - l. Can be increased by 15 per cent provided design excellence is achieved. The 15% bonus can only be applied once, either to the base or incentive height, but not both.
8. The sun access protection control:
- a. Any future development located on 'sun access areas' must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.
 - b. Any future development located on 'sun access areas' must not result in additional overshadowing in mid-winter between 10am and 2pm to the Experiment Park.
 - c. For some sites where an incentive height of building control (exclusive of bonuses) applies it is to maintain solar access to heritage conservation areas and open spaces outside the boundaries of the CBD.
9. The airspace operations control:
- a. Airspace above the Parramatta City Centre is affected by the operation of Sydney and Bankstown Airports.
 - b. If the incentive height control becomes activated, some areas in the City Centre will be subject to no height limits.
 - c. If the unlimited FSR for commercial development becomes activated, some sites in the City Centre will be subject to no FSR limits.
 - d. Therefore, tall buildings will be required to consider the impact on airspace safety and in some instances be required to obtain approval from the relevant Commonwealth agency.

A map of the proposed height and FSR controls is provided Appendix 2b and proposed draft LEP provisions are provided in Appendix 2a.

D. Design Excellence

In order to facilitate design excellence and a high quality built form in the Parramatta CBD, the planning proposal retains similar provisions to those already in the PLEP 2011 relating to a competitive design process for certain buildings in the Parramatta CBD. The competitive process ensures that design excellence is considered at several steps in developing the concept design, and early on in the project when it is most cost effective and easiest to make changes. The process also allows for a broad spectrum of design expertise to be involved and contribute to the project compared to an alternative process where a single architect is commissioned by the applicant.

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Specifically, the planning proposal recommends, with respect to planning controls and design excellence, the following:

1. Amendment to the existing PLEP 2011 provision, requiring development of a height greater than 40 metres (current requirement is 55 metres) to be subject to a competitive design process.
2. Development involving or directly adjoining a heritage item seeking to achieve a FSR of 3:1 or greater to be subject to a competitive design process.
3. The current 15% bonus can be applied to either the base FSR and height, or incentive FSR and height, but not both to prevent "double-dipping" and ensure an equitable application of the control.
4. Developments seeking the maximum FSR shown on the FSR map including the FSR permitted by the sliding scale, must be subject to a competitive design process and exhibit design excellence.
5. Those sites within the B4 Mixed Use zone which are identified as Opportunity Sites and are seeking any bonus FSR in addition to the incentive FSR, are subject to a competitive design process and must exhibit design excellence.
6. Removal of the PLEP 2011 provision relating to a bonus of 25 percent FSR and height for non-residential floor space in the B4 Mixed Use Zone if it exhibits design excellence. This provision will be no longer applicable as it is proposed that non-residential floor space will not be subject to maximum FSR controls in the B4 Mixed Use Zone (subject to compliance with the height controls). This provision will still apply to Area A in the Special Provisions Area map.

E. Heritage

The heritage controls for the Parramatta CBD proposed in the planning proposal are as follows:

1. Retain the existing PLEP 2011 controls relating to heritage under Clause 5.10.
2. Include a new clause (clause 7.6K) to require development to demonstrate an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. This operates in addition to the standard heritage clause at clause 5.10.
3. Within the City Centre Core, FSRs of 10:1 (plus design excellence, HPB and opportunity sites bonus (where applicable)) with variable height controls for all sites including heritage items, except for:
 - a. Some sites directly north of Lancer Barracks, being an item of national heritage significance, where the existing height and FSR controls in PLEP 2011 will continue to apply;
 - b. Some sites adjoining state heritage items within a significant landscape setting, including St John's Cathedral Church and St John's Cemetery where the existing FSR control in PLEP 2011 will continue to apply, but includes a new height control;
 - c. Sites within the Church Street Precinct where a street wall height of 12m and a 12m upper level (tower) setback control applies.
 - d. Some sites within the Church Street Precinct that are small, narrow and contain significant concentrations of heritage items have an IFSR of 3:1.
 - e. Harrisford House, being an item of state significance where the existing height control in PLEP 2011 will continue to apply, but includes a new FSR control
 - f. Roxy Theatre site has a reduced height control of 18m.
4. Within the Northern Interface Area, FSRs of 6:1 (plus design excellence and HPB bonus) and 80m height limit for most sites including heritage items, except for the following:

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- a. Sites within the Sorrell Street HCA, Catholic Institutional Area, All Saints Church heritage items and some sites adjacent to Prince Alfred Square where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum or a solar access plane applies.
- b. Sites at 452 – 456 Church Street where the incentive HOB is replaced with a maximum 10 metre incentive HOB for the first 10 metres of the site given heritage items fronting Church Street.
- c. Sites at 2 Sorrell Street and 14 – 16 Lamont Street where an incentive FSR of 5.2:1 applies.
- d. The site at 5 Elizabeth Street where an incentive FSR of 5.2:1 applies.
5. Within the South- Eastern Area, FSRs between 2:1 and 10:1 (plus design excellence and HPB bonus for FSRs 6:1 and greater) and corresponding height limits for most sites including heritage items, except for the following:
 - a. The sites recommended to be retained in the reconfigured boundary of the Harris Park West HCA where the incentive FSR and HOB is removed, and the base FSR and HOB is the maximum.
 - b. The sites recommended to be removed from the Harris Park West HCA where the incentive HOB is amended to 26 metres.
 - c. The sites impacting on overshadowing of Experiment Farm to be subject to a solar access plane
 - d. The sites impacting on overshadowing of the Experiment Farm HCA and Harris Park West HCA to be subject to height of building controls.
6. Within the South-Western Interface Area, FSRs between 2:1 and 10:1 (plus design excellence and HPB bonus for FSRs 6:1 and greater) and corresponding height limits for most sites including heritage items, except for the following:
 - a. Sites within the heritage core of the Marion Street Precinct where the existing FSR is retained.
 - b. Sites within the block bound by High and Raymond Streets, and Peace and Raymond Lanes, where the where the existing FSR is retained to protect solar access to the HCA.
7. A development that includes Incentive or Opportunity Site FSR must demonstrate an appropriate transition to any heritage items or conservation areas.
8. Sites where there is an impact on HCAs have been removed as Opportunity Sites.

F. Provision of Community Infrastructure

This planning proposal allows for increased heights and FSRs for certain sites where development includes community infrastructure. To achieve this:

1. Higher density development is permitted on certain land identified on the Special Provisions Area Map where the development includes community infrastructure.
2. Mixed use or residential development up to the maximum incentive height and incentive FSR control can be achieved, where community infrastructure is included with the development.
3. The amount of community infrastructure to be included with development seeking to achieve the Incentive FSR and Incentive Height will be explained further in a separate Development Guideline (to be prepared by Council).
4. Community infrastructure means development for the purposes of community facilities, cycle ways, environmental facilities, footways, information and education facilities, public administration buildings, public car parks, public roads, public places, public reserves, public

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- utility undertakings, recreation areas, recreation facilities (indoor), recreation facilities (major) and recreation facilities (outdoor).
5. The provision of community infrastructure will be linked to Council's 'Infrastructure Strategy' and must be agreed by Council.
 6. Further community infrastructure can be included with increased development on Opportunity Sites.
 7. In relation to Opportunity sites, an additional FSR bonus of 3:1 (up to a maximum of 15:1) could be achieved as part of the development if the site meets certain conditions including, size of the site, achieving design excellence, heritage management, meeting water and energy targets and preparation of a DCP (or a Concept DA).
 8. The Development Guideline will also explain how community infrastructure is to be included with the development of Opportunity Sites.

G. High Performing Buildings

This planning proposal attempts to foster environmental wellbeing and efficient and sustainable use of energy and resources so that Parramatta develops as a sustainable city. To achieve this, the key recommendations with respect to the planning controls can be summarised as follows:

1. Applies to office premises with a GFA of 1,250sqm or greater; retail premises with a GFA of 5,000sqm or greater; serviced apartments or hotel or motel accommodation; residential flat buildings and mixed use development, significant alterations and additions (that have a capital value of more than \$5 million) to existing retail premises (with a GFA of 5,000 sqm or greater), office premises, hotel or motel accommodation or serviced apartments.
2. For the part of any building used for the purposes of retail premises (including as part of a mixed use development), office premises, hotel or motel accommodation or serviced apartments, a report by a qualified consultant must verify that the following standards are met:
 - a. For energy, the annual energy (base building) performance is within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on an emissions (CO₂e/sqm) basis at the time of application;
 - b. For water, the annual water (whole building) consumption is within the top 15% of the performance of similar existing buildings of a similar usage type in the Sydney metropolitan region, benchmarked on a net water demand (l/sqm) basis at the time of application.
3. A FSR Bonus of 5% will be available where a building that is a dwelling, including as a part of a residential flat building or mixed use development with a maximum incentive FSR of 6:1, a site area greater than 1800sqm and a site frontage greater than 24 metres wide, complies with the higher BASIX Energy and BASIX Water standards (shown in Column 2) than the minimum standards as provided in SEPP (Building Sustainability Index: BASIX) 2004, which correspond to the height of the building (shown in Column 1) and its FSR (also shown in Column 2), as indicated in the table below.

Table 4 – Application of proposed 5% bonus

Building Height	Column 2		
	Higher BASIX Energy and Water Standards		
	BASIX standard	Points above minimum BASIX standard for development with a floor space ratio of 6:1 or	Points above minimum BASIX standard for development

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		greater, up to, but not including, 14:1	with a floor space ratio of 14:1 or greater
5-15 storeys	Energy	+25	+15
	Water	+15	+15
16-30 storeys	Energy	+20	+10
	Water	+15	+15
31-40 storeys	Energy	+10	+10
	Water	+15	+15
41+ storeys	Energy	+10	+10
	Water	+15	+15

4. Given the lifespan of new buildings or where significant alterations are proposed to an existing building, a further requirement is proposed to be included requiring dual reticulation (to accommodate both potable and recycled water pipes) for all future developments to allow for district wide water recycling in Parramatta.
5. End of journey facilities for pedestrian and cyclists must be provided where a building consists entirely of commercial, and in a mixed use development where more than 600 sqm of commercial premises is provided consistent with the recommendation from the Economic Review – Achieving A Grade Office Report as a way to improve the amenity of the workplace, encourage alternative forms of transport to work and for businesses to attract and retain staff. The rate of provision of these facilities will be outlined in a supporting draft DCP control.

H. Transport, traffic and parking

This planning proposal will address the Section 9.1 Direction 3.4 Integrating Land Use and Transport by increasing the development potential of land for more intense commercial and residential development activity close to well serviced transport routes to maximise the use of public transport and accessibility to local services.

This Planning Proposal adopts the approach put forward by the Strategic Transport Study that encourages sustainable transport policies by reducing parking rates and supporting increased use of public transport, walking and cycling.

As a result, the key recommendations with respect to the planning controls are summarised as follows:

1. Reduce maximum car parking rates for residential and commercial uses to levels currently used by City of Sydney CBD.
2. Apply consistent parking rates to existing site-specific Planning Proposals and Design Competitions within the Parramatta CBD as a provision applicable to each proposal or competition to ensure future development will be consistent with the strategic direction to reduce maximum car parking rates.
3. Allow for additional road widenings through amendments to the LRA Map.

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I. Stormwater and flood risk management

This planning proposal provides for intensification of development within a floodplain while complying with the Section 9.1 Direction relating to Flood Prone Land. To address this, the key recommendations with respect to the planning controls are summarised as follows:

1. In addition to requirements for flooding under Clause 6.3, include: a new clause requiring buildings with evacuation issues on land affected by the probable maximum flood within the City Centre to:
 - a. Contain either an area that is located above the probable maximum flood level, and connected to an emergency electricity and water supply, and of sufficient size to provide refuge for all occupants of the building (including residents, workers and visitors), or flood free pedestrian access between the building and land that is above the probable maximum flood level, and
 - b. have an emergency access point to the land that is above the 1% annual exceedance probability event, and
 - c. is able to withstand the forces of floodwaters, debris and buoyancy resulting from a probable maximum flood event.
2. Imposing planning controls on residential development above the Flood Planning Level requires the Minister for Environment to grant for exceptional circumstances.
3. The changes outlined in the planning proposal are in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the *Floodplain Development Manual 2005*.

Appendices

Given the size of much of the technical studies and attachments appended to this planning proposal, most appendices are provided under separate cover.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives or intended outcomes of the proposed amendments to *Parramatta Local Environmental Plan 2011* (PLEP 2011) are:

1. To reinforce Parramatta CBD as the Metropolitan Centre role for the Central City.
2. To increase the capacity for new jobs and dwellings so as to create a dynamic and diverse city and meet targets in the Central City District plan.
3. To encourage a high quality and activated public domain with good solar access.
4. To facilitate the provision of community infrastructure to service the growing city.
5. To strengthen opportunities for the provision of high quality commercial floor space.
6. To future proof the city through efficient and sustainable use of energy and resources.
7. To manage risks to life and property from flooding.
8. Ensure tall buildings are of an appropriate form for their size and context
9. To protect and manage the heritage values of Parramatta's local, State, national and world significant European and Aboriginal heritage items, conservation area, places and views.
10. To promote active transport and use of public transport.
11. To advocate for regionally significant transport infrastructure to connect residents within 30 minutes to jobs, education and health facilities, services and recreation including the Parramatta light rail and Sydney West Metropolitan rail link.
12. To support the provision of regionally significant cultural and public domain infrastructure including the Riverside Theatre, the Museum of Applied Arts and Science, the Civic Link, Parramatta Square and the River foreshore.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend the provisions that apply to *Parramatta Local Environmental Plan 2011* (PLEP 2011) as follows:

Land-use table and zoning objectives

This Planning Proposal includes an amendment to the permitted uses in the Land Use Table for Zone B3 Commercial Core in order to prohibit serviced apartments. The reason for this amendment is to ensure that employment land is protected and that the conversion to residential apartments does not occur in the future.

Built form controls (Height and FSR)

Under the current PLEP 2011, most sites in the Parramatta CBD have one height control and one FSR control. This Planning Proposal retains in the main these heights and FSRs as shown on the existing Height of Buildings Map and FSR Map, and proposes to introduce a second height and FSR control for certain sites zoned B4 Mixed Use and R4 Residential where an uplift is proposed. These are to be known as 'incentive FSR and incentive height'. Land zoned B3 Commercial Core and land that is the subject of a gazetted site-specific Planning Proposal will have one FSR and height control as shown on the Height of Buildings and FSR map.

The 'base' height is shown on the 'Height of Buildings Map', the 'incentive' height is shown on the 'Incentive Height of Buildings Map', the 'base' FSR is shown on the 'FSR Map', and the 'incentive' FSR is shown on the 'Incentive Floor Space Map' (floor applicable sites).

The proposed incentive FSR control is generally higher for land adjacent to the B3 Commercial Core than land in the interface areas of the CBD. Exceptions to these incentive FSRs are for heritage or solar access reasons.

All sites in the CBD will have a specified building height and will be subject to an amended airspace operations control that regulates intrusions into prescribed airspace.

Within the Auto Alley Precinct and West Auto Alley Precinct, incentive FSRs and heights are generally more varied than the remainder of the Parramatta CBD and reflect separate detailed analysis. Sites of significant heritage value have in the main height and FSRs controls consistent with the existing controls in PLEP 2011 including St Johns Cathedral Church, the Catholic Institutional Area in North Parramatta, All Saints Church, and sites adjacent to Lancer Barracks and sites to the north and west of St John's Cemetery. Exceptions include Harrisford House and the Roxy Theatre, where the height is lower, consistent with the existing controls in PLEP 2011, but the FSR is as per adjoining development under the CBD PP (to facilitate amalgamation with adjoining sites and FSR transfer).

Community Infrastructure

The purpose of a 'base' and 'incentive' height and FSR control is to enable development to include community infrastructure arising from the additional yield under the 'incentive' controls. This Planning Proposal seeks to include a new control in PLEP 2011 allowing a development to be

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consistent with the incentive height and incentive FSR control where a mixed use or residential development includes community infrastructure. This applies only to sites identified on the Special Provisions Application map, that have an incentive height and incentive FSR allocated on the incentive height and incentive FSR maps. The draft provision is based on a similar provision included in the Penrith LEP 2010.

Council will separately prepare a Development Guideline which will outline details on how community infrastructure is to be included with development. The amount of community infrastructure that must be included will be proportional based on the difference between the base FSR and the incentive FSR. Community infrastructure means development for the purposes of community facilities, cycle ways, environmental facilities, footways, information and education facilities, public administration buildings, public car parks, public roads, public places, public reserves, public utility undertakings, recreation areas, recreation facilities (indoor), recreation facilities (major) and recreation facilities (outdoor).

There are also site-specific requirements for certain sites to achieve the Incentive Height and Incentive FSR for development that includes community infrastructure – refer to discussion under “Site-Specific Provisions” below.

Built form controls (FSR sliding scale)

Under the existing PLEP 2011, a site may achieve the maximum FSR indicated on the FSR map where the site area is greater than the minimum amount stated in the instrument. Where a site area is less than that stated in the instrument, the sliding scale control limits the maximum FSR that can be achieved on a site proportional to the site area through the application of a formula. The purpose of this control is to promote site amalgamation and to prevent overdevelopment and inappropriate built forms on small sites.

Refer to the table below for the existing FSR sliding scale control in PLEP 2011 (extracted from Clause 7.2 of PLEP 2011).

Table 5 – Existing FSR sliding scale in PLEP 2011

FSR Shown on Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1,800sqm	Site is equal to or greater than 1,800sqm
6:1	4:1	$(4 + 2X):1$	6:1
8:1	5:1	$(5 + 3X):1$	8:1
10:1	6:1	$(6 + 4X):1$	10:1

$X = (\text{the site area in square metres} - 500)/1500$

This Planning Proposal replaces the existing FSR sliding scale with a new FSR sliding scale control (refer to the table below) with the key differences being: the addition of 4:1 and 7:1 FSRs to reflect all mapped incentive FSRs in the planning proposal; a minor change to the formula; and applies only to development seeking incentive FSRs that are whole numbers (i.e. the FSR sliding scale will not apply to development seeking base FSR only and sites with mapped Incentive FSRs of 4.2:1 and 5.2:1).

Table 6 – Proposed new FSR sliding scale

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FSR Shown on Incentive FSR Map	Site is less than or equal to 1000sqm	Site is greater than 1000sqm but less than 1,800sqm	Site is equal to or greater than 1,800sqm
4:1	3:1	(3+1X):1	4:1
6:1	4:1	(4 + 2X):1	6:1
7:1	4.5:1	(4.5+2.5X):1	7:1
8:1	5:1	(5 + 3X):1	8:1
10:1	6:1	(6 + 4X):1	10:1

X = (the site area in square metres – 1000)/800

The intent of these changes to the FSR sliding scale is to balance equity of development potential with the physical capacity of the site and give certainty of development and fair value to the smaller sites while incentivising the consolidation of sites. Development seeking base FSR only will not be subject to the FSR sliding scale, only development seeking incentive FSRs will be subject to the new sliding scale. The FSR sliding scale will also only apply to incentive FSRs that are whole numbers i.e. sites mapped with an incentive FSR of 4.2:1 and 5.2:1 will not be subject to the FSR sliding scale.

Built form controls (FSR Sliding Scale 'out clause')

This Planning Proposal also introduces a new control to enable the maximum incentive FSR for a development to be achieved where the site area is between 1,000 square metres and up to 1,800 square metres, provided certain conditions relating to design excellence, development including community infrastructure, and the site is 'isolated' are all met. An isolated site is defined in this PP as a site where amalgamation with adjoining sites is not physically possible; is not reasonably feasible due to the nature of surrounding development; and will be unable to reasonably achieve its development potential due to its size, shape and location. The clause is known as the 'FSR sliding scale out clause' and the intent is to allow some sites an opportunity to demonstrate the maximum FSR for a site can be achieved.

Building Heights (Sun Access Protection)

This Planning Proposal identifies properties on the 'Height of Buildings Map' that cannot exceed a height determined by a sun access plane. To protect solar access to key open spaces between 12:00pm and 2:00pm on 21 June (mid-winter), a sun access plane is created over land and extends in a strip ascending as one moves back from the front of the plane. This clause will protect solar access to Prince Alfred Square, Parramatta River Foreshore, Lancer Barracks site, Jubilee Park and Parramatta Square. The same clause will protect solar access to Experiment Farm on 21 June between 10am and 2pm. Further, the clause also provides for some very minor overshadowing into the protected area of Parramatta Square, associated with the non-useable parts (including structural elements), heritage parts and amenity parts (eg. street furniture, shelters, awnings, etc) of a development. This was prepared in response to a condition of the Gateway Determination.

Design Excellence

This Planning Proposal amends the existing design excellence clause by altering the conditions under which an architectural design competition must be held. PLEP 2011 currently requires buildings greater than 55m or 13 storeys (or both) in height to undergo an architectural design competition. If design excellence is achieved a 15% development bonus may be awarded to compensate for the cost of a design competition.

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The proposed amendment to the clause will require buildings with a height greater than 40 metres or development involving or directly adjoining a heritage item seeking to achieve a FSR of 3:1 or greater, to undergo an architectural design competition. The purpose of lowering the height to 40m is to ensure urban design issues associated with tower built forms are subject to closer analysis. The 15% bonus can be applied to both the base FSR and height, or incentive FSR and height depending on the application. The intent of the amendment to the design excellence clause is to promote innovative design solutions that achieve high quality buildings and spaces and reward this through additional FSR and or height.

Office and Commercial Premises in the B4 and B3 Zones

This Planning Proposal introduces a new clause that applies to certain sites within the B4 Mixed Use zone that have a site area greater than 1800sqm that are identified on the Additional Local Provisions Area Map. The new clause requires that a minimum FSR of 1:1 commercial floor space is to be provided as part of a development of these sites, and that any additional commercial floor space (on top of the 1:1 FSR requirement) is exempt from overall maximum floor space ratio controls shown on the Incentive FSR Map, however is subject to maximum heights. A provision of this clause is that the conversion of the commercial premises floor space approved under the clause to residential accommodation is prohibited. The intent of the control to exempt commercial development from overall maximum FSR controls is to activate land on the edge of B3 Commercial Core zone and facilitate the provision of a range of commercial uses (business, office and retail) that will contribute to the long term economic and jobs growth of the CBD. Further, the clause also provides for wholly commercial development that is built in the B4 Mixed Use zone to develop to the heights and FSRs shown on the Incentive Height Map and Incentive FSR Map without the need for that development to include community infrastructure. This is to incentivise more employment generating development in the B4 Mixed Use zone.

For land within the B3 Commercial Core zone, this Planning Proposal introduces a new clause that exempts office development from any floor space ratio controls provide the site has an area of 1800sqm or greater. The intent of this planning control is to encourage office development that typically has higher order employment opportunities and yields to support Parramatta CBD's long term growth as Sydney's Metropolitan Centre. Height controls for the B3 Commercial Core zone will apply on the base FSR map.

Opportunity Sites

This Planning Proposal introduces a new clause that allows certain sites to receive an additional FSR of 3:1 up to a maximum of 15:1 (inclusive of all bonuses) where a development meets certain conditions and includes community infrastructure. This clause applies to land identified as an Opportunity Site on the Opportunity Site Map, and also Area 1 and Area 2 at 286-302 Church Street and 5-7 Hassall Street respectively, where amalgamation of these respective areas is required to achieve opportunity site status.

The intent of this clause is to allow additional residential development within the B4 Mixed Use zone provided the site has a land area greater than 1800sqm and meets certain site dimensions; and the applicant demonstrates via a site-specific DCP (or a Concept DA) that the site can accommodate the additional FSR, design excellence is achieved, the building is a high performing building and community infrastructure included in the development.

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Transport Related Controls – Parking and Road Widening

This planning proposal replaces the majority of the existing car parking provision in clause 7.3 in the *Parramatta LEP 2011* with a new car parking provision based on similar provisions in *Sydney LEP 2012*. This was based on the recommendations of the Strategic Transport Study, which recommended using the City of Sydney parking controls so as to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development. The new clause includes a table which details the parking rates for various types of land uses, based on the City of Sydney provisions. Council is also preparing a mesoscopic model and *Integrated Transport Plan*, which will help to refine these parking rates post exhibition. Similar to the current car parking clause, the new parking rates prescribe maximum rates, which cannot be exceeded. The existing provision in the *Parramatta LEP 2011* which allows Council, in situations where there are car parking spaces in excess of the requirements of the occupiers of an existing building, to approve the use of those car parking spaces by persons other than the occupiers of the building. This has been retained as it allows for shared use of excess car parking.

Further the planning proposal also includes amendments to the Land Reservation Acquisition Map to allow for road widenings to accommodate the following:

- Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing constraints such as heritage and existing significant development.
- Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes.
- Opportunities for a regional cycleway network within the Parramatta CBD.

Similar to the parking provision described above, these proposed road widenings will be subject to refinement post exhibition through the mesoscopic modelling process, preparation of the *Integrated Transport Plan* and also stakeholder feedback during the consultation process.

Heritage

To manage the protection and enhancement of heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views, Council have proposed necessary amendments to LEP Provisions to as part of this Planning Proposal.

This includes applying maximum height of building controls to protect solar access to heritage conservation areas and heritage items within a landscape setting; and a new clause to manage heritage impacts. This new clause, which operates in addition to the standard heritage clause 5.10, requires development sites to demonstrate an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. Further, development seeking an FSR of 3:1 or greater that involves or directly adjoins a heritage item, is required to undertake an architectural design competition.

High Performing Buildings and Improved Environmental Outcomes

This Planning Proposal introduces new clauses to foster efficient and sustainable use of energy and resources that minimise new buildings' consumption of energy and water. For residential and mixed use development with a floor space ratio of 6:1 or more, with a site area greater than 1800sqm and front building line greater than 24m, an FSR Bonus of 5% is available. To be eligible for the bonus, residential development must achieve water and energy targets greater than current BASIX targets. Office premises, the office component of a mixed-use development, large format retail, motel or hotel accommodation and serviced apartments are required to

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achieve energy and water targets using a 'best-in-market approach' for the Sydney metropolitan region.

A new clause is also proposed requiring dual water systems (both potable water pipes and recycled water pipes) to be contained within all new buildings within the CBD. This clause will be a cost effective measure for the delivery of significant reductions in potable water requirements for the CBD and create market conditions to encourage recycled water provision in the Parramatta CBD.

This Planning Proposal also introduces a clause requiring end of journey facilities (including showers, lockers, change rooms and bike parking) to be delivered within a commercial development or within a mixed use development. The intent of the clause is to improve the amenity of the workplace, encourage alternative forms of transport to work and for businesses to attract and retain staff. An additional benefit of this control is providing worker facilities that meet the requirements for A-Grade rated office space. Further detail in relation to the provision of these facilities will be outlined in a supporting draft DCP control.

Active Frontages

To promote uses that attract pedestrian traffic along certain ground floor street frontages, public space frontages and river foreshore frontages in Zone B3 Commercial Core and Zone B4 Mixed Use, this planning proposal includes a clause requiring active frontages to be provided as shown on the Active Frontages Map. A building has an active frontage if all premises on the ground floor of the building facing the street and any public spaces are used for the purposes of business premises, community facilities, entertainment facilities or retail premises. Exclusions include any of the following entrances and lobbies (including as part of mixed use development), access for fire services, electrical services and vehicular access.

Arrangements for contributions to designated State public infrastructure

As required by the Gateway Determination, this planning proposal includes a new clause which requires satisfactory arrangements to be made for the provision of 'designated State public infrastructure' before the development of land for residential or commercial purposes.

Under the terms of the clause, development consent must not be granted unless the Secretary of the Department of Planning, Infrastructure and Environment has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that development. The clause will not apply if a development does not result in an increase in residential or commercial floor space, or if a Special Infrastructure Contribution (SIC) is introduced by the State Government in the Parramatta CBD (should that ever occur). In the clause, 'designated State public infrastructure' includes:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) land required for regional open space,
- (d) social infrastructure and facilities (such as schools, hospitals, emergency services and justice purposes),
- (e) light rail infrastructure.

Floodplain Risk Management

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Currently the Flood Planning Level for the Parramatta LGA is the 1 in 100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. This means that flood controls in the LEP cannot apply to residential development affected by flood events greater than the Flood Planning Level. This Planning Proposal introduces a new clause that will apply to sites within the CBD Planning Proposal boundary that are affected by flood events up to the Probable Maximum Flood (PMF) being the largest flood that could conceivably occur.

The purpose of this new clause is to ensure that although the planning proposal will permit a significant increase in development potential and thus people, the overall risk to life will not be increased. To achieve this, it is proposed that a new planning control is included that requires a shelter to be available within a building that is above the PMF level, or that people can evacuate safely to land that is located above the PMF. The building must also have an emergency access point to land that is above the 1% annual exceedance probability event, and that buildings be able to withstand flooding up to the PMF.

This new clause is supported by an updated Flood Risk Study and Plan which considers the unique flooding characteristics affecting the Parramatta CBD, expected population increase and NSW State Government's recognition of Parramatta as a Metropolitan Centre and "Central City". The clause will apply to land within the CBD Planning Proposal boundary identified as being affected by the PMF on the Floodplain Risk Management Map.

As the Updated Floodplain Risk Management Plans will become a Council adopted plan, a separate process to this Planning Proposal is also required. This process is programmed to occur concurrently with the Planning Proposal for the CBD, including the application to the Minister for the Environment for exceptional circumstances to impose controls above the flood planning level. It is noted that the Gateway Determination advises that Council's request for exceptional circumstances has been granted to enable further agency consultation and community consultation, although, consistency with the Ministerial Direction for flood prone land would require further consideration and agreement by the Department's Secretary.

Site Specific Provisions

This Planning Proposal also proposes five (5) site specific planning controls. The first one permits vehicle repair stations on some land principally along Church Street within the Auto Alley precinct. These sites are to be identified on the Additional Permitted Uses Map and are proposed to be rezoned from B5 Business Development to B3 Commercial Core. The existing B5 zone permits vehicle repair stations, however the proposed B3 Commercial Core zone does not. The purpose of this amendment is to manage the transition of sites from existing car uses in the short term to a more traditional commercial use in the longer term.

The second site specific planning provision relates to certain land in the West Auto Alley Precinct and will be shown on the Special Provisions Area Map. The proposed amendment will allow Incentive FSR and Incentive Height on certain land within the precinct provided a minimum site width is achieved. If the required width is not achieved, then a reduced Incentive FSR and Incentive Height is possible, subject to meeting a reduced width requirement. If this width requirement is not met, then the base FSR and base height apply. The purpose of the clause is to encourage a built form outcome that forms a transition between higher densities in the Auto Alley Precinct (Church Street) and the South Parramatta HCA. As the provision relates to Incentive

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Height and Incentive FSR, it is included as additional site-specific requirements in relation to development that includes community infrastructure.

The third site specific planning provision relates to certain land in the Marion Street Precinct bounded by Marion Street, Anderson Street and Jubilee Lane and will be shown on the Special Provisions Area Map. The proposed amendment will allow the Incentive FSR and Incentive height on this site provided an amalgamated site is achieved. The purpose of this amendment is to encourage the amalgamation of sites to achieve a built form outcome that is proportional to the site area and forms a transition between higher densities within the Auto Alley Precinct (Church Street) and the cluster of heritage items along Marion Street. As the provision relates to Incentive Height and Incentive FSR, it is included as additional site-specific requirements in relation to development that includes community infrastructure.

The fourth site specific planning provision relates to two (2) land parcels being 5 and 7 Hassall Street and will be shown on the Opportunity Site Map as 'Area 2'. If these two land parcels are amalgamated, the proposed amendment will allow these sites to be considered as an Opportunity Site and access the additional bonus FSR of 3:1 (subject to the other requirements of the Opportunity Site clause). Amalgamation of these two sites will allow for a much improved urban design outcome rather than each site developing individually, given their thin width. An additional height of 52 metres will also be permitted should the two sites be amalgamated as an Opportunity Site to further improve the urban design outcome in a tall, slender tower form.

The fifth site specific planning provision relates to two (2) land parcels being 286-300 Church Street and 302 Church Street and will be shown as 'Area 1' on the Opportunity Site Map. If the two land parcels are amalgamated, the proposed amendment will allow these sites to develop as an Opportunity site and therefore will allow an additional bonus FSR of 3:1 over that part of the site that creates a regular shape with a minimum site area of at least 1,800sqm, and minimum dimensions of 40m by 35m where the site is a corner site with at least two street frontages, and 40m by 40m for all other sites. Urban design advice indicates that this will allow for a more efficient floorplate and therefore a lower building (despite the additional FSR) on the sensitive heritage streetscape on Church Street.

Parramatta Park and Park Edge Highly Sensitive Area

The planning proposal includes a clause to preserve the built form controls for Parramatta Park and the Park Edge Highly Sensitive Area (defined as 'Area A' on the Special Provisions Area Map). The planning proposal is not proposing to change controls in this area as it is affected by a Conservation Agreement between the Council, the NSW Government and Australian Government in relation to the World Heritage Listed Old Government House. The effect of this clause is simply to ensure that the current controls for this area under *Parramatta LEP 2011* will continue to apply. This includes the existing FSR sliding scale, design excellence provisions (including bonuses) and car parking provisions will continue to apply. There are no changes to existing heights, FSRs and zoning in this area. It also ensures that any new provisions proposed under this planning proposal will not apply to this area so its existing planning framework is preserved.

Miscellaneous Amendments

Minor amendments are proposed to a number of site-specific provisions to delete references to car parking provisions. This is a technical amendment to avoid repetition as a new generic car parking clause is proposed under this planning proposal (refer to separate discussion under

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"Transport Related Controls – Parking and Road Widening"). A further technical amendment is required to the site-specific provision for 2-6 Hassall Street, Parramatta (clause 7.15) to remove reference to the new high performing buildings clause and dual water systems clause as these issues are already covered (in a manner specific to that site) in the clause.

Additional Permitted Uses – Minor amendments

A minor technical amendment is proposed to clause 7 (1) of Schedule 1 – Additional Permitted Uses (under the current Parramatta LEP 2011), which relates to the use of certain land at North Parramatta. This technical amendment relates to a changed boundary of the R2 Low Density Residential Zone (referred to in the clause) as a result of a rezoning to B4 Mixed Use under this planning proposal (ie. changing reference from "Ross Street" to "Grose Street").

A minor technical amendment is proposed to clause 8 (2) of Schedule 1 – Additional Permitted Uses (under the current Parramatta LEP 2011), which relates to the use of certain land at Argyle Street, Parramatta. This clause currently allows for development of a residential flat building, but only under certain conditions. The purpose of this minor amendment will be to preserve the existing FSR of 6:1, which currently applies should the site be developed under the terms of this existing clause.

A further amendment is proposed to clause 9 (2) with respect to the permissibility of "vehicle repair stations" in the Auto Alley Precinct – refer to discussion under "Site Specific Provisions" above.

Maps

This planning proposal seeks to amend some of the existing maps of the PLEP 2011 and create a series of new maps. The proposed LEP Maps are provided at Appendix 2b (under separate cover). The following broadly summarises the key changes and additions:

- Amend the areas shown in the Additional Local Provisions Map relating to Part 7 – Additional Local Provisions Parramatta City Centre of the Parramatta LEP 2011 to expand the boundary of the Parramatta City Centre.
- Amend the zones in the Land Zoning Map.
- Amend the maximum FSR in the Floor Space Ratio Map.
- Amend the maximum building height in the Height of Buildings Map.
- Amend the Additional Permitted Uses Map to include the Church Street south area (Auto Alley) relating to Schedule 1 Additional Permitted Uses of the PLEP 2011.
- Create an Incentive Floor Space Ratio Map.
- Create an Incentive Height of Buildings Map.
- Create a Sun Access Protection Map relating to the proposed Clause 7.4 Sun Access Protection provisions.
- Create an Active Frontages Map relating to the proposed Clause 7.6F Active Frontages provisions.
- Create an Opportunity Sites Map relating to the proposed Clause 7.6J Opportunity Sites provisions.
- Create a Special Provisions Area Map.
- Amend the Land Reservation Acquisition Map.

Draft Provisions

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A copy of the draft provisions has been prepared and is provided at Appendix 2a (under separate cover).

2.1 Other relevant matters**2.1.1 Draft Development Control Plan (DCP)**

Amendments to *Parramatta DCP 2011* are required to deliver more detailed controls to guide future built forms and support the changes being made under this PP. This will be drafted separately and reported to Council to allow them to resolve to exhibit the Draft DCP, amendment at the appropriate time.

2.1.2 Development Guideline on Community Infrastructure

Council will prepare a Development Guideline to support the new planning provision in PLEP 2011 that will provide details on how development is to include community infrastructure.

2.1.3 Section 7.11 and/or 7.12 Plan

A new Section 7.11 or 7.12 contributions Plan will be prepared, the works program of which will be informed by the *Infrastructure Needs Analysis* for the Parramatta CBD.

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1 Is the Planning Proposal a result of any study or report?

The primary outcome of this planning proposal, to enable a higher density of commercial and residential development, stems from local and state government strategic plans including the NSW Government's *A metropolis of three cities* 2018 and *Greater Sydney Region Plan: Central City District Plan* 2018, as well as the NSW Government's earlier iteration – *A Plan for Growing Sydney* 2014, and Council's *CBD Planning Strategy* 2015.

A Metropolis of three cities and *Central City District Plan* retransform Greater Sydney (formerly known as Metropolitan Sydney) into a metropolis of three metropolitan centres at Western Sydney Airport, Parramatta CBD and the Eastern Harbour City (comprising Sydney CBD). These plans strengthen the significant economic function of the Parramatta CBD and its role in providing a high density form of housing choice to promote more efficient land use outcomes – as the City of Parramatta's population doubles over the next 20 years.

The vision and objectives in the 2015 *Parramatta CBD Planning Strategy* reflected Council's vision for how the objectives in the then *Region Plan A Plan for Growing Sydney* will be achieved in the Parramatta CBD. It remains current and consistent with *A metropolis of three cities* and *Central City District Plan* and in this regard, remain current for guiding the preparation of the CBD PP.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal is the most effective way of providing certainty for Council, the local community and landowners and allows for orderly and economic development of the land. The current height and FSR development standards in *PLEP 2011* fall short of delivering the number of jobs and housing required to meet the NSW Government's jobs and housing targets established within the *Metropolis of three cities* and *Central City District Plan*. The only alternate way to achieve this is via ad-hoc site specific Planning Proposals which does not allow for proper consideration of CBD wide cumulative issues, nor enable comprehensive CBD-wide analysis of the associated planning issues.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the planning proposal to the directions outlined in key strategic planning policy documents since the issuing of the Gateway determination in December 2018.

Consistent with condition 1 (d), questions in this section consider state and local government plans including the NSW Government's *A metropolis of three cities* and

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Central City District Plan, State Environmental Planning Policies, local strategies and applicable Ministerial Directions.

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: Metropolis of three cities*, a 20 year plan which outlines a three-city vision for metropolitan Sydney to the year 2036.

The *Greater Sydney Region Plan* is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Sitting under these themes are 10 directions which contain a suite of objective/s with each objective supported by a Strategy or Strategies. The objectives and or strategies relevant to this planning proposal are discussed in the tables below.

Infrastructure and Collaboration

The table below assesses the planning proposal's consistency with the relevant Infrastructure and Collaboration Directions in the *Greater Sydney Region Plan* (GSRP).

Table 7 – Consistency of planning proposal with relevant GSRP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	O1: Infrastructure supports the three cities	This planning proposal is supported by both planning and investment in local and state infrastructure. Examples of local infrastructure planning and investment is: Parramatta Square redevelopment, Civic Link and improving connectivity by Parramatta Ways all of which support the increased growth and activity within Parramatta CBD. Council is also exhibiting its Draft Community Infrastructure Strategy (October-November 2019). The CIS aims to ensure quality community infrastructure is provided across the City (including the Parramatta CBD) to strengthen people's sense of community and belonging.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	Council commissioned a Community Infrastructure Funding Study which recommends the application of a community infrastructure provision based on Penrith and Burwood LEP models. The planning proposal has been updated accordingly. This requires development to include community infrastructure in order to achieve the Incentive FSRs or Opportunity Site FSRs (where applicable). Refer to proposed clauses in Appendix 2a.
	O3: Infrastructure adapts to meet future need	State Government infrastructure investment includes the new Bankwest Stadium, the proposed Parramatta Aquatic and Leisure Centre, Museum of Applied Arts and Sciences (MAAS), Western Sydney Airport and Parramatta Light Rail (PLR) Stage 1 project
	O4: Infrastructure use is optimised	

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		<p>with the Sydney Metro West and PLR Stage 2 projects at the planning phases. All of projects are critical to the success of the Parramatta CBD as the City's growth doubles in the next 20 years.</p> <p>The PP also includes a satisfactory arrangement clause for state infrastructure, as per the gateway determination condition.</p>
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Liveability

The table below assesses the planning proposal's consistency with the relevant Liveability Directions in the *Greater Sydney Region Plan*.

Table 8 – Consistency of planning proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	O6: Services and infrastructure meet communities' changing needs	(See responses to O1 to O4, above).
	O7: Communities are healthy, resilient and socially connected	This planning proposal supports the changing community needs of Parramatta CBD as Sydney's Central City. The planning proposal will encourage redevelopment within the City Centre through incentives built into the planning controls, which will assist with revitalising areas. To enable a healthy, resilient and socially connected built environment, this planning proposal includes provisions to promote walking and cycling, active streets, community facilities, and buildings that minimise energy and water. Councils recent release of its Draft Community Infrastructure Strategy also seeks to address community need by establishing Council's long term direction for community infrastructure across the LGA.
	O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: Greater housing supply	<p>The planning proposal will allow for an appropriate mix of residential and commercial/retail uses which will support the city centre. The development will also allow for the concentration of housing around transport nodes and contributes towards dwelling targets for the Parramatta local government area.</p> <p>It is estimated that the planning proposal will accommodate approximately 19,976 additional new dwellings.</p>
	O11: Housing is more diverse and affordable	<p>The Planning Proposal is also consistent with the planning priorities and actions of the Draft Local Strategic Planning Statement (LSPS) and the Draft Local Housing Strategy (LHS) by concentrating substantial residential growth within the Parramatta CBD which increases supply. This can release pressure on housing demand and potentially have a positive impact on housing affordability.</p>

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		The capacity for the Parramatta CBD PP to deliver affordable and diverse housing is limited through any community infrastructure funding mechanism. However, the planning proposal does contain a high performing buildings clause with one of the aims of delivering cost savings for residents.
A city of great places	O12: Great places that bring people together	The planning proposal is consistent with the vision of the Civic Link Framework Plan 2017. The civic link plays an important role in the Parramatta CBD in terms of the public domain linking Parramatta River to Parramatta Square and the transport interchange via a pedestrian only space - for the growing population of Parramatta. The planning proposal also maintains the current design excellence/competition framework, the aim of which is to improve the design quality of buildings. See also responses to O6 to O19.
	O13: Environmental heritage is identified, conserved and enhanced	The planning proposal builds on existing heritage provisions and further strengthens design excellence provisions related to heritage matters. It also responds to the DPIE's Gateway determination report on how the heritage values within the CBD and on the CBD periphery are proposed to be managed, including the interface of high-density development with small-scale heritage items (eg. Marion Street Precinct, West Auto Alley Precinct and Sorrell Street Precinct). A new clause is proposed titled, "Managing heritage impacts" to require development to ensure development demonstrates an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area. Maximum building heights are also recommended to protect solar access to HCAs, and solar access planes protect sun access to Experiment Farm.

Productivity

The table below assesses the planning proposal's consistency with the relevant Productivity Directions in the *Greater Sydney Region Plan*.

Table 9 – Consistency of planning proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	The planning proposal will enable the development of residential dwellings and non-residential uses that will contribute towards dwelling and employment targets in the Parramatta City Centre which will have very high levels of access to public transport (heavy rail, light rail, buses, cycling and walking). The increase in commercial development potential and incorporation of the provisions included in this planning proposal will contribute to the achievement of metropolitan planning goals of providing jobs closer to home to the growing population of Western Sydney

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		and the expansion of Sydney's Global Economic Corridor.
	O15: The Eastern, GOPP and Western Economic Corridors are better connected and more competitive	The planning proposal is consistent with the GOPP vision which is centred around: investment in infrastructure and transport; housing diversity; job creation and enterprise; culture, leisure, tourism, sport and recreation assets; education, health and research; and open spaces, waterways and natural assets and amenities. Also with a focus on productive, liveable and sustainable outcomes.
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	The planning proposal is consistent with the directions outlined in the <i>Greater Sydney Region Plan</i> , as it will facilitate the delivery of additional commercial floorspace which will further strengthen Parramatta's role as Greater Sydney's Central City. It is estimated that the planning proposal will accommodate an additional 50,200 new jobs. The planning proposal will help build the City as a centre of high employment and a driving force behind the future prosperity for the City of Parramatta. The increase in commercial development potential and incorporation of the provisions included in this planning proposal will contribute to the achievement of metropolitan planning goals, providing jobs closer to home to the growing population of Western Sydney and the expansion of Sydney's Global Economic Corridor.
	O21: Internationally competitive health, education, research and innovation precincts	Parramatta CBD is supported by internationally competitive health, education, research and innovation precincts at Westmead and Western Sydney University (Rydalmere and Parramatta CBD). This planning proposal complements the planning work being undertaken in these precincts. It also complements the proposed Sydney University campus at North Parramatta and future UNSW Innovation Hub in Parramatta CBD. The development of the Museum of Applied Arts and Sciences (MAAS) will further enhance Parramatta's role as a research and innovation precinct. The planning proposal is consistent with Parramatta's Civic Link Framework Plan, supporting productivity in the CBD by guiding development of a new arts and culture precinct and providing spaces for small bars, local businesses, creative industries and collaborative workspaces.
	O22: Investment and business activity in centres	The retention of the commercial core for non-residential uses, and the expansion of the commercial core to include Westfield and adjoining Station Street will protect capacity for employment growth and in the future; the Auto Alley Precinct will provide capacity for longer term employment growth.
	O23: Industrial and urban services land is planned, retained and managed	The planning proposal complements the planning work being undertaken for the City's Strategic Metropolitan Employment Lands and

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	O24: Economic sectors are targeted for success	Local Urban Service Hubs as espoused in the Draft Local Strategic Planning Statement (and its accompanying Employment Lands Review/ (August 2019). The planning proposal also proposes local clauses to promote A-grade office space as informed by the <i>Economic Review – Achieving A-Grade Office development analysis</i> (refer to Appendix 2a).
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Sustainability

The table below assesses the planning proposal's consistency with the relevant Sustainability Directions in the *Greater Sydney Region Plan*.

Table 10 – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: ...waterways are protected and healthier	The planning proposal seeks to protect solar access to Parramatta River foreshore through proposed building heights and a sun access protection control ensuring future development must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore. Solar access planes are also proposed for Jubilee Park and Prince Alfred Park to protect solar access in mid-winter between 12 midday and 2pm. The planning proposal does not propose to amend the provisions that apply in the 'Park Edge Highly Sensitive' area on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain. This planning proposal includes a provision to conserve the existing controls that apply to this land consistent with the 2015 Conservation Agreement between the Commonwealth, State Government and Council that governs development within this area. The planning proposal is consistent with the Environmental Sustainability Strategy 2017 which aims to protect and enhance the health of Parramatta's unique natural ecosystem. An example of this is the proposed naturalisation of the section of Clay Cliff Creek north of Dixon Street that is currently a stormwater channel.
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	
	O30: Urban tree canopy cover is increased	
	O31: Public open space is accessible, protected and enhanced	City of Parramatta's Disability Inclusion Action Plan outlines directions for the provision of accessible and inclusive public open space. Additionally, Parramatta's Environmental Sustainability Strategy aims to protect, enhance and increase parks and green spaces. The planning proposal is consistent with the objectives outlined in Parramatta's <i>Disability Inclusion Action Plan</i> and <i>Environmental Sustainability Strategy</i> . It does not propose to rezone any land currently zoned RE1 Public Recreation.

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		<p>The planning proposal includes a sun access protection control ensuring future development must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.</p> <p>The planning proposal is consistent with the <i>Civic Link Framework Plan</i>. Parramatta's Civic Link will support sustainability in the CBD, creating an open green pedestrian corridor for cooling, stormwater management and infrastructure needs.</p> <p>The planning proposal proposes clause 7.4 Sun access protection which seeks to protect solar access to Prince Alfred Square, Parramatta River Foreshore, Jubilee Park and Parramatta Square during key winter midday hours. This clause is underpinned by the <i>Overshadowing Analysis</i> (June and September 2019).</p>
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	<p>The planning proposal is consistent with the City's <i>Parramatta Ways – implementing Sydney's Green Grid</i>.</p> <p>The plan aims to improve walkability across Parramatta, with a focus on Parramatta's street network, local corridors and footpaths that provide access to open space, schools, transport options, community facilities and shops. Additionally, the plan intends to increase urban greenery, recreation and local centre amenity.</p>
An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	<p>The planning proposal contains a high performing buildings bonus clause which aims to deliver:</p> <ul style="list-style-type: none"> • In the case of residential development, higher energy and water targets than the base case BASIX targets; and • In the case of office development over 1,250 square metres, higher energy and water targets. <p>Consistent with Action A4 in the <i>Parramatta CBD Planning Strategy</i>, work undertaken by Kinesis in 2016 and further work undertaken in 2019 (refer to Appendix 3) provides the planning evidence for these proposed controls.</p>
	O34: Energy and water flows are captured, used and re-used	<p>The planning proposal is consistent with the <i>Environmental Sustainability Strategy 2017</i> to build for the future considering energy and carbon, water use and waste and litter.</p> <p>A key issue of this planning proposal is the management of the increased demand for electricity, gas, water and sewer services.</p> <p>To build Parramatta CBD's resilience, this planning proposal recommends controls to future proof new buildings and create high performing buildings that deliver more sustainable outcomes.</p> <p>The planning proposal is also consistent with the City's design excellence/competition framework, the process of which includes an</p>

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		assessment of a design against sustainability performance measures.
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	<p>The planning proposal is consistent with the <i>Environmental Sustainability Strategy 2017</i> goal to improve liveability by cooling the city and protecting people and communities from heat stress. The plan highlights the need for the future design of Parramatta to adapt to the impacts of climate change through sustainable design. This planning proposal includes a new LEP control that enables certain large-scale office and retail development and mixed use development to minimise energy and water consumption (clause 7.6 High Performing buildings).</p> <p>The planning proposal has included an Update of the Flood Risk Management Plans that affect the Parramatta CBD. The conclusion from the report is that the risks to life and property from flooding of Parramatta River catchment are considered to be tolerable provided amendments are made to the LEP and DCP to better manage some of the risks of flooding to life. This planning proposal includes a new LEP control to provide for shelter above the PMF and building access at or above the 1% AEP flood level.</p> <p>This includes seeking approval from the Minister for the Environment for a new flood planning LEP clause for properties where evacuation is compromised.</p> <p>See also response above at O34.</p>
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

Implementation

The table below assesses the planning proposal's consistency with the relevant Implementation Directions in the *Greater Sydney Region Plan*.

Table 11 – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	<p>This planning proposal aims to promote orderly development that aligns with Local, District and regional planning frameworks.</p> <p>The planning proposal will ensure a collaborative approach to city planning is achieved through consultation with state agencies, the DPIE and the Greater Sydney Commission. Additionally, the planning proposal will be placed on public exhibition for community consultation and feedback.</p> <p>The planning proposal supports the objectives of Parramatta's Community Engagement Strategy. This strategy is consistent with the Greater Sydney Region Plan and outlines a collaborative approach with the community throughout planning, design, development and management.</p>

Central City District Plan

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In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and City of Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* ("CCDP") is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities which are each supported by a series of Policy Directions and Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed in the tables below.

Infrastructure and Collaboration

The table below assesses the planning proposal's consistency with the relevant Infrastructure and Collaboration Priorities and Actions in the *Central City District Plan*.

Table 12 – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
A city supported by infrastructure O1: Infrastructure supports the three cities O2: Infrastructure aligns with forecast growth – growth infrastructure compact O3: Infrastructure adapts to meet future need O4: Infrastructure use is optimised	PP C1: Planning for a city supported by infrastructure <ul style="list-style-type: none"> A1: Prioritise infrastructure investments to support the vision of <i>A metropolis of three cities</i> A2: Sequence growth across the three cities to promote north-south and east-west connections A3: Align forecast growth with infrastructure A4: Sequence infrastructure provision using a place based approach A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities 	Refer to the responses against the GSRP above, at O1 to O4, in Table 6.

Liveability

The table below assesses the planning proposal's consistency with the relevant Liveability Priorities and Actions in the *Central City District Plan*.

Table 13 – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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<p>A city for people</p> <p>O6: Services and infrastructure meet communities' changing needs</p>	<p>PP C3: Provide services and social infrastructure to meet people's changing needs</p> <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the needs of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>The planning proposal is consistent with the <i>draft Community Infrastructure Strategy 2019</i>, which outlines social infrastructure required to meet the needs of Parramatta's current and future community.</p> <p>The planning proposal is consistent with the objectives outlined in the <i>Disability Inclusion Action Plan</i>. This plan seeks to address the barriers to accessibility and inclusion whilst supporting the vision of Sydney's sustainable, liveable and productive Central City.</p>
<p>O7: Communities are healthy, resilient and socially connected</p> <p>O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Councils. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	<p>The planning proposal is consistent with Parramatta's <i>Civic Link Framework Plan</i>. Parramatta's Civic Link will support liveability in the CBD, creating an inclusive, permeable, open green corridor for people of all ages to support an active, resilient and socially connected CBD between Parramatta Square and River Square. The CBD PP includes an Active Frontages Map and the intended alignment of the link is shown supported by active frontages.</p> <p>To support the provision of active, resilient and socially connected communities, the planning proposal is consistent with the objectives of Parramatta Ways Walking Strategy. The strategy aims to increase Parramatta's transport options, urban greenery, recreation and local amenity. The CBD PP is consistent with this Strategy as it protects existing open spaces and includes in the southern part of the CBD new streets, lanes, and open spaces.</p> <p>The planning proposal is consistent with the objectives outlined in <i>Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022</i>.</p> <p>The planning proposal expands the CBD boundary and increases the amount of commercial-only floorspace which will strengthen employment which will significantly increase the population within the CBD. This growth population, as well as the population from the surrounding district will create a demand for arts and cultural services and facilities within the CBD as espoused in the City's Cultural Plan.</p>

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		See also responses against the GSRP above, at O7 to O9, in Table 7...
Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable	PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>The planning proposal increases the housing opportunities within the B4 Mixed Use and R4 High Density Residential Zone by increasing FSRs.</p> <p>The planning proposal is consistent with the priorities and actions outlined in the Council endorsed Draft Local Strategic Planning Statement and the Draft Local Housing Strategy (August 2019).</p> <p>See also the discussion in Section 3.2.2.</p>
A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced	PP C6: Creating and renewing great places and local centres, and respecting the District's heritage <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • A19: Identify, conserve and enhance environmental heritage by (a-c) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<p>The planning proposal aims to protect and enhance the heritage values of Parramatta's local, state, national and world significant European and Aboriginal heritage items, conservation areas, places and views whilst providing for urban intensification and integration of new development in the CBD.</p> <p>An additional clause is proposed, "Managing heritage impacts" to ensure development demonstrates an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area.</p> <p>The planning proposal is also consistent with the Parramatta CBD Civic Link Strategy, the Parramatta City River Strategy, the Parramatta Square redevelopment – all strategies to accommodate the growth and liveability of the Parramatta CBD.</p> <p>See also responses against the GSRP above, at O12 and O13, in Table 7.</p>

Productivity

The table below assesses the planning proposal's consistency with the relevant Productivity Priorities and Actions in the *Central City District Plan*.

Table 14 – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
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<p>A well-connected city O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A25: Support the emergency services transport, including helicopter access • A26: Prioritise infrastructure investment [abridged] • A27: Manage car parking and identify smart traffic management strategies 	<p>This planning proposal increases the commercial opportunities to strengthen Parramatta CBD as Sydney's Central City by expanding the B3 Commercial Core zone; introducing unlimited floor space ratio for office uses in the B3 zone (for sites over 1800sqm) and bonus commercial uses FSR in certain part of the B4 zone; and having an FSR sliding scale to encourage site amalgamation. Furthermore, the planning proposal balances residential and commercial development to promote vibrancy and social opportunity within Parramatta CBD.</p> <p>The planning proposal is consistent with the vision for a well-connected city. Council resolved to introduce lower parking rates to encourage the use of other modes of transport in the CBD and in response to the Strategic Transport Study (refer to Appendix13).</p> <p>Refer also to responses against the GSRP above, at O19 in Table 8.</p>
<p>Jobs and skills for the city O15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GPOP Economic Corridor</p> <ul style="list-style-type: none"> • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GPOP Economic Corridor • A30: Prioritise transport investments that enhance access to the GPOP between centres within GPOP 	<p>The planning proposal is consistent with the GPOP vision as it aims to strengthen Parramatta CBD's role in the GPOP corridor as a connected and competitive CBD for Greater Sydney.</p> <p>The planning proposal outlines a minimum 1:1 FSR requirement for commercial uses in parts of the B4 zone near the B3 zone. This requirement will enhance the vibrancy and viability of retail and service jobs in the CBD.</p> <p>The planning proposal also relies on the State Government delivering critical transport infrastructure such as the Parramatta Light Rail (Stages 1 and 2) and the Sydney Metro West projects.</p> <p>Refer also to responses against the GSRP above, at O15 in Table 8.</p>
<p>O14: A Metropolis Of Three Cities – integrated land use and transport creates walkable and 30-minute cities.</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city • A33: Investigate, plan and protect future transport and infrastructure corridors 	<p>To achieve the delivery of an accessible 30-minute city, the planning proposal is supported by strategies including Parramatta Bike Plan and Parramatta Ways Walking Strategy. The CBD PP is consistent with this Strategy as it protects existing open spaces and includes in the southern part of the</p>

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	<ul style="list-style-type: none"> • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network by (a-d) 	<p>CBD new streets, lanes, and open spaces.</p> <p>The planning proposal is also supported by the Parramatta CBD Pedestrian Strategy and the <i>Strategic Transport Study</i> with technical traffic analysis supporting the reduced parking rates proposed in the planning proposal (refer to Appendix13).</p> <p>Additionally, the planning proposal relies on State Government investment in infrastructure as noted above.</p> <p>Refer also to responses against the GSRP above, at O14 in Table 8.</p>
O22: Investment and business activity in centres.	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney's centres • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	<p>The Planning Proposal aims to strengthen the economic function of Parramatta as Greater Sydney's Central City.</p> <p>The planning proposal maintains the prohibition of residential uses in the B3 Commercial Core to protect employment uses, whilst the B4 mixed use zoning aims to support residential uses and services near the CBD core.</p> <p>Furthermore, the Parramatta CBD Planning Proposal has identified areas that can accommodate additional retail floor space which will encourage investment into the CBD.</p> <p>Refer also to responses against the GSRP above, at O23 in Table 8.</p>
O23: Industrial and urban services land is planned, retained and managed	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p> <ul style="list-style-type: none"> • A49: Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government area • A51: Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights • A52: Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land use activities (a-e) and transport operations (f-g) [abridged] 	<p>The planning proposal aims to strengthen the economic function of Parramatta as Greater Sydney's Central City. It complements the analysis with the Employment Lands Strategy (2017) and its update, the Employment Lands Review and Update (2019) which is a component of the Draft LSPS.</p> <p>See responses against the GSRP above in O22 and O23 in Table 8.</p>
O24: Economic sectors are targeted for success	<p>PP C12: Supporting growth of targeted industry sectors</p> <ul style="list-style-type: none"> • A53: Facilitate health and education precincts by (a-d) [abridged] • A54: Provide a regulatory environment that enables economic 	<p>The planning proposal aims to continue developing Parramatta as a Smart City, consistent with the Smart City Masterplan 2015 and the vision in the Draft Local Strategic Planning Statement.</p>

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	<p>opportunities created by changing technologies</p> <ul style="list-style-type: none"> • A55: Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers 	<p>The planning proposal also complements the planning work being undertaken for the Westmead Health and Education Precinct. Also, the Parramatta Square redevelopment and Civic Link support economic growth.</p> <p>The planning proposal's ability to support targeted industry sectors is also reliant on the State Government delivering critical State infrastructure such as the Museum of Applied Arts and Sciences (MAAS), Parramatta Light Rail (Stages 1 and 2) and the Sydney Metro West.</p> <p>Refer also to responses against the GSRP at O24 in Table 8.</p>
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Sustainability

The table below assesses the planning proposal's consistency with the relevant Sustainability Priorities and Actions in the *Central City District Plan*.

Table 15 – Consistency of planning proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p>A city in its landscape</p> <p>O25: ...waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes • A63: Work towards reinstating more natural conditions in highly modified urban waterways 	<p>The planning proposal is consistent with the Environmental Sustainability Strategy 2017 which aims to protect and enhance the health of Parramatta's unique natural ecosystem. It does not propose to rezone any land currently zoned RE1 Public Recreation.</p> <p>See responses against the GSRP above in O25, O27, O28 and O30 in Table 9.</p>
<p>O26: ...waterways are protected and healthier</p> <p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>City of Parramatta's Disability Inclusion Action Plan outlines directions for the provision of accessible and inclusive public open space.</p> <p>Additionally, Parramatta's <i>Environmental Sustainability Strategy</i> aims to protect, enhance and increase parks and green spaces.</p> <p>The planning proposal is consistent with the objectives outlined in Parramatta's <i>Disability Inclusion Action Plan</i> and <i>Environmental Sustainability Strategy</i>. It does not propose to</p>

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		<p>rezone any land currently zoned RE1 Public Recreation.</p> <p>The planning proposal includes a sun access protection control ensuring future development must not result in additional overshadowing in mid-winter between 12 midday and 2pm to the Parramatta Square, Parramatta River Foreshore, Prince Alfred Square, Lancer Barracks and Jubilee Park.</p> <p>The planning proposal is consistent with the <i>Civic Link Framework Plan</i>. Parramatta's Civic Link will support sustainability in the CBD, creating an open green corridor for cooling, stormwater management and infrastructure needs. The CBD PP includes an Active Frontages Map and the intended alignment of the link is shown supported by active frontages.</p> <p>See responses against the GSRP above in O25, O27, O28 and O30 in Table 9.</p>
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	<p>The planning proposal is consistent with <i>Parramatta Ways Walking Strategy</i>. This strategy aims to deliver Parramatta's green grid connections and improve walkability and accessibility across the CBD and wider LGA.</p> <p>Furthermore, this strategy also aims to increase urban tree canopy cover to improve the quality of Parramatta's streetscapes, open space and river corridors.</p> <p>The CBD PP is consistent with this Strategy as it protects existing open spaces and includes in the southern part of the CBD new streets, lanes, and open spaces. The new open spaces are located along the Clay Cliff Creek network and will provide green connections between Ollie Webb Reserve and Jubilee Park. The Infrastructure Strategy to be prepared to support the CBD PP will likely include green links, new open spaces and walking infrastructure to support connections within and though the CBD.</p>

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O31: Public open space is accessible, protected and enhanced	PP C17: Delivering high quality open space <ul style="list-style-type: none"> • A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	Refer to the response against the GSRP at O31 above, in Table 9.
An efficient city O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change O34: Energy and water flows are captured, used and re-used	PP C19: Reducing carbon emissions and managing energy, water and waste efficiently <ul style="list-style-type: none"> • A75: Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050 • A76: Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency • A77: Protect existing and identify new locations for waste recycling and management • A78: Support innovative solutions to reduce the volume of waste and reduce waste transport requirements • A79: Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm 	Refer to the responses against the GSRP at O33 and O34 above, in Table 9.
O36: People and places adapt to climate change and future shocks and stresses O37: Exposure to natural and urban hazards is reduced O38: Heatwaves and extreme heat are managed	PP C20: Adapting to the impacts of urban and natural hazards and climate change <ul style="list-style-type: none"> • A81: Support initiatives that respond to the impacts of climate change • A82: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards • A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat • A85: Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD 	Refer to the responses against the GSRP at O36 and O37 and O38 , in Table 9. Furthermore, to manage flash flood and safe evacuations in the Parramatta CBD, refer the response against the GSRP at O38 in Table 9.

3.2.2 Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

The following local strategic planning documents are relevant to the planning proposal.

Parramatta CBD Planning Strategy

The *Parramatta CBD Planning Strategy* (2015) established Council's future vision for the CBD and identified actions Council is pursuing to prepare a planning proposal to implement new controls seeking to achieve this vision. The Strategy was informed by high level

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strategic analysis prepared by urban design consultants, Architectus, in 2014 which was informed by an economic analysis prepared by SGS Planning and Economics. The overarching purpose of this work was to identify how Council could develop and implement a planning framework to create a world class city. The Architectus and SGS work, together with separate urban design and economic studies for the Auto Alley precinct and the River Strategy were endorsed for community consultation.

The *Parramatta City Centre Planning Framework Study* (Architectus 2014) and the *Draft Auto Alley Planning Framework Study* were publically exhibited in 2014 and following consideration of stakeholder feedback arising from the exhibition, were integrated by Council into the *Parramatta CBD Planning Strategy* (the Strategy). The Strategy was adopted by Council on 27 April 2015.

The vision identified in the Strategy is that,

Parramatta will be Australia's next great city, defined by landmark buildings and high quality public spaces with strong connections to regional transport. It will respect its heritage, be an exemplar in design excellence, facilitate job growth and ensure its streets are well activated.

The principles identified in the Strategy to achieve this vision are:

P1	Achieve world's best practice in the planning and development of cities.
P2	Achieve a strategic balance of land uses.
P3	Create an attractive and distinctive city skyline, defined by tall, slender towers.
P4	Create a liveable, active and highly desirable city.
P5	Promote economic diversity, prosperity and jobs growth.
P6	Improve the quality of urban design and the public domain.
P7	Achieve design excellence.
P8	Celebrate heritage and the natural environment.
P9	Facilitate the delivery of infrastructure to support Parramatta's growth.
P10	Improve access to the regional transport network.

This Planning Proposal is considered to generally meet the vision and principles in the Strategy by:

- Incorporating a floor space ratio control to provide developer certainty and achieve design quality, while also providing a mechanism for development to include community infrastructure (P1).
- Maintaining and expanding the commercial core for non-residential uses and providing for additional residential capacity in adjacent mixed use zones (P2).
- Providing a floor space ratio control that promotes the creation of tall, slender towers for the City Centre Core, and in the expanded commercial core zone along Church Street in the Auto Alley Precinct (P3).
- Identifies streets and public spaces where active frontages at ground level are appropriate and provides for additional density within the CBD to enable people to live and work in a place that has good public transport facilities and access to services and shops and high quality recreation spaces (P4).
- Expanding the commercial core zone for non-residential uses and providing for additional capacity within this zone to enable greater employment opportunities to be

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provided that will contribute to the long term success of the Parramatta CBD and support the vision of Parramatta becoming Australia's next great city (P5).

- Protecting solar access to key public spaces to create an attractive and inviting public domain and identifying community infrastructure needed to support the workers and residents (P6).
- Amending the design excellence requirements to capture more developments required to go through an architectural design competition, including sites adjacent to heritage items (P7).
- Retaining the existing heritage provisions and reducing FSRs adjacent to national and state heritage items that are within a landscape setting to ensure the protection of heritage (P8).
- Identifying infrastructure requirements to support the population and providing a mechanism for development to include community infrastructure (P9).
- Undertaking a Strategic Transport Study that will review the existing transport network and the required improvements to support the expected increase in population (P10).

Parramatta Community Strategic Plan 2018-2038: Buttbutt Yura Barra Ngurra

The *Community Strategic Plan 2018-2038: Buttbutt Yura Barra Ngurra* (CSP) identifies the City's priorities and aspirations and provides a clear set of strategies to guide policies and decision making for the next 20 years.

The CSP outlines plans to improve 30-minute access to Greater Parramatta by focusing on new transport connections, particularly from the north and south, as well as unlocking capacity on existing road and rail corridors, and supporting renewal and walkability by drawing traffic away from centres. This will increase both Parramatta's and Greater Sydney's ability to connect people with jobs and other opportunities. The increase in development potential and associated provisions in the planning proposal support the identified strategic objectives contained in the CSP.

The planning proposal also pursues the strategies in the CSP including; Improve public transport to and from Parramatta CBD, local centres, neighbourhoods and the Greater Sydney region. The planning proposal also allows for an appropriate mix of residential and commercial/retail uses, which will support the city centre and urban revitalisation. The planning proposal will also allow for the concentration of housing around transport nodes and contribute towards dwelling targets for the City of Parramatta local government area. A copy of the CSP can be accessed via

<https://www.cityofparramatta.nsw.gov.au/council/key-council-documents/community-strategic-plan>

Parramatta Smart City Masterplan July 2015

The Parramatta Smart City Masterplan 2015 is closely aligned to the strategic objectives in the Parramatta Community Strategic Plan. The need for a Smart City Masterplan was identified in Council's Corporate Plan. The Smart City vision is Parramatta will be a Smart City that leverages the foundations of good urban planning, transparent governance, open data and enabling technologies that will underpin our position as a vibrant, people centric, connected and economically prosperous city.

Parramatta's mission as a Smart City is that:

- Parramatta will be a highly liveable, technologically enabled, active and desirable place to live, work and visit as Australia's next great city.

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- Parramatta will develop an environment that encourages and leverages the synergies between centres of excellence in research, technology, education, health, enterprise and creativity.
- Parramatta will plan for outcomes that drive economic competitiveness, improve safety, enhance mobility, improves environmental sustainability, enriches social and community connections, embraces cultural diversity and celebrates our heritage.

The Smart City Masterplan identifies ten guiding principles which support Parramatta's mission, and will be used to assess any initiative that is put forward to test its consistency with the overarching Smart City Vision.

The CBD Planning Proposal is generally consistent with the guiding principles of the Smart City Masterplan. The CBD Planning Proposal will help Parramatta CBD to become a centre of excellence through high-quality planning and sustainability outcomes that promote liveability, and contribute to the overall economic prosperity of the city. A copy of the CSP can be accessed via <https://www.cityofparramatta.nsw.gov.au/council/smart-city>

Parramatta City River Strategy

City of Parramatta Council has prepared the Parramatta City River Strategy. The strategy is a public domain project for revitalising the foreshore of the Parramatta River between Gasworks Bridge and the bridge at O'Connell Street. It aims to improve connections between the river and the city, activation of public and private spaces and create more recreational opportunities for city residents, workers and visitors.

This planning proposal is consistent with the Parramatta City River Strategy in that the floor space ratios will enable the delivery of building forms generally consistent with the indicative forms shown in the Strategy. The active frontage clause within the planning proposal, which applies, to the river foreshore between Charles Street Weir and Smith Street, is consistent with the Parramatta City River Strategy in that uses that attract pedestrian traffic along the river foreshore are promoted. Future DCP amendments and an Infrastructure Strategy will also support the Parramatta City River Strategy. A copy of the CSP can be accessed via <https://www.cityofparramatta.nsw.gov.au/council/precinct-planning/parramatta-cbd/city-river-foreshore>

Parramatta Cultural Plan

The City's Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 supports the State Government's District Plan which identifies Parramatta as an area where arts and cultural opportunities can expand. The District Plan considers the relocation of the Powerhouse Museum (Museum of Applied Arts and Sciences) as a catalyst for increased opportunities and enhanced arts and culture. *Create in NSW*, the NSW Arts and Cultural Policy Framework, outlines the plan to create a Parramatta Cultural Precinct in partnership with the City of Parramatta, private sector partners, Western Sydney arts and cultural organisations and local artists.

The planning proposal expands the CBD boundary and increases the amount of commercial-only floorspace which will strengthen employment (approximately 50,200 jobs over 40 years – 2016-2056). The proposed height and FSR controls enable a significant increase in housing (approximately 15,900 apartments over 40 years – 2016-2056) which will significantly increase the population within the CBD. This growth population, as well as the population from the surrounding district will create a demand for arts and cultural services and facilities within the CBD as espoused in the City's *Cultural Plan*.

The City of Parramatta has prepared its draft Local Housing Strategy (LHS), which at the time of preparing this revised planning proposal had commenced public exhibition.

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Developed in accordance with the liveability, productivity and sustainability strategic priorities of the Central District Plan, the draft LHS provides direction at the local level about when and where future housing growth will be located and actions for implementation and delivery. The draft LHS has identified that Council is meeting its 2021 dwelling targets, but will also exceed its 2036 dwelling targets. The draft LHS and has helped to inform the preparation of Council's Local Strategic Planning Statement (discussed further below). A copy of the CSP can be accessed via <https://www.cityofparramatta.nsw.gov.au/council/key-council-documents/other-council-plans-and-strategies>

Draft Local Housing Strategy

The City has prepared its Draft Local Housing Strategy (LHS) to support and inform the Draft Local Strategic Planning Statement (LSPS) which, at the time of preparing this revised planning proposal, had commenced public exhibition.

Key objectives of the LHS include the following:

- Housing delivery that complements the economic significance of the city
- Housing affordability and place-based outcomes that meet the needs of residents
- Additional housing is sequenced with existing transport and capacity improvements
- Community infrastructure is adequately funded and delivered with new housing
- Local mechanisms improve built form environmental performance and reduce urban heat impacts

The continual preparation and approval of the draft CBD Planning Proposal is identified throughout several actions within the draft LHS, required to implement the draft strategy and meet its key objectives. In this regard, the CBD PP is considered to be generally consistent with the draft LHS as it will facilitate future housing growth of Parramatta, guided by a framework which seeks to promote the economic significance of the city, quality planning, urban design and environmental outcomes, and housing concentration in locations that leverages from existing connectivity, and future transport infrastructure. A copy of the Draft LHS can be accessed via <https://oursay.org/cityofparramatta/draftlsp>

Draft Local Strategic Planning Statement

The City has prepared its Draft Local Strategic Planning Statement (LSPS) and the Draft Local Housing Strategy (LHS) which, at the time of preparing this revised planning proposal, had commenced public exhibition.

One of the key roles of the draft LSPS is to provide strategic direction on where housing and jobs should be concentrated within the City of Parramatta. With regards to housing, the Draft LSPS (and its supporting Draft LHS) directs high density within the City's existing growth precincts because growth precincts are serviced by major infrastructure or have major transport infrastructure being planned or rolled out. The Draft LSPS also concentrates job growth within the City's Strategic Centres and CBD where employees can access major transport infrastructure and other high level facilities and services. Because the planning proposal is seeking to amend the planning controls which will bring a substantial increase in dwellings and jobs (15,900 and 50,200 respectively) the planning proposal is consistent with the Draft LSPS. A copy of the Draft LSPS can be accessed via <https://oursay.org/cityofparramatta/draftlsp>

Draft Community Infrastructure Strategy

City of Parramatta has prepared the *Draft Community Infrastructure Strategy* (CIS) which, at the time of preparing this revised planning proposal, had commenced public exhibition in conjunction with the Draft LSPS and Draft LHS.

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The Draft CIS outlines the City's long term direction for community infrastructure provision across the Parramatta LGA. It aims to support the City of Parramatta's fast-paced growth by identifying priorities for future community infrastructure; and will be used to inform planning, funding, delivering and negotiating for community infrastructure.

The CIS identifies five key considerations for community infrastructure planning in the Parramatta CBD:

1. Meeting demand from a growing community
2. Supporting a diverse community
3. Providing local and metropolitan level community infrastructure
4. Meeting the needs of residents living in high density
5. Fostering equity

Funding Models Study evaluated infrastructure funding options to determine the most appropriate mechanism to fund and / or deliver new infrastructure to meet the demands of anticipated growth in the Parramatta CBD

The CBD Planning Proposal is generally consistent with the guiding principles of *Draft Community Infrastructure Strategy* in that both pieces of work recognise and plan for the changing demographic profile and significant anticipated growth in jobs and dwellings which will place further demands on Council to provide new or augment existing infrastructure. To understand the implications of this, Council has prepared numerous infrastructure funding studies to investigate ways growth can be supported through the planning proposal.

The Parramatta CBD Planning Proposal includes an LEP clause for the provision of community infrastructure where an uplift in development on a site is sought. The provision of community infrastructure funding will be detailed in an Infrastructure Strategy (including Draft Section 7.11/12 Plan and Draft Development Guideline) together with a Works Program. The Works Program will be informed by the community and open space needs for the Parramatta CBD identified in the *draft Community Infrastructure Strategy*.

The CBD Planning Proposal will help meet the demands from a growing community by assisting with the provision of local and metropolitan level community infrastructure to meet the needs of workers, residents and visitors. A copy of the Draft CIS can be accessed via <https://oursay.org/cityofparramatta/draftcis>

3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies are of relevance to the site.

Table 16 – Consistency of planning proposal with relevant SEPPs and REPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards SEPP No 6 Number of Storeys in a Building SEPP No 22 Shops and Commercial Premises	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs.

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SEPP No 32 Urban Consolidation (Redevelopment of Urban Land) SEPP No 33 Hazardous and Offensive Development		
SEPP No 55 Remediation of Land	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP. Given this industrial history of land uses in the Auto Alley Precinct, it is likely that a number of sites will have some level of contamination. To address this, Council commissioned a Preliminary Site Investigation that recommended that a detailed site investigation be undertaken at the development application stage of the redevelopment of any land within the CBD. In its Gateway Determination Report of November 2018, the DPIE noted it is <i>satisfied that satisfactory measure are in place to provide for the remediation of contaminated land.</i>
SEPP No 64 Advertising and Signage	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP.
SEPP No 65 Design Quality of Residential Flat Development	✓	Consistent. The provisions sought in this Planning Proposal aim to facilitate design excellence and a high quality built form in the Parramatta CBD. Any future high density mixed use or residential development in the B4 Mixed Use zone will be required to consider SEPP 65's Apartment Design Guide and will be subject to a competitive design process where the proposal triggers the requirements. The planning proposal amends the <i>PLEP 2011</i> provisions relating to a competitive design process applying to tall buildings (over 40 metres) and where an FSR of 3:1 is proposed and adjoins a heritage item in the Parramatta CBD to ensure more buildings are subject to the design excellence process. Furthermore, in order to support the proposed controls, an amendment to the Parramatta Development Control Plan 2011 (DCP) in relation to the Parramatta CBD is required. In accordance with Clause 6A of the SEPP, any proposed requirements or standards contained in the DCP will be consistent with the Apartment Design Guide. It is intended that the Draft DCP will be exhibited at the same time as the planning proposal. Additional urban design testing of built form controls has been undertaken for specific parts of the CBD including potential built form typologies. This testing included the Marion Street Precinct, West Auto Alley Precinct, Church Street Precinct, Opportunity Sites and some areas north of heritage conservation areas. The urban design testing considered SEPP 65 and ADG compliance.

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SEPP No 70 Affordable Housing (Revised Schemes) SEPP (Building Sustainability Index: BASIX) 2004 SEPP (Housing for Seniors or People with a Disability) 2004 SEPP (Major Development) 2005 SEPP (Infrastructure) 2007 SEPP (Temporary Structures) 2007 SEPP (Exempt and Complying Development Codes) 2008 SEPP (Affordable Rental Housing) 2009	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs
State Regional Environment Plans (REPs) – Deemed SEPPs		Comment
Sydney REP (Sydney Harbour Catchment) 2005	✓	Consistent. Parramatta local government area is part of the Sydney Harbour Catchment. This planning proposal is consistent with the planning principles for land within the Foreshore and Waterways Area as it maintains public access to the foreshore and the ferry service by way of zoning (i.e. W2 - Recreational Waterways and RE1 – Public Recreation).

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

The Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs in accordance with Clause 9.1 of the *EP&A Act 1979*. The relevant directions applicable to the planning proposal apply to the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Housing, Infrastructure and Urban Development
- Local plan making
- Metropolitan planning

The following directions are considered relevant to the subject Planning Proposal.

Table 17 – Consistency of planning proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Employment and Resources		
Direction 1.1 – Business and Industrial Zones The objectives of this direction are to: a) encourage employment growth in suitable locations,	The planning proposal is consistent with the direction as it retains and enhances the location of existing business zones in the Parramatta CBD, except in the Auto Alley area. The Planning proposal includes controls to rezone land in the Auto Alley area (Church Street South) from B5 Business Development to part B3 Commercial Core and part B4 Mixed Use. The expansion of the B3 Commercial Core to the Auto Alley Precinct supported by B4 Mixed Use land has consistently been part of Council's draft	Consistent

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b) protect employment land in business and industrial zones, and c) support the viability of identified strategic centres.	<p>Planning Framework since 2013. The most recent study <i>Achieving A-Grade Office Space in the Parramatta CBD – Economic Review</i> prepared to support the CBD PP recommends for the Auto Alley Precinct that Council continue to encourage non-residential employment generating land uses in the Auto Alley Precinct as a longer term prospect.</p> <p>Despite the loss of employment land in the Auto Alley area, the planning proposal results in a net increase in total potential floor space area for employment uses from 56.1 ha to 67.3 ha. The proposed and existing provisions that increase the amount commercial floorspace within the city and therefore increase the opportunity for employment growth are:</p> <ul style="list-style-type: none"> - Expansion of the B3 Commercial Core zone - Increase to some FSRs for commercial land - For sites with a land area greater than 1800sqm – a new control permitting unlimited commercial FSR above a minimum 1:1 in the B4 Mixed Use zone; a new control permitting unlimited office FSR within the B3 Commercial Core zone. <p>It is also worth noting that current provision 7.6 Airspace operations enables a maximum height of up to 243m AHD where CASA approves penetration of the OLS (at 156m AHD).</p> <p>These will result in new employment area and floor space and greater worker density which support the growth of Parramatta as Sydney's Central City as identified in the State Government's, <i>Metropolis of three cities and Central City District Plan</i>.</p> <p>Refer to the draft amending instrument in Appendix2a).</p>	
2. Environment and Heritage		
Direction 2.3 - Heritage Conservation The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<p>Justifiable non-compliance</p> <p>The planning proposal initially noted it was consistent with the direction as it retains the existing controls in clause 5.10 of <i>PLEP 2011</i> and the key objective of this clause is to conserve the environmental heritage of Parramatta. The planning proposal also does not propose any additional heritage items, or changes to existing heritage conservation areas identified in Schedule 5 – Heritage of the <i>PLEP 2011</i>. A new provision (clause 7.10 (5) (b)) is also proposed to require a design competition process for certain development adjacent to heritage items.</p> <p>In its Gateway Determination Report of December 2018, the DPIE noted this direction requires further resolution and clarification and therefore remain unresolved <i>subject to further consideration after community and public agency consultation has occurred</i>. The DPIE therefore recommend that: <i>OEH, the National Trust of Australia, the Greater Sydney Local Land Services, the NSW Aboriginal Land Council and Deerubbin Local Aboriginal Land Council should all be consulted as part of the LEP plan-making process</i>.</p> <p>The CBD PP has been the subject of a series of heritage studies and subsequent draft LEP controls since 2015, including the Parramatta CBD Heritage Study (2015), Heritage study of interface areas (2017) and most current,</p>	Justifiable non-compliance

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	<p>separate heritage studies which have been required by the Gateway Determination and Council resolution of 25 March 2019 for certain areas where the previously endorsed planning controls were inconsistent with the previous studies as a result of subsequent Council resolutions. To address this, additional studies were undertaken as follows:</p> <ul style="list-style-type: none"> - West Auto Alley Precinct Urban Design and Heritage Study - Marion Street Precinct Urban Design and Heritage Study - Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study - Review of Opportunity Sites Urban Design and Heritage Study - Overshadowing Technical Paper <p>The findings of these studies has ultimately led to revised planning controls within the updated CBD PP, which have been required to demonstrate consistency with Division 9.1, Direction 2.3 (Heritage) of the Environmental Planning and Assessment Act 1979. However, the finding from one study is not included in this planning proposal being the removal of opportunity site FSR provision from one site within the Church Street Precinct, making this an inconsistency with the relevant 9.1 Ministerial Direction.</p> <p>The Church Street Precinct Heritage Study and the Review of Opportunity Sites Heritage Study both recommend the removal of the opportunity site provision from all sites within the Church Street Precinct.</p> <p>This planning proposal includes one site within the Church Street Precinct as an opportunity site being 286-302 Church Street; however, to achieve the opportunity site bonus FSR these sites must be amalgamated, as per a condition on the Gateway Determination for that site-specific PP. This recommendation has also been based on the urban design analysis, which shows little perceivable difference between 12:1 and 15:1 for this site with a tower setback at 12m. The analysis also demonstrated that the amalgamation of 286-300 Church Street and 302 Church Street with an FSR of 15:1 would result in a lower building height due to a larger and more efficient floorplate.</p> <p>Nonetheless, as an unresolved matter, the DPIE as the plan making authority will be required to determine the outcome of this matter.</p>	
3. Housing, Infrastructure and Urban Development		
<p>Direction 3.1 - Residential Zones</p> <p>The objectives of this direction are to:</p> <ol style="list-style-type: none"> to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that 	<p>The planning proposal lodged for Gateway purposes noted the planning proposal was consistent with this direction because it encourages housing choice through increased density controls and a resulting increased supply. Due to its location within an existing urban environment it makes efficient use of existing infrastructure and therefore reduces the consumption of land on the urban fringe of Sydney.</p> <p>The increased opportunities for mixed use residential development in the Parramatta CBD is consistent with the</p>	Justifiable non-compliance

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<p>new housing has appropriate access to infrastructure and services, and</p> <p>c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>direction in the Central City District Plan to connect residents within 30 minutes to jobs, education and health facilities, services and recreation.</p> <p>In its Gateway Determination Report of November 2018, the DPIE noted the planning proposal was <i>inconsistent with this Direction as it does not contain provisions that will broaden the choice of building types and locations available in the housing market</i>. However, the DPIE are of the view that the non-compliance is justifiable because <i>while there is limited opportunity for the provision of different housing types within the CBD, the proposal encourages housing choice through increased density and therefore an increase in housing supply</i>.</p>	
<p>Direction 3.4 - Integrating Land Use and Transport</p> <p>The [abridged] objectives of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives relating to:</p> <p>a) improving access b) increasing transport choice c) reducing travel demand d) supporting the efficient operation of public transport services e) providing for the efficient movement of freight.</p>	<p>The planning proposal is consistent with this Direction by:</p> <ul style="list-style-type: none"> • locating more intense development activity close to the Parramatta Railway Station and Bus interchange to maximise the use of public transport; • locate development close to local services including Westfield (a major shopping centre) and medical and education services; • encourage sustainable transport choices by improving through site links in the public domain particularly in the Auto Alley Precinct; and • locating jobs close to existing and future public transport routes, including the Western Sydney Light Rail, Parramatta and Harris Park Railway Stations and key bus routes and bus interchange. • Reducing car parking provision as part of development sites. • Introducing road widenings to reflect the following: <ul style="list-style-type: none"> - Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing constraints such as heritage and existing significant development. - Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes. - Opportunities for a regional cycleway network within the Parramatta CBD. <p>The planning proposal is also consistent with the metropolitan strategy for Sydney as it intensifies development within Parramatta, Sydney's Central City.</p>	Consistent.
<p>Direction 3.5 – Development Near Regulated Airports and Defence Airfields</p> <p>The [abridged] objectives of this direction are:</p> <p>a) to ensure the effective, safe operation of aerodromes b) to ensure development does not obstruct, create a</p>	<p>The planning proposal lodged for Gateway purposes noted the planning proposal does not promote development within the (Australian Noise Exposure Forecast) ANEF contours 20 and 25 however Sydney and Bankstown Airports are subject to the <i>Federal Airports Act 1996</i> and the <i>Airports (Protection of Airspace) Regulations 1996</i>. It also noted the airspace above the Parramatta CBD is affected by operational requirements for those airports and that a building that penetrates the Obstacle Limitation Surface (OLS) requires approval under that legislation, via</p>	Unresolved. Further consultation required prior to exhibition

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<p>hazard or potential hazard to aircraft</p> <p>c) to ensure residential development within certain Australian Noise Exposure Forecast (ANEF) contours incorporates appropriate mitigation measures it is not adversely affected by aircraft noise</p>	<p>the Commonwealth Department of Infrastructure and Regional Development.</p> <p>This planning proposal also noted it included an airspace operations clause in the LEP which controls development within the prescribed airspace area and therefore is consistent with this direction.</p> <p>In its Gateway Determination Report of November 2018, the DPIE noted while <i>controlled activity approvals have been granted by the federal government to exceed the OLS within the Parramatta CBD for certain sites, this Direction should remain unresolved until further consultation with CASA and DIRDC has occurred.</i></p> <p>The DPIE recommend that <i>CASA and DIRDC be consulted prior to community consultation.</i></p>	
4. Hazard and Risk		
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>At Gateway lodgement stage, the planning proposal noted:</p> <p><i>The planning proposal maintains the existing PLEP 2011 provisions in respect to the management of acid sulphate soils. The proposed land uses and built form as part of this Planning Proposal does not significantly alter the existing pattern of development in the Parramatta CBD. Therefore, consistent with the existing PLEP provisions, any acid sulphate soils that may be present can continue to be dealt with as part of the development assessment process.</i></p> <p>In its Gateway Determination Report of November 2018, the DPIE considered that <i>the inconsistency is minor and no further consideration of this issue is warranted at the planning proposal stage.</i></p> <p>The DPIE recommend that the <i>Secretary's delegate agree that the inconsistency with this Direction is of minor significance.</i></p>	<p>Inconsistency with minor significance</p>
<p>Direction 4.3 - Flood Prone Land</p> <p>The [abridged] objectives of this direction are:</p> <p>a) to ensure that development of flood prone land is consistent with the NSW Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard.</p> <p>What a relevant authority must do if this direction applies [abridged]</p> <p>4.3 (4) A planning proposal must include provisions that</p>	<p>The planning proposal contains provisions that apply to land within the PMF and is therefore inconsistent with this direction. Council has sought a request for exceptional circumstances.</p> <p>The planning proposal provisions are consistent with the <i>NSW Flood Prone Land Policy</i> and the principles of the <i>Floodplain Development Manual 2005</i>, with the exception of the introduction of controls on development above the Flood Planning Level.</p> <p>The need for these controls is justified in the update to the Floodplain Management Plans for the Parramatta CBD. In summary the report states that, <i>Parramatta CBD represents exceptional circumstances which require flood planning controls to residential development above the residential flood planning level ... given importance of the CBD, the expected future population, the short warning times (minutes), rapid rates of rise, and the number of people who could be isolated in high rise buildings for long periods.</i></p> <p>Also, see also sub-sections below.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

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give effect to or be consistent with the <i>NSW Flood Prone Land Policy</i> and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Risk Flood Areas</i>).		
4.3 (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose	A significant portion of the Parramatta CBD is within the flood planning area and is below the Flood Planning Level being the 1 in 100 ARI flood plus 0.5m freeboard. Some land within the CBD Planning Proposal boundary is zoned Special Use and Special Purpose and includes roads, churches, cemetery, railway, and some of this land is within the flood planning area. This Planning Proposal however does not propose to change the zoning of any land within the flood planning area that is zoned Special Use and Special Purpose. Also, see also sub-sections below.	Consistent.
4.3 (6) A planning proposal must not contain provisions that apply to the flood planning areas which: a) Permit development in floodway areas b) Permit development that will result in significant flood impacts to other properties. c) Permit a significant increase in the development of the land. d) Are likely to result in a substantially increased requirement for government spend on flood mitigation measures, infrastructure services, or, e) Permit development to be carried out without development consent except for the purposes of agriculture, roads or exempt development.	This planning proposal contains provisions that apply to the flood planning area within the Parramatta CBD which permit development in floodway areas, and permit a significant increase in the development of land. To investigate the impact of this, Council commissioned an update to the Flood Risk Management Plans that apply to the CBD Planning Proposal boundary. In summary the report states that, <i>As provided for in clause (9) of the Section 117 Direction, these inconsistencies are permissible if "the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.</i> <i>The risk assessment in this report has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is our view that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to DCP revisions and other flood risk management measures, are implemented.</i> <i>This conclusion has been made recognising that while the planning proposal increases the overall population at risk, it will also provide the opportunity to decrease the risk to that population through encouraging re-development which is more compatible with the flood risk.</i> Also, see also sub-sections below.	Exceptional circumstances to enable consultation prior to exhibition
4.3 (7) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-	Council sought exceptional circumstances as part of the request for a Gateway Determination to impose flood related development controls above the flood planning level for development on land affected by the PMF. The justification for this recommendation is contained in the update to the Flood Risk Management Plans that apply to the CBD Planning Proposal boundary and which was discussed above in point 4.3 (4) within this table. Additional justification was provided in the Parramatta CBD Evacuation Study. The Gateway determination for	Exceptional circumstances to enable consultation prior to exhibition

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General (or an officer of the Department nominated by the Director General).	the CBD PP included an approval from the Minister of Environment for Council's request for exceptional circumstances for the purpose of enabling further agency consultation and community consultation. Also, see also sub-sections below.	
4.3 (8) For the purposes of a planning proposal, the relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas) unless a relevant planning authority provides adequate justification for the proposed departure from the Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).	<p>Council's application for exceptional circumstances contained the following evidence to support the justification for the proposed departure from the Manual:</p> <ul style="list-style-type: none"> - Draft Update of Parramatta Floodplain Risk Management Plans (2016) - Summary of Council's Flood Risk Management Activities - Parramatta CBD Flood Evacuation Assessment 2017 - Horizontal Evacuation Pilot Study for Parramatta CBD <p>The aim of the Flood Evacuation Assessment was to identify the most suitable flood emergency response strategy for Parramatta CBD under existing and future conditions by assessing and comparing the following possible flood evacuation strategies being Horizontal Street Level (HSL) evacuation, achieved by vehicle and on foot before any roads are cut by floodwaters; Horizontal High Level (HHL) evacuation, achieved on foot by using a network of elevated walkways that would allow late evacuation; and Vertical Evacuation through Sheltering In Place (SIP), in which evacuees would take refuge above the flood level within their building and wait for floodwaters to recede.</p> <p>The Horizontal Evacuation Pilot Study tested the viability of three types of Horizontal High Level (HHL) evacuation (top of podium, indoor street, above awning) on the proposed 'Civic Link'. The Civic Link concept is for a car-free north-south link through the heart of the Parramatta CBD, connecting Parramatta train station and Parramatta Square in the south, to the river foreshore in the north.</p> <p>The key finding in both Flood Evacuation Assessment and Horizontal Evacuation Pilot Study is there are very significant practical challenges, costs and issues with implementing high-level horizontal evacuation routes in the Parramatta CBD and the preferable response option is shelter-in-place.</p> <p>The 2016 Draft Update of Parramatta Floodplain Risk Management Plans; and the 2017 Parramatta CBD Flood Evacuation Assessment 2017 were both updated in 2019. The review of both studies re-affirmed the original conclusions and recommendations and included two additional points:</p> <ol style="list-style-type: none"> 1. That the recommended DCP control requiring building access at or above the 1% AEP to address a secondary emergency such as fire or medical emergency that occurs during a flood, be elevated to an LEP control to ensure these minimum life safety measures are applied to all developments (clause 7.6L). 2. That the risk to life assessments undertaken as part of review of the FRMP be revisited following the completion 	Exceptional circumstances to enable consultation prior to exhibition

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	<p>of the flood study, or as part of a subsequent floodplain risk management study.</p> <p>The recommendation for a building access at or above the 1% AEP to address a secondary emergency is included within this Planning Proposal. The new Flood Study will produce more detailed and accurate data for the assessment of flood risks within the LGA with completion anticipated in 2020, followed by an updated floodplain risk management study and plan. The adoption by Council of updates to the Flood Risk Management Plans as it affects the Parramatta CBD are a separate process to this Planning Proposal, however is programmed to occur concurrently.</p> <p>Also, see also sub-sections below.</p>	
<p>Consistency</p> <p>4.3 (9) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director- General (or an officer of the Department nominated by the Director General) that:</p> <p>a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or</p> <p>b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<p>As provided for by this clause, inconsistencies with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Risk Flood Areas) are permissible if, "the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005".</p> <p>The risk assessment in the review of the Floodplain Risk Management Plans has been carried out in line with the principles and guidelines of the Floodplain Development Manual (2005). It is the view of the report author that the planning proposal presents a tolerable flood risk to life and property if the recommendations made within this report, with regard to amendments to the FPL, DCP revisions and other flood risk management measures, are implemented.</p> <p>In its Gateway Determination Report of November 2018, the DPIE recommend that the <i>That the Secretary's delegate grant exceptional circumstances to enable consultation and consideration of a new planning provision that would apply to all land in the Parramatta CBD that is impacted by the PMF and that the overall consistency with this Direction be considered at finalisation. The NSW SES, OEH and the GSC are to be consulted before the plan is exhibited.</i></p>	Exceptional circumstances to enable consultation prior to exhibition
6. Local Plan Making		
<p>Direction 6.1 - Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	This planning proposal introduces does not propose to change any existing approval and referral requirements.	Consistent
<p>Direction 6.2 - Reserving Land for Public Purposes</p> <p>The [abridged] objectives of this direction are:</p> <p>a) to facilitate the provision of public services/facilities, and</p>	<p>The draft Land Reservation Acquisition Map within the planning proposal is proposed to be amended to reflect road widening to identify the following:</p> <ul style="list-style-type: none"> - Strategic opportunities to improve capacity and capability of the existing road network, having regard to the significant growth within the Parramatta CBD as well as inherent existing 	Consistent

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b) to facilitate the removal of reservations of land for public purposes where required.	<p>constraints such as heritage and existing significant development.</p> <ul style="list-style-type: none"> - Opportunities to improve public transport capability through localised intersection improvements and augmentation of existing bus lanes. - Opportunities for a regional cycleway network within the Parramatta CBD. 	
<p>Direction 6.3 - Site Specific Provisions</p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls, and applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.</p>	<p>In its Gateway Determination Report of November 2018, the DPIE found that the proposed site specific provisions are inconsistent with this direction as Council <i>is to carry out further investigations in these precincts to support the planning proposal, it is recommended that this Direction remains unresolved</i>. Council has now completed those investigations and considers the site specific provisions within the planning proposal as mostly justifiably inconsistent with this Direction as outlined in the sub-sections below.</p> <p>Council's <i>PLEP 2011</i> already contains site specific local provisions pertaining to the Parramatta CBD. This planning proposal proposes further site specific provisions in order to address specific planning issues associated with the proposed amendments.</p>	Justifiably Inconsistent
<p>6.3 (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> a) allow that land use to be carried out in the zone the land is situated on, or b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. 	<p>The planning proposal contains five (5) site specific planning controls which are detailed below.</p> <p>1. Auto Alley</p> <p>This site specific amendment (which amends clause 9 (2) in Schedule 1) will allow vehicle repair stations on some land principally along Church Street within the Auto Alley precinct. In the main this land is proposed to be rezoned from B5 Business Development to B3 Commercial Core. The B5 zone permits vehicle repair stations, however the B3 zone prohibits the use. The purpose of this amendment is to manage the transition from existing car uses in the short term to a more traditional form of commercial use in the longer term.</p> <p>This site specific amendment is consistent with part (c) of this direction in that vehicle repair stations are permissible on land identified in the Additional Permitted Uses Map and no other development standards or requirements are proposed in addition to those already contained in <i>PLEP 2011</i>.</p> <p>This site specific amendment is therefore considered to be consistent with Direction 6.3 (4).</p> <p>2. West Auto Alley Precinct</p> <p>This site specific amendment (which will form part of new clause 7.6l) will allow additional FSR and additional height above the current development standards provided that a minimum frontage of 26m or 48m is achieved. The sites affected by clause 7.6l are marked "Area B", "Area C", "Area D" and "Area E" on the Special Provisions Area Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those</p>	Justifiably inconsistent

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	<p>contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This specific planning control is necessary to encourage amalgamation of land and achieve a particular built form outcome for the precinct, facilitate transition to lower scale areas and the HCA and achieve a new park.</p> <p>3. Marion Street Precinct</p> <p>This site specific amendment (which will form part of new clause 7.6I) provides for additional FSR and additional height incentives above the current development standards provided that specific site amalgamations are undertaken. The sites affected by clause 7.6I are marked "Area E" on the Special Provisions Area Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This site specific planning control is necessary to encourage an improved built form and facilitate transition.</p> <p>4. 5-7 Hassall Street</p> <p>This site specific amendment (which will form part of new clause 7.6J provides for additional 'Opportunity Site' FSR and additional height incentives above the current development standards provided that specific site amalgamations are undertaken. The sites affected by clause 7.6J are marked as "Area 2" on the Opportunity sites Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This site specific planning control is necessary to encourage an improved built form outcome given the thin width of the affected sites.</p> <p>5. 286-302 Church Street</p> <p>This site specific amendment (which will form part of new clause 7.6J provides for additional 'Opportunity site' FSR incentives above the current development standards provided that specific site amalgamations are undertaken. The sites affected by clause 7.6J are marked as "Area 1" on the Opportunity sites Map.</p> <p>This site specific amendment will not affect land uses but will impose development standards in addition to those contained in <i>PLEP 2011</i>, and in this regard the amendment is not consistent with Direction 6.3 (4) (c). This inconsistency with Direction 6.3 is justified below in parts (5) and (6) of this table. This site specific planning control is necessary to encourage an improved built form outcome through a more efficient floor plate.</p> <p>Also, see also sub-sections below.</p>	
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6.3 (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	The five site specific amendments do not contain or refer to drawings that show details of any the development proposals. Also, see also sub-sections below.	Consistent
6.3 (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.	The intent of the above amendments (2-4) is to encourage the amalgamation of sites to achieve a built form outcome that is proportional to the site area, to achieve a particular built form outcome at a precinct scale, achieve public open space, and facilitate transition between taller development and adjoining lower density residential areas. The imposition of these site specific development standards within the planning proposal that is inconsistent with Direction is therefore considered to be of minor significance and therefore justifiably inconsistent with the Direction 6.3.	Justifiably Inconsistent
7. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	A Plan for a Growing Sydney 2014 has been superseded by the recently released Greater Sydney Region Plan – A Metropolis of Three Cities. The Parramatta CBD Planning Proposal is consistent with the direction and objectives within the plan as detailed in Section 3.2.1 of this document.	Consistent
Direction 7.5 Implementation of Greater Parramatta Priority Growth Area (GPOP) Interim Land Use and Infrastructure Development Plan (LUIIP) The objective of this direction is to ensure development within the GPOP Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).	In its Gateway Determination Report of November 2018, the DPIE recommended that <i>Council is to address the Interim LUIIP in the planning proposal to demonstrate consistency with this Direction.</i> A key action in the LUIIP is to <i>work with the City of Parramatta to advance the planning proposal for Parramatta CBD to strengthen its commercial core, provide additional jobs and homes to promote Parramatta CBD as Sydney's central city.</i> The planning proposal is consistent with the direction as it will facilitate the delivery of additional commercial floorspace which will further strengthen Parramatta's role as Greater Sydney's Central City. It is estimated that the planning proposal will accommodate an additional 50,200 new jobs. The increase in commercial development potential will contribute to the achievement of metropolitan planning goals, providing jobs closer to home to the growing population of Western Sydney and the expansion of Sydney's Global Economic Corridor. The Interim LUIIP also recognises the need for additional regional infrastructure to support growth and this is proposed to be implemented via a special infrastructure contribution (SIC). To that end, a satisfactory arrangements provision is included in the planning proposal to enable a contribution towards state infrastructure and the potential future application of a SIC	Consistent

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	<p>to ensure consistency with the Interim LUIIP and this Direction. Furthermore, with regards to local infrastructure, existing development contributions are being revised in order to fund and deliver local community infrastructure within CBD area.</p> <p>With regards to local community infrastructure, the planning proposal proposes clause 7.6H Community Infrastructure which provides an incentive for development to include community infrastructure.</p> <p>The planning proposal is consistent with this direction.</p>	
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3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located within a highly modified urban environment and it is very unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The key environmental considerations arising from the planning proposal are discussed in detail below.

- European and Aboriginal cultural heritage;
- Urban Design and Built Form;
- Flooding; and
- Contamination.

European and Aboriginal cultural heritage

The amendments proposed as part of this Planning Proposal may have impacts on heritage. This includes impacts on the scale, solar access, curtilage and setting of heritage items, conservation areas and heritage views resulting from infill or new development, subdivision or site amalgamation.

These potential impacts on heritage are proposed to be managed by amended and new provisions detailed in this report under the heading, 'Key elements of this Planning Proposal'. In general, heritage impacts are proposed to be managed by retaining the existing heritage controls in PLEP 2011, reducing FSRs and heights adjacent to state heritage items within a significant landscaped setting and requiring a design competition to be held where a development site adjoins a heritage item and an FSR of 3:1 or more is proposed.

Existing planning controls that apply in the 'Park Edge Highly Sensitive' land on the western edge of the City Centre adjacent to the World Heritage listed Old Government House and Domain are not being changed. The 2015 Conservation Agreement between the Commonwealth and State Government and Council governs development within this area. The Planning Proposal includes a provision to conserve the existing controls that apply to this land.

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Heritage impacts are also proposed to be managed by limiting heights to protect solar access to heritage conservation areas, and retaining existing solar access protection planes and introducing new ones to protect solar access to significant heritage items. Further, a new heritage clause ('Managing Heritage Impacts') is proposed to apply to the CBD PP areas to provide clarity to what constitutes 'appropriate transition' to heritage significant items and areas.

Urban Design and Built Form

The planning proposal generally allows higher density development within the core area of the CBD bound by the River to the north and Parkes Street and the Great Western Highway to the south, and along Church Street South (Auto Alley). Outside the core, this planning proposal allows lesser density development in the interface areas (north, south-east and south-west areas) of the CBD to provide a transition to the lower scale residential areas and heritage conservation areas outside the CBD.

Within the core area of the CBD, FSRs up to 10:1 are permitted for commercial development with additional FSR awarded for design excellence. Office development above the 10:1 FSR is not limited by an FSR control, rather the airspace operation clause which for Parramatta CBD is generally 243 AHD (RL). Exceptions to these FSRs or heights are for heritage or solar access reasons.

The expansion of the commercial core to Auto Alley (Church Street South) will allow for long term economic growth of the CBD. This planning proposal supports the expansion of commercial activities to Auto Alley by allowing FSRs consistent with the B3 zoned land within the core. Height controls (up to 100 metres) are applied to the area to reflect detailed urban design analysis including provision of new streets.

For residential and mixed use development surrounding the commercial core zone, FSRs up to 12:1 are permitted (inclusive of design excellence and high performing building bonuses). Additional FSR of up to 3:1 (above the 12:1 FSR) is available to 'Opportunity Sites' subject to meeting certain criteria. Further FSR is available for some sites for commercial uses above a minimum commercial FSR requirement of 1:1 (but contained within a height control). All sites within the CBD will have a specified height control and will also be subject to the airspace operation clause.

The maximum FSR available is also dependent on the size of the site. Where sites are seeking the mapped incentive FSR, the minimum site area is 1800sqm. The FSR sliding scale applies to sites that have any area less than this minimum requirement. The purpose of the sliding scale is to regulate the density of development so it is proportional to the site area and enables sites that meet the definition of 'isolated' to develop.

This planning proposal protects solar access through solar access planes or building heights (and associated FSRs) especially for sites to the north and north-east of identified open spaces and heritage areas including the River Foreshore, Prince Alfred Square, Jubilee Park, Parramatta Park, Lancer Barracks, Experiment Farm, Ollie Webb Reserve, Jones Reserve, Parramatta Park, Robin Thomas Reserve and Experiment Farm Reserve.

Potential impacts on low density residential areas and heritage conservation areas include impacts in terms of the amenity, scale and character of these areas. Where Higher FSRs are applied to smaller sites, this also raises questions about whether inter-building separation (and associated privacy and amenity requirements) can be achieved.

The potential impacts on urban design and built form are proposed to be managed by amended and new provisions detailed in this report under the heading, 'Key elements of this Planning Proposal'. In general, urban design and built form impacts are proposed to be managed by encouraging a more intense central core, with less intense interface areas

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north and south of the City; incorporating sun access controls to achieve a high quality public domain; requiring a built form transition to heritage items for a small number of sites that are within landscaped settings; and requiring buildings that include community infrastructure to provide for tall, slender towers and improvements to the public domain.

Flooding

This planning proposal allows a significant increase in development potential in flood affected areas in the Parramatta CBD. The issues associated with this are the safety of residents and workers and managing the potential for damage to property. To address this, Council commissioned an update to the Floodplain Risk Management Plans that apply to the Parramatta CBD and an Evacuation Study.

One of the key recommendations from this report and supported by the analysis in the Evacuation Study is that approval from the Minister for the Environment be sought to impose controls for development above the flood planning level (FPL) in PLEP 2011. The effect of this is buildings with particular evacuation issues must be structurally adequate and incorporate a place for people to shelter above the PMF, or alternatively people must be able to evacuate to land above the PMF. In addition, access into and out of a building during a flood event due to a medical or fire emergency is necessary where people are sheltering within a building. The Gateway determination has granted Council exceptional circumstances for purpose of consultation with State agencies.

Contamination

The Planning Proposal is consistent with the provisions and advice contained in State Environmental Planning Policy No 55 – Remediation of Land and associated Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land. Council has undertaken a preliminary (desktop) investigation of the area within the draft Planning Proposal boundary, and also a site specific contamination study for Auto Alley. The findings from both studies were that no issues were identified that will preclude additional density (by way of increased height and FSR controls) and rezoning (including to more sensitive land uses including residential).

The Addendum letter prepared by JBS&G reaffirms the recommendations from the original a *Preliminary Site Investigation Study for the Auto Alley area*, the report suggests that the PSI is considered at a Development Assessment applications within the Auto Alley Area. Based on this advice, a notation on Section 10.7(5) certificates for relevant properties is included that describes both JBS&Gs' reports (dated February 2016 and May 2019) as a relevant matter and also become available on Council website.

There are no other aspects of the natural or built environment that require assessment as a result of consideration of this Planning Proposal. In summary, the potential variations to development standards that may arise as a result of this planning proposal will, through the proposed regime of design excellence, as well as the general provisions of the assessment process, ensure that environmental effects of development are appropriately managed and mitigated.

3.3.3 How has the planning proposal adequately addressed any social and economic effects?

The planning proposal estimates that by 2036 an additional 27,000 jobs and 27,475 residents will be located within the City Centre and these new residents, workers and visitors will generate demand for schools and tertiary education facilities as well as increased usage of sporting and recreation facilities and community infrastructure.

Social effects

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To address the social effects of this growth, certain development seeking higher development yields will be required to include community infrastructure. The provision of community infrastructure funding will be detailed in an Infrastructure Strategy (including Draft Section 7.11/12 Contributions Plan and Draft Development Guideline) together with a Works Program. The Infrastructure Strategy will outline how Council will collect contributions, and the associated Works Program for the CBD will outline how community infrastructure will be funded and delivered, and the associated Works Program for the CBD will outline the community infrastructure required to support growth.

The Works Program will identify local community infrastructure needs associated with the anticipated growth under the Parramatta CBD. Major regional infrastructure projects (such as Parramatta Light Rail, Parramatta Schools Project, Museum of Applied Arts and Sciences Sydney Metro West) are not included in the needs analysis, however, they were taken into consideration in identifying local community infrastructure needs. Examples of local community infrastructure include active transport facilities for cycling and walking, upgrades to the public domain, a new theatre, flood mitigation works, open spaces, childcare etc. Addressing the needs identified therein will help to ensure that Parramatta CBD grows into a sustainable, liveable and productive CBD and addresses social and economic issues.

As also identified in the Infrastructure Needs Analysis, the recently exhibited draft Community Infrastructure Strategy supports the City of Parramatta's fast-paced growth by identifying priorities for future community infrastructure and informing planning, funding, delivering and negotiating for community infrastructure. This draft strategy identifies facilities, buildings and spaces across the City of Parramatta LGA that Council plays a role in delivering or where it advocates for on behalf of the community. A sample of the community infrastructure identified in the Community Infrastructure Strategy for the Parramatta CBD includes:

- Deliver new and updated community infrastructure as part of the 5 and 7 Parramatta Square development including a new regional library, community space, updated community space within the Parramatta Town Hall
- Deliver a new indoor recreation facility of 4 multiuse court capacity to cater for local resident and worker needs
- Continue to work with partners to support the delivery of a contemporary Aquatic Leisure Centre offering at Mays Hill

Analysis undertaken to date on Community Infrastructure is provided in Appendices 17a to 17f.

Economic effects

New dwellings and jobs within the City Centre will enhance the role and function of the Parramatta CBD. This planning proposal attempts to meet the targets for jobs and generate economic benefits for Sydney through zoning and floor space ratio planning controls. The B3 Commercial Core zone is proposed to be expanded and within this zone, commercial development is exempt from maximum FSR controls. Within the B4 Mixed Use zone, a minimum provision of 1:1 commercial is required, with any additional commercial development provided also being exempt from maximum FSR controls.

Community consultation and public authority consultation during the exhibition of the planning proposal will explore the social and economic benefits in more detail.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

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The draft changes to the planning controls will permit a significant increase in development potential across the City Centre. The uplift of the FSR and or height controls has been quantified as outlined in the table below (Table 2 in the Introduction section of this planning proposal).

Based on these numbers, the planning proposal is expected to result in additional demand for existing public infrastructure as follows:

- Utilities, waste management and recycling services
- Public transport and roads
- Essential Services
- Community Infrastructure
- Aeronautical operations

Utilities, waste management and recycling services

The full range of utility services (electricity, telecommunications, water and sewer) and waste management and recycling services are all currently available across the City Centre. It is expected that this Planning Proposal will generate greater demand for electricity, gas, water and sewer services from higher and more intense development permitted by the new planning controls. To manage these impacts, this Planning Proposal will include new controls to reduce water and energy requirements and future-proof buildings to accommodate dual piping. These planning controls are expected to have the following benefits:

- Achieve an 18% reduction in CBD peak electricity demand (compared to business as usual planning controls)
- Achieve a 10% reduction in CBD potable water consumption (compared to business as usual planning controls)
- Reduction in energy and water utility costs
- Promote Parramatta's competitive edge as a Smart City
- Building resilient infrastructure in the CBD
- Low cost water rates for residents and businesses
- Make Parramatta more attractive to A-Grade commercial tenants (cost savings & reputational)
- Support from utilities, less augmentation & disruption to the CBD

Source: Kinesis, 2016 (Appendix 12 and 13)

Council is also preparing an Infrastructure Strategy which will include a Works Schedule, an updated Section 7.11/12 Development Contributions plan and a Development Guideline. The Infrastructure Strategy will support the provision of the community infrastructure funding mechanism in the LEP and detail the rates. The Strategy will be used to continue discussions with the relevant state agencies and developers on the provision of community infrastructure in and around the CBD. Council will engage with utility, waste management and recycling service providers.

Public transport and roads

Parramatta is well-served by existing public transport including trains, buses and a ferry service with future upgrades including light rail and a metropolitan train line identified in the Strategic Traffic and Transport Plan. However, as a consequence of the anticipated

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increases in workforce and residential populations from new development permitted by the new planning controls, greater demand for transport infrastructure, public transport and car parking is expected. Any upgrades required to the road network will be identified in the Integrated Transport Plan to be prepared in support of this planning proposal.

Council will continue to engage with Transport for NSW and the Roads and Maritime Service regarding the findings in the Strategic Traffic and Transport Plan and provision of any upgrades and new services for roads and public transport.

Essential Services

The Metropolitan Strategy aligns land use strategies and infrastructure provisions across the range of services and Council will engage with essential service providers on the provision of public infrastructure in and around the CBD including schools, hospitals, water, sewer, police, fire, state emergency services and the like.

Community Infrastructure

As mentioned above, to better inform how and when other essential infrastructure is to be delivered, Council is preparing an Infrastructure Strategy with supporting Works Schedule, updated Section 7.11/12 Development Contributions plan and a Development Guideline. The Infrastructure Strategy together with the Council's recently exhibited draft Community Infrastructure Strategy will be used to continue discussions with the relevant state agencies and developers on the provision of community infrastructure in and around the CBD.

Aeronautical operations of Bankstown and Sydney airports

Parramatta is located approximately 20km north west of Sydney Airport and 11km north of Bankstown Airport. Airspace above the Parramatta CBD is affected by the operation of these airports. Any effects on aeronautical operations above the Parramatta CBD will be managed by the inclusion of an airspace operation clause to control development within the prescribed airspace area.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with state public authorities was undertaken during the public exhibition of the Auto Alley and City Centre Frameworks in 2014; with the views of the following public authorities informing the preparation of the Parramatta CBD Planning Strategy:

- Endeavour Energy
- Education and Communities
- Office of Environment and Heritage – Heritage Council of NSW
- Health - Western Sydney Local District
- Transport for NSW
- Roads and Maritime Service
- Family and Community Services – Land and Housing Corporation

Condition 2 of the Gateway Determination states: *Prior to public exhibition and resubmitting the planning proposal to the Department for approval, Council is to consult with the following public authorities to further refine the planning proposal in accordance with the Gateway determination:*

- Transport for NSW;
- Roads and Maritime Services;

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- Office of Environment and Heritage – Heritage Division;
- NSW Heritage Office;
- NSW State Emergency Service,
- Government Architect NSW;
- Civil Aviation Safety Authority; and

Federal Department of Infrastructure, Regional Development and Cities.

Council will commence consultation with the above listed public authorities following Council's endorsement of this Planning Proposal. During this period of consultation, Council will also seek direction from CASA and the Federal Department of Infrastructure, Regional Development and Cities to determine the approach to maximum building heights for the CBD, as required by Condition 1 (j) i of the Gateway determination.

Additionally, as part of the preparation of the mesoscopic model and Integrated Transport Plan, there is ongoing consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West. Should there be any amendments to the Planning Proposal as a result of the consultation with the listed public authorities, prior to public exhibition, Council will make the necessary changes.

Following consultation with State agencies and prior to community consultation (as required in condition 3), the planning proposal will be referred to the DPIE for approval to enable a review of the consolidated planning proposal and ensure consistency with the Gateway conditions.

Condition 3 of the Gateway determination states: *Public exhibition is required under Section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:*

- (a) *the planning proposal must be made publicly available for a minimum of 28 days; and*
- (b) *the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).*

Condition 4 of the Gateway determination states: *Further consultation is required with the public authorities listed in Condition 2 and the following additional public authorities/organisations under Section 3.34(2)(d) of the Act:*

- Department of Family and Community Services;
- Department of Education;
- Department of Industry – Trade and Investment;
- Fire and Rescue NSW
- Department of Health;
- NSW Police Force;
- Sydney Water;
- adjoining local government area councils;
- Federal Department of the Environment and Energy;
- National Trust of Australia;
- Department of Defence;
- Deerubbin Aboriginal Land Council;
- Western Sydney Local Health District;
- Greater Sydney Local Land Services;

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- NSW Aboriginal Land Council;
- relevant service providers; and
- UrbanGrowth NSW.

At the conclusion of the public exhibition on this Planning Proposal, Council officers will review any submissions and consider whether amendments are required prior to requesting the DPIE make the LEP amendments.

Condition 6 of the Gateway determination states: *The time frame for completing the LEP is to be 24 months following the date of the Gateway determination.* Council officers will work to finalise the Planning Proposal and report it to Council in June 2020 to enable finalisation by the DPIE and approval by the Minister by December 2020.

PART 4 – MAPPING

Located in this part are the following maps, which this planning proposal seeks to amend and create.

- Amend the Additional Local Provisions Map
- Amend the Land Zoning Map
- Amend the Floor Space Ratio Map
- Amend the Height of Buildings Map
- Amend the Additional Permitted Uses Map
- Amend the Special Provisions Map
- Create a new Incentive Floor Space Ratio Map
- Create a new Incentive Height of Buildings Map
- Create a new Sun Access Protection Map
- Create a new Active Frontages Map
- Create a new Opportunity Sites Map
- Create a new Floodplain Risk Management Map

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PART 5 – COMMUNITY CONSULTATION

In accordance with Section 3.34(2)(c) and Schedule 1 Clause 4 of the EP&A Act, 1979, the planning proposal must be made publicly available for a minimum of 28 days and comply with the requirements set out in Section 5.5.2 of 'A guide to preparing local environmental plans' DPIE 2016). Council will undertake community consultation as part of the public exhibition period that is anticipated to take place

Council is required to submit the planning proposal to DPIE, as revised to comply with both the gateway determination and consultation with particular public authorities, before community consultation is undertaken.

Consistent with Section 3.34(2)(d) of the Act, Condition 4 of the Gateway Determination requires Council to undertake further consultation during public exhibition with public authorities and organisations.

Public exhibition is likely to include a newspaper advertisement, display on the Council's web-site and written notification to landowners.

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PART 6 – PROJECT TIMELINE

The DPIE has set a timeframe to finalise the amendments to the LEP within 24 months of the Gateway Determination. The Greater Sydney Commission may take action under section 3.32 (2)(d) of the Act if the timeframes if the timeframes outlined in the determinations Are not met.

The envisaged project timeline (Table 18) has been prepared based on the requirements of the Gateway Determination to finalise the LEP by 13 December 2020 (24 months). This includes the progress of the planning proposal through its various stages of consultation and approval, as required by the conditions of the Gateway Determination.

Table 18 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report amended and consolidated planning proposal to Council seeking endorsement for the purpose of consultation with Agencies and public exhibition	October 2019
Pre exhibition state agency consultation on planning proposal	November – December 2019
DPIE assessment of planning proposal for purposes of public exhibition	December 2019 – January 2020
Public exhibition of Parramatta CBD Planning Proposal	February – March 2020
Consideration of planning proposal post exhibition and amend/update planning proposal	April 2020 – June 2020
Report final planning proposal to Council seeking endorsement to adopt for gazettal	July 2020
DPIE Review; Parliamentary Counsel prepares LEP, DPIE finalisation and sign off by Minister (or delegate)	August – December 2020

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Appendix 1a – Part 7 of PLEP 2011 instrument affecting Parramatta CBD

Part 7 Additional local provisions—Parramatta City Centre

7.1 Land to which this Part applies

- (1) This Part applies to all land in Parramatta City Centre, as identified on the Additional Local Provisions Map.
- (2) A provision in this Part prevails over any other provision of this Plan to the extent of any inconsistency.

7.2 Floor space ratio

- (1) Despite clause 4.4, the maximum floor space ratio for buildings on land for which the maximum floor space ratio shown on the Floor Space Ratio Map is specified in Column 1 of the table to this subclause is the amount specified opposite that floor space ratio in -
 - (a) if the site area for the development is less than or equal to 1,000 square metres - Column 2 of the table, or
 - (b) if the site area for the development is greater than 1,000 square metres but less than 1,800 square metres - Column 3 of the table, or
 - (c) if the site area for the development is equal to or greater than 1,800 square metres - Column 4 of the table.

Column 1	Column 2	Column 3	Column 4
6:1	4:1	$(4 + 2X):1$	6:1
8:1	5:1	$(5 + 3X):1$	8:1
10:1	6:1	$(6 + 4X):1$	10:1

- (2) For the purposes of Column 3 of the table to subclause (1) –

$$X = (\text{the site area in square metres} - 500)/1500$$
- (3) This clause does not apply to land marked "Area 8" on the Special Provisions Area Map.

7.3 Car parking

- (1) If development for a purpose set out in Column 1 of the table to this subclause includes a car parking space in connection with that use, the development must provide no more than the number of car parking spaces specified opposite that use in Column 2 of that table.

Column 1 Proposed use	Column 2 Maximum number of parking spaces
Centre-based child care facilities	A maximum of 1 parking space to be provided for every 4 child care places

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Commercial premises	A maximum of 1 parking space to be provided for every 100 square metres of gross floor area
Drive-in take away food and drink premises with seating	A maximum of 1 parking space to be provided for every 10 square metres of gross floor area or 1 parking space to be provided for every 6 seats (whichever is the lesser)
Health consulting rooms	A maximum of 1 parking space to be provided for every 300 square metres of gross floor area
Hostels and residential care facilities	A maximum of 1 parking space to be provided for every 10 beds plus 1 parking space to be provided for every 2 employees plus 1 parking space to be provided that is suitable for an ambulance
Hotel accommodation	A maximum of 1 parking space to be provided for every 5 hotel rooms or suites plus 1 parking space to be provided for every 3 employees
Motels	A maximum of 1 parking space to be provided for every 2 motel rooms or suites plus 1 parking space to be provided for every 3 employees
Multi dwelling housing: 1, 2 and 3 bedrooms	A maximum of 1 parking space to be provided for every dwelling plus 1 parking space to be provided for every 5 dwellings for visitors
Restaurants or cafes	A maximum of 1 parking space to be provided for every 10 square metres of gross floor area or 1 parking space to be provided for every 4 seats (whichever is the lesser)
Seniors housing (other than residential care facilities)	A maximum of 1 parking space to be provided for every 10 dwellings plus 1 parking space to be provided for every 10 dwellings for visitors
Shops	A maximum of 1 parking space to be provided for every 30 square metres of gross floor area
Warehouses or distribution centres	A maximum of 1 parking space to be provided for every 300 square metres of gross floor area

- (2) The number of car parking spaces to be provided under subclause (1) is to be calculated by including any existing car parking spaces.
- (3) The consent authority may approve additional car parking spaces in excess of the number of car parking spaces calculated under subclause (2), but only if the additional car parking spaces approved are to be included as part of the building's gross floor area, whether the space is below or above ground level (existing).
- (4) If the consent authority is satisfied that there are car parking spaces in excess of the requirements of the occupiers of an existing building, the consent authority may grant development consent to the use of those car parking spaces by persons other than the occupiers of the building.
- (5) Subclause (3) does not apply to a public car parking station owned by the Council.

7.4 Sun access

- (1) The objective of this clause is to protect public open space in Parramatta Square, the Lancer Barracks site and Jubilee Park from overshadowing.
- (2) The consent authority must not grant consent to development on any land if the consent authority is satisfied that the development will result in any additional overshadowing, between 12 noon and

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2pm, on Parramatta Square, being the land at Parramatta Square shown with blue hatching on the Sun Access Protection Map.

- (3) If the consent authority considers that development that is the subject of a development application is likely to cause excessive overshadowing of the Lancer Barracks site or Jubilee Park, it must take into consideration the relevant sun access plane controls specified for that land in section 4.3.3 of the Parramatta Development Control Plan in determining that development application.
- (4) This clause applies despite clause 7.11(2)(f).

7.5 Serviced apartments

- (1) Development consent must not be granted to development on land in Zone B3 Commercial Core for the purpose of the strata subdivision of a building or part of a building that is or has been used for serviced apartments.
- (2) Development consent must not be granted to development on land in Zone B4 Mixed Use for the purpose of the strata subdivision of a building or part of a building that is or has been used for serviced apartments, unless the consent authority is satisfied that the following design principles are achieved for the development as if it were a residential flat development –
 - (a) the design quality principles set out in Schedule 1 to *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*,
 - (b) the design principles of the *Apartment Design Code* (within the meaning of that Policy).
- (3) Development consent must not be granted to development for the purpose of serviced apartments on the following land, comprising the eastern part of the land bounded by Macquarie Street, Smith Street, Darcy Street and Church Street, Parramatta –
 - (a) any part of Lot 2, DP 1192394 that is in Zone B3 Commercial Core (eastern part of Civic Place),
 - (b) Lot 1, DP 863571 (153 Macquarie Street, Parramatta),
 - (c) Lot 1, DP 1192394 (169 Macquarie Street, Parramatta),
 - (d) Lot 1, DP 1136922 (1 Smith Street, Parramatta).

7.6 Airspace operations

- (1) The objective of this clause is to protect airspace around airports.
- (2) This clause applies to land identified as “Area 3”, “Area 6” or “Area 7” on the Special Provisions Area Map.
- (3) The consent authority must not grant development consent to development that is a controlled activity within the meaning of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth on land to which this clause applies unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division.

Note: Controlled activities include the construction or alteration of buildings or other structures that cause an intrusion into prescribed airspace (being generally airspace around airports). Controlled activities cannot be carried out without an approval granted under regulations made for the purposes of Division 4 of Part 12 of the *Airports Act 1996* of the Commonwealth.

7.7 Development on land at Church and Early Streets, Parramatta

- (1) This clause applies to the following land –

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- (a) land at 83 Church Street, Parramatta, being Lot 10, DP 733044 and at 44 Early Street, Parramatta, being Lot B, DP 304570 (**Site 1**),
- (b) land at 63 Church Street, Parramatta, being Lot 20, DP 732622 (**Site 2**).
- (2) The objectives of this clause are to ensure that development on land to which this clause applies –
 - (a) provides employment opportunities in the precinct by ensuring that a minimum proportion of the available floor space is provided for commercial purposes, and
 - (b) does not adversely impact the amenity of the precinct by reason of the scale and bulk of the development.
- (3) Development consent must not be granted for development (including staged development) for the purposes of a new building, or extension of an existing building, on Site 1 unless the following conditions are satisfied –
 - (a) at least 40% of the gross floor area of Site 1 is used for a purpose other than residential accommodation or serviced apartments,
 - (b) the floor space ratio of Site 1 does not exceed –
 - (i) if the development includes a basement to be used for commercial purposes – 7.2:1, or
 - (ii) in any other case – 6.4:1,
 - (c) the gross floor area of each storey of a building above a height of 40 metres does not exceed 700 square metres.
- (4) Development consent must not be granted for development (including staged development) for the purposes of a new building, or extension of an existing building, on Site 2 unless at least 40% of the gross floor area of Site 2 is used for a purpose other than residential accommodation or serviced apartments.

7.8 Development on land at 160–182 Church Street, Parramatta

- (1) This clause applies to land marked “Area 3” on the Special Provisions Area Map.
- (2) Despite clauses 4.3, 4.4 and 7.10(5), the consent authority may grant consent to development on land to which this clause applies, but only if the consent authority is satisfied that the gross floor area of any resulting building will not be greater than 95,000 square metres and of that gross floor area –
 - (a) not less than 10% will be used for common areas such as common rooms, communal gardens, corridors, foyers and recreation facilities (indoor), and
 - (b) not less than 5% will be used for private open space.

7.9 Development on land at 189 Macquarie Street, Parramatta

- (1) This clause applies to land marked “Area 4” on the Special Provisions Area Map.
- (2) Despite clauses 4.3, 4.4 and 7.10(5), the consent authority may grant consent to development involving the construction of a new building or external alterations to an existing building on land to which this clause applies if –
 - (a) the design of the building or alteration is the result of a competitive design process as required by clause 7.10(5), and
 - (b) the consent authority is of the opinion that the building or alteration exhibits design excellence with regard to the design criteria specified in clause 7.10(4), and

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- (c) the development continues to include a public car park on the site (the area of which is not subject to paragraphs (e) and (f)), and
 - (d) the development does not result in a building with a building height that exceeds 91.3 metres above natural ground level, and
 - (e) the development does not result in a building with a gross floor area that exceeds 36,000 square metres, excluding any floor space used only for private balconies and communal open space, and
 - (f) the development does not result in a building with a gross floor area that exceeds 2,750 square metres that is used for the purposes of communal open space and private balconies.
- (3) In this clause –

communal open space means areas for the purpose of recreation for use by building tenants, including gymnasiums, common rooms and communal gardens.

private balcony means a balcony, terrace, deck or winter garden (whether unenclosed, partially enclosed or wholly enclosed) that is attached to a dwelling for private use.

7.9A Development of land at 7 Charles Street and 116 Macquarie Street, Parramatta

- (1) This clause applies to Lots 3 and 4, DP 17466 (7 Charles Street) and Lot 12, DP 706694 (116 Macquarie Street), Parramatta.
- (2) Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority is satisfied that at least 6,000 square metres of the floor space of the building will be used for commercial premises.

7.10 Design Excellence—Parramatta City Centre

- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
- (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Part applies.
- (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.
- (4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters –
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,
 - (c) whether the proposed development detrimentally impacts on view corridors,
 - (d) how the proposed development addresses the following matters –
 - (i) the suitability of the land for development,
 - (ii) the existing and proposed uses and use mix,
 - (iii) any heritage and archaeological issues and streetscape constraints or opportunities,

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- (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) the bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
 - (x) the impact on, and any proposed improvements to, the public domain,
 - (xi) the impact on any special character area,
 - (xii) achieving appropriate interfaces at ground level between the building and the public domain,
 - (xiii) excellence and integration of landscape design.
- (5) Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development –
- (a) development in respect of a building that has, or will have, a height above ground level (existing) greater than 55 metres,
 - (b) development on a site greater than 1,000 square metres and up to 1,800 square metres seeking to achieve the maximum floor space ratio identified on the Floor Space Ratio Map, where amalgamation with adjoining sites is not physically possible,
 - (c) development having a capital value of more than \$10,000,000 on a "Key site" identified on the Key Sites Map,
 - (d) development having a capital value of more than \$100,000,000 on any other site,
 - (e) development for which the applicant has chosen such a process.
- (6) A competitive design process is not required under subclause (5) if the consent authority is satisfied that such a process would be unreasonable or unnecessary in the circumstances and that the development –
- (a) involves only alterations or additions to an existing building, and
 - (b) does not significantly increase the height or gross floor area of the building, and
 - (c) does not have significant adverse impacts on adjoining buildings and the public domain, and
 - (d) does not significantly alter any aspect of the building when viewed from public places.
- (7) If, before the commencement of this clause, the Secretary issued a certificate under clause 22B(5) of *Parramatta City Centre Local Environmental Plan 2007* for any development to which subclause (5) of this clause applies, then subclause (5) of this clause does not apply to that development.
- (8) If the design of a new building, or an external alteration to an existing building, is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence, it may grant development consent to the erection of the new building, or the alteration to the existing building, with –

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- (a) in any case – a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 15%, or
- (b) if the proposal is for a building containing entirely non-residential floor space in Zone B4 Mixed Use – a building height that exceeds the maximum height shown for the land on the Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map (or both) by up to 25%.

(9) In this clause –

building or alteration exhibits design excellence means a building where the design of the building (or the design of an external alteration to the building) is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence.

competitive design process means an architectural design competition carried out in accordance with procedures approved by the Secretary of the Department of Planning and Environment.

7.11 Development on land at 153 Macquarie Street and part of 1A Civic Place, Parramatta

- (1) This clause applies to land marked "Area 5" on the Special Provisions Area Map.
- (2) The consent authority may grant consent to development involving the construction of a new building or external alterations to an existing building on land to which this clause applies if –
 - (a) the design of the building or alteration is the result of a competitive design process as required by clause 7.10(5), and
 - (b) the consent authority is of the opinion that the building or alteration exhibits design excellence with regard to the design criteria specified in clause 7.10(4), and
 - (c) the development does not result in a building with a gross floor area that exceeds 46,200 square metres, and
 - (d) at least 90% of the floor space of the building will be used for business premises, office premises or retail premises, and
 - (e) no part of the building will be used for residential purposes, and
 - (f) the development does not result in any additional overshadowing on the land shown with blue hatching on the Sun Access Protection Map between 12 noon and 2pm on 21 June in each year.

7.12 Development on land at 180 George Street, Parramatta

- (1) This clause applies to land marked "Area 6" on the Special Provisions Area Map.
- (2) Despite clauses 4.4 and 7.2, the minimum floor space ratio for a building on land to which this clause applies that is used for any of the following purposes is 1:1 –
 - (a) commercial premises,
 - (b) tourist and visitor accommodation,
 - (c) centre-based child care facilities,
 - (d) serviced apartments.
- (3) Despite clause 7.3, the maximum number of car parking spaces for residential accommodation on land to which this clause applies is as follows –

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- (a) 0.1 space per studio apartment,
 - (b) 0.3 space per 1 bedroom apartment,
 - (c) 0.7 space per 2 bedroom apartment,
 - (d) 1 space per 3 bedroom apartment.
- (4) Despite clause 7.3, the maximum number of car parking spaces for a building on land to which this clause applies that is used for the purposes of commercial premises, tourist and visitor accommodation, centre-based child care facilities or serviced apartments, and has a floor space ratio greater than 3.5:1, is to be calculated using the following formula –

$$M = (G \times A) \div (50 \times T)$$

where –

M is the maximum number of parking spaces, and

G is the gross floor area of all commercial premises, tourist and visitor accommodation, centre-based child care facilities and serviced apartments in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres.

7.13 Development on land at 2–10 Phillip Street, Parramatta

- (1) This clause applies to land marked "Area 7" on the Special Provisions Area Map.
- (2) The consent authority may, despite any other provision of this Plan, grant consent to the erection of a building on land to which this clause applies that has a floor space ratio that exceeds the maximum floor space ratio shown for the land on the Floor Space Ratio Map by an amount of up to 5.5:1, but only if the consent authority is satisfied that the additional floor area will be used only for the purposes of hotel or motel accommodation or commercial premises.
- (3) The consent authority must not grant consent to the erection of a new building on land to which this clause applies unless the consent authority is satisfied that part of the building will be used for the purposes of commercial premises and that part will have a minimum gross floor area that equates to a floor space ratio of 1:1.
- (4) Gross floor area that is to be used for the purposes of commercial premises may be counted only for the purposes of satisfying subclause (2) or (3), but not for the purposes of satisfying both those subclauses.
- (5) Despite clause 7.3, the maximum number of car parking spaces permitted for a building on land to which this clause applies is the number permitted under subclauses (6) and (7).
- (6) The maximum number of car parking spaces for residential accommodation in the building is as follows –
 - (a) 0.1 space per studio apartment,
 - (b) 0.3 space per 1 bedroom apartment,
 - (c) 0.7 space per 2 bedroom apartment,
 - (d) 1 space per 3 bedroom apartment.

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- (7) The maximum number of car parking spaces for hotel or motel accommodation or commercial premises in the building is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –

$$M = (G \times A) \div (50 \times T)$$

where –

M is the maximum number of parking spaces, and

G is the gross floor area of all hotel or motel accommodation or commercial premises in the building in square metres, and

A is the site area in square metres, and

T is the total gross floor area of all buildings on the site in square metres.

7.14 Car parking for certain land in Parramatta City Centre

- (1) This clause applies to the following land –
- (a) Lot 1, DP 1041242, 220 Church Street, Parramatta,
 - (b) Lot 1, DP 702291, 230 Church Street, Parramatta,
 - (c) Lot B, DP 394050, 48 Macquarie Street, Parramatta,
 - (d) Lot 11, DP 1115358, Lot 30, DP 1115365 and Lot 20, DP 1115360, 184–188 George Street, Parramatta.
- (2) The maximum number of car parking spaces for residential accommodation in a building on land to which this clause applies is as follows –
- (a) 0.1 space per studio apartment,
 - (b) 0.3 space per 1 bedroom apartment,
 - (c) 0.7 space per 2 bedroom apartment,
 - (d) 1 space per 3 bedroom apartment.
- (3) The maximum number of car parking spaces for non-residential premises in a building on land to which this clause applies is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –
- $$M = (G \times A) \div (50 \times T)$$
- where –
- M** is the maximum number of parking spaces.
- G** is the gross floor area of all non-residential premises in the building in square metres.
- A** is the site area in square metres.
- T** is the total gross floor area of all buildings on the site in square metres.
- (4) This clause applies despite clause 7.3.

7.15 Development on land at 2–6 Hassall Street, Parramatta

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- (1) This clause applies to land at 2–6 Hassall Street, Parramatta, being Lot 22, DP 608861, Lot 62, DP 1006215 and Lot 7, DP 128820.
- (2) The maximum number of car parking spaces for commercial premises and educational establishments in a building on land to which this clause applies is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –
- $$M = (G \times A) \div (50 \times T)$$
- where –
- M** is the maximum number of parking spaces, and
- G** is the gross floor area of all commercial premises and educational establishments in the building in square metres, and
- A** is the site area in square metres, and
- T** is the total gross floor area of all buildings on the site in square metres.
- (3) Development consent must not be granted to development involving the construction of a new building or external alterations to an existing building on land to which this clause applies unless the consent authority is satisfied that–
- (a) the building complies with the following standards (but only if the building has a gross floor area that exceeds 10,000 square metres) –
- (i) the energy target is a maximum 140 kg/m² per year,
 - (ii) the water target is a maximum 65 kL/m² per year, and
- (b) the building utilises a dual water reticulation system containing pipes for potable water and recycled water for all internal and external water uses.
- (4) This clause applies despite clause 7.3.

7.16 Development on land at 12A Parkes Street, Harris Park

- (1) This clause applies to land marked "Area 8" on the Special Provisions Area Map.
- (2) The consent authority must not grant consent to the erection of a new building on land to which this clause applies unless, in addition to being satisfied of the matters mentioned in clause 6.3(3) in relation to the development on the land, the consent authority is satisfied that the building –
- (a) contains an area that is –
- (i) located above the probable maximum flood level, and
 - (ii) connected to an emergency electricity and water supply, and
 - (iii) of sufficient size to provide refuge for all occupants of the building (including residents, workers and visitors), and
- (b) has an emergency access point to the land that is above the 1% annual exceedance probability event, and
- (c) is able to withstand the forces of floodwaters, debris and buoyancy resulting from a probable maximum flood event.
- (3) Despite clause 7.3, the maximum number of car parking spaces permitted for a building on land to which this clause applies is the number permitted under subclauses (4) and (5).

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- (4) The maximum number of car parking spaces for residential accommodation in the building is as follows –
- (a) 0.1 space per studio apartment,
 - (b) 0.3 space per 1 bedroom apartment,
 - (c) 0.7 space per 2 bedroom apartment,
 - (d) 1 space per 3 bedroom apartment.
- (5) The maximum number of car parking spaces for commercial premises in the building is to be calculated using the following formula (but only if the building has a floor space ratio greater than 3.5:1) –
- $$M = (G \times A) \div (50 \times T)$$
- where –
- M** is the maximum number of parking spaces.
- G** is the gross floor area of all hotel or motel accommodation or commercial premises in the building in square metres.
- A** is the site area in square metres.
- T** is the total gross floor area of all buildings on the site in square metres.
- (6) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0), published in 2005 by the NSW Government.

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Appendix 1b – PLEP 2011 Maps affecting Parramatta CBD

[Provided under separate cover]

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Appendix 2a – Proposed LEP Amending Instrument

[Provided under separate cover]

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Appendix 2b – Proposed LEP Maps

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Appendix 3 – CBD Planning Strategy (2015)

[Provided under separate cover]

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Appendix 4a – Gateway determination



NSW
GOVERNMENT

**Planning &
Environment**

PP_2017_COPAR_002_00(RF18/4384)

Ms Sue Coleman
Acting Chief Executive Officer
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124

Attention: Mr Roy Laria

Dear Ms Coleman *Sue*

**Planning proposal PP_2017_COPAR_002_00 to amend Parramatta Local
Environmental Plan 2011**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to prepare a new planning framework for the continued growth and development of the Parramatta central business district (CBD).

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

As requested by Council, the Department has issued a conditional Gateway determination to allow the planning proposal to be updated and consolidated. The Gateway determination therefore contains several conditions to seek further clarification or evidence to support the planning proposal.

The Gateway conditions seek to enable further understanding of the intended framework, understand the potential impacts of the proposed height, bulk and scale and ensure that this is appropriate in the context of the significant heritage values in the CBD, and to enhance public spaces. In updating the planning proposal in accordance with the gateway conditions, Council may choose to submit information to the Department for approval ahead of the consolidated planning proposal.

I have agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with section 9.1 Directions 3.1 Residential Zones and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

I have considered Council's request for exceptional circumstances under section 9.1 Direction 4.3 Flood Prone Land which is required to enable the public exhibition of a proposed new flood planning clause that will apply to land impacted by the probable maximum flood (PMF). I have decided to grant exceptional circumstances to enable

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further agency consultation and community consultation. However, consistency with section 9.1 Direction 4.3 Flood Prone Land will require further consideration and agreement from the Department's Secretary.

Council will still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 9.1 Directions 2.3 Heritage Conservation 3.5 Development Near Licensed Aerodromes, 6.1 Approval and Referral Requirements, 6.2 Reserving Land for Public Purposes, 6.3 Site Specific Provisions and 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan following agency and community consultation.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 24 months of the date of the Gateway determination. Council should aim to commence consultation with relevant authorities as soon as possible to enable a consolidated and updated planning proposal to be submitted to the Department for further consideration and approval prior to public exhibition. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Christine Gough to assist you. Ms Gough can be contacted on 9860 1531.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services
13/12/2018
Enc: Gateway determination

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PLANNING PROPOSAL – Parramatta CBD



**Planning &
Environment**

Gateway Determination

Planning proposal (Department Ref: PP_2017_COPAR_002_00): to prepare a new planning framework for the Parramatta central business district (CBD).

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta Local Environmental Plan (LEP) 2011 to prepare a new planning framework for the Parramatta CBD should proceed subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal to:
 - (a) consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific clause is to be retained in the Parramatta LEP or integrated with the proposed planning framework;
 - (b) amend the objectives and intended outcomes to reflect the description of Parramatta as Sydney's Central City in the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas;
 - (c) prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects;
 - (d) assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans;
 - (e) assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Development Plan to demonstrate consistency with this document;
 - (f) address the Community Strategic Plan 2018-2038, Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and demonstrate consistency with these documents;
 - (g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;
 - (h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;
 - (i) in relation to the proposed floor space ratio (FSR) controls and incentives:
 - i. amend the base and incentive FSR maps to reflect the Gateway conditions;

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Environment

- ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;
- iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;
- iv. amend the planning proposal to clearly define what constitutes an isolated site;
- v. enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m². Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates;
- vi. review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance; and
- vii. carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal;
- (j) in relation to the proposed height of building controls:
 - i. liaise with the Civil Aviation Safety Authority and the federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;
 - ii. provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;
 - iii. incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am–2pm);
 - iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply;
 - v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts;

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- (k) in relation to heritage matters, which may also influence the height and FSR outcomes:
 - i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed;
 - ii. carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and
 - iii. along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;
- (l) prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;
- (m) in relation to infrastructure funding:
 - i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure;
 - ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure';
 - iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and
 - iv. consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.

The planning proposal is to be submitted to the Department for approval prior to public exhibition.

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2. Prior to public exhibition and resubmitting the planning proposal to the Department for approval, Council is to consult with the following public authorities to further refine the planning proposal in accordance with the Gateway determination:
 - Transport for NSW;
 - Roads and Maritime Services;
 - Office of Environment and Heritage – Heritage Division;
 - NSW Heritage Office;
 - NSW State Emergency Service;
 - Government Architect NSW;
 - Civil Aviation Safety Authority; and
 - federal Department of Infrastructure, Regional Development and Cities.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
4. Further consultation is required with the public authorities listed in condition 2 and the following additional public authorities/organisations under section 3.34(2)(d) of the Act:
 - Department of Family and Community Services;
 - Department of Education;
 - Department of Industry – Trade and Investment;
 - Fire and Rescue NSW;
 - Department of Health;
 - NSW Police Force;
 - Sydney Water;
 - adjoining local government area councils;
 - federal Department of the Environment and Energy;
 - National Trust of Australia;
 - Department of Defence;
 - Deerubbin Aboriginal Land Council;

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- Western Sydney Local Health District;
- Greater Sydney Local Land Services;
- NSW Aboriginal Land Council;
- relevant service providers; and
- UrbanGrowth NSW.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The time frame for completing the LEP is to be 24 months following the date of the Gateway determination.

Dated 13th day of December 2018.



Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning

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Appendix 4b – Satisfying the Gateway conditions

Schedule 4b - Satisfying Gateway conditions that relate to amending the Parramatta CBD Planning Proposal

DPE Gateway Condition		Action	Supporting Study or analysis
2 Prior to public exhibition, Council is to amend the planning proposal to:		Consistency assessment undertaken.	Recommendations for amendments to the proposed draft instrument provided in Table in Appendix 2a.
(a)	consider sites that have been subject to a site-specific planning proposal and recommend whether the site-specific proposal is to be included in the Parramatta LEP or integrated with the proposed planning framework.	Relevant section in Part 3 of the PP has been updated.	Not required
(b)	amend the objectives and intended outcomes to reflect the desired outcomes of the Greater Sydney Region Plan and the Greater Sydney Region Plan and include an objective that refers to the need for appropriate consideration of heritage items and heritage interface areas.	Land Reservation Acquisition Map has been amended to identify additional local road widening. Consideration to be undertaken with RMS and JNS&V.	Road widening to be reviewed through mesoscopic model and ITP.
(c)	prepare a draft acquisition and strategic corridor preservation map to indicate land that may be required to be rezoned to SP2 to facilitate local and regional infrastructure projects.	Relevant section in Part 3 of the PP has been updated.	Not required
(d)	assess the planning proposal against the Greater Sydney Region Plan and the Central City District Plan and describe how the planning proposal gives effect to and complies with these plans.	Relevant section in Part 3 of the PP has been updated.	Not required
(e)	assess the planning proposal against section 9.1 Direction 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Development Plan to demonstrate consistency with this document.	Relevant section in Part 3 of the PP has been updated.	Not required
(f)	address the Community Strategic Plan 2018-2038; Culture and Our City: A Cultural Plan for Parramatta's CBD 2017-2022 and the Parramatta Smart City Masterplan and demonstrate consistency with these documents.	Relevant section in Part 3 of the PP has been updated. Council's Draft LEPs and Draft Local Housing Strategy documents have been prepared since the issuing of the Gateway Determination.	Not required

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PLANNING PROPOSAL – Parramatta CBD

DPE Gateway Condition	Action	Supporting Study or analysis
(g) review the demographic data and the job and housing numbers that could be delivered through the planning proposal;	Relevant section in Part 3 of the PP has been updated.	GIS data analysis undertaken to determine yields.
(h) update the planning proposal and maps to provide a consolidated explanation of provisions and assessment of the intended outcomes as amended by this Gateway determination, and review the studies that have been prepared to support the planning proposal and update if required;	This has been addressed across a range of sections in the PP and supporting evidence provided in the Appendices.	Refer to Study List in the Introduction section of the PP.
(i) In relation to the proposed floor space ratio (FSR) controls and incentives:		
i. amend the base and incentive FSR maps to reflect the Gateway conditions;	The Height of Buildings and Floor Space Ratio Maps have been updated as well as the Incentive Height of Buildings and Incentive Floor Space Ratio Maps.	The studies that informed these map amendments are listed elsewhere in this table.
ii. amend the planning proposal and the FSR sliding scale to reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative thresholds would be appropriate;	The introduction section of the PP updated to reflect this. The proposed clause - 7.2 Floor space ratio - has also been updated to reflect Option FSR-1 in Council's report of 14 December 2015.	The studies that informed these map amendments are listed elsewhere in this table.
iii. amend the planning proposal and the FSR out clause to reflect ALT-1 in Council's report of 14 December 2015, but only for isolated sites and where design excellence is achieved;	The introduction section of the PP updated to reflect this. The proposed clause - 7.2 Floor space ratio - has also been updated to reflect Option ALT-1 in Council's report of 14 December 2015.	The studies that informed these map amendments are listed elsewhere in this table.
iv. amend the planning proposal to clearly define what constitutes an isolated site;	A proposed local provision - 7.2 Floor Space ratio - inserts a definition of isolated sites.	The methodology is explained in the Introduction section of the planning proposal.

