



**CITY OF
PARRAMATTA**

NOTICE OF COUNCIL MEETING

PUBLIC AGENDA

An Ordinary Meeting of City of Parramatta Council will be held in the Wentworth Point Library, 10 Footbridge Boulevard, Wentworth Point on Tuesday, 15 June 2021 at 6.30pm.

Brett Newman
CHIEF EXECUTIVE OFFICER

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COUNCIL CHAMBERS

Governance
Manager

**Lord Mayor
Clr Bob Dwyer**

Chief
Executive
Officer

Minute Clerk

Clr Phil Bradley

Clr Sameer
Pandey

Clr Dr
Patricia Prociv

Clr Pierre Esber

Clr Donna
Davis

Clr Michelle
Garrard,
Deputy Lord
Mayor

Clr Lorraine
Wearne

Clr Andrew
Wilson

Clr Andrew
Jefferies

Clr Bill Tyrrell

Clr Benjamin
Barrak

Clr Martin
Zaiter

Clr Steven Issa

Sound

IT

Executive
Director City
Engagement &
Experience

Executive
Director
Community
Services

Executive
Director City
Planning &
Design

Group Manager
City Strategy

Executive
Director City
Assets &
Operations

Executive
Director
Corporate
Services

Executive
Director
Property and
Place

Press

Press

Public Gallery

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This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as 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.
- 20.2 FOR APPROVAL: Exception to Procurement for ICT Upgrade pursuant to Section 55 of the Local Government ACT 1993
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.
- 20.3 FOR APPROVAL: Occupation of the Main Building at 35 South Street Rydalmere
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.
- 20.4 FOR APPROVAL: Expression of Interest - 40 Victoria Street, Epping (Boronia Grove Cafe & Office Spaces)
-

This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as 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.

20.5 FOR APPROVAL: Future Council Office Accommodation Options

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.

21 PUBLIC ANNOUNCEMENT OF RESOLUTIONS PASSED IN CLOSED SESSION

22 CONCLUSION OF MEETING

After the conclusion of the Council Meeting, and if time permits, Councillors will be provided an opportunity to ask questions of staff.

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE CLOISTER FUNCTION ROOMS, ST PATRICK'S CATHEDRAL 1 MARIST PLACE, PARRAMATTA ON MONDAY, 24 MAY 2021 AT 6.30PM

These are draft minutes and are subject to confirmation by Council at its next meeting. The confirmed minutes will replace this draft version on the website once confirmed.

PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak (6.33pm), Phil Bradley (6.31pm), Donna Davis (6.34pm), Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Steven Issa, Andrew Jefferies (6.33pm), Sameer Pandey, Dr Patricia Proxiv, Bill Tyrrell (6.33pm), Andrew Wilson, Lorraine Wearne (6.33pm) and Martin Zaiter.

1. OPENING MEETING

The Lord Mayor, Councillor Bob Dwyer, opened the meeting at 6.31pm.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL LAND OWNERS

The Lord Mayor, acknowledged the Burramattagal people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

Note: Councillor Bradley arrived at 6:31pm during the acknowledgement of the Traditional Land Owners.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. CONFIRMATION OF MINUTES

SUBJECT: Minutes of the Council Meeting held on 10 May 2021

3227 RESOLVED (Esber/Wilson)

That the minutes be taken as read and be accepted as a true record of the Meeting.

6. APOLOGIES/REQUESTS FOR LEAVE OF ABSENCE/REMOTE ATTENDANCE

There were no Apologies/Requests for Leave of Absence/Remote Attendance made at this meeting.

Note:

1. **Councillor Barrak arrived at 6:33pm during apologies/requests for leave of absence/remote attendance.**
2. **Councillor Jefferies arrived at 6:33pm during apologies/requests for leave of absence/remote attendance.**
3. **Councillor Tyrrell arrived at 6:33pm during apologies/requests for leave of absence/remote attendance.**
4. **Councillor Wearne arrived at 6:33pm during apologies/requests for leave of absence/remote attendance.**

7. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

8. MINUTES OF THE LORD MAYOR

8.1 SUBJECT Olympics Live Activation
 REFERENCE F2019/03630 - D08063001
 REPORT OF Lord Mayor, Councillor Bob Dwyer

3228 RESOLVED (Dwyer/Issa)

- (a) **That** Council officers investigate and table a report to the 28 June Council Meeting on the feasibility of the City of Parramatta hosting an Olympics Live site in the Parramatta CBD.
- (b) **That** the report detail costs associated with any proposed Olympics Live site activities for Council's consideration.
- (c) **Further, that** the report examine the feasibility of a partnership with the Sydney Olympic Park Authority to celebrate the Olympics.

Note: Councillor Davis arrived at 6:34pm during the Lord Mayoral Minute.

MATTER OF URGENCY

3229 RESOLVED (Garrard/Zaiter)

That a procedural motion be granted to allow consideration of a matter of urgency in relation to a local resident appearing on "The Celebrity Apprentice".

The Lord Mayor ruled the matter urgent.

3230 RESOLVED (Garrard/Zaiter)

That the Lord Mayor write to Mr Robert Shehadie in recognition of his appearance on “The Celebrity Apprentice”.

MATTER OF URGENCY

3231 RESOLVED (Prociv/Issa)

That a procedural motion be granted to allow consideration of a matter of urgency in relation to Wentworth Point.

The Lord Mayor ruled the matter urgent.

3232 RESOLVED (Prociv/Issa)

- (a) **That** Council request the appropriate Minister to conduct a risk assessment of the Wentworth Point area.
- (b) **Further, that** consideration be given to installing infrastructure that would allow accurate contract tracing in the event of a COVID-19 outbreak.

9. PUBLIC FORUM

9.1 SUBJECT PUBLIC FORUM: Item 17.1 - Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period

REFERENCE F2021/00521 - D08063576

Written public forum submissions were received for Item 17.1 – Post Exhibition – Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period.

Noting that Council’s Code of Meeting Practice only allows a maximum of three (3) public forums per meeting, the written public forum submissions were circulated to Councillors and made publicly available as part of Supplementary Agenda B to this Council Meeting.

10. PETITIONS

There were no petitions tabled at this meeting.

11. RESCISSION MOTIONS

There were no rescission motions submitted for this meeting.

PROCEDURAL MOTION

3233 RESOLVED (Tyrrell/Esber)

That Items 12.1, 12.2, 12.3, 14.1, 14.2, and 14.3 be resolved en bloc.

12. FAIR

12.1 SUBJECT FOR NOTATION: Investment Report for April 2021

REFERENCE F2021/00521 - D08040476

REPORT OF Tax and Treasury Accountant

3234 RESOLVED (Tyrrell/Esber)

That Council receive the Investment Report for April 2021.

12.2 SUBJECT FOR NOTATION: Minutes of the Aboriginal and Torres Strait Islander Advisory Committee Meetings

REFERENCE F2017/00358 - D08020700

REPORT OF Community Capacity Building Officer

3235 RESOLVED (Tyrrell/Esber)

(a) **That** Council note the minutes of the Aboriginal and Torres Strait Islander Advisory Committee Meetings held on 23 February and 23 March 2021.

(b) **That** Council note the resignation of two Advisory Committee members in January 2021.

(c) **That** Council note the Committee's endorsement of John Robertson and Bruce Gale continuing in the office of Chairperson and Deputy Chairperson respectively until dissolution of the Advisory Committee on 3 September 2021.

(d) **Further, that** Council note the Committee's resolution that members of the Aboriginal and Torres Strait Islander Advisory Committee request that Council organise a date as soon as possible for dedication of the Memorial to Indigenous Service Personnel before the election of a new Council.

12.3 SUBJECT FOR APPROVAL: Quarterly Budget Review - March 2021

REFERENCE F2019/04433 - D07809535

REPORT OF Commercial Manager

3236 RESOLVED (Tyrrell/Esber)

- (a) **That** Council adopt the March 2021 Quarterly Budget Review Statement (QBRS) and the Responsible Accounting Officer's report on the financial position of the Council (Attachment 1).
- (b) **Further, that** Council approve the revised budget for the 2020/21 financial year:
 - (i) an operating surplus of \$13.1m (Dec QR: -10.4m deficit)
 - (ii) capital revenue of \$51.6m (Dec QR: \$88.4m)
 - (iii) capital expenditure of \$156.5m (Dec QR: \$179.0m).

13. ACCESSIBLE

Nil

14. GREEN

14.1 SUBJECT FOR APPROVAL: Public Exhibition of the Draft Arthur Phillip Park Masterplan

REFERENCE F2021/00521 - D08021922

REPORT OF Place Manager

3237 RESOLVED (Tyrrell/Esber)

- (a) **That** the draft renewed Arthur Phillip Park masterplan be placed on public exhibition from 31 May to 25 June 2021 for community comment.
- (b) **That** temporary signage be installed across the masterplan area to notify the community of the public exhibition period and their opportunities to engage.
- (c) **Further, that** a report be submitted to Council upon the completion of the public exhibition period for consideration and assessment of the public submissions.

14.2 SUBJECT FOR APPROVAL: Public Exhibition of the Draft Binalong Park Masterplan

REFERENCE F2021/00521 - D08021927

REPORT OF Place Manager

3238 RESOLVED (Tyrrell/Esber)

- (a) **That** the draft Binalong Park masterplan be placed on public exhibition from 31 May to 25 June 2021 for community comment.
- (b) **That** temporary signage be installed across the masterplan area to notify the community of the public exhibition period and their opportunities to provide feedback.

- (c) **Further, that** a report be submitted to Council upon the completion of the public exhibition period for consideration and assessment of the public submissions.

14.3 SUBJECT FOR APPROVAL: Public Exhibition of the Draft Granville Square Masterplan

REFERENCE F2021/00521 - D07856512

REPORT OF Place Manager

3239 RESOLVED (Tyrrell/Esber)

(a) **That** the draft Granville Square Masterplan be placed on public exhibition for 30 days (4 weeks) from 26 May – 26 June 2021, in the City of Parramatta Library, Council Customer Service Centre, on Councils website and on a Participate Parramatta Project page.

(b) **That** temporary signage be placed along Good and Bridge Street Granville, as well as in close proximity to the Granville Train Station advising of the public exhibition period, and that appropriate community engagement activities (that are suitably COVID safe), are organised to support the consultation.

(c) **Further, that** a report be submitted to Council upon the completion of the public exhibition period for consideration and assessment of the public submissions and that this report identifies implementation opportunities.

15. WELCOMING

Nil

16. THRIVING

16.1 SUBJECT FOR APPROVAL: Public Exhibition of the Proposed Building Names for 5 Parramatta Square

REFERENCE F2021/00521 - D08009615

REPORT OF Place Manager

MOTION (Issa/Garrard)

(a) **That** Council approve the proposed names for 5 Parramatta Square building to be placed on public exhibition from Tuesday 25 May to Wednesday 16 June 2021.

(b) **That** community feedback on the proposed names be reported back to Council in July 2021.

- (c) **Further, that** the proposed names to be placed on public exhibition seeking community feedback is:

Proposed Name	Background / context
Civic Place or The Civic	Civic denotes a town and the people who live in it, a building for City of Parramatta's people. Site has a long history as the centre of Parramatta's civic infrastructure - Town Hall, built adjacent in 1883; Council relocating to this site in 1958 and former Parramatta Library added in 1964; becoming Civic Place. Pays tribute to the past while celebrating the building as a new commitment to Parramatta's civic future.

AMENDMENT (Davis/Bradley)

- (a) **That** Council approve the proposed names for 5 Parramatta Square building to be placed on public exhibition from Tuesday 25 May to Wednesday 16 June 2021.
- (b) **That** community feedback on the proposed names, as well as names proposed by the community, be reported back to Council in July 2021.
- (c) **Further, that** the proposed names to be placed on public exhibition seeking community feedback is:

Proposed Name	Background / context
The Banksia	Microscopic pollens of Banksia were found in archaeological digs in the nearby area. The deep reds/oranges of the roof are inspired by nature's use of colour as an attractor, attracting people to the building for learning, growth and exchange. The roof's distinctive form is also reminiscent of the openings in a Banksia pod.
Civic Place or The Civic	Civic denotes a town and the people who live in it, a building for City of Parramatta's people. Site has a long history as the centre of Parramatta's civic infrastructure - Town Hall, built adjacent in 1883; Council relocating to this site in 1958 and former Parramatta Library added in 1964; becoming Civic Place. Pays tribute to the past while celebrating the building as a new commitment to Parramatta's civic future.

The amendment moved by Councillor Davis and seconded by Councillor Bradley on being put was declared LOST.

The motion moved by Councillor Issa and seconded by Councillor Garrard on being put was declared CARRIED.

3240 RESOLVED (Issa/Garrard)

- (a) **That** Council approve the proposed names for 5 Parramatta Square building to be placed on public exhibition from Tuesday 25 May to Wednesday 16 June 2021.
- (b) **That** community feedback on the proposed names be reported back to Council in July 2021.
- (c) **Further, that** the proposed names to be placed on public exhibition seeking community feedback is:

Proposed Name	Background / context
Civic Place or The Civic	Civic denotes a town and the people who live in it, a building for City of Parramatta's people. Site has a long history as the centre of Parramatta's civic infrastructure - Town Hall, built adjacent in 1883; Council relocating to this site in 1958 and former Parramatta Library added in 1964; becoming Civic Place. Pays tribute to the past while celebrating the building as a new commitment to Parramatta's civic future.

16.2 SUBJECT FOR APPROVAL: Phillip Lane Activation Evaluation Report and Next Steps

REFERENCE F2021/00521 - D08028187

REPORT OF Place Manager

MOTION (Garrard/Zaiter)

- (a) **That** Council note the Phillip Lane Activation Evaluation Report at Attachment 1 prepared in response to a Lord Mayoral Minute endorsed at the 8 March 2021 Council Meeting.
- (b) **That** Council note that on 26 April 2021 a \$250,000 NSW state government 'Your High Street' grant was awarded to Council for the permanent embellishment of Phillip Lane.
- (c) **That** Council note that on 7 May 2021 the Phillip Lane Activation project was announced as a finalist in the NSW Local Government Awards in the 'Supporting Local Enterprise' category (to be announced on 3 June 2021).
- (d) **That** Council approve the next steps for the project to deliver future embellishment to Phillip Lane including improved laneway lighting with decorative elements, street art/murals on the rear façade of the buildings adjacent to Phillip Lane, and a means of restricting vehicular access at times of activation being a retractable bollard (or similar) at the entry of Phillip Lane.
- (e) **That** Council approve the works to be carried out on private land, including funding 50% of the total cost of the private works, to a

maximum dollar value of \$10,000 per rateable property for each of the 11 properties facing onto the laneway.

- (f) **That** Council delegate to the CEO the authority to negotiate, conclude terms and execute any agreements with adjacent landowners for any Council-funded works undertaken on private land that enable or support the activation of Phillip Lane.
- (g) **That** Council delegate to the CEO the authority to negotiate, conclude terms and execute any agreements with adjacent landowners for a Plan of Management for Phillip Lane to support future activation.
- (h) **Further, that** a report be presented to Council after the work have been carried out in accordance with Section 67(4) of the Local Government Act 1993.

AMENDMENT (Esber/Prociv)

That Council defer consideration of this matter to the next Council Meeting, and a Councillor Workshop be held prior to the meeting.

The amendment moved by Councillor Esber and seconded by Councillor Prociv on being put was declared CARRIED.

3241 RESOLVED (Esber/Prociv)

That Council defer consideration of this matter to the next Council Meeting, and a Councillor Workshop be held prior to the meeting.

The amendment then became the motion.

The motion moved by Councillor Esber and seconded by Councillor Prociv was subsequently WITHDRAWN.

3242 RESOLVED (Garrard/Zaiter)

- (a) **That** Council note the Phillip Lane Activation Evaluation Report at Attachment 1 prepared in response to a Lord Mayoral Minute endorsed at the 8 March 2021 Council Meeting.
- (b) **That** Council note that on 26 April 2021 a \$250,000 NSW state government 'Your High Street' grant was awarded to Council for the permanent embellishment of Phillip Lane.
- (c) **That** Council note that on 7 May 2021 the Phillip Lane Activation project was announced as a finalist in the NSW Local Government Awards in the 'Supporting Local Enterprise' category (to be announced on 3 June 2021).
- (d) **That** Council approve the next steps for the project to deliver future embellishment to Phillip Lane including improved laneway lighting with decorative elements, street art/murals on the rear façade of

the buildings adjacent to Phillip Lane, and a means of restricting vehicular access at times of activation being a retractable bollard (or similar) at the entry of Phillip Lane.

- (e) **That** Council approve the works to be carried out on private land, including funding 50% of the total cost of the private works, to a maximum dollar value of \$10,000 per rateable property for each of the 11 properties facing onto the laneway.
- (f) **That** Council delegate to the CEO the authority to negotiate, conclude terms and execute any agreements with adjacent landowners for any Council-funded works undertaken on private land that enable or support the activation of Phillip Lane.
- (g) **That** Council delegate to the CEO the authority to negotiate, conclude terms and execute any agreements with adjacent landowners for a Plan of Management for Phillip Lane to support future activation.
- (h) **Further, that** a report be presented to Council after the work have been carried out in accordance with Section 67(4) of the Local Government Act 1993.

17. INNOVATIVE

PROCEDURAL MOTION

3243 RESOLVED (Issa/Tyrrell)

That Council amend the order of business to consider Item 17.2 before Item 17.1.

17.2 SUBJECT LATE REPORT FOR APPROVAL: Outcomes of the exhibition of the Parramatta CBD Planning Proposal - Advice of the Local Planning Panel

REFERENCE F2020/02047 - D08048062

REPORT OF Team Leader –Land Use Planning

3244 RESOLVED (Issa/Tyrrell)

- (a) **That** Council note the advice of the Local Planning Panel received in relation to the report on the outcomes of the exhibition of the Parramatta CBD Planning Proposal (as provided in the minutes to their meeting at Attachment 1).
- (b) **That** Council approve consideration of the additional recommendation of the Local Planning Panel (LPP) with respect to car share controls, that:

“an additional subclause be included in Clause 7.3 (parking), requiring the provision of parking spaces for car share vehicles in each new development (via Decision Pathway 3 – Orange) in Table 3 of Attachment 16 of the LPP Report (‘Changes that have merit for further investigation (via Decision Pathway 3 – Orange)’).”

- DIVISION A division was called, the result being:
- AYES: Councillors Bradley, Dwyer, Esber, Garrard, Issa, Jefferies, Pandey, Prociv, Tyrrell and Zaiter
- NOES: Councillors Barrak, Davis, Wearne and Wilson
- 17.1 SUBJECT FOR APPROVAL: Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period
- REFERENCE F2020/02047 - D08026973
- REPORT OF Snr Project Officer Land Use; Team Leader –Land Use Planning
- MOTION (Issa/Tyrrell)
- (a) **That** Council note:
- (i) The submissions made in response to the public exhibition of the *Parramatta CBD Planning Proposal (CBD PP)*, summarised at Attachments 12 to 15 of the Local Planning Panel (**LPP**) Report;
 - (ii) The LPP Report at Attachment 1 to this report.
- (b) **That** Council:
- (i) Approve the requested changes to the CBD PP set out in Table 1 of Attachment 16 of the LPP Report (*‘Changes that are supported (via Decision Pathway 1 - Green)’*);
 - (ii) Note not making any of the requested changes to the CBD PP summarised in Table 2 of Attachment 16 of the LPP Report (*‘Changes that are not supported (via Decision Pathway 2 - Red)’*);
 - (iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of Attachment 16 of the LPP Report (*‘Changes that have merit for further investigation (via Decision Pathway 3 - Orange)’*).
- (c) **That** Council note that on 27 April 2015 and on 25 November 2019, Council approved further investigation on a number of “Planning Investigation Areas” (PIAs) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3 in paragraph 33 of this report) and that no change is required to the PIAs in response to submissions received on the CBP PP.

- (d) **That** Council approve:
 - (i) The revised CBD PP (in Attachments 1 to 9 of the LPP Report); and
 - (ii) Forwarding the CBD PP to the Department of Planning, Industry and Environment (DPIE) for finalisation.

- (e) **That** Council note the application to DPIE, will also request the CBD PP amend *Parramatta Local Environmental Plan 2011* (PLEP 2011), in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.

- (f) **That** Council writes to the Secretary of DPIE seeking an exemption from the *State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021* in the B3 Commercial Core zone as this is inconsistent with the employment objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.

- (g) **That** Council:
 - (i) Approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD within 12 months; and
 - (ii) Note the plan will include a new contributions levy rate set higher than the current 3% rate, subject to feasibility testing of the levy rate.

- (h) **That** Council request DPIE not finalise the amendments to PLEP 2011 until:
 - (i) Council has exhibited and endorsed a new Section 7.12 development contributions plan for the Parramatta CBD; and
 - (ii) DPIE has amended clause 25K of the *Environmental Planning and Assessment Regulation 2000* to allow the higher Section 7.12 development contributions rate.

- (i) **Further, that** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.

AMENDMENT (Wearne/Davis)

That Council defer consideration of this matter to the next Council Meeting.

The amendment moved by Councillor Wearne and seconded by Councillor Davis on being put was declared CARRIED.

3245 RESOLVED (Wearne/Davis)

That Council defer consideration of this matter to the next Council Meeting.

DIVISION A division was called, the result being:

AYES: Councillors Barrak, Bradley, Davis, Esber, Pandey, Prociv, Wearne and Wilson

NOES: Councillors Dwyer, Garrard, Issa, Jefferies, Tyrrell and Zaiter

The amendment then became the motion.

3246 RESOLVED (Esber/Prociv)

That the motion be put.

The motion moved by Councillor Wearne and seconded by Councillor Davis on being put was declared CARRIED.

3247 RESOLVED (Wearne/Davis)

That Council defer consideration of this matter to the next Council Meeting.

DIVISION A division was called, the result being:-

AYES: Councillors Barrak, Bradley, Davis, Esber, Pandey, Prociv, Wearne and Wilson

NOES: Councillors Dwyer, Garrard, Issa, Jefferies, Tyrrell and Zaiter

Note: Councillor Issa retired from the Meeting at 7:52pm after consideration of Item 17.1.

18. NOTICES OF MOTION

18.1 SUBJECT NOTICE OF MOTION: Re-naming of Olympic Park Wharf

REFERENCE F2021/00521 - D08047433

FROM Councillor Prociv

3248 RESOLVED (Prociv/Issa)

That Council write to Transport for NSW (TfNSW) requesting they commence the process, through the Geographical Names Board (GNB), of changing the name "Olympic Park Wharf" to "Wentworth Point Wharf".

Note:

1. Councillor Garrard left the Chamber at 7:52pm during consideration of Item 18.1.
2. Councillor Tyrrell left the Chamber at 7:52pm during consideration of Item 18.1.
3. Councillor Barrak left the Chamber at 7:53pm during consideration of Item 18.1.
4. Councillor Davis left the Chamber at 7:53pm and returned at 7:54pm during consideration of Item 18.1.

19. QUESTIONS WITH NOTICE

19.1 SUBJECT QUESTIONS WITH NOTICE: Questions Taken on Notice from Council Meeting - 10 May 2021

REFERENCE F2021/00521 - D08045864

FROM Governance Manager

QUESTIONS TAKEN ON NOTICE FROM THE COUNCIL MEETING OF 10 May 2021

Item	Subject	Councillor	Question	Response	Executive Director
16.1	Draft CBD Parking Strategy	Prociw	If Council changed the 15 minute parking to 30 minute parking, how does that relate to the allowable time limits of disabled parking permits?	<p>Drivers with a disability who display their Mobility Parking Scheme (MPS) on their windscreen are entitled to the following concession within the City of Parramatta:</p> <ol style="list-style-type: none">a. Where the parking is limited by a sign less than 30 minutes, the driver may park in the spot for a maximum of thirty (30) minutes.b. Where the parking is limited by a sign for 30 minutes, the driver may park in the spot for two (2) hours.c. Where the parking is limited to a sign to more than 30 minutes, the driver may park in the spot for an unlimited time. <p>The MPS is lead by State Government and dictates the concessions available to drivers with a</p>	Executive Director, Property & Place

				disability as stated above.	
17.2	Draft Development Control Plan for the Telopea Precinct for Public Exhibition	Garrard	In 2019, Council resolved to place signs around the Dundas Community Centre advising that the City of Parramatta Council did not support the development. Can Council officers please advise where are the signs?	<p>Officers confirm that Council Action F2015/2009 from 11 February 2019 'Telopea Rezoning Site' was actioned with signs installed in the highest-traffic areas of Telopea: Waratah Shops and the train station. Please see attached photos from those locations.</p> <p>Council officers do not have any detail on what happened to the signs, when they were removed, or by whom.</p> <p>The Council Action did not specify a date for removal of the signs. As such, officers understand Council's intent is for the signs to remain in place until the conclusion of the current Council term.</p> <p>Council officers are in the process of having the signs reprinted and reinstated.</p>	Executive Director, City Planning & Design

Note:

1. **Councillor Wilson left the Chamber at 7:56pm after consideration of Item 19.1.**
2. **Councillor Barrak returned to the Chamber at 7:57pm after consideration of Item 19.1.**
3. **Councillor Davis left the Chamber at 7:58pm and returned at 7:59pm after consideration of Item 19.1.**
4. **Councillor Tyrrell returned to the Chamber at 7:58pm after during consideration of Item 19.1.**

20. CLOSED SESSION

Note: Prior to moving into Closed Session, the Lord Mayor invited members of the public gallery to make representations as to why any item had been included in Closed Session. No member of the gallery wished to make representations.

3249 RESOLVED (Esber/Tyrrell)

That members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items listed come within the following provisions:-

- 1 FOR NOTATION: Legal Status Report as at 30 April 2021. (D08039462) - *This report is confidential in accordance with section 10A (2) (g) of the Local Government Act 1993 as the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*
- 2 FOR APPROVAL: Select Tender 18/2020 Construction of a Pedestrian and Cyclist Bridge across Parramatta River at Alfred Street, Parramatta. (D07851339) - *This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as 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.*
- 3 Report of the CEO Performance Review Panel. (D08061619) - *This report is confidential in accordance with section 10A (2) (a) of the Local Government Act 1993 as the report contains personnel matters concerning particular individuals.*

Note: Councillor Garrard returned to the Chamber at 7:59pm after Council moved into Closed Session.

20.1 SUBJECT FOR NOTATION: Legal Status Report as at 30 April 2021

REFERENCE F2020/03849 - D08039462

REPORT OF Group Manager Legal Services

3250 RESOLVED (Esber/Wearne)

That Council note the Legal Status Report as at 30 April 2021.

Note: Councillor Wilson returned to the Chamber at 8:01pm after consideration of Item 20.1.

20.2 SUBJECT FOR APPROVAL: Select Tender 18/2020 Construction of a Pedestrian and Cyclist Bridge across Parramatta River at Alfred Street, Parramatta

REFERENCE F2020/02252 - D07851339

REPORT OF Manager Capital Projects

3251 RESOLVED (Esber/Tyrrell)

- (a) **That** Council approve appointment of the preferred tenderer for the construction of a pedestrian and cyclist bridge across the Parramatta River at Alfred Street, Parramatta for the contract sum as outlined in paragraph 21 of this report.
- (b) **That** all unsuccessful tenderers be advised of Council's decision in this matter.
- (c) **Further, that** Council delegate authority to the Chief Executive Officer to finalise and execute all necessary documents.

20.3 SUBJECT Report of the CEO Performance Review Panel

REFERENCE F2020/03849 - D08061619

REPORT OF Lord Mayor, Councillor Bob Dwyer

3252 RESOLVED (Esber/Wearne)

- (a) **That** Council note the Report of the Chief Executive Officer Performance Review Panel for the Period of December 2019 to December 2020.
- (b) **That** Council note the new Chief Executive Officer Performance Agreement for the period January 2021 to June 2022, signed on 17 May 2021.
- (c) **Further, that** the Chief Executive Officer Performance Review and all associated reports be treated as confidential.

PROCEDURAL MOTION

3253 RESOLVED (Esber/Tyrrell)

That the meeting resume into Open Session.

21. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

The Chief Executive Officer read out the resolutions for Items 20.1 and 20.2. The Lord Mayor read out the resolution for Item 20.3.

22. CONCLUSION OF MEETING

The meeting terminated at 8:31 pm.

THIS PAGE AND THE PRECEDING 16 PAGES ARE THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON MONDAY, 24 MAY 2021 AND CONFIRMED ON TUESDAY, 15 JUNE 2021.

Chairperson

FAIR

15 JUNE 2021

12.1	FOR NOTATION: Minutes of Audit Risk and Improvement Committee Meeting held on 25 February 2021	26
12.2	FOR APPROVAL: Council Policies for Adoption	37
12.3	FOR APPROVAL: 2021 Community Grants.....	157
12.4	FOR APPROVAL: Major Projects Advisory Committee (MPAC) Membership.....	171

FAIR

ITEM NUMBER	12.1
SUBJECT	FOR NOTATION: Minutes of Audit Risk and Improvement Committee Meeting held on 25 February 2021
REFERENCE	F2021/00521 - D08052188
REPORT OF	Coordinator Internal Audit

PURPOSE:

The Audit Risk and Improvement Committee (ARIC) met on 25 February 2021 and this report provides a summary of the key discussion points of the meetings for Council's notation.

RECOMMENDATION

That Council notes the minutes of the Audit Risk and Improvement Committee meetings as provided at **Attachment 1**.

BACKGROUND

1. Council's Audit Risk and Improvement Committee (ARIC) comprises of members appointed by the Council. The members of the ARIC currently include two (2) Councillors and three (3) independent external members.
2. The Chief Executive Officer, Council's Auditors and other Council Director(s) and Manager(s) are invited to attend the ARIC meetings as observers. This approach is consistent with the Internal Audit Guidelines issued by the Office of Local Government (then Division of Local Government) in September 2010.
3. The ARIC meets five (5) times a year with four (4) ordinary meetings and one (1) special meeting to consider Council's audited Annual Financial Reports.
4. Under the ARIC's Charter, all meeting minutes are required to be reported to Council. This report provides both a full copy of the minutes and a summary of the key discussion points of the ARIC meeting held on 25 February 2021.
5. The ARIC meetings are currently held remotely in compliance with Office of Local Government (OLG) guidance on attendance by Councillors and others at committee meetings during the COVID-19 pandemic.

ISSUES/OPTIONS/CONSEQUENCES

6. The ARIC Annual Report for 2020 which was endorsed by the Committee out of session was tabled and noted at the meeting. The Committee provided their feed back on pending actions.
7. Matters arising and action items from minutes of previous meetings were presented.
8. The Director Property & Place provided updates on the Parramatta Square

projects which are 3PS, 4PS, 5 & 7PS, 6 & 8PS and the Public Domain, and an update on Parramatta Square risks and Aquatic and Leisure Centre status.

9. The interim MPAC chairperson provided an update on MPAC activities, which included the Aquatic and Leisure Centre tender process.
10. The Annual Statistical Report was presented. The statistics included:
 - a. The number and type of referrals that Council made to and received from external agencies.
 - b. The number and nature of compliments and complaints that Council received.
 - c. The number and nature of legal proceedings.
 - d. The number and nature of GIPA applications.
11. The Committee received and noted on the updated report of Council's involvement in current work to reassess and develop strategies for the management of James Hardie Asbestos Legacy sites in the City of Parramatta LGA.
12. The Internal Ombudsman provided an overview of the activities that were undertaken by the Internal Ombudsman Shared Service (IOSS) with City of Parramatta in the period from 25 September 2017 to 14 October 2020, including:
 - a. Summary of the complaints received, and advice provided
 - b. Summary of the investigations conducted
 - c. Education activities conducted
 - d. Probity advice provided
 - e. Policy review and development
 - f. Promotion and media activities
 - g. Code of conduct matters
 - h. Trends identified in matters reviewed or investigated
13. As requested at the previous ARIC meeting December 2020 YTD Finance Report which had been reviewed and approved by the Exec and Finance Committees was presented by the Chief Financial Officer and noted by the Committee

14. The Audit Office of NSW presented the Annual Engagement Plan from the Audit Office for the financial audit of Council's financial statements for the year ending 30 June 2021, which was noted by the Committee. The planning phase of annual audit will commence on 12 April 2021.
15. An update of the status of the 2020/2021 Internal Audit Program was provided to the Committee. Work in progress audits were:
- a. Complaints Management
 - b. Voluntary Planning Agreements
 - c. Procurement and Contract Management
 - d. Key Financial Systems Controls

An update was provided on the status of implementation of outstanding internal audit recommendations. As requested at the previous ARIC meeting the aging analysis of outstanding recommendations was updated to include both external and internal audit recommendations.

16. The Risk & Audit Manager provided an update to the ARIC members on Council's activities relating to Enterprise Risk Management
17. The Coordinator Internal Audit advised the Committee of the need to tender for the provision of internal audit services by an external provider as the contract with the current provider ends on 30 June 2021. ARIC members will be welcome to attend the Tender Evaluation Committee meetings as observers once dates have been finalised.
18. The Corporate Services Management Report presented to the Executive Team on 16 February 2021 was included for information purposes only.

CONSULTATION & TIMING

Stakeholder Consultation

19. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
27 April 2021	Risk & Audit Manager and Executive Director Corporate Services	No comment	Referred draft minutes to ARIC Chair	Risk & Audit / Corporate Services Coordinator Internal Audit

3 May 2021	Chairperson of ARIC	Approved	Referred approved draft minutes to ARIC	Risk & Audit / Corporate Services Coordinator Internal Audit
13 May 2021	Audit, Risk and Improvement Committee (ARIC)	No feedback received from committee members	Chairperson approved minutes accepted as final.	Risk & Audit / Corporate Services Coordinator Internal Audit

Councillor Consultation

20. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
Nil				

LEGAL IMPLICATIONS FOR COUNCIL

21. There are no legal implications associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

22. There are no financial implications associated with this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil			
Funding Source	NA			
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil			
Funding Source	NA			

Steven Unkovic
Coordinator Internal Audit

Bruce Ferguson
Risk & Audit Manager

Paul Perrett
Chief Financial Officer

Michael Tzimoulas
Executive Director Corporate Services

Brett Newman
Chief Executive Officer

ATTACHMENTS:

1 [↓](#) ARIC Meeting Minutes 25 February 2021 (Revised) 6 Pages

REFERENCE MATERIAL



MINUTES

	Audit Risk & Improvement Committee	
Meeting Name		
Date	Thursday, 25 February 2021	Time: 6:00pm
Venue	MS Teams (remote)	
Chaired by	Dr Col Gellatly (Independent)	
Members	Mark McCoy (Independent) Donna Rygate (Independent) Deputy Lord Mayor, Councillor Michelle Garrard Councillor Sameer Pandey	
Attendees	<u>Council Officers:</u> Brett Newman (Chief Executive Officer), (present till 6:40pm) Bryan Hynes (Executive Director, Property & Place) Michael Tzimoulas (Executive Director, Corporate Services) Paul Perrett (Chief Financial Officer) Bruce Ferguson (Risk & Audit Manager) Steven Unkovic (Coordinator Audit & Risk)	
<u>Guests</u>	Ali Amjad (NSW Audit Office) Nathan Carter (NSW Audit Office) Gavin Zimmerle (MPAC) Mark Griffiths (Partner, BDO – Internal Audit service provider)) Elizabeth Renneberg (IOSS)	
<u>Minutes Taker</u>	Vandana Saini	
<u>Apologies</u>	Nil	

1. Acknowledgment of Traditional Land Owners

The Chair acknowledged the traditional owners of the land of Parramatta.

2. Meeting Opening and Apologies

Nil

3. Declarations of Interest

There were no declarations of interest made at this meeting.

4. Minutes of Meetings held on 26 November 2020

The minutes of the 26 November 2020 were confirmed.

5. ARIC Annual Report

ARIC noted the tabled ARIC Annual Report 2020.

6. Matters Arising and Action Items from Minutes

ARIC provided their feedback on pending actions.

Action 40(a) & 41 – ICT Status Update

It was confirmed that CoP's Coordinator Internal Audit will be reviewing all ICT's long-term outstanding action items that have been recently closed to confirm that their closure was appropriate. This review will be provided to the ARIC at their meeting in May 2021.

Action 42 – IOSS Investigation – Code of Conduct

The CEO will brief the IOSS chair offline in a separate meeting.

Action 45 – Finance Committee / Quarterly Projection Reports

The attachment 4 was difficult to understand and Attachment 5 was not up to date.

Working with Children Check

Currently, Working with Children checks are maintained manually. An automated system through the HR system solutions will be implemented in the near future.

ARIC would like all the pending ICT action items be presented at May meeting. The Committee would like to finalise the action items before 4 August 2021 when Council goes into caretaker mode prior to the Council elections in September.

Recommendation:

1. The action items report should include owner of the action and the review dates of the action item.

Actions:

1. Mark Rugless, Head of IT, to provide ARIC with a briefing on the Cyber Security work program timeframe
2. Attachment 5 – Extreme and Significant Outstanding Audit Actions - to be updated and presented to ARIC at the next meeting.

7. Update on Parramatta Square

ARIC accepted and noted the report on Parramatta Square Projects.

Bryan Hynes presented an update on the status of the Parramatta Square project, with the following highlights:

3PS

- In Nov 2020, NAB issues an EOI to sub lease 5 floors (L9-13) with a total NLA of 14,500 sqm until 30 April 2032.

5PS

- A number of in-ground latent conditions have led to delays and additional costs.
- Delay circa 8 weeks. Current completion date still within strategic timeline of April 2022. Delay and costs agreed with Contractor.

- Current Contingency of \$2.6m remaining on project. The expectation is that further expenditure will be required to address finalisation of Security and Audio Visual design over and above current forecast.
- Basement structure in complete and above ground concrete structure works in progress. The full concrete structure and steel work will be completed by end of May 2021.
- A Councillor Advisory Group has been established to facilitate real time councillor feedback on developing design and business readiness planning.

6 & 8PS

- Construction of the 6 & 8PS basement car park is nearing completion.
- Concrete pour is up to L33 of the western core and the floor slab is up to L28.
- Installation of the façade panels is complete up to L17 and has commenced up to L21.

Public Domain

- 5PS forecourt / Digital Carpet concept currently being developed further. Media Architect has completed peer review of current scheme. A re-visioning workshop has been completed and updated concepts are being finalised ahead of a presentation to the 5/7 Parramatta Square Advisory Group.

Parramatta Square Risks – Extreme Significant

- Sydney Water have informed Council of an alleged breach of the 2007 Interface Agreement as a result of changes made to the traffic control plans, by Walkers' contractors
- 5PS interior is not confirmed in timely manner which will not allow it to be captured as part of builders contract

Aquatic and Leisure Centre Status

- Workshops organised for the Councillors and feedback will be compiled and recommendation to be presented at the Council meeting on 22 March 2021.
- Subject to Council's approval the project will commence on site in April. The project will remain on track to deliver in accordance with the program in Q2 2023.

8. Update on MPAC Activities

Gavin Zimmerle, ZSI Pty Ltd, Interim Chair of MPAC provided an update on MPAC Activities.

- Michael Filo has resigned as the MPAC Chair. The completion of Michael's term coincided with the review of MPAC Charter. MPAC is in the process of appointing a third member as per its Charter.
- MPAC has reviewed the tender process for the Aquatic and Leisure Centre and agrees with the choice of the preferred tenderer. MPAC believes Council conducted a fair process and will get reasonable value of money for the construction cost.
- MPAC had their quarterly meeting on 22 Feb 2021 where Council was presented with a detailed report on Parramatta Square Projects.

9. Annual Statistical Reporting

Elizabeth Renneberg (IOSS) gave a brief overview of Annual Statistical Reporting. Elizabeth explained that the Referrals were a combination of matters that are referred directly to Council or via the IOSS where:

- ICAC Referral to Council: matters that ICAC deemed were not serious or systemic in nature were not investigated These were referred back to Council to undertake an appropriate action that the Council thinks is fit.
- ICAC Section 11 Notification: allegations received directly by Council and referred to ICAC by the CEO (as required by the ICAC Act)
- Code of Conduct Referral to OLG: matters referred to the Office of Local Government such a pecuniary interest matters or other alleged breaches which could impact the integrity of the Code.
- Request to Lodge a Complaint is a Customer Service category that allows the public to lodge a complaint, which is then forwarded it to the relevant Council department for resolution.

ARIC discussed the complaints about Waste Contractors.

Actions:

3. Customer Service to review bundling of the two categories of Complaints – Request for an Internal Review & Request to Lodge a Complaint as it distracts the process of status of complaints and provide a response to ARIC.
4. Waste Services Team to explain ARIC
 - a. Are the number of Waste Contractor complaints are within the benchmark and industry tolerance?
 - b. Provide general briefing about performance of Waste Contractor and Council KPI's.

10. Internal Ombudsman Shared Service

ARIC received and noted the quarterly report from the IOSS.

Elizabeth Renneberg (IOSS) updated the Committee with the activities of IOSS.

- The split of activities for CoP by has remained largely consistent compared with previous quarters during the past calendar year. The highest monthly percentage of investigations as a percentage of total IOSS activities was during the months of Feb-April 2020 with 72% and the lowest was during the months of Nov – Dec 2020 with 51%.
- In terms of utilisation of services City of Parramatta has increased its use of the IOSS services to 27%, which is 2% higher than when last reported in November 2020.
- Since the last ARIC meeting, IOSS has brought a temporary Strategic Officer on board to assist with policy schedule reviews.
- In mid-February, IOSS held a shared governance and risk forum across the 3 Councils and is also commencing a forum relating to HR and IR in early April.
- Training was provided to Council's public interest disclosure officers who have obligations and responsibilities under the Public Interest Disclosure Act.
- A program is underway to explain the services of IOSS and the Public Interest Disclosure policy.

11. Update on James Hardie Legacy Program

The James Hardie Legacy Sites status update was taken as read.

12. Monthly Finance Report YTD December 2020

The Committee noted the Financial Performance Report YTD December 2020.

Michael Tzimoulas and Paul Perrett highlighted the key points:

- The revenue has been impacted by a drop in usage of the multilevel car parks due to COVID-19 pandemic but they are expected to improve in this year.
- Council's rate of return on investments have improved as equity markets return slowly.
- There are delays in costs such as maintenance costs.
- Council is forecasting an unrestricted cash deficit in line with full year budget.
- Finance Team is in the process of drafting the budget for 2021/22. There is a forecast of a decline in revenue affecting the cash position, and an increase in depreciation which will negatively impact Council's ability to budget a surplus in 2021-22.

13. Update from Audit Office

The Committee noted the Annual Engagement Plan from the Audit Office for the financial audit of Council's financial statements for the year ending 30 June 2021.

Nathan Carter provided a brief overview of the report. The scope and key issues in the engagement plan are:

- the audit of:
 - general purpose financial report;
 - special purpose financial statements; and
 - special schedule permissible income for general rates
- Revaluation of Infrastructure property, plan, and equipment (IPPE) – bridges and other structures;
- The assessment of issues and risks relating to major CAPEX projects such as Parramatta Square and Parramatta Light Rail will be the focus of Audit attention.
- Revenues and Leases standards.

Section 5 of the plan sets out the Audit timetable that was developed in conjunction with management and the ARIC meeting schedule.

It was noted that bridges and other structures are approximately 20% of the total IPPE class.

14. Report of Internal Audit Activities

Mark Griffiths updated the Committee on Internal Audit Activities.

The following internal audits are currently work in progress:

- Complaints Management – A draft report was provided to management on 15 February 2021.
- Voluntary Planning Agreements – Commenced in late September and currently awaiting key documentation from CoP Planning Department.
- Procurement and Contract Management (Trade and Facilities, Cleansing) – Commenced late January 2020. Interviews completed. Awaiting upon transaction data from Finance to undertake data analytics.
- Key Financial System Controls - Commenced late January 2020 with an expanded scope covering 5 key areas. Interviews all complete and detailed testing in progress. On track for completion by the end of Feb.

The Committee was updated on the outstanding external audit management letter recommendations. Council anticipates that most of these actions are complete but are waiting on confirmation from the Audit Office once the 2021/22 audit commences.

Recommendation:

Action Items and attachments related to the same be reported together.

15. Enterprise Risk Management Update

Bruce Ferguson updated the Committee that both Executive Team and wider Leadership team are engaged regularly to revisit and update the Strategic Risk Register, as well as Operational Risk Registers at the Business Unit Level.

16. Provision of Internal Audit Services by an External Provider

ARIC will be welcome to attend the Tender Evaluation Committee meetings as observers once dates have been finalised.

17. General Business

The Committee noted the tabled report from Corporate Services.

The Committee appreciated the report and highlighted extension of MyCareer mid-year performance reviews and overdue mandatory training.

Michael Tzimoulas provided the reasons due to which the Performance Reviews were extended and training were not completed focussing on completing both 100%. The Committee was satisfied with the response.

Next Meeting: 25 May 2021

Meeting Closed: 8:07pm

FAIR

ITEM NUMBER	12.2
SUBJECT	FOR APPROVAL: Council Policies for Adoption
REFERENCE	F2021/00521 - D07779097
REPORT OF	Governance Manager

PURPOSE:

The purpose of this report is to seek Council approval to adopt a range of policies that have recently been reviewed and considered by the Policy Advisory Committee.

RECOMMENDATION

That Council approve the following policies:

- Governance Framework (at Attachment 1);
- Fraud and Corruption Prevention Policy (at Attachment 2);
- Complaints Handling Policy (at Attachment 3);
- Gifts and Benefits Policy (at Attachment 4);
- Affixing the Council Seal Policy (at Attachment 5);
- Webcasting Policy (at Attachment 6);
- Business Ethics Policy (at Attachment 7);
- Public Interest Disclosures (at Attachment 8);
- Councillors Workshop & Briefing Policy (at Attachment 9);
- Legislative Compliance Policy (at Attachment 10).

BACKGROUND

1. Council, at its meeting of 27 February 2021, resolved to establish a Policy Advisory Committee (PAC) to review all or any associated policies of the Council. The policies that were listed for consideration at the Council Meeting of 22 February 2021 include:
 - Governance Framework;
 - Complaints Handling Policy;
 - Fraud & Corruption Prevention Policy;
 - Gifts and Benefits Policy;
 - Interaction between Councillors and Staff Policy;
 - Public Interest Disclosures Policy; and
 - Statement of Business Ethics.
2. The Webcasting Policy and Affixing the Council Seal Policy were reported to Council on 30 November 2020. Councillors requested further information and provided feedback at that Council Meeting and the policies were referred to the PAC for further consideration and recommendation for approval.

ISSUES/OPTIONS/CONSEQUENCES

3. The PAC has met on three occasions to review various policies. These meetings took place on 16 March, 22 April 2021 and 31 May 2021. The policies that were the subject of review at those meetings were:

Date	Policy
16 March 2021	Governance Framework

	Complaints Handling Policy Fraud & Corruption Prevention Policy Gifts and Benefits Policy
22 April 2021	Interaction between Councillors & Staff Policy Public Interest Disclosures Policy Business Ethics Policy Councillor Workshop & Briefing Policy Affixing the Council Seal Policy Webcasting Policy
31 May 2021	Public Interest Disclosures Policy Councillors Workshop & Briefing Policy Interaction between Councillor and Staff Policy Legislative Compliance Policy Councillor Facilities and Expenses Policy

4. The PAC have confirmed the following policies are ready for Council consideration and approval. A summary of the recommended policies and their changes are set out below:

Governance Framework

5. The Governance Framework has been revised to include the following:
- Update to the definition of good governance;
 - Removal of repetition details under Introduction and Governance Framework;
 - Update of management and oversight to align with Council's current organisation structure;
 - Clarification of decision making roles;
 - Inclusion of IOSS, ARIC and an updated list of Committees;
 - Strengthening of the ethical framework documentation;
 - Inclusion of remuneration for Councillors into the Governance Framework;
 - General formatting, grammatical and editing amendments, including layout of document, capitalization of Councillors, Council and Code.
6. A copy of the Governance Framework can be found at Attachment 1.

Complaints Handling Policy

7. The Complaints Handling Policy has been revised to include the following:
- Removal of repetition clauses and clarification provided under policy purpose;
 - Addition of provision of sufficient information and privacy concerns to align with privacy practices;
 - Clarification of what is a complaint;
 - Clarification of what is not a complaint;
 - Consistency applied to how Tier 1, Tier 2 and Tier 3 complaints will be managed;
 - Addition of provisions on how complaints involving children will be managed;
 - Inclusion of the IOSS to manage unreasonable complainant conduct;
 - General formatting, grammatical and editing amendments, including layout of document, capitalization of Councillors, Council and Code.

8. A copy of the Complaints Handling Policy can be found at Attachment 2.

Fraud & Corruption Prevention Policy

9. The Fraud & Corruption Prevention Policy has been revised to include the following:
- Strengthening of the policy purpose to demonstrate Council's commitment to zero tolerance on fraud and corrupt behaviour;
 - Update provided on how and who reports are to be made;
 - Addition of IOSS as PID Coordinator and Code of Conduct Complaints Coordinator;
 - Inclusion of relevant training provided to Councillors and staff;
 - Update to related documents and definitions;
 - General formatting, grammatical and editing amendments, including layout of document, capitalization of Councillors, Council and Code.
10. A copy of the Fraud & Corruption Prevention Policy can be found at Attachment 3.

Gifts and Benefits Policy

11. The Gifts and Benefits Policy has been revised to include the following:
- Update on how Council defines Council officials;
 - Inclusion of Code of Conduct on the basis for standards of expected behaviour;
 - Policy updated to align with the Code;
 - Inclusion of additional statement regarding gifts from suppliers, customers, etc to clarify perception of gifts in these circumstances;
 - Token value of gifts increased from \$50 to \$100 to align with the Code of Conduct;
 - Reference to include local clubs and changes to order of paragraphs on official ceremonial gifts and goodwill to align with the Code;
 - General formatting, grammatical and editing amendments, including layout of document, capitalization of Councillors, Council and Code.
12. A copy of the Gifts and Benefits Policy can be found at Attachment 4.

Affixing the Council Seal Policy (New Policy)

13. The Affixing the Council Seal Policy is reflective of clause 400 in the *Local Government (General) Regulation 2005*. This clause sets out:
- 13.1. That the Council Seal must be kept by the Lord Mayor or the Chief Executive Officer.
- 13.2. That the Council Seal may be affixed to a document only in the presence of
- (a) the Lord Mayor and the Chief Executive Officer, or
 - (b) at least one councillor (other than the Lord Mayor) and the Chief Executive Officer, or
 - (c) the Lord Mayor and at least one other councillor, or
 - (d) at least 2 councillors other than the Lord Mayor.

- 13.3. The affixing of the Council Seal to a document has no effect unless the persons who were present when the Council Seal was affixed (being persons referred to in clause 8.2) attest by their signatures that the Council Seal was affixed in their presence.
- 13.4. The Council Seal must not be affixed to a document unless the document relates to the business of Council and Council has resolved (by resolution specifically referring to the document) that the Council Seal be so affixed.
- 13.5. For the purposes of clause 8.4, a document in the nature of a reference or certificate of service for an employee of Council does not relate to the business of Council.
14. The adoption of an Affixing the Council Seal Policy provides a basis for Council and staff to remain legislatively compliant and aware of who and in what circumstances the Council Seal can be used.
15. A copy of the Affixing the Council Seal Policy can be found at Attachment 5.

Webcasting Policy (New Policy)

16. The Webcasting Policy is reflective of the Model Code of Meeting Practice 2018 mandatory provision that Council Meetings and any other Committee of Council which consists only of Councillors be webcast to the public and available on Council's website for a minimum of twelve (12) months.
17. The Webcasting Policy includes feedback from Councillors to provide that recordings of Council Meetings be made available for a minimum of two (2) years, but for the term of Council.
18. The Webcasting Policy ensures that Council is aware of its obligations to webcast these meetings and provides clear instruction on how this will occur, allowing Council and Council staff to remain compliant with this legislative requirement.
19. In the absence of a Webcasting Policy, it can be unclear for both staff and the public on which meetings webcasting is applicable and how recordings of such meetings will be made available.
20. At the Council Meeting of 30 November 2020, Councillors requested the following additional information which is provided below:
- a. Financial and technical implications of making Council meeting webcasts available on the website to the public;
 - b. Advice on how members of the public can receive webcasts that are not available on the website; and
 - c. The number of views that Council meeting webcasts have received over the last 24 months.

Financial and Technical Implications

21. Council has engaged an external provider (InterStream) to provide the equipment, store and manage webcasts of Council Meetings at a cost of \$31,585 per annum. This cost includes equipment hire and cloud based

storage of Council (and LPP) meeting webcasts. The terms of the agreement to supply webcasting hosting services include:

- a. Retention of webcasting recordings for up to four (4) years or as requested (from the date of the respective Council Meeting recording) (which is aligned to Council's policy);
 - b. A month to month basis;
 - c. The external provider to host the media (estimated up to 300GB/month);
 - d. The archived data storage infrastructure resides within Australia.
22. The cost is currently provided for within Council's existing operational budget. Webcasts of Council meetings are currently available from this website from 2017 to date.
23. An average size of the webcast files can be found in the table below:

Date / Year	# of Files	Total Size	Average Size
2017	22	6.9gb	330mb
2018	24	11.7gb	488mb
2019	29	10.9gb	379mb
2020	22	13.1gb	599mb

State Records Act 1998

24. The Guideline released by the Office of Local Government provides a 12 month minimum period for Councils to make available webcasts of Council Meetings on the website, to provide a consistent approach across the industry.
25. The draft Policy refers to the timing of webcasts being made available on Council's website. It does not refer to the retention of records under the State Records Act 1998 (State Records Act).
26. The retention of webcast recordings of Council and Committee meetings are captured by the State Records Act 1998 (State Records Act) which identifies webcast recordings as a '*record relating to administrative arrangements for meetings*' which allows Councils to retain webcast recordings until their administrative or reference use ceases. After this time, the record may be disposed.
27. Although the State Records Act does not prohibit Council's from disposing the webcast of Council Meetings, Council does not dispose of the record and will retain the record for a further five (5) years.

Public access to Council Meeting webcasts that are removed from the website

28. Council information, including webcasts of Council Meetings, can be made available under the Government Information (Public Access) Act 1993 (GIPA Act). In accordance with the GIPA Act, webcasts of Council Meetings may be provided under proactive release free of charge, following the normal GIPA application processes.

History of Council Meeting Webcast Views

29. The table below outlines statistical information on views of Council Meeting webcasts from May 2018 to November 2020:

	# of Views 18/19	# Council Meetings during period	Avg Time 18/19	Avg Views per webcast recording	# of Views 19/20	# Council Meetings during period	Avg Time 19/20	Avg Views per webcast recording	# of Views 20/21 YTD	# Council Meetings during period	Avg Time 20/21	Avg Views per webcast recording
Real time Council page views (ie, tune in on Monday evening)	3,950	31	2 mins 09	127	3,495	23	4 mins 57	152	1,806	12	5 mins 50	151
Archive views driven by Facebook	24		3 mins	1	27		0 mins 37	1	148		1 min 27	12
Archive views where user went directly to website to view	4,316		2 mins 27	139	1,888		2 mins 25	82	971		1 min 52	81
Archive views where user has found the content via Google Search	119		1 min 02	4	65		2 mins 09	3	36		4 mins 29	3
Total Views	8,409				5,475				2,961			

The above figures cannot differentiate between public or staff access to Council Meeting webcasts

Notes:

- Real Time Council page views = represents the total number of views of live streamed Council Meeting webcasts on a **Monday** night.
- Archive views driven by Facebook = represents views of the Council webcast attributable to Facebook promotion of Council Meetings. Most have low view times as the user may not have found what they were looking for.
- Archive views where user went directly to website to view = represents views of Council Meeting archived webcasts that people have navigated to on their own (not driven by promotion).
- Archive views where user has found the content via Google search = represents views of Council Meeting archived webcasts that people have come to via a Google search.

30. A copy of the Webcasting Policy can be found at Attachment 6.

Business Ethics Policy

31. The Business Ethics Policy has been revised to include the following:
- Inclusion of key business principles;
 - Updated to provide clear expectations to those businesses who work with Council;
 - Minor administrative updates to outline clear consequences of non-compliance;
 - Updated with current contact information;
 - Updated to reference sponsorships will be undertaken in accordance with Council's adopted Sponsorship and Donations Policy;
 - Updated to provide specific contact details of Council's public officer;
 - General formatting, grammatical and editing amendments, including layout of document, capitalization of Councillors, Council and Code.
32. The PAC recommended the name be changed to reflect a Policy.
33. A copy of the Business Ethics Policy can be found at Attachment 7.

Public Interest Disclosures Policy

34. The Public Interest Disclosures Policy has been revised to include the following:
- The Parramatta LPP, ARIC and other advisory committees;
 - Strengthened Council's commitment to zero tolerance on fraud and corrupt behaviour;
 - Council's support and encouragement for staff to report wrongdoings and outline the protections of the PID Act;
 - Clarity on what can be reported under the PID Act;
 - Clarity on what may be seen as a breach of the GIPA Act;
 - Clarity on the protections provided to disclosures made under the PID Act;
 - The current roles of key persons within Council responsible for PID;
 - When acknowledgements of PID disclosures will be made;
 - Current organisation structure
 - All relevant investigating authorities;
 - When acknowledgements of PID disclosures will be made;
 - General formatting, grammatical and editing amendments, including layout of document, capitalization of Councillors, Council and Code.
35. A copy of the Public Interest Disclosures Policy can be found at Attachment 8.

Councillors Workshop & Briefing Policy

36. The Councillors Workshop & Briefing Policy has been revised to include the following:
- Provisions on respect;
 - Provisions for declaring conflicts of interests;
 - Provisions for Chairing Workshops and Briefings;
 - Minimum number of Councillors for a quorum;
 - Provisions for remote attendance;
 - Provisions for catering;
 - Streamlined / simplified procedure on calling Workshops and Briefings.
37. A copy of the Councillors Workshop & Briefing Policy can be found at Attachment 9.

Legislative Compliance Policy

38. The Legislative Compliance Policy is a new policy that has been developed in response to the NSW Audit Office final management letter of 30 June 2018. The requirement for a policy was further reinforced by the Internal Audit Report – Legislative and Regulatory Compliance Report (May 2019) which stated:

"There is an absence of a formal Compliance Policy and Framework that document and guide Department Managers and their staff; with regard to the Council's expectations in the management of compliance obligations; this is despite the fact that Legislative and Regulatory Compliance is acknowledged as a Key Strategic Risk."

39. The report went on to recommend:

“R1. In line with better practice, a Compliance Policy and Framework document should be formalised and adopted by Council.”

40. The Policy has been developed to set in place Council’s commitment to a culture of compliance in line with the principles based on the Australian Standards AS/ISO 19600: 2015 Compliance Management Systems – Guidelines and Council’s Governance Framework.
41. A copy of the Legislative Compliance Policy can be found at Attachment 10.
42. Further reviews are being undertaken of the remaining policies listed above, and they will be presented to Council for consideration and approval prior to the end of the Council term.
43. Various Council business units are continuing to review and update policies and these policies will be brought to the PAC for consideration and recommendation to Council for approval in due course.

CONSULTATION & TIMING

Stakeholder Consultation

44. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
21 May 2020 and 25 June 2020	In-house Legal	Minor drafting and comments provided for both policies	Drafting and comments addressed in final versions	Governance
	Communications Team	No changes received	N/A	Governance
3 September 2020	Leadership Team	Questions on ICT role in webcasting requirements and implications of webcasting policy on current committees were asked.	Questions were answered.	Governance
21 September 2020	Executive Team	Approval received from all ET	N/A	Governance

Councillor Consultation

45. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
30 November 2020	Council meeting feedback	Increase retention of webcasts of Council Meetings to a minimum of two	Incorporated into the Webcasting Policy	Governance

16 March 2021	from Councillors Policy Advisory Committee Meeting	(2) years, but for the term of Council Feedback on the various policies provided for report back to the next meeting	Comments and amendments have been incorporated into the policies	Governance
22 April 2021	Policy Advisory Committee Meeting	Feedback on the various policies provided and policies now recommended to be reported to Council for approval	Noted	Governance
31 May 2021	Policy Advisory Committee Meeting	Feedback on the various policies provided and policies now recommended to be reported to Council for approval	Noted	Governance

FINANCIAL IMPLICATION FOR COUNCIL

46. There are no financial implications for Council to approve new policies.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil			
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil			
Funding Source				

Patricia Krzeminski
Governance Manager

Paul Perrett
Chief Financial Officer

Michael Tzimoulas
Executive Director Corporate Services

Brett Newman
Chief Executive Officer

ATTACHMENTS:

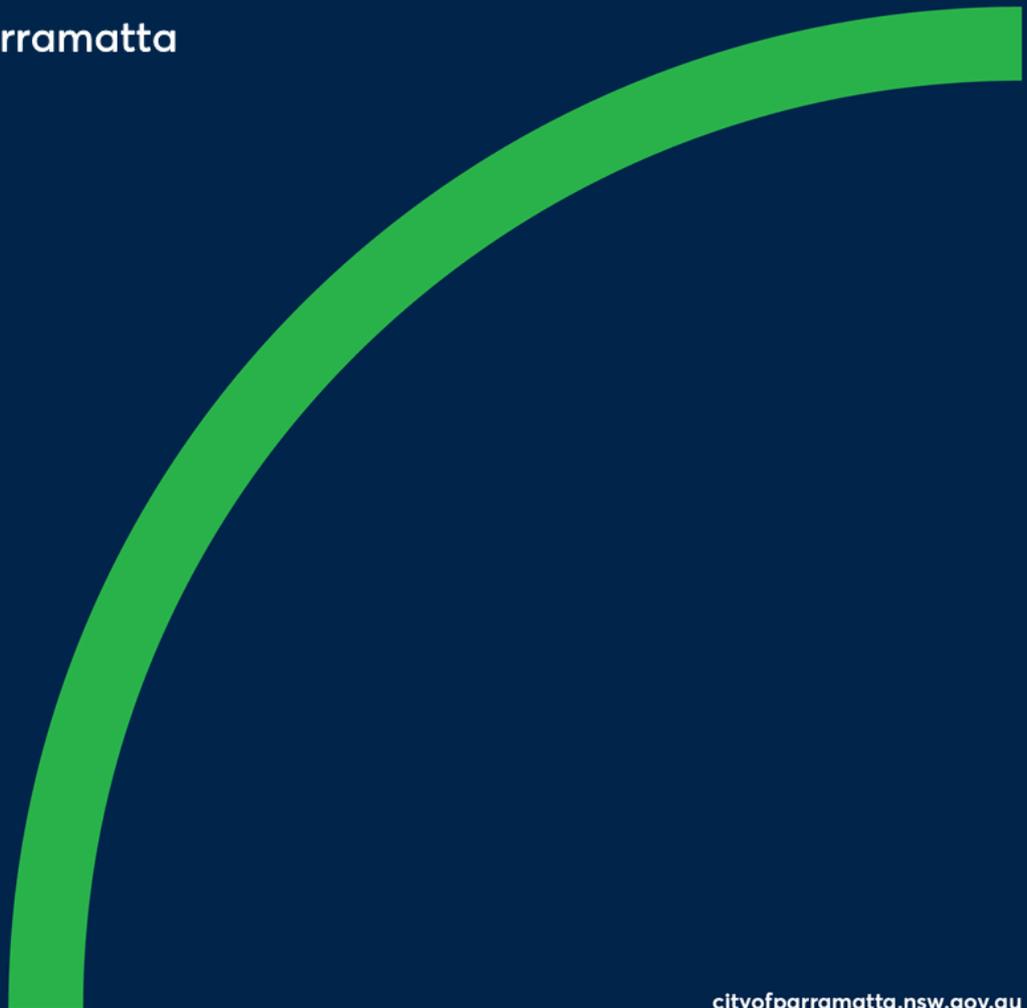
1	Governance Framework	16 Pages
2	Fraud & Corruption Prevention Policy	9 Pages
3	Complaints Handling Policy	13 Pages
4	Gifts and Benefits Policy	13 Pages
5	Affixing the Council Seal Policy	3 Pages
6	Webcasting Policy	4 Pages
7	Business Ethics Policy	10 Pages
8	Public Interest Disclosures Policy	23 Pages
9	Councillors Workshop & Briefing Policy	6 Pages
10	Legislative Compliance Policy	13 Pages

REFERENCE MATERIAL



GOVERNANCE FRAMEWORK

City of Parramatta
[Date]



cityofparramatta.nsw.gov.au

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| [Date]

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1. The Governance Framework

1.1. Governance Defined

Purpose

This Governance Framework has been prepared to ensure our compliance with all relevant legislation including the *Local Government Act 1993 (the Act)* and the pursuit of best practice as a democratic local government.

This Framework is an overview of the Governance program that has been put in place so that Council officials can meet their Governance responsibilities. It also enables our community and stakeholders to have an understanding of the Governance Framework and demonstrates how all people associated with City of Parramatta Council (Council) can participate.

What is Governance?

Governance is the act of governing. It encompasses all the relevant legislation, regulations, policies, procedures, guidance, systems, rules and processes for making and implementing decisions, that define expectations, delegates and grants powers or outlines expectations of performance. Governance is how Council ensures and enhances good Governance principles throughout our organisation, in order to maintain the trust and confidence of the community.

What is good Governance?

Good Governance relates to processes and behaviours essential for Council to achieve its intended purpose, and conforms by complying with all relevant laws, codes and directions while meeting community expectations of probity, accountability and transparency.

It impacts on all sectors of our community and the practice of good Governance is considered critical in ensuring that:

- Council meets its ethical and legal obligations
- Council establishes and maintains confidence and trust in carrying out its functions
- Council makes decisions that are consultative and are in the best interests of all stakeholders
- Council provides transparency and accountability for all its actions
- Council reviews and improves the services provided to the community.

It is defined by the following principles:

Good Governance is accountable:

Accountability is vital. Council has an obligation to report, explain and be answerable for the consequences of decisions we have made on behalf of our community.

Good Governance is transparent:

The Community and stakeholders should be able to follow and understand our decision-making process. This means they will be able to clearly see how and why a decision was made, what information, advice and consultation Council considered, and which legislative requirements (when relevant) Council followed.

Good Governance follows the rule of law:

This means that decisions are consistent with relevant legislation or common law and are within the powers of Council.

Good Governance is responsive

Council should always try to serve the needs of the entire community while balancing conflicting interests in an appropriate, timely and responsive manner.

Good Governance is equitable and inclusive

Our community's wellbeing derives from the community's satisfaction that Council has considered their interests in the decision-making process. This means that all groups, particularly the most vulnerable, should have opportunities to participate in the process.

Good Governance is effective, efficient and sustainable

Council should implement decisions and follow processes that make the best use of available staff, resources and time, to ensure the best possible results for our community.

Good Governance is participatory

Anyone affected by or interested in a decision, should have an opportunity to participate in the process for making that decision, whether this is by being provided with information, or consultation to provide them with opportunity to give their opinion or recommendations.

Why is good Governance important to the Council?

- It underpins the confidence that the community has in Council and its services
- It affects the quality of our outputs – goods, services and programs
- It is a value adding activity in that it affects the effectiveness and efficiency of goods, services, and programs
- It ensures that the Council meets its legislative responsibilities
- It is a strong reminder to the Council that it is ultimately accountable to the community it serves

Good Governance must be accompanied by a good Governance culture therefore making it necessary that the attitudes, values, beliefs and behaviours of Council's Leaders must support good Governance. This will result in the Council, the Chief Executive Officer, Employees and the Community being confident that our organisation is being run efficiently, is sustainable and is carrying out the objectives, policies and plans of Council.

1.2 Introduction

Local governments are experiencing increasing scrutiny of their operations and activities, creating a need for full and open disclosure of their Governance systems. We must consider the principles of key stakeholder rights, risk management, corporate reporting and disclosure to develop suitable Governance frameworks that ensure effective, transparent and sustainable administration of the Council's affairs.

The Audit Office of NSW Governance Framework

The Audit Office of NSW provides a strong framework which Council has chosen to adopt as its framework. The framework is set across 8 key principles and 17 components that underpins Good Governance and promotes public confidence.

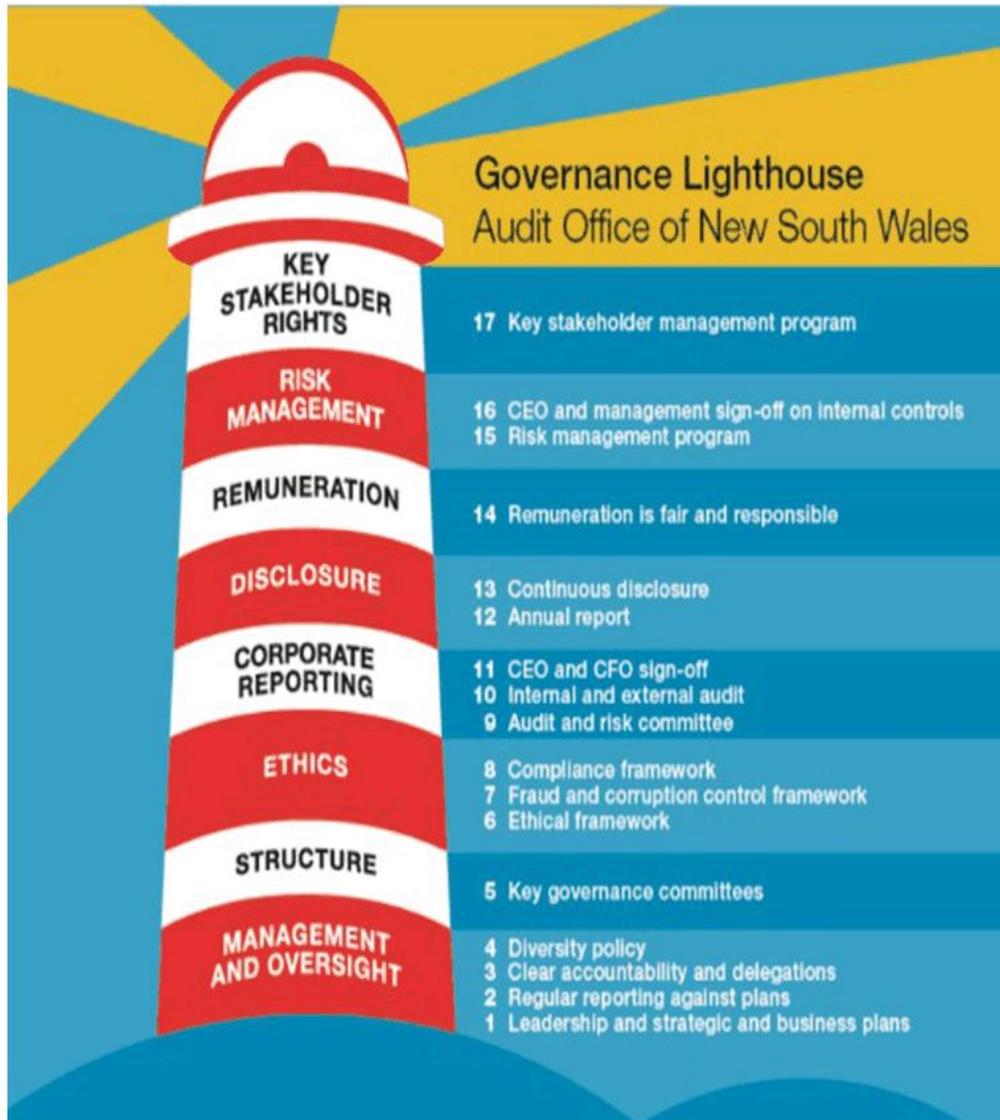


Figure 1

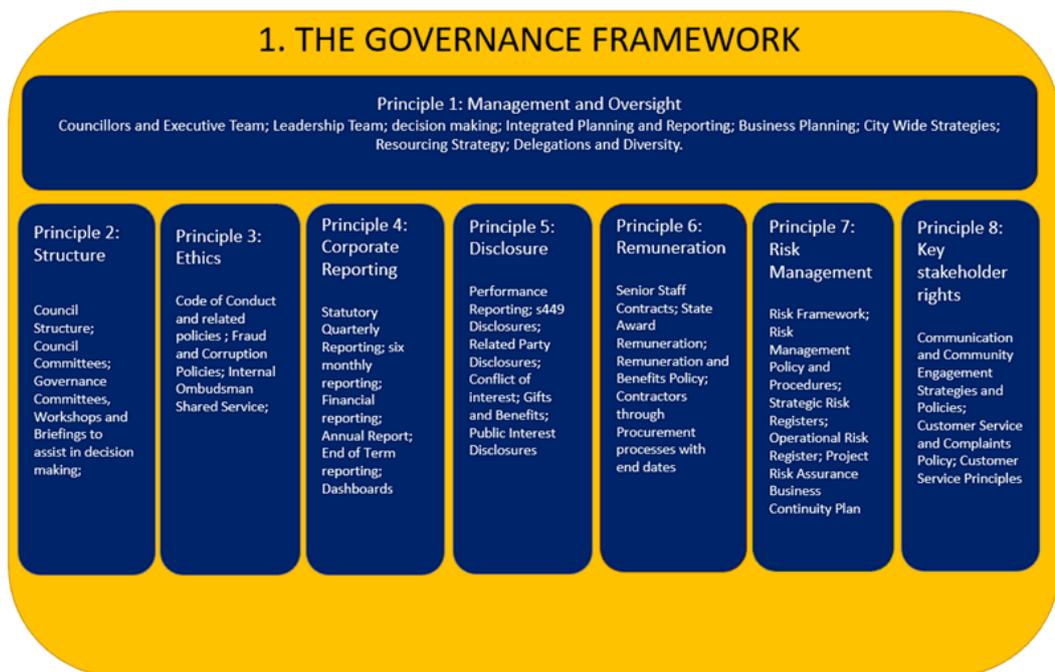
Governance Lighthouse - Audit Office of New South Wales

2. Our Governance Framework in Action

Council is a dynamic organisation providing many different services to residents of the Parramatta Local Government Area. It is important to view our day to day activities through the lens of good Governance by recognising different activities, policies, procedures and frameworks provide opportunity to demonstrate strong Governance and leadership in facilitating good decision making and management.

Governance should be recognised through the implementation of processes and procedures that demonstrate transparency and accountability. Governance is accompanied by a good Governance culture whereby attitudes, values, beliefs and behaviours of leaders must set the standard and be reflected in roles and responsibilities.

Council's Governance Framework is summarised in Figure 2 below:



2.1. Our Culture and Corporate Values

Good Governance is reflected in the values and behaviours of Council. Our corporate values guide our behaviours. All staff are encouraged to keep these values "front of mind" in all dealings with our customers, partners and their fellow workers.

Our Values	Our Behaviour
Integrity	We deliver on promises We act ethically We take responsibility for our actions and speak up respectfully
Customer Focus	We communicate openly with our customers We are responsive to customer needs and create new relationships as our City grows
Teamwork	We support the roles of leadership We collaborate within and across our teams We build effective partnerships with colleagues and our community to achieve our goals
Innovation	We build on our strengths We champion creative solutions We seek new and sustainable ways to deliver superior outcomes

2.2. City of Parramatta Governance Framework

Council's Governance Framework aims to provide proper and democratic government, to the residents, ratepayers, commercial, business, visitors and workers who interact with our Local Government Area.

The benefits to the organisation that derive from a robust Governance framework in local government includes:

- Providing clear guidelines for the role of the Council, Councillors and the CEO (General Manager), ensuring that all responsibilities are properly allocated and performance expectations are understood
- Assisting Council and the CEO (General Manager) in delivering good Governance
- Ensuring Council's legislative compliance obligations are met
- Setting robust and clear delegations
- Influencing processes that set clear guidelines for planning at all levels
- Acting as a point of reference for disputes
- Providing a guide for inductions for newly elected members and employees.

The Framework provides guidance on processes associated with decision making by which the City is directed, controlled and held to account. For the organisation to demonstrate good Governance, there needs to be a clear understanding about responsibility and accountability.

Principle 1: Management and Oversight

Leadership

Council is governed by fifteen (15) Councillors, including the Lord Mayor that represent the various wards of the Council. Currently, Council is divided into five (5) wards being Dundas, Epping, North Rocks, Parramatta and Rosehill. The role of the Lord Mayor is prescribed in Section 226 of the NSW Local Government Act 1993 (the Act). The Lord Mayor is elected by his / her peers and serves for a period of two (2) years. The role of the Councillors is prescribed in Section 232 of the Act and Councillors hold office for a period of four (4) years.

Section 335 of the Act recognises the functions and role of the General Manager. Within the City of Parramatta Council, the General Manager is known as the Chief Executive Officer (CEO). The CEO is employed under a performance based contract over an agreed period which ranges between 1 – 5 years. Other Senior Roles within Council are also subject to performance based contracts including the Executive Director, City Engagement and Experience, Executive Director, City Assets & Operations, Executive Director, Corporate Services, Executive Director, Community Services, Executive Director, Property & Place and Executive Director, City Planning & Design. These positions make up the Executive Team.

The principles of Section 8 of the Act provide guidance "to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous".

As provided in the Act, the Guiding Principles for Councils are as follows:

1. Exercise of General Functions
 - a) Councils should provide strong and effective representation, leadership, planning and decision making,
 - b) Council should carry out functions in a way that provides the best possible value for residents and ratepayers,
 - c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community,
 - d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements,
 - e) Council should work co-operatively with other councils and the State Government to achieve desired outcomes for the local community.
 - f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way
 - g) Councils should work with others to secure appropriate services for local community needs,
 - h) Councils should act fairly, ethically and without bias in the interests of the local community.
 - i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.
2. Decision – making
 - a) Councils should engage in good decision making, with fair and reasonable decisions, in accordance with relevant legislation;
 - b) Councils should consider natural justice and procedural fairness principles;
 - c) Council decision-making should be transparent and decision-makers are to be accountable for decision and omissions;

- d) Councils should recognise the range of relevant stakeholders and the diverse local community needs and interests;
- e) Councils should consider social justice principles;
- f) Councils should consider the long term and cumulative effects of actions on future generations;
- g) Councils should consider the principles of ecologically sustainable development.

3. Community Participation

Councils should actively engage with their local communities, through a diverse range of engagement strategies and the use of the integrated planning and reporting framework which requires all NSW Councils to develop a Community Participation or Engagement Strategy.

Strategic and business plans

Council implements the Management and Oversight Governance Principle through its various plans, policies and delegations.

The main suite of strategic planning is included within the Integrated Planning and Reporting Framework. This legislated framework is designed to bring long term financial sustainability, asset management, community engagement and organisational planning together to better inform decision making and achieve the Community's desired outcomes.

The Community Strategic Plan is the highest strategic plan, developed by Council on behalf of the Community and its stakeholders. In response to the Community Strategic Plan, Council implements a Delivery Program and Operational Plan that aligns with all programs, projects and services to meet the needs identified by the Community.

Council's Delivery Program is supported by the Resourcing Strategy. It is through the Delivery Program that we identify those activities Council is responsible for. The Resourcing Strategy includes the Long Term Financial Plan, Asset Management Strategy, Information Technology (IT) Strategy and Workforce Strategy.

Council also has a number of other Plans and Strategies used to assist in the decision making process of Council including the Community Engagement Strategy, Culture and our City, Disability Inclusion Action Plan, Economic Development Plan, Environmental Sustainability Strategy, Reconciliation Action Plan, Socially Sustainable Parramatta Framework, Transport Planning, Parramatta Bike Plan, Parramatta Ways Walking Strategy and Integrated Transport Plan. Copies of all documents are provided on Council's Website.

Council endorses the Community Strategic Plan on behalf of the community and adopts the Delivery Program and Operational Plan. The CEO, Executive Team and Leadership Team are responsible for the implementation of the programs, projects and services within these Plans and are accountable to the Council and the Community.

Business Units are responsible for addressing resourcing requirement for the Operational Plan reflected in their Business Plans and staff work plans to ensure that projects, services, activities and programs are completed within agreed timeframes and budget.

Regular reporting against plans

Council conducts regular reporting on the performance of its plans which are public documents and available on the Council Website. Reporting includes quarterly reporting against the Budget and Operational Plan, six monthly reporting against the Delivery Program and the Annual Report which summarises both operational and statutory activities on a yearly basis. Further to this, at the end of each term of Council, the End of Term Report is tabled at the last meeting of the outgoing Council reporting on the outcomes of the Community Strategic Plan. Other than the Annual Report, all other Reporting documents are resolved by the elected Council and are publicly available. Further, the CEO and Executive Team undergo performance reviews and there is a clear division of responsibilities

between the CEO and the Elected Council.

Clear accountability and delegations

Council has many powers and duties which are governed by legislation. Council's Delegation Policy provides the principles by which delegations from the Council and CEO will be determined and enacted. These are exercised within the framework of legislation, policy and procedures. The policy is supported by the delegations register.

As outlined in the Delegations Policy, Council will delegate to the CEO those functions and powers it deems fit in accordance with Part 3, Section 377 of the Act. In turn the CEO then delegates to specified positions to undertake various duties and exercise powers in accordance with legislation. The Delegation of Authority is the mechanism by which Council enables officers to act on its behalf. The delegations register is reviewed within 12 months of every Local Government Election in accordance with s380 of the Act.

Council separates its regulatory and planning functions appropriately between the Corporate Services Directorate, City Assets & Operations Directorate and City Planning & Design Directorate.

Equal Employment Opportunity Policy

In accordance with s333 of the Act, Council must review the organisational structure within its first 12 months in office. Following the review, the organisational structure is adopted in accordance with legislative requirements, which then guides the roles and responsibilities across the organisation.

Council has a robust induction and on boarding framework that assists new starters transitioning into working with Council with a focus on standard operating policies, procedures and general knowledge areas.

Staff are provided with ongoing education and training opportunities to support their role in Council. Council also offers career development and performance management through its MyCareer performance management system.

Council has an Equal Employment Opportunity Policy and diversity is considered and reflected in all recruitment and selection processes amongst other areas of Council's business. Council employs a Diversity and Inclusion Consultant within the Human Resources Team who reports directly to the Chief People & Culture Officer.

Principle 2: Structure and Key Governance Committees

Council implements the structure Governance principle through its various meetings and decision making forums including Council Meetings, Committee Meetings, Workshops and Briefings.

As elected members, Councillors attend Council Meetings twice monthly with a set agenda and business paper. The management of the Council meetings is dictated by a Code of Meeting Practice which is reviewed, exhibited to the community and adopted by Council. The current Code provides guidelines on the meeting processes and rules for Council.

Council is also a member of the Internal Ombudsman Shared Service (IOSS), along with Cumberland and Inner West Councils. The IOSS provides residents, community members, ratepayers, local businesses, Council officials and other Council stakeholders with an "independent ear" regarding complaints about administrative conduct, unethical behaviour by Council, corrupt conduct, misconduct or maladministration. The service also assists Council with policy development and review and training in relation to good governance and administrative conduct.

Council facilitates a number of internal committees and Councillors are members of a number of internal and external committees (outlined below). All Committees have well-defined and clear terms of reference with identified Chairs who are independent of management. All Committees have detailed meeting procedures including the taking and subsequent adoption of minutes both at the meeting.

Council's internal committees include:

- 5/7 Parramatta Square Advisory Group
- Aboriginal and Torres Strait Islander Advisory Committee
- Access Advisory Committee
- Audit Risk and Improvement Committee
- Australia Day Awards Judging Panel
- Councillor Grants Committee
- Finance Committee
- Heritage Advisory Committee
- Local Planning Panel
- Major Projects Advisory Committee
- Parramatta Cycleways Advisory Committee
- Parramatta Floodplain Risk Management Committee
- Parramatta Light Rail Community and Business Advisory Committee
- Parramatta Smart City Connect Advisory Committee
- Parramatta Traffic Committee
- Parramatta Traffic Engineering Advisory Group
- Policy Advisory Committee
- Project Review Committee
- Riverside Theatres Advisory Board
- And any other Committee as resolved by Council from time to time.

Council's external committees include:

- Greater Western Sydney Local Land Service Local Government Advisory Group
- NSW Public Libraries Association
- Parramatta River Catchment Group
- Civic Risk Mutual
- Western Sydney Academy of Sport

Council's Audit, Risk and Improvement Committee (ARIC) is established to promote good corporate governance by providing independent objective assurance and assistance to Council on compliance, risk management, fraud control, financial management, governance, implementation of strategic plan, delivery program and strategies, service reviews and any other matters prescribed by the Regulations. The ARIC is independently Chaired and acts in accordance with its Charter, including review and endorsement of Council's internal audit program. The ARIC can speak directly with the Internal Audit Provider, and can do so without management present if desired. Council employs an Internal Audit Coordinator to oversee and coordinate Council's audit functions internally as a support to both the contracted Internal Auditor and the External Auditor. The Committee has full access to the information it requires. Council's External Auditors are the Audit Office of NSW.

Council holds workshops and briefings on different topics between Council meetings. These are designed to provide Council with information on matters of significant importance and interest that

assist in decision making.

The Executive Team meet with the Lord Mayor to assist in the management of strategic significant issues and representation relating to Council. The Executive Team meets as an independent group to ensure that they are achieving against organisational outcomes and advising the CEO as required. The Leadership Team (Executive Team and Business Unit Managers) hold a monthly meeting as an extended team for the purpose of shared management of operational matters. The Executive Team also hold weekly cascade meetings with their Business Unit Managers in relation to organisational and directorate issues. It is then the responsibility of the Business Unit Managers to cascade information to their extended teams.

Principle 3: Ethical Framework

Council implements the ethics Governance principle through the Code of Conduct Framework.

All key policies are considered and resolved by the elected Council and in some instances, subject to public exhibition prior to approval.

The Code of Conduct Framework includes:

- Code of Conduct (which includes Conflict of Interests) and the Procedures for the Administration of the Model Code of Conduct;
- Gifts and Benefits Declarations;
- Fraud and Corruption Policy;
- Complaints Handling Policy;
- Interaction Between Councillors and Staff;
- Statement of Business Ethics.

Other key policies include the Access to Information Policy, Privacy Management Plan and Councillor Expenses and Facilities Policy.

Any alleged breaches of these Policies are managed in accordance with the adopted Code of Conduct and the Procedures for the Administration of the Model Code of Conduct and the relevant Award Provisions.

Council's Internal Audit program has a critical role in ensuring compliance with relevant legislation and regulations.

Council's Complaints Policy refers to Tier 2 complaints as a reference point for a referral to the IOSS. Tier 2 reports deal directly with the internal review of complaints and/or complaint handling which may require further investigation of issues raised. The Internal Ombudsman undertakes the delegated functions of the Code of Conduct Complaints Coordinator and the Public Interest Disclosures Complaints Coordinator.

Council's Corporate Services Directorate Governance (Risk Management, Internal Audit, Investigations and Probity, Policy and Delegations) provide an overarching range of services that help Council to maintain its compliance obligations.

Principle 4: Corporate Reporting

Council adapts the Corporate Reporting principle through a number of channels including Quarterly Corporate Reports and Financial Reporting which are tabled at the February, May, August and November Meetings each year in line with the statutory requirement set down by the Office of Local Government (OLG). These provide information on the progress of Council against the Operational Plan and Delivery Program. The CEO and CFO sign off on the financial reports including the end of year statements. All reports are presented and adopted by Council and are provided to the Community via Councils Website.

Other Statutory Reporting includes the Annual Report which is provided to the OLG and the Information Commissioner each November and the End of Term Report, which is tabled at the last meeting of the outgoing Council reporting on the outcomes of the Community Strategic Plan.

Principle 5: Disclosure

Council implements the Disclosure principle through its annual reporting as outlined in its Integrated Planning & Reporting Framework which is publicly available. Council is committed to disclosing performance information openly through its reporting structures to the elected members at Council meetings. These include quarterly and six monthly reports aligned with the Delivery Program and Operational Plan and Quarterly Financial reviews.

Elected members and staff members must comply with the requirements for disclosure of interests as prescribed within the Act and the Code of Conduct. The responsibility rests on the individual to declare disclosures of interest including annual written returns, gifts and benefits, related party disclosures and conflicts of interest. Other registers kept and reported on include contracts register, secondary employment, investigations and privacy.

Council's Public Interest Disclosure Policy establishes an internal reporting system to encourage and facilitate the reporting of disclosures of corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention or local government pecuniary interest contravention by Councillors and Staff. The policy lists the Public Interest Disclosure Officers, encourages staff to report wrongdoing and encourages Council to create an atmosphere where staff will be confident and comfortable to report any wrongdoing.

Principle 6: Remuneration

Councillors, as elected representatives, are remunerated for carrying out their official function. The remuneration of the Lord Mayor and Councillors is determined by the Local Government Remuneration Tribunal, reviewed on an annual basis.

Council implements the remuneration principle through senior staff contracts; the Local Government State Award; and the Council Consultative Committee. The CEO and Senior Officer's contracts are a standard contract in accordance with the OLG requirements as outlined in the Act and the processes associated with reviews, including reviews of remuneration operate in accordance with those provisions.

The CEO and Senior Staff are subject to performance based contracts - Staff are paid in accordance with the Local Government Award and Provisions and the City of Parramatta Salary Structure which aims to ensure that staff are appropriately remunerated and aware of the terms and conditions of their employment. Provisions for Contractors and Consultants are acquired through the procurement processes with end dates to contracts.

Principle 7: Risk Management

Council implements the risk management principle through Council's Risk Management Policy and Procedures. Council has a dedicated Risk and Audit Services Unit in the Governance Corporate Services Directorate. Council has an adopted Risk Management Strategy. Council's Strategic Risks cascade into the Operational Risk Register. Council aligns its internal audit plan to the risk framework and updates the Risk, Audit and Improvement Committee on any significant risks. Council's Risk Register is a 'living' record.

The Business Continuity Plan provides staff a plan to restore business operations in the event of an unscheduled business disruption to functions performed at Council. The plan provides strong guidance across key phases of a disaster including Emergency response, Crisis Management, Business Recovery and Business Resumption.

A document signed off by the CEO and CFO is incorporated into the relevant financial statements. Both Council Policies and Operational Policies are reviewed and endorsed by the Executive team prior to implementation.

Principle 8: Key Stakeholder Rights

Council implements the Key Stakeholder Rights principle through the Communications and Community Engagement Strategies, Policy and Staff Toolkit to guide consultation, research and engagement across the organisation which includes workshops, physical pop-ups, digital and social media platforms, online panels and surveys.

Council has developed a set of nine (9) principles that guide and shape our approach to all our community and stakeholder engagement activities. These are outlined in Council's Engagement Strategy include:

- Building relationships
- Right to be involved
- Clarity of purpose
- Accessible and inclusive
- Timely
- Tailored
- Coordinated
- Transparent
- Learning from practice

Community members have access to the contact details of their elected representatives and all information is provided on Council website and included in promotional materials distributed across the Local Government Area Community and Businesses. The community has the opportunity to attend Council meetings either in person or via the live streaming telecast of Council meetings.

Council has a Customer Service Policy and Complaints Handling Policy which provide guidance to members of the public and the management of interactions with Council. Council's commitment to our customers are captured in the Customer Service Policy and include:

- Provide the best possible services to our community by delivering on our promise and making it easy to do business with Council
- To deliver on the reasonable service expectations of our customers
- To guide customers and the organisation in dealing with Customer Requests to ensure the highest possible level of service and commitment is achieved.

Council's Service Principles include:

- Taking the time and use our initiative to understand and meet the customer's needs'
- Treat the customer with respect and courtesy
- Improve convenience and access by providing a range of service options
- Keep wait times to a minimum
- Give clear and accurate information
- Give consistent advice
- Provide service with a smile
- Listen to the customer's feedback
- Respond to complaints promptly

- Provide customers with feedback when their complaint is completed
- Work with the customer to continuously improve and provide the best advice and serviced.

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Fraud and Corruption Prevention Policy

Contents

1. Scope
2. Purpose
3. Policy
- 3.4 Responsibilities
- 3.5 Reporting
- 3.6 Investigation
- 3.7 Training Education and Awareness
- 3.8 Conduct and Discipline
- 3.9 Related Resources (including Definitions)

1. Scope

This Policy applies to all Council Officials (Councillors, Administrators, members of staff of Council, Council Committee Members, Conduct Reviewers, Delegates of Council and volunteers) who perform functions on behalf of Council.

2. Purpose

Council has zero tolerance on any fraud or corrupt behaviour. Council is committed to the prevention, deterrence, detection and investigation of all forms of fraud and corrupt conduct. This Fraud and Corruption Prevention Policy forms a part of Council's Governance Framework, and ensures the appropriate mechanisms are in place to protect Council's public assets and finances, as well as the integrity, security and reputation of Council.

3. Policy

- 3.1 Council will not tolerate, fraud or corrupt conduct or misconduct by Council officials.
- 3.2 Council is committed to a culture of good governance and ethical behavior. In accepting its responsibility for good governance, Council will set the example for accountability, integrity and transparency in the provision of services to the community, and the management of Council as an organisation. For that reason,

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Council is committed to:

- Minimising the opportunities for fraud or corrupt conduct by Council officials;
 - Detecting, investigating and disciplining/prosecuting fraud or corrupt conduct;
 - Reporting fraud or corrupt conduct, including suspected fraud or corrupt conduct, to the Independent Commission Against Corruption (ICAC) in line with the obligations under the *ICAC Act* and the NSW Police, where appropriate; and
 - Encouraging and supporting the reporting of wrongdoing.
- 3.3 Preventing fraud or corrupt activity, and avoiding or managing conflicts of interests. This is addressed through implementing appropriate auditing systems to prevent, deter and identify corrupt activities. This approach is supported by the development and implementation of a Fraud and Corruption Prevention Plan.

3.4 Responsibilities

3.4.1 Chief Executive Officer

The Chief Executive Officer has ultimate responsibility for managing fraud and corruption risks in Council. In accordance with the *Independent Commission Against Corruption Act 1988* and Council's Code of Conduct and Procedures for the Administration of the Code of Conduct for Local Councils in NSW, the Chief Executive Officer is obliged to report any suspected or actual matter to the ICAC that they suspect on reasonable grounds, or may concern, corrupt conduct whether on the part of Council officials or any party with whom it conducts business. In cases of complaints against the Chief Executive Officer, the Lord Mayor or Administrator assumes these responsibilities.

In accordance with the *Public Interest Disclosures Act 1994*, other like reports must be made to the following external authorities:

- The NSW Ombudsman – for maladministration.
- The Law Enforcement Crime Commission (LECC) – for law enforcement misconduct.
- The Information Commissioner – for disclosures about government information contravention, the IPC or its staff.
- The Office of Local Government, Department of Premier and Cabinet – for serious and substantial waste in local government (reports about serious and substantial waste in State government agencies should be made to the Auditor General).
- The ICAC Inspector – for disclosures about the ICAC or its staff.

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3.4.2 Council officials

All Council officials have a responsibility and an obligation to:

- a) Report cases of suspected or actual fraud or corrupt conduct either through Council's internal reporting framework (as outlined in Council's Public Interest Disclosures (PID) Policy) or directly to the ICAC or relevant external authority.
- b) Behave honestly and in accordance with Council's Code of Conduct and other Council policies.
- c) Report behaviour that comprises an attempt or an inducement to engage in any fraud or corruption.
- d) Refrain from taking (or encouraging others to take) any action or engage in any conduct against any person who reports fraud, corruption, maladministration or serious and substantial waste that is detrimental to the interests of any such person.
- e) To the extent that they are reasonably capable of doing so, protect any person who reports fraud, corruption, maladministration or serious and substantial waste from any action or conduct that is detrimental to the interests of any such person if they become aware of the identity of a person who has made any such report in line with Council's Public Interest Disclosure Policy and the Code of Conduct.
- f) Effectively maintain and implement systems of internal control established to prevent or detect fraud or corruption.
- g) Undertake relevant training relating to the prevention, detection and investigation of fraud and corruption.
- h) Assist in investigations undertaken in respect of any suspected or reported fraud or corruption.

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3.4.3 Management Staff

Council staff who hold the position of Chief Executive Officer, Executive Director, Director, Group Manager (including Chiefs), Manager or Team Leader have the following responsibilities, in addition to their responsibilities as Council staff stated elsewhere in this Policy:

- a) Take appropriate measures to ensure that their staff understand the standards of expected behaviour as outlined in the Guiding Principles, Council's Code of Conduct, and relevant policies and procedures
- b) Ensure that any suspected fraud or corruption, maladministration and serious and substantial wastage reported to them are referred to the Group Manager, Governance & Risk or the Chief Executive Officer without delay. If a report is received orally, they must take steps to record the report in writing.
- c) To the extent permitted by law, maintain the confidentiality of people making reports and the subject matter of those reports.
- d) Ensure that Council staff who have reported any suspected fraud or corruption, maladministration and serious and substantial waste in accordance with this Policy are not disadvantaged or suffer detrimental action.
- e) Take steps to identify and assess the risk of fraud or corruption occurring in their area of responsibility.
- f) Take steps to ensure to implement controls and detection systems to address any identified risks of fraud or corruption in their area of responsibility, and monitor the continued operation of those systems and controls.
- g) Demonstrate leadership in the area of ethics and fraud & corruption minimisation.
- h) Undertake regular reviews, audits and checks to detect irregularities.
- i) Use basic data mining tools to detect possible fraud and corruption.
- j) Ensure that all Council staff in their area of responsibility are aware of this Policy, and that this Policy is readily available for their inspection.

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- k) Take reasonable steps to require that Council contractors whose contracts they administer comply with this Policy to the extent that it is relevant to their contractual arrangements and adhere to the ethical standards described in this Policy.
- l) The implementation of systems and controls to minimise fraud or corruption together with the assessment of fraud or corruption risks must:
- be undertaken in consultation with the Executive Director Corporate Services; or Group Manager, Legal Services, and
 - comply with any directions or guidelines issued from time to time by the Chief Executive Officer, the Executive Director Corporate Services or Group Manager, Legal Services relating to any such assessments.

3.4.4 Council contractors, consultants and volunteers

Contractors, consultants, volunteers and any other people who perform public official functions on behalf of Council, are encouraged to support Council's commitment to preventing fraud and corruption through reporting suspicious behaviour in accordance with the Code of Conduct.

3.4.5 Internal Ombudsman

The Internal Ombudsman is Council's nominated Public Interest Disclosures Coordinator and Code of Conduct Complaints Coordinator. The CEO may also refer serious complaints to the Internal Ombudsman for investigation and action. The Internal Ombudsman can assist Councillors, Council staff and the general public with advice and guidance in relation to possible or suspected fraud and corruption.

3.4.6 External parties

All external parties who engage in business with Council must observe Council's Statement of Business Ethics and comply with Council

3.4.7 Residents and members of the public

Residents, customers and members of the public are encouraged to support Council's commitment to preventing and addressing fraud or corrupt conduct by reporting suspicious behaviour and suspected fraud and corruption to the Chief Executive Officer

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or other external authority.

3.5 Reporting

All Council officials have an obligation to report suspected fraud or corrupt conduct. Council's Public Interest Disclosure (PID) Policy provides guidance on how to report wrongdoing such as fraud and corrupt conduct. The PID Policy also outlines the relevant external authorities to report other types of wrongdoing.

Council's Code of Conduct and Complaints Handling Policy also provide mechanisms for members of the public to report suspected fraud and corruption.

All fraud and corruption will be reported by Council to the ICAC. Other external authorities will be notified of fraudulent or corrupt conduct as considered appropriate by the Group Manager, Governance & Risk, the Chief Executive Officer, or the Group Manager, Legal Services. Crimes committed against the Council will be reported to the Police.

3.6 Investigation

All reports of alleged fraud and corruption received by Council will be treated seriously by Council, investigated and reported to the ICAC, the NSW Police or relevant external agency.

3.7 Training Education and Awareness

3.7.1 Councillor and Council Staff Awareness

Fraud and corruption control is the responsibility of all staff.

Council will provide training and education to assist Councillors and Council staff in being able to identify and prevent fraud or corruption in accordance with this Policy.

Councillors and Council staff must participate in training and education provided by Council that is directed towards communicating to them that fraud or corruption is unacceptable.

Council will ensure relevant training is provided to Councillors and Council staff on an ongoing basis to advise them of the Code of Conduct, Public Interest Disclosure Policy and their responsibilities and obligations.

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Management staff must be proactive in identifying behaviours that could result in corruption, either actual or perceived.

3.7.2 Customer and Community Awareness

Council must promote awareness among the community, customers, contractors, suppliers and other third parties that fraud or corruption in any dealings with Council is unacceptable.

Management staff must assist third parties to report any suspected fraud or corruption.

3.8 Conduct and Discipline

Councillors and Council staff must carefully read, understand and observe the Code of Conduct.

Fraud or corruption is unacceptable and offenders will face disciplinary action in accordance with the Code of Conduct, Procedures for the Administration of the Code of Conduct for Local Councils in NSW and other Council policies

Council may seek criminal prosecution for any fraud or corruption.

Council may institute civil or administrative legal proceedings in respect of fraud or corruption as considered appropriate by the Chief Executive Officer.

4 Related Resources

4.1 Legislation

- *Independent Commission Against Corruption Act 1988*
- *Local Government Act 1993 and General Regulation 2005*
- *Public Interest Disclosures Act 1994*
- *Crimes Act 1900*

4.2 Associated Documents

- Code of Conduct
- Procedures for the Administration of the Model Code of Conduct
- Complaints Handling Policy
- Gifts and Benefits Policy
- Public Interest Disclosures Policy

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- Procurement Policy
- Statement of Business Ethics
- Standards Australia: AS 8001-2008 Fraud Control
- Performance Counseling and Disciplinary Policy
- Interaction between Councillors and Staff Policy
- Criminal History Records Checks Policy
- Charitable Fundraising Procedures

4.3 Definitions

Corruption The dishonest or preferential use of power or position, a breach of public trust or the misuse of information or material acquired in the course of official functions. The *Independent Commission Against Corruption Act 1988* further defines corruption.

Corrupt conduct As defined in the Independent Commission Against Corruption Act 1988 NSW (ICAC Act):

"Is deliberate or intentional wrongdoing, not negligence or a mistake. It has to involve or affect an NSW public official or public sector organisation.

While it can take many forms, corrupt conduct occurs when:

- a public official improperly uses, or tries to improperly use, the knowledge, power or resources of their position for personal gain or the advantage of others
- a public official dishonestly exercises his or her official functions, or improperly exercises his or her official functions in a partial manner, breaches public trust or misuses information or material acquired during the course of his or her official functions
- a member of the public influences, or tries to influence, a public official to use his or her position in a way that affects the probity of the Public official's exercise of functions
- a member of the public engages in conduct that could involve one of the matters set out in section 8(2A) of the ICAC Act where such conduct impairs, or could impair, public confidence in public administration."

Council official An individual who carries out public official functions on behalf of Council or acts in the capacity of a public official. For the purpose of this Policy, employees, Councillors,

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- members of Council committees and delegates of Council, contractors, consultants and other people who perform functions on behalf of Council such as volunteers and relevant external parties are Council officials.
- Fraud** Fraud is dishonest activity or a dishonest representation intended to result in financial or personal gain. Fraud includes, but is not limited to:
- theft of money or other property by employees or persons external to the department, where deception is used deliberate falsification, concealment or improper destruction of documentation, or use of falsified documentation;
 - improper use of information or position for personal gain;
 - theft of departmental property where deception is not used.
- Misconduct** Conduct by a Council official which constitutes a ground for disciplinary action whilst acting in their capacity as a Council official, where such conduct contravenes Council's Code of Conduct.
- Employees** Employees who perform public official functions on behalf of Council and include contractors, consultants and volunteers.

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Complaints Handling Policy

Contents

1. Scope
2. Purpose
3. Policy
4. Related Documents

1. Scope

This Policy applies to members of the public who wish to lodge a complaint in regard to Council's services and performance. Furthermore, the Policy also applies to a Council Official (Councillors, Administrators, members of staff of Council, Council Committee members, Conduct Reviewers and Delegates of Council) who lives in the City of Parramatta local government area and wish to make a complaint in their private capacity.

Where relevant, a complaint regarding a Council Official will be considered in accordance with Council's Code of Conduct and the associated procedure.

2. Purpose

This Policy will facilitate a consistent, fair, transparent and equitable resolution to customer complaints made to Council.

This Policy:

- Provides a framework for managing complaints from the public in a fair and consistent manner, as a means of improving customer service in all areas of Council's operations;
- Ensures that issues which are the subject of complaints are addressed promptly and in a manner which, as far as possible, ensures that such issues will not be the subject of future complaints;
- Ensures that all complaints are investigated thoroughly; and
- Provides transparency and awareness to the community regarding Council's complaints policy and procedures

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Through this Policy, Council will:

- Recognise the customers right to raise concerns about their dealings with Council;
- Establish a complaint management process that is open, consistent, fair and transparent, ensuring that all complaints are well documented and publicly available;
- Ensure complaints are dealt with professionally, within specified timeframes and complainants are kept informed;
- Improve public confidence that complaints will be dealt with and that relevant legislation, regulations and Council policies, including the Code of Conduct, will be enforced;
- Recognise the importance of complaints in providing feedback about Council's services and performance to ensure accountability and utilise such information to improve services and identify appropriate training needs; and
- Outline Council's approach to managing unreasonable complaint conduct.

This Policy forms part of Council's Code of Conduct framework and ensures the appropriate mechanisms are in place to protect the integrity, security and reputation of Council.

3. Policy

3.1 Complaint Management Framework

Council is committed to achieving best practice in delivering services to the community. To succeed, Council needs to ensure that any complaints received are dealt with courteously, investigated thoroughly through transparent processes, and resolved quickly and appropriately.

Council has followed the NSW Ombudsman's Guidelines and model approach to implementing a Complaint Management Framework and procedures that will allow Council to:

- Respond effectively and positively to complaints received; and
- Manage complaints in a manner that endeavours to provide satisfaction to complainants

The components of the Complaints Management Framework are:

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3.2 Making a complaint

3.2.1 - How to make a complaint

It is Council’s preference that complaints are made in writing, in accordance with this Policy and its three-tier approach. Initially, a complaint is made in the first instance (the first tier) to Customer Contact Centre. If the complainant is not satisfied with the outcome, then the complainant can write to the Internal Ombudsman (the second tier) outlining their concerns about the handling of their complaint or the outcome of their complaint. If the complainant is not satisfied with the outcome at the second tier, than a further complaint may be sent to an external agency (the third tier).

In situations where complaints are made directly to Councillors rather than Council officers, Councillors are required to forward the complaint to the Chief Executive Officer to be dealt with in accordance with this Policy and procedures.

3.2.2 - Anonymous complaints

Where appropriate, Council will record anonymous complaints and act on them where the matter is of a serious nature, or where there is sufficient information provided at the time the complaint is lodged. For issues related to Council’s assets and services, an inspection or investigation will be carried out. For other issues, further investigation of anonymous complaints will be undertaken at the discretion of the responsible officer where sufficient information has been provided.