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PLANNING PROPOSAL – Parramatta CBD

DPE Gateway Condition		Action	Supporting Study or analysis
v.	enable unlimited office premises FSR in the B3 Commercial Core on sites greater than 1800m ² . Council may reduce this threshold subject to urban design testing and demonstration of the achievement of appropriate commercial floor plates;	PP amended to include a requirement for an 1,800m ² site to achieve unlimited office premises FSR in the B3 Zone.	<i>Economic Review – Achieving A-Grade Office development</i> , prepared by consultants Urbis (initially October 2015, updated in September 2019). Other urban design studies prepared between June and October 2019.
vi.	review the proposed opportunity sites having regard to site depth, site isolation and impacts on heritage areas and historic streetscapes. Opportunity sites should be removed from the planning proposal where the additional bulk and scale could have an adverse impact on the amenity of surrounding localities and areas of heritage significance; and	Opportunity Sites clause and map amended to reflect analysis undertaken internal and externally (see adjoining column).	<i>Review of Opportunity Sites</i> prepared by Council (with supporting Heritage Review by LSJ) informed the amendments to the Opportunity Sites clause and map.
vii.	carry out environmental analysis and feasibility testing to demonstrate that sites with an FSR greater than 6:1 are suitable for the intended 5% FSR high performing buildings bonus and incorporate the intended policy into the explanation of provisions of the planning proposal.	HPB Clause amended to apply a 5% bonus to all sites greater than 6:1. Supporting study prepared.	<i>Sustainability and Infrastructure Study</i> prepared by consultants Kinesis (initially prepared in November 2015, updated June 2019); and <i>High Performance Building Bonus Study</i> , prepared by consultants Kinesis (initially February 2016, updated in July 2017 and July 2019).
(i) In relation to the proposed height of building controls:			
i.	liaise with the Civil Aviation Safety Authority and the Federal Department of Infrastructure, Regional Development and Cities to either determine the maximum mapped height of building that can be applied in the Parramatta CBD or provide further justification for the removal of height controls on unconstrained land;	PP updated to include height controls for all sites. Consultation with CASA and DIRDC to be undertaken.	Various studies, including urban design and overshadowing, determined heights.
ii.	provide further assessment of the overshadowing impact of the proposed controls on public open spaces surrounding the CBD compared to the existing controls;	Studies undertaken. Heights and FSRs reduced for certain city blocks. Refer to adjoining column.	Refer to <i>Technical Paper</i> prepared by Council (revised at October 2019). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.

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PLANNING PROPOSAL – Parramatta CBD

DPE Gateway Condition	Action	Supporting Study or analysis
iii. Incorporate an assessment of the potential overshadowing impacts on Experiment Farm that may result from the proposed planning controls (outside the proposed sun access plane of 10am-2pm).	Studies undertaken. Refer to adjoining column. Position to maintain solar access to Experiment Farm between 10am-2pm on 21 June has been maintained in the PP.	Refer to <i>Technical Paper</i> prepared by Council (revised at October 2019). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.
iv. provide further analysis to inform a sun access plane for the protected area of Parramatta Square between 12pm and 2pm, including the times of year that the proposed controls would apply.	Studies undertaken. Refer to adjoining column. Solar access to Parramatta Square protected between 12pm-2pm on 21 June.	Refer to <i>Technical Paper</i> prepared by Council (revised at October 2019). Other external and internal studies prepared between June and October 2019 also directly or indirectly informed the PP amendments to the instrument and/or map.
v. update the planning proposal to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts.	PP updated accordingly. Subclause added which will allow minor overshadowing only.	Not required. Detailed analysis of overshadowing to Parramatta Square undertaken in <i>Technical Paper</i> .
(k) in relation to heritage matters, which may also influence the height and FSR outcomes:		
i. carry out further investigations of heritage interface areas and clearly identify where there are inconsistencies between the intended outcomes in the planning proposal and the heritage reports that have been prepared. Council is to provide further information to identify where the inconsistencies exist, the extent of the inconsistencies and how they are proposed to be addressed.	Inconsistencies existed in West Auto Alley, Marion Street, and Church Street precincts. Further studies undertaken to address these inconsistencies and the PP has been updated accordingly.	<i>Church Street Precinct: Urban Design and Feasibility Study</i> prepared by Council with supporting heritage study by City Plan Heritage. <i>Marion Street Precinct Plan</i> prepared by SUB with heritage input from heritage consultant Paul Davies. <i>West Auto Alley Precinct Plan</i> prepared by consultants Olsson Associates with landscape input by Jane Irwin and heritage input by Howard Turner Architects. <i>Opportunity Street Study</i> ; prepared by Council with heritage input from Lucas, Stapleton, Johnson and Partners (LJS), both from October 2019.

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DPE Gateway Condition	Action	Supporting Study or analysis
<p>ii. carry out an urban design study of the southern interface areas to ensure that excessive cumulative shadow impacts are not created across the northern sections of adjoining heritage conservation areas (HCA), including the Harris Park HCA, the Experiment Farm HCA, the Tottenham Road HCA and the South Parramatta HCA. These areas should receive a minimum of two hours' direct sunlight between 9am and 3pm at midwinter (21 June). If required, heights and FSRs are to be adjusted accordingly; and</p>	<p>Overshadowing analysis undertaken. Refer to adjoining column. Heights and FSRs for certain city blocks reduced accordingly to minimise overshadowing.</p>	<p>Overshadowing Technical Paper (October 2012).</p>
<p>iii. along Church Street between Lennox Bridge and Macquarie Street, retain the FSR of 3:1, the height limit of 12m and the podium setback of 18m unless a heritage, urban design and commercial feasibility study is carried out to demonstrate that a reduced tower podium setback has merit from a heritage, urban design and commercial feasibility perspective, and consider removing opportunity sites in this precinct if additional height and FSR will have an adverse impact on heritage values;</p>	<p>Church Street Precinct Study and Opportunity Sites Study Undertaken. 12m podium setback is included and reduction in FSRs to 3:1 to certain smaller sites has been included, as well as removal of most opportunity sites.</p>	<p>Church Street Precinct Plan - Planning, Urban Design and Feasibility prepared by Council and Heritage Analysis prepared by City Plan Heritage Opportunity Sites Study, prepared by Council with heritage analysis by LSU.</p>
<p>(i) prepare a mesoscopic model and integrated transport plan in consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West, taking into account planned transport infrastructure improvements;</p>	<p>Strategic Transport Study prepared and will be exhibited with the PP. Work on a mesoscopic model and ITP has commenced and will be finalised prior to PP gazettal. Council will seek a Gateway alteration to reflect this course of action.</p>	<p>Strategic Transport Study by AECOM completed. Mesoscopic Model and ITP by Jacobs commenced.</p>
<p>(m) in relation to infrastructure funding.</p>		

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PLANNING PROPOSAL – Parramatta CBD

DPE Gateway Condition		Action	Supporting Study or analysis
i. amend the planning proposal to introduce a satisfactory arrangements clause to fund regional infrastructure; ii. change all references to 'value sharing' in the planning proposal to 'provision of community infrastructure'; iii. amend the explanation of provisions to clarify that community infrastructure is only able to be provided on the development site; and iv. consider a funding mechanism to support the provision of community infrastructure, such as the preparation of a new Section 7.11 contributions plan or a potential increase to the levy under the current 7.12 contributions plan.		Relevant sections in the PP have been updated including Part 2, Appendix 2a of the PP contains the draft amending instrument which includes clause 7.6G Arrangements for contributions to designated State public infrastructure.	Not required
		Relevant sections in the PP have been updated.	Not required
		Relevant section in Part 2 of the PP has been updated. Clause 7.6H - Community Infrastructure has been amended based on Penrith LEP clause.	Community Infrastructure Funding Study by GLN Planning and AEC currently being finalised. Refer to GLN Planning letter.
		Study underway to consider appropriate way forward with a new contributions plan. This will be reported separately.	Community Infrastructure Funding Study prepared by consultants GLN Planning with economic input from AEC (currently being finalised).

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PLANNING PROPOSAL – Parramatta CBD

Appendix 5 – Heritage Study (Urbis) 2015

[Provided under separate cover]

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Appendix 6a – Heritage Study of Interface Areas (Hector Abraham Architects) 2019

[Provided under separate cover]

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Appendix 6b – Council's response to Hector Abraham Architects report

[Provided under separate cover]

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Appendix 7 – West Auto Alley Precinct Plan

[Provided under separate cover]

PLANNING PROPOSAL – Parramatta CBD

Appendix 8 – Marion Street Precinct Plan

[Provided under separate cover]

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Appendix 9a – Urban Design & Feasibility Study – Church Street Precinct (Council) June 2019

[Provided under separate cover]

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Appendix 9b – Heritage Study - Church Street Precinct (City Plan) June 2019

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 10a – Overshadowing Technical Paper (October 2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 10b – Market and Feasibility Analysis (October 2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 11a – Opportunity Sites Report (October 2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 11b – Parramatta CBD Opportunity Sites – Heritage Review by LSJ (October 2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 12 – Economic Review – Achieving A-Grade Office

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 13 – Strategic Transport Study (2017)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 14a – Updated Flood Risk Management Plans (2019)

[Provided under separate cover]

PLANNING PROPOSAL – Parramatta CBD

Appendix 14b – Flood Evacuation Assessment (2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 14c – Parramatta CBD Horizontal Evacuation Pilot Study (2017) by SJB

[Provided under separate cover]

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Appendix 15 – Preliminary Site Investigation Study for the Auto Alley area (2019a)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 16a – Sustainability and Infrastructure Study (2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 16b – Review of High Performing Buildings Study (2019)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 17a – Community Facilities Needs Study (2016)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 17b – Infrastructure Funding Models Study (2016)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 17c – Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD (2017)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 17d – Draft Infrastructure Needs Analysis (2017)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 17e – Independent Peer Review of Council's past work on community infrastructure – by Aurecon (2017)

[Provided under separate cover]

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PLANNING PROPOSAL – Parramatta CBD

Appendix 17f – Memo on the Parramatta CBD Community Infrastructure Funding Study (2019)

[Provided under separate cover]

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Item 15.1 - Attachment 3

List of Technical Studies to support the Parramatta CBD Planning Proposal
(provided under separate cover on Council's website via link)

Attachment 3 Technical Studies in support of the draft Parramatta CBD Planning Proposal are provided under separate cover and available on Council's website here:

<https://www.cityofparramatta.nsw.gov.au/council/council-meetings/council-business-papers-minutes-dates>

The full list of Attachments to the Planning Proposal are set out below.

Draft Parramatta CBD Planning Proposal - Appendices			Author
Appendix	1a	Current planning controls - Parramatta LEP 2011 Instrument (provided within the Planning Proposal)	N/A
	1b	Current planning controls - Parramatta LEP 2011 Maps	N/A
Appendix	2a	Proposed planning controls – Proposed LEP amending instrument	CoP
	2b	Proposed planning controls – Proposed LEP maps	CoP
Appendix	3	Parramatta CBD Planning Strategy 2015	CoP
Appendix	4a	Gateway Determination for the Parramatta CBD Planning Proposal 2018 (provided within the Planning Proposal)	DPIE
	4b	Satisfying the Gateway conditions table (provided within the Planning Proposal)	CoP
Appendix	5	Urbis Heritage Study (2015)	Urbis
Appendix	6a	Heritage Study of Interface Areas 2019	Hector Abraham Architects (HAA)
	6b	Council's response to the HAA Heritage Study	CoP
Appendix	7	West Auto Alley Precinct Plan	Olsson Associates
Appendix	8	Marion Street Precinct Plan	SJB Urban & Paul Davies
Appendix	9a	Urban Design & Feasibility Study – Church Street Precinct	CoP
	9b	Heritage Study - Church Street Precinct	City Plan
Appendix	10a	Overshadowing Technical Paper (October 2019)	CoP
	10b	Market and Feasibility Analysis - Parramatta CBD (Blocks A - D)	JLL
Appendix	11a	Opportunity Sites Report (October 2019)	CoP
	11b	Parramatta CBD Opportunity Sites – Heritage Review	LSJ
Appendix	12	Economic Review – Achieving A-Grade Office	Urbis
Appendix	13	Strategic Transport Study 2017	AECOM
Appendix	14a	Updated Flood Risk Management Plans 2019	Molino Stewart
	14b	Parramatta CBD Flood Evacuation Assessment 2019	Molino Stewart
	14c	Horizontal Evacuation Pilot Study for Parramatta CBD 2017	SJB
Appendix	15	Preliminary Site Investigation Study for the Auto Alley area (2019a)	JBS&G
Appendix	16a	Sustainability and Infrastructure Study (2016)	Kinesis
	16b	Review (Memo) Sustainability and Infrastructure Study 2019	Kinesis

Item 15.1 - Attachment 3

List of Technical Studies to support the Parramatta CBD Planning Proposal
(provided under separate cover on Council's website via link)

	16b	Review of High Performing Buildings Study (June 2019)	Kinesis
Appendix	17a	Community Facilities Needs Study 2016	Elton
	17b	Infrastructure Funding Models Study 2016	GLN
	17c	Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017	CoP
	17d	Draft Infrastructure Needs Analysis 2017	CoP
	17e	Independent Peer Review of Council's past work on community infrastructure prepared by Aurecon 2017	Aurecon
	17f	Memo on the Parramatta CBD Community Infrastructure Funding Study 2019	GLN

RESCISSION MOTION

ITEM NUMBER	12.2
SUBJECT	RESCISSION MOTION 2: 21-21A Tucks Road, Toongabbie
REFERENCE	RZ/11/2015 - D07088027
REPORT OF	Councillor Wearne

To be Moved by Councillor Wearne and seconded by Councillors Garrard and Dwyer as per Rescission Motion form signed and submitted on 28 October 2019 after the close of the Council Meeting.

RECOMMENDATION

That the resolution of the Council Meeting held on 12 August 2019 in relation to Item 18.4 regarding Planning Proposal for the land at 21-21A Tucks Road, Toongabbie, namely:

- (a) **That** Council note the recommendation of the Local Planning Panel (on 18 September 2018) in relation to this matter as detailed below noting that the recommendation is inconsistent with the recommendation provided by Council Officers to the Panel.
- (b) **That** Council note the outcome of the public exhibition period in relation to the Planning Proposal for the land at 21-21A Tucks Road, Toongabbie.
- (c) **That** Council resolve not to proceed with the Planning Proposal for the land at 21-21A Tucks Road, Toongabbie which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) by:
 - 1. Rezoning the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site
 - 2. Amending the maximum height of building controls from part 12m and part 9m to part 15m and part 9m
 - 3. Amending the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site
- (d) **That** Council note the following Local Planning Panel reasons for recommending refusal of the above Planning Proposal:
 - 1. The proposal would result in a large increase in the maximum height of buildings
 - 2. The proposal would result in multi-storey residential flat buildings situated away from public transport
 - 3. There is concern about the possibility of the land being subject to flooding
 - 4. It is considered inappropriate to have higher density residential development in a location such as this
- (e) **Further, that** the Department of Planning, Industry and Environment (DPIE) and the applicant be advised that Council will not be proceeding with this Planning Proposal.

be and is hereby rescinded.

ATTACHMENTS:

- 1 [↓](#) Report of 21-21A Tucks Road, Toongabbie 199 Pages

Council 12 August 2019

Item 18.4

INNOVATIVE

ITEM NUMBER	18.4
SUBJECT	Planning Proposal for the land at 21-21A Tucks Road, Toongabbie
REFERENCE	RZ/11/2015 - D06897967
REPORT OF	Project Officer Land Use
APPLICANT	TLC Health and Fitness
LANDOWNER	Touma Family Superfund & Tecad Fitness P/L

PURPOSE:

The purpose of this report is to provide an update on the outcome of the Site Compatibility Certificate (SCC) application and to seek Council's decision relating to the Planning Proposal at 21-21A Tucks Road, Toongabbie. The matter was reported to Council at its meeting on 29 October 2018 (Item 13.4) (**Attachment 1**) and was deferred subject to the outcome of the SCC application.

RECOMMENDATION

- (a) **That** Council note the recommendation of the Local Planning Panel (on 18 September 2018) in relation to this matter as detailed below noting that the recommendation is inconsistent with the recommendation provided by Council Officers to the Panel.
- (b) **That** Council note the outcome of the public exhibition period in relation to the Planning Proposal for the land at 21-21A Tucks Road, Toongabbie.
- (c) **That** Council resolve not to proceed with the Planning Proposal for the land at 21-21A Tucks Road, Toongabbie which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) by:
 - 1. Rezoning the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site
 - 2. Amending the maximum height of building controls from part 12m and part 9m to part 15m and part 9m
 - 3. Amending the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site
- (b) **That** Council note the following Local Planning Panel reasons for recommending refusal of the above Planning Proposal:
 - 1. The proposal would result in a large increase in the maximum height of buildings
 - 2. The proposal would result in multi-storey residential flat buildings situated away from public transport
 - 3. There is concern about the possibility of the land being subject to flooding
 - 4. It is considered inappropriate to have higher density residential development in a location such as this
- (c) **Further, that** the Department of Planning, Industry and Environment (DPIE) and the applicant be advised that Council will not be proceeding with this

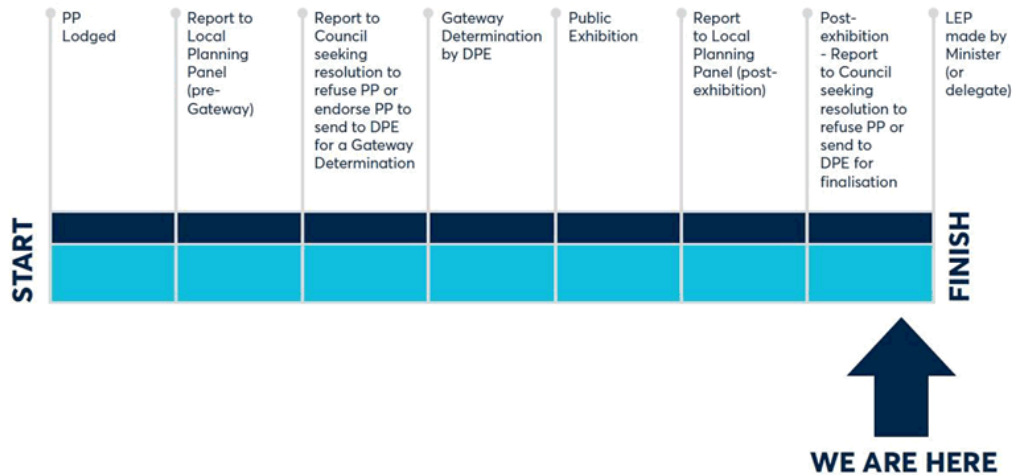
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Council 12 August 2019

Item 18.4

Planning Proposal.

Planning Proposal Timeline



BACKGROUND

1. The Planning Proposal for the land at 21-21A Tucks Road, Toongabbie seeks the following amendments to the Parramatta Local Environmental Plan (PLEP) 2011:
 - Rezone the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site;
 - Amend the maximum height of building controls from part 12m and part 9m to part 15m and part 9m;
 - Amend the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site.
2. The Planning Proposal was considered by the Local Planning Panel (LPP) at its meeting on 18 September 2018 (see **Attachment 2**). Council officer's recommendation was to proceed with the Planning Proposal as publicly exhibited. However, the LPP recommended that the Planning Proposal not proceed for reasons detailed in the LPP recommendation attached (see **Attachment 3**).
3. The Planning Proposal was subsequently reported post-exhibition to Council at its meeting of 29 October 2018. At this meeting, Council resolved:

***That** consideration of this matter be deferred to enable Council to receive advice from State Government on the Site Compatibility Certificate.*
4. The SCC application was lodged by the applicant in August 2018 under Clause 37 of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARHSEPP) with the then Department of Planning and Environment seeking a development on the land at 21A Tucks Road, Toongabbie for the purpose of constructing two (2) four (4) storey residential flat buildings comprising 88 dwellings over basement car parking (compared with 81 dwellings under the

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Planning Proposal which proposes the dwellings over both 21 and 21A Tucks Road) (see **Figure 1**). Under the ARHSEPP, at least 50% of the total dwellings are to be used for affordable housing for at least 10 years. The proposed SCC development is of a similar height and scale of the proposed development under the Planning Proposal.



Figure 1 – Areas subject to the Planning Proposal and SCC Application

5. On 28 May 2019, Council received a formal letter from the then Department of Planning and Environment advising that an SCC has not been issued for the site at 21A Tucks Road, Toongabbie advising that:

The application for a site compatibility certificate has not demonstrated that the issuing of a certificate would result in a development which is compatible with the surrounding land uses.

6. On 10 July 2019, Council received a notification from the DPIE that a second SCC application has been lodged for the land at 21A Tucks Road, Toongabbie under Clause 37 of the ARHSEPP (see **Attachment 4**). The new SCC seeks two (2) four (4) storey residential flat buildings comprising 68 dwellings over basement car parking and represents a reduction in residential yield compared with the initial SCC application.

ISSUES/OPTIONS/CONSEQUENCES

7. The assessment of an SCC is based on the merits of the proposed development in the context of existing zoning and planning controls. Whereas the assessment of a Planning Proposal is based on the proposed zoning and controls.
8. A submission was made to the DPIE on 24 July 2019 objecting to the second SCC application on similar grounds to the DPIE's original determination regarding the built form and its relationship with the surrounding land uses. Whilst the second SCC scheme broadly indicates a similar built form outcome

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(except that the SCC results in a stepped built form that transitions to 2 storeys to the southern boundary resulting in a reduced yield) to that of the current Planning Proposal, the SCC application is considered to have a greater impact on the amenity of adjoining properties to the south given reduced setbacks i.e. 9m setback proposed at the southern boundary under the current SCC application compared with a 22m setback to the southern boundary under the Planning Proposal. Furthermore, given the high level of community objection raised in relation to the Planning Proposal during exhibition, Council officers have requested that the DPIE not issue the SCC until Council has formally considered the outcomes of the public exhibition of the Planning Proposal. Council's submission to the DPIE in relation to this matter is shown in **Attachment 5**.

9. Whilst there are similarities in the built form for both the original and subsequent SCC application and Planning Proposal, the Planning Proposal has an associated draft site specific Development Control Plan (DCP) that is considered to better manage the impact of any future development through appropriate built form controls.
10. Further, the Planning Proposal has an associated draft Voluntary Planning Agreement (VPA) to upgrade the intersection of Tucks Road and Fitzwilliam Road through the construction of a roundabout to manage the existing traffic issues and any increased traffic movements as a result of this proposal. Council officers have carried out an assessment of the proposed roundabout and have valued it at an estimated cost of \$900,000, which also includes works involving the central island, splitter islands, road pavements, drainage, adjustments to the kerb and gutters, street lighting and potential utility relocation costs.
11. Under the Gateway determination, Council has been authorised to exercise its delegation to make the plan. However, despite Council having delegation to make the plan, the Planning Proposal would need to be forwarded to the DPIE for it to be finalised should Council adopt the plan. This is due to an unresolved objection made by the State Emergency Services during the exhibition period in relation to flooding matters.
12. Council officers had previously recommended that the Planning Proposal proceed on the grounds that 'shop-top housing' is currently permitted within the existing B1 zone and 'recreation facilities (indoor)' and 'recreation facilities (outdoor)' are permissible in both the existing B1 and R2 zones. Accordingly, the proposed B4 zone would permit these uses within the one zone. Further, it was considered that the proposed height control of 15m was a minor increase from the existing 12m height limit, and any future development will be guided by a site specific DCP to manage amenity impacts, particularly with the inclusion of the 22m setback to the south of the site which adjoins low density residential dwellings.
13. Notwithstanding the above, while it was Council officer's recommendation to proceed with the Planning Proposal, the LPP have recommended not to proceed with the Planning Proposal. The recommendation in this report is therefore consistent with the recommendation under the deferred Item 13.4 of 29 October 2018 Council meeting (**Attachment 1**) which reflects the LPP recommendation.

CONSULTATION & TIMING

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14. The Planning Proposal, draft DCP and draft VPA were placed on public exhibition between 31 May and 30 June 2017. 702 submissions were received at the conclusion of the exhibition period including:
 - 3 from NSW State Agencies;
 - 457 submissions supporting the Planning Proposal;
 - 242 submissions objecting the Planning Proposal.
15. Councillors have also been advised of the DPIE's determination of the original SCC application including details of the subsequent SCC application at a Councillor workshop on the 17 July 2019. At the Councillor workshop, Council officers also provided a presentation of 3D modelling of the subject site and surrounds showing the current built form at the site, the maximum built form permitted under the current controls, and the maximum built form that could result under the proposed controls (as per the Planning Proposal) to enable Councillors to fully understand the Planning Proposal within the surrounding context.
16. In response to a letter sent from the Stop Tucks Road Committee to the Lord Mayor in January 2019 requesting a visual representation of the proposed built form, Council officers have also since held a meeting with members of the Committee on the 1 August 2019 to present the results of the 3D modelling as outlined above. The presentation has also been circulated to the wider Stop Tucks Road Committee for their information.
17. The 3D modelling has also been forwarded to the applicant of the Planning Proposal.

FINANCIAL IMPLICATION FOR COUNCIL

18. As discussed above, the applicant is proposing to construct a roundabout at the intersection of Tucks Road and Fitzwilliam Road (estimated at \$900,000) as part of the draft VPA. Should Council resolve to adopt the Planning Proposal, Council officers will progress with finalising the VPA which may incur further legal costs of which will be borne by the developer. Council would only be subject to the ongoing maintenance costs associated with the roundabout if the VPA was accepted.

CONCLUSION

19. Following consideration of the Planning Proposal by the LPP on 18 September 2018, it is recommended that Council resolve not to proceed with the Planning Proposal (as per the LPP recommendation) and advise the applicant and DPIE of its decision.

Darren Caballero
Project Officer Land Use Planning

Michael Rogers
Land Use Planning Manager

Jennifer Concato

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Item 18.4

Executive Director City Strategy & Development**ATTACHMENTS:**

- | | | |
|----------|--|-----------|
| 1 | Deferred Item 13.4 - Council Report of 29 October 2018 - Planning Proposal for land at 21 & 21A Tucks Road, Toongabbie | 4 Pages |
| 2 | Local Planning Panel Report and Attachments - 18 September 2018 | 182 Pages |
| 3 | Local Planning Panel Minutes - 18 September 2018 | 2 Pages |
| 4 | Site Compatibility Certificate notification letter - 10 July 2019 | 1 Page |
| 5 | Submission to the DPIE - SCC Application | 4 Pages |

Item 18.4 - Attachment 1

Deferred Item 13.4 - Council Report of 29 October 2018 - Planning Proposal
for land at 21 & 21A Tucks Road, Toongabbie

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Item 13.4

INNOVATIVE

ITEM NUMBER	13.4
SUBJECT	Planning Proposal for land at 21 & 21A Tucks Road, Toongabbie
REFERENCE	RZ/11/2015 - D06418502
REPORT OF	Project Officer Land Use
LANDOWNER	Touma Family Superfund & Tecad Fitness P/L
APPLICANT	TLC Health and Fitness

PURPOSE:

This report seeks Council's endorsement to not proceed with a Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie in accordance with the recommendation of the Local Planning Panel (LPP) on Tuesday 18 September 2018.

RECOMMENDATION

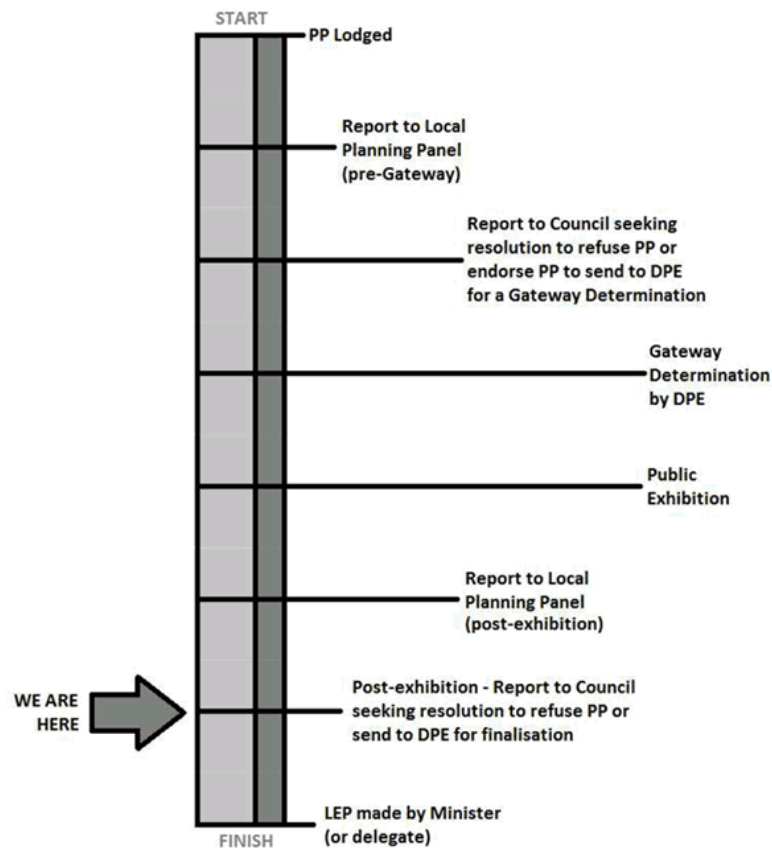
- (a) **That** Council note the outcomes of the public exhibition period in relation to the Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie.
- (b) **That** Council resolve not to proceed with the Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) by:
 - 1. Rezoning the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site
 - 2. Amending the maximum height of building controls from part 12m and part 9m to part 15m and part 9m
 - 3. Amending the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site
- (c) **That** Council note the following Local Planning Panel reasons for recommending refusal of the above Planning Proposal:
 - 1. The proposal would result in a large increase in the maximum height of buildings
 - 2. The proposal would result in multi-storey residential flat buildings situated away from public transport
 - 3. There is concern about the possibility of the land being subject to flooding
 - 4. It is considered inappropriate to have higher density residential development in a location such as this.
- (d) **Further, that** the DPE and the applicant be advised that Council will not be proceeding with this Planning Proposal.

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Council 29 October 2018

Item 13.4

Planning Proposal Timeline



BACKGROUND

1. The Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie seeks the following amendments to the PLEP 2011:
 - Rezone the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site
 - Amend the maximum height of building controls from part 12m and part 9m to part 15m and part 9m
 - Amend the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site

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Item 18.4 - Attachment 1

Deferred Item 13.4 - Council Report of 29 October 2018 - Planning Proposal
for land at 21 & 21A Tucks Road, Toongabbie

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Item 13.4

2. The Planning Proposal was publicly exhibited from 31 May to 30 June 2017. 702 submissions were received at the conclusion of the formal exhibition period including:
 - 3 from NSW State Agencies;
 - 457 submissions supporting the Planning Proposal;
 - 242 submissions objecting the Planning Proposal.

ISSUES

3. At its meeting on the 14 May 2018, Council resolved that planning proposals be referred to the City of Parramatta Council Local Planning Panel (LPP) after exhibition where any objection or request for amendment to the Planning Proposal has been received. Accordingly, given the objections received from the community and certain State Agencies in relation to the Tucks Rd planning proposal, the matter was considered by the LPP at its meeting on 18 September 2018 prior to Council making a decision on the matter.
4. Council officer's recommendation was to proceed with the Planning Proposal and forward it to the Department of Planning and Environment for finalisation. The full assessment report to the LPP is provided at **Attachment 1**.
5. The key concerns raised by Panel Members in relation to the proposal related to the inappropriate bulk and scale (up to 4 storeys) of the proposal given its predominately low density residential context (1-2 storeys) as well as its location away from Toongabbie Train Station. The Panel was also concerned that this may set an undesirable precedent within the locality which was also identified as being adversely affected by flooding both in the 1-100 year and PMF flood event.
6. Accordingly, at its meeting on 18 September 2018, the LPP recommended to not proceed with the Planning Proposal for the following reasons:
 - I. The proposal would result in a large increase in the maximum height of buildings
 - II. The proposal would result in multi-storey residential flat buildings situated away from public transport
 - III. There is concern about the possibility of the land being subject to flooding
 - IV. It is considered inappropriate to have higher density residential development in a location such as this.

CONSULTATION & TIMING

7. The Planning Proposal for land at 21 & 21A Tucks Road, Toongabbie was reported to the LPP on Tuesday 18 September 2018. The LPP recommended to not proceed with the Planning Proposal.

Darren Caballero
Project Officer Land Use Planning

Michael Rogers
Service Manager Land Use Planning

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Item 18.4 - Attachment 1

**Deferred Item 13.4 - Council Report of 29 October 2018 - Planning Proposal
for land at 21 & 21A Tucks Road, Toongabbie**

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Jennifer Concato
City Strategy Manager

Mark Leotta
Acting Director Strategic Outcomes and Development

ATTACHMENTS:

- | | |
|--|--------------|
| 1. Local Planning Panel Report and Attachments - 18 September 2018 | 182
Pages |
| 2. Local Planning Panel Minutes- 18 September 2018 | 2 Pages |

Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

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INNOVATIVE

ITEM NUMBER	0.0
SUBJECT	Planning Proposal for land at 21 & 21A Tucks Road, Toongabbie
REFERENCE	RZ/11/2015 - D06375239
REPORT OF	Project Officer Land Use
LANDOWNER APPLICANT	Touma Family Superfund & Tecad Fitness P/L TLC Health and Fitness

PURPOSE:

The purpose of this report is to detail the outcomes of the public exhibition of the Planning Proposal, draft site specific DCP and draft VPA for land at 21 & 21A Tucks Road, Toongabbie and to recommend to the Local Planning Panel (LPP) that Council send the Planning Proposal to the Department of Planning and Environment for finalisation and request that the Planning Proposal not be finalised until the VPA has been signed.

RECOMMENDATION

That the Local Planning Panel recommend to Council:

- (a) **That** Council note the outcomes of the public exhibition period in relation to the Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie.
- (b) **That** Council adopt the Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie (provided in **Attachment 1**) which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) in relation to the subject site by:
 - 1 Rezoning the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site
 - 2 Amending the maximum height of building controls from part 12m and part 9m to part 15m and part 9m
 - 3 Amending the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site
- (c) **That** Council send the Planning Proposal to the Department of Planning and Environment for finalisation and request that the Planning Proposal not be finalised until the Voluntary Planning Agreement (VPA) is signed as detailed in (e) below.
- (d) **That** Council adopt the draft site specific Development Control Plan (DCP) included at **Attachment 2**. An advertisement will be placed in the local newspaper advising that the site specific DCP will come into force on the day the Planning Proposal is finalised and comes into legal effect.
- (e) **That** Council endorse the VPA as exhibited in **Attachment 3**, as the final agreement for signing with the landowner.

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Local Planning Panel Report and Attachments - 18 September 2018

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- (f) **Further, that** Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process.

BACKGROUND

1. In April 2015, the applicant TLC Health and Fitness lodged a Planning Proposal with the City of Parramatta for the land at 21 & 21A Tucks Road, Toongabbie. The proposal sought to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) by rezoning the site from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site, amending the maximum height of building control from part 12m and part 9m to part 15m and part 9m, and amending the maximum FSR from part 1.5:1 and part 0.5:1 to 1.5:1 across the site.
2. The Planning Proposal was considered by Council at its meeting on 14 December 2015 and was endorsed to proceed to the Department of Planning and Environment (DPE) for Gateway Determination.
3. A Gateway Determination was issued by the DPE in June 2016. The Gateway Determination included conditions that required amending the Planning Proposal to include additional flood mapping and reducing the proposed FSR across the site from 1.5:1 to 1.25:1.
4. On 12 December 2016, a draft DCP and draft VPA were reported to Council and were endorsed to be placed on public exhibition concurrently with the Planning Proposal.
5. In December 2016, a community meeting was held with the former Administrator of City of Parramatta Council following representations from community members objecting to the Planning Proposal proceeding. During this meeting a petition of 317 signatories were submitted objecting to the proposal. A further 119 objection letters were provided in respect of the proposal. The majority of the letters/petition signatories comprised local residents of Toongabbie, including many in the immediate vicinity of the site. The head petitioner was advised that a formal public exhibition period would occur and that submissions should be made during that time.
6. The Planning Proposal, draft DCP and draft VPA was placed on public exhibition between 31 May to 30 June 2017.
7. On 17 June 2017, a community meeting attended by Mark Taylor (State MP for Seven Hills) and the former Administrator City of Parramatta Council was held. An attendance sheet signed by 157 signatories objecting to the proposal was submitted to Council on 29 June 2017.
8. Over 700 submissions were received at the conclusion of the public exhibition period. This is discussed further in this report.

THE SITE

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9. The subject site is known as 21 & 21A Tucks Road, Toongabbie and has an area of 7,428m². The site has frontage to Tucks Road to the west, Goolagong Avenue to the north, Rausch Street to the east and existing detached dwelling houses to the south. Refer to **Figures 1 and 2**.
10. The site contains an existing two (2) storey commercial gym and squash court at the northern portion of the site. Two car parks are located along the northern and western portion of the site. Tennis courts are also located within the site as shown in **Figure 2** below. The existing building is built to the boundary along part of its frontage to Tucks Road and Goolagong Avenue.
11. The surrounding area is characterised predominately by single storey detached dwelling houses. Toongabbie Creek and parklands are located in close proximity to the site. Toongabbie Station is located within 800m to the south west of site.



Figure 1 – Context Map

12. The gym, squash courts and tennis courts have been in operation for approximately 30 years. The tennis courts were previously owned and operated by Parramatta City Council before being sold in January 2015.

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Figure 2 – Location Map

CURRENT PLANNING CONTROLS

13. The site is currently zoned part B1 Neighbourhood Centre and part R2 Low Density Residential under PLEP 2011. The surrounding land use is R2 Low Density Residential (refer to **Figure 3**). The applicable FSR on the site is part 1.5:1 and part 0.5:1. The maximum building height is part 12m and part 9m. The existing B1 Neighbourhood Centre zone which currently contains the gym also permits the development of shop top housing up to 3 storeys in height. The height controls are shown in **Figure 4** and the FSR controls are shown in **Figure 5**.

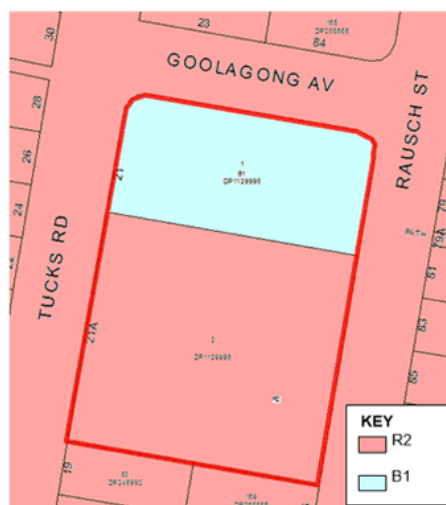


Figure 3: Existing Zoning



Figure 4: Existing Height Controls

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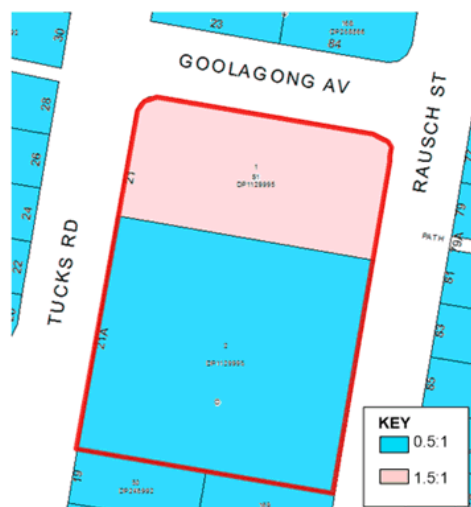


Figure 5: Existing FSR Control

THE PLANNING PROPOSAL

14. On 14 December 2015, Council at its meeting resolved to forward a Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination seeking the following changes to the PLEP 2011:
 - Rezone the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the whole site.
 - Amend the maximum Height of Building control from part 12m and part 9m to part 15m and part 9m.
 - Increase the maximum Floor Space Ratio control from 1.5:1 and 0.5:1 to 1.5:1 across the site.
15. In the Council report, Council officers recommended a maximum FSR of 1.25:1 across the site. Council resolved that the FSR be increased to 1.5:1 across the site and to be sent to the DPE for Gateway Determination.
16. A Gateway Determination was issued by the DPE on 16 June 2016 to proceed with the public exhibition of the Planning Proposal. The conditions of the Gateway Determination included the reduction of the FSR across the site from 1.5:1 to 1.25:1. A summary of the amended Planning Proposal is detailed below in **Table 1** and can be seen in **Figures 6, 7 and 8**. The endorsed Planning Proposal (as amended by the Gateway Determination) is provided at **Attachment 1**.

Control	Current	Amended Planning Proposal
Zoning	Part B1 Neighbourhood Centre Part R2 Low Density Residential (see Figure 3)	B4 Mixed Use
Height	Part 12m	Part 15m (4 storeys)

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	Part 9m (see Figure 4)	Part 9m
FSR	Part 1.5:1 Part 0.5:1 (see Figure 5)	1.25:1

Table 1: Summary of Current PLEP 2011 Controls and the amended Planning Proposal

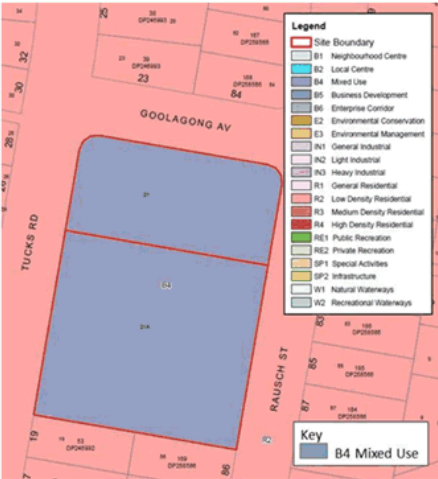


Figure 6: Proposed Zoning



Figure 7: Proposed Height Controls

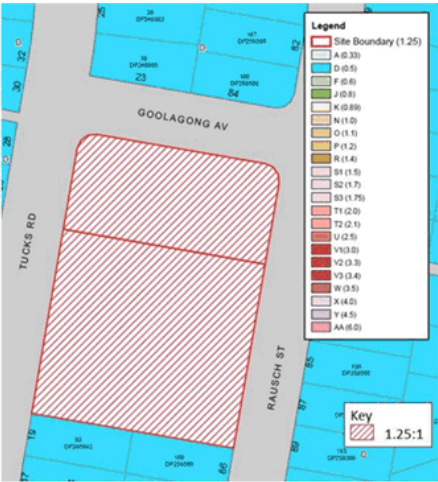


Figure 8: Proposed FSR Control

DRAFT DEVELOPMENT CONTROL PLAN

17. A draft site specific Development Control Plan (DCP) was prepared prior to public exhibition to guide the future redevelopment of the site including desired future character, built form and scale, management of future land uses, public domain interface and a through site link.

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18. The draft DCP was reported to Council on 12 December 2016 and was endorsed to go on public exhibition concurrently with the Planning Proposal. The draft DCP is provided at **Attachment 2**.

VOLUNTARY PLANNING AGREEMENT

19. A draft Voluntary Planning Agreement (VPA) was prepared prior to exhibition and includes construction of a roundabout at the intersection of Tucks Road and Fitzwilliam Road and ancillary works. The draft VPA is provided at **Attachment 3**.
20. The draft VPA was reported to Council on 12 December 2016 and was endorsed to go on public exhibition concurrently with the Planning Proposal and draft DCP. It was also resolved that any VPA be in addition to Section 7.12 (formerly Section 94A) development contributions payable in conjunction with the future development of the site.

PUBLIC EXHIBITION PROCESS

21. The Planning Proposal, draft DCP, draft VPA and supporting documentation were exhibited for public comment from Wednesday 31 May to Friday 30 June 2017.
22. The Planning Proposal, draft site specific DCP and draft VPA were advertised in the Parramatta Advertiser and all documents were available for viewing on Council's website, at Council's Administration Building, at Parramatta Central Library and at Constitution Hill Branch Library.
23. Letters advising of the exhibition were sent to nearby property owners and public authorities as per the Gateway Determination condition.
24. During the exhibition period, a community meeting was held on 17 June 2017. In attendance was Mark Taylor (State MP for Seven Hills) and the former Administrator for City of Parramatta Council. An attendance sheet signed by 157 signatories objecting to the proposal was submitted to Council on 29 June 2017.

RESULTS OF THE PUBLIC EXHIBITION PERIOD

25. A total of 702 submissions were received following the conclusion of the exhibition period:
- 3 from NSW State Agencies;
 - 457 submissions supporting the Planning Proposal;
 - 242 submissions objecting the Planning Proposal.

The key issues raised during the exhibition period including Council officer's response are discussed below. A submission table detailing all the key issues raised by the public and Council officer's responses is provided at **Attachments 5**.

State Agency Submissions

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Roads and Maritime Services

26. Roads and Maritime Services (RMS) provided a submission on 28 June 2017 and raised no objection to the planning proposal since it would not have any significant traffic impact on the State Road network.
27. However, despite Council's Traffic Engineers and RMS raising no objection to the Planning Proposal on traffic grounds, a peer review was also carried out confirming that the traffic impacts of the Proposal on the local traffic network is acceptable. This is discussed further in this report.

Office of Environment and Heritage

28. The Office of Environment and Heritage (OEH) provided a submission on 29 June 2017 recommending two options for proceeding with this Planning Proposal: that Council request the applicant to undertake a more accurate flood study at this site or Council undertakes an interim flood study for Toongabbie areas proposed for redevelopment.
29. Council's flood engineer reviewed the OEH submission and considered that the request for the applicant to undertake a more detailed flood study at the subject site is appropriate and so the applicant was advised to carry out the further work accordingly.
30. In January 2018, the applicant submitted a further detailed flood assessment in accordance with OEH's recommendation which includes 2D flood modelling (see **Attachment 4**). The additional flooding information was forwarded to OEH for comment. OEH have since reviewed the additional information and provided no additional comments on the basis that Council would apply Council's adopted flood levels which are slightly higher than the applicant's modelled levels for the purposes of determining floor levels as part of any future DA.

State Emergency Services

31. No submission was initially received by State Emergency Services (SES) during the public exhibition period.
32. Following the receipt of the applicant's additional flooding information detailed above, Council officers forwarded it to SES for comment to be reviewed in the context of the previous submitted Planning Proposal documentation.
33. In April 2018, SES provided a submission not supporting the Planning Proposal. The key concerns from SES include increasing population in a flood prone area, basement parking in a flood prone area and shelter-in-place as not being a suitable response strategy to flooding events. Below are Council officer's response to the key concerns from SES:

Increased population in a flood prone area

34. Approximately one third of the City of Parramatta LGA is within a flood prone area, including the CBD and other centres. Development is permitted in flood prone areas subject to applying Council's adopted flood planning levels, which

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is the 1% Annual Exceedance Probability (AEP) flood level plus 500mm freeboard. In keeping with the NSW Floodplain Development Manual, Council officers are required to assess development on a risk-based merit approach.

35. The Planning Proposal is not within a high hazard flooding area and does not propose sensitive or critical uses, such as a child care centre or school. Furthermore, the Planning Proposal seeks to apply Council's adopted flood planning levels, which is consistent with Council's approach to assessing development within flood prone areas. It is considered that the proposed development can be carried out in accordance with Council's risk-based merit approach to development in flood prone areas and any flood impacts can be further assessed at the DA stage.



Figure 9: Hazard flooding

Basement parking in a flood prone area

36. Council officers agree with the SES that there are still concerns relating to the provision of basement car parking at the subject site. This is mainly due to the difference between the 1% AEP and the Probable Maximum Flood (PMF) (which is approximately up to 4m-5m) and the ability to manage floodwater inundating the basement in a PMF event.
37. Council currently permits basement car parking in areas subject to the 1% AEP and the PMF provided floodwaters can be managed appropriately. In a PMF event it is acknowledged that the area is subject to being fully inundated. Therefore, any future basement car parking, whilst permissible, would need to be designed to appropriately manage floodwaters during such an event in accordance with Council requirements. This may include tanking, flood gates, as well as any other necessary engineering measures to manage floodwater in a PMF flood event. Accordingly, any future basement parking will need to be addressed at the DA stage if this is proposed.

Shelter-in-place is not a suitable response strategy

38. Council's flood modelling predicts that 1% AEP flooding does not enter the site itself except for a limited area along the western boundary and at a portion to the north east. Furthermore, the site is not subject to high hazard flooding. The

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application of Council's flood planning levels, which is the 1% AEP flood level plus 500mm freeboard, is implemented to mitigate flooding impacts should the development be subject to 1% AEP flooding events. However, in a 1% AEP flood event, any emergency access or evacuation would need to be along Rausch Street to the south east.

39. In a PMF flooding event, it is acknowledged that the whole site and the surrounding area will be inundated with floodwaters being 4m-5m deep, making evacuation and emergency access to the site impossible. In such a situation, shelter-in-place appears to be the only strategy that can provide a degree of PMF protection for occupants and others in the locality. Whilst this strategy relies on rescue which may be difficult, it is considered that shelter-in-place will provide residents safe refuge during times when SES and other services are finding access difficult. That said, reliance on rescue will also apply to any form of development on this site (regardless of whether or not the Planning Proposal progresses) and to the surrounding area in a PMF event. An Emergency Management Plan will need to be provided at the development application stage.
40. Due to these unresolved SES objections, Council cannot finalise the Planning Proposal under delegation and will need to forward it to the DPE to finalise should Council adopt the Planning Proposal to proceed to gazettal.

Public Submissions

Support from the Public

41. 457 submissions were received in support of the Planning Proposal. Of this, 313 were pro-forma submissions comprising 22% from people within Toongabbie or Old Toongabbie and 78% from outside the area. The remainder of the submissions of support were 144 individual emails, mostly from members of the existing gym facility.
42. The key reasons of support include:
 - Improvement of the existing gym facilities to the benefit of the community including upgrade of squash courts, tennis courts and inclusion of a new swimming pool
 - Promotion of healthy lifestyles and social connectivity
 - Close to schools and public transport
 - Construction of a new roundabout at the intersection of Fitzwilliam and Tucks Road

Objections from the Public

43. 242 submissions were received objecting to the Planning Proposal, the majority of which are from residents of Toongabbie. Submissions comprised mostly of individual letters and emails.
44. A petition of 157 signatories objecting to the Planning Proposal was submitted to Council on 29 June 2017 following the community meeting attended by Mark Taylor (State MP for Seven Hills) and the former Administrator of City of Parramatta Council.

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45. All submissions received during the formal public exhibition period objecting to the Planning Proposal were considered by Council officers. Council officers have responded to submissions objecting to the Planning Proposal and have provided responses to key issues in **Attachment 5**.
46. The key concerns for objection include:
- The proposed rezoning is inconsistent with the surrounding zoning and its associated uses are out of character with the established development of the neighbourhood with no certainty of what the final development will be
 - The current housing strategies and initiatives are delivering the required housing supply and choice outcomes for the city
 - The proposed development will be out of character with the surrounding neighbourhood in relation to the bulk and scale resulting in a loss of amenity including overshadowing and overlooking
 - Inadequacy of flooding and traffic assessment reports submitted
 - Council should not allow development nor basement parking on flood prone land
 - Increased traffic congestion as a result of this development with the proposed roundabout having no effect in relieving traffic problems
 - The site is not within proximity to public transport
47. It is noted that a petition of 317 signatories and a further 119 letters were submitted objecting to the proposal following a community meeting with Council's former Administrator in December 2016. Council officers acknowledge receipt of these submissions, however, they have not been considered as they were received prior to the formal public exhibition period. Notwithstanding, Council officers have reviewed these submissions and the reasons for objection to the Planning Proposal are similar to the issues raised during the formal exhibition period.

TRAFFIC STUDY PEER REVIEW

48. Council's Senior Traffic and Transport Engineer has reviewed the existing traffic report to determine if the traffic counts/levels discussed in the applicants traffic report are a true reflection of what occurs at the intersection. The advice provided stated that the volumes in this count of the applicant's traffic report are accurate. Furthermore, the traffic counts carried out are a snapshot of the traffic conditions on an average day. Daily variations, seasonal variations and the days of the week can influence the numbers on any given day.
49. In December 2017, a meeting was held with Parramatta Ward Councillors, the Lord Mayor, Local MP Mark Taylor, Council's Service Manager Land Use Planning and local residents. Parramatta Ward Councillors expressed concern that the applicant's traffic report was based on incorrect traffic counts and that an independent review of the traffic study be undertaken.
50. An independent peer review of the traffic study was undertaken in April 2018. Council commissioned LTTE Consulting to conduct the peer review of the traffic study (refer to **Attachment 6**). The conclusion of the peer review stated that:

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"The methodology adopted to assess the traffic and parking impact of the proposal is sound and most appropriate for the proposed mixed use development. However, there are few errors and omissions in the traffic report. The report needs to be updated to include the required additional information."

51. Council officers informed the applicant of the results of the peer review and the required additional information. The additional information was provided by the applicant in July 2018 (see **Attachment 7**).
52. Council's Senior Traffic and Transport Engineer reviewed the peer review of the applicant's traffic and parking assessment report as well as the associated addendum traffic report (i.e. the additional information) and advised that the updated traffic study is accurate and reflects the recommendation of the peer review report. Moreover, it is further reiterated that an upgrade of the intersection of Fitzwilliam Road and Tucks Road with a roundabout is required to improve existing traffic issues whilst also addressing increased traffic movements resulting from this Proposal.

SITE COMPATIBILITY CERTIFICATE

53. On 23 August 2018, the DPE notified Council seeking comments regarding a Site Compatibility Certificate (SCC) application that was lodged with the DPE by the applicant seeking a development on the land at 21A Tucks Road, Toongabbie for the purpose of constructing two (2) four (4) storey residential flat buildings comprising of 88 dwellings over basement car parking (see **Attachment 8**). The SCC application applies only to the R2 Low Density Residential zoned land and does not include any provision for a gym facility.
54. Under the *State Environmental Planning Policy (Affordable Rental Housing) 2009*, the SCC mechanism is an initial assessment of a proposed development's compatibility with the surrounding area that would otherwise be prohibited under the local council plan. If the DPE considers the proposal is compatible with surrounding land uses, an SCC may be issued and the proposal can proceed to DA lodgement, given that it fulfils the requirements under Section 34 of this SEPP. In this instance, under Section 34(a) of this SEPP, the site at 21A Tucks Road, Toongabbie is within 800m of a public entrance to a railway station, therefore it is eligible to be considered for an SCC by the DPE. Furthermore, under Section 38 of this SEPP, the development will be required to provide at least 50% of the residential accommodation to be affordable housing for 10 years which is to be managed by a registered community housing provider.
55. **Table 2** below and subsequent paragraphs provide a comparison between the proposed development under the SCC application and the Planning Proposal:

	SCC Application	Planning Proposal
Land area (m2)	4864	7428
Proposed Dwellings	88	81
Proposed Height	4 storeys	4 storeys

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Table 2: Comparison of development proposals under the SCC application and Planning Proposal

56. The proposed scheme under the SCC application presents a higher number of dwellings on a smaller portion of land. To achieve this, the design indicates lesser setbacks than those proposed in the Council endorsed draft DCP of the Planning Proposal, particularly in relation to the southern boundary which adjoins low density residential properties. The SCC also proposes lesser setbacks to the upper levels of the proposed buildings than the draft DCP. A comparison of building setbacks and envelopes can be seen in **Attachment 9**. It is therefore considered that the proposed scheme under the SCC application has greater amenity impacts to the residential properties to the south than what would be permitted under the Planning Proposal and associated DCP (e.g. setbacks to the R2 zone to the south of the subject site under the SCC scheme is 9m whilst the setback proposed under the Planning Proposal and draft DCP is 22m).
57. Furthermore, the scheme under the SCC application indicates no further public benefit apart from the required 50% residential accommodation to be affordable housing under the SEPP (Affordable Rental Housing). Whereas, a proposed roundabout at the intersection at Fitzwilliam Road and Tucks Road is proposed to be delivered by the applicant for the benefit of the public under the Council endorsed draft VPA to alleviate existing traffic pressures and address increased traffic movements.
58. The Planning Proposal has already undergone formal community consultation with over 700 submissions received from the community, many of which express strong objection to the Planning Proposal. On the other hand, the SCC process only requires consultation between the DPE and the relevant local council for a period of 14 days after the application for the certificate was made. After this period, the DPE considers local, regional or State strategic planning documents and makes a recommendation to the Director-General who then makes a decision. Should an SCC be issued by the DPE, the applicant can proceed to lodging a DA for the proposed development. The SCC process essentially bypasses the community consultation phase which would normally be undertaken during the Planning Proposal process, regardless of whether the Planning Proposal is finalised. Community consultation takes place at the DA stage and not any time before.
59. Council officers have responded to the DPE with regards to the SCC application by insisting that the DPE withhold issuing an SCC (see **Attachment 10**) to allow consideration of the Planning Proposal by the Local Planning Panel and subsequently Council following the outcomes of the formal exhibition period. Should the Planning Proposal be endorsed by Council, this would not preclude the development of affordable housing in the future but would at least result in a better built form outcome.

CONCLUSION AND NEXT STEPS

60. The Planning Proposal relating to the land at 21 & 21A Tucks Road, Toongabbie has been exhibited in accordance with the provisions of the Gateway Determination and the *Environmental Planning and Assessment Act 1979*.

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61. 702 submissions have been reviewed and considered by Council officers.
62. It is recommended that Council adopt the Planning Proposal provided at **Attachment 1** and send the Planning Proposal to the Department of Planning and Environment for finalisation and request that the Planning Proposal not be finalised until the VPA is signed.
63. Should the Local Planning Panel endorse the recommendations of this report, the outcomes of the exhibition period for this Planning Proposal will be reported to an upcoming Ordinary Meeting of Council.

Darren Caballero
Project Officer
Land Use Planning

ATTACHMENTS:

1	Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie	30 Pages
2	Draft site specific DCP	9 Pages
3	Draft Voluntary Planning Agreement	35 Pages
4	Additional detailed flooding information from the applicant	12 Pages
5	Responses to Objections from the Public	18 Pages
6	Peer Review of the Traffic Assessment Report	3 Pages
7	Additional Traffic Information from the Applicant	55 Pages
8	Site Compatibility Certificate notification letter - 23 August 2018	1 Page
9	Comparison between Proposed Setbacks and Building Envelopes under the Site Compatibility Certificate application and the Planning Proposal	2 Pages
10	Submission to DPE relating to the Site Compatibility Certificate application	3 Pages



PLANNING PROPOSAL

Toongabbie Leisure Centre & Tennis Courts 21 & 21A Tucks Road, Toongabbie

PARRAMATTA WE'RE BUILDING **AUSTRALIA'S NEXT GREAT CITY**

Item 18.4 - Attachment 2**Local Planning Panel Report and Attachments - 18 September 2018****Item 6.2 - Attachment 1****Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie**

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Caladines Town Planning P/L	April 2015

Council versions:

No.	Author	Version
1.	Parramatta City Council	14 December 2015- Council Meeting recommending Gateway Determination
2.	Parramatta City Council	23 December 2015- amend to reflect Council resolution of 14 December 2015 to sen to Department of Planning & Environment for Gateway Determination
3.	City of Parramatta Council	April 2017 – Public Exhibition Version amended to align with conditions of Gateway Determination issued 10 June 2016

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Planning Proposal – 21 & 21A Tucks Road, Toongabbie

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Planning Proposal – 21 & 21A Tucks Road, Toongabbie

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2011*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment guides, 'A Guide to Preparing Local Environment Plans' (April 2013) and 'A Guide to Preparing Planning Proposals' (October 2012).

Background and context

On 29 April 2015, a planning proposal was lodged with Council relating to land at 21 and 21A Tucks Road, Toongabbie, being Lots 1 and 2 in DP 1129995. The subject site is shown in Figure 1 below.



Figure 1 – Site Map 21 & 21A Tucks Road, Toongabbie

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The land is subject to planning controls provided under *Parramatta Local Environmental Plan 2011 (PLEP 2011)*. The existing and proposed LEP controls are summarised in Table 1 below.

Control	Current*	Planning Proposal*
Zoning	Part B1 Neighbourhood Centre Part R2 Low Density Residential	B4 Mixed Use
Height	Part 12m Part 9m	Part 15m Part 9m
FSR	Part 1.5:1 Part 0.5:1	1.25:1

Table 1 – Summary of current and proposed controls under Parramatta LEP 2011

* See Maps in Section 4 'Mapping'

Changes in this version of the Planning Proposal

This version of the Planning Proposal includes changes as required by the Gateway Determination dated 10 June 2016 (see **Appendix 1**) which revises the FSR to a maximum of 1.25:1 across the site.

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Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to enable the redevelopment of the land at 21 & 21A Tucks Road, Toongabbie for the purpose of a mixed use development comprising residential and commercial uses, including indoor and outdoor recreational facilities.

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta Local Environmental Plan 2011 (PLEP 2011)* in relation to zoning, height and floor space ratio controls as detailed below.

Control	Current	Sought by Planning Proposal	Required LEP Amendment*
Zoning	Part B1 Neighbourhood Centre Part R2 Low Density Residential	B4 Mixed Use	Amend Map Sheet LZN_001
Height	Part 12m Part 9m	Part 15m Part 9m	Amend Map Sheet HOB_001
FSR	Part 1.5:1 Part 0.5:1	1.25:1	Amend Map Sheet FSR_001

Table 2 – Summary of required amendments to PLEP 2011
* See Maps in Section 4 'Mapping'

Changes in this version of the Planning Proposal

This version of the Planning Proposal includes changes as required by the Gateway Determination dated 10 June 2016 (see **Appendix 1**) which revises the FSR to a maximum of 1.25:1 across the site.

2.1 Other relevant matters

2.1.1 Voluntary Planning Agreement

A Draft Voluntary Planning Agreement accompanies this planning proposal. The draft VPA offer includes the construction of a roundabout and associated works at the intersection of Tucks Road and Fitzwilliam Road. The Draft VPA is exhibited concurrently with the Planning Proposal.

2.1.2 Draft Development Control Plan (DCP)

A site specific draft DCP has been prepared to inform future built form controls and site specific issues. The Draft DCP is exhibited concurrently with the Planning Proposal.

Changes in this version of the Planning Proposal

This version of the Planning Proposal includes details of the associated draft Development Control Plan and draft Voluntary Planning Agreement.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A - Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims of the proposal.

3.1.1 Is the Planning Proposal a result of any study or report?

The planning proposal is not the result of a study or report. However, the existing site land use zoning and built form over part of the site is inconsistent with the predominant low density land use in the area. The planning controls applied as part of the Parramatta Local Environmental Plan 2011 attempted to reflect the existing land use. Furthermore, site testing has revealed that the densities applied to the site (in part) are not achievable within the existing height controls.

This planning proposal seeks to redistribute the density across the site as a whole and enable heights to achieve the density while addressing site specific constraints including flooding.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A planning proposal seeking to amend *PLEP 2011* is the most effective way of providing certainty for Council, the local community and the landowner and allows for orderly and economic development of the land. The existing zoning, height and FSR standards would not permit part of the form of development envisaged in the planning proposal.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the planning proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney, draft District Plan and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

A Plan for Growing Sydney

A Plan for Growing Sydney (the Sydney Metropolitan Strategy) was released in December 2014 and is the NSW Government's 20-year plan for the Sydney Metropolitan Area. It provides direction for Sydney's productivity, environmental management, and liveability; and for the location of housing, employment, infrastructure and open space. The Strategy identifies three planning principles that will guide how Sydney grows:

- *Principle 1: Increasing housing choice around all centres through urban renewal in established areas*
- *Principle 2: Stronger economic development in strategic centres and transport gateways*

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Planning Proposal – 21 & 21A Tucks Road, Toongabbie

- *Principle 3: Connecting centres with a networked transport system*

The planning proposal supports the principals of the Metropolitan Strategy through the increase in housing choice via urban renewal. The site is also located within proximity to existing transport networks. The redevelopment of the site will result in a mix of residential, commercial and recreational land uses enabling the economic use of the land and providing housing choice and renewed recreational facilities in an established suburban location.

West Central Draft Subregional Strategy & District Plans

The draft West Central Sub-Regional Strategy 2007 was prepared under the NSW Government's 2005 Metropolitan Strategy. The NSW state government is currently working on 'District Plans' to be prepared in consultation with Councils and the local community. The District Plans will:

- *Influence the delivery of housing supply;*
- *Inform and influence the planning for business activity and investment to encourage jobs growth, particularly in strategic centres and transport gateways;*
- *Inform the decision making for infrastructure planning; and*
- *Provide guidance on urban planning issues.*

Parramatta local government area is located within the West Central District.

The Department of Planning & Environment's population, dwelling and household projections estimate that the population of the West Central District is projected to grow by more than 478,600 people over the next 20 years. Both population increase and change in household size will result in demand for an additional 183,750 new homes in the district to 2031.

Priorities for the West Central District of relevance to the subject site include:

- *Work with councils to identify suitable locations for new services, homes and jobs close to transport including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line, Sydney Rapid Transit and bus T-Ways.*
- *Work with councils to identify opportunities to revitalise suburbs.*

The planning proposal will result in an increase of housing supply and mix in an area in proximity to both the Western Railway Line and bus T-Way. The future redevelopment of the site will also revitalise the immediate locality through removal of disused tennis courts and provision of new recreational facilities to service the local community.

Draft West Central District Plan

The draft West Central District Plan has been prepared by the Greater Sydney commission and provides a 20-year vision for the West Central District of Greater Sydney, including Parramatta, Cumberland, Blacktown and The Hills local government areas. The draft West Central District Plan is one of six draft District Plans developed by the Greater Sydney Commission for each of Sydney's Districts.

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The draft Plan identifies Greater Parramatta and the Olympic Peninsula (GPOP) as a place that 'will sit at the District's and Greater Sydney's heart.' The GPOP area is anticipated to experience the most significant urban transformation over the next 10 to 15 years.

The draft Plan broadly identifies the need for the West Central District to provide an additional 49,400 dwellings in the next 5 years (approximately 10,000 dwellings per annum). A 21,650 dwelling target has been set under the draft Plan for the Parramatta LGA to be delivered in the next 5 years.

The subject planning proposal will contribute to an increase in housing supply sought under the draft District Plan.

Changes in this version of the Planning Proposal

This version of the Planning Proposal references the draft West Central District Plan release in late 2016.

3.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The following strategic planning documents are relevant to the planning proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The planning proposal is considered to meet the strategies and key objectives identified in the plan including the 'People and Neighbourhoods' strategy that focuses on health and recreation, housing provision, learning and development, and building cohesive, safe neighbourhoods.

The planning proposal is considered to meet the strategies by allowing for an appropriate mix of residential and recreational uses which will support the local neighbourhood and revitalisation of a large underutilised site. The development will also increase housing supply and choice in an area serviced by existing infrastructure and public transport.

3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies are of relevance to the site.

State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Urban Land)

The intention of the State Environmental Planning Policy No. 32 Urban Consolidation (Redevelopment of Urban Land) is to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy.

The planning proposal is consistent with the SEPP given its purpose is for the orderly and economic development of the land for mixed use residential housing and commercial development in a location which benefits from suitable infrastructure.

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State Environmental Planning Policy No. 55 – Remediation of Land

The underlying aim of SEPP No. 55 is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Residential development is already permitted on the site. The site has consistently been used for recreational purposes for the last 30 years. Given this context, the site is unlikely to be contaminated. However, SEPP 55 will be required to be addressed as part of any future development application, and appropriate investigations can be undertaken at that time.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

SEPP 65 was recently amended and no longer requires that a provision be included in a draft instrument to ensure the achievement of design quality in accordance with the design quality principles; and having regard to the Apartment Design Guide.

SEPP 65 is required to be considered during the assessment of any future development application on the site that includes three or more storeys and four or more dwellings and it is reasonable to expect that a design concept supporting a planning proposal demonstrates compliance with the Apartment Design Guide.

An Indicative Building Design provided by the applicant has had regard to the requirements of the SEPP and Apartment Design Guidelines (refer **Appendix 2**).

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

In accordance with Clause 117(2) of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Regional planning
- Local plan making
- Metropolitan planning

The following directions are considered relevant to the subject planning proposal.

Employment and Resources - 1.1 Business and Industrial Zones

Business and Industrial Zones The objectives of this direction are to:

- a) *encourage employment growth in suitable locations,*
- b) *protect employment land in business and industrial zones, and*
- c) *support the viability of identified strategic centres.*

The planning proposal seeks to maintain a business zoning on the site allowing for a mix of residential and non-residential uses, including indoor and outdoor recreation facilities in the form of a gym, pool, tennis courts and squash courts.

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This planning proposal is consistent with the strategic directions outlined in state and local planning strategies including *A Plan for Growing Sydney*, and *Parramatta 2038 community Strategic Plan*.

The level of employment on site is likely to be consistent with the existing use of the site which currently comprises, gym, squash courts and tennis courts.

Housing, Infrastructure and urban development - 3.1 Residential Zones

The objectives of this direction are:

- a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
- b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- c) to minimise the impact of residential development on the environment and resource lands.

The planning proposal is consistent with the objectives of this direction as it will increase residential densities and housing choice in a location that is in proximity to public transport, shops, employment and recreational opportunities. The increased density and future built form sought by the planning proposal will result in minimal impact upon the surrounding locality. Any future development would need to have regard to site specific DCP controls designed to minimise the bulk and scale of development, and to minimise overlooking and overshadowing of nearby residential properties.

Housing, Infrastructure and Urban Development - 3.4 Integrating Land Use and Transport

The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) improving access to housing, jobs and services by walking, cycling and public transport, and
- b) increasing the choice of available transport and reducing dependence on cars, and
- c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- d) supporting the efficient and viable operation of public transport services, and
- e) providing for the efficient movement of freight.

The subject site is located within 800m of Toongabbie Railway Station and is also in proximity to the T-bus way. Increasing the density of development in the walking catchment around transport nodes, will support the viability of existing and proposed public transport services and reduce dependence on cars. The proposal integrates land use and transport outcomes.

Hazard and risk - 4.1 Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

Council has no Acid Sulfate Soil information relating to the subject site. Nonetheless, clause 6.1 (Acid Sulfate Soil) of Parramatta LEP 2011 will be required to be addressed as part of any future development application for the site, including the potential requirement for the preparation of Acid Sulfate Soils Management Plan where relevant.

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Hazard and risk - 4.3 Flood Prone Land

This direction applies where a planning proposal creates, removes or alters a zone or a provision that affects flood prone land. The planning proposal seeks to increase the density of residential development in an area identified as being flood prone.

The objectives of this direction are:

- a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The subject site is located at the confluence of 4 creeks (Toongabbie, Pendle Hill, Greystanes & Blacktown Creeks) and is affected by the 1 in 2, 1 in 5, 1 in 20, 1 in 100; 1 in 200, 1 in 500 and PMF flood events, with the PMF flood level being almost 5 metres above existing ground levels.

The following flood levels apply at this location:

- 2 Year ARI RL 25.42m AHD
- 5 Year ARI RL 25.55m AHD
- 20 Year ARI RL 25.60m AHD
- 50 Year ARI RL 25.63m AHD
- 100 Year ARI RL 25.65m AHD
- 200 Year ARI RL 25.68m AHD
- 500 Year ARI RL 25.84m AHD
- PMF RL 30.02m AHD

Council's Engineer has indicated that future redevelopment could comply with the requirements set out in Council's current Floodplain Matrix with respect to habitable floor levels to be built 0.5m above the 1 in 100 year flood event.

Concern is raised with respect to future basement parking, and evacuation in events greater than the 1 in 100 event. The site would rely upon appropriate 'shelter in place' strategies, Emergency Management Plan and appropriate basement design. These matters can be addressed in detail as part of a future development application.

The applicant has provided a detailed address of 117 Direction 4.3 Flood Prone Land prepared by HKMA Engineers dated August 2015 (see **Appendix 3**).

In response to the requirement of condition 1(b) of the Gateway Determination Council's Engineer has advised that: *The amended proposal is generally consistent with the NSW Flood Prone Land Policy and the principles of the NSW Floodplain Development Manual (2005) (see also Appendix 3)*

Changes in this version of the Planning Proposal

This version of the Planning Proposal addresses consistency with the NSW Flood Prone Land Policy and the principles of the NSW Floodplain Development Manual (2005) as required by the Gateway Determination dated 10 June 2016.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts that may result from the Planning Proposal.

3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located within an urban environment and is void of any vegetation. The site is not known to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Urban Design and Built Form
- Flooding
- Traffic
- Acid Sulfate Soils
- Contamination
- Loss of recreational land

Urban Design and Built Form

An indicative building design prepared by Zhinar Architects (see **Appendix 2**) demonstrates the intended redevelopment concept for the site, being a mixed use development comprising a mix of residential dwellings and indoor and outdoor recreation facilities including gym, swimming pool, squash courts and tennis courts.

The indicative building design has had regard to requirements of SEPP 65 and the Apartment Design Guidelines and comprises a part 3 storey and part 4 storey development with the 4th storey element being setback from the property boundaries.

Building Height

As shown in Figure 2 below, the indicative building sections demonstrate a maximum building height of RL38.7 (approx. 13.4m) with lift overrun of RL39.7 (approx. 14.4m). These heights are predicated on the finished floor level of the ground level units being RL 26 (as per the applicant's indicative design).

However, as the site is flood affected, the ground floor units will be required to have a finished floor level (FFL) 0.5m above the 1 in 100 year flood event. Council's Senior Catchment Management Engineer has advised that the 1 in 100 year flood level in this location is RL25.65. As such the FFL for all ground level units will be required to be 26.15 at minimum, pushing the building height up to approximately 14.55m. A maximum building height of 15m will enable a 4 storey building on the site, having regard to site specific height constraints relating to flooding.

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A site specific DCP has been prepared limiting the development to 4 storeys in height and demonstrating where the '4th storey' element may be suitable. Upper level building setbacks for the 4th storey are also included in the DCP to ensure minimal visual impact from public domain and adjacent properties, and to minimise overlooking into nearby properties.

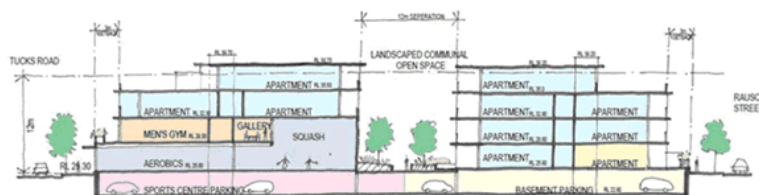


Figure 2: Indicative building section

Floor Space Ratio (FSR)

The indicative building design provided at **Appendix 2** demonstrates that future redevelopment of the site could comprise approximately 6,860m² of residential gross floor area (GFA) (80 units); 2,380m² of commercial GFA (sports centre) and 1,600m² of tennis courts. It is noted that the tennis courts are unlikely to be considered a 'building' or 'structure' and therefore are not likely to comprise GFA and have not been included in the calculations to determine FSR.

Council's Urban Design Officer has reviewed the indicative building envelope diagrams provided. When considered across the site as a whole (including the site area to be redeveloped as new tennis courts) the indicative scheme has an FSR of approximately 1.22:1 (refer Figure 3). When considered over the site where the area of the tennis court is deducted from the site area, the scheme has a density of 1.56:1 (refer Figure 4).

An FSR of 1.25:1 across the entire site is proposed to enable the built form to be developed as demonstrated in the indicative building design, including the undeveloped tennis court area at the southern portion of the site, which provides separation to the adjoining detached dwellings.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

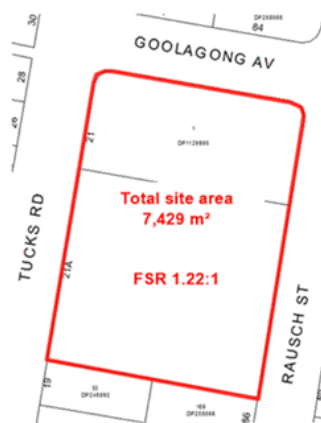


Figure 3: Site Area: 7,429m² (entire site)

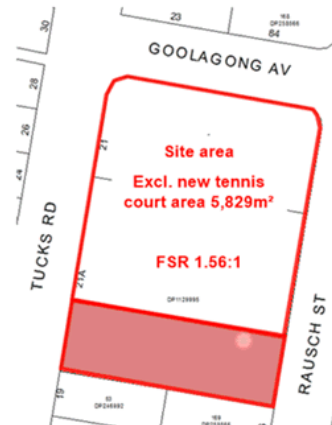


Figure 4: Site Area 5,829m²

Flooding

Refer to the response in Section 3.2.4 'Hazard and risk - 4.3 Flood Prone Land'.

Transport and Accessibility

A Traffic and Parking Assessment Report assessing the planning proposal has been prepared by Varga Traffic Planning (Appendix 4). The Assessment finds that the proposal is acceptable in terms of traffic, transport and parking.

Council's Service Manager Traffic and Transport has indicated that the proposal would increase traffic movements at the intersection of Tucks Road and Fitzwilliam Street. It is suggested that an upgrade of the intersection to a roundabout would be required at some point in the future, however, this would not necessarily be on the basis of the subject rezoning alone.

Further consideration of the traffic implications will be required to be undertaken as part of a future development application.

Contamination

Refer to the response in Section 3.2.3 'State Environmental Planning Policy No. 55 – Remediation of Land'.

Acid Sulfate Soils

Refer to the response in Section 3.2.4 'Hazard and risk - 4.1 Acid Sulfate Soils'.

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Loss of Recreational Land

The site is currently used for recreational purposes (gym, squash courts and tennis courts), with the land and business use being in private ownership. The applicant has indicated an intention to rebuild a gym and two (2) tennis courts on the site.

Council's Service Manager Recreation Facilities & Programs raised no objection to the proposal but indicated that any increase in density would increase demand for nearby Council owned recreation and open space facilities. However, any additional new recreation facilities provided by the redevelopment of the site could enhance the recreation offering in the area.

3.3.3 How has the planning proposal adequately addressed any social and economic effects?

The planning proposal has the potential to improve the public domain, and provide for new recreational facilities to service the local community. The future development will likely incorporate a mix of apartment types to respond to the local population market demand and potentially contributing to housing choice and affordability.

Based on the assumed development outcomes the proposal has the potential to generate jobs during the construction phase and permanent jobs following completion of the development. Furthermore, the redevelopment of existing recreational facilities as indicated by the proposal will provide a superior offering to the community and will provide social benefits for the local community.

Concerns of the local community and/or state government agencies will be addressed via public exhibition of the planning proposal and accompanying DCP and VPA. Furthermore, the assessment of any future development application will explore the social and economic benefits in more detail.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The subject land is approximately 800m walking distance from Toongabbie Railway Station and is also in proximity to the T-bus Way. Civil and utility infrastructure is suitable to service the subject land and support the proposed development. Redevelopment of the subject site can optimise public infrastructure investment. However, it is recommended that the relevant infrastructure agencies be consulted during the planning proposal process.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Relevant State and Commonwealth Public authorities will be consulted in accordance with the requirements of any future Gateway determination.

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Planning Proposal – 21 & 21A Tucks Road, Toongabbie

PART 4 – MAPPING

This section contains the mapping for this planning proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals.

4.1 Existing controls

This section contains map extracts from *PLEP 2011* which illustrate the current controls applying to the site.

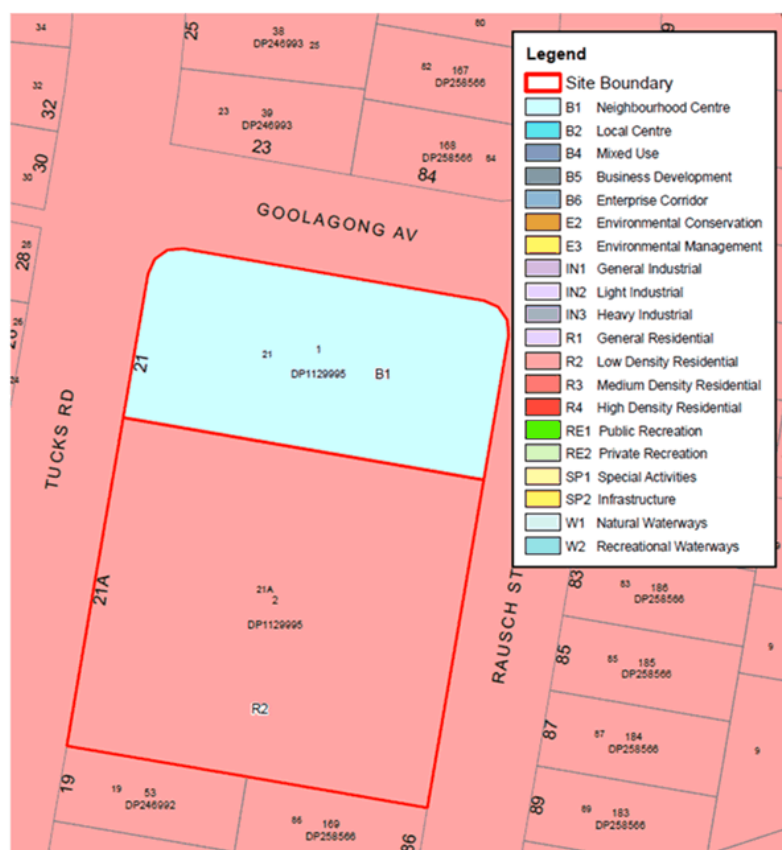


Figure 5 – Existing land zoning extracted from *PLEP 2011* Land Zoning Maps

Figure 5 above illustrates the existing part R2 Low Density Residential, and part B1 Neighbourhood Centre zoning applying to the site.

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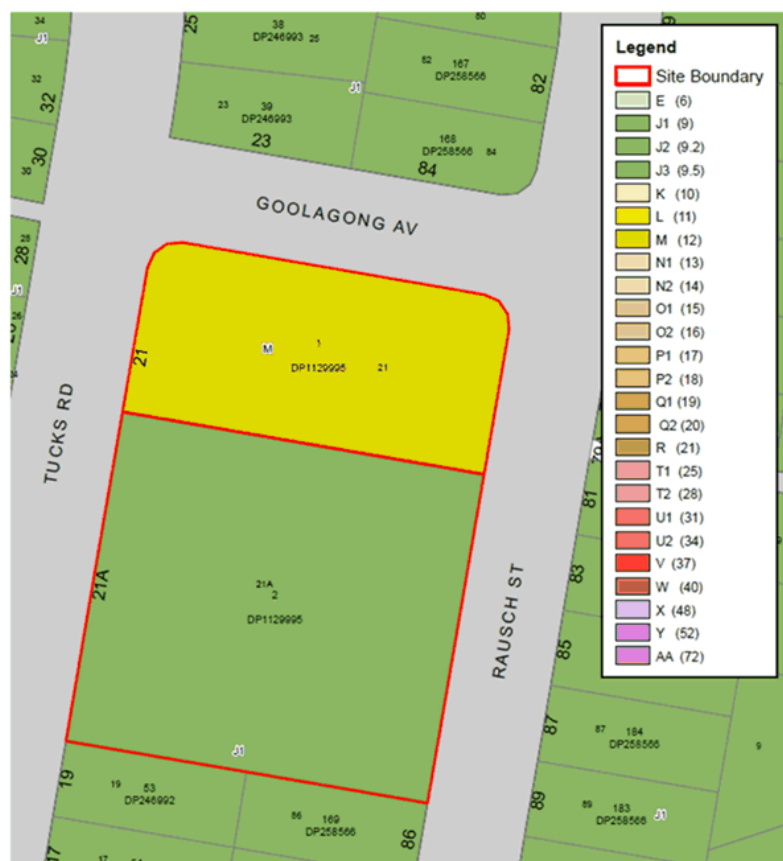


Figure 6 – Existing building heights extracted from PLEP 2011 Height of Buildings Maps

Figure 6 above illustrates the existing part 9 metre, and part 12 metre height limit applying to the site.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

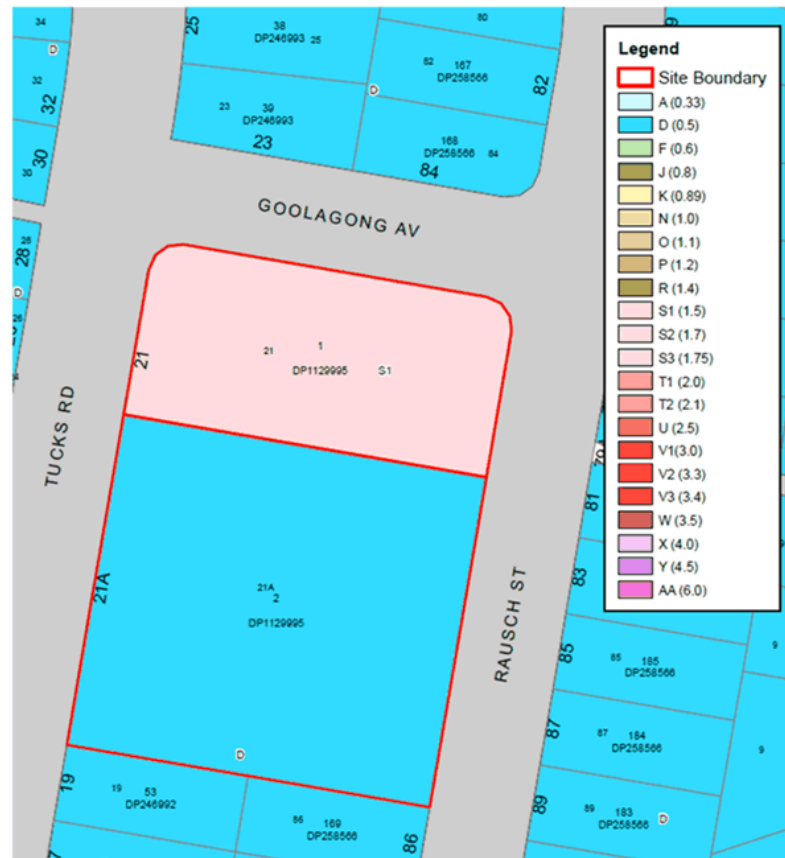


Figure 7 – Existing floor space ratio extracted from the PLEP 2011 Floor Space Ratio Map

Figure 7 above illustrates the existing part 0.5:1, and part 1.5:1 FSR applying the site.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

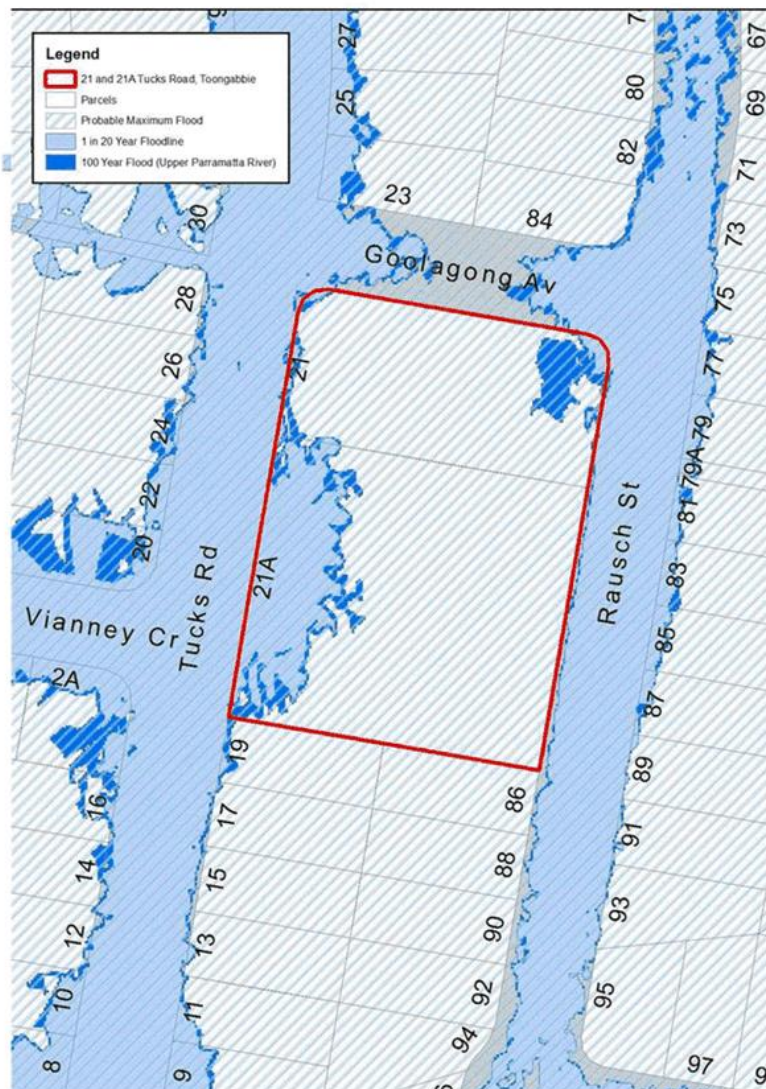


Figure 8 – Existing flood mapping extracted from the Parramatta Geographic Information System database

Figure 8 above illustrates the 1 in 20 year, 1 in 100 year and probable maximum flood events for the site and its immediate vicinity.

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Planning Proposal – 21 & 21A Tucks Road, Toongabbie

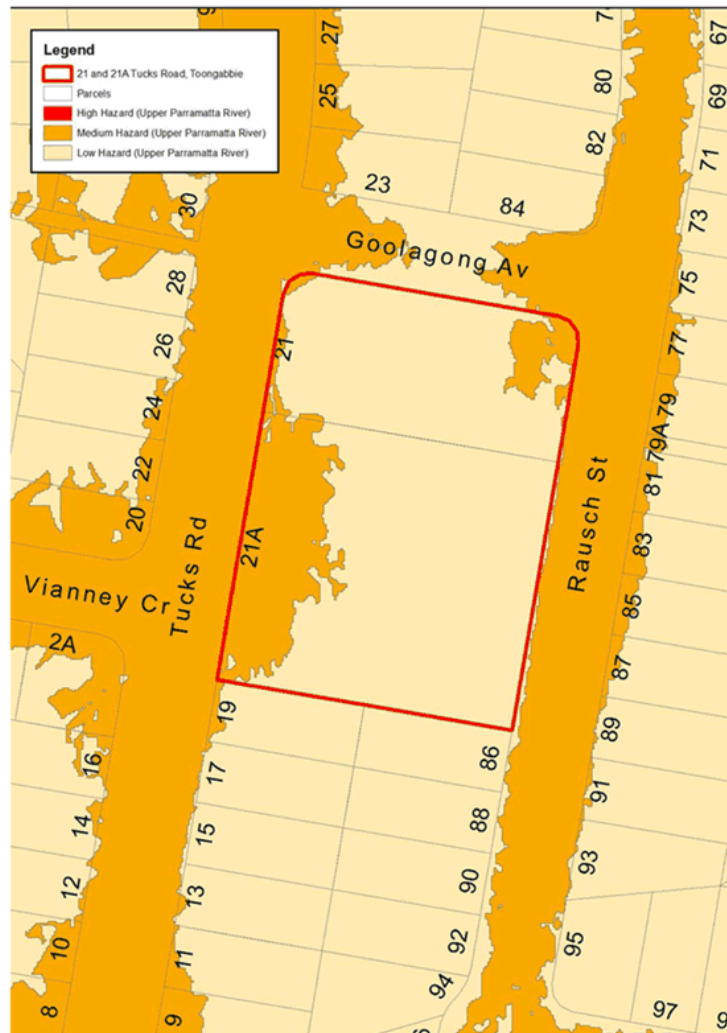


Figure 9 – Existing flood hazard mapping extracted from the Parramatta Geographic Information system database

Figure 9 above illustrates the low, medium and high hazard flood affectation of the site and its immediate vicinity.

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Planning Proposal – 21 & 21A Tucks Road, Toongabbie

4.2 Proposed controls

The figures in this section illustrate the proposed zoning, building height and floor space ratio controls sought by this planning proposal.

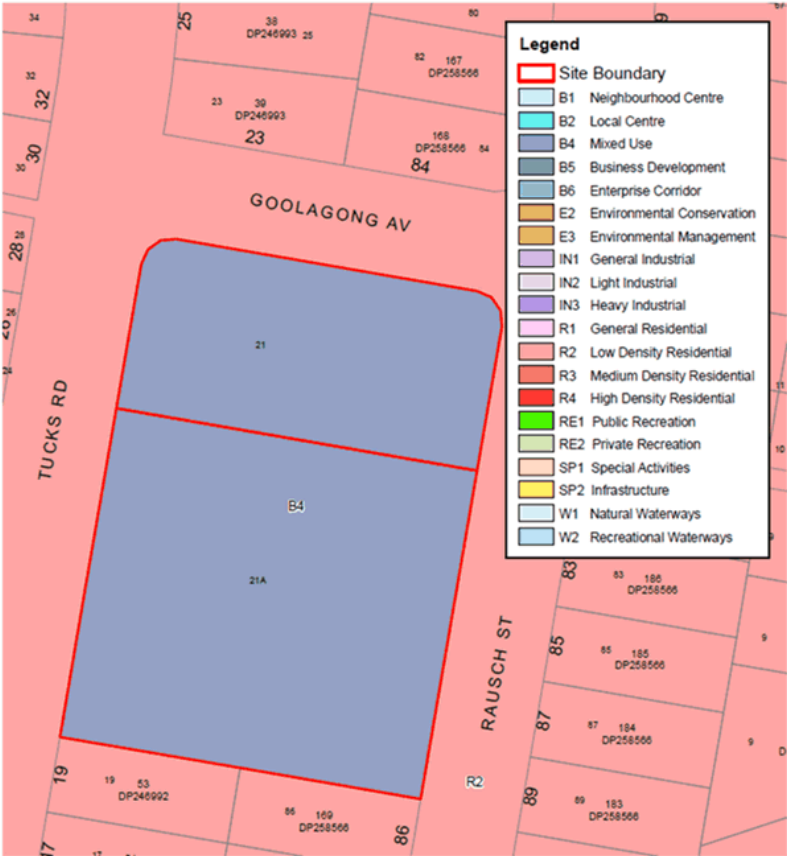


Figure 10 – Proposed amendment to the PLEP 2011 Land Zoning Map

Figure 10 above illustrates the proposed B4 Mixed Use zoning across the site.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

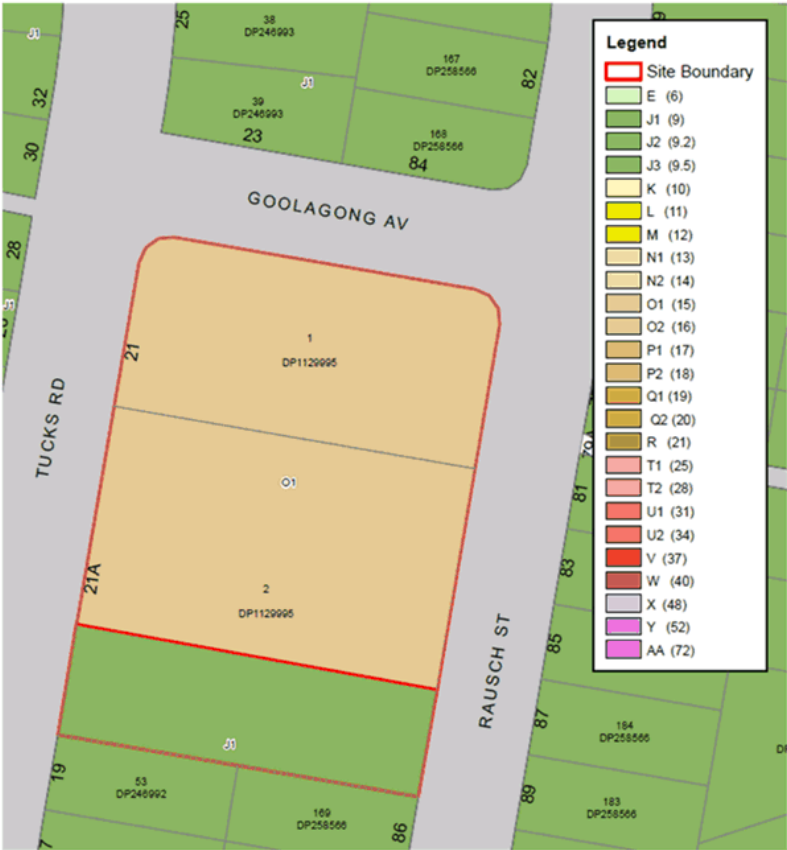


Figure 11 – Proposed amendment to the PLEP 2011 Height of Building Map

Figure 11 above illustrates retention of the 9 height limit at the southern end of the site and proposed maximum building height of 15 metres over the remaining portion of the site.

Planning Proposal – 21 & 21A Tucks Road, Toongabbie

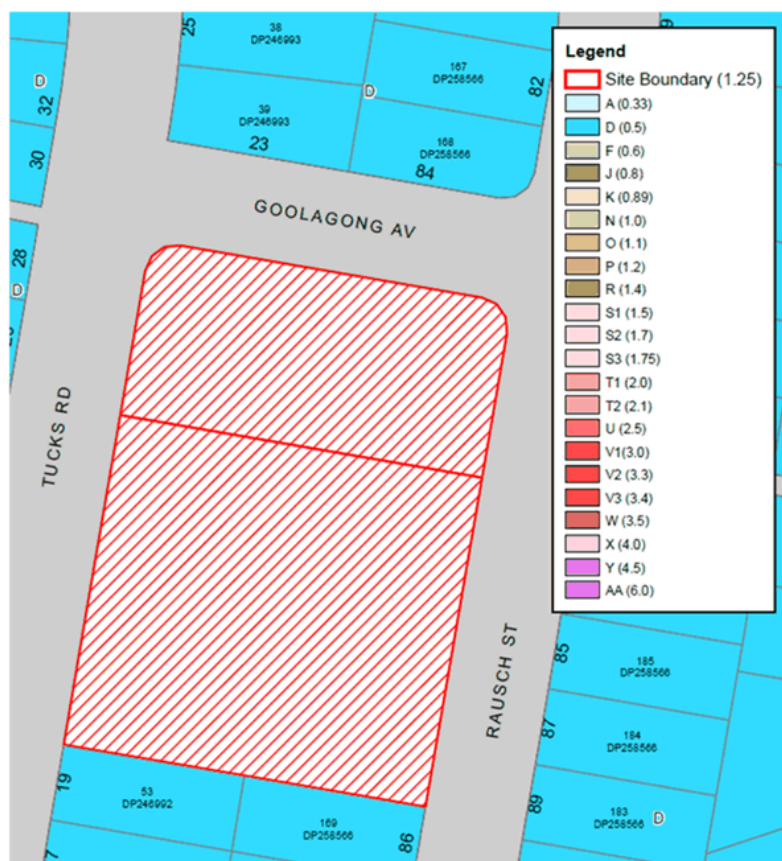


Figure 12 – Proposed amendment to the PLEP 2011 Floor Space Ratio Map

Figure 12 above illustrates the proposed 1.25:1 FSR over the site. This would form a new key in the legend known as 'P2'. The correct colour, label and updated legend would be applied as part of the amendment to PLEP 2011.

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PART 5 – COMMUNITY CONSULTATION

In accordance with Section 57(2) of the *EP&A Act 1979*, the Director-General of Planning must approve the form of the planning proposal, as revised to comply with the gateway determination, before community consultation is undertaken.

Public exhibition will include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The Gateway Determination provided at **Appendix 1** specifies the level of public consultation that must be undertaken in relation to the planning proposal including with government agencies. The agencies specified include:

- Transport for NSW – Roads and Maritime Services;
- NSW State Emergency Services; and
- Office of Environment and Heritage (Flood Division).

Pursuant to Section 57(8) of the *EP&A Act 1979* the Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The following steps are anticipated:

- Commencement and completion dates for public exhibition period and government agency notification
- Consideration of submissions
- Consideration of proposal post exhibition and reporting to Council
- Submission to the Department to finalise the LEP
- Notification of instrument

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Appendix 1 – Gateway Determination

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Appendix 2 – Indicative Building Design

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Appendix 3 – Address of 117 Direction 4.3 Flood Prone Land

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Appendix 4 – Traffic & Parking Assessment Report

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Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie

Planning Proposal – 21 & 21A Tucks Road, Toongabbie



Prepared by City of Parramatta Council

PARRAMATTA WE'RE BUILDING **AUSTRALIA'S NEXT GREAT CITY**

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Amendment to Part 4

Parramatta Development Control Plan 2011

Site Specific Development Control Plan

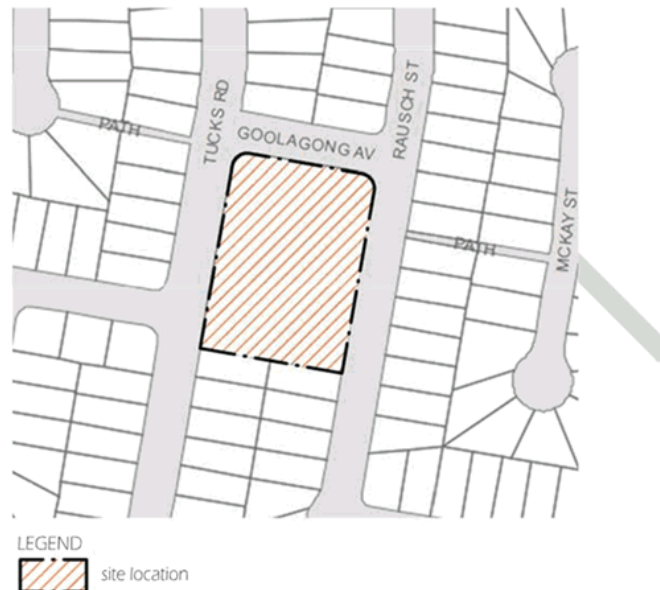
21 & 21A Tucks Road

Toongabbie

4.1.12 – Tucks Road, Toongabbie

Land Covered By This Plan

This part of the DCP applies to properties at 21 and 21A Tucks Road Toongabbie, bounded by Tucks Road, Rausch Street and Goolagong Avenue, Toongabbie.

**Desired Future Character**

The Tucks Road Precinct applies to 21 & 21A Tucks Road, Toongabbie, being the site of a tennis court and recreational facility reaching the end of its economic life. The site provides the opportunity for urban renewal of a mixed-use development addressing all three street frontages and revitalising the site and immediate locality.

The new development will be required to respond appropriately to the surrounding low density residential neighbourhood and specific site constraints, addressing bulk and scale, overshadowing and overlooking, amenity of adjoining sites, flooding and stormwater management, noise, lighting and traffic management.

The orientation and layout of future development on this site will activate pedestrian edges to all street frontages, as well as maximising opportunities for passive surveillance over the public and private domains. A new through site link will improve pedestrian permeability and improve connections between Tucks Road and Rausch Street.

Development of the site is encouraged to include new indoor and outdoor recreational facilities, providing an active edge to Tucks Road and providing an appropriate buffer to existing development to the south.

Any non-residential use of the site is to be appropriately managed to minimise noise and other impacts on the surrounding residential properties.

Development is to maintain a moderate form and scale and is to provide appropriate front setbacks, building separation and articulation to minimise overall bulk and scale of the development, having regard to the surrounding low density residential environment. Upper levels are to be significantly setback to minimise the visual impact when viewed from adjoining properties and the public domain.

Objectives

In addition to the general objectives listed in Section 4.1 of this DCP, specific objectives for this site are set out as follows:

- O.1 To encourage the redevelopment of the site while responding appropriately to the surrounding low density residential neighbourhood.
- O.2 To provide well articulated and modulated buildings and an attractive composition of building elements that results in high quality design outcomes and promote design excellence.
- O.3 To provide built form and separation that complies with requirements prescribed by State Environmental Planning Policy No. 65 (SEPP 65) – Design Quality of Residential Apartment Development and its associated Apartment Design Guide (ADG).
- O.4 To achieve a built form that will minimise the bulk and scale of the development, particularly as viewed from the public domain and adjoining properties.
- O.5 To provide a development that results in minimal overshadowing within the site and surrounding properties.
- O.6 To provide built form separation to the southern boundary to minimise overshadowing and overlooking.
- O.7 To encourage a mix of residential and non-residential uses on the site, with non residential uses providing an active edge to Tucks Road.
- O.8 To encourage the provision of indoor and outdoor recreational uses on the site.
- O.9 To ensure that development minimises the impact on adjoining residential properties, including appropriate amelioration measures associated with any non- residential use, such as hours of operation, noise and lighting.
- O.10 To achieve new pedestrian links and connections through the site

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Draft site specific DCP

- O.11 To ensure the development provides an appropriate response to localised flood constraints.
- O.12 To ensure that new development will improve the adjoining public domain through street tree planting and other improvements.

Design Principles**Pedestrian Connections and Laneways**

- P.1 A new pedestrian connection should be provided in accordance with Figure 4.1.12.1 shown as 'path'. Where a development provides for public access connections, a variation to Council's floor space ratio control can be sought in accordance with Principle 1 in Section 4.1 of this DCP.
- P.2 The new pedestrian connection is to have a minimum width of 3 metres, being consistent in width for its full length.

Design Controls

NOTE: Development must comply with the controls set out below and any relevant controls in Parts 2, 3, 4 and 5 of this DCP. Where there is any inconsistency Part 4 will prevail.

Building Form and Massing**Objectives**

In addition to the general objectives listed in this DCP, specific objectives for this site in relation to built form and massing are detailed below:

1. To ensure the redevelopment of the site achieves design excellence and addresses the desired future character for the site.
2. To ensure that new buildings reflect and recognise the existing and proposed road and pedestrian networks.
3. To ensure that new development responds well to the site's context and visual setting.

Principles

1. The design of all buildings are to address all street frontages and through site links.
2. To ensure that buildings are articulated using an appropriate mix of design elements to provide visual interest and achieve a high quality designs.
3. New buildings should provide active spaces at the ground floor level, as well as separate building entrances to the commercial and residential parts of each building.
4. The ground floor of the development shall have flexible floor plates to accommodate a diversity of uses and respond to changing market conditions over time.

5. The buildings should be designed to ensure their presentation to the street has clearly defined edges and corners, and architectural treatments that are interesting and relate to the design and human scale of built form.
6. Future built form should provide a high quality design solution.
7. Ground level podium floor plates are to be designed having regard to flood affectation.

Controls

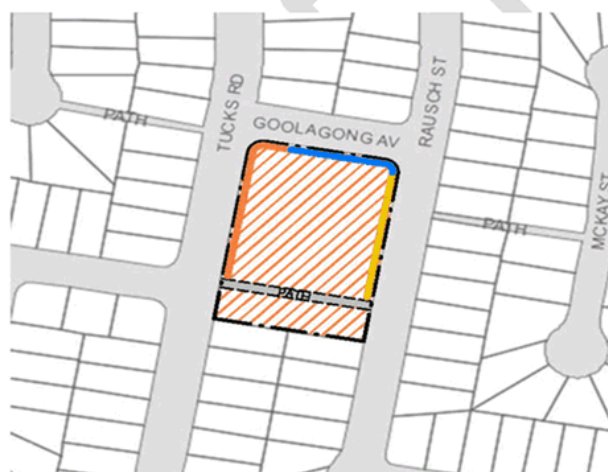
Maximum Building Heights

- C.1 Maximum building heights should be in accordance with the Building Height Control Map prescribed by Parramatta LEP 2011 for this site but not exceed more than 4 storeys (for that part of the site with a 15m height limit).
- C.2 The extent of the 4th storey is to be limited and meet minimum setback requirements shown in Figures 4.1.12.2 and 4.1.12.3, and as described below.
- C.3 For that part of the site with a 9m height limit, any structure is to be limited to 2 storeys in height.

Setbacks

- C.4 Front building setbacks are to be in accordance with Figure 4.1.12.1 and Indicative Sections provided at Figure 4.1.12.2, and any additional controls set out below:
 - (i) The minimum 1m setback to Tucks Road applies only to the ground level for non-residential uses. Levels 2 and 3 are to be setback a minimum of 3m, and Level 4 is to be setback at minimum between 11m and 15m as shown in the indicative Level 4 building footprint at Figure 4.12.1.3.
 - (ii) The minimum 1m setback to Goolagong Avenue applies only to the length shown in Figure 4.12.1.1 for the ground level for non-residential uses. Levels 2 and 3 are to be setback a minimum of 5m. The remaining length of Goolagong Avenue is to be setback a minimum of 5m for levels ground, 2 and 3. Level 4 is to be setback a minimum of 11m.
 - (iii) The minimum 3m setback to Rausch Street applies to levels ground, 2 and 3. Level 4 is to be setback a minimum of 11m.
- C.5 Irrespective of the control at C.4 above and Figures 4.1.12.1 and 4.1.12.2, should the ground floor of future development facing Tucks Road and/or Goolagong Avenue be for residential purposes, the minimum front setback should be increased to 3m along Tucks Road and 5m along Goolagong Avenue.

- C.6 A continuous awning is to be provided adjacent the building along the Tucks Road and Goolagong Avenue frontages at ground level where the building is setback 1m and where non-residential development is proposed. The awning may extend into the road reservation, but should not restrict the ability to provide suitable street tree planting.
- C.7 The building setback to the southern boundary shall be a minimum of 22m (for all 4 levels) for that part of the site with a 15m height limit.
- C.8 For that part of the site with a 9m height limit, front, side and rear boundary setbacks shall be considered on merit, and are:
- to be compatible with that required in the adjoining R2 Low Density Residential zone;
 - to ensure that new development does not unreasonably overlook or overshadow adjoining developments;
 - to provide appropriate building separation; and
 - to enable a compatible streetscape.



LEGEND

1m setback + awning

3m setback

5m setback

site location

new pedestrian link

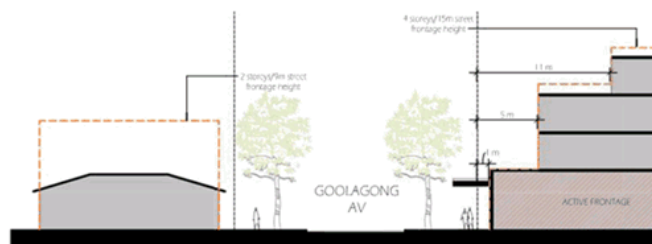
Figure 4.1.12.1



Section A, Tucks Road



Section B, Rausch St



Section D, Goolagong Av

Figure 4.1.12.2

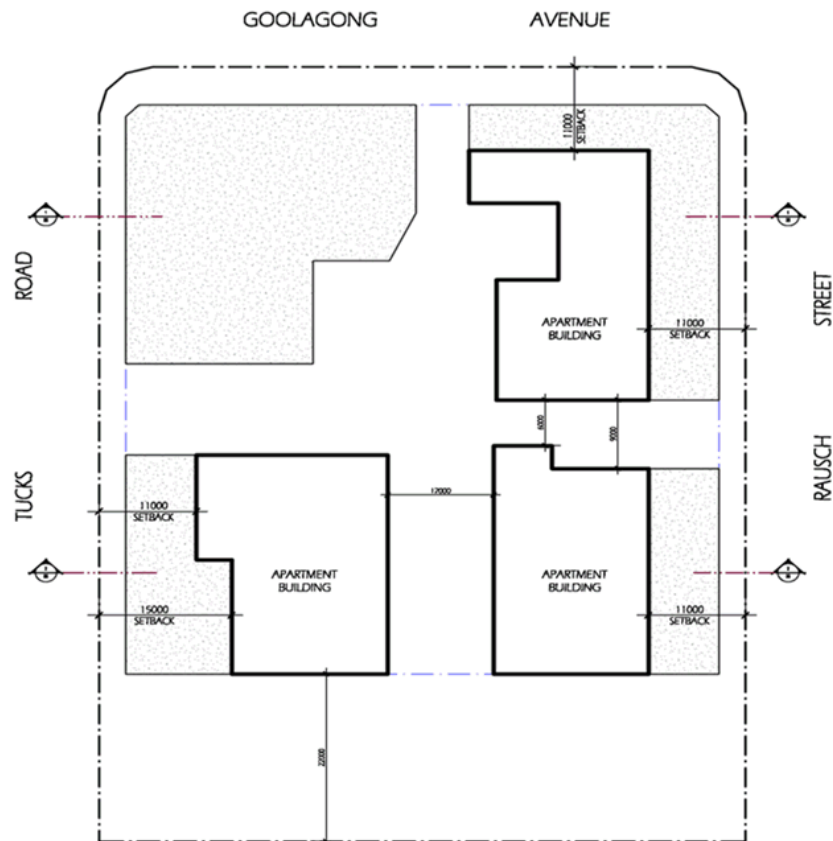


Figure 4.1.12.3

Building Separation

C.9 Building separation is to achieve the controls contained within the Apartment Design Guide.

Building Entries

C.10 Residential and non-residential land uses should be provided with clearly separated entries.

C.11 Clear building entries are to be provided at each street frontage. Where suitable, individual unit entries are to be provided to ground level residential apartments.

C.12 Vehicular access to the site should respond to the flooding constraints of the site.

Public Domain

C.13 Any future development application is to be accompanied by a Public Domain Plan indicating the street treatment to all 3 frontages, including the adjoining road reservation. The Public Domain Plan should also include any through site link connecting Tucks Road and Rausch Street.

C.14 Provision of public art on the site should be considered as part of the future redevelopment of the site.

Non-residential development on the site

C.15 A Plan of Management should accompany any future development application, which proposes significant non-residential development on the site, including the provision of indoor and outdoor recreational facilities. The Plan of Management should at minimum address the following, and will form part of the approved development consent:

- (i) hours of operation;
- (ii) noise/nuisance abatement measures to limit impact on neighbouring residential development (both adjoining sites and within the development);
- (iii) delineation of spaces accessible to the residential and non-residential users;
- (iv) separation of residential and non-residential entries;
- (v) waste management;
- (vi) signage provision;
- (viii) emergency evacuation plan;
- (ix) provision and separation of parking for non-residential use;
- (x) documentation of any annual building certification relating to the non-residential use;
- (vi) system for future complaint handling/resolution and interaction/communication with adjoining residents (on site and adjoining) and body corporate.

C.16 Should tennis courts be retained/erected on the site, the hours of operation and use of any artificial lighting should be managed to minimise the impact on surrounding residential uses. Consideration is to be given to appropriate noise and environmental health regulations in place at the time of considering a future development application.

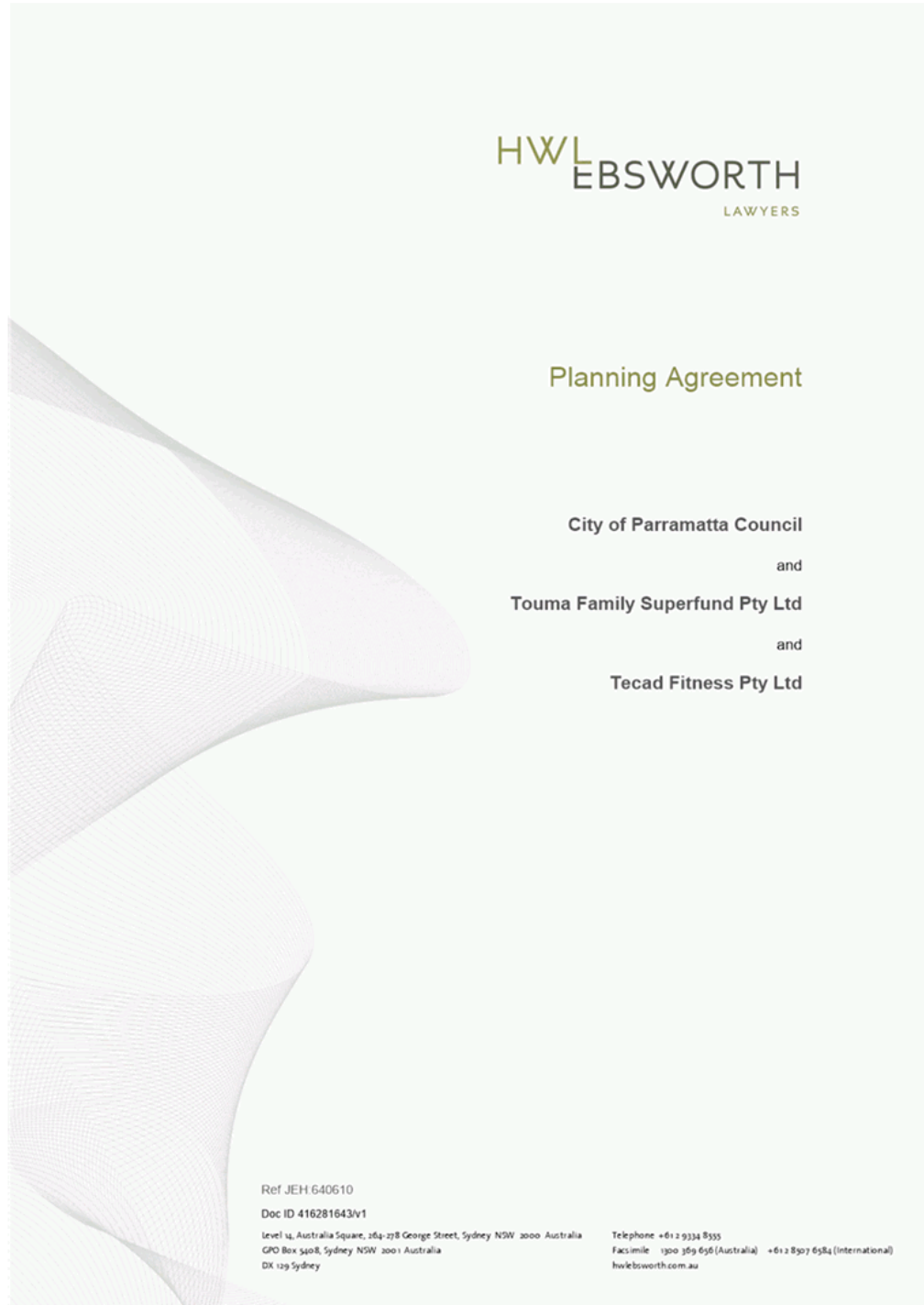




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Draft Voluntary Planning Agreement

HWL
EBSWORTH
LAWYERS

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Planning Agreement

Date

Parties

City of Parramatta Council (formerly Parramatta City Council)

of 126 Church Street, Parramatta NSW 2150

(Council)

Touma Family Superfund Pty Ltd (ACN 121 647 881)

of Unit 100, 32-34 Mons Road, Westmead, NSW 2145

(Touma)

and

Tecad Fitness Pty Ltd (ACN 134 153 807)

of 21 Tucks Road, Toongabbie, NSW 2146

(Tecad)

Recitals

- A. The Parramatta Local Environmental Plan (2011) applies to the Land.
- B. Touma is the registered proprietor of Lot 2 in DP1129995.
- C. Tecad is the registered proprietor of Lot 1 in DP1129995.
- D. Touma and Tecad (the Developer) wishes to carry out development on the Land and intends to lodge a Development Application.
- E. The Developer has lodged with Council a Planning proposal requesting an instrument change by way of an amendment to the Parramatta Local Environmental Plan 2011.
- F. Gateway determination was given on 10 June 2016.
- G. The Developer agrees to carry out the Developer Works.
- H. The Developer and the Council agree to enter into this

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Agreement.

The parties agree, in consideration of, among other things, the mutual promises contained in this agreement as follows:

1. Planning Agreement under the Act

The parties agree that this Agreement is a Planning Agreement governed by subdivision 2 of Division 6 of Part 4 of the Act.

2. Application of Section 94 and 94A of the Act to the Development

The parties agree that this Agreement does not exclude the operation of Section 94 and 94A and 94EF of the Act in relation to the Land.

3. Scope and application of this Agreement

This Agreement binds the parties and applies to the Land.

4. Operation of this Agreement

- 4.1 This Agreement takes effect on execution of this Agreement.
- 4.2 Until this Deed operates, this Deed constitutes an offer by the Developer to enter into this Deed in connection with the Instrument Change.
- 4.3 This Deed only operates if each of the following has occurred:
 - (a) the Instrument Change has been made and has commenced; and
 - (b) the Developer and the Council have signed this Deed.
- 4.4 This Deed will remain in force until:
 - (a) it is terminated by operation of law; or
 - (b) all obligations are performed or satisfied.



5. Developer's warranties as to capacity

- 5.1 In addition to and despite all other warranties, express or implied, in this Deed, the Developer warrants and covenants that:
- (a) it is empowered to enter into this Deed and to do all things that will be required by this Deed;
 - (b) all things have been done or will be done as may be necessary to render this Deed legally enforceable in accordance with its terms and fully valid and binding on it; and
- all authorisations by any Governmental Agency (whether in Australia or not) that are required or will be required in connection with the execution and delivery of, the performance of obligations under or the validity or enforceability of, this Deed have been obtained or effected and are or will be fully operative.

6. Definitions and interpretation

6.1 Definitions

In this Agreement, the following definitions apply:

Act	means the <i>Environmental Planning and Assessment Act 1979</i> (NSW) (as amended) and includes any regulations made under that Act.
Agreement	means this Agreement including all schedules and attachments
Approval	means any certificate, licence, consent, permit, approval or other requirement of any Authority or any variation to them having jurisdiction in connection with the activities contemplated by this agreement.
Authority	means any government, semi-government statutory or administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person.
Completion	means the stage in the construction of the Developer's Works when, in the reasonable discretion of the Council's Representative and notified under clause 9.6(a) or (c), the Developer's Works are complete except for minor omissions and minor defects which are non-essential.

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Council's Representative	means the person specified in Item 2 of Schedule 1 who is duly authorised to give approval under this Agreement.
Defects Liability Period	means the period of 12 months from the date on which the Developer's Works reach Completion.
Developer	means the entity described in Item 1 of Schedule 1.
Development Application	has the same meaning as in the Act and means a development application to carry out development on the Land.
Development Consent	has the same meaning as in the Act.
Developer Works	means the works identified in Item 6 of Schedule 1 and in Schedule 2 as refined and developed in accordance with this Agreement.
Discharge of Mortgage	means a discharge of any registered mortgage over the title to the Dedicated Land.
Gateway determination	means the determination by a delegate of the Greater Sydney Commission of 10 June 2016 in relation to the Land.
GST	has the same meaning as in the GST Law.
GST Law	has the meaning given to that term in <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
Guarantee	means an unconditional bank guarantee or bank guarantees, unlimited in time, issued by a bank licensed to carry on business in Australia that: <ul style="list-style-type: none"> (a) is in favour of the Council; (b) for the Guarantee Amount; and (c) on such other terms and conditions the Council may approve from time to time.

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Guarantee Amount	means the amount specified in Item 8 of Schedule 1 as varied from time to time in accordance with this Agreement.
Instrument Change	means an amendment to the Parramatta Local Environmental Plan 2011 substantially in accordance with the Planning Proposal which amends the planning controls applicable to the Land as set out in Item 4 of Schedule 1.
LPI	means Land and Property Information New South Wales.
Land	means the land identified in Item 3 of Schedule 1, comprising the land the subject of the planning proposal.
Law	means: <ul style="list-style-type: none"> (a) Any law applicable including the common law and principles of equity, legislation, ordinances, regulations, by-laws and other subordinate legislation; and (b) Any Approval, including any condition or requirement under it.
Loss	means any loss, claim, action, liability, damage, demands, cost, charge, which Council, its employees, officers, agents, contractors and workmen sustains, pays, suffers or incurs or is liable for arising in connection with the carrying out by the Developer of any item of the Developer's Work and the performance by the Developer of any obligation under this Agreement, including (but not limited to) reasonable legal and other expenses incurred in connection with investigating or defending any claim or action, whether or not resulting in any liability, and all amounts reasonably paid in settlement of any claim or action.
Occupation Certificate	means an interim or final occupation certificate and has the same meaning as in the Act.
Owner	means Tourma Family Superfund Pty Ltd (ACN 121 647 881) in relation to Lot 2 in deposited plan 1129995 and Tecad Fitness Pty Ltd (ACN 134 153 807) in relation to Lot 1 in deposited plan 1129995.
Party	means a party to this agreement, and includes their successors and assigns.

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Planning proposal	means the planning proposal (council reference No. RZ/11/2015) reference no. PP-2016-Parra-003-00 which was granted Gateway Determination on 10 June 2016 and described in Item 4 of Schedule 1.
Project Manager	means the person identified in Item 5 of Schedule 1.
Public Benefit	means the public benefits identified in Item 6 of Schedule 1.
Regulation	means the <i>Environmental Planning and Assessment Regulation 2000</i> .
Quantity Surveyor	means a duly qualified quantity surveyor of at least five year's experience in the assessment of building material and construction costs.

6.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) headings are inserted for convenience only and do not affect the interpretation of this Agreement.
- (b) a reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- (c) a reference in this Agreement to dollars means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- (d) a reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (e) a reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- (f) a word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular.
- (g) references to the word 'include' or 'including' are to be construed without limitation.
- (h) reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.
- (i) any schedules and attachments form part of this Agreement.



- (j) a word defined in the Act has the same meaning in this Agreement.

7. Approval of Developer's Works

7.1 Definition of Scope of Works

- (a) The parties agree that the works described in Schedule 2 comprise the Developer's Works for the purposes of this Agreement.
- (b) The parties agree that further design detail and refinement may be necessary to take into account any approvals granted in respect of the Developer's Works.

7.2 Plans

- (a) The Developer must promptly (and in any event within six months of the date of this agreement, or such other time as is as the parties may agree) prepare a detailed description including, design drawings, for the Development Works in accordance with the requirements set out in Schedule 3 and submit it to the Council's representative for approval.
- (b) The Council will promptly (and in any event within 40 days of submission) give the Developer notice whether or not the design drawings and description of the Developer's Works referred to under clause 7.2(a) is satisfactory. If the design or description is not satisfactory, then the Council will identify the further information, or modifications, (as the case may be) which are required.
- (c) The Developer must promptly amend the proposed design to take into account the comments made by the Council under this clause and resubmit the design drawings to the Council for final approval of the design by Council.

8. Final Design of the Developer's Works

8.1 Preparation of the Plans and Specifications

The Developer must complete construction drawings in accordance with the design developed and approved by Council under clause 7 and submit the construction drawings to Council for approval prior to the commencement of the Development Works.

8.2 Approval or variation by the Council

The Council may by written notice to the Developer and the Project Manager:

- (a) approve, vary or direct the Developer to vary the construction design drawings for the Developer's Works so as to reflect the documents or standards (as the case may be) set out in Schedule 3; and



- (b) provide details of mandatory inspections to be undertaken by the Council.

8.3 Directions by the Council

Subject to clause 15, the Developer must comply with any direction given by the Council under the clause 8.2 in respect of the design and implementation of the Developer's Works.

9. Construction of Developer's Works

9.1 Completion

- (a) The Developer shall carry out the Developer's Works within the time frame described in Schedule 2, or in accordance with the time frame stipulated in a notice given by Council pursuant to clause 9.1(b)
- (b) The Council may give the Developer notice in writing that it requires the Developer's Works to be carried out within a period of 2 years from the date of the notice.

9.2 Indemnity and Insurance

- (a) The Developer indemnifies the Council from all Loss caused by the performance of the Development Works except to the extent that the Loss is caused or contributed to by the negligence or omission by the Council or any of the Council's servants, agents or contractors.
- (b) The Developer must:
 - (i) maintain public liability insurance, with an insurer approved by the Council, with the Council identified as an interested party, for an amount not less than the amount stated in Item 9 of Schedule 1 covering all aspects of the Developer's Works and submit a copy of the certificate of insurance to the Council before the commencement of the construction of the Developer's Work;
 - (ii) maintain all other reasonably necessary and prudent insurance policies in respect of the Developer's Works including:
 - (A) construction insurance in relation to the Developer's Works;
 - (B) insurance against death or injury to persons employed or otherwise engaged in relation to the undertaking of the Developer's Works, and
 - (C) any other insurances required at law; and
 - (iii) maintain the insurances required under clause 9.2(b) until the expiration of the Defects Liability Period.



9.3 Approvals and consents

- (a) The Developer must (at its cost) obtain all relevant approvals and consents for the Developer's Works whether from the Council or any other relevant government agency, including any necessary road opening permit, prior to commencing the Developer Works.
- (b) Before commencing the Developer's Works, the Developer must give to the Council copies of all approvals and consents for the Developer's Works.

9.4 Construction Work

The Developer must (at its cost):

- (a) carry out and complete the Developer's Works in accordance with all relevant laws all approvals and consents relating to the Developer's Works (including the approval by the Council of plans and any other information submitted under this Agreement) within the timeframe set out in Schedule 2; and
- (b) ensure that all Developer's Works are constructed in a good and workmanlike manner, in accordance with the plans approved under this Agreement so that they are structurally sound, fit for purpose, and suitable for their intended use; and
- (c) contact Council's Representative prior to commencement of the Developer's Works to determine whether Council require any inspection prior to commencement and at the relevant time for a mandatory inspection or during construction of the Developer's Works; and
- (d) promptly advise the Council's Representative of any significant delays which it experiences in completing the Developer's Works; and
- (e) comply with any reasonable directions from the Council in respect of the construction of the Developer's Works.

9.5 Management and Inspection of Works

The Council as a party to this Agreement and not as an authority may (but is not obliged to):

- (a) inspect the Developer's Works during the course of construction at any stage as determined by it at reasonable times and upon giving reasonable notice;
- (b) inspect the Developer's Works in accordance with the mandatory inspections notified to the Developer by the Council in accordance with clause 8.2(b); and
- (c) notify the Developer's representative in good faith of any material or significant defect, error or omission relating to the construction or installation of the Developer's Works identified during or as the result of such inspection.

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The parties expressly agree that any failure to identify a defect, error and omission, will not be construed as amounting to an acceptance by the Council of that defect, error or omission.

9.6 Works completion

When, in the opinion of the Developer, the Developer's Works have reached Completion, the Developer must notify the Council's Representative in writing, and must include in that notice:

- (a) a statement from the person with direct responsibility carriage and supervision of that work that in their opinion the Developer's Works have reached completion; and
- (b) copies of any certification, warranties, guarantees, maintenance information or other material reasonably required for the ongoing repair, maintenance, or servicing (as the case may be) of any part of the Developer's Works; and
- (c) at least three sets of the 'as built' drawings of the Developer's Works, including one set in electronic format.

9.7 Final Inspection by Council

The Council shall inspect the Developer's Works with the Developer or its representative and the Council must by notice in writing:

- (a) concur that Completion has been achieved; or
- (b) disagree that Completion has been achieved and (if the Council's representative so disagrees) identify the errors or omissions which have been identified and which in the opinion of the Council's representatives prevent Completion; or
- (c) issue a notice of the nature identified in clause 9.9.

Nothing in this clause 9.7, or in any notice issued under this clause 9.7, will be construed to reduce or waive in any manner the Developer's responsibility to correct minor defects or minor omissions, whether or not these are identified by Council.

9.8 Date of Completion of Developer's Works

The Developer must ensure that the Developer's Works reach Completion on or before the dates set out in Schedule 2 or by the time period specified in a notice issued by Council pursuant to clause 9.1(a).

9.9 Non-completion of Developer's Works

- (a) The Council may permit the Developer not to complete the Developer's Works (or part of them) by issuing a notice in writing to the Developer, expressly



stating that completion of the items identified in that notice is not required in fulfilment of this Agreement.

- (b) If the Council permits the Developer not to complete the Developer's Works (or any part of them), the Council may make an appropriation from the Guarantee in such amount as the Council considers necessary. The Developer shall be given seven days notice of any such appropriation.
- (c) If the Developer fails to complete the whole of the Developer's Works in the form and to the standards required under this Agreement, then Council in its discretion may either:
 - (i) complete the Developer's Works; or
 - (ii) modify the Public Benefits to reasonably achieve the objectives identified in this Agreement or the Development Consent,

and may recover all costs of and reasonably incidental to that work from the Developer. The Council may apply the monies secured from the Bank Guarantee and (to the extent that expenditure exceeds the amount secured) recover any shortfall from the Developer as a debt due and owing.

10. Defects Liability Period

10.1 Defects in the Developer's Works

If the Council notifies the Developer of a defect in the Developer's Works within the Defects Liability Period, then the Developer must at the Developer's expense, remedy that defect to the reasonable satisfaction of the Council's Representative, within a reasonable period (having regard to the nature of the defect).

10.2 Security for Defects Liability Period

Until the expiration of the Defects Liability Period, the Council may retain from the Guarantee an amount equal to 10% of the Guarantee Amount.

10.3 Application of Security

If the Developer does not rectify any defect in the Developer's Works duly notified under clause 10.1, then the Council may:

- (a) rectify the defect in the Developer's Works;
- (b) may make an appropriation from the Guarantee for the costs of and arising from the rectification; and
- (c) (to the extent that the costs exceed the Guarantee held) may recover the costs from the Developer as a debt due and owing.



11. Security

11.1 Provision of Security

The Developer must, provide the Guarantee to the Council simultaneously upon execution of this Agreement in the amount set out in Item 8 of Schedule 1.

11.2 Rights and remedies of the Council

- (a) The Developer expressly acknowledges and agrees that the Council may make an appropriation from the Guarantee, in such amount as the Council thinks fit if:
 - (i) the Developer's Works do not reach Completion by the time specified in Schedule 2; or
 - (ii) the Developer's Works do not reach Completion by the time specified in a notice issued pursuant to clause 9.1(b); or
 - (iii) the Council in exercising its powers under this Agreement reasonably incurs expense or liability.
- (b) The amount appropriated by the Council under clause 11.2(a) must be applied towards:
 - (i) the costs and expenses incurred by the Council rectifying any default by the Developer under this Agreement;
 - (ii) carrying out the Developer's Works; or
 - (iii) carrying out any other works to achieve the Public Benefits as the Council considers appropriate.

11.3 Right to claim not affected

The Developer acknowledges and agrees that the rights of the Council under this Agreement do not derogate from any other rights at law or in equity in relation to any default by the Developer.

11.4 Adjustment of Guarantee Amount

- (a) On each anniversary of the date of this Agreement ('adjustment date'), the Guarantee Amount may be adjusted by the Council to a revised amount derived by applying the following formula:

$$RGA = \frac{GA \times A}{B}$$



where:

- RGA is the Revised Guarantee Amount applicable from the relevant adjustment date;
- GA is the Guarantee Amount that is current on the relevant adjustment date;
- A is the index number for the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics and published immediately before the relevant adjustment date;
- B is the index number for the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics and published immediately before the later of the date of this Agreement (in the case of the first adjustment of the guarantee) and, (in the case of subsequent adjustments), the immediately preceding adjustment date.
- (b) The Council may give the Developer written notice of the revised Guarantee Amount to apply from the relevant adjustment date. If the Council does not do so, then the existing Guarantee will be retained.
- (c) The Developer must give the Council a replacement or further Guarantee so that the Council holds Guarantees for an amount equal to the revised guarantee amount no later than 14 days after receipt of a notice given under clause 11.4(b).

11.5 Release of the Guarantee

If upon Completion:

- (a) the whole of the monies secured under the Guarantee have not been expended, and the monies accounted for in accordance with clause 10.3 and 11.2; and
- (b) the Council's Representative (acting reasonably) is satisfied that there are no actual or contingent liabilities of the Council arising as a result of the performance of any Developer's Works,

then subject to clause 10.2, the Council will promptly return the Guarantee within 14 days, or the remainder of the monies secured under that Guarantee (as the case may be), to the Developer or as the Developer directs.

11.6 Release of undertaking

If upon the expiration of the Defects Liability Period:

- (a) the whole of the monies secured under clause 10.2 have not been expended, and the monies accounted for in accordance with clause 10.3 and 11.2; and



- (b) the Council's Representative (acting reasonably) is satisfied that there are no actual or contingent liabilities of the Council arising as a result of the performance of any Developer's Works,

then the Council will promptly return the said monies within 14 days, or the remainder of the monies secured under that Guarantee (as the case may be), to the Developer or as the Developer directs.

12. Expenditure by the Council

12.1 Expenditure by the Council

If the Council carries out the Developer's Works under clause 11.2, or 9.9 then the Council:

- (a) is not required to expend more money than is secured by the Guarantee. The Council may in its discretion elect not to carry out items of Developer's Works to ensure that the Developer's Works can be achieved for an amount equal to, or less than, the amount secured by the Guarantee at that time; or
- (b) may expend more money than is secured by the Guarantee in order to deliver the Developer's Works.

12.2 Debt due and owing to the Council

If Council expends more money than is secured by the Guarantee in either carrying out or in rectifying the Developer's Works (whether that expenditure is incurred under clause 12.1 or 10.3), then the amount in excess of the Guarantee will be deemed to be a debt immediately due and owing to the Council by the Developer.

13. Registration of this Agreement

13.1 Registration of Agreement

The Developer and Owners must promptly:

- (a) obtain any necessary consents to the registration of this Agreement on the title to the Land;
- (b) lodge the Agreement for registration with the LPI;
- (c) promptly comply with any requisitions that may be raised with regard to registration of the Agreement from the LPI;
- (d) produce to the Council within 35 days of execution of this Agreement, details of lodgement of this Agreement with the LPI; and



- (e) following registration of this Agreement, notify the Council of registration, enclosing a title search of the Land confirming the registration.

13.2 Removal of Agreement

Provided the Council is satisfied the Developer has duly fulfilled its obligations under this Agreement and is not otherwise in default of any of the obligations under this Agreement the Council will promptly execute any form and supply such other information and do any thing as reasonably required by the Owner or the Developer to enable the removal of this Agreement from the title of the common property comprised within the Strata Plan.

14. Caveat

14.1 Caveat

Without limiting any other provision of this Agreement, until such time as the registration of this Agreement is completed, the Developer agrees that Council may register a caveat over the Land precluding any dealing which is.

15. Dispute Resolution

15.1 Reference to dispute

If a dispute arises between the parties in relation to this Agreement, then either party may seek to resolve in accordance with this clause 15 provided that nothing in this clause prevents either party from seeking urgent interlocutory relief in relation to a breach of this Agreement.

15.2 Notice of dispute

The party wishing to commence dispute resolution processes must notify the other of:

- (a) the nature, or subject matter, of the dispute, including a summary of any efforts made to resolve latter than by way of this clause 15;
- (b) the intent to involve this clause 15;
- (c) (if practicable) the outcomes which the notifying party wishes to achieve;
- (d) any material impact which the dispute has upon the completion of the Developer's Works (and in particular the completion of the remainder of the Development).



The contents of a notice issued under the clause 15.2 are deemed to be confidential. The party issuing the notice may (but is not obliged) to assert legal professional privilege in respect of the contents.

15.3 Principals of parties to meet

The principals of the parties (and in the case of the Council, the principal may include the person acting the role of General Manager as defined in the Local Government Act, or such person as is nominated by that officer in writing) must promptly (and in any event within 14 days of written notice) meet in good faith to attempt to resolve the notified dispute. The parties may, without limitation:

- (a) resolve the dispute during the course of that meeting;
- (b) agree that further material, expert opinion, or consideration is needed to effectively resolve the dispute (in which event the parties will in good faith agree to a timetable for resolution); and
- (c) agree that the parties are unlikely to resolve the dispute and in good faith agree to a form of alternative dispute resolution (including expert determination, arbitration, or mediation) which is appropriate for the resolution of the relevant dispute.

15.4 Neither party may constrain

If:

- (a) at least one meeting has been held in accordance with clause 15.3; and
- (b) the parties have been unable to reach an outcome identified in clause 15.2(a) to 15.2(c); and
- (c) either of the parties (acting in good faith) forms the view that the dispute is reasonably unlikely to be resolved in accordance with a process agreed under clause 15.3,

then that party may, by 14 day's notice to the other, terminate the dispute resolution process in respect of that dispute. The termination of the process set out in this clause 15 does not of itself amount to a breach of the Agreement.



16. Notices

16.1 Service of Notice

Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that Party at its address set out in Item 10 of Schedule 1; or
- (b) faxed to that Party at its fax number set out in Item 10 of Schedule 1.

16.2 Change of address

If a Party gives the other Party 10 business days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.

16.3 Time of service of Notice

Any notice, consent, information, application or request is to be treated as given or made at the following time:

- (a) If it is delivered, when it is left at the relevant address.
- (b) If it is sent by post, two business days after it is posted.
- (c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.

16.4 Service after hours, on weekends and holidays

If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5.00 pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

17. Approvals and consent

Except as otherwise set out in this Agreement, a party may give or withhold an Approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving consent or for giving consent subject to conditions. A Party must give its reasons for withholding consent or for giving consent subject to conditions.



18. Variation of Agreement

- 18.1 The parties may agree to vary the terms of this Agreement. Any such variation shall be evidenced by a written variation executed by the Parties and must comply with the provisions of Section 93G of the *Environmental Planning and Assessment Act 1979*.

19. Costs

19.1 Legal and administrative costs

- (a) The Developer must pay the Council's legal and administration costs with respect to the negotiation, preparation and execution of this Agreement.
- (b) The Developer must pay on demand all legal costs (assessed on an indemnity basis) and out of pocket disbursements incurred by the Council of and incidental to:
 - (i) the giving effect to this Agreement; and
 - (ii) any enforcement of the rights under this Agreement.

19.2 Stamp duty

The Developer is liable for and must pay all stamp duty (including any fine or penalty except where it arises from default by any other party) on or relating to this Agreement, any document executed under it or any dutiable transaction evidenced or effected by it.

20. Entire Agreement

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

21. Further acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.



22. Governing law and jurisdiction

This Agreement is governed by the law of New South Wales. The Parties submit to the jurisdiction of the courts of that state.

23. Joint and several liability

Any agreement, covenant, representation or warranty under this Agreement by two or more persons binds them jointly and each of them individually.

24. No fetter

Nothing in this Agreement will be construed as limiting or fettering in any way the exercise by Council of any statutory discretion or duty.

25. Representations and warranties

The Parties represent and warrant that they have power to enter into this Agreement and that entry into this Agreement will not result in the breach of any law.

26. Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the remainder of this Agreement is not affected.

27. Modification

Subject to clause 18 of this Agreement no modification of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.

28. Waiver

A waiver by either Party is only effective if it is given in writing, and that waiver will only relate to the particular obligation or breach (as the case may be) identified in that communication.



29. GST

- 29.1 In this clause terms used have the meaning given to them by the GST Law as defined in Section 195-1 of the *A New Tax System (Goods and Services Tax) Act 1999* (the 'GST Act').
- 29.2 If a party to this Agreement (the 'Supplier') makes a supply under or in connection with this Agreement and is liable by law to pay GST on that supply, then the consideration otherwise payable by the recipient of the supply will be increased by an amount equal to the GST paid or payable by the Supplier.
- 29.3 If this Agreement requires a party to pay for, or reimburse any expense, loss or outgoing (reimbursable expense) suffered or incurred by another party, the amount required to be paid, or reimbursed by the first party is the amount of the reimbursable expense net of any input tax credit or reduced input tax credit to which the other party is entitled in respect of the reimbursable expense.
- 29.4 If a party to this Agreement has the benefit of an indemnity for a cost, expense, loss or outgoing (indemnified cost) under this Agreement, the indemnity is for the indemnified cost net of any input tax credit or reduced input tax credit to which that party is entitled in respect of the indemnified cost.
- 29.5 Each party agrees to do all things, including providing tax invoices and other documentation that may be necessary or desirable to enable or assist the other party to claim any input tax credit, set-off, rebate or refund in relation to any amount of GST paid or payable in respect of any supply under this Agreement.
- 29.6 Subject to the operation of this clause, and unless otherwise expressly stated amounts in this Agreement are GST exclusive.

30. Counterparts

- 30.1 This Agreement may be executed in any number of counterparts.
- 30.2 All counterparts taken together will be taken to constitute one Agreement.

31. Assignment and Transfer

- 31.1 Unless the matters specified in clause 31.2 are satisfied, the Developer must not do any of the following:
- (a) transfer or assign the Land to any person, or
 - (b) assign, transfer dispose or novate to any person the Developer's rights or obligations under this Agreement.



31.2 The matters required to be satisfied for the purposes of clause 31.1 are as follows:

- (a) the Developer has, at no cost to the Council, first procured the execution by the person to whom the Developer's rights or obligations under this Agreement are to be assigned or novated, of an agreement in favour of the Council on terms satisfactory to the Council acting reasonable;
- (b) the Council, by notice in writing to the Developer, has stated that evidence satisfactory to the Council has been produced to show that the assignee or novatee, is reasonably capable of performing its obligations under the Agreement;
- (c) the Developer is not in breach of this Agreement; and
- (d) the Council otherwise consents to the transfer, assignment or novation in writing.

31.3 Any purported dealing in breach of this clause 31.2 is of no effect.

32. Explanatory Note relating to this Agreement

32.1 Schedule 4 contains the Explanatory Note relating to this Agreement required by clause 25E of the Regulation.

32.2 Pursuant to clause 25E(7) of the Regulation, each Party agrees that the Explanatory Note in Schedule 4 is not to be used to assist in constructing this Agreement.



Schedule 1 Reference Schedule

Item 1	Developer's Details	<p>Developer's Name: Touma Family Superfund Pty Ltd Developer's ACN: 121 647 881 Developer's Address: Unit 100, 32-34 Mons Road, Westmead NSW 2145</p> <p>Developer's Name: Tecad Fitness Pty Ltd Developer's ACN: 134 153 807 Developer's Address: 21 Tucks Road, Toongabbie NSW 2146</p>
Item 2	Council's Representative	<p>Interim General Manager Telephone: 9806 5050 Facsimile: 9806 5917 Email: council@parracity.nsw.gov.au</p>
Item 3	Land	Lot 1 and Lot 2 in DP1129995
Item 4	Planning Proposal	<p>Amendment to Parramatta Local Environmental Plan 2011 as follows:</p> <ul style="list-style-type: none"> • Rezone the Land from Part B1 Neighbourhood Centre and Part B2 Low Density Residential to B4 Mixed Use. • Height: Increase maximum height of buildings to part 12m and part 15m. • Floor Space Ratio: increase maximum floor space ratio to 1:25:1.
Item 5	Project Manager	NA
Item 6	Developer Works	Construction of a roundabout at the intersection of Tucks and Fitzwilliam Roads Toongabbie including but not limited to trafficable paving, drainage, pedestrian safety and vehicle management as described in Schedule 2.
Item 7	Public Liability Insurance	\$20 Million
Item 8	Guarantee Amount	\$900,000.00
Item 9	Public Benefit	Construction of public road infrastructure (roundabout).
Item 10	Notices	<p>Council Council Name: City of Parramatta Council Address: 126 Church St Parramatta NSW 2150</p>

HWL
EBSWORTH
LAWYERS

	Attention: Interim General Manager Telephone: 9806 5050 Facsimile: 9806 5917 Email: council@parracity.nsw.gov.au
	Name: Touma Family Superfund Pty Ltd (ACN 121 647 881) Address: Unit 100, 32-34 Mons Road, Westmead, NSW 2145 Attention: Telephone: Facsimile: Email: and Name: Tecad Fitness Pty Ltd (ACN 134 153 807) Address: 21 Tucks Road, Toongabbie, NSW 2146 Attention: Telephone: Facsimile: Email:



Schedule 2 Developer's Works

Section 1

Developer's Works:

1. Construction of public road infrastructure being the construction of a roundabout at the intersection of Tucks and Fitzwilliam Roads, Toongabbie and ancillary works including but not limited to road pavement (including extensions from splitter islands), pedestrian footpaths, drainage, kerb, guttering, splitter islands, pedestrian safety works (including potential relocation of existing pedestrian crossing and construction of new pedestrian refuge), vehicle management and relocation/ adjustment of existing services and implementation of any new services (including lighting) to facilitate traffic safety and traffic flows as shown on the Concept Roundabout Plan prepared by Parramatta City Council dated 1 March 2017 which is annexed as Annexure A to this Agreement.

Completion of Works

2. The Developer's Works shall be completed:
 - (a) prior to any Occupation Certificate being issued in relation to a development application for the redevelopment that is intended to be carried out on the Land; or
 - (b) within five years of the date of this Agreement,
 whichever first occurs, unless a notice has been issued by Council under clause 9.1(b).



Schedule 3 Standards

1. A. Relevant Australian Standards – Roads (including pedestrian areas)

B. Council Standards (All Works)

2. Standard of Developer's Works

The Developer shall and must cause the Developer's Works to be carried out in a proper and workmanlike manner.