3.2.3 - Assistance in making a complaint

If a person prefers or needs another person or organisation to assist or represent

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them in the making and/ or resolution of their complaint, Council will communicate with them through their representative if this is their wish. Anyone may assist/or represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, member of Parliament, another organisation).

3.3 Facilitating complaints

3.3.1 - What is a complaint

A complaint is an expression of dissatisfaction made to or about Council's services and performance, the conduct of a Council official, or dissatisfaction with the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. This includes dissatisfaction with the outcome of a decision, undue delay in a decision or action, level or quality of service, the failure to adhere to a policy or procedure, dissatisfaction with an administrative process or behaviour of Council official, which can be investigated and acted upon.

3.3.2 - What is not a complaint

A complaint covered by this Policy can be distinguished from:

- staff grievances [see Grievance Handling Policy];
- public interest disclosures made by our staff [see Public Interest Disclosures Policy];
- code of conduct complaints [see Code of Conduct];
- responses to requests for feedback about the standard of our service provision [see the definition of 'feedback' below];
- reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response [see definition of 'feedback'];
- service requests [see definition of 'service request' below];
- requests for information [see Council's Access to Information Policy];
- Feedback - Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council, about Council's services or complaint handling where a response is not explicitly or implicitly expected or legally required; and
- service requests - the definition of a service request includes:
 - requests for the provision of services and assistance

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- requests for repairs to infrastructure or remove hazards
- requests for approval
- requests for action
- routine enquiries about the organisation's business
- reports of failure to comply with laws regulated by the organisation
- requests for explanation of policies, procedures and decisions.

A complaint is not:

- An expression of disagreement with a lawfully made decision by Council;
- An appeal or representation against a decision by Council, other than that made as the result of a complaint;
- The lodging of an appeal or objection in accordance with a statutory process, procedure or policy (e.g. Objections to a development application, submissions on an exhibited policy);
- A matter where the issue is outside Council's area of responsibility, or the responsibility of another authority or service provider;
- Reports of hazards (such as fallen trees) or damaged / faulty infrastructure (eg. reports of potholes); and
- The dissatisfaction in relation to a development application by a development applicant, or an objector to an application, with the determination made.

3.3.3 - Making a complaint

Complainants who wish to make a complaint to Council will:

- Be provided with information about our complaint handling process;
- Be provided with accessible ways to make complaints;
- Be listened to and treated with respect by staff and actively involved in the complaint process where possible and appropriate;
- Not be adversely affected because a complaint has been made by them or on their behalf; and
- Be provided with reasons for our decisions and any options for redress or review in a timely manner.

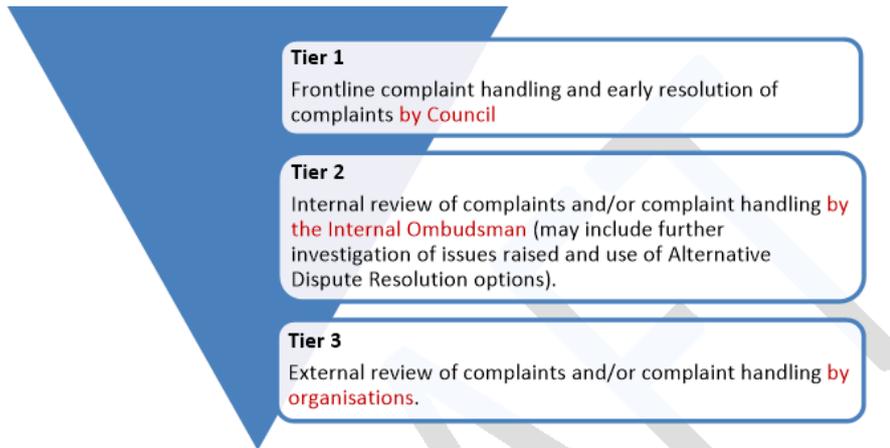
Making a complaint to Council is free.

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3.4 Responding to complaints

Council has adopted a three-tier approach in responding to complaints.



Tier 1

Council aims to resolve complaints promptly, by the responsible section of Council. Wherever possible staff will be adequately equipped to respond to complaints, including being given appropriate authority, training and supervision. The first level of complaint handling will provide for the following:

- A prompt acknowledgement of the complaint and an explanation of the process;
- The expected timeframe for dealing with the complaint;
- The progress of the complaint and reasons for any delay; and
- An outcome.

Tier 2

Where a complaint is not resolved at Tier 1, the complainant may complain to the Internal Ombudsman Shared Service (IOSS), who will assess the complaint in line with its Governance Charter to determine whether it is a matter it will investigate. The complaint may then be investigated by the IOSS, or by an investigator appointed by the Internal Ombudsman. This second level of complaint handling

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will provide for the following:

- A prompt acknowledgement of the complaint and an explanation of the complaints process;
- The expected time frame for dealing with the complaint;
- An assessment and possible investigation of the complaint and decision already made;
- The progress of the complaint and reasons for any delay; and
- An outcome (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties and provides reasons for our decision/s and any options for redress or review).

The IOSS provides complainants with an independent body to review complaints about Council's administrative conduct, unethical behaviour, misconduct or maladministration. Allegations made to the IOSS about corrupt conduct will be referred to the Independent Commission Against Corruption as required by law.

The IOSS can only investigate a complaint if it has been firstly reviewed or investigated in accordance with this Policy. Matters within the IOSS' jurisdiction include:

- All Council administrative processes;
- Delay / inaction in relation to a Council decision (but not the decision itself);
- Failure to comply with Council's policies, including the Code of Conduct; and
- Poor administration and unreasonableness.

In some circumstances in which the complaint is serious, the IOSS may commence its enquiries in relation to a complaint prior to it being investigated at Tier 1 level of this Policy. The CEO may also refer a complaint directly to the IOSS without having being investigated at Tier 1.

The IOSS is unable to investigate when:

- The complaint has not been considered at the first tier of this Policy (except when it involves a serious complaint);
- There is insufficient information provided about the complaint;
- The complaint does not relate to a Council function;
- The complainant had knowledge of the matter for more than three months without taking any action;
- The nature of the complaint requires that it is referred to an external

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organisation such as the NSW Ombudsman, the Independent Commission against Corruption or the Office of Local Government;

- The complaint is of low priority or resources are not available; and
- The complaint is frivolous, vexatious, not made in good faith or concerning a trivial matter.

Investigating officers will address complaints with integrity in a fair and reasonable, equitable, objective and unbiased manner.

Where relevant, a complaint regarding a Council official will be reviewed in accordance with Council's Code of Conduct and the associated procedure.

Further information about the role of IOSS is available on Council's website.

Tier 3

Where a person making a complaint is dissatisfied with the outcome of Council's review of their complaint and the review conducted by the IOSS, they may seek an external review of the decision through an external body such as the NSW Ombudsman, Office of Local Government or the Independent Commission Against Corruption.

3.5 Managing complaints involving a Child

Council upholds and promotes the safety and wellbeing of children and young people in our community and Council recognises that Child Protection is everybody's business.

Complaints and allegations against Council officials, contractors and sub-contractors, work experience participants, volunteers, students on placement, facility hirers and leasees involving a child or young person will be handled by the IOSS in accordance with the relevant legislation, specifically the *Children's Guardian Act 2019*.

3.6 Managing the parties to a complaint

To ensure a consistent approach, Council's Customer Contact Centre will be responsible for managing complaints in accordance with this Policy, including complaints concerning Council's external service providers and/or its contractors.

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Council will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

Council will protect the identity of people making complaints where this is practical and appropriate. Personal information that identifies individuals will only be disclosed or used by Council as permitted under Council's Privacy Management Plan, with an individual's consent or under any other relevant legislative requirement.

3.7 Complaints involving multiple parties

When similar complaints are made by related parties, Council will arrange communication with a single representative of the group with the consent of those involved.

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear, consistent and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within Council, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated by Customer Contact Centre in accordance with this Policy.

Where Council services are contracted out, Council expects contracted service providers to have an accessible and comprehensive complaint management system and to comply with Council's Code of Conduct in the performance of their functions. Council takes complaints not only about the actions of our staff but also the actions of service providers.

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3.8 Unreasonable Complainant Conduct

Council is committed to being accessible and responsive to all people who provide feedback or make complaints. At the same time, Council's success depends on:

- the ability to do its work and perform functions in the most effective and efficient way possible
- the health, safety and security of all staff
- the ability to allocate resources fairly across all the complaints it receives.

When people behave unreasonably in their dealings with Council, their conduct can significantly affect the progress and efficiency of Council's work. As a result, the Chief Executive Officer will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council staff, and will support all staff to do the same in accordance with this Policy.

Council uses the NSW Ombudsman's Managing Unreasonable Complainant Conduct Practice Manual as a guide for both identifying unreasonable conduct and establishing strategies to address that conduct.

Unreasonable Complainant Conduct (UCC) is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for the organisation, staff, other service users and complainants and includes the complainant themselves.

UCC can be divided into five categories of conduct:

a) **Unreasonable persistence**

Examples may include, without limitation, persisting with the complaint once all three tiers of complaint handling have been applied, reframing complaints in an attempt to have them reconsidered, demanding reviews without justification, or persisting in wanting to know where to go next when there are no further avenues.

b) **Unreasonable demands**

Examples may include, without limitation, insisting on demands that are unattainable, demanding an apology or compensation when such would be unreasonable in the circumstances, issuing instructions or demands about how a complaint ought to be handled, or making unreasonable demands on resources.

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c) Unreasonable lack of cooperation

Examples may include, without limitation, presenting a large quantity of disorganized material, refusing to define the issues of a complaint, changing the complaint while it is in the process of being considered, or withholding information or presenting material in a selective manner.

d) Unreasonable behaviour

Examples may include, without limitation, displaying rude or confronting behaviour, making threats of self-harm or of harm to others, or sending rude, confronting or threatening letters.

e) Unreasonable arguments

Examples may include, without limitation, insisting on the importance of a matter which is trivial, holding irrational beliefs or seeing cause and effect where there is none, or presenting "conspiracy theories" unsupported by evidence.

When complainants behave in ways Council considers to be unreasonable complainant conduct, that is they:

- become aggressive and verbally abusive towards Council staff
- threaten harm and violence
- inundates Council offices with unnecessary and excessive phone calls and emails
- make inappropriate demands on Council's time and resources
- refuse to accept Council decisions and recommendations in relation to their complaints
- submit offensive comments through Council's social media.

Council may consider limiting or adapting the ways it interacts with and/or delivers services to complainants by placing restrictions around their interactions with Council staff. Such restrictions may include:

Type of contact:

Who they have contact with

What they can raise with us

Example of restriction:

Limiting a complainant to a sole contact person/staff member.

Restricting the subject matter of communications that Council will consider and respond to.

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When they can have contact	Limiting a complainant's contact with Council to a particular time, day, or length of time, or curbing the frequency of their contact.
Where they can make contact	Limiting the locations where Council staff will conduct face-to-face interviews to secured facilities or areas of the office.
How they can make contact	Limiting or modifying the forms of contact that the complainant can have with Council. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to Council premises, contact through a representative only, taking no further action or terminating services altogether.

When using these restrictions, Council recognises that discretion will need to be used to adapt them to suit a complainant's personal circumstances, level of competency, literacy skills, and other relevant issues. In this regard, Council also recognises that a combination of strategies may need to be used in individual cases to ensure their appropriateness and efficacy.

Abusive or threatening complainant conduct limits Council's capacity to resolve a complainant's concerns and will not be tolerated. In any interaction with members of the community where personal abuse or vulgar language is used, the communication may be terminated immediately at the discretion of the subject employee. If face to face, the employee may walk away. If on a telephone, the employee may terminate the call. If in email, future e-mails from the sender may be blocked. If in correspondence, offending letters will be returned to the sender and not acted upon.

Where safe to do so, an employee will advise the complainant that they are terminating communication, and will not discuss the matter further, prior to terminating the communication.

If the employee feels threatened by the language or behaviour of the complainant, the police shall be notified.

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4 Related documents

4.1 Legislation

- *Local Government Act 1993*
- *Ombudsman Act 1974*
- *Children's Guardian Act 2019*
- *Government Information (Public Access) Act 2009*
- *Independent Commission Against Corruption Act 1998*
- *Privacy and Personal Information Protection Act 1998*
- *Public Interest Disclosures Act 1994*

4.2 Related Documents

- Code of Conduct
- Procedures for the Administration of the Model Code of Conduct
- Grievance Handling Policy
- Access to Information Policy
- Privacy Management Plan
- Public Interest Disclosures Policy
- Complaints Management in Councils: A joint publication by the NSW Ombudsman and the Department of Local Government (July 2009)
- Effective Complaints Handling Guidelines 2nd Edition, Ombudsman New South Wales (December 2010)
- Complaints Management Framework, Ombudsman New South Wales (June 2015)
- Managing Unreasonable Complainant Conduct Manual – NSW Ombudsman (May 2012)
- Internal Ombudsman Shared Service Governance Charter
- Royal Commission into Institutional Responses to Child Sexual Abuse Final Report
- Child Safe Standards

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Gifts and Benefits

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5. Definitions

1. Scope

This Policy applies to all Council Officials, including Councillors, Administrators, members of staff of Council, Council Committee members, Conduct Reviewers, Delegates of Council and volunteers having employee functions or acting in an employee capacity on behalf of Council.

2. Purpose

The Gifts and Benefits Policy provides guidance for appropriate actions in relation to offers of gifts, hospitality or benefits. This Policy also provides clarity around its provision under the Code of Conduct, and forms a central part of the City of Parramatta Council's (Council) Code of Conduct Framework and ensures the appropriate mechanisms are in place to protect the integrity, security and reputation of Council.

3. Policy

Council's Code of Conduct (the Code) outlines the standards of conduct expected of all Council officials. This Policy aims to ensure that Council performs its public functions fairly and impartially in accordance with the Code. Staff must be aware of their obligations under the Code, and should at all times adhere to them.

It is acknowledged that Council officials may at times be offered gifts, hospitality or benefits during the course of their duties; however, it is important to understand

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that the offering and or acceptance of such items may give the impression that Council has been unduly influenced in its decision making process, or is providing preferential treatment to individuals or organisations, giving rise to an actual, perceived or potential conflict of interest.

Council officials should never expect to get anything extra for doing what they are appointed to do. Council officials must not seek or accept any payment, gift or benefit intended or likely to influence them, or that could reasonably be perceived by an impartial observer as intended or likely to influence them:

- To act in a particular way (including making a particular decision)
- To fail to act in a particular circumstance
- To otherwise deviate from the proper exercise of official duties.
- To influence others from the proper exercise of official duties.

Council officials must avoid situations in which the appearance may be created that any person or organisation, through the provision of hospitality and other gifts or benefits of any kind, is securing or attempting to secure a favour from that Council official and Council.

Any offer or acceptance of a gift, hospitality or benefit of any value must be disclosed using the Gift and Benefit Disclosure Form and recorded in Council's Gifts and Benefits Register.

In accordance with the Code, you must not:

- Seek or accept a bribe or other improper inducement;
- Seek gift or benefits of any kind;
- Accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty;
- Accept any gift or benefit of more than token value, unless the gift or benefit cannot reasonably be refused or returned (if the gift or benefit cannot reasonably be refused or returned, it must be surrendered to the Council, unless the nature of the gift makes this impractical);
- Accept an offer of cash or cash-like gift (cash-like gifts include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them,

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prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the public or a broad class of persons) regardless of the amount;

- Participate in competitions for prizes where eligibility is based on Council being in, or entering into, a customer-supplier relationship with the competition organizer;
- Personally benefit from reward points programs when purchasing on behalf of Council.

In addition to the requirements in the Code of Conduct, the following applies:

- Immediate family members or relatives must not accept gifts, hospitality or benefits on your behalf.
- You must not use your position to influence others or take advantage of your status or position in the performance of your duties in order to obtain private benefit for yourself or somebody else.
- Any suspected bribery attempts, including the offer of cash or a cash-like gift, must be reported to the Chief Executive Officer immediately. The Chief Executive Officer will inform the Independent Commission Against Corruption (in accordance with the *Independent Commission Against Corruption Act 1988*) and the Police, if appropriate.

Councillors must also consider their disclosure obligations when completing their Disclosures of Interest and Other Matters Return required under the Code of Conduct, supported by section 440 of the *Local Government Act*. If the value or cumulative value of gifts, hospitality or benefits, from one donor should exceed the amount of \$500 in the return year, the Gifts Section of the Return Form must be completed by the recipient, in addition to the recipient making the declaration of such gifts or benefits in Council's Gifts and Benefits Register (please see Schedule 1 of the Code of Conduct for more information).

3.1 Token gifts, hospitality or benefits

Whilst the Code of Conduct allows the acceptance of gifts and benefits of token value, Council officials are encouraged **not** to accept gifts, hospitality or other benefits of any kind. Any offer and/or acceptance of a gift **of any kind** must be

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declared using Council's Gifts and Benefits Disclosure Form for recording in the Gifts and Benefits Register.

Additionally, Council officials should be aware of repeated offers of token gifts from the same source, which can cumulatively amount to more than token value, and indicate a deliberate intent to secure favorable treatment from Council. Repeated offers of gifts, hospitality or benefits can constitute an actual or perceived attempt to bribe a Council official, and must be refused and disclosed in the Gifts and Benefits Disclosure Form for recording in Council's Gifts and Benefits Register.

Where Council officials are concerned that the intent of an offer may be inappropriate, the gift, hospitality or benefit should not be accepted. Such circumstances may include offers of gifts from a supplier, a customer with a Council decision pending or any circumstances that would give rise to a perceived, possible or actual conflict of interest.

Token value for the purposes of this Policy is \$100 in value received in aggregate from a person or organization over a 12-month period.

3.2 Gifts, hospitality or benefits of more than token value

Gifts, hospitality or benefits of more than token value are those greater than \$100 (inclusive of GST) or a number of gifts and benefits received from the same person or organization over a 12-month period that in aggregate exceed \$100 (inclusive of GST) in value.

Wherever possible, Council officials are encouraged not to accept gifts, hospitality or other benefits of more than token value, however in instances where gifts are unable to be refused the gift will be disclosed and managed in accordance with the process outlined in this Policy.

3.3 Cultural considerations or official functions

Council officials often conduct official business with agencies and organisations, where gifts and hospitality are offered to express appreciation and good will. Every

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effort should be undertaken to ensure that gifts or benefits are refused with a proper explanation, courtesy and due regard to cultural sensitivities. In instances where such offers are unable to be refused or returned as it may be considered offensive or cause embarrassment; gifts must be reported using the Gifts and Benefit Disclosure Form and surrendered to Council for appropriate action, and legitimate invitations of hospitality will not be seen as a breach of this Policy or Code of Conduct.

As per Sections 6.9 & 6.10 of the Code of Conduct, some items regardless of their value are not considered to be of token or nominal value. These include, but are not limited to:

- tickets to major sporting events (such as international matches or matches in national sporting codes);
- corporate hospitality at a corporate facility at major sporting events;
- free or discounted products or services for personal use provided on terms that are not available to the general public;
- the frequent use of facilities such as gyms;
- use of holiday homes;
- artworks; and
- free or discounted travel.

These items, if offered, must be refused.

On occasion however, and as a demonstration of Council's recognition and support for the contributions that local clubs make to the community, the Mayor, Councillors and Chief Executive Officer or their delegate may attend local community and sporting events, including for professional and semi-professional level sporting teams for the purpose of performing their official function in accordance with Clause 6.2 of the Code of Conduct. This does not include invitations to functions and events hosted by suppliers or third parties.

Where conducting official business, the Lord Mayor or Administrator, Councillors and Chief Executive Officer or their delegate may attend work related functions to further the business interests of Council. This does not include an invitation to an event (such as sporting or otherwise), where a business conversation took place.

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Any legitimate invitation is in recognition of their official roles as Council officials. Attendance at such events will not be seen as a breach of this Policy or Code of Conduct, provided Council officials act in accordance with their responsibilities under the Code.

Official and Ceremonial Gifts and Goodwill

Organisations or individuals may offer official / ceremonial gifts of goodwill to the Council. In such circumstances it is reasonable for official representatives of the Council to accept official gifts on behalf of Council. Such gifts shall be considered the property of the Council and may be displayed in an appropriate and secure location for public viewing.

3.4 Accepting modest hospitality at work meetings

There is no requirement to declare receipt of modest hospitality that is provided by another agency or individual as part of normal work related activities including the provision of modest beverages and food at interviews, business meetings, conferences and seminars.

3.5 Accepting free or subsidised hospitality at work related social functions

Frequent social interactions that involve the provision of hospitality can undermine the professional nature of a relationship and could give rise to a future conflict of interest. Attendance at events in a representative capacity that involve official duties can be accepted, where attendance directly benefits the Council. Any event attended in an official capacity should be declared in the Gifts and Benefits Register. Attendance at events should be consistent with the functions and objectives of Council and benefit the Council as a whole.

3.6 Prizes and incentive schemes

Council officials must not enter competitions or receive incentives (such as additional frequent flyer points), gifts or prizes sponsored by persons or

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organisations that have business dealings with Council. Any prizes or incentives that may create a sense of obligation and affect their discretionary judgement as a Council official should be avoided. Instances where this occurs should be recorded in the Gifts and Benefits Register.

Receipt of an unexpected prize win, such as a lucky door prize or similar gift, while attending a function, conference or seminar in an official capacity should be disclosed in Council's Gifts and Benefits Register. All gifts and benefits given to Council officials in their official capacity are technically the property of Council and must be surrendered.

3.7 Gift, hospitality or benefit process

- All offers irrespective of whether they were rejected or accepted must be reported using Council's Gifts and Benefit Disclosure Form (see attached) for recording on the Gifts and Benefits Register.
- Offers that have been received will be actioned at the discretion of the Governance Manager, and may be disposed of, returned or redistributed.
- The Governance Manager will monitor the Gifts and Benefits Register and all Gift and Benefit Disclosure forms completed by Council officials.

3.8 Return and disposal of gifts or benefits of more than token value

If a gift or benefit of value is to be returned in person, this should preferably be done in the presence of a witness. Details of the circumstances and details of the nature and value of such gift or benefit must be entered into the Gifts and Benefits Register. Similarly, offers of hospitality that have more than a token value should be courteously refused and also included on the Gifts and Benefits Register.

If a gift or benefit is received by a Council official, which should not be accepted by the Council official and cannot reasonably be returned to the donor, the gift or benefit must be disposed of by Council in a transparent manner.

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Some options for the management of the gift or benefit include:

- a) sharing the gift amongst all staff (such as perishable items)
- b) donation to the Council Social Club (for non-perishable items or gifts of alcohol)
- c) the running of a raffle or an auction with the proceeds going to a charity.

The preferred method of disposal will be at the discretion of the Chief Executive Officer.

3.9 Restrictions on acceptance by certain Council officials

Council officials, who are involved in exercising regulatory and procurement processes, are prohibited under any circumstances to accept gifts, hospitality and benefits of any kind, where the staff are dealing with persons seeking a decision from Council, or who have sought a decision from Council.

Council officials who fall within this category include Town Planners, Development Assessment Officers, Compliance Officers such as Rangers and Parking Control Officers and staff who are involved in procurement and tendering (including the evaluation of tenders or other proposals), leasing functions or disposal of assets.

Any offer of a gift or benefit made by an external party in an actual or perceived attempt to bribe a Council official must be refused, and the offer disclosed in the Gifts and Benefits Disclosure Form and recorded in Council's Gifts Register.

3.10 Restrictions on Accepting travel and accommodation for work related functions

Any offer of free or subsidised travel and accommodation to attend a meeting or conference either as a participant or presenter must demonstrate a benefit to the Council. There cannot be a connection between the operation of the Council and

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the contractor offering the benefit. Chief Executive Officer approval must be sought prior to acceptance of the benefit and the acceptance registered in the Gifts and Benefits register.

3.11 Any Council official who is offered a bribe must refuse to accept the offer and immediately report the incident

The official must refuse to accept any gift or benefit that you the official believes is being offered as a bribe or inducement for the official to act in a particular way or make a particular decision. Council officials must report any such incident immediately to the Chief Executive Officer and the Chief Executive Officer is to report any incidents to the Lord Mayor. In some circumstances, it may be deemed appropriate to report the matter to police. The Chief Executive Officer has a legislative responsibility to report any possible corrupt conduct to the Independent Commission Against Corruption (ICAC) under the ICAC Act 1988 Section 11.

If an official becomes aware of another Council Official soliciting gifts or benefits or accepting bribes, the official must report the fact or suspicion to the Chief Executive Officer. Action taken will be in accordance with Council's Code of Conduct and Procedures for the Administration of the Model Code of Conduct.

3.12 Accepting gifts of money is strictly prohibited in all circumstances

Accepting offers of money or cash like gifts is never acceptable regardless of the circumstances. Such a gift would almost definitely be perceived as an attempt at bribery.

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3.13 Inadvertent acceptance of gifts of appreciation or gratitude above nominal value

In circumstances where a gift or benefit with a value greater than the nominal value is inadvertently accepted by Council officials and cannot easily be returned, it must immediately be declared. These circumstances could arise, for example, if a wrapped gift was received and not opened in the presence of the giver; gifts accepted for cultural, protocol or other reasons where returning the gift would be inappropriate; anonymous gifts; gifts that are delivered or received by mail; and gifts given in a public forum where attempts to refuse or return the gift would cause significant embarrassment or offence.

3.14 Giving gifts or benefits to other agencies or officials

There may be occasions when it is appropriate for Council officials to give gifts or benefits to individuals from other public or private bodies, such as a modest token of appreciation or a presentation of a gift for protocol reasons. Permission for the giving of gifts or benefits by Council officials must be obtained from the Chief Executive Officer.

3.15 Donations of complimentary tickets

On occasion, Council receives donations of complimentary tickets to local community or sporting events with the intention that they be distributed to the local community or disadvantaged groups. When complimentary tickets are received by Council officials they are to be immediately provided to the Chief Executive Officer who will determine distribution to community groups. The Lord Mayor and Chief Executive Officer will distribute those tickets as appropriate.

3.16 Breaches of this Policy

Any breaches of this Policy could constitute a possible act of misconduct, and may

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lead to disciplinary action under the Code of Conduct. Serious breaches by Council officials such as soliciting, or attempt to solicit, or knowingly accepting a bribe, will be reported to the Lord Mayor or Chief Executive Officer for referral to the ICAC.

4. Related Resources

4.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Independent Commission Against Corruption Act 1988*

4.2 Associated Documents

- Code of Conduct
- Gift and Benefit Disclosure Form
- Disclosures by Councillors and Designated Persons
- Gifts and Benefits Register
- Fraud and Corruption Prevention Policy
- Procurement Policy
- Statement of Business Ethics

4.3 Definitions

Benefit

A benefit includes instances of preferential treatment, hospitality, privileged access or favours offered in relation to work activities. Examples include invitations to sporting, cultural and social events or point accrual for discount and loyalty programs if used for personal benefit.

Bribe

A gift, hospitality or benefit offered to or solicited by a public official to influence that person to act in a particular way.

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- Cash-like gift*** A cash-like gift includes, but is not limited to, gift vouchers, lottery tickets, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, membership or entitlements to discounts.
- Ceremonial gift*** An official gift from one agency to another agency, eg commemorative plaque from an overseas delegation.
- Conflict of Interest*** Any private or personal interest which could influence or be perceived to influence a person in the performance of their public or professional duties
- Council official*** Includes all Councillors, staff and contractors of the City of Parramatta Council. It includes temporary staff, private contractors, Conduct reviewers, consultants and volunteers having employee functions or acting in an employee capacity on behalf of Council.
- Cumulative gift*** Repeated offers of token gifts from the same source, which can cumulatively amount to more than token value.
- Gifts, hospitality and benefits of more than token value*** Gifts, hospitality and benefits that have more than a token value include, but are not limited to, tickets to major state or international sporting events (such as state or international cricket matches or matches in other national sporting Codes (including the NRL, AFL, FFA, NBL)), corporate hospitality at a corporate facility at major sporting events, discounted products for personal use, the frequent use of facilities such as gyms, use of holiday homes, free or discounted travel.
- Hospitality*** Hospitality includes offers of food, drink and entertainment at events and activities involving workers and external organisations or individuals, during or in relation to work activities. This includes hospitality provided outside of normal working hours in relation to work activities.

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Immediate family members

Immediate family members include parents, spouses, domestic partners, children, grandchildren and siblings.

Lucky door prize

A prize awarded to the holder of a winning ticket passed out at the entrance to a function, conference or seminar.

Token gift, hospitality and benefits

Gifts, hospitality and benefits to a value of \$50. Examples include:

- a) free or subsidised meals, beverages or refreshments provided in conjunction with:
 - i. the discussion of official business
 - ii. Council work related events such as training, education sessions, workshops
 - iii. Conferences
 - iv. Council functions and events
 - v. social functions organised by groups, such as Council committees and community organisations
- b) invitations to and attendance at local social, cultural or sporting events
- c) gifts of single bottles of reasonably priced alcohol to individual Council officials at end of year functions, public occasions or in recognition of work done (such as providing a lecture/training session/address)
- d) ties, scarves, coasters, tie pins, diaries, chocolates or flowers
- e) prizes of token value.

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AFFIXING THE COUNCIL SEAL POLICY

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1. Scope

This policy applies to all Council staff and Councillors.

2. Purpose

To identify when and how the Council Seal is to be affixed.

3. Policy

The affixing of the Council Seal is determined by clause 400 of the *Local Government (General) Regulation 2005*.

3.1 The Council Seal must be kept by the Lord Mayor or the Chief Executive Officer, as Council determines.

3.2 The Council Seal may be affixed to a document only in the presence of —

- (a) the Lord Mayor and the Chief Executive Officer, or
- (b) at least one councillor (other than the Lord Mayor) and the Chief Executive Officer, or
- (c) the Lord Mayor and at least one other councillor, or
- (d) at least 2 councillors other than the Lord Mayor.

3.3 The affixing of the Council Seal to a document has no effect unless the persons who were present when the Council Seal was affixed (being persons referred to in

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clause 3.2) attest by their signatures that the Council Seal was affixed in their presence.

- 3.4 The Council Seal must not be affixed to a document unless the document relates to the business of Council and Council has resolved (by resolution specifically referring to the document) that the Council Seal be so affixed.
- 3.5 For the purposes of clause 3.4, a document in the nature of a reference or certificate of service for an employee of Council does not relate to the business of Council.

4. Procedure

- 4.1 If Council resolves to affix the Council Seal to a document, the resolution must specify the document that the Council Seal is to be affixed to.
- 4.2 When affixing the Council Seal one of the combination of persons in clause 400 *Local Government (General) Regulation 2005* must be present and attest to the affixing of the Council Seal by signature. The default persons to be present are the Lord Mayor and Chief Executive Officer.
- 4.3 The Council Seal is to be stored under lock.
- 4.4 The Council Seal must not be left unattended when removed for use.
- 4.5 The affixing of the Council Seal is to be documented in a Register.

5. Definitions

Council means City of Parramatta Council

Council Seal means the common seal of City of Parramatta Council

6. History

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May 2020 – Policy adopted

REFERENCES	Local Government (General) Regulations 2005
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ATTACHMENTS	

DRAFT

Affixing the Council Seal		
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CITY OF PARRAMATTA

WEBCASTING POLICY

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1. Scope

This policy applies to all meetings of the Council or a Committee of Council (which comprise only of Councillors as members) are conducted in accordance with Council's Code of Meeting Practice.

This policy applies to all Councillors, Council employees, persons acting on behalf of Council and members of the public in the facilitation or attendance of meetings of Council or a Committee of Council.

This policy does not apply to any parts of a meeting closed to the public in accordance with Section 10A of the Local Government Act 1993.

2. Purpose

This policy outlines Council's commitment to comply with the requirement to webcast Council Meetings as prescribed by the Model Code of Meeting Practice for Local Councils in NSW and Guide to Webcasting Council and Committee Meetings, March 2020 issued by the Office of Local Government and how it will facilitate the recording and availability of all webcasts.

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3. Policy

The City of Parramatta is committed to accessible, transparent and accountable decision making through the webcasting of all Council Meetings and Committee Meetings (which comprise only of Councillors as members). Webcasting of Council Meetings allows members of the public to watch or listen to the decision making process without having to physically attend a Council Meeting. Webcasting also promotes greater community confidence in the integrity of meeting practices, and the conduct of their elected representatives.

Where Council has resolved to close part of the Council Meeting to the public under Section 10A of the Local Government Act 1993, webcasting will cease for that portion of the proceedings and will resume upon the conclusion of the closed session.

Webcasts of Council Meetings are not an official record of the meeting and do not constitute the minutes of a meeting for the purposes of the Local Government Act 1993.

Statements, presentations and actions by individuals during meetings are not protected by privilege and may be subject to legal proceedings and potential liability. Council does not accept liability for any statements, presentations or actions by individuals during meetings that may be contrary to law or are defamatory or inappropriate.

Councillors and Council employees are bound by Council's Code of Conduct and Code of Meeting Practice and are expected to maintain the high standards of conduct and behavior required by these Codes.

Opinions expressed and statements made during a Council meeting are those of the individuals making them, and not those of Council. Unless set out in a resolution, Council does not endorse or support the views, opinions or information that may be expressed by individuals at Council or Committee Meetings and which may be contained in a webcast or recording of a Council or Committee Meeting.

4. Procedure

Type of Webcasting

- (a) Council Meetings and Committee Meetings (which comprise only of Councillors as members) will be webcast using audio-visual links.

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- (b) Council Meetings and Committee Meetings (which comprise only of Councillors as members) will be livestreamed and a recording made available after the meeting.

Timing

- (a) Council Meetings will be available live on Council's website.
 (b) Committee Meetings (which comprise only of Councillors as members) will be available on Council's website as soon as possible
 (c) A recording of a Council Meeting will be made available on Council's website within five (5) business days of the meeting being held.
 (d) Recordings of Council Meetings will be available on Council's website for a minimum of two (2) years, but for the term of Council.

Use of Webcast and Recordings

Access to webcasts of Council and Committee Meetings are available to view on Council's website for personal and non-commercial use. All webcasts of Council or Committee Meetings are subject to copyright under the Copyright Act 1968 and cannot be reused or reproduced in any way without the permission of Council.

Privacy

All efforts will be made to maintain members of the public's privacy by:

- (a) Pointing the webcasting camera away from the public gallery.
 (b) Having individual microphones for Councillors and any public microphones being turned off when not in use.
 (c) A public announcement being made at each Council Meeting to remind the public that the meeting is being livestreamed and recorded and although care is taken to maintain their privacy, their presence may be recorded.

Technical Risk Management

All efforts will be made to ensure webcasting of each Council Meeting occurs by:

- (a) Early set up and testing of equipment.
 (b) In the event equipment is non-functional prior to meeting, an alternative method is sought.
 (c) In the event equipment fails during meeting that any portion of recording available be made public and risk managed prior to next meeting.

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NOTE: Whilst Council will take all reasonable efforts to ensure webcasting is available for meetings, there may be situations where, due to technical difficulties beyond Council's control, webcasting or recordings of a meeting may not be available. Council takes no responsibility for and accepts no liability in the event that webcasting on Council's website is unavailable.

5. Definitions

Committee Meeting is a meeting of a committee consisting of only Councillors as members.

Council Meeting is a meeting that is administered under the Code of Meeting Practice.

Council is the City of Parramatta Council.

Webcasting is the process of delivering multimedia content via the internet in audio and/or visual format from a single content source to multiple listeners/viewers.

6. History

May 2020 – Policy was created.

REFERENCES	Model Code of Meeting Practice for Local Councils NSW Council's Code of Meeting Practice 2019 Guide to Webcasting Council and Committee Meetings, Office of Local Government, March 2020
POLICIES	Council's Code of Meeting Practice 2019
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Business Ethics Policy

Contents

1. Scope
2. Purpose
3. Policy – Business Ethics Principles
4. Associated documents
5. Definitions

1. Scope

This Business Ethics Policy provides guidance to all sectors of the community when conducting business with City of Parramatta Council (Council) and explains the mutual obligations and role of all parties. Business may include the supply of goods and services, use of contractors and consultants, assessment of development applications and other general dealings.

2. Purpose

The purpose of this Business Ethics Policy is to ensure all sectors of the community who conduct business with Council maintain the highest ethical business standards.

Council officials (Councillors, Administrators, members of staff of Council, Council Committee Members, Conduct Reviewers, Delegates of Council and volunteers) are required to comply with Council's Code of Conduct, policy, procedures and relevant legislation governing ethical behaviour. The same standard is expected of all individuals and organisations that deal with Council to reduce the risk of inappropriate business activities and actual, potential or perceived conflicts of interest occurring.

This Policy supports and compliments Council's Code of Conduct Framework, of which Council's Code of Conduct is a central component. The mechanisms in both this Policy and the Code of Conduct aim to protect Council's financial position, integrity and reputation of Council, and ensure that decision-making is made in a fair and ethical manner.

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3. Policy – Business Ethics Principles

Council has adopted a set of Corporate Values to guide the conduct of Council officials and provide a foundation in its approach to delivering services to the community.

3.1 Corporate Values

Customer Focus

We communicate openly with our customers, are responsive to their needs and create new relationships as our city grows

Innovation

We build on our strengths, champion creative solutions and seek new and sustainable ways to deliver superior outcomes

Integrity

We deliver on promises, act ethically, take responsibility for our actions, and speak up respectively. Integrity is the foundation on what everything is based.

Teamwork

We support the role of leadership, collaborate within and across our teams, build effective partnerships with colleagues and our community to achieve our goals

3.2 Key Business Principles

Council is committed to ethical business practices based on Council's Corporate Values and Code of Conduct. As part of this commitment, Council will ensure:

- Business dealings will be ethical and transparent and open to public scrutiny whenever possible.
- All Council decisions and considerations will be based on merit and made in a fair and impartial manner.
- potential conflicts of interest are managed ethically.

3.3 What You Can Expect From Council

Council will ensure that all its policies, procedures and practices relating to tendering, procurement, contracting, purchasing of goods or services, assessment of development applications, use of consultants and/or contractors, and engagement of strategic partners

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and sponsors are all consistent with best practice and the highest standards of ethical conduct.

Council officials are bound by Council's Code of Conduct and the policies contained within the Code of Conduct Framework.

The Code of Conduct Framework outlines that Council must act with fairness, transparency, have an accountability to the community, act with consistency and integrity in all its interactions with the community.

When conducting business with all sectors of the community, Council officials are accountable for their actions and are expected to exercise:

- Integrity
- Leadership
- Selflessness
- Impartiality
- Accountability
- Openness
- Honesty
- Respect.

To achieve probity, Council will consider and adhere to the following principles at all stages of the purchasing, tendering, contracting, partnership, sponsorship and development application processes:

- Clarity, transparency and consistency of process;
- Equity of access;
- Accountability
- Declared all actual and perceived conflicts of interest and ensure they are promptly and transparently managed;
- Obtaining best value for money for the community;
- Effectively and efficiently monitoring and evaluating performance for the benefit of the community receiving services and for feedback opportunities for the service provider;
- Seeking effective environmental and social outcomes.

All approvals, decisions and procurement activities will be clearly documented to enable transparent and effective governance across the organisation. Council will assess all applications objectively, considering all relevant and material factors in determining a decision on matters that come before the Council.

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Whilst Council's dealings will be transparent, accountable and open to public scrutiny wherever possible, there may be times when confidentiality will be required by Council. Similarly, Council will effectively manage intellectual property appropriately.

3.4 What Is Expected From You

We require all suppliers of goods and services, applicants, consultants, contactors, owners and applicants of development applications and all stakeholders undertaking business with Council to observe the following principles:

- Act ethically and honestly in all dealings with Council.
- Declare actual or perceived conflicts of interests as soon as you become aware of the conflict.
- Respect the obligations of Council Officials to abide with Council's Code of Conduct.
- Be aware and comply with legislation, Councils policies and procedures as they pertain to the business before Council, and the conditions set out in documents supplied by Council.
- Understand and comply with Council's procurement policies and procedures.
- Provide accurate, concise and reliable advice and information when required.
- Prevent the disclosure of confidential Council information.
- Refrain from engaging in any form of collusive practice including offering, Council Officials and delegates inducements or incentives, including gifts and benefits, designed to improperly influence the conduct of their business.
- Refrain from any action or contact that may be considered an attempt to influence a decision of Council Officials.
- Assist Council to prevent unethical practices in our business relationships.
- Maintain records of all dealings with Council.
- Refrain from discussing Council business or information in the media.

3.5 Consequences of Non-Compliance to this Policy

All stakeholders must comply with this Business Ethics Policy. Stakeholders should be aware of the consequences of not complying with Council's ethical requirements when doing business with Council and may include:

- Investigation, including referral of matters to relevant authorities (ICAC) and for criminal investigation (Police) where appropriate;
- Damage to reputation;
- Loss of future work or approval; and

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- Immediate termination of contract or order, at any stage.

Council officials who do not comply with this Policy will also be considered in breach of Council's Code of Conduct and subject to relevant disciplinary action.

3.6 Gifts and Benefits

Gifts, benefits or hospitality must not be received or given in connection with any prospective business dealings. Council Officials are not permitted to ask for any reward or incentive from external parties, and are expected to decline such offers of gifts and benefits during the course of their work.

Council Officials who are involved in exercising regulatory and procurement processes, are prohibited under any circumstances to accept gifts, hospitality and benefits of any kind (including lunches), where the staff are dealing with persons seeking a decision from Council, or who have sought a decision from Council within the previous 12 months.

In accordance with Council's *Gifts and Benefits Policy*, any offer or acceptance of a gift by Councillors or staff must be disclosed and recorded in Council's Gifts and Benefits Register.

3.7 Conflicts of interest

Council Officials are required to disclose, in writing, any actual, perceived or potential conflicts of interest, as well as provide Council with any other related disclosures that may be required. Council extends this requirement to any applicants, business partners, contractors and suppliers.

Conflicts of interest exist when it is likely that an individual may be influenced or perceived to be influenced by a personal interest in carrying out their public duty.

Conflicts of interest that lead to partial or biased decision making may constitute corrupt conduct and for Council officials, will be dealt with under Council's Code of Conduct.

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3.8 Privacy and Confidentially

Council has an obligation to protect the information collected about our customers and the community.

Council expects that customers will treat all information appropriately and all information collected must be used for the purpose it was provided.

Any confidential information should be treated as such and should not be revealed to persons other than those with a genuine need and authority. Suppliers handling private information on behalf of Council are expected to adhere to Council's Privacy Management Plan.

The *Government Information (Public Access) Act 2009* provides mechanisms for the public to gain access to Council's information, except in certain circumstances.

3.9 Intellectual Property

In business relationships with Council, all parties will respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property.

Transfer of intellectual property will be addressed via contractual agreement.

3.10 Legislative and Policy Requirements

All legislative and policy requirements must be adhered to by staff, delegates, business associates and suppliers involved in the contracting or tendering for services or supplies, or other business relationships.

3.11 Development applications

In its formal role in determining a development application Council has to consider the matters prescribed in legislation in a way that is open and transparent and is seen to be fair to all parties involved.

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Council Officials are to ensure that no action, statement or communication with applicants, proponents or objectors conveys any suggestion of willingness to provide concessions or preferential treatment.

Council Officials should not be expected to offer support or otherwise for any party associated with the development application process. Council Officials involved in development applications will treat all aspects of the development application process in a professional and ethical manner.

Specific provisions of Council's *Code of Conduct* also refers to the consideration of development applications.

3.12 Council Resources

Council resources should only be used for Council purposes and in the public interest. Council Officials and customers doing business with Council are expected to be efficient, economical and ethical in their use and management of Council resources, including staff time.

3.13 Secondary or future employment of Council Officials

Council Officials have a duty to maintain public trust and confidence, and not to disclose confidential information obtained during the course of their employment, or use this information to facilitate future employment opportunities. Council Officials are required to obtain written approval from Council before entering any secondary employment arrangements. Senior staff are required to sign non-disclosure agreements when exiting employment from Council.

3.14 Contractors and subcontractors

All contracted and sub-contracted employees are expected to comply with this Policy. It is the responsibility of contractors to ensure sub-contractors they engage are aware of this Policy as they are equally bound by it.

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3.15 Reporting unethical behaviour (Public Interest Disclosure Policy)

Council is committed to promoting ethical behaviour. Reports of unethical behaviour, including fraud, corruption, maladministration or serious or substantial waste can be made to Council's:

- Public Interest Disclosures Coordinator (Internal Ombudsman) – (02) 8757 9044
- the Chief Executive Officer – (02) 9806 8110
- Council's Disclosures Officer – Level 2 or Level 3 Managers.

Reports of unethical or corrupt behaviour can also be made to:

- Independent Commission Against Corruption (ICAC) – 1800 463 909
- NSW Ombudsman – (02) 9286 1000
- Office of Local Government – (02) 4428 4100
- NSW Audit Office – (02) 9275 7100

Public officials reporting corrupt conduct, maladministration or waste can be protected by the Protected Disclosures Act 1994. This Act protects public officials who are disclosing corrupt conduct from reprisal or detrimental action and ensures disclosures are properly dealt with.

3.16 Lobbying

Lobbying is a normal, and in some circumstances an acceptable, part of the democratic process. However, lobbying that is not fair and undermines public confidence in impartial decision making falls outside the bounds of appropriate and lawful behavior.

The lobbying of Councillors and staff in certain situations is not permissible. These situations may include, but are not limited to: tender processes, engagement of services, development applications under assessment or a matter subject to legal action.

3.17 Attempts to influence Council decisions

Any action or contact that may be considered or perceived to be an attempt to influence a decision of Councillors or staff will constitute a breach of this Policy.

Any such attempt during a tender process will immediately disqualify the relevant tenderer or service provider. Councils tender documentation will contain statements prohibiting

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proponents from approaching Councillors and Council Staff not nominated as contact people during a tender process.

3.18 Use of Council equipment and resources and information

All Council equipment and resources should only be used for its proper official purpose. Equipment remains the property of Council at all times.

3.19 Communication

All communication between parties should be made in writing, in a clear and concise manner to minimize the risk of perception of inappropriate influence. All communications should be through the approved channels.

3.20 Workplace Health and Safety

Workplace health and safety is of paramount importance to Council. It is expected that all parties who do business with Council comply with legislative and procedural safety requirements.

3.21 Political Donations

The law requires that persons with a financial interest in, or who have made a submission in relation to a Development Application or a planning instrument, disclose certain information about political donations and other gifts that have been made to a Councillor or Council employees within the previous two years of the application or submission.

3.22 Sponsorships

All offers of sponsorship will be undertaken in accordance with Council's adopted Sponsorship and Donations Policy.

3.23 Cold Calling

Council officials will not

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3.24 Who to contact

If you have any questions regarding this Business Ethics Policy, including how it applies to you, please contact Council's Public Officer (Ian Woodward – (02) 9806 5474) or the Chief Executive Officer.

4. Associated documents

Policy 005: Secondary Employment
 Policy 334: Gifts and Benefits
 Policy 218: Code of Conduct
 Policy 219: Code of Meeting Practice
 Policy 228: Public Interests Disclosure
 Policy 333: DA and S94 Contributions
 Policy 318: Fraud and Corruption
 Privacy Management Plan
 Code of Conduct

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Public Interest Disclosure Policy

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- Scope
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Scope

This Policy will apply to:

- Councillors;
- Council staff:
 - permanent employees, whether full-time or part-time;
 - temporary or casual employees;
 - consultants;
 - individual contractors working for City of Parramatta Council;
- employees of contractors providing services to City of Parramatta Council; and
- other people who perform Council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers, the Parramatta Local Planning Panel, the Audit Risk and Improvement Committee and all other advisory Committees.

The Policy also applies to public officials of another Council or public authority who report wrongdoing relating to City of Parramatta Council.

Purpose

Council does not tolerate corrupt conduct, maladministration or serious waste of public money. The purpose of this Policy is to establish an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. The Policy sets out who you can report wrongdoing to in City of Parramatta Council, what can be reported and how reports of wrongdoing will be dealt with by City of Parramatta Council.

This Policy is designed to compliment normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time

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with their supervisors, but also have the option of making a report about a public interest issue in accordance with this Policy and the Public Interest Disclosures Act 1994 (PID Act).

This Policy is just one in the suite of Council's complaint handling policies. Further relevant policies are:

- Complaints Handling Policy;
- Code of Conduct; and
- Fraud and Corruption Prevention Policy.

The internal reporting system established under this Policy is not intended to be used for staff grievances, which should be raised through the Grievance and Dispute Handling Policy. If a staff member makes a report under this Policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with the Grievance and Dispute Handling Policy.

Policy

You should report any suspected wrongdoing within City of Parramatta Council, or any activities or incidents you see within Council that you believe are wrong. Council is committed to encouraging and supporting the reporting of wrongdoing and to protect those who make public interest disclosures from any adverse action as a result of their report and keeping confidential their identity where possible.

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defense of absolute privilege in defamation.

The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where Council has reasonable grounds to take such action.

What can be reported?

Reports about five categories of serious misconduct:

- corrupt conduct;
- maladministration;

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- serious and substantial waste of public money;
- government information contravention (a breach of the GIPA Act); and
- Local Government pecuniary interest contravention,

which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this Policy. Details about these types of conduct are outlined below. More information about what can be reported under the PID Act can be found in the NSW Ombudsman's Guideline B2 "What should be reported?".

All other wrongdoing or suspected wrongdoing should be reported and dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination;
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, City of Parramatta Council recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal. For further information, see:

- Code of Conduct;
- Fraud and Corruption Prevention Po
- Grievance and Dispute Handling Policy;
- Complaints Handling Policy;
- Workplace Bullying & Harassment Policy;
- Work Health Safety Policy, Procedure and Statement;
- Drug and Alcohol Policy;
- Smoke Free Workplace Policy;
- Interaction Between Councillors And Staff; and
- Statement of Business Ethics.

Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others;
- acting dishonestly or unfairly, or breaching public trust;
- a Council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.

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Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

Serious and substantial waste of public money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large scale contract
- having inadequate or no processes in place for a system involving large amounts of public funds.

Government information contravention (Breach of the GIPA Act)

A breach of the Government Information (Public Access) Act 2009 (GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released;
- knowingly making decisions that are contrary to the legislation;
- intentionally overlooking documents that are clearly covered by an access application;
- directing another person to make a decision that is contrary to the legislation.

Local Government pecuniary interest contravention

A Local Government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at Council and Council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest

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that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior Council staff member recommending a family member for a Council contract and not declaring the relationship
- a Councillor participating in consideration of a DA for a property they or their family have an interest in.

Procedure

The role of Council Staff and Councillors

Staff and Councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council staff and Councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing;
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality;
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect; and
- respect the rights of any person the subject of reports.

Staff and Councillors must not:

- make false or misleading reports of wrongdoing; and/or
- victimise or harass anyone who has made a report.

Additionally, the behaviour of all Council staff and Councillors involved in the internal reporting process must adhere to the City of Parramatta Council's Code of Conduct. A breach of the Code could result in disciplinary action.

Those persons who make disclosures in accordance with the PID Act will be protected from adverse actions as a result of their report.

The role of Council

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City of Parramatta Council has a responsibility to establish and maintain a working environment that encourages staff and Councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

Council will assess all reports of wrongdoing it receives from staff and Councillors and deal with them appropriately. Once wrongdoing has been reported, Council takes 'ownership' of the matter. This means it is up to us to decide whether a report should be investigated, and if so, how it should be investigated and by whom. Council will deal with all reports of wrongdoing fairly and reasonably, and respect the rights of any person the subject of a report.

City of Parramatta Council must report on our obligations under the PID Act and statistical information about public interest disclosures in our annual report and to the NSW Ombudsman every six months.

To ensure Council complies with the PID Act and deals with all reports of wrongdoing properly, all staff and Councillors with roles outlined below and elsewhere in this Policy will receive training on their responsibilities.

Roles of key positions

1. Chief Executive Officer

The Chief Executive Officer (CEO) has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring that City of Parramatta Council complies with the PID Act. The CEO can receive reports from staff and Councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with;
- deal with reports made under the Council's code of conduct in accordance with Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW;
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report;
- make decisions following any investigation or appoint an appropriate decision-maker;
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified;

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- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC);
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC; and
- attend relevant training, maintain an awareness of the *Public Interest Disclosure Act* and promote the PID Policy within Council to create an environment where staff are comfortable and confident to report wrongdoing.

2. Lord Mayor

The Lord Mayor can receive reports from staff and Councillors about the CEO.

Where the Lord Mayor receives such reports, the Lord Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with;
- deal with reports made under the Council's Code of Conduct in accordance with the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW;
- refer reports to an investigating authority, where appropriate;
- liaise with the Disclosures Coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report;
- refer actual or suspected corrupt conduct to the ICAC;
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC; and
- attend relevant training, maintain an awareness of the *Public Interest Disclosure Act* and promote the PID Policy within Council to create an environment where staff are comfortable and confident to report wrongdoing.

3. Disclosures Coordinator

The Disclosures Coordinator has a central role in Council's internal reporting system. The Disclosures Coordinator can receive and assess reports, and is the primary point of contact in Council for the reporter. The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the CEO);

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- deal with reports made under the Council's code of conduct in accordance with Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW;
- attend relevant training, maintain an awareness of the *Public Interest Disclosure Act* and promote the PID Policy within Council to create an environment where staff are comfortable and confident to report wrongdoing;
- coordinate Council's response to a report;
- acknowledge reports and provide updates and feedback to the reporter;
- assess whether it is possible and appropriate to keep the reporter's identity confidential;
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified;
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report;
- ensure Council complies with the PID Act; and
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

4. Disclosures Officers

Disclosures Officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting Policy, receive reports of wrongdoing and assist staff and Councillors to make reports.

Disclosures Officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter;
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace;
- discuss with the reporter any concerns they may have about reprisal or workplace conflict;
- carry out preliminary assessment and forward reports to the disclosures coordinator or CEO for full assessment; and
- attend/deliver relevant training, maintain an awareness of the *Public Interest Disclosure Act* and promote the PID Policy within Council to create an environment where staff are comfortable and confident to report wrongdoing.

5. Supervisors and Line Managers

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Supervisors and Line Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and Line Managers should be aware of the internal reporting process (contained within this Policy) and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do;
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this Policy;
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report; and
- notify the Disclosures Coordinator or CEO immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the CEO, notify the Lord Mayor.

Assessment of Reports

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The *Public Interest Disclosures Act* requires that the disclosure is acknowledged within 45 days of its receipt and including providing a copy of this Policy. Council aims to acknowledge disclosures more promptly than is required in the legislation. Furthermore, the person who made the disclosure must be advised within six (6) months of the disclosure having been made of what action has been taken or is proposed to be taken in respect of the disclosure.

All disclosures must be referred by the CEO (or Lord Mayor if the disclosure is about the CEO) to the Disclosures Coordinator. The Disclosures Coordinator is responsible for assessing reports, in consultation with the CEO where appropriate. All reports will be assessed on the information available to the Disclosures Coordinator at the time. It is up to Disclosures Coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report, Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

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All matters referred as a PID or assessed as a possible PID, including matters where no action has been taken, will be securely and confidentiality stored in the event of further reporting.

When will a report be treated as a Public Interest Disclosure?

Council will treat a report as a public interest disclosure if it meets the relevant criteria under the PID Act. These criteria are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention;
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing;
- the report has to be made to either the CEO or, for reports about the CEO, the Lord Mayor, a position nominated in this Policy, an investigating authority or in limited circumstances to a Member of Parliament or journalist.

Reports by staff are not public interest disclosures if they:

- mostly question the merits of government policy;
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

Who can receive a report within Council?

Staff are encouraged to report general wrongdoing to their supervisor. However, the PID Act requires that for a report to be a public interest disclosure, it must be made to certain public officials defined in this Policy or any supporting procedures.

The following positions are the only people within Council who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities.

If your report involves a Councillor, you should make it to the CEO. If your report relates to the CEO, you should make it to the Lord Mayor.

Contact List – please refer to Council's intranet site, Insite, for individual contact details.

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Disclosures Coordinator:
Internal Ombudsman

Disclosures Officers

- Chief Executive Officer
 - Chief Executive Officer
 - Chief of Staff
- Executive Director Corporate Services
 - Chief of People & Culture Officer
 - Group Manager Legal Services
 - Chief Financial Officer
 - Head of IT
- Executive Director City Engagement & Experience
 - Group Manager City Identity
 - Group Manager City Engagement
 - Group Manager City Experience
- Executive Director City Assets & Operations
 - Group Manager City Operations
 - Group Manager City Assets & Environment
 - Group Manager Regulatory Services
- Executive Director City Planning & Design
 - Group Manager City Design
 - Group Manager City Planning
 - Group Manager Development & Traffic Services
- Executive Director Community Services
 - Group Manager Cultural Strategy
 - Group Manager City Assets Parramatta Square
 - Group Manager Social & Community Services
 - Riverside Theatre Director
- Executive Director Property Development
 - Group Manager Place Services
 - Group Manager Property Development
 - Group Manager Property, Security, Assets & Services
 - Group Manager, Project Delivery
- Group Manager City Strategy

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Who can receive a report outside of the City of Parramatta Council?

Staff and Councillors are encouraged to report wrongdoing within Council, but internal reporting is not your only option. In certain circumstances, you can also make a public interest disclosure to some external parties, as outlined below in Investigating Authorities and Members of Parliament and Journalists.

Investigating Authorities

The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances, it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the CEO or the Lord Mayor.

The relevant investigating authorities are the:

- Independent Commission Against Corruption (ICAC) – for reports about corrupt conduct;
- NSW Ombudsman – for reports about maladministration
- Information Commissioner – for disclosures about a breach of the GIPA Act
- Office of Local Government – for disclosures about local Councils
- Auditor-General of the NSW Audit Office – to report serious and substantial waste.

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this Policy.

You should be aware that the investigating authority may well discuss any such reports with Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support, protections and assistance to staff or Councillors who report wrongdoing to an investigating authority, if we are made aware that this has occurred.

Members of Parliament or Journalists

There are only limited circumstances where reports to a Member of Parliament or a Journalist will have protections of the PID Act. To be covered under the PID Act,

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staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the CEO;
- a person nominated in this Policy, including the Lord Mayor for reports about the CEO; and
- an investigating authority.

Also, Council or the investigating authority that received your initial report must have either:

- decided not to investigate the matter;
- decided to investigate the matter, but not completed the investigation within six months of the original report;
- investigated the matter but not recommended any action as a result; or
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist, you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

Other external reporting

If you report wrongdoing to a person or authority that is not listed above, or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our Code of Conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Council, contact the Disclosures Coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this Policy.

How to make a Report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. Council's Public Interest Disclosure Internal Reporting Form (available on Insite) is also available for staff or Councillors to use to make a report.

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If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by the Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation. It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If we do not know who made the report, it is very difficult for us to prevent any reprisal should others identify you.

Feedback to staff who report wrongdoing

Staff and Councillors who report wrongdoing will be told what is happening in response to their report.

1. Acknowledgement

When you make a report, Council will contact you to confirm that your report has been received and to advise:

- the timeframe within which you will receive further updates; and
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, Council will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report;
- the likely timeframes for any investigation or other action; and
- information about the internal and external resources or services available that you can access for support.

You will receive an acknowledgement within ten (10) working days from the date you make your report. We will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this Policy at that time, as required by the PID Act.

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NB: If you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this Policy.

2. Progress updates

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay
- advice of any decision by the Council not to proceed with the matter
- information about whether your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

3. Feedback

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

Maintaining Confidentiality

Council realises reporters may want their identity, and the fact they have made a report, to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing, such as the release of confidential information.

Where possible and appropriate we will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. We will discuss with you whether it is possible to keep your identity confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the Disclosures Coordinator and the

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CEO, or in the case of a report about the CEO, the Disclosures Coordinator and the Lord Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal.

Any staff or Councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

Managing the risk of reprisal and workplace conflict

When a staff member or Councillor reports wrongdoing, Council will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter. Council uses the NSW Ombudsman's Public Interest Disclosures Guideline C4 – Assessing Risk of Reprisals and Conflict as the basis of its risk assessment.

Protection against reprisals

Council will not tolerate any reprisal against staff or Councillors who report wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff and Councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes

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detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss;
- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to employment;
- dismissal from, or prejudice in, employment; and
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of the Council's Code of Conduct which may result in disciplinary action. In the case of Councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993.

It is important for staff and Councillors to understand the nature and limitations of the protection provided by the PID Act.

Responding to allegations of reprisal

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the Disclosures Coordinator or the CEO immediately. In the case of an allegation of reprisal by the CEO, you can report this to the Lord Mayor.

All supervisors and Disclosure Officers must notify the Disclosures Coordinator or the CEO if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the CEO, the Lord Mayor can be notified.

If the City of Parramatta Council becomes aware of or suspects that reprisal is being, or has been taken, against a person who has made a disclosure, Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue;

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- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff;
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter;
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;
- refer any breach of Council's Code of Conduct (reprisal action) by a Councillor or the CEO to the Code of Conduct Complaints Coordinator (the Internal Ombudsman Shared Service) and depending on the nature of the complaint, to the Office of Local Government, and
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Disclosures Coordinator (IOSS), the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this Policy.

Protection against legal action

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

Support for those reporting wrongdoing

Council will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the Disclosures Coordinator.

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Council's Employee Assistance Policy can be found here:

<http://pccinsite/people/Human%20Resources/HR/EAP/Employee%20Assistance%20Program.tr5>

Details of Council's confidential employee assistance provider can be found here:

<https://accesseap.com.au/services/individuals-in-focus/counselling-services-eap>

Sanctions for making false or misleading statements

It is important all staff and Councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. The City of Parramatta Council will not support staff or Councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the Code of Conduct resulting in disciplinary action. In the case of Councillors, disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993.

The rights of persons the subject of a report

Council is committed to ensuring staff or Councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.

If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time, you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

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More information

Staff can seek advice and guidance from the Disclosures Coordinator (the IOSS on (02) 8757 9617) or at internalombudsman@cityofparramatta.nsw.gov.au and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

Definitions

<i>Corrupt Conduct</i>	deliberate or intentional wrongdoing, not negligence or a mistake
<i>Disclosures Coordinator</i>	Council Officer responsible for managing Council's response to Public Interest Disclosures
<i>Disclosures Officers</i>	Council Officers trained to receive Public Interest Disclosures (ie, Any Level 2 or Level 3 Manager)
<i>ICAC</i>	Independent Commission Against Corruption
<i>Local Government Authority</i>	(a) A Council (b) A county Council within the meaning of the Local Government Act 1993
<i>Maladministration</i>	irregular and unauthorised use of public money or substantial mismanagement of public resources
<i>Pecuniary Interest</i>	private interests conflict with the duty to act in the public interest
<i>PID Act</i>	Public Interest Disclosures Act 1994
<i>Public Authority</i>	Any public authority whose conduct or activities may be investigated by an investigating authority, and includes (without limitation) each of the following: (a) a public service agency; (b) a state owned corporation and any subsidiary of a state owned corporation (c) a local government authority (d) the NSW Police Force and the Law Enforcement Conduct Commission (e) the Department of Parliamentary Services, the Department of Legislative Assembly and the Department of the Legislative Council
<i>Public interest disclosure</i>	That is, a disclosure of information that the person making the disclosure honestly believes, on reasonable grounds, shows or tends to show corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention or local government pecuniary interest contravention, by Council, Councillors or staff or by another public authority or any of its officers. 'Public Interest Disclosure' is the new term for a protected disclosure.
<i>Public official</i>	An individual who is an employee of or otherwise in the service of a public authority

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

Internal Ombudsman Share Service

Phone: (02) 8757 9617

Auditor General of New South Wales

Phone: (02) 9275 7100

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Email: internalombudsman@cityofparramatta.nsw.gov.au
 Web: [there needs to be a page for CoP]
 Address: 11 Northumberland Road
 Auburn NSW 2144

Corrupt Conduct:

Independent Commission Against Corruption (ICAC)
 Phone: 02 8281 5999
 Toll free: 1800 463 909
 Tel. typewriter (TTY): 02 8281 5773
 Facsimile: 02 9264 5364
 Email: icac@icac.nsw.gov.au
 Web: www.icac.nsw.gov.au
 Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

Breaches of the GIPA Act:

Information Commissioner
 Toll free: 1800 472 679
 Facsimile: 02 8114 3756
 Email: ipcinfo@ipc.nsw.gov.au
 Web: www.ipc.nsw.gov.au
 Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

Associated documents

- Complaints Handling Policy
- Code of Conduct and Procedures for the Administration of the Model Code of Conduct for NSW Councils
- Fraud and Corruption Prevention Policy
- Grievance and Dispute Handling Policy
- Grievance and Dispute Handling Policy
- Workplace Bullying & Harassment Policy
- Work Health Safety Policy, Procedure and Statement
- Drug and Alcohol Policy
- Smoke Free Workplace Policy
- Interaction Between Councillors And Staff
- Statement of Business Ethics

Email: mail@audit.nsw.gov.au
 Web: www.audito.nsw.gov.au
 Address: GPO Box 12
 Sydney NSW 2001

Maladministration:

NSW Ombudsman
 Phone: 02 9286 1000
 Toll free (outside Sydney metro): 1800 451 524
 Tel. typewriter (TTY): 02 9264 8050
 Facsimile: 02 9283 2911
 Email: nswombo@ombo.nsw.gov.au
 Web: www.ombo.nsw.gov.au
 Address: Level 24, 580 George Street, Sydney NSW 2000

Local Councils:

Office of Local Government
 Phone: 02 4428 4100
 Tel. typewriter (TTY): 02 4428 4209
 Facsimile: 02 4428 4199
 Email: dlg@dlg.nsw.gov.au
 Web: www.dlg.nsw.gov.au
 Address: 5 O'Keefe Ave, Nowra, NSW 2541

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Public Interest Disclosure Internal Report Form

To be completed by an internal reporter and submitted to a nominated Disclosures Officer

(Refer to Council's Public Interest Disclosures Policy for further details)

Details of reporter (You can make an anonymous report by leaving this section blank)		
Name:		
Position:		Preferred Contact method
Division/Unit:		
Telephone:		<input type="checkbox"/> Phone
Email:		<input type="checkbox"/> Email
Postal address:		<input type="checkbox"/> Post
Details of the wrongdoing being reported		
Description:		
<ul style="list-style-type: none"> • What happened? • Where did this happen? • When did this happen? • Is it still happening? <p><i>[Attach an additional page if required]</i></p>		
How did you become aware of this?		
Name and position of people involved in the wrongdoing: <i>[Attach an additional page if required]</i>	Name	Position
Attach any additional relevant information or indicate where supporting evidence may be found:	Supporting evidence	Attached
		<input type="checkbox"/>
		<input type="checkbox"/>
Name and position of other people who may have additional information:	Name	Position
Statement		
I honestly believe that the above information shows or tends to show wrongdoing.		
_____ Signature of reporter <i>(Do not sign if you want to make an anonymous report)</i>		_____ Date report submitted <i>(Essential information)</i>

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Date of Commencement: 2005	Approval Authority: Council	Date Approved: [Date]
Amendment: 5	Date of Next Review: 2022	Review: Every 2 years



DRAFT

Name of Policy		
Owner: Risk & Audit Manager	Area: Corporate Services	POL No: 228
Date of Commencement: 2005	Approval Authority: Council	Date Approved: [Date]
Amendment: 5	Date of Next Review: 2022	Review: Every 2 years



CITY OF PARRAMATTA

Councillors Workshops and Briefing Sessions Policy and Procedure

Contents

- Scope
- Purpose
- Policy
- Procedure
- Definitions

Scope

This Policy applies to Councillors and Council employees, including contract and casual employees engaged by Council, members of Council Committees and external parties.

Purpose

The purpose of Workshops and Briefing Sessions is to engage with Councillors, on matters of significant importance and interest.

The Workshops and Briefing Sessions allow the Lord Mayor, Councillors, Executive and Staff to:

- clarify issues, exchange information (including confidential) and to seek feedback/general direction on proposals
- provide a forum for discussion on initiatives and discuss options in determining Council's strategic corporate direction
- ensure effective communications and information flow between staff and Councillors
- provide a team building forum in which to develop trust and understanding between those attending the workshops or briefing.

Councillor Workshops and Briefing Sessions are often held prior to Council making a resolution in a Council Meeting. Workshops and Briefing Sessions are not decision-making forums but an opportunity to provide background information or context and present options that supports a resolution or action in Council. Information provided to these forums are confidential. Feedback obtained from Councillors at a Workshop or Briefing Session will help guide Council Officers in preparing reports or other documents

Name of Policy		
Owner: Manager Governance	Area: Governance	POL No: 381
Date of Commencement: 7/8/18	Approval Authority: Council	Date Approved:
Amendment 4	Date of Next Review: 2024	Review: 4 years



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seeking a decision by Council and ensure that all issues and views are properly canvassed in the report or other documents such as submissions.

Policy

Under the Local Government Act 1993, a Council can hold a Workshop or Briefing Session under its general powers as a body corporate. Workshops and Briefing Sessions are informal gatherings and can provide useful background information to Councillors on the business of Council. Councillor Workshops and Briefing Sessions may involve Councillors, Council staff and invited external participants.

Council Workshops and Briefings often provide Councillors with information that leads to forming a Council position on a particular item or issue. In a majority of cases the information presented is provided under the agreement and understanding that it requires the knowledge or feedback from Councillors before a final position can be provided to Council in the form of a report. The information provided in these forums is confidential.

Respect

Councillor Workshops and Briefings may be attended by external participants and Council staff, including a range of staff who are not listed under the Interaction Between Councillors and Staff Policy.

Councillors and staff are to observe the conduct obligations of the Code of Conduct, and to remain courteous, professional and respectful of all attendees. The Chair will call to order anyone who behaves in a manner contrary to the conduct obligations of the Code of Conduct, including the use of offence behaviour or language.

Confidentiality

Matters discussed in Council Workshops and Briefings are generally confidential in that they contain information that could provide an unfair or false representation of Council's position on a particular matter. Information provided as part of Workshops and Briefings that is marked confidential should be treated the same as matters held in the Confidential Agenda in Council. Photos or videos of presentations are not permitted. Confidential information distributed to an external party or media would be considered as a breach of Section 664* of the Local Government Act in that, Councillors must not, at any time, disclose materials classified as confidential in reports presented to our discussions held at Council.

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Confidential items for the purpose of this policy relate to the same as per the Council Code of Meeting Practice:

- a) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- b) 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. Review a trade secret
- c) Information that would, if disclosed, prejudice the maintenance of law
- d) Matters affecting the security of the council, Councillors, council staff or council property
- e) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- f) Alleged contraventions of any code of conduct requirements applicable under Section 440.

Conflicts of Interests

Councillors and staff are reminded of their obligations under the Code of Conduct. Conflicts of interests are to be managed in accordance with the Code. Councillors and staff are responsible for the identification, declaration and management of any interests. Forms will be made available at workshops to assist in declaring interests.

Chair

The Lord Mayor or in their absence, Deputy Lord Mayor, will Chair Workshops/Briefing Sessions.

In the absence of the Lord Mayor and Deputy Lord Mayor, the Chair will be selected from amongst the Councillors in attendance.

Quorum

Although Workshops and Briefing Sessions are not decision-making forums, attendance by Councillors at these sessions provide an opportunity for informal discussion on a matter prior to it being considered at a Council Meeting.

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A quorum for the purposes of whether a Workshop or Briefing Session will proceed will be at least four Councillors.

Remote Attendance

Workshops and Briefing Sessions are held in the Level 12 Boardroom at 126 Church Street, Parramatta.

Due to COVID-19, the introduction of remote Workshops/Briefing Sessions provided Councillors with the flexibility to attend sessions, whilst juggling other work/personal commitments.

Attendance at Workshops/Briefing Sessions will continue to remain flexible, with provisions being made for in-person and remote attendance.

Catering

Light refreshments will be provided at Workshops/Briefing Sessions in accordance with Councillors' Expenses and Facilities Policy.

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Procedure

Workshops and briefing sessions can be organised:

1. As a result of a resolution at a Council Meeting;
2. As approved by the Executive Team in consultation with the Lord Mayor.

The following table outlines the steps and responsibilities for organising Workshops and Briefing Sessions:

Step	Detail	Responsibility
1	Annual dates for Workshops and Briefing Sessions are set, calendar placeholder invites sent to Councillors and Executive Team, and dates entered into the Councillor Portal and on Council's intranet	Governance
2	Request sent to Governance for a Workshop or Briefing session	Facilitator
3	Date tentatively booked in the Workshop / Briefing Session schedule	Governance
4	Confirmation of Workshop / Briefing sessions	Executive Team
5	Complete Workshop / Briefing Session briefing note and send to Governance	Facilitator
6	Update calendar invite to "CONFIRMED" with details of the session. Attach briefing note and add any additional internal invitees	Governance
7	Send details of the confirmed Workshop / Briefing Session to external invitee	Facilitator
8	Prepare presentation material	Facilitator
9	Coordinate Councillor RSVPs for confirmed Workshop/Briefing Session	Governance
10	If confirmed number of Councillors is less than quorum, cancel session	Lord Mayor / CEO
11	Hold session and capture Councillor and staff attendance	Facilitator
12	Complete Outcome Summary and send to Governance	Facilitator
13	Upload Outcome Summary and any presentations / handouts to Councillor Portal	Governance

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Step	Detail	Responsibility
14	Register Workshops / Briefing Sessions briefing note, presentation / handouts and outcome summary in record management system	Governance

Definitions

Briefing:	Sessions at which information is presented prior to items being put forward at a Council Meeting.
Workshop:	Sessions which Councillors and Staff meet to discuss and/or have input into Council strategies.

REFERENCES	Local Government Act 1993 Local Government (General) Regulation 2005 Government Information (Public Access) Act 2009
POLICIES	Code of Conduct Code of Meeting Practice Interactions Between Councillors and Staff
ATTACHMENTS	

Name of Policy		
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Legislative Compliance Policy

Contents

1. Scope
2. Purpose
3. Policy
4. Definitions
5. Related Resources

1. Scope

This policy applies to all Council Officials at the City of Parramatta Council and works in concert with our Governance Framework and the *City of Parramatta Legislative Compliance Procedure*.

2. Purpose

The purpose of this policy is to set in place Council's commitment to a culture of compliance in line with the principles based on the *Australian Standards AS/ISO 19600: 2015 Compliance Management Systems – Guidelines* and Council's Governance Framework to ensure:

1. That the Council complies with all applicable legislative requirements set by the NSW and Commonwealth Governments
2. That Council has in place a continual improvement system for legislative compliance as advocated by ISO 19600:2015 based around the principles of 'Plan-Do-Check-Act'.
3. Promotes a culture of good governance and compliance in line with Council's Governance Framework
4. Prevents, and where necessary, identifies and responds to breaches of laws, regulations, codes, policies and organisational procedures and standards occurring within the Council
5. Assists the Council in achieving the highest standards of governance, and
6. Has in place a Compliance Management System which allows for continuous review and improvement for all its business processes

3. Policy

3.1 Our compliance obligations

As a government agency, Council has a higher responsibility to identify and comply with its obligations in law, regulations, industrial and organisational standards, Ministerial Directives, Council policies and procedures, principles of good governance as established by our

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Governance Framework, accepted ethical standards, risk management, community expectations and Council's values.

Council also has an obligation to ensure that staff have a good understanding of their legislative responsibilities. IOSS (Internal Ombudsman Shared Service) in undertaking investigations has noted that Council '*needs to improve ...staff's understanding of legislative compliance within their roles at Council*'. In particular, they have recommended that Council should:

- (a) Provide a thorough training program for relevant staff on the importance and necessity of understanding and interpreting and applying legislation.
- (b) Running an awareness campaign for relevant staff to explain the role of Local Government Legal, and
- (c) Provide training in understanding and applying the Local Government Legal system product within Council to identify legislative changes and how they impact upon their business areas.

AS/ISO 19600:2015 places emphasis on compliance being 'embedded' in the culture of an organisation and that it is integrated with an organisation's financial, risk, quality, environmental health and safety management processes as well as its operational requirements and procedures. This policy is based upon the following general principles:

- Compliance obligations are identified and assessed for mitigation.
- Compliance and risk are managed at the operational level, with accountability through defined reporting structures.
- Staff training needs are identified and addressed.
- Behaviours that create and support compliance are encouraged and behaviours that compromise compliance are not tolerated.
- Controls exist to manage key compliance obligations, particularly through Council's Audit, Risk & Improvement Committee (ARIC) and actively work to achieve desired behaviours.
- Council is able to demonstrate its Compliance Management System through documentation and practice, and
- The Compliance Management System will be regularly reviewed and opportunities for improvement identified as part of Council's Audit Program`.

The consequences of Council breaching its compliance obligations can be either a minimal or a severe (civil and criminal) impact. Both have the ability to damage Council's reputation and foster a loss of confidence in the organisation.

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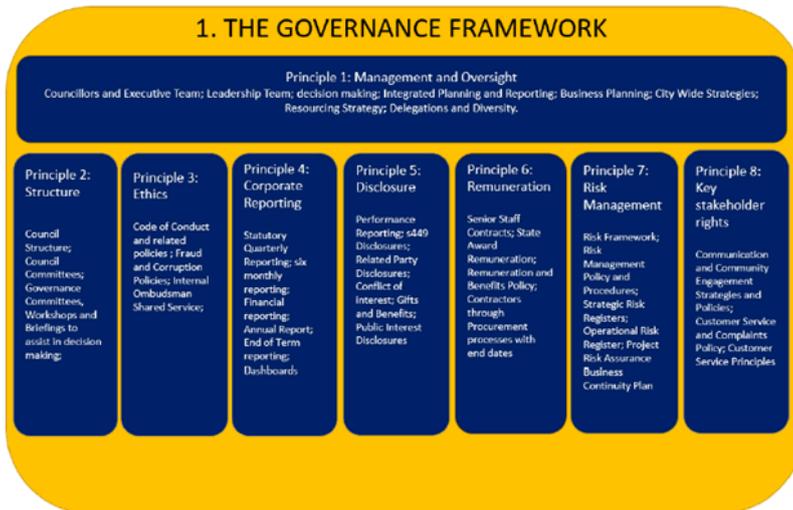
3.2 Our Governance Framework

Council has adopted a Governance Framework based on the Eight Governance Principles recommended by the Audit Office of NSW. The Framework is set across eight key principles and 17 components that underpin the achievement of good governance within the organisation. These principles are:

- Principle 1: Management & Oversight
- Principle 2: Structure
- Principle 3: Ethics
- Principle 4: Corporate Reporting
- Principle 5: Disclosure
- Principle 6: Remuneration
- Principle 7: Risk Management
- Principle 8: Key Stakeholder Rights

Figure 1 below summarises how the City of Parramatta meets these Eight Key Principles via a range of governance mechanisms. Our Governance Framework notes, 'Governance should be enduring and not something referred to when things are tough. It should be recognised through the implementation of processes and procedures that demonstrate transparency and accountability that is accompanied by a good governance culture whereby attitudes, values, beliefs and behaviours of leaders must set the standard and be reflected in roles and responsibilities.' (City of Parramatta Governance Framework p.4)

Figure 1: City of Parramatta's Governance Framework



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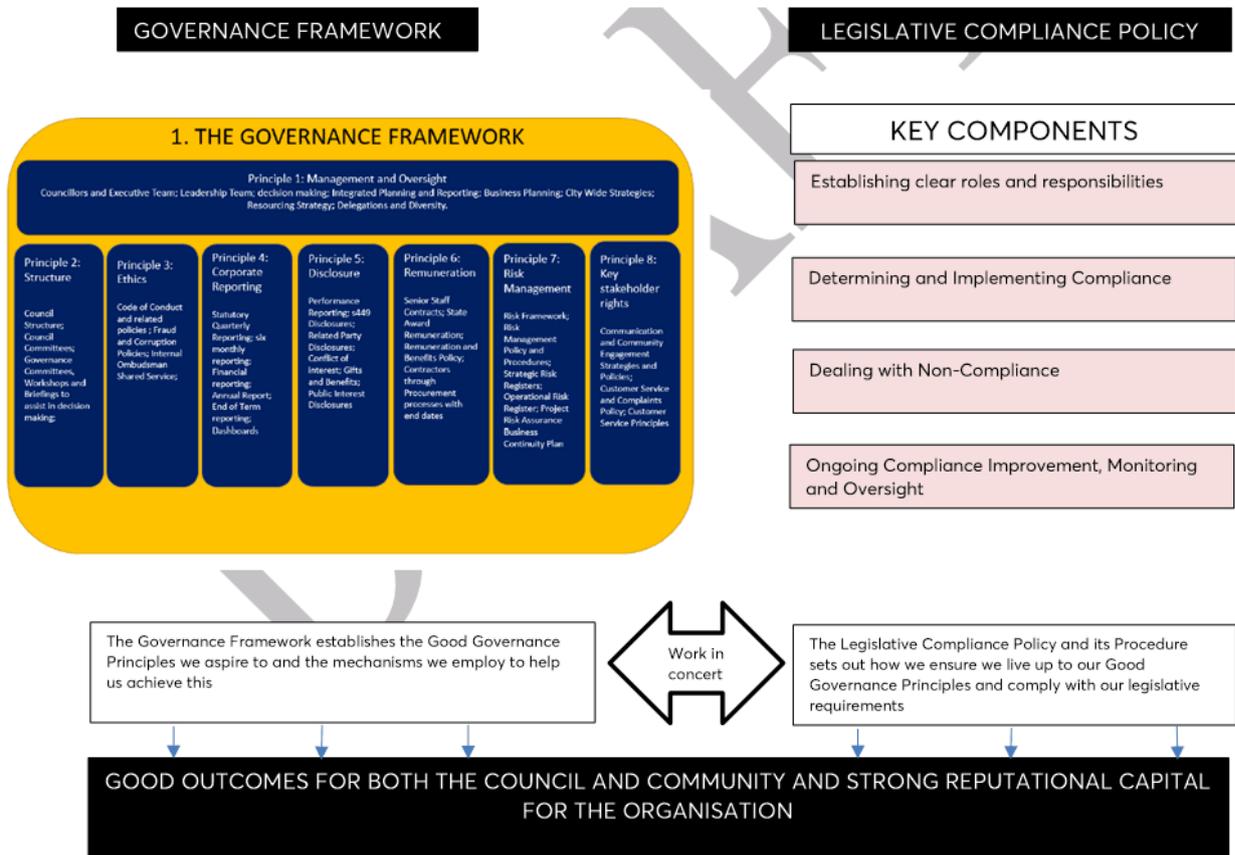


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3.3 The relationship between our Governance Framework and this Legislative Compliance Policy

Council's Legislative Compliance Policy has been developed to complement and work in concert with our Governance Framework. The Governance Framework sets out the principles we aspire to assist in achieving good governance whilst the Legislative Compliance Policy and Procedure sets out our continual improvement system to ensure on-going compliance within our activities to allow us to live up to these broad good governance principles. Figure 2 below sets out how this relationship works.

Figure 2: The relationship between our Governance Framework and the Legislative Compliance Policy



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This Legislative Compliance Policy and its Procedure is structured around four key components consisting of:

- Establishing clear roles and responsibilities
- Determining and implementing compliance
- Dealing with non-compliance, and
- Ongoing compliance improvement, monitoring and oversight

3.4 Establishing clear roles and responsibilities

Legislative compliance is a function that does not apply to specific areas, but rather applies across the entire organisation. Everyone has particular responsibilities to ensure we achieve organisation-wide legislative compliance. The sub-sections below set out the specific responsibilities which apply across the various areas of Council's organisational structure.

3.4.1 All Staff

All staff need to be aware of their delegations and the legislative requirements that apply to their position and be conscientious and responsive in seeking to comply with relevant legislation and standards which apply to their positions.

3.4.2 The Executive Team (ET)

The ET (including the CEO) is required to lead by example by 'setting the tone from the top' by demonstrating their active commitment to a positive compliance culture within Council.

3.4.3 The Manager Governance shall maintain the *Legislative Compliance Obligations Register* and the *Non-Compliance Register* as well as be responsible for reviewing the Legislative Compliance Policy and Procedure on a regular basis.

3.4.4 The Manager Risk & Audit is responsible for conducting compliance control effectiveness checks through administering the Council's internal audit program.

3.4.5 The Audit, Risk & Improvement Committee (ARIC)

The Audit, Risk & Improvement Committee (ARIC) is responsible for providing independent assurance and assistance to Council on risk management, control, governance, and external accountability responsibilities. The Committee sets Council's annual internal audit program as proposed by the Manager Risk & Audit.

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3.4.6 Managers and Supervisors

Managers and supervisors are responsible for coordinating compliance and assigning responsibility across the staff in their branches. They have an important leadership role in compliance and should demonstratively abide with compliance requirements including under legislation, policies and procedures.

3.4.7 Other Council Officials

Other Council Officials, such as contractors, consultants, suppliers, community groups and volunteers, are expected to adequately manage and meet compliance requirements when working for and behalf of Council or whenever they are on Council premises.

3.5 Determining and implementing compliance

Council must comply with legislation (and delegated statutory instruments including associated regulations) as well as Council codes, policies, procedures, guidelines, delegations or practices that either the elected Council (Governing Body) or the CEO and Executive Team (ET) have adopted as being appropriate standards for administering and delivering Council's functions and services.

3.5.1 Core legislation and compliance standards

As a multi-functional organisation, Council operates under the provisions of a wide range of legislation. A list of core legislation under which the City of Parramatta conducts its activities is provided in Appendix 2 of the Procedure.

Coupled with this Council must also comply with:

- Relevant Ministerial Directions;
- Local Environmental Plans and development control plans;
- Development consents and construction certificates;
- Mandatory codes;
- Binding contracts (including grants);
- Departmental or commissioner guidelines;
- Notices and orders;
- Court orders and judgments;
- Licences and permits; and
- Resolutions of the Council.

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Also Council's compliance standards are informed by: Standards (ISO and/or Australian/New Zealand standards); Model policies and guidance documents published by organisations such as the Office of Local Government, Independent Commission Against Corruption, the Office of the Information & Privacy Commissioner or the NSW Audit Office; and Council values, principles and ethics (such as good governance, accountability and transparency).

As required, the above may be further communicated through Council policies and/or procedures to support compliance by Council officials.

NOTE: Triggers for updates can include:

- Changes to legislation or other compliance sources;
- Changes to Council's organisational structure;
- Changes or additions to Council services;
- Reviews, reports or audits highlighting non-compliance or recommending improved compliance; and
- Third-party changes requiring compliance review, such as changes to procurement aggregators or key external government agencies.

Changed requirements should be assessed and prioritised against Council's Risk Management Strategy.

3.5.2 Compliance processes and structures

Council will have appropriate processes and structures to ensure that legislative requirements are integrated into its operations. Most compliance administration and management, including policy development, occurs within the respective Directorates and their sections. This structure relies on the expertise of the respective managers to ensure that their staff are appropriately trained and supported. This includes ensuring staff are provided with up-to-date policies and procedures and clearly defined delegations and authorisations.

3.5.3 Policy Register and Council's Document Framework

Transparent, appropriate and achievable policies are central to compliance. The Policy Register, including version management, adoption, records and responsibility allocation is managed centrally through Governance. Although the authoring and management responsibility for policy is decentralised, the approval of policies is centralised through the elected Council and ET.

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All policies and some corporate procedures must be submitted via Governance to assist with quality control, consultation, implementation and adoption advice. Staff should refer to Council's *Document Framework* as per **Appendix 1** of this policy.

3.5.6 Registers

Council maintains a number of registers that support its legislative compliance. Appendix 3 in the *Legislative Compliance Procedure* sets out the registers which support Council's legislative compliance requirements.

3.6 Dealing with Non-compliance

Council may become aware of non-compliance through one or more methods, including but not limited to the following:

- Staff report, notification, grievance or public interest disclosure. This may originate from staff involved or related to the non-compliance, including self-reports, or from staff in a role-related function, such as those in an external enforcement role (see below), a governance or compliance-related role, or audit role;
- Customer service requests, feedback or complaints from members of the public or Councillors, which may result in review of service provision and related documentation;
- Council vendor report of non-compliance;
- Internal or external audit reports or other identification of systemic anomalies;
- Investigations by, or requests for information from the Internal Ombudsman Shared Service (IOSS), other agencies, including the: NSW Ombudsman; SafeWork NSW; Environmental Protection Agency; NSW Police; Independent Commission Against Corruption (ICAC); Information & Privacy Commission; and/or Office of Local Government (OLG).

Any of the above may provide direct information regarding a non-compliance matter, or indirect information by triggering a review of a service provided or associated documentation, which may reveal non-compliance. Systemic non-compliance matters may reveal multiple non-compliance matters requiring separate management. The *City of Parramatta Legislative Compliance Procedure* sets out the processes for reporting non-compliance within the Council.

3.7 Compliance improvement, monitoring and oversight

3.7.1 Developing and supporting a compliance culture

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Council is committed to an organisational culture in which quality compliance and governance processes are positively valued and promoted. Council acknowledges that embedding compliance values will help develop a self-regulating organisation with fewer non-compliance events and results in good outcomes for both the Council and community as well as strong reputational capital for the organisation.

3.7.2 Improving Council's compliance

Improvements to compliance may include but are not limited to:

- Providing training to staff in understanding and implementing legislation;
- Providing information to staff to allow them to understand the broad scope of legislation which applies to their role;
- Advising staff of delegations and ensuring delegations are published, widely available and regularly reviewed;
- Timely corrective action to address non-compliances;
- Updating information and training provided to staff;
- Updating policies and processes to ensure that they are actionable and supportive of compliance; and/or
- Adapting reporting lines or structures.

3.7.3 Council's Risk Management Strategy

Council's compliance controls are assessed and control effectiveness is monitored through Council's Risk Management Strategy and internal audit program. Council is subject to both internal and external audits, the outcomes of which are reported to the ARIC and ET and key staff as required.

An annual internal audit program is developed by the Manager Risk and Audit in association with the Audit Risk & Improvement Committee (ARIC).

4.0 Definitions

ARIC

Audit, Risk and Improvement Committee

Code of Conduct

The current Code of Conduct as adopted by the City of Parramatta Council.

Compliance

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A measure of the degree to which requirements of legislation, codes and Council standards and policies are met.

Council Official

A Council Official as per the City of Parramatta Code of Conduct which consists of 'councillors, members of staff, administrators, council committee members, delegates of council and for the purposes of Clause 2.16 of the Code of Conduct, council advisors.'

Council standards

Any code, policy, procedure, guideline or practice that Council's Executive Team (ET) has adopted as an appropriate standard for Council's day-to-day operations.

Executive Team (ET)

Executive Team consists of Council's Chief Executive Officer and Tier 2 Directors.

Non-compliance

The failure to take a required action, as well as actual unlawful activities, which results in a deviation from established processes and procedures. Non-compliance may constitute an over-riding of controls or a gap in existing controls.

Policies

External facing Policies that have been adopted by the Council and Internal facing Protocols that have been adopted by the CEO and/or Executive Team (ET).

5.0 Related Resources

5.1 Legislation

- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*

5.2 Council Policies, Codes and Procedures

- City of Parramatta Governance Framework
- City of Parramatta Legislative Compliance Procedure
- City of Parramatta Code of Conduct

5.3 Publications

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- Australian Standards AS/ISO 19600: 2015 Compliance Management Systems – Guidelines

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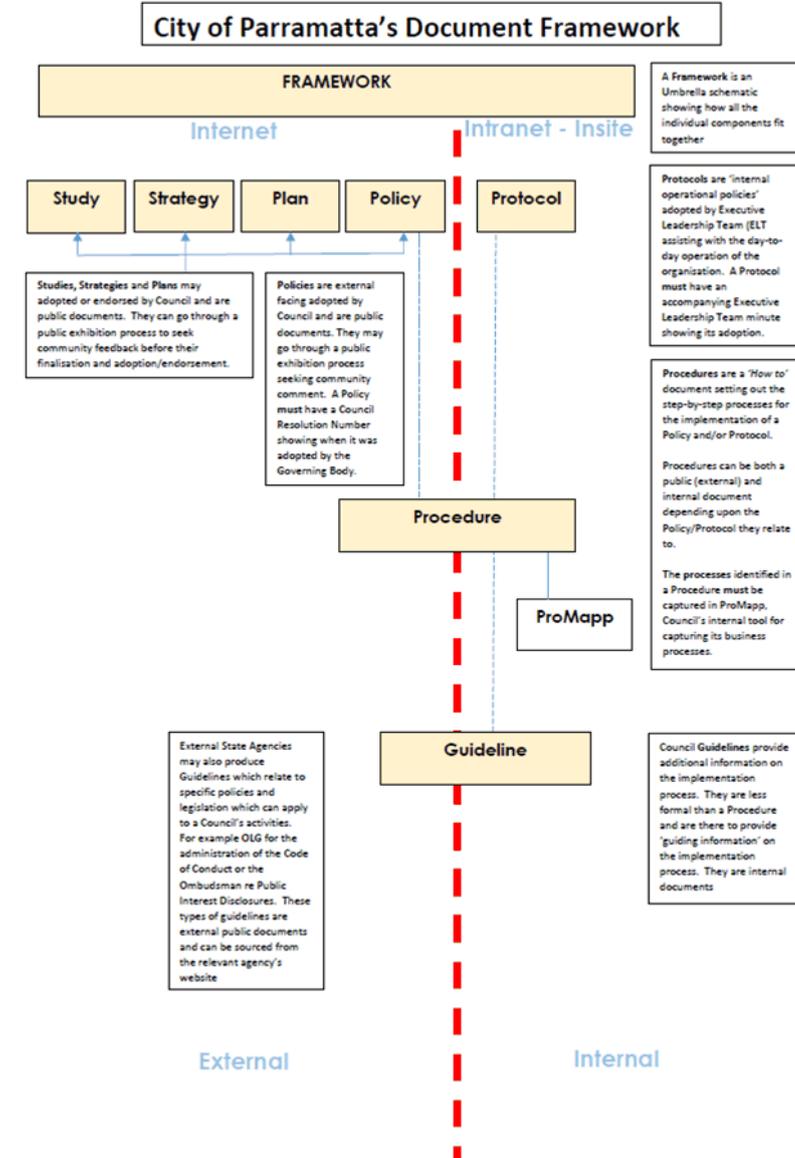
6.0 Appendices:

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Appendix 1: City of Parramatta's Document Framework



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FAIR

ITEM NUMBER	12.3
SUBJECT	FOR APPROVAL: 2021 Community Grants
REFERENCE	F2021/00521 - D07981436
REPORT OF	Community Grants Officer

PURPOSE:

To seek Council's endorsement of the proposed funding allocations under the 2021 City of Parramatta Community Grants annual round.

RECOMMENDATION

- (a) **That** Council adopts the expenditure recommended by the Councillor Grants Committee for the 2020-2021 Community Grants as summarised in Attachment 3.
- (b) **That** Council endorses a creative skills development grant offer of \$12,000 being made to one unsuccessful applicant in the Creative Fellowship category identified in Attachment 3 and delegates authority to the Director Parramatta Artist Studios to disburse funds to those who meet the requirements detailed in paragraph 12 of this report.
- (c) **That** Council notes the status of grants made in the quarterly Community Grants program and Parramatta Representative Sports Grant as summarised in Attachment 2.
- (d) **That** \$40,000 of unallocated funds from the 2021 Community Grants budget be rolled over to the 2021/2022 Financial Year Community Grants budget, with at least \$10,000 being allocated to the Representative Sports Grant program.
- (e) **Further, that** Council notes that a further report will follow with the results of the review of the Sport and Recreation Grants and Representative Sports Grant categories.

BACKGROUND

1. Applications for the 2021 annual round of the City of Parramatta Council's Community Grants opened on 1 February 2021 and closed at 4pm on 22 February 2021. The application and assessment period were conducted within the requirements of the City of Parramatta Grants and Donations Policy, adopted in December 2016.
2. At its meetings of 18 December 2017 and 8 April 2019, Council established a Councillor Grants Committee to oversee the grants assessment process and to expedite the consideration of grants prior to the May Council meeting. The members of the current Councillor Grants Committee are Deputy Lord Mayor Councillor M Garrard and Councillors P Bradley, Dr P Prociv, S Pandey, B Tyrrell, L Wearne and M Zaiter.
3. The total pool of funds available for the 2021 Community Grants Program is \$490,000. This includes \$40,000 allocated to the Small Grants Fund and

\$30,000 to the Sport and Recreation Fund, which are allocated through a separate quarterly process. This total pool also includes \$20,000 through the Representative Sports Grant, which is assessed through a separate process as applications are received.

4. As resolved by Council at its meeting of 17 December 2018, the following grant categories were offered in the annual round of the 2021 Community Grants Program:

Category	Funding pool	Funding cap	Time frame
Community Capacity Building Grants	\$225,000	\$10,000 Additional funds can be applied for to a limit of \$20,000	Annual round
Growing Social Enterprise Grants	\$75,000	\$25,000	Annual round
Creative Project Leveraging Fund	\$60,000	\$20,000	Annual round
Parramatta's Heritage and Stories Research Fund	\$20,000	\$5,000	Annual round
Creative Fellowship Fund	\$20,000	One Fellow	Annual round
Categories not in the annual round			
Small Grants Fund	\$40,000	\$2,000	Quarterly round
Parramatta Sport & Recreation Grants	\$30,000	\$2,000	Quarterly round
Parramatta Representative Sport Grants (50% of participant expenses up to cap)	\$20,000	\$1,000	Open all year

5. Council received a total of fifty-three eligible applications in the annual application round, with the total amount of funding sought across all categories being \$787,101.73. All applications are listed in **Attachment 1**.
6. Across the 2020/21 Financial Year, in the quarterly Small Grants programs and Representative Sport Grants, Council has received thirty-one applications for funds. Eleven of these applications have been funded through the established delegation to the Executive Director Community Services. A further fourteen applications from the last quarter are pending assessment. The successful grant recipients are detailed in **Attachment 2**.
7. At its meeting of 30 November 2021, Council resolved for a review to be conducted into the Sport and Recreation Grant and Representative Sports Grant categories.

ISSUES/OPTIONS/CONSEQUENCES

8. All grant applications received had their eligibility determined and were then assessed by category-specific assessment panels. Panel members have been drawn from the Community Capacity Building, City Animation, Cultural Heritage and Visitor Services, and Recreation Programs and Facilities teams as well as external social enterprise experts. Recommendations for funding as determined by these panels are provided in **Attachment 3**.

9. All applications were presented to the Councillor Grants Committee at its meetings on 4 May 2021 and 24 May 2021. Upon the review of the Councillor Grants Committee, they have recommended thirty applications, representing a total disbursement of \$385,725.26. These amendments and associated conditions are reflected in Attachment 3.
10. In making these recommendations, unallocated funds in the Community Capacity Building and Cultural Heritage and Stories categories have been made available for additional recommendations in other categories.
11. In addition, the Councillor Grants Committee recommended that remaining unallocated funds be made available to one highly rated, yet unsuccessful applicant in the Creative Fellowship Fund. It is proposed that the same mechanism used in 2019 for an opportunity to assist local artists be utilised in order to protect the uniqueness and prestige of the one individual awarded the Creative Fellowship.
12. It is, therefore, recommended that Councillors endorse an offer of \$12,000 being made to the applicant in the Creative Fellowship for the purpose of funding a defined creative skills development activity to develop their professional creative practice. The applicant receiving this offer will need to submit a skill development proposal as part of their acceptance of the funding offer, which will be reviewed by the category's assessment panel. It is proposed that the Director of the Parramatta Artist Studios be delegated to confirm that the requirements of this offer have been met before funds are disbursed. This process will ensure sound oversight of this valuable funding opportunity within a reasonable timeframe prior to the end of financial year. It is recommended that receiving this \$12,000 creative skills development grant not affect recipients' eligibility to apply for the Creative Fellowship in future years.
13. The Community Capacity Building team will continue its Grants Support and Monitoring Program to ensure the best possible outcomes from funded projects and across the whole grants program. Each recipient is allocated a Support Person from the Community Capacity Building, City Animation, Cultural Heritage and Visitor Services, or the Recreation Programs and Services teams to ensure there is ongoing communication and collaboration between successful applicants and Council. Equally, unsuccessful applicants are also assigned a Support Person to provide feedback and identify other funding opportunities.
14. The monitoring program requires grant recipients to provide a progress report either at 6 months or halfway through their project. This is in addition to a written final report and a financial acquittal report at the completion of the project. Acquittal reports provide feedback on the outcomes achieved in the project.
15. At its meeting of 24 May 2021, the Councillor Grants Committee discussed the review of the Sport and Recreation Grant and Representative Sports Grant categories. A further report will be forthcoming on the outcome of this review with recommended changes for future years. With an unallocated budget remaining in this financial year's budget, the Committee has noted a desire to allocate at least \$10,000 to the Representative Sports Grant category.

CONSULTATION & TIMING

16. As previously indicated, the Council meeting of 17 December 2018 resolved to establish a Councillor Grants Committee to oversee the grants process and to expedite the consideration of grants prior to being presented at the May/June Council meeting.
17. The 2021 annual round of the City of Parramatta Community Grants was administered as per the Grants and Donations Policy, which ensures grants programs follow best principles of grant-making and are delivered in an efficient and ethical manner.
18. Applications for the 2021 round of the City of Parramatta Community Grants opened on 1 February 2021 and closed at 4pm on 22 February 2021.
19. Potential applicants were supported by the Community Capacity Building team, who promoted the grants through numerous networks and advertising. The team also held online information sessions and in January and February 2021.
20. All grant categories were supported by cross unit promotion and advertisement strategies, including:
 - a. Email promotion to community contacts and subscribed newsletters notifying of available funding opportunities. This includes Council networks plus the 1,647 subscribers on the Active Parramatta list, and the 2,419 contacts on the Community Connective Funding e-News.
 - b. City of Parramatta Council's Community Grants webpage, providing information on upcoming grant rounds.
 - c. Council's social media channels on Facebook and LinkedIn.

Stakeholder Consultation

21. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
January 2021- March 2021	Potential applicants	Information sessions held and questions asked about grants process	Support provided as requested and as appropriate	Community Grants Officer
March 2021	Finance Team	Two members from the Finance team conducted financial due diligence of the supporting documents provided by applicants. The outcome of these reviews	Recommendations of the Councillor Grants Committee took the results of due diligence checks into consideration.	Community Grants Officer

		was provided to the Councillor Grants Committee.		
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Councillor Consultation

22. On 30 March 2021, reports for each funding category in the annual grant round was sent to the Councillor Grants Committee via email and through an upload to the Councillor iPad network. Reports included the following information:

Category-wide Information	Number of applications received, amount of money requested, applications recommended, and amount of money allocated.
Application Information	Applicant name, project title, total amount requested, brief project description and organisation description.
Assessment Information	Final ranking and score, assessment panel comment, conditions if funded, project locality, and alignment with City of Parramatta's priorities. Results of financial due diligence also shared.
Average Application Score	The assessment panel's average score under each assessment criteria.

23. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
4 May 2021	Clrs Garrard, Bradley, Pandey, Prociv, Tyrrell and Wearne. Apology noted by Clr Zaiter	Questions of specific applications taken on notice. Each category's recommendations discussed and confirmed, subject to questions on notice feedback.	Undertook to respond to questions by 24 May 2021.	Group Manager Social and Community Services
24 May 2021	Clrs Garrard, Bradley, Pandey, Prociv, Tyrrell and Wearne. Apology noted by Clr Zaiter	Responses to follow-up actions reviewed and recommendation confirmed. Request for unallocated funds to be held over. Review of sport focused categories	Finalised recommendations to be reported to Council. Officers will provide follow-up advice on sports focused categories prior to a Council Report being	Group Manager Social and Community Services

		discussed in detail. \$10,000 of unallocated funds from this year will benefit the representative category in the next year.	presented to Council.	
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24. A presentation ceremony to award grants to successful recipients will be arranged in consultation with the Lord Mayor and Councillor support staff. Invitations will be sent to successful recipients once arrangements have been made. It is anticipated that this event will be in the first two weeks of July 2021, subject to Covid-19 government health orders. All Councillors are invited to attend.

LEGAL IMPLICATIONS FOR COUNCIL

25. There are no legal implications as a result of this report. As per the Grants and Donations Policy, all recipients need to sign a Funding Agreement prior to funds being distributed. Funding Agreements include requirements around reporting and consequences for non-compliance.

FINANCIAL IMPLICATIONS FOR COUNCIL

26. The Councillor Grants Committee considered the amount of unallocated funds remaining in the 2020/2021 budget. The Committee has recommended that \$40,000 be carried over to the Community Grants budget in 2021/2022. The Committee has noted that at least \$10,000 of this should be allocated to the Representative Sports Grants category. This will be further discussed in a future Council report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs	Nil			
Internal Costs	-40,000	40,000		
Depreciation				
Other				
Total Operating Result	-40,000	40,000		
Funding Source	General Fund	General Fund		
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil	Nil	Nil	Nil
Funding Source				

Janice Emmerton-Didlick
Community Grants Officer

Rodrigo Gutierrez
Community Capacity Building Manager

David Moutou
Group Manager Social and Community Services

Paul Perrett
Chief Financial Officer

Jon Greig
Executive Director Community Services

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- | | | |
|----------------------------|---|------------|
| 1 | Attachment 1 - All applications received in the annual round of the 2021 Community Grants Program (confidential) (confidential) | 3
Pages |
| 2 ↓ | Attachment 2 - Current status of the Quarterly Grants program in 2020 21 Financial Year | 4
Pages |
| 3 ↓ | Attachment 3 - Grant recommendations 2021 Community Grants Program - sorted by applicant (alphabetical order) | 3
Pages |

REFERENCE MATERIAL

Attachment 2 – 2021 Community Grants – Current Status of the Quarterly Grants programs

Current status of the Quarterly Grants program

In the 2020/21 financial year the City of Parramatta Council Small Grants Fund is allocated \$40,000, Sport and Recreation Grants Fund allocated \$30,000 and the Representative Sport Grants Fund is allocated \$20,000. The first two funds have four application rounds. The Representative Sport Grants are open all year round and assessed immediately. This report provides the current status of these programs.