The qualitative standard of the design and finishes for the Works must be no less than those described in the following documents:

- (A) any relevant Australian Standard;
- (B) the Parramatta City Council Public Domain Guidelines March 2014 and any other requirements or policies applied by the Council from time to time in assessing the adequacy of any works or improvements proposed for the public domain or to be accessible to the public in accordance with this agreement; and
- (C) Council's standard drawings (DS Series).



Schedule 4 Explanatory Note

Planning Agreement
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Attachment 3

Page 825

Attachment 2

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EXPLANATORY NOTE

**Voluntary Planning Agreement
21 and 21A Tucks Road, Toongabbie**

Introduction

The purpose of this Explanatory Note is to provide a summary to support the notification of a draft Voluntary Planning Agreement (**Planning Agreement**) made pursuant to Section 93F of the *Environmental Planning and Assessment Act 1979*, in relation to a planning proposal PP-2016-PARRA-003-00 (Council Reference RZ/11/2015 to change the zoning of the land at 21 and 21A Tucks Road, Toongabbie and to increase maximum height and floor space ratio (FSR) under the *Parramatta Local Environmental Plan 2011* (LEP 2011) as follows:

Contract	Existing	Planning Proposal
Zoning	Part B1 Neighbourhood Centre and Part R2 Low Density Residential	B4 Mixed Use
Height	Part 9m and Part 12m	Part 9m and Part 15m
FSR	Part 1.5:1 and Part 0.5:1	1.25:1

This Explanatory Note has been prepared jointly by the parties, as required by clause 25E(3) of the *Environmental Planning and Assessment Regulation 2000*. This explanatory note is not to be used to assist in construing the Planning Agreement.

Parties to the Planning Agreement

The parties to the Planning Agreement are Touma Family Superfund Pty Ltd (ACN 121 647 881) and Tecad Fitness Pty Ltd (ACN 134 153 807) (**Owners and Developers**) and City of Parramatta Council (**Council**).

Description of the subject land

The Planning Agreement applies to 21 and 21A Tucks Road, Toongabbie, being Lot 1 and Lot 2 in DP1129995 (**Land**).

Description of the Planning Proposal

The planning proposal seeks to amend the Parramatta Local Environmental Plan 2011 in relation to the Land to change the zoning, increase the maximum height and the floor space ratio as set out in the table above.

**Summary of objectives, nature and effect of the Planning Agreement**

The objective of the Planning Agreement is to secure delivery of construction of a roundabout at the intersection of Tucks and Fitzwilliam Roads, Toongabbie under the Consent. The nature and effect of the Planning Agreement will involve the implementation of Developer Obligations, as set out in the Planning Agreement, and include:

Construction of public road infrastructure being the construction of a roundabout at the intersection of Tucks and Fitzwilliam Roads, Toongabbie and ancillary works including but not limited to road pavement (including extensions from splitter islands), pedestrian footpaths, drainage, kerb, guttering, splitter islands, pedestrian safety works (including potential relocation of existing pedestrian crossing and construction of new pedestrian refuge), vehicle management and relocation/ adjustment of existing services and implementation of any new services (including lighting) to facilitate traffic safety and traffic flows. (**the Developer's Works**)



ASSESSMENT OF THE MERITS OF THE PLANNING AGREEMENT

The planning purposes served by the Planning Agreement

In accordance with Section 93F(2) of the EPA Act, the Planning Agreement has the following public purposes:

- The provision of infrastructure relating to land.

The Developer Obligations outlined in the Planning Agreement provide a reasonable means for achieving these purposes.

How the Planning Agreement promotes the objects of the Environmental Planning and Assessment Act 1979

In accordance with Section 5 of the EPA Act, the Planning Agreement promotes the Objects of the EPA Act and specifically achieves the Objectives stated at Section 5(a)(i) to 5(a)(vii) in the following manner:

- Represents an orderly and economic use and development of land; and
- Provides land for public purposes and community facilities (road), through the implementation of the Developer Obligations outlined within the Planning Agreement.

How the Planning Agreement promotes the public interest

The Planning Agreement is in the public interest as it will result and construction of public road infrastructure being a roundabout for public purposes. These works will contribute towards meeting the present and future needs of the local community.

How the Planning Agreement promotes the objects of the Local Government Act 1993

The Planning Agreement is consistent with the following purposes of the *Local Government Act 1993*:

- To give Councils the ability to provide goods, services and facilities, and to carry out activities, appropriate to the current and future needs of local communities and the wider public.
- To give Councils a role in the management, improvement and development of the resources of their areas.

How the Planning Agreement promotes elements of Council's charter

In accordance with clause 25E(2)(d), Council's charter is provided at Section 8 of the *Local Government Act 1993*. In this respect, the Planning Agreement promotes the Council's charter in the following ways:

Provides adequate, equitable and appropriate services and facilities for the community, in the form of the Developers' Obligations, as outlined in the Planning Agreement.



Whether the Planning Agreement, amendment or revocation conforms with Council's capital works program

Council's Corporate Plan incorporates capital work projects aimed at vehicular and pedestrian connections. In this respect, the terms of the Planning Agreement conforms to that intent.

Whether the Planning Agreement specifies that certain requirements of the Planning Agreement must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

The Developer's Works must be delivered to the Council in accordance with the Planning Agreement prior to any Occupation Certificate being issued in relation to a development application for the redevelopment that is intended to be carried out on the Land; or within five years of the date of the Agreement whichever first occurs, unless a notice has been issued by Council requiring completion within a period of 2 years from the date of the notice.

The Impact of the Planning Agreement on the Public or any Section of the Public

The Planning Agreement will not adversely affect the public in any manner as it places obligations on the Developers that will affect the Developers and the Land only.

The Planning Agreement will benefit the public because it will enable the delivery of new infrastructure.



Annexure A Developer's Works plan





Signing page

Executed as an agreement

Executed for and on behalf of City of Parramatta Council by its representative in the presence of:

Signature of witness_____
Signature of representative_____
Full name of witness (print)_____
Full name of representative (print)_____
Address of witness (print)

Executed by Touma Family Superfund Pty Ltd ACN 121 647 881 in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by:

Signature of Director_____
Signature of Director/Company Secretary_____
Full name (print)_____
Full name (print)

Executed by Tecad Fitness Pty Ltd ACN 123 153 807 in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by:

Signature of Director_____
Signature of Director/Company Secretary_____
Full name (print)_____
Full name (print)

Planning Agreement
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General Manager
City of Parramatta Council
126 Church Street,
PARRAMATTA NSW 2124

January 15, 2018

RE: 21 TUCKS ROAD, TOONGABBIE

To whom it may concern,

I refer to Council's letter recommending the applicant to undertake a current flood study at the subject site to accurately determine flood planning levels for the proposed development proposal. Mance Arraj Engineers have been engaged by the applicant to conduct a 2D flood study as supplementary information for the planning proposal; this letter contains a brief summary of the calculation and considerations of the flood study.

A detailed survey of the sites surrounding roads was prepared by SDG surveyors and was the basis of the 2D terrain model. *(See attached)*

A catchment plan was prepared using Council's drainage maps and LiDAR data. *(See attached)* Council's drainage infrastructure was visually inspected on site. All pipes sizes and locations were found to be consistent with Council's drainage maps with the exception of the following 675mm pipe, which was not evident at the intersection between Fitzwilliam Road and Tucks Roads.

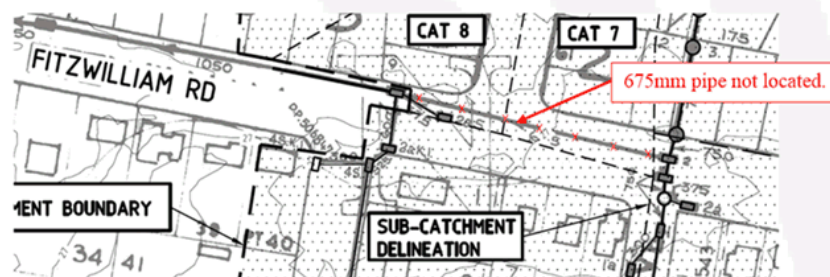


Figure 1 – Non-evident drainage line

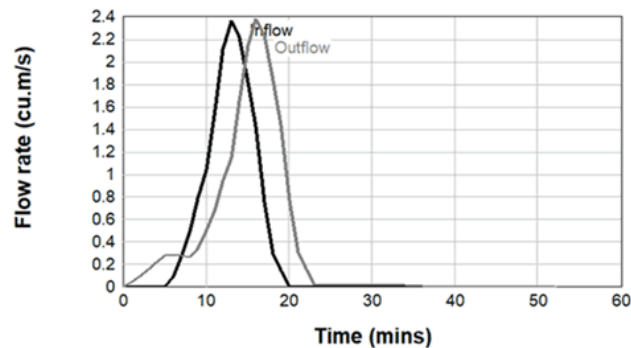
1st Floor, 278-282 Church Street
Parramatta NSW 2150
P: +612 8897 8800

P.O. Box 2555
North Parramatta, NSW 1750
www.maengineers.com.au

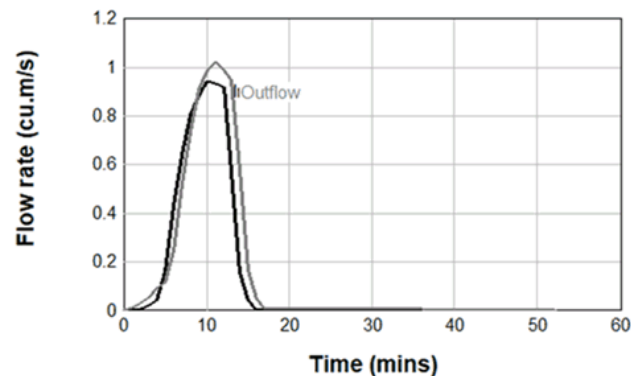
2034 - Flood Modelling Summary_B.docx



From the attached catchment plan, a DRAINS model (utilising an ILSAX Hydrological model for urban development) was then created to simulate the Council's drainage capacities in a 1% AEP storm event and the resulting overland flows. At the subject site, stormwater flows are conveyed via a 600mm diameter pipe in Tucks Road and a 1050mm diameter pipe in Rausch Street. These drainage pipes were modelled with a consideration for blockage by restricting their capacity by 50% to account for a flooding scenario where these pipes may be partially blocked by silt and debris. The model produced the following peak overland flow hydrographs for Tucks Road and Rausch Street.



Graph 1 - Peak Overland Flow Rates for Tucks Road



Graph 2 - Peak Overland Flow Rates for Rausch Street

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A two-dimensional model was created using HEC-RAS Version 5.0.3 software and a hydraulic analysis of the sites terrain using the above mentioned flow rates computed the following results:

- Flood Levels



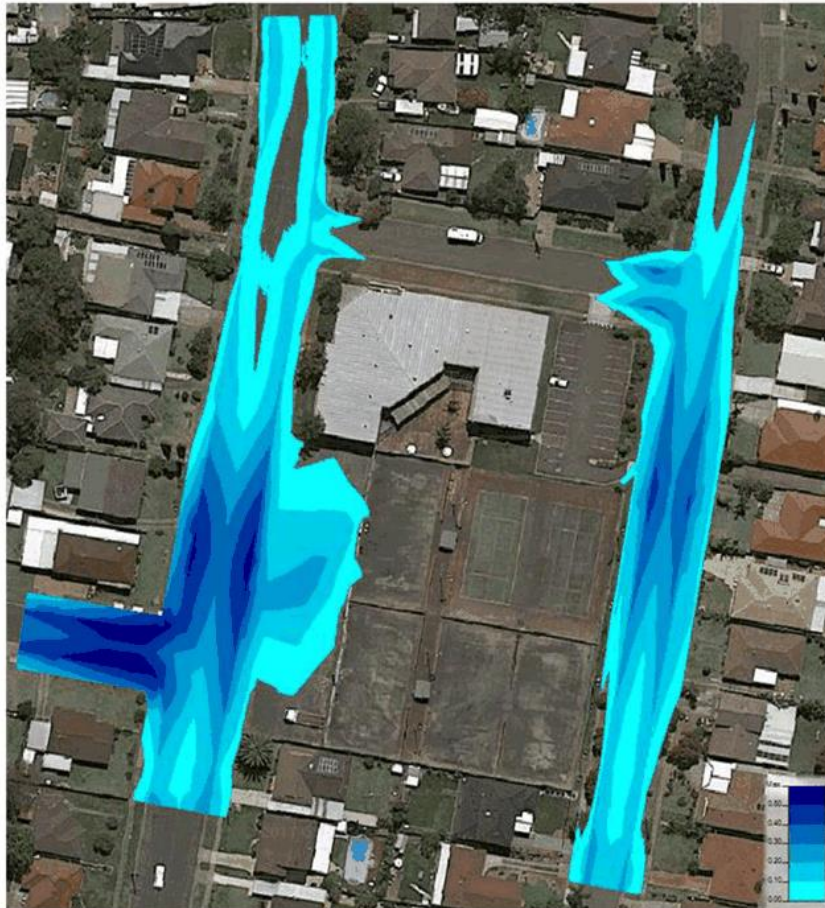
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- Flood Depths



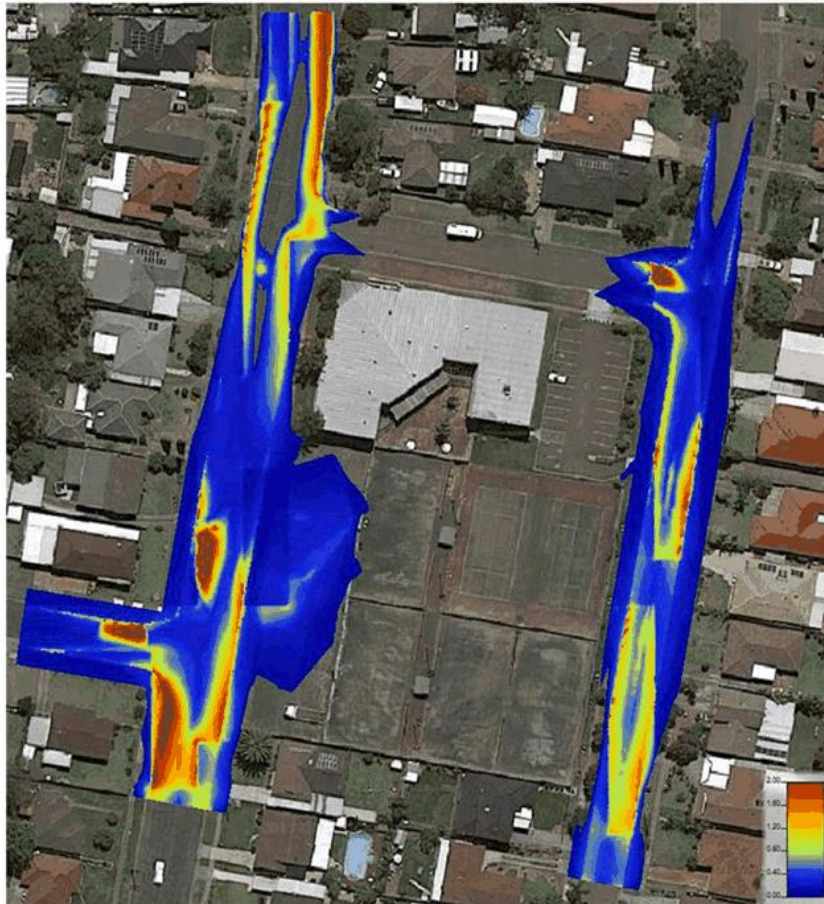
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- Flood Velocities



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- Flood Hazard (VxD product)



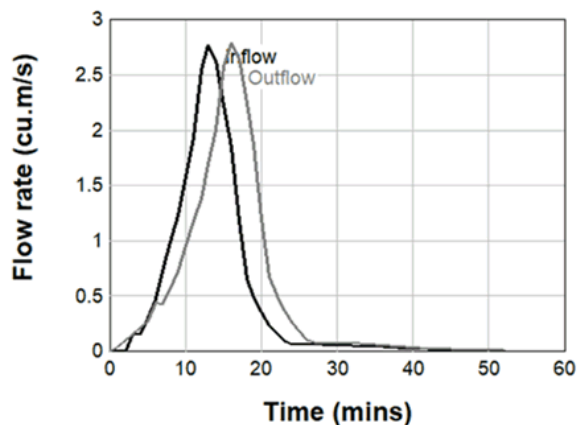
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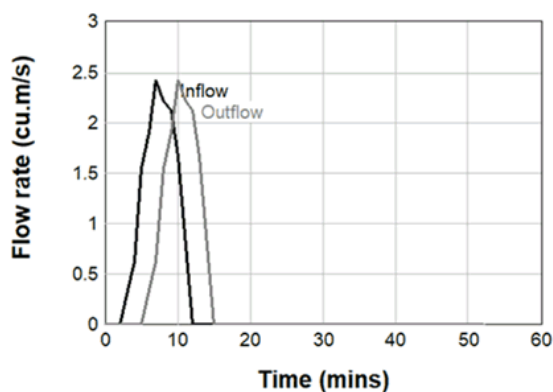
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Council has requested that flood scenario of full pipe blockage be modelled as a sensitivity test. As such the following flow rates was determined:



Graph 3 - Peak Overland Flow Rates for Tucks Road



Graph 4 - Peak Overland Flow Rates for Rausch Street

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Item 18.4 - Attachment 2

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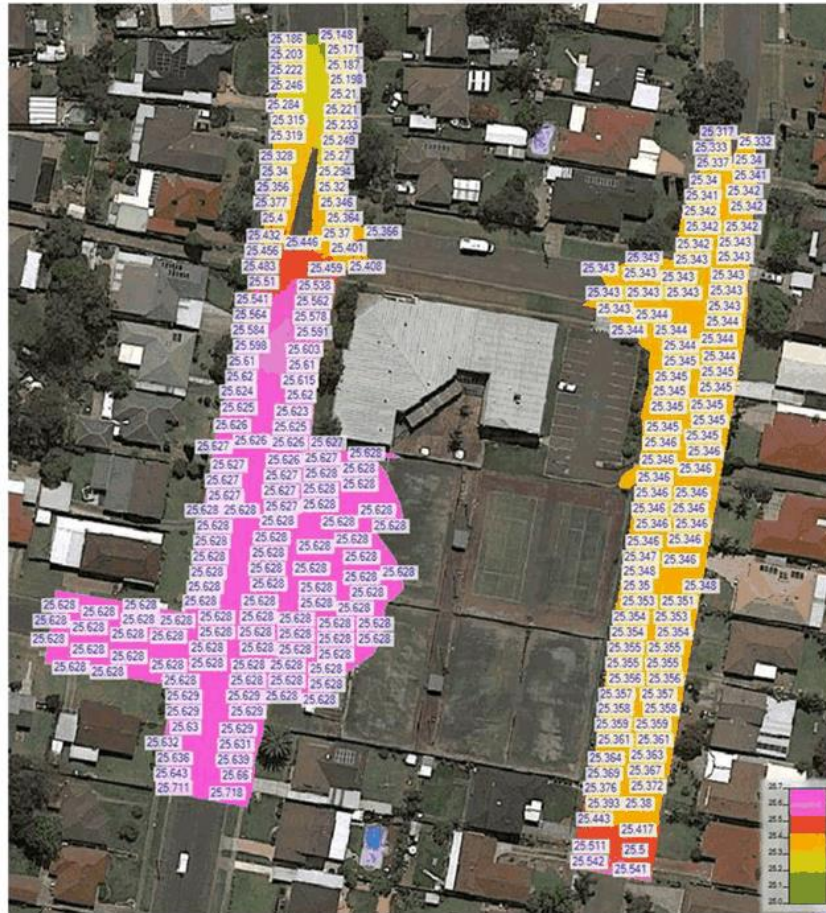
Item 6.2 - Attachment 4

Additional detailed flooding information from the applicant



The following results have been computed from a full pipe blockage scenario:

- Flood Levels



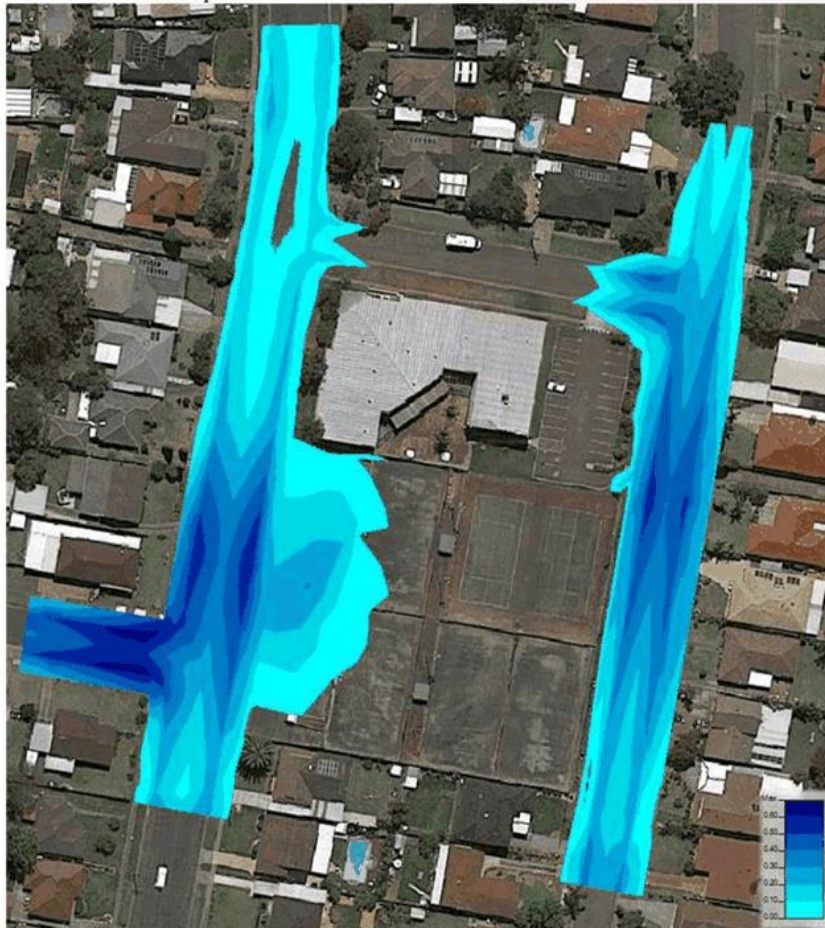
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• Flood Depths



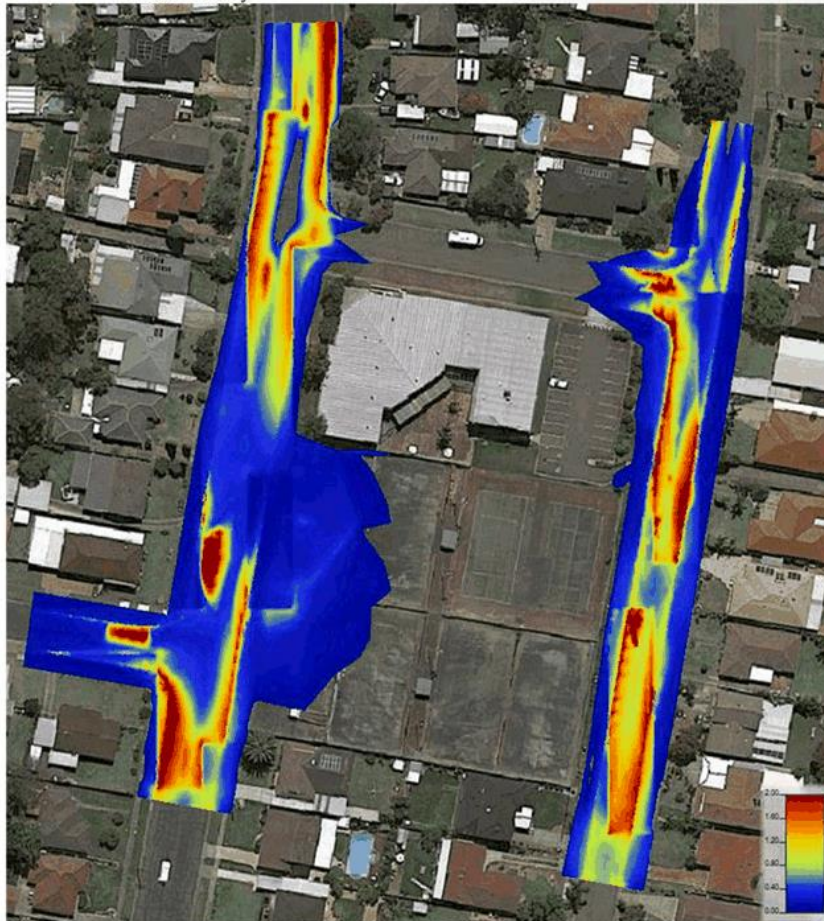
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• Flood Velocity



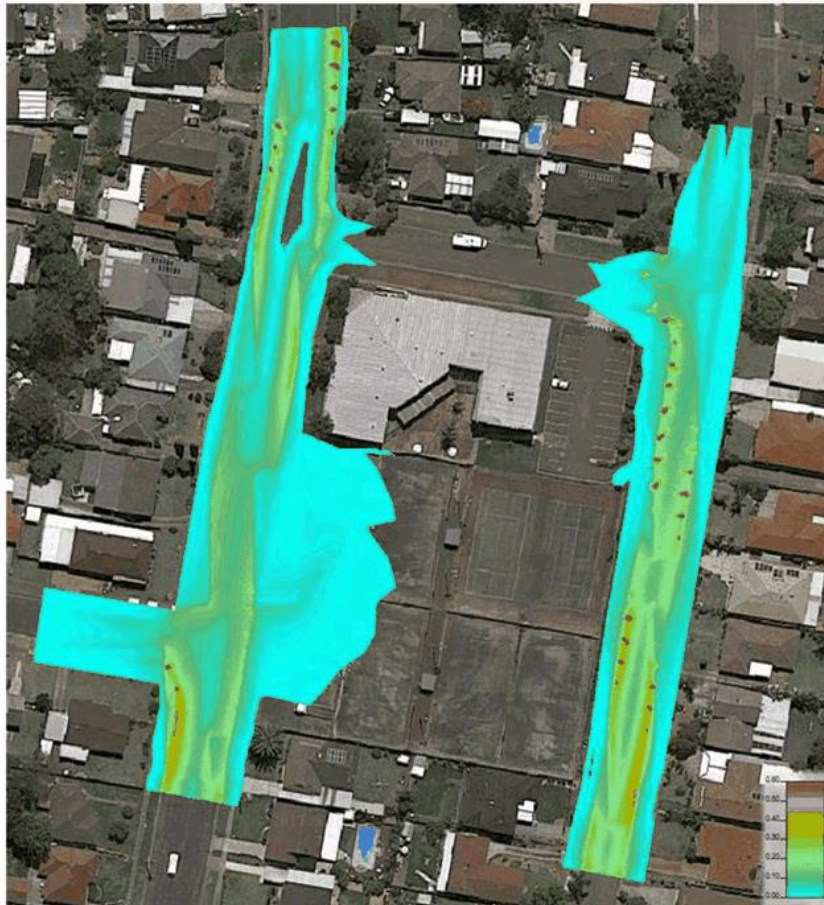
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- Flood VxD Product



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The results of the 2D flood study shows that the site is subjected to localised overland flows from both Tucks Road and Rausch Street with top water levels of RL.25.58 and RL.25.235 respectively.

In accordance with the city of Parramatta Council's flood matrix requirements, the proposed development shall provide a minimum of 500mm freeboard to the flood level. Therefore, a flood planning level of RL.26.18 shall be adopted for the proposal.

The development proposes the entry to basement carpark from Rausch Street, thus it is necessary to protect the basement from inundation. Flood waters in Rausch Street are static and rise to RL.25.235 before eventually overtopping a high point in Rausch Street. Therefore, it is recommended that provisions for flood gates or a driveway crest at RL.25.835 be incorporated into the schematics of the proposed development.

In comparison to Council's issued flood levels (*see attached*) we note the following differences in flood levels, when **50% pipe blockage** is taken into consideration:

Chainage	Flood Levels (metres AHD) – 1% AEP		
	Council Issued	2D HEC-RAS Model	+/- Difference
169	25.65	25.581	-0.069
602	25.40	25.235	-0.165
62	25.40	25.235	-0.165

In comparison to Council's issued flood levels (*see attached*) we note the following differences in flood levels, when **full pipe blockage** is taken into consideration:

Chainage	Flood Levels (metres AHD) – 1% AEP		
	Council Issued	2D HEC-RAS Model	+/- Difference
169	25.65	25.628	-0.022
602	25.40	25.346	-0.054
62	25.40	25.343	-0.057

We trust this explains our position regarding this matter. If you have any queries, please do not hesitate to contact me on 8897 8800.

Sincerely Yours,

A handwritten signature in black ink, appearing to read 'Steve Arraj'.

Steve Arraj
Director – Civil Engineering

1st Floor, 278-282 Church Street
Parramatta NSW 2150
P: +612 8897 8800

P.O. Box 2555
North Parramatta, NSW 1750
www.maengineers.com.au

2034 - Flood Modelling Summary_8.docx

Council officer responses are provided to the common themes raised in the objections:

RESPONSES TO OBJECTIONS		
1.0	LAND USE PLANNING	
1.1	The proposed rezoning is inconsistent with housing in the area and allows for redevelopment and renewal of the site in a manner incompatible with the surrounding neighbourhood	<p>The existing B1 Neighbourhood Centre zone currently allows a range of uses within the surrounding low density residential context including recreation facilities (indoor), recreation facilities (outdoor) and shop top housing. These uses are currently proposed by the applicant as part of the Planning Proposal, however, the Proposal seeks to expand the business zone (rezone from B1 to B4) over a larger part of the site to enable development that consists not only mixed use development but also standalone residential flat buildings up to a maximum height of 4 storeys (existing controls permits up to 3 storeys).</p> <p>The proposal also seeks to manage the impact of the development through appropriate setback controls to the south. The site which is currently being used as a gym is surrounded by roads at the northern, eastern and western frontages and is considered to provide adequate separation to the adjoining low density properties. It is considered that the Planning Proposal and associated DCP will result in development that will be compatible with the surrounding context.</p>
1.2	Majority of B4 Mixed Use land uses, including the development concept, are out of character with established and expected development in the neighbourhood	Refer to 1.1
1.3	No certainty on what the final development will be	<p>Council's role in setting planning policy is to determine the appropriate zoning and controls. The owner of the land can make a decision as to which use permitted under the zoning that they wish to pursue on the site. Council's position based on the planning report resolved not to mandate the provision of a leisure centre on the site. However, the site specific DCP provides detailed controls identifying where active frontages should be located, to guide future development including non-residential uses which may include a gym.</p> <p>With any proposal, Council officers must consider the appropriateness of the zoning holistically, notwithstanding that the developer may choose to pursue a different commercial use at this location in accordance with Council requirements</p>

Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 5

Responses to Objections from the Public

		within B4 Mixed Use zones at the DA stage. Any revised scheme would be subject to height, FSR, zoning and flooding controls as outlined in the Planning Proposal and DCP.
1.4	The redevelopment / revitalisation of the gym/site should be under the current planning controls	The existing B1 Neighbourhood Centre zone would permit revitalisation of the subject site (including the gym) up to 3 storeys. However, this would be limited to the area currently zoned B1. The Planning Proposal has been assessed by Council officers as still being compatible with the surrounding area (given the modest increase in height and FSR) and that any amenity impacts can be addressed through controls in the site specific DCP.
1.5	The best development for this site is medium density	The proposed controls under the Planning Proposal has undergone assessment and demonstrates enough strategic merit to be considered an appropriate land use. Medium density development, such as townhouses are not being proposed as part of the proposed. However, they are permitted within the B4 zone.
2.0	STRATEGIC FRAMEWORK	
2.1	A B4 Mixed Use zone in this locality is inconsistent with Council's planning strategies for locating such zones	<p>Council's planning strategies are derived from the State Government's strategic planning framework. Planning Proposals are assessed in light of these strategies and progressed if there is sufficient strategic merit to proceed. The Planning Proposal supports a number of objectives from the Greater Sydney Region Plan – <i>A Metropolis of Three Cities</i> and planning priorities from the District Plan – the <i>Central City District Plan</i>. Below are the objectives and planning priorities that are considered to be broadly supported by the Planning Proposal:</p> <p>Greater Sydney Region Plan – <i>A Metropolis of Three Cities</i>:</p> <ul style="list-style-type: none"> • Objective 4: Infrastructure use is optimised • Objective 6: Services and infrastructure meet communities' changing needs • Objective 7: Communities are healthy, resilient and socially connected • Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods • Objective 10: Greater housing supply • Objective 11: Housing is more diverse and affordable • Objective 12: Great places that bring people together

Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 5

Responses to Objections from the Public

		<p>The District Plan – the <i>Central City District Plan</i>:</p> <ul style="list-style-type: none"> • Planning Priority C3: Providing services and social infrastructure to meet people's changing needs • Planning Priority C4: Fostering healthy, creative, culturally rich and socially connected communities • Planning Priority C5: Providing housing supply, choice and affordability with access to jobs, services and public transport • Planning Priority C6: Creating and renewing great places and local centres and respecting the District's heritage <p>These plans inform the local strategic plan – <i>Community Strategic Plan 2018-2038</i> by supporting the goals to achieve Parramatta's vision of being a sustainable, liveable, productive and leading city.</p> <p>It is considered that the Planning Proposal demonstrates enough strategic merit to be considered for rezoning to enable appropriate redevelopment of the site. The B4 Mixed Use zone supports these State Strategic Objectives and priorities as well as the local strategy. Furthermore, the planning proposal meets the objectives of the B4 Mixed use zone and state relevant B4 objectives. Therefore, it is considered that the proposed B4 Mixed Use zone is consistent with the relevant planning strategies.</p>
2.2	Council's current housing strategies and initiatives are delivering the required housing supply and choice outcomes for the city	<p>The Planning Proposal supports the State Government's strategic planning framework which identifies future housing targets for the Central City Region of the Sydney Metropolitan to be 53,500 by 2021 and 207,500 by 2036, of which, the of the Parramatta LGA is targeted for 21,650 by 2021. The Planning Proposal contributes to the housing targets by amending the planning controls to enable approximately 80 dwellings. It is acknowledged that while Council is on track to meet these targets based on existing planning proposals and precincts across the LGA, however, these targets are not intended to be interpreted as a dwelling cap. Furthermore, a dwelling mix of different apartment types are proposed to improve housing choice. The Planning Proposal offers a different housing type than the surrounding single storey dwellings, thus contributing to the provision of more diverse and affordable housing.</p>

Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 5

Responses to Objections from the Public

2.3	There are more appropriate areas for Council to fulfil its obligations for higher density housing Meeting government residential targets is no excuse to place a high density development in a low density area. It is more appropriate closer to the station.	The Planning Proposal has been assessed against the relevant strategic planning documents and has demonstrated that it provides enough strategic merit to be considered for rezoning, not only on the grounds of meeting housing targets but by supporting a number of other planning objectives and priorities (refer to 2.1). Given that this is the case, the rezoning and subsequent increase in density is considered appropriate for this site.
2.4	The process for assessing development is not appropriate	Council's process for assessing Planning Proposals are set out by the Department of Planning and Environment and are subject to legislation provisions which are a result of the current NSW planning system. The planning proposal is being revised in accordance with these requirements.
3.0	URBAN DESIGN OVERSHADOWING / OVERLOOKING	
3.1	Loss of privacy due to height / overlooking	Site specific controls have been prepared in the associated draft DCP to ensure that the development is appropriate with the surrounding neighbourhood context. These controls include setbacks to all sides of the site to minimise the bulk and scale of the development and to address amenity issues for residents of the site and those around it. In particular, upper level setbacks for the fourth storey and setbacks from the southern boundary of the site are well setback to minimise amenity impacts from the public domain and adjoining properties to the south of the site (i.e. 22m from the southern boundary). These setbacks also ensure that overlooking is minimised and privacy is retained. The DCP can be seen in Attachment 2 .
3.2	Increase of height will cause overshadowing	Site specific controls have been prepared in the associated draft DCP to ensure that the development is appropriate with the surrounding neighbourhood context. These controls include setbacks to all sides of the site to minimise the bulk and scale of the development and to address amenity issues for residents of the site and those around it. The proposed built form and associated controls of the DCP seek to minimise overshadowing impacts by any future development. Notwithstanding, a more detailed assessment of the proposal at the DA stage will occur including assessment of any overshadowing impacts to nearby adjoining properties. The DCP can be seen in Attachment 2 .

3.3	<p>The development will be an eye sore</p> <p>The proposed development is out of character and would have a negative impact on the neighbourhood character</p>	<p>Site specific controls have been prepared in the associated draft DCP to ensure that the development is appropriate with the surrounding low density neighbourhood and to achieve high quality design outcomes. These include provisions to minimise the bulk and scale of the development and to address amenity for residents of the site and those around it. These controls are considered acceptable by Council officers.</p> <p>The issue of character, then, is subject to Council's assessment of detailed designs which occurs at the Development Assessment stage. The proposed development will need to be assessed against the provisions of the NSW Department of Planning and Environment's Apartment Design Guide and Council's DCP to ensure that the proposal is compatible with the surrounding area.</p>
4.0	FLOODING	
4.1	The flood report is inadequate	<p>The initial flood report was exhibited concurrently with the Planning Proposal. The NSW Office of Environment and Heritage (OEH) were consulted as per condition 3 of the Gateway Determination who requested a further detailed flood study to be undertaken by the proponent. This was undertaken by the proponent at the request of Council who then referred it back to the OEH. The OEH have reviewed the additional information and was satisfied with the detailed study and provided no further comments. The detailed flood study can be viewed at Attachment 4.</p>
4.2	The submitted flood report does not examine the impact of the proposal on surrounding properties and the local flood regime	<p>The initial flood report did examine the impact of flooding on surrounding properties and the local flood regime, concluding that "there will be no significant impacts to other properties". The NSW Office of Environment and Heritage (OEH) were consulted as per condition 3 of the Gateway Determination. An additional 2D flood study was subsequently undertaken by the proponent at the request of OEH. The supplementary flood study provided detailed modelling of flood impacts to the site and surrounding roads to the satisfaction of OEH. OEH have since reviewed the planning proposal including the flood studies and have no further comments. The detailed flood study can be viewed at Attachment 4.</p>
4.3	The underground carpark will be below flood levels	<p>Council officers agree with the State Emergency Service (SES) that there are still concerns relating to the provision of basement car parking at the subject site. This is mainly due to the difference between the 1% Annual Exceedance Probability</p>

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		<p>(AEP) and the Probable Maximum Flood (PMF) (which is approximately up to 4m-5m) and the ability to manage floodwater inundating the basement in a PMF event.</p> <p>Council currently permits basement car parking in areas subject to the 1% AEP and the PMF provided floodwaters can be managed appropriately. In a PMF event it is acknowledged that the area is subject to being fully inundated. Therefore, any future basement car parking, whilst permissible, would need to be designed to appropriately manage floodwaters during such an event in accordance with Council requirements. This may include tanking, flood gates, as well as any other necessary engineering measures to manage floodwater in a PMF flood event. Accordingly, any future basement parking will need to be addressed at the DA stage if this is proposed.</p>
4.4	The development will worsen flooding due to extra run off	The flooding impacts have been assessed and considered acceptable based on the flood studies provided by the applicant which were reviewed by Council officers and OEH. It is acknowledged that there are still concerns relating to the provision of basement car parking at the subject site, however, no objection was raised from OEH nor Council's flooding team in relation to the proposal worsening flood. Further detailed design will take place at the DA stage which will take into consideration flood mitigation measures.
4.5	Council should not allow development on flood prone land	Approximately one third of the City of Parramatta LGA is within a flood prone area, including the CBD and other centres. In keeping with the NSW Floodplain Development Manual, Council officers are required to assess development based on a risk-based merit approach. The Planning Proposal is not in a high hazard flooding area and does not propose sensitive or critical uses. Furthermore, the Planning Proposal indicates an application of Council's adopted flood planning levels which is consistent with Council's approach to assessing development in flood prone areas. In this regard, the Proposal is considered acceptable on flooding grounds.
4.6	Flood evacuation plan concerns	Council's flood modelling predicts that 1% AEP flooding does not generally enter the site itself except for a limited area along the western boundary and at a portion to the north east. Furthermore, the site is not subject to high hazard flooding and the proposed development is in accordance with Council's adopted flood planning

		<p>levels. The application of Council's flood planning levels, which is the 1% AEP flood level plus 500mm freeboard, is implemented to mitigate flooding impacts should the development be subject to 1% AEP flooding events. However, in a 1% AEP flood event, any emergency access or evacuation would need to be along the streets to the south east.</p> <p>In a PMF flooding event, however, it is acknowledged that the whole site and the surrounding area will be inundated with floodwaters being 4m-5m deep, making evacuation and emergency access to the site impossible. In such a situation, shelter-in-place appears to be the only strategy that can provide a degree of PMF protection for occupants and others in the locality. Whilst this strategy relies on rescue which may be difficult, it is considered that shelter-in-place will provide residents safe refuge during times when SES and other services are finding access difficult. That said, reliance on rescue will also apply to any form of development on this site (regardless of whether or not the Planning Proposal progresses) and to the surrounding area in a PMF event. An Emergency Management Plan will be detailed at the development application stage.</p> <p>It is noted that the SES has also raised concerns about the Flood Evacuation Plan for the site, and this matter is dealt within the body of the report.</p>
5.0	TRAFFIC	
5.1	The submitted traffic assessment is inadequate and should not be relied upon to justify the proposal	<p>The assumptions and results of the submitted Traffic and Transport Assessment Report were assessed to be an accurate representation of increased traffic generation resulting from the proposed development. It is considered that the Traffic and Transport Assessment Report is accurate and should be relied upon in conjunction with comments from RMS. Furthermore, Council's Senior Traffic and Transport Engineer reiterated the accuracy of the traffic counts presented in the Planning Proposal Traffic and Transport Assessment Report. A roundabout at the junction of Fitzwilliam Road and Tucks Road is supported and considered that it would provide adequate access control.</p> <p>The Planning Proposal was referred to RMS for comment as part of the public exhibition of the proposal. RMS assessed the proposal and raised no objection to it, based on the relative low scale of population growth and associated traffic</p>

		<p>generated by the proposed development. Further, RMS raised no objections to the development of a roundabout at the junction of Fitzwilliam Road and Tucks Road as part of the draft Voluntary Planning Agreement.</p> <p>At the request of Councillors of the Parramatta Ward, a peer review of the traffic and parking assessment report was completed that indicates that the methodology used was sound and that the results were accurate. It further clarified that since the existing gym facilities are proposed to be retained, the additional trip generation would only come from the new residential apartments. This was assessed using the <i>RMS Guide to Traffic Generating Development</i> (October 2002) to be 24 additional peak hour vehicle trips instead of 69 peak hour vehicle trips assumed in the report. It was recommended, however, that the traffic information be updated to include required additional information.</p> <p>The applicant submitted additional traffic information in July 2018 which was assessed by Council's traffic engineers. Council's Senior Traffic and Transport Engineer reviewed the peer review of the applicant's traffic and parking assessment report as well as the associated addendum traffic report and advised that the updated traffic study is accurate and reflects the recommendation of the peer review report. Moreover, it is further reiterated that an upgrade of the intersection of Fitzwilliam Road and Tucks Road with a roundabout is required to manage the existing traffic issues and any increased traffic movements as a result of this Proposal.</p> <p>Further consideration of the traffic implications will be required to be undertaken as part of a future development application.</p>
5.2	The development will cause significant increases in traffic generated	<p>Council's Senior Traffic Engineer and NSW Roads and Maritime Services have reviewed the Traffic and Transport Assessment Report and have concluded that the traffic generated from the proposed development is will not have a significant impact on the local traffic network. Furthermore, a peer review of the traffic and parking assessment report was completed that indicates that the methodology used was sound and that the results were accurate. It further clarified that since the existing gym facilities are proposed to be retained, the trip generation would only come from the additional residential apartments. This was assessed using the</p>

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		<i>RMS Guide to Traffic Generating Development</i> (October 2002) to be 24 additional peak hour vehicle trips instead of 69 peak hour vehicle trips assumed in the applicant's original traffic report. Refer to 5.1 for further details.
5.3	<p>The proposed roundabout (VPA) will do nothing to alleviate traffic and improve crossing safety</p> <p>The voluntary (non-binding) planning agreement on traffic management (a roundabout at Tucks & Fitzwilliam Roads) will do absolutely nothing with respect to the increasing traffic problems associated with not only at this intersection but also with the Rausch Street/ Fitzwilliam Street and Reynolds Street/ Fitzwilliam Road intersections.</p>	<p>Council engineers and the NSW Roads and Maritime Services have assessed the traffic assessment report and the inclusion of a roundabout as part of a Voluntary Planning Agreement and raise no objection to it. This is supported by Council officers and Council traffic engineers and is considered that it will assist in mitigating existing traffic uses for vehicles turning right onto Fitzwilliam Road from Tucks Road as well as ensuring access to and from the site is adequate.</p> <p>The roundabout is proposed to be completed prior to the occupation of any future redevelopment of the site or within 5 years of the execution of the Voluntary Planning Agreement (whichever comes sooner). Once the VPA is finalised, the proponent will be obligated to deliver the roundabout should they proceed with the proposed development.</p>
5.4	Traffic lights are a better option than a roundabout to relieve traffic and enhance safety	<p>Council engineers and the NSW Roads and Maritime Services consider a roundabout sufficient for the intersection at Fitzwilliam and Tucks Road to mitigate the existing traffic issues and any impact resulting from the proposed development.</p> <p>RMS have commented that it is unjustified to construct a new traffic signal at this intersection because of the new development since it does not meet the criteria/warrants needed to be satisfied before a new traffic signal can be approved. This criterion includes:</p> <p>(a) <i>Traffic Demand:</i> For each of four one-hour periods of an average day:</p> <ol style="list-style-type: none"> The major road flow exceeds 600 vehicles/hr in each direction; and The minor road flow exceeds 200 vehicles/hr in one direction <p>Or</p> <p>(b) <i>Continuous Traffic:</i></p>

		<p>For each of four one-hour periods of an average day:</p> <ul style="list-style-type: none"> i. The major road flow exceeds 900 vehicles/hr in each direction; and ii. The minor road flow exceeds 100 vehicles/hr in one direction; and iii. The speed of traffic on the major road or limited sight distance from the minor road causes undue delay or hazard to the minor road vehicles; and iv. There is not any nearby traffic control light site easily accessible to the minor road <p>Or</p> <p>(c) <i>Pedestrian Safety:</i> For each of four one-hour periods of an average day:</p> <ul style="list-style-type: none"> i. The pedestrian flow crossing the major road exceeds 150 persons/hr; and ii. The major road flow exceeds 600 vehicles/hr in each direction or where there is a central median of at least 1.2m wide, 1000 vehicles/hr in each direction <p>Or</p> <p>(d) <i>Pedestrian Safety – high speed road:</i> For each of four one-hour periods of an average day:</p> <ul style="list-style-type: none"> i. The pedestrian flow crossing the major road exceeds 150 persons/hr; and ii. The major road flow exceeds 450 vehicles/hr in each direction or where there is a central median of at least 1.2m wide, 750 vehicles/hr in each direction; and iii. The 85th percentile speed on the major road exceeds 75km/hr <p>Or</p> <p>(e) <i>Crashes:</i></p> <ul style="list-style-type: none"> i. The intersection has been the site of an average of three or more
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		<p>reported tow-away or casualty traffic accidents per year over a three year period, where the traffic accidents could have been prevented by a traffic control light; and</p> <p>ii. The traffic flows are at least 80% of the appropriate flow warrants</p>
5.5	Concern that because the access point to the site is on Rausch St, residents / gym users will not use the Tucks Rd-Fitzwilliam Rd intersection, rather will use Rausch St-Fitzwilliam Rd intersection. No traffic management for this intersection has been proposed	Whilst the proposed access point to the site is situated at Rausch Street, this may change and will be assessed further at the Development Assessment stage. Based on expressions from the public regarding the difficulty of merging onto Fitzwilliam Road from either Tucks Road or Rausch Street, it is expected that residents/gym users would access the site from the Tucks/Fitzwilliam Road intersection as there is a proposed roundabout to be constructed as part of a VPA that will enable easier and safer access to the site.
5.6	Turning right out of Tucks Road onto Fitzwilliam is almost impossible	Refer to 5.3
5.7	The Tucks Road pedestrian crossing is raised considerably making crossing difficult	The existing pedestrian crossing has been designed and constructed in accordance with the necessary standards for road design.
5.8	Access points for the precinct are inadequate	The street layout in Toongabbie is well established and has served the area to the current date. No new access points to the suburb are anticipated or proposed, however, an upgrade to the intersection at Fitzwilliam Road and Tucks Road by construction of a roundabout is proposed under a VPA. The roundabout will improve access to the area and alleviate existing traffic pressures and any impacts as part of this proposal.
6.0	PARKING	
6.1	There will not be adequate parking from the development resulting in overflow cars parking on the streets	The parking provisions under the Parramatta Development Control Plan 2011 (PDCP 2011) requires a provision of 172 car parking space. The proposed concept design includes 191 spaces, which is more than what is required under the PDCP 2011. This results in a surplus of required parking given existing DCP requirements, therefore it is considered that there will be adequate parking from the development. Notwithstanding, the issue of ensuring sufficient car parking provisions will be further assessed at the DA stage.
6.2	Patrons of the gym will not use the	Refer to 6.1. It is encouraged that patrons of the gym utilise the provided parking

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	development's parking and will park on the street	given that there will be an adequate provision as a result of the development.
7.0	PUBLIC TRANSPORT	
7.1	The site is not in a location that would maximise public transport patronage and encourage walking and cycling, an objective of the B4 Mixed Use zone	<p>Council officers are of the view that the Planning Proposal is consistent with the Ministerial Direction Section 9.1 (formerly Section 117) of the Environmental Planning and Assessment Act 1979. Direction 3.4 – Integrating Land Use and Transport. The <i>Central City District Plan</i> identifies the catchment area to centres with rail, light rail or regional bus transport to be within walking distance (10 minutes) and is one of the criterion for urban renewal. The subject site is approximately 1km walking distance from Toongabbie Railway Station and the Johnston's T-Way bus stop. This translates to approximately 10 minutes walking time to either public transport service. Increasing the density in the walking catchment around transport nodes will support the viability of existing and proposed public transport services and reduce dependence on cars.</p> <p>The proposed gym on the ground floor with the entry and reception located at the Tucks Road frontage encourages pedestrian activity and walking / cycling to the development. A through site link has also been proposed that links Rausch Street and Tucks Road in an east-west orientation. This link would serve the public, the residents and visitors to the site. It is considered that this would provide greater accessibility and permeability through the site.</p>
7.2	Increased development will put increasing pressure on Toongabbie train station	The Planning Proposal supports the strategic planning framework including the Sydney Region Plan and District Plan which highlight the importance of optimising infrastructure, including public transport. Furthermore, major works have been recently completed as part of the Toongabbie Station upgrade to allow for greater service and accessibility.
8.0	NOISE / POLLUTION	
8.1	Increased noise generated from the development / residents	The proposal intends to maintain the existing gym including subsequent indoor recreational facilities as well as tennis courts (outdoor recreational facilities). The only addition to the proposal would be the residential apartments. However, it is expected the future DA will need to ensure appropriate sound mitigation arising from the gym in relation to apartments above and to nearby residents. Noise from

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		the proposed development is and will remain subject to noise time restrictions in accordance with the City of Parramatta Council's time restrictions on the use of certain potentially noise generating uses and the <i>Protection of the Environment Operations (Noise Control) Regulation 2008</i> .
8.2	Increase in pollution generated from the development	The land uses currently permissible under the existing controls are considered compatible with the surrounding land uses. The proposed land uses under the Planning Proposal (i.e. recreation facilities (indoor), recreation facilities (outdoor) and shop top housing) are considered compatible with the surrounding land uses given that they are already permissible. Increases to pollution are more of an issue with land uses that are not compatible with the surrounding uses, such as industrial uses. Given that these types of uses are not proposed, nor permissible under the current or proposed controls, the proposal is not considered to have a significant adverse impact on pollution levels.
9.0	PRECEDENT	
9.1	A precedent will be set for future rezoning and development in the neighbourhood	The Planning Proposal has been assessed against the State Government's strategic planning framework and is going through the planning proposal process. The existing B1 Neighbourhood Centre zone already permits shop top housing up to 3 storeys. The site is also bound by roads to the north, east and west with a transition to low density residential to the south. Given these circumstances, it is considered that the Planning Proposal is relatively contained and the potential to set a precedent for adjoining sites would need to be properly justified and go through the planning proposal process.
9.2	Unaware of other 4 storey developments in the neighbourhood	It is acknowledged that there are no other four storey development in the immediate neighbourhood, however, there are four storey developments in the Toongabbie suburb, particularly along Wentworth Avenue. In relation to the subject Planning Proposal, a draft DCP has been prepared to ensure that appropriate controls are implemented to mitigate amenity impacts and to guide development in a manner that considers the surrounding character including bulk and scale.
10.0	GYM MEMBERS	
10.1	Concern that letters of support are likely due to the signatures are visitors to the gym and	Council considers and reviews submissions made during the formal public exhibition period, regardless of whether they are in support of or objecting to the

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	therefore likely to skew results of submissions received	proposal.
10.2	Gym members will be displaced during construction stage and go to other gyms and most likely not to return to this new one, a big sports complex already exists nearby	The issue of gym members being displaced during the construction period of the existing gym is a matter for the existing gym owner and not a matter for consideration relating to the Planning Proposal.
11.0	SCHOOLS INFRASTRUCTURE	
11.1	Schools will be under additional pressure which are already at capacity	Council will continue to liaise with the relevant state agencies to ensure that there are adequate infrastructure provisions as a result of this potential development. This will be further assessed during the DA stage. In particular, the provision of schools is a matter for the Department of Education (DoE). Council will continue to advocate for the appropriate provision of schools in the area with the DoE.
11.2	The current infrastructure in the location is over 40 years old. The addition of 80+ units worth of sewage, grey water, gas and electricity demand, will place a strain on infrastructure set up for low density housing	Council will continue to liaise with the relevant state agencies to ensure that there are adequate infrastructure provisions as a result of this potential development. This will be further assessed during the DA stage.
11.3	The development would put extra strain on parks and open space / loss of recreational land	While the site is currently used for recreational purposes (gym, squash courts and tennis courts), the land and business use is in private ownership. The owner is not obligated to continue this use should they wish to change it. The applicant has indicated an intention to rebuild a gym and two (2) tennis courts on the site, however, there is no statutory ability of Council to require this as part of a future redevelopment of the site. Refer to 1.3 for further information. Council's Service Manager Recreation Facilities & Programs raised no objection to the proposal, but indicated that any increase in density would increase demand for nearby Council owned recreation and open space facilities. Therefore, any additional new recreation facilities provided by the redevelopment of the site could enhance the recreation offering in the area.
11.4	Will the developer / Council / community pay for infrastructure upgrades	The upgrades to the intersection at Fitzwilliam Road and Tucks Road will be provided by the developer as part of a VPA in addition to Section 7.12 development contributions payable in conjunction with the future development of

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		the site.
11.5	Concerns about significant increases in residents in the area without corresponding infrastructure	The proposed development includes a mix of dwellings including 1 bedroom, 2 bedroom and 3 bedroom apartments. This will be guided by the Parramatta DCP to ensure that there is an appropriate mix to cater for a variety of households, some larger and some smaller. Furthermore, road infrastructure upgrades will be carried out by the applicant under the VPA in addition to any Section 7.12 contributions to upgrade other infrastructure to serve the proposal and the surrounding area.
11.6	Recreation facilities on site should be upgraded	Refer to 11.3
11.7	Upgrades to road infrastructure should be required	Refer to 5.3
12.0	REZONING COUNCIL SALE OF LAND	
12.1	Residents were not consulted when Council rezoned the tennis courts to R2 Low Density Residential	The reclassifying and rezoning of 21A Tucks Road, Toongabbie underwent the Council planning proposal process and was publicly exhibited between October and November 2011. During this time, residents were given the opportunity to make a formal submission to that particular planning proposal. 21A Tucks Road, Toongabbie was rezoned from 6(a) Public Open Space (under the former LEP) to R2 Low Density Residential and reclassified from 'Community' to 'Operational' in 2012.
12.2	It was inappropriate for Council to rezone the land (currently the tennis courts) to low density residential	<p>The rezoning of 21A Tucks Road, Toongabbie was part of a planning proposal that intended to rezone and reclassify various sites and to remove redundant heritage listings to enable future development and/or disposal of 25 sites owned by the former Parramatta City Council which had been identified as being surplus to requirements.</p> <p>21A Tucks Road, Toongabbie was rezoned from 6(a) Public Open Space to R2 Low Density Residential and reclassified from 'Community' to 'Operational' because it fell beneath the 0.5ha threshold for a local park identified within the Parramatta Open Space Plan 2003. It is because of this that the rezoning and reclassification of the land is considered appropriate.</p>

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12.3	Residents were not consulted when Council sold land to the developer It was inappropriate for Council to sell off the land (currently the tennis courts) without wide consultation	21A Tucks Road, Toongabbie was rezoned from 6(a) Public Open Space to R2 Low Density Residential and reclassified from 'Community' to 'Operational' in 2012, which during this time, the public was able to make a formal submission to the planning proposal. Having been reclassified to operational land, Council able to grant private leases or dispose of land in its ownership. Consequently, the selling of operational land does not require community consultation.
13.0	PROPERTY VALUES	
13.1	The development will have a negative effect on the value of surrounding properties	Property values are influenced by a number of factors within the property market. Accordingly, there is no evidence suggesting that there will be direct impacts on surrounding property values as a result of this Planning Proposal. Furthermore, this is not a planning issue that is a matter of consideration as part of the planning proposal process.
13.2	Affordable housing and luxury units seem incompatible	The Planning Proposal is not proposing to develop 'affordable housing' in this location. However, the DPE is in receipt of an SCC application for affordable housing under the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> (Refer to Site Compatibility Certificate section of the report). Nonetheless, the development of residential flat buildings and shop top housing is required to meet ADG requirements and Council's DCP to ensure minimum standards of cross ventilation, solar access and amenity can be achieved.
14.0	GARBAGE	
14.1	Concern for overflowing garbage where there is high density How would garbage be situated at the site and how will it be collected along the narrow streets?	A Plan of Management will accompany any future Development Application. Waste management will be addressed at this stage.
15.0	WASHING	
15.1	Hanging of laundry on balconies is an eye sore	Council's role in the design of the proposed development is to consider the residential amenity in the public realm for the site and those surrounding it and to work together with the proponent to come up with the best design outcome. The issue of hanging laundry on balconies is a matter for the body corporate / strata management of the building.

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16.0	CRIME AND SAFETY	
16.1	An increased volume of people in a small area will increase crime	The design of the proposed development must consider Crime Prevention Through Environmental Design (CPTED) principles to discourage crime and enhance safety. This will be further assessed at the Development Assessment stage.
17.0	COMMUNITY	
17.1	Concern that current feeling of community will be lost due to high density development	The Planning Proposal responds to the NSW Government's <i>Central City District Plan</i> through various Planning Priorities that seek to enhance inclusion and social connection within neighbourhoods. In particular, <i>Planning Priority C3: Providing services and social infrastructure to meet people's changing needs</i> ; and <i>Planning Priority C4: Fostering healthy, creative, culturally rich and socially connected communities</i> , are addressed by the Planning Proposal. The intended inclusion of upgraded recreational facilities is considered appropriate for enhancing social connection both within the immediate neighbourhood but also for the wider context.
17.2	Concerns relating to losing garden and lawn space will deter birds and wildlife, disconnecting people with nature	The current land uses at the subject site include a gym and tennis courts with at grade parking at the north eastern and south western portions of the site. Currently, there is little vegetation on the site apart from a small number of trees along the Tucks Road and Rausch Street boundaries. The reference design indicates a significant increase of vegetation, particularly in the central communal open space, along the Rausch Street boundary and at the southern boundary. Furthermore, the proposal does not impede or encroach on any adjoining residential property's garden or lawn space. It is considered that the Planning Proposal has the potential to improve the public domain from its current state.
17.3	Toongabbie is an historic area and development should be treated more sensitively	It is acknowledged that Toongabbie is an historic area, like many parts of the Sydney Region. However, at the current time of this Planning Proposal, the area is not listed as an environmental heritage item nor a conservation area under Schedule 5 of the PLEP 2011. Therefore, any development is to be considered under the current planning controls. Should the Planning Proposal be adopted by Council, the new controls will need to be considered for any future development.

18.0	CONSTRUCTION	
18.1	Increased noise level during construction, associated interruptions to traffic and footpath flow, increased heavy vehicle usage during construction, dust pollution	Any future construction on the site will be subject to Council's processes and requirements (i.e. required to provide a construction management plan at the DA/CC stage). These processes and requirements address construction impacts including time restrictions, waste management and overall management of works carried out as part of the DA.

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Peer Review of the Traffic Assessment Report

LTTE Consulting
Landuse Transport and Traffic Engineering
ABN 18 624 304 490



17 April 2018

Darren Caballero
Parramatta City Council
PO Box 32
PARRAMATTA NSW 2174

Dear Darren,

I refer to your email dated 4 April 2018 requesting peer review of the traffic and parking assessment report prepared by Varga Traffic Planning (18 March 2015) for the planning proposal relating to the land at 21 and 21A Tucks Road, Toongabbie. The planning proposal is to rezone the land from Part B1 Neighbourhood centre and Part R2 Low Density Residential to B4 Mixed Use.

The future redevelopment of the site could comprise approximately 6,860m² of residential gross floor area (GFA) (80 units); 2,380m² of commercial GFA (sports centre) and 1,600m² of tennis courts.

The traffic and Parking Assessment Report (The Report) assumed the following:

1 bedroom apartments:	11 (13.5%)
2 bedroom apartments	59 (73%)
3 bedroom apartment	11 (13.5%)
Total apartments:	81

The total number of apartments differs from the planning proposal by one.

The traffic report assumed that there is a commercial component in addition to the sports centre. According to the Planning Proposal, the sports centre is the commercial component. It needs to be clarified.

M: 0417 246 510 E: sean.paheerathan@gmail.com



Trip Generation:

In accordance with Roads and Maritime Services Guideline, morning peak hour traffic generation for units varies from 0.07 to 0.32 with an average of 0.19 peak hour vehicle trips. Similarly for evening peak the trip generation varies from 0.06 to 0.41 with an average of 0.15 peak hour vehicle trips. The Report assumed high end of the range - trip generation rate 0.29 peak hour vehicle trips/dwelling. That is most appropriate for the site which is located more than a kilometre from the nearest train station.

The report assumed 45 peak hour vehicle trips for the commercial component. And this trip generation was added to the existing traffic generation from the sports facility. If there is no additional commercial component, then the traffic generated by the proposal will be 24 peak hour vehicle trips instead of 69 peak hour vehicle trips assumed in the report.

Traffic Survey

The traffic survey for the report was undertaken on Monday 16 March 2015. Traffic surveys are normally taken on Tuesdays to Thursdays. Mondays and Fridays are not considered normal working days. However, because of the low existing traffic volumes, the difference between Monday traffic count and average working day traffic count will be minimal.

Furthermore, the traffic count is 3 years old. If it is to be used now, annual traffic growth factor of 1% -1.5% (compound growth) should be applied to these traffic counts. Again, since the existing traffic volumes are low, applying growth factor will make only minimal difference to the final traffic volumes.

Traffic Modelling

The report does not provide any details on the traffic modelling of the intersections. In order to assess the impact, the Report should include information such the intersection configuration, assumptions made and the output of the traffic modelling. Please note that not providing the details of the traffic modelling makes the report inadequate, not necessarily inaccurate.

Parking

The report proposes provision of parking for residential development in accordance with Council DCP.

Again, the report assumed there is an additional commercial component and proposes parking provision for this.

Item 18.4 - Attachment 2Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 6Peer Review of the Traffic Assessment Report

The report proposes to provide the current parking spaces of 69 spaces for the future sports centre. It is more appropriate to undertake a parking survey of the existing facility to establish the required parking spaces.

Vehicle Access

Vehicular access to the car parking facilities is to be provided via a new entry/exit driveway located towards the northern end of the Rausch Street site frontage.

However, providing vehicular access off Tucks Road will minimise the traffic impact of the proposal on local streets.

Conclusion

The methodology adopted to assess the traffic and parking impact of the proposal is sound and most appropriate for the proposed mixed use development. However, there are few errors and omissions in the traffic report. The report needs to be updated to include the required additional information.

Recommendation

It is recommended that the Traffic and Parking Assessment Report for the planning proposal for the site at 21-21A Tucks Road, Toongabbie be reviewed and updated prior to the proposal is exhibited.

Yours faithfully



Sean Paheerathan
Director



4 July 2018
Ref 18236

City of Parramatta
PO Box 32
PARRAMATTA NSW 2174

Attn: Mr Darren Caballero

Dear Darren,

**PLANNING PROPOSAL
21-21A TUCKS ROAD, TOONGABBIE
ADDENDUM TRAFFIC REPORT**

I refer to your email dated 23 April 2018 requesting additional information in respect of traffic modelling undertaken for the planning proposal, based on a peer review report.

The traffic modelling has been updated in response to the peer review report. Please find attached new traffic surveys undertaken on Wednesday, 20 June 2018 at each of the following intersections:

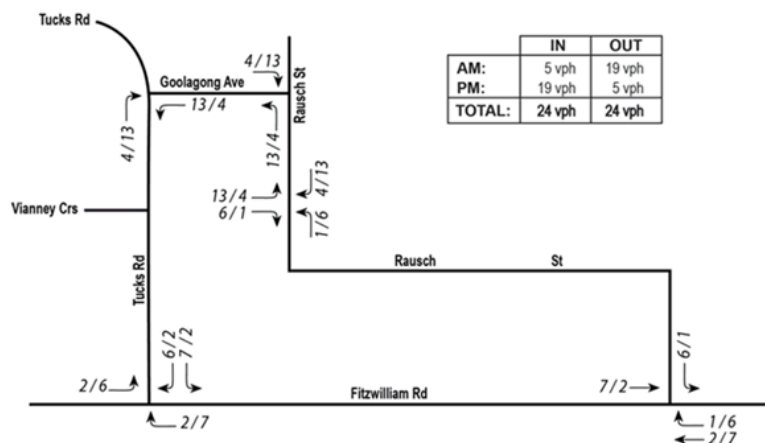
Fitzwilliam Road/Tucks Road
Tucks Road/Goolagong Avenue
Rausch Street/Goolagong Avenue
Fitzwilliam Road/Rausch Street

A full copy of the updated traffic survey results is attached at Annexure A.

The proposed development envisaged by the planning proposal will comprise 82 residential apartments whilst retaining the same sized commercial sports centre on the site. Consistent with the original traffic assessment report and also with the peer review report, a traffic generation rate of 0.29 vph has been adopted per apartment, yielding a *net increase* in the traffic generation potential of the site of 24 vph.

Those projected additional traffic flows have been assigned to the adjacent road network as illustrated on the traffic assignment diagram below.

Suite 6, 20 Young Street, Neutral Bay NSW 2089 - PO Box 1868, Neutral Bay NSW 2089 - Ph: 9904 3224



The driveway has been retained in Rausch Street, however the majority of those additional traffic flows are expected to access the site via the Fitzwilliam Road/Tucks Road intersection where a roundabout is proposed as part of a VPA.

The proposed roundabout will make it safer and easier to access the site via the Fitzwilliam Road/Tucks Road intersection. Notwithstanding, it is noted that the projected *additional* traffic flows expected to be generated by the development proposal will be minimal in any event.

The projected *additional* traffic flows have been analysed using the SIDRA capacity analysis program and the results of that analysis are summarised in the tables below. The detailed *Movement Summaries* are reproduced in Annexure B.

The results of the SIDRA capacity analysis indicate that the projected increase in traffic flows as a consequence of the planning proposal will not have any unacceptable traffic implications, and that all intersections located in the vicinity of the site will continue to operate at current Levels of Service under the projected *additional* traffic flows.

Please do not hesitate to contact me on telephone 9904 3224 should you have any enquiries.

Yours sincerely

Robert Varga
Director
Varga Traffic Planning Pty Ltd

TABLE 3.1 - RESULTS OF SIDRA ANALYSIS OF FITZWILLIAM ROAD & TUCKS ROAD (EXISTING - SIGN CONTROLLED)				
Key Indicators	Existing Traffic Demand		Projected Development Traffic Demand	
	AM	PM	AM	PM
Level of Service	A	A	A	A
Degree of Saturation	0.442	0.440	0.443	0.443
Average Vehicle Delay (secs/veh)				
Fitzwilliam Road (east) T	0.2	0.7	0.3	0.9
R	11.0	11.5	11.1	11.7
Tucks Road (north) L	9.3	8.6	9.3	8.6
R	13.1	14.3	13.2	14.5
Fitzwilliam Road (west) L	5.6	5.6	5.6	5.6
T	0.1	0.1	0.1	0.1
TOTAL AVERAGE VEHICLE DELAY	0.9	1.4	1.0	1.5
	FIT_TUCX		FIT_TUCP	

TABLE 3.2 - RESULTS OF SIDRA ANALYSIS OF FITZWILLIAM ROAD & TUCKS ROAD (PROPOSED - ROUNDABOUT)				
Key Indicators	Existing Traffic Demand		Projected Development Traffic Demand	
	AM	PM	AM	PM
Level of Service	A	A	A	A
Degree of Saturation	0.551	0.638	0.558	0.646
Average Vehicle Delay (secs/veh)				
Fitzwilliam Road (east) T	5.0	5.0	5.0	5.1
R	7.8	7.9	7.9	7.9
Tucks Road (north) L	10.9	10.1	10.9	10.1
R	13.1	12.3	13.2	12.3
Fitzwilliam Road (west) L	5.3	5.6	5.3	5.7
T	4.8	5.1	4.8	5.2
TOTAL AVERAGE VEHICLE DELAY	5.3	5.4	5.4	5.5

FIT_TUCX

FIT_TUCP

TABLE 3.3 - RESULTS OF SIDRA ANALYSIS OF TUCKS ROAD & GOOLAGONG AVENUE				
Key Indicators	Existing Traffic Demand		Projected Development Traffic Demand	
	AM	PM	AM	PM
Level of Service	A	A	A	A
Degree of Saturation	0.026	0.032	0.027	0.037
Average Vehicle Delay (secs/veh)				
Tucks Road (south) T	0.1	0.0	0.1	0.1
R	4.7	4.6	4.7	4.6
Goolagong Avenue (east) L	4.7	4.7	4.7	4.7
R	4.6	4.6	4.6	4.7
Tucks Road (north) L	4.6	4.6	4.6	4.6
T	0.0	0.0	0.0	0.0
TOTAL AVERAGE VEHICLE DELAY	1.9	1.9	2.3	2.3

TUC_GOOX

TUC_GOOP

TABLE 3.4 - RESULTS OF SIDRA ANALYSIS OF RAUSCH STREET & GOOLAGONG AVENUE				
Key Indicators	Existing Traffic Demand		Projected Development Traffic Demand	
	AM	PM	AM	PM
Level of Service	A	A	A	A
Degree of Saturation	0.009	0.018	0.014	0.016
Average Vehicle Delay (secs/veh)				
Rausch Street (south) L	4.6	4.7	4.6	4.6
T	0.0	0.0	0.0	0.0
Rausch Street (north) T	0.0	0.0	0.0	0.0
R	4.6	4.6	4.6	4.6
Goolagong Avenue (west) L	4.6	4.6	4.6	4.6
R	4.6	4.6	4.6	4.6
TOTAL AVERAGE VEHICLE DELAY	3.7	3.8	4.0	4.0

RAU_GOOX

RAU_GOOP

TABLE 3.5 - RESULTS OF SIDRA ANALYSIS OF FITZWILLIAM ROAD & RAUSCH STREET				
Key Indicators	Existing Traffic Demand		Projected Development Traffic Demand	
	AM	PM	AM	PM
Level of Service	A	A	A	A
Degree of Saturation	0.387	0.457	0.390	0.461
Average Vehicle Delay (secs/veh)				
Fitzwilliam Road (east) T	0.0	0.1	0.0	0.1
R	7.9	7.7	8.0	7.7
Rausch Street (north) L	8.4	7.5	8.5	7.5
R	11.9	12.7	12.1	12.9
Fitzwilliam Road (west) L	5.6	5.6	5.6	5.6
T	0.1	0.0	0.1	0.0
TOTAL AVERAGE VEHICLE DELAY	0.5	0.4	0.5	0.4
	FIT_RAUX		FIT_RAUP	

Criteria for Interpreting Results of Sidra Analysis

1. Level of Service (LOS)

LOS	Traffic Signals and Roundabouts	Give Way and Stop Signs
'A'	Good operation.	Good operation.
'B'	Good with acceptable delays and spare capacity.	Acceptable delays and spare capacity.
'C'	Satisfactory.	Satisfactory but accident study required.
'D'	Operating near capacity.	Near capacity and accident study required.
'E'	At capacity; at signals incidents will cause excessive delays. Roundabouts require other control mode.	At capacity and requires other control mode.
'F'	Unsatisfactory and requires additional capacity.	Unsatisfactory and requires other control mode.

2. Average Vehicle Delay (AVD)

The AVD provides a measure of the operational performance of an intersection as indicated on the table below which relates AVD to LOS. The AVD's listed in the table should be taken as a guide only as longer delays could be tolerated in some locations (ie inner city conditions) and on some roads (ie minor side street intersecting with a major arterial route).

Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way and Stop Signs
A	less than 14	Good operation.	Good operation.
B	15 to 28	Good with acceptable delays and spare capacity.	Acceptable delays and spare capacity.
C	29 to 42	Satisfactory.	Satisfactory but accident study required.
D	43 to 56	Operating near capacity.	Near capacity and accident study required.
E	57 to 70	At capacity; at signals incidents will cause excessive delays. Roundabouts require other control mode.	At capacity and requires other control mode.

3. Degree of Saturation (DS)

The DS is another measure of the operational performance of individual intersections.

For intersections controlled by traffic signals¹ both queue length and delay increase rapidly as DS approaches 1, and it is usual to attempt to keep DS to less than 0.9. Values of DS in the order of 0.7 generally represent satisfactory intersection operation. When DS exceeds 0.9 queues can be anticipated.

For intersections controlled by a roundabout or GIVE WAY or STOP signs, satisfactory intersection operation is indicated by a DS of 0.8 or less.

¹ The values of DS for intersections under traffic signal control are only valid for cycle length of 120 secs.

ANNEXURE A

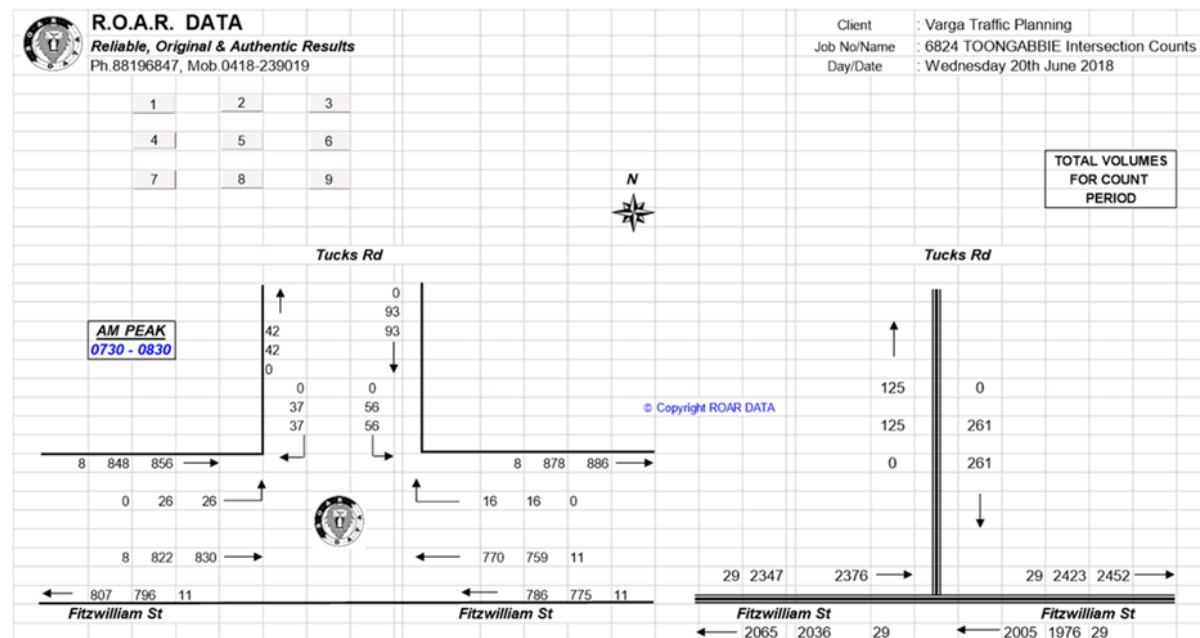
TRAFFIC SURVEY RESULTS

Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 7

Additional Traffic Information from the Applicant



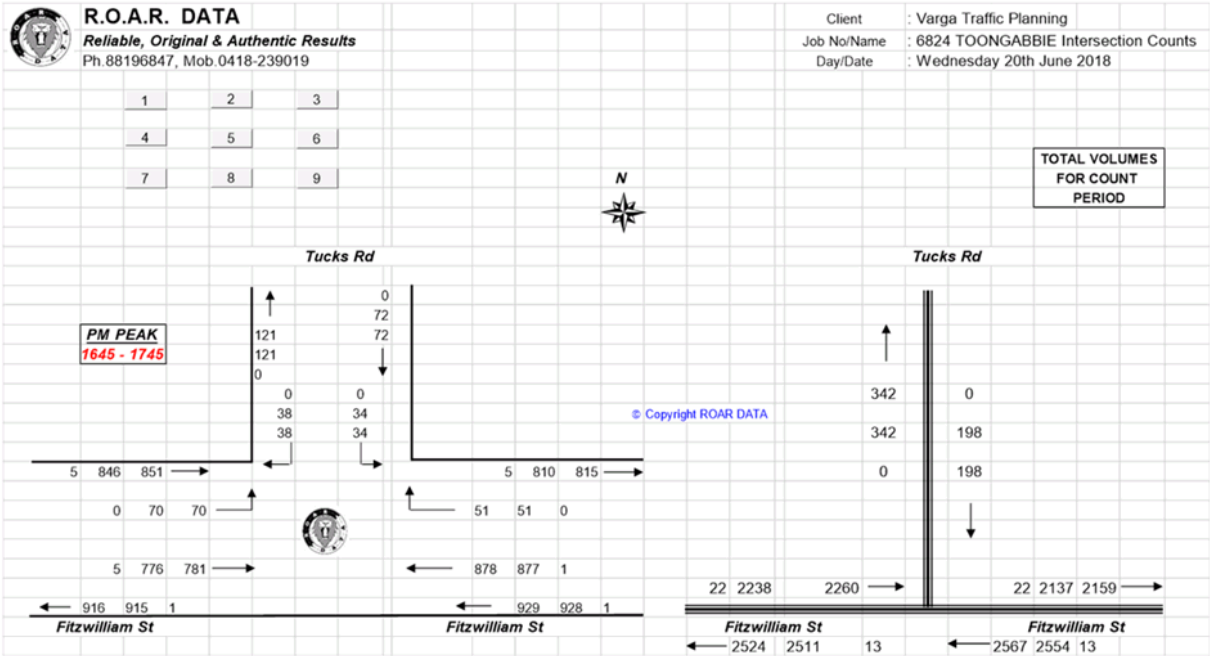
Item 18.4 - Attachment 2

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Item 6.2 - Attachment 7

Additional Traffic Information from the Applicant

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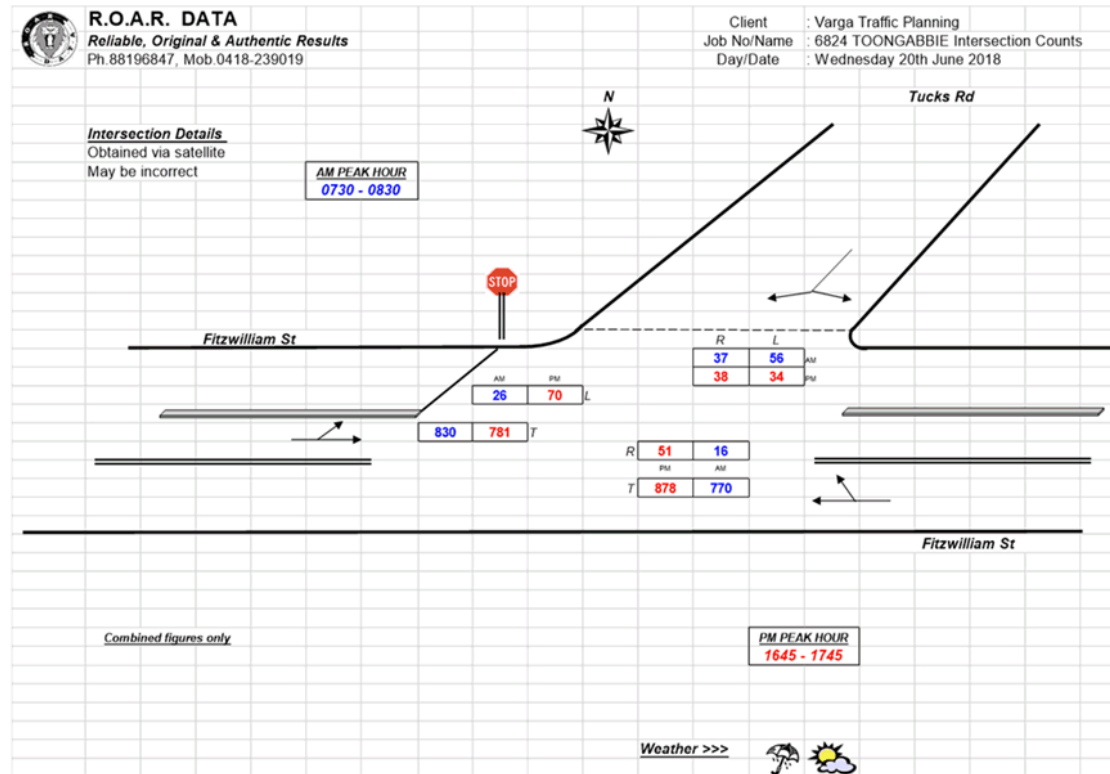


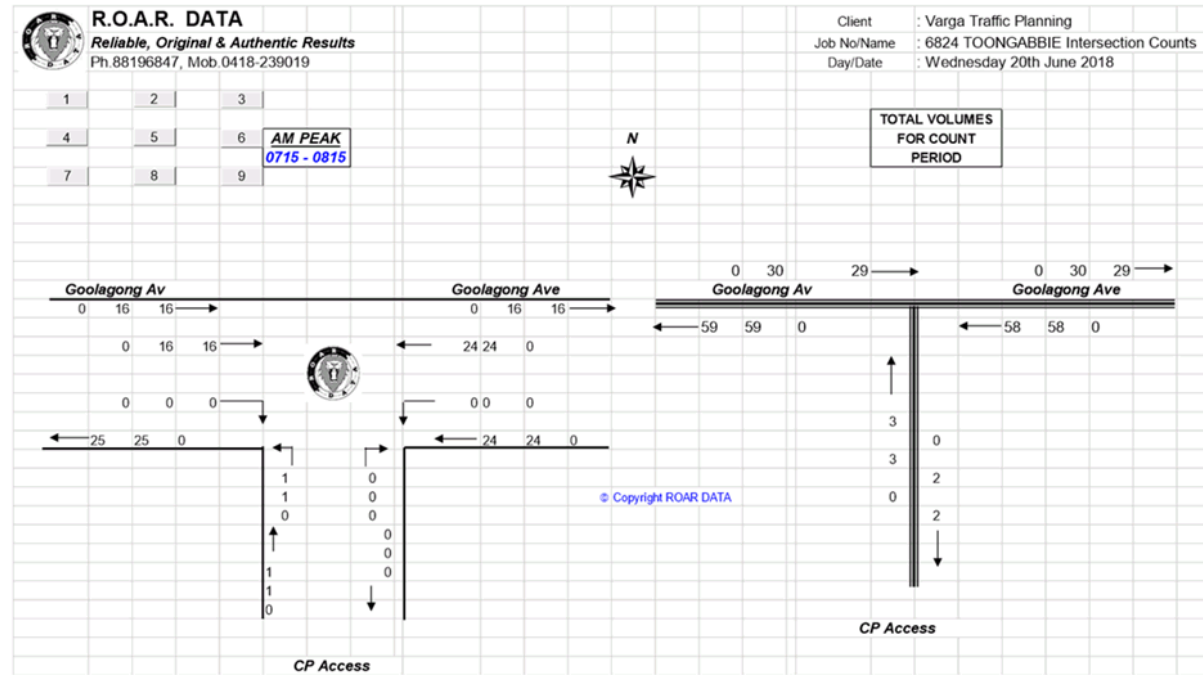
Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 7

Additional Traffic Information from the Applicant






Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 7

Additional Traffic Information from the Applicant

**R.O.A.R. DATA**
Reliable, Original & Authentic Results
Ph 88196847, Mob 0418-239019

Client : Varga Traffic Planning

Job No/Name : 6824 TOONGABBIE Intersection Co

Day/Date : Wednesday 20th June 2018

		PEDS		WEST		SOUTH		EAST			
		Time Per		Goolagong		CP Access		Goolagong		TOT	
1530 - 1545										0	
1545 - 1600										0	
1600 - 1615						NOT				0	
1615 - 1630						COUNTED				0	
1630 - 1645										0	
1645 - 1700										0	
1700 - 1715										0	
1715 - 1730										0	
1730 - 1745										0	
1745 - 1800										0	
1800 - 1815										0	
1815 - 1830										0	
Per End		0		0		0		0		0	

		PEDS		WEST		SOUTH		EAST			
		Peak Per		Goolagong		CP Access		Goolagong		TOT	
1530 - 1630		0		0		0		0		0	
1545 - 1645		0		0		0		0		0	
1600 - 1700		0		0		0		0		0	
1615 - 1715		0		0		0		0		0	
1630 - 1730		0		0		0		0		0	
1645 - 1745		0		0		0		0		0	
1700 - 1800		0		0		0		0		0	
1715 - 1815		0		0		0		0		0	
1730 - 1830		0		0		0		0		0	
PEAK HR		0		0		0		0		0	

Lights		WEST		SOUTH		EAST			
		Goolagong Av		CP Access		Goolagong Ave		TOT	
Time Per		I	R	L	R	L	I	T	TOT
1530 - 1545		6	0	0	0	0	0	2	8
1545 - 1600		3	0	0	0	0	0	3	6
1600 - 1615		6	0	0	0	0	0	4	10
1615 - 1630		7	0	0	0	0	0	2	9
1630 - 1645		14	0	0	2	0	6	22	22
1645 - 1700		1	1	1	0	0	1	4	10
1700 - 1715		11	1	0	0	0	3	15	15
1715 - 1730		6	0	1	0	1	3	11	11
1730 - 1745		8	0	1	0	0	2	11	11
1745 - 1800		5	0	0	1	0	4	10	10
1800 - 1815		9	2	0	0	0	1	12	12
1815 - 1830		8	0	0	0	0	3	11	11
Per End		84	4	3	3	1	35	129	129

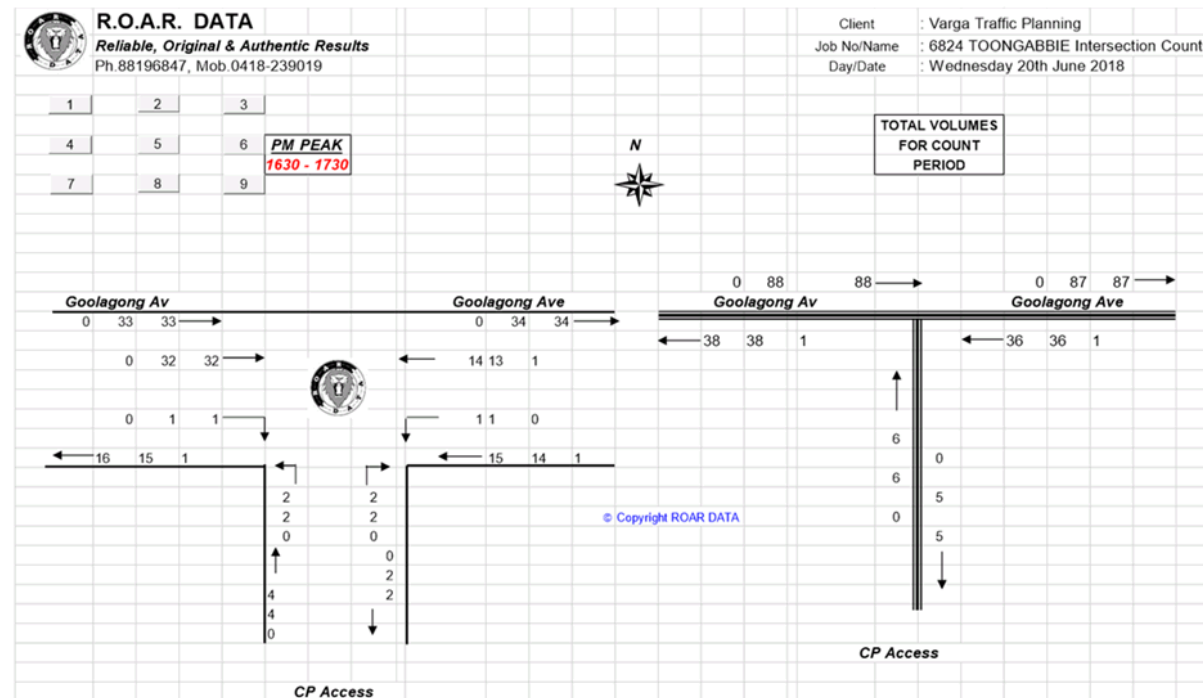
Heavies		WEST		SOUTH		EAST			
		Goolagong Av		CP Access		Goolagong Ave		TOT	
Time Per		I	R	L	R	L	I	T	TOT
1530 - 1545		0	0	0	0	0	0	0	0
1545 - 1600		0	0	0	0	0	0	0	0
1600 - 1615		0	0	0	0	0	0	0	0
1615 - 1630		0	0	0	0	0	0	0	0
1630 - 1645		0	0	0	0	0	0	0	0
1645 - 1700		0	0	0	0	0	0	0	0
1700 - 1715		0	0	0	0	0	1	1	2
1715 - 1730		0	0	0	0	0	0	0	0
1730 - 1745		0	0	0	0	0	0	0	0
1745 - 1800		0	0	0	0	0	0	0	0
1800 - 1815		0	0	0	0	0	0	0	0
1815 - 1830		0	0	0	0	0	0	0	0
Per End		0	0	0	0	0	1	1	2

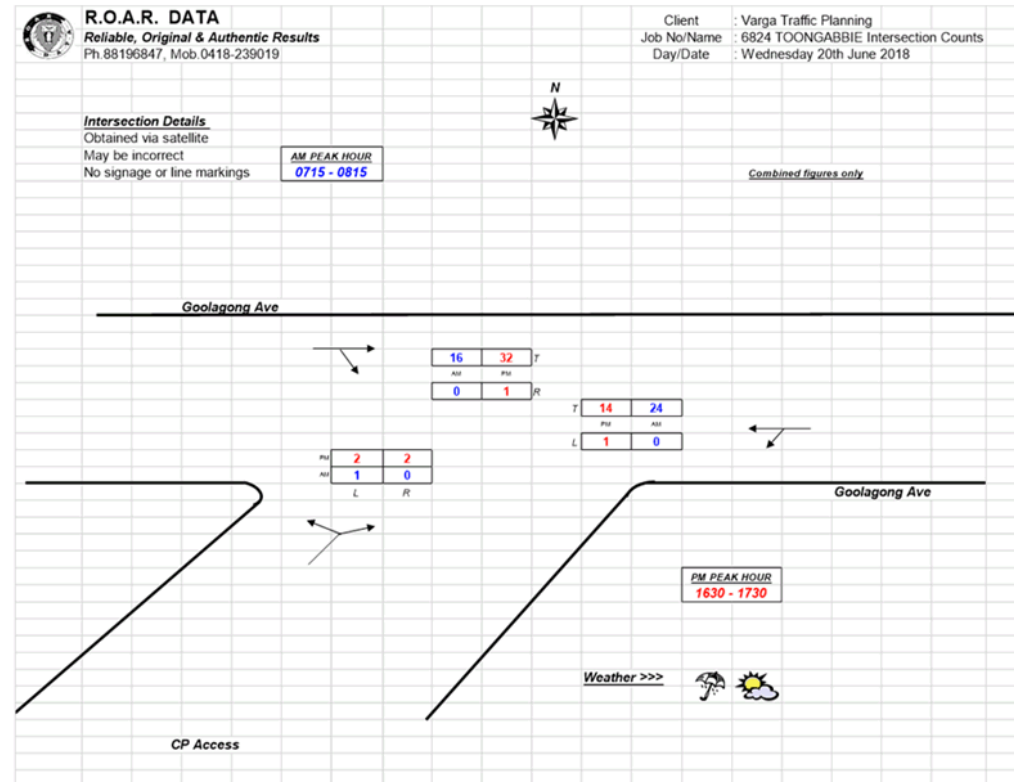
Combined		WEST		SOUTH		EAST			
		Goolagong Av		CP Access		Goolagong Ave		TOT	
Time Per		I	R	L	R	L	I	T	TOT
1530 - 1545		6	0	0	0	0	0	2	8
1545 - 1600		3	0	0	0	0	0	3	6
1600 - 1615		6	0	0	0	0	0	4	10
1615 - 1630		7	0	0	0	0	0	2	9
1630 - 1645		14	0	0	2	0	6	22	22
1645 - 1700		1	1	1	0	0	1	4	10
1700 - 1715		11	1	0	0	0	3	15	15
1715 - 1730		6	0	1	0	1	3	11	11
1730 - 1745		8	0	1	0	0	2	11	11
1745 - 1800		5	0	0	1	0	4	10	10
1800 - 1815		9	2	0	0	0	1	12	12
1815 - 1830		8	0	0	0	0	3	11	11
Per End		84	4	3	3	1	35	130	130

Lights		WEST		SOUTH		EAST			
		Goolagong Av		CP Access		Goolagong Ave		TOT	
Peak Per		I	R	L	R	L	I	T	TOT
1530 - 1630		22	0	0	0	0	11	33	33
1545 - 1645		30	0	0	2	0	15	47	47
1600 - 1700		28	1	1	2	0	13	45	45
1615 - 1715		33	2	1	2	0	12	50	50
1630 - 1730		32	2	2	2	1	13	52	52
1645 - 1745		26	2	3	0	1	9	41	41
1700 - 1800		30	1	2	1	1	12	47	47
1715 - 1815		28	2	2	1	1	10	44	44
1730 - 1830		30	2	1	1	0	10	44	44
PEAK HR		32	1	2	2	1	13	51	51

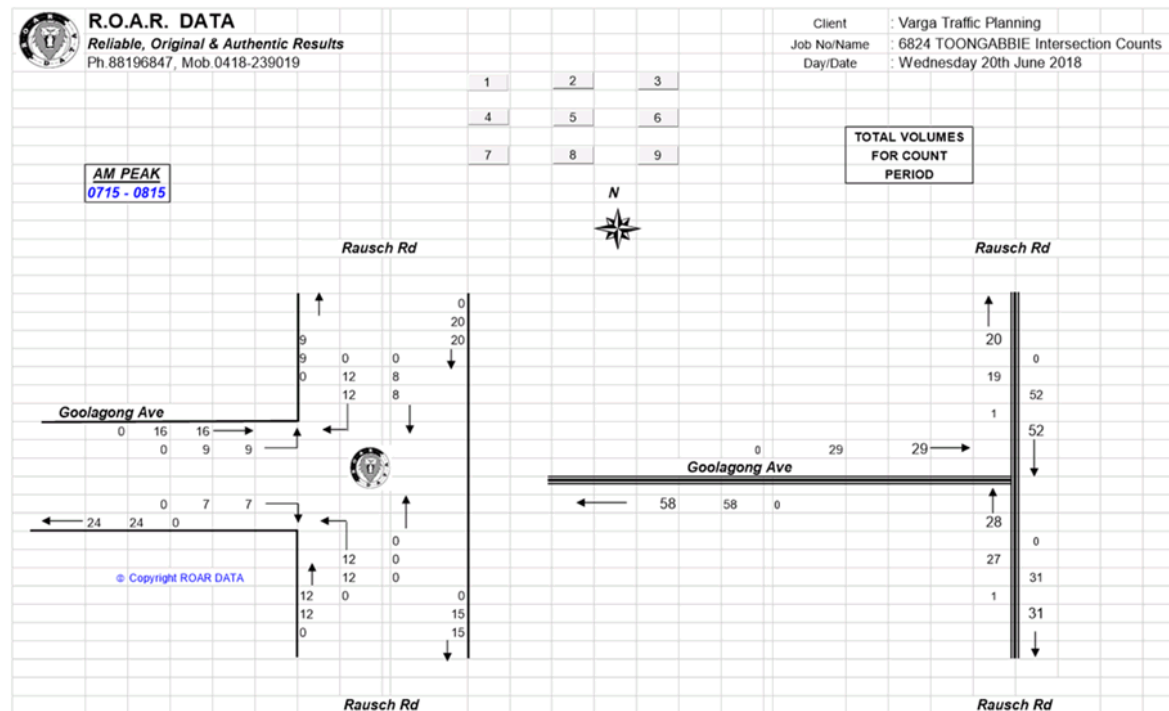
Heavies		WEST		SOUTH		EAST			
		Goolagong Av		CP Access		Goolagong Ave		TOT	
Peak Per		I	R	L	R	L	I	T	TOT
1530 - 1630		0	0	0	0	0	0	0	0
1545 - 1645		0	0	0	0	0	0	0	0
1600 - 1700		0	0	0	0	0	0	0	0
1615 - 1715		0	0	0	0	0	1	1	2
1630 - 1730		0	0	0	0	0	1	1	2
1645 - 1745		0	0	0	0	0	1	1	2
1700 - 1800		0	0	0	0	0	1	1	2
1715 - 1815		0	0	0	0	0	0	0	0
1730 - 1830		0	0	0	0	0	0	0	0
PEAK HR		0	0	0	0	0	1	1	2

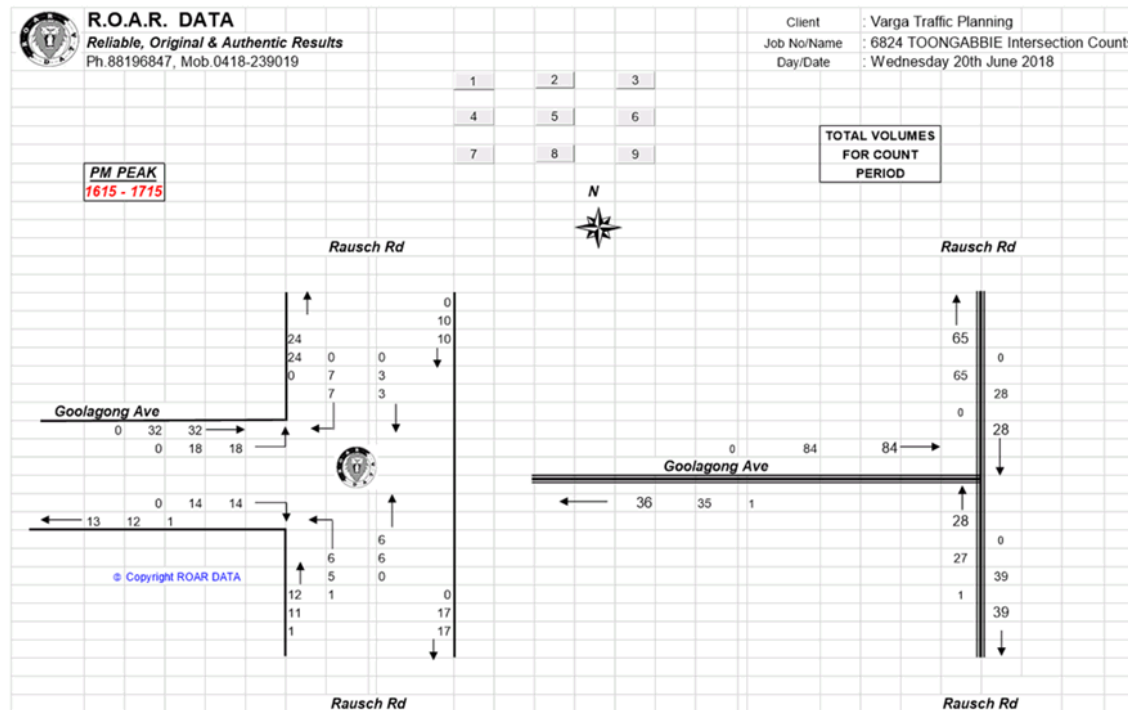
Combined		WEST		SOUTH		EAST			
		Goolagong Av		CP Access		Goolagong Ave		TOT	
Peak Per		I	R	L	R	L	I	T	TOT
1530 - 1630		22	0	0	0	0	11	33	33
1545 - 1645		30	0	0	2	0	15	47	47
1600 - 1700		28	1	1	2	0	13	45	45
1615 - 1715		33	2	1	2	0	13	51	51
1630 - 1730		32	2	2	2	1	14	53	53
1645 - 1745		26	2	3	0	1	10	42	42
1700 - 1800		30	1	2	1	1	13	48	48
1715 - 1815		28	2	2	1	1	10	44	44
1730 - 1830		30	2	1	1	0	10	44	44
PEAK HR		32	1	2	2	1	14	55	55

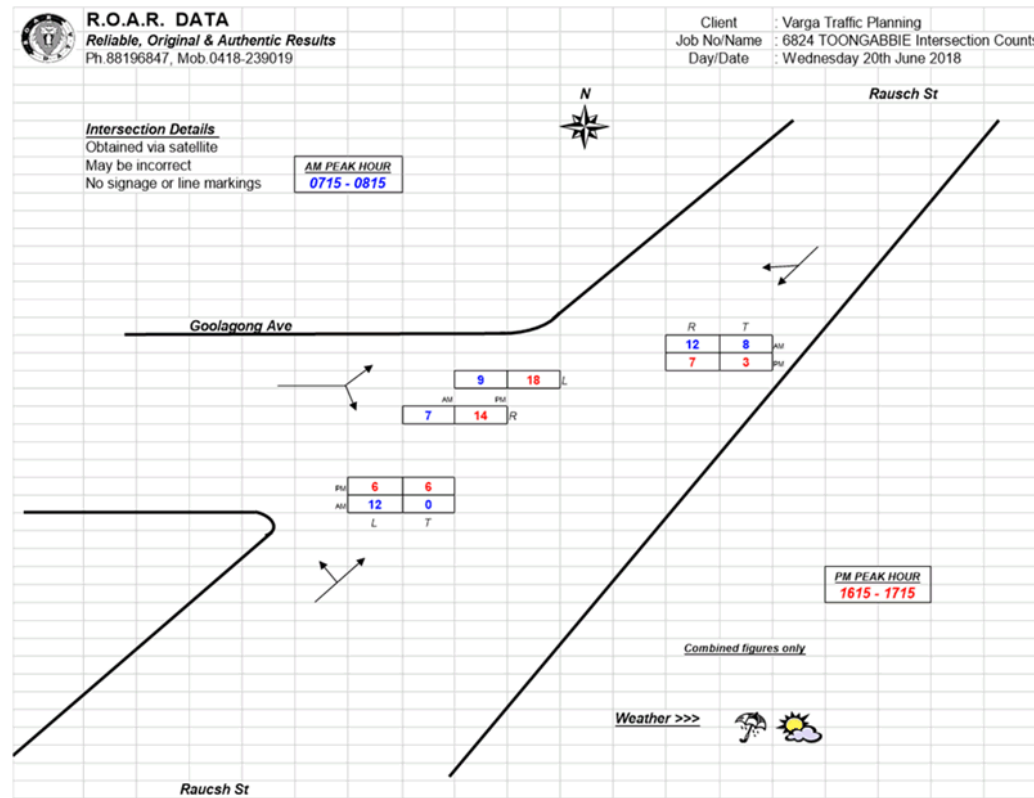




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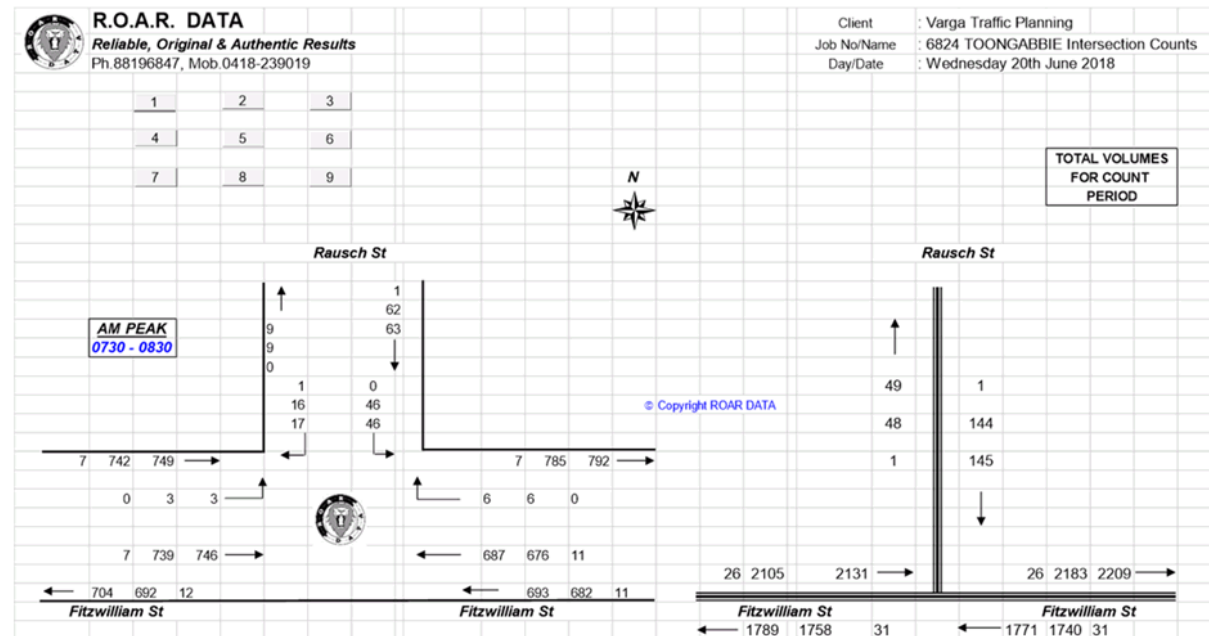


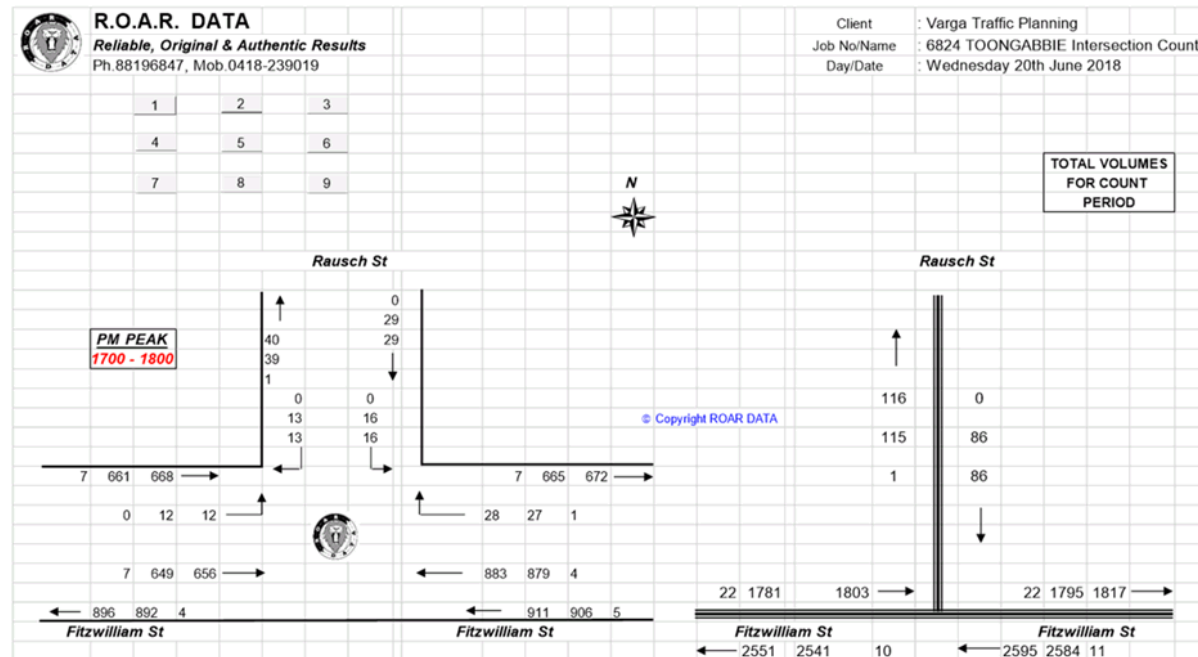
Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 7

Additional Traffic Information from the Applicant



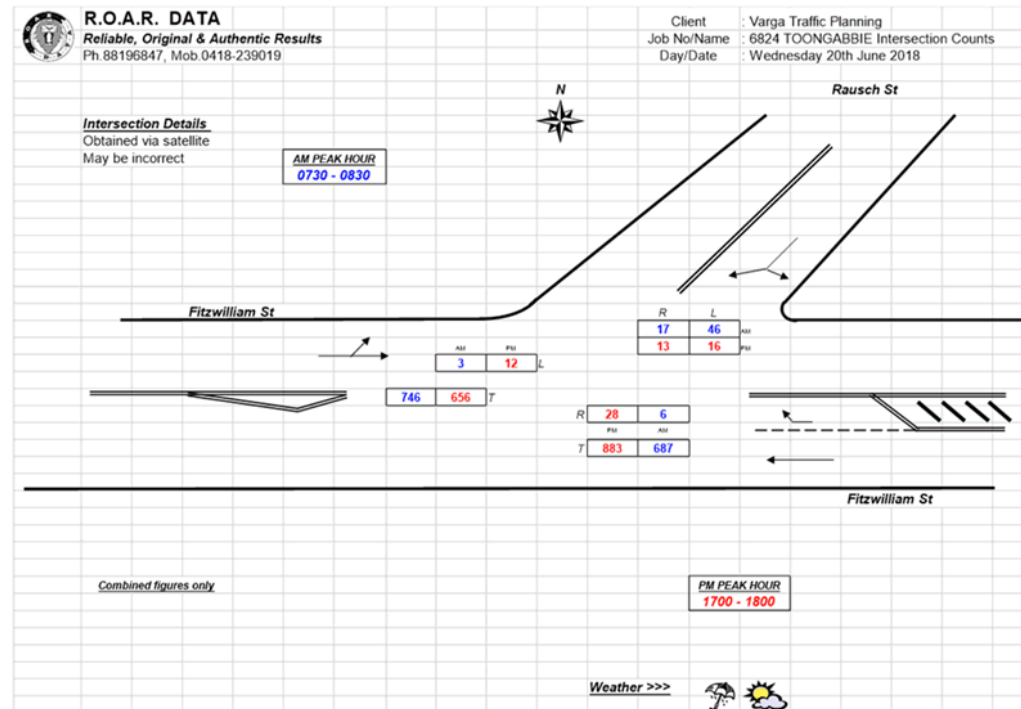


Item 18.4 - Attachment 2

Local Planning Panel Report and Attachments - 18 September 2018

Item 6.2 - Attachment 7

Additional Traffic Information from the Applicant



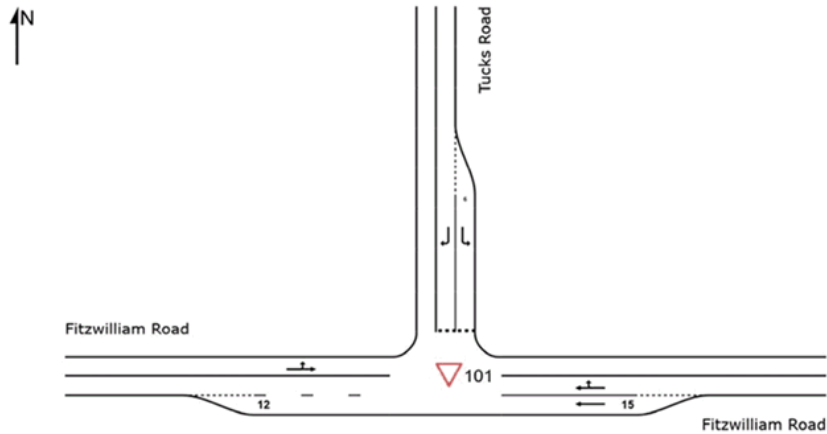
ANNEXURE B

SIDRA MOVEMENT SUMMARIES

SITE LAYOUT

▽ Site: 101 [Existing AM - Sign Controlled]

New Site
Site Category: (None)
Giveaway / Yield (Two-Way)



SIDRA INTERSECTION 8.0 | Copyright © 2000-2018 Akcelik and Associates Pty Ltd | sidrasolutions.com
Organisation: VARGA TRAFFIC PLANNING | Created: Monday, 2 July, 2018 9:13:59 AM
Project: Z:\DATA\Data\Jobs\01\Jobs\18\work\18236_21TucksRdToongabbie\SIDRA 180702\FIT_TUCX.sip8

MOVEMENT SUMMARY

▽ Site: 101 [Existing AM - Sign Controlled]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	770	1.4	0.347	0.2	LOS A	0.4	2.5	0.05	0.01	0.07	59.5
6	R2	16	0.0	0.347	11.0	LOS A	0.4	2.5	0.07	0.02	0.08	53.3
Approach		786	1.4	0.347	0.5	NA	0.4	2.5	0.05	0.01	0.07	59.4
North: Tucks Road												
7	L2	56	0.0	0.091	9.3	LOS A	0.3	2.2	0.65	0.83	0.65	46.8
9	R2	37	0.0	0.097	13.1	LOS A	0.3	2.1	0.80	0.91	0.80	44.2
Approach		93	0.0	0.097	10.8	LOS A	0.3	2.2	0.71	0.87	0.71	45.7
West: Fitzwilliam Road												
10	L2	26	0.0	0.442	5.6	LOS A	0.0	0.0	0.00	0.02	0.00	58.1
11	T1	830	1.0	0.442	0.1	LOS A	0.0	0.0	0.00	0.02	0.00	59.7
Approach		856	0.9	0.442	0.2	NA	0.0	0.0	0.00	0.02	0.00	59.7
All Vehicles		1735	1.1	0.442	0.9	NA	0.4	2.5	0.06	0.06	0.07	58.6

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Existing PM - Sign Controlled]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop Queued	Effective Stop Rate	Aver No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	878	0.1	0.421	0.7	LOS A	1.2	8.7	0.15	0.04	0.22	58.7
6	R2	51	0.0	0.421	11.5	LOS A	1.2	8.7	0.19	0.05	0.26	52.5
Approach		929	0.1	0.421	1.3	NA	1.2	8.7	0.15	0.04	0.22	58.3
North: Tucks Road												
7	L2	34	0.0	0.051	8.6	LOS A	0.2	1.2	0.60	0.78	0.60	47.2
9	R2	38	0.0	0.111	14.3	LOS A	0.3	2.4	0.83	0.92	0.83	43.6
Approach		72	0.0	0.111	11.6	LOS A	0.3	2.4	0.72	0.85	0.72	45.2
West: Fitzwilliam Road												
10	L2	70	0.0	0.440	5.6	LOS A	0.0	0.0	0.00	0.05	0.00	57.8
11	T1	781	0.6	0.440	0.1	LOS A	0.0	0.0	0.00	0.05	0.00	59.4
Approach		851	0.6	0.440	0.5	NA	0.0	0.0	0.00	0.05	0.00	59.3
All Vehicles		1852	0.3	0.440	1.4	NA	1.2	8.7	0.11	0.08	0.14	58.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed AM - Sign Controlled]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	770	1.4	0.348	0.3	LOS A	0.4	2.8	0.06	0.01	0.08	59.5
6	R2	18	0.0	0.348	11.1	LOS A	0.4	2.8	0.07	0.02	0.10	53.3
Approach		788	1.4	0.348	0.5	NA	0.4	2.8	0.06	0.01	0.08	59.3
North: Tucks Road												
7	L2	63	0.0	0.103	9.3	LOS A	0.4	2.5	0.65	0.83	0.65	46.8
9	R2	43	0.0	0.113	13.2	LOS A	0.4	2.5	0.81	0.92	0.81	44.2
Approach		106	0.0	0.113	10.9	LOS A	0.4	2.5	0.71	0.87	0.71	45.7
West: Fitzwilliam Road												
10	L2	28	0.0	0.443	5.6	LOS A	0.0	0.0	0.00	0.02	0.00	58.1
11	T1	830	1.0	0.443	0.1	LOS A	0.0	0.0	0.00	0.02	0.00	59.7
Approach		858	0.9	0.443	0.2	NA	0.0	0.0	0.00	0.02	0.00	59.6
All Vehicles		1752	1.1	0.443	1.0	NA	0.4	2.8	0.07	0.07	0.08	58.4

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed PM - Sign Controlled]

New Site
Site Category: (None)
Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	878	0.1	0.428	0.9	LOS A	1.4	10.0	0.17	0.04	0.25	58.5
6	R2	58	0.0	0.428	11.7	LOS A	1.4	10.0	0.21	0.05	0.30	52.3
Approach		936	0.1	0.428	1.5	NA	1.4	10.0	0.18	0.04	0.25	58.1
North: Tucks Road												
7	L2	36	0.0	0.054	8.6	LOS A	0.2	1.3	0.60	0.78	0.60	47.2
9	R2	40	0.0	0.119	14.5	LOS A	0.4	2.5	0.83	0.93	0.83	43.5
Approach		76	0.0	0.119	11.7	LOS A	0.4	2.5	0.72	0.86	0.72	45.2
West: Fitzwilliam Road												
10	L2	76	0.0	0.443	5.6	LOS A	0.0	0.0	0.00	0.05	0.00	57.8
11	T1	781	0.6	0.443	0.1	LOS A	0.0	0.0	0.00	0.05	0.00	59.4
Approach		857	0.6	0.443	0.6	NA	0.0	0.0	0.00	0.05	0.00	59.2
All Vehicles		1869	0.3	0.443	1.5	NA	1.4	10.0	0.12	0.08	0.15	58.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

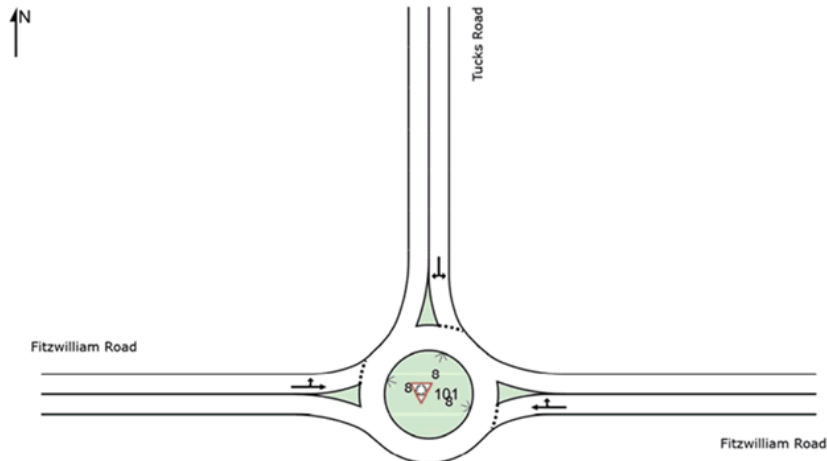
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SITE LAYOUT**Site: 101 [Existing PM - Roundabout]**

Fitzwilliam Road and Tucks Road Intersection Upgrade (ROUNDAABOUT)

Site Category: (None)

Roundabout



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MOVEMENT SUMMARY

 **Site: 101 [Existing AM - Roundabout]**

Fitzwilliam Road and Tucks Road Intersection Upgrade (ROUNDBOUT)

Site Category: (None)

Roundabout

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	770	1.4	0.547	5.0	LOS A	5.8	40.9	0.29	0.48	0.29	53.5
6	R2	16	0.0	0.547	7.8	LOS A	5.8	40.9	0.29	0.48	0.29	49.6
Approach		786	1.4	0.547	5.0	LOS A	5.8	40.9	0.29	0.48	0.29	53.4
North: Tucks Road												
7	L2	56	0.0	0.156	10.9	LOS A	0.9	6.2	0.75	0.83	0.75	45.1
9	R2	37	0.0	0.156	13.1	LOS A	0.9	6.2	0.75	0.83	0.75	45.3
Approach		93	0.0	0.156	11.8	LOS A	0.9	6.2	0.75	0.83	0.75	45.1
West: Fitzwilliam Road												
10	L2	26	0.0	0.551	5.3	LOS A	5.2	36.9	0.15	0.48	0.15	49.7
11	T1	830	1.0	0.551	4.8	LOS A	5.2	36.9	0.15	0.48	0.15	54.0
Approach		856	0.9	0.551	4.8	LOS A	5.2	36.9	0.15	0.48	0.15	53.9
All Vehicles		1735	1.1	0.551	5.3	LOS A	5.8	40.9	0.24	0.50	0.24	53.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

 Site: 101 [Existing PM - Roundabout]

Fitzwilliam Road and Tucks Road Intersection Upgrade (ROUNDBOUT)

Site Category: (None)

Roundabout

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	878	0.1	0.638	5.0	LOS A	8.0	56.0	0.34	0.48	0.34	53.3
6	R2	51	0.0	0.638	7.9	LOS A	8.0	56.0	0.34	0.48	0.34	49.4
Approach		929	0.1	0.638	5.2	LOS A	8.0	56.0	0.34	0.48	0.34	53.1
North: Tucks Road												
7	L2	34	0.0	0.121	10.1	LOS A	0.7	4.9	0.74	0.81	0.74	45.4
9	R2	38	0.0	0.121	12.3	LOS A	0.7	4.9	0.74	0.81	0.74	45.6
Approach		72	0.0	0.121	11.2	LOS A	0.7	4.9	0.74	0.81	0.74	45.5
West: Fitzwilliam Road												
10	L2	70	0.0	0.605	5.6	LOS A	6.2	43.7	0.34	0.49	0.34	49.2
11	T1	781	0.6	0.605	5.1	LOS A	6.2	43.7	0.34	0.49	0.34	53.4
Approach		851	0.6	0.605	5.2	LOS A	6.2	43.7	0.34	0.49	0.34	53.0
All Vehicles		1852	0.3	0.638	5.4	LOS A	8.0	56.0	0.35	0.50	0.35	52.7

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

 Site: 101 [Proposed AM - Roundabout]

Fitzwilliam Road and Tucks Road Intersection Upgrade (ROUNDBOUT)

Site Category: (None)

Roundabout

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	770	1.4	0.558	5.0	LOS A	5.9	42.1	0.32	0.48	0.32	53.4
6	R2	18	0.0	0.558	7.9	LOS A	5.9	42.1	0.32	0.48	0.32	49.5
Approach		788	1.4	0.558	5.1	LOS A	5.9	42.1	0.32	0.48	0.32	53.3
North: Tucks Road												
7	L2	63	0.0	0.178	10.9	LOS A	1.0	7.2	0.76	0.84	0.76	45.0
9	R2	43	0.0	0.178	13.2	LOS A	1.0	7.2	0.76	0.84	0.76	45.2
Approach		106	0.0	0.178	11.9	LOS A	1.0	7.2	0.76	0.84	0.76	45.1
West: Fitzwilliam Road												
10	L2	28	0.0	0.556	5.3	LOS A	5.4	37.9	0.17	0.48	0.17	49.6
11	T1	830	1.0	0.556	4.8	LOS A	5.4	37.9	0.17	0.48	0.17	54.0
Approach		858	0.9	0.556	4.8	LOS A	5.4	37.9	0.17	0.48	0.17	53.8
All Vehicles		1752	1.1	0.558	5.4	LOS A	5.9	42.1	0.27	0.50	0.27	53.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

 **Site: 101 [Proposed PM - Roundabout]**

Fitzwilliam Road and Tucks Road Intersection Upgrade (ROUNABOUT)

Site Category: (None)

Roundabout

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	878	0.1	0.646	5.1	LOS A	8.2	57.6	0.35	0.48	0.35	53.3
6	R2	58	0.0	0.646	7.9	LOS A	8.2	57.6	0.35	0.48	0.35	49.4
Approach		936	0.1	0.646	5.2	LOS A	8.2	57.6	0.35	0.48	0.35	53.0
North: Tucks Road												
7	L2	36	0.0	0.129	10.1	LOS A	0.8	5.3	0.75	0.81	0.75	45.3
9	R2	40	0.0	0.129	12.3	LOS A	0.8	5.3	0.75	0.81	0.75	45.5
Approach		76	0.0	0.129	11.3	LOS A	0.8	5.3	0.75	0.81	0.75	45.5
West: Fitzwilliam Road												
10	L2	76	0.0	0.619	5.7	LOS A	6.5	45.7	0.37	0.49	0.37	49.1
11	T1	781	0.6	0.619	5.2	LOS A	6.5	45.7	0.37	0.49	0.37	53.3
Approach		857	0.6	0.619	5.3	LOS A	6.5	45.7	0.37	0.49	0.37	52.9
All Vehicles		1869	0.3	0.646	5.5	LOS A	8.2	57.6	0.38	0.50	0.38	52.6

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Intersection and Approach LOS values are based on average delay for all vehicle movements.

Roundabout Capacity Model: SIDRA Standard.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

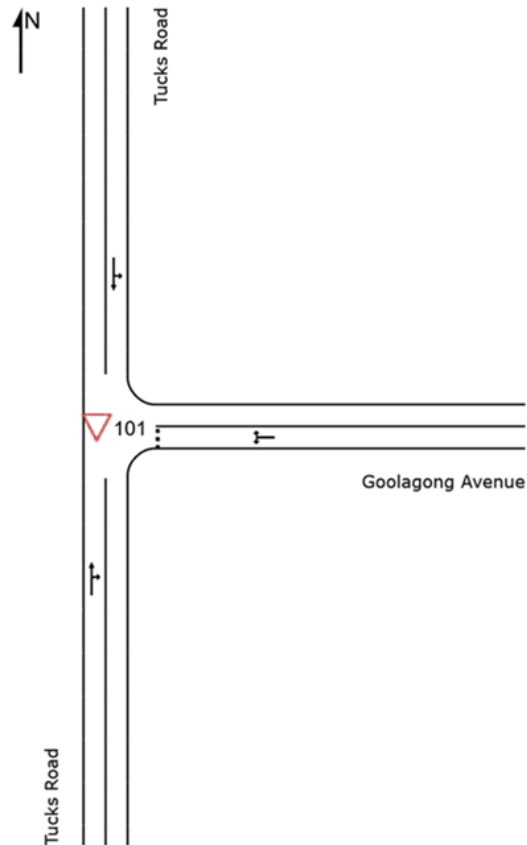
HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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SITE LAYOUT

▽ Site: 101 [Existing AM]

Tucks Road & Goolagong Avenue Intersection
 Site Category: (None)
 Giveaway / Yield (Two-Way)



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MOVEMENT SUMMARY

▽ Site: 101 [Existing AM]

Tucks Road & Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Tucks Road												
2	T1	13	0.0	0.011	0.1	LOS A	0.0	0.3	0.11	0.23	0.11	48.4
3	R2	10	0.0	0.011	4.7	LOS A	0.0	0.3	0.11	0.23	0.11	47.5
Approach		23	0.0	0.011	2.1	NA	0.0	0.3	0.11	0.23	0.11	48.0
East: Goolagong Avenue												
4	L2	29	0.0	0.019	4.7	LOS A	0.1	0.5	0.12	0.50	0.12	46.3
6	R2	1	0.0	0.019	4.6	LOS A	0.1	0.5	0.12	0.50	0.12	45.9
Approach		30	0.0	0.019	4.7	LOS A	0.1	0.5	0.12	0.50	0.12	46.3
North: Tucks Road												
7	L2	1	0.0	0.026	4.6	LOS A	0.0	0.0	0.00	0.01	0.00	49.4
8	T1	49	0.0	0.026	0.0	LOS A	0.0	0.0	0.00	0.01	0.00	49.9
Approach		50	0.0	0.026	0.1	NA	0.0	0.0	0.00	0.01	0.00	49.9
All Vehicles		103	0.0	0.026	1.9	NA	0.1	0.5	0.06	0.20	0.06	48.4

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Existing PM]

Tucks Road & Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Tucks Road												
2	T1	35	0.0	0.032	0.0	LOS A	0.1	0.9	0.09	0.25	0.09	48.4
3	R2	31	0.0	0.032	4.6	LOS A	0.1	0.9	0.09	0.25	0.09	47.4
Approach		66	0.0	0.032	2.2	NA	0.1	0.9	0.09	0.25	0.09	47.9
East: Goolagong Avenue												
4	L2	13	7.7	0.009	4.7	LOS A	0.0	0.3	0.09	0.50	0.09	46.3
6	R2	1	0.0	0.009	4.6	LOS A	0.0	0.3	0.09	0.50	0.09	46.0
Approach		14	7.1	0.009	4.7	LOS A	0.0	0.3	0.09	0.50	0.09	46.3
North: Tucks Road												
7	L2	1	0.0	0.016	4.6	LOS A	0.0	0.0	0.00	0.02	0.00	49.4
8	T1	30	0.0	0.016	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	49.9
Approach		31	0.0	0.016	0.1	NA	0.0	0.0	0.00	0.02	0.00	49.9
All Vehicles		111	0.9	0.032	1.9	NA	0.1	0.9	0.06	0.22	0.06	48.2

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed AM]

Tucks Road & Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles											
Mov ID	Turn	Demand	Flows	Deg	Average	Level of	95% Back of Queue	Prop	Effective	Aver. No	Average
		Total	HV	Satn	Delay	Service	Vehicles	Queued	Stop Rate	Cycles	Speed
		veh/h	%	v/c	sec		veh	m			km/h
South: Tucks Road											
2	T1	13	0.0	0.013	0.1	LOS A	0.1	0.4	0.12	0.27	48.1
3	R2	14	0.0	0.013	4.7	LOS A	0.1	0.4	0.12	0.27	47.2
Approach		27	0.0	0.013	2.5	NA	0.1	0.4	0.12	0.27	47.7
East: Goolagong Avenue											
4	L2	42	0.0	0.027	4.7	LOS A	0.1	0.8	0.12	0.50	46.3
6	R2	1	0.0	0.027	4.6	LOS A	0.1	0.8	0.12	0.50	45.9
Approach		43	0.0	0.027	4.7	LOS A	0.1	0.8	0.12	0.50	46.3
North: Tucks Road											
7	L2	1	0.0	0.026	4.6	LOS A	0.0	0.0	0.00	0.01	49.4
8	T1	49	0.0	0.026	0.0	LOS A	0.0	0.0	0.00	0.01	49.9
Approach		50	0.0	0.026	0.1	NA	0.0	0.0	0.00	0.01	49.9
All Vehicles		120	0.0	0.027	2.3	NA	0.1	0.8	0.07	0.24	48.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed PM]

Tucks Road & Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Tucks Road												
2	T1	35	0.0	0.037	0.1	LOS A	0.2	1.2	0.09	0.30	0.09	48.1
3	R2	44	0.0	0.037	4.6	LOS A	0.2	1.2	0.09	0.30	0.09	47.2
Approach		79	0.0	0.037	2.6	NA	0.2	1.2	0.09	0.30	0.09	47.6
East: Goolagong Avenue												
4	L2	17	5.9	0.011	4.7	LOS A	0.0	0.3	0.09	0.50	0.09	46.3
6	R2	1	0.0	0.011	4.7	LOS A	0.0	0.3	0.09	0.50	0.09	46.0
Approach		18	5.6	0.011	4.7	LOS A	0.0	0.3	0.09	0.50	0.09	46.3
North: Tucks Road												
7	L2	1	0.0	0.016	4.6	LOS A	0.0	0.0	0.00	0.02	0.00	49.4
8	T1	30	0.0	0.016	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	49.9
Approach		31	0.0	0.016	0.1	NA	0.0	0.0	0.00	0.02	0.00	49.9
All Vehicles		128	0.8	0.037	2.3	NA	0.2	1.2	0.07	0.26	0.07	47.9

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

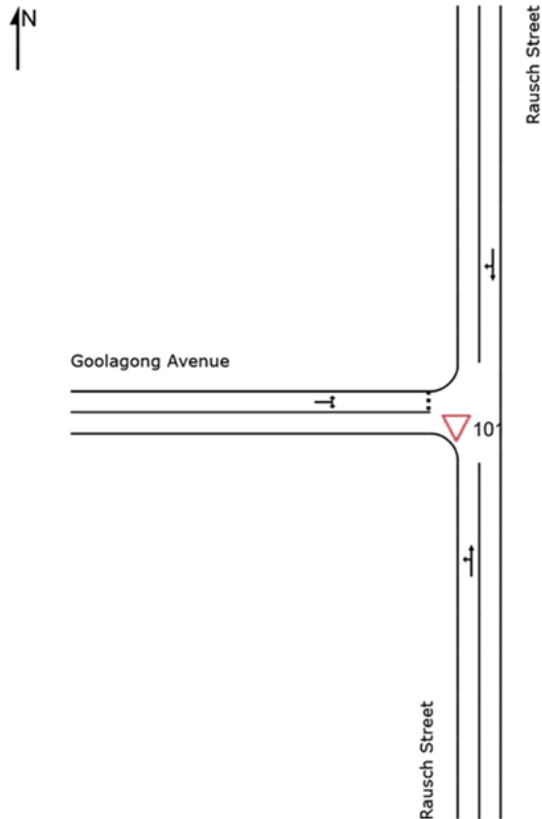
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SITE LAYOUT**▽ Site: 101 [Existing AM]**

Rausch Street and Goolagong Avenue Intersection

Site Category: (None)

Giveaway / Yield (Two-Way)



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MOVEMENT SUMMARY

▽ Site: 101 [Existing AM]

Rausch Street and Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Rausch Street												
1	L2	12	0.0	0.007	4.6	LOS A	0.0	0.0	0.00	0.49	0.00	46.8
2	T1	1	0.0	0.007	0.0	LOS A	0.0	0.0	0.00	0.49	0.00	47.3
Approach		13	0.0	0.007	4.2	NA	0.0	0.0	0.00	0.49	0.00	46.9
North: Rausch Street												
8	T1	8	0.0	0.009	0.0	LOS A	0.0	0.3	0.06	0.32	0.06	48.1
9	R2	12	0.0	0.009	4.6	LOS A	0.0	0.3	0.06	0.32	0.06	47.1
Approach		20	0.0	0.009	2.8	NA	0.0	0.3	0.06	0.32	0.06	47.5
West: Goolagong Avenue												
10	L2	9	0.0	0.009	4.6	LOS A	0.0	0.2	0.01	0.54	0.01	46.6
12	R2	7	0.0	0.009	4.6	LOS A	0.0	0.2	0.01	0.54	0.01	46.2
Approach		16	0.0	0.009	4.6	LOS A	0.0	0.2	0.01	0.54	0.01	46.4
All Vehicles		49	0.0	0.009	3.7	NA	0.0	0.3	0.02	0.44	0.02	47.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Existing PM]

Rausch Street and Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows		Deg. Satn	Average Delay	Level of Service	95% Back of Queue Vehicles	95% Back of Queue Distance	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed
		Total veh/h	HV %	v/c	sec		veh	m				km/h
South: Rausch Street												
1	L2	6	16.7	0.007	4.7	LOS A	0.0	0.0	0.00	0.27	0.00	47.9
2	T1	6	0.0	0.007	0.0	LOS A	0.0	0.0	0.00	0.27	0.00	48.6
Approach		12	8.3	0.007	2.4	NA	0.0	0.0	0.00	0.27	0.00	48.3
North: Rausch Street												
8	T1	3	0.0	0.005	0.0	LOS A	0.0	0.2	0.06	0.38	0.06	47.8
9	R2	7	0.0	0.005	4.6	LOS A	0.0	0.2	0.06	0.38	0.06	46.9
Approach		10	0.0	0.005	3.2	NA	0.0	0.2	0.06	0.38	0.06	47.1
West: Goolagong Avenue												
10	L2	18	0.0	0.018	4.6	LOS A	0.1	0.4	0.03	0.53	0.03	46.6
12	R2	14	0.0	0.018	4.6	LOS A	0.1	0.4	0.03	0.53	0.03	46.1
Approach		32	0.0	0.018	4.6	LOS A	0.1	0.4	0.03	0.53	0.03	46.4
All Vehicles		54	1.9	0.018	3.8	NA	0.1	0.4	0.03	0.44	0.03	46.9

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed AM]

Rausch Street and Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Rausch Street												
1	L2	25	0.0	0.014	4.6	LOS A	0.0	0.0	0.00	0.51	0.00	46.7
2	T1	1	0.0	0.014	0.0	LOS A	0.0	0.0	0.00	0.51	0.00	47.2
Approach		26	0.0	0.014	4.4	NA	0.0	0.0	0.00	0.51	0.00	46.8
North: Rausch Street												
8	T1	8	0.0	0.009	0.0	LOS A	0.0	0.3	0.09	0.32	0.09	48.0
9	R2	12	0.0	0.009	4.6	LOS A	0.0	0.3	0.09	0.32	0.09	47.1
Approach		20	0.0	0.009	2.8	NA	0.0	0.3	0.09	0.32	0.09	47.4
West: Goolagong Avenue												
10	L2	9	0.0	0.011	4.6	LOS A	0.0	0.2	0.01	0.54	0.01	46.6
12	R2	11	0.0	0.011	4.6	LOS A	0.0	0.2	0.01	0.54	0.01	46.2
Approach		20	0.0	0.011	4.6	LOS A	0.0	0.2	0.01	0.54	0.01	46.4
All Vehicles		66	0.0	0.014	4.0	NA	0.0	0.3	0.03	0.46	0.03	46.8

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed PM]

Rausch Street and Goolagong Avenue Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
South: Rausch Street												
1	L2	16	0.0	0.009	4.6	LOS A	0.0	0.0	0.00	0.50	0.00	46.8
2	T1	1	0.0	0.009	0.0	LOS A	0.0	0.0	0.00	0.50	0.00	47.2
Approach		17	0.0	0.009	4.3	NA	0.0	0.0	0.00	0.50	0.00	46.8
North: Rausch Street												
8	T1	8	0.0	0.009	0.0	LOS A	0.0	0.3	0.07	0.32	0.07	48.0
9	R2	12	0.0	0.009	4.6	LOS A	0.0	0.3	0.07	0.32	0.07	47.1
Approach		20	0.0	0.009	2.8	NA	0.0	0.3	0.07	0.32	0.07	47.5
West: Goolagong Avenue												
10	L2	9	0.0	0.016	4.6	LOS A	0.0	0.3	0.01	0.55	0.01	46.6
12	R2	20	0.0	0.016	4.6	LOS A	0.0	0.3	0.01	0.55	0.01	46.2
Approach		29	0.0	0.016	4.6	LOS A	0.0	0.3	0.01	0.55	0.01	46.3
All Vehicles		66	0.0	0.016	4.0	NA	0.0	0.3	0.02	0.47	0.02	46.8

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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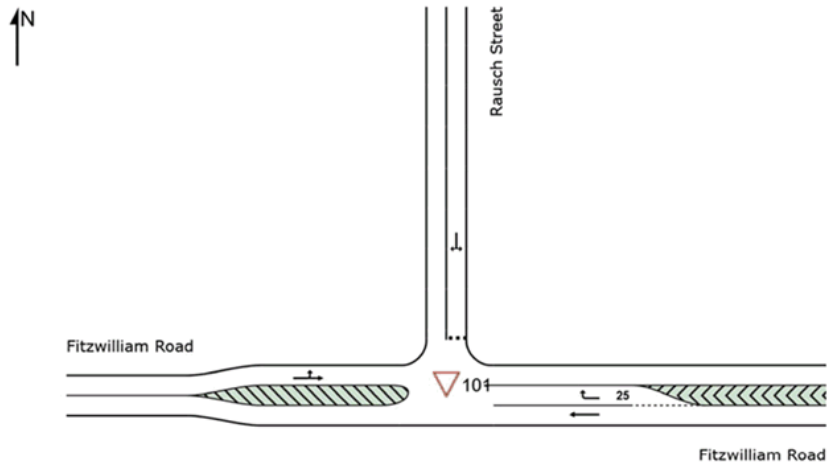
SITE LAYOUT

▽ Site: 101 [Existing AM]

Fitzwilliam Road and Rausch Street Intersection

Site Category: (None)

Giveway / Yield (Two-Way)



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MOVEMENT SUMMARY

▽ Site: 101 [Existing AM]

Fitzwilliam Road and Rausch Street Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	687	1.6	0.356	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
6	R2	6	0.0	0.005	7.9	LOS A	0.0	0.2	0.61	0.63	0.61	47.9
Approach		693	1.6	0.356	0.1	NA	0.0	0.2	0.01	0.01	0.01	59.8
North: Rausch Street												
7	L2	46	0.0	0.103	8.4	LOS A	0.4	2.5	0.64	0.83	0.64	46.8
9	R2	17	5.9	0.103	11.9	LOS A	0.4	2.5	0.64	0.83	0.64	46.2
Approach		63	1.6	0.103	9.3	LOS A	0.4	2.5	0.64	0.83	0.64	46.6
West: Fitzwilliam Road												
10	L2	3	0.0	0.387	5.6	LOS A	0.0	0.0	0.00	0.00	0.00	58.3
11	T1	746	0.9	0.387	0.1	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
Approach		749	0.9	0.387	0.1	NA	0.0	0.0	0.00	0.00	0.00	59.9
All Vehicles		1505	1.3	0.387	0.5	NA	0.4	2.5	0.03	0.04	0.03	59.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Existing PM]

Fitzwilliam Road and Rausch Street Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	883	0.5	0.457	0.1	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
6	R2	28	3.6	0.023	7.7	LOS A	0.1	0.8	0.59	0.67	0.59	48.0
Approach		911	0.5	0.457	0.3	NA	0.1	0.8	0.02	0.02	0.02	59.4
North: Rausch Street												
7	L2	16	0.0	0.053	7.5	LOS A	0.2	1.2	0.65	0.80	0.65	46.5
9	R2	13	0.0	0.053	12.7	LOS A	0.2	1.2	0.65	0.80	0.65	46.1
Approach		29	0.0	0.053	9.8	LOS A	0.2	1.2	0.65	0.80	0.65	46.3
West: Fitzwilliam Road												
10	L2	12	0.0	0.345	5.6	LOS A	0.0	0.0	0.00	0.01	0.00	58.2
11	T1	656	1.1	0.345	0.0	LOS A	0.0	0.0	0.00	0.01	0.00	59.8
Approach		668	1.0	0.345	0.1	NA	0.0	0.0	0.00	0.01	0.00	59.8
All Vehicles		1608	0.7	0.457	0.4	NA	0.2	1.2	0.02	0.03	0.02	59.3

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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 Project: Z:\DATA\Data\Jobs\1\work\18236_21TucksRdToongabbie\SIDRA 180702\FIT_RAUX.sip8

MOVEMENT SUMMARY

▽ Site: 101 [Proposed AM]

Fitzwilliam Road and Rausch Street Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	689	1.6	0.359	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
6	R2	7	0.0	0.006	8.0	LOS A	0.0	0.2	0.61	0.64	0.61	47.8
Approach		696	1.6	0.359	0.1	NA	0.0	0.2	0.01	0.01	0.01	59.8
North: Rausch Street												
7	L2	52	0.0	0.113	8.5	LOS A	0.4	2.8	0.65	0.84	0.65	46.8
9	R2	17	5.9	0.113	12.1	LOS A	0.4	2.8	0.65	0.84	0.65	46.2
Approach		69	1.4	0.113	9.4	LOS A	0.4	2.8	0.65	0.84	0.65	46.6
West: Fitzwilliam Road												
10	L2	3	0.0	0.390	5.6	LOS A	0.0	0.0	0.00	0.00	0.00	58.3
11	T1	753	0.9	0.390	0.1	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
Approach		756	0.9	0.390	0.1	NA	0.0	0.0	0.00	0.00	0.00	59.9
All Vehicles		1521	1.2	0.390	0.5	NA	0.4	2.8	0.03	0.04	0.03	59.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 101 [Proposed PM]

Fitzwilliam Road and Rausch Street Intersection

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
East: Fitzwilliam Road												
5	T1	890	0.4	0.461	0.1	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
6	R2	34	2.9	0.028	7.7	LOS A	0.1	0.9	0.59	0.68	0.59	48.0
Approach		924	0.5	0.461	0.4	NA	0.1	0.9	0.02	0.03	0.02	59.3
North: Rausch Street												
7	L2	17	0.0	0.055	7.5	LOS A	0.2	1.3	0.65	0.80	0.65	46.5
9	R2	13	0.0	0.055	12.9	LOS A	0.2	1.3	0.65	0.80	0.65	46.1
Approach		30	0.0	0.055	9.8	LOS A	0.2	1.3	0.65	0.80	0.65	46.3
West: Fitzwilliam Road												
10	L2	12	0.0	0.346	5.6	LOS A	0.0	0.0	0.00	0.01	0.00	58.2
11	T1	658	1.1	0.346	0.0	LOS A	0.0	0.0	0.00	0.01	0.00	59.8
Approach		670	1.0	0.346	0.1	NA	0.0	0.0	0.00	0.01	0.00	59.8
All Vehicles		1624	0.7	0.461	0.4	NA	0.2	1.3	0.02	0.03	0.02	59.2

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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Ref number: IRF18/4606

Mr Mark Stapleton
Chief Executive Officer
City of Parramatta
PO BOX 32
PARRAMATTA NSW 2124

Dear Mr Stapleton

**Site Compatibility Certificate under State Environmental Planning Policy
Affordable Rental housing) 2009 – 21a Tucks Road, Toongabbie**

The Department of Planning and Environment has received an application for a site compatibility certificate for Lot 2 DP 1129995, 21a Tucks Road, Toongabbie, under *State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP)*.

As required under clause 37(4) of the SEPP, a copy of the documentation that has been submitted can be viewed at

https://scc.planningportal.nsw.gov.au/proposal/details.php?rid=SCC_2018_COPAR_002_00

In accordance with clause 37(6)(a), any comment from Council will be taken into consideration. Council's comments are requested by 6 September 2018.

If Council requires any additional information or has any questions in relation to this matter, please contact Mr Simon Turner, of the Department's Sydney Region West team on (02) 8837 6376 or via email Simon.Turner@planning.nsw.gov.au.

Yours sincerely

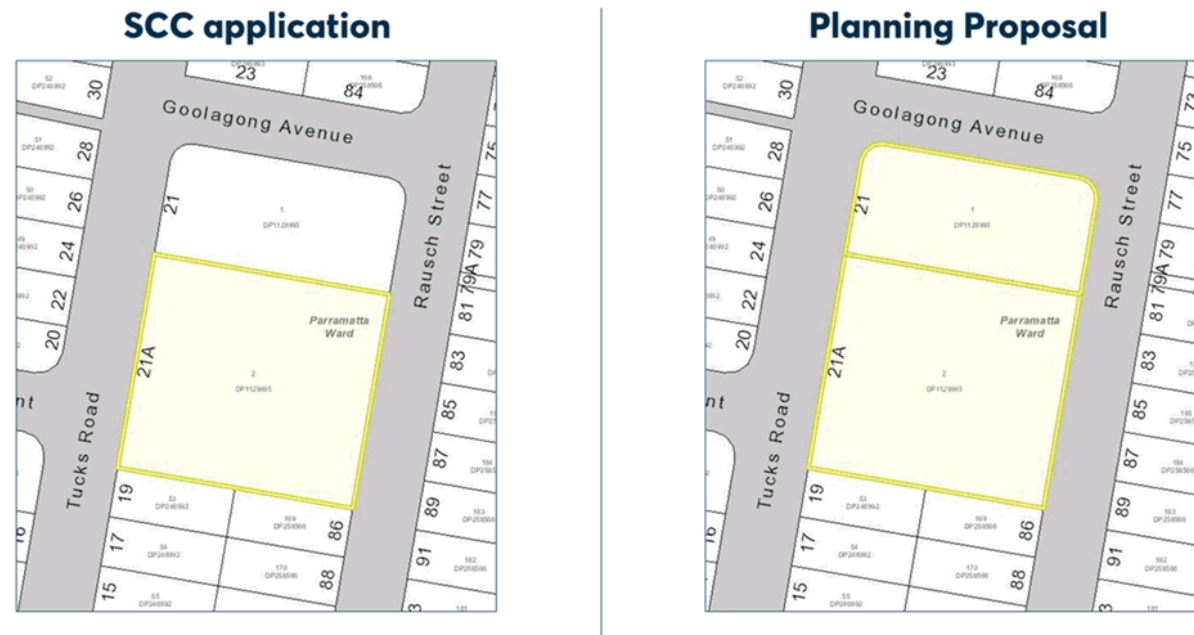
A handwritten signature in blue ink, appearing to read 'C Gough'.

23/8/2018

**Christine Gough
Team Leader
Planning Services**

320 Pitt Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | planning.nsw.gov.au

Land to which the scheme applies:

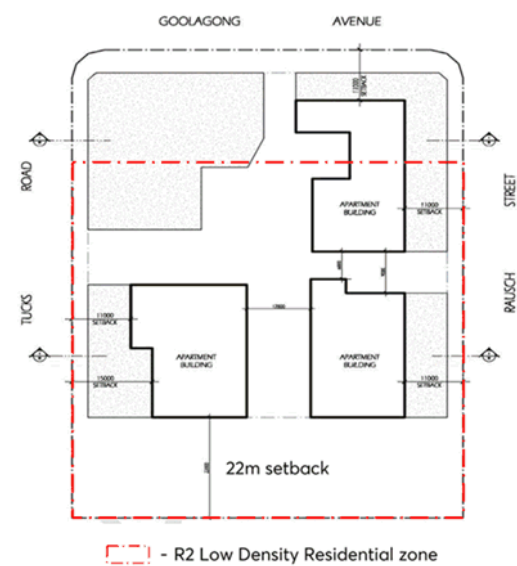


Setbacks and building envelopes:

SCC application



Planning Proposal





Christine Gough
NSW Department of Planning
and Environment
GPO Box 39
Sydney NSW 2001

Your Reference	SCC_2018_COPAR_002_00
Our Reference	RZ/11/2015
Contact	Darren Caballero
Telephone	9806 5956
Email	DCaballero@cityofparramatta.nsw.gov.au

6 September 2018

Dear Christine,

Attn: Simon Taylor

RE: **Site Compatibility Certificate under State Environmental Planning Policy (Affordable Rental Housing) 2009 – 21A Tucks Road, Toongabbie**

Reference is made to the Department of Planning and Environment's (DPE) correspondence dated 23 August 2018, regarding the abovementioned Site Compatibility Certificate (SCC) which was referred to City of Parramatta Council for comment in accordance with the consultation requirements set out under Section 37 of the *State Environmental Planning Policy (Affordable Rental Housing) 2009*. City of Parramatta Council appreciates the opportunity to provide comment on the SCC application.

It is noted that the application seeks a Site Compatibility Certificate for the development of land at 21A Tucks Road, Toongabbie for the purpose of constructing two (2) four (4) storey residential flat buildings comprising 88 residential apartments over basement car parking and associated amenities. Future development of the site includes:

- Demolition of all existing structure on the land;
- Site preparation works including the removal of all existing tennis courts;
- Construction of a single level basement car park containing resident and visitor car spaces, garbage storage room, residential storage rooms, lifts, and fire stairs;
- Vehicular ingress/egress is over a 6m wide driveway off Tucks Road;
- Construction of two (2) four (4) storey residential flat buildings containing 88 units comprising 8 x 1 bedroom units, 72 x 2 bedroom units, and 8 x 3 bedroom units.

The land at 21A Tucks Road is currently zoned R2 Low Density Residential and is surrounded by R2 Low Density Residential zone with a B1 Neighbourhood Centre zone to the north of the site. The area is predominantly characterised by single and two storey detached dwellings.

Comment

Council currently has an active Planning Proposal for land at 21 & 21A Tucks Road, Toongabbie that

Contact us:
council@cityofparramatta.nsw.gov.au | 02 9806 5050
@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au



seeks the following amendments to the Parramatta Local Environmental Plan 2011:

- Rezone the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site;
- Amend the maximum height of building controls from part 12m and part 9m to part 15m and part 9m;
- Amend the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site.

The Planning Proposal has received Gateway Determination from the DPE on 10 June 2016 (DPE ref: PP_2016_PARRA_003_00) and was publicly exhibited from 31 May to 30 June 2017 concurrently with a draft site specific DCP and draft VPA. Over 700 submissions from the community were received during the exhibition period, many of which were from residents of the area strongly objecting to the Planning Proposal.

The proposed scheme under the SCC application broadly indicates a similar built form outcome to that of the current Planning Proposal. However, Council has significant concerns with this application. Below is a table summarising the proposed development under the SCC application and Planning Proposal:

	SCC Application	Planning Proposal
Land area (m2)	4864	7428
Proposed Dwellings	88	81
Proposed Height	4 storeys	4 storeys

Table 1: Comparison of development proposals under the SCC application and the Planning Proposal

The proposed scheme under the SCC application presents a higher number of dwellings on a smaller portion of land. To achieve this, the reference designs submitted with the SCC application indicate lesser setbacks on the ground and upper levels than the proposed setbacks in the site specific DCP associated with the Planning Proposal, particularly in relation to the setbacks from the southern boundary that adjoin residential properties. The SCC scheme shows a 9m setback from the southern boundary, whereas the site specific DCP associated with the Planning Proposal indicates a 22m setback. This is a significant difference, particularly since it would increase amenity impacts for the residents to the south of the site. It is therefore considered that the proposed scheme under the SCC application has greater amenity impacts to the residential properties to the south than what would be permitted under the Planning Proposal and associated DCP.

Under Condition 1(d) of the Gateway Determination issued to Council for the Planning Proposal, the original proposed FSR of 1.5:1 across the site at 21-21A Tucks Road, Toongabbie was reduced to 1.25:1 across the site by the DPE in accordance with Council officer's originally reported recommendation. Under the SCC application scheme, the preliminary calculations indicate that density based on the provided reference designs equates to an FSR of 1.44:1 for the land at 21A Tucks Road, Toongabbie.

Furthermore, the scheme under the SCC application indicates no further public benefit apart from the required 50% residential accommodation to be provided as affordable housing for a ten (10) year period. However, a proposed roundabout at the intersection at Fitzwilliam Road and Tucks Road is to be delivered by the applicant for the benefit of the public under the Council endorsed draft VPA to alleviate existing traffic pressures and any traffic impacts as a result of the Proposal.

Page 2



The Planning Proposal has already undergone formal community consultation with over 700 submissions received from the community, many of which express strong objection to the Planning Proposal. On the other hand, the SCC process only requires consultation between the DPE and the relevant local council for a period of 14 days after the application for the certificate was made, under section 37(6)(a) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009*. After this period, the DPE considers local, regional or State strategic planning documents and makes a recommendation to the Director-General who then makes a decision. The SCC process essentially bypasses the community consultation phase which would normally be undertaken during the Planning Proposal process. As such, community consultation will only be undertaken at the DA stage and not any time before.

Recommendation

It is considered that the proposed development under the Planning Proposal results in a better built form outcome than the scheme presented in the SCC application. A site specific DCP accompanies the Planning Proposal to guide any future development in relation to its desired future character, built form and scale, management of future land uses and public domain interface, whereas no further built form controls are proposed for the scheme under the SCC application apart from the reference design submitted to the DPE as part of the application. This does not specifically address issues of amenity, particularly for the residents who adjoin the site at the southern boundary, nor does it address issues of bulk and scale in relation to the character of the surrounding neighbourhood to the extent proposed under the planning proposal.

Therefore, Council objects to the SCC application.

Furthermore, it is Council's intention to report its assessment following the outcomes of the formal exhibition period to the Local Planning Panel in September 2018 and subsequently to an Ordinary Meeting of Council. Therefore, it is considered premature for the DPE to issue an SCC prior to Council undertaking these steps in the Planning Proposal process potentially given the fact that a community consultation period has already been undertaken for the proposal. It is requested that the DPE enable Council to report the Planning Proposal to the Local Planning Panel and subsequently to Council prior to issuing an SCC.

Should you require further information, please contact Darren Caballero on 9806 5956 or DCaballero@cityofparramatta.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael Rogers".

Michael Rogers
Service Manager Land Use Planning

That the Local Planning Panel recommend to Council:

- (a) **That** Council resolve not to proceed with the Planning Proposal for land at 56-72 Dudley Street and 55-71 Crowgey Street, Dundas (provided at **Attachment 1**) which seeks to amend Parramatta Local Environmental Plan (PLEP) 2011, for the following reasons:
- 1 Inconsistency with State Government planning framework
 - 2 Proposed density on the site is considered inappropriate
 - 3 Built form and urban design concerns
 - 4 Lack of open space provision
 - 5 Potential local and cumulative traffic impacts
 - 6 Insufficient consideration towards the potential social impacts and provision of community facilities
- (b) **Further, that** the applicant be advised that Council will not be proceeding with this Planning Proposal.
- (c) **That** in response to the State Government's *Greater Parramatta and Olympic Park Peninsula (GPOP) document* and the Parramatta Light Rail Stage 1 project, that Council commence a structure plan process for the corridor from Rosehill to Carlingford to inform future land uses, densities and supporting infrastructure.
- (d) **Further, that** a workshop be held with interested Councillors during the drafting of the structure plan.

REASON FOR THE DECISION

The Panel supports the findings in the assessment report and endorses the reasons outlined in the assessment report.

The decision of the Panel was unanimous.

6.2 SUBJECT Planning Proposal for land at 21 & 21A Tucks Road, Toongabbie

REFERENCE RZ/11/2015 - D06375239

REPORT OF Project Officer Land Use

The Panel considered the matter listed as Item 6.2, attachments to Item 6.2 and the matters observed at the site inspection.

PUBLIC ADDRESS

Alan Caladine spoke in support of the recommendation.

Milad Esber spoke in support of the recommendation.

Ray Touma spoke in support of the recommendation.

The Panel did not require the large number of people (17) to speak against the recommendation.

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DETERMINATION

That the Local Planning Panel recommend to Council:

- (a) **That** Council note the outcomes of the public exhibition period in relation to the Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie.
- (b) **That** Council resolve not to proceed with the Planning Proposal for the land at 21 & 21A Tucks Road, Toongabbie (provided in **Attachment 1**) which seeks to amend the Parramatta Local Environmental Plan 2011 (PLEP 2011) in relation to the subject site by:
 - 1 Rezoning the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site
 - 2 Amending the maximum height of building controls from part 12m and part 9m to part 15m and part 9m
 - 3 Amending the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site
- (c) **Further, that** the applicant be advised that Council will not be proceeding with this Planning Proposal.

REASON FOR THE DECISION

The Panel does not support the findings in the assessment report and has provided the following reasons for not proceeding with the Planning Proposal:

- 1 The proposal would result in a large increase in the maximum height of buildings
- 2 The proposal would result in multi-storey residential flat buildings situated away from public transport
- 3 There is concern about the possibility of the land being subject to flooding
- 4 It is considered inappropriate to have higher density residential development in a location such as this.

The decision of the Panel was unanimous.

The meeting terminated at 6.40 pm.

THIS PAGE AND THE PRECEDING PAGES ARE THE MINUTES OF THE LOCAL PLANNING PANEL HELD ON TUESDAY, 18 SEPTEMBER 2018

Chairperson

- 14 -



Planning,
Industry &
Environment

IRF19/4801 (SCC_2019_COPAR_001_00)

Mr Rik Hart
Acting Chief Executive Officer
City of Parramatta
PO BOX 32
PARRAMATTA NSW 2124

Dear Mr Hart

**Site Compatibility Certificate under State Environmental Planning Policy
(Affordable Rental housing) 2009 – 21a Tucks Road, Toongabbie
SCC_2019_COPAR_001_00**

The Department of Planning and Environment has received an application for a site compatibility certificate for Lot 2 DP 1129995, 21a Tucks Road, Toongabbie, under *State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP)*.

As required under clause 37(4) of the SEPP, a copy of the documentation that has been submitted can be viewed at <https://scc.planningportal.nsw.gov.au/index.php>

In accordance with clause 37(6)(a), any comment from Council will be taken into consideration. Council's comments are requested by 24 July 2019.

If Council requires any additional information or has any questions in relation to this matter, please contact Mr Michael Cividin, of the Department's Sydney Region West team on 9860 1554 or via email michael.cividin@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angela Hynes'.

10.07.2019

**Angela Hynes
Acting Team Leader
Planning Services**

320 Pitt Street Sydney NSW 2000 | GPO Box 39 Sydney NSW 2001 | planning.nsw.gov.au



Angela Hynes
NSW Department of Planning, Industry &
Environment
GPO Box 39
Sydney NSW 2001

Your Reference	IRF 19/4801 (SCC_2019_COPAR_001_00)
Our Reference	RZ/11/2015
Contact	Darren Caballero
Telephone	9806 5956
Email	DCaballero@cityofparramatta.nsw.gov.au

23 July 2019

Dear Angela,
Attn: Michael Cividin

RE: Site Compatibility Certificate under State Environmental Planning Policy (Affordable Rental Housing) 2009 – 21A Tucks Road, Toongabbie (SCC_2019_COPAR_001_00)

Reference is made to the Department of Planning, Industry & Environment's (DPIE) correspondence dated 10 July 2019, regarding the abovementioned Site Compatibility Certificate (SCC) which was referred to City of Parramatta Council for comment in accordance with the consultation requirements set out under Section 37 of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARHSEPP). City of Parramatta Council appreciates the opportunity to provide comment on the SCC application.

It is noted that the application seeks an SCC for the development of land of 21A Tucks Road, Toongabbie for the purpose of constructing two (2) four (4) storey residential flat buildings (RFBs) comprising 68 residential apartments over basement car parking and associated amenities. The current SCC application provides for a slight decrease in residential yield compared with the previous SCC application (SCC_2018_COPAR_002_00) where the DPIE ultimately did not issue an SCC for the initial proposal.

The land at 21A Tucks Road is currently zoned R2 Low Density Residential and is surrounded by R2 Low Density Residential zones with a B1 Neighbourhood Centre zone to the north of the site. The area is predominantly characterised by single and two-storey detached dwellings.

Comment

Council currently has an active Planning Proposal for the land at 21-21A Tucks Road, Toongabbie that seeks the following amendments to the Parramatta Local Environmental Plan 2011 (PLEP 2011):

- Rezone the land from part B1 Neighbourhood Centre and part R2 Low Density Residential to B4 Mixed Use across the site;
- Amend the maximum height of building controls from part 12m and part 9m to part 15m and part 9m;

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@cityofparramatta | PO Box 32, Parramatta, NSW 2124
ABN 49 907 174 773 | cityofparramatta.nsw.gov.au



- Amend the maximum floor space ratio controls from part 1.5:1 and part 0.5:1 to 1.25:1 across the site.

The Planning Proposal has received Gateway Determination from the former Department of Planning and Environment (DPE) on 10 June 2016 (DPE ref: PP_2016_PARRA_003_00) and was publicly exhibited from 31 May to 30 June 2017 concurrently with a draft site specific DCP and draft VPA. Over 700 submissions from the community were received during the exhibition period, many of which were from residents of the area strongly objecting to the Planning Proposal.

The proposed scheme under the SCC application broadly indicates a similar built form outcome to that of the current Planning Proposal, however, Council has concerns with this application. Below is a table summarising the proposed development under the SCC application and the Planning Proposal:

	SCC Application	Planning Proposal
Land area (m ²)	4864	7428
Proposed Dwellings	68	81
Proposed Height	4 storeys	4 storeys
Proposed FSR	1.24:1	1.25:1

Table 1: Comparison of development proposals under the SCC application and the Planning Proposal

The proposed scheme under the SCC application presents a high number of dwellings on a smaller portion of land than the land under the Planning Proposal. It should be noted that whilst the scheme under the SCC application presents a lower dwelling yield than under the Planning Proposal and they are of similar proposed FSRs, the SCC application only applies to 21A Tucks Road, whereas the Planning Proposal applies to 21-21A Tucks Road.

The proposed scheme under the SCC application indicates a 'stepped' built form which transitions from two-storeys from the southern boundary up to four-storeys towards the north of the site. To achieve the proposed dwelling yield under the SCC application, the design provides lesser setbacks than those proposed in the Council endorsed draft DCP associated with the Planning Proposal, particularly in relation to the southern boundary which adjoins low density residential properties. The SCC indicates a 9m setback from the southern boundary whilst the draft DCP proposes 22m.

The SCC scheme indicates that balconies are expected to be located on the southern edge of the site which adjoins low residential properties. Under Part 2F of the Apartment Design Guide (ADG), a minimum 12m building separation between habitable rooms/balconies is required. The SCC scheme is inconsistent with the ADG in this regard as the SCC scheme provides a 9m setback.

The SCC scheme is also inconsistent with the RFB controls under the Parramatta DCP 2011 (PDCP). The front setback requirement is a minimum of 5m, however, the SCC scheme indicates only 4m. The side setback requirement under the PDCP (particularly in relation to the south of the site adjoining low density lots) reiterates the controls under the ADG which is a minimum building separation of 12m. Additionally, the SCC scheme depicts basement car parking that extends across most of the site with only a small portion of the land to the north and the frontages to Tucks Road and Rausch Street to be used for deep soil. The PDCP requires a minimum of 30% of the site to be used for deep soil, however the SCC scheme provides approximately 13.4% based on the reference design.

Under Condition 1(d) of the Gateway Determination issued to Council for the Planning Proposal, the originally proposed FSR of 1.5:1 across the site at 21-21A Tucks Road, Toongabbie was reduced to 1.25:1 across the site by the DPE in accordance with Council officer's recommendation. Under the SCC application scheme, the proposed FSR is 1.24:1 for the land at 21A Tucks Road, Toongabbie only. It is



considered that the SCC application will result in an increased development on the land within a smaller area than that under the Planning Proposal.

In regards to public benefit, the scheme under the SCC application indicates there are no further public benefits apart from the required 50% residential accommodation to be provided as affordable housing for a 10 year period. However, in comparison, a draft VPA associated with the Planning Proposal is proposing to provide a roundabout at the intersection at Fitzwilliam Road and Tucks Road to alleviate existing traffic pressures and any traffic impacts as a result of increased development on the site.

The Planning Proposal has already undergone formal community consultation with over 700 submissions received from the community, many of which express strong objection to the Planning Proposal. On the other hand, the SCC process only requires consultation between the DPIE and the relevant local council for a period of 14 days after the application for the certificate was made, under Section 37(6)(a) of the ARHSEPP. After this period, the DPIE considers local, regional or State strategic planning documents and makes a recommendation to the Director-General who then makes a decision. The SCC process essentially bypasses the community consultation phase which would normally be undertaken during the Planning Proposal process. As such, community consultation will only be undertaken at the DA stage and not any time before.

Furthermore, it should be noted that the applicant has previously submitted an SCC application for the land at 21A Tucks Road, Toongabbie in August 2018. This first application presented a similar scheme to that proposed under the current SCC application. The current SCC scheme sees a reduction in total dwellings from 88 to 68 and a slight modification to the design to achieve a 'stepped' built form which transitions from two-storeys from the southern boundary up to four-storeys towards the north, as discussed above. That said, the proposed controls under the previous SCC and current SCC generally remain the same with a 9m setback to the southern boundary but with a slight increase of setbacks fronting Tucks Road and Rausch Street from 3m to 4m. Notwithstanding, both schemes remain inconsistent with both the ADG and PDCP controls.

In May 2019, Council received a notification from the DPE with a determination to not issue an SCC for this site, stating:

The application for a site compatibility certificate has not demonstrated that the issuing of a certificate would result in a development which is compatible with the surrounding land uses. The reference design is inconsistent with the predominantly low-density residential environment in respect of built form, setbacks, scale and density.

Overall, it is considered that despite the slight decrease in residential yield, the current SCC application is still strongly consistent with the previous SCC application which was ultimately refused by the DPIE.

Recommendation

It is considered that the proposed development under the Planning Proposal results in a better built form outcome than the scheme presented in the SCC application. A site specific DCP accompanies the Planning Proposal to guide any future development in relation to its desired future character, built form and scale, management of future land uses and public domain interface, whereas no further built form controls are proposed for the scheme under the SCC application apart from the reference design submitted to the DPIE as part of the application.

Therefore, Council objects to the SCC application.

Furthermore, the matter relating to the initial SCC application has already been considered at Council's meeting of 29 October 2018 where it was resolved:



That consideration of this matter be deferred to enable Council to receive advice from the State Government on the Site Compatibility Certificate.

Since a determination was received from the DPIE in May 2019 for the first SCC application, the Planning Proposal is proposed to be reported at an upcoming Council meeting in August. Therefore, it is regarded premature for the DPIE to issue an SCC prior to Council re-considering this deferred matter formally at an Ordinary Council meeting.

It is therefore requested that the DPIE enable Council to consider the Planning Proposal and the outcome of the previous SCC application prior to making a determination of this current SCC.

Should you have further information, please contact Darren Caballero on 9806 5956 or DCaballero@cityofparramatta.nsw.gov.au.

Regards,

A handwritten signature in blue ink, appearing to read "Kevin Kuo".

Kevin Kuo
A/Land Use Planning Manager

FAIR

11 NOVEMBER 2019

13.1	FOR APPROVAL: Adoption of Ward Boundary Changes	394
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FAIR

ITEM NUMBER	13.1
SUBJECT	FOR APPROVAL: Adoption of Ward Boundary Changes
REFERENCE	F2019/00279 - D06941217
REPORT OF	Governance Manager

PURPOSE:

The purpose of this report is to seek Council's endorsement to submit the ward boundary proposal to the NSW Electoral Commission, following the public exhibition process.

RECOMMENDATION

- (a) **That** the following changes to Council's ward boundaries, as exhibited, be adopted:
 - Seven (7) SA1s be transferred from Rosehill ward to Dundas ward (transfer of 2,119 electors).
- (b) **That** the NSW Electoral Commission be advised of Council's decision.
- (c) **Further, that** a letter box drop be carried out of the affected residents advising of the subject changes.

BACKGROUND

1. Section 211 of the Local Government Act 1993 (LG Act) places an obligation on Councils to keep their ward boundaries under review. A maximum variation of 10% is permitted between the wards with the highest and lowest amount of electors.
 2. Council, at its meeting of 9 September 2019, resolved to place a ward boundary proposal on public exhibition to resolve a greater than 10% variance identified between the Rosehill and Dundas wards as follows:
 - (a) ***That Council endorse Option 2 of the ward boundaries proposal, including plans of changes to Council's ward boundaries (as identified at Attachment 3 and Attachment 4 to this report) to be placed on public exhibition for 42 days in the City of Parramatta libraries, Council's Customer Service Centre and website from 10 September 2019 to 21 October 2019 and such exhibition be supported by appropriate advertisements in the local papers:***
 - *Seven (7) SA1s be transferred from Rosehill Ward to Dundas Ward (transferring 2,119 electors);*
 - (b) ***That submissions in relation to the proposed changes to Council's ward boundaries be accepted for 42 days from the date of the initial exhibition date, the closing for submissions date being 21 October 2019.***
 - (c) ***That a report be brought back to Council addressing public submissions and including a recommendation for adoption.***
-

(d) **Further, that** following the 2020 Local Government Elections, the incoming Council prioritise a review of the ward names for the Parramatta Local Government Area.

3. In accordance with Council's resolution, appropriate maps were prepared and exhibited and advertised in accordance with Council's resolution, with interested persons being permitted to make a submission for a period of 42 days, from 10 September 2019 to 21 October 2019. Copies of the final maps as exhibited and which are placed before Council for adoption are included as an attachment to this report.

ISSUES/OPTIONS/CONSEQUENCES

4. Following the closing date of public exhibition, Council received one (1) submissions to the ward boundary proposal. A summary of the submission received is outlined below, with Council's response:

Summary of Submission	Council's Response
1. The wording of the notification was not clear in the Parramatta Advertiser. It was not clear what area the ward boundary proposal affected.	Council Officers were available to personally clarify the Ward Boundary Proposal area, the subject of the notification.
2. Concern was raised on the boundary applied upon amalgamation, between Dundas and Epping Wards, in that Dundas Valley resides within the Epping Ward, as the geographical location may be better suited to reside within the Dundas Ward.	The ward boundaries were applied by the State Government upon amalgamation in 2016.

CONSULTATION & TIMING

5. In accordance with Council's obligations under the LG Act, and Council's resolution of 9 September 2019, Council publicly exhibited the ward boundary proposal in Council's libraries, Customer Service Centre and on Council's website.
6. Following consideration of this matter, and submission to the NSW Electoral Commission, all affected residents within the ward boundary proposal area will be advised, via letter drop box, of the changes.

FINANCIAL IMPLICATION FOR COUNCIL

7. There are no financial implications for Council

Patricia Krzeminski
Governance Manager

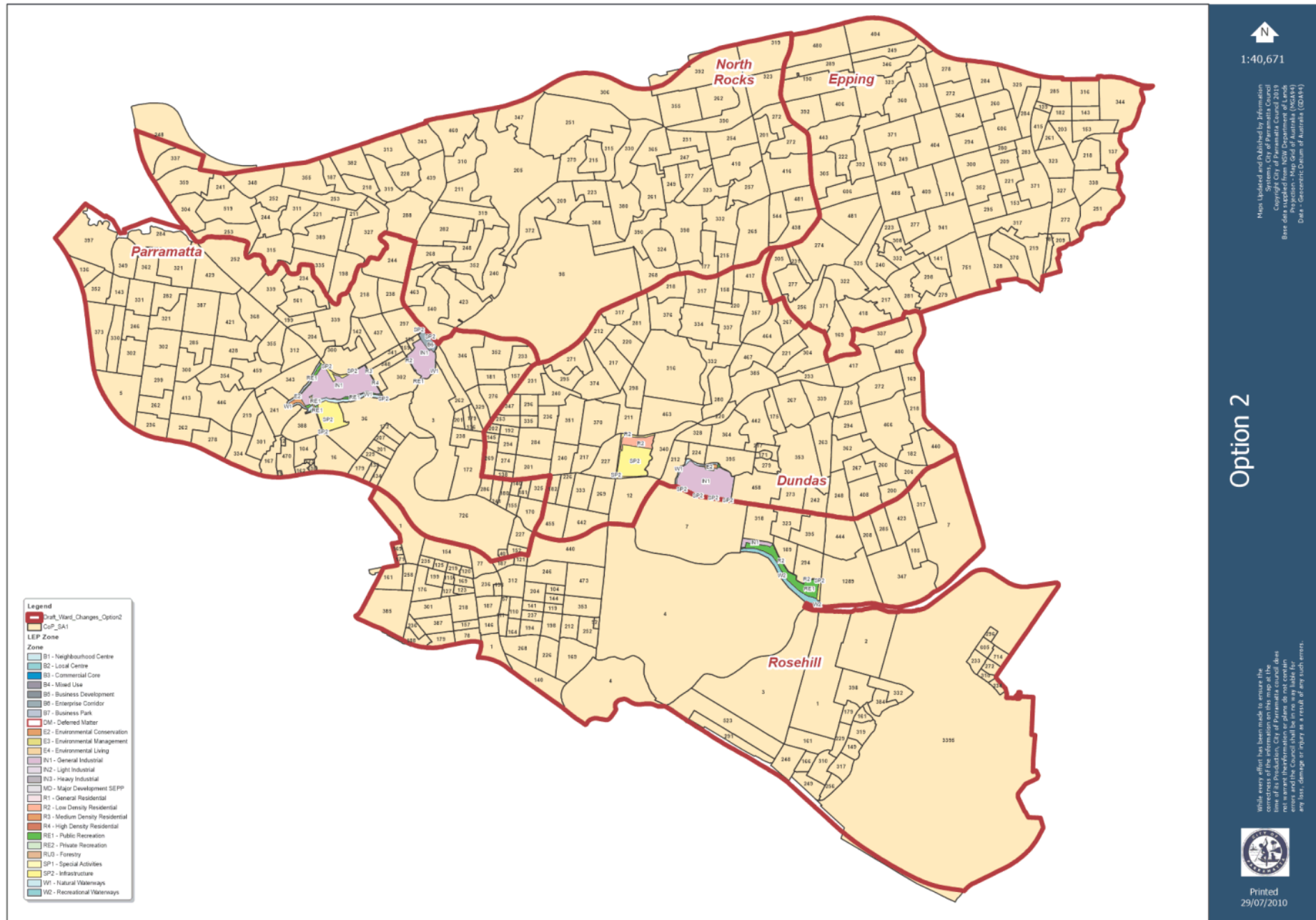
Lisa Oldridge
Group Manager, Corporate Strategy & Governance

Michael Tzimoulas
Executive Director, Corporate Services

ATTACHMENTS:

1 [↓](#) Ward Boundary Proposal Map 1 Page

REFERENCE MATERIAL



ACCESSIBLE**11 NOVEMBER 2019**

- 14.1 FOR NOTATION: Minutes of the Cycleways Advisory Committee..... 399
- 14.2 FOR NOTATION: Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1..... 473

ACCESSIBLE

ITEM NUMBER	14.1
SUBJECT	FOR NOTATION: Minutes of the Cycleways Advisory Committee
REFERENCE	F2013/00268 - D07049277
REPORT OF	Senior Project Officer Transport Planning

PURPOSE:

To inform Council of the minutes of the Parramatta Cycleways Advisory Committee meetings held from January 2018 to July 2019.

RECOMMENDATION

That Council receives and notes the minutes of the Parramatta Cycleways Advisory Committee meetings held in 2018 on 24 January, 21 March, 23 May, 25 July, 19 September, 21 November, and in 2019 on 23 January, 20 March, 22 May and 24 July.

BACKGROUND

1. City of Parramatta Council's Cycleway Committee meets every second month. The Committee currently comprises eleven members representing various cycling interests.
2. In 2018 the Committee met on the 24 January, 21 March, 23 May, 25 July, 19 September and 21 November. In 2019 the Committee met on the 23 January, 20 March, 22 May and 24 July. See **Attachments 1 to 10** for a copy of the minutes.
3. Due to the nature of most issues discussed by the Committee, the minutes are reported annually.

SUMMARY OF COMMITTEE MINUTES**PROJECTS**

4. The Committee members were briefed throughout the last 18 months on the status of cycling-related projects being planned, designed and delivered by Council or other parties and provided valuable input. All Council projects presented to the Committee had been through Council's budget approval processes, of which a significant number of projects are fully or partially grant funded by the State Government.
5. The Committee provided input to the Epping to Carlingford Cycleway, with Committee members reviewing the content and structure of the draft community survey, and evaluating potential routes for their suitability for riders of all abilities.
6. Feedback on projects such as Alfred St Pedestrian and Cyclist Bridge, Escarpment Boardwalk, Milson Park Cycleway, WSU Link Shared Path, Ermington Foreshore Transformation, as well as the Homebush Bay Circuit Masterplan was also provided.

7. The Committee provided feedback and identified changes for two updates of the 'Greater Parramatta by Bicycle Map'. A copy of the 2019 version of the map is provided at **Attachments 11 and 12**. Printed copies of the map have been distributed widely across Council sites and also made available online.

ADVOCACY

8. The Committee also offered advice and guidance on the Active Transport Link shared path along the Parramatta Light Rail (PLR) route. When Ausgrid proposed to close the M4 Cycleway at Duck River, the Committee worked with Ausgrid to secure a 3-metre wide temporary path adjacent to the closed route during construction.

POLICY

9. The Committee contributed to the Discussion Paper on 'Harmonising our land use planning framework', on proposed Bike Parking Rates and End of Trip Facilities. The Committee also supported the draft Civic Link DCP and requested that secure bicycle parking also be considered. The Committee has also requested Council review the Hoarding Policy to consider wider hoardings on shared paths.

COMMUNITY FEEDBACK

10. The Committee represents a number of Bicycle Clubs and Bicycle User Groups in the area, namely BicycleNSW, Parramatta Cycling Club, CAMWEST and BikeNorth. Committee members provided feedback to Council from their members on issues such as maintenance or safety concerns, and also communicated Council policy, infrastructure proposals, and closures to their broader membership.

CYCLING EDUCATION, EVENTS AND ACTIVITIES

11. The Committee engaged in a variety of events and programs including: Biketober Business Challenge, Sydney Festival, International World Bicycle Day, Sydney Rides Festival, Ride to Work Day, Spring Cycle, Great Cycle Challenge and Ride and Stride Week.
12. Committee members also actively participated in leading rides around the LGA for new riders, as well as providing bike valet parking at Council events, and undertook counting for Bicycle Network Super Tuesday and Super Sunday surveys. A number of members also contributed to filming a video to promote cycling in Parramatta as part of WeRide's 2018 bicycle summit.

COMMUNICATION WITH OTHER COUNCIL COMMITTEES

13. A representative of the Committee attended all Parramatta Traffic Committee meetings and provided information on all relevant Traffic Committee items and how interventions may impact cyclists. The Committee also collaborated with the Access Advisory Committee by members attending each other's meeting when possible.

FINANCIAL IMPLICATIONS FOR COUNCIL

14. There are no financial implications in receiving and noting the minutes of the Cycleways Advisory Committee.

Mark Crispin
Senior Transport Planner

Michael Jollon
Transport Planning Manager

Jennifer Concato
Executive Director City Strategy and Development

ATTACHMENTS:

1 <u>↓</u>	Cycleways Advisory Committee Minutes 24 January 2018	9 Pages
2 <u>↓</u>	Cycleways Advisory Committee Minutes 21 March 2018	8 Pages
3 <u>↓</u>	Cycleways Advisory Committee Minutes 23 May 2018	7 Pages
4 <u>↓</u>	Cycleways Advisory Committee Minutes 25 July 2018	6 Pages
5 <u>↓</u>	Cycleways Advisory Committee Minutes 19 September 2018	7 Pages
6 <u>↓</u>	Cycleways Advisory Committee Minutes 21 November 2018	7 Pages
7 <u>↓</u>	Cycleways Advisory Committee Minutes 23 January 2019	7 Pages
8 <u>↓</u>	Cycleways Advisory Committee Minutes 20 March 2019	6 Pages
9 <u>↓</u>	Cycleways Advisory Committee Minutes 22 May 2019	8 Pages
10 <u>↓</u>	Cycleways Advisory Committee Minutes 24 July 2019	4 Pages
11 <u>↓</u>	Greater Parramatta by Bicycle - Front	1 Page
12 <u>↓</u>	Greater Parramatta by Bicycle - Rear	1 Page

MINUTES OF THE **PARRAMATTA CYCLEWAYS ADVISORY COMMITTEE**
MEETING HELD IN THE LEVEL 12 BOARDROOM, 126 CHURCH STREET,
PARRAMATTA ON WEDNESDAY, 24 JANUARY 2018 COMMENCING AT 6:00PM

PRESENT

Pam Kendrick in Chair (for Items 8 - 11), Charlene Bordley, Bernard Carpenter, Darryn Capes-Davis, Peter Gilbert, Paul McDonald, Ted Richards, Jenny Rose (retired at 7.52pm), Simon Thorne and Tony Walker.

IN ATTENDANCE

Mark Crispin (Project Officer Transport, City of Parramatta), Andrew Goard (CAMWEST), Jane Parker (Project Officer Transport, City of Parramatta Council), Councillor Dr Patricia Prociv (City of Parramatta Council – retired at 7.30pm), Stephen Pearson (Minute Clerk, City of Parramatta Council), Beau Reid (Student Project Officer, City of Parramatta Council) and Josephine Roper (Observer).

1 ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS – THE DARUG PEOPLE

Pending the election of a Chairperson, Mark Crispin made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2 WELCOME & INTRODUCTIONS

Mark Crispin welcomed everyone to this, the first meeting of the newly formed Cycleways Advisory Committee for the 2017-2020 period. Mark thanked the members of the new Committee for their interest in joining the Committee and he said that it is good to see such a high level of engagement around cycling.

This was followed by a brief introduction given by each attendee.

3 MINUTES – 26 JULY 2017

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 26 July 2017 had previously been forwarded to each member for information only.

RESOLUTION

That the Committee note that the Minutes of the Cycleways Advisory Committee Meeting of 26 July 2017 were confirmed by email by the following members of the former Committee: Pam Kendrick, Darryn Capes-Davis, Simon Moore and Jenny Rose.

4 APOLOGIES

Apologies were received and accepted for the absence of Committee member Ray Rice.

5 CODE OF CONDUCT TRAINING – ADVISORY COMMITTEES INDUCTION WORKSHOP

Mark Crispin, Project Officer Transport, City of Parramatta Council presented an 'Induction Workshop' to the new Committee, it being noted that this is a mandatory requirement of Council that all Committee members participate in this workshop before formal participation in the Committee.

All members of the Committee were present for the Workshop with the exception of Ray Rice.

The Workshop covered the following areas:

- Overview of Council and its Decision Making
- Other Advisory Committees – Aboriginal and Torres Strait Islander, Access, Heritage and Parramatta Light Rail Community and Business Advisory Committee
- Purpose of All Advisory Committees
- What Advisory Committees do
- Communication in the Committee
- Who attends Advisory Committees
- Framework of Advisory Committees
- Core Terms of Reference of Advisory Committees
- Dealing with Conflicts of Interest
- Individual Terms of Reference of each Advisory Committee
- Code of Conduct
- Consequence of breaching the Code of Conduct
- Key Principles of the Code of Conduct
- Information included in Code of Conduct
- Challenges faced by Advisory Committees
- Satisfaction of membership of Advisory Committees
- Further Information – available from Committee Convenor, Mark Crispin

Mark suggested that any members who would like a matter included on an agenda should email him at MCrispin@cityofparramatta.nsw.gov.au or alternatively, Mark can be contacted on Tel 9806 5632.

6 DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared at this meeting.

Simon Thorne referred to Item 9 on the Agenda – M4 Cycleway at Duck River – and he indicated that he is architecturally working for a client who owns land in the vicinity of Carter Street where a suggestion has been made in the DPP for a crossing across Duck River.

Mark advised that Carter Street will not be discussed at this meeting as this cycleway is some distance away at Haslams Creek. It will however be discussed at a future meeting.

7 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

The Core Terms of Reference for Advisory Committees provides that "Each Advisory Committee votes annually to determine its Chairperson and Deputy Chairperson".

An election was held for the role of Chairperson and Deputy Chairperson.

Chairperson

Mark Crispin called for nominations for the role of Chairperson of the Committee.

Pam Kendrick was nominated by Jenny Rose and seconded by Paul McDonald.

There being no further nominations, Mark declared Pam Kendrick elected as Chairperson for the ensuing year.

Deputy Chairperson

Mark Crispin called for nominations for the role of Deputy Chairperson of the Committee.

Jenny Rose was nominated by Pam Kendrick and seconded by Charlene Bordley.

There being no further nominations, Mark declared Jenny Rose elected as Deputy Chairperson for the ensuing year.

The newly elected Chairperson, Pam Kendrick then occupied the Chair.

8 TRAFFIC COMMITTEE

Pam Kendrick, Chairperson reported that the Traffic Committee and Traffic Engineering Advisory Group meetings are to be held on Thursday 25 January 2018.

Pam advised that her role on the Traffic Committee is to represent the interests of the Cycleways Advisory Committee in respect of matters concerning cycling.

Pam explained that the Traffic Committee considers from time to time some low level matters that are easy to manage and that do not need to go to the Council and that these are dealt with by delegated authority. Occasionally, Pam identifies issues of concern to cyclists in regard to these matters.

Line marking at the bottom of North Rocks Road, North Rocks

In this regard, one such matter dealt with under delegated authority with which Pam had some concerns for cyclists was in respect of line marking at the bottom of North Rocks Road, North Rocks under the James Ruse Drive underpass. There are some big units on the north eastern corner of James Ruse Drive and Church Street with a driveway on to North Rocks Road.

The developer sought provision of a right turn lane heading west to go into the units so as to make the parking lane, which is the cycle lane, just go into the kerb and this has been painted with a solid line to the kerb rather than with broken continuity lines allowing a cycle lane at this location. Being a solid line, cyclists are unable to legally cross this white line at speed and they cannot cross it safely even at low speed as drivers see the solid line and do not see cyclists coming down the hill.

Pam raised this issue with Mark Crispin and it has since been rectified by changing the line marking at this location to a dotted line to allow cyclists to safely merge at speed.

Bennelong Parkway, Wentworth Point

Another similar situation exists at the Bennelong Parkway roundabout, Wentworth Point, where the solid line goes into the kerb at the units between Haslams Creek and Hill Road. Mark Crispin indicated that he is aware of this and he is seeking that the line marking is also changed to a dotted line.

Mark also said that a line marking package has recently been carried out in Hill Road with some less than ideal outcomes.

Action: Mark Crispin to investigate the situation and report back to the Committee.

9 M4 CYCLEWAY AT DUCK RIVER

The Lead Speaker for this item, Melissa Cerber from Ausgrid, was unable to attend the meeting and she has asked for some information to be passed on to the Committee in regard to the proposed M4 Cycleway closure at Duck River as follows:

- Ausgrid proposes to close the M4 Cycleway at Duck River to enable it to improve power between Camellia and Auburn Sub-Stations as the alignment of the power lines follows Adderley Street West along the Duck River cycleway including the bridge and then alongside the M4 to get underneath the M4 to Deniehy Street.
- As part of these works, Ausgrid is proposing some diversions on site by closing the concrete cycleway and allowing cyclists to use the RMS access road under the M4 near Deniehy Street to avoid diverting cyclists down to Parramatta Road around the site.

There are three parts associated with the closure:

1. the part that is alongside the M4 where a parallel diversion is sought
2. the bridge itself which will be operated by stop/go lollipop people
3. the piece of land that is now in the Cumberland Council LGA where a diversion is proposed being in a quiet industrial street which runs in parallel.

Mark advised that Ausgrid is seeking a good outcome and is asking for the Council's support.

Actions:

- **Mark Crispin to obtain further information and plans from Ausgrid including the type of diversions and the time that they will be in place and he circulate the information to Committee members to obtain their thoughts on the proposed diversions.**
- **Mark to also report back to the Committee and provide appropriate information to the various advocacy groups.**

10 PROJECT UPDATES**10.1 Parramatta Park Australia Day**

Mark Crispin reported that the Parramatta Park Trust has advised that the bump out of Parramatta Park after Australia Day will take place on Saturday morning 27 January 2018 when there will be a significant number of truck movements. It was suggested that cyclists should consider alternative ride locations.

Action: Committee members to pass this information on to their various networks.

It was suggested that this year, the Committee should establish a small part of Parramatta Park that can be used by cyclists during public events that can allow safe connectivity to happen for the vast majority of the time, for instance, to enter the park by Queens Road and go around down to the weir and then up the hill to behind the Stadium, then to O'Connell Street.

A question was raised as to whether it is normal practice to invite representatives from Parramatta Park Trust to discuss the Masterplan for Parramatta Park and cycling and connectivity. Mark Crispin indicated that Council has a very good relationship with the Trust and Park Rangers and he has a bi-monthly meeting with the Trust at which issues can be raised.

10.2 Short Closure of the Ermington Bay Nature Trail

Mark Crispin reported that the Ermington Bay Nature Trail is to be closed on Saturday 10 February 2018 as requested by the Civil Aviation Safety Authority for a helicopter lift of a dust extractor to one of the factories in the area, with a 7am to 3pm window. However, he said that it is likely that the helicopter lift will occur between 7am and 7.30am. There will be signage on site for a period of 2 weeks prior to this date.

It is proposed to have lollipop people at each end of the Nature Trail to inform people of the closure and of alternative routes.

10.3 NorthConnex Cyclist Diversion

Mark Crispin reported that it is proposed to change the access from Cumberland Highway on to the M2 so that south bound traffic coming from Pennant Hills Road and turning west on to the M2, will enter two parallel

on-ramps (to be constructed). This will make it unsafe for cyclists wishing to access the M2 west bound lane.

Mark has had conversations with Council's traffic staff about making Oakes Road more accessible to a broader range of cyclists by providing a wide uphill cycle lane between Aitken Road and Murray Farm Road and uphill cycle lanes along the whole length of Jenkins Road.

11 GENERAL BUSINESS

11.1 Parramatta Valley Cycleway

Mark Crispin reported that for the first time last calendar year, 200,000 cyclists have used the Parramatta Valley Cycleway and 180,000 pedestrians have used the Cycleway. He expects in 2019, that 300,000 cyclists will use the Cycleway.

11.2 North Rocks Road, North Rocks

Mark Crispin advised that he will make North Rocks Road a particular focus in 2018 and that he intends to liaise with Council's traffic staff to see how it can be improved for cyclists.

Action: Mark Crispin to consult with Council's traffic staff in regard to measures which can be implemented to improve cycling along the entire length of North Rocks Road and he report back to the next Committee meeting on the result of his discussions.

11.3 Parramatta Light Rail

Mark Crispin reported that as part of the Parramatta Light Rail project, it is proposed to build an active transport link shared path 3.6m wide completely separate from general traffic from Carlingford to Western Sydney University at Rydalmere except at Adderton Road.

The Committee was of the view that the proposed shared path does not comply with guidelines and presents a danger to both pedestrians and cyclists. The Committee considers that there should be separate walking and cycling paths for most of the route.

Mark advised that the three main issues as far as Council is concerned are:

1. the bridge over Parramatta River is only 2.5m wide for pedestrians and cyclists to share;
2. cyclists will have to pop out at Adderton Road; and
3. the shared path for the whole length presents a danger to pedestrians and cyclists due to the potential speed of cyclists up to 40 km/hour.

Action: Mark Crispin to include this item on the next agenda so that the Committee can look at this matter in some detail and provide its view.

11.4 Cycling Connectivity between Carlingford and Epping Station

Mark Crispin reported that Council, as part of the Stronger Communities amalgamation funding, was given \$1 million by the NSW State Government to improve cycling connectivity between Carlingford and Epping Station, a distance of around 4km. This funding will allow Council to build some of the missing path links. Two alternative cycle routes are proposed, a community route and a commuter route.

Action: Mark Crispin to circulate further information to Committee members in mid-February regarding the proposed cycle routes.

Councillor Dr Patricia Prociv retired from the meeting during consideration of Item 11.4, the time being 7.30pm.

11.5 George Kendall Reserve, Ermington

Reference was made to plans which the Committee viewed last year of a temporary detour around George Kendall Reserve, Ermington to allow for drainage works to take place. It was questioned as to when this work will commence.

Mark Crispin indicated that the drainage works have been delayed pending further discussions about the future potential of the Reserve. A Master Plan has been prepared and the drainage works are part of Stage 1A of this Plan. Mark does not expect the drainage works to happen any time soon.

11.6 Newington Armory – Sydney Olympic Park

Concern was raised regarding the speed of cyclists riding along the shared path through the Newington Armory Precinct at Sydney Olympic Park as there is a speed limit of 10km/hr, as it presents a danger to children and pedestrians. Cyclists are also riding two abreast.

Mark indicated that the nature of the use of the park is changing and it will be necessary to have conversations with people as to how walking and cycling can be separated within the park, which will require additional funding from Council.

It was suggested that as an education tool, the concept of on-line digital story telling could be investigated as a means of putting conversations together and talking with people.

Another suggestion raised is for schools to become involved in an art competition and coming up with a campaign and turning the winning entries into posters that can go on bins that are already there.

11.7 Community Grants Program

Mark Crispin indicated that funding is available under the City of Parramatta 2018 Annual Community Grants Program for projects, initiatives and activities for community development. Applications close on

7

5 March 2018. Community groups such as Bike North or CAMWEST can apply.

Jenny Rose retired from the meeting at this point, the time being 7.52pm.

11.8 Draft Master Plan for Milson Park, Westmead

Mark Crispin drew attention to the Draft Master Plan for Milson Park, Westmead which is currently on Public Exhibition. The park will eventually be connected to Toongabbie Creek which will have walking and cycling along it.

Input is being sought from the local community about how they currently use the park, what they like best about it, and what changes they would like to see.

11.9 Kings School Mountain Bike Track

Mark Crispin referred to the King's School Mountain Bike Track that runs on private property through the back of Kings School which was built by the community. He indicated that Council has been approached by the Kings School regarding the possibility of allowing public access to the Bike Track.

11.10 Bicycle Use at Public Events

It was reported that:

- about 30 bicycles were parked randomly around the bowl at the 'Symphony Under The Stars' event at Parramatta Park on Saturday 20 January 2018;
- 16 cyclists used the bicycle valet facility in Parramatta Park on New Year's Eve on Sunday 31 December 2017; and
- a bicycle valet facility will be available in Parramatta Park on Australia Day Friday 26 January 2018.

The Committee questioned the reason for the closure of the small green bridge across the river after the 'Symphony Under The Stars' event which necessitated alternative exit via the Tudor Gate House.

11.11 Bicycle Share Schemes

It was requested that the Committee consider the operations of the various Bicycle Share Schemes on a future agenda.

Mark Crispin indicated that a report is going to Council on 12 February 2018 regarding this matter.

Action: This matter is to be included on the agenda for the next Cycleways Advisory Committee Meeting to be held on Wednesday 21 March 2018.

Mark Crispin indicated that he will send links on the various matters raised in General Business to enable Committee members to make individual comments.

The meeting terminated at 8.20pm.

Next Meeting

Cycleways Advisory Committee Meeting
Wednesday 21 March 2018
Level 12 Boardroom
126 Church Street Parramatta
6.00 - 7:30pm

MINUTES OF THE **PARRAMATTA CYCLEWAYS ADVISORY COMMITTEE**
MEETING HELD IN THE LEVEL 11 BOARDROOM, 126 CHURCH STREET,
PARRAMATTA ON WEDNESDAY, 21 MARCH 2018 COMMENCING AT 6:03PM

PRESENT

Pam Kendrick in Chair, Charlene Bordley, Darryn Capes-Davis, Bernard Carpenter, Peter Gilbert, Paul McDonald, Ray Rice, Ted Richards, Jenny Rose (Deputy Chairperson) and Simon Thorne (retired at 7.09 pm)

IN ATTENDANCE

Mark Crispin (Project Officer Transport, City of Parramatta), Andrew Goard (CAMWEST) and Stephen Pearson (Minute Clerk, City of Parramatta Council)

1 ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2 WELCOME

Pam Kendrick introduced Ray Rice to the new Committee members and the new Committee members introduced themselves to Ray.

Pam then welcomed everyone to the meeting.

3 MINUTES – 24 JANUARY 2018

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 24 January 2018 had previously been forwarded to each member for information only.

RESOLUTION (Darryn Capes-Davis/Pam Kendrick)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 24 January 2018 be taken as read and confirmed as a true record of the proceedings of the meeting.

4 APOLOGIES

Apologies were received and accepted for the absence of Tony Walker (Committee Member), Michael Goard and Beau Reid (Student Project Officer, City of Parramatta Council).

5 DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared at this meeting.

6 TRAFFIC COMMITTEE

Pam Kendrick, Chairperson reported that the Traffic Committee and Traffic Engineering Advisory Group meetings are to be held on 22 March 2018. Items of interest to the Cycleways Advisory Committee are as follows:

Station Street West, Harris Park – Installation of Two Raised Pedestrian Crossings Outside Entrances of Harris Park Railway Station (Item 1803 A1)

It is proposed to upgrade the western side of Harris Park Station by taking away one pedestrian crossing and replacing it with two raised pedestrian crossings. Council had asked for this area to be a 10km/h shared zone but Roads and Maritime Services did not agree because it doesn't meet the warrants. It is also proposed to provide a covered rack for 20 bicycles.

Although this is not a bicycle route, as bicycles are being encouraged to park at the Station, Pam intends to ask for bicycle logos to be provided on the lead side of the road. It was suggested that a fall-back position could be a 'bicycles ahead' sign.

Fire Horse Lane, Parramatta – Installation of 10km/h Shared Zone Restriction (Item 1803 A2)

It is proposed to make Fire Horse Lane, Parramatta two-way for general traffic with a 10km/h shared zone restriction and provision of cobblestones. It is also proposed to restrict the left turn in for long vehicles because they have to swing over into the path of oncoming vehicles to make the turn.

Macquarie Street, Charles Street and George Street, Parramatta – Installation of Shared Path (Item 1803 A4)

It is proposed to install a shared user path through the middle of the Parramatta CBD along the footpaths of Macquarie Street, Charles Street and George Street, Parramatta. Western Sydney University is seeking provision of an off-road path from its campus on the north of the river to its campus in the CBD.

The path will follow the northern side of George Street to Macquarie Street, the western side of Charles Street and the northern side of Macquarie Street. It was suggested that reflective tape be provided along all of the poles along this route due to the fact that the path will be used at night by university cyclists.

Wingate Avenue and Railway Avenue, Eastwood – Installation of Roundabout (Item 1803 A5)

It is proposed to install a roundabout on the corner of Wingate Avenue and Railway Avenue, Eastwood which is situated on the boundary of the City of Parramatta and Ryde City Council local government areas. This will involve the removal of a garden bed. Ryde City Council requires the City of Parramatta's permission to undertake this work.

As this is a north-south bicycle route, Pam intends to ask for provision of bicycle logos on all three approaches.

Epping to Chatswood Temporary Transport Plan – Installation of Parking Restrictions (Item 1803 A8)

It is proposed to close the Epping to Chatswood railway line later this year for a period of seven months and buses will replace trains. It is a concern that bicycles will not be allowed on the buses.

Concern was raised in regard to the increase in bus traffic along Pembroke Street, Epping once the railway line is temporarily closed, this street being a bicycle route. It was indicated that there will be a need for bicycle logos in the street if they have not already been provided.

Action: Mark Crispin will check on whether bicycle logos have been provided in Pembroke Street, Epping and if not, he will seek provision of logos.

Bicycle Path – Pennant Hills to Epping (not on Traffic Committee agenda)

It was recently announced that there is to be a new shared cycleway path from Pennant Hills to Epping and that \$5.1 million has been allocated from the NSW Government Cycling Infrastructure Fund for this work, on the proviso that it is completed by 2020.

Reference was made to the M2 cycleway by-pass at the traffic lights at Beecroft Road just to the north of Kandy Avenue, Epping and the absence of a kerb ramp at this location.

Actions:

- **Mark Crispin will circulate the concept plan for the route to members as soon as he receives further details.**
- **Mark Crispin will investigate if a kerb ramp can be provided at the M2 cycleway by-pass at the traffic lights at Beecroft Road just to the north of Kandy Avenue, Epping.**

7 M4 CYCLEWAY AT DUCK RIVER

Mark Crispin, Project Officer Transport advised that Ausgrid is installing high voltage power lines along the Duck River Cycleway and he circulated to the Committee an aerial plan showing:

- a. the portion of the cycleway requiring temporary closure/diversion for Ausgrid construction works (approx. 3 weeks)
- b. the proposed diversion for cyclists (additional 520m, requires roads)
- c. the portion of the cycleway requiring long term closure/diversion (likely 3-4 months)
- d. the proposed long term diversion using the WestConnex access track (adjacent to cycleway, requires RMS approval)
- e. the intersection of the cycle path where stop/go traffic control for cyclists and pedestrians may be required for construction

The Committee is of the view that:

1. the proposed on-road cycle diversion around Junction and Short Streets is unsafe, particularly at the intersection of Junction and Short Street, as it presents a danger to cyclists of a weekend due to the number of vehicles frequenting this area arising from car movements into Megamall, and also during the week arising from the number of cars and delivery trucks going into Megamall and the lack of visibility due to parked cars;
2. an alternative would be to legally allow cyclists to ride on the Junction and Short Streets footpaths by widening it out to a shared footpath.

Action: Mark Crispin to seek, through the current Ausgrid contact, that access be maintained along the full cycleway, as a 500 metre diversion is not acceptable due to the inherent dangers that it would present to cyclists.

8 PROJECT UPDATES

8.1 Report on Preferred Infrastructure for Parramatta Light Rail (Stage 1)

Mark Crispin, Project Officer Transport, reported that Transport for NSW has now released the 'Preferred Infrastructure Report for the Parramatta Light Rail (Stage 1) Westmead to Carlingford via Parramatta CBD and Camellia'. Mark advised that the Report still unfortunately shows a shared path along the entire length of the Carlingford line despite the best efforts of Council and the Committee to show that it doesn't comply with various policies and guidelines.

Mark encouraged Committee members if they still hold concerns, as a matter of urgency, to write to State Government Ministers, Local State Members and Parramatta Light Rail outlining their issues.

It was mentioned that it has been some time since a Parramatta Light Rail stakeholder meeting has been held.

Action: Mark Crispin to ascertain when the next meeting of Parramatta Light Rail stakeholders is to be held.

8.2 Bicycle Sharing Scheme

Mark Crispin, Project Officer Transport, distributed a report presented to Council on 26 February 2018 on Dockless Bike Share Operators in the City of Parramatta. He advised that Southern Sydney Region Organisation of Councils (SSROC) is developing a collaborative metropolitan Sydney response and a set of operating guidelines for dockless bike share operators.

Mark advised that Council has also resolved to request Council staff to investigate potential locations for additional bicycle docking and bicycle parking for the City of Parramatta to meet demand, consider a business model for funding facilities in these locations, and incorporate mechanisms for increasing their use by dockless bike share providers. Council officers will report back to Council on the outcomes of these investigations by July 2018.

Simon Thorne retired from the meeting at this point, the time being 7.09 pm.

8.3 Lennox Bridge Northern Portal

It was reported that the Lennox Bridge northern portal has restricted access for a period of two weeks from 20 March 2018 to allow for installation of the heritage interpretation on the wall within the portal. Mark Crispin suggested that Committee members acquaint others with details of this restricted access.

8.4 Bicycle Counters

Mark Crispin, Project Officer Transport, advised that there are currently two bicycle counters along the Parramatta Valley Cycleway at Park Road and at the fork of James Ruse Drive.

Mark reported that it is proposed to install another seven bicycle counters around the City including some along the river and two along the T-Way at Queens Road.

Mark indicated that he has received some complaints about the speed of cyclists and he has ascertained that speeds of up to 30 kph have been recorded by a small percentage of cyclists at Park Road and up to 35 kph at James Ruse Drive. However, since October 2017, speeds of 40 kph have been recorded by some cyclists.

Mark is gathering evidence and is seeking suggestions on how best to control the excessive speed of cyclists at these locations.

8.4 Possible New Gateway Bridge across Parramatta River linking Melrose Park and Wentworth Point

Reference was made to a report in the local paper that the City of Parramatta has signed a Memorandum of Understanding (MOU) with property company, PAYCE, enabling detailed planning and design work to commence for a possible new bridge across the Parramatta River linking Melrose Park and Wentworth Point.

Suggestions were made that the new bridge, if it proceeds, should provide for dedicated walking and cycling on both sides of the bridge and better access at Hill Road, Wentworth Point.

Action: Mark Crispin to send a general email to Committee members briefing them on the possible new Gateway Bridge once further details are to hand.

8.5 Bicycle Network Super Sunday Recreation Count

Mark Crispin, Project Officer Transport, distributed to Committee members draft statistics on the Bicycle Network Super Sunday Recreation Count.

Mark asked Committee members to advise him as to whether they see any problems or issues with the draft counts.

Mark also indicated that volunteers are being sought to conduct the Super Tuesday Count on Tuesday 27 March 2018 between 7am and 9am. If anyone is available, they should register online.

8.6 Parramatta CBD Bicycle Lanes

Mark Crispin, Project Officer Transport, reported that Marsden Street, Parramatta has been identified in the Parramatta Bike Plan for provision of separated bicycle lanes on both sides of the street.

Action: Mark Crispin to bring details of any proposal or options for separated bicycle lanes in Marsden Street, Parramatta to either the next or following meeting of the Cycleways Advisory Committee.

8.7 Proposed Carlingford to Epping Cycleway Connection

Mark Crispin, Project Officer Transport, reported that the proposal to improve cycling connectivity between Carlingford and Epping is still being discussed with the Epping Ward Councillors. He hopes to report on the outcome of these discussions to the next meeting of the Cycleways Advisory Committee Meeting.

9 GENERAL BUSINESS

9.1 Queens and Hawkesbury Roads, Westmead

A question was raised as to when provision will be made for bicycle markings on the corner of Queens and Hawkesbury Roads, Westmead. It was also reported that the tactile indicators at this location are very slippery when wet, creating a hazard to pedestrians and cyclists.

Action: Mark Crispin will follow up on these matters to ascertain when the bicycle markings will be provided and to check if the tactile indicators have been correctly installed.

9.2 Mons Road and Dragonfly Drive, Westmead

It was advised that efforts have met with little success to slow down vehicles at the corner of Mons Road and Dragonfly Drive, Westmead. Drivers do not give way, nor do they look when turning from Mons Road into Dragonfly Drive.

It was suggested that a 3 metre wide blue shared stripe be provided at this location and the stop lines for the Give Way sign be pulled back.

Action: Mark Crispin will follow up on this matter.

9.3 Bollards in Sydney Olympic Park

It was reported that the bollards in Sydney Olympic Park are not very visible and are the cause of some accidents. Mark Crispin, Project Officer

Transport advised that he has raised this issue with SOPA and that they are currently investigating the situation.

9.4 Board Walk near O'Connell Street, Parramatta

A question was raised as to when the wood on the board walk underneath O'Connell Street, Parramatta is going to be replaced.

Action: Mark Crispin will, in the meantime, look into whether the wood can be topped with the same material from Bill Brewer bridge.

9.5 Proposed Pedestrian/Cyclist Bridge between Morton and Alfred Streets, Parramatta

A question was raised as to the width of the proposed pedestrian/cyclist bridge between Morton and Alfred Streets, Parramatta. Mark Crispin, Project Officer Transport advised that the width will be 4.5 metres. He indicated that it is desirable that the bridge should be wider, but any increase in the width substantially increases the cost.

9.6 New O'Connell Street Public School, Parramatta – Safety Concerns

It was reported that there is a great deal of friction occurring between pedestrians and cyclists associated with the opening of the new O'Connell Street Public School on the old Kings School site. A number of parents of students attending the school have raised concerns.

It is a particular problem on the shared river path with early morning commuters. The problem is that as you come under Marsden Street the parents and children are walking on the right hand side and cannot be seen by cyclists. There are a lot of collisions as well as a great volume of traffic.

The issue is being raised with the school's P & C, the school Principal and Council's Environmental Education Officer and it is proposed to commission a road safety art competition from which suitable art will be selected to be made into posters for affixing to bins along the river foreshore.

9.7 Cycleways Advisory Committee – Special Projects

It was suggested that Committee might like to consider at its next meeting identifying some appropriate project/s that the Committee could take on between now and the end of the year.

It was also suggested that Sub-Groups may be able to be formed to look at particular aspects of projects and report back to the main Committee.

The meeting terminated at 7.51pm.

Next Meeting

Cycleways Advisory Committee Meeting
Wednesday 23 May 2018
Level 12 Boardroom
126 Church Street Parramatta
6.00pm - 7:30pm

Further Meeting Dates (Tentative)

Wednesday 25 July 2018

Wednesday 19 September 2018

Wednesday 21 November 2018

MINUTES OF THE **PARRAMATTA CYCLEWAYS ADVISORY COMMITTEE**
MEETING HELD IN THE LEVEL 11 BOARDROOM, 126 CHURCH STREET,
PARRAMATTA ON WEDNESDAY, 23 MAY 2018 COMMENCING AT 6:07PM

PRESENT

Pam Kendrick in Chair, Charlene Bordley, Darryn Capes-Davis, Bernard Carpenter, Peter Gilbert (retired at 7.00pm), Paul McDonald, Ted Richards and Jenny Rose (Deputy Chairperson)

IN ATTENDANCE

Mark Crispin (Project Officer Transport, City of Parramatta), Andrew Goard (CAMWEST), Timothy Hart (Access Advisory Committee representative) and Stephen Pearson (Minute Clerk, City of Parramatta Council)

1 ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2 WELCOME

Pam Kendrick welcomed everyone to the meeting.

Pam extended a particular welcome to the Access Advisory Committee representative, Timothy Hart, who will be attending future meetings of this Committee.

3 MINUTES – 21 MARCH 2018

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 21 March 2018 had previously been forwarded to each member for information only.

RESOLUTION (McDonald/Capes-Davis)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 21 March 2018 be taken as read and confirmed as a true record of the proceedings of the meeting.

4 APOLOGIES

Apologies were received and accepted for the absence of Committee members Ray Rice and Simon Thorne.

5 DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared at this meeting.

6 TRAFFIC COMMITTEE

Pam Kendrick, Chairperson reported that the Traffic Committee and Traffic Engineering Advisory Group meetings are to be held on 24 May 2018. The only item of interest to the Cycleways Advisory Committee is as follows:

Item 1805 A2 – Buller Street, North Parramatta – Proposed Speed Humps

It is proposed to install four (4) speed humps and two (2) blister islands with associated signage and treated pine fencing on Buller Street between Fennell Street and Isabella Street, North Parramatta. Pam indicated that half of this section of road contains a cycle route.

Action:

- A. That if any bicycle logos are worn in the section of the road containing the cycleway, that additional logos be sought.**
- B. That provision of arrows be sought for cyclists entering Buller Street from Albert Street.**

7 PROJECT UPDATES

7.1 North Rocks Road, North Rocks – Parked Vehicles Obscuring Vision

Reference was made to a large rubber boat, trailer and utility parked in North Rocks Road, North Rocks near Hampden Street at the crest of the hill obscuring vision for cyclists.

A complaint was made to the City of Parramatta Council which resulted in a fine being issued to the owner of the vehicles. The matter continues to be investigated.

7.2 Old Bus Underpass between Beecroft Road and Cambridge Street, Epping

Mark Crispin, Project Officer Transport reported that a car had been torched and rubbish had been dumped in the old bus underpass between Beecroft Road and Cambridge Street, Epping, which underpass is sometimes used by cyclists.

Mark reported that highly coloured bollards have now been installed to prevent cars from using this underpass. It was suggested that a 'No Entry' sign should also be installed.

7.3 2018 Cycling Luminaries Awards

Mark Crispin, Project Officer Transport reported on the 2018 Cycling Luminaries Awards which are led by the Cycling Promotion Fund. The 2018 Award winners will be celebrated at a dinner at Lend Lease House in Barangaroo Sydney on 20 June 2018.

The Committee then viewed a promotional video titled 'The joy of cycling from the Australian Cycling Promotion Foundation' which was produced to launch the Australian Cycling Promotion Foundation on 12 May 2017. The video portrays the joys and benefits of cycling (<https://vimeo.com/217614677>)

Mark indicated that this is an opportunity for the City of Parramatta to showcase what it has been doing for cyclists in the City.

Action:

Any Committee members who have ideas or who would like to be involved in this promotion with interesting stories to tell, or if they know of someone else who would like to be involved, should email Mark Crispin as a matter of urgency (MCrispin@cityofparramatta.nsw.gov.au)

7.4 Queens and Hawkesbury Roads, Westmead

Mark Crispin, Project Officer Transport reported that blue line markings are about to be re-done at the corner of Queens and Hawkesbury Roads, Westmead.

7.5 Board Walk near O'Connell Street, Parramatta

Mark Crispin, Project Officer Transport reported that quotations are currently being obtained to surface the board walk underneath O'Connell Street, Parramatta with either plastic or open mesh and the work should be carried out early in the next financial year.

7.6 M4 Cycleway at Duck River

Mark Crispin, Project Officer Transport advised that he has been in touch with Ausgrid to convey the Committee's views in regard to maintaining access along the full cycleway during the works. Mark indicated that the feedback given to Ausgrid was valuable.

It was reported that the section of path concerned has been coned and taped, but it is still possible for cyclists to use this route.

7.7 M4 to Parramatta Valley CBD Cycleway

Mark Crispin, Project Officer Transport advised that he will have a concept plan available either early June or July 2018 for the M4 to Parramatta Valley CBD Cycleway.

7.8 Parramatta Light Rail

It was mentioned at the last meeting of the Committee held on 21 March 2018 that it has been some time since a Parramatta Light Rail stakeholder meeting has been held.

Mark Crispin, Project Officer Transport indicated that the Parramatta Light Rail and Business Advisory Committee is actually run by the City of

Parramatta and a meeting of the Committee has not been called in recent time because there has been nothing on which to report.

7.9 Bicycle Usage Data

Mark Crispin, Project Officer Transport advised that he proposes to commence publishing usage data for cycleways on Council's website for the Park Road and James Ruse Drive counters in Rydalmere. He also proposes to install another seven bicycle counters in the coming weeks.

Mark expects that the usage for James Ruse Drive will reach 500,000 pedestrians and cyclists by the end of 2018.

Action:

Mark Crispin to share the information on bicycle usage data with Committee members.

7.10 Escarpment Boardwalk, Parramatta

Mark Crispin, Project Officer Transport advised that tenders have been called for the construction of a pathway along the northern bank of the Parramatta River from Charles Street Weir to the Gas Works Bridge, Parramatta. The tender closes on 6 June 2018.

This project is being funded from the State Cycling Infrastructure Fund and will likely involve using a barge to undertake the construction.

7.11 Oakes Road to Lake Parramatta Cycleway, North Rocks

Mark Crispin, Project Officer Transport advised that work is proceeding on the Oakes Road to Lake Parramatta Cycleway along Hunts Creek.

7.12 Request for a Pedestrian/Cycle Bridge over the M4/Parramatta Road at Hill Road

Mark Crispin, Project Officer Transport advised that Carter Street is in a high density residential area and that there is a proposal to provide a pedestrian/cycle bridge over the M4/Parramatta Road at Hill Road to connect Sydney Olympic Park/Carter Street with north Lidcombe.

7.13 Proposed Carlingford to Epping Cycleway Connection

Mark Crispin, Project Officer Transport, advised that work is proceeding on the proposal to improve cycling connectivity between Carlingford and Epping. One of the potential routes includes a shared path on the eastern side of Marsden Road. One of the pinch points is a bus stop that is no longer used.

Action:

Mark Crispin to pass on this information to the project team.

Peter Gilbert retired from the meeting at this stage, the time being 7.00pm.

GENERAL BUSINESS

9.2 Road Markings – Briens Road Westmead.

It was reported that good feedback is being received in relation to the road markings provided in Briens Road to alert delivery drivers of the turning movement from the T-Way.

9.3 Incident in Darcy Road

It was reported that a 17-year-old cyclist was deliberately hit by a car and forced off the road last weekend. The matter has been reported to the Police.

9.4 Cycleway – Mons Road, Westmead

It was reported that the lines of the cycleway along Mons Road, Westmead are in need of re-painting where Mons Road crosses Institute Road and Dragonfly Drive. Vehicles are stopping on the pedestrian part of the intersection.

Action:

Multiplex be asked to re-paint the lines of the Mons Road Cycleway at its intersection with Institute Road and Dragonfly Drive.

9.6 Linemarking – Westmead Hospital

It was reported that the blue line marking around Westmead Hospital requires attention, as at present it appears as a blue square with no break.

Action:

A request be made to provide a break in the line marking, with no lines across the footpath.

9.6 Victoria Road and Elizabeth Street, North Parramatta

It was reported that on the southern side of Victoria Road and Elizabeth Street intersection the South Eastern verge was a tight turn and hard to ride over for those with longer bikes.

Action:

Mark Crispin to investigate if the path can be widened.

9.7 Upgrade of BMX Track – Sydney Olympic Park

It was reported that grants are being sought to provide a new starting gate for the BMX Track at Sydney Olympic Park.

9.8 New Cycle Path between Western Sydney University and MacArthur Street, Parramatta

It was reported that a 'Request for Quotations' for a shared path between Western Sydney University and MacArthur Street, Parramatta closed on 18 May 2018 and that it is expected that the path will be constructed by the end of June 2018.

9.9 Reprinting of 'Greater Parramatta by Bicycle Map'

Mark Crispin, Project Officer Transport, reported that he is currently arranging for reprinting of the 'Greater Parramatta by Bicycle Map'.

It was suggested that the information on the back of the map relating to Centennial Park be deleted, as well as the information relating to the Cycling Skills Courses conducted by Sydney Community College (and this be replaced by information on cycling skills courses provided by a local organisation).

Action:

Committee members to inform Mark Crispin of any changes required to the 'Greater Parramatta by Bicycle Map' within the next seven days.

9.10 Cumberland Council Bicycle Plan

A question was raised as to whether the City of Parramatta has heard from Cumberland Council in relation to Cumberland Council's intention to re-do its Draft Bicycle Plan. Mark Crispin, Project Officer Transport, indicated that he has not been approached by Cumberland Council as yet but he hopes to hear from the Council soon.

9.11 Cycleways Advisory Committee Possible Projects

It was suggested at the Committee's last meeting that the Committee might like to identify at this meeting some appropriate project/s that the Committee could take on between now and the end of the year. Two suggestions were raised and discussed as follows:

a. Road Safety Track

General discussion took place in regard to the possibility of providing a road safety track for young cyclists to learn about road safety which is wide enough for disability services to also use for tricycles.

Various suggestions were raised in regard to a possible location such as:

- James Ruse Drive under the M4
- Toongabbie Creek
- Robin Thomas Reserve (143 George Street, Parramatta).

Action:

That in the first instance the matter be discussed with Ward Councillors.

b. Bigger Rider Events

It was suggested that the Committee consider undertaking some bigger rider events of a social nature, such as:

- Tweed Ride
- Chocolate Ride
- Heritage Ride
- Night Rides for Winterlight Festival – ‘Light Up Your Bike - Ride to Winterlight’ (it was suggested that this should be trialled in a minor way for this year’s Winterlight Festival).

9.12 International World Bicycle Day – 3 June

It was reported that the United Nations has declared 3 June as International World Bicycle Day (as resolved on 12 April 2018, during the 72nd Regular Session of the UN General Assembly in New York City). This will give the Cycleways Advisory Committee a period of 12 months to determine on how best to celebrate the Day in the City of Parramatta.

A comment was made that there should be one Council event centred around cycling each year and it was proposed that this be held in conjunction with the annual International World Bicycle Day.

9.13 Sydney Rides Festival – 6-27 October 2018

It was reported that the Sydney Rides Festival is coming up, to be held from 6-27 October 2018, which involves three weeks of cycling courses, activities and family-friendly food, art and sporting events.

9.14 City of Parramatta’s Delivery Program 2018-2021 and Operational Plan 2018/19

A letter from Christopher Gorman, Integrated Planning and Reporting Coordinator was circulated to Committee members in relation to the City of Parramatta’s Delivery Program 2018-2021 and Operational Plan 2018/19. These documents are currently on public exhibition (until 11 June 2018) and the letter encourages Committee members to provide feedback as well people within their networks.

The meeting terminated at 7.45pm.

Next Meeting

Cycleways Advisory Committee Meeting
Wednesday 25 July 2018
Level 12 Boardroom
126 Church Street Parramatta
6.00pm - 7:30pm

Further Meeting Dates

Wednesday 19 September 2018

Wednesday 21 November 2018

MINUTES OF THE **PARRAMATTA CYCLEWAYS ADVISORY COMMITTEE**
MEETING HELD IN THE LEVEL 11 BOARDROOM, 126 CHURCH STREET,
PARRAMATTA ON WEDNESDAY, 25 JULY 2018 COMMENCING AT 6:08PM

PRESENT

Pam Kendrick in Chair, Charlene Bordley, Simon Thorne, Paul McDonald, Ted Richards and Jenny Rose (Deputy Chairperson)

IN ATTENDANCE

Mark Crispin (Project Officer Transport, City of Parramatta), Timothy Hart (Access Advisory Committee representative) and Towela Mbirimi (Minute Clerk, City of Parramatta Council)

1 ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2 WELCOME

Pam Kendrick welcomed everyone to the meeting.

Pam extended a particular welcome to the Access Advisory Committee representative, Timothy Hart.

3 MINUTES – 23 MAY 2018

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 23 May 2018 had previously been forwarded to each member for information only.

RESOLUTION (McDonald/Richards)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 23 May 2018 be taken as read and confirmed as a true record of the proceedings of the meeting.

4 APOLOGIES

Apologies were received and accepted for the absence of Committee members Darryn Capes-Davis, Peter Gilbert and Ray Rice.

5 DECLARATION OF CONFLICT OF INTEREST

There were no conflicts of interest declared at this meeting.

However, Charlene Bordley advised the Committee that there may be instances during discussion of certain matters dealing with Bike Safety for instance, where

1

she would excuse herself for avoidance of doubt, as she is a Partner of Addventageous, an AustCycle Provider, delivering cycling programs for all. Addventageous offers a range of classes which build skills, confidence and safety.

6 TRAFFIC COMMITTEE

Pam Kendrick, Chairperson gave an update on the matters that arose at the Traffic Committee and Traffic Engineering Advisory Group meetings held on 24 May 2018. Pam reported on the following items of interest to the Cycleways Advisory Committee:

Pembroke Street and Smith Street in Epping – Proposed Bus Route

A bus route is proposed around this area and the concern was the impact of the buses on cyclists. Pam reported that she raised this matter at the Traffic Committee and she was advised that a survey using cameras around the side of the Epping Station was conducted and showed there were not many cyclists using this route. It was suggested that this may have been due to the timing of the survey, as there was likely to be less cycling traffic during University holidays.

Pam visited the site and found that there were some bicycles parked in the racks, but not too many. The main concern was that the buses would fill the lane and shield the signs, thereby making them less visible. The Traffic Committee advised that bus drivers would be educated on safe use of the road and/or better signage and logos would be installed if the old ones are faded.

Spring Cycle – 14 October 2018

Pam reported that the Spring Cycle is coming up again on the 14 October 2018. Waterproof signs have finally been included along the PVC and the Committee appreciated the work of Council in doing this. The Committee asked Timothy Hart, Access Advisory Committee representative, to notify the Access Committee of this new development as it may have an impact on accessibility.

The Committee expressed their view that there will be thousands of riders on the road during Spring Cycle, particularly in the early morning and this is something the Access Committee needed to be aware of.

North Rocks Road and Speers Road - Proposed Childcare Centre

Pam reported to the Committee that a Child Care Centre is proposed at the corner of these two streets and the proposed recommendations are for installation of a Seagull or Roundabout at the cost of the Childcare Centre.

Council prefers Roundabouts to Seagulls and that is the recommended position. There isn't a final design in place, however, the Roundabout has in principle support. There is also a bicycle lane that ends abruptly at a dead end and Pam asked what can be done about this. Mark Crispin, Project Officer Transport advised that it's a regular bus route and there's a bus stop there, so a question can be asked about what considerations will be made for the safety of cyclists.

Action:

Pam Kendrick to raise the safety issues for cyclists and ask what measures will be implemented to mitigate these.

Bennelong Parkway and Hill Road – Proposed Seagull intersection

Pam reported that it is proposed to place a temporary Seagull installation at this intersection. It is unknown how long this will be in place as a temporary measure. It was also mentioned that the new bridge into Bicentennial Park is now open and 'Park Bikes' is relocating into the building close to the bridge.

7 PROJECT UPDATES**7.1 Greater Parramatta by Bicycle Maps**

Mark Crispin, Project Officer Transport advised the Committee that digital proofs of the Cycleways Maps will be available to the Committee before the next meeting. This will be the final opportunity for the Committee to recommend any changes. Mark also advised the Committee that the document will also show all bike shops as well.

Action:

Mark Crispin to email the Committee Members with digital proofs of the Cycleways Maps for their review and feedback.

7.2 Exhibition of the Homebush Bay Circuit Draft Master Plan

Mark Crispin, Project Officer Transport advised the Committee that the Homebush Bay Draft Circuit Master Plan will be on exhibition from 31 July 2018 to 31 August 2018. The Draft Master Plan is as a result of a partnership between City of Canada Bay, City of Parramatta, Sydney Olympic Park Authority and Roads and Maritime Services. Mark will send a link to the document to the Committee to enable them to provide feedback and the Access Committee will be advised as well.

Action:

Mark Crispin to email a link to the Homebush Bay Circuit Draft Master Plan to the Committee and advise the Access Committee of the opportunity to provide feedback.

7.3 Link between University Campuses

Mark Crispin, Project Officer Transport reported that Council will be putting a link between the two University Campuses in its LGA to enable people to ride to them. The kerb ramps will be replaced with wider ones in the second week of August. Mark advised the Committee that he had been informed of the existence of a Management Plan, but he has not sighted it as yet.

7.4 Safety Issues

Mark Crispin, Project Officer Transport reported that he had been advised by his Safety Officer of a bike theft from the front of the Parramatta Library, and this has been captured on CCTV footage. Mark advised the Committee of the importance of securing their bicycles if parking outside the Library, or alternatively, of parking it elsewhere. Mark also advised that parking outside Westfield was not a good option as there had been reports of bicycle theft from there as well.

8 COMMUNICATION WITH OTHER ADVISORY COMMITTEES

Timothy Hart, the Access Advisory Committee representative, updated the Committee on the presentation given to the Access Committee about Parramatta Square. In particular, Timothy mentioned that the presentation proposed some lovely aspects with streetscape lights display and digital carpets. While the Committee thought this was nice, it was received with mixed views due to the potential risk it poses for people with dementia and epilepsy.

Timothy Hart retired at this point, the time being 7.46pm.

9 GENERAL BUSINESS

9.1 Argyle Street

Jenny Rose reported that Argyle Street is very narrow due to a construction compound. Charlene Bordley will send photos of this site to Mark Crispin.

9.2 Rydalmere

Paul McDonald asked several questions about a few sites in Rydalmere.

9.3 Rivershore Park

Charlene Bordley asked if there was an update on the fencing on Rivershore Park. Mark advised there was no update but he would follow up on it.

Action:

Mark Crispin to follow up on an update of fencing on Rivershore Park.

9.4 Elizabeth Street Bridge Stairs

It was reported that new stairs would be going in at the Elizabeth Street Bridge.

9.5 Naidoc Week

It was reported that Naidoc Week celebrations were well attended. This year, the celebrations were held at Parramatta Park. There were a lot of cyclists but there was nowhere to park. Could the Events Team be invited to attend future Cycleways Meetings in order to facilitate a conversation so that this does not happen again.

Action:

Mark Crispin to contact the Events Team and extend an invitation to the Team to attend future Cycleways Committee Meetings.

9.6 Winterlight Festival

Winterlight Festival was held at Prince Alfred Square and it was reported that there was easy access to the festivities due to the new school crossing that has been installed. The Committee noted that unfortunately, the crossing is not wheelchair friendly due to the presence of a gutter, but one can walk a bicycle across the traffic lights and walk into Prince Alfred Square.

The Committee suggested it would be good to have kerb ramp and valet parking for the Winterlight Festival next year.

Action:

Mark Crispin to investigate options of having kerb ramp and valet parking for the Winterlight Festival next year.

9.7 National Tree Day

It was reported that National Tree Day will be held on the 29 July 2018 at Third Settlement Reserve, Old Toongabbie. Addventageous will be providing bike buses to and from the event, with valet bike parking on site.

More information on the event can be found on Liveable Parramatta.

9.8 Bike Safety Tracks

It was reported that there are new bike safety tracks popping up in surrounding Local Government Areas such as in Ryde, The Hills and Blacktown. It was noted that they are not of the same standard as those in Holroyd Gardens but they are bigger than Parramatta's dinky tracks. Parramatta Parents website lists the locations where all these tracks can be found.

9.9 Rydalmere Bowling Club

A question was raised about what is happening with the Rydalmere Bowling Club. It was noted that there was a notice in the paper of the 25 July 2018 inviting Community Groups to put forward proposals to Council.

9.10 Aquatic Leisure Centre Site

A question was asked about the Aquatic Leisure Centre Site. Now that the works have commenced on the site and the pool is going in, what is the final proposal for a shared path. Mark Crispin advised that the latest plans are on the Trust website.

9.11 Sydney Water

A question was raised on whether there is an update on the bike shared track with Sydney Water and Finlay Street, Cumberland.

9.12 Blue Lines

The Committee expressed appreciation on behalf of the community for the new blue lines that have gone out.

9.13 Ride to Work day

The Committee was advised that Council is organising an event for Ride to Work day, as well as for Get Healthy and Biketober.

9.14 Rhodes T-Way

It was reported that there were challenges accessing the shared path for bikes from the road due to the heavy pedestrian traffic at the Bennelong Bridge. Mark advised the Committee that the Council was limited with what it could do as the area in question is part RMS and part Community Title responsibility. However, Mark advised Council officers had already been advised of this issue and are preparing a response for Councillors.

Action:

Mark Crispin to continue responding to Councillors to address the issue of cyclists being able to use the T-Way on Bennelong Bridge.

9.15 Subiaco Creek

A question was raised about the possibility of lighting along Subiaco Creek. Mark Crispin advised the Committee that a conscious decision had been made by Council not to put any lighting along Subiaco Creek due to isolation and lack of passive surveillance. It is more of an issue for pedestrians, and reiterated that if someone is on a bicycle, they should have a bike light.

The meeting terminated at 8.01pm.

Next Meeting

Cycleways Advisory Committee Meeting
Wednesday 19 September 2018
Level 12 Boardroom
126 Church Street Parramatta
6.00pm - 7:30pm

Further Meeting Date

Wednesday 21 November 2018



MINUTES

Meeting Name	Parramatta Cycleways Advisory Committee	
Date	Wednesday 19 September 2018	Time 6.04pm
Venue	Level 11 Boardroom 126 Church Street, Parramatta	
Attendees	Pam Kendrick (Chairperson) Charlene Bordley Darryn Capes-Davis Paul McDonald Ray Rice Ted Richards Simon Thorne	
Present	<p>COUNCILLORS (CITY OF PARRAMATTA) Councillor Dr Patricia Prociv</p> <p>STAFF (CITY OF PARRAMATTA) Mark Crispin (Senior Project Officer Transport Planning) Michael Kolos (Project Officer Transport) Stephen Pearson (Committee Clerk) Lily Wang (Place Manager)</p> <p>OTHER ATTENDEES Pippa Bailey (Senior Producer, Sydney Festival) Serene Hajjar (Project Engagement Officer, Ausgrid) James Hunkin (Area Development Manager, Ausgrid) Josephine Roper (Observer)</p>	
Chaired by	Pam Kendrick (Chairperson)	

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2. WELCOME AND INTRODUCTIONS

The Chairperson, Pam Kendrick welcomed everyone to the meeting. A brief introduction of all attendees was held.

3. MINUTES – 25 JULY 2018

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A copy of the Minutes of the Cycleways Advisory Committee meeting held on 25 July 2018 had previously been forwarded to each member for information only.

RESOLUTION (Ted Richards/Paul McDonald)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 25 July 2018 be taken as read and confirmed as a true record of the proceedings of the meeting.

4. APOLOGIES

Apologies were received and accepted for the absence of Committee Members Peter Gilbert and Jenny Rose and Access Advisory Committee representative Timothy Hart.

5. CONFLICT OF INTEREST DECLARATIONS

There were no declarations of interest made at this meeting.

7. PROJECT UPDATES

a. Diversion of Cycleway at Duck Creek/Duck River - Presentation by Ausgrid

Serene Hajjar (Project Engagement Officer, Ausgrid) and James Hunkin (Area Development Manager, Ausgrid) attended the meeting for this item to give a presentation to the Committee on the cycleway diversion around Duck River and on their plans for the area around Duck River.

James Hunkin advised that Ausgrid has had to accelerate the cycleway diversion for Stage 1 from Duck River west to Martha Street. They have negotiated with Roads and Maritime Services to put in a temporary asphalt path directly adjacent to the existing concrete path. It will be 3m wide (the full width available), and they are planning to complete the works by Christmas of this year. Cable is to be laid under the existing cycle path.

Mark Crispin has requested that Ausgrid erect signs on the site as soon as possible to advise of the work and the diversion.

James also indicated that Ausgrid will have portable lighting in place at night to light the area before crossing the street and riding down the cycle path, which will consist of solar lights and a traditional light tower.

The Committee identified Stage 2 (Duck Street and Junction Street) as an area of concern where the cycle path comes off the bridge. There is no option for an alternative route immediately adjacent to the cycle path due to the small bridge at this location.

RESOLVED

- A. That the Committee agree to a temporary solution for Stage 1 being the diversion onto RMS land adjacent to the cycleway.**
- B. That Committee members inform Ausgrid of any other suggestions within the next week of any additional issues that are identified outside of the committee meeting.**
- C. That Ausgrid be asked to erect warning signs at each end of the diversion to warn cyclists.**

Serene Hajjar and James Hunkin then left the meeting at this point, the time being 6.22pm.

b. Bennelong Bridge, Wentworth Point - Update from Councillor Dr Patricia Prociv

At this stage, Councillor Dr Patricia Prociv arrived at the meeting, the time being 6.23pm and she drew the Committee's attention to a campaign which is seeking that Bennelong Bridge, Wentworth Point be opened up for use by cyclists.

Councillor Dr Patricia Prociv also mentioned ongoing discussions with a developer on Hill Road around more thoughtful closure of the shared paths on their site, particularly around the foreshore.

Mark Crispin, Senior Project Officer Transport Planning, advised that Council has resolved to write to the relevant State Ministers to bring the issue to their attention.

It was indicated that approaches to Dr Geoffrey Lee, Member for Parramatta have been to no avail and that it is intended to brief Mr Luke Foley, Leader of the Opposition on this matter with the hope that he may raise the issue in State Parliament.

Committee members Darryn Capes-Davis and Ray Rice indicated that they can provide appropriate advocacy in support of the proposal.

c. Stronger Communities Fund (SCF) Cycleway Infrastructure linking Carlingford with Epping – Presentation from Lily Wang, Place Manager City of Parramatta

Lily Wang, Place Manager City of Parramatta, advised the Committee that \$1M has been allocated from the Stronger Communities Fund for the provision of a cycling link from Carlingford to Epping. In order to decide on the best route, she plans to produce a brochure, undertake a survey and arrange a 'drop in' at various locations.

The survey will cover:

- the preferred bike paths that would be used along various sections of the route
- the preferred route
- the facilities desired at rest stops along the route

Lily anticipates that consultation will commence in October 2018 and construction will commence in late 2018/2019.

Prior to the general release of the survey, Lily seeks the Committee's assistance in undertaking the survey during the soft launch and providing any feedback to her on either the structure or content of the survey questions.

Once the feedback is collated and analysed, it will be determined if any changes need to be made to the proposed route.

ACTION

That Committee members undertake the Draft Survey on the proposed Carlingford to Epping cycling link and provide feedback to Council's Place Manager, Lily Wang (or Mark Crispin).

Councillor Dr Patricia Prociv and Lily Wang then left the meeting at this point, the time being 6.50pm.

d. Sydney Festival January 2019 - Presentation from Pippa Bailey, Senior Producer Sydney Festival

Pippa Bailey, Senior Producer Sydney Festival addressed the Committee in relation to the upcoming Sydney Festival in January 2019 which is themed as a celebration of human endeavour and imagination.

Pippa outlined activities planned for Parramatta:

- a free weekend in Prince Alfred Square of circus oriented entertainment in January 2019
- encourage families to bring their bicycles to the Parramatta River and transform them into flying machines

Pippa indicated that the aim of the Sydney Festival is to try and make it useful to the communities with which it is engaging.

The launch is planned for 24 October 2018.

ACTION

Mark Crispin to pass on details of Sydney Festival 2019 to members of the Cycleways Advisory Committee to enable members to provide feedback on their thoughts in regard to the cycling aspects of the Festival.

Pippa Bailey then left the meeting at this point, the time being 6.55pm.

e. Biketober Business Challenge in Parramatta

Mark Crispin, Senior Project Officer Transport Planning, drew the Committee's attention to the Biketober Business Challenge in Parramatta, which will run from 1 – 31 October 2018 and is a fun cycling campaign to encourage people to experience first-hand the joys and benefits of riding a bike.

Participants can earn points every time they ride or sign someone up to be a part of Biketober and they can register at the following website: <https://www.lovetoride.net/parramatta/pages/info?locale=en-GB>

Mark advised that a Ride to Work Breakfast will take place on 17 October 2018 and he hopes to have the new Bike Maps available for this event.

f. Great Cycle Challenge

Committee member Darryn Capes-Davis drew the attention of the Committee to the Great Cycle Challenge to take place in October which challenges cyclists to get on their bike and ride as far as they can to raise funds to fight kids' cancer.

Participants need to register on the following website: <https://greatcyclechallenge.com.au/>

6. TRAFFIC COMMITTEE

Pam Kendrick, Chairperson informed the Committee that there are no matters of concern on the Traffic Committee Meeting agenda for 20 September 2018.

Committee members raised the following matters regarding traffic:

a. North Rocks Road and Speers Road – Proposed Childcare Centre

It was pointed out that the proposed development of a childcare centre on the corner of North Rocks Road and Speers Road, North Rocks will need to be considered by the Traffic Committee before it can be approved.

It was advised that the intention is to provide two pedestrian refuges in North Rocks Road, one on either side of the road, with the bike lane on the lower side being continuous.

Plans have yet to be prepared for the development.

b. Darcy Road and Fulton Avenue, Wentworthville – Proposed Pedestrian Refuge Island and Left In/Left Out Restriction

Reference was made to Item 1809 A8 on the Traffic Committee Agenda for 20 September 2018 – Darcy Road and Fulton Avenue, Wentworthville – Proposed Pedestrian Refuge Island and Left In/Left Out Restriction.

It was indicated that it is intended to make Fulton Avenue Left In/Left Out and that a request has been made for the bicycle racks to be reinstated, preferably adjacent to the shops.

c. Hill Road at Bennelong Parkway, Wentworth Point – Proposed Channelised Right-Turn Movement

Reference was made to Item 1809 A10 on the Traffic Committee Agenda for 20 September 2018 – Proposed Channelised Right-Turn Movement.

It was indicated that it is proposed to provide a Seagull on the southern side of the triangular area with two lanes turning left. It is also proposed to widen the median strip with concrete and replace the lay back to the carpark.

ACTION

The Committee asked that Pam Kendrick, Chairperson ask the Traffic Committee for the provision of a lipless kerb to the car park.

7. PROJECT UPDATES (CONTINUED)

g. Fun Runs – 4 November 2018

Mark Crispin, Senior Project Officer Transport Planning, drew the Committee's attention to two Fun Runs which are to take place on the northern side of the Parramatta River in the early morning of 4 November 2018. He advised that there will be a lot of pedestrians around and cyclists should exercise care.

ACTION

Mark Crispin to ascertain the exact times of the Fun Runs and to email the details to Committee members.

h. Parramatta Lanes Festival – 9-12 October 2018

Mark Crispin, Senior Project Officer Transport Planning, advised that the Council is sponsoring bicycle valet parking for the Parramatta Lanes Festival which is to take place from 9 to 12 October 2018.

ACTION

Committee members to inform Mark Crispin if they are aware of any events in October 2018 so that he can include the events in Council's announcements.

i. WeRide Video

The Committee viewed the WeRide Parramatta Summit 2018 video on YouTube. The video can be viewed at: <https://www.youtube.com/watch?v=f2x8kXU29yQ>

Michael Kolos then left the meeting at this point, the time being 7.22pm.

8. COMMUNICATION WITH OTHER ADVISORY COMMITTEES

Nil

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9. GENERAL BUSINESS

a. Pedestrian Bridge over Parramatta River – Parramatta Park

Attention was drawn to a gravel hazard to cyclists north of the the pedestrian bridge over the Parramatta River within Parramatta Park.

ACTION

Mark Crispin to get in contact with Parramatta Park Trust around what action could be taken.

Simon Thorne then left the meeting at this point, the time being 7.30pm.

b. Ride and Stride

Mark Crispin, Senior Project Officer Transport Planning, advised that he has received information in regard to the Ride and Stride program.

ACTION

Mark Crispin to forward the information on to Jenny Rose and any other interested Committee members.

c. Fairfield City Bicycle Plan

Mark Crispin, Senior Project Officer Transport Planning, drew the Committee's attention to the Public Exhibition of the Fairfield City Bicycle Plan which is open for public submissions until 14 October 2018.

The Bicycle Plan is a guide to the future provision of the City of Fairfield's bike paths and facilities. On online interactive map can be viewed at <https://fairfieldcity.mysocialpinpoint.com/bicycle-strategy> which allows people to provide their ideas and comments in respect of specific locations.

d. Rydalmere Wharf Temporary Closure

Mark Crispin, Senior Project Officer Transport Planning, advised that Rydalmere Wharf will be temporarily closed on 3 October 2018 to allow for the wharf to be upgraded. The wharf will be closed for a period of about five months.

Mark advised that a diversion will be provided for cyclists whilst the wharf is being upgraded.

e. Parramatta Light Rail

It was advised by a Committee member that contact has been made with the Project Manager of the Parramatta Light Rail in regard to the route of the Light Rail at Adderton Road Telopea.

Advice was received from the Project Manager that investigations are currently proceeding as to whether the proposed out of corridor section at Adderton Road should instead remain inside the corridor.

It was also advised that an Active Transport Committee will be formed once a tenderer has been selected to undertake the work.

f. Cycleways Advisory Committee – Strategic vs Operational Matters

Mark Crispin, Senior Project Officer Transport Planning, raised a question with the Committee as to whether it would like to consider changing the way in which it operates by perhaps separating Strategic and Operational matters.

Those members of the Committee present considered that meetings were well run and that generally all items of business were dealt with in the time-frame allocated for meetings.

It was however suggested that meetings commence in future at 5.30pm in lieu of 6.00pm.

ACTION

Mark Crispin to contact other Committee members who were not present at this meeting to ascertain their thoughts and to see if a commencement time of 5.30pm is suitable for future meetings of the Committee.

g. Destination Management Plan

Committee member, Charlene Bordley advised that she has received an invitation to contribute to the Destination Management Plan for the City of Parramatta. The Plan aims to grow and deliver quality products in the City. Charlene also provided information in regard to a number of prominent cyclists who have visited Parramatta.

The Destination Management Plan is to go on public display in October 2018.

ACTION

Committee members are encouraged to view the Destination Management Plan when it goes on public exhibition in October 2018.

h. Newington Armory

Committee member, Charlene Bordley advised that Newington Armory is hosting an event on 13 October 2018 known as Pedalfest. It will be a day when families can come and ride together and participate in bike maintenance workshops and other activities.

ACTION

Charlene Bordley to send information to Mark Crispin about the Pedalfest event on 13 October 2018 to enable Mark to inform Committee members.

10. Next Meeting

5.30pm (tentative time) Wednesday 21 November 2018

The Meeting closed 7.53pm.



MINUTES

Meeting Name	Parramatta Cycleways Advisory Committee	
Date	Wednesday 21 November 2018	Time 5.33pm
Venue	Level 11 Boardroom 126 Church Street, Parramatta	
Attendees	Pam Kendrick (Chairperson) Charlene Bordley Bernard Carpenter Darryn Capes-Davis Peter Gilbert Paul McDonald Ted Richards Jenny Rose Simon Thorne	
Present	COUNCILLORS (CITY OF PARRAMATTA) Councillor Phil Bradley STAFF (CITY OF PARRAMATTA) Mark Crispin (Senior Project Officer Transport Planning) Michael Kolos (Project Officer Transport) Stephen Pearson (Committee Clerk) OTHER ATTENDEES Pippa Bailey (Senior Producer, Sydney Festival) Sophie Lukersmith (Parramatta Project Manager, Sydney Festival) Josephine Roper (Observer)	
Chaired by	Pam Kendrick (Chairperson)	

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2. WELCOME AND INTRODUCTIONS

The Chairperson, Pam Kendrick welcomed everyone to the meeting.

3. MINUTES – 19 SEPTEMBER 2018

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 19 September 2018 had previously been forwarded to each member.

RESOLUTION (Darryn Capes-Davis/Paul McDonald)

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That the Minutes of the meeting of the Cycleways Advisory Committee held on 19 September 2018 be taken as read and confirmed as a true record of the proceedings of the meeting.

4. APOLOGIES

Apologies were received and accepted for the absence of Committee Member Ray Rice and Access Advisory Committee representative, Timothy Hart.

Apologies were also received from Committee Members Jenny Rose and Simon Thorne as they are running late.

5. CONFLICT OF INTEREST DECLARATIONS

There were no declarations of interest made at this meeting.

6. SYDNEY FESTIVAL

Pippa Bailey (Senior Producer, Sydney Festival) and Sophie Lukersmith (Parramatta Project Manager, Sydney Festival) attended the meeting for this item to give an update to the Committee on the Sydney Festival 2019 for Parramatta and Western Sydney.

Free workshops will be held all day in Parramatta on 10 & 11 January 2019 for participants to turn their bicycles into a flying machine and then to participate in a 'Fly Me to the Moon Parade' on 11 January 2019. The Parade route was outlined and it is proposed to have three different approach routes for groups of cyclists according to their ability. The minimum age for participation in the parade is 5 years old.

A giant helium balloon will be set up in Prince Alfred Square and will be rolled down Church Street at 5.30pm with the parade itself commencing at 6.00pm.

The workshops will be held underneath the bridge over the Parramatta River. Cyclists will need to register for the workshops and indicate their intention to participate in the parade. Cyclists will be able to leave their decorated bikes there in a secure location. Bike parking will also be available in Market Street.

Josephine Roper arrived at the meeting at this point, the time being 5.41pm.

Pippa advised that the opening night of 'Circus Comes to Town' will also take place on 11 January 2019 in Prince Alfred Square, Parramatta.

Promotion of the workshops and parade is being directed to schools in the immediate area and the NSW Department of Education is conducting a Sydney-wide promotion. A need was identified to understand more about the youth in the area and their engagement with bikes.

Pippa sought assistance from people who could volunteer as bicycle marshalls.

The Committee made the following suggestions:

- accredited ride leaders and volunteers could be approached to volunteer as bicycle marshalls
- an information pack on the event could be sent to the various bicycle networks
- bicycle marshalls should be stationary to guide cyclists on the route they are to follow
- any rider under 10 years of age should be attached to a parent's bike and not allowed to ride by themselves
- contact be made with Bicycle NSW to provide information about the event
- contact be made with Parramatta Mission to provide information about the event
- contact be made with The King's School to provide information about the event
- contact be made with Father Chris Riley's Youth Off The Streets (which organisation has a Chapel School at Merrylands – a campus of Key College) to provide information about the event
- erect notices at each of the entry points for the three different approaches two weeks before the event advising of the event
- need for Council to check on the crushed granite at Parramatta Park before the event to avoid accidents

- need to think about the language used when talking to families – inform that bikes need to be roadworthy and riders to wear helmets
- publicise bike tune-ups will be available on site (health check-ups)

Councillor Phil Bradley retired from the meeting at this point, the time being 6.00pm.

- a dedicated rider be allocated at the end of each grouping
- bike mechanics be provided along each of the parade routes
- contact be made with the four bicycle shops in the vicinity of the parade
- include details of the event in the School Holiday Guide

Jenny Rose arrived at the meeting at this point, the time being 6.04pm.

7. TRAFFIC COMMITTEE – 22 NOVEMBER 2018

Pam Kendrick, Chairperson informed the Committee that the only matter of interest is in respect to:

Item 1811 A1 of the Parramatta Traffic Committee agenda, namely, Hill Road at Bennelong Parkway, Wentworth Point – Proposed Channelised Right-Turn Treatment.

Pam advised that Council would like traffic signals to be provided at the intersection of Hill Road and Bennelong Parkway, Wentworth Point as soon as possible. However, Roads and Maritime Services does not want the lights installed until such time as the light rail is in place. In the meantime, Pam indicated that Council proposes to provide a painted island in Bennelong Parkway at Hill Road to discourage motorists turning right from the left lane.

Pam advised that Council will place pressure on Roads and Maritime Services to complete the design work quickly, taking into account the imminent proposal to provide light rail at this location.

8. PROJECT UPDATES

a. Spring Cycle

It was reported that the Spring Cycle event was held on Sunday 14th October, 2018 and that just under 7,000 cyclists registered to take part in the event, with 4,500 cyclists finishing at Sydney Olympic Park.

b. Bike Maps

A new 'Greater Parramatta by Bicycle' map was distributed to Cycleways Advisory Committee members at the meeting.

ACTION

Mark Crispin, Senior Project Officer Transport Planning, asked that Committee members inform him of:

1. **the number of maps required?**
2. **who wants the maps and where to send them?**
3. **any changes that need to be made to the map**

c. Bennelong Bridge

Mark Crispin, Senior Project Officer Transport Planning, referred to a resolution of Council made on 23 August 2018 whereby Council is to make a submission to the Minister for Transport and the Minister for Roads requesting that cyclists be legally allowed to ride on the T-Way lanes of the Bennelong Bridge to help reduce the number of cyclists on the shared path, or propose a satisfactory alternative.

Mark advised that he has the final draft of the letter in hand and that the letter should be issued shortly.

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It was pointed out by a committee member that in the Deed entered into between the developer and the State Government, it was stipulated how the bridge can be used. In the event of cyclists being allowed to use the T-Way lanes, this would necessitate a change to the Deed.

d. Epping to Carlingford Cycling Connectivity

Mark Crispin, Senior Project Officer Transport Planning, advised that around 200 responses were received by Council in response to the community consultation survey on improving cycling connectivity between Carlingford and Epping.

Mark said that the responses have been positive and the majority prefer that the cycle route pass through Talinga Park at Carlingford.

Mark advised that the next steps are as follows:

- go back to the community with a concept design
- apply to Roads and Maritime Services for complementary construction funding
- endorsement of local member will be sought

Council should know by February/March 2019 if it has been successful with funding.

e. Cycling and Walking Australia and New Zealand (CWANZ)

Mark Crispin, Senior Project Officer Transport Planning, advised of the formation of Cycling and Walking Australia and New Zealand (CWANZ) which is the peak body for walking and cycling in Australia and New Zealand. CWANZ replaces the Australian Bicycle Council.

Mark advised that CWANZ meets four times a year, that it has representatives from all appropriate State Government agencies and that three Australian local government councils are members, namely, Cairns Regional Council, Central Coast Council and the City of Parramatta.

The intent of CWANZ is:

1. to raise the profile of walking and cycling in Australia and New Zealand;
2. to state the case for greater investment in walking and cycling; and
3. to be a national expert reference panel for walking and cycling.

f. New 'No Entry' Arrangement from Station Street to Hassall Street

Josephine Roper gave prior notice of the following matter which she would like the Committee to consider:

I would like to enquire about the new No Entry arrangement from Station Street to Hassall Street, as Hassall Street is quite popular with cyclists travelling between the train station and the north. Is there a plan for cyclists to either use the new widened footpath as a shared path or to have an eastbound bike lane?"

Mark Crispin, Senior Project Officer Transport Planning, advised that an eastbound cycle lane has been provided to ensure two-way cycling is retained on Hassall Street.

Simon Thorne arrived at the meeting at this point, the time being 6.24pm.

9. COMMUNICATION WITH OTHER ADVISORY COMMITTEES

Nil

10. GENERAL BUSINESS

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a. Escarpment Boardwalk, Parramatta

The current status on the provision of the Escarpment Boardwalk along the northern bank of the Parramatta River from Charles Street Weir to the Gas Works Bridge was raised.

Mark Crispin, Senior Project Officer Transport Planning advised that tenders had been called for this project but Council resolved to reject all tenders and re-tender the project.

b. Gateway Bridge Melrose Park

Paul McDonald enquired whether the proposed Melrose Park bridge will have separated cycling provision. Mark Crispin, Senior Project Officer Transport Planning advised that early concepts indicate that there will be separated walking and cycling on the bridge.

c. National Broadband Network Restoration Work

Reference was made to work associated with provision of the National Broadband Network in the LGA and the inadequacy of some of the restoration work.

ACTION

1. **Committee members to advise Mark Crispin, Senior Project Officer Transport Planning of the streets with inadequate restoration works.**
2. **Mark Crispin to investigate as to whether there have been any General Service Requests lodged in the last month regarding this matter.**

d. O'Connell Street, Parramatta – Overhanging Tree Branches

Reference was made to overhanging palm tree branches from a private property in O'Connell Street, Parramatta. As the edges of the footpath at this location are on a slope, it creates a hazard to cyclists and pedestrians.

ACTION

That this matter be referred to Mark Crispin, Senior Project Officer Transport Planning for necessary attention.

e. Hoardings

Reference was made to the hoarding outside the Meriton development in George Street, Parramatta and the narrow passageway that has been created, particularly having regard to the location of parking meters at this location.

Mark Crispin, Senior Project Officer Transport Planning advised that Council's Hoarding Policy does not make any reference to shared paths. Mark mentioned that the City of Sydney's Hoarding Guidelines does include making provision for cycling paths.

ACTION

This matter to be further considered at a meeting of the Cycleways Advisory Committee in 2019.

f. Proposed Attendance of a staff member from Council's Recreation Team at Cycleways Advisory Committee Meetings

A question was raised as to whether it is possible for a member of Council's Recreation Team to attend meetings of the Cycleways Advisory Committee in future. This was seen as particularly important having

regard to problems experienced with cyclists at recent events such as the Deaf Festival, Pride Festival and Ganesh's Birthday. In addition, stallholders were located right along the edge of the pathway resulting in patrons blocking access along the pathway to pedestrians and cyclists.

ACTIONS

1. **Mark Crispin, Senior Project Officer Transport Planning to ascertain if a member of Council's Recreation Team can attend future meetings of the Cycleways Advisory Committee.**
2. **Mark to also investigate and report on whether Council has a policy to control the operation of these festivals.**

g. Debris on Cycleways from High Tides

The matter of debris remaining on cycleways when high tides recede was raised and the need to clear this debris.

ACTION

Mark Crispin, Senior Project Officer Transport Planning to contact Park Services to clarify their knowledge of high tides and when clean ups are planned.

h. Strategic vs Operational Matters

ACTION

In order to assist with the timely consideration of business at meetings of the Cycleways Advisory Committee, Committee members were asked to raise any issues in writing with Mark Crispin, Senior Project Officer Transport Planning prior to the conduct of Committee meetings and Mark will endeavour to circulate information on the matter to members prior to the meeting.

Mark advised that it is normal practice to report the minutes of Cycleways Advisory Committee meetings for the whole year at a Council Meeting early in the following year. In this regard, Mark advised that he intends to report all of the minutes of Cycleways Advisory Committee meetings held in 2018 to a Council Meeting in February 2019.

i. Possible Change in Meeting Time to 5.30pm

Arising from the Cycleways Advisory Committee Meeting held on 19 September 2018, Mark Crispin, Senior Project Officer Transport Planning was to contact other Committee members who were not present at that meeting to ascertain their thoughts and to see if a commencement time of 5.30pm is suitable for future meetings of the Committee.

Mark reported back indicating that not all Committee members could arrive for a 5.30pm meeting start.

ACTION

That no change be made to the commencement time of meetings of the Cycleways Advisory Committee i.e. meetings to still commence at 6.00pm. It was suggested however, that bearing in mind that Councillors generally have Workshop commitments at 6.00pm on Wednesday nights, that any Councillors interested in attending meetings of the Committee be invited to attend from 5.30pm onwards when informal discussions can take place with Council staff and Committee members.

j. Biketober Business Challenge in Parramatta

A question was raised as to how the Biketober Business Challenge in Parramatta went. This event was conducted from 1 – 31 October 2018 and was a fun cycling campaign to encourage people to experience first-hand the joys and benefits of riding a bike.

Mark Crispin, Senior Project Officer Transport Planning said that the event was a success, with Sydney Water having 50 employees taking part in the Challenge.

11. Next Meeting

6.00pm Wednesday 23 January 2019

The Meeting closed 6.54pm.



MINUTES

Meeting Name	Parramatta Cycleways Advisory Committee	
Date	Wednesday 23 January 2019	Time 6.03pm
Venue	Level 11 Boardroom 126 Church Street, Parramatta	
Attendees	Pam Kendrick (Chairperson) Charlene Bordley Bernard Carpenter Paul McDonald Ray Rice Ted Richards Jenny Rose (Deputy Chairperson)	
Present	STAFF (CITY OF PARRAMATTA) Michael Carnuccio (Team Leader Land Use Planning) Michael Kolos (Project Officer Transport) Brooke Levingston, Project Officer Land Use Stephen Pearson (Committee Clerk) Robyn Winn (Council Secretariat and Policy Officer) OTHER ATTENDEES Andrew Goard Michael Goard Timothy Hart (Access Advisory Committee representative)	
Chaired by	Pam Kendrick (Chairperson)	

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2. WELCOME AND INTRODUCTIONS

The Chairperson, Pam Kendrick welcomed everyone to the meeting.

A special welcome was extended to Council staff members Michael Kolos (Project Officer Transport) who is standing in for the Committee Convenor Mark Crispin; and Robyn Winn who has recently commenced employment with Council as Council Secretariat and Policy Officer.

A brief introduction of all attendees was held.

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3. MINUTES – 21 NOVEMBER 2018

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 21 November 2018 had previously been forwarded to each member.

RESOLUTION (Ted Richards/Paul McDonald)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 21 November 2018 be taken as read and confirmed as a true record of the proceedings of the meeting.

4. APOLOGIES

Apologies were received and accepted for the absence of Committee Members Darryn Capes-Davis, Peter Gilbert and Simon Thorne; and Staff Member Mark Crispin.

5. CONFLICT OF INTEREST DECLARATIONS

There were no declarations of interest made at this meeting.

6. ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON

The Core Terms of Reference for Advisory Committees provides that "Each Advisory Committee votes annually to determine its Chairperson and Deputy Chairperson".

An election was held for the role of Chairperson and Deputy Chairperson.

Chairperson

Michael Kolos called for nominations for the role of Chairperson of the Committee.

Pam Kendrick was nominated and Pam indicated her willingness to stand for election.

There being no further nominations, Michael declared Pam Kendrick elected as Chairperson for the ensuing year.

Deputy Chairperson

Michael Kolos called for nominations for the role of Deputy Chairperson of the Committee.

Jenny Rose was nominated and Jenny indicated her willingness to stand for election.

There being no further nominations, Michael declared Jenny Rose elected as Deputy Chairperson for the ensuing year.

The newly elected Chairperson, Pam Kendrick then occupied the Chair.

7. HARMONISATION TEAM PRESENTATION (BIKE PARKING RATES AND END OF TRIP FACILITIES)

City of Parramatta staff members, Michael Carnuccio, Team Leader Land Use Planning and Brooke Levingston, Project Officer Land Use attended the meeting for this item.

Michael gave a presentation to the Committee on the Discussion Paper on 'Harmonising our land use planning framework' and in particular on proposed Bike Parking Rates and End of Trip Facilities.

Reference was made to the different land use plans currently applying to different parts of the City of Parramatta Local Government Area (LGA). The City of Parramatta LGA inherited parts of the former council areas of Auburn, Holroyd, Hornsby, Parramatta and The Hills. This has resulted in different rules applying in different parts of the LGA.

The Discussion Paper identifies the differences between the five Local Environmental Plans (LEPs) and nine Development Control Plans (DCPs) that currently apply in the LGA and outlines options for how Council's LEP and DCP policies and controls could change to enable creation of a new consolidated LEP and DCP. The Discussion Paper is being exhibited until Monday 4 March 2019.

Michael said that the Discussion Paper:

- examines the existing DCP requirements for bicycle parking spaces in the former Parramatta, Auburn, Holroyd, Hornsby and The Hills local government areas;
- suggests minimum requirements for bicycle parking in various land uses outside the Parramatta CBD
- suggests design requirements and end of trip facilities for ultimate incorporation in the DCP
- provides a timeline on consultation and the next steps
 - exhibit Discussion Paper from 21 January to 4 March 2019
 - series of community drop-ins across the LGA
 - feedback to inform development of a draft LEP and DCP (email, guided survey asking questions about each issue, community drop-in)
 - further consultation on draft plans.
 - late 2019 – Prepare planning proposal, LEP Gateway Process and Prepare draft DCP and contribution plans
 - exhibit draft plans
 - late 2020 – Final plans adopted

Committee members made a number of comments as follows:

- question raised as to facilities for bicycles at new Parramatta Stadium
- consider provision of U rails for bicycles
- bicycle racks need to be higher, wider and longer to accommodate some bicycles (current racks are too low and a trip hazard)
- bicycle rails need to be embedded and bolted into concrete
- the location of bicycle parking facilities needs to be properly defined so that bicycles cannot be knocked over by cars
- bicycle parking facilities should not be located within areas accessed only by boom gates
- needs to be pedestrian/cycle access around boom gates as pedestrians/cycles don't trip boom gates
- consider a hierarchy of bicycle parking locations
- consider situation of shared paths under hoardings.

Michael Carnuccio and Brooke Levingston then retired from the meeting at this point, the time being 6.34pm.

8. TRAFFIC COMMITTEE – 24 JANUARY 2019

Pam Kendrick, Chairperson informed the Committee that there are no matters of concern to the Committee on the Traffic Committee Meeting agenda for 24 January 2019.

The following two matters were raised by Committee members:

1. North Rocks Road and Speers Road – Proposed Childcare Centre

A question was raised as to whether the proposed development of a childcare centre on the corner of North Rocks Road and Speers Road, North Rocks has yet been considered by the Traffic Committee. In response, it was advised that there is no more information to report as yet and that the matter has yet to be submitted to the Traffic Committee.

2. Hill Road at Bennelong Parkway, Wentworth Point – Proposed Channelised Right-Turn Treatment

A question was raised as to the situation with the design work to take place at the intersection of Hill Road and Bennelong Parkway, Wentworth Point in anticipation of traffic signals being provided at this intersection. In response, it was advised that various authorities are involved with this proposal, including the NSW Government, Roads and Maritime Services, City of Canada Bay Council and City of Parramatta Council and that is proposed to install traffic signals at this location once the light rail is in place.

9. PROJECT UPDATES

a. Epping to Carlingford Cycling Connectivity

Michael Kolos, Project Officer Transport advised that as a result of the community consultation survey on improving cycling connectivity between Carlingford and Epping, a preferred route has been identified which takes advantage of as much green space as possible.

ACTION

Mark Crispin, Senior Project Officer Transport Planning, to provide the Committee with a plan of the proposed route to enable the Committee to provide appropriate feedback.

b. Bicycle Counters being installed week beginning 21 January 2019

Michael Kolos, Project Officer Transport advised that bicycle counters are to be installed at the following locations:

- a. Site 1 – Macarthur St north of Gasworks Bridge west side along Macarthur Girls High School boundary, near former pedestrian refuge ramp;
- b. Site 2 – Macarthur St north of Gasworks Bridge east side from Rangihou Reserve near marked pedestrian crossing;
- c. Site 3 – Macarthur St and George St north east corner, three counters, one on the path along the river, one on the path along George St and one on the path connecting these two;
- d. Site 4 – Parramatta River foreshore, south side, beneath Elizabeth St Bridge;
- e. Site 5 – Parramatta River foreshore, north side, beneath Barry Wilde Bridge;
- f. Site 6 – Parramatta River foreshore, south side, under Church St, two counters, one on path to stairway, one on path to bridge portal (currently disused);
- g. Site 7 – Parramatta River foreshore, north side, east of O'Connell St, three counters, one on path east along river, one on path to school and one on path proceeding under O'Connell St bridge proceeding west; and
- h. Site 8 – Queens Rd Westmead, on separated cycleway at frontage of 7-9 Queens Rd.

The Committee questioned the provision of a counter in Macarthur Street north of Gasworks Bridge near Macarthur Girls High School as the Committee believes that cyclists do not frequent this area. The Committee considers that a better location would be closer to the pedestrian crossing.

ACTION

Mark Crispin, Senior Project Officer Transport Planning, be asked to advise the Committee the purpose of providing a bicycle counter in Macarthur Street north of Gasworks Bridge near Macarthur Girls High School and what information the counter is trying to capture.

c. Rydalmere Ferry Wharf diversion

Michael Kolos, Project Officer Transport advised that Transport for NSW is currently in the process of upgrading the Rydalmere Ferry Wharf and a diversion is in place for pedestrians and cyclists from 14 January 2019 to 29 March 2019.

The Committee expressed concern in regard to the diversion which is sub-standard, dangerous and requires cyclists to dismount.

ACTION

Mark Crispin, Senior Project Officer Transport Planning, be asked to provide to the next meeting of the Cycleways Advisory Committee the pedestrian and cyclist detour traffic control plan associated with the work at Rydalmere Wharf.

RECOMMENDATIONS

- A. That the Cycleways Advisory Committee would like Council to note its concerns in regard to the diversion that is currently in place associated with the upgrade of the Rydalmere Ferry Wharf, namely:**
- 1. the diversion does not replace like for like i.e. there was originally a shared path, which necessitates provision of a shared path deviation;**
 - 2. cyclists are asked to dismount; and**
 - 3. cyclists are channelled via disabled parking spaces or directed on to the road.**
- B. That the Cycleways Advisory Committee request Council to raise these concerns with Transport for NSW.**

10. COMMUNICATION WITH OTHER ADVISORY COMMITTEES

Public Utility Works on Footpaths

Timothy Hart (Access Advisory Committee representative) advised that public utility works on footpaths is a cause of concern to both the Cycleways Advisory Committee and the Access Advisory Committee.

Timothy advised that the Lord Mayor's office has sent letters to the relevant State Government departments and organisations on the need for works that affect footpaths and streets, both temporary and permanent, to adhere to standards relating to accessibility specifically in relation to public utility works that impact on the public domain.

The question of Council's policy on gutter crossings in residential areas was raised and as to whether the policy requires they have lips or no lips. Michael Kolos, Project Officer Transport responded that the gutter crossings are required to have lips. This policy was considered by the Committee to be out of date and it presents a mobility issue.

Timothy Hart retired from the meeting at this point, the time being 7.10pm.

11. GENERAL BUSINESS

a. New DA for Gym and Childcare at 59 to 59a Belmore Street, Oatlands (DA/18/2019)

The Committee's attention was drawn to a development application for a new 24-hour gym and child care centre for 112 children on the vacant site next to Oatlands Public School.

Items of concern identified are:

1. provision has been made for parking 8 bicycles – is this adequate for a 24-hour gym and child care?
2. the bicycle parking is not in secured cages;

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3. the two bicycle parking locations appear too close to the car parking spaces;
4. Belmore Street is a designated on-road bicycle route and it is also Bus Route 546. The entrance provisions do not make any special provision for bicycle traffic. Belmore Street is fairly steep requiring uphill cyclists to be slow and downhill cyclists need to be on the brakes;
5. for bicycle safety, could road widening be provided?

The Committee generally discussed this application and noted that the proposal will result in a brand new driveway to access the new 24-hour gym and child care centre right next to a very steep hill.

b. City of Parramatta Hoarding Policy

The Committee identified a need to update Council's Hoarding policy so that it includes provision for shared paths.

The path adjacent to the Meriton development over which there was a hoarding, was raised as an example of the problem, but is no longer a concern as the hoarding has recently been removed.

ACTION

Mark Crispin, Senior Project Officer Transport Planning, be asked to bring the Council's Hoarding Policy to the next Cycleways Advisory Committee meeting to be held on 20 March 2019 to enable the Committee to consider possible changes to the policy to include provision for shared paths under hoardings.

c. Horwood Place Carpark

It was reported that there are ten bicycle racks in the Horwood Place Car Park next to the boom gate near the end of trip facility, but on a recent inspection, it was apparent that every rack had been taken up by a motor bike.

Also, it was questioned as to why the area just past the boom gates to the right has been boarded off.

The Committee sought advice on these matters and as to where the bicycle racks are to be re-located if they are being removed.

d. Sydney Festival – 'Fly Me to the Moon Parade' – 11 January 2019

It was reported that although attendance was down at the Sydney Festival 'Fly Me to the Moon Parade' on 11 January 2019, the event was still well attended and was successful. The course had to be substantially changed because of wet weather and an event being held in Parramatta Park.

e. Lease of Shop 3, City Centre Carpark (Horwood Place)

It was reported that Addvantageous (a social enterprise and accredited AustCycle provider that organises and implements community workshops and programs on bicycle use and safety) has been granted a two-year lease of Shop 3, City Centre Carpark (Horwood Place).

f. The Bike Barn, 426 Church Street, Parramatta

It was reported that The Bike Barn at 426 Church Street, Parramatta is about to permanently close as the building in which they are located has been purchased by the Salvation Army.

ACTION

The Committee requested that the logo on the City of Parramatta Bicycle Map for 'The Bike Barn' be removed. Also, if there is a cycleway on Macarthur Street outside the Macarthur Girls High School, can it be included on the Map.

g. Cycling Access through Parramatta Park

It was reported that at a recent CAMWEST Executive Meeting, that a discussion took place on cycling access through Parramatta Park whilst events were being held. As a result, a number of issues have been identified relating to the Parramatta Park Trust.

It was suggested that CAMWEST should write to the Parramatta Park Trust outlining the issues. Committee Member, Ray Rice offered to provide assistance if required.

h. Ride Leaders Course – Sunday 10 February 2019

Ted Richards drew attention to an upcoming Ride Leaders Course being conducted by Bicycle NSW at Bicentennial Park, Sydney Olympic Park on Sunday 10 February 2019. The Course is an opportunity for affiliated Riding Groups, BUG's (Bicycle User Groups) and their Bicycle NSW members to increase their level of knowledge and skills in leading rides.

Ted advised that he is looking for volunteers to assist and anyone who is available to help should get in touch with him.

12. Next Meeting

6.00pm Wednesday 20 March 2019

The Meeting closed 7.38pm.



MINUTES

Meeting Name	Parramatta Cycleways Advisory Committee	
Date	Wednesday 20 March 2019	Time 6.00pm
Venue	Level 11 Boardroom 126 Church Street, Parramatta	
Attendees	Pam Kendrick (Chairperson) Charlene Bordley Darren Capes-Davis Bernard Carpenter Paul McDonald Ted Richards Jenny Rose (Deputy Chairperson) Simon Thorne	
Present	STAFF (CITY OF PARRAMATTA) Mark Crispin (Senior Project Officer Transport Planning) Michael Kolos (Project Officer Transport) Stephen Pearson (Committee Clerk) Vandana Saini (Council Secretariat and Registers Officer)	
Chaired by	Pam Kendrick (Chairperson)	

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2. WELCOME AND INTRODUCTIONS

The Chairperson, Pam Kendrick welcomed everyone to the meeting.

3. MINUTES – 23 JANUARY 2019

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 23 January 2019 had previously been forwarded to each member.

RESOLUTION (McDonald/Richards)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 23 January 2019 be taken as read and confirmed as a true record of the proceedings of the meeting subject to amendment to the second paragraph of Item 11h GENERAL BUSINESS – Ride Leaders Course – Sunday 10 February 2019 to read:

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Ted advised that Matthew Napier at Bicycle NSW is looking for volunteers to assist and anyone who is available should get in touch with Matthew at phone 9704 0805.

4. APOLOGIES

Apologies were received and accepted for the absence of Committee Members Ray Rice and Tony Walker.

5. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of interest made at this meeting.

6. TRAFFIC COMMITTEE – 21 MARCH 2019

Pam Kendrick, Chairperson informed the Committee that there are no matters of concern to the Committee on the Traffic Committee Meeting agenda for 21 March 2019.

The following matter was raised by Pam in relation to an item on a previous Traffic Committee Meeting agenda, namely, Item 1811A1 on the agenda for 22 November 2018 Meeting:

Hill Road at Bennelong Parkway, Wentworth Point – Proposed Channelised Right-Turn Treatment

As part of this work, the entry to the car park has been torn up and rebuilt, and there are now two broken collars because the gutter has been constructed with a lip. Pam has requested that the entry to the car park be made smooth and as a result, Council staff intend to grind off the lip to make it smooth.

Darren Capes-Davis arrived at the meeting at this stage, the time being 6.05pm.

7. PROJECT UPDATES

Mark Crispin, Senior Project Officer Transport Planning advised that there are no current projects underway other than the Escarpment Boardwalk along the northern bank of the Parramatta River from Charles Street Weir to the Gas Works Bridge.

a. Epping to Carlingford Cycling Connectivity

A question was raised in relation to the status of the Epping to Carlingford cycling connectivity.

Mark Crispin, Senior Project Officer Transport Planning advised that the complete cycle route will be 5km long and that it will be completed by the end of 2019. Some of the augmentation work will be undertaken in the next financial year.

Consideration is being given as to whether the proposed work on the section of the route in Marsden Road on the northern side of Pennant Hills Road needs to go the Parramatta Traffic Committee for approval.

Mark advised that a bus shelter on the eastern side of Marsden Road (which is no longer used) will be shortly re-located around the corner into Pennant Hills Road.

b. Bicycle Counters installed during February 2019

Mark Crispin, Senior Project Officer Transport Planning advised that bicycle counters have been recently installed at seven locations along the river. As they have been installed prior to the beginning of March, some counts will be available by the end of March.

Initial results from Super Tuesday have been received and were circulated amongst committee members.

In relation to a question raised at the last Committee meeting as to why a counter was located in Macarthur Street north of Gasworks Bridge near Macarthur Girls High School, Mark advised that the decision to place a counter at this location was driven by many factors and that there were very limited locations where counters could be placed.

c. Rydalmere Ferry Wharf diversion

Mark Crispin, Senior Project Officer Transport Planning reported that he has inspected this diversion today and the Committee noted that the previous problems associated with this diversion namely, being sub-standard, dangerous and requiring cyclists to dismount, have been fixed.

Mark advised that work is about to commence on the construction of a bike path behind the car park and it is expected that the path will be completed by the end of 2019.

d. Rydalmere Elevated Cycleway

It was reported that the plating on the Rydalmere elevated cycleway is loose and rattling and needs fixing.

ACTION

This matter be referred for necessary attention.

8. COMMUNICATION WITH OTHER ADVISORY COMMITTEES

It was noted that the Access Advisory Committee has been provided with information on the National Transport Commission's Issues Paper, 'Barriers to the safe use of innovative vehicles and motorised mobility devices' and that the Transport and Infrastructure Council is to decide on legislative amendments to the Australian Road Rules in November 2020.

It was also noted that a new Technical Specification (AS TS3695.2.2018) was published in June 2018 on the *Requirements for designation of powered wheelchairs and mobility scooters for public transport and/or road-related area use* which sets out construction and performance requirements for powered wheelchairs and mobility scooters.

9. GENERAL BUSINESS

a. M4 Cycleway

It was reported that there is heavy sediment on the M4 Cycleway, which needs to be removed. The sediment washed on to the Cycleway after the recent heavy rain.

ACTION

This matter be raised as a Service Request.

b. Interaction with Council's Events Team

It was noted that the Access Advisory Committee is providing input to Council's Draft Events Action Plan and Checklist and it was considered that the Cycleways Advisory Committee could also provide appropriate input into this process on behalf of cyclists.

ACTION

This matter be raised with Council's Events Team.

c. Diversion of Cycleway at Duck Creek/Duck River - Ausgrid

Mark Crispin, Senior Project Officer Transport Planning reported that Ausgrid has completed its work at Duck Creek/Duck River and there is no longer a need for the diversion of the cycleway at this location. The main cycleway has now been re-opened.

d. Shared Pathway - Western Sydney Stadium

It was noted that a new shared pathway has been constructed at the rear of the new Western Sydney Stadium.

e. Accident near Halvorsen Park, Ermington

Pam Kendrick, Chairperson reported that an accident occurred near Halvorsen Park, Ermington where there is a stone wall with a step leading down to the river path. Pam said that a boy ran down the step and collided with a bike. Pam indicated that there is a blind spot at this location.

Pam suggested mitigation measures might be required, such as a pool fence, a dense garden bed or other means to stop children running onto the path into path users, who are often at speed. She also said that the wall could be removed too as another option.

ACTION

Mark Crispin, Senior Project Officer Transport Planning to investigate this matter.

f. Proposed Installation of 3 Tonne Load Limit in Calder Road and Dudley Road, Dundas

Attention was drawn to a proposal by the City of Parramatta to install a 3 tonne-Load Limit in Calder Road and Dudley Street, Dundas. The Council has invited written submissions from affected residents and relevant authorities by 3 April 2019.

The Committee indicated its support for this proposal.

g. North Rocks Road and Speers Road – Proposed Childcare Centre

A question was raised as to whether the proposed development of a childcare centre on the corner of North Rocks Road and Speers Road, North Rocks has yet been considered by the Traffic Committee.

ACTION

Mark Crispin, Senior Project Officer Transport Planning to check on the status of this matter and to inform the Committee at its next meeting.

h. Footbridge at northern end of Western Sydney Stadium

It was reported that the slope leading to the footbridge at the northern end of Western Sydney Stadium becomes very slippery after flooding. The Parramatta Park Trust has been approached to see if the debris remaining around the bridge after flooding can be cleaned up any quicker.

It was suggested that the long-term solution would be to design and construct an above flood level bridge.

i. Tree roots lifting paths

It was indicated that in some situations where tree roots are lifting paths, that plastic inserts have been inserted in the gaps with some success.

j. Duck River

It was reported that the Duck River cycle path diversion was recently blocked by parked cars and that a strategy needs to be developed to prevent vehicles from parking in this location. Any restrictions imposed also need to be enforced. There is also a need to provide a clear detour map of the diversion.

k. Super Tuesday

Charlene Bordley advised that Super Tuesday was better this year – she was stationed at Westfield and 40 bikes passed through.

l. National Ride2School Day – 22 March 2019

Charlene Bordley advised that she has accompanied Council's Environmental Team in handing out material to schoolchildren about National Ride2School Day on 22 March 2019.

m. Cumberland Hospital Heritage Core

Charlene Bordley has placed a Registration of Interest with Parramatta Heritage Core at Cumberland Hospital to have a bike hub located there.

n. Pump Track

NSW Police are interested in a Pump Track for Parramatta – it was requested that they come to the next meeting and discuss the opportunity.

ACTION

That the Police be invited to present to the Committee.

BMX Track at Sydney Olympic Park

It was reported that the BMX Track at Sydney Olympic Park has recently been upgraded with the assistance of a grant of \$60,000.

o. Maintenance

Eric Primrose Reserve near Silverwater Bridge - access along the asphalt path is difficult because of tree roots.

ACTION

Mark Crispin, Senior Project Officer Transport Planning to check on the status of this matter and to inform the Committee at its next meeting.

Junction Road east of Caroline Chisholm Drive is not formed on the northern edge of the roadway, it narrows in places and is unsafe with the speed of cars in the area.

ACTION

Mark Crispin, Senior Project Officer Transport Planning to check on the status of this matter and to inform the Committee at its next meeting.

10. NEXT MEETING

6.00pm Wednesday 22 May 2019

The Meeting closed 7.18pm.



MINUTES

Meeting Name	Parramatta Cycleways Advisory Committee	
Date	Wednesday 22 May 2019	Time 6.04pm
Venue	Level 11 Boardroom 126 Church Street, Parramatta	
Attendees	Pam Kendrick (Chairperson) Charlene Bordley Darren Capes-Davis Bernard Carpenter Ted Richards Jenny Rose (Deputy Chairperson) Simon Thorne	
Present	STAFF (CITY OF PARRAMATTA) Liam Clark (Student Project Officer) Mark Crispin (Senior Project Officer Transport Planning) Michael Kolos (Project Officer Transport) Stephen Pearson (Committee Clerk) Deena Ridenour (Senior Project Officer) OTHERS Tony Duke (Independent Consultant to City of Parramatta)	
Chaired by	Pam Kendrick (Chairperson)	

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2. WELCOME AND INTRODUCTIONS

The Chairperson, Pam Kendrick welcomed everyone to the meeting. A special welcome was extended to guests Tony Duke (Independent Consultant for ATSI Infrastructure in Parramatta), Deena Ridenour (Senior Project Officer, City of Parramatta) and Liam Clark (Student Project Officer, City of Parramatta).

3. MINUTES – 20 MARCH 2019

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 20 March 2019 had previously been forwarded to each member.

RESOLUTION (Kendrick/Richards)

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That the Minutes of the meeting of the Cycleways Advisory Committee held on 20 March 2019 be taken as read and confirmed as a true record of the proceedings of the meeting subject to amendment to: Item 6 – Traffic Committee – 21 March 2019

The paragraph relating to **Hill Road at Bennelong Parkway, Wentworth Point – Proposed Channelised Right-Turn Treatment** be amended to read as follows:

As part of this work, the entry to the carpark has been removed and replaced. The original lipped kerb had caused at least two cyclists to fall, breaking their collarbones, so a safety request was made to reinstate the kerb as a lipless kerb. Unfortunately, the new kerb was cast with a lip, which will now need to be ground off.

Item 9e – Accident near Halvorsen Park, Ermington

The first paragraph being amended to read as follows:

Pam Kendrick, Chairperson reported that an accident occurred near Halvorsen Park, Ermington where a stone wall abutting a flight of steps completely blocks the view of the adjacent riverside shared user path from children, who cannot see, or be seen over the wall. A child recently ran down the steps into the path of a moving cyclist, with resultant injuries. Neither could see the other to avoid the collision.

4. APOLOGIES

Apologies were received and accepted for the absence of Committee Members Peter Gilbert, Paul McDonald and Ray Rice; of Consultant Cathy Craigie; and of staff member Steven Ross.

5. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of interest made at this meeting.

6. CIVIC LINK DEVELOPMENT CONTROL PROPOSAL PRESENTATION

Deena Ridenour, Senior Project Officer gave a presentation on the Civic Link Development Control Proposal. Civic Link will connect Parramatta Square to Parramatta River.

The presentation specifically covered:

What is Civic Link?

The Civic Link will be a green, pedestrianised public space and cultural spine that connects public life from the heart of Parramatta CBD to the river. It will respond to the environmental challenges of an urban, river city; as well to the City's rich and vibrant history, expressive of and welcoming to people and place, past, present and future.

Deena said that Council is presently looking at the Block 2 (City Stage Smart Hub) between Macquarie Street and George Street and is endeavouring to secure the necessary space.

What does the Draft DCP do?

The Draft DCP secures the space for the Civic Link to ensure that it has the following key features:

- **A PREMIER CITY ADDRESS**
Why – Parramatta is becoming the Central City of Sydney
What does the DCP do? - It ensures that new buildings will frame the Civic Link with high quality architecture and vibrant street edges.

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- **SPACE FOR PEOPLE**
Why – Four times more foot traffic in the CBD by 2036
What does the DCP do? - It provides wide footpaths that will allow people to move effortlessly through the CBD
- **A PLACE TO CELEBRATE CULTURE**
Why – Parramatta is becoming a world-class city driven by culture
What does the DCP do? - It sets the vision for a mix of event and cultural incubator spaces in the buildings and public domain
- **COOL GREEN CONNECTIONS**
Why – There are more than 15 very hot days in Parramatta a year
What does the DCP do? - It secures a continuous 20m wide corridor to ensure there is space for large shady trees.

RESOLUTION (Rose/Carpenter)

- a. **The Committee strongly support the vision of connecting Parramatta Station to Parramatta River so as to maintain and improve safe, logical, legal and coherent access from north to south via the proposed Civic Link.**
- b. **That the Committee seek to at least maintain current levels of access for cyclists and preferably improve cycle access as part of this project, as cyclists wish to ride to Parramatta Station and to Westfield.**
- c. **That the Committee ask that secure bicycle parking be made available as part of the Civic Link project.**

Simon Thorne arrived at the meeting at 6.13pm during consideration of the above item.

Deena Ridenour left the meeting at 6.30pm at the conclusion of this item.

At this stage, Darryn Capes-Davis advised that the Parramatta Light Rail will continue the Active Transport Link under the Adderton Road bridge, rather than around.

Darryn Capes-Davis then left the meeting, the time being 6.30pm.

7. ABORIGINAL AND TSI CULTURAL INFRASTRUCTURE IN PARRAMATTA

Tony Duke, Independent Consultant to City of Parramatta attended the meeting for this item to outline to the Committee his work on scoping and delivering Aboriginal and TSI Cultural Infrastructure for the City.

He conveyed apologies from his colleague, Cathy Craigie and from staff member, Steven Ross, ATSI Capacity Building Officer.

Tony distributed a document to the Committee titled 'Aboriginal and Torres Strait Islander Cultural Infrastructure – Community Needs and Aspirations – City of Parramatta.'

Tony's brief is to have meaningful and evidence based conversations with the community and others to ascertain the aspirations of the community on what is feasible and sustainable (cultural infrastructure) in Parramatta. In this regard, Tony is currently meeting with other Councils in Western Sydney.

Tony advised that he is undertaking a healthy inclusive approach. As part of his work, he is involved with

- establishing a keeping place in 5 Parramatta Square – this building is currently at DA stage
- planning for the area outside in Parramatta Square – artworks, fire pit etc
- providing an indigenous memorial for people in wars since 1901 at Queens Park
- establishing a walk around Parramatta which includes visiting a number of significant aboriginal sites

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- planning soft infrastructure for NAIDOC Week
- providing dual signage in 300 parks in the City of Parramatta local government area
- management and governance issues
- engaging current and future technologies to make it relevant
- engaging young people

Tony is looking at the overall Aboriginal and Torres Strait Islander cultural infrastructure by celebrating, congregating and learning the culture. He is seeking an answer to the question – What are the main options for Aboriginal and Torres Strait Islander Cultural Infrastructure the community wants to pursue?

He seeks the input and contribution of Committee members by completing a survey to advise of their thoughts and ideas:

- what ideas or activities do you think should be part of the Parramatta cultural infrastructure?
- what issues are important for the management and governance of your cultural infrastructure?

The survey can be found at <https://www.surveymonkey.com/r/culturalParramattasurvey>

Tony indicated that he needs to come back to Council with his report in draft form by mid-June 2019.

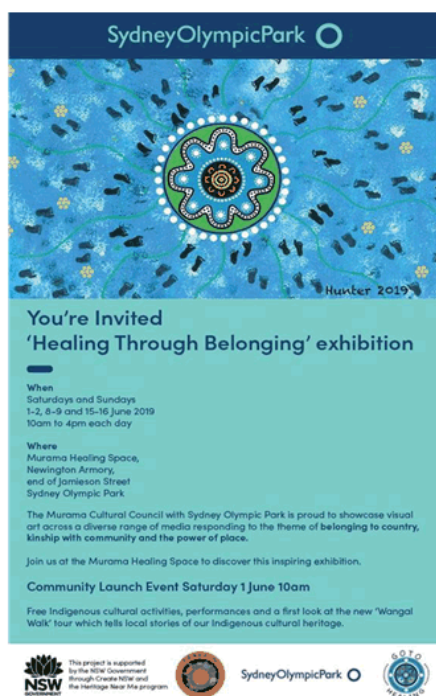
Charlene Bordley arrived at the meeting at this stage, the time being 6.44pm.

Charlene Bordley drew the Committee's attention to a forthcoming Indigenous art exhibition known as 'Healing Through Belonging Exhibition' which is being held on 1-2, 8-9 and 15-16 June 2019.

The exhibition will take place at the Murama Healing Space, which is a newly activated space by the Parramatta River at Newington Armory. The exhibition is centred on the healing of the river. Cultural artwork will be on display as well as stories about the stolen generation.

ACTION

Tony suggested that the flier advertising the exhibition be sent out to Committee members with the minutes of this meeting.



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Tony Duke left the meeting at this stage, the time being 6.51pm.

8. TRAFFIC COMMITTEE – 23 MAY 2019

Pam Kendrick, Chairperson informed the Committee that there are no matters of concern to the Committee on the Traffic Committee Meeting agenda for 23 May 2019.

The following matter was raised which will be considered by the Traffic Committee in due course:

North Rocks Road and Speers Road – Proposed Childcare Centre

This matter has previously been discussed by the Cycleways Advisory Committee, particularly concerning the safety of cyclists and pedestrians at this intersection associated with traffic going to and from the proposed childcare centre.

Mark Crispin advised that the proponent needs to provide a solution and that Council's preference is for a roundabout to be installed at this intersection.

9. PROJECT UPDATES

a. Epping to Carlingford Cycling Connectivity

Mark Crispin, Senior Project Officer Transport Planning provided an update on the Epping to Carlingford Cycleway. The bus stop of Marsden Road has been moved, and construction will soon commence on the Marsden Road shared path and the new path through Talinga Park. There will also be additional paths and kerb ramps to safely cross Midson Road and Pennant Parade. Council submitted a grant application to improve safety along Bridge and Willoughby Streets, but has yet to hear if it was successful. All new shared paths go to traffic committee for approval.

b. Ermington Foreshore (separated path and amenities)

Mark Crispin, Senior Project Officer Transport Planning advised that the construction of the shared cycle path has commenced along the Ermington foreshore. It will extend from the barbeque to Jean Street around the back of the carpark.

Mark further advised that a funding application has been submitted to extend the separated path to Silverwater Road.

10. COMMUNICATION WITH OTHER ADVISORY COMMITTEES

Nil

11. GENERAL BUSINESS

a. Junction Road, Winston Hills

Junction Road, Winston Hills forms the border between The Hills Shire Council and City of Parramatta local government areas. The southern side of Junction Road is within the City of Parramatta LGA.

It was reported that the City of Parramatta Council has obtained permission from The Hills Shire Council to do some line marking for traffic travelling east bound. The Hills Shire Council recognises that Junction Road needs improvement but there are no current plans to do so.

It was noted that there is a Transport for NSW proposal to upgrade angle parking in Junction Road for the benefit of Hills M2 Motorway bus commuters.

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5

RESOLUTION (Carpenter/Thorne)

- a. That the Committee recommend to Council that it contact The Hills Shire Council with a request that The Hills Shire Council formalise angle parking in Junction Road, Winston Hills together with provision of a separate cycleway or shoulder as part of this work.
- b. That the Committee recommend to Council that it contact the project contact from Transport for NSW with a request for transition to a shared path coming off the bridge at the back of the parking in Junction Road i.e. an extended shared path within grass verge area.

b. Queens Road, Westmead access

It was reported that contractors had blocked the Queens Rd Cycleway whilst doing works. Mark Crispin asked committee members to take photos and immediately forward them to him so he can action.

c. Patient Transport Vehicles parked in church grounds at Westmead – corner Queens Road and Hawkesbury Road, Westmead

It was reported that patient transport vehicles are often parked in the driveway to the church on the corner of Queens Road and Hawkesbury Road, Westmead where the boom gates are situated. This is a problem because they block the footpath and cycleway.

Mark Crispin requested that in the future photos are taken and forwarded to Council for action.

d. Cyclist Warning Signage for Parramatta Light Rail

The standard signage warning cyclists not to ride on the proposed Parramatta Light Rail tracks is currently being re-visited. Mark Crispin, Senior Project Officer Transport Planning asked that if any Committee members would like to be involved in reviewing the signage, that they send him an email.

e. Hill Road at Bennelong Parkway

Mark Crispin advised that a solution without a lip has been agreed with Council's Capital Projects to be designed and delivered.

f. Bike Counters

Mark Crispin, Senior Project Officer Transport Planning advised that half of the bike counters are working and half were not due to water damage. They need to be much more water resistant.

Mark reported that 60,000 pedestrians per month are using the cycle path on the northern side of the river in the CBD.

g. Subiaco Creek

Mark Crispin, Senior Project Officer Transport Planning advised that there is currently movement on the mesh panels. This is due to the wide spacing of the blocks underneath, Council is aware of the issue, but to resolve it will take time and a significant investment.

h. Upcoming Events

NSW Bike Week (Transport for NSW) – 21 to 29 September 2019

Biketober throughout the month of October, encouraging people to ride to work and log it to win prizes.

i. O'Connell Street Underpass

It was reported that the timber decking under O'Connell Street is to be replaced with non-slip minimesh in the middle of the year.

j. Cycleway – Windsor Road, Baulkham Hills

It was reported that the cycleway along Windsor Road, Baulkham Hills has been improved towards the Bull N Bush Hotel, but it disappears at the M2 Hills Motorway. Mark Crispin indicated that in order for the cycleway to be extended, compulsory land acquisitions would be required and this will happen over time.

k. Parramatta Stadium

A question was raised as to how cyclists should move through the Parramatta Stadium, as there is currently no safe passage for cyclists. It was pointed out that it is not possible to ride along the river on game days. It was suggested that a route via Marsden Street/Marist Place could be an option. Mark Crispin will investigate.

Simon Thorne left the meeting at this stage, the time being 7.36pm.

l. Possible Bike Path from Parramatta Park to Lake

A question was raised as to whether there is any proposal to provide a bike path linking Parramatta Park to Lake Parramatta.

Mark Crispin advised that the original Parramatta Valley Cycleway was to connect Lake Parramatta to Putney along the Parramatta River. This link is planned along Darling Mills Creek but is subject to the Parramatta North Urban Transformation project that is outside of Council's control.

m. Dragonfly Drive and Mons Road, Westmead

It was reported that pedestrians and cyclists are not giving way to cars at this intersection and that the 'Give Way' sign is lying on the ground. Mark Crispin advised that priority cannot be given to pedestrians and cyclists in this location and the current configuration precludes a traffic island. If signs are knocked down please take a photograph and raise a Service Request.

n. Parramatta North Urban Growth Heritage Festival – Saturday 18 May 2019

It was reported that nine bikes were parked at the Parramatta North Urban Growth Heritage Festival on Saturday 18 May 2019. Some of the bikes came from Clovelly.

o. Temporary Diversion around Meriton Development

It was reported that a reasonable temporary diversion has been provided around the Meriton development but some safety issues have been identified and need to be addressed.

p. Review of City of Parramatta Bicycle Map

The Committee reviewed the latest version of the Bicycle Map.

12. NEXT MEETING

6.00pm Wednesday 24 July 2019

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The Meeting closed at 8.07pm.



MINUTES

Meeting Name	Parramatta Cycleways Advisory Committee	
Date	Wednesday 24 July 2019	Time 6.04pm
Venue	Level 11 Boardroom 126 Church Street, Parramatta	
Attendees	Pam Kendrick (Chairperson) Bernard Carpenter Peter Gilbert Paul McDonald Ray Rice Ted Richards Simon Thorne	
Present	STAFF (CITY OF PARRAMATTA) Mark Crispin (Senior Project Officer Transport Planning) Michael Kolos (Project Officer Transport) Stephen Pearson (Committee Clerk)	
Chaired by	Pam Kendrick (Chairperson)	

1. ACKNOWLEDGEMENT OF THE TRADITIONAL CUSTODIANS – THE DARUG PEOPLE

Pam Kendrick made an Acknowledgement of Country, recognising that the land upon which the meeting was being held is the land of the Darug people, being the Traditional Owners of this land. Acknowledgement was also given to the present Aboriginal and Torres Strait Islander people, who now reside within this area.

2. WELCOME AND INTRODUCTIONS

The Chairperson, Pam Kendrick welcomed everyone to the meeting.

3. MINUTES – 22 MAY 2019

A copy of the Minutes of the Cycleways Advisory Committee meeting held on 22 May 2019 had previously been forwarded to each member.

RESOLUTION (Richards/Kendrick)

That the Minutes of the meeting of the Cycleways Advisory Committee held on 22 May 2019 be taken as read and confirmed as a true record of the proceedings of the meeting.