Small Grants Fund

Since the last Council report, all quarterly applications rounds have been completed with decisions for the fourth quarter pending. Council has received the following applications:

Round	Received	Funds requested	Funded
1st round closing 6 August 2020	6 applications	\$11,000.00	\$7,000.00
2 nd round closing 4 November 2020	4 applications	\$7,851.00	\$3,901.00
3 rd round closing 3 February 2021	4 applications	\$6,560.80	\$4,559.80
4 th round closing 5 May 2021	6 applications	\$11,200.00	pending

Small Grants projects already funded for 2020/2021 through the delegated decision-making process are listed below:

Grant Application #	Organisation Name	Project Name	Amount Funded
QG20-088	Sydney United Sports Club Incorporated	Equipment and Strategy Support	\$2,000.00
QG20-098	Cultural Diversity Network Incorporated (CDNI)	Let's Connect	\$2,000.00
QG21-05	Nautanki Theatre Company	Annual South Asian Theatre Festival - 5th Year	\$2,000.00
QG21-09	Sunnyfield	Keep us Cooking	\$1,000.00
QG21-15	SEWA Australia	Rejuvenating Seniors	\$1,902.00

Attachment 2 – 2021 Community Grants – Current Status of the Quarterly Grants programs

QG21-26	Karabi Community and Development Services Inc.	Food Safety Support Program	\$1,999.00
QG21-33	Hope Connect Inc	Ipads For Client Engagement	\$906.00
QG21-16	Rydalmere Public School Parents Association	Upgrade chicken coop	\$1,654.80
QG21-28	St Merkorious Charity Association	Women's Shelter Appeal	\$2,000.00
Total Funded:			\$15,460.80

Social Enterprise Business Planning Grant

In 2020/2021 Social Enterprise Business Planning Grants, three quarterly application rounds have been completed. Council has received the following applications:

Round	Received	Funds requested	Funded
Round closing 6 August 2020	None received	\$0.00	\$0.00
Round closing 4 November 2020	1 application	\$2,000	\$0.00
Round closing 3 February 2021	1 application	\$2,000	\$2,000.00
Round closing 5 May 2021	4 applications	\$7,672.73	pending

Grant Application #	Organisation Name	Project Name	Amount Funded
QG21-35	Buddha's Light International Association of Australia Incorporated	Creation Y and Loving Care	\$2,000.00
Total Funded:			\$2,000.00

Attachment 2 – 2021 Community Grants – Current Status of the Quarterly Grants programs

Sport and Recreation Grant

Since the last Council report, the third and fourth quarter of 2020/2021 Sport and Recreation grant has been completed. In the 2020/2021 Sport and Recreation Grants, three quarterly application rounds have been completed, Council has received the following applications:

Round	Received	Funds requested	Funded
Round closing 6 August 2020	4 applications	\$7,999.00	\$2,000.00
Round closing 4 November 2020	1 application	\$2,000.00	\$2,000.00
Round closing 3 February 2021	2 applications	\$4,000.00	\$4,000.00
Round closing 5 May 2021	3 applications	\$5,650.00	pending

Sport and Recreation Grants funded in the 2020/21 financial year are listed below:

Grant Application #	Organisation Name	Project Name	Amount Funded
QG20-113	Sydney BMX Club	New compressor for race start gate	\$2,000.00
QG21-11	Murray Farm Public School P&C and Subsidiary Committee	PSSA Sport Netball Shirts	\$2,000.00
QG21-14	Roselea Football Club	Roselea Football Ambassadors (RFA)- Advanced Player Development (ADP) Program	\$2,000.00
QG21-37	Carlingford Netball Club	Player and coach development clinics	\$2,000.00
Total Funded:			\$8,000.00

Representative Sports Grants

The Representative Sport Grants are open all year round. So far in this financial year the following grants have been awarded:

Attachment 2 – 2021 Community Grants – Current Status of the Quarterly Grants programs

Grant Application #	Applicant Name	Sport Represented	Amount Funded
RS20-04	Renee Yuen	NSW Figure Skating Championships	\$78.00

Category	Budget	Allocated from 1 July 2020 - 30 April 2021	Budget available for final quarter
Small Grants	\$40,000.00	\$15,460.80	\$24,539.20
Sport and Recreation	\$30,000.00	\$8,000.00	\$22,000.00
Representative Grants	\$20,000.00	\$78.00	\$19,922.00
Total	\$90,000.00	\$23,538.80	\$66,461.20

Attachment 3 - Grant recommendations 2021 Community Grants Program - sorted by applicant (alphabetical order)

	ID	Applicant Organisation	Project Title	Initial Amount Requested	Additional Amount Sought	Amount Requested from Council	Recommended funding amount	Assessment Panel	Councillor Committee	Conditions
Community Capacity Building Category	CCB21-33	Boronia Multicultural Services Inc	Bright from the Start	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	Recommend	Recommend	
	CCB21-25	Cancer Patients Foundation	Look Good Feel Better	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00		Recommend	
	CCB21-45	Children's Medical Research Institute	Remote Working and Community Participation Hub	\$10,000.00	\$9,000.00	\$19,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-35	Christian Community Aid Services	Financial stability - stronger families	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-32	Cumberland Women's Health Centre Inc	Creating A Healthy Environment	\$6,500.00	\$3,600.00	\$10,100.00	\$10,100.00	Recommend partial amount	Recommend full amount	
	CCB21-07	Dundas Area Neighbourhood Centre	Enhancement of Youth Group	\$9,975.00	\$10,000.00	\$19,975.00	\$9,968.09	Recommend	Recommend	
	CCB21-02	Fighting Chance (Avenue)	Avenue Parramatta social program: increasing connection, reducing isolation and restoring choice and control post COVID-19	\$10,000.00	\$7,200.00	\$17,200.00	\$17,200.00	Recommend	Recommend	
	CCB21-38	Hope and Wish Foundation	Free household cleaning for families without NDIS support	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	Recommend	Recommend	Conditional on milestone payments: evidence of employment; signed sheets for cleaning completed for the clients.
	CCB21-37	Hope Connect Inc	Upgrading & Increasing Access of Digital Resources for the Community & Hope Connect Workers	\$4,269.00	\$0.00	\$4,269.00	\$4,269.00	Recommend	Recommend	
	CCB21-19	OzHarvest	Nutrition Education Skills Training (NEST) Program	\$10,000.00	\$1,250.00	\$11,250.00	\$10,000.00	Recommend	Recommend	

Attachment 3 - Grant recommendations 2021 Community Grants Program - sorted by applicant (alphabetical order)

Community Capacity Building Category	CCB21-27	Parramatta Computer Pals for Seniors	Flexible learning to increase computer capacity in isolated older adults.	\$5,300.00	\$0.00	\$5,300.00	\$5,300.00	Recommend	Recommend	
	CCB21-44	Parramatta Holroyd Family Support Inc.	Out and About	\$9,864.00	\$9,520.00	\$19,384.00	\$19,384.00	Recommend	Recommend	
	CCB21-20	Parramatta Women's Shelter Inc	Removal and storage for Shelter families	\$10,000.00	\$10,000.00	\$20,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-10	St Francis Social Services (t/a The House of Welcome)	Housing & Foodbank Client Outreach Project	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-29	TAD (Technical Aid to the Disabled)	Purchase of Pedestrian Stacker	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-34	The Bower Reuse & Repair Centre Cooperative Limited	Bower Reuse & Repair Centres - Parramatta Upgrade	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-46	The Finishing School Collective	Arts, Bodies, Minds	\$6,840.00	\$0.00	\$6,840.00	\$6,840.00	Recommend	Recommend	
	CCB21-04	The Northcott Society	Access All Abilities! Hearing augmentation system boosting accessibility for people with disability in Parramatta	\$10,000.00	\$10,000.00	\$20,000.00	\$10,000.00	Recommend	Recommend	
	CCB21-14	WestWords Ltd	WestWords Digital Marketing Strategy	\$10,000.00	\$10,000.00	\$20,000.00	\$10,000.00	Recommend	Recommend	
<i>Unallocated funds made available across other categories</i>							\$203,061.09			

	ID	Applicant Organisation	Project Title	Initial Amount Requested	Additional Amount Sought	Amount Requested from Council	Recommended funding amount	Assessment Panel	Councillor Committee	Conditions
Creative Project Leveraging Category	CPL21-05	Adorned Project	Adorned 2021	\$15,500.00			\$20,000.00	Recommend	Recommend	Request clarified with applicant to be full available
	CPL21-02	Agal Dance Company	AGAL Dance Company	\$20,000.00			\$20,000.00	Recommend	Recommend	
	CPL21-03	Pari	Pari-dise Radio	\$20,000.00			\$20,000.00	Recommend	Recommend	
							\$60,000.00			

Attachment 3 - Grant recommendations 2021 Community Grants Program - sorted by applicant (alphabetical order)

	ID	Applicant Organisation	Project Title	Initial Amount Requested	Additional Amount Sought	Amount Requested from Council	Recommended funding amount	Assessment Panel	Councillor Committee	Conditions
Social Enterprise Category	SE21-10	AISEC Australia Ltd	Youth Leadership Experiences Expansion in Parramatta	\$5,317			\$5,317.00	Recommend	Recommend	
	SE21-04	Fighting Chance Australia Ltd	Relocating Avenue Parramatta to drive continued growth	\$25,000			\$10,000.00	Recommend	Recommend	
	SE21-12	Future Anything Pty Ltd	Activating Youth Entrepreneurship in Parramatta	\$17,400			\$17,400.00	Recommend	Recommend	
	SE21-05	Jigsaw Group (AUS) Ltd	Opening a Jigsaw Hub in Parramatta	\$15,947.17			\$15,947.17	Recommend	Recommend	
	SE21-14	Kua Coffee Limited	World positive coffee for Parramatta workplaces	\$12,000			\$12,000.00	Recommend	Recommend	
	SE21-02	The Social Outfit Incorporated	The Social Outfit - Pilot 'Earn and Learn' Parramatta Project	\$25,000			\$25,000.00	Recommend	Recommend	
Unallocated funds moved across from other categories							\$85,664.17			

	ID	Applicant Organisation	Project Title	Initial Amount Requested	Additional Amount Sought	Amount Requested from Council	Recommended funding amount	Assessment Panel	Councillor Committee	Conditions
Cultural Heritage &	HS21-01	The Association of Zgharta YBKBL Australia Inc	Kibbeh Kings	\$5,000.00			\$5,000.00	Recommend	Recommend	
	Unallocated funds moved across from other categories							\$5,000.00		

	ID	Applicant Organisation	Project Title	Initial Amount Requested	Additional Amount Sought	Amount Requested from Council	Recommended funding amount	Assessment Panel	Councillor Committee	Conditions
Creative Fellowship Category	CF21-08	Mr Nick Atkins	The Yellow Box Curse	\$20,000.00			\$20,000.00	Recommend	Recommend	
	CF21-05	Ms Justine Youssef	Justine Youssef presents new artwork for Hawai'i Triennial 2022	\$20,000.00			\$12,000.00	Recommend (Creative Skills Development Grant)	Recommend (Creative Skills Development Grant)	Confirmation by Director Parramatta Artist Studios
Unallocated funds moved across from other categories							\$32,000.00			

TOTAL RECOMMENDED	\$385,725.26
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FAIR

ITEM NUMBER	12.4
SUBJECT	FOR APPROVAL: Major Projects Advisory Committee (MPAC) Membership
REFERENCE	F2014/00413 - D08036731
REPORT OF	Business Governance Officer

PURPOSE:

To extend the membership of a current Major Projects Advisory Committee (MPAC) member.

To open an expression of interest for the appointment of the vacant position in the Major Projects Advisory Committee (MPAC) and to appoint an Evaluation Panel.

RECOMMENDATION

- (a) **That** Council extend the membership of Gavin Zimmerle until 1 September 2024.
- (b) **That** Council approve an expression of interest for the appointment of the vacant position in the Major Projects Advisory Committee (MPAC).
- (c) **That** Council approve the appointment of an evaluation panel to assess the expressions of interest, consisting of:
- 1 The Chief Executive Officer (CEO)
 - 2 Executive Director Property & Place
 - 3 Acting Chair of MPAC, Gavin Zimmerle
 - 4 Group Manager Property Development
 - 5 Executive Director Community Services (Independent)
- (d) **Further, that** a report be submitted to Council upon the completion of the expression of interest period for consideration of the Evaluation Panel's recommendations.

BACKGROUND

1. Council, in 2012, established a Major Projects Advisory Committee (MPAC).
2. MPAC is an advisory committee that provides Council independent assurance in relation to risk identification and risk management (as a property owner and not a statutory authority) for any critical, significant or major property projects involving Council that are referred to MPAC by Council or the Chief Executive Officer (being "Major Projects").
3. Current members are:

Member	Membership valid to:
Gavin Zimmerle	1 September 2021
Charles Fortin	1 August 2022

4. The resignation of Michael Filo in late 2020 has resulted in a vacancy.

ISSUES/OPTIONS/CONSEQUENCES

5. The MPAC Charter (**Attachment 1**) stipulates that membership comprise of a minimum of three (3) independent external members (MPAC Members) and the composition of members will be made up of the following relevant qualifications and expertise:
- Property development and land economics;
 - Commercial arrangements between public and private sectors, preferably in property development or major assets; and
 - Risk management in property development
6. The MPAC Charter stipulates that new MPAC members are to be appointed by Council following an expression of interest process.
7. The MPAC Charter stipulates Council is to convene a committee who will be responsible for coordinating the selection process, conducting interviews, and recommending a preferred candidate. The committee may include the current Chair of MPAC or any other MPAC member delegated by the CEO.
8. New MPAC Members may be appointed for an initial period not exceeding three (3) years after which time they will be eligible for extension or re-appointment, provided that the MPAC Members provide details of their qualifications and experience so that those details can be considered by Council to ensure they remain relevant to Council's requirements.
9. Existing MPAC members may receive an extension of their membership or be re-appointed. Council may choose to conduct an expression of interest to extend or re-appoint an existing member. If Council chooses to conduct an expression of interest for the position of the existing member, the member must partake in the expression of interest to be considered for reappointment.
10. It is recommended that Gavin Zimmerle's membership be directly extended for a further period of three (3) years without an expression of interest process being conducted to allow for continuity and a smooth transition of the administration of MPAC.
11. Mr Zimmerle is a qualified lawyer and senior property executive with over 20 years' experience in real estate advisory, site acquisition and disposals, residential development, strategy, risk mitigation and law. Mr Zimmerle's experience demonstrates he has qualifications or expertise in all three categories required by the MPAC Charter to be eligible as a member.
12. It is recommended that an expression of interest be undertaken for the vacant position in line with the anticipated timeframe below, to provide sufficient time for Council and staff to undertake a transparent and collaborative process:

Item	Detail	Date
1	EOI Release Date	17 June 2021
2	EOI Closing Date	2 July 2021
3	Evaluation of EOIs	5 to 9 July 2021
4	Conduct Interviews	w/c 14 July 2021
5	EOI evaluation report completed, and recommendation made	20 July 2021

6	Council report recommending appointment	9 August 2021
7	Contract starts	1 September 2021

13. It is recommended that an Evaluation Panel be comprised for the assessment of members to MPAC, to review and conduct necessary interviews of the relevant professionals. The Evaluation Panel is proposed to comprise of the following:
- a. The Chief Executive Officer (CEO)
 - b. Executive Directory Property & Place
 - c. Acting Chair of MPAC, Gavin Zimmerle
 - d. Group Manager Property Development
 - e. Executive Director Community Services (Independent)
14. A report recommending the appointment of members to MPAC will be presented to Council for endorsement following the assessment process.

CONSULTATION & TIMING

Stakeholder Consultation

15. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
5/5/2021	Gavin Zimmerle	Expressed his willingness to continue as a member of MPAC for a further three years	Noted	Business Governance Officer Property & Place

Councillor Consultation

16. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
N/A				

LEGAL IMPLICATIONS FOR COUNCIL

17. There are no legal implications associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

18. Costs associated with the EOI process are minimal and budgeted for within approved budget.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil			
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil			
Funding Source				

19. The approval of a third member in a future report will have the financial implication as set out in the fee schedule of the Service Agreement at page 11 in **Attachment 2**, which is within approved budget.

Sahar Shahin
Business Governance Officer

Patricia Krzeminski
Governance Manager

Paul Perrett
Chief Financial Officer

Bryan Hynes
Executive Director Property & Place

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- 1 [↓](#) MPAC Charter 9 Pages
2 [↓](#) MPAC Service Agreement 14 Pages

REFERENCE MATERIAL



CITY OF PARRAMATTA COUNCIL MAJOR PROJECTS ADVISORY COMMITTEE CHARTER

1 Introduction

- 1.1 In July 2010, Council adopted the Property Development and Investment Policy 2010 (**PDI policy**) to (amongst other things) guide the identification of development opportunities involving Council-owned land to contribute towards Council's long-term financial sustainability. Long-term financial sustainability is critical to Council's ability to perform its statutory functions.
- 1.2 On 12 November 2012, Council resolved to establish a Major Projects Advisory Committee (**MPAC**) to assist Council with risk management and decision making in connection with property development activities involving Council owned or controlled land.
- 1.3 This Charter outlines the objectives, authority, composition, responsibility, reporting obligations, and administrative arrangements of the MPAC.

2 Objective

- 2.1 The objective of the MPAC is to provide Council independent assurance in relation to risk identification and risk management (as a property owner and not a statutory authority) for any critical, significant or major property projects involving Council that are referred to MPAC by Council or the Chief Executive Officer (being "**Major Projects**").
- 2.2 In providing this assurance, the MPAC will consider the benefit to Council, and in particular the rate payers, of each project.

3 Authority

- 3.1 In carrying out its responsibilities, the MPAC must at all times recognise that responsibility for the management of Council rests with the Council and Council's Chief Executive Officer as provided in the *Local Government Act 1993*.
- 3.2 For the avoidance of doubt, the MPAC will report to Council's Chief Executive Officer in carrying out the objectives set out in clause 2 of this charter.
- 3.3 The MPAC acknowledges and agrees:

- (a) it has no executive powers and cannot make decisions on behalf of Council; and
- (b) neither the MPAC, nor any of the individual members constituting MPAC, can direct or influence how Council officers undertake their duties.

3.4 Requests for information by the MPAC and responses to such requests must be made through the Chair of the MPAC to the Chief Executive Officer (or its delegates).

4. MPAC Composition

4.1 The MPAC will be comprised of a minimum of at least three (3) independent external members (**MPAC Members**).

4.2 MPAC Membership will be made up of a composition of members with the following relevant qualifications and expertise:

- (a) Property development and land economics;
- (b) Commercial arrangements between public and private sectors, preferably in property development or major assets; and
- (c) Risk management in property development.

4.3 New MPAC Members will be appointed by Council following an expression of interest process to be administered by the Chief Executive Officer. In selecting new MPAC Members, Council will convene a committee which may include the Chair of MPAC (or any other MPAC member delegated by the CEO), who will be responsible for coordinating the selection process, conducting interviews, and recommending a preferred candidate(s). The committee in making its recommendation(s) to Council will be required to provide details of the qualifications and experience of all the candidate(s) considered and the basis for their recommendations.

4.4 The MPAC Members may be appointed for an initial period not exceeding three (3) years after which time they will be eligible for extension or re-appointment, provided that the MPAC Members provide details of their qualifications and experience so that those details can be considered by Council to ensure they remain relevant to Council's requirements. The MPAC Members acknowledge that at any time they are being considered for re-appointment or extension Council may also run an expression of interest process (as referred to in clause 4.3 of this charter) and the MPAC Member must participate in the selection process referred to in clause 4.3 of this charter to be eligible for re-appointment or extension.

4.5 To the extent possible, the appointment and/or re-appointment of MPAC Members will commence at least three (3) months before the end date of their respective term and be staggered so that the end date of the terms of no more than two (2) MPAC Members will occur simultaneously.

4.6 MPAC appointments (either new or re-appointment) are to be approved by Council.

5 Roles and Responsibilities

5.1 The role of the MPAC is to carry out the objectives set out in clause 2 of this charter.

5.2 The responsibilities of the Chair of MPAC include:

- (a) To chair MPAC meetings;
- (b) Request external advice to allow the MPAC to meet its responsibilities (with the approval of the Chief Executive Officer);
- (c) Receive information requests and responses from MPAC Members and Council officers;
- (d) Request secretarial/administrative support on behalf of the MPAC (with the approval of the Chief Executive Officer and Executive Director, Property and Place);
- (e) Prepare annual reports for the Council in accordance with the requirements of the MPAC Charter;
- (f) Attend and provide a quarterly update of MPAC's activities to the Audit Risk and Improvement Committee;
- (g) Attend the monthly/bi-monthly PDG Property Projects Workshop and assist Council in decision making as required by the Executive Director, Property and Place and/or Chief Executive Officer;
- (h) Consider the frequency of MPAC meetings; and
- (i) Receive resignations from MPAC Members and without delay, inform the Chief Executive Officer and the remaining MPAC Members of any resignations.

5.3 The responsibilities of the MPAC Members include:

- (a) carry out any activities requested by Council and/or the Chief Executive Officer; and
- (b) meet with Council representatives and other MPAC Members as/when required.

5.4 The responsibilities of the MPAC in the performance of its role include (without limitation):

- (a) Assuring Council that there is **effective management of risks** associated with matters that are referred to MPAC under clause 2.1 of this charter;
- (b) Assuring Council that prudent **commercial risk management practices** are followed in connection with matters that are referred to MPAC under clause 2.1 of this charter;
- (c) Assuring Council that adequate **legal compliance practices and procedures** are followed in connection with matters that are referred to MPAC under clause 2.1 of this charter; and
- (d) Assuring Council in respect of any other matter or issue which Council or the Chief Executive Officer has asked the MPAC to review.

5.4 The MPAC acknowledges that:

- (a) in carrying out the performance of its role it will, upon request by the Chief Executive Officer or the Executive Director, Property and Place, be required to prepare reports which summarise MPAC's observations and recommendations; and
- (b) such reports may be used as supporting documentation to any relevant Council report seeking a decision in respect of Major Projects.

6 Reporting

- 6.1 The Executive Director, Property and Place will identify and provide to MPAC a quarterly report which sets out project dashboards and risk registers for all major projects managed by the Property Development Group. MPAC Members will be required to attend (in person or via remote means as agreed to by the Chief Executive Officer) a quarterly meeting in which they will be allowed to ask questions to discharge their duties.
- 6.2 All reports generated by the MPAC will be addressed to the Chief Executive Officer.
- 6.2 Council may provide secretarial support for the MPAC in the form of administrative assistance to convene meetings, taking of minutes at meetings and such other administrative assistance reasonably requested by the Chair in consultation with Council's Chief Executive Officer and Executive Director, Property and Place.
- 6.3 Minutes of each MPAC quarterly meeting must be tabled at the next quarterly meeting for confirmation. Minutes that have been confirmed must be circulated to all Councillors as soon as practicable as part of the next monthly PDG Workshop.
- 6.4 Each MPAC Member must, at the commencement of each meeting of the MPAC, make any declaration of any conflicts of interest.
- 6.4 On or around October of each year, the Chair (in consultation with the other MPAC Members) must prepare an annual report addressed to the Chief Executive Officer with a copy to the Executive Director, Property and Place which:
 - (a) Summarises the work performed by the MPAC to discharge its duties over the past financial year;
 - (b) Details the number of meetings held during the year and the attendance of each member over the past financial year; and
 - (c) Includes such other information that the MPAC thinks fit having regard to its duties.

A copy of this annual report will be provided to Council's Audit, Risk and Improvement Committee, and the Chair may be required to provide a briefing to Council's Audit, Risk and Improvement Committee. A copy of this annual report will also be reported to Council.

- 6.5 The MPAC, through the Chief Executive Officer or their delegate, may report to Council any matter relevant to its duties that are considered to be of sufficient importance to do so.

7 Administration

- 7.1 The Chair of MPAC may, with the approval of the Chief Executive Officer or the Executive Director, Property and Place:

- (a) hold meetings to review the Major Projects identified in clause 2 and provide assurance on matters as required (with or without representatives from Council); and
 - (b) hold ad hoc meetings of the MPAC following a reasonable request from an MPAC Member or request under a Council resolution. A minimum of three (3) days' notice must be provided in the event of an ad hoc meeting.
- 7.2 The Executive Director, Property and Place will be responsible for circulating the meeting agenda and associated documentation to MPAC Members no later than five (5) working days before each meeting with Council representatives. The agenda and associated documentation will be marked as confidential and reflect the Objectives (clause 2) and Responsibilities (clause 5) of the MPAC.
- 7.3 A quorum for a meeting will be at least 2 MPAC Members or where there are more than 4 MPAC Members, a quorum will be at least a majority of the MPAC Members entitled to attend that meeting.
- 7.4 The MPAC acknowledges that the administration of the MPAC is underpinned by the guiding principles of the following documents:
- (a) Property Development and Investment Policy;
 - (b) MPAC Charter;
 - (c) MPAC Services Agreement signed by MPAC Members;
 - (d) PDG Property Projects Workshop – Terms of Reference;
 - (e) Guidelines for Probity in Public Sector Projects ICAC; and
 - (f) Council Code of Conduct – Policy and Procedure,
- which may be amended from time to time.
- 7.5 MPAC Members must abide by Council's Code of Conduct and relevant policies adopted by Council. MPAC Members must declare and manage any conflicts of interest in a manner consistent with the Code of Conduct adopted by Council. For completeness, declarations of interest will be an agenda item at each MPAC meeting.
- 7.6 Subject to any inconsistencies in the requirements of Council's Code of Conduct which will prevail over clause 7.6, MPAC Members must follow the process set out in Schedule 1 of this charter in relation to conflicts of interest.
- 7.7 MPAC Members must keep all discussions during meetings confidential. No MPAC Member can make public comments regarding the activities of the MPAC without the prior approval of the Chief Executive Officer.

8 Termination of Membership

- 8.1 The MPAC Members acknowledge and agree that their membership of the MPAC can be brought to an end in the following ways:

- (a) The expiry of the period for which the relevant MPAC Member was appointed;
- (b) The resignation of a MPAC Member by written notice to the Chair (who must without delay inform the Chief Executive Officer and remaining MPAC Member of the resignation). If the Chair resigns, written notice must be provided to the Chief Executive Officer;
- (c) The loss of relevant qualifications relied upon for the initial appointment to MPAC;
- (d) The removal of an MPAC Member by Council resolution; or
- (e) If a Committee Member:
 - Has been absent from three (3) consecutive meetings without having given reasons acceptable to the Chair; or
 - Has been absent from at least half of the meetings of the MPAC held during the immediately preceding year without having given to the Chair acceptable reasons for the MPAC Member's absences; or
- (f) The Council deciding to dissolve the MPAC for any reason.

9 Chair Appointment and Annual Review of MPAC

- 9.1 The Chair of the MPAC will be nominated and appointed from one of the MPAC Members by the Chief Executive Officer. The role of the Chair may be reviewed on an annual basis by the Chief Executive Officer.
- 9.2 The Chair, in consultation with Council's Chief Executive Officer and the other MPAC Members, may initiate a review of the MPAC annually.

10 Charter Review

- 10.1 Council may review the continuing relevance of this charter on an annual basis. Where changes are deemed necessary, they will be submitted to Council for approval and will be notified to the MPAC as soon as practicable after such Council resolution.

Schedule 1 - Conflicts of Interest

1. MPAC Members must avoid or appropriately manage any conflict of interests to ensure that the objectives of the MPAC (set out in clause 2.1) are met. The onus will be on MPAC Members to identify and take the appropriate action to manage the conflict in favour of the MPAC Member's role as a MPAC Member.
2. A conflict of interest will exist where a reasonable and informed person would perceive that a MPAC Member could be influenced by a private interest (either pecuniary or non-pecuniary) or other public role when carrying out its role as a MPAC Member.
3. Generally, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest but it involves:
 - a. A relationship between a MPAC Member and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, descendant or adopted child of the person or the person's spouse, current or former spouse or partner, de facto or other person living in the same household;
 - b. Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship; or
 - c. An affiliation between the MPAC Member and an organisation, sporting body, club, corporation or association that is particularly strong.
4. Where a conflict of interest exists, the MPAC Member which is affected by the conflict of interest (**Conflicted Member**) must fully disclose their interest in writing to the other MPAC Members and Council's Chief Executive Officer as soon as practicable (**Conflict Notice**).
5. In the Conflict Notice, the Conflicted Member must propose whether the conflict will be managed by the Conflicted Member by:
 - a. Removing the source of the conflict, by relinquishing or divesting the interest that creates the conflict; or
 - b. Having no involvement with the MPAC in respect of the matter, by absenting themselves from any meeting or discussion, and not taking part in any discussions, debate or voting on the issue.
6. Notwithstanding paragraph 5, if the Conflicted Member has a non-pecuniary interest which it reasonably considers is not significant and does not require further action, in the Conflict Notice the Conflicted Member must provide an explanation as to why the conflict of that non-pecuniary interest does not require further action in the circumstances.
7. Where a Conflicted Member has given a Conflict Notice, the MPAC must hold a meeting as soon as practicable. The Conflicted Member is not entitled to attend that part of the meeting which relates to its conflict. At the meeting, the MPAC Members must determine whether the conflict is significant. If the conflict is found to be significant then the MPAC must resolve that the conflict must be managed in accordance with paragraph 5(b). The MPAC may accept, (with or without conditions) or reject, any proposal set out in the

Conflict Notice issued by the Conflicted Member. The Chair of MPAC must report the outcome of all conflicts under this clause to the Chief Executive Officer.



**INDEPENDENT REPRESENTATIVE FOR
MAJOR PROJECTS ADVISORY COMMITTEE**

SERVICES AGREEMENT

CITY OF PARRAMATTA COUNCIL

and

SUPPLIER SPECIFIED IN THE SCHEDULE

THIS SERVICES AGREEMENT made on

Between:

CITY OF PARRAMATTA COUNCIL (ABN 49 907 174 773) of 126 Church Street,
Parramatta, NSW 2150 (Council)

and

THE SUPPLIER SPECIFIED IN THE SCHEDULE (Supplier)

BACKGROUND

A. Council wishes to engage the Supplier to perform the Services.

OPERATIVE PROVISIONS

1 PURPOSE, DEFINITIONS AND INTERPRETATION

1.1 **Purpose** – The purpose of this Agreement is to formally record the agreement reached between the parties regarding the performance of the Services.

1.2 **Definitions** - In this Agreement, unless the context otherwise requires:

Agreed Work Order means a work order agreed by the parties in writing.

Agreement means this document and includes all schedule and annexures to it.

Business Day means a day on which banks are open for business in Sydney excluding a Saturday, Sunday or public holiday in Sydney.

Code of Conduct means the code of conduct adopted by Council from time to time.

Confidential Information means includes information that:

- (a) is by its nature confidential;
- (b) is communicated by Council to the Supplier as confidential; or
- (c) the Supplier knows or ought to know is confidential; and includes:
 - (i) the content and subject matter of this Agreement;
 - (ii) particulars of the Services;
 - (iii) the financial, business and commercial information of Council;
 - (iv) any material which relates to the affairs of a third party; and
 - (v) information relating to the policies, strategies, practices and procedures of Council.

Fees means the fees payable to the Supplier for the Services set out in Schedule as varied from time to time under this Agreement and, if applicable, confirmed in an Agreed Work Order.

GST means the tax imposed or assessed by the GST Act, and its related legislation and includes any similar or substitute tax introduced in the future and, where used in the context of GST, the phrases *consideration*, *input tax credit* and *taxable supply* have the respective meanings given to those terms by the GST Act.

GST Act means the *A New Tax System (Goods & Services Tax) Act 1999* as amended from time to time.

Index Number means:

- (a) the consumer price index (all groups) for Sydney published from time to time by the Australian Bureau of Statistics; or
- (b) if the Index Number no longer exists, it means an index that Council decides reflects changes in the cost of living.

EOI means the expression of interest issued by Council.

Loss means loss, liability, damage, expense or cost of any kind, including personal injury, death, economic loss, loss of or damage to property and loss in relation to any claim, including legal costs and disbursements.

Personal Information means information about an individual as defined in the *Privacy and Personal Information Protection Act 1998* (NSW).

Proposal means the response submitted by the Supplier to the EOI, particulars of which are set out in the Schedule, and any supplementary or other information or responses submitted by the Supplier to Council in connection with the EOI or the negotiation of this Agreement.

Quarter means each consecutive period of three months (or part of it) ending on the respective last days of March, June, September and December.

Schedule means the schedule to this Agreement.

Services means the Scope of Work described in the Schedule and to be provided under this Agreement.

Supplier means the supplier specified in the Schedule and includes the Supplier's Representative.

Supplier's Representative means an individual nominated as the Supplier's Representative and whom the Supplier has contracted to provide the Services.

Term means the term of this Agreement set out in the Schedule.

Termination Date means the date on which any valid notice of termination takes effect.

- 1.3 **Interpretation** - In this Agreement, headings and bold type are for convenience only and do not affect the interpretation of this Agreement and:
- (a) words importing the singular include the plural and vice versa;
 - (b) other parts of speech and grammatical forms of a word or phrase defined in this Agreement have a corresponding meaning;
 - (c) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate and any government agency;
 - (d) a reference to a statute, regulation, proclamation, ordinance or by-law includes all statutes, regulations, proclamations, ordinances or by-laws amending, consolidating or
 - (e) replacing it, whether passed by the same or another government agency (with legal power to do so), and a reference to a statute includes all regulations, proclamations, ordinances and by-laws issued under that statute;
 - (f) a reference to any notice, claim, demand, consent, agreement, approval, authorisation, specification, direction, appointment, or waiver being given or made by a party to this Agreement is a reference to its being given or made in writing, and the expression **notice** includes any of the foregoing;
 - (g) a reference to a party includes that party's successors and permitted assigns; and
 - (h) a reference to A\$ and \$ means the lawful currency of Australia.
- 1.4 **EOI definitions** – Words or expressions defined in the EOI have the same meaning when used in this Agreement unless the context otherwise requires.
- 1.5 **Including** - In this Agreement, the expressions **including**, and **particularly** and similar expressions do not imply any limitations.
- 1.6 **Consent** - Where this Agreement requires the consent, approval or permission of Council, such consent may be given or withheld, as the case may be, in the absolute discretion of Council and subject to such conditions Council may impose in its absolute discretion.
- 2 REPRESENTATIVE**
- 2.1 **Appointment** - Council appoint as it's representatives the person(s) named in the Schedule, or such other person as they may nominate and notify to each other from time to time.
- 2.2 **Communication** - The Supplier must communicate directly with Council's representative in relation to any matters within the authority of Council's representative. An instruction given to the Supplier's representative is deemed to be given to the Supplier.

- 2.3 **Availability** - The Supplier must ensure that the Supplier's representative is available to attend on and provide advice to Council and Council's representative at all reasonable times from the date of this Agreement until this Agreement terminates.

3 TERM OF AGREEMENT

- 3.1 **Term** - This Agreement begins on the date of this Agreement and continues for the Term unless earlier terminated for default or at convenience in accordance with this Agreement.

4 PERFORMANCE OF SERVICES

- 4.1 **Commencement and completion** - Unless Council instructs otherwise in writing, the Supplier must commence the Services on the date of this Agreement.
- 4.2 **Standard** - The Supplier must perform the Services with the degree of professional skill, care and diligence expected of a competent professional supplier experienced in carrying out the same services or services of a similar size, scope and nature to the Services.
- 4.3 **Delivery requirements** - Without limiting clause 4.2, the Supplier must supply the Services in accordance with:
- (a) the provisions of this Agreement;
 - (b) all applicable laws;
 - (c) the Code of Conduct as provided by Council to the Supplier from time to time;
 - (d) any guidelines or statements issued by Council from time to time concerning business ethics which have been made available to the Supplier; and
 - (e) all applicable industry standards and guidelines.

5 FEES

- 5.1 **Fees** - Council must pay the Fees in accordance with this Agreement. For the avoidance of doubt, the parties agree that the Fees payable for the Services provided in respect of the term of this Agreement, is the amount set out in the Schedule. The Supplier agrees that Base Fees are fixed fees and include any traveling time and out of pocket costs.
- 5.2 **No Fees for breach** - Council is obliged to pay the Fees only for Services rendered in accordance with this Agreement. Without prejudice to any other rights which Council may have, if Council considers, acting reasonably, that Services have not been rendered in accordance with this Agreement, or if Council rejects any or part of the Services, Council may withhold any money payable or recover any money paid to the Supplier for the Services.
- 5.3 **Invoices** - The Supplier may render invoices to Council for the payment of Fees calculated in accordance with this Agreement.

- 5.4 **Invoice content** - The Supplier must ensure that each invoice constitutes a tax invoice for GST purposes and contains the following:
- (a) details of the matter or project described in the Agreed Work Order;
 - (b) the amount claimed in the tax invoice is due for payment and correctly calculated in Australian dollars; and
 - (c) any other requirements advised to the Supplier by Council in writing.
- 5.5 **Further information** - The Supplier must promptly provide any further details in regard to an invoices that are requested by Council.
- 6 GST**
- 6.1 **Taxable supply** - If a party to this Agreement makes a supply under or in connection with this Agreement and is liable by law to pay GST on that supply, 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 party making the supply.
- 6.2 **Reimbursable expense** - If this Agreement requires a party to pay for, reimburse or contribute to any expense, loss or outgoing (*reimbursable expense*) suffered or incurred by another party, the amount required to be paid, reimbursed or contributed 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.
- 6.3 **Indemnified cost** - 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.
- 6.4 **Tax invoices** - Each party agrees to do all things, including providing compliant 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.
- 6.5 **GST exclusive** - Subject to the operation of this clause 6, all amounts stated in this Agreement are GST exclusive.
- 7 SERVICES SUSPENSION**
- 7.1 **Suspension** - Council may immediately suspend the performance of any or all of the Services at any time and for any reason by giving notice to the Supplier (whether or not the Supplier has committed default under this Agreement or otherwise). On receipt of a notice of suspension the Supplier must:
- (a) stop work as specified in the notice;
 - (b) take all available steps to minimise loss resulting from that suspension; and
 - (c) continue work on any part of the Services not affected by the notice.
- 7.2 **Resumption** - If Council suspends any of the Services under this clause, Council may at any time give the Supplier a notice requiring the Supplier to resume

performing the suspended Services. The Supplier must resume performing those Services as soon as practicable after the date of the notice, and in any event no later than 5 Business Days.

- 7.3 **Payment and suspension** - If Council requires suspension of any of the Services under this clause, then provided that the Supplier has complied with its obligations and the Services have been delivered as required under this Agreement:
- (a) Council must pay all Fees due and payable for Services rendered before the effective date of suspension; and
 - (b) Council must meet the additional reasonable costs incurred by the Supplier and directly attributable to the suspension but Council shall not be required to compensate the Supplier for loss of profit or other costs, expenses or overheads incurred by the Supplier in deploying or re-deploying its resources prior to, during or after any period of suspension.
- 7.4 **Limitation on Period of Suspension** – One or more suspensions individually or in aggregate may only extend for a total period of 2 months within any 12 month period.

8 RECORDS, INSPECTION, QUALITY ASSESSMENT AND AUDIT

- 8.1 **Records** - The Supplier must prepare and maintain accurate and proper records and accounts to document the provision of Services and all transactions conducted pursuant to this Agreement. All records must be kept by the Supplier for a period of not less than 7 years after termination of this Agreement or the completion of the Agreed Work Order to which the relevant Services relate.
- 8.2 **Access** – No later than 5 Business Days after a request by Council, the Supplier must give Council access to and copies of any records and financial information relevant to the Services as may be reasonably requested by Council.
- 8.3 **Quality assurance** - During the Term, the Supplier must co-operate with any quality assurance assessment officer appointed by Council to monitor or assess the performance of the Supplier. The Supplier must give any such officer access to its premises, books, records and personnel as if the officer was the Council.
- 8.4 **Audit cooperation** - The Supplier must co-operate in full with Council and its internal and external auditors, inspectors, regulators and contractors as it may designate from time to time, in the performance of audits under this clause.

9 CONFIDENTIALITY

- 9.1 **No disclosure** - The Supplier must not disclose to a third party without Council's prior written consent (which will not be withheld if the disclosure is otherwise required by law), any Confidential Information which is:
- (a) supplied or made available by Council to the Supplier in relation to the Services; or
 - (b) brought into existence by the Supplier in performing or for the purpose of performing the Services.

- 9.2 **Precautions** - The Supplier must take or cause to be taken all precautions necessary to maintain secrecy and confidentiality and prevent disclosure of Confidential Information.
- 9.3 **No publication** - The Supplier must not advertise, publish or release to the public:
- (a) Confidential Information; or
 - (b) other information concerning this Agreement, the Services or a project to which they relate, or Council's operations,
- without Council's prior written consent. Council will not withhold its consent if the information is legally required to be produced.
- 9.4 **Permitted Disclosure** - The Supplier will be authorised to disclose to third parties its engagement to supply Services to Council where this is necessary and such disclosure is limited to the existence of the Service Agreement and does not otherwise involve any breach of the confidentiality provisions in this Agreement.

10 PRIVACY

- 10.1 **Privacy** - The Supplier must at all times comply with all relevant privacy legislation and must comply with any directions given by Council in relation to privacy matters. Without limiting the foregoing, the Supplier must:
- (a) use Personal Information collected by it or to which it is privy as a consequence of performing its obligations under this Agreement only for the purposes of compliance with this Agreement; and
 - (b) not disclose Personal Information collected by it or to which it is privy as a consequence of performing its obligations under this Agreement to any third party without the prior written consent of the individual and Council.

11 NO SUBCONTRACTING OR ASSIGNMENT

- 11.1 **No assignment** - The Services performed under this Agreement must be carried out by the Supplier. The Supplier must not may assign, novate, or otherwise transfer all or any part of its rights or liabilities under this Agreement.

12 TERMINATION

- 12.1 **Termination grounds** - Council may at its option terminate this Agreement or an Agreed Work Order or both by giving 14 days written notice to the Supplier, if:
- (a) the Supplier becomes bankrupt;
 - (b) the Supplier, in the reasonable opinion of Council, has a conflict of interest in the performance of this Agreement or has breached any of the provisions of this Agreement relating to probity;
 - (c) in the reasonable opinion of Council, the Supplier is unable or unwilling to perform all of its obligations under this Agreement;
 - (d) the Supplier commits a breach of this Agreement that, in the opinion of Council, cannot be rectified;

- (e) the Supplier's Representative is unable or unwilling to perform all of the obligations of the Supplier under this Agreement;
 - (f) the Supplier is in breach of this Agreement and has failed to rectify the breach to the satisfaction of Council within 10 Business Days following a notice to do so by Council; or
 - (g) within any period of 12 months during the Term, Council issues 3 or more notices under the clause 12.1(e).
- 12.2 **Termination without reason** - Council may at any time issue a notice to terminate this Agreement (whether or not the Supplier is in default) at its convenience and in its absolute discretion by giving a minimum of 3 months' notice to the Supplier. The Supplier is not entitled to reimbursement of any costs, expenses or loss incurred as a consequence of termination (including loss of anticipated profits) under this clause 12.2.
- 12.3 **No rights affected** - Termination of this Agreement does not affect any of Council's other rights or remedies.
- 12.4 **Rights continue** - All warranties, releases, exclusions of liability, indemnities, terms with respect to Confidential Information, publicity and privacy on the part of a party in this Agreement will remain valid and binding upon that party following termination of this Agreement and any other obligations which are expressed to or, by their nature, would be intended by the parties to survive expiry or termination of this Agreement, will accordingly survive expiry or termination of this Agreement and are enforceable at any time at law or in equity.
- 13 PROBITY**
- 13.1 **Intention** - This clause is intended to prevent corrupt conduct on the part of the Supplier and its agents, employees and sub-contractors.
- 13.2 **Code of Conduct** - The Supplier must acquaint itself and comply with the following codes, insofar as they are relevant and apply to this Agreement:
- (a) the Code of Conduct (that Council may amend from time to time without notice to the Supplier); and
 - (b) Council's other codes and policies relating to governance and business ethics (that the Supplier can request at any time).
- 13.3 **Conflicts of interest** - The Supplier must:
- (a) use reasonable endeavours to ensure that conflict of interest do not arise in the performance of the Services; and
 - (b) if conflicts of interest do arise, immediately disclose them to Council and manage those conflicts of interest in a way that demonstrates good governance.
- 13.4 **No corrupt activities** - The Supplier must not engage in any corrupt, collusive or anticompetitive conduct and warrants to the Council that:
- (a) it has not engaged in such activities; and

- (b) will not conduct or permit such activities to occur in connection with the delivery of the Services.

14 INDEMNITY AND RELEASE

- (a) **Indemnity** – Council shall indemnify and keep indemnified the Supplier (in its capacity as a member of the Major Projects Advisory Committee (MPAC)) in respect of all claims or demands made against the Supplier by a third party in connection with the Supplier's position on the MPAC but excluding claims, demands, payments or costs arising from or relating to any fraud, dishonesty or other impropriety on the part of the Supplier.
- (b) **Release** – Council agrees that the Supplier is engaged as a member of MPAC to provide independent advice based on the review of third party professional work, to the Council, who may choose to make a decision based on the advice or without regard to the advice. Council warrants that it will not hold the Supplier liable for Council's decisions based on the Supplier's or MPAC's advice and releases the Supplier from all liability, loss, costs and expenses suffered by Council as a result of the Supplier's or MPAC'S advice.

15 LEGAL ADVICE

- 15.1 The Supplier as a member of MPAC may seek independent legal advice at its own cost where the Supplier believes such advice is required to meet its responsibilities under the Services Agreement.
- 15.2 The Supplier will advise Council of its intention to seek advice and the nature of the advice sought prior to seeking such advice.

16 NOTICES

- 16.1 **Address** - A notice or other communication under this Agreement (*notice*) must be delivered by hand or sent by pre-paid post or fax to a party at the address or the fax number for that party listed in the Schedule or as otherwise specified by a party by notice.
- 16.2 **Email** – A notice may be given by way of email.
- 16.3 **Registered post** - A notice sent by post is regarded as given and received on the second Business Day following the date of postage.
- 16.4 **Fax** – Not Used
- 16.5 **Time of delivery** - A notice delivered or received other than on a Business Day or after 4.00pm (recipient's time) is regarded as received at 9.00am on the following Business Day and a notice delivered or received before 9.00am (recipient's time) is regarded as received at 9.00am.

17 GENERAL

- 17.1 **Governing law** - This Agreement is governed by the law in force in New South Wales. Each party irrevocably submits to the non-exclusive jurisdiction of courts exercising jurisdiction in New South Wales and courts of appeal from them in respect of any proceedings arising out of or in connection with this Agreement.
- 17.2 **Severable** - Every phrase, sentence, paragraph and clause in this Agreement is severable the one from the other notwithstanding the manner in which they may be linked together or grouped grammatically and if any phrase, sentence, paragraph or clause is found to be defective or unenforceable for any reason whatsoever the remaining phrases, sentences, paragraphs or clauses as the case may be, shall be of full force and effect and continue to be of full force and effect.
- 17.3 **Written waiver** - No party will be deemed to have waived any right or remedy under this Agreement unless that party has done so by written notice to the other party.
- 17.4 **Variation** - A variation of any term of this Agreement must be in writing and signed by the parties.
- 17.5 **Full effect** - Each party must, at its own expense, do all things and execute all documents necessary to give full effect to this Agreement and the transactions contemplated by it.
- 17.6 **Counterparts** - This Agreement may be executed in any number of counterparts.
- 17.7 **Independent contractor** - The Supplier is engaged as an independent contractor of Council. The Supplier must not (and must ensure that its personnel do not) represent to any person that they are employees, agents or partners of Council. Nothing in this Agreement:
- (a) constitutes the parties as principal and agent or partners; or
 - (b) gives a party authority to bind any other party in any way.

18 INSURANCE

- 18.1 The Supplier must at its own cost, prior to commencing the Services:
- (a) take out and maintain professional indemnity insurance for an amount not less than \$10 million with a reputable insurer (or for such other lesser amount as agreed by Council), which must be maintained until seven (7) years following the earlier of the termination of this Agreement or the completion of the Services; and
 - (b) provide to Council evidence in the form of certificates of currency which confirms the Supplier is complying with clause 18.1(a) at all times throughout the term of this Agreement.

SCHEDULE

Supplier Name

ABN

Address

Proposal	Independent Representative for Major Projects Advisory Committee	
Term	From the date of this Agreement up until	
Base Fees	<ul style="list-style-type: none"> • \$2,000 (plus GST) to be paid for preparation, attendance and any post-meeting activities in connection with quarterly MPAC meetings. Four scheduled meetings are to occur each year. • \$2,000 (plus GST) to be paid for all time associated with preparation and finalisation of the annual MPAC Report to Council. • \$1,000 (plus GST) to be paid for preparation, attendance and any post-meeting activities in connection with: <ul style="list-style-type: none"> ○ Audit and Risk and Improvement Committee meetings; and ○ Monthly/bi-monthly PDG property project workshops. 	
Hourly Rates	<ul style="list-style-type: none"> • \$350 (plus GST) per hour for work conducted outside scheduled MPAC meetings (with the prior approval of Council) 	
Council's representative and contact details:	Name:	Brett Newman Chief Executive Officer
	Phone:	9806 8111
	Email address:	BNewman@cityofparramatta.nsw.gov.au
Council's address for notices: <i>[insert address and fax number]</i>	126 Church Street Parramatta NSW 2150 Fax: (02) 9806 5022	
Supplier's representative and contact details:	Name:	
	Phone:	
	Email address:	
Supplier's address for		

notices:

[insert address and fax
number]

Scope of Work:

To provide independent assurance to Council on major projects referred to the Committee by Council or Council's CEO.

In carrying out its duties, the Supplier acknowledges that the administration of the Committee is underpinned by the guiding principles of the following documents:

- Property Development and Investment Policy;
- MPAC Charter;
- MPAC Services Agreement;

which may be amended from time to time.

DATED:.....

EXECUTED AS AN AGREEMENT

Signed for and on behalf of CITY OF)
PARRAMATTA COUNCIL by its)
authorised officer in the presence of:)

.....
Signature of witness

.....
Signature of Authorised Officer

.....
Name of witness (please print)

.....
Name of Authorised Officer

.....
Position of Authorised Officer

EXECUTED by THE SUPPLIER in)
accordance with section 127 of the)
Corporations Act:)

.....
Signature of director

.....
Signature of director / secretary

.....
Name of director

.....
Name of director / secretary

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WELCOMING

15 JUNE 2021

15.1 FOR APPROVAL: Little India Business Reference Group Update..... 200

WELCOMING

ITEM NUMBER	15.1
SUBJECT	FOR APPROVAL: Little India Business Reference Group Update
REFERENCE	F2021/00521 - D08040388
REPORT OF	Acting Group Manager, City Experience

PURPOSE:

To provide an update on the outcomes of the Little India Reference Group including provision of meeting minutes.

RECOMMENDATION

- (a) **That** the minutes of the Little India Reference Group meetings be noted.
- (b) **That** Council endorse the updated Terms of Reference, including updating the maximum number of members to eleven (11).
- (c) **That** Council endorse the continuation of the Harris Park Business Reference Group for a further six (6) month period.
- (d) **That** Council approve the use of Little India to a defined trading area of Marion St, Wigram St and Station St East in Harris Park, for both Local Businesses and Council Officers to run limited promotional and marketing activity relating to the defined trading area.
 - i. Council will provide guidelines for this purpose.
 - ii. Council will review the success of the use of Little India after 6 months and provide Council with an update and further recommendation.
- (e) **Further, that** Council review the implementation of the Reference Group after 12 months' of operation and provide Council with an update and further recommendation.

BACKGROUND

1. At the Council meeting of 13 July 2020, Council resolved:
 - (a) ***That Council support the establishment of the Little India Harris Park Reference Group (Reference Group) to position Harris Park as a destination of choice with a unique food and cultural offering to deliver economic, cultural and marketing benefits to local businesses and the City of Parramatta.***
 - (b) ***That the Reference Group be established as an informal committee, independent of Council, with leadership and secretariat support provided by Council through Council's City Engagement and Experience Directorate.***
 - (c) ***That the composition of the Reference Group includes one representative (being the President) from each formally established and active Harris Park business association (up to 4 representatives), the Lord Mayor,***

Councillor Pandey or Councillor Tyrrell as the Councillor representative, up to three (3) Rosehill Ward Councillor representatives, and up to two (2) Council Officer representatives.