4. APOLOGIES

Apologies were received and accepted for the absence Councillor Patricia Prociv and Committee Members Charlene Bordley, Darren Capes-Davis and Tony Walker.

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5. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of interest made at this meeting.

6. TRAFFIC COMMITTEE – 25 JULY 2019

Pam Kendrick, Chairperson informed the Committee that there are no matters of concern to the Committee on the Traffic Committee Meeting agenda for 25 July 2019.

Pam did however indicate that Council is doing a lot of work at various places throughout the Local Government Area in providing refuges and median strips to channel traffic leading up to intersections with roundabouts. She is going to ask for provision of bicycle logos on the approaches to these intersections.

One particular example was raised on the corner of Pembroke and Essex Streets, Epping, where cyclists are directed to the left hand lane before entering the roundabout. The Committee pointed out that cyclists must proceed with caution and that the preference is for bike logos to be provided some way before the intersection before the direction veers.

ACTION

That the Committee seek provision of two 'PS-2' bike logos on each of the approaches to the intersection of Pembroke and Essex Streets, Epping, with one logo located about 20-30m from the intersection and the other at the roundabout in the centre of the travel lane.

7. PROJECT UPDATES

a. Epping to Carlingford Cycling Connectivity

Mark Crispin, Senior Project Officer Transport Planning advised that Council has been allocated \$2.5 million from the State Government for this project.

Mark advised that there has been strong community feedback from exhibition of this proposal - the Council received about 200 submissions from residents. Many of the submissions asked for provision of a separate cycleway along Willoughby Street and Bridge Road.

Mark indicated that plans of the cycleway will be made available to the Committee at its next meeting on 25 September 2019 and it is expected that the proposal will be submitted to the Traffic Committee on 21 November 2019.

b. Ermington Foreshore (separated path and amenities)

Mark Crispin, Senior Project Officer Transport Planning advised that Council has been allocated \$1.44 million from the State Government for Stage 2 of this project.

Mark advised that work on the cycle path for Stage 1 is almost finished and will enable a separate pedestrian path along the route.

c. Escarpment Boardwalk

Mark Crispin, Senior Project Officer Transport Planning advised that Council has been allocated a significant amount of funding from the State Government for this project.

Mark advised that the project is going out to tender again, with an initial report expected to go to Council in September 2019 and a final report to select a tenderer to go to Council before the end of the year. Construction is expected to commence in 2020.

d. Alfred Street Bridge

Mark Crispin, Senior Project Officer Transport Planning advised that a grant has been received to write a Final Business Case for this project funded by the Housing Acceleration Fund (HAF) – Department of Planning and Environment. Should this be assured by INSW Council will be eligible to apply for construction funding, ideally to commence in the 2020 calendar year.

e. Cycleway Map (revised edition)

Mark Crispin, Senior Project Officer Transport Planning advised that 1,000 copies of a revised Cycleway Map for the LGA have been printed. Copies were distributed to Committee members.

f. NSW Bike Week 21-29 September 2019

Michael Kolos, Project Officer Transport outlined the events being organised by Council for NSW Bike Week (21-29 September 2019). Three events are planned as follows:

- Saturday 21 September 2019
 - ride commencing from the Wentworth Point Ferry Wharf around the Homebush Bay Circuit
- Thursday 26 September 2019 – two rides at Constitution Hill, Toongabbie East Public School
 - bike introduction ride for children aged 5 to 11
 - guided beginner ride for children aged 12 and over
- Saturday 28 September 2019
 - ride at Newington for riders who use bikes as part of their commute (seeking support of Newington Public School)

Michael indicated that promotional material will be provided by both Transport for NSW and the City of Parramatta Council, and that Council also plans to provide fruit and water for participants.

Details of these events will be promoted via letterboxing, in Council's Resident Newsletter and on Council's website.

Committee members offered to give publicity to these events through their networks.

ACTION

That Committee members be forwarded promotional material at the appropriate time to enable them to forward information about these events on to their networks.

g. Polite Path Program

Michael Kolos, Project Officer Transport reported that the City of Sydney has a marquee on two of its shared paths on 2 days per week providing information on bike paths in the City of Sydney Local Government Area.

Michael advised that the City of Parramatta is proposing to do similar but on a reduced scale over 8 days including weekends during September to November 2019.

ACTION

That if possible, one of these marquees be erected at Newington Armory at Sydney Olympic Park.

8. COMMUNICATION WITH OTHER ADVISORY COMMITTEES

Nil

9. GENERAL BUSINESS

a. Subiaco Creek Cycleway Bridge - Loose Decking

The Committee raised the matter of loose decking along the Subiaco Creek Cycleway boardwalk. Mark Crispin advised that this is due to spacing of rubber blocks along the boardwalk.

ACTION

That attention be given to maintenance of the Subiaco Creek Cycleway boardwalk in order to fix the loose decking.

b. Great Western Highway and Church Street, Parramatta

Committee member Ted Richards presented a newsletter from Geoff Lee, Member for Parramatta describing an upgrade of Great Western Highway and Church Street that includes a section of shared path. Ted sought further information on this upgrade.

ACTION

Mark Crispin to follow up with Council's Traffic Section to get an update on the project.

c. Cyclocross Event at Ryde Common, Wicks Road, North Ryde

A Cyclocross event is being held at Ryde Common in August if anyone wishes to attend.

10. NEXT MEETING

6.00pm Wednesday 18 September 2019

The Meeting closed at 7.13pm.

3% CYCLING - BUILD IT INTO YOUR DAILY LIFE!

Riding a bike is a fun, healthy activity

This map is designed to help people who ride or want to ride a bike to find the best routes around Parramatta. A 2008 Federal Health Department report says the Federal Government saves more than \$220 million a year in health costs alone through people riding bicycles.

The map shows you the best cycle connections, the least hilly routes and where to park your bike. With today's congested major roads, cycling can often be quicker than driving a car or using public transport. And substituting cycling for driving trips will ease the strain on the budget as petrol prices head relentlessly north.

Cycling will also help you keep fit and healthy. Everyone can experience significant health benefits by doing 30 minutes of moderate physical activity a day. An easy way of achieving this level of activity is to build it into your lifestyle through activities like cycling to work or to social

or sporting events. Building cycling into your day will also help to improve the urban environment we live in and travel around every day.

About the Map Routes

Routes have been selected by experienced cyclists and are whenever possible on quiet suburban streets or on official pathways, although the shoulders of some motorways are also shown because they are open to competent adult cyclists. At all times and in all places, riders using this map must be aware of surrounding traffic and conditions and be responsible for their own safety.

Many of the routes have been signposted by local councils as part of their bike plans. Not all such routes are necessarily shown on the map - isolated or disconnected facilities have often been ignored if they don't directly assist commuters, particularly those en route to

Westmead or Parramatta. In some cases, pedestrian laneways and subways are used to connect useful cycling streets - consider walkers by wheeling bikes when necessary here and beware of flights of steps in some of these locations.

Cycling at Sydney Olympic Park (SOP)

SOP has over 35km of cycleways. The Kids in the Park Program offers cycling skills education for children 8 to 12. Visit www.kidsthepark.com.au. Specially designed short circuits for children are located on the Village Green at Bicentennial Park, Concord West and Westmead Common. Three colour-coded circuits of 6, 8 and 13km allow cyclists to explore the Olympic precinct and Bicentennial Park with its heritage features, woodlands and wildlife refuges.

Bike hire is available 7 days a week. See www.sydneypark.com.au/cycling.

CYCLING SAFETY AND TIPS

Avoiding road hazards

Be seen - wear bright visible clothing
- Be predictable
- Assume you take your space on the road
- Ride out from opening car doors

Your rights as a cyclist

Occupy a whole lane
At 60km/h or lower, vehicles must pass cyclists with a minimum of 1m
At 60km/h or over, the minimum distance is 1.5m
Ride two abreast, no more than 1.5m apart
Travel in Blue Lanes and Transit Lanes, except for Bus Only Lanes
Ride on the footpath if you are less than 16 years old (or an adult accompanying a child under 16)
Travel to the front of a line of traffic on the left hand side
Turn right from the left lane of a multi-lane roundabout

Things to remember

Wear an approved bike helmet
A bike must have at least one working brake and either a bell or horn
At night, a bike must have a steady or flashing white light at the front and, at the rear, a steady or flashing red light and red reflector
Your bike is a vehicle. Failing to obey road or bike rules may result in a fine
For more information on bike safety and regulations, contact your local council.

Cycling skills courses

If you're new to cycling or want to improve your skills, why not join a cycling group? Practice stopping and starting riding through narrow gaps, manoeuvring and taking tight turns, using gears and cycling in traffic. Contact your local Bicycle User Group (BUG) or Ashkenazi - a local cycling social enterprise. www.facebook.com/YourCyclingConnections

WHY CYCLE?

It's good for your health!

Get active - your way
People need to be active to be healthy. Your health can be improved by building physical activity into your daily life and the good news is, it doesn't take much to make a difference.

Physical activity has numerous benefits

Feel more energetic
Enhance your level of concentration, learning and memory
Help manage weight
Feel more confident, happy, relaxed
Sleep better and improve your sense of well-being
Reduce your chance of heart disease and cancer

It's good for the environment!

Cycle for a sustainable future
When you cycle or walk you help the local and global environment. For every litre of fuel used, a motor vehicle produces a staggering 10,000L of carbon dioxide - a gas that contributes to global warming.

It's good for your wallet!

Petrol prices will only go one way, so why not use your own fuel? (Bikepunks, that is!)

As little as 30 minutes of moderate physical activity a day, like cycling or walking, can help you improve and maintain good health.

3% EXPLORE

GREATER PARRAMATTA BY BICYCLE

The perfect way to travel!

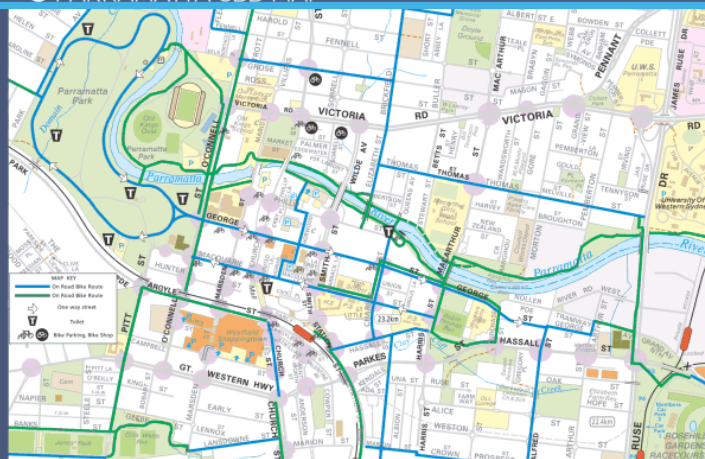


This bike map has been produced by City of Parramatta Council in consultation with Parramatta Cycling Committee, CAMWEST, CHAWBAC and Bike North. For extra copies of this map or any feedback, please contact City of Parramatta Council Visitor Information Centre (phone 8559 3331), email discoverparramatta@parramatta.nsw.gov.au, web www.parramatta.nsw.gov.au/bikefacilities/visitor_centre. Open 7 days 9am-5pm / Public Holidays 10am-4pm. Closed Good Friday and Christmas Day.



Local cycling routes with access from the north, south, east and west

3% PARRAMATTA CBD MAP



- Start at Parramatta Station
- 1) Town Hall, St John's Anglican Cathedral, World War I Memorial
 - 2) Centenary Square's sandstone clock and drinking fountain mark Parramatta's 188th centenary
 - 3) St John's Cemetery, Australia's oldest cemetery (1790)
 - 4) 17 First Bishops buried here
 - 5) Tudor Gatehouse (1885)
 - 6) Observatory Site, Bath House (1820s), Boer War Memorial (1903) and Hart Right Memorial (1911)
 - 7) Dairy Precinct (1798-1804)
 - 8) Parramatta Gaol, built 1837-1856
 - 9) Female Factory Precinct
 - 10) Old Government House, Australia's oldest publicly owned building, dates from 1799
 - 11) Immigration (1821) and Courthouse Tower
 - 12) Lennox Bridge (1839)
 - 13) St Patrick's Catholic Cathedral
 - 14) Second Kings School (1836-1968)
 - 15) First Kings School (1832-1835)
 - 16) Macarthur St 'Caneworks' Bridge (1885)
 - 17) Queens Wharf, where paddle steamers and overseas sailing ships landed trade goods in the 19th Century
 - 18) Elizabeth Farm, commenced 1793. Australia's oldest existing European building
 - 19) Experiment Farm Cottage (1830), on the site of Australia's first land grant
 - 20) Hambledon Cottage (1824), second house on Elizabeth Farm Estate
 - 21) Boundary Stone below James Ruse Drive Bridge
 - 22) Female Orphan School (1881), now WSU
 - 23) Blaudam Westlands
 - 24) Workers Huts (1860s)
 - 25) Arthur Phillip High School
 - 26) Lancer Barracks (1819)
 - 27) Parramatta Station (1860)
- Visit www.parramattaheritagetrails.net for more details and to join a heritage cycling tour.

PARRAMATTA HERITAGE RIDE

Many more historic features exist than can fit on this map. Follow the marked route and discover others, most with interesting information plaques.



USEFUL CYCLING INFORMATION

Bicycle NSW

9704 0800 www.bicyclenewsw.gov.au

Council bike maps

City of Parramatta
9806 3650 www.cityofparramatta.nsw.gov.au/cycling
Cumberland
9840 1840 www.cumberland.nsw.gov.au
The Hills Shire
9843 0350 www.thehills.nsw.gov.au
Blacktown City
9839 6000 www.blacktown.nsw.gov.au
City of Canada Bay
981 6255 www.canadabay.nsw.gov.au
City of Ryde
9852 3222 www.ryde.nsw.gov.au
Strathfield
9748 9999 www.strathfield.nsw.gov.au

RMS Cycleway Finder

1800 060 607
www.rms.nsw.gov.au/roads/bicycles/cyclewayfinder/index.html

Local Cycling Groups

Canada Bay
9840 1840 www.baybug.org.au
Cumberland
Her Cycling Connections
www.facebook.com/hercyclingconnections
Lidcombe Auburn Cycling Club
www.facebook.com/LidcombeAuburnCC
Inner West
AshBUG www.ashbug.org.au
Parramatta
ParkLife Cycling Club www.parkbikes.com.au/parklifecc
Parramatta Cycling Club www.parramattacycling.com.au

Northern Suburbs

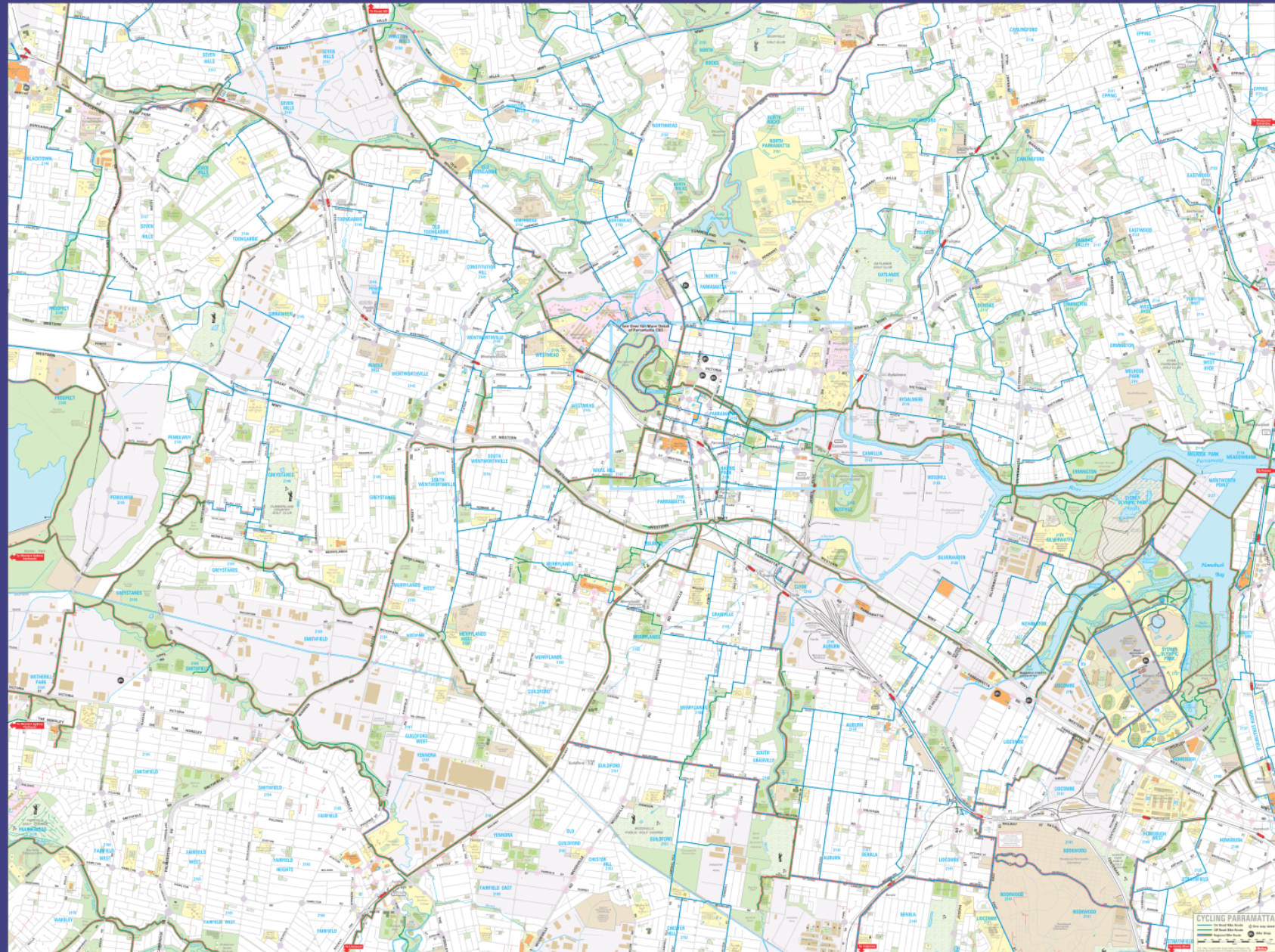
Bike North www.bikenorth.org.au
Western Suburbs
CAMWEST www.camwest.pps.com.au
WSON www.westernsuburbscyclingnetwork.com.au

Public Transport

A bicycle can be taken on a Sydney or Intercity train for free at any time if you are using an Opal card.
Bicycles cannot be taken on buses, but are permitted on Sydney Ferries for free at all times. The crew can refuse to allow a bicycle on board if there are safety or space concerns.
You can take your bicycle on light rail free of charge at any time, but staff may restrict the number of bicycles or refuse access when carriages are crowded.
Phone 181 500
or visit www.transportnsw.info or www.181500.info

Park and Ride

Bike sheds are enclosed shared shelters where bicycles can be stored safely and protected from bad weather. Entry is limited to your Opal card and is free of charge. Sheds are available at Blacktown, Epping, Rhodes, West Ryde, Seven Hills and Parramatta Station.
Bike lockers are individual lockable spaces and can be rented. Lockers are available at the following:
Ferry wharves: Parramatta, Kissing Ferry, Meadowbank, Rydalmere.
Train stations: Auburn, Blacktown, Concord West, Epping, Granville, Lidcombe, Mangrove, Meadowbank, Merrylands, North Strathfield, North Strathfield, Parramatta, Sydney Olympic Park, Westmead.
More information is available at www.service.nsw.gov.au/transport/register-access-transport-nsw-bike-shed



ACCESSIBLE

ITEM NUMBER	14.2
SUBJECT	FOR NOTATION: Variations to Standards under Clause 4.6 of Parramatta LEP 2011, Auburn LEP 2010, Holroyd LEP 2013, The Hills LEP 2012, Hornsby LEP 2013 and SEPP 1
REFERENCE	F2009/00431 - D07070706
REPORT OF	Group Manager - Development and Traffic Services

PURPOSE:

To provide Council with information each month on development applications determined where there has been a variation in development standards under Clause 4.6 of the Local Environment Plans or State Environmental Planning Policy No.1.

RECOMMENDATION

That the report be received and noted.

REPORT

1. During the reporting period, **1 October 2019 – 18 October 2019**, there were **no (0)** development applications determined where there was a variation to a development standard under Clause 4.6.
2. Under Clause 4.6 of the relevant Local Environmental Plan (LEP) applying to the local government area of the City of Parramatta, development consent may be granted for development even though the development would contravene a development standard such as a height and/or floor space ratio standard contained within an LEP.
3. State Environmental Planning Policy No 1 (SEPP 1) contains similar provisions to Clause 4.6 and allows development to be approved even though it may not comply with a development standard in a state planning instrument, such as another SEPP.
4. A report is presented to Council each month on any development consent issued where the development does not comply with a development standard. This report follows the reporting requirements prescribed in Planning Circular PS08-014 issued by the NSW Department of Planning.
5. Controls within Development Control Plans (DCP) are not development standards as a DCP is not an “environmental planning instrument”.

Mark Leotta

Group Manager Development and Traffic Services

Jennifer Concato

Executive Director City Strategy and Development

ATTACHMENTS:

REFERENCE MATERIAL

INNOVATIVE**11 NOVEMBER 2019**

- 18.1 FOR APPROVAL: Draft Development Control Plan and draft
Planning Agreement, 2 O'Connell Street, Parramatta476
- 18.2 FOR APPROVAL: Gateway Request: Harmonisation Planning
Proposal - Consolidated City of Parramatta Local Environmental
Plan556

INNOVATIVE

ITEM NUMBER	18.1
SUBJECT	FOR APPROVAL: Draft Development Control Plan and draft Planning Agreement, 2 O'Connell Street, Parramatta
REFERENCE	RZ/2/2017 - D07035544
REPORT OF	Project Officer-Land Use Planning
LAND OWNER:	The Owners of Strata Plan 20716
APPLICANT:	Think Planners

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL: Nil

PURPOSE:

To seek Council's endorsement of a draft site-specific Development Control Plan and draft Planning Agreement for the purpose of public exhibition concurrently with a Planning Proposal for the site at 2 O'Connell Street, Parramatta.

RECOMMENDATION

- (a) **That** Council endorse the draft Development Control Plan (DCP) at **Attachment 1** and the draft Planning Agreement at **Attachment 2** for public exhibition.
- (b) **That** the draft DCP and draft Planning Agreement be publicly exhibited concurrently with the Planning Proposal for 2 O'Connell Street previously endorsed by Council.
- (c) **That** the outcome of the public exhibition be reported back to Council after exhibition.
- (d) **Further, that** Council authorise the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft DCP and draft Planning Agreement documentation that may arise during the drafting and exhibition processes.

THE SITE

1. The subject site is located at 2 O'Connell Street, Parramatta and is also known as St John's Terrace, 5 Aird Street. The legal description of the site is Strata Plan 20716. The site area is 3,283 square metres and it contains a two and three-storey commercial building occupied by a number of strata subdivided office suites. The site has frontages to O'Connell Street (West), Aird Street (North) and Campbell Street (South) and slopes substantially from south to north. An aerial photo of the site is shown below in Figure 1.



Figure 1: Site location (Source: City of Parramatta GIS)

2. The site is located towards the western edge of the Parramatta CBD within the B4 mixed use zone which is characterised by a mixture of residential and commercial uses. To the north of the site is the Westfield shopping complex, immediately to the east a newly constructed residential tower and opposite the site to the west, the heritage listed St John's cemetery.

CURRENT PLANNING CONTROLS

3. Under the Parramatta Local Environmental Plan 2011, the site is subject to the following controls:
 - a. Land use zoning is B4 Mixed Use;
 - b. The maximum Height of Buildings (HOB) is 36 metres;
 - c. The maximum Floor Space Ratio (FSR) is 4.2:1; and
 - d. The site is near St John's Anglican Cemetery which is listed as an item of State heritage significance under Schedule 5 of the PLEP 2011 and is listed under the State Heritage Register.
4. The site is not identified as being flood prone land and is outside of the area affected by the 1 in 100 year Average Recurrence Interval.

BACKGROUND

5. At its meeting on 10 July 2017, Council considered a report on a Planning Proposal for the subject site. Council resolved to endorse the Planning Proposal which seeks the following changes to the Parramatta Local Environmental Plan 2011:

- a. No change to the B4 Mixed Use zoning;
 - b. An increase in the maximum Height of Buildings from 36 metres (approximately 12 storeys) to 217 metres (excluding Design Excellence bonus of 15 per cent – approximately 69 storeys);
 - c. And increase in the maximum FSR from 4.2:1 to 16.2:1 (including all bonuses, opportunity site provisions and additional non-residential floor space).
6. A summary of the density of development that would be permitted by the Planning Proposal is included below:

	Endorsed Planning Proposal
Zoning	B4 Mixed Use (No change from current zoning)
Maximum HOB	217 metres (249m including Design Excellence bonus)
Maximum FSR	16.21:1 (including Design Excellence Bonus)
Proposed GFA	6,211 square metres non- residential 46,973 square metres residential 53,184 square metres total
Proposed dwelling yield	533 apartments

7. Council also resolved to prepare a draft DCP and enter negotiations on a Planning Agreement and report both to Council for endorsement prior to their concurrent exhibition with the Planning Proposal.
8. At Council's meeting on 26 February 2018, a further report was considered which sought to respond to advice from the then Department of Planning and Environment (now referred to as the Department of Planning, Industry and Environment). The Department's advice was to restructure the format and mechanism of the proposed FSR controls to align with the format of the current version of the Parramatta LEP, while still achieving the development density outcomes previously endorsed by Council.
9. The Department requested that the structure and format of the achievable FSR be structured as follows:
 - a. Base FSR of 4.2:1;
 - b. Incentive FSR of 10:1;
 - c. Additional Design Excellence bonus of 15% to 11.5:1;
 - d. Additional High Performing Buildings Bonus of 0.5:1 to 12:1;
 - e. Additional Opportunity Site bonus of 3:1 to 15:1; and
 - f. Additional non-residential floor space of 1.2:1 taking the total to **16.2:1**.
10. Council resolved in accordance with the Department's advice and additionally resolved to consider a further report on the heritage impacts of the Planning Proposal on the St Johns Cemetery near the site.
11. Council considered the further report on 9 April 2018 and resolved to endorse the Planning Proposal without changes and also included the following additional resolutions:

- a. That the public domain landscaping on the eastern side of O'Connell Street is enhanced; and
- b. That the northern edge of the new development to Aird Street considers the existing axial views from the cemetery path. This is interpreted within the draft DCP to provide for the protection of the ability to view the corridor along Aird Street when looking east from the cemetery entrance gates. This is achieved through the setback controls from Aird Street which provide for a 6 metre tower setback and a 1.2 metre ground level setback.

Gateway Determination

12. The then Department of Planning and Environment issued a Gateway determination on 5 October 2018 (refer to **Attachment 3**). The main requirements were as follows:
 - a. Assess the cumulative overshadowing on the South Parramatta and the Harris Park West Heritage Conservation Areas;
Comment: The overshadowing on the South Parramatta and the Harris Park West Heritage Conservation Areas has been assessed and is considered to be negligible.
 - b. Address the comments by the Roads and Maritime Services (RMS) (dated 13 February 2018);
Comment: The Urban Design Study has been revised to reflect the 3.5 metre road-widening required by the RMS (refer to **Attachment 4**);
 - c. Update the Urban Design Study to reflect an FSR of 16.2:1 and a 3.5 metre road-widening on O'Connell Street;
Comment: The Urban Design Study has been revised to reflect the above requirements (refer to **Attachment 4**);
 - d. Update the "Explanation of provisions" within the Planning Proposal document to reflect the revised structure of the FSR calculation;
Comment: The Planning Proposal document has been updated to reflect the above provisions;
 - e. Include a satisfactory arrangements clause to enable contributions towards the funding of State infrastructure;
Comment: The Planning Proposal document has been amended to include this provision; and
 - f. Consult with federal Department of Infrastructure, Transport, Cities and Regional Development (DIRD) prior to exhibition.
13. With regard to subpoint (f) above, Council has consulted with DIRD and subsequently received a response from them and Sydney Metro Airports. In summary, DIRD advised that the development may require approval under the Airports (Protection of Airspace) Regulations 1996, including assessment by the Civil Aviation Safety Authority and Airservices Australia prior to construction. This assessment is best undertaken at Development Application stage.
14. Sydney Metro Airports advised that the building and crane works will impact on Bankstown Airport's airspace and, possibly, Sydney Airport's airspace. As such, a full aeronautical assessment would be required to be reviewed by

Bankstown Airport in conjunction with the relevant bodies prior to DIRD making their final assessment.

15. Further clarification from Sydney Metro Airports was received advising that the aeronautical assessment was appropriate to be submitted as part of the future development application.
16. It is noted that the Gateway determination lapsed on 5 October 2019. An extension has been requested from the Department of Planning, Industry and Environment. As at the time of the preparation of this report, verbal advice had been received from the Department that an extension would be issued within a few weeks.

ISSUES/OPTIONS/CONSEQUENCES

Draft Site-Specific DCP

17. The draft site-specific DCP has been prepared to provide more detailed built form guidelines to supplement the LEP controls (refer to **Attachment 1**). Pursuant to Council's resolution on 10 July 2017, the draft DCP is to be publicly exhibited concurrently with the Planning Proposal and draft Planning Agreement.
18. Council's resolution on 9 April 2019 included additional requirements to be addressed in the DCP regarding the protection of the axial view corridor from the St John's cemetery entrance gates along Aird Street and public domain landscaping along the eastern side of O'Connell Street.
19. In summary, the DCP seeks to achieve the following objectives:
 - a. Contribute to a high quality public domain at ground level with activated edges to the streets and street walls that create legible, safe, functional and attractive streets;
 - b. Provide for slender, elegant towers that are setback above the street walls to allow for daylight penetration to the street, views to the sky and privacy; and
 - c. Protect, frame and enhance the axial view corridor from the entry gate to St John's cemetery along Aird Street.
20. The main controls include:
 - a. The street wall on O'Connell Street is to be set back 3.5 metres to allow for future road-widening;
 - b. The ground level of the buildings must be set back 4.7 metres from O'Connell Street and 1.2 metres from Aird and Campbell Streets. (Note: this is demonstrated in Figures 2 and 3 of the draft DCP in **Attachment 1**);
 - c. The towers must be set back 6 metres from O'Connell Street and Aird Street and the tower adjoining 24 Campbell Street must align with the existing neighbouring building;
 - d. The height of the street wall must be a minimum of 12.5 metres and a maximum of 21 metres from natural ground at footpath level and the height of the street wall must relate to the existing adjacent buildings;

- e. The lower tower referred to as building 2 is to be limited in height to 39 metres;
 - f. The ground floor frontage should have active uses for a minimum of 70 per cent of its length; and
 - g. The public domain on O'Connell Street must retain the existing street trees and provide new trees that will allow for the future road-widening.
21. The building envelope controls included in the draft DCP are shown below in Figure 2.

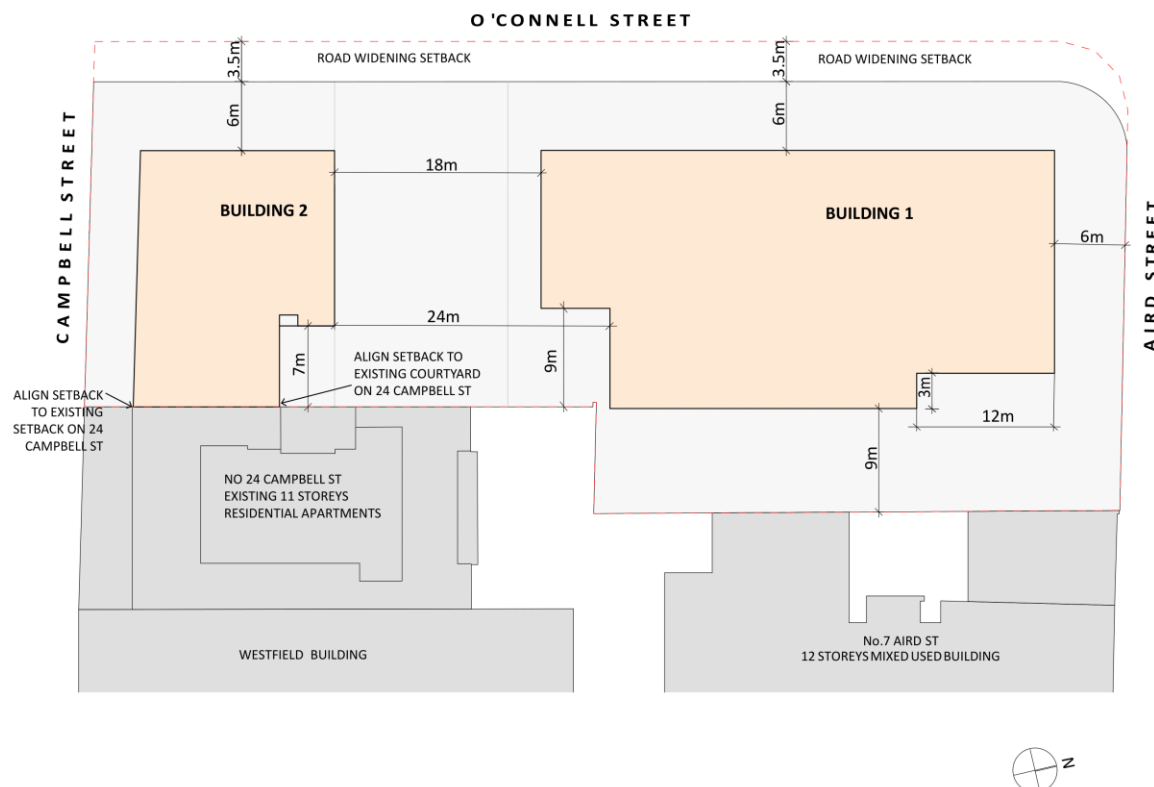


Figure 2: Building Envelope controls (extracted from draft DCP in **Attachment 1**)

Draft Planning Agreement

22. The draft Planning Agreement has been prepared with the applicant to require them to contribute towards the provision of community infrastructure (refer to **Attachment 2**) in the Parramatta CBD. Legal advice from Council's solicitor has been obtained regarding the provisions of the draft Planning Agreement. Pursuant to Council's resolution on 10 July 2017, the draft Planning Agreement is to be publicly exhibited concurrently with the Planning Proposal and draft DCP.
23. The commercial terms of the draft Planning Agreement provide for a monetary contribution of \$6,549,585. This amount is consistent with Council's Planning Agreements Policy which references the Parramatta CBD Planning Proposal which contains provisions regarding community infrastructure needs. The Parramatta CBD Planning framework includes a resolution of Council dated 10 April 2017 which applies a 'Phase 1' value sharing amount of \$150 per square metre and a 'Phase 2' value sharing amount of \$375 per square metre.

24. Council's Planning Agreements Policy was adopted by Council at its Meeting on 26 November 2018. The method of calculating the amount of value sharing relative to the increase in FSR is demonstrated in Figure 3 below.

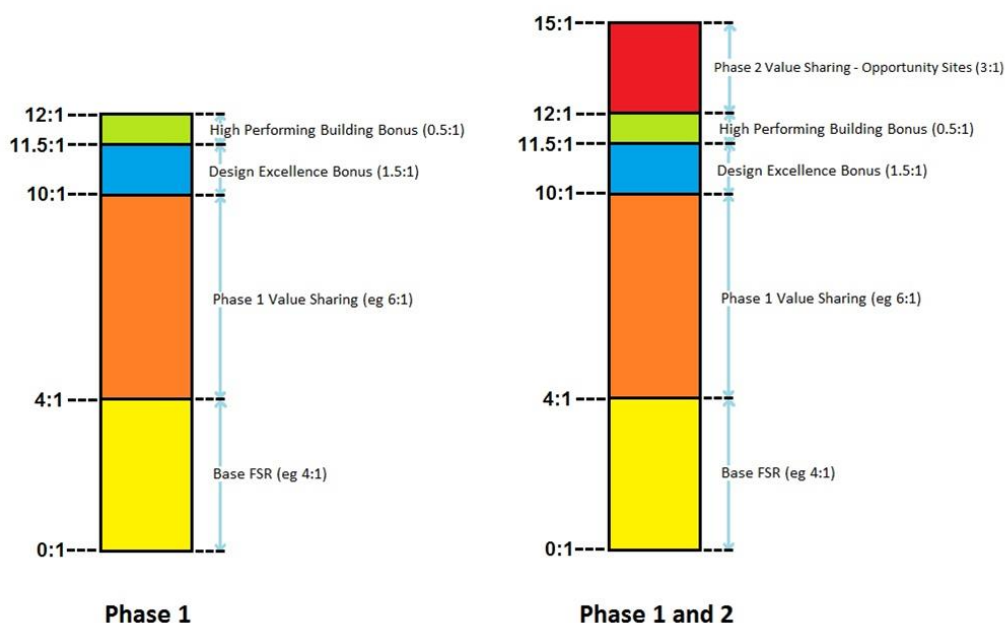


Figure 3: FSR controls and phase 1 & 2 value sharing under the Parramatta CBD Planning Proposal

25. Phase 1 value sharing represents the increase in FSR between the “base” FSR control and the “incentive” FSR control. The applicable value sharing rate for Phase 1 is 20 per cent of this land value uplift. Phase 2 value sharing represents the increase in FSR between the highest FSR achievable under the Planning Proposal (after all bonuses) and the Opportunity Site FSR of 15:1. The applicable value sharing rate for Phase 2 is 50 per cent of this land value uplift.
26. Using the methodology above, the draft Planning Agreement for 2 O’ Connell Street is based on the following calculations:

Development parameters	
Site Area	3,283 m ²
Base FSR	4.2:1
Incentive FSR (Phase 1)	10:1
Opportunity Site FSR (FSR)	15:1 (the additional 1.2:1 that takes the total to 16.2:1 is non-residential and not subject to the FSR calculation under the proposed site-specific clause)
Phase 1 calculation	
Incentive FSR minus base FSR	10:1 minus 4.2:1 = 5.8:1
Increase in FSR multiplied by site area	5.8 x 3,283 = 19,041.4 m ²
Increase in floor area multiplied by \$150	19,041.4 x \$150 = \$2,856,210

Phase 2 Calculation	
Opportunity Site FSR minus total FSR with all bonuses	15:1 minus 12:1 = 3:1
Increase in FSR multiplied by site area	3 x 3,283 = 9,849 m ²
Increase in floor area multiplied by \$375	9,849 x \$375 = \$3,693,375
Total Phase 1 plus Phase 2	\$2,856,210 plus \$3,693,375 = \$6,549,585

27. Under the terms of the draft Planning Agreement, 75 per cent of the contribution is to be paid prior to the issue of any construction certificate relating to the development of the site and the remaining 25 per cent of the contribution is to be paid prior to the issue of an occupation certificate. This is consistent with Council's Planning Agreements Policy.

CONSULTATION & TIMING

28. Should Council resolve to endorse the draft DCP and draft Planning Agreement for the purpose of public exhibition, they will be publicly exhibited with the Planning Proposal. The exhibition will be conducted in accordance with the Gateway determination, the requirements of the Environmental Planning and Assessment Act 1979 and the Parramatta DCP 2011.
29. The outcome of the public exhibition will then be reported to Council.

FINANCIAL IMPLICATION FOR COUNCIL

30. As discussed above, the draft Planning Agreement includes a one-off monetary contribution to Council for \$6,549,585 towards the provision of community infrastructure. The Planning Agreement monetary contribution would be delivered in addition to development contributions payable with respect to any redevelopment of this site.
31. The costs associated with the preparation, exhibition and finalisation of the draft DCP and draft Planning Agreement are funded within the City Strategy and Development budget.

Felicity Roberts
Project Officer Land Use Planning

Robert Cologna
Team Leader Land Use Planning

Jonathon Carle
Land Use Planning Manager

Jennifer Concato
Executive Director City Strategy and Development

ATTACHMENTS:

1 <u>↓</u>	Draft site-specific Development Control Plan (DCP)	8 Pages
2 <u>↓</u>	Draft Planning Agreement and Explanatory Note	27 Pages
3 <u>↓</u>	Gateway Determination issued by the Department of Planning, Industry and Environment	4 Pages
4 <u>↓</u>	Applicant's Urban Design Study	32 Pages

REFERENCE MATERIAL

4.3.3.7**(i) 2 O'Connell Street, Parramatta****Land to which this applies**

This part of the Development Control Plan (DCP) applies to land at 2 O'Connell Street, Parramatta legally known as SP20716 within the Parramatta CBD as illustrated in the extract below.

**Relationship to other Planning Documents or Sections within DCP 2011**

This Part is to be read in conjunction with other parts of this DCP and the Parramatta LEP 2011. If there is any inconsistency between this part of the DCP and other parts of the Parramatta DCP 2011, this part of the DCP will prevail. This DCP establishes objectives and controls to be interpreted during preparation and assessment of development applications and supports the objectives of the LEP.

Guiding Principles

- P.01 Facilitate redevelopment of the site as a high quality mixed-use development to support the role of the Parramatta CBD.
- P.02 Contribute to the public domain at ground level through activated edges to Aird Street, O'Connell Street and Campbell Street.
- P.03 Design the street walls to create streets that are legible, comfortable, safe, functional and attractive.
- P.04 Design the street walls to respond to existing built and heritage context.
- P.05 Protect, frame and enhance the axial view corridor from the entry gate to St John's cemetery along Aird Street.
- P.06 Set back buildings above the street walls and side and rear boundaries to allow daylight penetration, mitigate wind impacts and enable views to the sky in streets and public places.
- P.07 Design the tower to be elegantly proportioned and maximise its slenderness of form.
- P.08 Protect amenity, daylight penetration, views to the sky and privacy between adjoining developments and minimise the negative impacts of buildings on the amenity of the public domain.
- P.09 Design and select the materials of buildings and the public domain to contribute to a high quality, durable and sustainable urban environment.
- P.10 Satisfy the standards of SEPP 65 and the *Apartment Design Guide* (ADG).

Building Envelopes**Objectives**

- O.01 Reinforce the spatial definition of the streets.
- O.02 Design the street walls with an appropriate human scale and sense of enclosure for the streets.
- O.03 Ensure that the axial view corridors from the entry to St John's cemetery and along Aird Street are respected through the podium and recessed tower built form.
- O.04 Protect daylight access at street level and permit views of sky from the streets by providing setbacks above street frontage height that promote separation between buildings.
- O.05 Ensure that building form achieves comfortable public domain conditions for pedestrians, with adequate daylight, appropriate scale, and mitigation of wind effects of the tower building.
- O.06 Ensure that the ground level interface provides shelter for pedestrians in the form of an awning as well as adequate space for street trees.
- O.07 Ensure that built form achieves contextual fit with adjacent buildings on Aird and Campbell St.
- O.08 Ensure that built form enables a healthy environment for street trees.

Controls

- C.01 Building envelopes must be consistent with Figure 1.
- C.02 The street wall must be set back 3.5m from the boundary along its full frontage on O'Connell Street for future road widening, except at Ground Level which must be set back 4.7m from the boundary, refer to Figure 2.
- C.03 The street wall must be built to the street boundary along its full frontage on Aird and Campbell Streets, except at Ground Level which must be set back 1.2m from the boundary, refer to Figure 3.
- C.04 Above the street wall:
- Building 1 must be set back a minimum of 6m on O'Connell St and Aird St.
 - Building 2 must be set back a minimum of 6m on O'Connell St and line up with the existing adjacent building to the East on 24 Campbell St.
- C.05 Setbacks must be measured perpendicular to the boundary to the outer faces of the buildings.
- C.06 The height of the street wall must be a minimum of 12.5m and a maximum of 21m from natural ground at footpath level. The height of the street wall at Aird and Campbell Streets must relate to the existing adjacent buildings.
- C.07 Building 2 is to be limited in height to 39 metres.

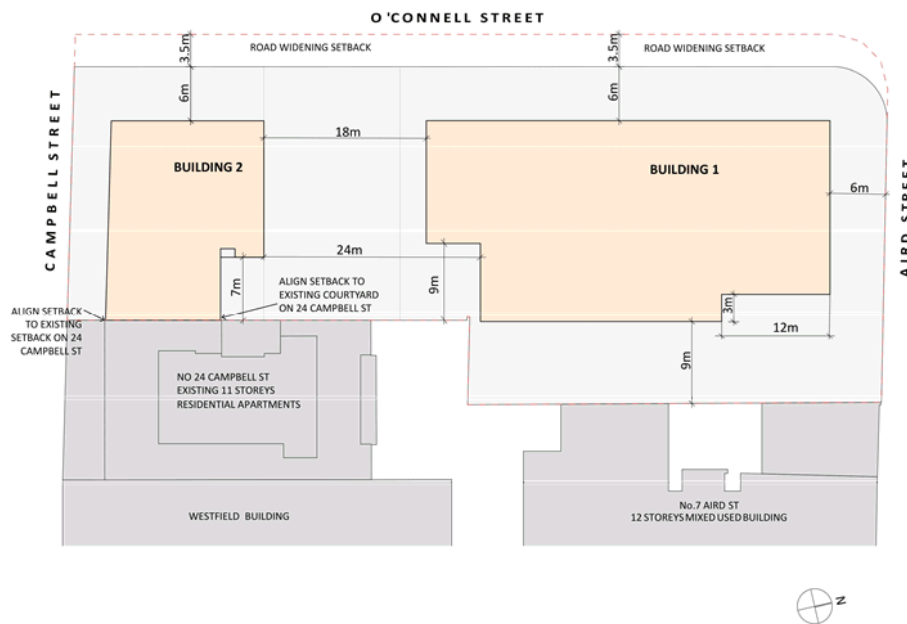


Figure 1 Building Envelope

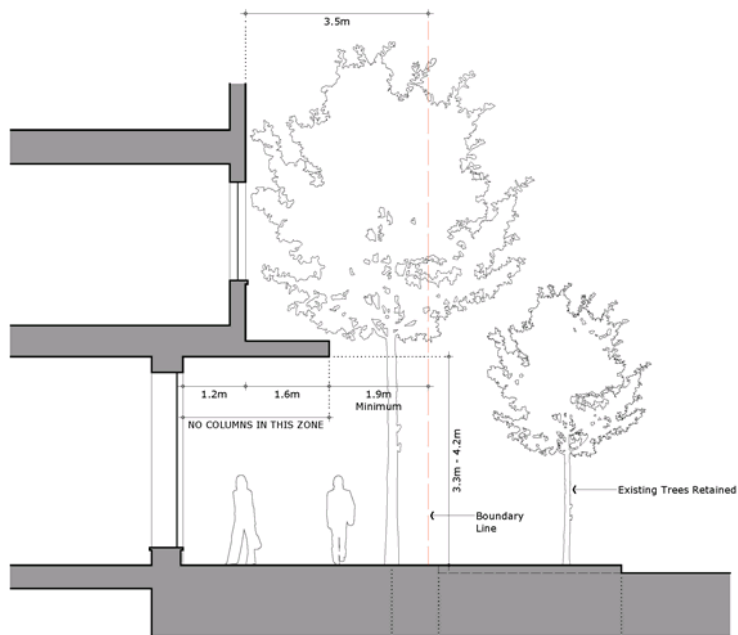


Figure 2 Street Section O'Connell St

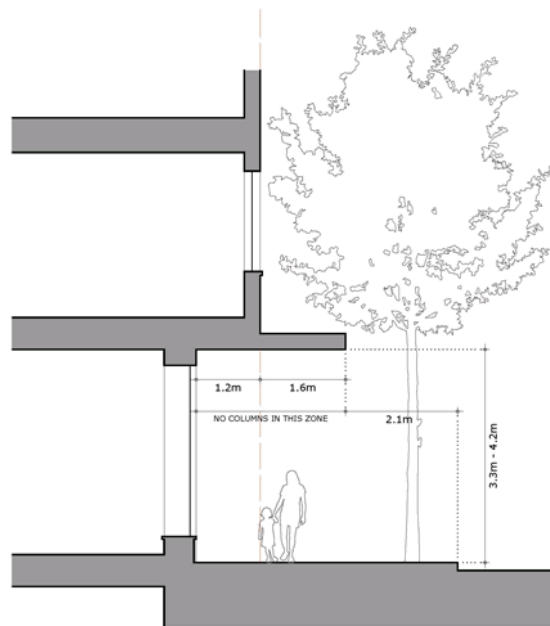


Figure 3 Street Section Aird St and Campbell St

Street Wall Design

Objectives

- O.09 Define the space of the streets and articulate their edges.
- O.10 Design the street walls to provide appropriate scale and detail.
- O.11 Design the street walls to achieve fine grain modulation in the street.
- O.12 Provide comfort and shelter for pedestrians.
- O.13 Minimise large expanses of inactive frontage.

Controls

C.01 The street walls must:

- be modulated in vertical increments that relate to a fine grain subdivision pattern.
- be of predominantly masonry character with limited amounts of glass and no lightweight panel construction.
- be articulated with depth, relief and shadow on the street façade. A minimum relief of 150mm between the masonry finish and glazing face must be achieved.
- use legible architectural elements and types - doors, windows, loggias, reveals, pilasters, cills, plinths, frame and infill, etc. - not necessarily expressed in a literal traditional manner.
- include semi-recessed awnings for pedestrian shelter, refer to Figures 2 and 3.
- include a ground floor façade design which intensifies the walking experience with particular richness in detail, refer to The Ground Floor subsection below.

C.02 Undercrofts or disruptions of the street wall which expose the underside of the tower and amplify its presence on the street are not permitted.

The Ground Floor

Objectives

1. Provide for the amenity, interest and liveliness of the pedestrian street environment.
2. Ensure a positive experience for pedestrians with the necessary fine grain environment of the street.
3. Integrate an engaging street interface with the design of the public domain, taking account of the topography of the site.
4. Optimise the extent of active frontages in the public domain.
5. Ensure appropriate scale and proportion of foyers and lobbies in relation to site frontage.
6. Promote activity, connectivity and variety in the public domain.

7. Contribute to the economic vitality of the city.
8. Ensure security measures do not inhibit passive surveillance on the street.

Controls

- C.01 The ground floor frontage should have active uses (as defined in section 4.3.3.3) for a minimum of 70% of its length.
- C.02 Any carparking or related functions on the ground floor frontage are not permitted other than exceptional cases.
- C.08 Semi-recessed awnings as well as street trees must be provided, refer to Figures 2 and 3.
- C.08 The public domain on O'Connell St must retain the existing trees and provide new trees that will allow for the future road widening, refer to Figure 2.
- C.08 The design of the Campbell St public domain and frontage must remove the existing split level footpath.
- C.08 Double height awnings are not permitted.
- C.08 Columns should not be located within the awning zone outside of the glazed frontage.
- C.08 Glass awnings are not permitted.
- C.08 The ground floor frontage must be designed in detail and the following must be incorporated in its design:
- The ground floor levels and façade structure and rhythm must be designed to present a fine grain street frontage.
 - A nominal 500mm interface zone at the frontage should be set aside to create interest and variety in the streetscape, to be used for setbacks for entries, opening of windows, seating ledges, benches, and general articulation.
 - The frontage must have a high level of expressed detail and tactile material quality.
 - Facades must be vertically articulated.
 - The modulation and articulation of the facade should include a well resolved meeting with the ground plane that also takes account of the slope. A horizontal plinth, integrated in the design, must be incorporated at the base of glazing to the footpath.
 - The frontage must take account of the need to provide a clear path of travel for disabled access.
 - Legible entrances must be formed in the frontage.
 - Fire escapes and services must be seamlessly incorporated into the frontage with quality materials.
 - Any portion of ground floor facade fronting carparking should follow similar principles of articulation to those noted above, screens or green walls are not permitted. In these areas, consideration could be given to the inclusion of display windows.
- C.09 Security doors or grilles must be designed to be:

- Fitted internally behind a shopfront;
- Fully retractable; and
- A minimum 50% transparent when closed.

C.10 Parking security grilles or doors must be aligned to the building edge.

C.11 The frontage must not have deep recesses for entry lobbies that compromise safety.



Voluntary Planning Agreement – 2 O’Connell Street, Parramatta

City of Parramatta Council

and

The Owners – Strata Plan No. 20716

Our Ref: LDA:LDA:1738 / 37588

Massons, No.5, The Upper Deck, 26-32 Pirrama Road, Jones Bay Wharf, Sydney
T +61 2 8923 0900, F +61 2 8569 0904,
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Reference schedule

Item 1	Council	
	City of Parramatta Council ABN 49 907 174 773	
Item 2	Owners Corporation	
	The Owners – Strata Plan No. 20716	
Item 3	Land	
	The whole of the land comprised in Strata Plan 20716 known as 2 O'Connell Street, Parramatta NSW 2150 or 5 Aird Street, Parramatta NSW 2150	
Item 4	Common Property	
	The whole of the common property located within the Land, and comprising the whole of folio identifier CP/SP20716	
Item 5	Planning Proposal	
	Title	2 O'Connell Street Parramatta – increase maximum building height and floor space ratio controls 16.2:1 FSR and height of building is 217 metres
	Summary	<p>Amend Parramatta Local Environmental Plan 2011 to amend the maximum building height and floor space ratio controls that apply to land at 2 O'Connell Street, Parramatta, including to:</p> <ul style="list-style-type: none"> – allow a maximum building height of 217m, subject to a further 15% height increase where design excellence bonus is achieved – a maximum FSR of 15:1 – include an additional site-specific clause requiring a mandatory 1:1 of commercial floor space – include an additional site-specific clause allowing the consent authority to grant consent to an additional FSR of 1.2:1 of non-residential floor space in addition to the 15:1 FSR – include maximum car parking rates in accordance with the Parramatta CBD Strategic Transport Study and resolution of Council on 10 April 2017
	Number	PP_2017_COPAR_013_00
Item 6	Notices	
	Council	<p>City of Parramatta Council 126 Church Street PARRAMATTA NSW 2150</p> <p>Attention: Felicity Roberts Fax: 02 9806 5917 Email: council@parracity.nsw.gov.au; AND sbaker@cityofparramatta.nsw.gov.au</p>
	Owners Corporation	<p>The Owners – Strata Plan No. 20716 C/- Premier Strata Management</p>

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Voluntary Planning Agreement – 2 O'Connell Street, Parramatta

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		PO BOX 3030 PARRAMATTA 2124 Attention: David Tuskan Fax: (02) 9630 1915 Email: davidt@premierstrata.com.au
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Voluntary Planning Agreement – 2 O'Connell Street, Parramatta

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Date 2019

Parties

City of Parramatta Council ABN 49 907 174 773 of 126 Church Street, Parramatta NSW 2150 (**Council**)

The Owners – Strata Plan No. 20716 of C/- Premier Strata Management, Po Box 3030 Parramatta 2124 (**Owners Corporation**)

Background

- A. The Parramatta Local Environmental Plan 2011 applies to the Land.
- B. The Owners Corporation is the owners' corporation of the strata scheme created by Strata Plan 20716 and is the registered proprietor of the Common Property on the Land.
- C. The Owners Corporation is in the process of developing a Strata Renewal Plan for the collective sale of the whole of the Land in accordance with Part 10 of the SSDA
- D. The Owners Corporation lodged with Council a Planning Proposal requesting an Instrument Change by way of an amendment to the Parramatta Local Environment Plan 2011, as contemplated in the Strata Renewal Proposal for the Strata Plan. The Department of Planning and Environment determined the Planning Proposal and gave Gateway determination on 5 October 2018.
- E. The Strata Renewal Proposal anticipates that Development may ultimately be carried out on the Land.
- F. The Planning Proposal was accompanied by an offer from the Owners Corporation to Council to enter into this agreement to make contributions for public purposes associated with the Instrument Change in the event that the Land is ultimately redeveloped in accordance with the Instrument Change.
- G. The Owners Corporation and the Council agree to enter into this Agreement.

Agreed terms

1. Definitions

In this Agreement, unless the context indicates a contrary intention:

Word/s	Meaning
Act	means the <i>Environmental Planning and Assessment Act 1979 (NSW)</i>
Agreement	means this Agreement and all schedules and annexures to it
Approval	means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this agreement
Authority	means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person



Word/s	Meaning
Bank Guarantee	<p>means an irrevocable and unconditional undertaking without an expiry or end date in favour of Council to pay an amount or amounts of money to the Council on demand issued by:</p> <ol style="list-style-type: none"> 1 One of the following trading banks: <ol style="list-style-type: none"> (a) Australia and New Zealand Bank Group Pty Ltd, (b) Commonwealth Bank of Australia, (c) Macquarie Bank Limited, (d) National Australia Bank Limited (e) St George Bank Limited, (f) Westpac Banking Corporation, or 2 Any other financial institution approved by the Council in its absolute discretion.
Business Day	means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays
Common Property	means the common property specified in Item 4
Construction Certificate	means a construction certificate as defined under section 6.4 of the Act, or if the Former Building and Subdivision Provisions apply, section s 109C of the Act
Council	means the council named in Item 1
CPI	means the All Groups Consumer Price Index applicable to Sydney published by the Australian Bureau of Statistics
Deal With	means doing or agreeing to sell, transfer, assign, mortgage, charge, encumber or otherwise deal with the Common Property, the Land or this agreement (where applicable)
Dealing	means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Common Property, the Land or this agreement (where applicable)
Development	has the same meaning as in the Act
Development Application	has the same meaning as in the Act
Development Consent	has the same meaning as in the Act
Developer Contributions	means the development contributions payable for the Development in accordance with Section 7.11 and 7.12 of the Act
Development Contributions Plan	means a contributions plan as defined in Section 7.1 of the Act that applies to the Land



Word/s	Meaning
Former Building and Subdivision Provisions	has the same meaning as in clause 18 of the <i>Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017</i>
Fax Number	means a party's facsimile number set out in Item 6
Gateway Determination	means the determination of the delegate of the Greater Sydney Commission of 5 October 2018
GST	has the same meaning as in the GST Law
GST Law	has the meaning given to that term in <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth) and any other Act or regulation relating to the imposition of or administration of the GST
Instrument Change	means an amendment to the Parramatta Local Environmental Plan 2011 substantially in accordance with the Planning Proposal which amends the planning controls applicable to the Land.
Item	means a numbered item in the reference schedule at the beginning of this agreement
Land	means the land specified in Item 3
Law	means: <ul style="list-style-type: none"> (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation; (b) any Approval, including any condition or requirement under it; and (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b)
LRS	means the NSW Land Registry Services
Monetary Contribution	means the monetary contribution payable by the Owners Corporation under clause 8 of this Agreement
Notice Address	means the address or number set out in Item 6 for the party to whom the notice is to be given
Occupation Certificate	means an occupation certificate as defined under section 6.4 of the Act, if the Former Building and Subdivision Provisions apply, section 109C of the Act, and includes an interim Occupation Certificate, final Occupation Certificate or a partial Occupation Certificate as the case may be
Owners Corporation	means the owner named in Item 2
Planning Proposal	means the planning proposal specified in Item 5
Regulation	means the <i>Environmental Planning and Assessment Regulation 2000</i>
Replacement Title	Has the meaning given to in clause 11.1(c)



Word/s	Meaning
SSDA	means the <i>Strata Scheme Development Act 2015</i> (NSW)
Strata Plan	means a strata plan, a strata plan of subdivision or a strata plan of consolidation that is registered in accordance with the <i>Strata Schemes (Freehold Development) Act 1973</i> or the <i>Strata Schemes (Leasehold Development) Act 1986</i>
Strata Renewal Plan	has the same meaning as used in the SSDA
Strata Renewal Proposal	has the same meaning as used in the SSDA
Strata Scheme	means the scheme established by Strata Plan No. 20716

2. Interpretation

In this agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;
- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;
- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(president, CEO, general manager or managing director)** the president, CEO, general manager or managing director of a body or Authority includes any person acting in that capacity;
- (g) **(requirements)** a requirement to do any thing includes a requirement to cause that thing to be done, and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (h) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;
- (i) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;
- (j) **(singular)** the singular includes the plural and vice-versa;
- (k) **(gender)** words importing one gender include all other genders;



- (l) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;
- (m) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (n) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (o) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in Sydney, Australia, even if the obligation is to be performed elsewhere;
- (p) **(joint and several)** an agreement, representation, covenant, right or obligation:
 - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
 - (ii) on the part of two or more persons binds them jointly and severally;
- (q) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (r) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (s) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (t) **(month)** a reference to a month is a reference to a calendar month; and
- (u) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

3. Planning Agreement under the Act

- (a) The parties agree that this Agreement is a planning agreement within the meaning of section 7.4 of the Act.
- (b) Schedule 1 of this Agreement summarises the requirements for planning Agreements under section 7.4 of the Act and the Regulation, and the way this Agreement addresses those requirements.

4. Application of Section 7.11 or 7.12 of the Act to the Development

This Agreement does not exclude the application of Section 7.11 or 7.12 of the Act to any future Development of the Land or Development Application relating to the Land.

5. Application of this Agreement

This Agreement, binds the parties and applies to:

- (a) the Common Property; and
- (b) the Instrument Change, and
- (c) the Land.

6. Operation of this Agreement

- (a) This Agreement commences on and from the date it is executed by all parties.



- (b) Until this Agreement operates, this agreement constitutes an offer by the Owners Corporation to enter into this Agreement in connection with the Instrument Change.
- (c) This Agreement only operates if each of the following has occurred:
 - (i) the Instrument Change has been made and has commenced; and
 - (ii) the Owners Corporation and Council have signed this Agreement.
- (d) This Agreement will remain in force until:
 - (i) it is terminated by operation of law; or
 - (ii) all obligations are performed and satisfied.

7. Explanatory note

The explanatory note in Schedule 1 prepared in accordance with clause 25E of the Regulation must not be used to assist in construing this document.

8. Contributions to be made under this Agreement

8.1 Monetary Contribution

- (a) The Owners Corporation will pay to Council a Monetary Contribution of \$6,549,585 or an amount calculated in accordance with the following formula, whichever is the greater:

$$\begin{array}{rcl}
 \$6,549,585 & \times & \text{The CPI at the time of payment} \\
 & & \hline
 & & \text{The CPI at the date of this Agreement}
 \end{array}$$

- (b) Subject to clauses 8.1(c) and 8.1(d), the Monetary Contribution must be paid to Council in instalments as follows:
 - (i) 75% of the Monetary Contribution prior to the issue of any Construction Certificate for Development on the Land which is directly correlated to, and made permissible by, the Instrument Change; and
 - (ii) 25% of the Monetary Contribution prior to the issue of an Occupation Certificate for the Development of the Land which is directly correlated to, and made permissible by, the Instrument Change, or prior to the registration of any Strata Plan following completion of the Development contemplated in clause 8.1(b)(i), whichever is earlier.
- (c) For the avoidance of doubt, the Monetary Contributions are not payable whilst the Strata Scheme continues to operate in its existing form, and will only be payable if a Construction Certificate is required for proposed Development on the Land which is directly correlated to, and made permissible by, the Instrument Change.
- (d) The Owners Corporation is not required to pay the instalment of the Monetary Contribution specified in clause 8.1(b)(i) if the Owners Corporation provides to the Council a Bank Guarantee in accordance with clause 9 as security for that payment, in which case the Owners Corporation must pay the full amount of the Monetary Contribution prior to the issue of an Occupation Certificate for the Development.
- (e) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by deposit by means of electronic funds transfer into an account specified by Council in writing.
- (f) The Monetary Contribution will be taken to have been made when the Council notifies the Owners Corporation in writing that the bank cheque has been received and cleared funds or electronic funds have been deposited in the Council's bank account.



- (g) The parties agree and acknowledge that the Monetary Contribution will be used by the Council towards a public purpose which Council reasonably considers to be in the public interest.

9. Bank Guarantee

- (a) If the Owners Corporation elects to provide a Bank Guarantee instead of paying the first instalment of the Monetary Contribution as set out in clause 8.1(b), the Owners Corporation must provide to the Council a Bank Guarantee in an amount equivalent to 75% of the Monetary Contribution prior to the issue of a Construction Certificate for the Development.
- (b) The Council may reject any Bank Guarantee that contains errors, or if it has received the Bank Guarantee, require at any time the Owners Corporation to obtain a replacement Bank Guarantee that rectifies any such errors or otherwise obtain rectification of the errors. The Owners Corporation must provide the replacement Bank Guarantee, or otherwise obtain rectification of the errors, within 5 Business Days of receiving the Council's request.
- (c) The Council may call on a Bank Guarantee provided under this clause if:
- (i) the Owners Corporation is in material or substantial breach of this agreement and has failed to rectify the breach within a reasonable period of time after having been given reasonable notice (which must not be less than 21 Business Days) in writing to do so in accordance with clause 15.1 of this agreement; or
 - (ii) the Owners Corporation becomes Insolvent.
- (d) Within 20 Business Days of each anniversary of a Bank Guarantee provided under clause 9(a), the Owners Corporation must provide Council with one or more replacement Bank Guarantees (**Replacement Bank Guarantee**) in an amount calculated in accordance with the following:

$$A = \frac{B \times D}{C}$$

Where:

A is the amount of the Replacement Bank Guarantee,

B is the amount of the Bank Guarantee to be replaced,

C is the CPI for the quarter ending immediately before the date of the Bank Guarantee to be replaced,

D is the CPI for the quarter ending immediately before the date of the Replacement Bank Guarantee,

provided A is greater than B.

- (e) On receipt of a Replacement Bank Guarantee provided under clause 9(d), the Council must release and return to the Owners Corporation, as directed, the Bank Guarantee that has been replaced as soon as reasonably practicable.
- (f) At any time following the provision of a Bank Guarantee under this clause, the Owners Corporation may provide the Council with one or more replacement Bank Guarantee totalling the amount of all Bank Guarantees required to be provided under this clause for the time being. On receipt of such replacement Bank Guarantee, the Council must release and return to the Owners Corporation, as directed, the Bank Guarantee(s) which it holds that have been replaced as soon as reasonably practicable.
- (g) Subject to clause 9(c), the Council may apply the proceeds of a Bank Guarantee in satisfaction of:



- (i) any obligation of the Owners Corporation under this agreement that is secured by the Bank Guarantee; and
 - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by the Council because of the failure by the Owners Corporation to comply with this agreement.
- (h) Nothing in this clause 9 prevents or restricts the Council from taking any enforcement action in relation to:
- (i) any obligation of the Owners Corporation under this agreement; or
 - (ii) any associated liability, loss, cost, charge or expense directly or indirectly incurred by the Council because of the failure by the Owners Corporation to comply with this agreement,
- that is not or cannot be satisfied by calling on a Bank Guarantee.
- (i) The Council must return any Bank Guarantees provided by the Owners Corporation in accordance with this clause 9 no later than 14 days after the date the Owners Corporation has paid the Monetary Contribution in full in accordance with clause 8.1 of this Agreement.

10. Owners Corporation warranties as to Capacity

The Owners Corporation represents and warrants and covenants to the Council that on the date of this Agreement:

- (a) it is the registered proprietor of the Common Property;
- (b) it is empowered to enter into this Agreement and to do all things that will be required by this Agreement; and
- (c) all things have been done or will be done as may be necessary to render this Agreement legally enforceable in accordance with its terms and fully valid and binding on it; and
- (d) all authorisations by any Authority that are required or will be required in connection with the execution and delivery of the performance of obligations under or the validity or enforceability of, this Agreement have been obtained or effected and are or will be fully operative.

11. Registration of this Agreement

11.1 Registering the Agreement

- (a) The Owners Corporation agrees to procure the registration of this agreement under the *Real Property Act 1900 (NSW)* in the relevant folio for the Common Property in accordance with section 7.6 of the Act.
- (b) The Owners Corporation, at its own expense, must:
 - (i) lodge this agreement with the LRS as soon as reasonably practicable after this agreement comes into operation, but in any event, no later than 10 Business Days after that date;
 - (ii) promptly comply with any requisition that may be raised with regards to registration of the agreement from the LRS; and
 - (iii) following registration of this agreement, provide documentary evidence that the registration of this agreement has been completed to Council within 10 Business Days of receiving confirmation that the registration has occurred.
- (c) If the Strata Scheme is terminated by strata renewal under Part 10 of the SSDA or by unanimous decision of the lot owners under Part 9, Division 4 of the SSDA, the Owners Corporation, at its own expense, must:



- (i) arrange for this Agreement to be registered on any certificate of title which replaces SP20716 (**Replacement Title**) and obtain any necessary consents;
- (ii) promptly comply with any requisition that may be raised with regards to registration of the Agreement on the Replacement Title from the LRS;
- (iii) produce to the Council any details of lodgement of this Agreement with the LRS; and
- (iv) following registration of this Agreement, notify the Council of registration, enclosing a title search of the Replacement Title confirming the registration.

11.2 Removal from Register

The Council will promptly execute any form and supply such other information and do anything as reasonably required by the Owners Corporation to enable the removal of this Agreement from the title of the Common Property, provided the Council is satisfied the Owners Corporation has duly fulfilled its obligations under this Agreement, and is not otherwise in default of any of the obligations under this Agreement.

12. Caveat

- (a) The Owners Corporation acknowledges and agrees that:
 - (i) when this Agreement is executed, the Council is deemed to have acquired and the Owners Corporation is deemed to have granted, an equitable estate and interest in the Common Property for the purposes of section 74F(1) of the *Real Property Act 1900 (NSW)* and consequently the Council will have a sufficient interest in the Common Property in respect of which to lodge a caveat over the Common Property notifying that interest;
 - (ii) it will not object to the Council lodging a caveat in the relevant folios of the Register for the Common Property nor will it seek to remove any caveat lodged by the Council provided that (consistent with clause 16.1(b)) the caveat does not prevent registration of any dealing or plan other than a transfer of Common Property.
- (b) The Council must, at the Owners Corporation's cost, register a withdrawal of any caveat in respect of the Common Property within five Business Days after the Owners Corporation complies with clause 8.1(b) or 11.1(c) and must not lodge any other caveats on the titles to any of the Land, other than in relation to a Replacement Title in accordance with clause 11.1(c).

13. Review of this agreement

13.1 Review by Agreement

- (a) This Agreement may be reviewed or modified by agreement between the parties using their best endeavours and acting in good faith.
- (b) For the purpose of clause 13.1 of this Agreement and subject to clause 13.2, no modification or review of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.
- (c) For the purposes of clause 13.1 of this Agreement and subject to clause 13.2, a party is not in breach of this Agreement if it does not agree to an amendment to this Agreement requested by a party in, or as a consequence of, a review.

13.2 Change to Development Contributions

- (a) The parties acknowledge that as at the date of this Agreement:
 - (i) Council is proposing to adopt a 'value sharing approach' for Development within the Parramatta CBD under a Local Environmental Plan by means of a separate planning



proposal for the Parramatta CBD and an accompanying Infrastructure Strategy and Development Guideline;

- (ii) the Monetary Contribution for this Agreement has been calculated on the basis of a monetary rate per square metre of land (**Value Sharing Rate**), being a percentage of land value uplift (as defined in the Council's Planning Agreements Policy); and
 - (iii) the Value Sharing Rate is being applied consistently by Council at the date of this Agreement, but may change when the planning proposal for the Parramatta CBD is finalised.
- (b) If, at the time the first instalment of Monetary Contribution becomes payable (**Payment Date**);
- (i) the Value Sharing Rate adopted by Council is less than the rate applied under this Agreement (being \$150 per square metre); and
 - (ii) as a consequence of the reduction of the Value Sharing rate, Council amends the Development Contributions Plan, or adopts a new Development Contributions Plan that applies to the Land, so that the Development Contributions payable for the Development under this Agreement are higher, per square metre or other basis of measurement used to determine the quantum of contributions, than they would otherwise have been as at the date of this Agreement.

then, within 20 Business Days of either party making a request for review, the Council and the Owners Corporation must meet to review this Agreement in accordance with the principles in clause (c) and using their best endeavours and in good faith.

- (c) If a review of this Agreement is carried out under clause (b) the parties must consider during that review process, the quantum of Monetary Contribution payable by the Owners Corporation to the Council under this Agreement and a reduction of the Monetary Contribution by an amount equivalent to the difference between:
- (i) the Development Contributions calculated as at the date of this Agreement; and
 - (ii) the Development Contributions calculated as at the Payment Date.
- (d) Any agreement reached during a review under this clause 13.2 must be conducted in accordance with clause 13.1(a) and confirmed in writing as an amendment to this agreement and be signed by the parties to this Agreement.
- (e) A failure by a party to agree to participate in a review under this clause 13.2 is taken to be a dispute for the purposes of clause 14.
- (f) If the parties cannot agree to the terms of any amendment to this Agreement following a review under clause 13.2, either party may refer the matter to dispute resolution under clause 14.
- (g) Nothing in this clause 13.2:
- (i) affects the obligation of the Owners Corporation under the Act to pay contributions in accordance with Section 7.11 or Section 7.12 of the Act; or
 - (ii) requires the Council to pay any money to the Owners Corporation or to refund the Owners Corporation or any other entity, any amount paid to it under this Agreement or for any other purpose.

14. Dispute Resolution

14.1 Reference to Dispute

If a dispute arises between the parties in relation to this agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.



14.2 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other parties of:

- (a) the nature of the dispute,
- (b) the alleged basis of the dispute, and
- (c) the position which the party issuing the Notice of Dispute believes is correct.

14.3 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 20 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified dispute.
- (b) The parties may, without limitation:
 - (i) resolve the dispute during the course of that meeting,
 - (ii) agree that further material or expert determination in accordance with clause 14.6 about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for resolution); or
 - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

14.4 Further Notice if Not Settled

If the dispute is not resolved within 10 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (**Determination Notice**) by mediation under clause 14.5 or by expert determination under clause 14.6.

14.5 Mediation

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) the parties must agree to the terms of reference of the mediation within 15 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (b) the mediator will be agreed between the parties, or failing agreement within 15 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (c) the mediator appointed pursuant to this clause 14.5 must:
 - (i) have reasonable qualifications and practical experience in the area of the dispute; and
 - (ii) have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) the mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) the parties must within 15 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation (except if a resolution of the Council is required to appoint a representative, the Council must advise of the representative within 5 Business Days of the resolution);



- (f) the parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) in relation to costs and expenses:
 - (i) each party will bear its own professional and expert costs incurred in connection with the mediation; and
 - (ii) the costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

14.6 Expert determination

If the dispute is not resolved under clause 14.3 or clause 14.5, or the parties otherwise agree that the dispute may be resolved by expert determination, the parties may refer the dispute to an expert, in which event:

- (a) the dispute must be determined by an independent expert in the relevant field:
 - (i) agreed upon and appointed jointly by the parties; and
 - (ii) in the event that no agreement is reached or no appointment is made within 20 Business Days of the agreement to refer the dispute to an expert, appointed on application of a party by the then President of the Law Society of New South Wales;
- (b) the expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) the determination of the dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) the expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and
- (f) any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
 - (i) within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and commences litigation; or
 - (ii) the determination is in respect of, or relates to, termination or purported termination of this agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal.

14.7 Litigation

If the dispute is not finally resolved in accordance with this clause 14, then either party is at liberty to litigate the dispute.

14.8 No suspension of contractual obligations

Subject to any interlocutory order obtained under clause 14.1, the referral to or undertaking of a dispute resolution process under this clause 14 does not suspend the parties' obligations under this agreement.



15. Enforcement

15.1 Default

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.
- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 14 of this agreement.

15.2 General Enforcement

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this agreement prevents:
 - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
 - (ii) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

16. Assignment and Dealings

16.1 Assignment

- (a) Subject to clause (b):
 - (i) a party must not Deal With any right under this Agreement or the Common Property without the prior written consent of the other party (such consent not to be unreasonably withheld or delayed); and
 - (ii) the Owners Corporation must not otherwise Deal With a third party in relation to this agreement without:
 - (A) the prior written consent of the Council (such consent not to be unreasonably withheld or delayed); and
 - (B) the Council, the Owners Corporation and the third party the subject of the Dealing entering into an agreement of consent to the Dealing on terms reasonably acceptable to the Council,
 unless the third party is a purchaser of the whole of the Land.
- (b) The Owners Corporation may Deal With any right under this Agreement and the Common Property (or the Land) without the Council's consent provided:
 - (i) the Dealing involves the sale of the whole of the Land to a purchaser of the whole of the Land, and the Owners Corporation delivers to the Council an assignment or novation agreement signed by the purchaser in a form and of such substance as is reasonably acceptable to the Council;
 - (ii) the Dealing is required as part of the day to day management of a strata scheme and does not materially adversely impact on Council's rights or interests under this agreement, for example registration of a by-law, easement or covenant;



- (iii) the Dealing is directly related to a transaction involving an individual lot within the scheme and does not materially adversely impact on Council's rights or interests under this agreement (eg sale or lease of an individual lot).
- (c) The Owners Corporation must pay the Council's reasonable costs in relation to any consent or documentation requested by the Owners Corporation due to the operation of this clause¹⁶.
- (d) Any purported Dealing in breach of this clause is of no effect.

17. Approvals and consents

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this agreement in that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

18. No fetter

18.1 Discretion

This Agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including, but not limited to, any statutory power or discretion of the Council relating to the Development Application or any other application for Development Consent (all referred to in this agreement as a "**Discretion**").

18.2 No fetter

No provision of this Agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) They will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) In the event that clause (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this agreement has full force and effect, and
- (c) To endeavour to satisfy the common objectives of the parties in relation to the provision of this agreement which is to be held to be a fetter on the extent that is possible having regard to the relevant court judgment.

18.3 Planning Certificates

The Owners Corporation acknowledges that Council may, at its discretion, include advice on any planning certificate issued under section 10.7(5) of the Act that this Agreement affects the Land.

19. Notices

19.1 Notices

Any notice given under or in connection with this Agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;
- (b) must be addressed to the Notice Address and delivered to the intended recipient by hand, by prepaid post or by email or fax at the address or fax in Item 6;
- (c) is taken to be given or made:
 - (i) in the case of hand delivery, when it is left at the relevant physical address;

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- (ii) in the case of delivery by post, three Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country); and
- (iii) in the case of a fax, on production of a transmission report by the machine from which the fax was sent that indicates the fax was sent in its entirety to the recipient's fax number; and
- (iv) in the case of an email, as soon as it is sent provided that:
 - (A) the sender does not receive a message indicating that there has been an error in the transmission;
 - (B) the sender also sends the notice by way of an alternative method of service (but clauses 19.1(c)(i), 19.1(c)(ii) and 19.1(c)(iii) will not apply to the alternative method); and
 - (C) the email contains the word "notice" in the subject line.
- (d) if under clause 19.1(c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is taken to have been given or made at the start of business on the next Business Day in that place;
- (e) a party may change their Notice Address by giving the other parties at least 5 Business Days written notice of the changed details.

20. General

20.1 Relationship between parties

- (a) Nothing in this Agreement:
 - (i) constitutes a partnership between the parties; or
 - (ii) except as expressly provided, makes a party an agent of another party for any purpose.
- (b) A party cannot in any way or for any purpose:
 - (i) bind another party; or
 - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

20.2 Time for doing acts

- (a) If the time for doing any act or thing required to be done or a notice period specified in this agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

20.3 Further assurances

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this Agreement.

**20.4 Joint and individual liability and benefits**

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by two or more persons binds them jointly and each of them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

20.5 Variations and Amendments

A provision of this Agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

20.6 Counterparts

This Agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

20.7 Legal expenses and stamp duty

- (a) The Owners Corporation must pay the Council's legal costs and disbursements in connection with the negotiation, preparation, execution, carrying into effect, enforcement and release and discharge of this Agreement, including the reasonable costs of obtaining any legal advice in connection with this Agreement, no later than 10 Business Days after receiving a demand from the Council to pay such costs.
- (b) The Owners Corporation agrees to pay or reimburse the costs and expenses incurred by Council in connection with the advertising and exhibition of this Agreement in accordance with the Act.
- (c) The Owners Corporation agrees to pay Council any administrative fees as required by Council, acting reasonably, in connection with the administration of this Agreement.

20.8 Entire agreement

The contents of this Agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this Agreement, whether orally or in writing.

20.9 Representations and warranties

The parties represent and warrant that they have the power and authority to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

20.10 Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

20.11 Invalidity

- (a) A word or provision must be read down if:
 - (i) this Agreement is void, voidable, or unenforceable if it is not read down;
 - (ii) this Agreement will not be void, voidable or unenforceable if it is read down; and
 - (iii) the provision is capable of being read down.



- (b) A word or provision must be severed if:
 - (i) despite the operation of clause (a), the provision is void, voidable or unenforceable if it is not severed; and
 - (ii) this Agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this Agreement has full effect even if clause 20.11(b) applies.

20.12 Waiver

- (a) A right or remedy created by this Agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.
- (b) The fact that a party fails to do, or delays in doing, something the party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another party. A waiver by a party is only effective if it is in writing. A written waiver by a party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

20.13 GST

- (a) Words and expressions which are not defined in this Agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this Agreement are exclusive of GST.
- (c) If GST is imposed on any supply made under or in accordance with this Agreement, the Owners Corporation must pay the GST or pay to the Council an amount equal to the GST payable on or for the taxable supply, whichever is appropriate in the circumstances.
- (d) If the Council is obliged to pay any GST on any supply made under or in accordance with this Agreement, the Owners Corporation indemnifies the Council for the amount of any such payment is required to make.

20.14 Governing law and jurisdiction

- (a) The laws applicable in New South Wales govern this Agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.



Executed as an Agreement

Council

Executed by **City of Parramatta City Council** under seal in accordance with a resolution of the Council on []:

.....
Signature

.....
Position
(please print)

.....
Name of Signatory
(please print)

.....
Signature

.....
Position
(please print)

.....
Name of Signatory
(please print)

Owners Corporation

The common seal of the **Owners – Strata Plan No. 20716** was affixed on 2018 in the presence of the following person(s) authorised by section 273 *Strata Schemes Management Act 2015* to attest the affixing of the seal:

.....
Signature

.....
Name
(please print)

.....
Authority
(please print)

.....
Signature

.....
Name
(please print)

.....
Authority
(please print)



Schedule 1: Summary of requirements under the Act and Regulation (clause 3(b))

The below table summarises how this agreement complies with the Act and Regulation

Section of the Act or Regulation	Provision/clause of this document
Planning instrument and/or Development Application (section 7.4(1) of the Act) The Owners Corporation has: <ul style="list-style-type: none"> (a) sought a change to an environmental planning instrument <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (b) made, or proposes to make a Development Application <input type="checkbox"/> Yes <input type="checkbox"/> No (c) entered into an agreement with, or are otherwise associated with, a person to whom paragraph (a) or (b) applies <input type="checkbox"/> Yes <input type="checkbox"/> No 	
Description of the land to which the planning Agreement applies (section 7.4(3)(a) of the Act)	Refer to Item 3
Description of change to the environmental planning instrument to which this document applies and/or the development to which this document applies (section 7.4(3)(b) of the Act)	Increase maximum building height and floor space ratio controls 16.2:1 FSR and 217 metres height of building as proposed in the Planning Proposal, subject to a further 15% height increase where design excellence bonus is achieved
The nature and extent of the provision to be made by the Owners Corporation under this document, the time or times by which the provision is to be made and the manner in which the provision is to be made (section 7.4(3)(c) of the Act)	Refer to clause 8.1
Whether this document excludes (wholly or in part) or does not exclude the application of section 7.11, 7.12 or 7.24 to the development (section 7.4(3)(d) of the Act)	Section 7.11 <input type="checkbox"/> excluded <input checked="" type="checkbox"/> not excluded Section 7.12 <input type="checkbox"/> excluded <input checked="" type="checkbox"/> not excluded Section 7.24 <input type="checkbox"/> excluded <input checked="" type="checkbox"/> not excluded
Applicability of section 7.11 of the Act (section 7.4(3)(e) of the Act)	The application of section 7.11 of the Act is not excluded in respect of the Development and contributions (if any) under section 7.11 will be required to be paid
Consideration of benefits under this document if	Benefits are not to be taken into consideration



section 7.11 applies (section 7.4(3)(e) of the Act)	in determining a development contribution under section 7.11 of the Act
Mechanism for dispute resolution (section 7.4(3)(f) of the Act)	Refer to clause 14
Enforcement of this document (section 7.4(3)(g) of the Act)	This agreement requires 75% of the Monetary Contribution to be provided in instalments with the first instalment payable prior to issuance of a Construction Certificate in respect of the development of the Land which would be impermissible if the Instrument Change had not occurred but for the registration of this agreement on title. Refer also to clauses 8, 9 and 15
No obligation to grant consent or exercise functions (section 7.4(9) of the Act)	Refer to clause 18
Registration of this document (section 7.6 of the Act)	Applicable after the document comes into effect. Refer to clause 11
Whether certain requirements of this document must be complied with before a construction certificate is issued (clause 25E(2)(g) of the Regulation)	Refer to explanatory notes
Whether certain requirements of this document must be complied with before a subdivision certificate is issued (clause 25E(2)(g) of the Regulation)	Refer to explanatory notes
Whether certain requirements of this document must be complied with before an occupation certificate is issued (clause 25E(2)(g) of the Regulation)	Refer to explanatory notes
Whether the explanatory note that accompanied exhibition of this document may be used to assist in construing this document (clause 25E(7) of the Regulation)	The explanatory note must not be used to assist in construing this document. Refer to clause 7

Explanatory Note

Exhibition of draft Voluntary Planning Agreement

Strata Plan 20716, known as 2 O'Connell Street, Parramatta NSW 2150 or 5 Aird Street, Parramatta NSW 2150

Environmental Planning & Assessment Regulation 2000 (clause 25E)

Planning Agreement

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft voluntary Planning Agreement (**the Planning Agreement**) under Section 7.4 of the Environmental Planning and Assessment Act 1979 (**the Act**).

The Planning Agreement will require the provision of monetary contributions in connection with a proposed change to provisions of the Parramatta Local Environmental Plan 2011 (**LEP**).

This Explanatory Note has been prepared jointly between the parties as required by clause 25E of the Environmental Planning and Assessment Regulation 2000 (**the Regulations**). This Explanatory Note is not to be used to assist in construing the Planning Agreement.

Parties

The Owners – Strata Plan No. 20716 (**the Owners Corporation**) made an offer to City of Parramatta Council (**the Council**) to enter into a Voluntary Planning Agreement, in connection with a Planning Proposal relating to the subject land.

Description of subject land

The land to which the Planning Agreement applies is described as Strata Plan 20716, known as 2 O'Connell Street, Parramatta NSW 2150 or 5 Aird Street, Parramatta NSW 2150 (**the Land**).

Description of the Planning Proposal to which the Planning Agreement applies

The Planning Proposal (PP_2017_COPAR_013_00) amends the LEP to modify the maximum building height and floor space ratio controls that apply to land at 2 O'Connell Street, Parramatta.

Summary of Objectives, Nature and Effect of the Planning Agreement

Monetary Contribution

The Planning Agreement requires a monetary contribution in the amount of \$6,549,585 if the land is redeveloped in a manner which is directly correlated to, and made permissible by, the Planning Proposal.

Assessment of the Merits of the Planning Agreement

How the Planning Agreement Promotes the Objects of the Act and the public interest

The draft Planning Agreement promotes the following objective of the Environmental Planning and Assessment Act 1979:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment; and
- to promote the orderly and economic use and development of land.



The draft Planning Agreement promotes the public interest by providing finances that will enable the City of Parramatta to provide services and facilities for existing and future residents and visitors of the city.

The Planning Purposes served by the Planning Agreement

The monetary contribution will be used to fund services and facilities that will enable the City of Parramatta to support existing and future residents and visitors of the city.

How the Planning Agreement promotes the objectives of the Local Government Act 1993 and the elements of the Council's Charter

The Planning Agreement is consistent with the following purposes of the Local Government Act 1993:

- to give councils the ability to provide goods, services and facilities, and to carry out activities, appropriate to the current and future needs of local communities and the wider public; and
- to give councils a role in the management, improvement and development of the resources of their areas.

The Planning Agreement promotes the following element of the Council's Charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively

This element of the Council's Charter is promoted through the provision of funding for services and facilities that will enable the City of Parramatta to support existing and future residents and visitors of the city.

Whether the Planning Agreement Conforms with the Council's Capital Works Program

It is anticipated that the funds will be allocated towards **projects** identified in the capital works program.

Whether the Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

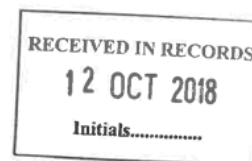
The Planning Agreement requires the following to be satisfied prior to the issue of a construction certificate: 75% of the monetary contribution to be paid to Council, so that a total of 75% of the monetary contribution has been paid to Council.

The Planning Agreement requires the following to be satisfied prior to the issue of an occupation certificate: 25% of the monetary contribution to be paid to Council, so that a total of 100% of the monetary contribution has been paid to Council.



PP 2017_COPAR_013_00 /(IRF18/3232)

Ms Sue Coleman
Acting Chief Executive Officer
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2124



Dear Ms Coleman

Planning PP_2017_COPAR_013_00 to amend Parramatta Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 18 April 2018 in respect of the planning proposal to amend the height and floor space ratio provisions and apply a site-specific clause to land at 2 O'Connell Street, Parramatta.

As delegate of the Greater Sydney Commission, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistency with section 9.1 Direction 4.1 Acid Sulfate Soils is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of relevant section 9.1 Directions 2.3 Heritage Conservation, 3.5 Development Near Licenced Aerodromes and Direction 6.3 Site Specific Provisions. Council should ensure this occurs prior to the plan being made.

The Department notes the potential cumulative overshadowing impacts on the northern sections of the South Parramatta Heritage Conservation Area and residential neighbourhoods to the south of the CBD as a result of the subject proposal, together with other site-specific planning proposals and the intended outcomes within the Parramatta CBD planning proposal.

The Gateway determination requires that Council further assess this impact to ensure the cumulative impacts of the proposed planning controls are understood at the plan-making stage, rather than deferring this issue to the development application stage where there is a reduced ability to consider cumulative impacts. The

Department requires that any impact be understood before community consultation commences.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority due to the need to strategically coordinate planning proposals within the Parramatta CBD and provide additional information to support the subject planning proposal proceeding to community consultation.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. The Department is willing to work with Council to resolve the issues raised above. Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Christine Gough to assist you. Ms Gough can be contacted on 9860 1531.

Yours sincerely

 5 October 2018
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Gateway determination



Planning & Environment

Gateway Determination

Planning proposal (Department Ref: PP_2017_COPAR_013_00): to amend the height and floor space ratio provisions and apply site-specific provisions to 2 O'Connell Street, Parramatta

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta Local Environmental Plan (LEP) 2011 to amend the height and floor space ratio (FSR) and apply site-specific provisions to 2 O'Connell Street, Parramatta should proceed subject to the following conditions:

1. Prior to community consultation, Council is to amend the planning proposal to:
 - (a) address the Greater Sydney Region Plan and the Central City District Plan;
 - (b) assess the potential cumulative overshadowing impact on the northern section of the South Parramatta and Harris Park West heritage conservation areas. This should include an assessment of the impact of the proposed height of building, any approved surrounding buildings and the proposed increase in FSR and height under the Parramatta CBD planning proposal (inclusive of additional FSR provisions). The results of this analysis may require the urban design outcomes for the site to be reviewed;
 - (c) address the comments provided by Roads and Maritime Services (dated 13 February 2018);
 - (d) update the urban design study to reflect a maximum FSR of 16.2:1 and include a 3.5m setback for local road widening;
 - (e) update the explanation of provisions to articulate:
 - i. that while the 14.5:1 FSR is inclusive of a design excellence bonus, the future development will be required to undergo a design excellence process in accordance with Clause 7.10 of the Parramatta LEP 2011;
 - ii. that the minimum 1:1 FSR commercial floor space is required to be provided within the 14.5:1 FSR;
 - iii. the uses that will be permissible in the non-residential floor space component (i.e. commercial premise and retail premises); and
 - iv. that the site will be subject to Clause 7.6 Airspace Operations;
 - (f) include a provision requiring the application of a satisfactory arrangements clause to enable contributions towards the funding of state infrastructure; and
 - (g) include the high-performing buildings study submitted with the Parramatta CBD planning proposal with the exhibition material.
2. Council is to consult with the federal Department of Infrastructure and Regional Development prior to exhibition, as required by Section 9.1 Direction 3.5 Development Near Licenced Aerodromes. The proposal is to be amended, if required, in accordance with the outcome of that consultation.

3. The amended planning proposal, supporting studies and related documentation are to be referred to the Department for endorsement by the Director, Sydney Region West prior to the commencement of community consultation.
4. Community consultation is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Transport for NSW;
 - Roads and Maritime Services;
 - Office of Environment and Heritage – Heritage Division;
 - Heritage Council of NSW;
 - federal Department of Infrastructure and Regional Development; and
 - Civil Aviation Safety Authority.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The time frame for completing the LEP is to be **12 months** from the date of the Gateway determination.

Dated 5th day of October 2018.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

PP_2017_COPAR_017_00 (IRF 18/3232)

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PLANNING PROPOSAL 2 O'CONNELL STREET, PARRAMATTA

ALTERNATIVE REFERENCE DESIGN -
JAN 2019 RESOLUTION

FOR
2 O'CONNELL STREET
BODY COPORATE

PREPARED BY



Level 10, 265 Clarence Street, Sydney NSW 2000
+ 61 2 9555 0900 | www.ptarchitecture.com.au
Nominated Registered Architect: Peter Israel (reg no 52094)
ABN 90 050 071 022

IN CONJUNCTION WITH THINK PLANNERS
JAN 2019



LOCATION DIAGRAM

RAILWAY	PARK	MAIN ROAD
TRAIN STATION	COMMUNITY SERVICES	LOCAL ROAD
ARTERIAL ROAD	SITE	



VIEW FROM CNR CAMPBELL ST TOWARDS THE SITE



VIEW FROM CNR AIRD ST TOWARDS SITE



Level 10, 263 Clarence Street, Sydney NSW 2000
 +61 2 9255 0880 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 50894)
 ABRN 90 050 071 022

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P4	ALTERNATIVE REFERENCE DESIGN - QUARTER PLANNED	VW	PI	24.11.2017	

PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL
 ST, PARRAMATTA : ALTERNATIVE REFERENCE
 DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
 LOCATION MAP

NO. OF POINT	DATE	16.01.2019
	DRAWN BY:	VW
	CHECKED BY:	PI
	SCALE:	NTS
	PROJECT No:	P391
	PP	02
	stage	design




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 + 61 2 9235 0800 | www.ptiarchitecture.com.au
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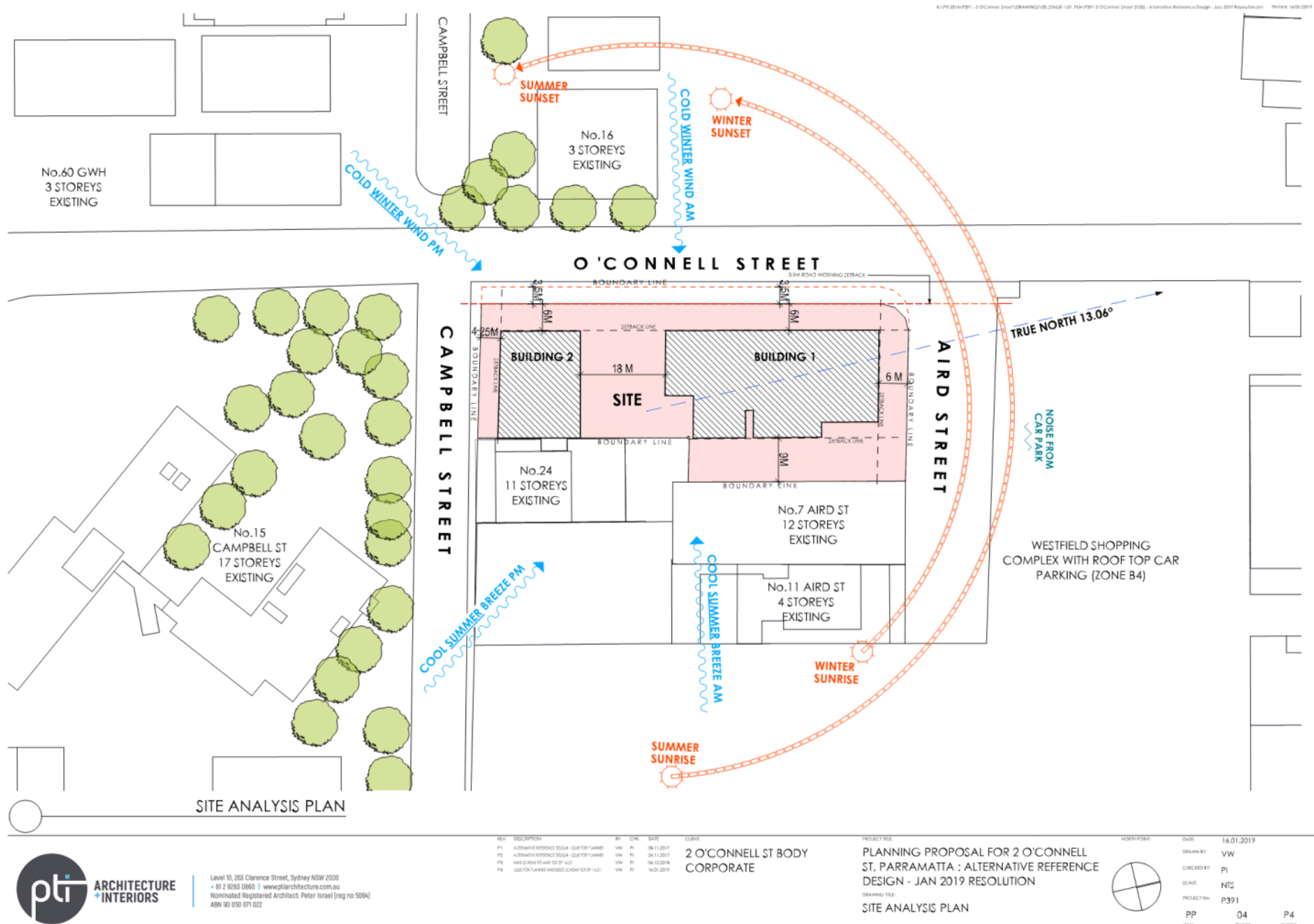
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2 O'CONNELL ST BODY CORPORATE

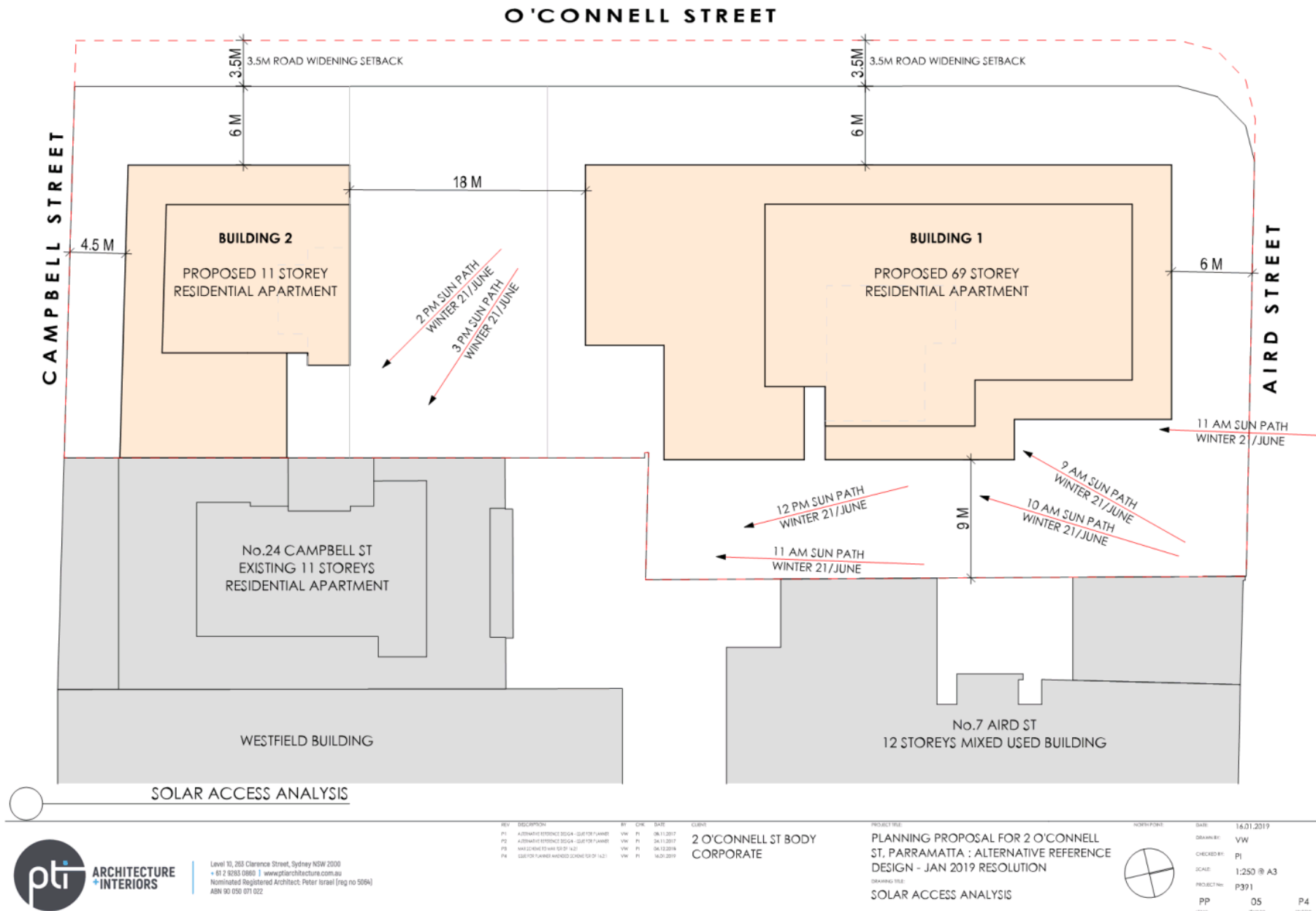
PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION

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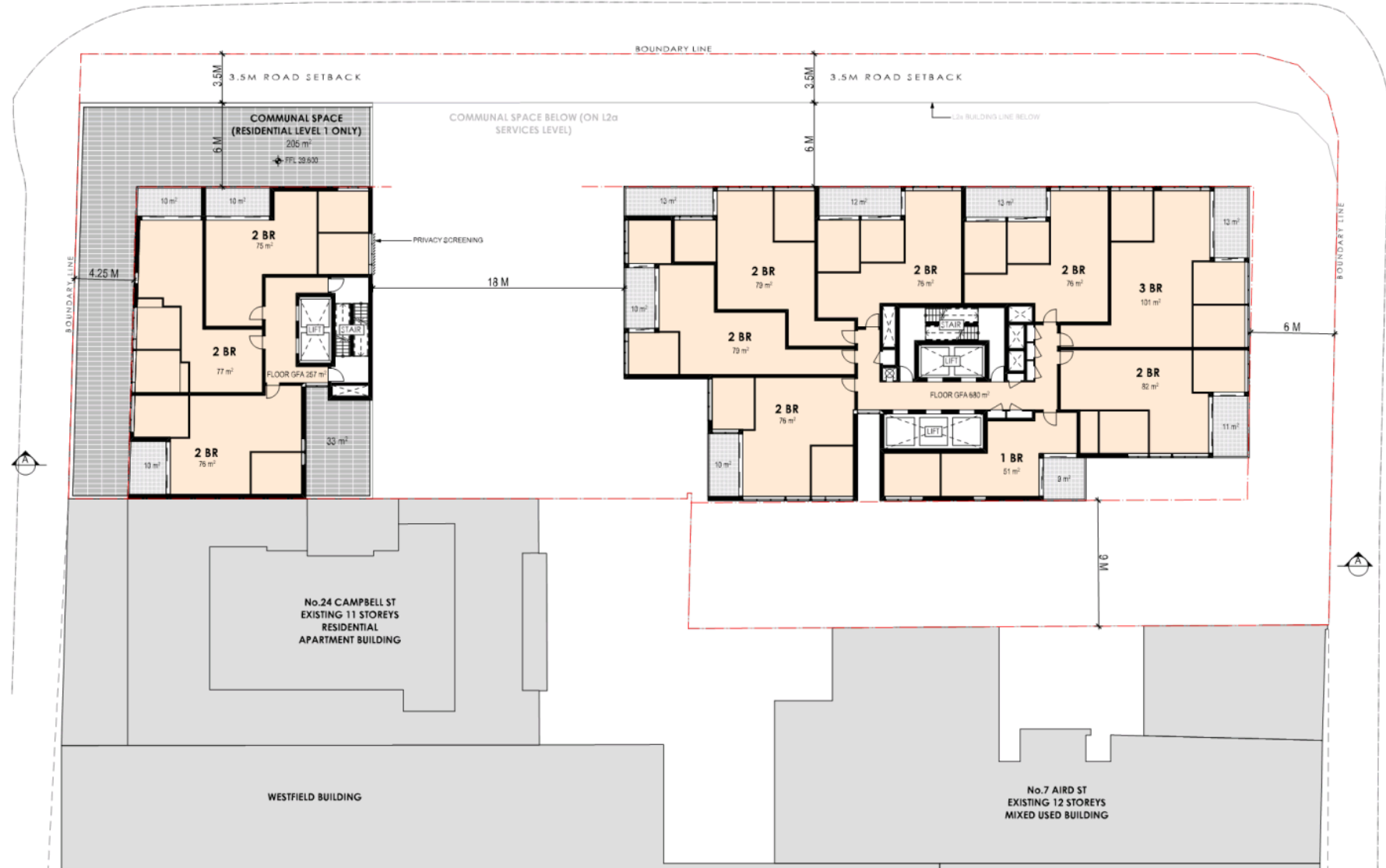
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Level 10, 265 Clarence Street, Sydney NSW 2000
 ~ B1 2 6255 0860 | www.ptiarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 5064)
 ABRN 90 050 071 022

2 O'CONNELL ST BODY CORPORATE

PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION

R01 to R07 - APARTMENT LEVELS

16/01/2019

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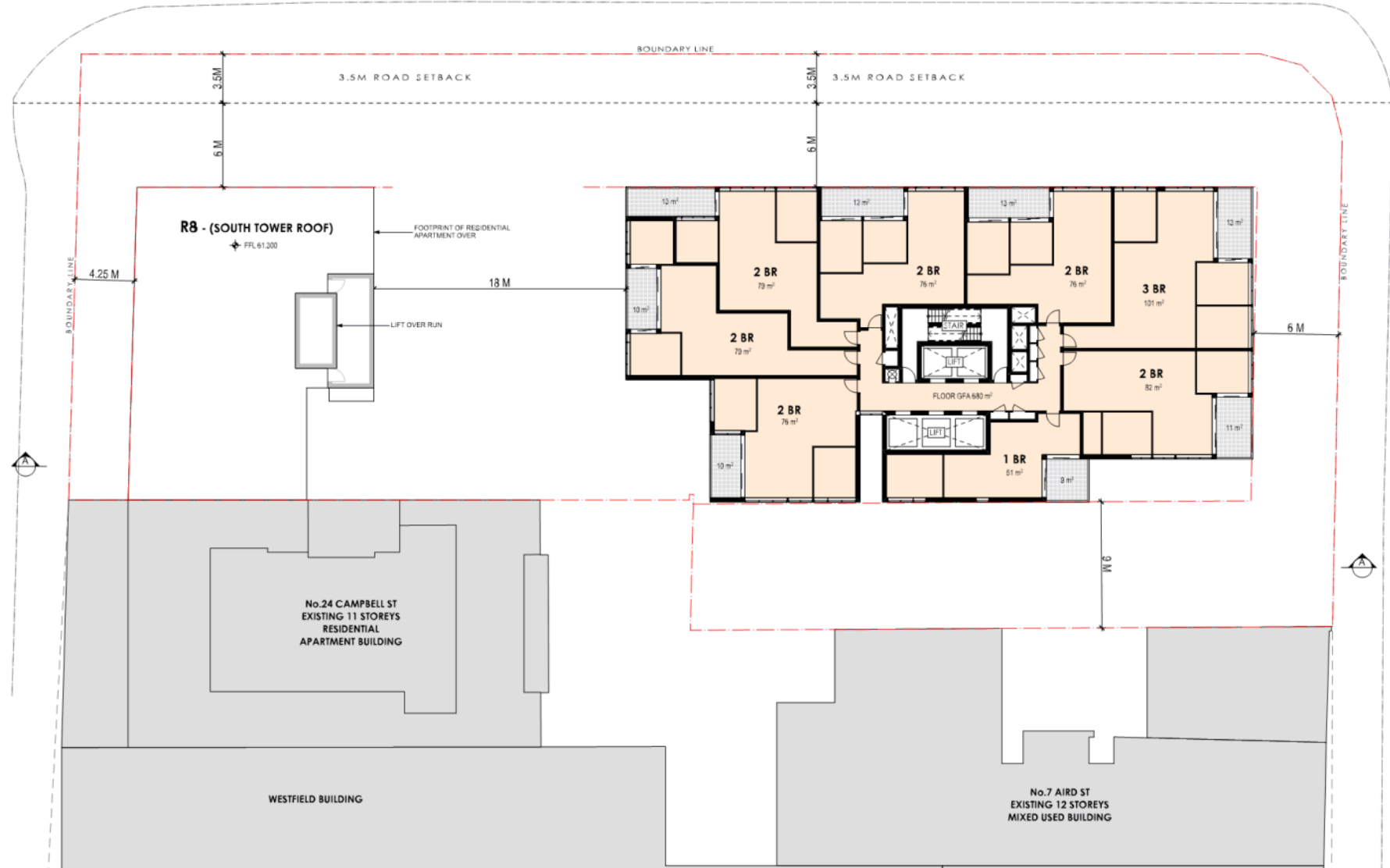
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 +61 2 9255 0860 | www.ptiarchitecture.com.au
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 ABRN 90 050 071 022

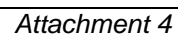
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2 O'CONNELL ST BODY CORPORATE

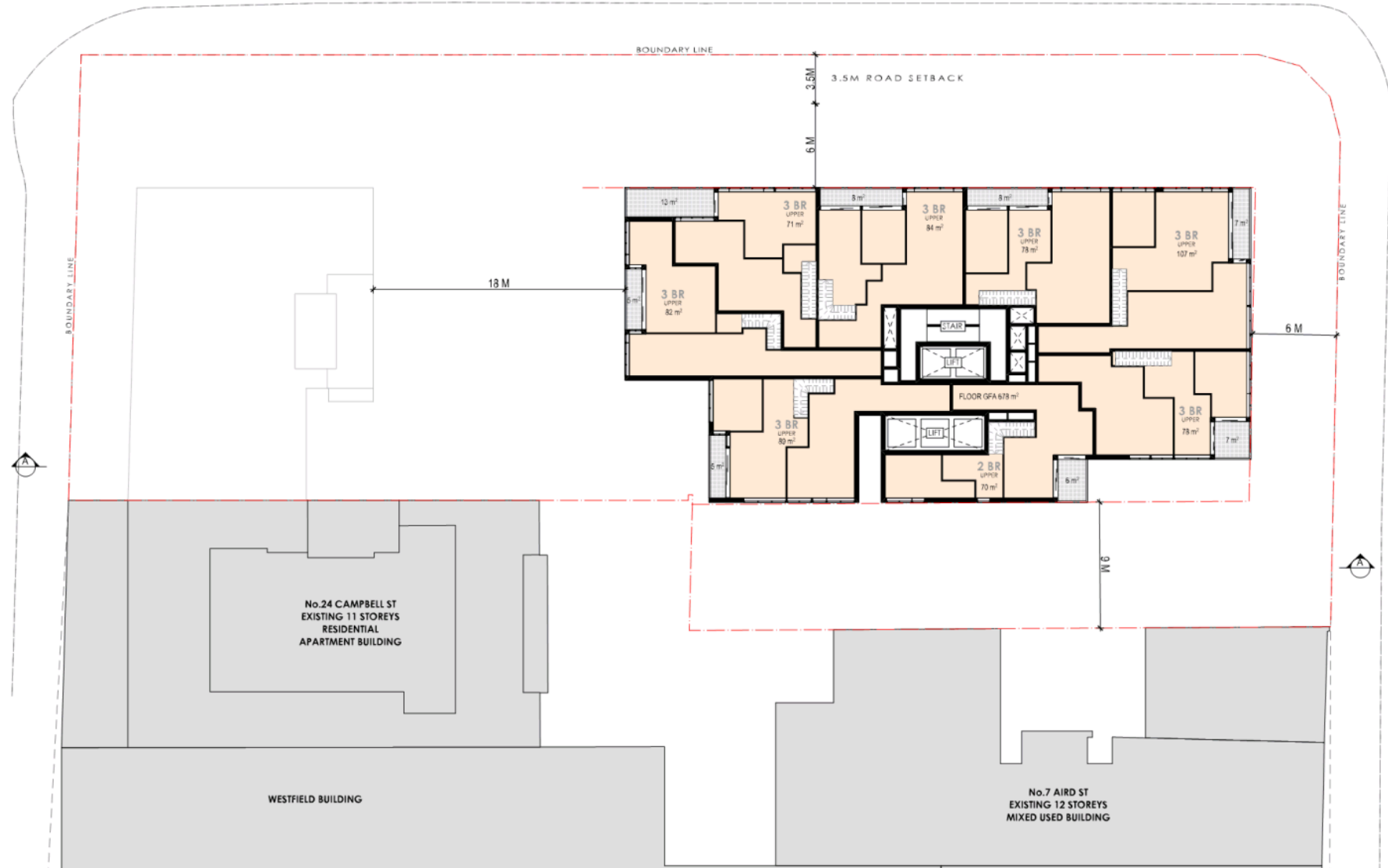
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 CHECKED BY: PJ
 SCALE: 1:250 @ A3
 PROJECT No: P391
 PP 07 P4
 stage design model





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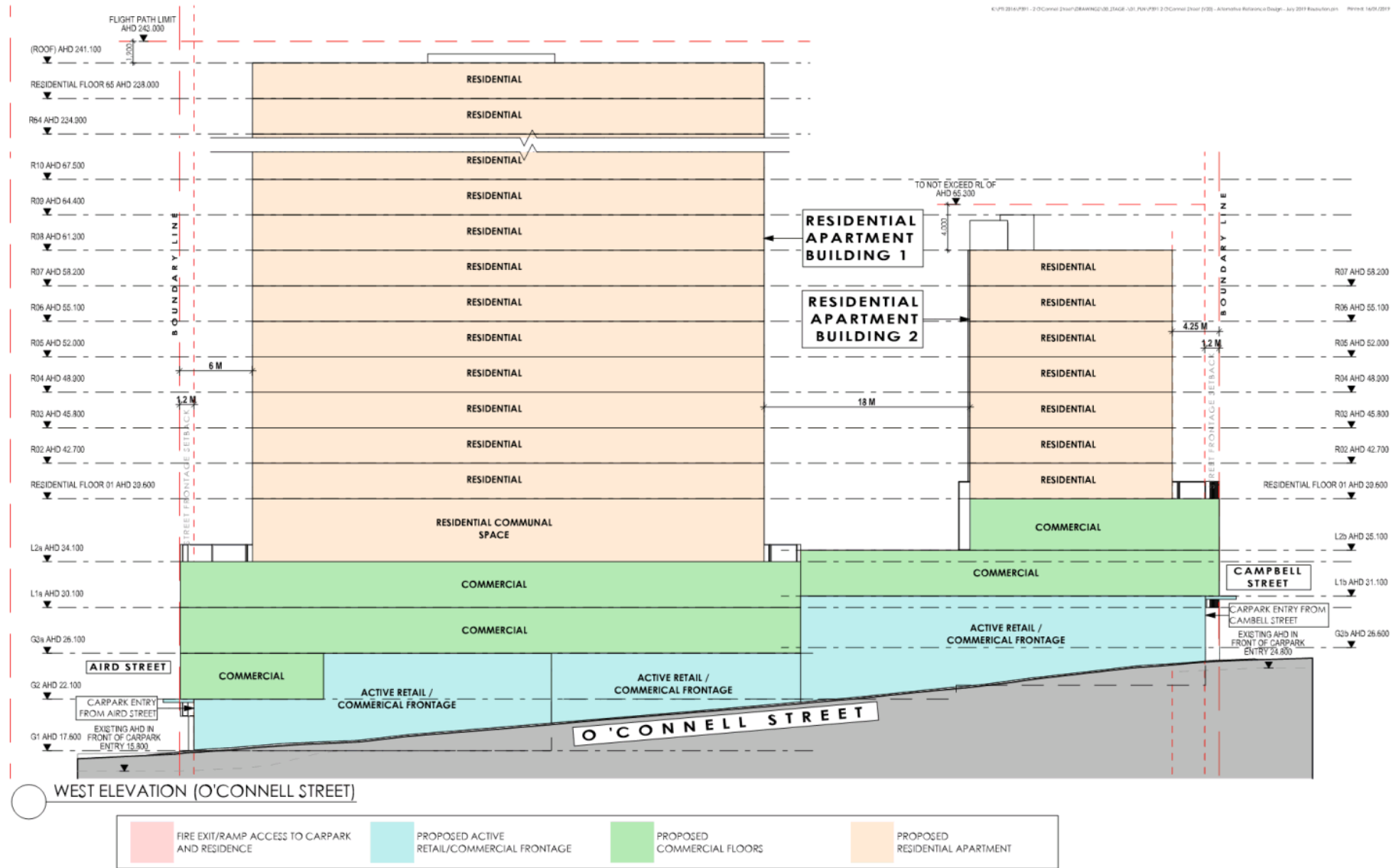
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 Nominated Registered Architect: Peter Israel (reg no 5064)
 ABRN 90 050 071 022

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PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL
 ST, PARRAMATTA : ALTERNATIVE REFERENCE
 DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
 R65 - PENTHOUSE UPPER

NORTH POINT	DATE:	16.01.2019
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	CHECKED BY:	PI
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	PP	09
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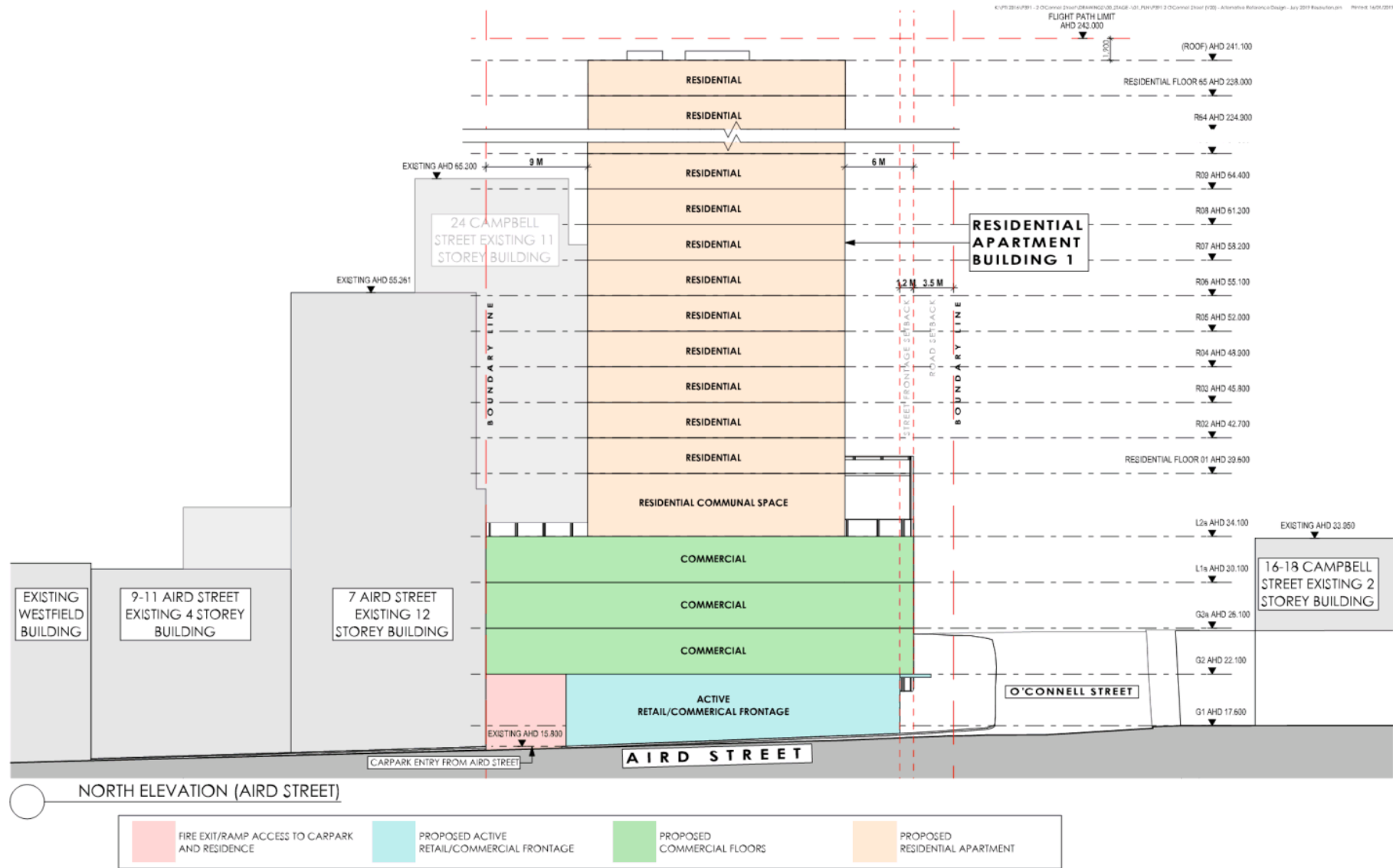


Level 10, 263 Clarence Street, Sydney NSW 2000
 +61 2 9253 0860 | www.ptarchitecture.com.au
 Nominated Registered Architect: Peter Israel (reg no 50694)
 ABRN 90 050 071 022

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 P3 AMENDED DRAWING TO ADD SETBACK VW P1 04.12.2018
 P4 QUOTE FOR PLANNING AMENDED SETBACK FOR 1.2M VW P1 14.01.2019

PROJECT TITLE: PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION
 DRAWING TITLE: SITE ANALYSIS - WEST ELEVATION (O'CONNELL STREET)

DATE: 16.01.2019
 DRAWN BY: VW
 CHECKED BY: PJ
 SCALE: 1:300 @ A3
 PROJECT No: P391
 PP 10 P4
 stage design model



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 Nominated Registered Architect: Peter Israel (reg no 5064)
 ABRN 90 050 071 022

REV DESCRIPTION BY DATE COMMENTS
 P1 ALTERNATIVE REFERENCE DESIGN - (SEE FOR PLANNING) VW P1 06/11/2017 2 O'CONNELL ST BODY CORPORATE
 P2 ALTERNATIVE REFERENCE DESIGN - (SEE FOR PLANNING) VW P1 04/11/2017
 P3 AMENDED DRAWING TO SHOW 10/11/12/13 VW P1 04/11/2018
 P4 (SEE FOR PLANNING) AMENDED DRAWING TO SHOW 10/11/12/13 VW P1 04/11/2019

PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION

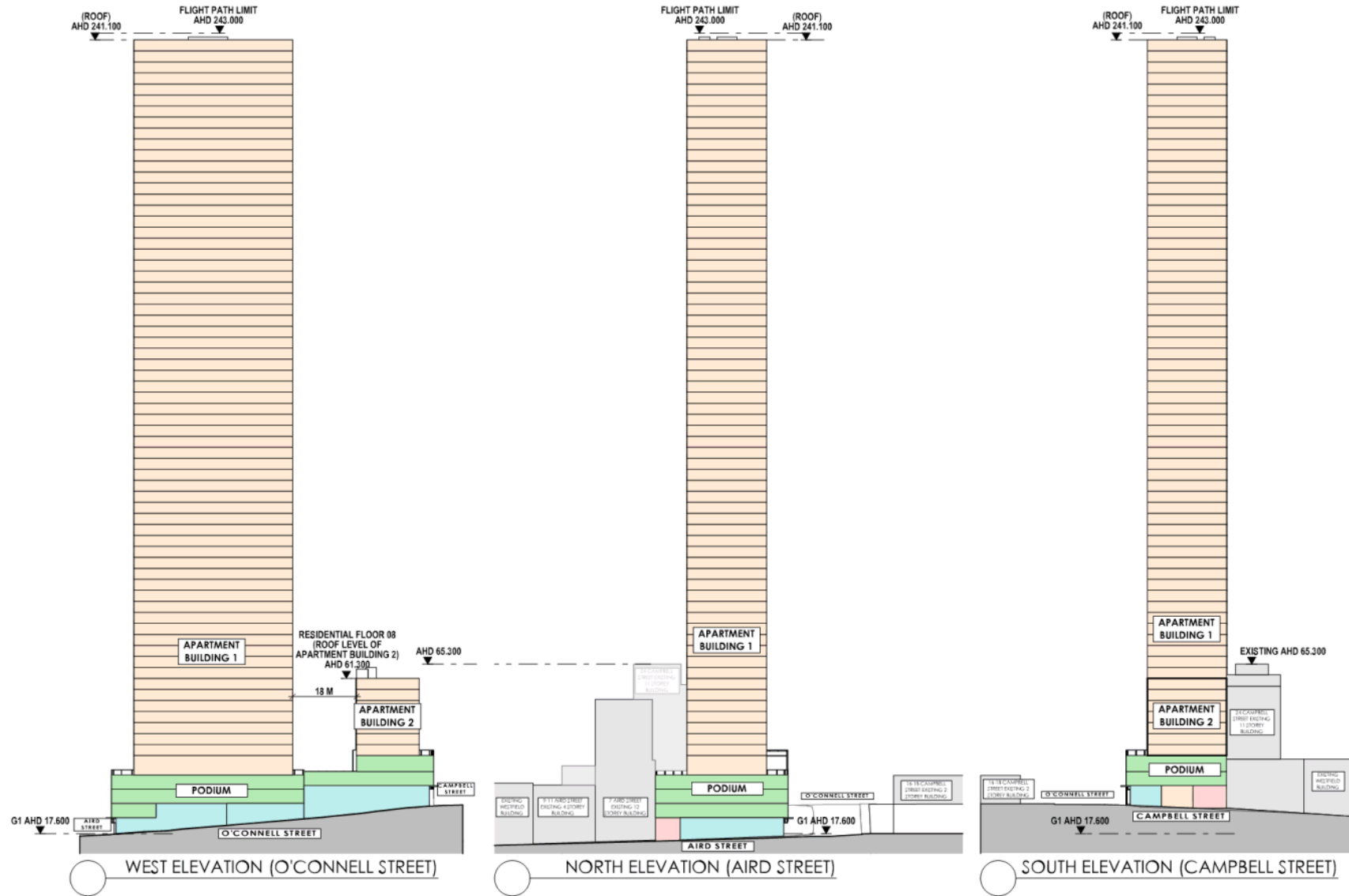
DRAWING TITLE:
 SITE ANALYSIS - NORTH ELEVATION (AIRD STREET)

DATE: 16/01/2019
 DRAWN BY: VW
 CHECKED BY: PJ
 SCALE: 1:300 @ A3
 PROJECT No: P391
 PP 11 P4
 stage design model



DATE: 16.01.2019
DRAWN BY: VW
CHECKED BY: PI
SCALE: 1:300 @ A3
PROJECT No: P391

PP 12 P4
client architect evolution

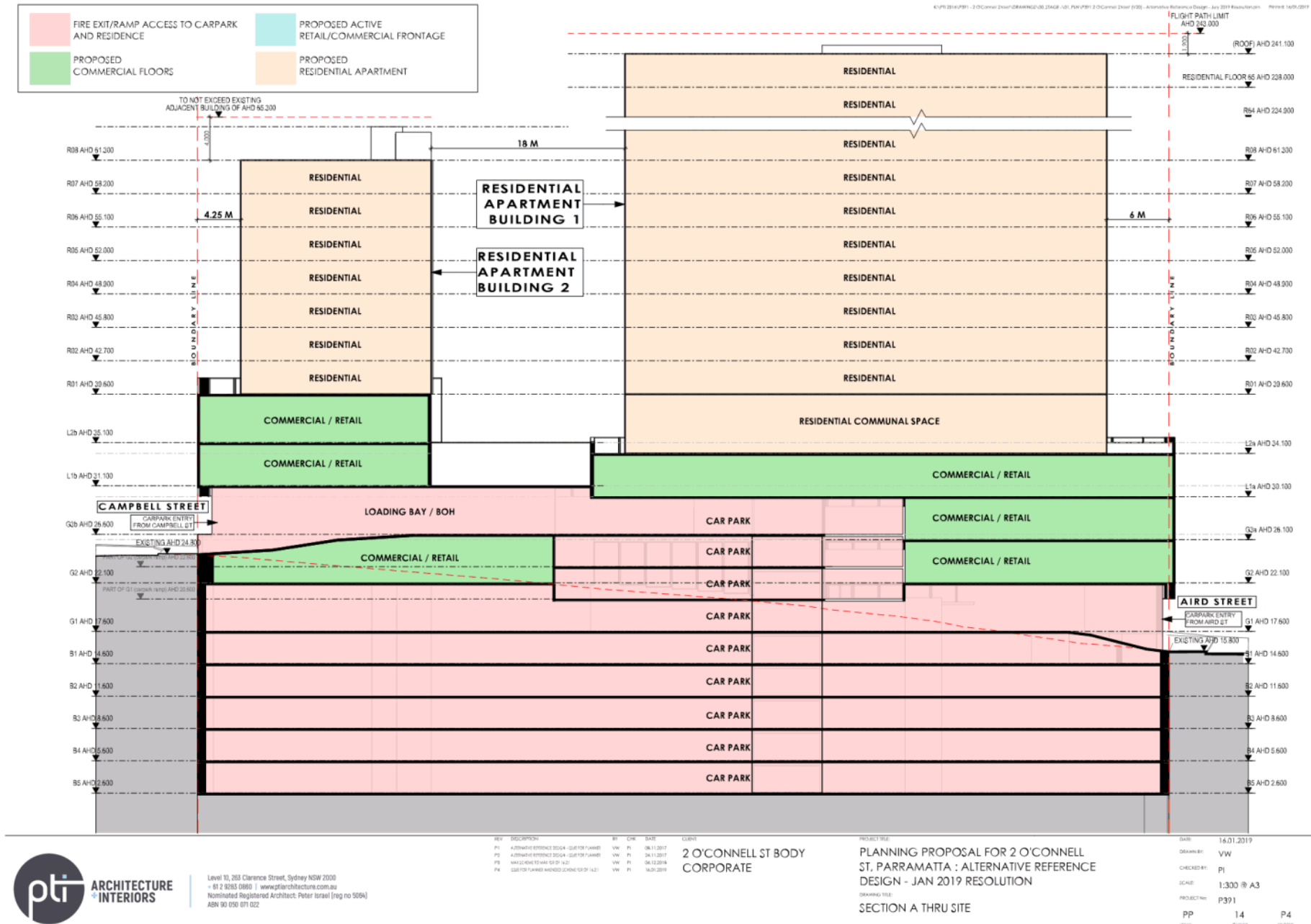


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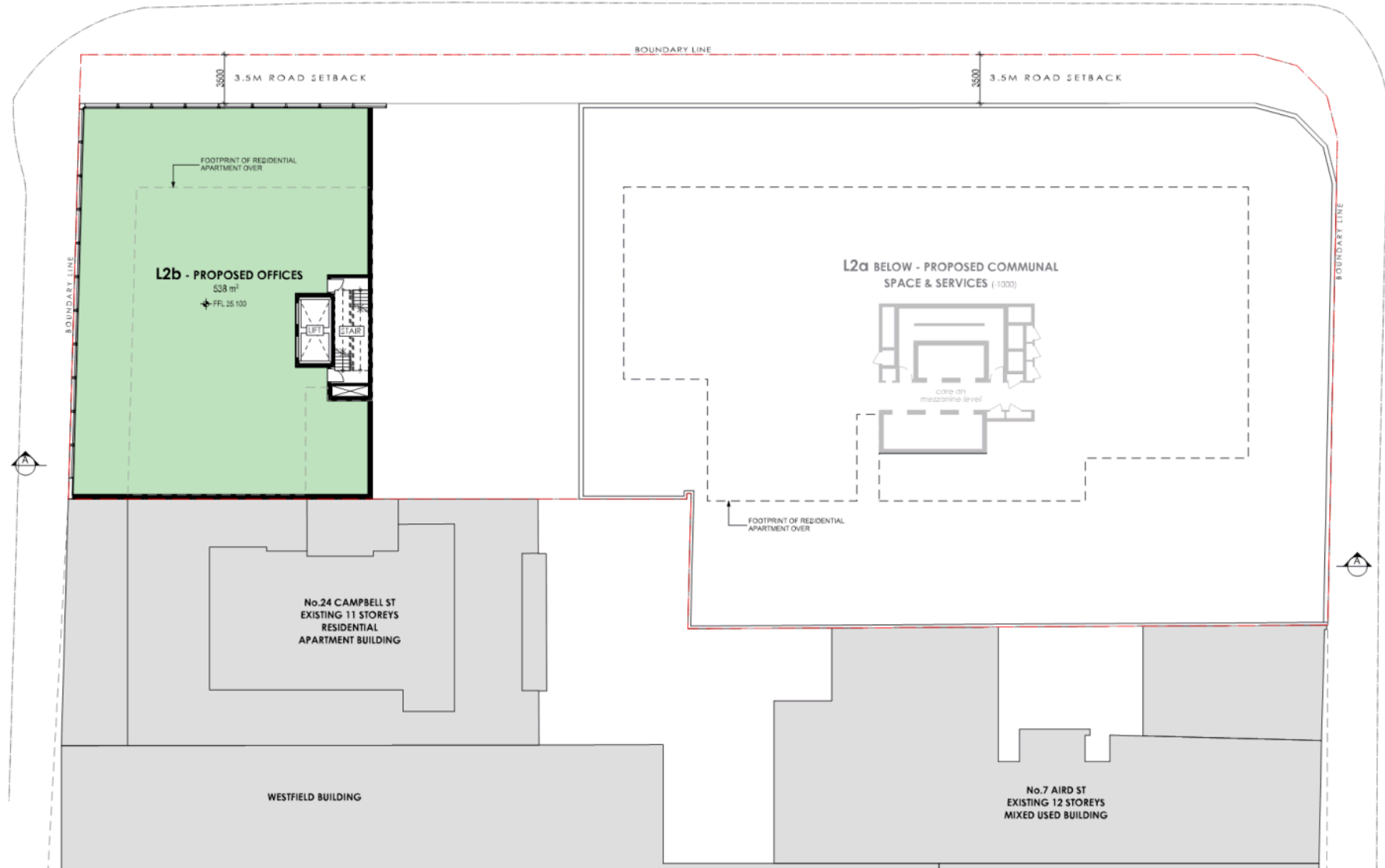
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P1	ALTERNATIVE REFERENCE DESIGN - GROUND FOR PLANNING	VW	PI	06.11.2017	2 O'CONNELL ST BODY CORPORATE
P2	ALTERNATIVE REFERENCE DESIGN - GROUND FOR PLANNING	VW	PI	06.11.2017	
P3	ALTERNATIVE REFERENCE DESIGN - GROUND FOR PLANNING	VW	PI	06.11.2017	
P4	ALTERNATIVE REFERENCE DESIGN - GROUND FOR PLANNING	VW	PI	06.11.2017	

PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL
 ST, PARRAMATTA : ALTERNATIVE REFERENCE
 DESIGN - JAN 2019 RESOLUTION
 DRAWING TITLE:
 SITE ANALYSIS ELEVATIONS

DATE: 16.01.2019
 DRAWN BY: VW
 CHECKED BY: PJ
 SCALE: 1:1000 @ A3
 PROJECT No: P391
 PP: 13 P4
 STAGE: design revision



K:\P1 2014\P11 - 2 O'Connell Street\DRAWING\02_STAGE - 01_Plan\P11 - 2 O'Connell Street (P10) - Alternative Reference Design - Jan 2019 Resolution.dwg 16/01/2019




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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P2	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P3	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P4	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	

**2 O'CONNELL ST BODY
CORPORATE**

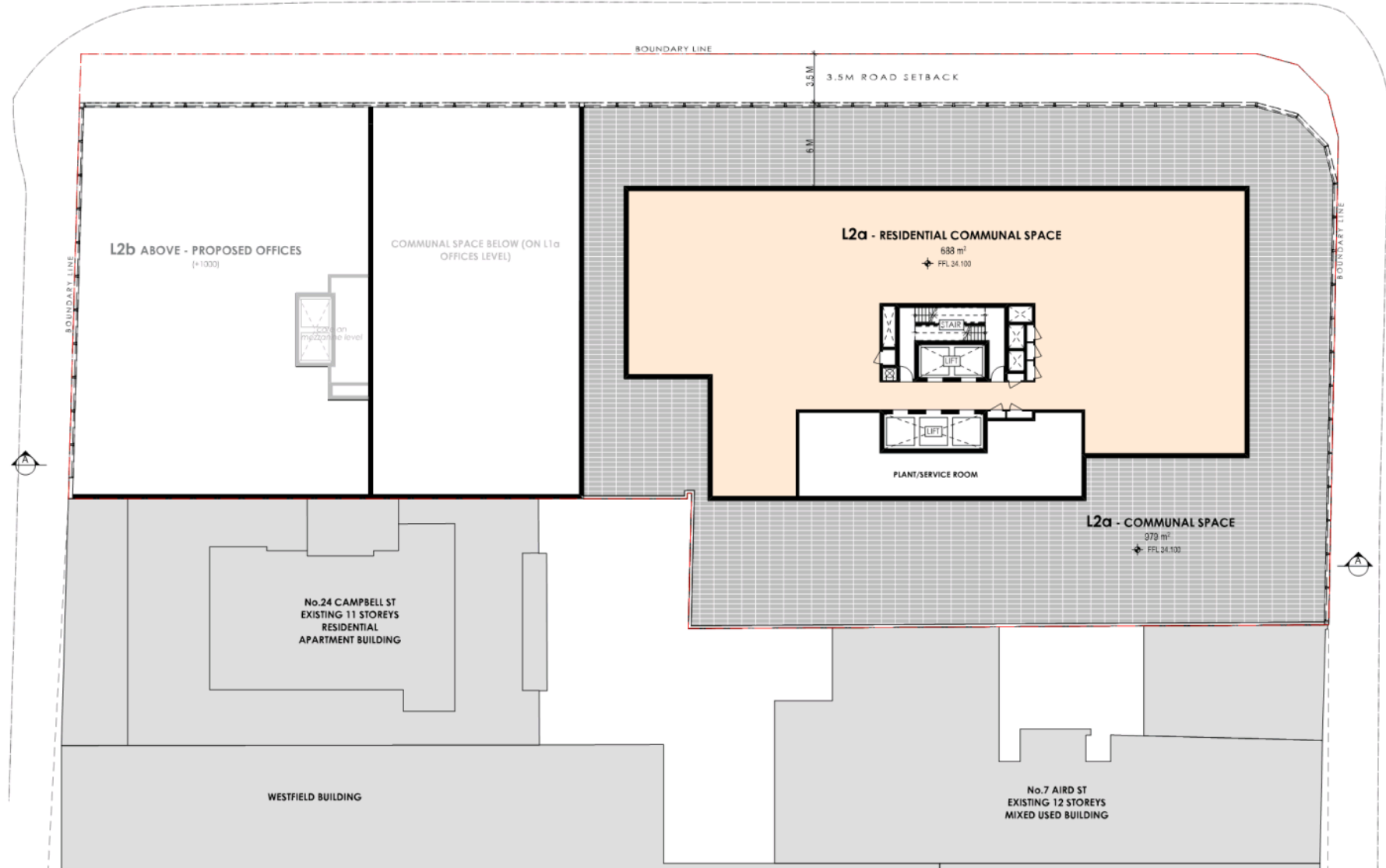
PROJECT TITLE:
**PLANNING PROPOSAL FOR 2 O'CONNELL
ST, PARRAMATTA : ALTERNATIVE REFERENCE
DESIGN - JAN 2019 RESOLUTION**

DRAWING TITLE:
L2b - PODIUM LEVEL

NORTH POINT	DATE:	16.01.2019
	DRAWN BY:	VW
	CHECKED BY:	PI
	SCALE:	1:250 @ A3
	PROJECT No:	P391
	PP	15
stage:	design:	model:



K:\PI 2014\PI01 - 2 O'Connell Street\DRAWING\06_DRAWING - 01_PODIUM LEVEL (RESIDENTIAL COMMUNAL) - Alternative Reference Design - Jan 2019 Resolution.dwg 16/01/2019




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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06/11/2017	
P2	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06/11/2017	
P3	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06/11/2017	
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2 O'CONNELL ST BODY
CORPORATE

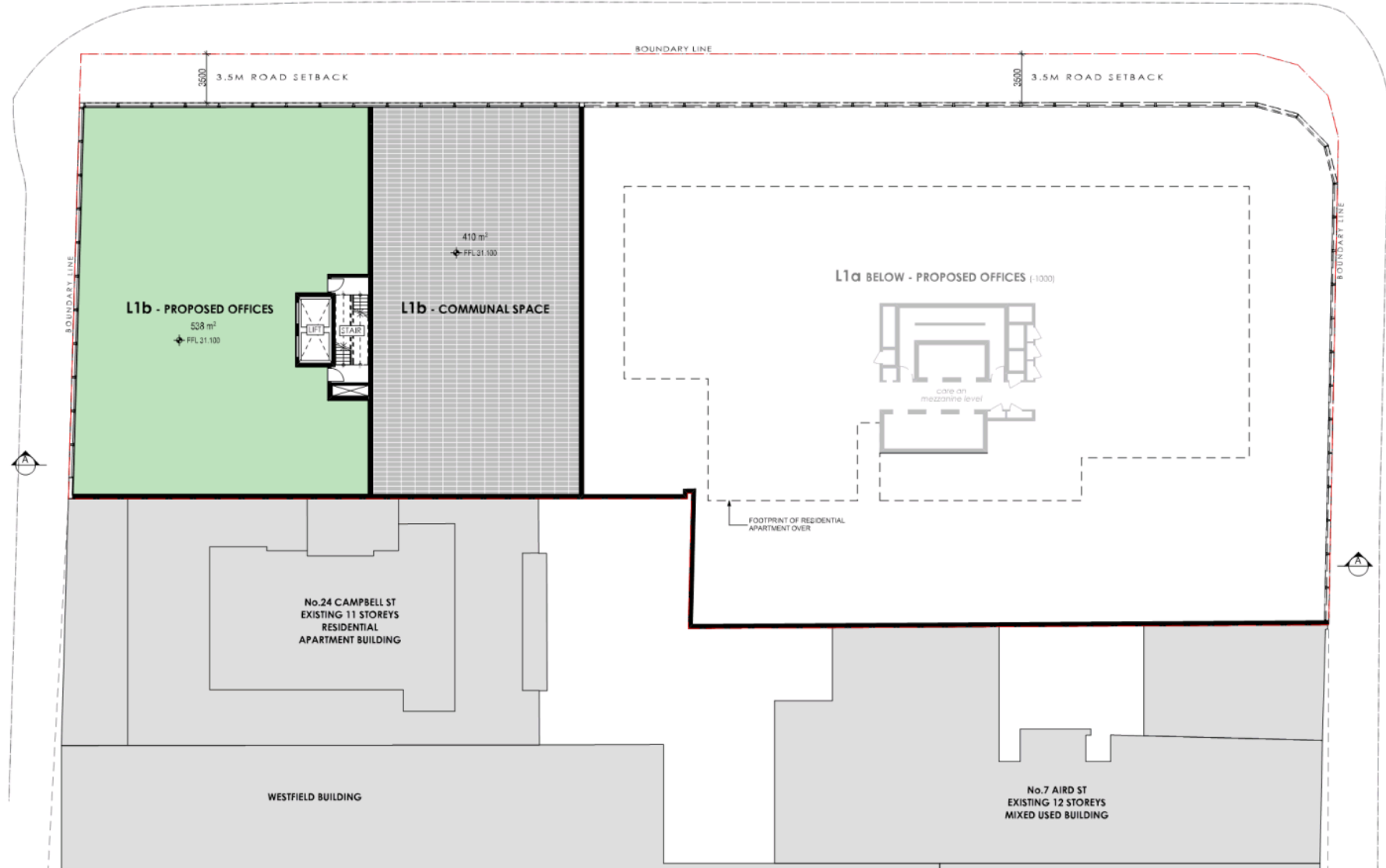
PROJECT TITLE:
PLANNING PROPOSAL FOR 2 O'CONNELL
ST, PARRAMATTA : ALTERNATIVE REFERENCE
DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
L2a - PODIUM LEVEL (RESIDENTIAL
COMMUNAL)

NORTH POINT	DATE:	16.01.2019
	DRAWN BY:	VW
	CHECKED BY:	PI
	SCALE:	1:250 @ A3
	PROJECT No:	P391
	PP	16
stage:	design	



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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P2	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P3	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P4	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	

2 O'CONNELL ST BODY
CORPORATE

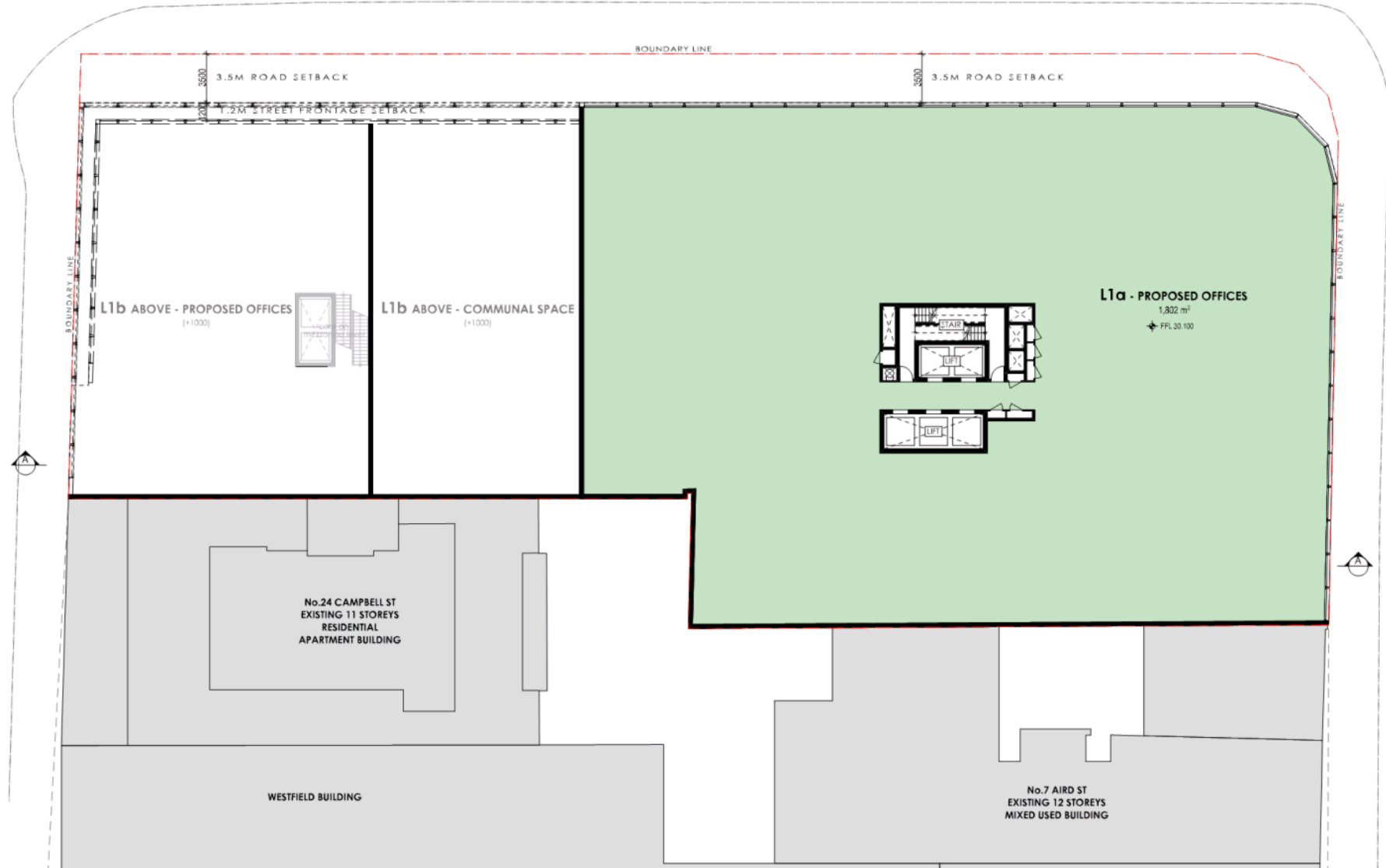
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PLANNING PROPOSAL FOR 2 O'CONNELL
ST, PARRAMATTA : ALTERNATIVE REFERENCE
DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
L1b - PODIUM LEVEL

NORTH POINT	DATE:	16.01.2019
	DRAWN BY:	VW
	CHECKED BY:	PI
	SCALE:	1:250 @ A3
	PROJECT No:	P391
	PP	17
stage	design	model



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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - L1a FOR PLANNING	VW	PI	06/11/2017	
P2	ALTERNATIVE REFERENCE DESIGN - L1b FOR PLANNING	VW	PI	06/11/2017	
P3	ALTERNATIVE REFERENCE DESIGN - L1c FOR PLANNING	VW	PI	06/11/2017	
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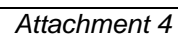
2 O'CONNELL ST BODY
 CORPORATE