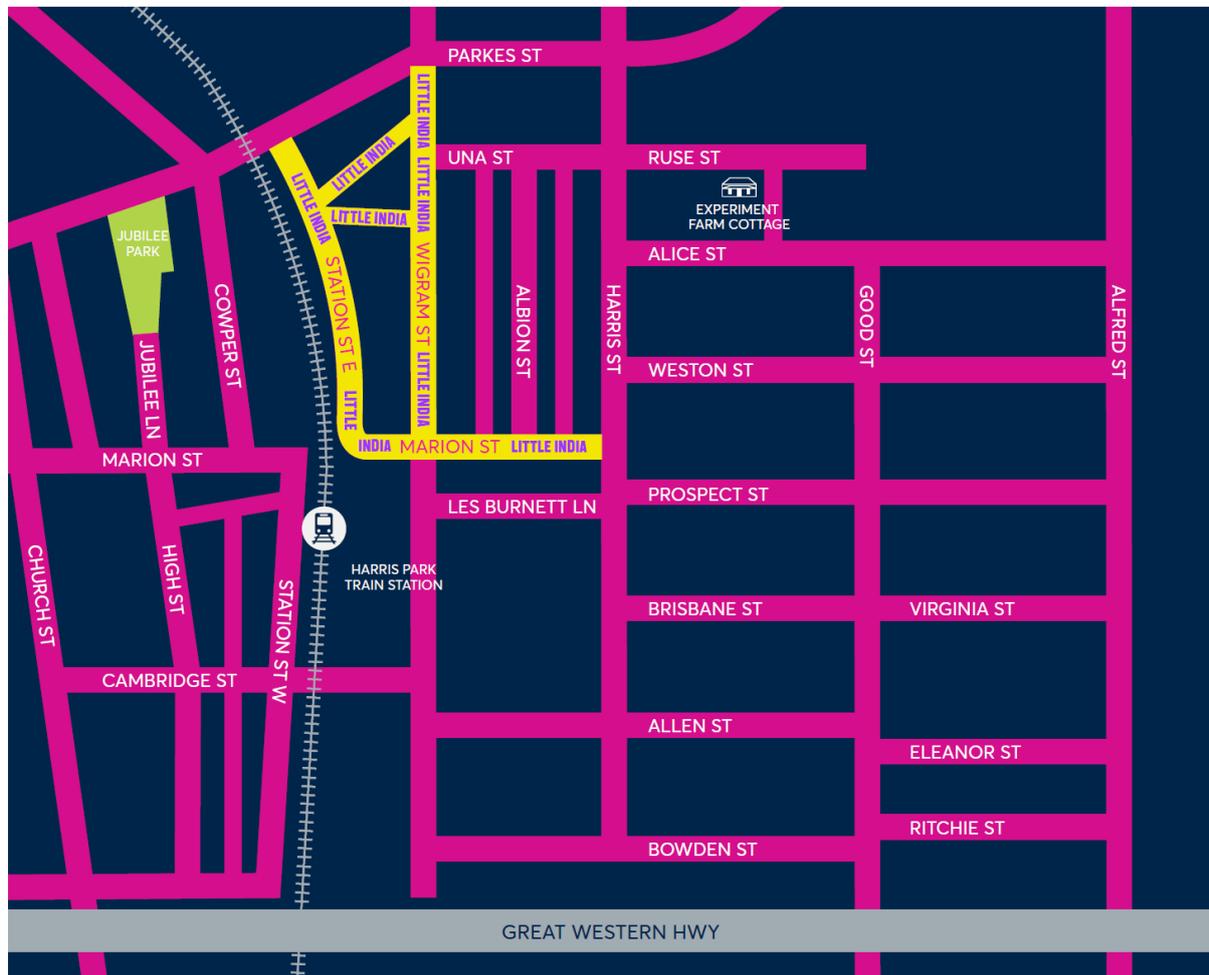
- (d) **That** Council endorse the Terms of Reference for the Reference Group outlined in Attachment 1 of this report.
- (e) **That** following the establishment of the Reference Group, all future Little India Harris Park destination programs and projects to be delivered in Harris Park, such as destination marketing campaigns and programs, community events and festivals, precinct activation initiatives, and business to business programs, are considered and endorsed by the Reference Group, to ensure a coordinated approach to the positioning of Harris Park as a unique destination to be known as "Little India", in the City of Parramatta.
- (f) **Further, that** the minutes of the Reference Group be reported to Council within six (6) months.
2. In the first 6 months of operation, three (3) Reference Group meetings have taken place. Minutes are provided in Attachment 1 to 3 of this Report. Meetings were held on the following dates:
- a. 13 October 2020
 - b. 24 November 2020 (meeting repeated on 8 December 2020)
 - c. 30 March 2021
3. The Reference Groups' membership was endorsed at the Council meeting of 13 July 2020. At the Reference Group meeting of 13 October 2020, it was moved that one additional external representative be allowable and the maximum total of members increase to eleven (11). Consequently, amendments have been made to the Membership section of the Terms of Reference, with the updated document provided in Attachment 4 of this Report for endorsement.
4. The current Reference Group membership includes:
- a) Up to five (5) External Representatives:
 - (i) Harris Park Business Forum, Mahesh Raj
 - (ii) Harris Park Community Centre, Patrick Soosay
 - (iii) Little India Australia, Gurmeet Tuli
 - (iv) Little India Harris Park Business Association, Sanjay Deshwal
 - (v) Parramatta Chamber of Commerce, Schon Condon / Roy Halabi
 - b) The Lord Mayor or his delegated Councillor representative:
 - (i) Cr Bob Dwyer, Lord Mayor, or
 - (ii) Cr Bill Tyrrell or Cr Sameer Pandey
 - c) Up to three (3) Rosehill Ward Councillors:
 - (i) Cr Steven Issa
 - (ii) Cr Patricia Procriv
 - (iii) Cr Andrew Wilson
 - d) Two (2) Council Officer representatives.

ISSUES/OPTIONS/CONSEQUENCES

5. At the Reference Group meetings, a number of Council-led initiatives were discussed including the Go Local campaign, Gift Card initiative and Community Events Grants. Reference Group members were encouraged to distribute information about these initiatives to encourage local business participation.
 6. As an outcome of the Reference Group meetings, the use of the name Little India to promote Harris Park was discussed and it was agreed that Council consult with Harris Park businesses and community directly to provide feedback regarding the 'Little India' proposal from Thursday 4 March 2021 until 9am on Tuesday 23 March 2021.
 7. Forty (40) businesses were consulted face-to-face and community feedback was provided via three (3) methods including an online survey, a quick poll and a comments board, hosted on Council's engagement platform 'Participate Parramatta'.
 8. During the consultation period 521 online surveys were completed, 23 votes were received on the quick poll and the project page on Participate Parramatta was viewed 3,060 times by 1,798 people.
 9. The consultation was specifically targeted the suburb of Harris Park however our analysis shows that responses were from a range of suburbs across Sydney with the majority being received from suburbs within the Parramatta LGA, followed by neighbouring LGA's such the Hills, Blacktown, Liverpool, Camden and Campbelltown.
 10. The consultation was widely promoted including:
 - a) All Harris Park properties notified via letterbox drop (approx. 2,400)
 - b) A social media campaign targeting Harris Park reached 4,103 people
 - c) Via the 40 businesses consulted face-to-face
 - d) Posters distributed to businesses and placed on street poles in the Harris Park town centre
 - e) The Harris Park Reference Group were notified
 11. Key findings from the community via the online survey include:
 - a) 67% supported the name 'Little India' to promote all of Harris Park
 - a) 17% supported the name to be used to promote only Wigram Street
 - b) 16% did not support the name 'Little India' being used
 12. Key findings from the business consultation include:
 - a) 58% supported the name 'Little India' to promote all of Harris Park
 - b) 23% supported the name 'Little India' to promote only Wigram Street
 - c) 18% did not support the name 'Little India' being used
 - d) 3% were unsure
 13. A quick poll was also provided with the results indicating the majority of people supported the proposal (62%).
 14. While the survey and poll were in favour of the proposal for "Little India" to be used to promote the whole of Harris Park, there were a proportion of people who shared concern over its use for the whole suburb as it did not recognise the multiculturalism and heritage of the area.
-

15. Taking into account the consultation and community feedback, it is recommended that the use of “Little India” should be limited to a defined trading area of Marion Street, Wigram Street and Station Street East where the related businesses operate.

16. The following map defines this area:



17. In order to use the term “Little India” to promote Marion Street, Wigram Street and Station Street East in Harris Park, Council will provide businesses a strict communication and campaign framework to ensure its appropriate use, consistency of application and protect the City Brand equity.

18. Specific guidelines will be developed to provide all visual identity components such as but not limited to fonts, colour palette, grids and templates and icons; taglines and copy themes that addresses the core message of the initiative; and the hierarchy of the City Brand which will endorse the entire campaign.

19. Council may use existing street poles in Harris Park to promote “Little India”. It is proposed that branded street banners be produced and installed at times when the street poles are not in use for other events or initiatives.

20. By promoting this defined precinct as “Little India” Council will deliver a coordinated approach to driving Little India at Harris Park as a destination as articulated in the City of Parramatta Destination Management Plan and as a key focus area for the Parramatta Night City Framework. It also provides a

coordinated approach to cultural events and festivals run in Harris Park and contributes to delivering one of the 3 key communications pillars of the City Brand Strategy - *Fascinating Mosaic*.

CONSULTATION & TIMING

Stakeholder Consultation

21. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
March 2021	Local Business and Community	As outlined in points 5-13 of this Report.	Response to consultation was strong and provided clear findings.	City Engagement and Experience
13/10/20 24/11/20 (8/12/20) 30/03/21	Members at Reference Group meetings	As per minutes attached to this Report	N/A	City Engagement and Experience

Councillor Consultation

22. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
13 July 2020	Council meeting	Resolution #2812	Proceeded to establish the Reference Group membership and meetings	City Engagement and Experience
11 March 2021	Rosehill Ward briefing		Presented an update on the Harris Park Reference Group and consultation activity	City Engagement and Experience
13/10/20 24/11/20 (8/12/20) 30/03/21	Attendees at Reference Group meetings	As per minutes attached to this Report	N/A	City Engagement and Experience

LEGAL IMPLICATIONS FOR COUNCIL

23. There are no legal implications for Council associated with this Report.

FINANCIAL IMPLICATIONS FOR COUNCIL

24. Continuation of the Reference Group for another 6-months as well as the proposed production and installation of street banners is provided for within the current City Engagement and Experience budget.
25. This includes \$15,000 for the production and installation of street banners.
26. The table below shows no financial impacts on the budget arising from approval of this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs	Nil	Nil		
Internal Costs	Nil	Nil		
Depreciation	Nil	Nil		
Other	Nil	Nil		
Total Operating Result	Nil	Nil		
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source				

Sophia Kouyoumdjian
Acting Group Manager, City Experience

Paul Perrett
Chief Financial Officer

Tamara Hitchcock
Acting Executive Director, City Engagement and Experience

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- | | | |
|-------------------|---|---------|
| 1 | HPRG minutes - 13 October 2020 | 2 Pages |
| 2 | HPRG Minutes - 24 November 2020 | 2 Pages |
| 3 | HPRG Minutes - 30 March 2021 | 2 Pages |
| 4 | HPRG Terms of Reference - amended June 2021 | 3 Pages |

REFERENCE MATERIAL



MINUTES

Meeting Name	Harris Park Reference Group	
Date	Tuesday 13 October 2020	Time 5.07pm
Venue	Harry Todd Band Hall, Jubilee Lane, Harris Park	
Attendees	Cr Bob Dwyer, Lord Mayor of Parramatta Cr Steven Issa, Ward Councillor (arrive 5.12pm) Cr Patricia Prociv, Ward Councillor Cr Andrew Wilson, Ward Councillor (arrive 5.46pm) Harris Park Business Forum, Mahesh Raj (arrive 5.30pm) Harris Park Community Centre, Patrick Soosay Little India Australia, Gurmeet Tuli Little India Harris Park Business Association, Sanjey Deshwal Parramatta Chamber of Commerce, Schon Condon Lindsay Woodland, Executive Director City Engagement & Experience, City of Parramatta Beau Reid, A/Economic Development Manager, City of Parramatta Cr Sameer Pandey (Observer – Lord Mayor delegate) Cr Bill Tyrrell (Observer – Lord Mayor delegate) Stephanie Cascun, Parramatta Place Manager (Harris Park) M'Leigh Brunetta, Civic Program, City of Parramatta (Administrator)	
Chaired by	Cr Bob Dwyer, Lord Mayor of Parramatta	

Item	Notes	Action
Welcome	Lord Mayor, Chairperson	Note
Reference Group Overview	Terms of Reference Guidelines	Amend 3.1 to eleven (11) members Amend 3.2 to five (5) external reps
Reference Group Overview	Role and Responsibilities	Representatives required to update retrospective groups/organisations they represent to keep community informed
Reference Group Overview	Scope Meeting Frequency Lord Mayor Chair (or nominated delegate)	Report back to Council within 6 months
Council Gift and Benefits Policy	Policy Distributed	Noted
Appointment of Reference Group	Appointment of 12 or 24 month term 12 month aligns with Local Government Elections	Appointed for 12 month term September 2020 – September 2021
Marketing and Event Opportunities	Parramatta City brand overview Precinct brand Upcoming Harris Park events/activities	Noted

Precinct brand	Consideration for brand 'Little India' at Wigram Street not Harris Park – specific precinct to be defined, noting the large Lebanese (OLOL Church) and Greek Communities in Harris Park. Community consultation recommended.	Noted
General Business	Reference Group provides opportunity for Harris Park Business and community to unite for stronger united advocacy, and drive opportunities and business growth to precinct	Noted
General Business	Areas of focus for Reference Group identified.	Representative provided the opportunity for Agenda items, or topics of interest at future meetings.
General Business	Next meeting	24 November 2020 Harry Todd Band Hall
Meeting Close	6.15pm	



MINUTES

Meeting Name	Harris Park Reference Group	
Date	Tuesday 24 November 2020	Time 5.07pm
Venue	Harry Todd Band Hall, Jubilee Lane, Harris Park	
Attendees	Cr Bill Tyrrell (Lord Mayor delegated Chairperson) Cr Patricia Prociw, Ward Councillor Little India Australia, Gurmeet Tuli Parramatta Chamber of Commerce, Roy Halabi (Schon Condon) Lindsay Woodland, Executive Director City Engagement & Experience, City of Parramatta Beau Reid, A/Economic Development Manager, City of Parramatta Jeff Stein, Manager City Events and Festivals Sheree Gover, Digital Marketing Manager Stephanie Cascun, Parramatta Place Manager (Harris Park) M'Leigh Brunetta, Civic Program, City of Parramatta (Administrator)	
Apologies	Cr Bob Dwyer, Lord Mayor of Parramatta Cr Steven Issa, Ward Councillor Cr Andrew Wilson, Ward Councillor Harris Park Business Forum, Mahesh Raj Harris Park Community Centre, Patrick Soosay Little India Harris Park Business Association, Sanjey Deshwal Cr Sameer Pandey (Observer – Lord Mayor delegate)	
Chaired by	Cr Bill Tyrrell (Lord Mayor delegated Chairperson)	

Item	Lead	Action
Welcome all guests	Chairperson	Noted
Reference Group, Purpose Restated	Chairperson	Noted
<ul style="list-style-type: none"> - Terms of Reference and Scope - Role of Representatives - Appointment of Reference Group - 12 month - Appropriate practice – social media 		
Parramatta Lanes – Harris Park Online Profile City of Parramatta Go Local Campaign	Sheree Gover, Digital Marketing Manager City Identity	Delegates to distribute information for business participation. https://www.discoverparramatta.com/go-local
City of Parramatta Gift Card	Beau Reid, A/Economic Development Manager	Delegates to distribute information for business participation. To join please visit: https://www.discoverparramatta.com/visit-at-parramatta-gift-card
Community Events Grants Program	Jeff Stein, Manager City Events and Festivals	Delegates to distribute information for business participation. https://www.cityofparramatta.nsw.gov.au/community/grants
<ul style="list-style-type: none"> - NSW Health Order – Update - Community Events Calendar 2021 - discussion 		

Little India - Proposed Community Engagement	Lindsay Woodland, Executive Director CEE	Presentation noted. Delegates to provide advice on community engagement.
General Business		
- Call for Agenda items for next meeting	All	Delegates to provide agenda items for next meeting.
- Other Business Matters		
Next Meeting/s	Chairperson	- Tuesday 2 February 2020, 5pm – 6pm - Tuesday 30 March 2020, 5pm – 6pm NOTE: Change of meeting location to City of Parramatta, 126 Church Street Parramatta.
Meeting Close	6.10pm	Close

It is to be noted that on Tuesday 8th December the following delegates visited City of Parramatta Council for an informal briefing as they were not in attendance at the formal Harris Park Reference Group meeting of 24 November. The following delegates were present:

- Cr Bill Tyrrell (Lord Mayor delegated Chairperson)
- Lindsay Woodland, Executive Director City Engagement & Experience, City of Parramatta
- Beau Reid, A/Economic Development Manager, City of Parramatta
- Sheree Gover, Digital Marketing Manager
- M'Leigh Brunetta, Civic Program, City of Parramatta (Administrator)
- Harris Park Community Centre, Patrick Soosay
- Little India Harris Park Business Association, Sanjey Deshwal



MINUTES

HPRM reference

Meeting Name	Little India Harris Park Reference Group	
Date	Tuesday 30 March 2021	Time 5-6pm
Venue	City of Parramatta (Boardroom), Level 12, 126 Church Street, Parramatta	
Attendees	Cr Bob Dwyer, Lord Mayor of Parramatta Cr Patricia Prociv, Ward Councillor Cr Andrew Wilson, Ward Councillor Little India Australia, Gurmeet Tuli Little India Harris Park Business Association, Sanjay Deshwal Tamara Hitchcock, A/Executive Director City Engagement & Experience, City of Parramatta Cr Sameer Pandey (Observer – Lord Mayor delegate) Cr Bill Tyrrell (Observer – Lord Mayor delegate) Sheree Gover, Digital Marketing Manager, City of Parramatta Paul Lyth, Group Manager Regulatory Services, City of Parramatta Anna Pijaca, Community Engagement Team Leader, City of Parramatta Jessica Wheat, Civic Program, City of Parramatta (Administrator) Jeff Stein, City Events & Festivals Manager	
Apologies	Cr Steven Issa, Ward Councillor Harris Park Business Forum, Mahesh Raj Harris Park Community Centre, Patrick Soosay Parramatta Chamber of Commerce, Roy Halabi (Schon Condon) Nicole Carnegie, Economic Development Manager, City of Parramatta Stephanie Cascun, Place Manager (Harris Park), City of Parramatta	
Chaired by	Cr Bob Dwyer, Lord Mayor of Parramatta; Delegated to Cr Bill Tyrrell	

Item	Notes	Action
Welcome all guests	Chairperson	Noted
Reference Group – 2021 Purpose Discussion		
- <i>Current priorities in relation to TOR</i>	Chairperson	Noted
Little India – Community Engagement Results (Engagement Strategy)	Anna Pijaca, Community Engagement Team Leader	Deferred to next meeting

Place Services – Update on capital works and investment	Tamara Hitchcock, A/Executive Director CEE	No changes reported – noted.
GoLocal Harris Park – campaign update	Sheree Gover, Digital Marketing Manager	Staff to investigate inclusion on Storybox. Community events grants are now open until 30 April. Delegates to share information and submit applications.
Community Events Calendar 2021 - discussion		https://www.cityofparramatta.nsw.gov.au/community/grants/community-events-grants
- Community Events Grants 2021	Tamara Hitchcock, A/Executive Director CEE	Delegates to provide proposed events to Jeff Stein for draft calendar.
- Delegates to advise any proposed events in 2021	Jeff Stein, City Events & Festivals Manager	
General Business		Gift Card: Delegates to distribute information for business participation.
- Social Media		
- City of Parramatta Gift Card		
- Dine & Discover business registrations		Dine & Discover: Delegates to distribute information for business participation.
- Call for Agenda items for next meeting		
- Compliance matters in Harris Park (<i>new item</i>)		Social Media: Delegates to speak with community members.
Other Business Matters	All	Compliance Matters: Delegates to speak with community members.
Next Meeting/s	Chairperson	5-6pm, 22 June 2021
Meeting Close	6:19PM	Close



Little India Harris Park Reference Group TERMS OF REFERENCE

~~June 2021~~ June 2020

1. Primary Purpose

1.1 To partner with City of Parramatta Council in the establishment of the Little India Harris Park Tourism Reference Group (Reference Group) to position Harris Park as the 'Little India' precinct in greater Sydney.

1.2 To partner with City of Parramatta Council to deliver economic, marketing and cultural benefits for local Harris Park business, the Harris Park community, and the broader City of Parramatta community.

1.3 To drive visitation, increase spend and length of stay in the Little India Harris Park precinct by the local community, visitors and tourists.

2. Roles and Responsibilities

2.1 To provide advice, input and feedback to Council on the needs, issues and interests of the Harris Park business community as they relate to Council business and responsibilities.

2.2 To work collaboratively in developing strategies to address these needs, issues and interests that Council could include in current and future work plans.

2.3 To provide a forum for Harris Park businesses and Harris Park community members to raise and address issues and needs.

2.4 To report back to individuals, organisations and networks on Council's role, responsibilities and decisions relating to Harris Park business development, marketing programs and cultural offerings.

2.5 To liaise with Harris Park businesses, and the broader Harris Park community, to identify and represent issues affecting these communities.

2.6 To work with Council to develop and promote appropriate business programs, marketing programs, and cultural offerings in the Little India Harris Park precinct.

3. Membership

3.1 There will be a maximum of up to ~~eleventen~~ (10) Reference Group members.

3.2 Membership will comprise of up to ~~fiveour~~ (5) external representatives; up to ~~three~~ (3) ~~City of Parramatta Rosehill Ward~~ Councillor representatives, in addition to the Lord Mayor or ~~one~~ (1) ~~Lord Mayor delegatedhis Councillor representative~~ delegate, and two (2) Council Officer representatives.



3.3 Either the Lord Mayor or his/her delegated City of Parramatta Councillor representative will act as Chair of the Reference Group.

3.4 Applications for non-Council Reference Group representation will be sought through an invited Expression of Interest (EOI) process.

3.5 Reference Group members will be appointed for a maximum two-year (24-month) term.

3.6 Reference Group membership is in a voluntary capacity only with no financial remuneration.

3.5 Applicants must demonstrate skills and capacity to contribute to the Reference Group.

3.4 Applicants must be:

3.3.1 A representative (at President level or equivalent) of an active and registered Harris Park business association.

3.3.2 An individual or representative of a local community organisation with a demonstrated commitment to the Harris Park community.

5. Observers

5.1 Non-members of the Reference Group are able to attend with the permission of the convenor and Chairperson of the Reference Group.

5.2 Observers are able to participate in discussions or commentary however they must identify themselves as Observers at the beginning of the meeting; are not able to propose recommendations and will have no voting rights.

6. Frequency of Meetings

6.1 The Reference Group will initially meet monthly for the first three (3) months during the establishment phase of the Reference Group on a nominated date and time.

6.2 Following the establishment phase, the Reference Group will meet quarterly each year on a nominated date and time.

6.3 Reference Group meetings will be ninety (90) minutes in duration.

7. Reference Group Planning

7.1 All members of the Reference Group are required to attend all three (3) meetings during the establishment phase.

7.2 Following the establishment phase, all members of the Reference are required to attend a minimum of (3) quarterly meetings per year (12 month period).



7.2 At the beginning of the Reference Group's term and then at the beginning of each financial year, members will work with the Reference Group convenor to evaluate their work over the preceding year; develop a plan for the year ahead including their identified priorities and indicators of their effectiveness as a Reference Group member.

End.

THRIVING

15 JUNE 2021

- 16.1 FOR APPROVAL: Better Neighbourhood Program 21/22 and 22/23... 216
- 16.2 FOR APPROVAL: 6&8 Parramatta Square - Part Closure of Darcy Street,
Parramatta 247

THRIVING

ITEM NUMBER	16.1
SUBJECT	FOR APPROVAL: Better Neighbourhood Program 21/22 and 22/23
REFERENCE	F2021/00521 - D08055394
REPORT OF	Senior Project Officer Place Services

PURPOSE:

This report seeks endorsement for the projects to be delivered under the Better Neighbourhood Program in the 2021/22 and 2022/23 financial years. The report also presents the results of the 2020/21 Centres Review that have informed the proposed allocation of funding under the Better Neighbourhood Program.

RECOMMENDATION

- (a) **That** Council approve the final list of projects for delivery within the approved budget for the Better Neighbourhood Program (BNP) in the 2021/22 and 2022/23 financial years (**Attachment 1**).
- (b) **That** for centres where public domain is under private ownership, Council approve works to be carried out on private land for existing and proposed projects initiated under the BNP, including funding 30% of the total cost of the private works, to a maximum dollar value of \$20,000 per rateable property, in alignment with the financial contribution model and maximum financial contribution threshold in Council's endorsed Retail Frontage Improvement Program.
- (c) **That** Council delegate authority to the Chief Executive Officer (CEO) to negotiate, finalise and execute agreements with private property owners for existing and proposed projects initiated under the BNP generally in accordance with the financial model set out in Recommendation (b).
- (d) **That** Council delegate authority to the Chief Executive Officer (CEO) to negotiate, finalise and execute agreements with private property owners for existing and proposed projects initiated under the BNP for a proposed public funding contribution greater than the financial model set out in Recommendation (b), including up to 100% of public funding for works on private land in the following circumstances:
 - 1 When works are proposed for three or more rateable properties at a single centre; or
 - 2 For the installation of creative artworks; or
 - 3 For works that improve disability access; or
 - 4 When the private property owner(s) undertakes shopfront improvement works or commit to providing increased maintenance generally equivalent in cost of works to the financial model set out in Recommendation (b); or
 - 5 For works on private land that constitute less than 10% of the overall cost of works; or
 - 6 For works that are in the public interest, as evidenced by outcomes of site-specific community consultation.

- (e) **Further, that** a report be presented to Council in accordance with Section 67(4) of the Local Government Act 1993 at the conclusion of the 2021-2023 Better Neighbourhood Program as outlined in Paragraph 15.

BACKGROUND

1. The **Better Neighbourhood Program** is a long-running and successful Council program that focuses on delivering capital upgrade improvements at local centres outside of the Parramatta CBD. The BNP commenced in 1999 and delivers improvements to centres to enhance the safety, vitality and economic prosperity of the area.
2. The biennial **Centres Review** provides Council with a bespoke, data-centric approach to placemaking and the management of centres through a clear evidence-based model underpinned by quantitative and qualitative datasets. This model continues to act as the primary mechanism to inform funding prioritisation for future works under the BNP as it distils the current and projected needs of existing and future communities across the LGA.
3. The 2020/21 **Centres Review** commenced in November 2020 and comprised three components;
 - a. A **Community Voice Survey** sought community input to evaluate the importance, frequency of use and perception of Council's 51 local and neighbourhood centres
 - b. A comprehensive **field audit** of each centre conducted between 15 February 2021 - 30 April 2021 to identify, assess and document the existing built and natural character of each place; and
 - c. An **asset condition assessment** to geospatially identify and comment on the state of assets within the public domain over time. These assets include, but are not limited to, street furniture, drinking fountains, garbage bins, kerb ramps, car parks, amenities units (toilets) etc.

In addition to the aforementioned methods of primary data collection, the 2020/21 Centres Review also utilised closed-source data (Council's ArcGIS portal) and open-source data (Transport for NSW timetabling) to enhance the multi-criteria analysis that enables Council to rank each Centre for funding prioritisation under the BNP.

4. The summarised **Centres Review** results table is provided in **Attachment 2**.
5. The Place Services team routinely engages with landowners and business owners to consider holistic improvements to local centres under the BNP. Each local centre is different, including some where the public domain is under private or shared ownership.
6. Any agreement for upgrade of works on private land is required to comply with Section 67 of the Local Government Act 1993, which states that Council is

required to charge an 'approved fee' for works undertaken on private land, as outlined in Council's Fees and Charges. At present, Council's Fees and Charges do not list an 'approved fee' for common works completed within a BNP project, including, but not limited to upgrades to paving and installation of street furniture. Moreover, a listing within Council's Fees and Charges is not appropriate for the BNP, as it limits the ability to provide bespoke outcomes tailored to each centre and developed as part of a local placemaking process.

7. In the alternative, a Council Resolution that lists the proposed fee to be charged is required before the works are carried out. This is what we are seeking under Recommendation (b) to (d).
8. The proposed fee to be charged is modelled off the terms of Council's endorsed Retail Frontage Improvement Program (i.e. 30% of the cost of works up to a maximum \$20k) as this is considered the most relevant adopted policy/program applying to the issue. Further, recommendation (d) lists further circumstances where a greater proportion of public funding may be appropriate, including scenarios where there may be difficulty obtaining agreement of various stakeholders, or where it may be within the public interest to do so.
9. In endorsing the terms set out in Recommendation (b), (c) and (d) which seeks to allow for the negotiation of terms with private landowners under one resolution to cover all current and future Better Neighbourhood Program projects, Council will be able to more rapidly deliver BNP projects. Consultation will continue to occur with Ward Councillors in regular briefings.

ISSUES/OPTIONS/CONSEQUENCES

10. On 13 March 2017, Council endorsed a revised Centres Review methodology and criteria to prioritise centres and neighbourhoods for BNP funding. That report noted that the criteria for the Centres Review will be iterative and updated when required. The 2020/21 Centres Review saw the creation of three (3) additional criteria to allow for a more thorough analysis of the data and to better reflect the overall character, condition and importance of each Centre. The additional criteria are as follows:
 - a. Public Domain Condition
 - b. Street Activity, and
 - c. Visitation
11. The full set of criteria used for the 2020/21 Centres Review multi-criteria analysis is provided in **Attachment 3**.
12. A summary of the data is presented in the results table (**Attachment 2**) and includes comments on the rationale for which centres have been selected for funding.
13. **Attachment 1** lists the proposed BNP projects for 2021/22 and 2022/23 financial years following ward Councillor consultation and identifies the proposed scope for identified projects. This scope is subject to refinement

following further community consultation and validation of the needs of each centre, pursuant to Council's routine place-making practice.

14. The proposed project list includes capital upgrade works, as well as activations and economic development opportunities. These projects will be delivered in partnership with relevant Council Directorates and in line with Council's endorsed strategies and programs.
15. If work is carried out on private land it is a requirement of section 67(4) *Local Government Act 1993* that a report of work is given at the next meeting of council specifying:
 - the person for whom the work was carried out
 - the nature of the work
 - the type and quantity of materials used
 - the charge made for those materials
 - the total of the number of hours taken by each person who carried out the work
 - the total amount charged for carrying out the work (including the charge made for materials)
 - the reason for carrying out the work.

It is proposed that a report of work is received by Council at the conclusion of the 2021– 2023 Better Neighbourhood Program to outline all works on private land that occurred as a part of the program.

CONSULTATION & TIMING

Stakeholder Consultation

16. As part of the biennial **Centres Review**, City of Parramatta conducted a study on the value of the 51 local and neighbourhood centres within the LGA. The **Community Voice Survey** serves as an important source for community sentiment data and ensures Council continues to deliver projects in line with community expectation and need.
17. To support participation in the Community Voice Survey, community members could have their say for a period of four (4) weeks from 8 February to 8 March 2021 via the following engagement activities:

Date	Engagement Activity	Summary of engagement	Engagement reach
08.02.21 – 08.03.21	Participate Parramatta engagement portal	The project was featured on the platform during the consultation period, resulting in 4,866 views during the consultation period. The page included the following: <ul style="list-style-type: none"> • Project background 	<ul style="list-style-type: none"> • 4,866 page views

		<ul style="list-style-type: none"> • Online survey link (via button) • Social map providing locations of the centres • Gallery of local centres up for review • Contact details for the Place Services Project team 	
Survey Shaper	The Community Voice Survey was hosted on the research platform Survey Shaper.		<ul style="list-style-type: none"> • 4,077 survey starts • 1,318 survey participants • 4,264 survey responses sharing feedback on Council's 51 local and neighbourhood centres • 973 participants who opted into the gift card draw
Social media channels	The opportunity to provide feedback was presented to 53,153 social media followers and reached approximately 35,578 people, cumulating in 2,649 clicks through to the project page.		<ul style="list-style-type: none"> • 10 engagements from an organic post via the Participate Parramatta Page • 14 engagements from an organic post via the Active Parramatta Page • 2,792 engagements from a paid campaign via City of Parramatta Facebook page • 100 engagements from an organic post via the City of Parramatta Facebook page • 24 engagements from an organic post via the City of Parramatta Twitter page

			<ul style="list-style-type: none"> 251 engagements from an organic post via the City of Parramatta Instagram page.
Electronic Direct Mails (EDM)	<p>Via four (4) EDM's, over 72,200 received notification of the opportunity to give feedback. The EDM's included:</p> <ul style="list-style-type: none"> Participate Parramatta Research Panel announcement ePulse Newsletter Community Connective Newsletter Parramatta Open Space and Recreation Newsletter 		<ul style="list-style-type: none"> 3,691 unique opens from the City Engagement: Panel 8,071 unique opens from the ePulse Newsletter 457 unique opens from the Community Connective 1,228 unique opens from the Parramatta Open Space and Recreation Newsletter
A3 Corflute Signs	60 'Have Your Say' corflute signs were printed and installed within Council's Centres with a QR code to direct participants to the survey.		The QR code on the posters generated 385 scans.

18. It is important to note that this engagement was live during the COVID-19 pandemic. As a result, no face-to-face engagement opportunities were provided. Nevertheless, the participation of 1,318 individual respondents is one of the larger response rates for recent Council consultation activities.
19. A summary of stakeholder consultation findings from the Community Voice Survey is captured in **Attachment 4**.
20. Consultation with Council's Legal Services department was also undertaken, as evidenced in the table below:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
21.04.21 10.05.21 26.05.21 (All correspondence via email)	Legal Services	No suggested changes to the wording of the proposed resolution, Recommendation (c) to (e).	Noted, Place Services to proceed with resolution for 14.06.21 Council Report.	Place Services

Councillor Consultation

21. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
18.05.21 6:00pm – 7:30pm	North Rocks Ward Councillors	Councillors expressed support for proposed works within North Rocks Ward.	Place Services to proceed with identified projects as line items for delivery within Council's Better Neighbourhood Program for 2021/22 and 2022/23 financial years.	Place Services
19.05.21 4:00pm – 5:20pm	Dundas Ward Councillors (Cr Esber and Cr Garrard)	Councillors expressed support for proposed works within Dundas Ward.	Place Services to proceed with identified projects as line items for delivery within Council's Better Neighbourhood Program for 2021/22 and 2022/23 financial years.	Place Services
20.05.21 5:00pm – 6:00pm	Parramatta Ward Councillors	Councillors expressed support for proposed works within Parramatta Ward.	Place Services to proceed with identified projects as line items for delivery within Council's Better Neighbourhood Program for 2021/22 and 2022/23 financial years.	Place Services
20.05.21 via email	Rosehill Ward Councillors	No response received.	Place Services to proceed with identified projects as line items for delivery within Council's Better Neighbourhood Program for 2021/22 and 2022/23 financial years.	Place Services
25.05.21 3:30pm – 4:30pm	Epping Ward Councillors (Cr Tyrrell and Cr Weane)	Councillors generally supportive of the use of BNP funds for streetscape	Place Services to allocate the entire Epping Ward portion of BNP funding to the planning and delivery of short and medium	Place Services

		upgrades and an activation program within Epping Town Centre.	term activation and capital upgrades in the Epping Town Centre.	
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LEGAL IMPLICATIONS FOR COUNCIL

22. If resolved, Place Services will not be required to seek separate resolutions of the full Council each time works are proposed on private land. This will ensure Council is compliant with Section 67 of the LG Act.
23. In addition, Place Services will be required to detail all agreements made in a report to Council when seeking endorsement of the 2023/24-2024/25 Better Neighbourhood Program.

FINANCIAL IMPLICATIONS FOR COUNCIL

24. A total funding amount of \$3,200,000 has been allocated under the BNP over the next two financial years. This includes CAPEX of \$400,000 in the exhibited draft FY 2021/22 budget and a further \$2,800,000 CAPEX in the FY 2022/23 budget.
25. The allocated budget for Year 1 and Year 2 of the BNP differs from the previously adopted Delivery Program (2018-2021) Operational Plan and Budget 2020-21 (July 2020) which had allocated \$800,000 for FY21/22 and \$2,400,000 for FY22/23. The total budget of \$3,200,000 for this program remains the same, however, it has been rephased in line with the anticipated delivery of Year 1 works.
26. The BNP is budgeted capital expenditure sourced from general revenue.
27. The funding allocation will see a smaller expenditure in Year 1 to accommodate for consultation and the development of concept and detailed design documentation. The remaining budget will be spent in the second year of the program, allowing for the construction of proposed capital works.
28. The table below summarises the financial impacts on the budget arising from approval of this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil	Nil	Nil	Nil
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				

Total CAPEX	Nil	Nil	Nil	Nil
Funding Source				

Michael Northey
Senior Project Officer Place Services

Bruce Mills
Group Manager Place Services

Paul Perrett
Chief Financial Officer

Ian Woodward
Group Manager Legal Services

Bryan Hynes
Executive Director Property & Place

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- | | | |
|-------------------|--|----------|
| 1 | Attachment 1: Proposed Better Neighbourhood Program Projects 2021/22 and 2022/23 | 2 Pages |
| 2 | Attachment 2: 2020/21 Centres Review Results Table | 1 Page |
| 3 | Attachment 3: 2020/21 Centres Review Criteria | 10 Pages |
| 4 | Attachment 4: Community Voice Survey Findings | 9 Pages |

REFERENCE MATERIAL

Attachment 1: Proposed Better Neighbourhood Program (BNP) projects for 2021/22 and 2022/23 financial years

Centre	Ward	Proposed project & high level scope	Allocated budget (FY 21/22)	Allocated Budget (FY 22/23)	Total
Gibbons Street Shops	Dundas	Gibbons Street Shops Upgrade - centre upgrade including new hardscaping works with a focus on delivering an improved outdoor dining provision.	\$48,000	\$352,000	\$400,000
Stamford Avenue Shops	Dundas	Stamford Avenue Shops Upgrade - centre upgrade including new hardscaping treatment with improved accessibility components.	\$27,000	\$213,000	\$240,000
Epping Town Centre	Epping	Epping Town Centre High Streets Upgrade - design and implement improvements to high streets within Epping Town Centre by leveraging insights following the completion of the DRAFT Epping Place Plan in Q3 FY21/22.	\$69,750	\$500,250	\$570,000
Epping Town Centre	Epping	Epping Town Centre Activation Program - continue to improve the vibrancy of Epping Town Centre through small-scale activation efforts.	\$34,000	\$36,000	\$70,000
Lawndale Avenue Shops	North Rocks	Don Moore Reserve Park Upgrade – provision of new play equipment and improve the use and function of existing sports infrastructure.	\$43,500	\$296,500	\$340,000
The Chisholm Centre	North Rocks	The Chisholm Centre Public Amenities – provision of a new public toilet block for patrons.	\$23,250	\$226,750	\$250,000
Woodstock Road Shops	North Rocks	Douglass Avenue Reserve – provision of new playground shade structure to cover play existing equipment.	\$4,500	\$45,500	\$50,000

Centre	Ward	Proposed project & high level scope	Allocated budget (FY 21/22)	Allocated Budget (FY 22/23)	Total
Wentworthville Shops	Parramatta	Shannons Paddock Open Space Upgrade – Replace existing local playground with new nature play and/or imaginative equipment, focusing on elements for 13+ year olds. Provision of new seating and shade structures to cater to a growing community.	\$54,750	\$435,250	\$490,000
Sherwood Street Shops	Parramatta	Sherwood Street Shops Upgrade – Minor centre upgrade with new hardscaping treatment and formal landscaping/softworks to enhance the look and feel of the Centre.	\$20,250	\$129,750	\$150,000
Granville Town Centre	Rosehill	Connecting Granville Upgrade – explore the delivery of key footpath and cycleway infrastructure between City of Parramatta assets and into Granville high streets.	\$43,500	\$296,500	\$340,000
Ermington Shopping Town	Rosehill	Ermington Shopping Town Upgrade – public domain upgrade and laneway activation to enhance vibrancy within the centre and support retail function and nighttime economy at this Centre.	\$31,500	\$268,500	\$300,000
			\$400,000	\$2,800,000	\$3,200,000
			FY21/22 Total	FY22/23 Total	TOTAL

Attachment 2: 2020/21 Centres Review Results Table

Centres with PUBLIC Street Frontage

Centre	Suburb	Ward	Condition				Vibrancy				Place				Connectivity				Community Voice				CUMULATIVE TOTAL (/25)	RANK						
			Last Upgrade	Future Potential	Asset Condition	Public Domain	AVERAGE	RANK	Vacancy	Outdoor Dining	Street Activity	AVERAGE	RANK	Land Use	Public Domain Area	Future Growth	AVERAGE	RANK	Density	Access	Public Transport	Shade			AVERAGE	RANK	NPS	Visitation	AVERAGE	RANK
Granville Town Centre	Granville	Rosehill	1	5	3	4.5	3.68	4	5	4	4.33	2	5	5	5.00	1	5	5	3	1	5	3.50	3	3	5	4	0	20.71	51	
Telopea Station Centre	Telopea	Dundas	5	5	5	4.25	4.51	1	1	4	4	3.00	16	3	5	3.67	9	5	2	3	2.5	3.13	10	5	5	1	19.60	50		
Ipping Town Centre	Ipping	Ipping	3	3	3	3.5	3.13	14	5	4.5	2	3.83	5	5	3	5	4.33	5	5	1	1	3.5	2.63	25	5	5	1	18.92	49	
Dundas Station Centre	Dundas	Dundas	3	1	3	2	2.25	34	3	5	3.67	7	5	5	5	5.00	1	3	1	3	3	2.50	32	5	5	5	1	18.42	48	
Carlingford Centre (inc. Carlingford Court and Carlingford Village)	Carlingford	North Rocks & Epping	3	3	5	4.25	3.51	5	5	3	1	3.00	16	5	1	5	3.67	9	5	4	3	3.75	1	3	5	4	0	15.23	47	
Westmead Town Centre	Westmead	Parramatta	5	1	5	5	4.00	3	3	4.5	4	3.53	5	3	1	5	3.00	17	5	3	1	4	3.25	7	5	3	4	0	15.05	46
Sherwood Street Shops	Northmead	Parramatta	5	5	5	3.5	4.63	2	1	2	5	2.67	22	3	5	1	3.00	17	1	3.5	3	2.5	2.50	32	5	5	1	17.79	45	
Wentworthville Shops	Wentworthville	Parramatta	3	5	3	3	3.50	7	5	2	4	3.67	7	3	1	1	1.67	45	5	2	5	3	3.75	1	5	5	1	17.50	44	
Toongabbie Shops	Toongabbie	Parramatta	1	1	1	2.75	1.44	45	5	2	5	4.00	4	3	5	3.67	9	3	2	3	4	3.00	13	5	5	5	1	17.10	43	
Warehul Shopping Centre	Telopea	Dundas	5	1	3	2.5	2.88	16	1	4	5	3.33	12	3	5	5	4.33	5	3	1	3	3	2.50	32	5	3	4	0	17.04	42
Ermington Shopping Town	Ermington	Rosehill	5	3	3	3	3.50	7	3	3.5	4	3.50	10	1	5	3	3.00	17	1	1	3	2	1.75	47	5	5	1	16.75	41	
Harris Park Village	Harris Park	Rosehill	3	3	3	3.75	3.19	12	1	2.5	4	2.50	25	5	3	5	4.33	5	5	1	1	3.5	2.63	25	3	5	4	0	16.65	40
Victoria and Park Roads	Rydalmere	Dundas	3	3	3	2.5	2.88	16	1	3.5	5	3.17	13	5	3	5	4.33	5	1	1	3	3.5	2.13	48	3	5	4	0	16.50	38
Iron Street Shops	North Parramatta	Parramatta	5	3	1	2.25	2.61	19	3	2.5	4	3.17	13	5	5	5.00	1	1	1	3	3	2.50	32	3	3	3	29	16.46	37	
Collett Park Village Shops	North Parramatta	Dundas	5	3	3	2.5	3.38	9	1	3.5	3	2.50	25	3	3	3	3.00	17	3	4.5	3	3.38	5	5	3	4	0	16.25	36	
Woodstock Road Shops	Carlingford	North Rocks	1	1	3	3	2.00	39	5	4	5	4.67	1	3	5	1	3.00	17	1	4.5	5	2.5	3.25	7	5	1	3	29	15.92	34
Bartlett Street Shops	Ermington	Dundas	1	3	3	5	3.00	15	3	4	4	3.67	7	3	1	1	1.67	45	3	3	5	3	3.50	3	5	3	4	0	15.83	33
Claris Road Shops	Parramatta	Parramatta	5	3	3	2.25	3.21	11	3	3	3	3.00	16	5	3	3	3.67	9	3	1	3	4	2.75	19	3	3	29	15.73	32	
Brodie Street shops	Rydalmere	Rosehill	1	1	1	1.75	1.49	43	5	4	4	4.33	2	3	1	3	2.33	32	1	3	3	4	2.75	19	3	5	4	0	15.50	31
Constitution Hill shops	Constitution Hill	Parramatta	1	3	1	4	2.25	34	1	3.5	4	2.83	21	3	5	1	3.00	17	3	3	3	3	3.00	13	3	5	4	0	15.05	30
Carlingford Station Centre	Carlingford	North Rocks & Epping	1	1	1	2.5	1.38	46	5	2	2	3.00	16	5	1	5	3.67	9	3	2	3	3	2.75	19	5	3	4	0	14.79	28
Picasso Shops	Toongabbie	Parramatta	1	1	3	2.5	1.88	40	1	3	4	2.67	22	3	5	1	3.00	17	1	4.5	3	4	3.13	10	3	5	4	0	14.67	27
Wentworthville Station Shops	Wentworthville	Parramatta	3	1	3	2	2.25	34	5	1	2	2.67	22	3	1	5	3.00	17	3	2	1	4	2.50	32	5	3	4	0	14.42	26
Albert Street Shops	North Parramatta	Dundas	1	1	1	1.5	1.13	49	1	1	4	2.33	28	5	1	5	3.67	9	5	1.5	3	2	3.13	10	3	4	0	14.25	25	
Clarendon Village	Clarendon	Dundas	1	3	3	3	2.50	26	3	3.5	4	3.50	10	1	3	1	2.33	32	1	3	5	2.5	2.88	17	3	3	29	14.21	24	
Stamford Avenue Shops	Ermington	Dundas	5	3	3	3.5	3.63	6	1	1	5	2.33	29	1	3	1	1.67	45	1	3	5	3	3.00	13	5	1	3	29	13.61	23
Midson Road Shops	Ipping	Epping	5	1	1	3.25	2.56	24	3	2	1	2.00	35	3	3	1	2.33	32	3	2	1	4	2.50	32	5	3	4	0	13.40	22
Bungaree Road Shops	Toongabbie	Parramatta	3	1	3	3.5	2.63	23	1	2	3	2.00	35	1	3	1	1.67	45	3	2.5	3	3	2.88	17	3	5	4	0	13.17	21
Ryde Street Shops	Epping	Epping	5	1	1	1.5	1.13	49	1	1	2	1.33	47	3	1	3	2.33	32	3	2	5	3	3.25	7	5	3	4	0	13.04	20
Gilebons Street Shops	Clarendon	Dundas	3	3	3	2.5	2.88	16	1	4	1	2.00	35	3	1	3	3.00	17	1	2	3	2.5	2.13	48	3	3	29	13.00	19	
Woods Lane Shops	Carlingford	Epping	5	1	1	2.5	2.88	16	1	1	2	2.33	27	5	1	3	2.33	32	3	1	3	4	2.75	19	3	3	29	12.96	18	
Vates Avenue Shops	Dundas	Epping	1	3	1	2.25	1.51	41	1	2.5	3	2.17	31	3	3	1	2.33	32	1	1	3	4	2.25	42	3	3	4	0	12.56	17
Lomond Crescent Shops	Winston Hills	North Rocks	3	3	3	3.75	3.19	12	1	3	2	2.00	35	3	3	1	2.33	32	1	1	3	2.5	1.88	45	3	3	29	12.40	15	
Rebecca Parade Shops	Winston Hills	North Rocks	3	3	3	2.25	2.61	19	1	1	3	1.67	43	3	5	1	3.00	17	1	1	5	3.5	2.63	25	3	1	2	46	12.10	13
Lavinsdale Avenue Shops	North Rocks	North Rocks	3	3	1	3	2.50	26	3	2	1	2.00	35	5	3	3	3.67	9	1	1	3	1.5	1.63	51	3	1	2	46	11.79	12
Tintern Ave Shops	Telopea	Dundas	1	1	1	1.25	1.06	51	5	1	3	3.00	16	3	3	1	2.33	32	3	1	3	2.5	2.88	40	5	1	3	29	11.77	11
Bella Road Shops	Clarendon	Dundas	3	1	3	2.25	2.91	31	1	1	4	2.00	35	3	3	1	2.33	32	1	4	3	4	3.00	13	3	1	2	46	11.65	10
Winston Road Shops	Northmead	Parramatta	3	3	3	2	2.75	22	1	2	1	1.33	47	3	1	5	3.00	17	1	2	3	4	2.50	32	3	1	2	46	11.56	9
Station Road Shops	Toongabbie	Parramatta	1	3	3	2.25	2.31	31	1	2	3	2.00	35	3	1	3	2.33	32	1	1	1	4	1.75	47	3	3	29	11.40	8	
Plympton Road Shops	Carlingford North	North Rocks	1	1	1	1.75	1.19	48	1	2.5	3	2.17	31	3	3	1	2.33	32	1	1	5	2.5	2.88	40	1	5	3	29	11.06	7
The Chisholm Centre	Winston Hills	North Rocks	1	3	1	1.5	1.63	44	1	1	3	1.67	43	3	5	1	3.00	17	3	1	5	1.5	2.63	25	1	3	2	46	10.92	6
Carmen Drive Shops	Carlingford	North Rocks	1	1	1	2	1.25	47	1	1	1	1.00	50	3	3	3	3.00	17	1	1	3	2	1.75	47	3	3	3	29	10.80	2
Venture Road Shops	Northmead	North Rocks	1	1	1	1.5	1.13	49	1	1	1	1.00	50	3	5	1	3.00	17	3	2	3	2.5	2.63	25	3	1	2	46	9.75	1

Centres with Private Street Frontage

Newington Vintetoplace	Newington	Rosehill	1	1	3	2.25	1.81	41	3	3.5	3	3.17	13	5	5	5.00	1	3	1	5	1.5	2.63	25	3	5	4	0	16.60	39	
Rosehill Shopping Centre	Rosehill	Rosehill	5	1	1	4.25	2.61	19	3	2	2	2.33	29	5	1	5	3.67	9	3	3	3	4.5	3.85	5	3	5	4	0	16.19	35
Northmead Shopping Centre	Northmead	North Rocks	5	1	1	3.25	2.56	24	3	1.5	3	2.50	25	3	1	5	3.00	17	3	1	3	4	2.75	19	3	5	4	0	14.01	29
North Rocks Shopping Centre	North Rocks	North Rocks	5	1	1	2.25	2.91	31	3	2	2	2.83	29	3	3	1	2.83	32	1	1										

Attachment 3 – 2020/21 Centres Review Criteria

1. **Condition of Centre**

Divide the total of all 'Condition' criteria by the number of criteria to determine an average /5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Last Capital Upgrade	Years since last capital investment	5+ years	<5 years	<5 years
	Type of Upgrade	Minor OR major investment within Centre or surrounds	Minor investment valued <\$200,000 or upgrade NOT in Centre	Upgrade was directly in center AND >\$200,000 in value
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Future Potential	Opportunity description	High need/opportunity for major capital upgrade works to improve the use, function and vitality of the centre OR high opportunity/need for works exists despite the presence of alternative funding sources.	Moderate need for major works OR minor capital works can be accommodated within centre OR centre can be supported through adjacent upgrades - connecting centres or open space upgrades.	Centre is either impacted by other projects/likely redevelopment etc. or has limited future potential (due to recent Major upgrade with no/little room for further works).
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Asset Condition	Place Services' Operation Liaison Officers (OLOs) allocate a condition score (e.g. Dangerous, Poor, Average, Good, Very Good) for each asset within a Centre.	If the sum of 'Dangerous', 'Poor' and 'Average' assets is <50% of all assets within the Centre.	If 'Good' assets account for >25% but <100% of all assets within the Centre.	If 'Very Good' assets account for >25% of all assets within the Centre.
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile	Investment somewhat required / worthwhile	Investment not required / worthwhile
Public Domain Condition	Condition Description	Poor (5)	Average (3)	Very Good (2) Excellent (1)
	Public Domain Design (Is there a buffer from traffic?)	No (1)	Yes (0.5)	
	Public Domain Treatment	Variegated Surfaces (2)	Concrete (1) Asphalt (1) Pebblecrete (1) Brick (1)	Granite or natural stone pavers (0.5)
	Landscaping condition	Unkempt (1)	Well maintained (0.5)	
TOTAL				/5
<p>Note: The Public Domain Condition criterion is a new addition in 2020/21 and utilises data from on-site inspections to identify the design characteristics of the public domain, the quality of the hardscaping treatment and its material finish as well as the landscaping condition of softworks that may feature within the centre. Added as a subset of 'Condition', this criterion helps determine the suitability of changes to the public domain as part of future capital works within a Centre.</p>				

2. **Vibrancy**

Divide the total of all 'Vibrancy' criteria by the number of criteria to determine an average /5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Vacancy	Vacant shop fronts will be counted and scoring will be based on the number of vacancies as a percentage of the total number of shopfronts.	Moderate to high vacancies (i.e. >15%)	Some vacancies (>0% to 15%)	No vacancies (0%)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile	Investment somewhat required / worthwhile	Investment not required / worthwhile
Outdoor Dining Site inspection to determine current availability and potential	Presence of outdoor dining?	Yes (1)		No (0)
	Potential for more or improved outdoor dining?	Yes (1)		No (0)
	Quality of existing outdoor dining provision	Low/None (2)	Medium (1)	High (0)
	Available area & ability to support outdoor dining	Lots of appropriate retail (1)	Some appropriate retail (0.5)	None (0)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile	Investment somewhat required / worthwhile	Investment not required / worthwhile
Street Activity	Level of street activity	Low Activity - no activation witnessed (3)	Moderate activity - at least one instance of activation type as per the Street Activity Policy (2)	High activity - 3 or more instances of activation as per the Street Activity Policy, or one type of activation across a large portion of the centre (1)
	Are there underutilised spaces within the centre?	Yes (1)		No (0)
	Can street activation or further street activation be accommodated?	Yes (1)		No (-1)
TOTAL				/5
<p>Note: The Street Activity criterion is a new addition in 2020/21 added as a subset of 'Vibrancy' and measures the presence and frequency of street activity types (as per Council's Street Activity Policy) within the public domain of the Centres across the LGA. The spatial arrangement of the public domain is an important consideration within this criterion, including whether there are underutilised spaces to allow for street activation or further street activation to be accommodated. This criterion gauges whether there is an appropriate level of activity in our streets to enhance the experience of residents, visitors and workers.</p>				

3. Place

Divide the total of all 'Place' criteria by the number of criteria to determine an average /5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Land Use	Count of the number of land uses within the immediate vicinity of the centre	Close proximity of multiple land uses (6+ land uses)	More than 1 land use within or near the centre (2 - 5 land uses)	Low variability of land use (<2 land use only)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Public Domain Area	Calculation of the size of the public domain within the centre as a portion of total lot size.	Large amount of public domain (>50%)	Moderate amount of public domain (25-50%)	None or small amount of public domain (0-25%)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Future Development Potential	Does the land use zoning immediately surrounding the Centre allow for potential development?	Potential for significant development (R4 surrounding retail core)	Potential for moderate development (SP2 or B2-6 surrounding retail core)	No development projected (R2-3 surrounding retail core only)
TOTAL				/5

4. Connectivity

Divide the total of all 'Connectivity' criteria by the number of criteria to determine an average /5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Density	Level of density within a 'walkable' zone. Calculated based on population size within a 500m radius (5 min walk) of the centre.	High population density (> 3,000 people)	Medium population density (1,500 – 3000 people)	Low population density (<1,500 people)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile	Investment somewhat required / worthwhile	Investment not required / worthwhile
Access & Mobility Site inspection to ascertain the presence of disabled parking and accessible kerb ramps	Presence of accessibility kerbs?	No (1)		Yes (0)
	Are there observable issues?	Yes (1) NA (1) – only applicable if 'No' accessibility kerbs present.		No (0)
	Identify ramp issues from the list (None, Narrow, Steep grade, Cracks, Uneven surface, Trip hazard, NA)	If multiple issues identified (2)	If no accessibility kerbs present, NA (1.5)	If accessibility kerbs present with no issues identified (1)
	Presence of accessible parking spots	No (1)		Yes (0)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Public Transport	Desktop research to identify the number of transport options available within walking distance of the centre and the frequency of those services.	Limited connectivity (No options within 10 min walk OR infrequent services)	Moderately connected (At least 1 mode within 10 min walk with regular service)	Well connected (At least 2 modes within 10 min walk with regular service)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile	Investment somewhat required / worthwhile	Investment not required / worthwhile
Shade Site inspection to determine level of shade cover within the centre and its immediate surrounds	Level of shade provided within the Centre	Limited (3)	Moderate (2)	Well Shaded (1)
	Do shopfront awnings provide continuous shelter?	No (1)		Yes (0)
	Extent of canopy cover in the public domain	Limited shade (1) No street trees present (1) Other (1)	Mature canopy cover present (0.5) Trees will provide canopy cover over time (0.5)	
TOTAL				/5

5. Community Voice

Divide the total of all 'Community Voice' criteria by the number of criteria to determine an average /5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Net Promoter Score	Community perception score when asked – "how likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend of neighbour?"	Poorly rated by local community (Average Net Promoter Score 0-6)	Moderately rated by local community (Average Net Promoter Score 7-8)	Highly rated by local community (Average Net Promoter Score 9-10)
TOTAL				/5

Criterion	Description	Proposed Scoring		
		Investment required / worthwhile (5)	Investment somewhat required / worthwhile (3)	Investment not required / worthwhile (1)
Visitation	The frequency at which patrons visit the identified centre, measured as the sum of 'daily', 'few times a week' and 'once a week' as a portion of total visitation activity.	High level of visitation (frequency of weekly visitation account >50%)`	Moderate level of visitation (frequency of weekly visitation account <25% but <50%)`	Low level of visitation (frequency of weekly visitation account <25%)`
TOTAL				/5

Note: The Visitation criterion is a new addition in 2020/21 and leverages findings from the Community Voice Survey to distil the frequency residents, visitors and workers visit each of the 51 Centres across the LGA. When users frequent a centre more regularly, there is a higher demand on the assets and therefore the rate at which an asset will deteriorate or require maintenance will be greater than a centre with fewer users. Added as a subset of 'Community Voice', this criterion assists in determining the demand users place on a Centre's assets.