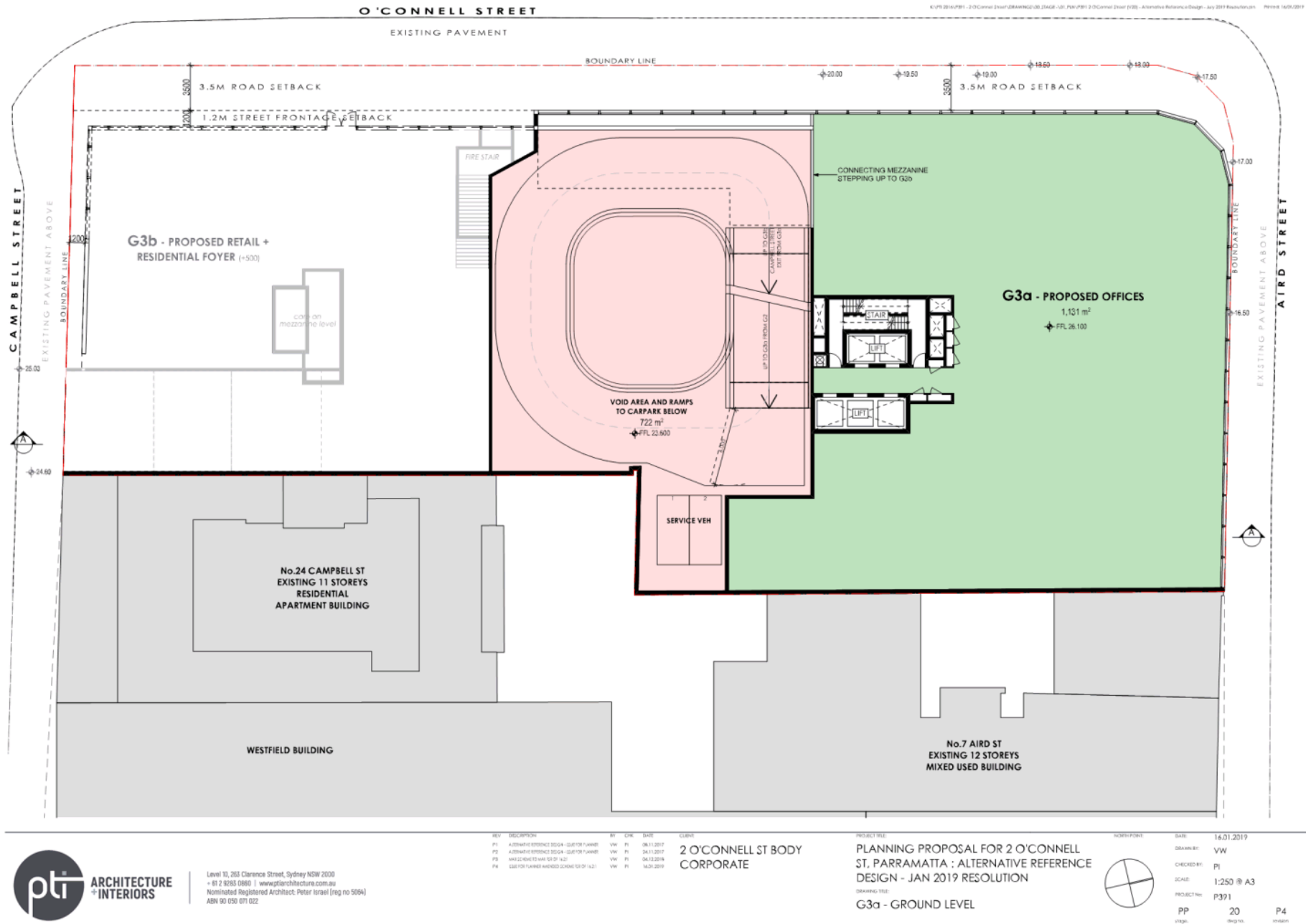
PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL
 ST, PARRAMATTA : ALTERNATIVE REFERENCE
 DESIGN - JAN 2019 RESOLUTION

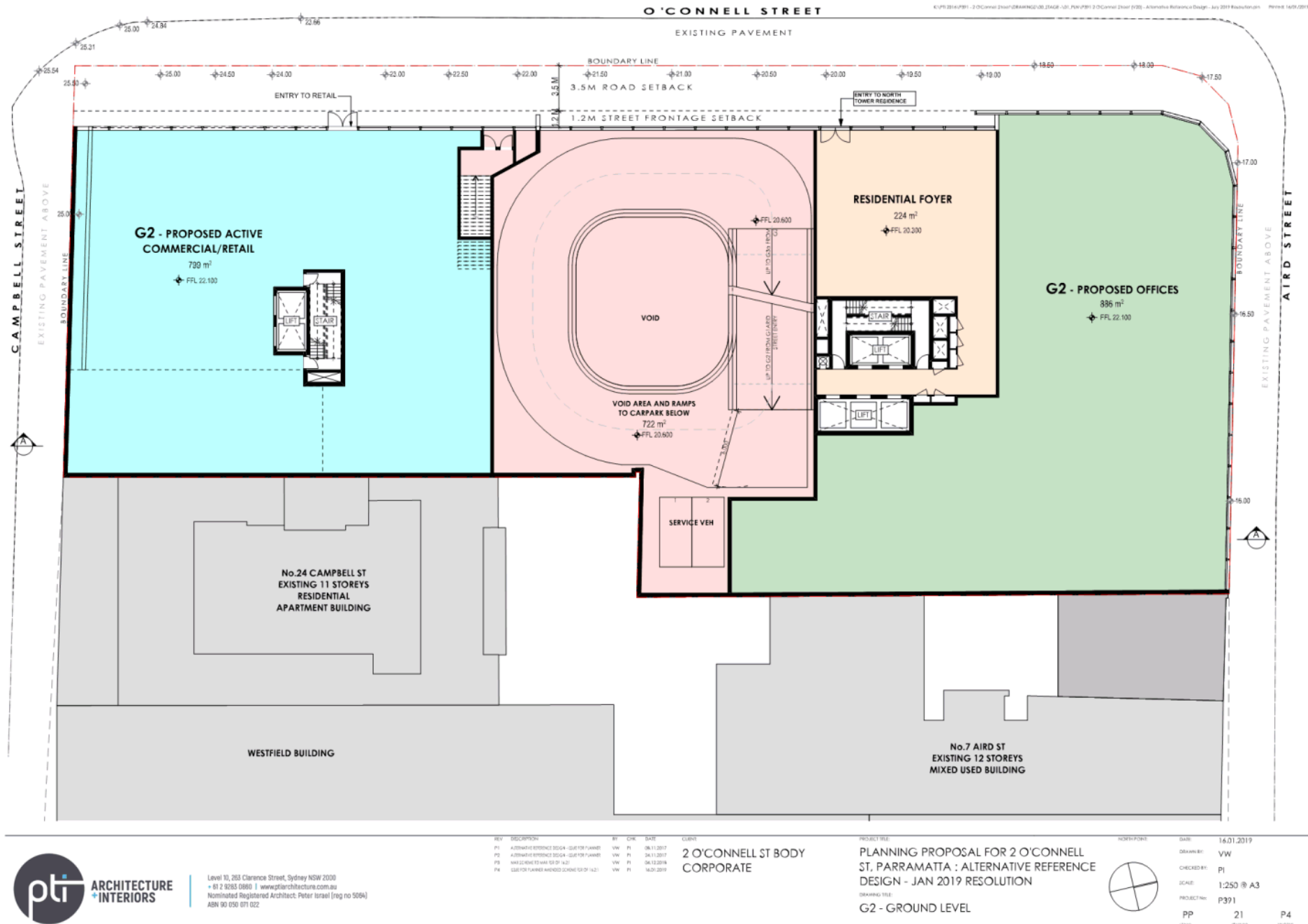
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 L1a - PODIUM LEVEL

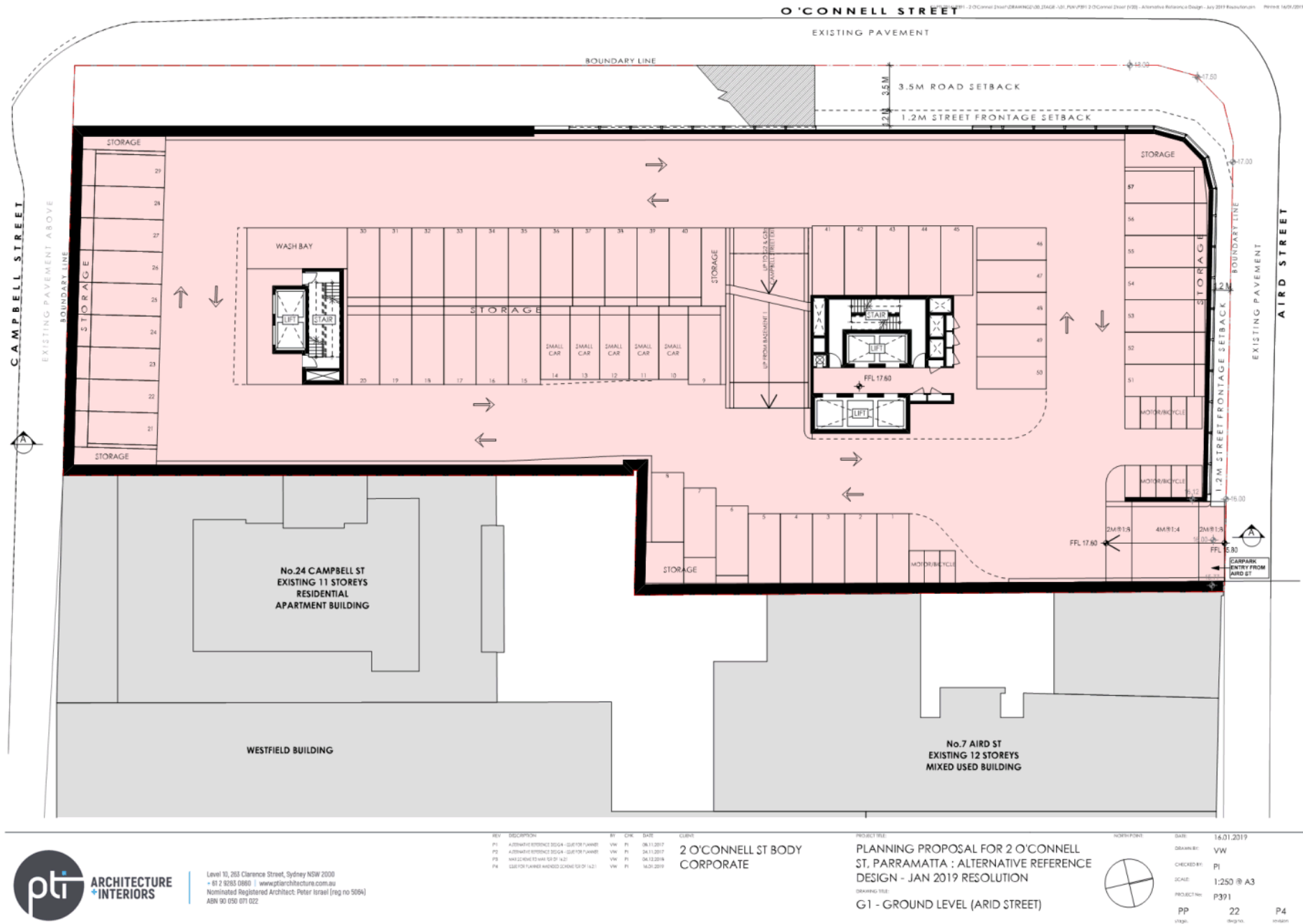
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	PP	18
stage:	design:	model:



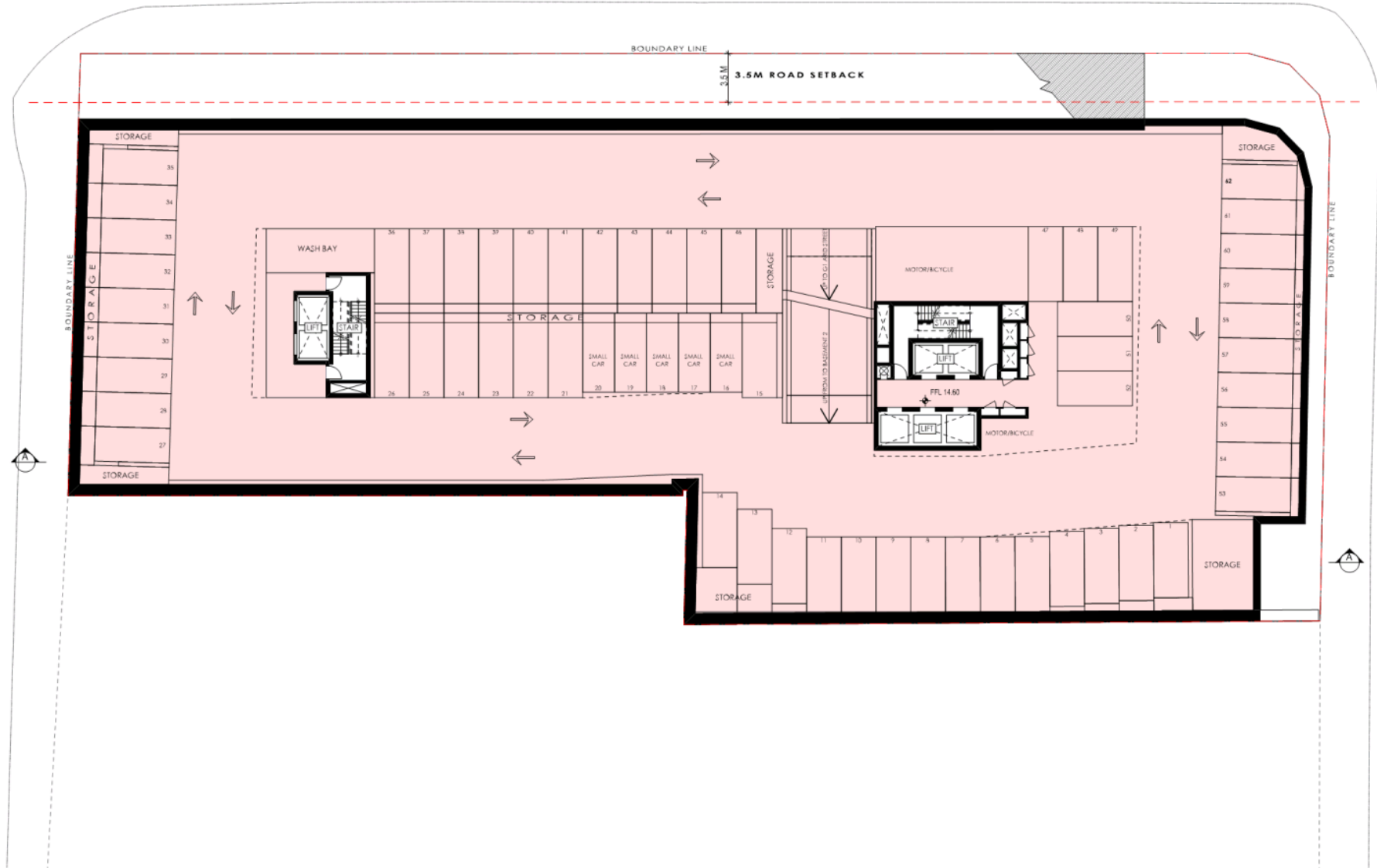








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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06/11/2017	
P2	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06/11/2017	
P3	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06/11/2017	
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2 O'CONNELL ST BODY CORPORATE

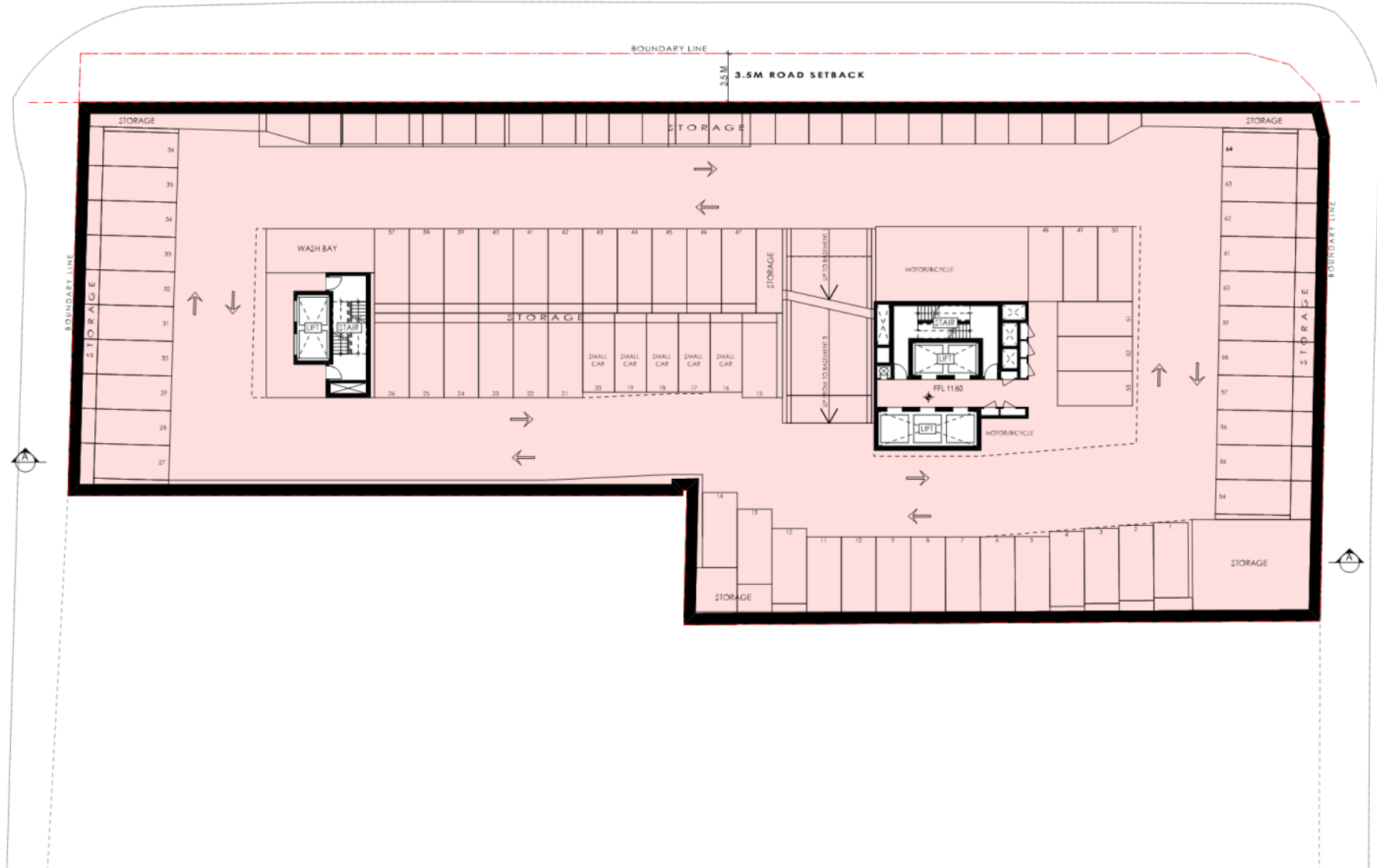
PROJECT TITLE: **PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION**

DRAWING TITLE: **BASEMENT 1**

DATE: 16/01/2019
 DRAWN BY: VW
 CHECKED BY: PJ
 SCALE: 1:250 @ A3
 PROJECT No: P391
 PP 23 P4
 stage design revision



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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - LIFT FOR PLANNING	VW	PI	06/11/2017	
P2	ALTERNATIVE REFERENCE DESIGN - LIFT FOR PLANNING	VW	PI	06/11/2017	
P3	ALTERNATIVE REFERENCE DESIGN - LIFT FOR PLANNING	VW	PI	06/11/2017	
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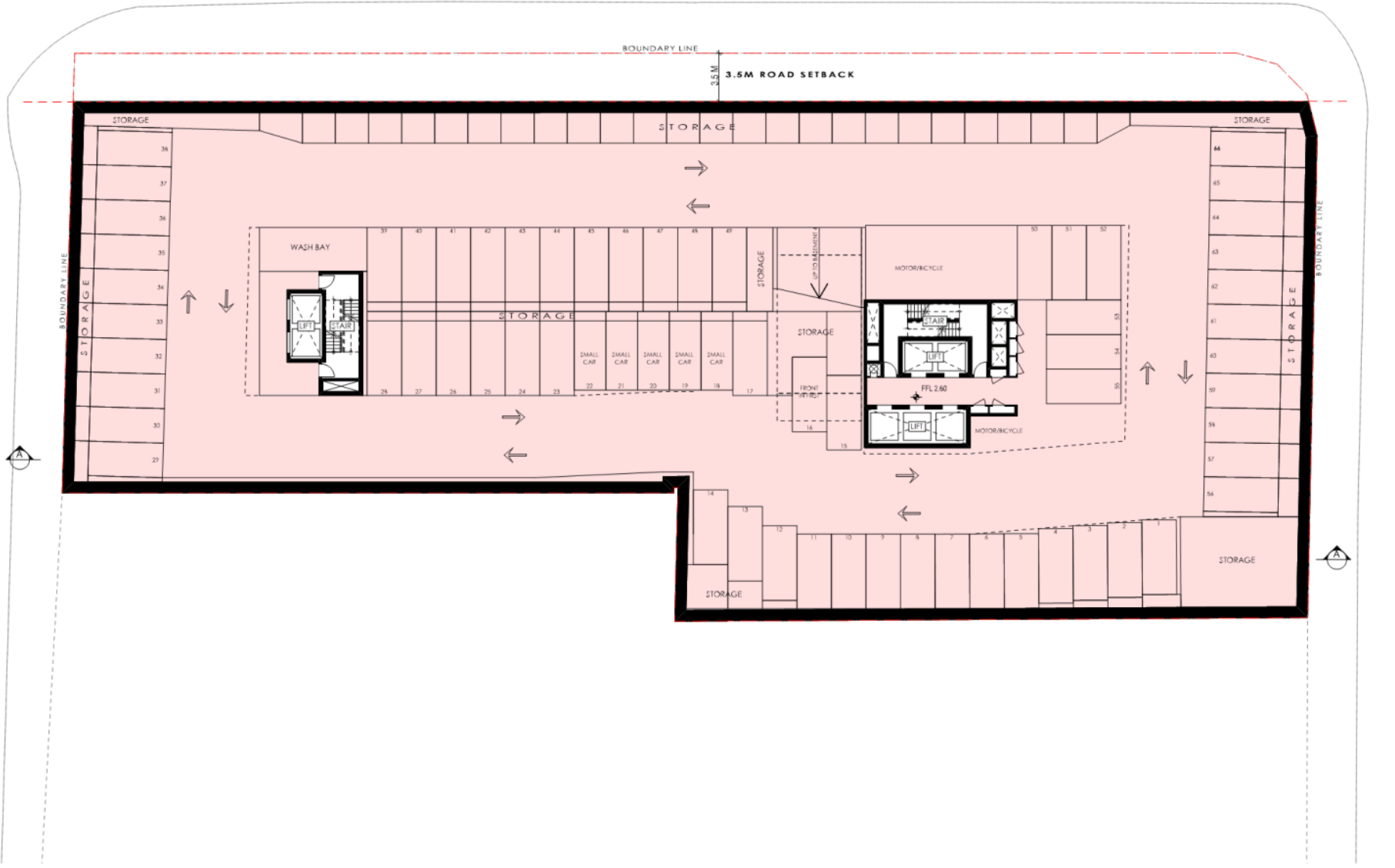
2 O'CONNELL ST BODY
CORPORATE

PROJECT TITLE:
PLANNING PROPOSAL FOR 2 O'CONNELL
ST, PARRAMATTA : ALTERNATIVE REFERENCE
DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
BASEMENT 2 - 4

DATE:	16/01/2019
DRAWN BY:	VW
CHECKED BY:	PI
SCALE:	1:250 @ A3
PROJECT No:	P391
PP	24
stage:	design
P4	design



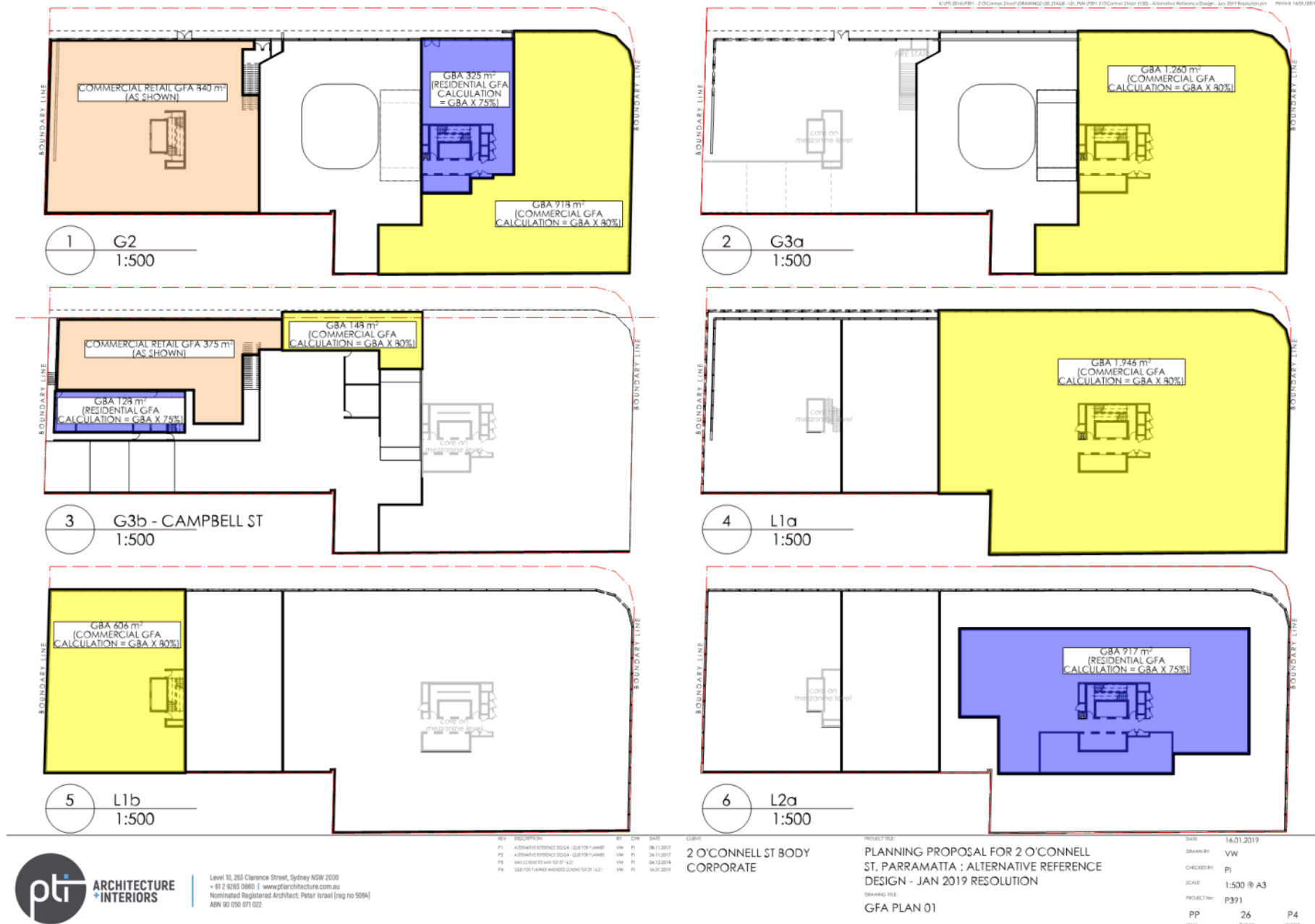


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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P2	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P3	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	
P4	ALTERNATIVE REFERENCE DESIGN - GROUND FLOOR PLAN	VW	PI	06.11.2017	

PROJECT TITLE: PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION
DRAWING TITLE: BASEMENT 5

NORTH POINT	DATE:	16.01.2019
	DRAWN BY:	VW
	CHECKED BY:	PI
	SCALE:	1:250 @ A3
	PROJECT No:	P391
	PP	25
stage:	design	model





EQUATION* FOR COMMERCIAL GFA = GBA X 80%
FOR GROUND FLOOR RETAIL GFA - AS SHOWN

DESCRIPTION	GFA m ²
G2 COMMERCIAL (G8A X 80%)	(718 x 0.8) + 840
G3a COMMERCIAL (G8A X 80%)	1260 x 0.8
G3b COMMERCIAL RETAIL ALONG O'CONNELL STREET	(148 x 0.8) + 375
L1a OFFICES	1946 x 0.8
L1b OFFICES	606 x 0.8
L2a NIL	NIL
L2b OFFICES	606 X 0.8
Total GFA :	5,602m²

EQUATION* FOR RESIDENTIAL GFA = GBA X 75%

DESCRIPTION	GBA
G2 NORTH TOWER RESIDENT'S ENTRY	325 x 0.75
G3a NIL	NIL
G3b SOUTH TOWER RESIDENT'S ENTRY FROM CAMPBELL STREET	128 x 0.75
L1a NIL	NIL
L1b NIL	NIL
L2a RESIDENTIAL PODIUM	917 x 0.75
L2b NIL	NIL
R1-7 RESIDENTIAL TOWERS	((349 + 907) x 0.75) x 7
R8-63 RESIDENTIAL NORTH TOWER	(907 x 0.75) x 56
R64-65 RESIDENTIAL PENTHOUSES	(907 x 0.75) x 2
Total GFA :	47,076m²

FSR CALCULATION TABLE*

SITE AREA	3283m²
Total GFA (Commercial/Retail + Residential)	52,678m²
Proposed FSR (Residential)	14.3:1
Proposed FSR (Commercial/Retail)	1.7:1
Total FSR (Commercial/Retail + Residential)	16:1

CAR PARKING SPACE SCHEDULE

DESCRIPTION	NO. CAR PARKING
G1 ARID STREET ENTRY	57
B1 BASEMENT CARPARK	62
B2 BASEMENT CARPARK	64
B3 BASEMENT CARPARK	64
B4 BASEMENT CARPARK	64
B5 BASEMENT CARPARK	66
Total number of carparking spaces :	377
Total carparking levels :	6

COMMERCIAL FLOOR GFA CALCULATION

DESCRIPTION	GFA
G2 COMMERCIAL/RETAIL & OFFICES	1,635m ²
G3a OFFICES	1,131m ²
G3b COMMERCIAL/RETAIL ON CAMPBELL STS CARPARK ENTRY	517m ²
L1a OFFICES	1,802m ²
L1b OFFICES	538m ²
L2a NIL	NIL
L2b OFFICES	538m ²
Total GFA :	6,211m²

RESIDENTIAL FSR CALCULATION

DESCRIPTION	GFA
SOUTH TOWER RESIDENTIAL LOBBY	1,799m ²
61m ²	
NORTH TOWER RESIDENTIAL LOBBY	44,201m ²
224m ²	
COMMUNAL AREA	698m ²
Total GFA :	46,973m²

SEPP65 COMPLIANCE TABLE (BUILDING 1)

LEVEL	1 BED	2 BED	3 BED	GFA	2HR SOLAR ACCESS
R01	1	6	1	680m ²	6 of 8
R02	1	6	1	680m ²	6 of 8
R03	1	6	1	680m ²	6 of 8
R04	1	6	1	680m ²	6 of 8
R05	1	6	1	680m ²	6 of 8
R06	1	6	1	680m ²	6 of 8
R07	1	6	1	680m ²	6 of 8
R08	1	6	1	680m ²	6 of 8
R09	1	6	1	680m ²	6 of 8
R10	1	6	1	680m ²	6 of 8
R11	1	6	1	680m ²	6 of 8
R12	1	6	1	680m ²	6 of 8
R13	1	6	1	680m ²	6 of 8
R14	1	6	1	680m ²	6 of 8
R15	1	6	1	680m ²	6 of 8
R16	1	6	1	680m ²	6 of 8
R17	1	6	1	680m ²	6 of 8
R18	1	6	1	680m ²	6 of 8
R19	1	6	1	680m ²	6 of 8
R20	1	6	1	680m ²	6 of 8
R21	1	6	1	680m ²	6 of 8
R22	1	6	1	680m ²	6 of 8
R23	1	6	1	680m ²	6 of 8
R24	1	6	1	680m ²	6 of 8
R25	1	6	1	680m ²	6 of 8
R26	1	6	1	680m ²	6 of 8
R27	1	6	1	680m ²	6 of 8
R28	1	6	1	680m ²	6 of 8
R29	1	6	1	680m ²	6 of 8
R30	1	6	1	680m ²	6 of 8
R31	1	6	1	680m ²	6 of 8
R32	1	6	1	680m ²	6 of 8
R33	1	6	1	680m ²	6 of 8
R34	1	6	1	680m ²	6 of 8
R35	1	6	1	680m ²	6 of 8
R36	1	6	1	680m ²	6 of 8
R37	1	6	1	680m ²	6 of 8
R38	1	6	1	680m ²	6 of 8
R39	1	6	1	680m ²	6 of 8
R40	1	6	1	680m ²	6 of 8
R41	1	6	1	680m ²	6 of 8
R42	1	6	1	680m ²	6 of 8
R43	1	6	1	680m ²	6 of 8
R44	1	6	1	680m ²	6 of 8
R45	1	6	1	680m ²	6 of 8

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SEPP65 COMPLIANCE TABLE (BUILDING 2)

R01	-	3	-	257m ²	2 of 3
R02	-	3	-	257m ²	2 of 3
R03	-	3	-	257m ²	2 of 3
R04	-	3	-	257m ²	2 of 3
R05	-	3	-	257m ²	2 of 3
R06	-	3	-	257m ²	2 of 3
R07	-	3	-	257m ²	2 of 3
Sum	63	400	70		398/533 74.7%
Proposed Total number of units				533	
Proposed Total Residential GFA				46,000m ²	
Total residential floors (Building 1)				65	
Total residential floors (Building 2)				7	
Proposed Total Communal Area				698m ²	
2HR Solar Access				Complies	YES



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REV DESCRIPTION BY DATE COMMENTS
P1 ALTERNATIVE REFERENCE DESIGN - GBA FOR PLANNING VW P1 06/11/2017
P2 ALTERNATIVE REFERENCE DESIGN - GBA FOR PLANNING VW P1 06/11/2017
P3 AMENDED REFERENCE DESIGN - GBA FOR PLANNING VW P1 06/11/2017
P4 GBA FOR PLANNING AMENDED DESIGN FOR 1:120 VW P1 16/09/2019

2 O'CONNELL ST BODY CORPORATE

PROJECT TITLE:
PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
DEVELOPMENT INFORMATION

DATE: 16/01/2019
DRAWN BY: VW
CHECKED BY: PJ
SCALE: N.T.S.
PROJECT No: P391
PP 28 P4
stage design reason





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 Nominated Registered Architect: Peter Israel (reg no 50594)
 ABN 90 0750 071 022

REV	DESCRIPTION	BY	CHK	DATE	CHECKED
P1	ALTERNATIVE REFERENCE DESIGN - QUATER PLANNER	VW	P1	08/11/2017	
P2	ALTERNATIVE REFERENCE DESIGN - QUATER PLANNER	VW	P1	24/1/2017	
P3	HALF CROWNED TO HALF OF 14.2	VW	P1	24/1/2017	
P4	QUATER PLANNER ANKLED SCHEM 10.2 OF 14.2	VW	P1	14/01/2019	

2 O'CONNELL ST BODY CORPORATE

PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION

PROJECT TITLE

DRAWING TITLE

SOLAR ACCESS WINTER SOLSTICE



PROJECT NO:

DATE: **16.01.2019**

DRAWN BY: **PVW**

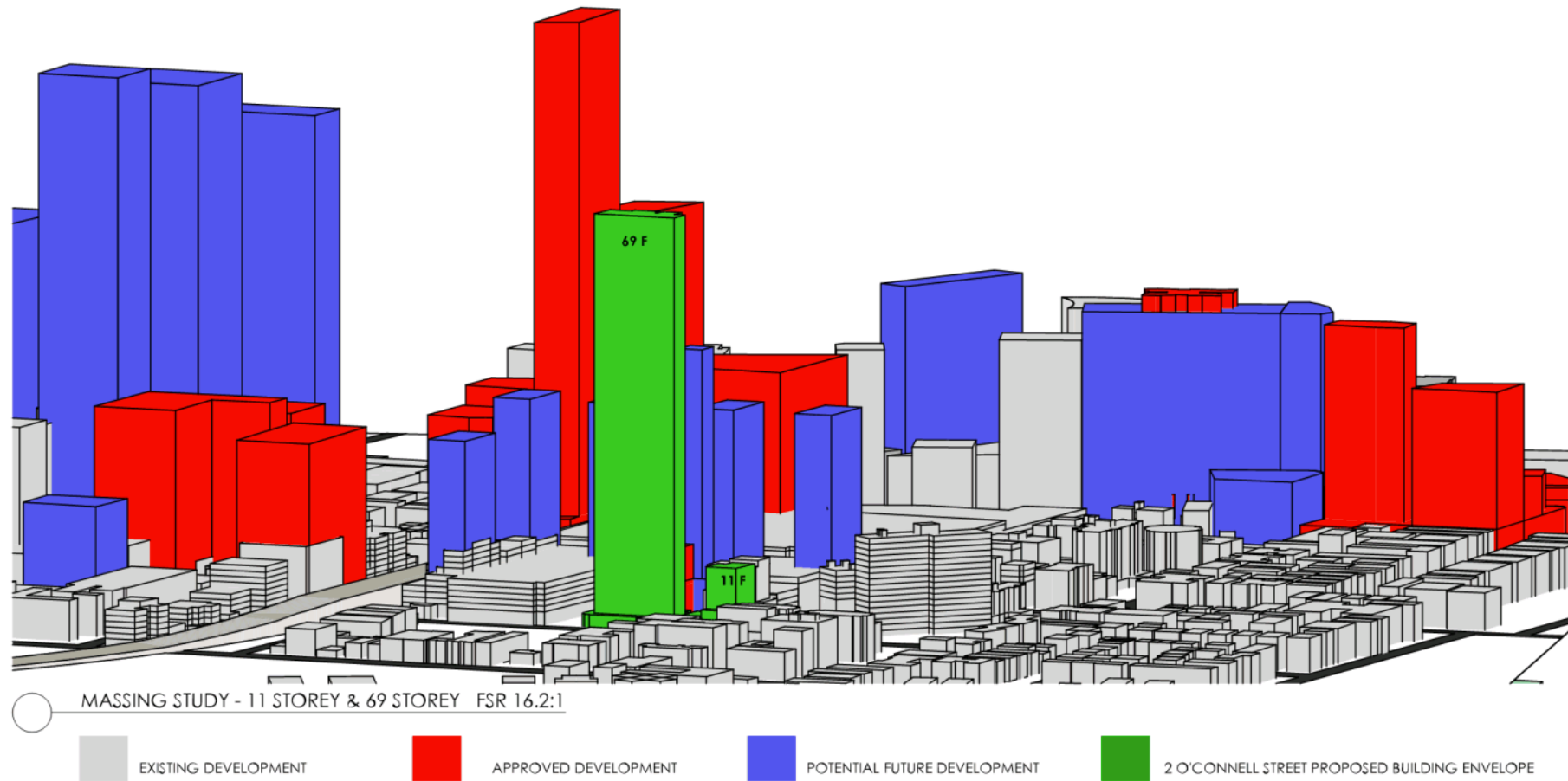
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SCALE: **N.T.S.**

PROJECT NO: **P391**

PP **29** P4

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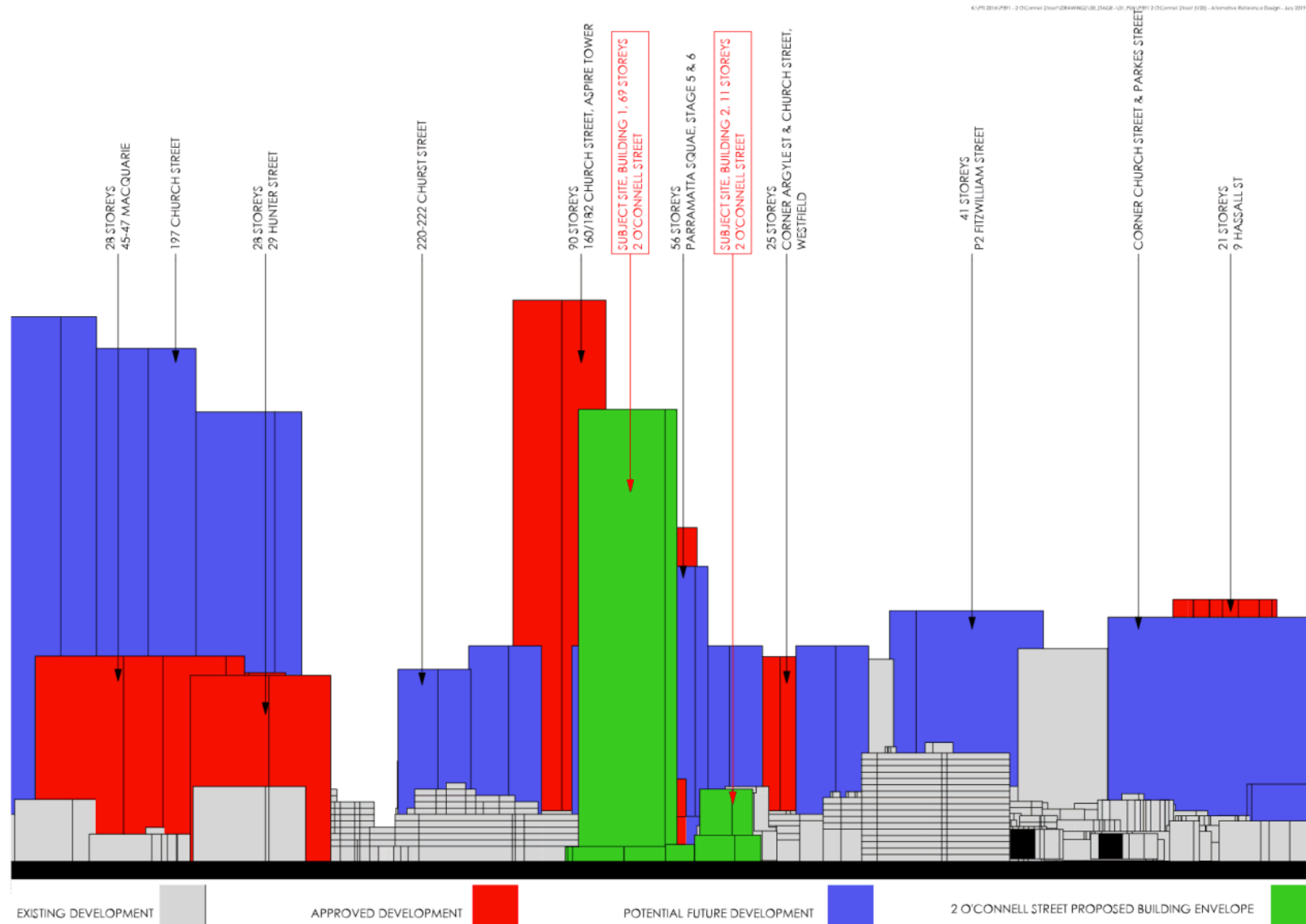
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 Nominated Registered Architect: Peter Israel (reg no 5064)
 ABRN 90 050 071 022

REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - 11 STOREY FOR PLANNING	VW	PI	06.11.2017	2 O'CONNELL ST BODY CORPORATE
P2	ALTERNATIVE REFERENCE DESIGN - 69 STOREY FOR PLANNING	VW	PI	06.11.2017	
P3	MASSING STUDY - 11 STOREY & 69 STOREY	VW	PI	06.12.2018	
P4	11 STOREY FOR PLANNING APPROVED DESIGN FOR 11.2:1	VW	PI	16.01.2019	

PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL ST, PARRAMATTA : ALTERNATIVE REFERENCE DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
 MASSING STUDY

DATE: 16.01.2019
 DRAWN BY: VW
 CHECKED BY: PJ
 N.T.S.
 PROJECT No: P391
 PP 30 P4
 stage design model



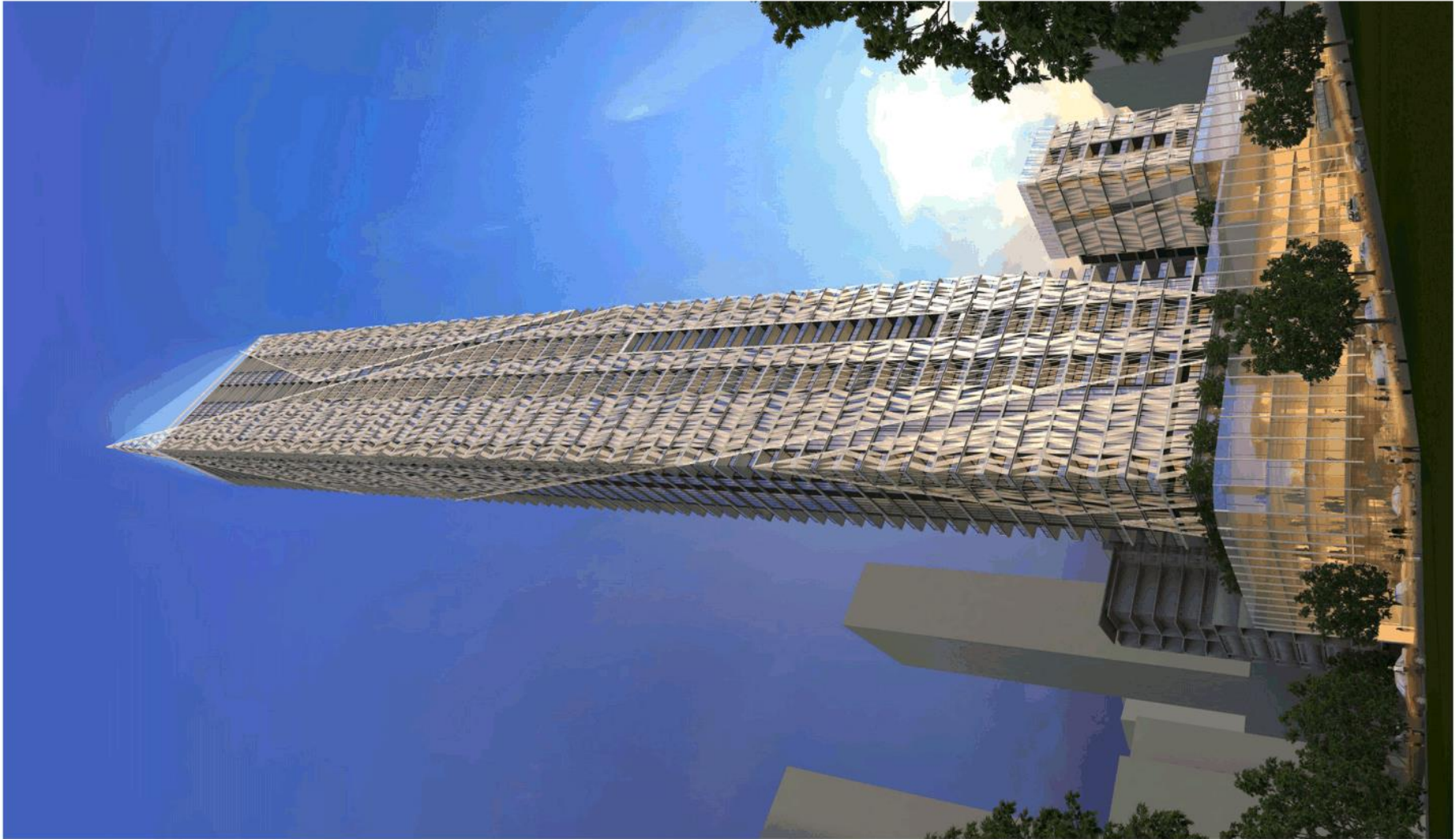
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REV	DESCRIPTION	BY	CHK	DATE	CLASH
P1	ALTERNATIVE REFERENCE DESIGN - QUOTE FOR PLANNING	VW	PI	06/11/2017	2 O'CONNELL ST BODY CORPORATE
P2	ALTERNATIVE REFERENCE DESIGN - QUOTE FOR PLANNING	VW	PI	06/11/2017	
P3	AMENDMENT TO DRAWING 10/11/17	VW	PI	06/12/2018	
P4	QUOTE FOR PLANNING AMENDED DESIGN FOR 01/12/17	VW	PI	16/01/2019	

PROJECT TITLE:
 PLANNING PROPOSAL FOR 2 O'CONNELL
 ST, PARRAMATTA : ALTERNATIVE REFERENCE
 DESIGN - JAN 2019 RESOLUTION

DRAWING TITLE:
 O'CONNELL STREET - CITY EDGE VIEW

DATE:	16.01.2019	
DRAWN BY:	VW	
CHECKED BY:	PI	
SCALE:	N.T.S.	
PROJECT No:	P391	
PP	31	P4
stage:	drawn by	revision



INNOVATIVE

ITEM NUMBER	18.2
SUBJECT	FOR APPROVAL: Gateway Request: Harmonisation Planning Proposal - Consolidated City of Parramatta Local Environmental Plan
REFERENCE	F2019/00709 - D07056202
REPORT OF	Team Leader Land Use Planning

PURPOSE:

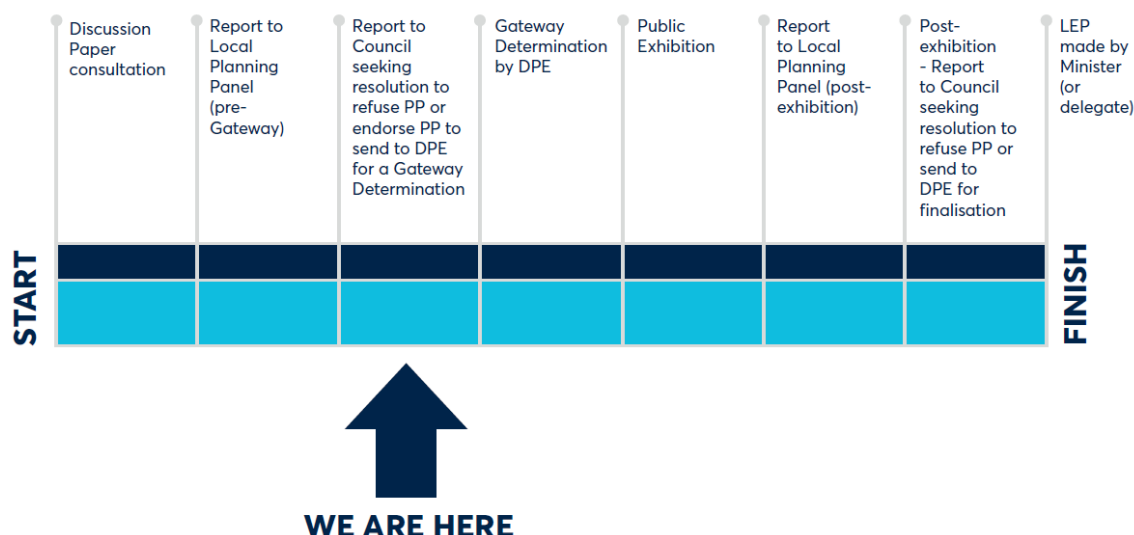
The purpose of this report is to:

- seek Council's endorsement of a Planning Proposal to consolidate the local environmental plans currently applying in the City of Parramatta Local Government Area following the amalgamation process.
- advise on the outcomes of the public exhibition of the *Land Use Planning Harmonisation Discussion Paper*, which has informed the preparation of the Planning Proposal.

RECOMMENDATION

- That** Council endorse the Planning Proposal – Consolidated Parramatta Local Environmental Plan (included at **Attachments 4 and 5**), for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination.
- That** Council note the outcomes of the public exhibition of the Discussion Paper, outlined in the Consultation Report that is included as Appendix 5 to the Planning Proposal.
- That** Council authorises the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the Planning Proposal process.
- Further, that** Council note the Local Planning Panel's advice, provided at **Attachment 6**, except that it includes a recommendation that, post Gateway, there is greater targeted public consultation around the topical matters, including dual occupancy. Given the extensive consultation that has been undertaken to date, the Planning Proposal recommends targeted consultation including notification to those who made a submission on the Discussion Paper or have registered an interest in the project, as well as to landowners affected by a change in zoning, height, FSR or minimum lot size controls.

PLANNING PROPOSAL TIMELINE



BACKGROUND

1. This summary report is supported by a more detailed assessment report included at **Attachment 6** that was provided to the Local Planning Panel at its meeting on 8 October 2019.
2. The objective of this Planning Proposal is to create a single consolidated local environmental plan (LEP) that will replace existing LEPs that apply to land in the City of Parramatta Local Government Area (LGA). This process is primarily an administrative process.
3. This is necessary as a result of changes to council boundaries in May 2016, which resulted in the creation of the new City of Parramatta LGA, from parts of the former Auburn, Holroyd, Hornsby, Parramatta and The Hills council areas. As a result, different LEPs apply to different parts of the LGA:
 - Auburn Local Environmental Plan 2010
 - Holroyd Local Environmental Plan 2013
 - Hornsby Local Environmental Plan 2013
 - Parramatta Local Environmental Plan 2011
 - The Hills Local Environmental Plan 2012

INTENT OF THE PLANNING PROPOSAL

4. The LEP consolidation process is not intended as a comprehensive review of zoning or density provisions. The Planning Proposal does not propose substantive changes to zoning or increases to density controls across the LGA.
5. However, as there are differences between the provisions of existing LEPs, the consolidation process will result in some changes to the planning controls currently applying in certain areas of the LGA. The majority of these changes are considered minor and inconsequential. Changes include:
 - Changes to the land uses permitted in certain areas, as a result of the creation of a common set of land use tables;
 - Changes to floor space ratio, height and minimum lot size controls applying to certain low and medium density residential zoned land, to achieve consistency in the planning controls applying to these zones; and
 - The introduction of floor space ratio controls into residential areas in locations where they are not currently applied.

6. A limited number of changes to land use zones are suggested to reduce complexity and address anomalies and inconsistencies in the local land use planning framework:
 - Consistently zoning all public bushland reserves E2 Environmental Conservation, to recognise their ecological significance, noting that infrastructure such as walking and cycling tracks, seating, picnic tables and associated visitor facilities will still be able to be carried out.
 - Zoning existing places of public worship (PoPW) in the R2 Low Density Residential Zone to SP1 Special Activities, as it is proposed to prohibit new PoPW across the R2 zone. PoPW will still be permitted in all other zones excluding open space, environmental and infrastructure zones.
 - Rezoning certain sites in North Rocks from R3 Medium Density Residential to R2 Low Density Residential to address concerns over the impact of new forms of small lot medium density housing (manor houses) in these areas, which retain a low density character.
 - Rezoning of sites associated with the suggested phasing out of R1 General Residential, RU3 Forestry, E3 Environmental Management and E4 Environmental Living zones, which currently only apply to a very limited number of sites.
7. Council is currently progressing a number of separate planning proposals relating to specific sites in the LGA. These site-specific proposals will continue to be progressed separately to the LEP consolidation process. As site-specific LEP amendments are finalised the respective provisions will be carried over into the new consolidated LEP.
8. A summary of the key changes to planning controls included in the Planning Proposal is included at **Attachment 1** to this report.

DISCUSSION PAPER CONSULTATION

9. To inform the preparation of this Planning Proposal the *Land Use Planning Harmonisation Discussion Paper* was prepared. The Discussion Paper sought community and stakeholder feedback on various options for harmonising controls and achieving the intent of the Planning Proposal.
10. The Discussion Paper was publicly exhibited from 21 January to 4 March 2019.
11. A total of 539 submissions were received. Accounting for identified duplicate submissions, there was a net of approximately 464 submissions.
12. A summary of the submissions received on different issues is included at **Attachment 2**. Further discussion of the feedback received is outlined in a Consultation Report that forms part of the attached Planning Proposal (included at **Attachments 4 and 5**).

FEEDBACK ON PROHIBITION OF DUAL OCCUPANCY DEVELOPMENT

13. The majority of feedback on the Discussion Paper related to the issue of where in R2 Low Density Residential zones dual occupancies should be permitted. The Discussion Paper outlined the following three options:
 - Option 1: Retains current areas where dual occupancies are restricted under current controls, being R2 zoned land under *Hornsby LEP 2013* and *The Hills LEP 2012* and existing Dual Occupancy Prohibition Area under *Parramatta LEP 2011*. Some additional parts of Oatlands and

Winston Hills were also suggested to be included in the prohibition areas.

- Alternative Option 1: Expanded the above prohibition areas to include additional R2 zoned land in Carlingford, Dundas, Eastwood, Epping and Rydalmere where dual occupancies are currently permitted under *Parramatta LEP 2011*.
- Alternative Option 2: Feedback was invited on the potential for having fewer prohibition areas, such as by allowing dual occupancies on land formerly part of the Hornsby or The Hills LGAs.

14. 301 submissions were received in relation to the above options, a majority of these submission were in support of having fewer prohibition areas:

Prohibition area option	Total submissions	% of submissions
Option 1	59	20%
Alternative Option 1	36	12%
Alternative Option 2 (fewer prohibition areas)	196	65%
Other/stance unclear	10	3%
TOTAL	301	100%

15. Most submissions in support of allowing dual occupancies in more locations, were from residents in Epping and Carlingford, with many of these wanting to see dual occupancy development in areas where they are currently prohibited under *Hornsby LEP 2013*.
16. A small number of submissions recommended prohibition areas be extended to other parts of the LGA, including Ermington, Dundas Valley, Oatlands and Melrose Park.
17. Amongst those who supported prohibiting dual occupancies, reasons given included incompatibility with the character of low density areas, on-street parking congestion, loss of trees and gardens and general concerns with overdevelopment.
18. Amongst those in support of dual occupancy development, reasons given included concerns the suggested prohibition areas were unfair and inconsistently applied. There was also concern prohibition would reduce property values and limit housing choice and affordability in the LGA.
19. A full overview of the feedback received on the suggested dual occupancy prohibition areas and officer responses to issues raised is included in the Consultation Report that forms part of the Planning Proposal (included at **Attachments 4 and 5**).

Feedback from Councillors

20. Councillors were briefed on the consultation feedback at a workshop on 15 July 2019. Councillors raised concerns with the impacts of dual occupancies on local areas, particularly in relation to parking and traffic issues and impacts on local character.
21. Concern was also raised with the limitations that the State Government's *Low Rise Medium Density Housing Code* would place on Council's ability to control the impacts of dual occupancy development, were it to come into effect in the LGA. This Code would allow dual occupancies to be built through the

complying development pathway, and such development would not have to comply with local design controls.

22. The feedback received from Councillors has informed the preparation of this Planning Proposal alongside the consultation feedback and further technical analysis.

RECOMMENDED APPROACH TO DUAL OCCUPANCY PROHIBITION

23. While dual occupancies can help contribute to housing supply and diversity, it is important to ensure that development occurs in the right locations.
24. In response to the feedback received, and to provide a consistent basis for identifying appropriate locations for dual occupancies, further detailed analysis was undertaken to map, at a finer grain, the various constraints that exist to dual occupancy development across the LGA.
25. The analysis found that much of the low density residential land in Beecroft, Carlingford, Epping, North Rocks, Northmead, Oatlands and Winston Hills has a high level of constraints to dual occupancy development. There are also pockets of highly constrained land in Eastwood, Dundas, Dundas Valley and in heritage conservation areas.
26. The findings of this detailed analysis are outlined in the Dual Occupancy Constraints Analysis technical paper, included as part of the attached Planning Proposal.

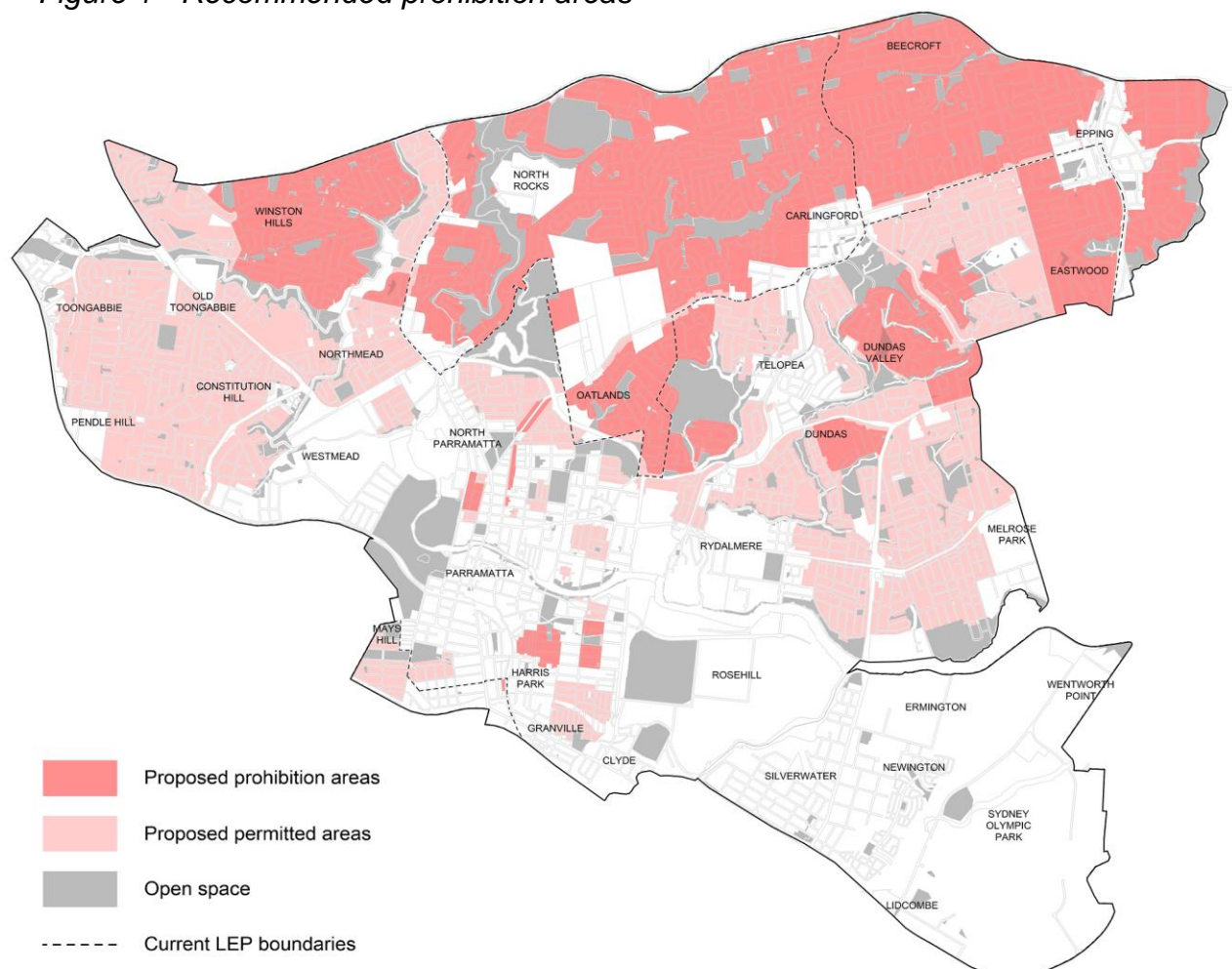
Recommended Dual Occupancy Prohibition Areas

27. Following the outcomes of the technical analysis, it is recommended to continue to prohibit dual occupancies in low density residential areas (R2 zoned land) where they are currently restricted under existing local planning controls, due to the development constraints that exist in these areas. This includes land that was formerly part of Hornsby and The Hills Council areas, with the exception of properties fronting the major road corridors of Carlingford Road, Pennant Hills Road and Windsor Road (which offer more direct access to transport and services and generally do not have the character constraints associated with low density residential areas).
28. It is also recommended to prohibit dual occupancies in parts of Carlingford, Dundas, Dundas Valley and Oatlands and heritage conservation areas where they are currently permitted under *Parramatta LEP 2011*. Introducing prohibition into these locations is considered justified on the basis of the multiple constraints to dual occupancy development that exist in these areas as shown in the technical analysis.
29. This Council officer recommended option for dual occupancy prohibition areas is indicated on the map in Figure 1 below and **Attachment 3** to this report. This option forms the basis of the Planning Proposal at **Attachments 4 and 5**.
30. The officer recommended option (based on the technical analysis) is a variation of the Discussion Paper Option 1 in that it excludes parts of Winston Hills outside of existing Parramatta LEP prohibition areas, but includes additional parts of Dundas, Dundas Valley, Oatlands and heritage conservation areas. Properties fronting Carlingford Road, Pennant Hills Road and Windsor Road are also excluded.
31. The recommended prohibition areas have taken into consideration Ministerial Planning Direction 3.1, which states that Planning Proposals cannot include

provisions that reduce the permissible residential density of land, unless this can be justified through a relevant study or is of minor significance. This means that prohibiting dual occupancy development in areas where it is currently allowed is unlikely to be supported by the State Government without sufficiently strong strategic planning justification, particularly in areas where no restrictions on subdivision apply. On this basis, only the most significantly constrained land outside of the former Hornsby and The Hills council areas is recommended to be included on the prohibition map (based on the technical analysis).

32. The recommended prohibition areas will impact approximately 16,100 R2 zoned properties over 600sqm. Of these lots, only approximately 1,895 represent sites where dual occupancies are currently allowed without any restrictions on subdivision.
33. Under this option, there would remain approximately 9,400 sites over 600sqm in the R2 zone on which dual occupancy development could be built, providing approximately 58 years of dual occupancy housing supply on current take-up rates of approximately 160 sites per year. Further, the draft Local Housing Strategy shows that Council is easily achieving its dwelling targets.

Figure 1 - Recommended prohibition areas



34. In areas where dual occupancy development is proposed to be permitted, it is recommended to restrict them to sites over 600sqm, consistent with the existing planning controls already applying to most of this land. 600sqm is considered the minimum size necessary to achieve satisfactory design and amenity outcomes.

35. To support the above policy, it is proposed to identify sites smaller than 600sqm (where these are located outside of the proposed prohibition areas) on the Dual Occupancy Prohibition Map. Further, it is proposed to include provisions in the LEP that do not allow variations to the minimum lot size requirement under clause 4.6 of the LEP. This approach represents the strictest application of the policy to limit dual occupancy development to sites over 600sqm. Depending on feedback received following the consultation process, an alternative approach could be considered that allows small variations to the minimum lot size (such as up to 2.5% smaller). Such an approach would provide some flexibility in the application of the policy.

Alternative option for prohibition areas

36. As noted above, Alternative Option 1 of the Discussion Paper suggested prohibiting dual occupancies on additional R2 zoned land in Carlingford, Dundas, Eastwood, Epping and Rydalmere in response to concerns over the ongoing impacts of dual occupancies in these areas.
37. Extending the proposed dual occupancy prohibition areas to include all of the additional land identified in Alternative Option 1 would impact approximately 18,735 R2 zoned properties over 600sqm, representing 2,635 more than under the officer recommended option above.
38. This option is illustrated in **Attachment 3** to this report.
39. This option would provide maximum protection to low density residential areas from negative impacts associated with dual occupancy development, particularly in light of the potential introduction of the *Low Rise Medium Density Housing Code*.
40. However, while the constraints analysis identified these additional areas had some pockets of land with constraints, these pockets are considered too small/isolated and/or the constraints not severe enough to justify introducing a prohibition, particularly in light of the Ministerial Direction against reducing currently permissible densities. Consequently, this is not recommended by Council officers as the preferred option. Further, it was not supported by the Local Planning Panel.

FEEDBACK RECEIVED ON OTHER ISSUES

41. There was overall support for most other LEP-related policy suggestions in the Discussion Paper, with the exception of the following suggested policies for which there was not a majority in support:
- Restricting dual occupancy development to attached forms (37% of submissions on this issue were in support).
 - Placing restrictions on the form and subdivision of dual occupancies in heritage conservation areas (48% of submissions on this issue were in support).
 - Increasing the minimum subdivision lot size to 550sqm in residential zones in the former Holroyd area (currently 450sqm) and Hornsby area (currently 500sqm) to match the controls in the former Parramatta LGA (47% of submissions on this issue were in support).
 - Prohibiting tourist and visitor accommodation in IN1 General Industrial zones (41% of submissions on this issue were in support).
 - Prohibiting function centres and registered clubs in IN1 General Industrial zones (27% of submissions on this issue were in support).

- Allowing markets, and some food and drink premises on public open spaces (46% of submissions on this issue were in support).
42. Council officer responses to these issues are provided in the assessment report included at Attachment 6, and further commentary is provided in the Consultation Report that forms part of the Planning Proposal (included at **Attachments 4 and 5**).

CONSULTATION WITH PUBLIC AUTHORITIES

43. Preliminary consultation with relevant public authorities was undertaken as part of the public exhibition of the Discussion Paper.
44. The submissions were generally supportive of the suggestions made in the Discussion Paper in relation to harmonisation of the LEP, though some minor suggestions/concerns were raised. These are summarised in the detailed assessment report included at **Attachment 6**.
45. Council has considered the feedback received from various public authorities in the preparation of this Planning Proposal. It is anticipated that further consultation with public authorities will be undertaken in accordance with the requirements of the Gateway Determination and relevant Ministerial Directions.

LOCAL PLANNING PANEL ADVICE TO COUNCIL

46. The Local Planning Panel considered a detailed assessment report on the Planning Proposal on 8 October 2019.
47. Six residents addressed the Panel at the meeting. Of these, three spoke in support of extending dual occupancy prohibition areas, and three spoke against the recommended prohibition areas.
48. The Panel's subsequent advice to Council is consistent with the Council officer's recommendation, but includes the following two additional recommendations:
- (d) *That the Alternative Option 1, referenced in clause 43 of the report, should not be pursued.*
 - (e) *Further, that post gateway there is greater targeted public consultation around the topical matters, including dual occupancy, to assist residents to understand, in particular, the dual occupancy constraints analysis.*
49. Recommendation (d) of the Panel is consistent with the council officer recommended dual occupancy prohibition areas, which forms the basis of the Planning Proposal at **Attachments 4 and 5**.
50. With regard to recommendation (e) of the Panel, the Planning Proposal will be publicly exhibited following receipt of a Gateway Determination, as outlined in Part 5 of the Planning Proposal and subject to any conditions imposed by the Department of Planning, Industry and Environment (DPIE).
51. The Planning Proposal will be exhibited alongside supporting documents, including the Dual Occupancy Constraints Analysis and Consultation Report, which will assist the community to better understand the reasons for proposals on particular topics.
52. Given the extensive public consultation that occurred on the Land Use Planning Harmonisation Discussion Paper (which included notification of all landowners and a series of nine community drop-in sessions) a more targeted approach to

engagement is outlined in Part 5 of the Planning Proposal. This will include written notification to those who made a submission on the Discussion Paper or have registered an interest in the project, as well as to landowners affected by a change in zoning, height, FSR or minimum lot size controls. This targeted notification will be supported by more general notification activity including newspaper advertisements and use of Council's social media channels.

53. A copy of the report considered by the Local Planning Panel and its advice to Council is provided at **Attachment 6**.

PLAN-MAKING DELEGATIONS

54. Changes to plan-making delegations were announced by the Minister for Planning and Infrastructure in October 2012, allowing Councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
55. Given the Planning Proposal is for a comprehensive LEP and seeks to retain provisions for which the approval of the Governor of NSW is required prior to the making of the plan (*Clause 1.9A Suspension of covenants, agreement and instruments*) Council will not be able to exercise its plan-making delegations for this Planning Proposal, as indicated in DPIE's "A guide to preparing local environmental plans".
56. This means that once the Planning Proposal has received a Gateway determination, undergone public exhibition and been adopted by Council, it will be forwarded to DPIE for finalisation and legal drafting in consultation with the Parliamentary Counsel Office. The consolidated LEP will then be referred to the Minister for Planning and Public Spaces for making.

FINANCIAL IMPLICATION FOR COUNCIL

57. Costs associated with public exhibition activities outlined in Part 5 of the Planning Proposal have been budgeted for within the Land Use Planning Harmonisation Project budget.

CONCLUSIONS AND NEXT STEPS

58. It is recommended that the Planning Proposal proceed to Gateway as it will assist with reducing the complexity in the current land use planning framework applying to the LGA.
59. Should the Council endorse the Planning Proposal provided at **Attachments 4 and 5**, it will be forwarded to the DPIE with a request for a Gateway Determination.
60. Subject to Gateway Determination, the Planning Proposal will then be publicly exhibited.

Michael Carnuccio
Team Leader, Land Use Planning

Roy Laria
Land Use Planning Manager

Jennifer Concato
Executive Director, City Strategy & Development

ATTACHMENTS:

- | | | | |
|---|--------------------------|--|-----------|
| 1 | <u>↓</u> | Summary of key LEP amendments | 12 Pages |
| 2 | <u>↓</u> | Overview of feedback on Land Use Planning Harmonisation Discussion Paper | 6 Pages |
| 3 | <u>↓</u> | Maps of options for dual occupancy prohibition areas | 2 Pages |
| 4 | <u>↓</u> | Planning Proposal - Consolidated Parramatta Local Environmental Plan | 129 Pages |
| 5 | <u>⇒</u> | Appendices to Planning Proposal (provided under separate cover) | 455 Pages |
| 6 | <u>↓</u> | Local Planning Panel Minutes and Report - 8 October 2019 | 38 Pages |

REFERENCE MATERIAL

Attachment 1 - Summary of Key LEP amendments

Dual occupancies

Different LEPs have different policies on dual occupancies, including where they are permitted, lot size requirements and whether subdivision is permitted. Proposals to harmonise LEP controls include:

Issue	Proposal	Extent of change	Justification
<i>Where in the R2 Low Density Residential zone to permit dual occupancies.</i>	Prohibit dual occupancies in low density areas identified on a Dual Occupancy Prohibition Map, which are locations where dual occupancy development is not considered appropriate, based on a detailed constraints analysis. This is a continuation of the policy approach taken in <i>Parramatta LEP 2011</i> .	Proposed prohibition areas include locations where they are currently prohibited under Parramatta LEP and on R2 zoned land transferred from the former Hornsby council area (where they are currently prohibited) and The Hills council area (where subdivision of dual occupancy is prohibited). Some parts of Oatlands and Winston Hills where dual occupancies are currently permitted are also suggested to be included in the prohibition areas to create consistent and logical boundaries. Prohibit dual occupancy development in heritage conservation areas, with the exception of the South Parramatta Conservation Area.	It is important to ensure that dual development occupancy development occurs in the right locations. The proposed dual occupancy prohibition areas have been informed by a detailed analysis of constraints that has identified areas where dual occupancy development could have ongoing and cumulative negative impacts on local amenity and character. The analysis is included <i>Appendix 6</i> of the Planning Proposal.
<i>Permitting dual occupancies in R3 and R4 zones.</i>	Permit dual occupancies across the R3 Medium Density Residential zone and R4 High Density Residential zone.	Dual occupancies are not currently permitted in the R3 or R4 zone under <i>Hornsby LEP 2013</i> . Not currently permitted in the R4 zone under <i>Auburn LEP 2010</i> or <i>Holroyd LEP 2013</i> .	To increase the range of housing types permitted in these areas.
<i>Restrictions on the type of dual occupancies.</i>	Limit dual occupancy development to attached forms, except on heritage items or sites with more than one street frontage.	Maintains the approach taken under the <i>Parramatta LEP 2011</i> .	The intent of this provision is to achieve better design and amenity outcomes from dual occupancy development, including ensuring both homes face a public street and have a street address.

Issue	Proposal	Extent of change	Justification
<i>Minimum lot size requirement.</i>	Dual occupancies not permitted on sites less than 600sqm. It is proposed to include provisions in the LEP that do not allow variations to the minimum lot size.	Consistent with <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> requirements for attached dual occupancies. Smaller MLS controls currently apply to land in the former Holroyd and Auburn council areas.	This is considered the minimum site area required to achieve a good level of amenity, landscaping, private open space and appropriate setbacks.
<i>Subdivision of dual occupancies.</i>	Where dual occupancies are permitted, allow them to be subdivided.	<i>The Hills LEP 2012</i> does not permit subdivision of dual occupancies. <i>Auburn LEP 2010</i> also places restrictions.	Prohibiting subdivisions acts as a barrier to delivery of dwellings.

Further information on proposed LEP provisions are outlined in Part 2 of the Planning Proposal.

Harmonising the list of land uses permitted in each zone

There are inconsistencies across LEPs relating to the land uses that are permitted in the same zone. These need to be harmonised to create a common set for the whole LGA. Key changes proposed include:

Issue	Proposal	Extent of change	Justification
<i>R2 Low Density Residential zone</i>	Prohibit indoor recreation facilities.	Only <i>Parramatta LEP 2011</i> currently permits this use in the R2 zone.	It is considered that this land use is not appropriate within low density residential areas due to concerns over amenity impacts.
	Prohibit places of public worship. Apply SP1- Special Uses zone to existing lawful places of public worship.	Only <i>Parramatta LEP 2011</i> prohibits this land use in the R2 zone.	Due to concerns over amenity impacts of these uses within low density residential areas. Existing lawful places of public worship will be protected by rezoning to SP1 – Special Activities so as not to rely on the existing uses provisions of the <i>Environmental Planning and Assessment Act 1979</i> . PoPW will still be permitted in all other zones excluding open space, environmental and infrastructure zones.

Issue	Proposal	Extent of change	Justification
	Permit neighbourhood shops.	This is the approach under <i>Parramatta LEP 2011</i> , which will be extended to the rest of the R2 zoned land in the LGA.	These will be limited to 80sqm and will service the day-to-day convenience needs of residents.
<i>R3 medium Density Residential zone</i>	Permit indoor recreation facilities.	Only <i>The Hills 2012 LEP</i> prohibits this use on the R3 zone. All other LEPs permit.	Allows for provision of recreation facilities close to population centres and transport.
	Prohibit residential flat buildings.	Only <i>Hornsby LEP 2013</i> permits RFBs in the R3 zone. All other LEPs prohibit.	Will help distinguish the R3 and R4 zones and support housing diversity.
<i>R4 High Density Residential zone</i>	Permit indoor recreation facilities.	Extends the approach taken by majority LEPs to R4 zoned land in the former Holroyd and The Hills council areas.	Allows for provision of recreation facilities close to population centres and transport.
<i>B1 Neighbourhood Centre zone</i>	Permit residential flat buildings (RFBs), but require non-residential uses to be provided on the ground floor.	RFBs are currently permitted in the B1 zone under <i>Auburn LEP 2010</i> and <i>Hornsby LEP 2013</i> but no requirement exists to provide ground floor non-residential uses.	Will allow for a broader range of non-residential uses under housing than otherwise permitted under the 'shop top housing' definition, including medical centres and community facilities.
	Prohibit tourist and visitor accommodation, except bed and breakfast accommodation which will be limited to 3 bedrooms.	Only <i>Auburn LEP 2010</i> allows a broad range of tourist and visitor accommodation in the B1 zone. <i>Parramatta LEP 2011</i> only permits bed and breakfast accommodation.	To limit the potential for amenity and traffic impacts on surrounding low density residential areas.
	Permit office premises.	Extends the approach taken by <i>Auburn LEP 2010</i> and <i>Parramatta LEP 2011</i> to the rest of the LGA.	To allow for space for small businesses within this zone.
	Prohibit pubs.	Only <i>Auburn LEP 2010</i> permits pubs in the B1 zone.	To limit the potential for amenity and traffic impacts on surrounding low density residential areas.
<i>B2 Local Centre zone</i>	Permit Residential Flat Buildings (RFBs), but require non-residential uses to be provided on the ground floor.	RFBs are currently permitted in the B2 zone under <i>Auburn LEP 2010</i> and <i>The Hills LEP 2012</i> but no requirement exists	Will allow for a broader range of non-residential uses under housing than if only 'shop-top housing' was permitted,

Issue	Proposal	Extent of change	Justification
		to provide ground floor non-residential uses.	such as medical centres and recreation facilities.
<i>B3 Commercial Core zone</i>	No changes proposed.	Nil	This zone only applies to land in the Parramatta CBD under <i>Parramatta LEP 2011</i> .
<i>B4 Mixed Use zone</i>	No changes proposed.	Nil	This zone only applies to land under <i>Parramatta LEP 2011</i> .
<i>B5 Business Development zone</i>	Prohibit residential accommodation.	<i>Hornsby LEP 2013</i> permits group homes and shop top housing in this zone. All other LEPs prohibit all forms of residential accommodation.	Not considered appropriate in this zone where the focus is on business uses.
	Permit tourist and visitor accommodation.	Extends the approach taken by <i>Parramatta LEP 2011</i> to the rest of the LGA.	To provide opportunity for short-stay accommodation close to centres and transport corridors.
<i>B6 Enterprise Corridor zone</i>	Prohibit residential accommodation.	<i>Holroyd LEP 2013</i> permits a range of residential accommodation in this zone. Other LEPs do not.	Not considered appropriate in this zone where the focus is on business uses.
	Permit tourist and visitor accommodation.	Extends the approach taken by <i>Holroyd LEP 2013</i> and <i>Parramatta LEP 2011</i> to all B6 zoned land in the LGA.	To provide opportunity for short-stay accommodation close to centres and transport corridors.
<i>B7 Business Park zone</i>	No changes proposed.	Nil	This zone only applies to land formerly in the Auburn LGA.
<i>IN1 General Industrial zone</i>	Prohibit child care centres.	Extends the approach taken by <i>Auburn LEP 2010</i> to other IN1 zoned land in the LGA.	Due to concerns that these areas provide a poor quality environment for these uses and could lead to land use conflicts in the future.
	Prohibit tourist and visitor accommodation.	Extends the approach taken by <i>Auburn LEP 2010</i> and <i>Parramatta LEP 2011</i> to all IN1 zoned land in the LGA.	These areas tend to be located away from town centres and major tourist attractors and could reduce land available for industrial uses.

Issue	Proposal	Extent of change	Justification
	Prohibit function centres.	Extends the approach taken by <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to all IN1 zoned land in the LGA.	Potential for loss of industrial land, these uses do not tend to service the daily needs of the workers.
	Permit registered clubs.	Extends the approach taken by <i>The Hills LEP 2012</i> to all IN1 zoned land in the LGA.	Can service workers and support a range of activities and land uses which are permitted in the zone, including indoor/outdoor recreation facilities and pubs.
	Permit food and drink premises.	Extends the approach taken by <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to all IN1 zoned land in the LGA.	To provide small scale services to workers.
<i>IN2 Light Industrial zone</i>	Prohibit child care centres.	Applies the approach taken for IN1 zoned land to all IN2 zoned land in the LGA.	Due to concerns that these areas provide a poor quality environment for these uses and could lead to land use conflicts in the future.
<i>IN3 Heavy Industrial zone</i>	Prohibit artisan food and drink industry.	Amends the land use table for the IN3 Heavy Industrial zone under <i>Parramatta LEP 2011</i> .	<p>This zone only applies to land in the former Parramatta LGA.</p> <p><i>Artisan food and drink industry</i> land use definition introduced by the NSW State Government as part of changes to the light industry group term of the Standard Instrument LEP.</p> <p>It is not considered appropriate for this land use within this zone due to potential conflicts with heavy industrial land uses such as hazardous industries.</p>
<i>RE1 Public Recreation zone</i>	Prohibit child care centres, except on specific identified sites.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE1 zoned land in the LGA.	Due to concerns over loss of, and public access to, open space.

Issue	Proposal	Extent of change	Justification
	Permit restaurants, cafes, take-away food and drink premises, and markets.	Extends the approach taken by <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to all RE1 zoned land in the LGA.	These uses enhance the use and enjoyment of open spaces by the public. These uses can be temporary or be limited in size to reduce the amount of open space they occupy.
<i>RE2 Private Recreation zone</i>	Permit restaurants, cafes, take-away food and drink premises, and markets.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE2 zoned land in the LGA.	These uses can complement recreational, leisure activities and further enhance the use and enjoyment of private recreation land.
	Permit entertainment facilities, function centres and registered clubs and all types of tourist and visitor accommodation.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE2 zoned land in the LGA.	
	Permit centre based child care facilities.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE2 zoned land in the LGA.	Supports a range of activities and land uses which are permitted in the zone that can service workers and the locality.
<i>E2 Environmental Conservation zone</i>	No changes proposed.	Nil	Consistent across all LEPs where the E2 zone applies.
<i>SP1 Special Activities zone</i>	No changes proposed.	Nil	Consistent across all LEPs where the SP1 zone applies.
<i>SP2 Infrastructure zone</i>	Prohibit all commercial premises, kiosks and markets.	Applies approach taken by most LEPs to land zoned SP2 under <i>Auburn LEP 2010</i> .	Not consistent with <i>LEP practice note Zoning for infrastructure in LEPs</i> which does not identify commercial premises, kiosks and markets as infrastructure land uses under the SP2 Infrastructure zone. These land uses are still permitted within business zones and recommended on open space and recreation zones.

Issue	Proposal	Extent of change	Justification
	Prohibit advertising structures.	Applies approach taken by most LEPs to land zoned SP2 under the former <i>Auburn LEP 2010</i> .	Advertising structures that are not related to the specific use are not considered appropriate due to the potential for visual impacts.
<i>W1 Natural Waterways zone</i>	Prohibit building and business identification signage.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all land zoned W1 in the LGA. Other forms of signage already prohibited across this zone.	Signage is generally not considered appropriate in this zone, outside that allowed on public reserves under the <i>Infrastructure SEPP</i> .
<i>W2 Recreational Waterways zone</i>	No changes proposed.	Nil.	This zone only applies to land in the former Parramatta LGA.
<i>Advertising signage</i>	Prohibit general advertising structures (such as billboards) in all zones.	Prohibition would apply across all zones. However, business or premises identification signage and signage on Council owned or managed bus shelters would continue to be permitted.	Due to concerns over visual impacts of standalone advertising structures.
<i>Temporary events</i>	Identify markets and other temporary events on land owned or managed by Council as 'exempt development' under the LEP. A limit of up to 52 days in a 12 month period will apply.	Only <i>Holroyd LEP 2013</i> and <i>The Hills LEP 2012</i> permit up to 52 days. Extends these approaches to the rest of the LGA.	To streamline approval process for event organisers and community groups. A longer time period will facilitate tourism and economic growth in the LGA.

Further information on the differences between LEPs, and proposals to harmonise the lists of permitted land uses, are provided in Appendix 3 of the Planning Proposal.

Changes to height, floor space ratio and minimum lot size controls

The following changes are proposed to bring a consistent policy approach across the LGA.

Issue	Proposal	Extent of change	Justification
<i>R2 Low Density Residential zones</i>	Increase height limit from 8.5 metres to 9 metres on R2 zoned land formerly part of the Hornsby LGA, to be consistent with the rest of the LGA.	Only <i>Hornsby LEP 2013</i> applies a height limit of 8.5 metres to R2 zoned land. All other LEPs allow up to 9 metres.	To provide a consistent approach to all R2 zoned land in the LGA. The additional 50cm would not have a significant impact on the appearance of houses and will allow houses to better respond to topography.
	Apply an FSR of 0.5:1 to R2 zoned land formerly part of The Hills and Hornsby LGAs, to be consistent with the rest of the LGA.	<i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i> do not apply an FSR control to R2 zoned land.	To provide a consistent approach across all R2 zoned land in the LGA. Applying an FSR control of 0.5:1 to R2 zoned land will help maintain the low density character of these neighbourhoods.
<i>R3 Medium Density Residential zones</i>	Reduce height limits to a maximum of 9 metres on R3 zoned land across the LGA.	Extends the approach taken under <i>Auburn LEP 2010</i> and <i>The Hills LEP 2012</i> to land under <i>Parramatta LEP 2011</i> (where a HOB of up to 11 metres is applied) and <i>Hornsby LEP 2013</i> (where a HOB of up to 12 metres is applied in conjunction with RFBs being permitted). Where a HOB of less than 9 metres currently applies, these will remain unchanged.	To provide a consistent approach to medium density areas. The intent of this change is to achieve better design outcomes on medium density housing sites, and not to reduce the permissible development capacity. This will still allow for dwellings to incorporate approximately 2 storeys of accommodation and is compatible with the proposal to prohibit RFBs in the R3 zone.
	Apply a consistent FSR of 0.6:1 to the R3 zone (with the exception of Newington, which will retain its current FSR of 0.75:1).	Extends the approach taken under <i>Parramatta LEP 2011</i> to land under <i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i> , where no FSR is currently applied. Any existing site specific FSR control below 0.6:1 will not be changed as these controls reflect the unique constraints of those sites.	To ensure that the FSR is compatible with the proposed height limit of 9 metres and a consistent approach is taken across the LGA. The suburb of Newington is built out and retains a distinct density and subdivision pattern compared to other R3 zoned areas.

Issue	Proposal	Extent of change	Justification
<i>R4 High Density Residential zones (including land currently zoned R1 General Residential)</i>	Retain existing height and FSR controls applying to sites in the R4 High Density Residential and R1 General Residential zones and apply an FSR where none currently applies. Note. Land currently zoned R1 is proposed to be rezoned (refer below).	Applies an FSR to R4 zoned sites in the former The Hills and Hornsby LGAs where one is not currently applied. FSR will be matched to any existing height control.	Applying an FSR control to sites where none currently exists, matched to the height control, will provide greater certainty to landowners and the community in relation to potential built forms on these sites.
<i>Minimum lot size controls</i>	Apply a consistent minimum subdivision lot size of 550sqm to residential zones and 670sqm for battle-axe lots. Except on R2 zoned land in the former The Hills LGA, where this will remain at 700sqm to reflect its established large lot character.	Extends the approach taken under <i>Parramatta LEP 2011</i> to R2 zoned land formerly part of the Hornsby and Holroyd LGAs. No changes proposed to land under <i>The Hills LEP 2012</i> .	To preserve the existing character of these areas. Applying these minimum lot size provisions will control how small a site can be subdivided to reflect the existing density and character of an area.
	Remove minimum lot size requirements for multi-dwelling housing and residential flat buildings.	Only <i>The Hills LEP 2012</i> applies minimum lot size requirements to develop multi-dwelling housing (1,800sqm) and RFBs (4,000sqm).	This will ensure consistency with other parts of the LGA where no such provisions apply. Other site factors, such as width of sites, are more critical determinants of good design outcomes.
	Apply a minimum lot size requirement of 600sqm for Manor Houses (two storey buildings with 3 or 4 apartments) in the LEP to control this form of development.	No current LEP provision for this form of residential accommodation for the LGA. To be introduced as the result of changes to the <i>Exempt and Complying Development Codes SEPP</i> which will permit manor houses in R3 and R4 zones once it comes into force in the LGA.	It is considered that 600sqm is the minimum size necessary for this form of development to achieve a good level of amenity, landscaping, private open space and appropriate setbacks.

Further information on proposed changes to LEP development controls for residential zones are outlined in Part 2 of the Planning Proposal.

Environmental sustainability

There are inconsistencies across LEPs in the approach to protecting important natural assets and managing natural hazards such as flooding. Proposals for harmonising the approach includes:

Issue	Proposal	Extent of change	Justification
<i>Biodiversity</i>	Rezone public bushland reserves to E2 Environmental Conservation, consistent with the rest of the LGA, to recognise their ecological significance.	Extends the approach taken under <i>Parramatta LEP 2011</i> to all public bushland reserves in the LGA.	The E2 zone is considered the most appropriate and provides the highest level of protection for important public bushland reserves and is consistent with Council's obligations under biodiversity conservation legislation.
	Map significant vegetation on privately owned land on a LEP Biodiversity Map to ensure the impacts of development are appropriately considered and managed.	All LEPs, except <i>Auburn LEP 2010</i> , include a Biodiversity Map, however only <i>Parramatta LEP 2011</i> and <i>Hornsby LEP 2013</i> identify sites within the LGA and there are additional sites that should be mapped.	Provides clarity on sites where additional considerations may be needed to address potential environmental impacts on biodiversity consistent with biodiversity conservation legislation.
<i>Natural waterways</i>	Consistently zone all natural waterways corridors on public land W1 Natural Waterways. Map all natural creek corridors on private land in the LEP on a Riparian Land and Waterways Map to ensure impacts of development are appropriately considered and managed.	Extends the approach taken under the <i>Parramatta LEP 2011</i> and <i>Auburn LEP 2010</i> to waterways across the LGA.	The W1 zone provides better protection of ecology and water quality while allowing for compatible recreational uses. Mapping riparian corridors will ensure potential environmental impacts of development are addressed.

Further information on proposed policies and controls for environmental sustainability are outlined in Part 2 of the Planning Proposal.

Design controls

There are differences across LEPs policies relating to design excellence including where and when they are applied. Proposals to harmonise controls include:

Issue	Proposal	Extent of change	Justification
<i>LEP Design Excellence requirements</i>	Adopt precinct-based approach for design excellence provisions in the LEP.	Extend the approach taken by the <i>Holroyd LEP 2013</i> , <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to the rest of the LGA.	A precinct-based approach will allow design excellence requirements to be targeted and tailored to specific locations.

Issue	Proposal	Extent of change	Justification
	Not adopt LEP provisions requiring referral to a Design Excellence Advisory Panel.	Currently only the <i>Holroyd LEP 2013</i> and <i>The Hills LEP 2012</i> include provisions requiring referrals to a Design Excellence Advisory Panel.	Council will continue to operate DEAP to facilitate design excellence in developments where a design competition is not required. A reference to DEAP in the LEP is not considered necessary at this stage as Council's process has been working effectively to date.

Further information on proposals for design controls are outlined in Part 2 of the Planning Proposal.

Harmonising zoning

The following changes to LEP zones are proposed to reduce complexity and address anomalies in the land use planning framework across the LGA:

Issue	Proposal	Extent of change	Justification
<i>Zones that will not be included in the consolidated LEP</i>	Not adopt the R1 General Residential Zone. These sites will be rezoned to a combination of R4 and R3 to reflect existing built form or approved development.	This zone applies to a limited number of sites under the provisions of <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> .	In order provide more certainty as to the desired mix of housing forms and density in these areas.
	Not adopt the RU3 Forestry Zone. This site will be rezoned to SP1 Special Activities.	This zone applies to one site under the provisions of <i>The Hills LEP 2012</i> . The site is used by the North Rocks Rural Fire Service.	The RU3 zone is not considered appropriate given the urban context of the site.
	Not adopt the E3 Environmental Management Zone. This site will be rezoned to E2 Environmental Conservation.	This zone applies to one site under the provisions of <i>Parramatta LEP 2011</i> .	The E2 zone is considered the most appropriate for this site which contains important bushland.
	Not adopt the E4 Environmental Living Zone. <ul style="list-style-type: none"> Land at 11-13 Pye Avenue, Northmead will be rezoned to R2 Low Density Residential. Bushland off Murray Farm Road, Carlingford will be rezoned to E2 Environmental Conservation. 	This zone applies to two sites under the provisions of <i>The Hills LEP 2012</i> .	It is considered that the application of the E4 zone to these sites is not appropriate given their characteristics. <ul style="list-style-type: none"> 11-13 Pye Avenue, Northmead was developed for housing in 2001 and does not contain any substantial bushland to warrant the current

Issue	Proposal	Extent of change	Justification
			<p>zoning. An R2 zone is consistent with the adjoining R2 zoned land.</p> <ul style="list-style-type: none"> ▪ The bushland off Murray Farm Road, Carlingford contains substantial native vegetation and is not considered appropriate for housing development.
<i>Changes to specific sites</i>	Rezone existing lawful places of public worship (PoPW) within the R2 Low Density Residential zone to SP1 Special Activities.	Extends the approach taken by <i>Parramatta LEP 2011</i> for the R2 zone to the rest of the LGA. This is associated with the proposal to consistently prohibit PoPW in the R2 zone.	The application of the SP1 zone formalises any existing PoPW in the R2 zone and limits the need to rely on existing use provisions of the <i>Environmental Planning and Assessment Act 1979</i> .
	<p>Rezone the following sites in North Rocks from R3 Medium Density Residential to R2 Low Density Residential</p> <ul style="list-style-type: none"> ▪ Properties at 2-4 Speers Road and 1-8 Jean Street, North Rocks ▪ Properties fronting Lawndale Avenue, Riviera Avenue and 327-353 North Rocks Road, North Rocks 	Only applies to certain land zoned R3 under the provisions of <i>The Hills LEP 2012</i> .	In order to address concerns with the impact of new forms of small lot medium density housing (manor houses) on the established character of these areas, which is predominantly low density in nature.

Further information on proposals for rationalising of zones is outlined in Part 2 of the Planning Proposal.

Attachment 2 - Overview of feedback on Land Use Planning Harmonisation Discussion Paper

The table below provides a high level overview of the feedback received on the Land Use Planning Harmonisation Discussion Paper, and the officer recommendation in response to the feedback received. A full discussion of the feedback received, officer responses to issues raised and reasons for the policy recommendations is included in the Consultation Report that forms part of the planning proposal for the consolidated LEP.

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Dual occupancies					
<i>Permit dual occupancies in R2 zones, except in identified prohibition areas, including land in the former Hornsby and The Hills council areas.</i>	301	Option 1: 20% Option 2: 12%	65%	3%	It is recommended to continue to prohibit dual occupancies in low density areas (R2 zones) where they are currently restricted under existing local planning controls, due to the development constraints that exist in these areas. This includes land that was formerly part of Hornsby and The Hills council areas. It is also recommended to extend prohibition areas to additional low density areas where significant development constraints exist. This includes parts of Carlingford, Dundas, Dundas Valley and Oatlands and heritage conservation areas. This is based on a detailed constraints analysis.
<i>Permit dual occupancies in R3 & R4 zones.</i>	15	80%	20%	-	It is recommended to allow dual occupancies on all land in the R3 and R4 zones to increase the range of housing types allowed in these areas.
<i>Minimum lot size of 600sqm.</i>	170	85%	12%	2%	It is recommended to only allow dual occupancy development on sites with an area of at least 600sqm to ensure good design and amenity outcomes.
<i>Restrict dual occupancy development to attached forms only.</i>	160	37%	59%	6%	It is recommended to retain the restriction on detached forms of dual occupancy to ensure good design and amenity outcomes.
<i>Allow subdivision of dual occupancy development.</i>	170	92%	7%	1%	It is recommended to allow the subdivision of dual occupancies, on sites where they are permitted under the local environmental plan.
<i>Restrict form and subdivision of dual occupancies in heritage conservation areas.</i>	156	48%	27%	25%	It is recommended to prohibit dual occupancy development in low density heritage conservation areas, to maintain the special character of these areas. The exception is the South Parramatta Conservation Area, where the current precinct specific controls will be retained.
<i>Limit subdivision of dual occupancies in heritage conservation areas.</i>	160	44%	31%	25%	
<i>15m minimum site frontage requirement.</i>	164	71%	15%	15%	It is recommended to include a requirement in the local environmental plan that the primary street frontage of a site needs to be at least 15 metres wide in order to build a dual occupancy to ensure good design outcomes.
<i>Other design controls for dual occupancies.</i>	Approx. 158	Mixed feedback was received on different design controls.			Feedback will be considered as part of drafting of the consolidated Development Control Plan

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Low density residential zones					
Apply a consistent 9m height limit to R2 zoned land.	37	73%	24%	3%	It is recommended to adopt a uniform maximum height control of 9 metres across the R2 zone and apply an FSR of 0.5:1 to areas that do not currently have one. This will bring consistency and certainty to the scale of development expected in low density residential areas.
Apply a consistent FSR of 0.5:1 to R2 zoned land.	33	73%	24%	3%	
Apply a minimum subdivision lot size of 700sqm to R2 zoned land in former The Hills LGA.	35	51%	46%	3%	It is recommended to adopt a minimum subdivision lot size of 550sqm across the LGA, except in certain low density areas in the former The Hills council area, where it is recommended to retain the current 700sqm MLS requirement. These controls will assist with tree retention and achieving better design and amenity outcomes, such as by allowing for adequate setbacks, landscaping and deep soil zones.
Apply minimum subdivision lot size of 550sqm all other residential zones.	36	47%	50%	3%	
Prohibit places of public worship in the R2 zone.	37	68%	24%	8%	It is recommended to prohibit places of public worship and indoor recreation facilities in all R2 Low Density Residential zones due to concerns over amenity impacts of these uses in low density residential areas. Existing lawful places of public worship will be protected by rezoning them to a Special Activities zone. Places of public worship will still be permitted in all other zones excluding open space, environmental and infrastructure zones.
Prohibit indoor recreation facilities in the R2 zone.	45	80%	18%	2%	
Design controls for detached housing in the R2 zones.	Approx. 32	Mixed feedback was received on different design controls.			Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Issue: Medium and high density residential zones					
Apply a consistent 9m height limit to R3 zoned land.	20	70%	30%	-	It is recommended to reduce the maximum building height applying to R3 zoned land to 9m, where existing controls are currently higher than this. This will help provide better design outcomes and help to maintain the medium density scale of development in the R3 zone.
Apply a FSR of 0.6:1 across all R3 zoned land (0.75:1 in Newington).	16	50%	38%	12%	It is recommended to reduce the floor space ratio applying to R3 zoned land at Silverwater from 0.75:1 to 0.6:1 and to apply an FSR of 0.6:1 to other R3 zoned land where an FSR is not currently applied. This will apply a consistent FSR across R3 zoned land. Newington will retain its existing FSR of 0.75:1, reflecting its existing higher density form of development.
Not apply a minimum site area requirement for medium density housing, except a 600sqm requirement for manor houses.	14	50%	36%	14%	It is recommended to introduce a minimum lot size control of 600sqm for manor houses to assist with achieving good design outcomes for this new class of development. Minimum lot size controls are not considered as an effective control for other forms of medium density housing.

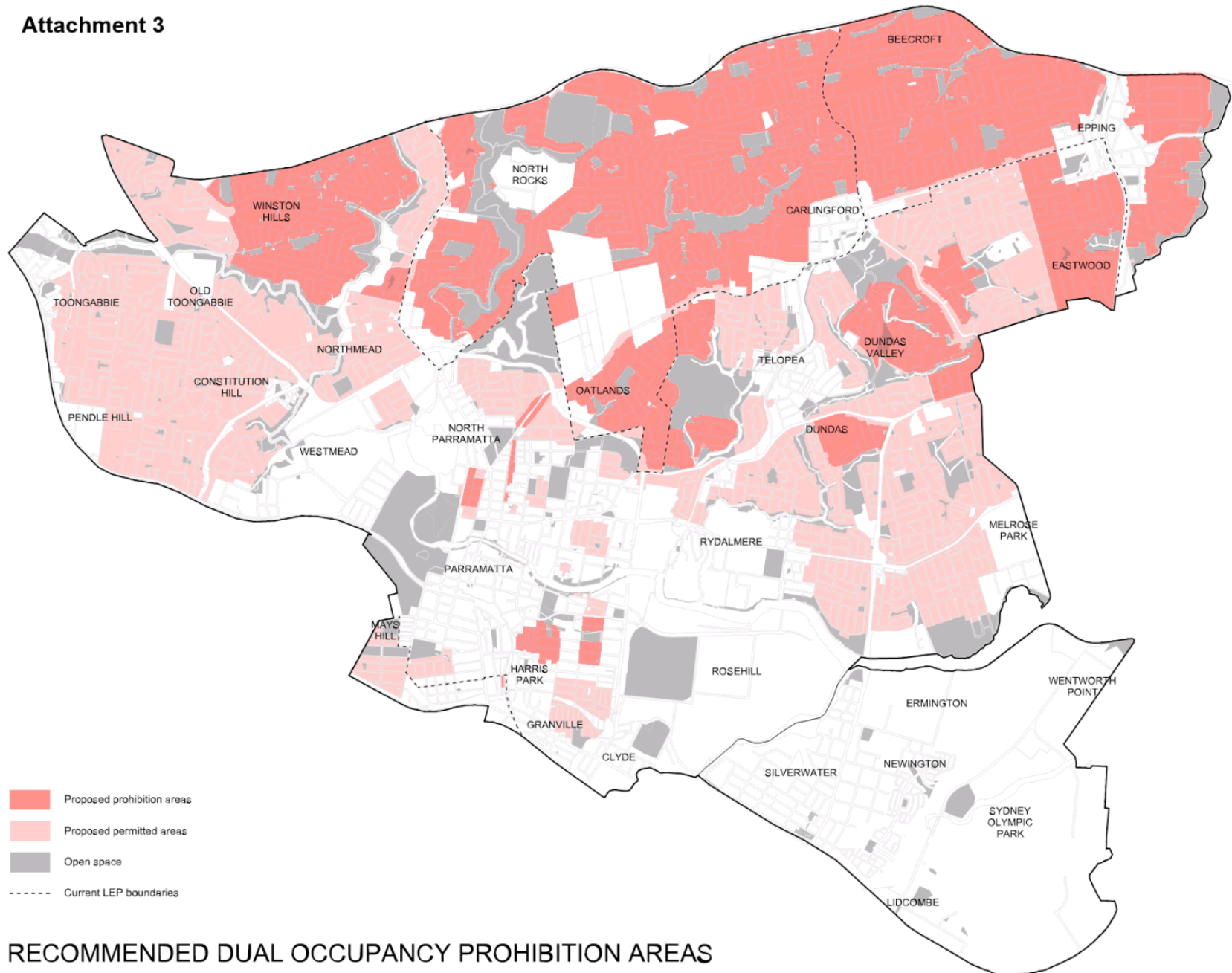
Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Rezoning of approximately 68 properties in North Rocks from R3 to R2.	4	50%	50%	-	It is recommended to proceed with the rezoning of the subject sites from R3 Medium Density Residential to R2 Low Density Residential, as outlined in the Discussion Paper. These sites are not considered suitable for medium density housing forms.
Retain existing height and FSR controls for R4 zoned land.	15	53%	40%	7%	It is recommended to progress the proposed height and FSR options for R4 zoned land as outlined in the Discussion Paper; being to retain existing height and FSR controls where these exist and apply new FSR controls, matched to current height limits, to sites that do not currently have one applied. This will provide more certainty as to the scale of development expected on a site.
Apply an FSR control, matched to existing height limit, to R4 zoned sites that don't currently have one.	15	60%	20%	20%	
Not apply a minimum site area requirement to residential flat buildings.	15	40%	47%	13%	It is recommended to not apply a minimum lot size control to residential flat buildings as other site factors are considered more critical for achieving good design outcomes.
Prohibit residential flat buildings in the R3 zone.	20	65%	35%	-	It is recommended to prohibit apartments in the R3 zone to support more diverse forms of housing, such as townhouses, villas and terraces.
Allow indoor recreation facilities in the R3 zone.	14	64%	36%	-	It is recommended to allow indoor recreation facilities in the R3 and R4 zones to provide opportunity for these facilities to locate close to concentrations of homes.
Allow indoor recreation facilities in the R4 zone.	15	73%	20%	7%	
Design controls for medium and high density housing.	15	Mixed feedback was received on different design controls.			Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Local and neighbourhood centres					
Only allow shop top housing above shops and business premises in B1 and B2 zones.	19	53%	42%	5%	It is recommended to allow residential flat buildings in the B1 and B2 zones, but only where space is provided at the ground floor for business, community and other non-residential uses. This will allow a greater range of ground floor activities to be provided than if only shop top housing was allowed.
Prohibit tourist and visitor accommodation in B1 zones.	14	79%	14%	7%	It is recommended tourist and visitor accommodation is prohibited in the B1 zone, with the exception of small bed and breakfasts, to protect surrounding low density neighbourhoods from potential amenity impacts.

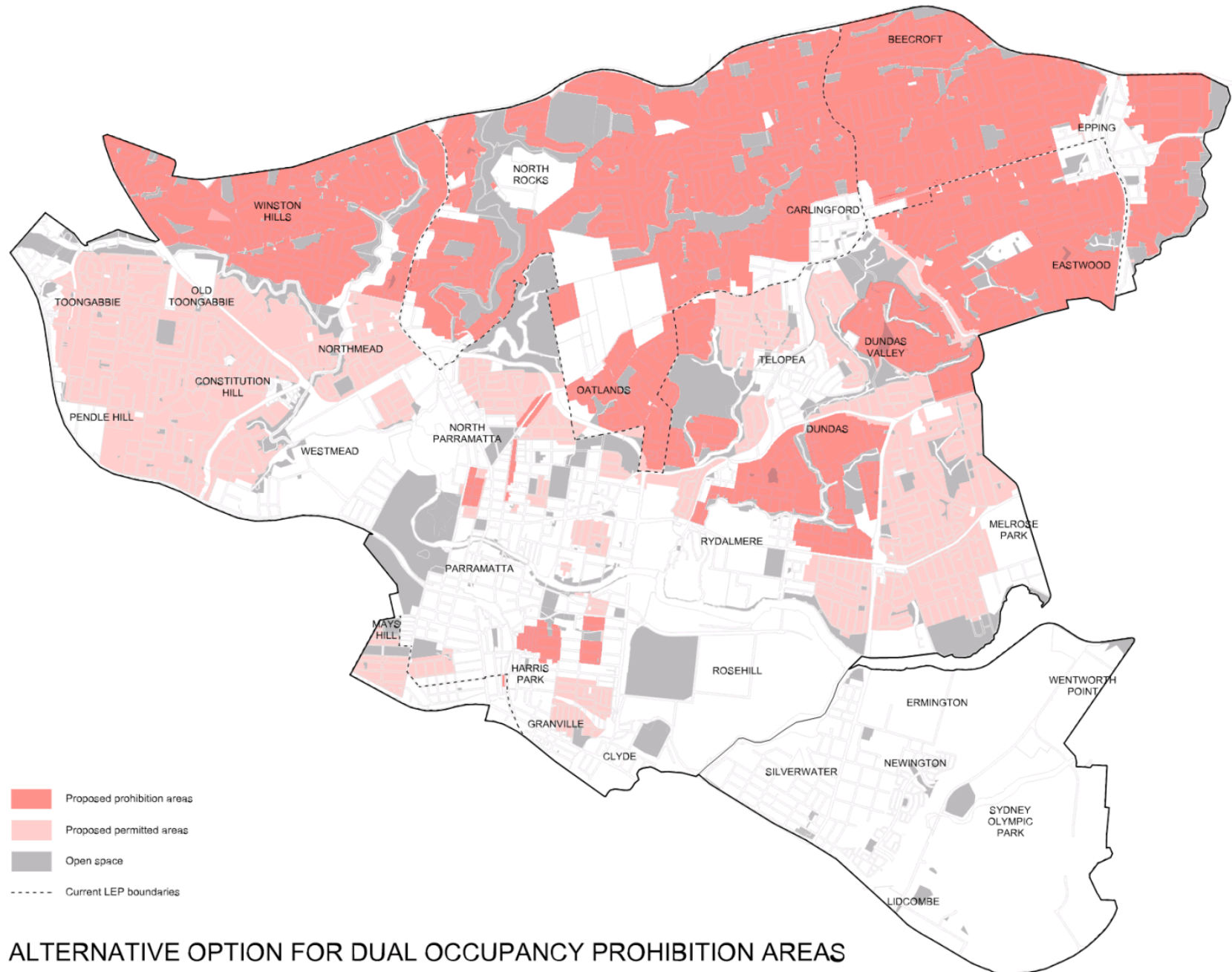
Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Industrial zones					
<i>Prohibit childcare centres.</i>	25	56%	40%	4%	It is recommended to prohibit childcare centres in all industrial zones as these are not considered suitable locations for these uses.
<i>Prohibit tourist and visitor accommodation.</i>	17	41%	41%	18%	It is recommended to prohibit tourist and visitor accommodation in the IN1 zone as these are not considered suitable locations for these uses.
<i>Allow food and drink premises.</i>	16	62%	19%	19%	It is recommended to allow food and drink premises in the IN1 zone to provide services for workers.
<i>Prohibit function centres and registered clubs.</i>	15	27%	53%	20%	It is recommended to prohibit function centres in the IN1 zone, but to permit registered clubs to provide services for workers.
Open space zones					
<i>Prohibit child care centres (except on specific sites).</i>	24	63%	30%	7%	It is recommended to prohibit new centre-based child care facilities in the RE1 zone as they result in a loss of public access to open space.
<i>Allow markets and certain food and drink outlets.</i>	24	46%	54%	-	It is recommended to permit markets, restaurants, cafes, and take away food and drink premises in the RE1 zone as these uses, when suitably designed, enhance the use and enjoyment of open spaces by the public.
Advertising signage					
<i>Prohibit general advertising signage.</i>	21	90%	5%	5%	It is recommended to prohibit advertising structures across all zones due to their visual impact. It is recommended to permit advertising on bus shelters owned or managed by council. Business identification signage will still be permitted.
Temporary uses of land					
<i>Permit temporary uses of land for a maximum of 52 days in a 12 month period.</i>	19	63%	37%	-	It is recommended to adopt a 52 day time limit for temporary uses of land to allow more community events to be held and support tourism, cultural activities and economic growth in the LGA.
<i>Identify markets and other temporary events on land owned or managed by Council as 'exempt development'.</i>	20	75%	20%	5%	It is recommended to identify temporary events on land owned or managed by Council as 'exempt development', but limit the exemption period to 28 days on sites outside the Parramatta City Centre.
Car and bicycle parking					
<i>Apply consistent car parking rates to residential development.</i>	68	45.5%	48.5%	6%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
<i>Apply consistent car parking rates to non-residential development.</i>	39	56%	33%	10%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
<i>Apply reduced car parking rates near public transport.</i>	46	30%	61%	9%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
<i>Suggested design requirements for car parking areas.</i>	34	39.5%	46%	14.5%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
<i>Apply consistent cycle parking rates.</i>	39	41.3%	22.7%	36%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Environmental sustainability					
<i>Consistently zone public bushland reserves E2 Environmental Conservation</i>	39	82%	10%	8%	It is recommended to consistently zone all public bushland reserves E2 Environmental Conservation to provide stronger protection to these sites. Some minor changes to the sites to be rezoned are proposed, such as rezoning additional bushland sites in Epping and not rezoning some land in Beecroft following advice from the Office of Environment and Heritage.
<i>Map important vegetation on private land in the LEP.</i>	31	61%	29%	10%	It is recommended to map significant vegetation on privately owned land in the LEP to ensure development appropriately considers potential impact on biodiversity. No changes to the suggested sites identified in the Discussion Paper are proposed at this stage.
<i>Consistently zone natural waterway corridors W1 Natural Waterways.</i>	31	90%	6%	3%	It is recommended to consistently zone waterway corridors through public land to W1 Natural Waterways to provide stronger protection to these sites. No changes to sites identified for rezoning in the Discussion Paper are recommended.
<i>Map all natural waterway corridors through private land in the LEP.</i>	31	77%	19%	3%	It is recommended to map natural waterway corridors in the LEP so the potential impacts of development on waterways are properly considered. It is proposed to add an additional waterway, Pendle Creek, to the LEP waterways and riparian land map.
<i>Apply Parramatta DCP tree and vegetation protection controls across LGA.</i>	44	48%	43%	9%	These matters relate to DCP controls, the feedback received will be considered as part of the preparation of the consolidated DCP. Officer responses to the issues raised will be provided when the draft consolidated DCP is reported back to Council.
<i>Require a 10m buffer zone to bushland.</i>	35	71%	23%	6%	
<i>Require a 10m buffer zone to waterways.</i>	34	76%	21%	3%	

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Updated stormwater management controls.	24	71%	17%	12%	
Restrict sensitive uses on flood prone land.	36	72%	22%	6%	
Updated energy and water efficiency targets.	27	81%	11%	7%	
Require solar panels on large scale retail and industrial development.	24	74%	22%	7%	
Require dual piping in high density residential and large scale non-residential development.	23	83%	13%	4%	
Design and heritage controls					
Adopt a precinct-based approach to design competition requirements.	16	75%	12.5%	12.5%	It is recommended to adopt design excellence provisions in the LEP that take a precinct-based approach.
Recognise the Design Excellence Advisory Panel (DEAP) through the LEP.	17	65%	18%	18%	It is not recommended to include specific provisions in the LEP relating to DEAP. This will continue to operate as a separate process applying across the LGA.
Extend the DCP Aboriginal Heritage Sensitivity Map to all parts of the LGA.	19	84%	16%	-	It is recommended to undertake further work to extend the Aboriginal Heritage Sensitivity Map to all parts of the LGA. This work will be undertaken as part of the preparation of the draft consolidated DCP.
Rationalising land use zones					
Wentworth Point - Move Provisions from SREP 24 into LEP.	2	100%	-	-	It is recommended to rationalise LEP land use zones as outlined in the Discussion Paper to reduce complexity and apply more appropriate zonings to these sites. Some of these zones only apply to a small number of sites and/or do not reflect current uses.
Removal of the R1 General Residential Zone.	18	55%	17%	28%	
Removal of the RU3 Forestry Zone.	18	61%	17%	23%	
Removal of the E3 Environmental Conservation Zone.	20	70%	10%	20%	
Removal of the E4 Environmental Living zone.	20	55%	15%	30%	

Attachment 3





ALTERNATIVE OPTION FOR DUAL OCCUPANCY PROHIBITION AREAS



Planning Proposal

Consolidated Parramatta Local Environmental Plan



cityofparramatta.nsw.gov.au

Planning Proposal versions

No.	Author	Version
1.	City of Parramatta Council	Pre-Gateway report to Local Planning Panel and Council

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Introduction

This planning proposal explains the intended effect of, and justification for, the proposed consolidation of various local environmental plans applying to the City of Parramatta Local Government Area (LGA).

It has been prepared in accordance with Section 3.4 of the *Environmental Planning and Assessment Act 1979* and the NSW Government guides, 'A Guide to Preparing Local Environment Plans' (December 2018), 'A Guide to Preparing Planning Proposals' (December 2018) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

On 12 May 2016, the *Local Government (City of Parramatta and Cumberland) Proclamation 2016* was notified. The Proclamation resulted in the creation of the new City of Parramatta Council Local Government Area (LGA), from parts of the former Auburn, Holroyd, Hornsby, Parramatta and The Hills LGAs.

As a result, different local environmental plans (LEPs), development control plans (DCPs) and development contributions plans apply to different parts of the LGA, creating an inconsistent and complex policy framework with different rules applying to different areas. Many of these plans are also shared with neighbouring councils. This places an additional administrative burden on councils administering the LEPs and changes to them.

Currently the following LEPs apply to land in the City of Parramatta LGA:

- *Auburn Local Environmental Plan 2010* (also applies to land in Cumberland LGA)
- *Holroyd Local Environmental Plan 2013* (also applies to land in Cumberland LGA)
- *Hornsby Local Environmental Plan 2013* (also applies to land in Hornsby LGA)
- *Parramatta Local Environmental Plan 2011* (also applies to land in Cumberland LGA)
- *The Hills Local Environmental Plan 2012* (also applies to land in The Hills LGA; however it is noted that a separate planning proposal is currently being finalised to split that LEP)

The Proclamation required that the land use plans that applied to different parts of the LGA at the time of the boundary changes continue to apply to those areas until such time as they are replaced by new plans.

The creation of a consolidated LEP will create a clear and more consistent set of planning controls for the whole LGA.

Figure 1 illustrates the different land use plans currently applying in the City of Parramatta LGA.

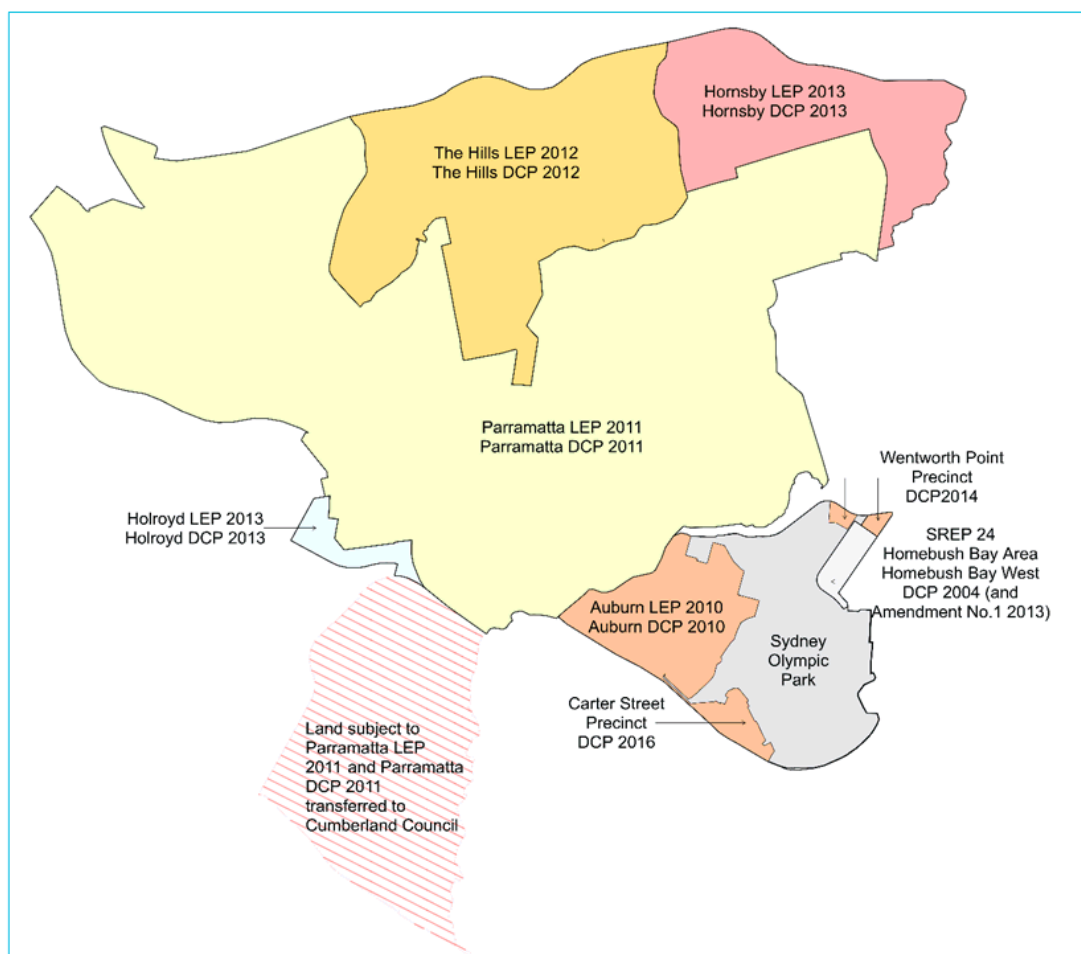


Figure 1 – Land use plans applying in the City of Parramatta LGA

Part 1 – Objectives or intended outcomes

The objective of this planning proposal is to create a single consolidated local environmental plan (LEP) that will apply to the whole City of Parramatta LGA. This LEP will replace existing LEPs in so far as they apply to land within the LGA.

Merging the various LEPs into one planning instrument will create a common set of objectives, land use tables and provisions for land in the LGA. This will bring more consistency to planning controls across the LGA and assist in reducing the complexity of the local land use planning framework.

The consolidation process is not intended to result in extensive changes to zoning or density controls across the LGA. However, as there are differences between the provisions of the various LEPs, the consolidation process will result in some changes to the planning controls currently applying in certain areas of the LGA. This includes:

- Changes to land uses permitted in certain areas, as a result of the creation of a common set of land use tables. This includes changes to the permissibility of dual occupancy development in some locations;
- Changes to floor space ratio, height and minimum lot size controls applying to certain low and medium density residential zoned land, to achieve consistency in the planning controls applying to these zones;
- The introduction of floor space ratio controls into residential areas in locations where they are not currently applied; and
- A limited number of changes to the zoning of some sites to reduce complexity and address anomalies and inconsistencies in the local land use planning framework.

Council is currently progressing a number of planning proposals relating to specific sites in the LGA. Council is also working with the State Government to transfer the existing development controls (including zoning, height and FSR) for Wentworth Point into the LEP and repeal *Sydney Regional Environmental Plan 24 – Homebush Bay Area*. It is intended to continue to progress these projects separately to this LEP consolidation process. Where these site-specific LEP amendments are made prior to the finalisation of this planning proposal, it is intended they will be incorporated into the new consolidated LEP.

This planning proposal reflects site specific LEP amendments made as at 27 September 2019.

The consolidated LEP will not apply to land within the Sydney Olympic Park Precinct as this land will continue to be governed under the *Sydney Olympic Park Authority Act 2001* and *State Environmental Planning Policy (State Significant Precincts) 2005*.

Part 2 – Explanation of provisions

This planning proposal seeks to create a consolidated local environmental plan (LEP) for the City of Parramatta LGA, in the manner set out below.

2.1 Consolidation of written instruments

This planning proposal seeks to create a single written instrument for the City of Parramatta LGA that will apply a common set of objectives, land use tables and clauses to land in the LGA. The consolidated LEP will be consistent with the *Standard Instrument (Local Environmental Plan) Order 2006*.

Where existing clauses are consistent across existing LEPs, the planning proposal seeks to incorporate these into the consolidated LEP unchanged. Existing site-specific provisions applying to land in the LGA will also be incorporated unchanged.

The table below outlines the proposed provisions this planning proposal seeks to include within the consolidated LEP. A copy of the potential draft LEP provisions has been prepared and is provided at Appendix 1. It is noted that the proposed potential draft LEP provisions will be subject to legal drafting by Parliamentary Council before the consolidated LEP is finalised.

Clause	Explanation of proposed provisions
Part 1 - Preliminary	
Compulsory clauses	Incorporate Standard Instrument LEP clauses 1.1 – 1.9.
Aims of the Plan	<p>Aims of the Plan (clause 1.2) from <i>Parramatta LEP 2011</i> to be incorporated, with updates as follows:</p> <ul style="list-style-type: none"> Update LGA references to City of Parramatta. Objective 2(f), include reference to protection and enhancement of the urban tree canopy. Objective 2(m), update reference to role of Parramatta City Centre, to be consistent with Central City District Plan.
Suspension of covenants, agreements and instruments	This clause (clause 1.9A) is included in all current LEPs applying within the City of Parramatta LGA and is consistent across instruments. It is proposed to retain this clause in the consolidated LEP.
Part 2 – Permitted or prohibited development	
Compulsory clauses	Incorporate Standard Instrument LEP clauses 2.1 – 2.7.
Land use zones	<p>It is proposed to adopt the following zones in the consolidated LEP:</p> <p>Residential Zones</p> <ul style="list-style-type: none"> R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential

Clause	Explanation of proposed provisions
	<p>Business Zones</p> <ul style="list-style-type: none"> • B1 Neighbourhood Centre • B2 Local Centre • B3 Commercial Core • B4 Mixed Use • B5 Business Development • B6 Enterprise Corridor • B7 Business Park <p>Industrial Zones</p> <ul style="list-style-type: none"> • IN1 General Industrial • IN2 Light Industrial • IN3 Heavy Industrial <p>Special Purpose Zones</p> <ul style="list-style-type: none"> • SP1 Special Activities • SP2 Infrastructure <p>Recreation Zones</p> <ul style="list-style-type: none"> • RE1 Public Recreation • RE2 Private Recreation <p>Environment Protection Zones</p> <ul style="list-style-type: none"> • E2 Environmental Conservation <p>Waterway Zones</p> <ul style="list-style-type: none"> • W1 Natural Waterways • W2 Recreational Waterways
Temporary use of land	It is proposed to adopt the optional Standard Instrument clause 2.8 relating to temporary use of land. A maximum period of 52 days is proposed to be adopted.
Land Use Table	Refer to Section 2.2 below.
Part 3 – Exempt and complying development	
Compulsory clauses	<p>Incorporate clauses 3.1 – 3.3 as per Standard Instrument LEP.</p> <p>In clause 3.3 'Environmentally sensitive areas excluded' it is proposed to insert an additional item at the end of subclause (2), to designate land identified as 'Biodiversity' on the proposed Natural Resources Map as an environmentally sensitive area. This is consistent with the provisions of <i>Holroyd LEP 2013</i>.</p> <p>Development proposed to be identified as exempt or complying development under the consolidated LEP (Schedules 2 and 3) is outlined below.</p>
Part 4 – Principal development standards	
Minimum subdivision lot size	<p>It is proposed to adopt the optional Standard Instrument clause 4.1 identifying minimum lot size (MLS) requirements for the subdivision of land. The intended objectives of the clause are to:</p> <ul style="list-style-type: none"> • ensure that new subdivisions reflect characteristic lot sizes and patterns of the area. • prevent fragmentation or isolation of land. • ensure that lots are of a sufficient size to provide a high level of amenity for new development and neighbouring land uses.

Clause	Explanation of proposed provisions
	<ul style="list-style-type: none"> ensure that new lots are able to accommodate development that is consistent with development controls including adequate areas for vehicle and pedestrian access, private open space and landscaping. <p>The MLS applying to a site will be shown on the Lot Size Map. For most residential zoned land, a MLS of 550sqm is proposed. Some changes are proposed to the Lot Size Map to achieve this – refer to Section 2.3 below. Land in the former The Hills Council area zoned R2 Low Density Residential will retain its current MLS of 700sqm.</p> <p>It is proposed to adopt the current <i>Parramatta LEP 2011</i> requirement for battle-axe lots to be a minimum of 670sqm (excluding the area of the access handle). This requirement will not apply to areas where the Lot Size Map identifies a MLS requirement greater than 670sqm.</p> <p>Consistent with the <i>Parramatta LEP 2011</i> version of this clause, it is proposed to exempt the subdivision of a dual occupancy (where subdivision is permitted) on a residential zoned lot from meeting the MLS shown on the Lot Size Map, provided one dwelling will be situated on each lot resulting from the subdivision. This exemption is not intended to apply retrospectively to dual occupancy development in areas that will be added to the dual occupancy prohibition map under the consolidated LEP, unless the development was approved prior to the exhibition of this planning proposal.</p>
Minimum subdivision lot size for community title schemes	<p>It is proposed to adopt the optional Standard Instrument clause 4.1AA requiring subdivision under the <i>Community Land Development Act 1989</i> to meet the MLS shown on the Lot Size Map.</p> <p>The intended objectives of this clause are to:</p> <ul style="list-style-type: none"> ensure that land to which this clause applies is not fragmented by inappropriate subdivisions that would create additional dwelling entitlements. provide for the subdivision of land under a community title scheme at a density that is appropriate for the site constraints, development potential and infrastructure capacity of the land. <p>This clause is intended to apply to Community Title subdivision in the R2 Low Density Residential zone.</p> <p>It is proposed to include a subclause that requires battle-axe lots resulting from community title subdivision to be a minimum of 670sqm (excluding the area of the access handle). This requirement will not apply to areas where the Lot Size Map identifies a MLS requirement greater than 670sqm. This subclause is consistent with the requirements of the proposed minimum subdivision lot size clause (refer above).</p>
Minimum subdivision lot sizes for strata plan schemes in certain zones	<p>The intended objectives of this clause are to:</p> <ul style="list-style-type: none"> to ensure that land to which this clause applies is not fragmented by inappropriate subdivisions that would create additional dwelling entitlements, to provide for the subdivision of land under a strata plan scheme at a density that is appropriate for the site constraints, development potential and infrastructure capacity of the land. <p>This clause is intended to apply to residential accommodation or tourist and</p>

Clause	Explanation of proposed provisions
	<p>visitor accommodation on land in the R2 Low Density Residential zone. Any proposed subdivision of such land for a strata plan scheme will be required to comply with the MLS shown on the Lot Size Map (with the exception of any lot comprising common property).</p> <p>It is proposed to include a subclause that requires battle-axe lots resulting from strata title subdivision to be a minimum of 670sqm (excluding the area of the access handle). This requirement will not apply to areas where the Lot Size Map identifies a MLS requirement greater than 670sqm. This subclause is consistent with the requirements of the proposed Minimum subdivision lot size clause (refer above).</p>
Exceptions to minimum lot sizes for certain residential development	<p>The intended objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.</p> <p>This clause is intended to permit multi-dwelling housing to be subdivided into lots smaller than the MLS shown on the Lot Size Map, provided that the development application also includes the erection of a dwelling on each lot resulting from the subdivision.</p> <p>It is proposed to apply this clause to development on land in the R3 Medium Density Residential and R4 High Density Residential zones involving the subdivision of land into 3 or more lots.</p>
Particular dual occupancy subdivisions	<p>It is proposed to include a clause consistent with clause 6.15 of <i>Parramatta LEP 2011</i> in part 4 of the consolidated LEP. This clause prohibits the Torrens Title subdivision of dual occupancy development in the South Parramatta Conservation Area.</p>
Minimum lot sizes for dual occupancies and manor houses	<p>The intended objectives of this clause are to:</p> <ul style="list-style-type: none"> ensure that lots are of sufficient size and dimensions to accommodate dual occupancy and manor house development that provides a high level of residential amenity and is consistent with development controls including providing adequate areas for vehicle and pedestrian access, setbacks, private open space, landscaping and tree retention, and to minimise any likely adverse impacts of the development on the amenity of adjoining properties. <p>It is proposed to not permit dual occupancy development on sites less than 600sqm in R2 Low Density Residential, R3 Medium Density and R4 High Density Residential zones. It is also proposed to require lots to have a minimum primary road frontage of 15 metres, measured along the site boundary line.</p> <p>It is proposed to not permit manor house development on sites less than 600sqm in R3 Medium Density and R4 High Density Residential zones. It is also proposed to require lots to have a minimum frontage to a public road of 15 metres, measured along the site boundary line.</p>
Rural subdivision	<p>Standard Instrument clause 4.2 is not applicable within the City of Parramatta LGA and is not proposed to be adopted in the consolidated LEP.</p>
Height of buildings	<p>It is proposed to adopt the optional Standard Instrument clause 4.3 to set maximum building heights for land in the City of Parramatta LGA. The intended objectives of the clause are to:</p>

Clause	Explanation of proposed provisions
	<ul style="list-style-type: none"> • nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan. • ensure the height of buildings is compatible with that of existing and desired future surrounding development and the overall streetscape. • minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development. • require the height of future buildings to have regard to heritage sites and their settings. • ensure the preservation of historic views. • reinforce and respect the existing character and scale of low density residential areas. • maintain satisfactory sky exposure and daylight to existing buildings within commercial centres, to the sides and rear of tower forms and to key areas of the public domain, including parks, streets and lanes. <p>It is proposed to incorporate the following existing site-specific height provisions into this clause in the consolidated LEP:</p> <ul style="list-style-type: none"> • Subclause 4.3(2A) of <i>Parramatta LEP 2011</i> relating to certain land in Granville (referred to as "Area 1" and shown on the Height of Buildings Map). • Various provisions relating to certain land in the Telopea Precinct set out in clause 6.16 of <i>Parramatta LEP 2011</i> (land shown on the Height of Buildings Map). <p>Some changes are proposed to the maximum building heights applying to certain land – refer to Section 2.3 below.</p>
Floor space ratio	<p>It is proposed to adopt the optional Standard Instrument clause 4.4 to set maximum floor space ratios (FSR) for land in the City of Parramatta LGA. The intended objectives of the clause are to:</p> <ul style="list-style-type: none"> • regulate density of development and generation of vehicular and pedestrian traffic. • ensure development is compatible with the bulk, scale and character of existing and desired future surrounding development. • provide a transition in built form and land use intensity within the area covered by this Plan. • require the bulk and scale of future buildings to have regard to heritage sites and their settings. • reinforce and respect the existing character and scale of low density residential areas. <p>It is proposed to incorporate the following existing site-specific FSR provisions into this clause in the consolidated LEP:</p> <ul style="list-style-type: none"> • Subclause 4.4(2A) of <i>Parramatta LEP 2011</i> relating to certain land in Granville (referred to as "Area 1" and shown on the FSR Map). • Subclause 4.4(2C) of <i>Hornsby LEP 2013</i> relating to certain land on Pennant Hills Road, Carlingford (referred to as "Area 5" and shown on the FSR Map). It is proposed to update the site reference to "Area 2" in the consolidated LEP. • Subclause 4.4(2C) of <i>Auburn LEP 2010</i> relating to land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct (shown on the FSR Map). It is proposed to update the site reference to "Area 3" in the consolidated LEP. • The provisions of clause 6.10A of <i>Parramatta LEP 2011</i> relating to land at 24-26 Railway Parade, Westmead. It is proposed to update the site reference to

Clause	Explanation of proposed provisions												
	<p>"Area 4" in the consolidated LEP and map the land on the Height of Buildings Map (refer to Part 4).</p> <ul style="list-style-type: none"> Various provisions relating to certain land in the Telopea Precinct set out in clause 6.17 of <i>Parramatta LEP 2011</i> (land shown on the FSR Map). <p>Some changes are proposed to the maximum FSR applying to certain land – refer to Section 2.3 below.</p>												
Calculation of floor space ratio and site area	It is proposed to adopt the optional Standard Instrument clause 4.5 in the consolidated LEP.												
Exceptions to development standards	<p>Apply the mandatory Standard Instrument LEP clause 4.6 relating to certain LEP development standards that can be varied, where justified, as part of a development application.</p> <p>It is proposed to include the following additional exclusions from the application of this clause:</p> <ul style="list-style-type: none"> A development standard that relates to the height of a building, or a floor space ratio, in Parramatta City Centre (as referred to in clause 7.1 (1) of <i>Parramatta LEP 2011</i>) by more than 5%. Minimum lot sizes for dual occupancies and manor houses. Requirements to ensure the availability of essential public utility infrastructure (as referred to in clause 6.5 of <i>Auburn LEP 2010</i> and clause 8.2 of <i>Parramatta LEP 2011</i>). Requirements for certain development to contribute to the provision of designated State public infrastructure (as referred to in clause 6.8 of <i>Auburn LEP 2010</i> and clause 8.1 of <i>Parramatta LEP 2011</i>). <p>It is noted that Council has submitted a separate planning proposal to the Department of Planning, Industry and Environment to insert a subclause into clause 4.6 of <i>Parramatta LEP 2011</i> and <i>Hornsby LEP 2013</i> relating to the Epping Town Centre. Should these amendments be made prior to the finalisation of this planning proposal, the exclusions relating to Epping Town Centre will be inserted into the consolidate LEP as appropriate.</p>												
Part 5 – Miscellaneous provisions													
Relevant acquisition authority	<p>Incorporate compulsory Standard Instrument LEP clause 5.1. The land Reservation and Acquisitions Map will be consolidated to incorporate current reservation (refer to Section 2.3 below) and the following zones and acquisitions authorities listed in the Table to this clause:</p> <table> <thead> <tr> <th>Type of land shown on Map</th><th>Authority of the State</th></tr> </thead> <tbody> <tr> <td>Zone RE1 Public Recreation and marked "Local open space"</td><td>Council</td></tr> <tr> <td>Zone RE1 Public Recreation and marked "Regional open space"</td><td>The corporation constituted under section 8 of the Act</td></tr> <tr> <td>Zone SP2 Infrastructure and marked "Classified road"</td><td>Roads and Maritime Services</td></tr> <tr> <td>Zone SP2 Infrastructure and marked "School"</td><td>Department of Education</td></tr> <tr> <td>Zone E1 National Parks and Nature Reserves and marked "National Park"</td><td>Minister administering the <i>National Parks and Wildlife Act 1974</i></td></tr> </tbody> </table>	Type of land shown on Map	Authority of the State	Zone RE1 Public Recreation and marked "Local open space"	Council	Zone RE1 Public Recreation and marked "Regional open space"	The corporation constituted under section 8 of the Act	Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services	Zone SP2 Infrastructure and marked "School"	Department of Education	Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>
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Zone SP2 Infrastructure and marked "School"	Department of Education												
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>												

Clause	Explanation of proposed provisions																				
	<p>Zone R2 Low Density Residential marked "Local road widening" Council</p> <p>Zone B1 Neighbourhood Centre marked "Local Council road widening"</p> <p>Zone B2 Local Centre marked "Local road widening" Council</p> <p>Zone B3 Commercial Core and marked "Local Council road widening"</p> <p>Zone B4 Mixed Use marked "Local road widening" Council</p> <p>Zone B6 Enterprise Corridor marked "Local road widening" Council</p> <p>Zone SP2 Infrastructure and marked "Public Transport Corridor" Roads and Maritime Services</p> <p>Zone E2 Environmental Conservation and marked "Local environmental conservation" Council</p>																				
Development on land intended to be acquired for public purposes	<p>The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.</p> <p>It is proposed to apply this clause to land shown on the Land Reservation Acquisition Map and specified in Column 1 of the Table to this clause and that has not been acquired by the relevant authority of the State specified for the land in clause 5.1. The clause will restrict the development that can be built on this land to that which is specified in Column 2 of the Table, as follows:</p> <table> <tr> <th>Column 1</th><th>Column 2</th></tr> <tr> <th>Land</th><th>Development</th></tr> <tr> <td>Zone B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use, B6 Enterprise Corridor or R2 Low Density Residential and marked "Local road widening"</td><td>Roads</td></tr> <tr> <td>Zone B3 Commercial Core and marked "Local road widening"</td><td>Roads</td></tr> <tr> <td>Zone SP2 Infrastructure and marked "Classified road"</td><td>Roads</td></tr> <tr> <td>Zone R4 High Density Residential "Classified road"</td><td>Roads</td></tr> <tr> <td>Zone SP2 Infrastructure and marked "Public Transport corridor"</td><td>Roads</td></tr> <tr> <td>Zone RE1 Public Recreation and marked "Local open space"</td><td>Recreation areas</td></tr> <tr> <td>Zone RE1 Public Recreation and marked "Regional open space"</td><td>Recreation areas</td></tr> <tr> <td>Zone E2 Environmental Conservation and marked "Local environmental conservation"</td><td>Environmental facilities</td></tr> </table>	Column 1	Column 2	Land	Development	Zone B1 Neighbourhood Centre, B2 Local Centre, B4 Mixed Use, B6 Enterprise Corridor or R2 Low Density Residential and marked "Local road widening"	Roads	Zone B3 Commercial Core and marked "Local road widening"	Roads	Zone SP2 Infrastructure and marked "Classified road"	Roads	Zone R4 High Density Residential "Classified road"	Roads	Zone SP2 Infrastructure and marked "Public Transport corridor"	Roads	Zone RE1 Public Recreation and marked "Local open space"	Recreation areas	Zone RE1 Public Recreation and marked "Regional open space"	Recreation areas	Zone E2 Environmental Conservation and marked "Local environmental conservation"	Environmental facilities
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Clause	Explanation of proposed provisions
Classification and reclassification of public land	Incorporate compulsory Standard Instrument LEP clause 5.2.
Development near zone boundaries	It is proposed to adopt the optional Standard Instrument LEP clause 5.3 relating to development near zone boundaries. It is proposed to apply the clause to land within 1 metre of a boundary between any two zones. It is not proposed to identify any additional zones under subclause 3 as excluded from the application of the clause.
Controls relating to miscellaneous permissible uses	<p>Incorporate compulsory Standard Instrument LEP clause 5.4. It is proposed to adopt the following maximum sizes for each use:</p> <ul style="list-style-type: none"> • Bed and breakfast accommodation: 3 bedrooms. • Home businesses: 50sqm of floor area. • Home industries: 50sqm of floor area. • Industrial retail outlets: 5% of gross floor area of the associated industry or 400sqm, whichever is the lesser. • Farm stay accommodation: 3 bedrooms. • Kiosks: 10sqm. • Neighbourhood shops: 80sqm. • Neighbourhood supermarkets: 1,000sqm. • Roadside stalls: 8sqm. • Secondary dwellings: 60sqm or 5% of the total floor area of the principal dwelling, whichever is the greater. • Artisan food and drink industry exclusions (area for retail sales): 5% of gross floor area of the associated industry or 400sqm, whichever is the lesser.
Architectural roof features	<p>It is proposed to adopt the optional Standard Instrument LEP clause 5.3 relating to architectural roof features. The following objectives are proposed:</p> <ul style="list-style-type: none"> • to allow architectural roof features that integrate with the building composition and form where the height of the building also satisfies the objectives of clause 4.3 of this Plan.
Development below mean high water mark	This clause is relevant to the City of Parramatta LGA and is therefore compulsory to be included in the consolidated LEP, as per <i>Standard Instrument LEP</i> clause 5.7.
Conversion of fire alarms	Incorporate compulsory Standard Instrument LEP clause 5.8.
Heritage conservation	Incorporate compulsory Standard Instrument LEP clause 5.10. Proposed updates to listed heritage items and conservation areas (Schedule 5) are outlined below.
Bush fire hazard reduction	Incorporate compulsory Standard Instrument LEP clause 5.11.
Infrastructure development and use of existing buildings of the Crown	Incorporate compulsory Standard Instrument LEP clause 5.12.

Clause	Explanation of proposed provisions
<i>Eco-tourist facilities</i>	It is not proposed to adopt Standard Instrument LEP clause 5.13 as eco-tourist facilities are not proposed to be permitted in any zone under the consolidated LEP
<i>Siding Spring Observatory</i>	It is not proposed to adopt optional Standard Instrument LEP clause 5.14, as it is not adopted by any LEPs currently applying in the City of Parramatta LGA.
<i>Defence communications facility</i>	It is not proposed to adopt optional Standard Instrument LEP clause 5.15, as it is not adopted by any LEPs currently applying in the City of Parramatta LGA.
<i>Subdivision of, or dwellings on, land in certain rural, residential or environmental protection zones</i>	Standard Instrument LEP clause 5.16 is not relevant to the City of Parramatta LGA and is therefore not proposed to be adopted in the consolidated LEP.
<i>Artificial waterbodies in environmentally sensitive areas of operation of irrigation corporations</i>	Standard Instrument LEP clause 5.17 is not relevant to the City of Parramatta LGA and is therefore not proposed to be adopted in the consolidated LEP.
<i>Intensive livestock agriculture</i>	Standard Instrument LEP clause 5.18 is not relevant to the City of Parramatta LGA and is therefore not proposed to be adopted in the consolidated LEP.
<i>Pond-based, tank-based and oyster aquaculture</i>	Incorporate compulsory Standard Instrument LEP clause 5.19.
Part 6 – Additional local provisions	
<i>Acid sulfate soils</i>	It is proposed to include a clause consistent with clause 6.1 of <i>Parramatta LEP 2011</i> . The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.
<i>Earthworks</i>	<p>The intended objectives of this clause are to:</p> <ul style="list-style-type: none"> ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land allow earthworks of a minor nature without requiring separate development consent. <p>It is proposed to include provisions consistent with clause 6.2 of <i>Parramatta LEP 2011</i>, with updates as follows:</p> <ul style="list-style-type: none"> Subclause (3), make clear matters for consideration also apply to development involving ancillary earthworks. Subclause (3)(a), include reference to consideration of the likely disruption of, or any detrimental effect on flooding. Add a subclause (h), requiring consideration of any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

Clause	Explanation of proposed provisions
Flood planning	<p>It is proposed to include provisions consistent with clause 6.3 of <i>Parramatta LEP 2011</i>. The intended objectives of this clause are:</p> <ul style="list-style-type: none"> • minimise the flood risk to life and property associated with the use of land, • allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, • avoid significant adverse impacts on flood behaviour and the environment.
Biodiversity protection	<p>The intended objective of this clause is to maintain terrestrial and aquatic biodiversity, including:</p> <ul style="list-style-type: none"> • protecting native fauna and flora, • protecting the ecological processes necessary for their continued existence, including habitat connectivity, • encouraging the conservation and recovery of native fauna and flora and their habitats. <p>It is intended the clause will apply to land identified as "Biodiversity" on a Natural Resources Map.</p> <p>The clause will include the following heads of consideration:</p> <ul style="list-style-type: none"> • whether proposed development is likely to have: <ul style="list-style-type: none"> – any adverse impact on the habitat of any threatened species, populations, ecological community, or regionally significant species of flora, fauna or habitat, – any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, – any adverse impact on the importance of the vegetation and habitat elements on the land to the survival of native fauna, – any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, – any adverse impact on the condition and role of the vegetation as a habitat corridor, and • any appropriate measures proposed to avoid, minimise or mitigate the adverse impacts of the development. <p>The clause will also include a requirement that development consent must not be granted unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> • the development is designed, sited and will be managed to avoid any adverse environmental impact, or • if that impact cannot be avoided—the development is designed, sited and will be managed to minimise that impact, or • if that impact cannot be minimised—the development will be managed to mitigate that impact.
Protection of riparian land and waterways	<p>The intended objectives of the clause are to maintain the hydrological functions of riparian land, waterways and aquifers, including protecting the following:</p> <ul style="list-style-type: none"> • water quality within waterways, • natural water flows, • the stability of the bed and banks of waterways, • groundwater systems, • aquatic and riparian habitats, • ecological processes within waterways and riparian areas.