6. Cumulative Score

Add the total of average scores to determine a cumulative total /25. Centres with a high cumulative total are those considered to be the 'lowest performing' and therefore the highest priority for funding in the next BNP cycle.

Condition /5	Vibrancy /5	Place /5	Connectivity /5	Community Voice /5
TOTAL				/25

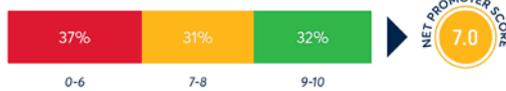
Attachment 4: Summary of participant feedback for each of the 51 Centres reviewed in the Community Voice Survey

ALBERT STREET SHOPS
49-53 ALBERT STREET,
NORTH PARRAMATTA

Participants are most likely to visit this centre
A FEW TIMES A WEEK (28%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 Location 3 To access particular stores or services | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Toilets 2 Street activities or temporary centre activations 3 Public art |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

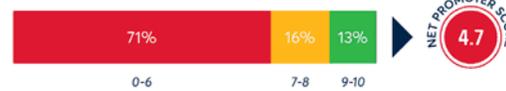


BARTLETT STREET SHOPS
CORNER OF BARTLETT STREET AND ASHCROFT STREET,
ERMINGTON

Participants are most likely to visit this centre
MONTHLY (23%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 Location 3 To access particular stores or services | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Street furniture (e.g. benches, picnic tables) 3 Street activities or temporary centre activations |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



BELLS ROAD SHOPS
CORNER OF BELLS ROAD AND WYUNA PLACE,
OATLANDS

Participants are most likely to visit this centre
MONTHLY (65%)

- | | |
|---|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 There is a park nearby 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Toilets 3 Street activities or temporary centre activations |
|---|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



BRODIE STREET SHOPS
BRODIE STREET,
RYDALMERE

Participants are most likely to visit this centre
MONTHLY (33%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Location 2 Convenience 3 Easy to find parking; To access particular stores or services (=) | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Footpaths and paving (e.g. public domain outside shopping strip) 3 Outdoor dining; Lighting; Public gardens, shade and street trees (=) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



BUNGAREE ROAD SHOPS
CORNER OF BUNGAREE ROAD AND WILLMOT AVENUE,
TOONGABBIE

Participants are most likely to visit this centre
MONTHLY (35%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Footpaths and paving (e.g. public domain outside shopping strip) 3 Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

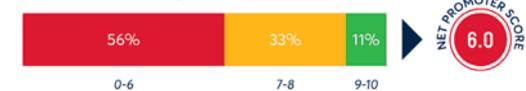


BURNSIDE SHOPPING VILLAGE
CORNER OF GLENCOE AVENUE AND BLACKWOOD PLACE,
OATLANDS

Participants are most likely to visit this centre
MONTHLY (39%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular services 2 Location 3 Convenience; Variety of offerings (=) | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Street activities or temporary centre activations 2 Outdoor dining 3 Toilets; Public art (=) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



CARLINGFORD CENTRE
 INTERSECTION OF MARSDEN ROAD AND PENNANT HILLS ROAD TO INTERSECTION OF PENNANT HILLS ROAD AND MOSELY STREET, CARLINGFORD

Participants are most likely to visit this centre
A FEW TIMES A WEEK (28%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> To access particular stores or services Convenience Variety of offerings | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> Parking and traffic management Outdoor dining Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



CARLINGFORD STATION CENTRE
 CORNER COLEMAN AND PENNANT HILLS ROAD, CARLINGFORD

Participants are most likely to visit this centre
MONTHLY (44%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> To access particular stores or services Convenience Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> Footpaths and paving (e.g. public domain outside shopping strip) Outdoor dining Parking and traffic management |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



CARMEN DRIVE SHOPS
 CORNER OF CARMEN DRIVE AND OAKES ROAD, CARLINGFORD

Participants are most likely to visit this centre
MONTHLY (43%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> To access particular stores or services Convenience Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> Outdoor dining Parking and traffic management Street activities or temporary centre activations |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

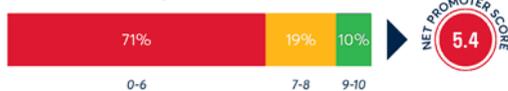


COLLETT PARK VILLAGE
 CORNER VICTORIA ROAD AND PENNANT STREET, NORTH PARRAMATTA

Participants are most likely to visit this centre
FORTNIGHTLY (29%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> To access particular stores or services Convenience Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> Outdoor dining Toilets Lighting |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



CONSTITUTION HILL SHOPS
 CORNER EMMA CRECENT AND HOLLIS STREET, CONSTITUTION HILL

Participants are most likely to visit this centre
ONCE A WEEK (28%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> To access particular stores or services Convenience Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> Outdoor dining Toilets Street activities or temporary centre activations |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



DUNDAS STATION CENTRE
 CORNER OF STATION STREET AND CALDER ROAD, DUNDAS

Participants are most likely to visit this centre
A FEW TIMES A WEEK (31%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> To access particular stores or services Convenience Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> Outdoor dining Public gardens, shade and street trees Toilets |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

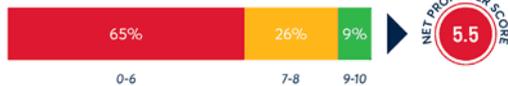


ERMINGTON SHOPPING TOWN
 BETTY CUTHBERT AVENUE,
 ERMINGTON

Participants are most likely to visit this centre
A FEW TIMES A WEEK (34%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 Location 3 To access particular stores or services | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Public gardens, shade and street trees 3 Outdoor dining |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



GIBBONS STREET SHOPS
 CORNER OF GIBBONS STREET AND WESLEY STREET,
 OATLANDS

Participants are most likely to visit this centre
ONCE A WEEK (36%)

- | | |
|---|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 There is a park nearby 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Street furniture (e.g. benches, picnic tables) |
|---|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



EPPING TOWN CENTRE
 STREETS SURROUNDING EPPING TRAIN STATION
 INCLUDING RAWSON STREET, BEECROFT STREET,
 OXFORD STREET AND LANGSTON PLACE, EPPING

Participants are most likely to visit this centre
A FEW TIMES A WEEK (37%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Parking and traffic management |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



GRANVILLE TOWN CENTRE
 STREETS NORTH OF GRANVILLE STATION INCLUDING
 BRIDGE STREET, COWPER STREET AND GOOD STREET,
 GRANVILLE

Participants are most likely to visit this centre
ONCE A WEEK (38%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Footpaths and paving (e.g. public domain outside shopping strip) 2 Public gardens, shade and street trees 3 Parking and traffic management |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



HARRIS PARK VILLAGE CENTRE
 MARION AND WIGRAM STREETS,
 HARRIS PARK

Participants are most likely to visit this centre
MONTHLY (25%)

- | | |
|---|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Variety of offerings 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Toilets 3 Public gardens, shade and street trees |
|---|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

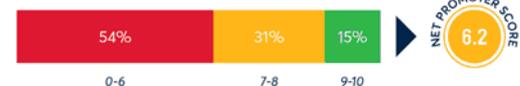


IRON STREET SHOPS
 CORNER OF IRON STREET AND DUNLOP STREET,
 NORTH PARRAMATTA

Participants are most likely to visit this centre
MONTHLY (31%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 Location 3 To access particular services | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Street furniture (e.g. benches, picnic tables) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



KINGSDENE SHOPS
CORNER OF FELTON AND BETTINGTON ROAD,
CARLINGFORD

Participants are most likely to visit this centre
MONTHLY (33%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Street furniture (e.g. benches, picnic tables) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



KLEINS ROAD SHOPS
CORNER KLIENS STREET AND BEAUFORT STREET,
NORTHMEAD

Participants are most likely to visit this centre
MONTHLY (35%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Outdoor dining 3 Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



LAWNDALE AVENUE SHOPS
CORNER OF LAWNDALE AVENUE AND NORTH ROCKS ROAD,
NORTH ROCKS

Participants are most likely to visit this centre
MONTHLY (52%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Parking and traffic management 3 Toilets & Public Art (=) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



LOMOND CRESCENT SHOPS
CORNER OF LOMOND CRESCENT AND GLASGOW STREET,
WINSTON HILLS

Participants are most likely to visit this centre
MONTHLY (36%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor Dining 2 Footpaths and paving (e.g. public domain outside shopping strip) 3 Street furniture (e.g. benches, picnic tables) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



MIDSON ROAD SHOPS
CORNER MIDSON ROAD & BORONIA AVENUE,
EPPING

Participants are most likely to visit this centre
MONTHLY (42%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Street furniture (e.g. benches, picnic tables) 3 Parking and traffic management |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



MOBBS LANE SHOPS
MOBBS LANE, BETWEEN MULYAN AVENUE AND DALMAR PLACE,
CARLINGFORD

Participants are most likely to visit this centre
MONTHLY (55%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Outdoor dining 3 Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



NEWINGTON MARKETPLACE
 AVENUE OF EUROPE,
 NEWINGTON

Participants are most likely to visit this centre
A FEW TIMES A WEEK (34%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 Location 3 To access particular stores or services | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Street activities or temporary centre activations 2 Outdoor dining 3 Parking and traffic management |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



NORTH ROCKS SHOPPING CENTRE
 CORNER OF WINDSOR AND NEW NORTH ROCKS ROAD,
 NORTH ROCKS

Participants are most likely to visit this centre
A FEW TIMES A WEEK (26%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Variety of offerings 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Street activities or temporary centre activations 3 Outdoor dining |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



NORTHMEAD SHOPPING CENTRE
 CORNER OF CAMPBELL STREET AND WINDSOR ROAD,
 NORTHMEAD

Participants are most likely to visit this centre
A FEW TIMES A WEEK (25%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Toilets; Parking and traffic management (=) |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



OATLANDS VILLAGE CENTRE
 CORNER OF BELMORE STREET EAST AND CHARLES STREET,
 OATLANDS

Participants are most likely to visit this centre
MONTHLY (30%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Outdoor dining 3 Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



PICASSO SHOPS
 CORNER OF PLYMPTON ROAD AND COVERDALE STREET,
 CARLINGFORD

Participants are most likely to visit this centre
ONCE A WEEK (25%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Street furniture (e.g. benches, picnic tables) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



PLYMPTON ROAD SHOPS
 CORNER OF PLYMPTON ROAD AND COVERDALE STREET,
 CARLINGFORD

Participants are most likely to visit this centre
A FEW TIMES A WEEK (45%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Toilets 2 Outdoor dining 3 Parking and traffic management |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



REBECCA PARADE SHOPS
REBECCA PARADE,
WINSTON HILLS

Participants are most likely to visit this centre
MONTHLY (64%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular services 2 Convenience 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Street furniture (e.g. benches, picnic tables) 3 Footpaths and paving (e.g. public domain outside shopping strip) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



ROSEHILL SHOPPING CENTRE
CORNER OF HASSALL STREET AND JAMES RUSE DRIVE,
ROSEHILL

Participants are most likely to visit this centre
A FEW TIMES A WEEK (30%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Footpaths and paving (e.g. public domain outside shopping strip) 3 Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



RYDE STREET SHOPS
CORNER OF RYDE STREET AND CARLINGFORD ROAD,
EPPING

Participants are most likely to visit this centre
MONTHLY (43%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 Location 3 To access particular stores or services | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Street furniture (e.g. benches, picnic tables); Toilets (=) |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

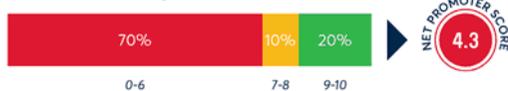


SHERWOOD STREET SHOPS
21-27 SHERWOOD STREET,
NORTHMEAD

Participants are most likely to visit this centre
A FEW TIMES A WEEK (35%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Street furniture (e.g. benches, picnic tables) 2 Lighting 3 Centre signage and wayfinding: Public gardens, shade and street trees (=) |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



STAMFORD AVENUE SHOPS
CORNER OF STAMFORD AVENUE AND FREMONT AVENUE,
ERMINGTON

Participants are most likely to visit this centre
MONTHLY/YEARLY(40%)

- | | |
|---|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Easy to find parking 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Footpaths and paving (e.g. public domain outside shopping strip) 2 Outdoor dining 3 Garbage bins |
|---|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

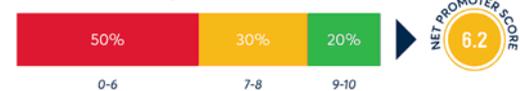


STATION ROAD SHOPS
CORNER OF MCCOY STREET AND STATION ROAD,
TOONGABBIE

Participants are most likely to visit this centre
MONTHLY (30%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Variety of offerings | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Toilets 3 Outdoor dining |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



TELOPEA STATION CENTRE
CORNER OF ADDERTON ROAD AND TELOPEA STREET,
TELOPEA

Participants are most likely to visit this centre
A FEW TIMES A WEEK (27%)

<p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location 	<p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Footpath and paving (e.g. public domain outside shopping strip) 2 Public gardens, shade and street trees 3 Parking and traffic management
--	--

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



THE CHISHOLM CENTRE
CORNER CAROLINE CHISHOLM DRIVE AND BELLOTTI AVENUE, WINSTON HILLS

Participants are most likely to visit this centre
MONTHLY (29%)

<p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location 	<p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Toilets 2 Street activities or temporary centre activations 3 Public gardens, shade and street trees
--	---

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

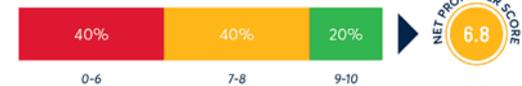


THE PIAZZA
THE PIAZZA, WENTWORTH POINT

Participants are most likely to visit this centre
MONTHLY (29%)

<p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location 	<p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Street activities or temporary centre activations 2 Parking and traffic management 3 Public art; Toilets (=)
--	---

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



TINTERN AVENUE SHOPS
TINTERN AVENUE, TELOPEA

Participants are most likely to visit this centre
MONTHLY (50%)

<p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location 	<p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor Dining 2 Lighting 3 Street furniture (e.g. benches, picnic tables)
--	---

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



TOONGABBIE SHOPS
WENTWORTH AVENUE, TOONGABBIE

Participants are most likely to visit this centre
ONCE A WEEK (31%)

<p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location 	<p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Outdoor dining 3 Public gardens, shade and street trees
--	---

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

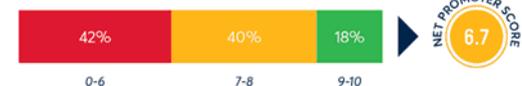


VENTURA ROAD SHOPS
CORNER OF VENTURA AND WINDSOR ROAD, NORTHMEAD

Participants are most likely to visit this centre
MONTHLY (50%)

<p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience 	<p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Toilets 3 Parking and traffic management
--	--

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

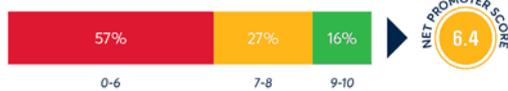


VICTORIA AND PARK ROADS
CORNER VICTORIA AND PARKS ROADS,
RYDALMERE

Participants are most likely to visit this centre
ONCE A WEEK (27%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Parking and traffic management 3 Public gardens, shade and street trees |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



WARATAH SHOPPING CENTRE
CORNER OF GLENCOE AVENUE AND BLACKWOOD PLACE,
OATLANDS

Participants are most likely to visit this centre
MONTHLY (27%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Public gardens, shade and street trees 3 Lighting |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



WENTWORTHVILLE SHOPS
CORNER DARCY ROAD AND FULTON AVENUE,
WENTWORTHVILLE

Participants are most likely to visit this centre
A FEW TIMES A WEEK/MONTHLY (28%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Toilets 3 Outdoor dining; Footpaths and paving (=) |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



WENTWORTHVILLE STATION SHOPS
CORNER OF WENTWORTH AVENUE AND RAILWAY STREET,
WENTWORTHVILLE

Participants are most likely to visit this centre
MONTHLY (35%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location; Variety of offerings (=) | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Footpaths and pavings (e.g. public domain outside shopping strip) 3 Toilets |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?

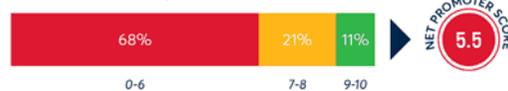


WESTMEAD TOWN CENTRE
DARCY ROAD AND HAWKSBURO ROAD,
WESTMEAD

Participants are most likely to visit this centre
ONCE A WEEK (23%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Convenience 2 To access particular stores or services 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Public gardens, shade and street trees 3 Outdoor dining |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



WINDSOR ROAD SHOPS
CORNER OF WINDSOR ROAD AND LOMBARD STREET,
NORTHMEAD

Participants are most likely to visit this centre
MONTHLY (36%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Location 3 Convenience | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Parking and traffic management 2 Outdoor dining 3 Toilets |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?





WINSTON HILLS MALL
CORNER OF CAROLINE CHISHOLM DRIVE AND LANGDON ROAD, WINSTON HILLS

Participants are most likely to visit this centre
A FEW TIMES A WEEK (34%)

- | | |
|--|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 Variety of offerings 2 To access particular stores or services 3 Convenience; Location (=) | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Street activities or temporary centre activations 3 Parking and traffic management |
|--|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?




WOODSTOCK ROAD SHOPS
CORNER OF WOODSTOCK ROAD AND LOCHINVAR PARADE, CARLINGFORD

Participants are most likely to visit this centre
MONTHLY (33%)

- | | |
|--|---|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 Convenience 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Outdoor dining 2 Street furniture (e.g. benches, picnic tables) 3 Toilets & Lighting (=) |
|--|---|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?




YATES AVENUE SHOPS
CORNER YATES AVENUE AND ALEXANDER STREET, DUNDAS VALLEY

Participants are most likely to visit this centre
MONTHLY (34%)

- | | |
|---|--|
| <p>The most frequently selected reasons for visiting include:</p> <ol style="list-style-type: none"> 1 To access particular stores or services 2 There is a park nearby 3 Location | <p>The top three (3) improvements participants would most like to see:</p> <ol style="list-style-type: none"> 1 Street activities or temporary centre activations 2 Public art 3 Lighting |
|---|--|

How likely is it on a scale of 0 to 10 that you would recommend this Centre to a friend or neighbour?



THRIVING

ITEM NUMBER	16.2
SUBJECT	FOR APPROVAL: 6&8 Parramatta Square - Part Closure of Darcy Street, Parramatta
REFERENCE	F2021/00521 - D08064738
REPORT OF	Development Manager

PURPOSE:

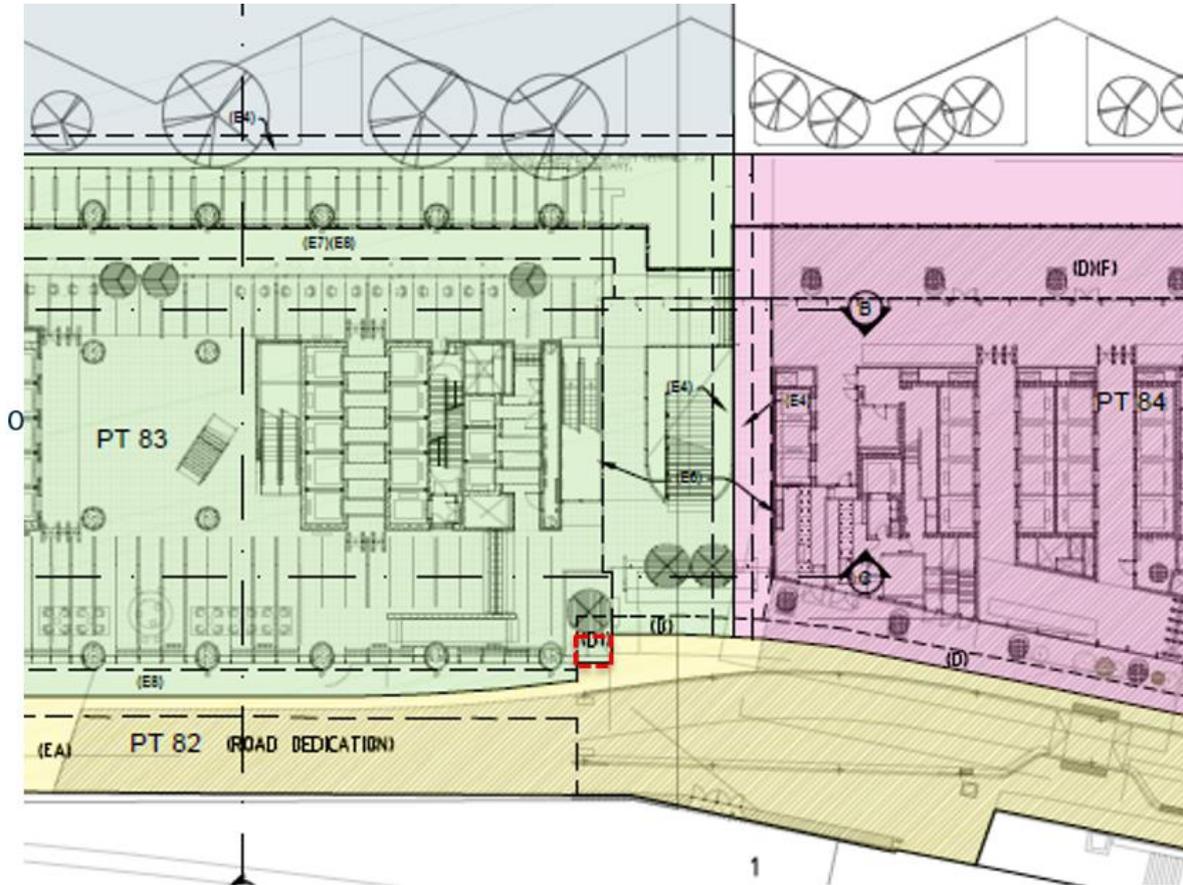
To close part of Darcy Street, Parramatta to allow for the orderly development of 6 & 8 Parramatta Square.

RECOMMENDATION

- (a) **That** Council approve permanently closing part of Darcy Street, Parramatta, shown as Lot 131 coloured blue on **Attachment 1**, in accordance with Part 4 Division 3 of the Roads Act 1993.
- (b) **That** Council approve to classify the portion of Darcy Street being closed, shown as Lot 131 coloured blue on **Attachment 1**, as operational upon formal gazettal of the road closure.
- (c) **Further, that** Council delegate authority to the Chief Executive Officer to sign all documentation, including but not limited to land owner's consent, in connection with this matter.

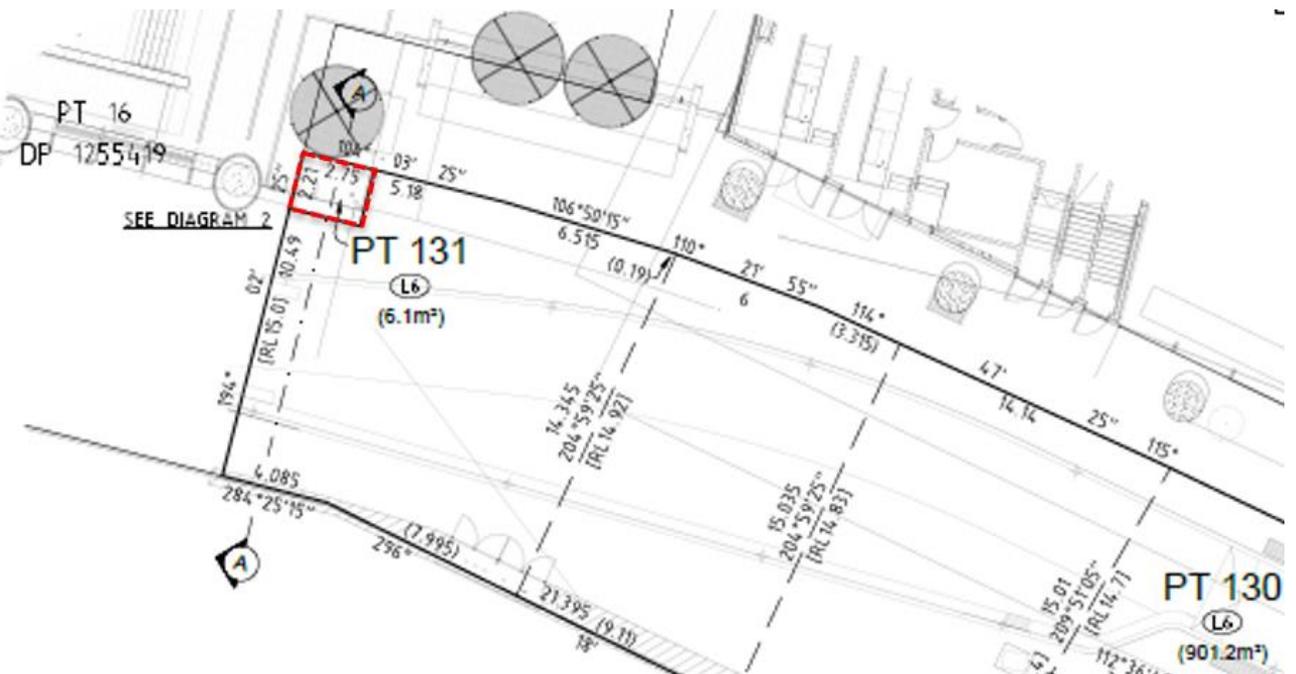
BACKGROUND

1. On 17 December 2018, Walker Corporation (Walker) obtained consent under DA/47/2018 for the 6&8 PS commercial tower (6&8 PS DA). This included a portion of the 6&8 PS building - the Darcy Street pedestrian entry and foyer, that would overlap with the future 4PS Easement for Access.
2. On 24 July 2019, Walker obtained consent under DA/246/2019 for the 4PS stratum subdivision. This subdivision included an Easement for Access for the 4PS portion of the Darcy Street northern footpath that extended by a few metres into the adjoining 6&8 PS site. The 4PS portion of Darcy Street was dedicated as public road as part of the 4PS stratum subdivision.
3. On 16 February 2021, Walker obtained consent under DA/652/2020 for the 6&8 PS stratum subdivision. This included an area labelled 'D1' that removed the portion of the 4PS Easement for Access that overlapped with the approved 6&8 PS building.
4. Walker have submitted Road Closure Survey Plans that define Lot 131 as the portion of Darcy Street that was dedicated as public road under the 4PS stratum subdivision (DA/246/2019) that overlaps with the approved 6&8 PS stratum subdivision (DA/652/2020).
5. The road closure of Lot 131 is required to adjust the boundary between Darcy Street and the 6&8 PS development so that it is in accordance with the approved building plans and approved stratum subdivision.



DA/652/2020 - 6&8 PS Stratum Subdivision - Upper Ground Level / Darcy Street - Lot 131 in red

6. Lot 131 is defined within the Road Closure Survey Plans at
 - a. Upper Ground as 6.1 sqm (2.75m x 2.21m);
 - b. Podium 1 as 5.5 sqm (2.81m x 2.285m); and
 - c. Podium 2 and above as 2.5 sqm (2.49m x 1.29m).



6&8 PS Subdivision Certificate Application - Upper Ground Level / Darcy Street - Lot 131 in red

ISSUES/OPTIONS/CONSEQUENCES

7. The impact on pedestrian amenity along the Darcy Street northern footpath has been considered by the Consent Authority in its assessment and approval of DA/47/2018 for the 6&8 PS tower. The proposed creation of Lot 131 and subsequent boundary adjustment is in accordance with the Notice of Determination for DA/47/2018 and the approved plans for the 6&8 PS tower.
8. The proposed boundary adjustment is in accordance with the Notice of Determination for DA/652/2020 and the approved plans for the 6&8 PS stratum subdivision.

CONSULTATION & TIMING

Stakeholder Consultation

9. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
May 2021	Property Security and Asset Services	Road Closure survey plans are in order for submission to NSW Land Registry Services (LRS).	Noted	Maurice Higgins
Feb 2021	Consent Authority	Consent Authority has approved DA/652/2020 for the 6&8 PS stratum subdivision.	Noted	Myfanwy McNally

Councillor Consultation

10. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
Nil				

LEGAL IMPLICATIONS FOR COUNCIL

11. Boundary adjustments are contemplated in the 8PS PDA under clauses 22.12 and 22.13. The creation of Lot 131 is in accordance with Clause 22.12 and will allow Walker to consolidate the various 6&8 PS parcels into a single 6&8 PS

developer lot upon completion.

FINANCIAL IMPLICATIONS FOR COUNCIL

12. The 6&8 PS development is covered under Council's existing Project Development Agreement (8PS PDA) with Walker (refer D07431635). The proposed road closure of Lot 131 is not forecast to have a further financial impact on Council.
13. Any fees and costs associated with the subdivision certificate application - including legal and survey, will be borne by Walker as the applicant.
14. The table below summarises the financial impacts on the budget arising from approval of this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	NIL	NIL		
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	NIL	NIL		
Funding Source				

Andrew Tam
Development Manager

Justin Day
Group Manager Property Development

Paul Perrett
Chief Financial Officer

Bryan Hynes
Executive Director Property & Place

Brett Newman
Chief Executive Officer

ATTACHMENTS:

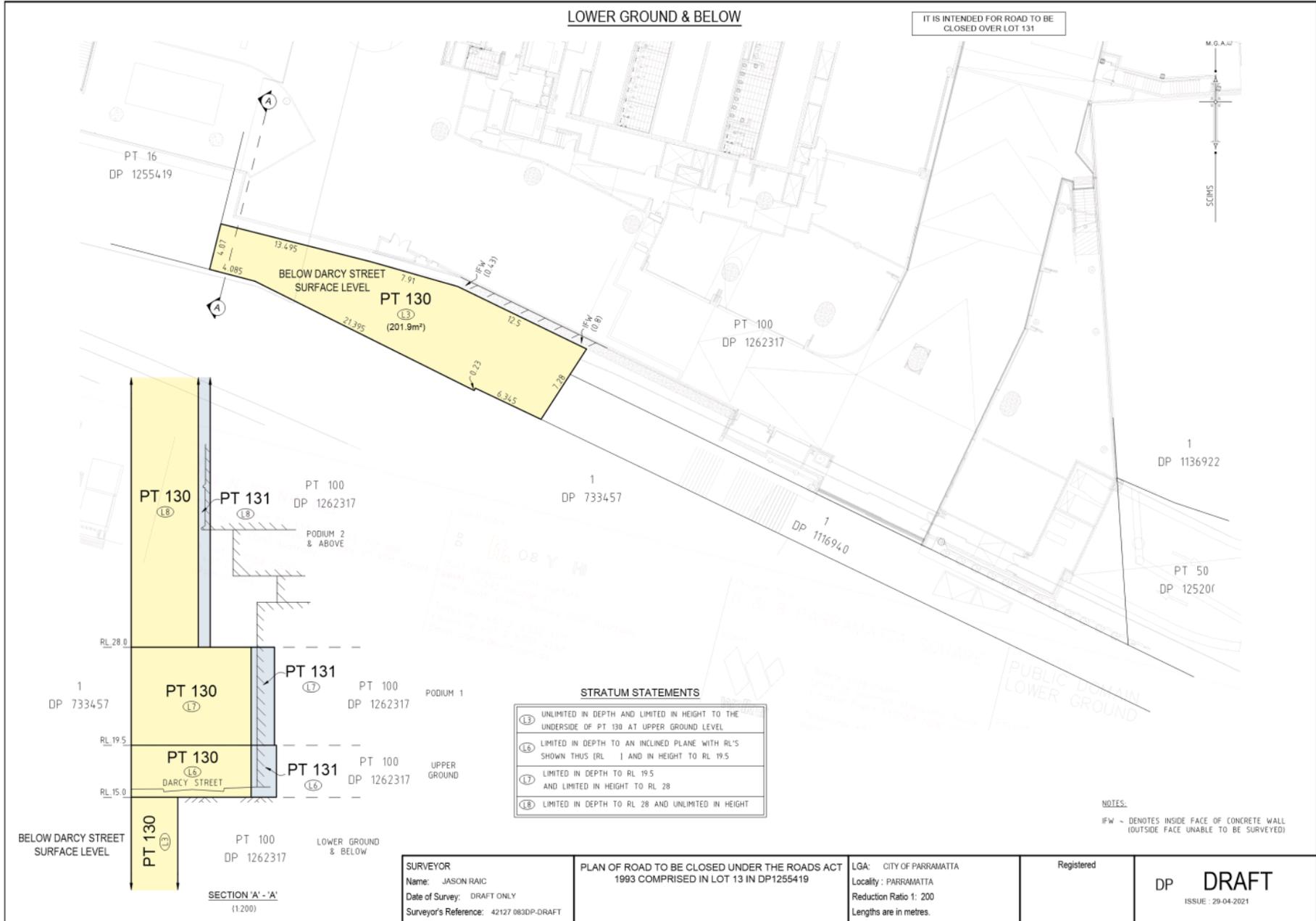
- | | |
|---|--------------------|
| <p>1  6&8 Parramatta Square - Darcy Street Partial Road Closure Lot 131 Survey Plans - Walker - 29.04.2021</p> | <p>4
Pages</p> |
|---|--------------------|

REFERENCE MATERIAL

PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

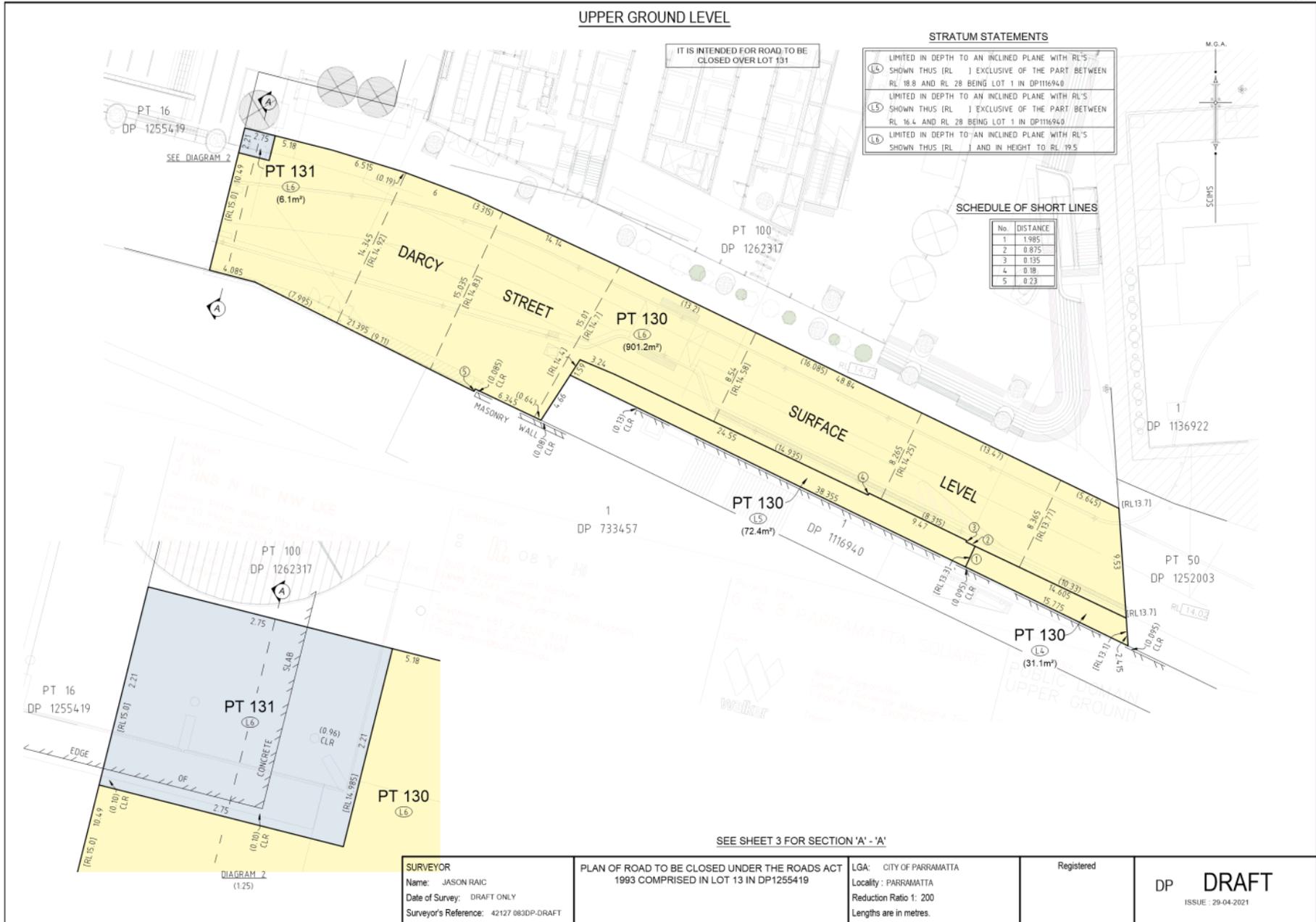
Sheet 1 of 4 sheet(s)



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 2 of 4 sheet(s)



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INNOVATIVE

15 JUNE 2021

17.1	FOR NOTATION: Minutes of the 5/7 Parramatta Square Advisory Group Meeting held on 6 May 2021	258
17.2	FOR NOTATION: Minutes of the Smart City Advisory Committee Meeting held on 4 May 2021	265
17.3	FOR APPROVAL: Post Gateway - Draft Development Control Plan and Draft Planning Agreement for 85-91 Thomas Street, Parramatta	272
17.4	FOR APPROVAL: Post Exhibition - Outcomes of two Planning Proposals and three DCP amendments for various matters in Epping	355
17.5	FOR APPROVAL: Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period (Deferred Item)	1317

INNOVATIVE

ITEM NUMBER	17.1
SUBJECT	FOR NOTATION: Minutes of the 5/7 Parramatta Square Advisory Group Meeting held on 6 May 2021
REFERENCE	F2021/00521 - D08042554
REPORT OF	Business Governance Officer

PURPOSE:

To inform Council of key discussion points from the 5/7 Parramatta Square Advisory Group Meeting held on 6 May 2021.

RECOMMENDATION

That Council receive and note the minutes of the 5/7 Parramatta Square Advisory Group meeting held on 6 May 2021.

BACKGROUND

1. Council's 5/7 Parramatta Square Advisory Group (Advisory Group) meets every month currently comprises seven (7) members. The purpose of the Advisory Group is to guide the continued progress of the current design, construction, and business readiness activities of 5 and 7 Parramatta Square.
2. Council receives reports detailing the minutes of Advisory Group meetings, to keep Council informed of the advice of the Advisory Group. The Advisory Group will provide recommendations to Council separately on matters that require Council resolution.
3. This report summarises key discussion points of this meeting for Council's information. The minutes of the meeting are provided at **Attachment 1**.

KEY DISCUSSION POINTS

4. The key points discussed at the meeting are summarised below.

5PS Building Naming Project

5. The process and objectives of naming 5PS was presented to the Advisory Group. The Advisory Group discussed names and recommend that two names being 'Civic Place' and 'The Banksia' be presented to Councillors at a workshop.

5PS Forecourt & Building Lighting

6. Options for lighting, column design and window glass for the façade of the building were presented to the Advisory Group. The Advisory Group recommended that the window glass design use coloured frits for the modesty panel and the option of the higher portion of the glass using white frits be explored.

7. Forecourt artwork was presented to the Advisory Group being a ground-based artwork representing the Parramatta River. The Advisory Group recommended that there are less trees and request that an overlay of the river map in the pavement be presented to the Group.

7 Parramatta Square Design Update (Capex & Opex)

8. Three options for the Parramatta Town Hall were presented to the Advisory Group (1. Cosmetic upgrade, 2. Full upgrade no Southern Annexe, 3. Full upgrade and Southern Annexe. Options for interior and exterior of Jubilee Hall was also presented. The Advisory Group recommended that Council proceed with option 3.

5PS Council Chamber Audio Presentation

9. A BOSCH audio device was presented to the Advisory Group. The Advisory Group recommend the audio-visual solution include a screen fixed in the joinery for each Councillor that presents the meeting minutes.

LEGAL IMPLICATIONS FOR COUNCIL

10. There are no legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

11. There are no financial implications for Council associated with noting the minutes of the Advisory Group meeting. All budget implications associated with the delivery of the 5 and 7 Parramatta Square project are subject to separate reports.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil			
Funding Source	NA			
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	Nil			
Funding Source	NA			

Sahar Shahin
Business Governance Officer

Boz Lukin
Group Manager Project Delivery

Christopher Snelling
Group Manager City Assets Parramatta Square

Paul Perrett
Chief Financial Officer

Bryan Hynes
Executive Director Property & Place

Brett Newman
Chief Executive Officer

ATTACHMENTS:

[1](#)  Draft Minutes - 6 May 2021 4 Pages

REFERENCE MATERIAL



MINUTES

Meeting Name 5/7 Parramatta Square Advisory Group

Date 6 May 2021 Time: 6:05pm

Venue 126 Church Street Parramatta

Clr. Davis
Clr. Issa (arrived at 6.18pm)
Clr Wilson

Committee Jon Greig

Members Bryan Hynes

Sindhu Alavelu
M'Leigh Brunetta
Boz Lukin
Christopher Snelling
Bruce Mills
Melissa Bajugi
Eva Farlow
Ryan Phillips
Bruce Ramus
Ashley Cooke
Richard Does

Attendees David Holmes

Apologies Nil

Chaired by Clr Wilson

Secretary Sahar Shahin (minute taker)

1. 5PS Building Naming Project

Presented by Eva Farlow

The objectives and process undertaken to name 5 Parramatta Square with an objective deadline of 26 July 2021 was presented.

Shortlisted names were presented to Working Group for discussion.

Risk of not naming the building was also discussed by staff.

The Working Group provided the following feedback and comments:

- What are we trying to achieve by naming 5PS?

Response: the place is of significance and therefore should be named, in choosing a name several thematics were considered as well as precedents.

- Parramatta Town Hall was another name suggested by members being that in the British context the town hall is what historically housed Council Chambers.
- Concern was raised regarding the difficulty of pronouncing the Aboriginal names shortlisted.
- Discussion was had regarding a dual naming similar to Inner Wests Marrickville library. The Working Group were split on whether this would be suitable. The Working Group requested information on what the place was used for and called in Indigenous history to

be able to consider this option

- Discussions were had about naming the building after a person such as Sir James Martin or David Borger. The Working Group considered previous resolutions showing a preference not to name the building after a person and did not pursue this as an option.
- The name Civic Place and The Banksia were considered by the Working Group.

Outcome: The Working Group recommend two options being Civic Place and The Banksia be presented to a Councillor Workshop prior to Council approval.

2. 5PS Forecourt & Building Lighting

Presented by Bruce Ramus and Richard Does

Illuminated soffit was suggested for the façade lighting and example pictures were presented.

Column design was presented to the Working Group as having digital screens that can be programmed and be used for wayfinding or thematics.

Window frits (being an applied pattern on glass) was presented as the preferred option for the façade windows with coloured elements to assist in transition of lower coloured lighting and coloured roof. The pattern on the glass would appear in a wave pattern.

The Working Group provided the following comments and feedback:

- What would the digital column screens look like if they were turned off?
Response: They would be black screens, however if maintained and budgeted for properly screen should not be turned off.
- Do the digital screens emit heat and how would this be managed if so?
Response: Screens will emit minimal heat however would have an air gap between the screen and the column dissipate heat. If this is not possible then a mechanical cooling system could be installed.
- Are the digital screens cornered or wrapped screens?
Response: The screens could be either however the ones we have suggested are cornered.
- Questions were raised as to whether the window frits had to be red as presented or whether it could be white and colour could be altered using lights.
Response: This is possible however if the frits is not coloured it would be largely ineffective during the day. Presenters recommended that the coloured frits remains for the modesty panel of the window and white frits can be explored as an option for the higher portion of the glass.
- What is the cost of a frit and if it is comparable to marble or brass why are we not using those as options?
Response: window frits are cheaper than a screen, marble or brass.
- Can a person inside the building see the square clearly.
Response: Yes

- What is the cost of a window frits?
Response: Taken on notice.
- What is the lifespan of the digital screens on columns?
Response: 10+ years. Technology can fail and to maintain the life of the screens an operational and maintenance budget will need to be allocated to keep them functioning.
- What will the columns look like without a digital screen?
Response: A pewter colour.

Outcome: The Working Group recommend that the option of having a red window frits applied to the modesty layer and the higher layer be a white frit adjustable by light be explored.

Forecourt artwork was presented to the Working Group. The artwork design was based on the Parramatta River and gathering places. It is recommended that it is an interactive floor which responds when standing on it.

Artwork is based solely on the ground and does not have any vertical aspects so as not to affect the library.

The Working Group provided the following comments and feedback:

- That the river map be etched or outlined into the pavement and the digital carpet on top to make it clearer what the abstract represents.
- That there be less trees.

Outcome: The Working Group recommend removal of some trees.

Outcome: The Working Group request an overlay of the river and removal of trees be presented to them prior to going to Council for approval.

3. 7 Parramatta Square Design Update (Capex & Opex)

Presented by Boz Lukin, Ashley Cooke and Richard Does

Three options were presented regarding Parramatta Town Hall.

- Option 1 – Cosmetic Upgrade
- Option 2 – Full Upgrade no Southern Annexe
- Option 3 – Full Upgrade and Southern Annexe

Options for interior an exterior of Jubilee Hall was presented.

Costs of each option was presented.

The Working Group provided the following comments and feedback:

- Concerns were raised that heritage aspects were not the focus in Option 3.
- Is he heritage significance preserved when enclosing the frontage in the manner proposed?
Response: Yes.

Outcome: Option 3 preferred outcome ie. Incorporation of southern annexe and maximise Town Hall commercial potential, enabling activation of northern laneway and Parramatta Square frontages of Town Hall.

Outcome: Forecast cashflow of property reserve to be provided incorporating additional \$10m required to deliver Option 3.

Outcome: Current Option 3 timeline for completion is October 2022. Programme to be explored to target early completion of southern annexe in line with opening of 5PS and public domain, and contain any construction works within town hall and northern lane.

4. 5PS Council Chamber Audio Presentation

Presented by David Holmes

The recommended BOSCH device was presented to the group.

The Working Group provided the following comments and feedback:

- Is electronic voting system equivalent to a show of hands legislatively?
Response: Yes, if the voting system is presented clearly.
- What is the cost of the system?
Response: Taken on notice
- Members thought the technology was dated.
- Members asked whether there was a solution that meant they would have a tablet or screen at each Councillor desk that also displayed the live minutes.

Outcome: The Working Group recommend a screen fixed in the joinery for each Councillor that presents meeting minutes.

5. Future Meetings

It was discussed that future meetings were to be held on a Thursday in future months.

Meeting closed: 8.20pm

Next Committee meeting: TBC

INNOVATIVE

ITEM NUMBER	17.2
SUBJECT	FOR NOTATION: Minutes of the Smart City Advisory Committee Meeting held on 4 May 2021
REFERENCE	F2017/00685 - D08045680
REPORT OF	Project Officer

PURPOSE:

To provide Council with the minutes of the Smart City Advisory Committee meeting held on Tuesday 4 May 2021 and highlight any recommendations made by the Committee to Council.

RECOMMENDATION

- (a) **That** Council note the minutes of the Smart City Advisory Committee meeting held on 4 May 2021 (provided at **Attachment 1**).
- (b) **Further, that** Council note that the Committee supports the University of Technology Sydney in submitting an Expression of Interest to the Smart Places Acceleration Program.

BACKGROUND

1. The Smart City Advisory Committee meeting took place on 4 May 2021. Under the terms of reference of the Smart City Advisory Committee, it is a requirement that the meeting minutes are reported to Council.
2. This report summaries the agenda and includes the minutes of the meeting (**Attachment 1**).

ISSUES/OPTIONS/CONSEQUENCES

3. The Committee were provided with a presentation from the University of Technology Sydney regarding a proposed Smart Places Acceleration Program initiative that aims to develop a planning tool to model local temperature variations to predict the impact of different variables over time.
4. The Committee supported the proposal from the University of Technology Sydney in submitting an Expression of Interest to the Program, including naming City of Parramatta as a potential partner. Submitting an EOI does not commit Council to any projects or expenditure at this stage. Further approval will be sought if the proposal progresses past the EOI stage.
5. The Committee was provided with an update on the NSW Smart Places Strategy including the Smart Places Acceleration Program and the Greater Parramatta Smart Cities Plan.
6. The Committee were advised that two EOIs are proposed to be submitted to the NSW Smart Places Acceleration Program initially for the Smart Planning Approvals and Integrated Smart Parking initiatives. Submitting an EOI does not

commit Council to any budget expenditure, it simply opens an opportunity to develop a future business case.

7. It was noted that the Greater Parramatta Smart Cities Plan is being developed by the Department of Planning, Industry and Environment. The Committee requested the Department of Planning, Industry and Environment provide a presentation on the development of the Plan at the next Smart City Advisory Committee meeting.
8. The Committee received an update on the ICT Program. The Committee requested to be provided with an update on the Pathway software upgrade at the next Smart City Advisory Committee meeting.
9. The CEO proposed extending the scope of the Smart City Advisory Committee to provide centralised advice on Council's delivery of digital innovation projects. A governance proposal will be presented at the next Smart City Advisory Committee meeting for the Committee's consideration.