Clause	Explanation of proposed provisions
	<p>It is intended the clause will apply to land identified as "Waterways and Riparian Land" on a Natural Resources Map.</p> <p>It is proposed to adopt heads of consideration consistent with clause 6.6(3) of <i>Holroyd LEP 2013</i>, with the following updates:</p> <ul style="list-style-type: none"> • Use term "waterway" instead of "watercourse". • Insert additional head of consideration from <i>Parramatta LEP 2011</i> relating to development impacts on the flows, capacity and quality of groundwater systems. <p>It is also proposed to include provisions consistent with clause 6.5(4) of <i>Parramatta LEP 2011</i>.</p>
Stormwater management	<p>The intended objectives of this clause are:</p> <ul style="list-style-type: none"> • minimise the impacts of urban stormwater on properties, native vegetation and receiving waters, • avoid any adverse impacts on soils and land stability, • protect the environmental and social values of water identified for urban waterways in the Sydney Harbour and Parramatta River and Lane Cove River catchments. <p>It is proposed to include provisions consistent with clause 6.7 of <i>Holroyd LEP 2013</i> with the following updates:</p> <ul style="list-style-type: none"> • Add consideration of impacts of stormwater runoff on water-based recreation areas to head of consideration 2(c).
Foreshore building line	<p>The intended objectives of this clause are to:</p> <ul style="list-style-type: none"> • maintain and improve the health of the Parramatta River and its tributaries as natural, cultural and recreational assets, • ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area, • ensure that development considers the prevailing character of the river environment. <p>It is intended the clause will apply to land identified as below the foreshore building line on a Foreshore Building Line Map.</p> <p>It is proposed to adopt provisions consistent with clauses 6.7(2) and (3) of <i>Parramatta LEP 2011</i>, with the addition of the provision from <i>Auburn LEP 2010</i> clause 6.4(4)(h) requiring consideration of potential future sea level rise or change in flooding patterns.</p>
Essential services	<p>It is proposed to include provisions consistent with clause 6.5 of <i>Auburn LEP 2010</i>. The objective of this clause is to ensure that all essential services, including water, electricity, sewage, stormwater drainage and road access, are available (or will be available) to support relevant development. It is intended the clause will apply to all land in the City of Parramatta LGA.</p>
Development on landslide risk land	<p>It is proposed to adopt provisions consistent with clause 6.6 of <i>Parramatta LEP 2011</i>. The intended objective of this clause is to ensure that proposed development on land identified as 'landslide risk land' on a Natural Resources Map is commensurate with the underlying geotechnical conditions and to restrict development on unsuitable land.</p>

Clause	Explanation of proposed provisions
Restricted premises	<p>It is proposed to adopt provisions consistent with clause 6.8 of <i>Parramatta LEP 2011</i>. The objective of the clause is to avoid land use conflicts between restricted premises and sensitive land uses to avoid land use conflicts.</p> <p>It is proposed to make the provisions clearer by updating the clause as follows:</p> <ul style="list-style-type: none"> Replace subclause (1) with a new provision that applies to development for the purposes of restricted premises within 100 metres (measured from the closest boundary of the lot on which the premises is proposed) from any land within a residential zone. Replace subclause 2(a) with a new one that requires no part of the restricted premises, other than an access corridor, to be located on ground floor level.
Location of sex services premises	<p>It is proposed to adopt provisions consistent with clause 6.9 of <i>Parramatta LEP 2011</i>, with the addition of the following objective, consistent with other LEPs:</p> <ul style="list-style-type: none"> to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises and sensitive land uses, including residential development or land in a residential zone, places of public worship, hospitals, places frequented by children (i.e. schools and child care centres), community facilities or recreation areas.
Dual occupancies on land in Zones R2, R3 and R4	<p>It is proposed to adopt provisions consistent with clause 6.11 of <i>Parramatta LEP 2011</i>, which:</p> <ul style="list-style-type: none"> Prohibit dual occupancy development on certain land identified on a Dual Occupancy Prohibition Map, which are areas where dual occupancy development is not considered appropriate and, outside these areas, lots less than 600sqm. Land proposed to be included on the Dual Occupancy Prohibition Map is outlined in Part 4 – Mapping. On land in the R2, R3 or R4 zones where dual occupancy development is permitted, detached forms will only be allowed on a site if it contains a heritage item, is a corner site or has at least two street frontages. Detached forms of dual occupancy are also proposed to be allowed on land within the South Parramatta Conservation Area, consistent with the intent of current <i>Parramatta DCP 2011</i> controls. On all other sites in the R2, R3 or R4 zone where dual occupancy development is allowed, only attached forms will be permitted. In all cases the minimum lot size for dual occupancies of 600sqm must be complied with.
Ground floor development in Zones B1 and B2	<p>It is proposed to include new provisions in the consolidated LEP in order to resolve an inconsistency between LEPs relating to the permissibility of residential flat buildings in certain business zones.</p> <p>The intended objective of the clause is to restrict residential accommodation at the street level in certain business zones to enable the provision of a range of commercial and community uses.</p> <p>It is intended the clause will apply land in the B1 Neighbourhood Centre zone and B2 Local Centre zone.</p> <p>The clause will limit the ground floor of any building facing a street in the B1 or B2 zone to non-residential uses only. An exception will be applied to any part of a building that faces a service lane or is required for entrances and lobbies, access for fire services or vehicular access associated with residential accommodation.</p>

Clause	Explanation of proposed provisions
Design excellence	<p>It is intended that the provisions of clauses 6.12 and 6.13 of Parramatta LEP 2011 will be merged into a single clause.</p> <p>The clause will only apply to land identified as a "Design Excellence Precinct" on a Design Excellence Map. Land already subject to clauses 6.12 and 6.13 of <i>Parramatta LEP 2011</i> will be included on this map.</p> <p>The intended objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of the City of Parramatta.</p> <p>Development consent must not be granted to development to which this clause applies unless the consent authority considers that the proposed development exhibits design excellence. In determining whether design excellence has been achieved, the following matters will need to be considered:</p> <ul style="list-style-type: none"> • whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, • whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain, • whether the proposed development detrimentally impacts on view corridors, • the requirements of the <i>Parramatta Development Control Plan</i>, • how the proposed development addresses the following matters: <ul style="list-style-type: none"> – the suitability of the land for development, – the existing and proposed uses and use mix, – any heritage and archaeological issues and streetscape constraints or opportunities, – the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, – the bulk, massing and modulation of buildings, – street frontage heights, – environmental impacts and factors such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind, urban heat and solar reflectivity, water and energy efficiency and water sensitive urban design, – the achievement of the principles of ecologically sustainable development, including the protection and enhancement of urban tree canopy and green infrastructure, – pedestrian, cycle, vehicular and service access and, circulation and requirements, including the permeability of any pedestrian network, – the impact on, and any proposed improvements to, the public domain, – the impact of any special character area, – achieving appropriate interfaces at ground level between the building and the public domain, – excellence and integration of landscape design, <p>It is proposed to include provisions relating to requirements for architectural design competitions consistent with clause 6.12(5)-(7) of <i>Parramatta LEP 2011</i>, which require such competitions for proposed development:</p> <ul style="list-style-type: none"> • Higher than 55 metres, or • With a capital value of more than \$100,000,000, or

Clause	Explanation of proposed provisions
	<ul style="list-style-type: none"> Where the applicant has chosen to have such a competition. <p>It is noted that a design excellence clause is being considered for the Carter Street Precinct as part of the implementation of a revised Master Plan. While requirements for architectural design competitions in this precinct may differ, it is proposed that the matters for consideration in determining whether design excellence has been achieved be made consistent with those outlined above when the provisions for this precinct are brought into consolidated LEP.</p>
Development on certain land at Westmead	It is proposed to include provisions consistent with clause 6.10 of <i>Parramatta LEP 2011</i> . The intent of the clause is to limit the amount of residential accommodation provided in development of land fronting Hawkesbury and Darcy Roads. The land to which this clause applies will be identified on the Key Sites Map (refer to Part 4 – Mapping).
Development on certain land at Granville	It is proposed to include provisions consistent with clause 6.14 of <i>Parramatta LEP 2011</i> . The intent of this clause is to limit the amount of non-residential floor space in development on the site. The land to which this clause applies will be identified on the Key Sites Map (refer to Part 4 – Mapping).
Underground power lines at Carlingford	It is proposed to include provisions consistent with clause 7.8 of <i>The Hills LEP 2012</i> . The intent of this clause is to deliver the highest standard of urban design on the subject site. The land to which this clause applies will be identified on the Key Sites Map (consistent with the current <i>The Hills LEP 2012</i> Key Sites Map).
Development requiring the preparation of a development control plan	It is proposed to include provisions consistent with clause 6.18 of <i>Parramatta LEP 2011</i> . The intent of this clause is to ensure development of land in specified precincts occurs in accordance with a site-specific development control plan. The land to which this clause applies will be identified on the Key Sites Map (consistent with the current <i>Parramatta LEP 2011</i> Key Sites Map).
Arrangements for designated State public infrastructure	<p>The intended objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure to satisfy needs arising from intensive urban development in certain precincts.</p> <p>It is proposed that this clause will replace, and be consistent with, clause 6.8 of <i>Auburn LEP 2010</i> (applying to the Carter Street Precinct) and clause 8.1 of <i>Parramatta LEP 2011</i> (applying to the Telopea Precinct). The proposed provisions will apply to the following development:</p> <ul style="list-style-type: none"> Carter Street Precinct: Development for residential accommodation or commercial purposes (including by way of subdivision) that results in an increase in floor space for residential accommodation or commercial purposes. Telopea Precinct: Development for residential accommodation (whether as part of a mixed use development or otherwise) that results in an increase in the number of dwellings. Other locations added through site-specific LEP amendments made before the finalisation of the consolidated LEP. <p>Development to which the clause applies will not be able to be approved unless the Secretary of the Department of Planning, Industry and Environment has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that development.</p>

Clause	Explanation of proposed provisions
	<p>This requirement is not intended to apply to development on land in a special contributions area (as defined by section 7.1 of the Act).</p> <p>It is proposed to define "designated State public infrastructure" as public facilities or services that are provided or financed by the State (or, if provided or financed by the private sector, to the extent of a financial or an in-kind contribution by the State) of any of the following kinds:</p> <ul style="list-style-type: none"> • State and regional roads, • bus interchanges and bus lanes, • land required for regional open space, • land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes), or land required for such purposes, • light rail infrastructure. <p>Land to which these provisions apply will be identified on the Key Sites Map, consistent with the boundaries already defined for these precincts in the <i>Auburn LEP 2010</i> (Carter Street Precinct) and <i>Parramatta LEP 2011</i> (Telopea Precinct and other locations that may be added through site-specific LEP amendments).</p>
Other site-specific provisions	<p>It is noted that certain site-specific LEP amendments currently being progressed by Council propose to add site-specific clauses to the LEP. Where these amendments are made prior to the finalisation of this planning proposal, it is intended that any associated site-specific clauses will be incorporated into the consolidated LEP.</p>
Part 7 – Additional Local Provisions – Parramatta City Centre	<p>It is intended to incorporate all of the provisions within Part 7 of <i>Parramatta LEP 2011</i> relating to Parramatta City Centre.</p> <p>This planning proposal proposes to update the matters for consideration at clause 7.10(4) Design Excellence – Parramatta City Centre so that they are consistent with those that will apply to sites outside the CBD. The intention is to achieve a consistent basis for considering whether design excellence has been achieved for all land across the LGA. It is not proposed to amend any of the provisions relating to architectural design competitions on sites in the CBD through this planning proposal.</p> <p>It is noted that other amendments to the provisions of <i>Parramatta LEP 2011</i> (including Part 7) are being pursued separately through the Parramatta CBD Planning Proposal. Should these amendments be made prior to the finalisation of this planning proposal, it is intended they will be carried over into the new consolidated LEP.</p>
Schedule 1 – Additional permitted uses	<p>It is intended to incorporate all items currently listed in Schedule 1 of the various LEPs into the consolidated LEP, where they relate to land within the City of Parramatta LGA. The following updates to existing listings are proposed:</p> <ul style="list-style-type: none"> • Transfer the provisions of clause 6.10 of <i>Auburn LEP 2010</i> relating to land at Wentworth Point Maritime Precinct into Schedule 1 and remove this site from the Key Sites Map. • Insert a new provision relating to land at John Wearne Reserve, 21Z Farnell Avenue, Carlingford (Lot 2 DP 604323) to permit development for the purposes of centre-based child care facilities, with development consent. Such land uses are proposed to be prohibited in RE1 zones under the consolidated LEP and this site contains an existing child care centre.

Clause	Explanation of proposed provisions
	<ul style="list-style-type: none"> Insert a new provision relating to land at 14 and 16 Maida Road, Epping (SP35970 and Lot 8, DP9693) to permit development for the purposes of residential flat buildings (RFBs), with development consent. This land is currently zoned R3 under <i>Hornsby LEP 2013</i>. RFBs are proposed to be prohibited in the R3 zone under the consolidated LEP. However, this land is located between recently completed RFB development and an additional permitted use is considered appropriate to avoid isolating the site. <p>It is proposed to map all sites listed in Schedule 1 on an Additional Permitted Uses Map, instead of relying on the legal property descriptions in the schedule. To facilitate consolidation of the schedule it is proposed to reorder and update item numbers.</p>
Schedule 2 – Exempt development	<p>It is proposed to identify temporary events (including markets) on land owned or managed by Council as exempt development under Schedule 2 of the consolidated LEP. The following requirements are proposed:</p> <ul style="list-style-type: none"> Development for the purposes of temporary uses including community events (such as ceremonies, cultural celebrations, exhibitions, fetes, fairs, gatherings, markets or sporting events), commercial events and festivals. Must be carried out with Council's prior written consent on land owned by, or under the care or control of, Council. Must not be for more than 28 days (whether or not consecutive days) in any 12 month period. Within the Parramatta City Centre, as identified on the Additional Local Provisions Map, a maximum period of 52 days (whether or not consecutive days) in any 12 month period applies. Must operate only between 7.00 am and midnight. Must not include permanent physical change to the fabric of the location where the use occurs. At the end of the temporary use the land must be restored to the condition in which it was before the commencement of the use. Must maintain emergency vehicle access to and around the premises. Must not restrict pedestrian access to shops, public facilities or the foreshore unless alternative access is provided. Must not prevent pedestrian access to existing footpaths unless alternative pedestrian pathways are provided (alternative pedestrian pathways are to have physical barriers erected between the pathway and any adjoining road). Must undertake and submit to Council a risk assessment and emergency management plan addressing, to the satisfaction of Council, issues relevant to the site such as flood and bushfire hazard, and provide notifications to appropriate emergency services. Must not include the clearing or disturbance of vegetation on the road or land. <p>Note 1. Events that do not involve the erection of a temporary structure, the erection of an amusement device or disruption to normal traffic and pedestrian flows and are events for which the land has been designed are not required to meet the above requirements. (For example, family picnics, regular sports training or games, casual exercise and passive enjoyment of a park.)</p> <p>Note 2. If on community land, the use may need to be approved under Division 2 of Part 2 of Chapter 6 of the Local Government Act 1993. Other provisions of the Local</p>

Clause	Explanation of proposed provisions
	<p>Government Act 1993 may also apply, including provisions relating to plans of management and alcohol free zones</p> <p>It is also proposed to identify advertising on bus shelters as exempt development under Schedule 2 of the consolidated LEP, as follows:</p> <ul style="list-style-type: none"> The display of commercial advertisements on bus shelters owned or managed by Council.
Schedule 3 – Complying development	It is not proposed to identify any development as complying development under Schedule 3 of the consolidated LEP.
Schedule 4 – Classification and reclassification of public land	It is not intended to classify or reclassify any public land through this planning proposal.
Schedule 5 – Environmental heritage	<p>It is intended that all existing heritage items, heritage conservation areas and archaeological sites identified under the various LEPs and located within the LGA will be retained in the consolidated LEP. These items will be identified under Schedule 5 and on the LEP Heritage Map.</p> <p>To facilitate consolidation of the schedule it is proposed to reorder and update item numbers and conservation area references. Items with State level significance will be referenced using their State Heritage Register inventory number.</p> <p>The following updates to the Schedule are proposed:</p> <ul style="list-style-type: none"> It is not proposed to carry over the Cheltenham Conservation Area designation into the consolidated LEP from <i>Hornsby LEP 2013</i> as, within the City of Parramatta LGA, this designation only applied to land covered by the M2 Motorway or bushland. Correction to item I648 under <i>Parramatta LEP 2011</i> relating to Masonic Centre (47 Campbell Street, Parramatta). The LEP currently identifies this item as being of State level significance; however this item is not listed on the State Heritage Register as being of state level significance. It is proposed to correct the schedule to identify this item as having Local significance. Correction of Address of item I747 'Horse trough' under <i>Parramatta LEP 2011</i> from 'Victoria Road (adjacent to 353a Church Street)' to 'Victoria Road (adjacent to Prince Alfred Park)'.
Schedule 6 – Pond-based and tank-based aquaculture	To be included in the consolidated LEP, in accordance with the Standard Instrument LEP.
Dictionary	The Dictionary will be updated as necessary to reflect the proposed LEP provisions. Definitions will be consistent with the Standard Instrument LEP.

Appendix 2 provides a comparison of the clauses within the LEPs currently applying in the LGA and how differences between them are proposed to be resolved.

2.2 Consolidation of land use tables and zone objectives

This planning proposal seeks to bring consistency where there are differences between current LEPs in relation to what is permitted or prohibited in a particular zone. The below table outlines what objectives will be adopted for each zone and what changes, if any, are proposed to the Land Use Table. Generally, no changes are proposed where all relevant LEPs consistently permit or prohibit a particular land use.

A full outline of the differences between LEPs and proposals for bringing consistency to the Land Use Tables applying across the LGA is provided in Appendix 3.

Zone	Explanation of proposed provisions
R2 Low Density Residential	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide for the housing needs of the community within a low density residential environment. • Enable other land uses that provide facilities or services to meet the day-to-day needs of residents. • Maintain the existing low density residential character of the area. • Protect and enhance tree canopy, existing vegetation and other natural features. • Ensure that non-residential land uses are located in a context and setting that minimises impacts on the amenity of a low density residential environment. • Allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Permit, with consent, school-based child care. • Prohibit environmental facilities and recreation facilities (indoors). • Remove health consulting rooms and hospitals from Item 3 of the Land Use Table and rely instead on the provisions of the <i>Infrastructure SEPP</i>.
R3 Medium Density Residential	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide for the housing needs of the community within a medium density residential environment. • Provide a variety of housing types within a medium density residential environment. • Enable other land uses that provide facilities or services to meet the day to day needs of residents. • Provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood. • Allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Permit, with consent, school-based child care. • Prohibit environmental facilities.
R4 High Density Residential	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide for the housing needs of the community within a high density residential environment.

Zone	Explanation of proposed provisions
	<ul style="list-style-type: none"> • Provide a variety of housing types within a high density residential environment. • Enable other land uses that provide facilities or services to meet the day to day needs of residents. • Provide opportunity for high density residential development close to major transport nodes, services, employment opportunities and open space. • Provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Prohibit environmental facilities.
B1 Neighbourhood Centre	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. • Ensure the scale and type of development does not adversely affect the amenity of the surrounding neighbourhood. • Allow for residential development that contributes to the economic and social vitality of the neighbourhood centre and does not detract from the primary objective of the zone. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Remove home occupations from Item 2 'Permitted without consent'. • Prohibit commercial premises, with the exception of the following specific land uses, which it is proposed to permit with consent: business premises, office premises, cellar door premises, restaurants or cafes, take-away food & drink premises, garden centres, hardware & building supplies, kiosks, markets, plant nurseries, roadside stalls, shops, garden centres, hardware and building supplies, home occupations, plant nurseries, and • Permit residential flat buildings*. • Prohibit hostels. • It is proposed to restructure the land use table for this zone as a 'closed' zone, specifically listing the land uses that are permitted with consent. Areas zoned B1 in the LGA are usually small and surrounded by R2 zoned land, so a more restrictive approach to land uses is considered appropriate, consistent with the approach for the R2 zone. <p>*A provision is proposed to be included in the consolidated LEP requiring non-residential uses to be provided at ground floor level.</p>
B2 Local Centre	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. • Encourage employment opportunities in accessible locations. • Maximise public transport patronage and encourage walking and cycling. • Encourage the construction of mixed use buildings that integrate suitable commercial, residential and other developments and that provide active ground level uses.

Zone	Explanation of proposed provisions
	<p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Remove home occupations from Item 2 'Permitted without consent'. • Permit, with consent, amusement centres and residential flat buildings*. • Prohibit environmental facilities and hostels. <p>*A provision is proposed to be included in the consolidated LEP requiring non-residential uses to be provided at ground floor level.</p>
B3 Commercial Core	<p>The B3 zone is only applied to land under <i>Parramatta LEP 2011</i>. It is proposed to carry over, unchanged, Items 1, 2, 3 and 4 from the current <i>Parramatta LEP 2011</i> Land Use Table for this zone.</p>
B4 Mixed Use	<p>The B4 zone is only applied to land under <i>Parramatta LEP 2011</i>. It is proposed to carry over, unchanged, Items 1, 2, 3 and 4 from the current <i>Parramatta LEP 2011</i> Land Use Table for this zone.</p>
B5 Business Development	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres. • Maintain the economic strength of nearby centres by limiting retailing activity. • Enable land uses that provide facilities or services to meet the day to day needs of workers in the area. • Encourage a range of tourism, recreation, function and entertainment uses in proximity to the Rosehill Racecourse, the Parramatta River and the Western Sydney University. • Provide for automotive businesses, trades and services to reinforce the existing functions of land within the zone. • Ensure that development is arranged and carried out in a way that does not intrude on the amenity of adjoining residential areas or detract from the function of commercial development in the commercial core. <p>It is proposed to adopt provisions consistent with Items 2,3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Permit, with consent, funeral homes, industrial retail outlets, industrial training facilities and all light industries. • Prohibit home industries, environmental facilities and markets.
B6 Enterprise Corridor	<p>The intended objectives of this zone are:</p> <ul style="list-style-type: none"> • To promote businesses along main roads and to encourage a mix of compatible uses. • To provide a range of employment uses (including business, office, retail and light industrial uses). • To maintain the economic strength of centres by limiting retailing activity. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Permit, with consent, amusement centres, entertainment facilities, function centres, home industries and industrial retail outlets. • Prohibit environmental facilities.

Zone	Explanation of proposed provisions
B7 Business Park	The B7 zone is only applied to land under <i>Auburn LEP 2010</i> . It is proposed to carry over, unchanged, Items 1, 2, 3 and 4 from the current <i>Auburn LEP 2010</i> Land Use Table for this zone.
IN1 General Industrial	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide a wide range of industrial and warehouse land uses. • Encourage employment opportunities. • Minimise any adverse effect of industry on other land uses. • Support and protect industrial land for industrial uses. • Facilitate a range of non-industrial land uses that serve the needs of workers and visitors. • Minimise adverse effects on the natural environment. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Permit, with consent, community facilities, helipads, heliports, and registered clubs. • Prohibit correctional centres, early education and care facilities, environmental facilities, and respite day care centres.
IN2 Light Industrial	<p>The IN2 zone is only applied to land under <i>Parramatta LEP 2011</i>. It is proposed to carry over Items 1, 2, 3 and 4 from the current <i>Parramatta LEP 2011</i> Land Use Table for this zone, with the following changes:</p> <ul style="list-style-type: none"> • Prohibit early education and care facilities and respite day care centres, due to concerns about noise, air pollution and safety. This is consistent with the proposed approach in the IN1 zone.
IN3 Heavy Industrial	<p>The IN3 zone is only applied to land under <i>Parramatta LEP 2011</i>. It is proposed to carry over Items 1, 2, 3 and 4 from the current <i>Parramatta LEP 2011</i> Land Use Table for this zone, with the following changes:</p> <ul style="list-style-type: none"> • Prohibit artisan food and drink premises. • Replace 'centre-based child care facilities' with the group term 'early education and care facilities' in Item 4 'Prohibited'.
SP1 Special Activities	The SP1 zone is only applied to land under <i>Parramatta LEP 2011</i> . It is proposed to carry over, unchanged, Items 1, 2, 3 and 4 from the current <i>Parramatta LEP 2011</i> Land Use Table for this zone.
SP2 Infrastructure	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Provide for infrastructure and related uses. • Prevent development that is not compatible with or that may detract from the provision of infrastructure. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> • Permit building and business identification signs.
RE1 Public Recreation	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> • Enable land to be used for public open space or recreational purposes. • Provide a range of recreational settings and activities and compatible land uses. • Protect and enhance the natural environment for recreational purposes.

Zone	Explanation of proposed provisions
	<ul style="list-style-type: none"> Conserve, enhance and promote the natural assets and cultural heritage significance of parks and open spaces. Create a riverfront recreational opportunity that enables a high quality relationship between the built and natural environment. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> Permit, with consent, building identification signs and business identification signs. Prohibit charter and tourism boating facilities and water recycling facilities.
RE2 Private Recreation	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> Enable land to be used for private open space or recreational purposes. Provide a range of recreational settings and activities and compatible land uses. Protect and enhance the natural environment for recreational purposes. Identify privately owned land used for the purpose of providing private recreation, or for major sporting and entertainment facilities which serve the needs of the local population and of the wider Sydney region. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>, with the following changes:</p> <ul style="list-style-type: none"> Prohibit water recycling facilities.
E2 Environmental Conservation	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> Protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. Prevent development that could destroy, damage or otherwise have an adverse effect on those values. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>. No changes are proposed.</p>
W1 Natural Waterways	<p>The intended objectives of this zone are to:</p> <ul style="list-style-type: none"> Protect the ecological and scenic values of natural waterways. Prevent development that would have an adverse effect on the natural values of waterways in this zone. Provide for sustainable fishing industries and recreational fishing. Provide for cultural and scientific study of natural waterways. Enable works associated with the rehabilitation of land towards its natural state. <p>It is proposed to adopt provisions consistent with Items 2, 3 and 4 of the Land Use Table for this zone under <i>Parramatta LEP 2011</i>. No changes are proposed.</p>
W2 Recreational Waterways	<p>The W2 zone is only applied to land under <i>Parramatta LEP 2011</i>. It is proposed to carry over, unchanged, Items 1, 2, 3 and 4 from the current <i>Parramatta LEP 2011</i> Land Use Table for this zone.</p> <p>Note: the application of this zone to land in the LGA will be reviewed following finalisation of the <i>draft Environment SEPP</i> by the NSW Government, which is proposing an alternate W3 Working Waterways zone for the Parramatta River.</p>

2.3 Consolidation of mapping

The creation of a consolidated LEP requires the merging of existing LEP map sets, in so far as they relate to land in the City of Parramatta LGA. To facilitate the consolidation process, some changes are proposed to certain maps. Proposals for consolidating and updating maps are summarised below. Further detail on proposed changes is outlined in Part 4 – Mapping of this Planning Proposal.

Associated amendments will be required to the corresponding maps of LEPs that will no longer apply to land in the City of Parramatta LGA. Following gazettal of the consolidated LEP, to remove their application to land in the LGA.

It is noted that various site-specific planning proposals are being separately progressed by Council that propose changes to LEP mapping. Where these amendments are made prior to the finalisation of this planning proposal, it is intended they will be carried over into the new consolidated LEP.

LEP Map	Explanation of proposed mapping
Land Application Map	<p>A new map will be prepared to reflect current boundary of the City of Parramatta LGA (refer to Appendix 4).</p> <p>The consolidated LEP will not apply to land within Sydney Olympic Park (subject to State Environmental Planning Policy (State Significant Precincts) 2005).</p> <p>Certain land at Wentworth Point is currently subject to <i>Sydney Regional Environmental Plan No.24 – Homebush Bay Area</i> (SREP 24) and is identified as a Deferred Matter in Auburn LEP 2010. The proposed Land Application Map retains this designation. It is noted that Council is working with the NSW Government to transfer the existing planning controls for this land into the LEP and to repeal SREP 24. Should this occur prior to the finalisation of this planning proposal it is intended that the consolidated LEP will apply to this land and the Land Application Map will be updated accordingly.</p> <p>Associated amendments are also required to the Land Application map of the environmental planning instruments that will no longer apply within the City of Parramatta LGA following finalisation of the consolidated LEP. This will exclude their application in so far as they apply to land now located within the City of Parramatta LGA.</p>
Land Zoning Map	<p>Existing LEP map sets will be consolidated, in so far as they apply to land within the City of Parramatta LGA. Changes to the zoning of certain sites in the LGA are proposed to reduce complexity and address anomalies and inconsistencies in the local land use planning framework. Broadly, these comprise:</p> <ul style="list-style-type: none"> • Rezoning of public bushland reserves with ecological value to E2 Environmental Conservation where these currently have an alternate zoning. • Rezoning of natural waterway corridors on public land to W1 Natural Waterways, where these currently have an alternate zoning. • Rezoning of land currently zoned R1 General Residential within the Epping Park Precinct and Carlingford Town Centre as it is not proposed to include the R1 zone in the consolidated LEP. • Rezoning of land off Murray Farm Road, Carlingford (Lot 25 DP 848644) from RU3 Forestry to SP1 Special Activities as it is not proposed to include the RU3 zone in the consolidated LEP. • Rezoning of land at 166A Windsor Road, Northmead from E3 Environmental Management to E2 Environmental Conservation. It is not proposed to include the E3 zone in the consolidated LEP.

LEP Map	Explanation of proposed mapping								
	<ul style="list-style-type: none"> Rezoning of land at 11-13 Pye Avenue, Northmead from E4 Environmental Living Zone to R2 Low Density Residential. It is not proposed to include the E4 zone in the consolidated LEP. Rezoning of bushland off Murray Farm Road Carlingford (Lot 4 DP 877235) from E4 Environmental Living to E2 Environmental Conservation. It is not proposed to include the E4 zone in the consolidated LEP. Rezoning of properties at 4 Speers Road and 1-8 Jean Street, North Rocks from R3 Medium Density Residential to R2 Low Density Residential. Rezoning of various properties fronting Lawndale Avenue, Riviera Avenue and North Rocks Road, North Rocks from R3 Medium Density Residential to R2 Low Density Residential. Rezoning of the following places of public worship from R2 Low Density Residential to SP1 Special Activities; <ul style="list-style-type: none"> 120 Carlingford Road, Epping 30 Downing Street, Epping 32 Moseley Street, Carlingford 36 Moseley Street, Carlingford (part of site) 56 Norfolk Road, Epping 132 North Rocks Rd, North Rocks 391B North Rocks Road and 2 Alkira Road, Carlingford 543-545 North Rocks Road, Carlingford 56A Oxford Street, Epping (part of site) 735-739 Pennant Hills Road, Carlingford 128 Ray Road, Epping 6 Alamein Avenue, Carlingford 125 Murray Farm Road, Beecroft and 2-8 Statham Avenue, North Rocks Rezoning part of the land at 61 Pennant Hills Road, North Parramatta from R2 Low Density Residential to SP2 Educational Establishment, consistent with the rest of the site. Rezoning of land at 14 and 16 Grey Street, Silverwater from RE1 Public Recreation to B6 Enterprise Corridor to be consistent with the zoning of adjoining sites. These sites are not considered appropriate for public open space on their own and have not been identified on the Land Reservation Acquisition Map to be acquired for that purpose. Rezoning of 24A O'Connell St, Parramatta from part B4 Mixed Use and part RE1 Public Recreation to part RE1 Public Recreation and part W1 Natural Waterway. Rezoning classified roads to SP2 Classified Road where these currently have an alternate zoning. Update map labels applying to the SP2 zone to ensure consistent terminology is used for different infrastructure types. The following changes are proposed: <table> <tr> <th>Current infrastructure labels</th><th>Proposed infrastructure labels</th></tr> <tr> <td>Strategic Bus Corridor</td><td>Public Transport Corridor</td></tr> <tr> <td>Railway Corridor</td><td>Railway Infrastructure Facility</td></tr> <tr> <td>Railway</td><td>Railway Infrastructure Facility</td></tr> </table> <p>Further details of proposed changes to the Land Zoning Map are outlined in Part 4.</p>	Current infrastructure labels	Proposed infrastructure labels	Strategic Bus Corridor	Public Transport Corridor	Railway Corridor	Railway Infrastructure Facility	Railway	Railway Infrastructure Facility
Current infrastructure labels	Proposed infrastructure labels								
Strategic Bus Corridor	Public Transport Corridor								
Railway Corridor	Railway Infrastructure Facility								
Railway	Railway Infrastructure Facility								

LEP Map	Explanation of proposed mapping
Lot Size Map	<p>Existing LEP map sets will be consolidated, in so far as they apply to land within the City of Parramatta LGA.</p> <ul style="list-style-type: none"> It is proposed to change the Lot Size Map to apply a consistent minimum lot size of 550sqm to all residential zoned land in the LGA, except for R2 zoned land under <i>The Hills LEP 2012</i>. It is proposed to retain the 700sqm MLS applying to this land. Various updates to the MLS applying to specific sites, associated with proposed zoning changes. Remove existing MLS controls from public streets and roads, consistent with the approach taken under <i>Parramatta LEP 2011</i>. <p>Maps illustrating the proposed changes to the Lot Size Map are outlined in Part 4.</p>
Height of Buildings Map	<p>Existing LEP map sets will be consolidated, in so far as they apply to land within the City of Parramatta LGA.</p> <p>Changes are proposed to the maximum building height applying to certain sites in the LGA to bring more consistency to the local land use planning framework. Broadly, these comprise:</p> <ul style="list-style-type: none"> Increase the height limit applying R2 zoned land under <i>Hornsby LEP 2013</i> from 8.5 metres to 9 metres. Reduce the height limit applying to R3 zoned land under <i>Parramatta LEP 2011</i> to 9 metres (where a HOB of less than 9 metres currently applies, these will remain unchanged). Reduce the height limit applying to R3 zoned land under <i>Hornsby LEP 2013</i> from 12 metres to 9 metres (with the exception of R3 zoned land fronting Maida Road, Epping where the current height limit will be retained). Reduce the height limit applying to R4 zoned land west of Church Street, Parramatta and under <i>Holroyd LEP 2013</i> from 15 metres to 14 metres. Apply a height limit of 9 metres to land at 482-500 North Rocks Road, Carlingford. Remove existing height of building control from public streets and roads, consistent with the approach taken under <i>Parramatta LEP 2011</i>. Various updates to the height limit applying to specific sites, associated with proposed zoning changes. <p>Further details of proposed changes to the Height of Buildings Map are outlined in Part 4.</p>
Floor Space Ratio Map	<p>Existing LEP map sets will be consolidated, in so far as they apply to land within the City of Parramatta LGA.</p> <p>Changes are proposed to the floor space ratio (FSR) applied to certain sites in the LGA to bring more consistency to the local land use planning framework. Broadly, these comprise:</p> <ul style="list-style-type: none"> Apply a FSR of 0.5:1 to R2 zoned land under <i>Hornsby LEP 2013</i>, <i>The Hills LEP 2012</i>, consistent with R2 zoned land in other parts of the LGA. Apply a FSR of 0.6:1 to R3 zoned land under <i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i>, consistent with R3 zoned land under <i>Parramatta LEP 2011</i>. An exception will be R3 zoned land fronting Maida Road, Epping, to which it is proposed to apply an FSR of 0.8:1 to reflect the current height limit and intention to continue to permit residential flat buildings on this land.

LEP Map	Explanation of proposed mapping
	<ul style="list-style-type: none"> Reduce the FSR of R3 zoned land in the suburb of Silverwater from 0.75:1 to 0.6:1. The FSR applying to R3 zoned land within the suburb of Newington will remain unchanged at 0.75:1. Apply an FSR to various sites, matched to the existing height control, to R4 zoned sites currently subject to <i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i>, where no FSR control is currently applied. Various updates to the FSR applying to specific sites, associated with proposed zoning changes. Remove existing FSR controls from public streets and roads, consistent with the approach taken under <i>Parramatta LEP 2011</i>. <p>Further details of proposed changes to the Floor Space Ratio Map are outlined in Part 4.</p>
Land Reservation Acquisition Map	<p>Existing LEP map sets will be consolidated, in so far as they apply to land within the City of Parramatta LGA.</p> <p>The following sites are proposed to be removed from the map as they have already been acquired or dedicated to Council:</p> <ul style="list-style-type: none"> 2A Morton St, Parramatta (Lot 3 DP 1215559) 24A O'Connell St, Parramatta (Lot 4 DP 1132683) 17 Mountain St, Epping (Lot 1 DP 230415) 3B Carter St, Lidcombe (Lot 20 DP 1249532) <p>It is also proposed to update map labels so that consistent terminology is used for types of reservation, consistent with proposed provisions under clause 5.1. This includes applying a label of 'Public Transport Corridor' to all land currently labelled in the LRA map as 'Strategic Bus Corridor'.</p> <p>Further details of proposed changes to the Land Reservation Acquisition Map are outlined in Part 4.</p>
Heritage Map	<p>Existing LEP map sets will be consolidated to identify all items located within the City of Parramatta LGA and to be consistent with the proposed Schedule 5. This will include updating item labels to reflect renumbering of items in Schedule 5. Other minor changes proposed comprise:</p> <ul style="list-style-type: none"> Not retaining the "Item – Landscape" category shown on <i>Hornsby LEP 2013</i> and <i>Auburn LEP 2010</i> Heritage Maps and instead including these items under the "Item – General" category, consistent with other LEPs. It is noted that Schedule 5 of all LEPs does not make this distinction. Removal of the Beecroft - Cheltenham Conservation Area designation. <p>Further details of proposed changes to the Heritage Map are outlined in Part 4.</p> <p>It is noted that as part of the Epping Planning Review, Council is progressing a separate site specific planning proposal to remove the southern portion of the Rosebank Avenue Conservation Area. Should this site-specific LEP amendment be made prior to the finalisation of the consolidated LEP, the LEP provisions will be updated accordingly.</p>
Acid Sulfate Soils Map	<p>Existing LEP map sets will be consolidated, in so far as they apply to land within the City of Parramatta LGA. No changes are proposed.</p>

LEP Map	Explanation of proposed mapping
Additional Permitted Uses Map	It is proposed to update the map set to include all sites to be listed in Schedule 1 of the consolidated LEP. Details of proposed changes to the Additional Permitted Uses Map are outlined in Part 4.
Dual Occupancy Prohibition Map	It is proposed to retain the Dual Occupancy Prohibition Map in the consolidated LEP. Existing prohibition areas identified in <i>Parramatta LEP 2011</i> will be retained. Additional prohibition areas are proposed to be added to the map to identify land where dual occupancy development is not considered appropriate. Further details of proposed changes to the Dual Occupancy Prohibition Map are outlined in Part 4.
Foreshore Building Line Map	<i>Parramatta LEP 2011</i> and <i>Auburn LEP 2010</i> include maps identifying a Foreshore Building Line (FBL) and Land below the FBL on land within the City of Parramatta LGA. It is proposed to incorporate these existing maps into the consolidated LEP. It is proposed to identify additional land along the foreshore at Wentworth Point, covering land in the precinct currently subject to <i>Auburn LEP 2010</i> . Further details of the proposed changes to the Foreshore Building Line Map are outlined in Part 4.
Natural Resources Map	<p>It is proposed to create a consolidated map that identifies environmentally sensitive land in the City of Parramatta LGA, as follows:</p> <p>Biodiversity: Incorporate significant vegetation identified on the following LEP maps (in so far as they relate to land in the LGA):</p> <ul style="list-style-type: none"> • <i>Holroyd LEP 2013: Biodiversity Map; Hornsby LEP 2013: Terrestrial Biodiversity Map</i> • <i>Parramatta LEP 2011: Natural Resources – Biodiversity Map</i> • <i>The Hills LEP 2012: Terrestrial Biodiversity Map</i> <p>It is proposed to map additional vegetation that is identified on the NSW Government's <i>Native Vegetation of the Sydney Metropolitan Area</i> mapping, as outlined in Part 4 and Appendix 8.</p> <p>Riparian land and waterways: Incorporate riparian land and waterways identified on the following LEP maps (in so far as they relate to land in the LGA):</p> <ul style="list-style-type: none"> • <i>Holroyd LEP 2013: Riparian Lands and Watercourses Map</i> • <i>Parramatta LEP 2011: Natural Resources – Riparian Land and Waterways Map</i> <p>It is proposed to map additional riparian land and waterways on the map, as outlined in Part 4 and Appendix 8.</p> <p>Land subject to landslide risk: Incorporate landslide risk land identified on the following LEP maps (in so far as they relate to land in the LGA):</p> <ul style="list-style-type: none"> • <i>Parramatta LEP 2011: Natural Resources – Landslide Risk Map</i> <p>No additions are proposed through this planning proposal.</p> <p>Further details of the proposed additions to the Natural Resources Map are outlined in Part 4 and Appendix 8.</p>

LEP Map	Explanation of proposed mapping
Key Sites Map	<p>It is proposed to include a Key Sites Map in the consolidated LEP to identify land subject to the following provisions:</p> <ul style="list-style-type: none"> • Development on certain land at Westmead (land currently subject to clause 6.10 of <i>Parramatta LEP 2011</i>). Refer to Part 4. • Development on certain land at Granville (land currently subject to clause 6.14 of <i>Parramatta LEP 2011</i>). Refer to Part 4. • Underground power lines at Carlingford (land currently identified as "Area A" on <i>The Hills LEP 2012</i> Key Sites Map). • Development requiring the preparation of a development control plan – Telopea Precinct (land currently identified as "Telopea Precinct" on the <i>Parramatta LEP 2011</i> Key Sites Map). • Arrangements for designated State public infrastructure (land currently identified as "Telopea Precinct" on the <i>Parramatta LEP 2011</i> Intensive Urban Development Area Map; and land currently identified as "Carter Street Priority Precinct" on the <i>Auburn LEP 2010</i> Priority Precinct Map). • Design Excellence Parramatta City Centre (land currently subject to clause 7.10(5)(c) of <i>Parramatta LEP 2011</i> and shown on that LEP's Key Sites Map). • Land subject to new site-specific provisions added through LEP amendments made before the finalisation of this planning proposal.
Additional Local Provisions Map	<p>Additional Local Provisions Map from <i>Parramatta LEP 2011</i> to be incorporated into consolidated LEP. No changes are proposed through this planning proposal. Map relates solely to the Parramatta City Centre.</p>
Special Provisions Area Map	<p>Special Provisions Area Map from <i>Parramatta LEP 2011</i> to be incorporated into consolidated LEP. No changes are proposed through this planning proposal. Map relates solely to the Parramatta City Centre.</p>
Sun Access Protection Map	<p>Sun Access Protection Map from <i>Parramatta LEP 2011</i> to be incorporated into consolidated LEP. No changes are proposed through this planning proposal. Map relates solely to the Parramatta City Centre.</p>
Design Excellence Map	<p>It is proposed to incorporate the current <i>Parramatta LEP 2011</i> Design Excellence Map into the consolidated LEP. The map will identify sites subject to LEP design excellence clauses. The following sites, which are subject to existing <i>Parramatta LEP 2011</i> design excellence provisions (clauses 6.12 or 6.13), are proposed to be added to the map:</p> <ul style="list-style-type: none"> • Granville • Parramatta North Urban Renewal Area • Telopea Precinct • Other sites to which the design excellence provisions may be applied as part of site-specific LEP amendments made before the finalisation of this planning proposal.

2.4 Other relevant matters

Alongside the preparation of the consolidated LEP, Council is also reviewing the development control plans (DCPs) and development contributions plans which apply in the City of Parramatta LGA, with the intention of creating a consolidated DCP and development contributions framework. This work will assist will implementing the consolidated LEP.

It is intended that the draft consolidated DCP will be exhibited alongside this planning proposal.

Part 3 – Justification

This part describes the reasons for the proposed outcomes and development standards in the planning proposal.

3.1 Section A – Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1 *Is the Planning Proposal a result of any study or report?*

This planning proposal is required as a result of May 2016 NSW Government Council boundary changes. This has led to multiple land use plans applying within the City of Parramatta LGA, creating an inconsistent and complex policy framework with different rules applying to different areas. It also places additional administrative burden on council as administration of LEPs is currently shared by multiple councils.

The “Guidance for merged councils on planning functions” issued by the NSW Government in May 2016, identified the harmonisation of planning controls as an important longer term action for new councils.

3.1.2 *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

A planning proposal is the only means Council has of achieving the consolidation and harmonisation of LEP provisions. The changes to provisions proposed in this planning proposal are necessary in order to achieve harmonisation of land use plans and achieve greater consistency, where appropriate, in the planning controls that apply to different parts of the LGA.

To inform the preparation of this planning proposal a *Land Use Planning Harmonisation Discussion Paper* was prepared and publicly exhibited between January and March 2019. The Discussion Paper sought feedback on options for harmonising controls and achieving the intent of this planning proposal. A summary of the feedback received and how it has informed the preparation of this planning proposal is outlined in a consultation report, which is included Appendix 5.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government’s Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* (the GSRP) which sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters.

The GSRP outlines a three-city vision for metropolitan Sydney with the City of Parramatta LGA being a central and key component within the *Central City District Plan* (the District Plan).

Following the release of these strategic plans, an independent technical review of each of the LEPs applying in the LGA was undertaken (the *Phase 1: City of Parramatta LEP Review – Health Check*) to identify the LEP framework's degree of consistency with the actions of the District Plan and the work Council is undertaking to achieve compliance. The findings of the LEP Health Check were confirmed by the Greater Sydney Commission as part of their assurance process.

As identified in the LEP Health Check, the consolidation of LEPs through this planning proposal will contribute to achieving several actions of the District Plan. These are outlined below. It is noted that the consolidation process is a largely administrative process. Where policies are consistent across LEPs it is generally not proposed to change these through this process.

The LEP Health Check identifies other actions being undertaken by Council, such as precinct planning and preparation of a Local Housing Strategy, that will further contribute to implementing the District Plan. The creation of a single LEP applying to the whole City of Parramatta LGA will facilitate this work by facilitating more efficient administration and preparation of future amendments to implement and deliver the objectives and priorities of the District Plan.

The table below provides an assessment of this planning proposal against the GSRP and District Plan:

GSRP Objective	District Plan Priority/Action	Comment
A city supported by infrastructure O1: Infrastructure supports the three cities O2: Infrastructure aligns with forecast growth – growth infrastructure compact O3: Infrastructure adapts to meet future need O4: Infrastructure use is optimised	PP C1: Planning for a city supported by infrastructure <ul style="list-style-type: none"> A1: Prioritise infrastructure investments to support the vision of <i>A Metropolis of Three Cities</i> A2: Sequence growth across the three cities to promote north-south and east-west connections A3: Align forecast growth with infrastructure A4: Sequence infrastructure provision using a place based approach A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities 	It is proposed to retain existing LEP provisions relating to the delivery of designated state public infrastructure in certain precincts. The LEP Health Check outlines other actions Council is taking to implement this planning priority.
O5: Benefits of growth realized by collaboration of governments, community and business	PP C2: Working through collaboration <ul style="list-style-type: none"> A7: Identify prioritise and delivery collaboration areas 	Not directly relevant to this planning proposal. Being implemented through separate activity as outlined in the LEP Health Check.
A city for people O6: Services and infrastructure meet communities' changing needs	PP C3: Provide services and social infrastructure to meet people's changing needs <ul style="list-style-type: none"> A8: Deliver social infrastructure that reflects the need of the community now and in the future 	<u>Centre-based childcare facilities</u> In order to bring consistency to the LEP Land Use Table it is proposed to extend the prohibition of centre-based childcare centres to all land zoned IN1 General Industrial, IN2 Light

GSRP Objective	District Plan Priority/Action	Comment
	<ul style="list-style-type: none"> A9: Optimise the use of available public land for social infrastructure 	<p>Industrial and RE1 Public Recreation.</p> <p>While this would reduce land available for these uses in certain locations where they are currently permitted, it is important that social infrastructure is provided in the right locations. This is a key strategic direction of Council's draft <i>Community Infrastructure Strategy (CIS)</i>, which outlines priorities for future social infrastructure to meet the community's needs.</p> <p>While child care centres in parks can provide good amenity for users, they result in a loss of public access to open space. A key aim of the draft CIS is to ensure no net loss of current park and outdoor recreation space across the LGA. This is also consistent with actions outlined under <i>Objective 31: Public open space is accessible, protected and enhanced</i>.</p> <p>Industrial zones are not considered appropriate for child care centres due to potential conflicts with other land uses such as brothels or industrial uses that generate noise and pollution. There are also safety concerns around heavy vehicle movements associated with some industrial uses.</p> <p><u>Indoor recreation facilities</u></p> <p>Indoor recreation facilities are already prohibited in R2 zoned land in the LGA under <i>Holroyd LEP 2013</i>, <i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i>. It is proposed to extend this to the remainder of the R2 zone in the LGA.</p> <p>Indoor recreation facilities cover a broad range of uses, some of which, have the potential to significantly impact low density residential neighbourhoods. For example, there has been a noticeable increase in 24 hour gyms establishing in the LGA. These are not considered appropriate in low density R2 zones as indoor recreation facilities should ideally be located close to public transport and population centres.</p>
<p>O7: Communities are healthy, resilient and socially connected</p> <p>O8: Greater Sydney's communities are culturally rich with diverse</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities. 	<p>The planning proposal includes provisions to manage the temporary use of land and certain types of temporary events. It seeks to amend the provisions for temporary uses of land by extending the current 28 day</p>

GSRP Objective	District Plan Priority/Action	Comment
<p>neighbourhoods</p> <p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<ul style="list-style-type: none"> • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Councils. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden. • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places. 	<p>limit to 52 days, subject to the necessary approvals being granted. This would allow more community events to be held on public land. The longer time period will also facilitate tourism and economic growth in the LGA given the contribution that events make to the local economy.</p> <p>It is also proposed to identify markets and other temporary events on land owned or managed by Council as exempt development, removing the need for a development application. This approach will reduce the regulatory burden on event organisers and community groups and support multifunctional use of spaces by the community.</p>
<p>Housing the city</p> <p>O10: Greater housing supply</p> <p>O11: Housing is more diverse and affordable</p>	<p>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets and housing strategy requirements outlined in Objective 10 of the GSRP. • A17: Prepare Affordable Rental housing Target Schemes 	<p>This planning proposal includes several provisions relevant to housing supply and choice in the City of Parramatta LGA, in particular:</p> <ul style="list-style-type: none"> – Expanding dual occupancy prohibition areas. – Rezoning of certain sites in North Rocks from R3 Medium Density Residential to R2 Low Density Residential. – Reduction in floor space ratio applying to R3 zoned land at Silverwater from 0.75:1 to 0.6:1. – Reducing the maximum height applying to R3 zoned land in the former Parramatta and Hornsby Council areas to 9 metres. – Prohibition of residential flat buildings on R3 zoned land across the LGA. – Increasing the minimum subdivision lot size applying to residential zoned land in the former Hornsby and Holroyd Council areas. <p>These provisions are not expected to have a significant impact on housing supply or diversity across the LGA, particularly in the context of the multiple precinct and site-specific strategic planning processes currently underway across the LGA.</p>

GSRP Objective	District Plan Priority/Action	Comment
		<p>Council is currently preparing a Local Housing Strategy, which will demonstrate how housing supply and choice will be delivered in the LGA in appropriate locations to implement the District Plan housing targets and objectives.</p> <p>Council is running a number of precinct planning processes which will deliver significant housing supply. These processes are running separate to this planning proposal and any future amendments to planning controls will be incorporated into the consolidated LEP at a later date via a separate process.</p> <p>Further commentary on this issue is provided in section 3.2.4 relating to compliance with Ministerial Direction 3.1 – Residential Zones.</p>
<p>A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <ul style="list-style-type: none"> A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places. A19: Identify, conserve and enhance environmental heritage. A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods A21: In Collaboration Areas, Planned Precincts and planning for centres. A22: Use flexible and innovative approaches to revitalise high streets in decline. 	<p>This planning proposal does not seek to rezone any business zone land. The land use tables applying to the B1 Neighbourhood Centre zone and B2 Local Centre zone will be harmonised to achieve consistency in policies applying to these locations across the LGA.</p> <p>It is proposed to include provisions in the consolidated LEP requiring ground floors of buildings in B1 and B2 zones to provide non-residential uses as part of developments involving residential accommodation. The aim of this provision is to provide a greater range of uses at ground floor than could be provided as part of 'shop top housing', which is limited to retail and business premises at the ground floor. This will enable a mix of retail, business and community uses to be provided below residential accommodation in these zones, contributing to variety and vitality.</p> <p>This is consistent with the intent of the District Plan as it provides for additional opportunities for investment and business activities within these zones.</p> <p>Existing LEP schedules of heritage items and conservation areas will be retained and incorporated in the consolidated LEP, with only minor administrative changes proposed.</p>

GSRP Objective	District Plan Priority/Action	Comment
<p>A well-connected city</p> <p>O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy. • A24: Revitalise Hawkesbury Road so that it becomes the civic, transport, commercial and community heart of Westmead. • A25: Support the emergency services transport, including helicopter access. • A26: Prioritise infrastructure investment. • A27: Manage car parking and identify smart traffic management strategies. • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct. 	<p>Not directly relevant to this planning proposal. Being implemented through separate activity as outlined in the LEP Health Check.</p>
<p>Jobs and skills for the city</p> <p>O15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GPOP Economic Corridor</p> <ul style="list-style-type: none"> • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct. • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GPOP Economic Corridor. • A30: Prioritise transport investments that enhance access to the GPOP between centres within GPOP. 	<p>Not directly relevant to this planning proposal. Being implemented through separate activity as outlined in the LEP Health Check.</p>
<p>O14: The plan integrates land use and transport creates walkable and 30 minute cities</p> <p>O16: Freight and logistics network is competitive and efficient</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city. • A33: Investigate, plan and protect future transport and infrastructure corridors. • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network. • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network. • A36: Protect transport corridors as appropriate, including the Western Sydney Freight Line, North South train link from Schofields to WS Airport as well as Outer Sydney Orbital and Bells Line of Road-Castlereagh connections. 	<p>Not directly relevant to this planning proposal. Being implemented through separate activity as outlined in the LEP Health Check.</p>

GSRP Objective	District Plan Priority/Action	Comment
O22: Investment and business activity in centres	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney's centres • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	<p>Not directly relevant to this planning proposal. Being implemented through separate activity as outlined in the LEP Health Check.</p> <p>This planning proposal will not impact the ongoing growth of commercial space in Strategic Centres and the Parramatta City Centre.</p>
O23: Industrial and urban services land is planned, retained and managed	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p> <ul style="list-style-type: none"> • A49: Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government area • A51: Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights • A52: Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land use activities (a-e) and transport operations (f-g) [abridged] 	<p>This planning proposal does not include any changes that would result in the reduction of the amount of industrial and urban services land.</p> <p>Some changes are proposed to the land use tables for the IN1 General Industrial and IN2 Light Industrial zones to provide consistency across these zones including the removal of centre based childcare, function centres, and tourist and visitor accommodation as permissible land uses in some locations.</p> <p>These land uses are considered incompatible with industrial areas and/or have the potential to further reduce the amount land available for industrial purposes.</p> <p>Council's approach to managing the future of its employment lands is addressed further in an update to its Employment Land Strategy attached to the draft Local Strategic Planning Statement.</p>
O24: Economic sectors are targeted for success	<p>PP C12: Supporting growth of targeted industry sectors</p> <ul style="list-style-type: none"> • A53: Facilitate health and education precincts. • A54: Provide a regulatory environment that enables economic opportunities created by changing technologies. • A55: Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers. • A56: Protect and support agricultural production and mineral resources by preventing inappropriate dispersed urban activities. 	<p>Refer to commentary above relating to proposed provisions for events and temporary use of land.</p> <p>This planning proposal seeks to amend provisions relating to permissibility of certain types of tourist and visitor accommodation in certain zones to bring consistency across the LGA, including:</p> <ul style="list-style-type: none"> – Permitting bed and breakfast accommodation in all residential zones and business zones across the LGA. Other types of tourist and visitor accommodation, such as hotel and motel accommodation and services apartments, are not proposed to be allowed in

GSRP Objective	District Plan Priority/Action	Comment
	<ul style="list-style-type: none"> • A57: Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experience and ensure connections to transport at key tourist attractions. • A58: Consider opportunities to enhance the tourist and visitor economy in the district, including a coordinated approach to tourism activities, events and accommodation. • A59: When preparing plans for tourism and visitation consider (a-g). 	<p>residential zones or the B1 Neighbourhood Centre zone, due to the potential for amenity impacts in these areas. This is generally consistent with most LEP provisions already applying to land in the LGA.</p> <ul style="list-style-type: none"> – Extending the prohibition on hotel and motel accommodation and serviced apartments in the IN1 General Industrial zone to IN1 zoned land in the former The Hills Council area (being land in the North Rocks Industrial Area). Like other General Industrial areas, this site would not provide a good level of amenity for visitors as its lacks permeability and proximity to town centres. There is also the potential for conflicts with certain industrial uses, such as those that generate noise and air pollution. Tourist and visitor accommodation also has the potential to reduce the amount of land available for industrial uses and is not considered an essential use to serve the needs of workers. <p>Other aspects of this planning priority will be implemented through separate activity, as outlined in the LEP Health Check.</p>
<p>A city in its landscape</p> <p>O25: The coast and waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways. • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport. • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes. • A63: Work towards reinstating more natural conditions in highly modified urban waterways. 	<p>This planning proposal is seeking to apply the W1 Natural Waterway zone consistently to all natural waterways under public ownership and to identify additional natural creek corridors on the Riparian Land and Waterways Map. This will enhance the protection of waterways and ensure a consistent approach is taken to managing development impacts.</p> <p>Additional sites are also proposed to be included on the foreshore building line map to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of these key areas.</p>
<p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p>	<p>This planning proposal seeks to apply the E2 Environmental Conservation zone consistently to all public bushland reserves and to map</p>

GSRP Objective	District Plan Priority/Action	Comment
O28: Scenic and cultural landscapes are protected	<ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>additional bushland and vegetation with an ecological importance in the LEP . This will enhance the recognition and protection of important environmental assets in the LGA and ensure a consistent approach is taken to managing development impacts.</p> <p>It is proposed to not carry over the E3 Environmental Conservation zone or E4 Environmental Living zone into the consolidated LEP. This change is considered of minor significance as these zones are only applied to three sites in the LGA, which are proposed to be given a more appropriate zoning that reflects their environmental value (refer to Part 4 for further information).</p>
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	<p>This planning proposal includes provisions for:</p> <ul style="list-style-type: none"> – An additional objective for the R2 zone relating to protecting and enhancing tree canopy. – Increasing minimum subdivision lot size applying to land in the former Hornsby and Holroyd Council areas to 550sqm, to match the control under <i>Parramatta LEP 2011</i>. It is also proposed to maintain the 700sqm minimum subdivision lot size applying to land in the former The Hills Council area. These provisions will assist with tree retention. – Inclusion of heads of consideration relating to protection and enhancement of urban tree canopy in the proposed design excellence clause. <p>The need to protect urban tree canopy cover has also informed proposals relating dual occupancy prohibition areas and minimum lot size requirements (refer to Appendix 6).</p> <p>Other aspects of this planning priority will be implemented through separate activity, as outlined in the LEP Health Check.</p> <p>Alongside this planning proposal, Council is also preparing a consolidated development control plan for the LGA. This process will include a review of the tree protection controls applying to the land in the</p>

GSRP Objective	District Plan Priority/Action	Comment
		LGA, to give effect to <i>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</i> .
O31: Public open space is accessible, protected and enhanced	<p>PP C17: Delivering high quality open space</p> <ul style="list-style-type: none"> A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	<p>This planning proposal includes provisions relating to land uses permitted in RE1 Public Recreation zones.</p> <p>It is proposed to prohibit child care centres on RE1 zoned land. Refer to comments above relating to <i>Objective 6: Services and infrastructure meet communities' changing needs</i>.</p> <p>It is proposed to permit restaurants, cafes, take-away food and drink premises and markets on RE1 zoned land. These uses are already allowed on RE1 zoned sites under <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i>. <i>Auburn LEP 2010</i> also allows restaurants, cafes and markets in this zone.</p> <p>These uses can complement recreational activities and enhance the use and enjoyment of open spaces by the public. Further, these premises can be designed to be small in order to minimise any potential loss of open space and will need to be consistent with the applicable plan of management for the site.</p> <p>Markets tend to be occasional uses that will not permanently reduce the amount of land available for open space and will further maximise the use of these spaces by the community.</p> <p>Other changes to the Land Use Table are outlined in Appendix 3, and are considered to be of minor significance.</p>
<p>An efficient city</p> <p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>O34: Energy and water flows are captured, used and re-used</p> <p>O35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</p> <ul style="list-style-type: none"> A75: Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050 A76: Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency A77: Protect existing and identify new locations for waste recycling and management 	<p>Not directly relevant to this planning proposal. These matters will be considered as part of the preparation of a consolidated development control plan for the LGA and also through separate precinct planning processes.</p> <p>The LEP Health Check outlines other actions council is taking to implement this planning priority.</p>

GSRP Objective	District Plan Priority/Action	Comment
	<ul style="list-style-type: none"> • A78: Support innovative solutions to reduce the volume of waste and reduce waste transport requirements • A79: Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm 	
<p>O36: People and places adapt to climate change and future shocks and stresses</p> <p>O37: Exposure to natural and urban hazards is reduced</p> <p>O38: Heatwaves and extreme heat are managed</p>	<p>PP C20: Adapting to the impacts of urban and natural hazards and climate change</p> <ul style="list-style-type: none"> • A81: Support initiatives that respond to the impacts of climate change • A82: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards • A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat • A84: Respond to the direction for managing flood risk in Hawkesbury-Nepean Valley • A85: Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD 	<p>This planning proposal includes provisions for:</p> <ul style="list-style-type: none"> – Consistently protecting public bushland reserves and mapping additional sites with biodiversity significance. – An additional objective for the R2 zone relating to protecting and enhancing tree canopy. – Inclusion of heads of consideration relating to urban heat in the proposed design excellence clause. <p>This planning priority will also be considered as part of the preparation of a consolidated development control plan for the LGA, which will include controls to address natural hazards and climate change.</p> <p>The LEP Health Check outlines other actions council is taking to implement this planning priority.</p>

3.2.2 Will the planning proposal give effect to council's endorsed local strategic planning statement or another endorsed local strategy or strategic plan?

This planning proposal is being progressed concurrently with the preparation of Council's draft Local Strategic Planning Statement (LSPS). Council has prepared a draft LSPS for exhibition. As the draft LSPS is yet to be finalised and endorsed, the planning proposal has been considered against Council's current community strategic plan. Notwithstanding, it is considered that this planning proposal is consistent with the draft LSPS.

Once finalised, the draft LSPS will identify further strategic planning actions Council will undertake to review and update its local planning framework, beyond those being proposed through the LEP consolidation process.

Parramatta Community Strategic Plan 2018-2038: Butbutt Yura Barra Ngurra

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

The planning proposal is considered to meet the strategies and key objectives identified in the plan, as outlined in the table below:

CSP Objective	Associated CSP Strategies	Comment
Fair – We can all benefit from the opportunities our City offers	<ul style="list-style-type: none"> • 1.1: Invest in services and facilities for our growing community. • 1.2: Advocate for affordable and diverse housing choices. • 1.3: Support people to live active and healthy lives. • 1.4: Ensure everyone has access to education and learning opportunities. • 1.5: Empower communities to be strong and resilient by building individual and community capability. • 1.6: Engage and consult the community in decision-making. • 1.7: Deliver effective, responsible and ethical leadership and decision-making, reflective of community needs and aspirations. 	<p>This planning proposal seeks to achieve greater consistency between the planning controls applying to different parts of the City of Parramatta LGA. This needs to be balanced with the need to manage the impacts of development to avoid negative impacts on communities.</p> <p>As such, for some issues such as where dual occupancy development is permitted, some local variation in the application of controls is proposed and considered appropriate to respond to differences in character and constraints across the LGA. Refer to section 3.2.4 and Appendix 6 for further discussion on this matter.</p> <p>The community has informed this planning proposal through consultation on the Land Use Planning Harmonisation Discussion Paper. Further engagement will occur once the Gateway Determination for the planning proposal has been issued.</p>
Accessible – We can all get to where we want to go	<ul style="list-style-type: none"> • 2.1: Design our City so that it is usable by people of all ages and abilities. • 2.2: Improve public transport to and from Parramatta CBD, our local centres, neighbourhoods and the greater Sydney region. • 2.3: Make our City more enjoyable and safe for walking and cycling. • 2.4: Provide and upgrade roads and improve safety for all road users. • 2.5: Manage traffic congestion and access to parking. 	<p>This planning proposal does not propose increases in development densities in the LGA.</p> <p>The proposals relating to dual occupancy prohibition areas have been informed by consideration of access to transport and street patterns. Refer to Appendix 6.</p> <p>Matters relating to car and bicycle parking rates will be further considered in the preparation of a consolidated development control plan for the LGA.</p>
Green – We care for and enjoy our environment	<ul style="list-style-type: none"> • 3.1: Protect and enhance our natural environment. • 3.2: Improve our River and waterways. • 3.3: Keep our City clean. • 3.4: Provide green spaces for recreation, relaxation and enjoyment. • 3.5: Prepare for and lessen the impacts of extreme weather events. • 3.6: Promote energy and water efficiency, renewable energy sources, and reduced emissions and waste. 	<p>This planning proposal includes several provisions to protect the natural environment, including:</p> <ul style="list-style-type: none"> – Consistently zoning all bushland corridors E2 Environment Conservation. – Consistently rezoning waterways W1 Natural Waterways. – Mapping important vegetation and creek corridors in the LEP to ensure impacts of development are thoroughly considered. <p>Further consideration will be given to controls to protect the natural environment as part of the preparation of the consolidated development control plan for the LGA.</p>

CSP Objective	Associated CSP Strategies	Comment
Welcoming – We celebrate culture and diversity – past, present and future	<ul style="list-style-type: none"> • 4.1: Acknowledge the Darug peoples as the traditional custodians of this land and make Parramatta a leading City of Reconciliation. • 4.2: Promote the growth of arts and culture and champion the role that culture plays in city-building. • 4.3: Respect, protect and celebrate our shared living histories of Parramatta and embrace our heritage. • 4.4: Recognise that Parramatta has always been a gathering place and our diversity is our strength. 	<p>This planning proposal includes provisions relating to events and temporary use of land that will support arts and cultural events in the LGA.</p> <p>Existing LEP schedules of heritage items and conservation areas will be retained and incorporated in the consolidated LEP, with only minor administrative changes proposed.</p> <p>As part of the preparation of the consolidated development control plan for the LGA, Council is undertaking work extend the Aboriginal archaeology Sensitivity Map.</p>
Thriving – We benefit from having a thriving CBD and local centres	<ul style="list-style-type: none"> • 5.1: Accelerate local jobs growth and support people in finding employment. • 5.2: Attract public and private investment to our City and support the growth and prosperity of local businesses. • 5.3: Plan and deliver a vibrant, attractive and safe CBD and local centres. • 5.4: Ensure major centres have a thriving day and night time economy. 	<p>This planning proposal does not propose to rezone any business zone land. The land use tables applying to the B1 Neighbourhood Centre zone and B2 Local Centre zone will be harmonised to achieve consistency in policies applying to these locations across the LGA.</p> <p>A new provision is proposed to ensure a range of non-residential land uses are provided on the ground floor of developments where residential accommodation of proposed.</p>
Innovative – We collaborate and champion new ideas to create a better future	<ul style="list-style-type: none"> • 6.1: Engage in strategic planning and implement innovative solutions to manage the growth of our City. • 6.2: Support collaboration and partnerships to deliver key outcomes for our City. • 6.3: Embrace technology, creativity and innovation to solve complex problems and improve our City. • 6.4: Attract leading research, education and training facilities to Parramatta. • 6.5: Manage the City's assets and financial resources in a responsible manner and provide the best possible services for the community. 	<p>This planning proposal seeks to reduce complexity in the local land use planning framework and achieve greater consistency in the planning controls applying to different parts of the LGA.</p>

3.2.3 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site:

SEPP	Summary	Application and Consistency
SEPP 1 - Development Standards	Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	Not relevant. The consolidated LEP will be excluded from the provisions of this SEPP, as per the Standard Instrument LEP mandatory clause 1.9.
SEPP 19 – Bushland in Urban Areas	Generally aims to protect and preserve bushland within urban areas due to their natural heritage, aesthetic, recreational, educational and scientific values. When preparing draft local environmental plans for any land to which SEPP 19 applies, other than rural land, the council shall have regard to the general and specific aims of the Policy, and give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland.	Consistent. This planning proposal seeks to apply the E2 Environmental Conservation zone consistently to all public bushland reserves and to map additional bushland and vegetation with an ecological value as "Biodiversity" land on a Natural Resources Map. This will enhance the recognition and protection of bushland in the LGA and ensure a consistent approach is taken to managing development impacts.
SEPP 21 – Caravan Parks	Aims to encourage the orderly development, economic use and management of land for caravan parks.	Not relevant to this planning proposal.
SEPP 33 – Hazardous and Offensive Development	Introduces standard definitions for hazardous and offensive uses where they vary across environmental planning instruments and provisions associated with development consent for these types of uses.	Consistent. This planning proposal does not include any provisions that are inconsistent with the aims of the SEPP. The consolidated LEP will retain IN3 zoned land, unchanged, where offensive and hazardous industries will continue to be a permissible use with consent.
SEPP 36 – Manufactured Home Estates	This SEPP does not apply to land within the Sydney Region.	Not relevant to this planning proposal.
SEPP 44 – Koala Habitat Protection	This SEPP does not apply to land within the City of Parramatta LGA.	Not relevant to this planning proposal.
SEPP 50 – Canal Estate Development	Aims to prohibit certain canal estate development such as development of certain dwellings, tourist accommodation that incorporate either wholly or part of constructed canal or waterway and the like.	Not relevant to this planning proposal.
SEPP 55 - Remediation of Land	Provides a State wide planning approach for the remediation of contaminated land.	Consistent. This planning proposal is not proposing the

SEPP	Summary	Application and Consistency
	Requires a planning authority to give consideration to contamination issues when rezoning land to allow a change of use that may increase the risk to health or the environment from contamination.	intensification of development on any sites. While changes to the zoning of some sites is proposed, the proposed new zoning reflects the existing land uses on the site. The planning proposal will not result in changes to land uses that would otherwise increase risks to health and the environment associated with land contamination.
SEPP 64 – Advertising and Signage	Provides matters for consideration when accessing advertising and signage applications where development consent is required.	Consistent. This planning proposal seeks to prohibit general advertising structures in all zones in the LGA, consistent with the current approaches under both <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> , as advertising signage that does not relate to the specific use of a site is not considered appropriate due to its negative visual impact. Additionally, it is also proposed to identify advertising on bus shelters owned and managed by Council as exempt development under Schedule 2 of the consolidated LEP. The provisions of SEPP 64 will continue to apply to building and business identification signage, which will continue to be permitted, and the display of advertisements on transport corridor land. In accordance with clause 31 of the SEPP, council has consulted with the RMS as part of consultation of the <i>Harmonising our land use planning framework Discussion Paper</i> in the preparation of this planning proposal (refer to section 3.4.2). Comments received from the RMS are included in Appendix 7.
SEPP 65 - Design Quality of Residential Apartment Development	The broad aims of this policy is to improve the design quality and provide a consistent framework for residential apartment development in the State.	Consistent. The planning proposal will not result in any additional sites being able to be developed for residential accommodation to which SEPP 65 applies. Development subject to SEPP 65 will be required to demonstrate detailed compliance with its provisions at the time of making a development application.
SEPP 70 - Affordable Housing (Revised Schemes)	Identifies that there is a need for affordable housing across the whole of the State and makes a requirement with respect to the imposition of conditions on development consents relating to the provision of affordable housing.	Not relevant to this planning proposal. The SEPP does not contain any provisions required to be addressed as part of this planning proposal.
SEPP (Aboriginal Land) 2019	This SEPP does not apply to land within the City of Parramatta LGA.	Not relevant to this planning proposal.

SEPP	Summary	Application and Consistency
SEPP (Affordable Rental Housing) 2009	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing.	Not inconsistent. This planning proposal includes provisions for prohibiting dual occupancies and residential flat buildings on certain land. While this is not inconsistent with any of the provisions of the SEPP, it would impact the locations in which some of its provisions apply, in particular those of Division 1 – In-fill affordable housing.
SEPP (BASIX) 2004	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State.	Not relevant to this planning proposal.
SEPP (Coastal Management) 2018	Gives effect to the objectives of the <i>Coastal Management Act 2016</i> from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the coastal zone. The SEPP applies to land in the LGA along the foreshore of the Parramatta River and Haslam's Creek (east of the Charles Street Weir).	Consistent. This Planning Proposal includes appropriate planning provisions to protect and enhance identified environmentally sensitive lands and waterways, which is consistent with the objectives of the SEPP. Development subject to the SEPP will be required to demonstrate detailed compliance with its provisions at the time of making a development application.
SEPP (Concurrences) 2018	Outlines provisions relating to obtaining concurrences of development applications.	Not relevant to this planning proposal.
SEPP (Educational Establishments and Child Care Facilities) 2017	Aims to streamline the planning system for education and child care facilities including establishing consistent State-wide assessment requirements and design considerations for these facilities and specifying certain types of development as either exempt or complying development.	Not inconsistent. This planning proposal seeks to extend prohibition of centre-based childcare centres to all land zoned IN1 General Industrial, IN2 Light Industrial and RE1 Public Recreation as this use is not considered appropriate in these zones. While the SEPP includes additional matters for consideration for centre-based child care facilities proposed in the IN1 and IN2 zones, the SEPP does not mandate that these uses are permitted in these zones. As such, the planning proposal is not considered to be inconsistent with the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Aims to provide streamlined assessment process for certain types of development that is carried out in accordance with specified development standards.	Consistent. Provisions within existing LEPs that duplicate those within the SEPP will not be carried over into the consolidated LEP. It is proposed to specify markets and temporary events on council land, and advertising on bus shelters owned or managed by Council as exempt development. The proposed provisions do not contradict any of the aims or provisions of the SEPP.

SEPP	Summary	Application and Consistency
SEPP (Housing for Seniors or People with a Disability) 2004	Aims to encourage the provision of housing (including residential care facilities) that will increase the supply and diversity of accommodation that meets the needs of seniors or people with a disability.	Not relevant to this planning proposal. The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument. The provisions of the SEPP will continue to be a consideration in development applications relating to housing for seniors and people with a disability.
SEPP (Infrastructure) 2007	Aims to facilitate the effective delivery of infrastructure across NSW. The SEPP specifies where certain types of infrastructure can be built, with or without development consent. The SEPP also identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure.	Not relevant to this planning proposal. The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument. The provisions of the SEPP will continue to apply to the types of infrastructure development it covers, and these provisions will continue to prevail over the LEP to the extent of any inconsistency.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Aims to provide for the proper management and development of mining, petroleum production and extractive industries..	Not relevant to this planning proposal. The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.
SEPP (Miscellaneous Consent Provisions) 2007	Contains provisions relating to the erection of temporary structures.	Not inconsistent. This planning proposal does not contain any provisions inconsistent with the SEPP.
SEPP (Primary Production and Rural Development) 2019	Aims to facilitate the orderly economic use and development of land for primary production.	Not relevant to this planning proposal.
SEPP (State and Regional Development) 2011	Identifies development and infrastructure that is of State or regional significance.	Not relevant to this planning proposal. The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.
SEPP (State Significant Precincts) 2005	Identifies, and outlines provisions for, the development or protection of certain sites considered to be of economic, environmental or social significance to the State. The SEPP includes provisions relating to the redevelopment of the former Channel 7 site off Mobbs Lane, Epping, which duplicate many of the existing LEP controls.	Justifiably inconsistent. Redevelopment of the former Channel 7 site has now been completed. It is proposed to rezone land within the precinct from R1 General Residential to part R4 High Density Residential and Part R3 Medium Density Residential. While inconsistent with the zoning applied under the SEPP, the proposed zoning better reflects the built form in the precinct. It is also noted that the NSW Government is currently undertaking a review of the SEPP with the potential to remove the provisions relating to the former Channel 7 site and incorporate them fully into the LEP. Council will continue to work with the NSW Government on this process as necessary.

SEPP	Summary	Application and Consistency
SEPP (Sydney Drinking Water Catchment) 2011	This SEPP does not apply to land within the City of Parramatta LGA.	Not relevant to this planning proposal.
SEPP (Sydney Region Growth Centres) 2006	<p>Aims to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre and the Wilton Growth Area.</p> <p>The SEPP does not currently apply to any land within the City of Parramatta LGA however, it is noted that in 2017 the NSW Government consulted on its intention to identify the Greater Parramatta Growth Area in the SEPP. This has not yet occurred.</p>	<p>Not relevant to this planning proposal.</p> <p>This planning proposal does not include an extensive review of zoning or density within the proposed Greater Parramatta Growth Area.</p>
SEPP (Three Ports) 2013	This SEPP applies to land at Port Kembla and Port Botany.	Not relevant to this planning proposal.
SEPP (Urban Renewal) 2010	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts.	<p>Not inconsistent.</p> <p>The planning proposal applies to land that includes the Granville Potential Precinct. However, it does not include an extensive review of zoning or density across the LGA that would require application of this SEPP.</p>
SEPP (Vegetation in Non-Rural Areas) 2017	Outlines provisions relating to the protection of trees and other vegetation in non-rural areas of the State. The SEPP enables Councils to set tree and vegetation protection requirements in their DCPs. .	<p>Consistent.</p> <p>The SEPP does not contain any provisions required to be addressed in the preparation of an environmental planning instrument.</p> <p>A consolidated development control plan will be prepared to assist with implementation of the consolidated LEP. The DCP will include tree protection controls to implement the provisions of the SEPP.</p>
SEPP (Western Sydney Employment Area) 2009	This SEPP does not apply to land within the City of Parramatta LGA.	Not relevant to this planning proposal.
SEPP (Western Sydney Parklands) 2009	This SEPP does not apply to land within the City of Parramatta LGA.	Not relevant to this planning proposal.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	The SREP aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole that are to be considered and, where possible, achieved in the	<p>Not inconsistent.</p> <p>This planning proposal seeks to retain existing provisions of LEPs applying to land in the LGA that would assist with protecting the catchment's environment and heritage. These include provisions for:</p> <ul style="list-style-type: none"> Earthworks in close proximity to waterways and drinking water catchments Flood planning

SEPP	Summary	Application and Consistency
	preparation of environmental planning instruments. The SEPP applies to land in the City of Parramatta LGA.	<ul style="list-style-type: none"> Protection of waterways and riparian corridors Stormwater management Development along certain foreshore areas <p>It is noted that the NSW Government is currently undertaking a review of the SREP with the intention of creating a new Environment SEPP. As part of this process it is proposed to align water zones with those in the Standard Instrument LEP. If necessary, the zoning applied to the Parramatta River under the consolidated LEP will be reviewed following the finalisation of the new Environment SEPP.</p>
Sydney Region Environmental Plan 24 – Homebush Bay Area	Together with the Homebush Bay West DCP, SREP 24 provides the land use planning framework for land at Wentworth Point.	<p>Not relevant to this planning proposal.</p> <p>The consolidated LEP will not apply to land to which SREP 24 applies. It is noted that Council is working with the NSW Government to transfer the controls from SREP 24 into the LEP. This process is being undertaken separately to this planning proposal.</p>

3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with clause 9.1 of the EP&A Act 1979 the Minister issues directions for the relevant planning authorities to follow when preparing planning proposals for new LEPs. The directions are listed under the following categories:

- Employment and resources
- Environment and heritage
- Housing, infrastructure and urban development
- Hazard and risk
- Housing, Infrastructure and urban development
- Local plan making

The following directions are considered relevant to this planning proposal:

Relevant Direction	Application and Consistency
1. Employment and Resources	
<p>1.1 Business and Industrial Zones</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified centres. <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, 	<p>Consistent.</p> <p>This planning proposal does not seek to reduce the amount of business or industrial zoned land. Existing height and floor space ratio controls for these zones will be retained in the consolidated LEP, unchanged.</p> <p>The land use tables applying to the business and industrial zones will be harmonised to achieve consistency in policies applying to these locations across the LGA.</p> <p>This will result in centre-based child care facilities, function centres and tourist and visitor accommodation being prohibited in some industrially zoned land where they are currently allowed, to bring consistency across the LGA. It is also proposed to prohibit artisan food and drink industries in the IN3 zone. These land uses are</p>

Relevant Direction	Application and Consistency
<ul style="list-style-type: none"> (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment. 	<p>considered incompatible with industrial areas and/or have the potential to further reduce the amount land available for industrial purposes.</p> <p>It is proposed to include provisions in the consolidated LEP requiring ground floors of buildings in B1 Neighbourhood Centre and B2 Local Centre zones to provide non-residential uses as part of developments involving residential accommodation. The aim of this provision is to provide a greater range of uses at ground floor than could be provided as part of 'shop top housing', which is limited to retail and business premises at the ground floor. This will enable a mix of retail, business and community uses to be provided below residential accommodation in these zones, contributing variety and vitality.</p>
<p>1.2 Rural Zones</p> <p>The objective of this Direction is to protect the agricultural production value of rural land.</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village). 	<p>Consistent and of minor significance.</p> <p>A small parcel of land off Murray Farm Road, Carlingford is currently zoned RU3 Forestry.</p> <p>The site was likely formerly part of a larger land holding with similarly zoned land parcels located to the north which has since been dissected by the construction of the M2 Motorway.</p> <p>As a result, the current RU3 Forestry zone applying to the site is not considered appropriate given its urban context and does not reflect its current use by the NSW Rural Fire Service (North Rocks Brigade).</p> <p>Given the above, the application of the SP1 Special Activities zone is considered more appropriate and reflective of the current use.</p>
<p>1.3 Mining, Petroleum Production and Extractive Industries</p> <p>The objective of this Direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p>	<p>Not applicable.</p> <p>This planning proposal does not apply to any land that is subject to the provisions of this Direction.</p>
<p>1.4 Oyster Aquaculture</p> <p>The objectives of this Direction are:</p> <ul style="list-style-type: none"> (a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, (b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers. 	<p>Not applicable.</p> <p>This planning proposal does not apply to any land that is subject to the provisions of this Direction.</p>

Relevant Direction	Application and Consistency
<p>1.5 Rural Lands</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic development of rural lands for rural and related purposes. 	<p>Not applicable.</p> <p>This planning proposal does not apply to any land that is subject to the provisions of this Direction.</p>
2. Environment and Heritage	
<p>2.1 Environment Protection Zones</p> <p>The objective of this Direction is to protect and conserve environmentally sensitive areas.</p> <p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).</p>	<p>Justifiably inconsistent.</p> <p>This planning proposal seeks to apply the E2 Environmental Conservation zone consistently to all public bushland reserves and to map additional bushland and vegetation with ecological importance as 'Biodiversity' on a Natural Resources Map. This will enhance the recognition and protection of important environmental assets in the LGA and ensure a consistent approach is taken to managing development impacts.</p> <p>It is also proposed to rezone certain sites zoned E3 Environmental Management and E4 Environmental Living to E2 Environmental Conservation, to enhance their environmental protection.</p> <p>It is proposed to rezone one site (land at 11-13 Pye Avenue, Northmead) from E4 Environmental Living to R2 Low Density Residential. While an R2 zone is not an environmental protection zone, it is considered appropriate in this instance as the site was developed for townhouses in 2001. The site adjoins bushland, but does itself not contain any substantial vegetation. It is considered that this technical inconsistency with this Direction is of minor significance.</p>
<p>2.2 Coastal Management</p> <p>The objective of this Direction is to protect and manage coastal areas of NSW.</p> <p>This planning direction sets out a range of requirements for planning proposals affecting land in the coastal zone, including:</p> <ul style="list-style-type: none"> • Coastal wetlands and littoral rainforests • Coastal vulnerability areas • Coastal environment areas 	<p>Consistent.</p> <p>Certain land along the foreshore of the Parramatta River and Haslam's Creek (east of the Charles Street Weir) are within the coastal zone. This planning proposal is consistent with the <i>Coastal Management SEPP</i> (refer to section 3.2.3 above).</p> <p>This planning proposal includes appropriate planning provisions to protect and enhance identified environmentally sensitive lands and waterways and foreshore areas which is consistent with the objectives of this Direction. These include provisions for:</p> <ul style="list-style-type: none"> – Protection of waterways and riparian corridors – Development along certain foreshore areas <p>This planning proposal does not include any provisions that would otherwise increase densities on land subject to this Direction.</p>
<p>2.3 - Heritage Conservation</p> <p>The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>A planning proposal must contain provisions that facilitate the conservation of items of heritage significance, including Places,</p>	<p>Consistent.</p> <p>This planning proposal seeks to create a consolidated LEP that will incorporate existing heritage items and heritage conservation areas, with the exception of housekeeping updates of minor significance. It is proposed to not carry over the Cheltenham Conservation Area designation into the consolidated LEP as within the LGA this designation only applies to land covered by the M2 Motorway or bushland which does not contribute to the significance of the wider conservation area. This is supported by council's heritage advisor.</p>

Relevant Direction	Application and Consistency
buildings and relics, works, and Aboriginal areas and objects.	In addition, Council is also undertaking a review of the Aboriginal Heritage Sensitivity Map to extend it to all parts of the LGA. This map will sit within the consolidated DCP.
2.4 Recreation Vehicle Areas The objective of this Direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	Not applicable. This planning proposal does not apply to any land that is subject to the provisions of this Direction.
2.5 Application of E2 and E3 Zones and Environmental overlays in Far North Coast LEPs The objective of this Direction is to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.	Not applicable. This planning proposal does not apply to any land that is subject to the provisions of this Direction.
3. Housing, Infrastructure and Urban Development	
Direction 3.1 - Residential Zones The objectives of this Direction are: <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. A planning proposal must include provisions that encourage the provision of housing that will: <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. A planning proposal must, in relation to land to which this direction applies: <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land is adequately 	Justifiably inconsistent. Council is separately preparing a Local Housing Strategy (LHS) and Local Strategic Planning Statement (LSPS) which will identify actions for providing a diversity of housing types and sizes in the LGA to meet community needs and housing targets. The draft Local Housing Strategy identifies that Parramatta will easily achieve the dwellings targets identified in the District Plan. It also identifies that approximately 84% of new housing growth will be delivered in 13 specific precincts around employment and transport. Strategic planning for these precincts is being progressed separately to this planning proposal. While there is an identified need to investigate more medium density housing types in the LGA, the priority is for this to be delivered in future growth precincts and on large planning proposal sites (referred to as "Housing Diversity Precincts"). This will allow for a range of housing forms to be delivered in a planned way in appropriately located areas. This will be balanced with the identified priority to preserve and enhance the low-scale character and identity of suburban Parramatta. This planning proposal will assist in implementing these actions by implementing a review of dual occupancy and medium density residential zone provisions through the harmonisation process. Further discussion of key issues follows. <u>Dual occupancy prohibition areas</u> This planning proposal includes provisions to prohibit dual occupancies in certain low density areas of the LGA, including in some areas where this form of development is currently permitted. Proposed prohibition areas are identified in Part 4 and comprise the following locations:

Relevant Direction	Application and Consistency	
<p>served (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>Any inconsistencies with the Direction need to be justified through a housing strategy or relevant study, or be of minor significance.</p>	<p>Proposed prohibition area location</p> <p>Existing prohibition areas identified under <i>Parramatta LEP 2011</i></p> <p>R2 zoned land in the former Hornsby Council area, with the exception of land fronting Carlingford Road.</p> <p>R2 zoned land in the former The Hills Council area, with the exception of certain land fronting Pennant Hills Road and Windsor Road.</p> <p>R2 zoned land within heritage conservation areas, with the exception of the South Parramatta Conservation Area.</p> <p>Certain R2 zoned land in Carlingford, Dundas, Dundas Valley, and Oatlands.</p> <p>R2 zoned lots outside the above locations with a site area less than 600sqm.</p>	<p>Impact on permitted residential density</p> <p>No change.</p> <p>Dual occupancies are currently prohibited in all residential zones under <i>Hornsby LEP 2013</i>. This planning proposal will result in a net increase of approximately 120 lots being available for dual occupancy development in this part of the LGA.</p> <p>While dual occupancy development is currently permitted in this area under <i>The Hills LEP 2012</i>, subdivision of dual occupancies is not.</p> <p>Since May 2016, only 13 dual occupancy developments have been approved in this area (0.2% of available R2 zoned sites in this area), indicating that the prohibition of subdivision is acting as a pseudo-prohibition.</p> <p>As such, it is considered that applying a prohibition is not inconsistent with existing policy.</p> <p>Would reduce permissible residential density on approximately 150 sites on which dual occupancy development is currently permitted. This is considered of minor significance and will assist with protecting the special character of these heritage conservation areas.</p> <p>Dual occupancy development is currently permitted in these locations under <i>Parramatta LEP 2011</i>. It is estimated applying a prohibition will impact approximately 1,895 sites, reducing the supply of available sites in the LGA by approximately 10%.</p> <p>While this is inconsistent with the Direction, it is considered justified on the basis of the multiple constraints to dual occupancy development that exist in these areas. This matter is considered further in Appendix 6.</p> <p>This reflects the existing policy of <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i>, which limit dual occupancy development in the R2 zone to sites of 600sqm or more. Identification of these sites on the Dual Occupancy Prohibition map therefore reflects the intent of existing LEP policy in most locations where dual occupancy development is currently permitted. Refer below for further discussion.</p>

Relevant Direction	Application and Consistency
	<p>While the proposals would reduce the permissible residential density on some sites, it is important to ensure that dual development occupancy development occurs in the right locations.</p> <p>The proposed dual occupancy prohibition areas have been informed by an analysis of constraints that has identified areas where dual occupancy development could have ongoing and cumulative negative impacts on local amenity and character. This analysis is attached at Appendix 6.</p> <p>Secondary dwellings (granny flats) of up to 60sqm would continue to be permitted on sites over 450sqm in dual occupancy prohibition areas, under the provisions of the <i>Affordable Rental Housing SEPP</i>. This will provide opportunity for a modest uplift in development density on these sites and help contribute to housing supply and diversity in the LGA.</p> <p>The imposition of the proposed prohibition areas is unlikely to significantly impact housing delivery in the LGA. Council's draft LHS places a greater reliance on housing delivery within identified precincts. Each year dual occupancy development contributes only marginally to housing supply – approximately 160 dwellings or 3% of forecast annual supply. On the basis of this take-up rate, under the proposed prohibition areas there would remain sufficient sites (approximately 9,400 sites over 600sqm and not strata titled) to provide approximately 58 years of dual occupancy housing. Further, the draft LHS shows that Council is achieving its dwelling targets.</p> <p>The small annual contribution from dual occupancy development needs to be balanced against the potential for negative cumulative impacts over time due to inappropriately located development – for example, in some locations the density of an area could more than double as all sites would be eligible for both dual occupancy and secondary dwelling development.</p> <p><u>Applying a consistent minimum lot size of 600sqm for dual occupancy development</u></p> <p>A MLS requirement of 600sqm is considered the minimum necessary to achieve satisfactory design and amenity outcomes. This is consistent with the existing provisions across most areas where it is proposed to permit dual occupancy development. It is also consistent with recent proposals from the neighbouring Cumberland Council.</p> <p>A relatively small number of sites (approx. 48) will be impacted in the former Holroyd Council area, where a MLS of 500sqm currently applies through <i>Holroyd LEP 2013</i>. This impact is considered of minor significance.</p> <p>While a MLS of 450sqm applies to land under <i>Auburn DCP 2010</i>, this part of the LGA does not contain any R2 zoned land. Very few dual occupancies are therefore anticipated to be built in this area as development is likely to be higher forms of residential accommodation permitted under the R3 Medium Density Residential zone</p> <p>Identifying R2 zoned sites of less than 600sqm on the Dual Occupancy Prohibition Map will provide additional clarity as to where dual occupancy development is considered acceptable in the LGA and will limit higher density housing forms occurring in low density environments.</p>

Relevant Direction	Application and Consistency
	<p><u>Rezoning of certain land from R3 Medium Density Residential to R2 Low density Residential</u></p> <p>This planning proposal includes the rezoning of approximately 68 properties in North Rocks from R3 Medium Density Residential to R2 Low density Residential to address site specific constraints. Rezoning these properties to R2 is considered of minor significance and will have a negligible impact on housing supply in the LGA.</p> <p>Current provisions applying to these sites require a minimum lot size of 1,800sqm for development of medium density housing, which would require significant consolidation of lots in these locations as none of the sites is large enough on its own. This has not occurred and these areas have maintained a low density character with single detached housing despite being zoned for medium density housing since at least 2005.</p> <p>Should the <i>Low Rise Medium Density Housing Code</i> be implemented in the LGA, it would allow manor houses on lots as small as 600sqm through complying development, overriding any local controls. Small lot housing is not considered appropriate in these locations as many sites are irregularly shaped and arranged in a subdivision pattern which would make it difficult to achieve well designed medium density housing. A low density residential zoning is considered more appropriate, in the keeping with the existing built form.</p> <p>It is also noted that the subject sites are not located in areas that meet the proposed locational criteria for identifying housing diversity precincts, outlined in the draft LSPS. The constraints analysis undertaken to inform the dual occupancy prohibition areas also identified this land as having several constraints to intensification.</p> <p><u>Prohibiting residential flat buildings in the R3 Medium Density Residential zone</u></p> <p>Currently, only <i>Hornsby LEP 2013</i> permits residential flat buildings (RFBs) in the R3 zone. Allowing this form of development across the R3 zone is not considered desirable as it would result in a loss of distinction between the R3 and R4 zones and could limit the provision of housing diversity.</p> <p>Extending the prohibition of RFBs to R3 zoned land in the former Hornsby Council area would impact approximately 52 properties which have not yet been built out for medium density housing.</p> <p>It is considered that the supply of apartment-style housing in this area is adequately provided for within the adjoining R4 and B2 zones. Prohibiting RFBs would be consistent with the housing that has already been built in these areas. With the exception of sites fronting Maida Road, no RFBs have been constructed on R3 zoned land in this area (though it is noted Council is currently assessing a development application for an RFB at 21 Derby Street, Epping).</p> <p>It is also proposed to reduce the height limit applying to the R3 zoned land in Epping to 9 metres and apply an FSR of 0.6:1, to provide a consistent approach to medium density housing development across the LGA. These proposals are discussed below.</p> <p><u>Reducing the floor space ratio control applying to R3 zoned land at Silverwater from 0.75:1 to 0.6:1.</u></p> <p>This proposed change will impact approximately 220 properties, excluding those that have already been developed for medium density housing. This change will bring consistency across R3 zoned</p>

Relevant Direction	Application and Consistency
	<p>land in the LGA. An FSR of 0.6:1 is also more compatible with the existing 9 metre height limit applying to this land, which is proposed to be retained. The proposed FSR will improve amenity and design outcomes of development in the area, including allowing more space on-site for setbacks, landscaping and open space.</p> <p><u>Reducing the maximum height applying to R3 zoned land in the former Parramatta and Hornsby Council areas to 9 metres.</u></p> <p>The proposed change will impact R3 zoned sites within the former Parramatta and Hornsby Council areas, and is consistent with the controls currently applying to R3 zoned land in the former The Hills and Auburn Council areas.</p> <p>The intent of this change is to achieve better design outcomes on medium density housing sites, and not to reduce the permissible development capacity.</p> <p>With regard to sites within the former Parramatta Council area, the proposed change will reduce heights by between 2 and 0.2 metres. Existing FSR controls will not be changed.</p> <p>Within the former Hornsby Council area, the proposed change will reduce heights by 3 metres on approximately 52 sites. No FSR currently applies, though it is proposed to apply an FSR of 0.6:1 to this land. The proposed changes are considered compatible with the intention to prohibit RFBs in the R3 zone and reserve the zone solely for medium density housing forms.</p> <p>The proposed changes will be supported by a review of DCP requirements for medium density housing to further facilitate the delivery of well-designed medium density housing.</p> <p><u>Increasing the minimum subdivision lot size applying to residential zoned land in the former Hornsby and Holroyd Council areas.</u></p> <p>The proposed change will apply a minimum subdivision lot size control in these areas consistent with the <i>Parramatta LEP 2011</i> controls. Increasing the MLS requirement will assist with tree retention on sites and achieving better design outcomes from low density residential development.</p> <p>Approximately 264 properties in the former Hornsby Council area will be impacted by the proposed change, which will increase the MLS requirement by 10%. A larger MLS is considered appropriate in this area as it has high levels of tree and vegetation coverage and a higher prevailing average lot size (approximately 828sqm).</p> <p>Approximately 2 properties in the former Holroyd Council area will be impacted by the change, which is considered of minor significance.</p> <p><u>Application of floor space ratio controls to residential zoned land where none currently are applied</u></p> <p>The intent of this proposal is to bring more certainty to the development and density outcomes expected in different parts of the LGA. Proposed FSRs have been defined based on the height control applying to a site and are not intended to reduce permissible densities.</p>

Relevant Direction	Application and Consistency
	<p><u>Rezoning of sites currently zoned R1 General Residential</u></p> <p>It is not intended to carry over the R1 General Residential zone into the consolidated LEP as this zone is not widely used within the LGA and other land use zones can provide more certainty as the outcomes sort in an area. Existing R1 zoned sites will be rezoned to a mix of R3 and R4 to reflect the built or approved development in these locations. This proposal will not impact permissible residential densities or housing diversity.</p>
<p>3.2 Caravan Parks and Manufactured Home Estates</p> <p>The objectives of this Direction are:</p> <ul style="list-style-type: none"> (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates. <p>The Direction includes the requirement that planning proposals must retain provisions that permit development for the purposes of caravan parks.</p>	<p>Justifiably inconsistent and of minor significance.</p> <p>In order to bring consistency to the LEP Land Use Table it is proposed to extend the prohibition of caravan parks to all land zoned RE1 Public Recreation. This will impact open spaces in the former Hornsby Council area, where caravan parks are currently permitted under the provisions of the <i>Hornsby LEP 2013</i>.</p> <p>While Hornsby Council area includes recreation areas within or bounded by National Parks where caravan parks may be appropriate, open spaces in the City of Parramatta LGA are located within a more urban context. Permitting caravan parks on these sites would result in a loss of public access to increasingly important public open spaces.</p> <p>Given the majority of LEPs applying in the LGA already prohibit this use on RE1 zoned land, the proposed change is considered of minor significance.</p>
<p>Direction 3.3 Home Occupations</p> <p>The objective of this Direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p> <p>Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.</p>	<p>Consistent.</p> <p>This planning proposal intends to include home occupation as a permissible land use without development consent on all the residential zones where dwelling houses are permitted.</p>
<p>Direction 3.4 - Integrating Land Use and Transport</p> <p>The objective of this Direction is to ensure development achieves a range of planning objectives relating to reducing dependence on cars, reducing travel demand and providing for the efficient movement of freight.</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001). 	<p>Consistent.</p> <p>The proposed changes to the locations where dual occupancy development is permitted has been informed by a constraints analysis, including consideration of access to public transport – refer to Appendix 6.</p> <p>Other provisions proposed through this planning proposal will not significantly increase residential densities across the LGA or change the location of land zoned for urban purposes.</p> <p>Proposed changes to the zones of some sites are considered of minor significance as they reflect the existing built outcomes on these sites.</p>

Relevant Direction	Application and Consistency
<p>3.5 Development Near Regulated Airports and Defence Airfields</p> <p>The objectives of this Direction are:</p> <ul style="list-style-type: none"> (a) to ensure the effective and safe operation of regulated airports and defence airfields; (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and (c) to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. 	<p>Not applicable.</p> <p>This planning proposal does not apply to any land near a regulated airport or include any provisions that would increase densities (including height controls) that would require detailed assessment under this Direction.</p> <p>This planning proposal does not increase heights in the Parramatta CBD or in other growth precincts that would impact on prescribed airspace as declared by the Commonwealth Government under the Airports Act 1996.</p>
<p>3.6 Shooting Ranges</p> <p>The objectives of this Direction are:</p> <ul style="list-style-type: none"> (a) to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, (b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, (c) to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. 	<p>Not applicable.</p> <p>This planning proposal does not apply to any land that is subject to the provisions of this Direction.</p>
<p>3.7 Reduction in non-hosted short term rental accommodation period</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> (a) mitigate significant impacts of short-term rental accommodation where non-hosted short term rental accommodation period are to be reduced, and (b) ensure the impacts of short-term rental accommodation and views of the community are considered. 	<p>Not applicable.</p> <p>This planning Direction only applies to land in Byron Shire Council.</p>
4. Hazard and Risk	
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>Consistent.</p> <p>Existing provisions relating to acid sulfate soils are generally consistent across the LEPs applying to land in the LGA and will be incorporated in to the consolidated LEP, along with associated mapping.</p>

Relevant Direction	Application and Consistency
<p>4.2 Mine Subsidence and Unstable Land</p> <p>The objective of this Direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p>	<p>Consistent.</p> <p>This planning proposal seeks to retain existing provisions relating to landslide risk land in the LGA and does not propose any significant changes to development permitted on landslide risk land within the LGA.</p>
<p>Direction 4.3 - Flood Prone Land</p> <p>The objectives of this Direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>Consistent.</p> <p>Provisions relating to flood planning are generally consistent across LEPs and will be incorporated into the consolidated LEP.</p> <p>Proposed changes to the zoning of certain sites are considered of minor significance.</p> <p>Council is in the process of reviewing and updating the flood mapping for the LGA. The need for further updates to the LEP will be considered following the conclusion of this work, and if needed, will be progressed through a future planning proposal.</p> <p>Alongside this planning proposal, Council is also preparing a consolidated development control plan for the LGA, which will include additional planning provisions relating to flooding, to support implementation of the LEP.</p>
<p>Direction 4.4 Planning for Bushfire Protection</p> <p>The objectives of this Direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	<p>Consistent.</p> <p>Some areas of the LGA include bush fire prone land. This planning proposal has had regard to <i>Planning for Bushfire Protection 2006</i>, does not proposed to introduce controls that would place inappropriate development in hazardous areas and does not prohibit bushfire hazard reduction in an <i>Asset Protection Zone</i>.</p> <p>Consultation with the NSW Rural Fire Service will occur following receipt of the Gateway Determination.</p>
5. Regional Planning	
<p>5.1 Implementation of Regional Strategies</p> <p>The objective of this Direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p>	<p>Not applicable.</p> <p>This Direction does not apply to any land in the LGA.</p>
<p>5.2 Sydney Drinking Water Catchment</p> <p>The objective of this Direction is to protect water quality in the Sydney drinking water catchment.</p>	<p>Not applicable.</p> <p>This Direction does not apply to any land in the LGA.</p>
<p>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</p> <p>This Direction aims to protect agricultural land in northern NSW.</p>	<p>Not applicable.</p> <p>This Direction does not apply to any land in the LGA.</p>
<p>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</p>	<p>Not applicable.</p> <p>This Direction does not apply to any land in the LGA.</p>

Relevant Direction	Application and Consistency
This Direction relates to managing commercial and retail development along the Pacific Highway.	
5.9 North West Rail Link Corridor Strategy Aims to promote transit-orientated development around stations along the North West Rail Link.	Not applicable. This Direction does not apply to any land in the LGA.
5.10 Implementation of Regional Plans The objective of this Direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	Comments addressing consistency with the Greater Sydney Regional Plan are provided in Section 3.2.1 of this planning proposal.
5.11 Development of Aboriginal Land Council land The objective of this Direction is to provide for the consideration of development delivery plans prepared under <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> when planning proposals are prepared by a planning proposal authority.	Not applicable. This Direction does not apply to any land in the LGA.
6. Local Plan Making	
6.1 - Approval and Referral Requirements The objective of this Direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Planning proposals must minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.	Consistent. This planning proposal seeks to retain existing LEP provisions requiring the Secretary of the Department of Planning, Industry and Environment to certify in writing that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to development in Carter Street and Telopea precincts. These are existing provisions that have been previously inserted into the LEP by the Department through State-led rezoning processes.
6.2 Reserving Land for Public Purposes The objectives of this Direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director general of the Department of Planning.	Justifiably inconsistent. This planning proposal seeks to create a consolidated Land Reservation Acquisition Map for the LGA. Existing reservations will be retained, with the exception of the removal of 4 sites zoned RE1 Public Recreation which have been acquired for their intended purpose as shown on the LRA Map. It is proposed to rezone two sites at 14 and 16 Grey Street, Silverwater from RE1 Public Recreation to B6 Enterprise Corridor. These two sites remain under private ownership and on their own do not have sufficient strategic justification to be acquired for public open space. These sites adjoin Hume Reserve but are isolated as a result of a drainage channel that intersects these sites. This change is therefore considered to be of minor significance.

Relevant Direction	Application and Consistency
<p>6.3 – Site Specific Provisions</p> <p>The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls.</p>	<p>Consistent.</p> <p>It is intended to incorporate existing currently listed additional permitted uses in Schedule 1 of the various LEPs into the consolidated LEP, where they relate to land within the City of Parramatta LGA. Proposed additions to the schedule are considered of minor significance and necessary to facilitate harmonisation of existing LEPs.</p>
7. Metropolitan Planning	
<p>7.1 – Implementation of A Plan for Growing Sydney</p> <p>The objective of this Direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p>	<p>Comments addressing consistency with the Greater Sydney Regional Plan, which has superseded the A Plan for Growing Sydney, are provided in Section 3.2.1 of this planning proposal.</p>
<p>7.2 Implementation of Greater Macarthur Land Release Investigation</p> <p>This Direction only applies to Campbelltown City Council and Wollondilly Shire Council.</p>	<p>Not applicable.</p> <p>This Direction does not apply to any land in the LGA.</p>
<p>7.3 – Parramatta Road Corridor Urban Transformation Strategy</p> <p>The objectives of this Direction are to:</p> <ul style="list-style-type: none"> (a) facilitate development within the Parramatta Road Corridor that is consistent with the <i>Parramatta Road Corridor Urban Transformation Strategy</i> (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit, (b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and (c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure. 	<p>Consistent.</p> <p>This planning proposal applies to the whole City of Parramatta LGA, including land within the Parramatta Road Corridor. However, this planning proposal does not seek to rezone or change development standards applying to this land and will not impact or undermine the objectives, planning principles and priorities for the Corridor.</p> <p>Work to implement the <i>Parramatta Road Corridor Urban Transformation Strategy</i> is being progressed separately to this planning proposal.</p>
<p>7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</p> <p>This Direction applies to Blacktown City Council, The Hills Shire Council and Hawkesbury City Council.</p>	<p>Not applicable.</p> <p>This Direction does not apply to any land in the LGA.</p>
<p>7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</p>	<p>Consistent.</p> <p>This planning proposal applies to the whole City of Parramatta LGA, including land within the Greater Parramatta Priority Growth Area. Proposed changes applying to land in this area through this planning</p>

Relevant Direction	Application and Consistency
The objective of this Direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the <i>Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</i> dated July 2017 (the interim Plan).	proposal are considered of minor significance and will not impact or undermine the objectives, planning principles and priorities for Growth Area. Work to implement the <i>Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</i> through various precinct planning processes is being progressed separately to this planning proposal.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan This Direction applies to Wollondilly Shire Council.	Not applicable. This Direction does not apply to any land in the LGA.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor This Direction applies to Campbelltown City Council.	Not applicable. This Direction does not apply to any land in the LGA.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan This Direction applies to Liverpool, Penrith, Blue Mountains, Blacktown, Camden, Campbelltown, Fairfield and Wollondilly Shire Councils.	Not applicable. This Direction does not apply to any land in the LGA.
7.9 Implementation of Bayside West Precincts 2036 Plan This Direction applies to land within the Bayside LGA.	Not applicable. This Direction does not apply to any land in the LGA.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct This Direction applies to land within the Cooks Cove Precinct in the Bayside LGA.	Not applicable. This Direction does not apply to any land in the LGA.

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the planning proposal.

3.3.1 *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

This planning proposal is not anticipated to create any adverse impacts on critical habitat or threatened species, populations or ecological communities or their habitat.

Existing environmental provisions contained in the various LEPs will be incorporated into the consolidated LEP. Additional environmental protections measures are proposed for sites that have been identified as having biodiversity values including the application of the E2 Environmental Conservation zone to all public bushland reserves, and the W1 Natural Waterway zone to additional waterways. It is also proposed to map additional vegetation and waterways/riparian land in the consolidated LEP. The intent of these provisions is to enhance the recognition and protection of important environmental assets in the LGA and ensure a consistent approach is taken to managing

development impacts.

The consolidated LEP also includes provisions to ensure that development along foreshore areas will not have adverse effect on marine habitat, wetland areas, flora and fauna habitats.

A development control plan will be prepared and will include provisions to protect certain types of vegetation and guide development near waterways and biodiversity land identified on the relevant map of the consolidated LEP.

3.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

This planning proposal to create a consolidated LEP is primarily an administrative process and is not proposing increases in development densities that would require further investigation.

It is intended that the consolidated LEP will carry over provisions from existing LEPs that aim to manage likely environmental effects of development, such as those outlined above.

Proposed changes to dual occupancy prohibition areas have been informed by consideration of environmental constraints such as local character, accessibility to transport, potential traffic impacts, and tree canopy cover. Refer to Appendix 6 for more information.

3.3.3 How has the planning proposal adequately addressed any social and economic effects?

This planning proposal to create a consolidated LEP is primarily an administrative process and is not proposing increases in development densities. Unifying and aligning the various LEPs currently applying in the LGA into one planning instrument will create a common set of objectives, land use tables and provisions for land in the LGA. This will bring more consistency to planning controls across the LGA and assist in reducing the complexity of the local land use planning framework.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The planning proposal to create a consolidated LEP is primarily an administrative process and is not a comprehensive review of provisions that would result in an increase in densities that would require significant additional public infrastructure.

Council is in the process of preparing a new consolidated development contributions plan to ensure that additional public infrastructure that may be required to service incoming population resulting from additional development within the LGA is funded accordingly.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Preliminary consultation with relevant public authorities was undertaken as part of the public exhibition of the *Harmonising our land use planning framework Discussion Paper*.

Council has considered feedback received from various public authorities in the preparation of this planning proposal as outlined in the Consultation Report included at Appendix 5. Copies of the submissions received from public authorities is included at Appendix 7.

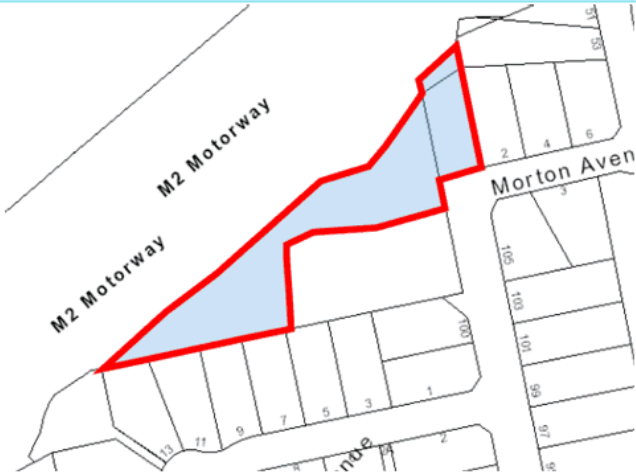
It is anticipated that further consultation with public authorities will be undertaken in accordance with the requirements of the Gateway Determination and relevant ministerial directions.

Part 4 - Mapping


This section provides further detail on mapping changes associated with this planning proposal.


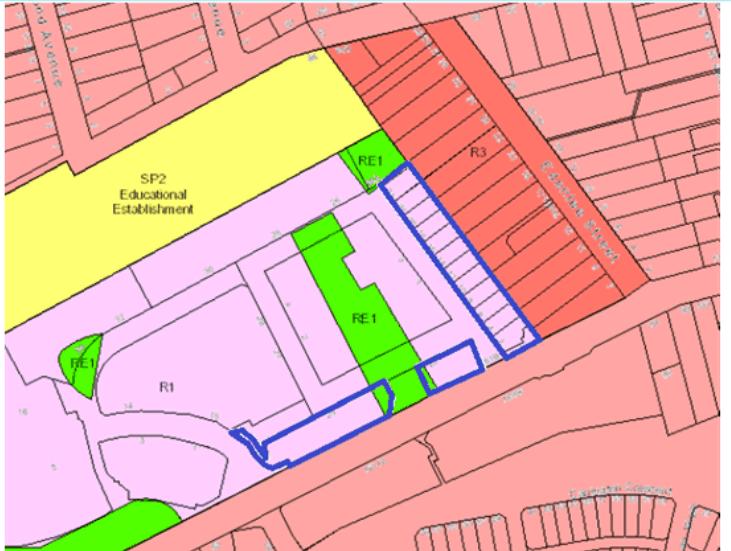
Item 1	
Various public bushland sites currently subject to <i>Hornsby LEP 2013</i> , <i>The Hills LEP 2012</i> and <i>Parramatta LEP 2011</i> – Amend the Land Zoning Map and Lot Size Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Rezoning of various public bushland reserves with ecological value from RE1 Public Recreation to E2 Environmental Conservation. Any existing FSR, HOB or MLS controls applying to these sites will be removed as limited development is permitted in this zone. This is consistent with the approach for the E2 zone under <i>Parramatta LEP 2011</i> .
Explanation	The application of the E2 zone is considered more appropriate for public bushland reserves as it provides the highest level of protection for important bushland reserves and is consistent with Council's obligations under biodiversity conservation legislation. This approach is consistent with LEP practice note PN 09-002 <i>Environment Protection Zones</i> . Privately owned sites with ecological values will be mapped separately in the LEP (refer to Item 48, below).
Proposed mapping	Refer to Appendix 8.

Item 2	
30X Epping Road, Epping currently subject to <i>Hornsby LEP 2013</i> - Amend the Land Zoning Map	
Legal description of affected properties	Lot 5 DP 430830, Lot 6 DP 430830
Proposed provision and associated amendments	Rezoning of land currently SP2 Classified Road to E2 Environmental Conservation.
Explanation	The site contains Coastal Enriched Sandstone Moist Forest. The E2 zone will offer a higher level of protection for this site and is consistent with the approach applied to other bushland reserves. Council will consult with the RMS on the proposed amendments to confirm any strategic requirements for this site.
Site boundary Note: Council will consult RMS on this as part of the planning proposal to confirm there is no strategic transport need for the land, which would warrant the retention of its current zoning.	

Item 3	
Bushland off Murray Farm Road, Carlingford currently subject to <i>The Hills LEP 2012</i> - Amend the Land Zoning Map and Height of Buildings Map	
Legal description of affected properties	Lot 4 DP 877235
Proposed provision and associated amendments	<p>Rezoning from E4 Environmental Living to E2 Environmental Conservation.</p> <p>It is proposed to remove the existing HOB controls applying to the site as limited development is permitted in the E2 zone. This is consistent with the approach for the E2 zone under <i>Parramatta LEP 2011</i>.</p>
Explanation	The site contains substantial native vegetation comprising of Coastal Enriched Sandstone Dry Forest and is not considered suitable for housing development. The E2 zone will offer a higher level of protection for this site and is consistent with the approach applied to other remnant bushland along the M2 corridor.
Site boundary	

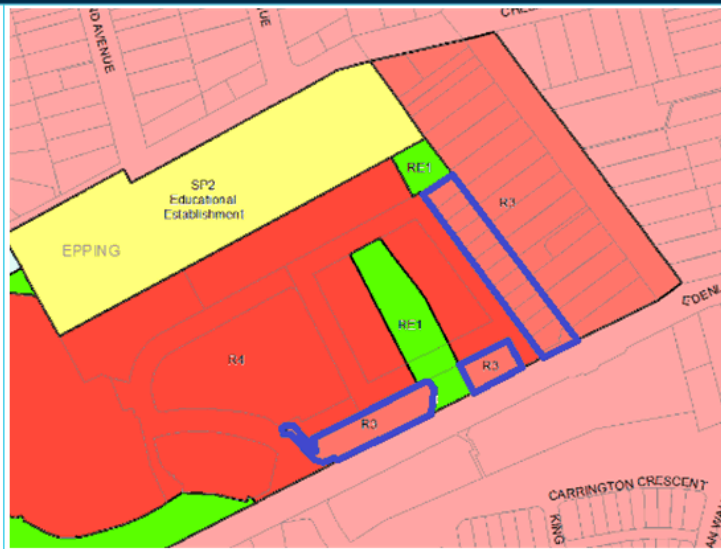
Item 4	
166A Windsor Road, Northmead currently subject to <i>Parramatta LEP 2011</i> - Amend the Land Zoning Map, Floor Space Ratio Map and Height of Buildings Map	
Legal description of affected properties	Lot 939 DP 117657, Lot 940 DP 117657 (part)
Proposed provision and associated amendments	<p>Rezoning of the former Moxham Quarry site land from E3 Environmental Management to E2 Environmental Conservation.</p> <p>It is also proposed to remove the current FSR and HOB controls applying to the site, as limited development is permitted in the E2 zone. This is consistent with the approach for E2 zones under <i>Parramatta LEP 2011</i>.</p>
Explanation	<p>This site is the only site in the LGA that is zoned E3. The E2 zone is considered more appropriate for the site as it contains Sydney Turpentine-Ironbark Forest (classified as Endangered Ecological Community). Council intends to prepare a plan of management to guide the rehabilitation and restoration of the vegetation. The application of the E2 zone to the site is consistent with the E2 zoning applies to the adjoining bushland to the west.</p> <p>The E2 zone will only be applied to part of the site which is currently</p>

Item 4	
	zoned E3 on Lot 940 DP 117657. No changes are proposed to the heritage listing of this site.
<p>Site boundary</p> <p>Note: This site was previously subject to a site -specific planning proposal to rezone it to part R4 and part E2. The planning proposal was refused as it was not completed within the required timeframes provided by the Gateway Determination. Options for a residential zoning on the site would need to be considered through a new site-specific planning proposal which would be undertaken separately from the Harmonisation Project.</p>	
Item 5	
Various waterway sites currently subject to The Hills LEP 2012 and Hornsby LEP 2013 – Amend the Land Zoning Map and Lot Size Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	<p>Rezoning of various natural waterway corridors on public land from RE1 Public Recreation to W1 Natural Waterways.</p> <p>Any existing FSR, HOB or MLS controls will be removed, as limited development is permitted in the W1 zone. This is consistent with the approach under Parramatta LEP 2011.</p>
Explanation	<p>The W1 zone is considered to be the most appropriate zone for waterway corridors as it provides for better protection of ecology and water quality whilst allowing for recreation uses.</p> <p>Additional natural waterway corridors located on privately owned land will be mapped separately in the LEP (refer to Item 49, below).</p>
Proposed mapping	Refer to Appendix 8.
Item 6	
Land at 2-24 Ferntree Place and 25 Seven Street, Epping, currently subject to Parramatta LEP 2011 - Amend the Land Zoning Map, Floor Space Ratio Map, Height of Buildings Map and Lot Size Map	
Legal description of affected properties	SP87215, Lot 1 DP 286422, Lot 2 DP 286422, Lot 3 DP 286422, Lot 4 DP 286422, Lot 5 DP 286422, Lot 6 DP 286422, Lot 7 DP 286422, Lot 8 DP 286422, Lot 9 DP 286422, Lot 10 DP 286422, Lot 11 DP 286422, Lot 12 DP 286422, Lot 13 DP 286422
Proposed provision and associated amendments	Rezoning of land currently zoned R1 General Residential within the Epping Park Precinct to R3 Medium Density Residential. The following associated changes to development standards applying to this site are proposed:

Item 6			
		Current provisions	Proposed provisions
	HOB	Part nil, part 9.0 metres	9.0 metres
	FSR	0.89:1	0.6:1
	MLS	Nil	550sqm
Explanation	<p>Redevelopment of these sites is complete, having been built-out with medium density consistent with R3 zoning.</p> <p>The R1 zone is not widely used in the City of Parramatta LGA and is proposed to be phased out as other residential zones can provide more certainty as to the desired housing mix outcomes.</p> <p>An FSR of 0.6:1 and a maximum HOB of 9 metres will be applied to the land, consistent with R3 zoned land across the LGA.</p>		
Site boundary			
Current mapping			

Item 6

Proposed mapping



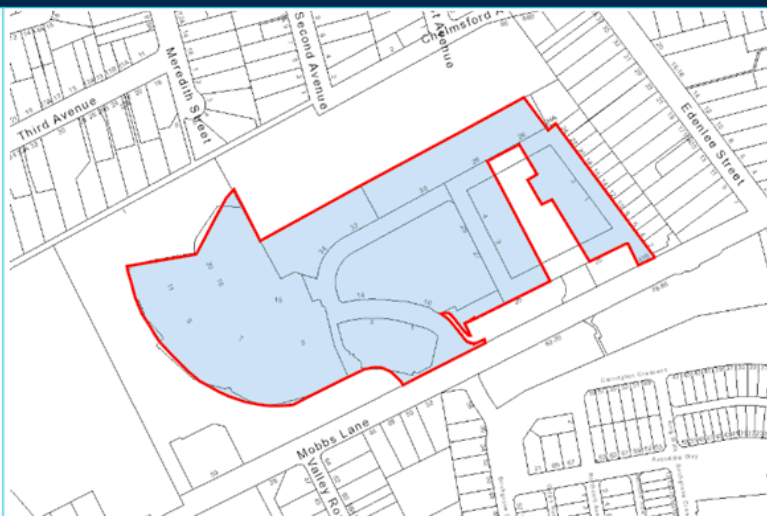
Item 7

Land at 27 - 29 Seven Street, 5-20 Epping Park Drive and 1 Ferntree Place, Epping, currently subject to Parramatta LEP 2011 – Amend the Land Zoning Map

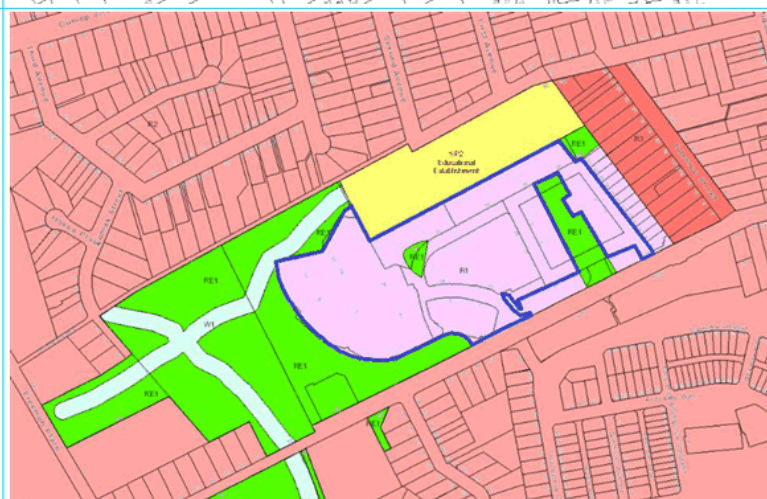
Legal description of affected properties	SP 88625, SP 90290, SP 86297, Lot 1 DP 270729, and part Lot 13 DP 270729
Proposed provision and associated amendments	<p>Rezoning of land currently zoned R1 General Residential within the Epping Park Precinct to R4 High Density Residential.</p> <p>It is noted that the current zoning map for this site does not align with the final cadastre boundaries it is purposed as part of the preparations of the LEP maps that housekeeping amendments be made to align to the current lot boundaries.</p>
Explanation	<p>Redevelopment of these sites is complete, having been built out with residential flat buildings consistent with R4 zoning.</p> <p>The R1 zone is not widely used in the City of Parramatta LGA and is proposed to be phased out as other residential zones can provide more certainty as to the desired housing mix outcomes.</p> <p>No changes are proposed to the existing FSR, HOB or MLS controls applying to the site.</p>

Item 7

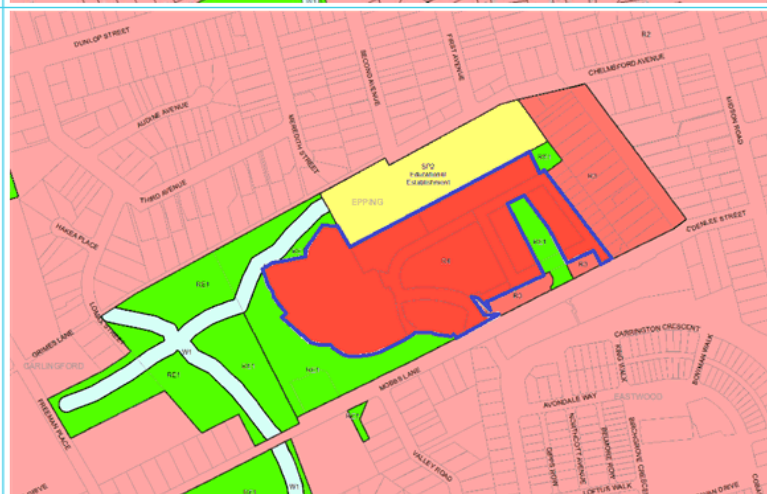
Site boundary

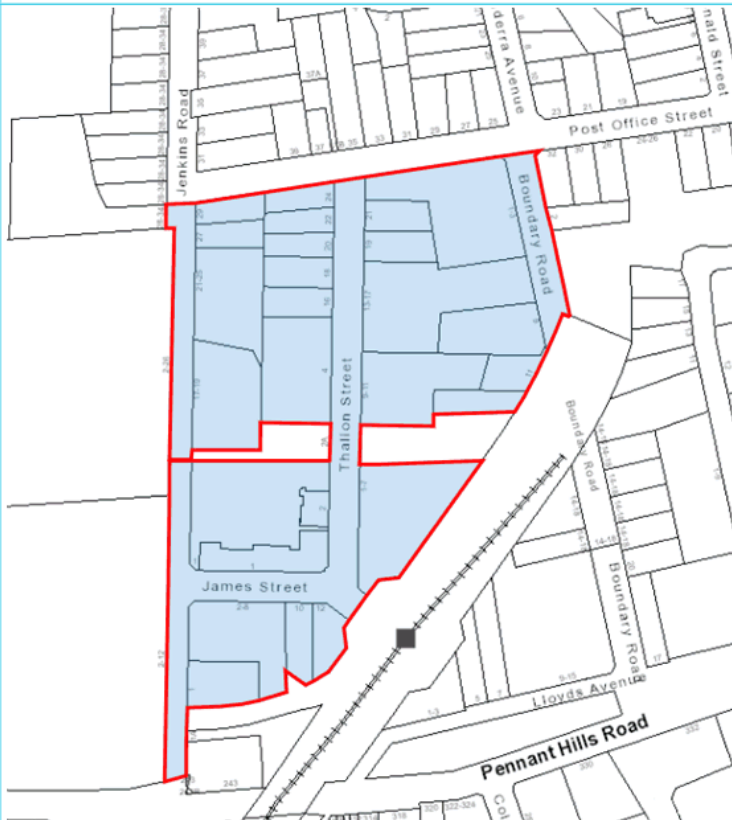



Current mapping



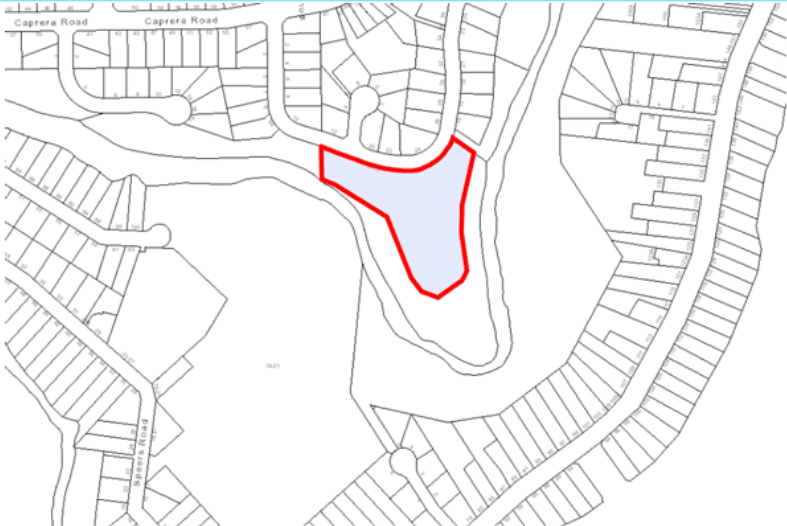
Proposed mapping



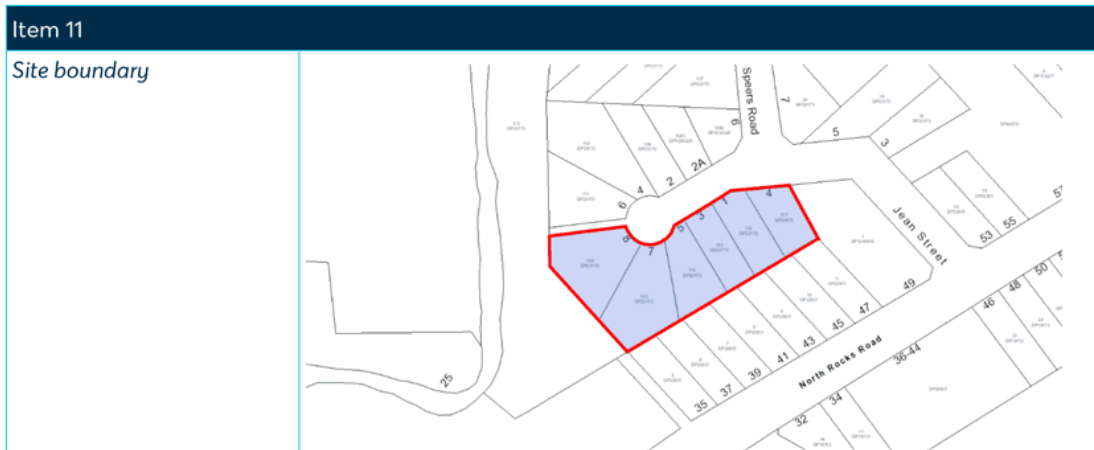
Item 8								
Certain land within Carlingford Town Centre bounded by Post Office Street, Boundary Street, railway line, and Jenkins Road, currently zoned R1 General Residential and subject to <i>The Hills LEP 2012 – Amend the Land Zoning Map and Lot Size Map</i>								
Legal description of affected properties	Lot Y DP 102830, SP 67006, Lot 24 DP 8001, Lot X DP 102830, Lot C DP 367737, Lot B DP 367737, Lot 25 DP 8001, Lot A DP 371036, Lot 1 DP 1239005, SP 96285, SP 95666, Lot 13 DP 1202058, Lot 12 DP 1202058, SP 95957, Lot 2 DP 813017, Lot 1 DP 32469, Lot 1 DP 120826, Lot 100 DP 1221092 (part), SP37411, SP 64797, SP 96110, SP 71875, SP 37661, SP 81800, Lot 19 DP 8001							
Proposed provision and associated amendments	<p>Rezoning of land currently zoned R1 General Residential within the Carlingford Town Centre to R4 High Density Residential. The following associated changes to development standards applying to this site are proposed:</p> <table><thead><tr><th></th><th>Current provisions</th><th>Proposed provisions</th></tr></thead><tbody><tr><td>MLS</td><td>800sqm</td><td>550sqm</td></tr></tbody></table>			Current provisions	Proposed provisions	MLS	800sqm	550sqm
	Current provisions	Proposed provisions						
MLS	800sqm	550sqm						
Explanation	<p>Redevelopment of the site is complete with predominantly residential flat buildings, consistent with an R4 zoning.</p> <p>The R1 zone is not widely used in the City of Parramatta LGA and is proposed to be phased out as other residential zones can provide more certainty as to the desired housing mix outcomes.</p> <p>No changes are proposed to the existing FSR and HOB controls.</p>							
Site boundary								

Item 9														
North Rocks Rural Fire Brigade 102 Murray Farm Road, Carlingford, currently subject to <i>The Hills LEP 2012</i> - Amend the Land Zoning Map and Lot Size Map														
Legal description of affected properties	Lot 25 DP 848644													
Proposed provision and associated amendments	<p>Rezone the site from RU3 Forestry to SP1 Special Activities – Emergency Services Facility. The following associated changes to development standards applying to this site are proposed, consistent with the surrounding R2 zoned land:</p> <table><thead><tr><th></th><th>Current provisions</th><th>Proposed provisions</th></tr></thead><tbody><tr><td>HOB</td><td>Nil</td><td>9.0 metres</td></tr><tr><td>FSR</td><td>Nil</td><td>0.5:1</td></tr><tr><td>MLS</td><td>40ha</td><td>700sqm</td></tr></tbody></table>			Current provisions	Proposed provisions	HOB	Nil	9.0 metres	FSR	Nil	0.5:1	MLS	40ha	700sqm
	Current provisions	Proposed provisions												
HOB	Nil	9.0 metres												
FSR	Nil	0.5:1												
MLS	40ha	700sqm												
Explanation	<p>The RU3 Forestry zone is only applied to this site in the City of Parramatta LGA. The application of the zone on the site was likely applied prior to the construction of the M2 Motorway which has since isolated the site from land zoned RU3 now located in The Hills Shire Council.</p> <p>The RU3 zone is not considered appropriate for the site given its urban context and does not reflect the current use by the NSW Rural Fire Service. The SP1 zone is considered more appropriate.</p>													
Site boundary														

Item 10								
11-13 Pye Avenue, Northmead, currently subject to <i>The Hills LEP 2012</i> – Amend the Land Zoning Map, Floor Space Ratio Map and Lot Size Map								
Legal description of affected properties	SP 64724							
Proposed provision and associated amendments	Rezoning of the site from E4 Environmental Living Zone to R2 Low Density Residential. The following associated changes to development standards applying to this site are proposed: <table><tr><td></td><td>Current provisions</td><td>Proposed provisions</td></tr><tr><td>FSR</td><td>Nil</td><td>0.3:1</td></tr></table>			Current provisions	Proposed provisions	FSR	Nil	0.3:1
	Current provisions	Proposed provisions						
FSR	Nil	0.3:1						

Item 10			
	HOB	9.0 metres	9.0 metres (unchanged)
	MLS	2000 metres	700sqm
Explanation	<p>The current E4 zoning applied to the site does not reflect the site's current use and characteristics. It was developed for townhouses in 2001 under the former Baulkham Hills LEP 1991. The site is surrounded by bushland but does not itself contain any substantial vegetation.</p> <p>While townhouses are not permitted in the R2 zone, the application of an R3 Medium Density Zone is not considered appropriate given the site's low density context. Alterations and additions to the existing development on the site will be able to be carried out through existing use rights under planning legislation.</p> <p>An FSR of 0.3:1 is proposed to match the current built form on the site.</p>		
Site boundary			

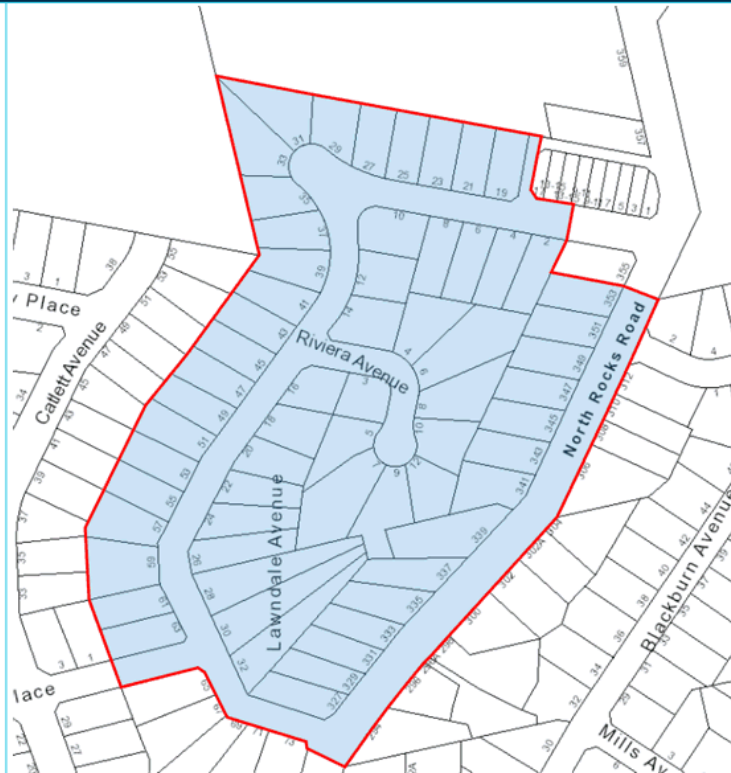
Item 11			
Land at 4 Speers Road, North Rocks and 1, 3, 5 7 and 8 Jean Street, North Rocks, currently subject to The Hills LEP 2012 – Amend the Land Zoning Map and Floor Space Ratio Map			
Legal description of affected properties	Lot 117 DP 23173, Lot 116 DP 23173, Lot 115 DP 23173, Lot 114 DP 23173, Lot 113 DP 23173, Lot 112 DP 23173		
Proposed provision and associated amendments	Rezoning of this land from R3 Medium Density Residential to R2 Low Density Residential and applying a FSR. The following associated changes to development standards applying to this site are proposed:		
		Current provisions	Proposed provisions
	FSR	Nil	0.5:1
	HOB	9.0 metres	9.0 metres (unchanged)
	MLS	700sqm	700sqm (unchanged)
Explanation	Lots are irregular-shaped and located within a cul-de-sac. Redevelopment for medium density housing would result in inferior residential amenity outcomes. Rezoning to R2 would bring consistency with all sites on both sides of the cul-de-sac. Proposed FSR, HOB and MLS controls are consistent with adjoining R2 zoned land.		



Item 12														
Certain land in North Rocks, fronting Lawndale Avenue, Riviera Avenue and North Rocks Road, currently subject to <i>The Hills LEP 2012</i> - Amend the Land Zoning Map and Floor Space Ratio Map														
Legal description of affected properties	Lots 3 DP 29291, Lots 5 to 34 in DP 29291, Lots 36 to 47 in DP 29291 Lots 1 to 3 in DP 201921, Lots 2 to 6 in DP 25327, Lots 49 to 54 in DP 28739, Lots 71 to 73 in DP 701702, Lot A DP 417171													
Proposed provision and associated amendments	Rezoning of various properties fronting Lawndale Avenue, Riviera Avenue and North Rocks Road, North Rocks from R3 Medium Density Residential to R2 Low Density Residential. The following associated changes to development standards applying to this site are proposed:													
		<table><thead><tr><th></th><th>Current provisions</th><th>Proposed provisions</th></tr></thead><tbody><tr><td>FSR</td><td>Nil</td><td>0.5:1</td></tr><tr><td>HOB</td><td>9.0 metres</td><td>9.0 metres (unchanged)</td></tr><tr><td>MLS</td><td>700sqm</td><td>700sqm (unchanged)</td></tr></tbody></table>		Current provisions	Proposed provisions	FSR	Nil	0.5:1	HOB	9.0 metres	9.0 metres (unchanged)	MLS	700sqm	700sqm (unchanged)
		Current provisions	Proposed provisions											
	FSR	Nil	0.5:1											
HOB	9.0 metres	9.0 metres (unchanged)												
MLS	700sqm	700sqm (unchanged)												
Explanation	<p>This precinct is surrounded by R2 zoned land and retains a low density residential character, despite its current zoning. The subdivision pattern and irregular-shaped lots would make it difficult to achieve well-designed medium density housing. There are concerns with the impact of small-lot manor house development permitted under the <i>Low Rise Medium Density Housing Code</i> on the character of the area.</p> <p>The proposed FSR and HOB controls are consistent with adjoining R2 zoned land.</p>													

Item 12

Site boundary



Item 13A

Various places of public worship sites on land currently subject to *Hornsby LEP 2013* and *The Hills LEP 2012* – Amend the Land Zoning Map, Floor Space Ratio Map, Height of Buildings Map and Lot Size Map

Legal description of affected properties	See below.												
Proposed provision and associated amendments	<p>Rezoning of the sites listed below from R2 Low Density Residential to SP1 Special Activities: Places of Public Worship. The following associated changes to development standards applying to these sites are proposed:</p> <table><tr><td></td><td>Current provisions</td><td>Proposed provisions</td></tr><tr><td>FSR</td><td>Nil</td><td>0.5:1</td></tr><tr><td>HOB</td><td>9.0 metres for sites currently subject to <i>The Hills LEP 2012</i>, 8.5 metres for sites subject to <i>Hornsby LEP 2013</i>.</td><td>9.0 metres</td></tr><tr><td>MLS</td><td>700sqm for sites currently subject to <i>The Hills LEP 2012</i>, 500sqm for sites subject to <i>Hornsby LEP 2013</i>.</td><td>700sqm for sites currently subject to <i>The Hills LEP 2012</i>, 550sqm for all other sites.</td></tr></table>		Current provisions	Proposed provisions	FSR	Nil	0.5:1	HOB	9.0 metres for sites currently subject to <i>The Hills LEP 2012</i> , 8.5 metres for sites subject to <i>Hornsby LEP 2013</i> .	9.0 metres	MLS	700sqm for sites currently subject to <i>The Hills LEP 2012</i> , 500sqm for sites subject to <i>Hornsby LEP 2013</i> .	700sqm for sites currently subject to <i>The Hills LEP 2012</i> , 550sqm for all other sites.
	Current provisions	Proposed provisions											
FSR	Nil	0.5:1											
HOB	9.0 metres for sites currently subject to <i>The Hills LEP 2012</i> , 8.5 metres for sites subject to <i>Hornsby LEP 2013</i> .	9.0 metres											
MLS	700sqm for sites currently subject to <i>The Hills LEP 2012</i> , 500sqm for sites subject to <i>Hornsby LEP 2013</i> .	700sqm for sites currently subject to <i>The Hills LEP 2012</i> , 550sqm for all other sites.											
Explanation	<p>It is intended to prohibit places of public worship in the R2 zone due to concerns with amenity impacts on low density residential neighbourhoods.</p> <p>Places of public worship will be permitted in all other zones in the LGA,</p>												

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Item 13A

32 Moseley Street,
Carlingford (Lot 34 DP
251044).



36 Moseley Street,
Carlingford (Lot 104 DP
794074) (part of site).



56 Norfolk Road, Epping
(Lot D DP 443977).



<p>Item 13A</p> <p>132 North Rocks Rd, North Rocks (Lot 66 DP 19113).</p>	
<p>391B North Rocks Road and 2 Alkira Road, Carlingford (Lots 29 and 12 in DP 220601).</p>	

<p>Item 13A</p> <p>735-739 Pennant Hills Road, Carlingford (Lot 100 DP 842178).</p>	
<p>128 Ray Road, Epping (Lot A DP 370699).</p>	
<p>6 Alamein Avenue, Carlingford (Lot 25 DP 222728).</p>	



Item 13B			
Various places of public worship and school sites on land currently subject to <i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i> – Amend the Land Zoning Map, Floor Space Ratio Map, Height of Buildings Map and Lot Size Map			
Legal description of affected properties	See below.		
Proposed provision and associated amendments	Rezoning of the sites listed below from R2 Low Density Residential to SP1 Special Activities: Places of Public Worship & Educational Establishment. The following associated changes to development standards applying to this site are proposed:		
		Current provisions	Proposed provisions
	FSR	Nil	0.5:1
	HOB	9.0 metres for sites currently subject to <i>The Hills LEP 2012</i> , 8.5 metres for sites subject to <i>Hornsby LEP 2013</i> .	9.0 metres
	MLS	700sqm for sites currently subject to <i>The Hills LEP 2012</i> , 500sqm for sites subject to <i>Hornsby LEP 2013</i> .	700sqm for sites currently subject to <i>The Hills LEP 2012</i> , 550sqm for all other sites.
Explanation	<p>These sites accommodate both schools and places of public worship. It is intended to prohibit places of public worship in the R2 zone due to concerns with amenity impacts on low density residential neighbourhoods.</p> <p>Places of public worship will be permitted in all other zones in the LGA, except open space, environmental protection and waterway zones. The SP1 zone will be applied to existing places of public worship in low density zones to avoid the uncertainty of relying on existing use rights laws for their continued operation. This is consistent with the approach taken under <i>Parramatta LEP 2011</i>.</p> <p>FSR, HOB and MLS controls will be applied consistent with the adjoining R2 zoned land.</p>		

Item 13B

543-545 North Rocks Road, Carlingford (Lot 5 DP 205746).



2-8 Statham Avenue, North Rocks (Lot 1 DP 550888).




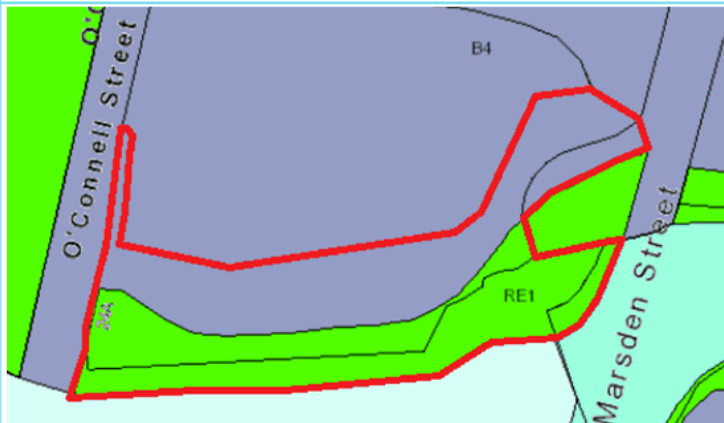
Item 14

61 Pennant Hills Road, North Parramatta, currently subject to *Parramatta LEP 2011* – Amend the Land Zoning Map, Height of Buildings Map and Lot Size Map

Legal description of affected properties	Lot 103 DP 1046771		
Proposed provision and associated amendments	Rezoning part of the land at 61 Pennant Hills Road, North Parramatta from R2 Low Density Residential to SP2 Educational Establishment, consistent with the rest of the site. The following associated changes to development standards applying to this site are proposed:		
		Current provisions	Proposed provisions
	FSR	Nil	Nil
	HOB	Nil	9.0 metres
	MLS	550sqm	700sqm
Explanation	This site is currently split between <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> . It is proposed to apply consistent zoning and development standards across the site reflecting its current use.		




Item 15														
14 and 16 Grey Street, Silverwater, currently subject to Auburn LEP 2010 – Amend the Land Zoning Map, Floor Space Ratio Map, Height of Buildings Map and Lot Size Map														
Legal description of affected properties	Lots 10 and 11 in DP 979426													
Proposed provision and associated amendments	<p>Rezoning of land at 14 and 16 Grey Street, Silverwater from RE1 Public Recreation to B6 Enterprise Corridor. The following associated changes to development standards applying to this site are proposed:</p> <table><thead><tr><th></th><th>Current provisions</th><th>Proposed provisions</th></tr></thead><tbody><tr><td>FSR</td><td>Nil</td><td>1:1</td></tr><tr><td>HOB</td><td>Nil</td><td>14 metres</td></tr><tr><td>MLS</td><td>Nil</td><td>1500sqm</td></tr></tbody></table>			Current provisions	Proposed provisions	FSR	Nil	1:1	HOB	Nil	14 metres	MLS	Nil	1500sqm
	Current provisions	Proposed provisions												
FSR	Nil	1:1												
HOB	Nil	14 metres												
MLS	Nil	1500sqm												
Explanation	<p>The two sites remain under private ownership and on their own do not have sufficient strategic justification to be acquired for public open space. These sites adjoin Hume Reserve but are isolated as a result of a drainage channel that intersects these sites. It is proposed to apply the adjoining B6 zone to these sites and the associated development standards.</p>													
Site boundary														

Item 16														
CBD Foreshore Reserve land at 24A O'Connell Street, Parramatta, currently subject to <i>Parramatta LEP 2011</i> - Amend the Land Zoning Map, Floor Space Ratio Map and Land Reservation Acquisition Map														
Legal description of affected properties	Lot 4 DP 1132683													
Proposed provision and associated amendments	<p>Remove site from the Land Reservation Acquisition Map and rezone from part B4 Mixed Use and part RE1 Public Recreation to part RE1 Public Recreation and part W1 Natural Waterways. The following associated changes to development standards applying to this site are proposed:</p> <table><thead><tr><th></th><th>Current provisions</th><th>Proposed provisions</th></tr></thead><tbody><tr><td>FSR</td><td>Part nil, part 0.4:1</td><td>Nil</td></tr><tr><td>HOB</td><td>Nil</td><td>Nil (unchanged)</td></tr><tr><td>MLS</td><td>Nil</td><td>Nil (unchanged)</td></tr></tbody></table>			Current provisions	Proposed provisions	FSR	Part nil, part 0.4:1	Nil	HOB	Nil	Nil (unchanged)	MLS	Nil	Nil (unchanged)
	Current provisions	Proposed provisions												
FSR	Part nil, part 0.4:1	Nil												
HOB	Nil	Nil (unchanged)												
MLS	Nil	Nil (unchanged)												
Explanation	<p>Changes are required to reflect the current ownership (crown land) and use of the site for public access and recreation.</p> <p>Associated amendments are also required to the FSR Map to remove the current 0.4:1 provision. This is consistent with the approach taken for RE1 and W1 zones under <i>Parramatta LEP 2011</i>.</p>													
Site boundary														
Existing mapping														

Item 16	
Proposed mapping	

Item 17	
Classified Roads – Certain land currently subject to <i>The Hills LEP 2012</i> - Amend the Land Zoning Map, Height of Buildings Map and Lot Size Map	
Description of affected roads	Pennant Hills Road, James Ruse Drive, Windsor Road (as identified in Appendix 8).
Proposed provision and associated amendments	Rezone classified roads, and land reserved for classified roads, to SP2 Classified Road where these currently have an alternate zoning. Any existing FSR, HOB or minimum lot size controls will be removed consistent with the approach to classified roads under <i>Parramatta LEP 2011</i> .
Explanation	To provide consistency and clarity in the zoning maps, it is proposed to apply the SP2 zone to all classified roads. This approach is consistent with LEP Practice Note PN 10-001 Zoning for <i>Infrastructure</i> in LEPs, which allows for the application of the SP2 zone for major roads outside retail centres carrying more than 40,000 vehicles per day.
Proposed mapping	Refer to Appendix 8.

Item 18	
All land zoned R2 Low Density Residential and currently subject to <i>Hornsby LEP 2013</i> or <i>The Hills LEP 2012</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Apply a floor space ratio of 0.5:1 as currently no FSR is applied.
Explanation	An FSR of 0.5:1 is typical across most low density zones in Sydney and is consistent with the controls applying to R2 land in other parts of the LGA. Such an approach will help maintain the low density character of these neighbourhoods. Including an FSR control in the LEP will provide greater certainty to landowners and the community as to the density outcomes expected across the R2 zone.
Proposed mapping	Refer to Appendix 8.

Item 19											
Certain land in Epping zoned R3 Medium Density Residential and currently subject to <i>Hornsby LEP 2013</i> – Amend the Height of Buildings Map and Floor Space Ratio Map											
Legal description of affected properties	Lots 1 and 2 in DP 209032, Lots 20 to 34 in DP 285338, Lot Y DP 393992, Lot X DP 393992, Lot D DP 21051, Lot E DP 21051, Lot F DP 21051, Lot A DP 306218, Lot 1 DP 876249, Lot 2 DP 876249, Lots 1 and 2 in DP 200503, SP 83876, Lot 10 DP 1247882, SP 66228, SP 71052, SP 67058, SP 36790, SP 42889, Lots 1 to 3 in DP 518444, Lot 1 DP 810372, Lots 1 and 2 in DP 872338, Lots 10 and 11 in DP 851375, Lots 100 and 101 in DP 1130538, Lots 101 and 102 DP 866918, Lots 11 and 12 in DP 848940, Lots 11 and 12 DP 877623, Lot 2 DP 840716, Lots 21 and 22 in DP 860165, Lot 3A DP 408495, Lot A DP 942361, Lot B DP 400286, Lot B DP 942361										
Proposed provision and associated amendments	<p>Reduce the maximum height of buildings and apply floor space ratio controls on certain R3 zoned land as follows:</p> <table><thead><tr><th></th><th>Current provisions</th><th>Proposed provisions</th></tr></thead><tbody><tr><td>FSR</td><td>Nil</td><td>0.6:1</td></tr><tr><td>HOB</td><td>12 metres</td><td>9.0 metres</td></tr></tbody></table>			Current provisions	Proposed provisions	FSR	Nil	0.6:1	HOB	12 metres	9.0 metres
	Current provisions	Proposed provisions									
FSR	Nil	0.6:1									
HOB	12 metres	9.0 metres									
Explanation	<p>The proposed changes are considered compatible with the intention to prohibit RFBs in the R3 zone and reserve the zone solely for medium density housing forms.</p> <p><u>Height of Building</u></p> <p>The intent of this change is to achieve better design outcomes on medium density housing sites and to bring consistency to the controls applying to R3 zoned land across the LGA.</p> <p><u>Floor Space Ratio</u></p> <p>It is proposed to introduce a general FSR control of 0.6:1 across most R3 zoned land in the LGA, consistent with the approach under <i>Paramatta LEP 2011</i>. This FSR is compatible with the height limit of 9 metres and will provide more certainty as to expected development outcomes in medium density areas.</p>										
Site boundary											

Item 19

Note: As part of the Epping Planning Review, Council is progressing a separate site specific planning proposal for land at 23 and 23A Pembroke Street, Epping which is proposing to amend the zoning, height and FSR controls for these sites. Should the site-specific LEP amendment be made prior to the finalisation of the consolidated LEP, the LEP provisions will be updated accordingly and carried over into the consolidated LEP.



Item 20

2-22 Maida Road, Epping, currently subject to *Hornsby LEP 2013* – Amend the Floor Space Ratio Map

Legal description of affected properties	SP 96830, SP 98821, SP 35970, Lot 8 DP 9693, SP 91812
Proposed provision and associated amendments	Apply a floor space ratio control of 0.8:1 as currently no FSR is applied.
Explanation	<p>This land is located between recently completed RFB development and an additional permitted use provision is proposed to avoid isolating the site (refer to Section 2.1 of the planning proposal).</p> <p>The proposed FSR is consistent with the existing height limit of 12 metres and will facilitate RFB development consistent with adjoining sites.</p> <p>An additional permitted use provision is also proposed to be applied to this site (refer item 45).</p>

Site boundary



Item 21	
Land zoned R3 Medium Density Residential currently subject to The Hills LEP 2012 – Amend the Floor Space Ratio Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Apply a floor space ratio control of 0.6:1 as currently no FSR is applied.
Explanation	It is proposed to introduce a general FSR control of 0.6:1 across R3 zoned land in the LGA, consistent with the <i>Parramatta LEP 2011</i> and compatible with the existing height limit of 9 metres. Such an approach provides greater certainty to landowners and the community as to the density outcomes expected across the R3 zone.
Proposed mapping	Refer to Appendix 8.

Item 22	
Certain land in Silverwater zoned R3 Medium Density Residential and currently subject to <i>Auburn LEP 2010</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	SP 82076, SP 83614, Lots 1 and 2 in DP 538244, Lots 4, 5, 17, 18, 23, 24, 28 to 43, 46, 47, 49 to 54, 74 to 77 in DP 6673, Lot 1 DP 1186790, Lots 1 and 2 in DP 721610, Lots 145 to 156, 160, 161, 164 to 167, 171 in DP 14816, Lot 1 DP 981293, Lots 101 and 102 in DP 842591, Lots 175 and 182 in DP 6424, Lots A, B, C, D in DP 350635, SP 85507, Lots 4 and 5 in DP 14191, Lot B DP 398636, Lot D DP 398637, Lot A DP 398636, Lot C DP 398637, Lot 1 DP 883205, Lots 4 to 10, 16 to 19, 24 to 34, 37, 39 to 44, 52 to 56, 61, 64 to 67, 70, 72, 75 to 82, 90, 91, 97, 98, 106, 109-119, 124, 157, 158, 160 in DP 6299, Lots 75 to 100, 120 to 108, 111 to 115, 118, 119, 125 in DP 12954, Lots 3, 17 to 19 in DP 449053, Lots 1 to 10, 12, 13 in DP 10053, SP 64164, SP 71478, SP 75084, SP 77710, SP 83226, SP 80218, SP 77739, SP 88032, SP 80352, SP 67277, SP 64618, Lots 711 and 712 in DP 860358, SP 68881, Lot 100 DP 1230824, Lots A, B, C in DP 401050, Lot 1 DP 167058, Lot 2 DP 179369, SP 84787, SP 98567, SP 72899, SP 67272, SP 80647, Lots 1051 and 1052 in DP 1133614, SP 47391, Lots A, B, C, D in DP 414049, SP 70216, SP 54182, SP 64104, SP 76042, Lots 1 and 2 in DP 1069507, Lots 1 and 2 in DP 357697, Lot A DP 432879, Lot B DP 432879, Lot 10 DP 1223982, Lots 11 and 12 in DP 794314, SP 88036, SP 84883, SP 71047
Proposed provision and associated amendments	Amend the floor space ratio from 0.75:1 to 0.6:1.
Explanation	<p>This change will bring consistency across R3 zoned land in the LGA. An FSR of 0.6:1 is also more compatible with the existing 9 metre height limit applying to this land, which is proposed to be retained.</p> <p>The proposed FSR will improve amenity and design outcomes of development in the area, including allowing more space on-site for setbacks, landscaping and open space.</p>

Item 22

Site boundary



Item 23

173-175 Pennant Hills Road, Carlingford, currently subject to *The Hills LEP 2012* – Amend the Floor Space Ratio Map

Legal description of affected properties	SP 76344
Proposed provision and associated amendments	Apply a floor space ratio control of 0.8:1 as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>

Item 23

Site boundary



Item 24

1 Russell Street, Baulkham Hills, currently subject to *The Hills LEP 2012* – Amend the Floor Space Ratio Map

Legal description of affected properties

SP 86046

Proposed provision and associated amendments

Apply a floor space ratio control of 1:1 as currently no FSR is applied.

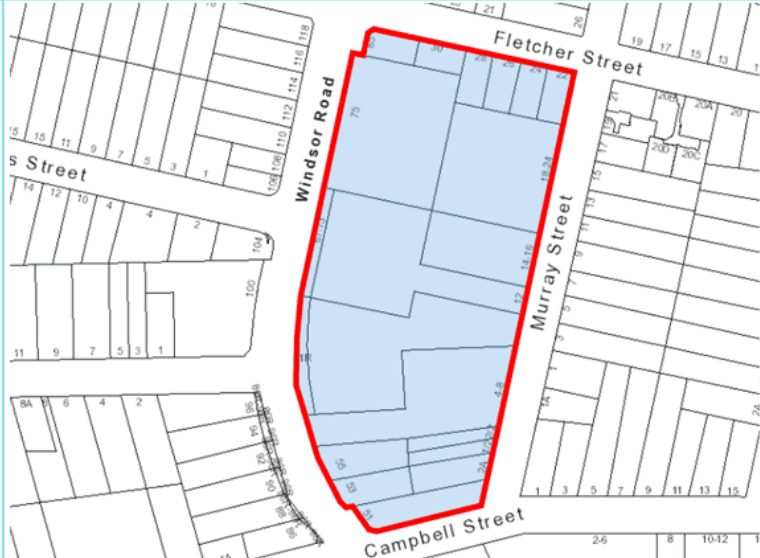
Explanation

The FSR proposed is consistent with the current height limit applying to land.

Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.

Site boundary



Item 25	
Land at 22-30 Fletcher Street, 2-24 Murray Street, and 51-85 Windsor Road, Northmead, currently subject to <i>The Hills LEP 2012</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	Lots 1 to 4 in DP 370953, Lots 100 and 101 DP 855042, SP 88302, SP 90760, SP 98251, SP 2188, Lot 11 DP 1056634, SP 90887, SP 61727, Lot 101 DP 1186518, Lot 181 DP 851061, Lot 180 DP 851061, Lot 2 DP 777220, Lot 1 DP 135749, Lot 1 DP 777220, Lot 2 DP 135749
Proposed provision and associated amendments	Apply a floor space ratio control of 1.2:1 as currently no FSR controls exists.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>
Site boundary	

Item 26	
Land at 8-26 Campbell Street, 23-25 Windsor Road, Northmead and 27 North Rocks Road, North Rocks, currently subject to <i>The Hills LEP 2012</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	SP 93048, SP 47006, Lot 2 DP 877318, SP 63949, SP 72825, SP 75667, SP 81511, SP 50143, SP 93186
Proposed provision and associated amendments	Apply a floor space ratio control of 1.2:1 as currently no FSR controls exists.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>

Item 26

Site boundary

Note: Council is currently progressing a separate site specific planning proposal for land at 23-25 Windsor Road, Northmead which is proposing to increase height and FSR controls for the site. Should the site-specific LEP amendment be made prior to the finalisation of the consolidated LEP, the LEP provisions will be updated accordingly



Item 27

Land at 17-25 Ray Road, 6 Ray Road, 2-40 Edensor Street, 1-5 Kandy Avenue and 58-70 Oxford Street, Epping, currently subject to *Hornsby LEP 2013 – Amend the Floor Space Ratio Map*

Legal description of affected properties

SP 6031, SP 5778, SP 5771, SP 6142, SP 5747, SP 14182, SP 9988, SP 13510, SP 14465, SP 14840, SP 13662, Lot 13 DP 598318, SP 6277, SP 8725, SP 7723, SP 68693, SP 7632, SP 7669, SP 84623, Lot 2 DP 1180988

Proposed provision and associated amendments

Apply a floor space ratio control of 0.8:1, as currently no FSR is applied.

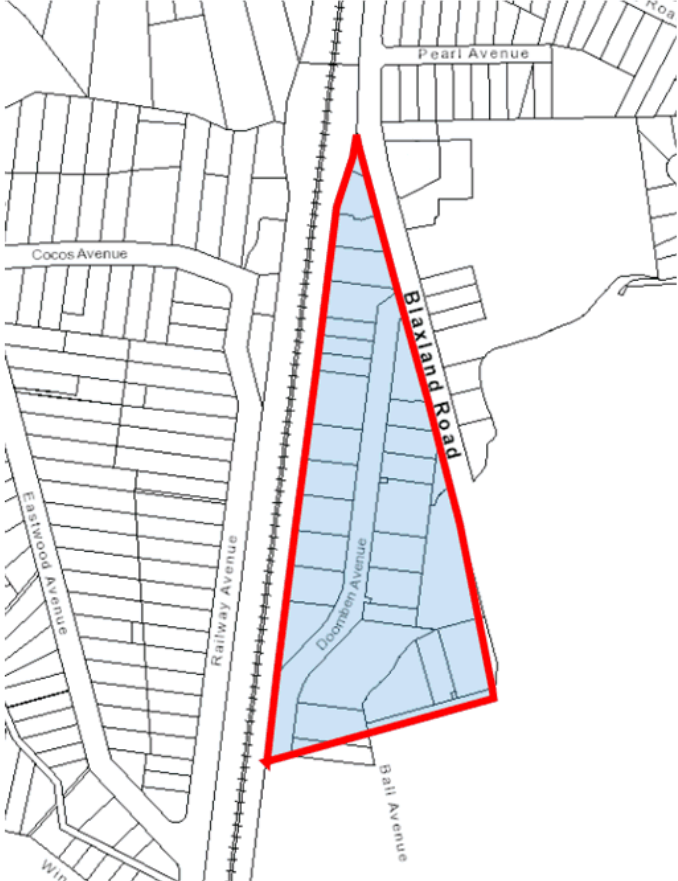
Explanation

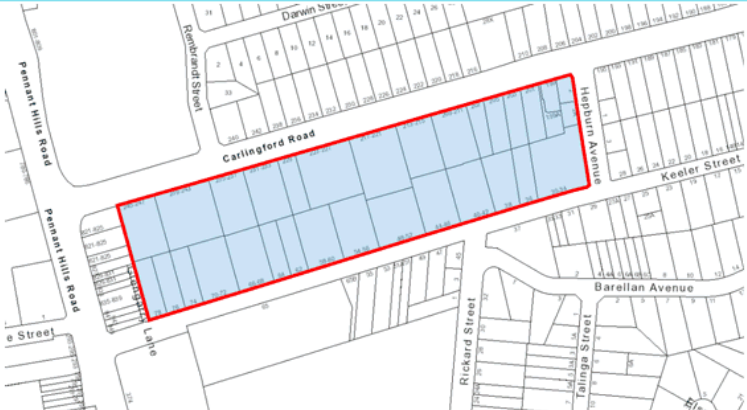
The FSR proposed is consistent with the current height limit applying to the land.

Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.

Site boundary



Item 28	
Certain land in Eastwood bounded by Blaxland Road, Ball Avenue, and the railway line, zoned R4 High Density Residential and currently subject to <i>Hornsby LEP 2013</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	SP 94290, SP 19034, SP 31935, SP 19052, SP 19676, Lots 39 to 41 in DP 9691, SP 16411, SP 39327, SP 15841, Lot 201 DP 735052, SP 31896, SP 20333, SP 21722, SP 17718, SP 17379, SP 15667, SP 14940, SP 11876, SP 12642, SP 13889, SP 17862, Lot 126 DP 714094, SP 20739, SP 5720, Lot 1 DP 536145, SP 22351, Lot 13 DP 598318, Lot 10 DP 1127678, SP 13007, SP 15599
Proposed provision and associated amendments	Apply a floor space ratio control of 0.8:1, as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>
Site boundary	

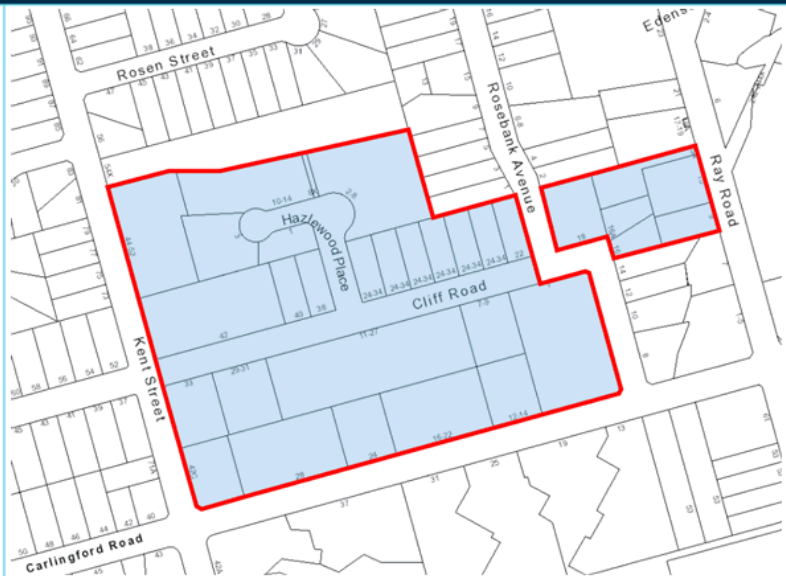
Item 29	
Land at 2-2A Hepburn Avenue, 199-247 Carlingford Road and 30-78 Keeler Street, Carlingford, currently subject to <i>Hornsby LEP 2013</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	Lots 1 and 2 in DP 845101, Lots 2 and 2 in DP 879689, Lot 2 DP 30015, Lot 3 DP 419712, SP 93576, Lot 8 DP 202217, Lot 1 DP 212971, Lot 2 DP 212971, SP 48410, SP 91547, SP 88646, SP 88415, SP 88647, SP 91687, SP 88880, SP 90540, SP 90668, SP 89736, SP 90669, SP 90891, Lot 5 DP 31556, Lot 6 DP 31556, SP 94358, SP 87880, SP 92382, SP 87879, Lot 20 DP 32722, SP 90946, Lot 19 DP 32722, Lot 18 DP 32722
Proposed provision and associated amendments	Apply a floor space ratio control of 1.3:1, as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>
Site boundary	

Item 30	
Certain land in Epping zoned R4 High Density Residential and currently subject to <i>Hornsby LEP 2013</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	See below.
Proposed provision and associated amendments	Apply a floor space ratio control of 1.4:1 to the sites identified below, as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to the land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>

Item 30

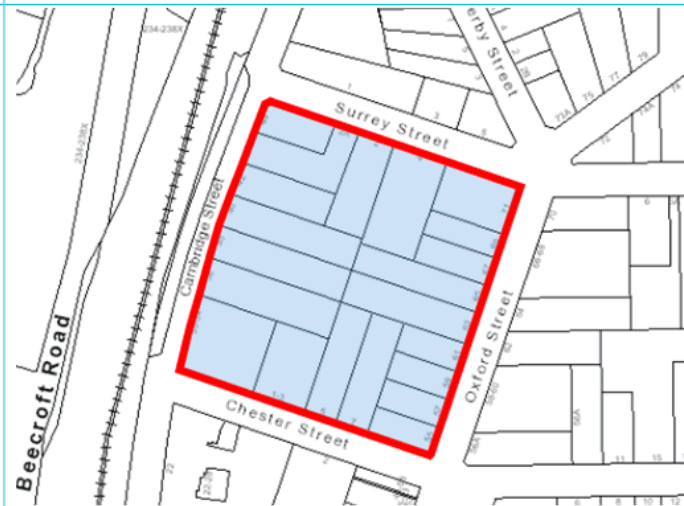
Certain land fronting Carlingford Road, Kent Street, Rosebank Avenue, Hazlewood Place and Ray Road, Epping.

(Lot 6 DP 28934, SP 93023, SP 93682, SP 94841, Lot 78 DP 1246169, SP 33421, SP 98272, Lots 47, 48, 50 to 55 in DP 12051, Lots 1 and 2 in DP 575254, SP 995, SP 1121, Lot A DP 30923, Lot 1 DP 1250828, Lot 400 DP 1253731, SP 97991, SP 94831, SP 92890, SP 93209, SP 98030, SP 95901, SP 96559, SP 96103, SP 96568)



Certain land bounded by Surrey Street, Oxford Street, Chester Street and Cambridge Street, Epping.

(SP 3929, SP 2732, SP 13008, SP 1653, SP 3120, SP 16761, SP 32903, SP 32904, Lot 1 DP 6603, SP 3921, SP 1292, SP 6615, SP 13833, SP 5361, SP 3922, SP 1185, SP 1342, SP 6506, SP 3009, SP 3436, SP 974)

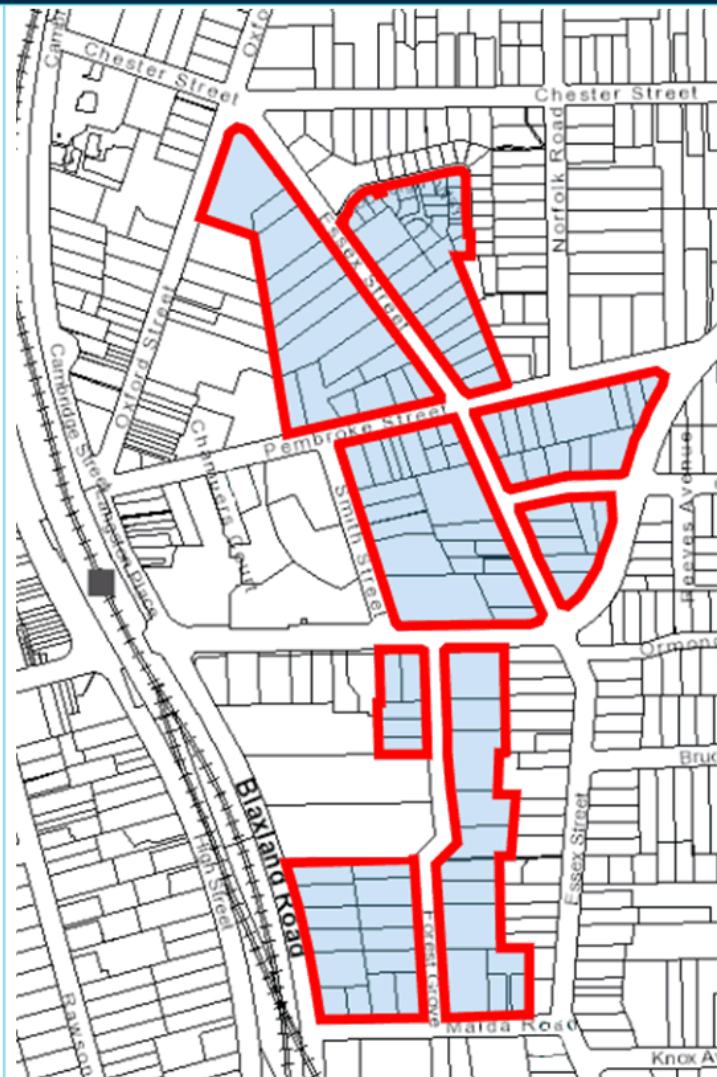


Item 30

Certain land fronting Essex Street, Oxford Street, Rockleigh Way, Brenda Way, Essex Street, Pembroke Street, Epping Road, Crandon Road, Forest Grove, and Maida Road, Epping.


(Refer below for legal description)

Note: As part of the Epping Planning Review, Council is progressing a separate site specific planning proposal for land at 21-29 Essex Road, Epping and the Rockleigh Park Precinct which is proposing to amend certain zoning, height and FSR controls for these sites. Should the site-specific LEP amendments be made prior to the finalisation of the consolidated LEP, the LEP provisions will be updated accordingly and carried over into the consolidated LEP.



Legal description:

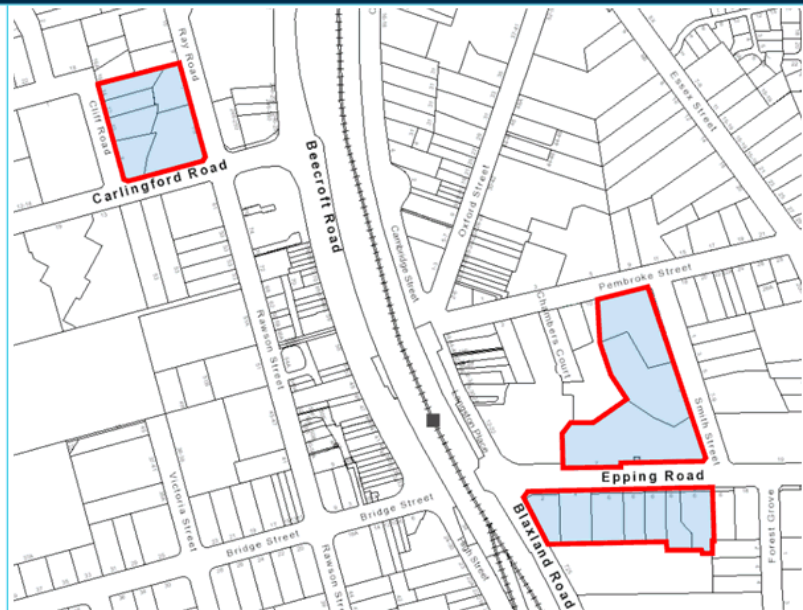
SP 53912, Lot 1 DP 590705, Lot 1 DP 1248612, Lot 25 Sec 4 DP 758390, SP 3488, SP 1409, SP 1277, SP 4301, SP 4946, SP 68655, SP 70722, SP20927, SP 3211, SP 2758, SP 1539, SP 1501, Lots 1 to 6 in DP 10511, Lots 2 to 19 in DP 285338, Lot 7 DP 663403, Lot 8 Sec 5 DP 758390, SP 95143, Lot A DP 958825, Lot B DP 358811, SP 92773, SP 94764, Lot 5 DP 1033683, Lot 1 DP 1197922, Lot 1 DP 1230536, Lots 1, 2, 4, 8, 9, 15 to 19, 23 in DP 7325, Lots 1 to 4 in DP 853980, Lots 31 and 32 in DP 851838, Lots 51 and 52 in DP 839706, Lots 71 and 72 in DP 1035149, Lot A DP 392141, Lot B DP 319851, SP 95747, Lot 24 DP 1149128, Lot 31 DP 663402, Lot D DP 341330, Lot C DP 341330, Lot B 341330, SP 43463, SP 69632, Lot 26 DP 1177995, Lots 1 to 3, 6 and part 4 in DP 15049, Lot 1 DP 430745, Lot 7 DP 655534, Lots 6 and 15 in DP 1204062, Lots 9 to 12 in DP 10385, Lot 20 DP 1204063, Lots 3 and 4 in DP 1204064, SP 94259, SP 91960, SP 97251, SP 95506, SP 91959, Lot C DP 412811, Lot D DP 412811, SP 98712, SP 92367, Lots 1 to 3 in DP 505250, SP 2548, SP 2992, SP 5710, SP 2542, SP 3265, SP 2915, SP 3323, SP 226, SP 6391, SP 2997, SP 2325, SP 5433, SP 80499, SP 4664

Item 31	
3-5 Pembroke Street, Epping, currently subject to <i>Hornsby LEP 2013</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	Lots 1 and 2 in DP 398835
Proposed provision and associated amendments	Apply a floor space ratio control of 1.6:1, as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>
Site boundary	

Item 32	
Certain land in Epping fronting Cliff Road, Ray Road, Smith Street, and Epping Road, zoned R4 High Density Residential and currently subject to <i>Hornsby LEP 2013</i> – Amend the Floor Space Ratio Map	
Legal description of affected properties	SP 42884, SP 43219, Lots 1 and 2 in DP 858026, Lot Y DP 407373, SP 13306, Lot 1 DP 596726, SP 13241, SP 15436, SP 17302, SP 16921, Lot 10 DP 1204058, Lot 11 DP 1204058, Lots 11 to 14 in DP 1204061, Lot 15 DP 1204062, Lot 4 DP 1204059, Lot 6 DP 1204059, Lots 7 to 9 in DP 1204060
Proposed provision and associated amendments	Apply a floor space ratio control of 2:1, as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>

Item 32

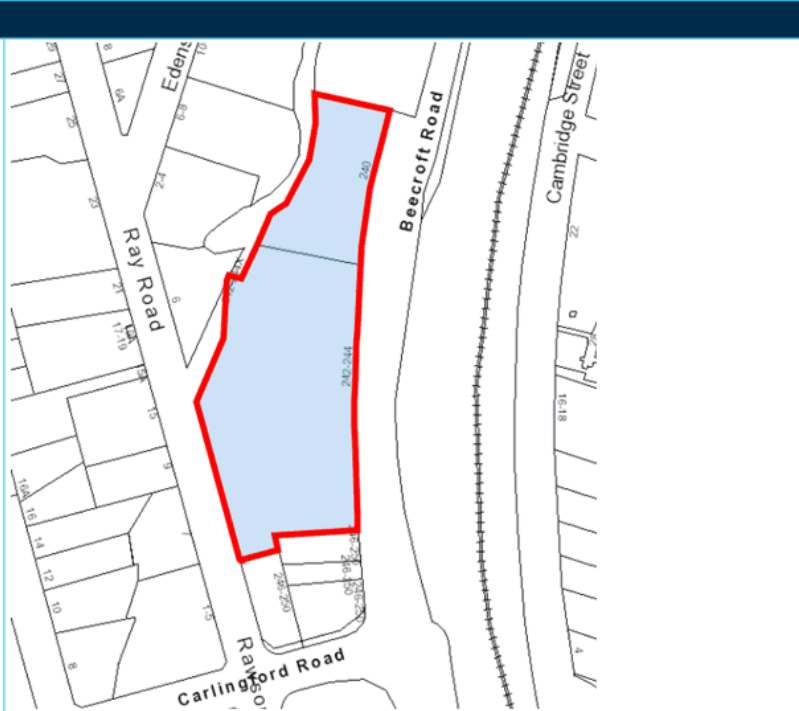
Site boundary




Item 33

Certain land in Epping zoned R4 High Density Residential and currently subject to *Hornsby LEP 2013* – Amend the Floor Space Ratio Map

Legal description of affected properties	See below.
Proposed provision and associated amendments	Apply a floor space ratio control of 3.8:1 to the sites identified below, as currently no FSR is applied.
Explanation	<p>The FSR proposed is consistent with the current height limit applying to land.</p> <p>Applying an FSR to sites where there is currently not one will provide greater certainty to landowners and the community as to the density outcomes sought on the site. It will also ensure a consistent approach is applied across the R4 zone.</p>
<p>2-4 Chester Street and 45-53 Oxford Street, Epping.</p> <p>(SP 97289, Lots 1 to 3, 5 in DP 18447, Lot A DP 357452, Lot B DP 357452)</p>	

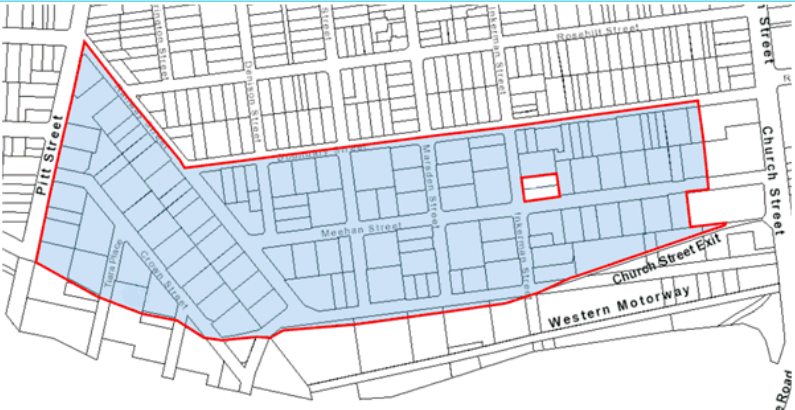
<p>Item 33</p> <p>240 - 244 Beecroft Road, Epping. (Lot 220 DP 1251471, Lot 221 DP 1251471)</p>	
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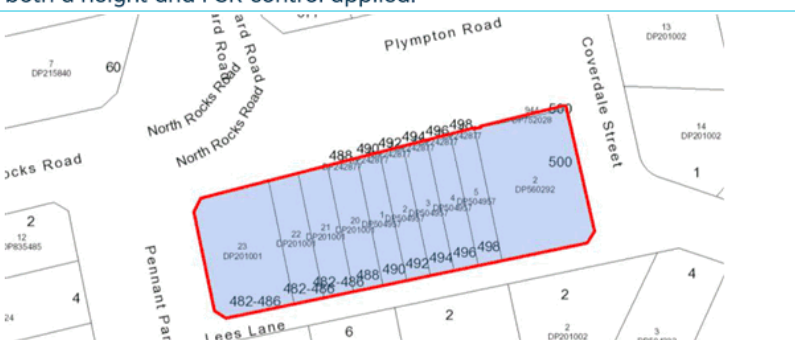
<p>Item 34</p> <p>24 - 26 Railway Parade, Westmead currently subject to clause 6.10A of Parramatta LEP 2011 – Amend the Floor Space Ratio Map</p>	
<p><i>Legal description of affected properties</i></p>	<p>Lot 1 DP 952720, Lot 1 DP 972068, Lot 10 DP 605684</p>
<p><i>Proposed provision and associated amendments</i></p>	<p>Identify land as "Area 4" on the Floor Space Ratio Map.</p>
<p><i>Explanation</i></p>	<p>It is proposed to incorporate the current site-specific provisions of clause 6.10A of Parramatta LEP 2011 into clause 4.4 of the consolidated LEP. This land is not currently mapped in the instrument. Mapping will provide additional clarity as to the land to which the provisions apply.</p>
<p><i>Site boundary</i></p>	

Item 35	
R2 Low Density Residential currently subject to <i>Hornsby LEP 2013</i> – Amend the Height of Buildings Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Apply a 9.0 metre height limit to land where an 8.5 metre limit currently applies
Explanation	This would make the controls applying to this land area consistent with the majority of R2 zoned land in the LGA and will allow for dwellings to incorporate higher floor to ceiling heights. The additional 50cm will not have a significant impact on the density or appearance of development and will allow houses to better respond to topography.
Proposed mapping	Refer to Appendix 8.

Item 36	
Certain land zoned R3 Medium Density Residential currently subject to <i>Parramatta LEP 2011</i> – Amend the Height of Buildings Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Apply a maximum height limit of 9.0 metres.
Explanation	The proposed change will bring consistency to height limits across the R3 zone in the LGA and will assist with achieving better design outcomes on medium density housing sites. Existing FSR controls applying to the land will not be changed.
Proposed mapping	Refer to Appendix 8.


Item 37	
Certain land in Parramatta zoned R4 High Density Residential and located west of Church Street, north of Western Motorway, and east of Pitt Street, currently subject to <i>Holroyd LEP 2013</i> – Amend the Height of Buildings Map	
Legal description of affected properties	SP 61906, Lots 10 and 11 in DP 582471, Lot 11 DP 84168, Lot B DP 155045, SP 49011, SP 65860, Lot 38 DP 1108427, Lots 1 and 2 in DP 10360, Lot 12 DP 862471, Lot 271 DP 866145, SP 57708, Lot 3 DP 609758, SP 51569, SP 48750, Lot 1 DP 744774, SP 70314, SP 68291, SP 70594, Lot 1 DP 736349, Lot 1 DP 998905, SP 71682, Lots 5 to 9, 12 to 14, 19 to 22 and 33 in DP 801968, SP 55763, Lot C DP 151773, SP 71401, SP70320, Lot 50 DP 810400, SP 39263, Lot 14 Sec 4 DP 939772, SP 65432, Lot 102 DP 883680, Lot 1 Sec 14 DP 939772, SP 66538, SP 49227, SP 62698, SP 51453, Lot 5B DP 160801, Lot 6A DP 160801, Lot 5A DP 160801, Lot 3 Sec 15 DP 939772, SP 12385, Lot 70 DP 806653, Lot 2 Sec 15 DP 939772, SP 40191, Lot A DP 324641, SP 9754, SP 9396, SP 30035, SP 60387, SP 56756, SP 14358, SP 9759, SP 12351, Lot 10 DP 618880, SP 56508, SP 20390, SP 57905, SP 72514, SP 15938, SP 78353, SP 10350, Lot 100 DP 713636, SP 20405, SP 84128, SP 91724, SP 66990, SP 84502, SP 9424, SP 60578, SP 70499, SP 33251, SP 17112, Lot 1 DP 713101, SP 58925, Lot 221 DP 712878, SP 43637, Lot 1 DP 598766, SP 39269, Lot 101 DP 746702, SP 43627, SP 86117, SP 56447, SP 14545, SP 34439, SP 44788, SP 15723, Lot 1 DP 1161725, SP 15355, SP 96345, Lots 9 to 11 in DP 10437, SP 17380, SP 57066, SP 34353, Lot 7 DP 702260, Lot 10 DP 16645, SP 70777, SP 65883, SP 64984, SP 57292, SP 70290, SP 64057, Lot 8 Sec 22 Lot 939772,


Item 37	
	SP 12953, Lot 1 DP 233103, SP 55618, SP 53900, SP 6748, SP 40717, SP 10176, SP 56484, SP 51798, SP 61443,
<i>Proposed provision and associated amendments</i>	Amend the maximum height of buildings from 15 metres to 14 metres.
<i>Explanation</i>	This land has largely been developed for residential flat buildings. The application of a 14 metre height limit will make it consistent with the R4 zoned land to the north under the provisions of the <i>Parramatta LEP 2011</i> . FSR controls applying to the land will remain unchanged.
<i>Site boundary</i>	


Item 38	
Land at 482-500 North Rocks Road, Carlingford, currently subject to <i>Hornsby LEP 2013</i> – Amend the Height of Buildings Map	
<i>Legal description of affected properties</i>	Lots 20 to 23 in DP 201001, Lots 1 to 6 in DP 242877, Lots 1 to 5 in DP 504957, Lot 2 DP 560292, Lot 944 DP 752028
<i>Proposed provision and associated amendments</i>	Apply a height limit of 9.0 metres, as no HOB control is currently applied.
<i>Explanation</i>	Applying a 9.0 metre height control is reflective of the built form that could be achieved under the existing FSR of 0.5:1. This is consistent with the approach taken for other B1 Neighbourhood Centres, which all have both a height and FSR control applied.
<i>Site boundary</i>	

Item 39A	
Certain residential zoned land currently subject to <i>Auburn LEP 2010</i> , <i>Holroyd LEP 2013</i> and <i>Hornsby LEP 2013</i> – Amend the Lot Size Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Amend minimum subdivision lot size control applying to the land to 550sqm.
Explanation	Increasing the MLS requirement will assist with tree retention on sites and achieving better design outcomes from low density residential development. It will also assist with bringing consistency to MLS controls applying to residential zoned land across the LGA.
Proposed mapping	Refer to Appendix 8.


Item 39B	
Land zoned R3 Medium Density Residential and R4 High Density Residential and currently subject to <i>The Hills LEP 2012</i> – Amend the Lot Size Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Amend minimum subdivision lot size control applying to the land to 550sqm.
Explanation	It is proposed to retain the current 700sqm MLS control applying to low density land in the former The Hills Council area. However, a MLS of 550sqm is considered more appropriate for medium and high density zones given the form of development expected in these locations. This will also assist with bringing consistency to MLS controls across the LGA.
Proposed mapping	Refer to Appendix 8.

Item 40	
2A Morton Street, Parramatta, currently subject to <i>Parramatta LEP 2011</i> – Amend the Land Reservation Acquisition Map	
Legal description of affected properties	Lot 3 DP 1215559
Proposed provision and associated amendments	Remove site from the Land Reservation Acquisition (LRA) Map.
Explanation	The site is no longer required to be shown on the LRA map as it is now under public ownership.
Site boundary	

Item 41	
24A O'Connell St, Parramatta being crown land used for public access and recreation, currently subject to <i>Parramatta LEP 2011</i> – Amend the Land Reservation Acquisition Map	
Legal description of affected properties	Lot 4 DP 1132683
Proposed provision and associated amendments	Remove site from the Land Reservation Acquisition (LRA) Map.
Explanation	The site is no longer required to be shown on the LRA map as it is now under public ownership.
Site boundary	

Item 42	
17 Mountain St, Epping, currently subject to <i>Hornsby LEP 2013</i> – Amend the Land Reservation Acquisition Map	
Legal description of affected properties	Lot 1 DP 230415, Lease DP 1025682, DP 1065642
Proposed provision and associated amendments	Remove site from the Land Reservation Acquisition (LRA) Map.
Explanation	The site is no longer required to be shown on the LRA map as it is now under public ownership.
Site boundary	

Item 43	
3B Carter St, Lidcombe currently subject to <i>Auburn LEP 2010</i> – Amend the Land Reservation Acquisition Map	
Legal description of affected properties	Lot 20 DP 1249532
Proposed provision and associated amendments	Remove site from the Land Reservation Acquisition (LRA) Map.

Item 45	
Various sites across the LGA – Amend the Additional Permitted Uses Map	
Legal description of affected properties	See below.
Proposed provision and associated amendments	It is proposed to update the map set to include all sites listed in <i>Schedule 1</i> of the consolidated LEP.
Explanation	Not all sites listed in <i>Schedule 1</i> of LEPs applying in the LGA are currently mapped. An administrative amendment is proposed to ensure all sites identified in <i>Schedule 1</i> of the consolidated are mapped on the <i>Additional Permitted Uses Map</i> to provide clarity as to the land to which the provisions apply, particularly in instances where lots are amalgamated or there are changes to street addresses. The consolidated map will include the following sites:
<p>Land at 181 James Ruse Drive, Camellia (Lots 1–4, DP 128720, Lots 2–17 and 25, DP 6856, Lot 1, DP 724228, Lots 1–6, DP 2737, Lots 7A and 9A, DP 418035, Lot 1, DP 499552, Lot 10, DP 610228, Lot 2, DP 512655, Lot 2, DP 549496, Lot 1, DP 927064 and Lot 1, DP 668318).</p> <p>Proposed map designation: APU1</p> <p>Associated APU provision to be retained: Development for the purposes of shops is permitted with development consent.</p>	

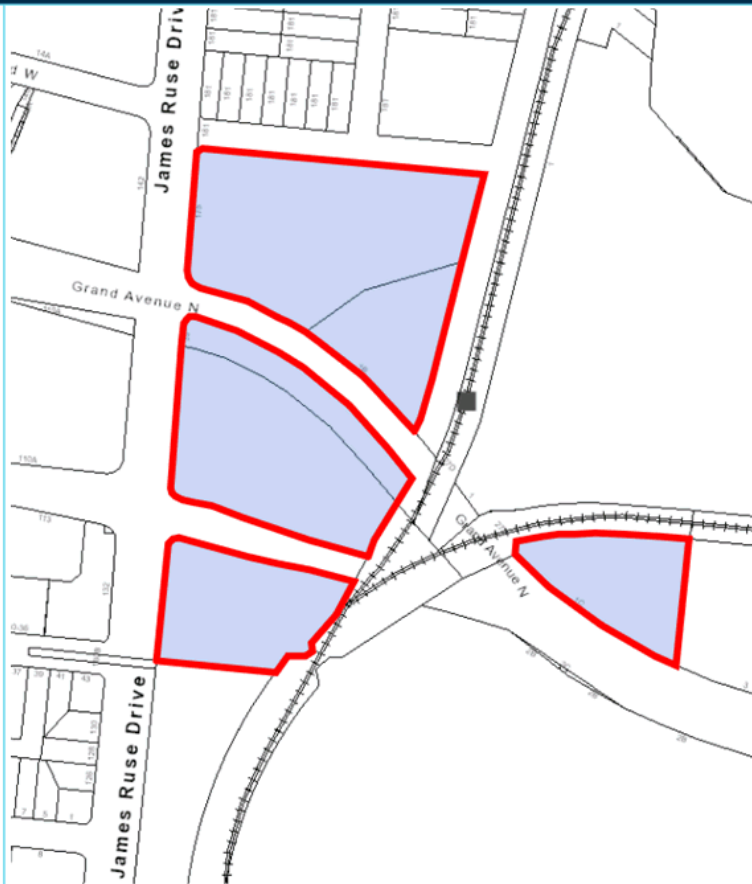
Item 45

Certain land at Camellia and Rosehill being;

- 175 James Ruse Drive, Camellia (Lot 1, DP 733217),
- 1B Grand Avenue, Camellia (Lot 2, DP 430623),
- 1C Grand Avenue, Camellia (Lot 1, DP 208282),
- 39 James Ruse Drive, Rosehill (Lot 3, DP 45090),
- The north-western part of 2B Grand Avenue, Rosehill (Lot 1, DP 126879), bounded by the railway line to the east, James Ruse Drive to the west, and 39 James Ruse Drive, to the north, extending to the Oak Street footbridge.

Proposed map designation:
APU2

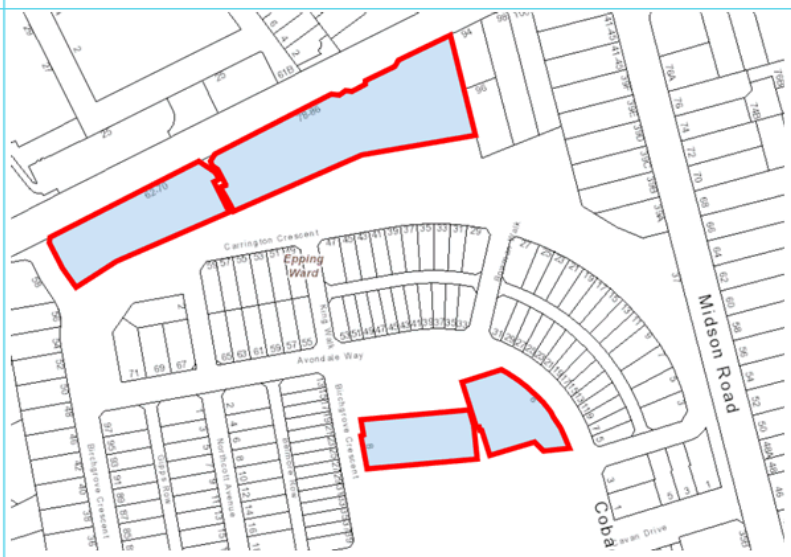
Associated APU provision to be retained: Development for the purposes of shops is permitted with development consent.



62 – 70 Mobbs Lane, 78 – 86 Mobbs Lane, 8 Birchgrove Crescent and 8 Avondale Way, Eastwood (SP 92261, SP 92262, SP 90470, SP 90494).

Proposed map designation:
APU3

Associated APU provision to be retained: Development for the purposes of multi dwelling housing and residential flat buildings is permitted with development consent.

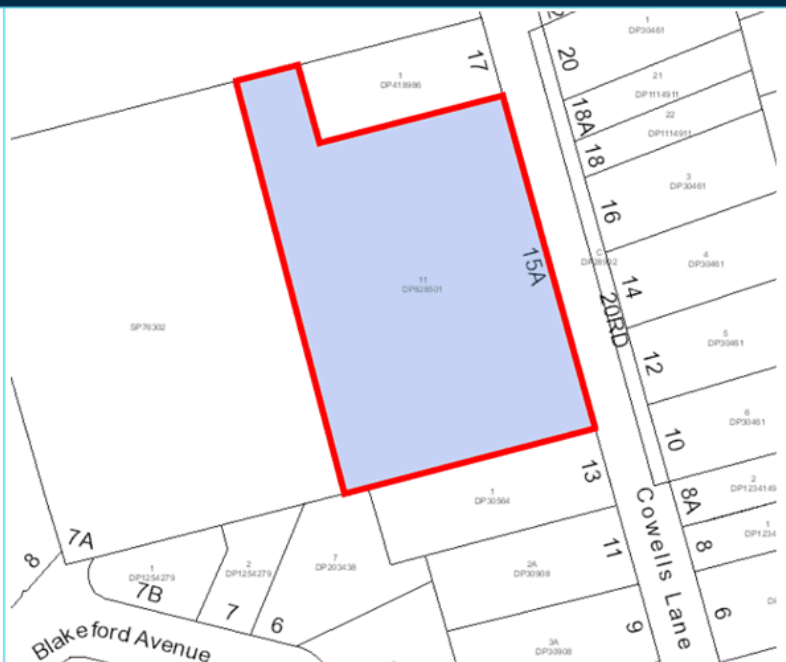


Item 45

Land at 15A Cowells Lane, Ermington (Lot 11, DP 82850).

Proposed map designation:
APU4

Associated APU provision to be retained: Development for the purposes of multi dwelling housing is permitted with consent.

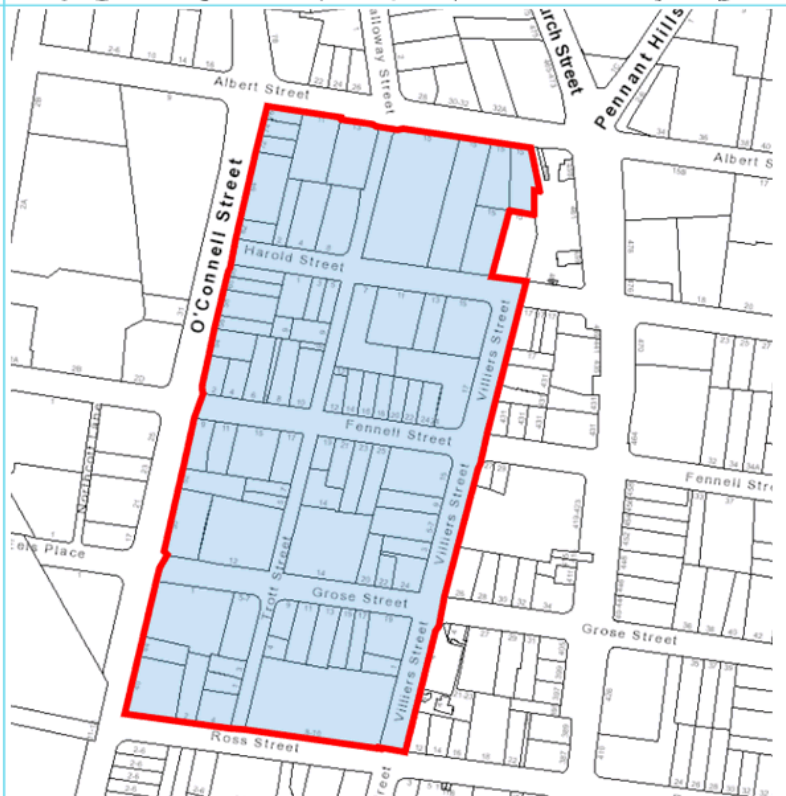


Certain land at North Parramatta currently zoned R2 Low Density Residential bounded by Albert Street, O'Connell Street, Ross Street and Villiers Street, North Parramatta.

Land identified in item 7 of Schedule 1 of Parramatta LEP 2011.

Proposed map designation:
APU5

Associated APU provision to be retained: Development for the purposes of restaurants or cafes and office premises is permitted with consent.

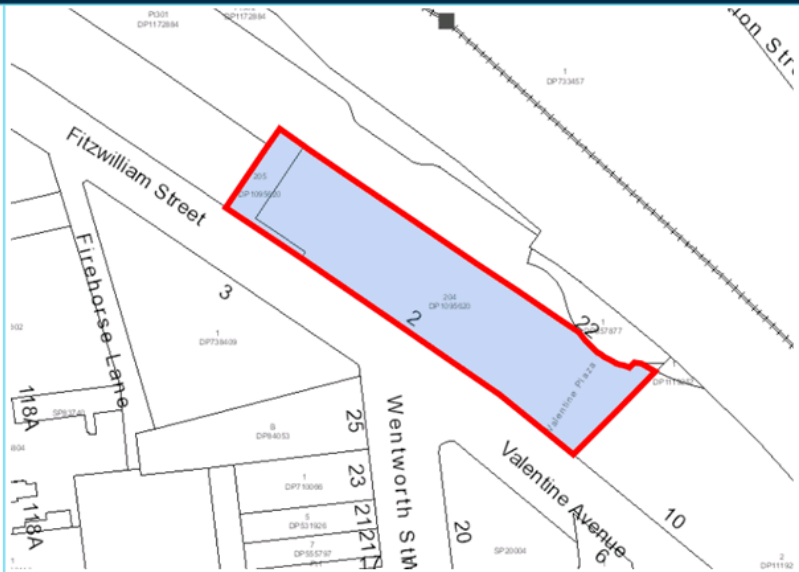


Item 45

Certain land at Argyle Street, Parramatta. Land known as Parramatta Transport Interchange, Argyle Street, Parramatta (Lots 204 and 205 in DP 1095620).

Proposed map designation:
APU6

Associated APU provision to be retained: Development for the purpose of a residential flat building, as per the provisions of Item 8 of Schedule 1 of Parramatta LEP 2011.



Certain land at Church Street, Parramatta.

(Currently mapped as 'Item 2' on the Additional Permitted Use map of Parramatta LEP 2011).

Proposed map designation:
APU7

Associated APU provision to be retained: Development for the purpose of retail premises is permitted with consent.



Item 45

Certain land at 163-165 George Street, Parramatta (Lot 1 DP 78716, Lot 1 DP 113513, Lot 1 DP 650704, and Lot 3 DP 10735).

Proposed map designation:
APU8

Associated APU provision to be retained: Development for the purposes of centre-based child care facilities, community facilities, function centres, office premises, and restaurants or cafes is permitted with consent.



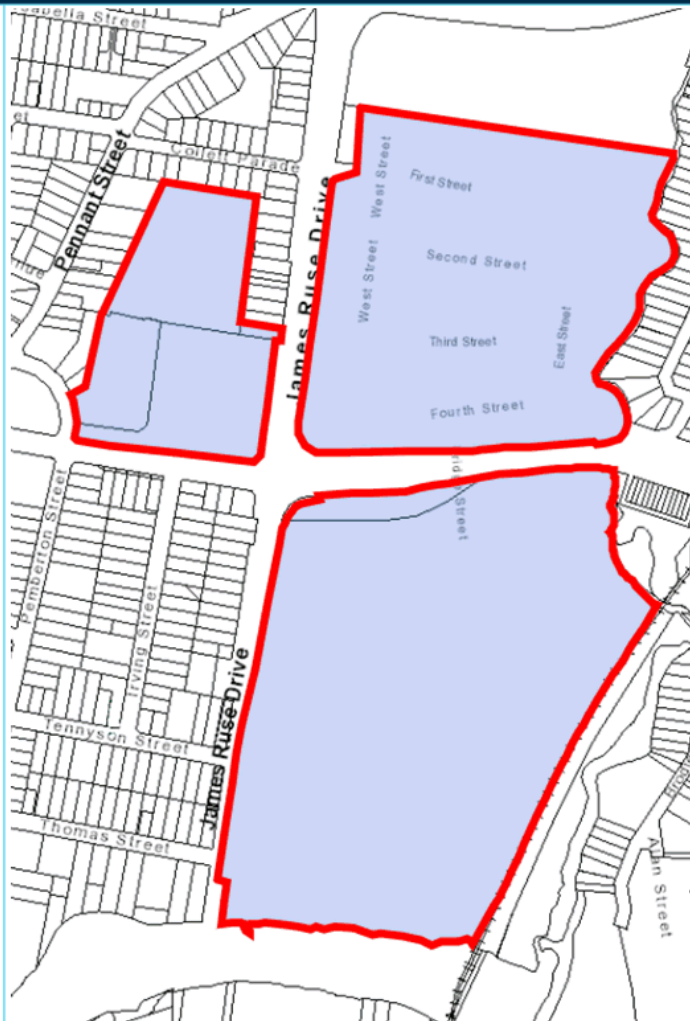
Item 45

Certain land at Parramatta being;

- 70 Pemberton Street, Parramatta (Lot 102 DP 1150350),
- 178 James Ruse Drive, Parramatta (Lot 19 DP 226903),
- 171 Victoria Road, Parramatta (Lots 100 and 101 in DP 816829),
- 260 Victoria Road, Parramatta (Lot 101 DP 1150350),
- 260A Victoria Road, Parramatta (Lot 103 DP 1150350),
- 266 Victoria Road, Parramatta (Lot 1 DP 836958).

Proposed map designation:
APU9

Associated APU provision to be retained: Development for the purposes of light industries that carry out research and development activities on a commercial basis and office premises is permitted with consent.



Certain land at Grand Avenue, Rosehill.

(Currently mapped as 'Item 1' on the Additional Permitted Use map of Parramatta LEP 2011).

Proposed map designation:
APU10

Associated APU provision to be retained: Development for the purposes of office premises and shops is permitted with consent.



Item 45

Land at 4–6 Barden Street, Northmead (Lot 101 DP 1083245).

Proposed map designation:
APU11

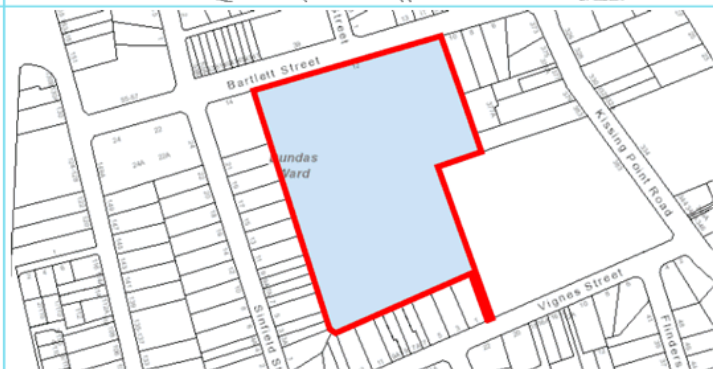
Associated APU provision to be retained: Development for the purposes of business premises, medical centres and office premises is permitted with consent.



Land at 12 Bartlett Street, Ermington (Lot W DP 36847).

Proposed map designation:
APU12

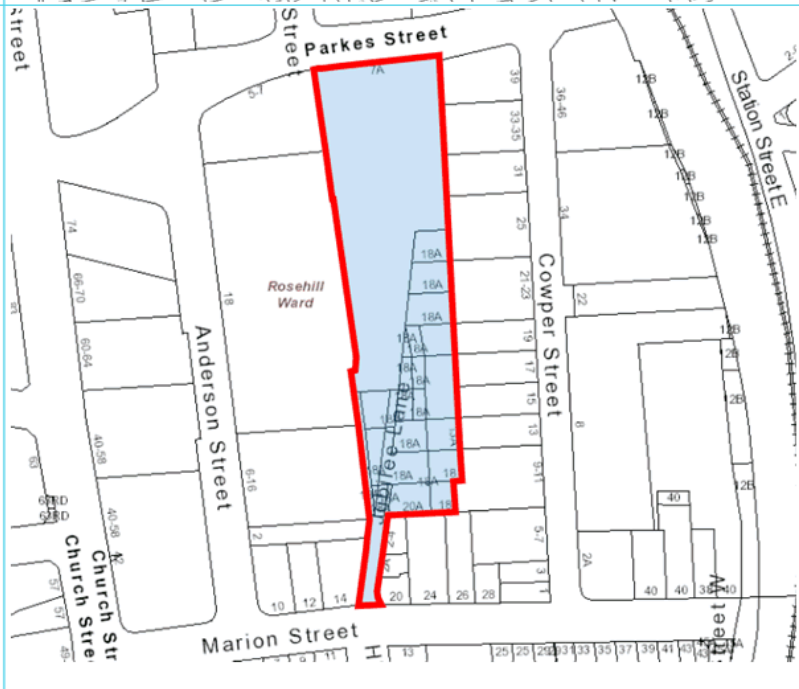
Associated APU provision to be retained: Development for the purpose of centre-based child care facilities is permitted with consent.



Land at Jubilee Lane, Harris Park (Lots 1–4 in DP 210964, Lots 1 and 3 in DP 214558, Lots 1, 5 and 6 in DP 219646, Lots 2 and 3 in DP 363574, Lot 1 DP 381062, Lots X, Y and Z in DP 407797, Lot 2 DP 513301, Lot 1 DP 524232, Lots 1 and 3 DP 529663, Lot 6 DP 537776, Lot 9 DP 567395, Lot 2 DP 615843, Lot 62 DP 633712, Lot 7047 DP 1060682).

Proposed map designation:
APU12

Associated APU provision to be retained: Development for the purpose of centre-based child care facilities is permitted with consent.



Item 45

Land at Arthur Phillip Park, Redbank Road, Northmead (Lot 53 DP 128577).

Proposed map designation:
APU12

Associated APU provision to be retained: Development for the purpose of centre-based child care facilities is permitted with consent.



Land at 89-91 Park Road, Rydalmere (Lot 972 DP 726684).

Proposed map designation:
APU12

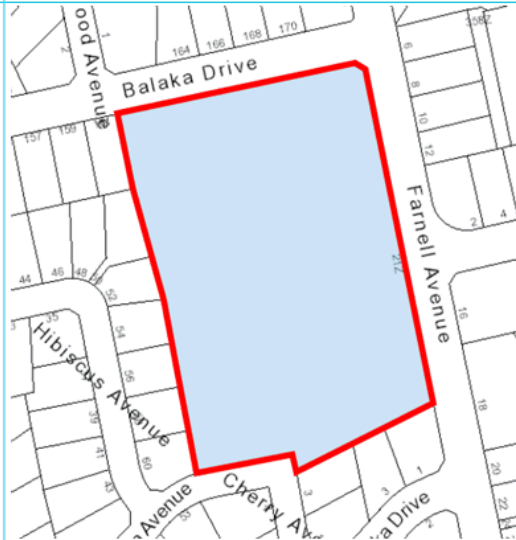
Associated APU provision to be retained: Development for the purpose of centre-based child care facilities is permitted with consent.






Land at John Wearn Reserve 21Z Farnell Avenue Carlingford (lot 2 DP 604323).

Proposed map designation:
APU12

Proposed APU provision: Development for the purpose of centre-based child care facilities is permitted with consent.



Item 45	
<p>Land at 111–113 Victoria Road, Parramatta (Lot 4, DP 8641).</p> <p><i>Proposed map designation:</i> APU13</p> <p><i>Associated APU provision to be retained:</i> Development for the purposes of commercial premises is permitted with consent.</p>	 <p>The map shows a section of Victoria Road in Parramatta. Lots 111, 112, and 113 are highlighted in blue. Surrounding lots are labeled with numbers and DP (Deeds Plan) numbers. The map also shows Gore Street and other local roads.</p>
<p>Certain land at Wentworth Point (Lot 204 DP 1216628 and part of Lot 203 DP 1216628).</p> <p>(Currently mapped as 'Wentworth Point Maritime Precinct' on the Key Sites Map of the Auburn LEP 2010).</p> <p><i>Proposed map designation:</i> APU14</p> <p><i>Proposed APU provision:</i> Development for boat building and repair facilities, boat launching ramps, boat sheds, or marinas is permissible with consent.</p>	 <p>The map shows the Wentworth Point area. Lot 204 is highlighted in blue. The map includes Burroway Road and other local roads. The area is currently mapped as 'Wentworth Point Maritime Precinct'.</p>
<p>Land at 16 Masons Drive, North Parramatta (Lot 3 DP 857976).</p> <p>(Currently mapped as 'Item 23' on the Additional Permitted Use map of The Hills LEP 2012).</p> <p><i>Proposed map designation:</i> APU15</p> <p><i>Associated APU provision to be retained:</i> Development for the purposes of the use of Yurora House for hotel or motel accommodation is</p>	 <p>The map shows the area around Masons Drive in North Parramatta. Lot 3 is highlighted in blue. The map includes Denistons Road and other local roads. The area is currently mapped as 'Item 23' on the Additional Permitted Use map of The Hills LEP 2012.</p>

<p>Item 45</p> <p>permitted with consent only if the number of rooms contained in Yurora House for hotel or motel accommodation will not exceed 10.</p>	
<p>Land at Pembroke Street and Chambers Court, Epping (Lot 5 DP 249822).</p> <p>(Currently mapped as 'Area 8' on the Additional Permitted Use Map of Hornsby LEP 2013).</p> <p><i>Proposed map designation:</i> APU16</p> <p><i>Associated APU provision to be retained:</i> Development for the purpose of residential flat buildings is permitted with consent if the consent authority is satisfied that the ground floor of any such building will be used only for the purpose of a community facility.</p>	
<p>Land at 175 Burnett Street, Mays Hill (Lot 10D DP 342306).</p> <p><i>Proposed map designation:</i> APU17</p> <p><i>Proposed APU provision:</i> Development for the purposes of boarding houses, with development consent</p>	

Item 45	
Land at 14 and 16 Maida Road, Epping (SP 35970, Lot 8 DP 9693).	
Proposed map designation: APU18	
Proposed APU provision: Development for the purpose of residential flat buildings is permitted with development consent.	

Item 46	
Certain land across the LGA – Dual Occupancy Prohibition Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Consolidated map set of land on which dual occupancy development is prohibited.
Explanation	<p>The consolidated map set will incorporate certain areas located in Winston Hills, North Parramatta and Epping where dual occupancy development is currently prohibited under the provisions of the <i>Parramatta LEP 2011</i>.</p> <p>Additional land is proposed to be identified on the map representing properties zoned R2 Low Density Residential where dual occupancy development is not considered appropriate. Refer to section 3.2.4 of this planning proposal for further information.</p>
Site boundary	Refer to Appendix 8.

Item 47	
Certain land at Wentworth Point, currently subject to <i>Auburn LEP 2010</i> – Amend the Foreshore Building Line Map	
Legal description of affected properties	Lots 202 to 204 in DP 1216628, Lot 3 DP 859608.
Proposed provision and associated amendments	Map a Foreshore Building Line (FBL) and identify land below the FBL, to foreshore areas.
Explanation	<p>This will ensure all foreshore land is consistently identified in the consolidated LEP. <i>Auburn LEP 2010</i> does not currently map this foreshore area on the Foreshore Building Line Map, even though the land is subject to the provision of the LEP. The FBL will be mapped consistent with the foreshore area identified in the <i>Wentworth Point Precinct DCP</i>, being 30 metres from the mean high-water mark along Parramatta River and 20 metres along Homebush Bay. The FBL area corresponds with land zoned RE1 Public Recreation under <i>Auburn LEP 2010</i>.</p>
Proposed mapping	Refer to Appendix 8.

Item 48	
Certain vegetation on land across the LGA – Amend the Natural Resources Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Map additional vegetation as 'Biodiversity' on the Natural Resources Map.
Explanation	<p>Vegetation that is proposed to be added to the Natural Resources map is consistent with the NSW Government's <i>Native Vegetation of the Sydney Metropolitan Area mapping</i>.</p> <p>The intent of this proposal is to enhance the recognition and protection of important environmental assets in the LGA and ensure a consistent approach is taken to managing development impacts.</p>
Proposed mapping	Refer to Appendix 8.

Item 49	
Certain waterways and riparian lands across the LGA – Amend the Riparian Lands and Waterways Map	
Legal description of affected properties	As identified on map in Appendix 8.
Proposed provision and associated amendments	Map additional land as 'Waterways and Riparian Land' on the Natural Resources Map.
Explanation	<p>Natural waterways corridors have been identified and will be mapped on the Natural Resources Map consistent with the corridor widths recommended in the NSW Department of Industry <i>Guidelines for controlled activities on waterfront land – Riparian corridors</i>.</p> <p>The intent of this proposal is to enhance the recognition and protection of important environmental assets in the LGA and ensure a consistent approach is taken to managing development impacts.</p>
Proposed mapping	Refer to Appendix 8.

Item 50	
Certain land at Westmead currently subject to clause 6.10 of <i>Parramatta LEP 2011</i> – Amend the Key Sites Map	
Legal description of affected properties	Lot 6 DP 1227281
Proposed provision and associated amendments	Amend the Key Sites Map to remove the existing site labelled as "A" and instead identify land identified below as "Area A".
Explanation	It is proposed to retain the current site-specific provision of clause 6.10 of <i>Parramatta LEP 2011</i> in the consolidated LEP. Only the part of the site to which the provisions do not apply (being the 'St Vincent's building') is currently identified on the Key Sites Map. The proposed amendment will provide additional clarity as to the land to which the provisions apply.

Part 5 – Community Consultation

The planning proposal (as revised to comply with the Gateway Determination once received) will be publicly available for community consultation at later date. This follows preliminary consultation with the community on a Land Use Planning Harmonisation Discussion Paper, between January and March 2019 (refer to Appendix 5)

Consultation will be consistent with the requirements of the Gateway Determination and the consultation guidelines contained in the State Government's 'A Guide to Preparing Local Environmental Plans' (December 2018).

Public exhibition of this planning proposal is proposed to include:

- Exhibition period of at least 28 days.
- Notification in newspapers that circulate in the City of Parramatta LGA.
- Notification and exhibition of planning proposal documents on Council's website.
- Exhibition of planning proposal documents at Council's customer contact centre and libraries.
- Given the planning proposal covers all land in the LGA, and following consultation on potential changes to LEP provisions through the *Land Use Planning Harmonisation Discussion Paper* (which included notification of all landowners), it is proposed to undertake targeted notification of landowners as follows:
 - Written notification to landowners affected by a proposed change of zoning, height, FSR, minimum lot size or where land is to be designated as 'Biodiversity' or 'Waterways and Riparian Land' on the Natural Resources.
 - Written notification to anyone who submitted feedback on the Land Use Planning Harmonisation Discussion Paper (where contact details were provided).

Part 6 – Project timeline

Once the planning proposal has received a Gateway Determination, the anticipated project timeline will be further refined. It will also be further refined at each major milestone throughout the planning proposal's process.

The table below outlines the anticipated timeframe for the completion of the planning proposal.

Milestone	Anticipated timeframe
Commencement date (date of Gateway Determination)	January 2020
Timeframe for the completion of required technical information	February to March 2020
Timeframe for government agency consultation (pre exhibition as likely required by Gateway Determination)	March 2020
Commencement and completion dates for public exhibition period (including further government agency consultation)	April – May 2020
Timeframe for consideration of submissions	June – July 2020
Timeframe for consideration of planning proposal post exhibition and associated report to Council	August 2020
Date of submission to the Department to finalise the LEP	September 2020
Date the local plan-making authority will make the plan (if authorised)	December 2020
Anticipated date the local plan-making authority will forward to the PCO for publication	December 2020

Appendix 1 – Potential consolidated LEP provisions

(Provided under separate cover)

Appendix 2 – Comparison of LEP written instruments

(Provided under separate cover)

Appendix 3 – Comparison of LEP Land Use Tables

(Provided under separate cover)

Appendix 4 – Proposed Land Application Map for the consolidated LEP

(Provided under separate cover)

Appendix 5 – Consultation Report on the Land Use Planning Harmonisation Discussion Paper

(Provided under separate cover)

Appendix 6 – Dual Occupancy Development Constraints Analysis

(Provided under separate cover)

Appendix 7 – Government agency submissions on the Discussion Paper

(Provided under separate cover)

Appendix 8 – Mapping

(Provided under separate cover)

MINUTES OF THE LOCAL PLANNING PANEL HELD AT THE RYDALMERE OPERATIONS CENTRE, 316 VICTORIA RD RYDALMERE ON TUESDAY, 8 OCTOBER 2019 AT 3.40PM

PRESENT

Mary-Lynne Taylor in the Chair, Helen Deegan, Richard Thorp and Darryn Capes-Davis

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Chairperson Mary-Lynne Taylor, acknowledged the Burramattagal Clan of The Darug, the traditional land owners of Parramatta and paid respect to the elders both past and present.

WEBCASTING ANNOUNCEMENT

The Chairperson Mary-Lynne Taylor advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

APOLOGIES

There were no apologies made to this Independent Hearing and Assessment Panel.

DECLARATIONS OF INTEREST

There were no declarations of interest made to this Independent Hearing and Assessment Panel.

INNOVATIVE

5.1 SUBJECT Harmonisation Planning Proposal - Consolidated City of Parramatta Local Environmental Plan

REFERENCE F2019/00709 - D07031433

REPORT OF Team Leader Land Use Planning

PUBLIC FORUMS

- Rachel Jefferson speaking against the recommendation
- George Elles speaking in support of the recommendation
- Warren Joel speaking against the recommendation
- Kieran Joel speaking against the recommendation
- Elizabeth Ashard speaking in support of the recommendation
- Cath Lynch speaking in support of the recommendation

2036

DETERMINATION

The Local Planning Panel provides the following advice and recommendation to Council:

- (a) **That** Council endorse the Planning Proposal – Consolidated Parramatta Local Environmental Plan, shown at **Attachment 1**, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination.
- (b) **That** Council note the outcomes of the public exhibition of the Discussion Paper, outlined in the Consultation Report that is included as Appendix 5 to the Planning Proposal.
- (c) **That** Council authorise the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the planning proposal process.
- (d) **That** the Alternative Option 1, referenced in clause 43 of the report, should not be pursued.
- (e) **Further, that** post gateway there is greater targeted public consultation around the topical matters, including dual occupancy, to assist residents to understand, in particular, the dual occupancy constraints analysis.

REASONS FOR THE DECISION

The Local Planning Panel has been requested to comment upon Council's own Planning Proposal to harmonise the various planning controls that now apply to the amalgamated City of Parramatta Local Government Area.

The Panel has been provided with a copy of the Proposal and a commentary from Council's strategic planning team and has had a short briefing from that team.

The report suggests that the Panel recommend the endorsement of this Proposal to the Councillors to be forwarded for Gateway determination. If this occurs, the Panel understands that there will be formal public consultation undertaken in accordance with the Environmental Planning & Assessment Act procedure. However, there has already been some public consultation and response from many residents and businesses. Several local residents spoke to the Panel at its public meeting for this matter and some were critical of the lack of a wider notification up to now, but the Panel understands this consultation process will be more widely and formally undertaken if the proposal is put through the Gateway process and the Panel suggests that a very wide public consultation takes place, as this Planning Proposal is more than merely an administrative process, but does change some of the significant aspects of the planning controls, for example, the prohibition on dual occupancy, disallowing places of public worship in residential areas and disallowing child care centres in industrial zones. As a result the Panel encourages the Council to undertake a detailed and wide public

consultation should the matter proceed to the Gateway process so that all businesses and residents of the City of Parramatta can meaningfully understand the proposed outcomes.

This Planning Proposal is intended to consolidate all existing LEP's into a single comprehensive LEP which will reduce the complexity of multiple controls and provide consistency amongst the whole consolidated council area.

This Proposal is mainly for administrative purposes not a comprehensive review of town planning considerations, but the Plan contains some proposed changes to planning controls as they affect residential development, and also address anomalies in preparation for more detailed later assessment. The Panel acknowledges a key issue of consideration is the manner of treatment of Dual Occupancy in the former Hills and Hornsby LGA areas. To address this Council officers have conducted a comprehensive "*Dual Occupancy constraints analysis - technical paper*". This paper has identified constraints against which areas have been identified for their suitability for dual occupancy. Those areas that have been prohibited generally align with the constraints outlined in the analysis. The Panel recommends further engagement with the local community to assist with their understanding of this analysis and its implications on their properties.

The Panel acknowledges that this Proposal is consistent with the *Greater Sydney Region Plan – A Metropolis of three cities* and the *Central City District Plan* and has been prepared in accordance with the Minister's Direction.

The Proposal has strategic justification in that it meets the key objectives in the Parramatta Community Strategic Plan 2018-2038 and supports the goals of Fair, Accessible, Green, Welcoming, Thriving and Innovative city.

The Proposal either meets or justifies the applicable ministerial direction under clause 9.1 of the Environmental and Planning Assessment Act 1979.

As such, the Planning Proposal is in the public interest and is considered suitable to be forwarded to the Gateway process now.

The meeting terminated at 4:20 pm.



Chairperson

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INNOVATIVE

ITEM NUMBER	5.1
SUBJECT	Pre-Gateway: Harmonisation Planning Proposal - Consolidated City of Parramatta Local Environmental Plan
REFERENCE	F2019/00709 - D07031433
REPORT OF	Team Leader Land Use Planning

PURPOSE:

The purpose of this report is to:

- seek the Local Planning Panel's advice on the planning proposal to consolidate the local environmental plans currently applying in the City of Parramatta Local Government Area following the amalgamation process.
- advise on the outcomes of the public exhibition of the *Land Use Planning Harmonisation Discussion Paper*, which has informed the preparation of the draft planning proposal.

RECOMMENDATION

That the Local Planning Panel consider the following Council staff recommendation in its advice to Council:

- That** Council endorses the Planning Proposal – Consolidated Parramatta Local Environmental Plan, shown at **Attachment 1**, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination.
- That** Council note the outcomes of the public exhibition of the Discussion Paper, outlined in the Consultation Report that is included as Appendix 5 to the Planning Proposal.
- Further, that** Council authorises the CEO to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the planning proposal process.

BACKGROUND

- On 12 May 2016, the *Local Government (City of Parramatta and Cumberland) Proclamation 2016* was notified. The Proclamation resulted in the creation of the new City of Parramatta Council Local Government Area (LGA), from parts of the former Auburn, Holroyd, Hornsby, Parramatta and The Hills LGAs.
- As a result, different local environmental plans (LEPs), development control plans (DCPs) and development contributions plans apply to different parts of the LGA, creating an inconsistent and complex policy framework with different rules applying to different areas. Many of these plans are also shared with neighbouring councils. This places an additional administrative burden on councils administering the LEPs and changes to them.
- The Proclamation required that the land use plans that applied to different parts of the LGA at the time of the boundary changes continue to apply to those areas until such time as they are replaced by new plans.

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4. Figure 1 illustrates the different land use plans currently applying in the City of Parramatta LGA.

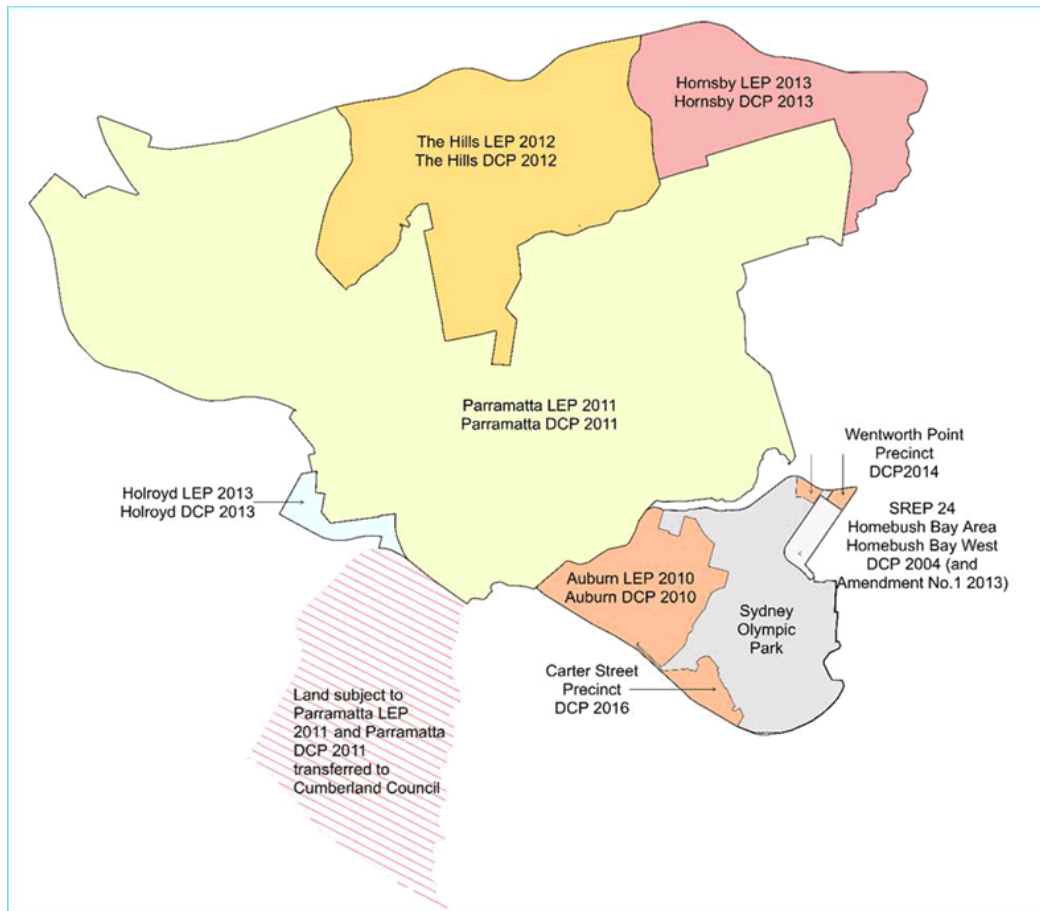


Figure 1 – Land use plans applying in the City of Parramatta LGA

INTENT OF THE PLANNING PROPOSAL

5. The objective of this planning proposal is to create a single consolidated LEP that will replace existing LEPs that apply to land in the LGA. This process is a primarily an administrative process.
6. The consolidation process is not intended as a comprehensive review of zoning or density provisions. The planning proposal does not propose substantive changes to zoning or increases to density controls across the LGA.
7. However, as there are differences between the provisions of existing LEPs, the consolidation process will result in some changes to the planning controls currently applying in certain areas of the LGA. The majority of these changes are considered minor and inconsequential. Changes include:
 - Changes to land uses permitted in certain areas, as a result of the creation of a common set of land use tables. This includes changes to the permissibility of dual occupancy development in some locations;
 - Changes to floor space ratio, height and minimum lot size controls applying to certain low and medium density residential zoned land, to achieve consistency in the planning controls applying to these zones; and

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- The introduction of floor space ratio controls into residential areas in locations where they are not currently applied.
8. A limited number of changes to land use zones are suggested to reduce complexity and address anomalies and inconsistencies in the local land use planning framework:
 - Consistently zoning all public bushland reserves E2 Environmental Conservation, to recognise their ecological significance, noting that infrastructure such as walking and cycling tracks, seating, picnic tables and associated visitor facilities will still be able to be carried out in these reserves.
 - Zoning existing places of public worship (PoPW) in the R2 Low Density Residential Zone to SP1 Special Activities, as it is proposed to prohibit new PoPW across the R2 zone. PoPW will still be permitted in all other zones excluding open space, environmental and infrastructure zones.
 - Rezoning certain sites in North Rocks from R3 Medium Density Residential to R2 Low Density Residential to address concerns over the impact of new forms of small lot medium density housing (manor houses) as potential complying development in these areas, which retain a low density character.
 - Rezoning of sites associated with the suggested phasing out of R1 General Residential, RU3 Forestry, E3 Environmental Management and E4 Environmental Living zones, which currently only apply to a very limited number of sites.
 9. Council is currently progressing a number of separate planning proposals relating to specific sites in the LGA. These site-specific planning proposals will continue to be progressed separately to the LEP consolidation process. As site-specific LEP amendments are finalised the respective provisions will be carried over into the new consolidated LEP.
 10. A summary of the key changes to planning controls included in the planning proposal is included at **Attachment 2** to this report.
 11. The consolidated LEP will not apply to land within the Sydney Olympic Park Precinct as this land will continue to be governed by the Sydney Olympic Park Authority (SOPA) under the *Sydney Olympic Park Authority Act 2001* and *State Environmental Planning Policy (State Significant Precincts) 2005*.
 12. Certain land at Wentworth Point is also currently deferred from the LEP as it is subject to *Sydney Regional Environmental Plan No.24 – Homebush Bay Area* (SREP 24). The Department of Planning, Industry and Environment (DPIE) intends to transfer the development controls for the precinct into the LEP and to repeal SREP 24. Once this process is complete, the consolidated LEP will apply to this land.

DISCUSSION PAPER CONSULTATION

13. To inform the preparation of this planning proposal the *Land Use Planning Harmonisation Discussion Paper* was prepared. The Discussion Paper sought community and stakeholder feedback on various options for harmonising controls and achieving the intent of the planning proposal.

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14. The Discussion Paper identifies the differences between the various LEPs and DCPs currently applying in the LGA and sought feedback on how policies and controls could change to resolve these differences in the consolidation process.
15. The Discussion Paper was publicly exhibited from 21 January to 4 March 2019.
16. A total of 539 submissions were received via a combination of channels, including an online survey through Council's community engagement portal, emailed submissions and letters. Accounting for identified duplicate submissions, there was a net of approximately 464 submissions:
 - Individual residents: 402 submissions
 - Resident groups: 4 submissions
 - Landowners (not resident in the LGA): 35 submissions
 - Government agencies: 11 submissions
 - Neighbouring councils: 2 submissions
 - Businesses (including Parramatta Chamber of Commerce): 7 submissions
 - General public not resident in the LGA: 3 submissions
17. A breakdown of submissions received on different issues is outlined below. Some submissions provide feedback on more than one issue. The majority of feedback related to dual occupancy development, in particular the issue of where in low density residential areas dual occupancies should be permitted.

Topic	Total submissions*	% of submissions
Dual occupancy prohibition areas	301	65%
Dual occupancy – other issues	201	43%
Car and bicycle parking	66	14%
Low density residential zones	65	14%
Environmental sustainability	62	13%
Medium density and high density residential zones	47	10%
Non-residential zones	34	7%
Design and heritage controls	26	6%
Rationalising land use zones	23	5%
*Note: Some submissions provided feedback on more than one issue		

18. A summary of the submissions received on different issues is included at **Attachment 3**. Further discussion of the feedback received is outlined in a Consultation Report that forms part of the attached planning proposal.

PROHIBITION OF DUAL OCCUPANCY DEVELOPMENT

19. The Discussion Paper outlined three options for prohibiting dual occupancies in R2 Low Density Residential zones:
 - **Option 1:** Retains current areas where dual occupancies are already prohibited, including R2 zoned land under *Hornsby LEP 2013* and existing Dual Occupancy Prohibition Area under *Parramatta LEP 2011*. R2 zoned land under *The Hills LEP 2012* was also proposed to be included, as subdivision of dual occupancies is prohibited in this area and this has

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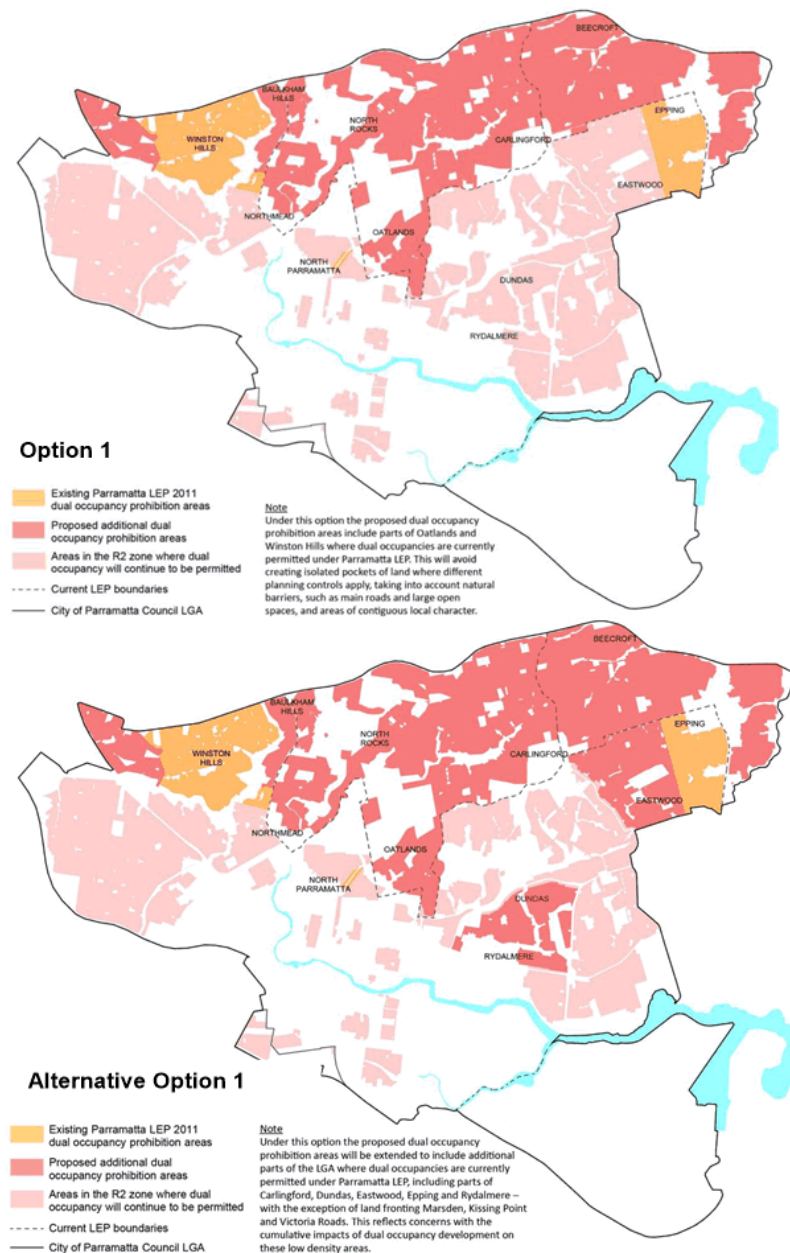
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acted as a pseudo-prohibition. Some additional parts of Oatlands and Winston Hills were also suggested to be included in the prohibition areas.

- **Alternative Option 1:** Prohibit in the areas above, plus in additional R2 zoned land in Carlingford, Dundas, Eastwood, Epping and Rydalmere where dual occupancies are currently permitted by *Parramatta LEP 2011*.
- **Alternative Option 2:** Feedback was invited on the potential for having fewer prohibition areas, such as by allowing dual occupancies on land formerly part of the Hornsby or The Hills LGAs.

Options 1 and Alternative Option 1 are illustrated in Figure 2 below. The Discussion Paper did not include a map for Alternative Option 2.

Figure 2 – Dual Occupancy Prohibition Area options



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20. 301 submissions were received in relation to the above options, a majority of these submission were in support of having fewer prohibition areas:

Prohibition area option	Total submissions	% of submissions
Option 1	59	20%
Alternative Option 1	36	12%
Alternative Option 2 (fewer prohibition areas)	196	65%
Other/stance unclear	10	3%
TOTAL	301	100%

21. Most submissions in support of allowing dual occupancies in more locations, were from residents in Epping and Carlingford, with many of these wanting to see dual occupancy development in areas where they are currently prohibited under *Hornsby LEP 2013*.
22. A small number of submissions recommended prohibition areas be extended to other parts of the LGA, including Ermington, Dundas Valley, Oatlands and Melrose Park.
23. Amongst those who supported prohibiting dual occupancies, reasons given included:
- Dual occupancies were incompatible with the character and streetscape of low density areas. Many residents felt housing in these areas should remain as single detached dwellings on larger blocks of land.
 - There was concern that there was already enough development occurring in their area and that dual occupancy development would worsen the associated impacts on infrastructure and roads.
 - Many residents were particularly concerned that dual occupancies would create on-street parking congestion, particularly in narrow streets.
 - Loss of trees and gardens was also a concern raised.
24. Amongst those in support of dual occupancy development, reasons given included:
- The suggested prohibition areas were unfair and inconsistently applied, and were contrary to State Government policy.
 - Prohibition would reduce property values.
 - Dual occupancies provide more affordable housing and choice, including for young families, downsizers and seniors and provides affordable housing.
 - Some argued their area was suitable for dual occupancy development because it was close to transport or centres, or there was already medium density housing on nearby sites.
 - Some responses questioned whether the impacts of dual occupancy development would be worse relative to other forms of housing, such as single dwellings or granny flats.
 - Some submissions suggested that dual occupancies should be managed through design controls and not outright prohibition.
 - Some argued allowing dual occupancy development would encourage housing renewal and investment.

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25. Some submissions made suggestions for how dual occupancy prohibition areas could be defined, such as based on proximity to transport and services, topography, street-widths and opportunities for housing renewal.
26. A full overview of the feedback received on the suggested dual occupancy prohibition areas and officer responses to issues raised is included in the Consultation Report that is attached to the planning proposal.

Feedback from Councillors

27. Councillors were briefed on the feedback at a workshop on 15 July 2019. Councillors raised concerns with the impacts of dual occupancies on local areas, particularly in relation to parking and traffic issues associated with dual occupancy development on narrow roads. Concerns were also raised of impacts on local character.
28. Concern was also raised with the limitations that the State Government's *Low Rise Medium Density Housing Code* would place on Council's ability to control the impacts of dual occupancy development, were it to come into effect in the LGA. This Code would allow dual occupancies to be built through the complying development pathway, and such development would not have to comply with any local controls.
29. The feedback received from Councillors has informed the preparation of this planning proposal.

Dual occupancy constraints analysis

30. While dual occupancies can help contribute to housing supply and diversity, it is important to ensure that development occurs in the right locations.
31. In response to the feedback received, and to provide a consistent basis for identifying appropriate locations for dual occupancies, further analysis was undertaken to map, at a finer grain, the various constraints that exist to dual occupancy development across the LGA.
32. This included identifying areas with special local character, clusters of narrow streets, poor access to public transport, impermeable street networks and high levels of tree cover. These are considered to be key environmental factors that worsen the impacts of dual occupancy development over time.
33. The analysis found that much of the low density residential land in Beecroft, Carlingford, Epping, North Rocks, Northmead, Oatlands and Winston Hills have a high level of constraints to dual occupancy development. There are also some smaller pockets of highly constrained land in Eastwood, Dundas, Dundas Valley and heritage conservation areas in the former Parramatta City Council area.
34. The findings of this detailed analysis are outlined in the Dual Occupancy Constraints Analysis technical paper, included as part of the attached planning proposal.

Recommended Dual Occupancy Prohibition Areas

35. It is recommended to continue to prohibit dual occupancies in low density areas (R2 zoned land) where they are currently restricted under existing local planning controls, due to the development constraints that exist in these areas. This includes land that was formerly part of Hornsby and The Hills Council areas, with the exception of land fronting the major road corridors of Carlingford Road, Pennant Hills Road and Windsor Road (which offer more direct access

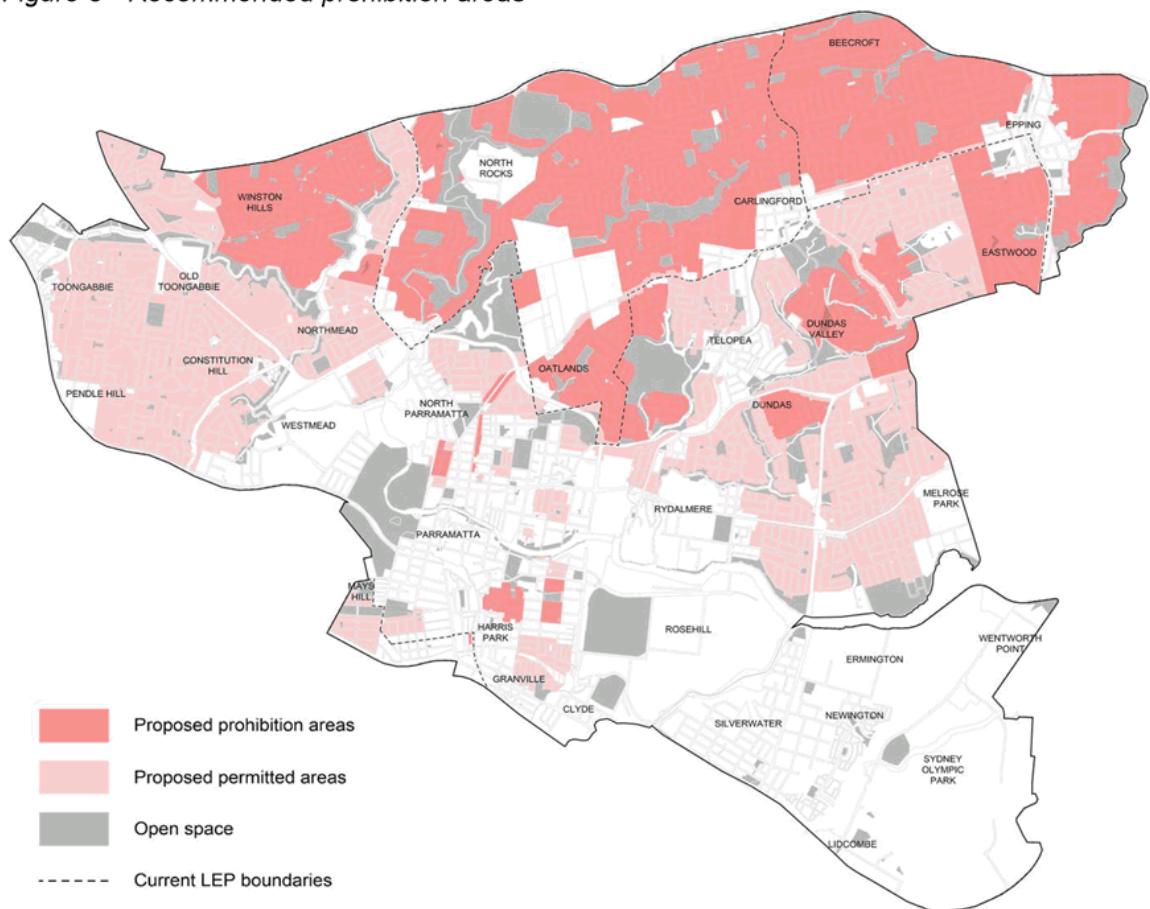
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to transport and services and generally do not have the character constraints associated with low density areas).

36. It is also recommended to prohibit dual occupancies in parts of Carlingford, Dundas, Dundas Valley and Oatlands and heritage conservation areas where they are currently permitted under *Parramatta LEP 2011*. Introducing prohibition into these locations is considered justified on the basis of the multiple constraints to dual occupancy development that exist in these areas as shown in the technical analysis.
37. The recommended prohibition areas are indicated on the map in Figure 3 below and **Attachment 4** to this report.

Figure 3 - Recommended prohibition areas



38. The prohibition areas have been recommended by Council officers on the basis of:
- Applying the findings of the constraints analysis across a suburb or heritage conservation area, or where this is not appropriate, using natural boundaries such as major roads, large parks or school sites, waterways, or bushland corridors to avoid creating isolated pockets of land where different rules apply.
 - Ministerial Planning Direction 3.1, which states that planning proposals cannot include provisions that reduce the permissible residential density of land, unless this can be justified through a relevant study or is of minor

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significance. This means that restricting dual occupancy development in areas where it is currently allowed is unlikely to be supported by the State Government unless there is a sufficiently strong strategic planning justification. On this basis, only the most significantly constrained R2 Low Density Residential zoned land in the former Parramatta and The Hills LGAs has been included in the officer recommended prohibition map.

- The *Low Rise Medium Density Housing Code* limiting Council's ability to impose local controls on dual occupancy development to address identified constraints. For example, by imposing additional car parking, landscaping, floor space or design requirements. In this context, prohibiting dual occupancy in areas where there are multiple overlapping constraints provides the most certainty in terms of protecting low density residential areas from inappropriate development.
39. The recommended prohibition areas will impact approximately 16,100 R2 zoned properties over 600sqm. Of these lots, only approximately 1,895 represent sites where dual occupancies are currently allowed without any restrictions on subdivision.
 40. Outside of the above locations, it is recommended to restrict dual occupancies to sites over 600sqm, consistent with the existing LEP lot size requirements already applying to most of this land. 600sqm is considered the minimum size necessary to achieve satisfactory design and amenity outcomes. To clarify the intent of this policy it is proposed to identify sites smaller than 600sqm (where these are located outside of the proposed prohibition areas) on the Dual Occupancy Prohibition Map.
 41. The Council officer recommended option for managing dual occupancy prohibition areas has been included in the planning proposal at **Attachment 1**.

Alternative option for prohibition areas

42. As noted above, Alternative Option 1 of the Discussion Paper suggested prohibiting dual occupancies on additional R2 zoned land in Carlingford, Dundas, Eastwood, Epping and Rydalmere in response to concerns over the ongoing impacts of dual occupancies in these areas.
43. Extending the proposed dual occupancy prohibition areas to include all of the additional land identified in Alternative Option 1 would impact approximately 18,735 R2 zoned properties over 600sqm, representing 2,635 more than under the officer recommended option above.
44. This option is illustrated in **Attachment 4** to this report.
45. This option would provide maximum protection to low density residential areas from negative impacts associated with dual occupancy development, particularly in light of the potential introduction of the *Low Rise Medium Density Housing Code*.
46. However, while the constraints analysis identified some land within these additional areas as being moderately constrained, these sites are considered too small/isolated and/or the constraints not severe enough to justify introducing a prohibition, particularly in light of the Ministerial Direction against reducing currently permissible densities. Consequently, this is not recommended by Council officers as the preferred option.

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FEEDBACK RECEIVED ON OTHER ISSUES

47. There was overall support for most other LEP-related policy suggestions in the Discussion Paper, with the exception of the following suggested policies for which there was not a majority in support:

Issue/feedback	Officer response
Restricting dual occupancy development to attached forms (<i>95 submission received, of which 37% were in support</i>).	It is recommended to retain the restriction on detached forms of dual occupancy. This approach ensures more land is available on sites for landscaping, rear gardens and tree retention and allows both dwellings to address the street. It is also consistent with the current policy applying to the vast majority of the areas in the LGA where dual occupancies are proposed to be allowed.
Placing restrictions on the form and subdivision of dual occupancies in heritage conservation areas (<i>156 submissions received, of which 48% were in support</i>).	The Dual Occupancy Constraints analysis further considered this issue. It is recommended to prohibit dual occupancy development in low density heritage conservation areas, with the exception of South Parramatta Conservation Area, where the current precinct-specific controls will be retained.
Increasing the minimum subdivision lot size to 550sqm in residential zones in the former Holroyd and Hornsby areas (<i>35 submissions received, of which 47% were in support</i>).	It is recommended to adopt the 550sqm MLS control. Increasing the MLS requirement will assist with tree retention on sites and achieving better design outcomes from low density residential development by allowing for adequate setbacks, landscaping and deep soil zones. It is recommended to retain the current 700sqm MLS in the former The Hills area requirement as a lower requirement would impact the established large lot character of these areas and risk tree and vegetation loss. 51% of submissions supported this option.
Prohibiting tourist and visitor accommodation in IN1 General Industrial zones (<i>17 submissions received, of which 41% were in support</i>).	It is recommended to prohibit tourist and visitor accommodation in the IN1 General Industrial zone. These uses are already prohibited on all IN1 zoned land in the LGA, with the exception of the land under <i>The Hills LEP 2012</i> . These uses are not considered compatible with industrial areas and have the potential to further reduce the amount land available for industrial purposes.

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Issue/feedback	Officer response
Prohibiting function centres and registered clubs in IN1 General Industrial zones (15 submissions received, of which 27% were in support).	It is recommended to prohibit function centres but permit registered clubs in the IN1 General Industrial zone. Registered clubs can provide services to workers and are often associated with activities and land uses that are already permitted in the IN1 zone. However function centres are not considered an essential service for workers and have the potential to reduce the amount of land available for industrial purposes.
Allowing markets, and some food and drink premises on public open spaces (24 submissions received, of which 46% were in support).	It is recommended to permit markets, restaurants, cafes, and take away food and drink premises in RE1 Public Recreation zones. These uses can complement recreational activities and enhance the use and enjoyment of open spaces by the public. They will need to be consistent with the relevant adopted Plan of Management, which outlines how a particular open space can be used, including the scale and intensity of any permitted additional uses. It is noted that these uses are already permitted in the RE1 zone under Parramatta and The Hills LEPs. Auburn LEP also allows restaurants, cafes and markets in this zone.

48. More detailed responses to the issues raised is included in the Consultation Report that is attached to the planning proposal.

CONSULTATION WITH PUBLIC AUTHORITIES

49. Preliminary consultation with relevant public authorities was undertaken as part of the public exhibition of the Discussion Paper.
50. The submissions were generally supportive of the suggestions made in the Discussion Paper in relation to harmonisation of the LEP, though some minor suggestions/concerns were raised relating to:
- Office of Environment and Heritage suggested some minor map revisions relating to bushland sites to rezone from RE1 to E2.
 - Office of Sport made suggestions relating to appropriate land uses on RE1 and RE2 zoned land.
 - Roads and Maritime Services noted that *SEPP 64 – Outdoor Advertising and Signage* governs signage along transport corridors and argued negative impacts of signage can be minimised through appropriate site selection and design. It also suggested consideration be given to the provisions *SREP (Sydney Harbour Catchment) 2005* in the preparation of the planning proposal.

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- Department of Planning, Industry and Environment reiterated the need to consider consistency with State, regional and local strategies and Ministerial Directions.
 - UrbanGrowth NSW raised concern with the potential heritage impacts of designating additional riparian land along the Parramatta River foreshore of the Parramatta North Urban Renewal Area.
 - NSW State Emergency Services suggested consideration should be given to additional LEP provisions relating to floodplain risk management.
 - Environmental Protection Agency raised concern that by permitting a number of public recreational uses within the RE1 zone has the potential for adverse impacts such as noise to be created for the surrounding properties in low density areas.
 - Western Sydney Local Health District stated that the inclusion of health outcomes in the LEP objectives will enable greater LEP and DCP controls that support favorable health outcomes. It generally supported the Discussion Paper suggestions.
 - Sydney Olympic Park Authority requested consultation with Council should the process of transferring provisions from SREP 24 into the LEP for Wentworth Point result in any substantive changes to key planning controls for that area.
 - Endeavour Energy made comments relating to DCP tree and vegetation controls. These will be considered as part of the preparation of the new consolidated DCP.
51. Council has considered the feedback received from various public authorities in the preparation of this planning proposal as outlined in the Consultation Report included at Appendix 5 of the Planning Proposal. Copies of the submissions received from public authorities forms part of the planning proposal.
52. It is anticipated that further consultation with public authorities will be undertaken in accordance with the requirements of the Gateway Determination and relevant Ministerial Directions.

STRATEGIC PLANNING JUSTIFICATION

53. Merging the various LEPs into one planning instrument will create a common set of objectives, land use tables and provisions for land in the LGA. This will bring more consistency to planning controls across the LGA and assist in reducing the complexity of the local land use planning framework.
54. In identifying which provisions to carry over into the consolidated LEP, consideration has been given to the land use policies and controls most appropriate to the character, context and issues relevant to the new boundaries of the LGA, as well as the need to ensure policies are up to date and consistent with State Government planning policy requirements and Council plans and strategies.
55. An analysis on the planning merits of the proposals and their consistency with State and Local planning strategies is outlined in Part 3 of the attached planning proposal (**Attachment 1**).
56. The planning proposal is generally consistent with the objectives and actions of the State Government's *Greater Sydney Region Plan* and *Central City District*

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Plan. The planning proposal is also generally consistent with relevant State Environmental Planning Policies (SEPPs).

57. The planning proposal is considered to meet the strategies and key objectives identified in the Parramatta Community Strategic Plan 2018-2038 by supporting the goals of a Fair, Accessible, Green, Welcoming, Thriving and Innovative City.
58. The planning proposal includes an assessment of consistency with applicable Directions set by the Minister for Planning and Public Spaces under Section 9.1 of the *Environmental Planning and Assessment Act 1979*. These set out the range of matters that need to be considered when the Relevant Planning Proposal Authority (in this instance City of Parramatta Council) is preparing a planning proposal.
59. Council officers are satisfied that the planning proposal meets the requirements of these Directions. Refer to Section 3.2.4 of the attached planning proposal (**Attachment 1**) for an assessment of the consistency of the proposal with the relevant Section 9.1 Directions.

Consistency with Direction 3.1 – Residential Zones

60. Direction 3.1 requires planning proposals to include provisions that encourage the provision of housing choice and make efficient use of land and existing infrastructure and services. It also states that planning proposals must not contain provisions that will reduce the permissible residential density of land, unless this can be justified through a housing strategy or relevant study or be of minor significance.
61. The planning proposal includes several proposals relating to residential zones, the most significant of which being the imposition of additional dual occupancy prohibition areas.
62. It is considered that the proposed dual occupancy prohibition areas are unlikely to significantly impact housing delivery in the LGA. Council's draft Local Housing Strategy places a greater reliance on housing delivery within identified growth precincts and on large planning proposal sites. This will allow for a range of housing forms to be delivered in a planned way in appropriately located areas. This will be balanced with the identified priority to preserve and enhance the low-scale character and identity of suburban areas in the City of Parramatta.
63. Outside of the recommended prohibition areas, there would remain approximately 9,400 sites over 600sqm in the R2 zone on which dual occupancy development could be built. Each year dual occupancy development contributes only marginally to housing supply – approximately 160 dwellings or 3% of forecast annual supply. On this basis, there would remain enough supply for approximately 58 years of dual occupancy housing. Further, the draft LHS shows that Council is easily achieving its dwelling targets.
64. The small annual contribution from dual occupancy development needs to be balanced against the potential for negative cumulative impacts over time due to inappropriately located development – for example, in some locations the density of an area could more than double as all sites would be eligible for both dual occupancy and secondary dwelling development.
65. This planning proposal will assist in implementing these actions by implementing a review of dual occupancy and medium density residential zone provisions through the harmonisation process.

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PLAN-MAKING DELEGATIONS

66. Changes to plan-making delegations were announced by the Minister for Planning and Infrastructure in October 2012, allowing Councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
67. Given the planning proposal is for a comprehensive LEP and seeks to retain provisions for which the approval of the Governor of NSW is required prior to the making of the plan (*Clause 1.9A Suspension of covenants, agreement and instruments*) it is not anticipated that Council will be able to exercise its plan-making delegations for this planning proposal. This means that once the planning proposal has received a Gateway, undergone public exhibition and been adopted by Council, it will be forwarded to DPIE for finalisation and legal drafting in consultation with the Parliamentary Counsel Office. The consolidated LEP will then be referred to the Minister for Planning and Public Spaces for making.

CONCLUSIONS AND NEXT STEPS

68. It is recommended that the subject planning proposal proceed to Gateway as it will assist with reducing the complexity in the current land use planning framework applying to the LGA.
69. Should the Council endorse the planning proposal provided at **Attachment 1** (noting advice provided by the Local Planning Panel), it will be forwarded to the Department of Planning, Industry and Environment for a Gateway determination.
70. Following receipt of a Gateway Determination, the draft policies articulated in the planning proposal will be subject to further community consultation, as outlined in Part 5 of the Planning Proposal.

Michael Carnuccio
Team Leader, Land Use Planning

Roy Laria
Land Use Planning Manager

Jennifer Concato
Executive Director, City Strategy & Development

ATTACHMENTS:

1 Planning Proposal - Parramatta Consolidated LEP 20XX	575 Pages
2 Summary of key LEP amendments	12 Pages
3 Overview of feedback on Land Use Planning Harmonisation Discussion Paper	6 Pages
4 Maps of options for dual occupancy prohibition areas	2 Pages

REFERENCE MATERIAL

Attachment 1 of the Local Planning Panel Report can be found at Attachment 4 of this Council Report.

Item 5.1 - Attachment 2

Summary of key LEP amendments

Attachment 2 - Summary of Key LEP amendments

Dual occupancies

Different LEPs have different policies on dual occupancies, including where they are permitted, lot size requirements and whether subdivision is permitted. Proposals to harmonise LEP controls include:

Issue	Proposal	Extent of change	Justification
<i>Where in the R2 Low Density Residential zone to permit dual occupancies.</i>	Prohibit dual occupancies in low density areas identified on a Dual Occupancy Prohibition Map, which are locations where dual occupancy development is not considered appropriate, based on a detailed constraints analysis. This is a continuation of the policy approach taken in <i>Parramatta LEP 2011</i> .	Proposed prohibition areas include locations where they are currently prohibited under Parramatta LEP and on R2 zoned land transferred from the former Hornsby council area (where they are currently prohibited) and The Hills council area (where subdivision of dual occupancy is prohibited). Some parts of Oatlands and Winston Hills where dual occupancies are currently permitted are also suggested to be included in the prohibition areas to create consistent and logical boundaries. Prohibit dual occupancy development in heritage conservation areas, with the exception of the South Parramatta Conservation Area.	It is important to ensure that dual development occupancy development occurs in the right locations. The proposed dual occupancy prohibition areas have been informed by a detailed analysis of constraints that has identified areas where dual occupancy development could have ongoing and cumulative negative impacts on local amenity and character. The analysis is included <i>Appendix 6</i> of the Planning Proposal.
<i>Permitting dual occupancies in R3 and R4 zones.</i>	Permit dual occupancies across the R3 Medium Density Residential zone and R4 High Density Residential zone.	Dual occupancies are not currently permitted in the R3 or R4 zone under <i>Hornsby LEP 2013</i> . Not currently permitted in the R4 zone under <i>Auburn LEP 2010</i> or <i>Holroyd LEP 2013</i> .	To increase the range of housing types permitted in these areas.
<i>Restrictions on the type of dual occupancies.</i>	Limit dual occupancy development to attached forms, except on heritage items or sites with more than one street frontage.	Maintains the approach taken under the <i>Parramatta LEP 2011</i> .	The intent of this provision is to achieve better design and amenity outcomes from dual occupancy development, including ensuring both homes face a public street and have a street address.

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
<i>Minimum lot size requirement.</i>	Dual occupancies not permitted on sites less than 600sqm.	Consistent with <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> requirements for attached dual occupancies. Smaller MLS controls currently apply to land in the former Holroyd and Auburn council areas.	This is considered the minimum site area required to achieve a good level of amenity, landscaping, private open space and appropriate setbacks.
<i>Subdivision of dual occupancies.</i>	Where dual occupancies are permitted, allow them to be subdivided.	<i>The Hills LEP 2012</i> does not permit subdivision of dual occupancies. <i>Auburn LEP 2010</i> also places restrictions.	Prohibiting subdivisions acts as a barrier to delivery of dwellings.

Further information on proposed LEP provisions are outlined in Part 2 of the Planning Proposal.

Harmonising the list of land uses permitted in each zone

There are inconsistencies across LEPs relating to the land uses that are permitted in the same zone. These need to be harmonised to create a common set for the whole LGA. Key changes proposed include:

Issue	Proposal	Extent of change	Justification
<i>R2 Low Density Residential zone</i>	Prohibit indoor recreation facilities.	Only <i>Parramatta LEP 2011</i> currently permits this use in the R2 zone.	It is considered that this land use is not appropriate within low density residential areas due to concerns over amenity impacts.
	Prohibit places of public worship. Apply SP1- Special Uses zone to existing lawful places of public worship.	Only <i>Parramatta LEP 2011</i> prohibits this land use in the R2 zone.	Due to concerns over amenity impacts of these uses within low density residential areas. Existing lawful places of public worship will be protected by rezoning to SP1 – Special Activities so as not to rely on the existing uses provisions of the <i>Environmental Planning and Assessment Act 1979</i> . PoPW will still be permitted in all other zones excluding open space, environmental and infrastructure zones.

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
	Permit neighbourhood shops.	This is the approach under <i>Parramatta LEP 2011</i> , which will be extended to the rest of the R2 zoned land in the LGA.	These will be limited to 80sqm and will service the day-to-day convenience needs of residents.
<i>R3 medium Density Residential zone</i>	Permit indoor recreation facilities.	Only <i>The Hills 2012 LEP</i> prohibits this use on the R3 zone. All other LEPs permit.	Allows for provision of recreation facilities close to population centres and transport.
	Prohibit residential flat buildings.	Only <i>Hornsby LEP 2013</i> permits RFBs in the R3 zone. All other LEPs prohibit.	Will help distinguish the R3 and R4 zones and support housing diversity.
<i>R4 High Density Residential zone</i>	Permit indoor recreation facilities.	Extends the approach taken by majority LEPs to R4 zoned land in the former Holroyd and The Hills council areas.	Allows for provision of recreation facilities close to population centres and transport.
<i>B1 Neighbourhood Centre zone</i>	Permit residential flat buildings (RFBs), but require non-residential uses to be provided on the ground floor.	RFBs are currently permitted in the B1 zone under <i>Auburn LEP 2010</i> and <i>Hornsby LEP 2013</i> but no requirement exists to provide ground floor non-residential uses.	Will allow for a broader range of non-residential uses under housing than otherwise permitted under the 'shop top housing' definition, including medical centres and community facilities.
	Prohibit tourist and visitor accommodation, except bed and breakfast accommodation which will be limited to 3 bedrooms.	Only <i>Auburn LEP 2010</i> allows a broad range of tourist and visitor accommodation in the B1 zone. <i>Parramatta LEP 2011</i> only permits bed and breakfast accommodation.	To limit the potential for amenity and traffic impacts on surrounding low density residential areas.
	Permit office premises.	Extends the approach taken by <i>Auburn LEP 2010</i> and <i>Parramatta LEP 2011</i> to the rest of the LGA.	To allow for space for small businesses within this zone.
	Prohibit pubs.	Only <i>Auburn LEP 2010</i> permits pubs in the B1 zone.	To limit the potential for amenity and traffic impacts on surrounding low density residential areas.
<i>B2 Local Centre zone</i>	Permit Residential Flat Buildings (RFBs), but require non-residential uses to be provided on the ground floor.	RFBs are currently permitted in the B2 zone under <i>Auburn LEP 2010</i> and <i>The Hills LEP 2012</i> but no requirement exists	Will allow for a broader range of non-residential uses under housing than if only 'shop-top housing' was permitted,

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
		to provide ground floor non-residential uses.	such as medical centres and recreation facilities.
<i>B3 Commercial Core zone</i>	No changes proposed.	Nil	This zone only applies to land in the Parramatta CBD under <i>Parramatta LEP 2011</i> .
<i>B4 Mixed Use zone</i>	No changes proposed.	Nil	This zone only applies to land under <i>Parramatta LEP 2011</i> .
<i>B5 Business Development zone</i>	Prohibit residential accommodation.	<i>Hornsby LEP 2013</i> permits group homes and shop top housing in this zone. All other LEPs prohibit all forms of residential accommodation.	Not considered appropriate in this zone where the focus is on business uses.
	Permit tourist and visitor accommodation.	Extends the approach taken by <i>Parramatta LEP 2011</i> to the rest of the LGA.	To provide opportunity for short-stay accommodation close to centres and transport corridors.
<i>B6 Enterprise Corridor zone</i>	Prohibit residential accommodation.	<i>Holroyd LEP 2013</i> permits a range of residential accommodation in this zone. Other LEPs do not.	Not considered appropriate in this zone where the focus is on business uses.
	Permit tourist and visitor accommodation.	Extends the approach taken by <i>Holroyd LEP 2013</i> and <i>Parramatta LEP 2011</i> to all B6 zoned land in the LGA.	To provide opportunity for short-stay accommodation close to centres and transport corridors.
<i>B7 Business Park zone</i>	No changes proposed.	Nil	This zone only applies to land formerly in the Auburn LGA.
<i>IN1 General Industrial zone</i>	Prohibit child care centres.	Extends the approach taken by <i>Auburn LEP 2010</i> to other IN1 zoned land in the LGA.	Due to concerns that these areas provide a poor quality environment for these uses and could lead to land use conflicts in the future.
	Prohibit tourist and visitor accommodation.	Extends the approach taken by <i>Auburn LEP 2010</i> and <i>Parramatta LEP 2011</i> to all IN1 zoned land in the LGA.	These areas tend to be located away from town centres and major tourist attractors and could reduce land available for industrial uses.

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
	Prohibit function centres.	Extends the approach taken by <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to all IN1 zoned land in the LGA.	Potential for loss of industrial land, these uses do not tend to service the daily needs of the workers.
	Permit registered clubs.	Extends the approach taken by <i>The Hills LEP 2012</i> to all IN1 zoned land in the LGA.	Can service workers and support a range of activities and land uses which are permitted in the zone, including indoor/outdoor recreation facilities and pubs.
	Permit food and drink premises.	Extends the approach taken by <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to all IN1 zoned land in the LGA.	To provide small scale services to workers.
<i>IN2 Light Industrial zone</i>	Prohibit child care centres.	Applies the approach taken for IN1 zoned land to all IN2 zoned land in the LGA.	Due to concerns that these areas provide a poor quality environment for these uses and could lead to land use conflicts in the future.
<i>IN3 Heavy Industrial zone</i>	Prohibit artisan food and drink industry.	Amends the land use table for the IN3 Heavy Industrial zone under <i>Parramatta LEP 2011</i> .	This zone only applies to land in the former Parramatta LGA. <i>Artisan food and drink industry</i> land use definition introduced by the NSW State Government as part of changes to the light industry group term of the Standard Instrument LEP. It is not considered appropriate for this land use within this zone due to potential conflicts with heavy industrial land uses such as hazardous industries.
<i>RE1 Public Recreation zone</i>	Prohibit child care centres, except on specific identified sites.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE1 zoned land in the LGA.	Due to concerns over loss of, and public access to, open space.

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
	Permit restaurants, cafes, take-away food and drink premises, and markets.	Extends the approach taken by <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to all RE1 zoned land in the LGA.	These uses enhance the use and enjoyment of open spaces by the public. These uses can be temporary or be limited in size to reduce the amount of open space they occupy.
RE2 Private Recreation zone	Permit restaurants, cafes, take-away food and drink premises, and markets.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE2 zoned land in the LGA.	These uses can complement recreational, leisure activities and further enhance the use and enjoyment of private recreation land.
	Permit entertainment facilities, function centres and registered clubs and all types of tourist and visitor accommodation.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE2 zoned land in the LGA.	
	Permit centre based child care facilities.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all RE2 zoned land in the LGA.	Supports a range of activities and land uses which are permitted in the zone that can service workers and the locality.
E2 Environmental Conservation zone	No changes proposed.	Nil	Consistent across all LEPs where the E2 zone applies.
SP1 Special Activities zone	No changes proposed.	Nil	Consistent across all LEPs where the SP1 zone applies.
SP2 Infrastructure zone	Prohibit all commercial premises, kiosks and markets.	Applies approach taken by most LEPs to land zoned SP2 under <i>Auburn LEP 2010</i> .	Not consistent with <i>LEP practice note Zoning for infrastructure in LEPs</i> which does not identify commercial premises, kiosks and markets as infrastructure land uses under the SP2 Infrastructure zone. These land uses are still permitted within business zones and recommended on open space and recreation zones.

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
	Prohibit advertising structures.	Applies approach taken by most LEPs to land zoned SP2 under the former <i>Auburn LEP 2010</i> .	Advertising structures that are not related to the specific use are not considered appropriate due to the potential for visual impacts.
<i>W1 Natural Waterways zone</i>	Prohibit building and business identification signage.	Extends the approach taken by <i>Parramatta LEP 2011</i> to all land zoned W1 in the LGA. Other forms of signage already prohibited across this zone.	Signage is generally not considered appropriate in this zone, outside that allowed on public reserves under the <i>Infrastructure SEPP</i> .
<i>W2 Recreational Waterways zone</i>	No changes proposed.	Nil.	This zone only applies to land in the former Parramatta LGA.
<i>Advertising signage</i>	Prohibit general advertising structures (such as billboards) in all zones.	Prohibition would apply across all zones. However, business or premises identification signage and signage on Council owned or managed bus shelters would continue to be permitted.	Due to concerns over visual impacts of standalone advertising structures.
<i>Temporary events</i>	Identify markets and other temporary events on land owned or managed by Council as 'exempt development' under the LEP. A limit of up to 52 days in a 12 month period will apply.	Only <i>Holroyd LEP 2013</i> and <i>The Hills LEP 2012</i> permit up to 52 days. Extends these approaches to the rest of the LGA.	To streamline approval process for event organisers and community groups. A longer time period will facilitate tourism and economic growth in the LGA.

Further information on the differences between LEPs, and proposals to harmonise the lists of permitted land uses, are provided in Appendix 3 of the Planning Proposal.

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Summary of key LEP amendments

Changes to height, floor space ratio and minimum lot size controls

The following changes are proposed to bring a consistent policy approach across the LGA.

Issue	Proposal	Extent of change	Justification
R2 Low Density Residential zones	Increase height limit from 8.5 metres to 9 metres on R2 zoned land formerly part of the Hornsby LGA, to be consistent with the rest of the LGA.	Only <i>Hornsby LEP 2013</i> applies a height limit of 8.5 metres to R2 zoned land. All other LEPs allow up to 9 metres.	To provide a consistent approach to all R2 zoned land in the LGA. The additional 50cm would not have a significant impact on the appearance of houses and will allow houses to better respond to topography.
	Apply an FSR of 0.5:1 to R2 zoned land formerly part of The Hills and Hornsby LGAs, to be consistent with the rest of the LGA.	<i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i> do not apply an FSR control to R2 zoned land.	To provide a consistent approach across all R2 zoned land in the LGA. Applying an FSR control of 0.5:1 to R2 zoned land will help maintain the low density character of these neighbourhoods.
R3 Medium Density Residential zones	Reduce height limits to a maximum of 9 metres on R3 zoned land across the LGA.	Extends the approach taken under <i>Auburn LEP 2010</i> and <i>The Hills LEP 2012</i> to land under <i>Parramatta LEP 2011</i> (where a HOB of up to 11 metres is applied) and <i>Hornsby LEP 2013</i> (where a HOB of up to 12 metres is applied in conjunction with RFBs being permitted). Where a HOB of less than 9 metres currently applies, these will remain unchanged.	To provide a consistent approach to medium density areas. The intent of this change is to achieve better design outcomes on medium density housing sites, and not to reduce the permissible development capacity. This will still allow for dwellings to incorporate approximately 2 storeys of accommodation and is compatible with the proposal to prohibit RFBs in the R3 zone.
	Apply a consistent FSR of 0.6:1 to the R3 zone (with the exception of Newington, which will retain its current FSR of 0.75:1).	Extends the approach taken under <i>Parramatta LEP 2011</i> to land under <i>Hornsby LEP 2013</i> and <i>The Hills LEP 2012</i> , where no FSR is currently applied. Any existing site specific FSR control below 0.6:1 will not be changed as these controls reflect the unique constraints of those sites.	To ensure that the FSR is compatible with the proposed height limit of 9 metres and a consistent approach is taken across the LGA. The suburb of Newington is built out and retains a distinct density and subdivision pattern compared to other R3 zoned areas.

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
<i>R4 High Density Residential zones (including land currently zoned R1 General Residential)</i>	Retain existing height and FSR controls applying to sites in the R4 High Density Residential and R1 General Residential zones and apply an FSR where none currently applies. Note. Land currently zoned R1 is proposed to be rezoned (refer below).	Applies an FSR to R4 zoned sites in the former The Hills and Hornsby LGAs where one is not currently applied. FSR will be matched to any existing height control.	Applying an FSR control to sites where none currently exists, matched to the height control, will provide greater certainty to landowners and the community in relation to potential built forms on these sites.
<i>Minimum lot size controls</i>	Apply a consistent minimum subdivision lot size of 550sqm to residential zones and 670sqm for battle-axe lots. Except on R2 zoned land in the former The Hills LGA, where this will remain at 700sqm to reflect its established large lot character.	Extends the approach taken under <i>Parramatta LEP 2011</i> to R2 zoned land formerly part of the Hornsby and Holroyd LGAs. No changes proposed to land under <i>The Hills LEP 2012</i> .	To preserve the existing character of these areas. Applying these minimum lot size provisions will control how small a site can be subdivided to reflect the existing density and character of an area.
	Remove minimum lot size requirements for multi-dwelling housing and residential flat buildings.	Only <i>The Hills LEP 2012</i> applies minimum lot size requirements to develop multi-dwelling housing (1,800sqm) and RFBs (4,000sqm).	This will ensure consistency with other parts of the LGA where no such provisions apply. Other site factors, such as width of sites, are more critical determinants of good design outcomes.
	Apply a minimum lot size requirement of 600sqm for Manor Houses (two storey buildings with 3 or 4 apartments) in the LEP to control this form of development.	No current LEP provision for this form of residential accommodation for the LGA. To be introduced as the result of changes to the <i>Exempt and Complying Development Codes SEPP</i> which will permit manor houses in R3 and R4 zones once it comes into force in the LGA.	It is considered that 600sqm is the minimum size necessary for this form of development to achieve a good level of amenity, landscaping, private open space and appropriate setbacks.

Further information on proposed changes to LEP development controls for residential zones are outlined in Part 2 of the Planning Proposal.

Item 5.1 - Attachment 2

Summary of key LEP amendments

Environmental sustainability

There are inconsistencies across LEPs in the approach to protecting important natural assets and managing natural hazards such as flooding. Proposals for harmonising the approach includes:

Issue	Proposal	Extent of change	Justification
<i>Biodiversity</i>	Rezone public bushland reserves to E2 Environmental Conservation, consistent with the rest of the LGA, to recognise their ecological significance.	Extends the approach taken under <i>Parramatta LEP 2011</i> to all public bushland reserves in the LGA.	The E2 zone is considered the most appropriate and provides the highest level of protection for important public bushland reserves and is consistent with Council's obligations under biodiversity conservation legislation.
	Map significant vegetation on privately owned land on a LEP Biodiversity Map to ensure the impacts of development are appropriately considered and managed.	All LEPs, except <i>Auburn LEP 2010</i> , include a Biodiversity Map, however only <i>Parramatta LEP 2011</i> and <i>Hornsby LEP 2013</i> identify sites within the LGA and there are additional sites that should be mapped.	Provides clarity on sites where additional considerations may be needed to address potential environmental impacts on biodiversity consistent with biodiversity conservation legislation.
<i>Natural waterways</i>	Consistently zone all natural waterways corridors on public land W1 Natural Waterways. Map all natural creek corridors on private land in the LEP on a Riparian Land and Waterways Map to ensure impacts of development are appropriately considered and managed.	Extends the approach taken under the <i>Parramatta LEP 2011</i> and <i>Auburn LEP 2010</i> to waterways across the LGA.	The W1 zone provides better protection of ecology and water quality while allowing for compatible recreational uses. Mapping riparian corridors will ensure potential environmental impacts of development are addressed.

Further information on proposed policies and controls for environmental sustainability are outlined in Part 2 of the Planning Proposal.

Design controls

There are differences across LEPs policies relating to design excellence including where and when they are applied. Proposals to harmonise controls include:

Issue	Proposal	Extent of change	Justification
<i>LEP Design Excellence requirements</i>	Adopt precinct-based approach for design excellence provisions in the LEP.	Extend the approach taken by the <i>Holroyd LEP 2013</i> , <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> to the rest of the LGA.	A precinct-based approach will allow design excellence requirements to be targeted and tailored to specific locations.

Attachment 2 - Summary of key LEP amendments

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Item 5.1 - Attachment 2

Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
	Not adopt LEP provisions requiring referral to a Design Excellence Advisory Panel.	Currently only the <i>Holroyd LEP 2013</i> and <i>The Hills LEP 2012</i> include provisions requiring referrals to a Design Excellence Advisory Panel.	Council will continue to operate DEAP to facilitate design excellence in developments where a design competition is not required. A reference to DEAP in the LEP is not considered necessary at this stage as Council's process has been working effectively to date.

Further information on proposals for design controls are outlined in Part 2 of the Planning Proposal.

Harmonising zoning

The following changes to LEP zones are proposed to reduce complexity and address anomalies in the land use planning framework across the LGA:

Issue	Proposal	Extent of change	Justification
<i>Zones that will not be included in the consolidated LEP</i>	Not adopt the R1 General Residential Zone. These sites will be rezoned to a combination of R4 and R3 to reflect existing built form or approved development.	This zone applies to a limited number of sites under the provisions of <i>Parramatta LEP 2011</i> and <i>The Hills LEP 2012</i> .	In order provide more certainty as to the desired mix of housing forms and density in these areas.
	Not adopt the RU3 Forestry Zone. This site will be rezoned to SP1 Special Activities.	This zone applies to one site under the provisions of <i>The Hills LEP 2012</i> . The site is used by the North Rocks Rural Fire Service.	The RU3 zone is not considered appropriate given the urban context of the site.
	Not adopt the E3 Environmental Management Zone. This site will be rezoned to E2 Environmental Conservation.	This zone applies to one site under the provisions of <i>Parramatta LEP 2011</i> .	The E2 zone is considered the most appropriate for this site which contains important bushland.
	Not adopt the E4 Environmental Living Zone. <ul style="list-style-type: none"> Land at 11-13 Pye Avenue, Northmead will be rezoned to R2 Low Density Residential. Bushland off Murray Farm Road, Carlingford will be rezoned to E2 Environmental Conservation. 	This zone applies to two sites under the provisions of <i>The Hills LEP 2012</i> .	It is considered that the application of the E4 zone to these sites is not appropriate given their characteristics. <ul style="list-style-type: none"> 11-13 Pye Avenue, Northmead was developed for housing in 2001 and does not contain any substantial bushland to warrant the current

Attachment 2 - Summary of key LEP amendments

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Summary of key LEP amendments

Issue	Proposal	Extent of change	Justification
			<p>zoning. An R2 zone is consistent with the adjoining R2 zoned land.</p> <ul style="list-style-type: none"> The bushland off Murray Farm Road, Carlingford contains substantial native vegetation and is not considered appropriate for housing development.
Changes to specific sites	Rezone existing lawful places of public worship (PoPW) within the R2 Low Density Residential zone to SP1 Special Activities.	Extends the approach taken by <i>Parramatta LEP 2011</i> for the R2 zone to the rest of the LGA. This is associated with the proposal to consistently prohibit PoPW in the R2 zone.	The application of the SP1 zone formalises any existing PoPW in the R2 zone and limits the need to rely on existing use provisions of the <i>Environmental Planning and Assessment Act 1979</i> .
	<p>Rezone the following sites in North Rocks from R3 Medium Density Residential to R2 Low Density Residential</p> <ul style="list-style-type: none"> Properties at 2-4 Speers Road and 1-8 Jean Street, North Rocks Properties fronting Lawndale Avenue, Riviera Avenue and 327-353 North Rocks Road, North Rocks 	Only applies to certain land zoned R3 under the provisions of <i>The Hills LEP 2012</i> .	In order to address concerns with the impact of new forms of small lot medium density housing (manor houses) on the established character of these areas, which is predominantly low density in nature.

Further information on proposals for rationalising of zones is outlined in Part 2 of the Planning Proposal.

Item 5.1 - Attachment 3

Overview of feedback on Land Use Planning Harmonisation Discussion Paper

Attachment 3 - Overview of feedback on Land Use Planning Harmonisation Discussion Paper

The table below provides a high level overview of the feedback received on the Land Use Planning Harmonisation Discussion Paper, and the officer recommendation in response to the feedback received. A full discussion of the feedback received, officer responses to issues raised and reasons for the policy recommendations is included in the Consultation Report that forms part of the planning proposal for the consolidated LEP.

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Dual occupancies					
Permit dual occupancies in R2 zones, except in identified prohibition areas, including land in the former Hornsby and The Hills council areas.	301	Option 1: 20% Option 2: 12%	65%	3%	It is recommended to continue to prohibit dual occupancies in low density areas (R2 zones) where they are currently restricted under existing local planning controls, due to the development constraints that exist in these areas. This includes land that was formerly part of Hornsby and The Hills council areas. It is also recommended to extend prohibition areas to additional low density areas where significant development constraints exist. This includes parts of Carlingford, Dundas, Dundas Valley and Oatlands and heritage conservation areas. This is based on a detailed constraints analysis.
Permit dual occupancies in R3 & R4 zones.	15	80%	20%	-	It is recommended to allow dual occupancies on all land in the R3 and R4 zones to increase the range of housing types allowed in these areas.
Minimum lot size of 600sqm.	170	85%	12%	2%	It is recommended to only allow dual occupancy development on sites with an area of at least 600sqm to ensure good design and amenity outcomes.
Restrict dual occupancy development to attached forms only.	160	37%	59%	6%	It is recommended to retain the restriction on detached forms of dual occupancy to ensure good design and amenity outcomes.
Allow subdivision of dual occupancy development.	170	92%	7%	1%	It is recommended to allow the subdivision of dual occupancies, on sites where they are permitted under the local environmental plan.
Restrict form and subdivision of dual occupancies in heritage conservation areas.	156	48%	27%	25%	It is recommended to prohibit dual occupancy development in low density heritage conservation areas, to maintain the special character of these areas. The exception is the South Parramatta Conservation Area, where the current precinct specific controls will be retained.
Limit subdivision of dual occupancies in heritage conservation areas.	160	44%	31%	25%	
15m minimum site frontage requirement.	164	71%	15%	15%	It is recommended to include a requirement in the local environmental plan that the primary street frontage of a site needs to be at least 15 metres wide in order to build a dual occupancy to ensure good design outcomes.
Other design controls for dual occupancies.	Approx. 158	Mixed feedback was received on different design controls.			Feedback will be considered as part of drafting of the consolidated Development Control Plan

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Overview of feedback on Land Use Planning Harmonisation Discussion Paper

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Low density residential zones					
Apply a consistent 9m height limit to R2 zoned land.	37	73%	24%	3%	It is recommended to adopt a uniform maximum height control of 9 metres across the R2 zone and apply an FSR of 0.5:1 to areas that do not currently have one. This will bring consistency and certainty to the scale of development expected in low density residential areas.
Apply a consistent FSR of 0.5:1 to R2 zoned land.	33	73%	24%	3%	
Apply a minimum subdivision lot size of 700sqm to R2 zoned land in former The Hills LGA.	35	51%	46%	3%	It is recommended to adopt a minimum subdivision lot size of 550sqm across the LGA, except in certain low density areas in the former The Hills council area, where it is recommended to retain the current 700sqm MLS requirement. These controls will assist with tree retention and achieving better design and amenity outcomes, such as by allowing for adequate setbacks, landscaping and deep soil zones.
Apply minimum subdivision lot size of 550sqm all other residential zones.	36	47%	50%	3%	
Prohibit places of public worship in the R2 zone.	37	68%	24%	8%	It is recommended to prohibit places of public worship and indoor recreation facilities in all R2 Low Density Residential zones due to concerns over amenity impacts of these uses in low density residential areas. Existing lawful places of public worship will be protected by rezoning them to a Special Activities zone. Places of public worship will still be permitted in all other zones excluding open space, environmental and infrastructure zones.
Prohibit indoor recreation facilities in the R2 zone.	45	80%	18%	2%	
Design controls for detached housing in the R2 zones.	Approx. 32	Mixed feedback was received on different design controls.			Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Issue: Medium and high density residential zones					
Apply a consistent 9m height limit to R3 zoned land.	20	70%	30%	-	It is recommended to reduce the maximum building height applying to R3 zoned land to 9m, where existing controls are currently higher than this. This will help provide better design outcomes and help to maintain the medium density scale of development in the R3 zone.
Apply a FSR of 0.6:1 across all R3 zoned land (0.75:1 in Newington).	16	50%	38%	12%	It is recommended to reduce the floor space ratio applying to R3 zoned land at Silverwater from 0.75:1 to 0.6:1 and to apply an FSR of 0.6:1 to other R3 zoned land where an FSR is not currently applied. This will apply a consistent FSR across R3 zoned land. Newington will retain its existing FSR of 0.75:1, reflecting its existing higher density form of development.
Not apply a minimum site area requirement for medium density housing, except a 600sqm requirement for manor houses.	14	50%	36%	14%	It is recommended to introduce a minimum lot size control of 600sqm for manor houses to assist with achieving good design outcomes for this new class of development. Minimum lot size controls are not considered as an effective control for other forms of medium density housing.

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Overview of feedback on Land Use Planning Harmonisation Discussion Paper

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Rezoning of approximately 68 properties in North Rocks from R3 to R2.	4	50%	50%	-	It is recommended to proceed with the rezoning of the subject sites from R3 Medium Density Residential to R2 Low Density Residential, as outlined in the Discussion Paper. These sites are not considered suitable for medium density housing forms.
Retain existing height and FSR controls for R4 zoned land.	15	53%	40%	7%	It is recommended to progress the proposed height and FSR options for R4 zoned land as outlined in the Discussion Paper; being to retain existing height and FSR controls where these exist and apply new FSR controls, matched to current height limits, to sites that do not currently have one applied. This will provide more certainty as to the scale of development expected on a site.
Apply an FSR control, matched to existing height limit, to R4 zoned sites that don't currently have one.	15	60%	20%	20%	
Not apply a minimum site area requirement to residential flat buildings.	15	40%	47%	13%	It is recommended to not apply a minimum lot size control to residential flat buildings as other site factors are considered more critical for achieving good design outcomes.
Prohibit residential flat buildings in the R3 zone.	20	65%	35%	-	It is recommended to prohibit apartments in the R3 zone to support more diverse forms of housing, such as townhouses, villas and terraces.
Allow indoor recreation facilities in the R3 zone.	14	64%	36%	-	It is recommended to allow indoor recreation facilities in the R3 and R4 zones to provide opportunity for these facilities to locate close to concentrations of homes.
Allow indoor recreation facilities in the R4 zone.	15	73%	20%	7%	
Design controls for medium and high density housing.	15	Mixed feedback was received on different design controls.			Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Local and neighbourhood centres					
Only allow shop top housing above shops and business premises in B1 and B2 zones.	19	53%	42%	5%	It is recommended to allow residential flat buildings in the B1 and B2 zones, but only where space is provided at the ground floor for business, community and other non-residential uses. This will allow a greater range of ground floor activities to be provided than if only shop top housing was allowed.
Prohibit tourist and visitor accommodation in B1 zones.	14	79%	14%	7%	It is recommended tourist and visitor accommodation is prohibited in the B1 zone, with the exception of small bed and breakfasts, to protect surrounding low density neighbourhoods from potential amenity impacts.

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Overview of feedback on Land Use Planning Harmonisation Discussion Paper

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Industrial zones					
Prohibit childcare centres.	25	56%	40%	4%	It is recommended to prohibit childcare centres in all industrial zones as these are not considered suitable locations for these uses.
Prohibit tourist and visitor accommodation.	17	41%	41%	18%	It is recommended to prohibit tourist and visitor accommodation in the IN1 zone as these are not considered suitable locations for these uses.
Allow food and drink premises.	16	62%	19%	19%	It is recommended to allow food and drink premises in the IN1 zone to provide services for workers.
Prohibit function centres and registered clubs.	15	27%	53%	20%	It is recommended to prohibit function centres in the IN1 zone, but to permit registered clubs to provide services for workers.
Open space zones					
Prohibit child care centres (except on specific sites).	24	63%	30%	7%	It is recommended to prohibit new centre-based child care facilities in the RE1 zone as they result in a loss of public access to open space.
Allow markets and certain food and drink outlets.	24	46%	54%	-	It is recommended to permit markets, restaurants, cafes, and take away food and drink premises in the RE1 zone as these uses, when suitably designed, enhance the use and enjoyment of open spaces by the public.
Advertising signage					
Prohibit general advertising signage.	21	90%	5%	5%	It is recommended to prohibit advertising structures across all zones due to their visual impact. It is recommended to permit advertising on bus shelters owned or managed by council. Business identification signage will still be permitted.
Temporary uses of land					
Permit temporary uses of land for a maximum of 52 days in a 12 month period.	19	63%	37%	-	It is recommended to adopt a 52 day time limit for temporary uses of land to allow more community events to be held and support tourism, cultural activities and economic growth in the LGA.
Identify markets and other temporary events on land owned or managed by Council as 'exempt development'.	20	75%	20%	5%	It is recommended to identify temporary events on land owned or managed by Council as 'exempt development', but limit the exemption period to 28 days on sites outside the Parramatta City Centre.
Car and bicycle parking					
Apply consistent car parking rates to residential development.	68	45.5%	48.5%	6%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.

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Overview of feedback on Land Use Planning Harmonisation Discussion Paper

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Apply consistent car parking rates to non-residential development.	39	56%	33%	10%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Apply reduced car parking rates near public transport.	46	30%	61%	9%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Suggested design requirements for car parking areas.	34	39.5%	46%	14.5%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Apply consistent cycle parking rates.	39	41.3%	22.7%	36%	Feedback will be considered as part of drafting of the consolidated Development Control Plan.
Environmental sustainability					
Consistently zone public bushland reserves E2 Environmental Conservation	39	82%	10%	8%	It is recommended to consistently zone all public bushland reserves E2 Environmental Conservation to provide stronger protection to these sites. Some minor changes to the sites to be rezoned are proposed, such as rezoning additional bushland sites in Epping and not rezoning some land in Beecroft following advice from the Office of Environment and Heritage.
Map important vegetation on private land in the LEP.	31	61%	29%	10%	It is recommended to map significant vegetation on privately owned land in the LEP to ensure development appropriately considers potential impact on biodiversity. No changes to the suggested sites identified in the Discussion Paper are proposed at this stage.
Consistently zone natural waterway corridors W1 Natural Waterways.	31	90%	6%	3%	It is recommended to consistently zone waterway corridors through public land to W1 Natural Waterways to provide stronger protection to these sites. No changes to sites identified for rezoning in the Discussion Paper are recommended.
Map all natural waterway corridors through private land in the LEP.	31	77%	19%	3%	It is recommended to map natural waterway corridors in the LEP so the potential impacts of development on waterways are properly considered. It is proposed to add an additional waterway, Pendle Creek, to the LEP waterways and riparian land map.
Apply Parramatta DCP tree and vegetation protection controls across LGA.	44	48%	43%	9%	These matters relate to DCP controls, the feedback received will be considered as part of the preparation of the consolidated DCP. Officer responses to the issues raised will be provided when the draft consolidated DCP is reported back to Council.
Require a 10m buffer zone to bushland.	35	71%	23%	6%	
Require a 10m buffer zone to waterways.	34	76%	21%	3%	

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Overview of feedback on Land Use Planning Harmonisation Discussion Paper

Suggested policy	Total responses on this matter	In support	Not in support	Unclear	Officer recommendation
Updated stormwater management controls.	24	71%	17%	12%	
Restrict sensitive uses on flood prone land.	36	72%	22%	6%	
Updated energy and water efficiency targets.	27	81%	11%	7%	
Require solar panels on large scale retail and industrial development.	24	74%	22%	7%	
Require dual piping in high density residential and large scale non-residential development.	23	83%	13%	4%	
Design and heritage controls					
Adopt a precinct-based approach to design competition requirements.	16	75%	12.5%	12.5%	It is recommended to adopt design excellence provisions in the LEP that take a precinct-based approach.
Recognise the Design Excellence Advisory Panel (DEAP) through the LEP.	17	65%	18%	18%	It is not recommended to include specific provisions in the LEP relating to DEAP. This will continue to operate as a separate process applying across the LGA.
Extend the DCP Aboriginal Heritage Sensitivity Map to all parts of the LGA.	19	84%	16%	-	It is recommended to undertake further work to extend the Aboriginal Heritage Sensitivity Map to all parts of the LGA. This work will be undertaken as part of the preparation of the draft consolidated DCP.
Rationalising land use zones					
Wentworth Point - Move Provisions from SREP 24 into LEP.	2	100%	-	-	It is recommended to rationalise LEP land use zones as outlined in the Discussion Paper to reduce complexity and apply more appropriate zonings to these sites. Some of these zones only apply to a small number of sites and/or do not reflect current uses.
Removal of the R1 General Residential Zone.	18	55%	17%	28%	
Removal of the RU3 Forestry Zone.	18	61%	17%	23%	
Removal of the E3 Environmental Conservation Zone.	20	70%	10%	20%	
Removal of the E4 Environmental Living zone.	20	55%	15%	30%	

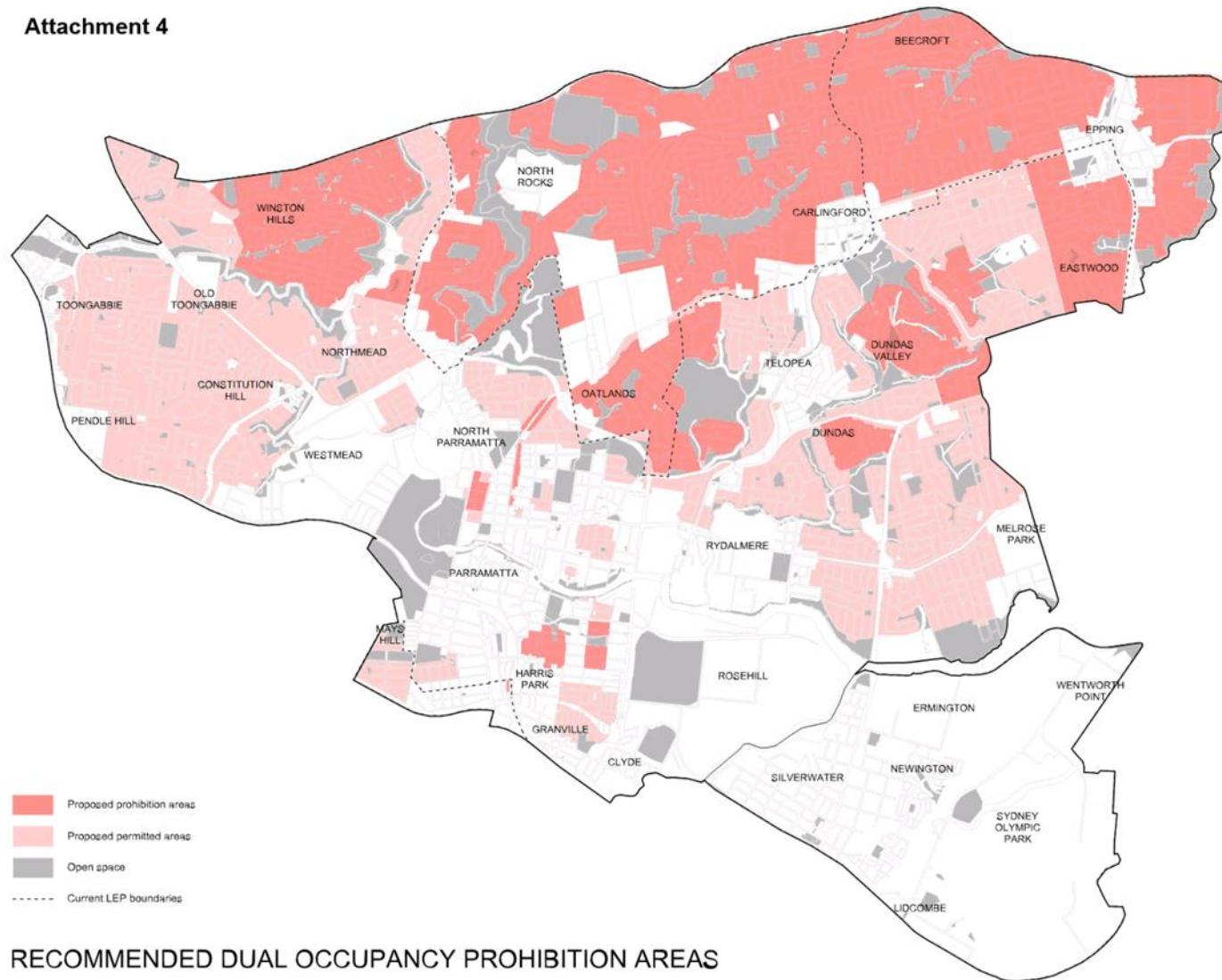
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Item 5.1 - Attachment 4

Maps of options for dual occupancy prohibition areas

Attachment 4



Item 5.1 - Attachment 4

Maps of options for dual occupancy prohibition areas