CONSULTATION & TIMING

Stakeholder Consultation

10. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
N/A	N/A	N/A	N/A	N/A

Councillor Consultation

11. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
N/A	N/A	N/A	N/A	N/A

LEGAL IMPLICATIONS FOR COUNCIL

12. There are no legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

13. There are currently no budgetary implications for Council for the Smart Places Acceleration Program as part of the expression of interest process. If any of the proposed initiatives progress to the next stage of business case development then resourcing and any budgetary implications would then need to be considered through the Project Review Committee, Council's budget or quarterly review process prior to the submission of any business case.
14. The table below summarises the financial impacts on the budget arising from approval of this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	NIL	NIL	NIL	NIL
Funding Source	NIL	NIL	NIL	NIL
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	NIL	NIL	NIL	NIL
Funding Source	NIL	NIL	NIL	NIL

Ashlyn Kishore
Project Officer

Geoff King
Group Manager City Strategy

Paul Perrett
Chief Financial Officer

Brett Newman
Chief Executive Officer

ATTACHMENTS:

[1](#) Smart City Advisory Committee Meeting Minutes - 4 May 2021 4 Pages

REFERENCE MATERIAL



MINUTES

Meeting Name	Smart City Advisory Committee	
Date	Tuesday 4 May 2021	5:00 PM
Venue	Level 12 Boardroom/Online via Zoom	
Attendees	Councillor Steven Issa (Chair) Ben Meek (member) Lauren Jewell (member) Lakshmi Logathassan (member) Geoff King (Convenor) Brett Newman	Su Cram Ashlyn Kishore Mark Rugless Melissa McIsaac (secretariat) Andrew Tovey (UTS) – item 3 Kerryn Wilmot (UTS) – item 3
Apologies	Councillor Sameer Pandey	
Chaired by	Councillor Steven Issa	

1. Welcome & Acknowledgment of the traditional land owners

The Meeting commenced at 5:03pm. Councillor Issa acknowledged the traditional owners of the land and welcomed everyone to the Smart City Advisory Committee meeting and introductions were made.

Councillor Sameer Pandey was an apology for this meeting.

2. Conflicts of Interest

There were no disclosures of pecuniary/non-pecuniary interest.

There were no directorship disclosures.

3. Presentation from University of Technology Sydney (UTS): Proposed Smart Places Acceleration Program partnership initiative

The Committee were provided with a presentation from the Institute for Sustainable Futures at the University of Technology Sydney (UTS) regarding a proposed Smart Places Acceleration Program initiative. Western Sydney University (WSU) and property developer EG have also been named as partners in this proposed initiative.

The proposed initiative seeks to leverage the existing work that has been done in Melrose Park, to establish a prototype for a development site in North Rocks. It was explained that the aim of the initiative is to use the data retrieved from the sensors to model temperature conditions in areas where there are no sensors, therefore creating a planning tool which may be able to predict the impact of different variables.

UTS is preparing an EOI for funding through the Smart Places Acceleration Program, and it is intended to seek the support of the Department of Planning, Industry, and Environment (DPIE) as the project's required State Government partner.

The Committee considered the proposal and stressed the importance of avoiding fragmentation between environmental sensing projects. UTS clarified that the objective of the project is that the model can be expanded to incorporate other environmental data sets once the initial prototype is functional. The Committee suggested that UTS consider the Department of Customer Service as a State Government partner as they are also working on digital twin initiatives.

UTS confirmed that the minimum contribution by Council to be named as a partner will be to provide access to the Melrose Park sensor data.

The Committee supported the proposal from the University of Technology Sydney in submitting an Expression of Interest for the Smart Places Acceleration Program, including naming City of Parramatta as a partner and providing UTS with access to the Melrose Park sensor data.

It was noted that the EOI does not commit Council to any budget and that the next step following the EOI is to develop a business case for funding.

Councillor Issa left meeting at 5:08pm and returned at 5:15pm during discussion of Item 3.

4. Update on Smart Places Acceleration Program and Greater Parramatta Smart Cities Plan

The Committee received an update on the NSW Smart Places Strategy, including the Smart Places Acceleration Program and Greater Parramatta Smart Cities Plan.

Smart Places Acceleration Program

The Committee noted that the Program is facilitated by \$45 million in funding under the Digital Restart Fund, over three years. The Program was established to meet Action 8 of the NSW Smart Places Strategy.

It was noted that the Council is currently at Step 2 of the process, Expressions of Interest. The Committee were advised that the selection criteria has changed, with a new question regarding how proposals participate in delivering on replicability, interoperability, consistent architecture, open data, and/or support for NSW foundational policy.

It is proposed to submit two Expressions of Interest initially to the Program – Smart Planning Approvals and Integrated Smart Parking.

Greater Parramatta Smart Cities Plan

The Committee noted that the development of this Plan is to address Action 12 of the NSW Smart Places Strategy which is to invest in Smart Places programs to build in connected technology and infrastructure in areas undergoing large scale redevelopment or renewal, including Greater Parramatta and the Olympic Peninsula.

The Committee were advised that development of the Plan is being led by the Department of Planning, Industry, and Environment, and an update will be provided at the next meeting.

The Committee requested for the Department of Planning, Industry, and Environment to provide an update on the development of the Greater Parramatta Smart Cities Plan at the next meeting.

5. ICT Update

The Committee received an update on the ICT program, noting that projects in the following areas are in progress:

- Cyber security
- Applications
- Integration of applications
- End User Devices
- Records

The Committee were advised that most of Council's systems should be upgraded to the latest versions by September.

Councillor Issa raised concern as to ensuring there is an integrated project management approach between the development of Council's ICT strategy, 5/7 Parramatta Square Committee, and discussions regarding the future workplace. The Committee further requested to be provided with an update on the outcomes of aligning Council's ICT initiatives.

The Committee also requested to be provided with an update on the Pathway software upgrade as a tool for improving customer service delivery at Council.

Brett Newman joined meet at 6:08pm during discussion of Item 5.

6. Update from SCAC Members

The Committee were requested to raise other matters of interest:

- Councillor Issa encouraged the Committee to read about and watch the recording from the Australian Financial Review's Government Services Summit 2021. The virtual event featured presentations by Government Ministers from across the country and provided insight into the direction of the State and Federal Governments.
- Lauren Jewell notified the Committee that she will be attending the Australasian Placemaking Symposium in July regarding digital placemaking, and will report back on the event at the following meeting.

7. General Business

The Committee received updates on the following Smart City initiatives:

- Real Time Environmental Monitoring: Data integration has been completed for sensors in Melrose Park and Doyle Ground. Procurement is being finalised for the network to improve coverage across the LGA.
- Smart City Hub (Parramatta Square): An updated Briefing Note and Business Case are being prepared for the Project Review Committee.
- Melrose Park Smart Planning for Climate Responsive Neighbourhoods: All 8 project milestones of this Smart Cities and Suburbs project are complete.
- Storybox Parramatta: This project is also completed and has been handed over. Councillor Issa congratulated Council officers on the positive feedback received.

Councillor Issa requested an update on Council's Digitising Heritage initiative at the next meeting.

Brett Newman, CEO of City of Parramatta, joined the meeting to propose extending the scope of the Smart City Advisory Committee. The CEO highlighted the potential for the Committee to serve as a forum for more-broadly considered projects aimed at generating innovation and identified the need to better-align the organisation's delivery of innovation projects. The CEO proposed that the Committee could provide centralised advice on Council's delivery of innovation projects. It was suggested that the Terms of Reference for the Committee would be more focused on key priorities and innovation that would improve the experience of the City.

The Committee was supportive of giving consideration to reviewing and expanding the Committee's scope to include innovation more broadly. The Committee requested to be presented with additional details regarding any proposed changes to the Committee's Terms of Reference.

The CEO advised that a formal proposal will be presented at the next meeting for the Committee's consideration. The Committee requested to be provided with any briefing materials one week in advance of the meeting.

The next meeting will be held on Tuesday, 29 June at 5pm.

The meeting closed at 6:31pm.

INNOVATIVE

ITEM NUMBER	17.3
SUBJECT	FOR APPROVAL: Post Gateway - Draft Development Control Plan and Draft Planning Agreement for 85-91 Thomas Street, Parramatta
REFERENCE	RZ/11/2016 - D08012633
REPORT OF	Project Officer Land Use
APPLICANT:	Think Planners Pty Ltd
LANDOWNER:	Century 888 Pty Ltd

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL: Nil**PURPOSE:**

The purpose of this report is:

- To seek Council's endorsement of a draft amendment to the Morton Street Precinct section of the Parramatta Development Control Plan and a draft Planning Agreement for land at 85-91 Thomas Street, Parramatta for public exhibition in conjunction with the Planning Proposal endorsed by Council on 9 June 2020

RECOMMENDATION

- That** Council endorse the draft amendments to Part 4.1.9 Morton Street Precinct, Parramatta DCP 2011, introducing new site-specific controls for the land at 85-91 Thomas Street, Parramatta, as provided at **Attachment 1**, for the purpose of public exhibition.
- That** Council authorise the Chief Executive Officer to commence the legal drafting of a Planning Agreement in accordance with the Letter of Offer as provided in **Attachment 2**, and terms outlined in this report on behalf of Council for the purpose of public exhibition.
- That** the draft amendment to Part 4.1.9, Parramatta DCP 2011 and draft Planning Agreement be placed on public exhibition concurrently with the updated Planning Proposal in **Attachment 3**, for a period of 28 days as required by the Gateway Determination in **Attachment 4** and that a report be provided to Council on the outcomes of the public exhibition.
- Further, that** Council delegate authority to the Chief Executive Officer to correct any minor inconsistencies or anomalies of an administrative nature relating to the draft site-specific Development Control Plan and draft Planning Agreement documentation that may arise during the drafting and exhibition process.

TIMELINE



SITE DESCRIPTION

1. The site at 85-91 Thomas Street, Parramatta is subject to *Parramatta Local Environmental Plan (PLEP) 2011*. It includes four (4) properties on the southern side of Thomas Street with a total site area of 6,321sqm as shown in **Figure 1**. At the rear of No.87 Thomas Street, there is a land parcel known as 87A Thomas Street which is already publicly owned Crown land and available for public open space. The 4 lots which form the subject site each contain a single dwelling house, all of which are owned by Century 888 Pty Ltd (the landowner). The legal descriptions of the properties are listed below:

- Lot 13 DP 1239 known as No. 85 Thomas Street
- Lot 142 DP 537053 known as No. 87 Thomas Street
- Lot 15 DP 1239 known as No. 89 Thomas Street
- Lot 16 DP 1239 known as No. 91 Thomas Street



Figure 1: Subject site at 85-91 Thomas Street, Parramatta

PLANNING PROPOSAL MATTERS

2. In June 2016, the applicant lodged an initial Planning Proposal seeking to increase the maximum floor space ratio (FSR) and maximum height of buildings (HOB) control to accommodate approximately 164 dwellings. The planning controls applicable at the time permitted approximately 59 dwellings and was based on the FSR which applied to the entire site area.

3. Whilst Council was undertaking the initial assessment of the Planning Proposal, a Council-led amendment known as Parramatta LEP 2011 – Amendment No.20 came into force on 28 July 2017. This LEP amendment reduced the developability of the site and placed a land acquisition burden on Council as detailed below.
 - 1,296sqm of land at No.85 now zoned RE1 – Public Recreation and reserved for acquisition for local open space, and
 - 1,200sqm of land at Nos.89-91 currently zoned R4 now identified for natural resources biodiversity provisions (see **Figure 2**).



Figure 2: Mapping of undevelopable land introduced by PLEP 2011 – Amendment No.20

4. The Planning Proposal was subsequently revised and it sought to recoup the GFA lost as a result of Amendment No.20 and to redistribute it into a taller built form within the remaining 3,825sqm developable site area. This facilitates a 6-storey residential flat building development across 2 buildings comprising of approximately 59 dwellings and 61 vehicular parking spaces. The revised Planning Proposal was reported to Council on 9 June 2020. At this meeting Council endorsed the Planning Proposal for submission to the Department of Planning, Industry and Environment (DPIE) for Gateway determination. Details of the endorsed Planning Proposal are shown in **Table 1** below.

Table 1: Planning Proposal for 85-91 Thomas Street, Parramatta

Parramatta LEP 2011	LEP Controls for site prior to Amendment 20 Until 28 July 2017	Current LEP Controls Since 28 July 2017	Current Planning Proposal
Zoning	R4 – High Density Residential (6,321sqm)	Part R4 High Density Residential (5,025sqm),	R4 High Density Residential (3,825sqm – developable land),

		Part RE1 Public Recreation (1,296sqm)	RE1 Public Recreation (2,496sqm – land dedication area)
Maximum Building Height (HOB)	11 metres (3 storeys)	11 metres (3 storeys) (R4 land only)	22 metres (6 storeys) (R4 land only), No HOB control for existing and proposed RE1 land.
Maximum Floor Space Ratio (FSR)	0.8:1 (entire site area)	0.8:1 (R4 land only)	1.3:1 (R4 land only), No FSR control for existing and proposed RE1 land.
Maximum Gross Floor Area (GFA)	5,057sqm (based on the total site area)	4,020sqm (based on R4 High Density Residential only)	4,973sqm (based on developable site area)
FSR on Developable Portion 3,825sqm	1.32:1	1.05:1	1.3:1
Other Planning Controls	Foreshore Building Line, Acid Sulfate Soils, Heritage	Foreshore Building Line, Acid Sulfate Soils, Heritage, Land Reserved for Acquisition, Natural Resources – Biodiversity, Natural Resources – Riparian Lands and Waterways	
Maximum dwelling yield*	59 dwellings	47 dwellings	59 dwellings

* Dwelling Calculation = (Maximum GFA / 85sqm for high density dwellings)

5. On 18 August 2020, DPIE issued a Gateway Determination for the Planning Proposal, including conditions that must be completed prior to public exhibition. Council Officers have updated the Planning Proposal to reflect the Gateway Determination conditions for the purpose of public exhibition. A summary of the conditions and Council response is shown below in **Table 2**.

Table 2: Summary of Gateway Determination and Conditions for public exhibition purposes

DPIE Gateway Determination (Attachment 3)	Council Response in Updated PP (Attachment 4)
Condition 1a. Update the explanation of provisions to outline the intended outcomes regarding the proposed changes to the minimum lot sizes	Part 2 of the PP has been updated to explain that the minimum lot size map will be amended and apply to the proposed 3,825sqm of R4 land only, and be removed from the proposed RE1 land
Condition 1b. Outline a suitable mechanism to ensure that land to be zoned RE1 Public Recreation has an appropriate acquiring authority identified. This may be by way of a planning agreement finalised prior to the making of the LEP; and	Part 2.1 of the PP is updated to reflect the Planning Agreement Offer of 2,496sqm of land dedication. This land will be dedicated to council at nil cost. The legal drafting will specify that execution and registration on title occurs prior to making of LEP amendment. The land dedication can occur prior to issue of Construction Certificate as required by DA conditions.
Condition 1c. Update Part 4.2 to ensure text identifies the intent of the proposal	Part 4.2 of the PP is updated to state there will be no net increase in GFA compared to PLEP 2011 as applied to the site prior to Amendment No.20 before 28 July 2017. The proposal redistributes residential GFA lost under Amendment 20 into a taller building form with an increased FSR to reflect the reduced developable area. There will also be

	dedication of Natural Resources - Biodiversity and RE1 zoned LRA land.
--	--

6. There are no changes to the proposed dwelling yield, or relevant built form controls such as height, as a result of the Gateway Determination conditions.

DRAFT DEVELOPMENT CONTROL PLAN

7. When Council endorsed the Planning Proposal for a Gateway Determination in June 2020, Council also resolved that a site-specific Development Control Plan (DCP) be prepared and reported to Council prior to public exhibition. This resolution ensures that the detailed urban design analysis on streetscape, floor space ratio, building height, building separation and setbacks, deep soil, overshadowing and privacy is incorporated into the draft planning controls for this site.
8. There are existing precinct-based DCP controls for the subject site in Part 4.1.9 – Morton Street Precinct in Parramatta Development Control Plan 2011 (PDCP 2011). The Morton Street DCP was adopted by Council on 27 August 2007 and currently applies the Area 3 – Morton Street East (refer to **Figure 3** below) controls to future development on the subject site.
9. Council officers recommend incorporating site-specific DCP controls as part of a draft amendment to the Morton Street section of DCP 2011 as shown in **Attachment 1**. The draft amendment proposes to include a new “Area 5 – 85-91 Thomas Street” as shown in **Figure 3** below. This section will include specific controls in relation to:
- Building height and massing
 - Streetscape, building setbacks and separation
 - Deep soil, landscaping and future open space
 - Ecology and river foreshore

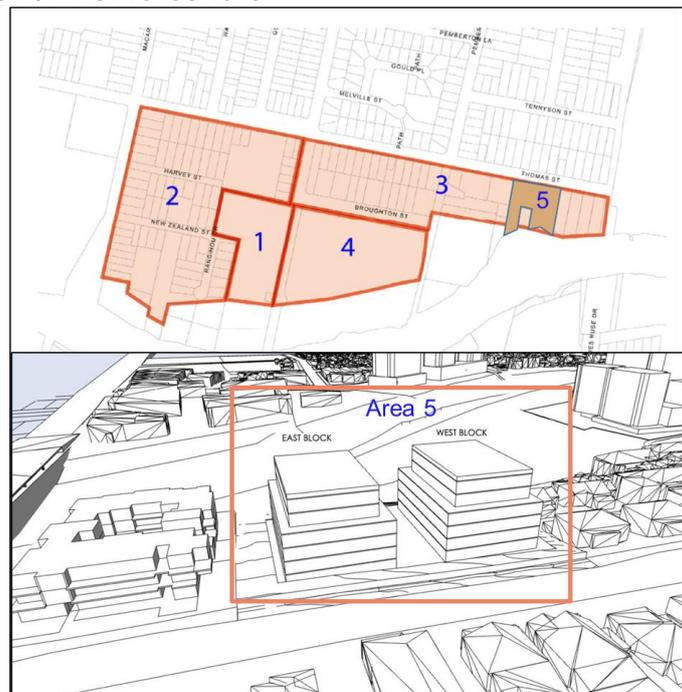


Figure 3: Map of Morton Street Precinct DCP and Indicative Building Envelope for Area 5

10. The indicative building envelope shown in **Figure 3** illustrates the endorsed Planning Proposal and will facilitate two 6-storey residential flat buildings equal

to approximately 59 apartment dwellings, which is an equivalent density to what the planning controls could allow on the site prior to Amendment 20.

11. It is considered that the building envelopes appropriately distribute the residential floorspace generated from the undevelopable land in a sensitive manner. Building footprints have been reduced with additional height resulting in greater setbacks and separation distances in improve built form transition to neighbouring development.
12. Following Council endorsement of the Planning Proposal’s associated reference design in June 2020 only minor changes to the building envelope have been made. Minor adjustments were made to require upper level setbacks to improve amenity, as well as greater provision for deep soil planting within the side boundaries by ensuring that basement car parking does not encroach into this area. **Figures 4 & 5** show the indicative building envelope in plan and elevation view.

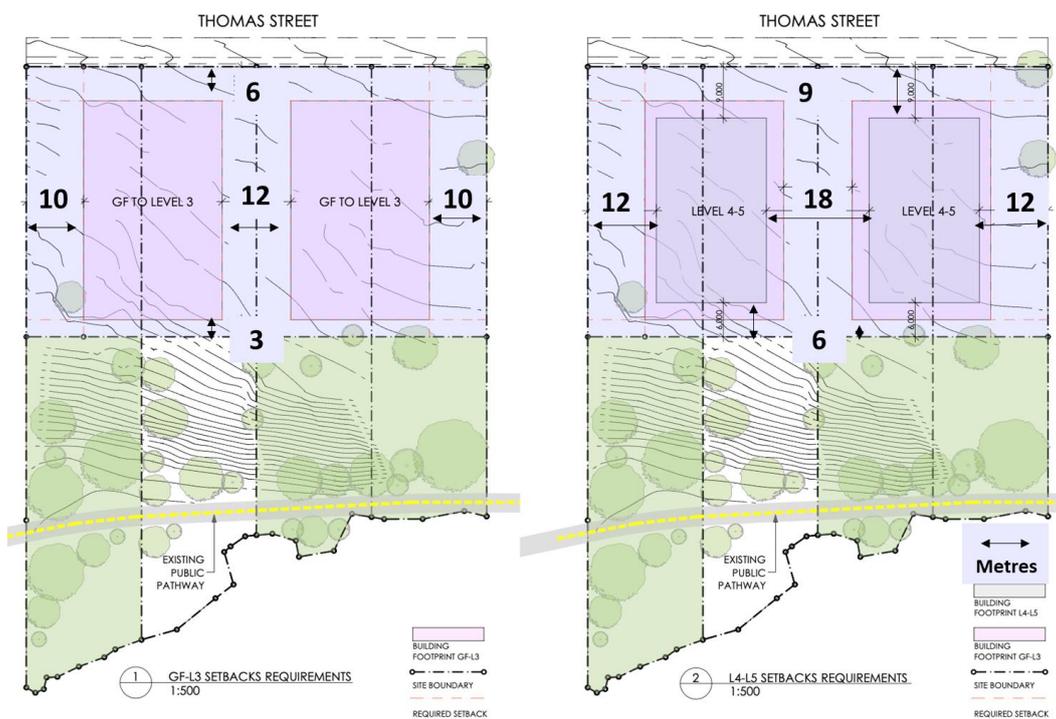


Figure 4: Plan view of setback and separation controls in Area 5, Morton Street DCP

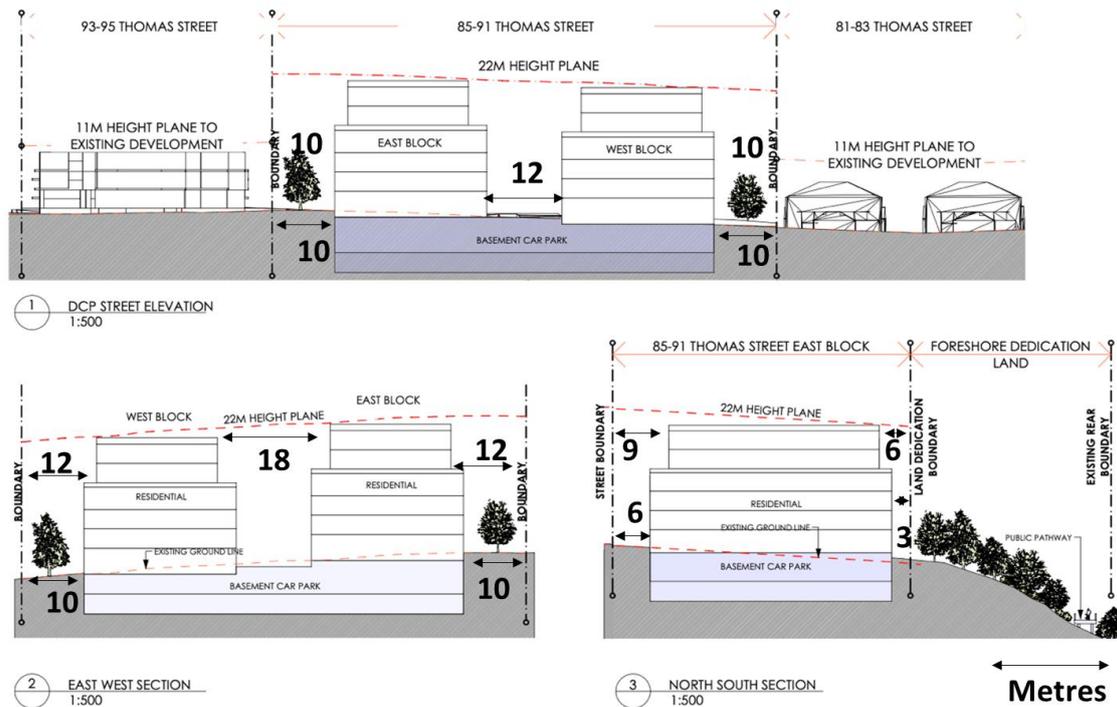


Figure 5: Elevation view of setback and separation controls in Area 5, Morton Street DCP

13. The setback and separation distances shown in Figure 4.1.9.3(a), Figure 4.1.9.15 and Figure 4.1.9.16 of **Attachment 1** in the draft DCP exceed the minimum requirements of the Apartment Design Guide and Parramatta DCP 2011. The draft DCP also contains controls that require basement carparking access to be located within the building envelope. These site-specific provisions aim to provide a landscaped setting that minimises overshadowing and provides greater privacy to adjoining properties.
14. Saltmarshes and wetlands are located in close proximity to the site and are protected by the LEP controls relating to the Foreshore Building Line, Natural Resources – Biodiversity and local heritage listing of Parramatta River (Wetlands). To further protect these ecological areas, the draft DCP includes ecology and foreshore controls so stormwater run-off, overshadowing and lighting causes minimal disturbance to local flora and fauna within the nearby riparian corridor along the river.
15. The draft site-specific DCP has been prepared in accordance with the urban design, traffic and open space advice provided to date. Council officers are satisfied that the site-specific controls in the Draft Amendment to Morton Street DCP for “Area 5 – 85-91 Thomas Street” will ensure that the increase in HOB and FSR facilitated by the Planning Proposal can be properly managed and future development appropriately considers its surrounding context.

DRAFT PLANNING AGREEMENT

16. The applicant submitted a Letter of Offer to enter into a Planning Agreement with Council on 8 March 2021 in support of the Planning Proposal for the site. Together, they inform the changes to planning controls to enable a residential flat building on the developable site area (3,825sqm) and land dedication for the remaining undevelopable site area (2,496sqm). The scenario regarding the land dedication through a Planning Agreement was flagged with Council on 9 June 2020 and was endorsed by Council at this meeting. The submitted Letter

of Offer (included in **Attachment 2**) is consistent with this Resolution of Council.

Letter of Offer

17. The Draft Planning Agreement Offer includes 2,496sqm (approximately 0.25 hectares) of open space and ecologically sensitive land dedicated to Council at nil cost (see Figure 6). This allows Council to make the river foreshore land publicly accessible via a low acquisition cost pathway and offer better protection of the biodiversity land. The proposed land dedication reflects the intended use of the site by clearly delineating the developable portion of the site from the portion of the site that is currently zoned open space or has been identified as having ecological value. The land dedication is provided on the basis that there is no decrease in GFA compared to the planning controls in place when the Planning Proposal was lodged on 6 June 2016. The land dedication is mapped in the PLEP 2011 and comprises of two parts:
 - i. 1,296sqm of land at No.85 now zoned RE1 – Public Recreation and shown as land reserved for acquisition for local open space, and
 - ii. 1,200sqm of land at Nos.89-91 currently zoned R4 now identified for natural resources - biodiversity provisions

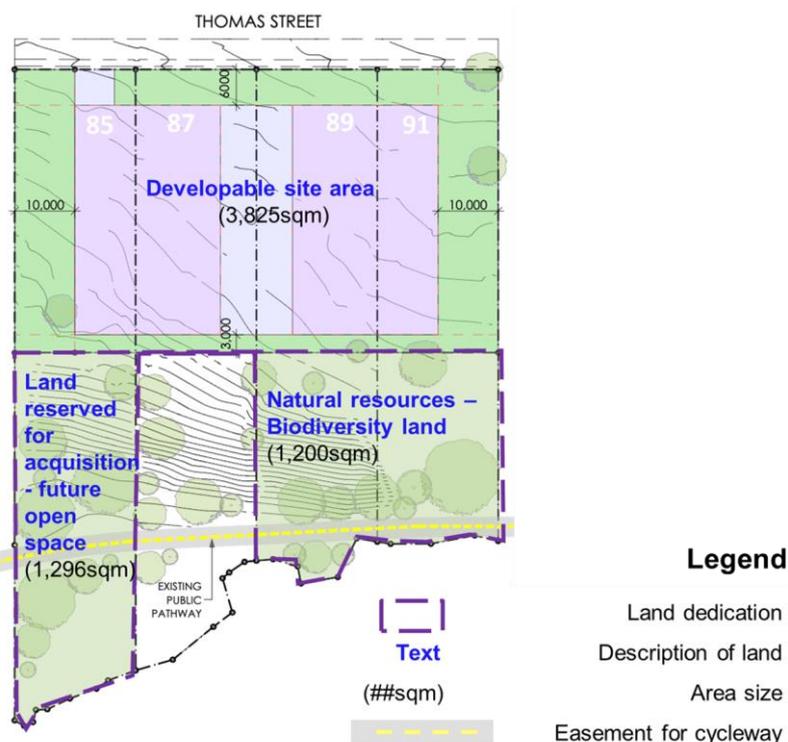


Figure 6: Description of 2,496sqm of land dedication in Draft Planning Agreement

18. The Draft Planning Agreement Offer also provides Council with the mechanism to acquire land identified for future open space (which is currently zoned RE1 but is unfunded) and biodiversity at nil financial cost.
19. The development potential of the land to be dedicated under the planning controls in place prior to Amendment 20 is being extracted and redistributed onto the developable site area as part of the Planning Proposal. The land dedication offer has not changed since Council endorsed the Planning Proposal and Planning Agreement Offer on 9 June 2020.

20. A land value uplift assessment has not been undertaken as the planning proposal is only seeking to recoup the residential density potential which may have been able to be achieved under the planning controls in place on the site when the Planning Proposal was lodged. The Draft Planning Agreement Offer moves away from a value capture approach and towards an infrastructure needs approach as required by the Planning Agreements Practice Note (DPIE, February 2021). Council's City Planning and Property Development Group are satisfied that the Draft Planning Agreement does not require a land value uplift assessment given the nominal uplift being sought by the Planning Proposal and that the undevelopable land is being dedicated at no cost.
21. Under Council's Planning Agreements Policy, planning proposals outside the CBD seeking uplift in density need to be supported by a planning agreement that is valued at 50% of the resulting land value uplift. At the 9 June 2020 Council Meeting, Council endorsed the officer recommendation which varies the planning agreements policy in this instance and set the parameters for negotiating this land dedication offer. The draft Letter of Offer is consistent with Council's previous resolution and it is therefore recommended that the draft Planning Agreement be exhibited with the draft Planning Proposal and draft DCP.
22. The Planning Agreement should be executed and registered on the land title prior to finalisation of the Planning Proposal post-exhibition.

CURRENT DEVELOPMENT APPLICATION

23. On 19 April 2021, the applicant lodged a Development Application which proposes demolition of existing structures (4 dwelling houses), tree removal and construction of two x 7 storey boarding house buildings consisting of 237 boarding rooms with 118 basement parking spaces and land dedication at the rear (DA/312/2021). The application was recently publicly exhibited from 28 April 2021 to 26 May 2021.
24. Boarding houses are a permissible use within the R4 – High Density Residential zone area under the current and proposed planning controls for the site. Boarding house developments must also satisfy other more detailed controls such as State Environmental Planning Policy (Affordable Rental Housing) 2009 and Parramatta DCP 2011 (Part 2, Part 3, Part 5.1 for Boarding Houses).
25. The DA is being considered as part of a separate assessment process which is currently underway in accordance with the currently applicable planning controls. The updated Planning Proposal, Draft DCP and Planning Agreement will become matters for consideration for any subsequent DAs that are submitted after the Planning Proposal and DCP have been placed on public exhibition.

CONSULTATION & TIMING

26. Pending Council's resolution on this matter, the Planning Proposal, draft DCP and draft Planning Agreement will be publicly exhibited with the Planning Proposal. The exhibition will be conducted in accordance with the Gateway determination and the requirements of the *Environmental Planning and*

Assessment Act 1979. The outcome of the public exhibition will then be reported to Council.

Stakeholder Consultation

27. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
28 September 2020 / 6 October 2020	City Design	Review of initial Draft DCP	Include description and objectives for new "Area 5" section on the subject site within Part 4.1.9 – Morton Street Precinct. Figures and controls must be amended.	City Planning/ City Design
29 September 2020 / 5 March 2021	Natural Resources & Open Space	Include Ecology & River Foreshore controls. Estimate maintenance costs of the proposed land dedication also provided.	Applicant to include Ecology & River Foreshore controls so no significant impact from lighting, stormwater run-off or overshadowing impacts the nearby saltmarsh and mangrove communities.	City Planning
24 March 2021 / 29 March 2021	Property Development Group	No objections raised to the items in the VPA offer. A value uplift assessment is not required in this instance due to impacts of PLEP – Amendment No.20 on developability.	PLEP 2011 – Amendment 20 identifies 2,496sqm as open space and ecologically sensitive land. Dedicating 1,296sqm land at No.85 extinguishes Council's acquisition burden for local open space. Dedicating 1,200sqm land at No.89 & 91 provides the public protection of environmentally sensitive biodiversity land.	City Planning/ Property Development Group
20 April 2021/ 5 May 2021	Development Assessment	Status of DA/312/2021 for a 7-storey boarding house under current controls	DA scheme varies from the Planning Proposal scheme in relation to density, parking, setback and separation distances. Boarding houses are permitted in the	City Planning

			zone. The DA will be assessed as part of a separate assessment process which is currently underway.	
13 May 2021	Finance	The monetary and CAPEX contributions are not included in the current adopted four-year budget and if resolved, will be included within the budget process or as part of quarterly review.	The transfer of the land assets will remove Council's obligation under the existing zoning regime to acquire the asset (estimated fair value of \$1.3m in April 2020). Maintenance of the land assets is not included in the current adopted budget and is estimated at about \$5,000 per year which is immaterial compared to revenue to be generated by redevelopment under the proposed planning controls.	City Planning/ Finance

Councillor Consultation

28. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor Comment	Council Officer Response	Responsibility
9 June 2020	Council endorsed the Planning Proposal to request a Gateway Determination and that a site-specific DCP be prepared and VPA be negotiated in accordance with the 2,496sqm of land dedication proposed.	The Planning Proposal has not changed following Gateway Determination however minor refinements to the reference scheme has been made as part of preparing the Draft DCP. The DCP & VPA have been prepared and negotiated in accordance with the resolution.	City Planning

LEGAL IMPLICATIONS FOR COUNCIL

29. The Gateway Determination at **Attachment 4** requires Council to exhibit the Planning Proposal, Draft DCP and Draft Planning Agreement for a minimum of 28 days.

30. The drafting of the Planning Agreement will be by both parties in accordance with the recommendation of this report. The costs associated with the drafting of the Planning Agreement and explanatory note will be at the cost of the applicant which is in accordance with Council's Planning Agreements Policy.

FINANCIAL IMPLICATIONS FOR COUNCIL

31. The proposed Planning Agreement negotiated will involve the applicant dedicating 2,496sqm of land at nil cost to Council. A portion of this land is already subject to an unencumbered public access easement for the Parramatta Valley Cycleway. The costs and maintenance of this cycleway are already accounted for by the operational budget of Council.
32. The land dedication comprises of 1,296sqm identified for local acquisition and 1,200sqm for natural resources biodiversity. The transfer of these items in the planning agreement will remove Council's obligation under the existing zoning regime to acquire the asset (estimated fair value of \$1.3m in April 2020). Council's Property Development Group have advised that land dedication as part of the Draft Planning Agreement allows for the most cost-effective acquisition pathway to transfer this asset into Council ownership. This land will be in addition to the Section 7.11 and 7.12 contributions payable at the time the development proceeds.
33. Maintenance of the 0.25 hectares of land dedication is estimated at about \$5,000 per year. This maintenance cost is not included in the current adopted budget. This amount is immaterial compared to revenue to be generated by redevelopment under the proposed planning controls. Council's Natural Resources & Assets Team have advised that transferring this asset into Council ownership as part of the Draft Planning Agreement offers better protection for future open space & biodiversity land along the river foreshore.
34. The financial impacts to the budget, as set out in this section, will be included in the next Quarterly Budget Review for endorsement by Council. The table below represents the estimated timing of the additional contribution to be received if Council resolves to approve this report.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
Capital contribution (non-cash)		\$1,300,000		
External Costs				
Internal Costs		(\$5,000)	(\$5,000)	(\$5,000)
Depreciation				
Other				
Total Operating Result		\$1,295,000	(\$5,000)	(\$5,000)
Funding Source		General Revenue	General Revenue	General Revenue
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX		NIL	NIL	NIL
Funding Source				

35. The costs associated with the preparation, exhibition and finalisation of the Planning Proposal, draft DCP and draft Planning Agreement are internal resources and consultancy costs. The developer will reimburse any consultancy costs relating to the Planning Agreement, which will then result in nil cost to Council for this item.

CONCLUSION

36. It is recommended that Council endorse the Draft Development Control Plan and Draft Planning Agreement Offer for 85-91 Thomas Street, Parramatta and that the Chief Executive Officer be authorised to prepare the legal drafting in accordance with the Letter of Offer provided in **Attachment 2** on behalf of Council for the purpose of public exhibition.
37. If endorsed, the draft DCP and draft Planning Agreement will be publicly exhibited concurrently with the Planning Proposal for 85-91 Thomas Street, Parramatta for a minimum of 28 days. A further report will be prepared for Council on the outcome of the public exhibition period.

Kieren Lawson
Project Officer Land Use

Michael Rogers
Land Use Planning Manager

Paul Perrett
Chief Financial Officer

David Birds
Acting Executive Director, City Planning & Design

Brett Newman
Chief Executive Officer

ATTACHMENTS:

1	Draft Amendment to Morton Street DCP - for exhibition	7 Pages
2	8 March 2021 Planning Agreement Offer - for exhibition	2 Pages
3	Updated Planning Proposal - for exhibition	59 Pages
4	Gateway Determination - for exhibition	2 Pages

REFERENCE MATERIAL

RZ/11/2016 – 85-91 Thomas Street, Parramatta

DRAFT AMENDMENTS TO THE PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

Amendments shown in blue.

Section 4.1 Town and Neighbourhood Centres

4.1.9 Morton Street Precinct

4.1.9 Design Controls

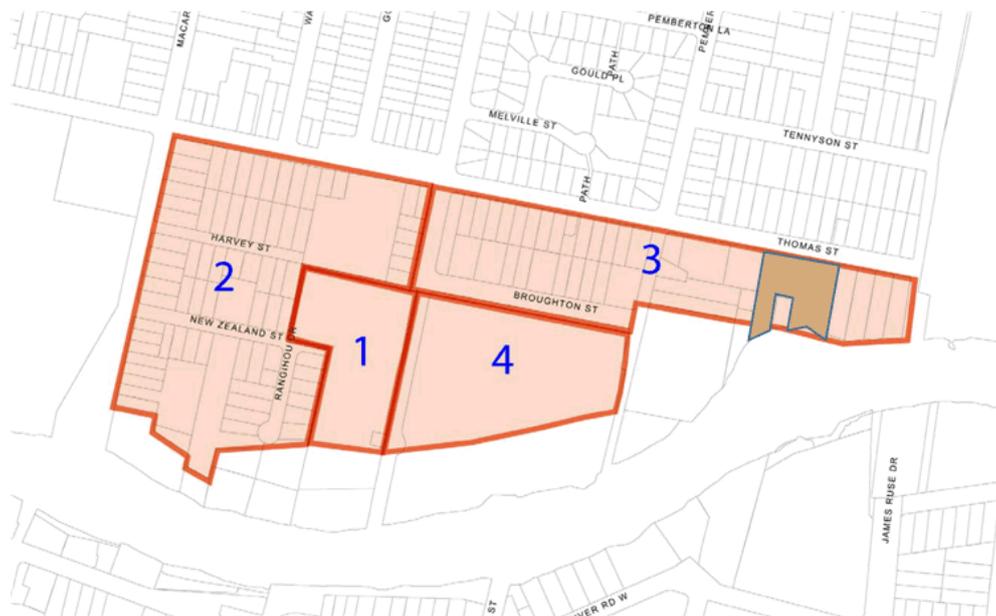
Area 1 – Riverfront

Area 2 - Morton Street – West

Area 3 - Morton Street – East

Area 4 - No. 2 Morton Street

Area 5 – 85-91 Thomas Street



Area 5 site specific controls provide for generous side setbacks to create separation to adjoining residential properties, and incorporates rear setbacks intended to create a landscape separation to the Parramatta River.

Indicative Building Envelopes

(insert) C.4 Development in Area 5 must be in accordance with the indicative building envelopes as shown in Figure 4.1.9.3(a). Development must provide an appropriate design

response to protect the amenity of adjoining residential sites and enable a rear landscape area that separates development on the site from the Parramatta River foreshore.

Building Form

(renumber C.5 and alter to state)

The built form controls correlate with the indicative building envelopes shown in Figure 4.1.9.3 and Figure 4.1.9.3(a). The design of buildings must comply with the relevant standards for each building type.

Update Figure 4.1.9.3 Indicative Building Envelopes on page 4.1-54 with a text box stating:

“Unique controls for 85-91 Thomas Street provided in Figure 4.1.9.3(a)”



Figure 4.1.9.3 Indicative Building Envelopes

Insert new Figure 4.1.9.3(a) Indicative Building Envelopes for Area 5

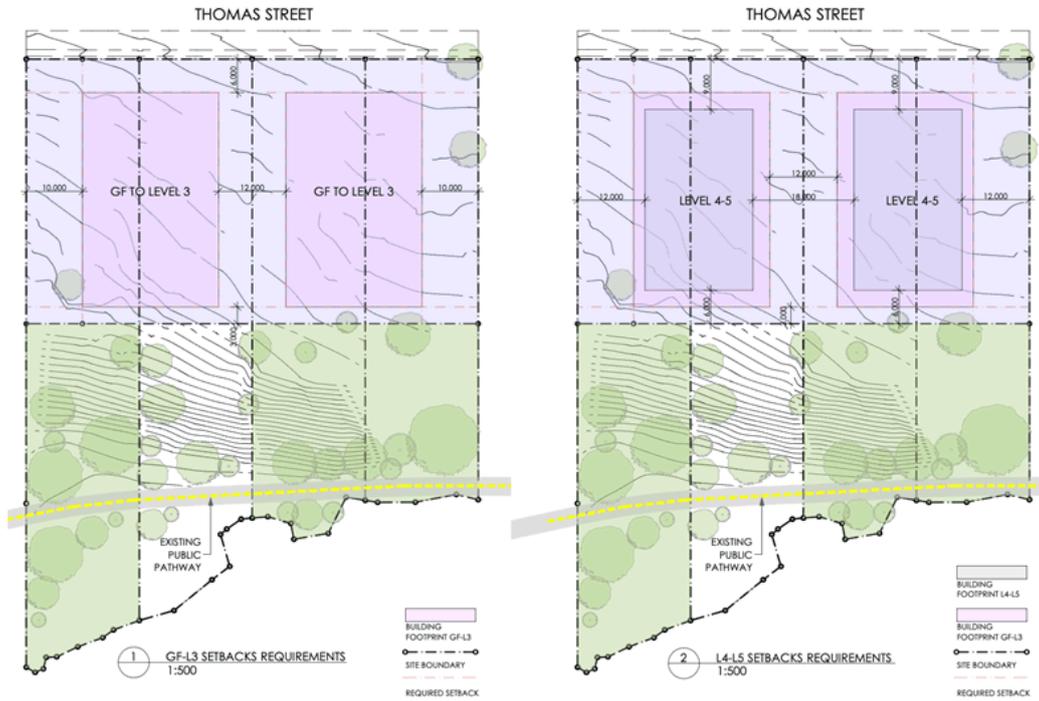


Figure 4.1.9.3(a) Area 5 Indicative Building Envelopes

Insert New Section

Urban Design in Area 5 (85-91 Thomas Street)

- C?? Buildings should provide a 4 storey base with a recessed upper 2 storeys, providing a maximum 6 storey form. Refer to figures 4.1.9.14 and 4.1.9.15.
- C?? Buildings should be designed to create streetscapes that are characterised by:
 - a. clearly defined edges, and
 - b. architectural treatments that are interesting and relate to the design and human scale of existing buildings.
- C?? Generous setbacks should be provided to ensure built form is in a landscaped setting.
- C?? Opportunities for views to Parramatta CBD and Parramatta River are to be realised in the design of new buildings.

- C.?? Buildings fronting the off-road pedestrian network are to be designed to provide for casual surveillance.
- C?? Buildings fronting the proposed public open space area along the riverfront are to be modulated to create interest as viewed from the river and foreshores.
- C.20 Where development is proposed that requires the management of flood impacts, the following urban design considerations apply:

Insert New Figures 4.1.9.14 and 4.1.9.15

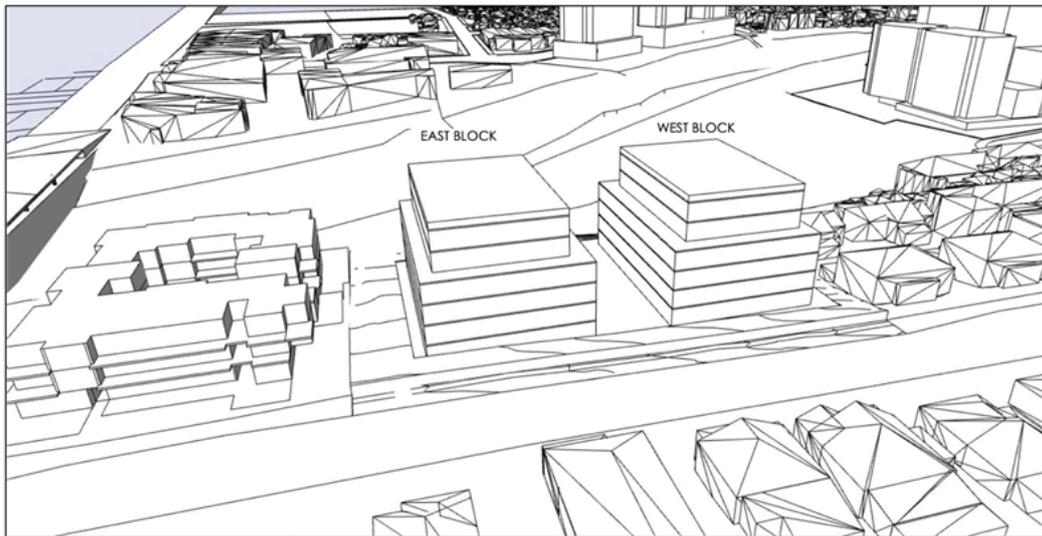


Figure 4.1.9.14 Area 5 Recessed Levels 5 & 6

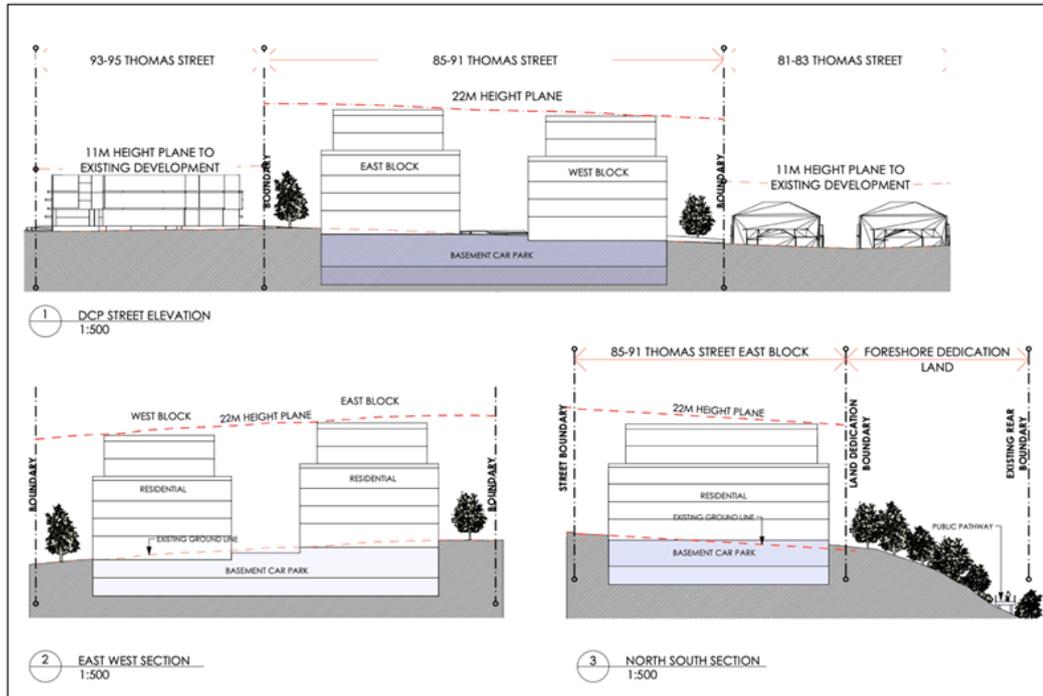


Figure 4.1.9.15 Sections

Insert New Section

Development within Area 5

- C.?? Entrances to buildings are to be clearly defined and well lit.
- C.?? Vehicular crossings are to be minimised to reduce disruption of pedestrian flow and safety.
- C.?? Deep soil zones along the front, side and rear boundaries should be provided to allow for a landscape setting. Refer to Figure 4.1.9.16.

Insert new figure 4.1.9.16

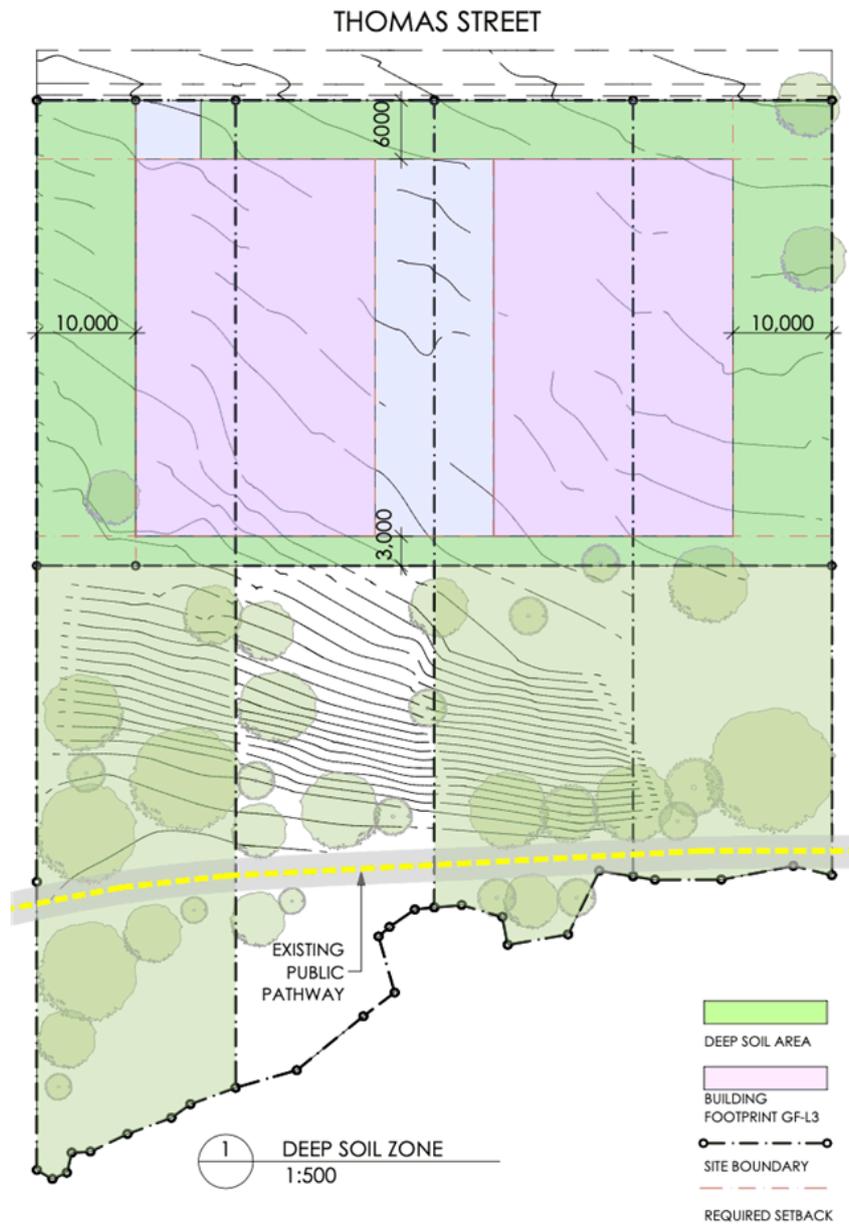


Figure 4.1.9.16 Area 5 Deep Soil Zone

Insert New Section within Area 5

Ecology and River Foreshore

C1 - Development is to demonstrate no significant impact to saltmarsh and mangrove ecological communities as a result of stormwater run-off or overshadowing

C2 - Lighting is to be designed to minimise light spill into the ecologically sensitive river riparian corridor to prevent disturbance to nocturnal fauna

8 March 2021

Chief Executive Officer
City of Parramatta Council
PO Box 32
Parramatta NSW 2124

Dear Sir/Madam

Planning Agreement Offer

Century 888 Pty Ltd offers to enter into a Planning Agreement with Council under section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with Planning Proposal 85-91 Thomas Street, Parramatta [RZ/11/2016].

Century 888 Pty Ltd accepts the terms as generally set out in the Council's Planning Agreement template and in the following table:

Item	Terms
Parties	City of Parramatta Council Century 888 Pty Ltd
Land	<ul style="list-style-type: none"> Lot 13 DP 1239 known as No. 85 Thomas Street Lot 142 DP 537053 known as No. 87 Thomas Street Lot 15 DP 1239 known as No. 89 Thomas Street Lot 16 DP 1239 known as No. 91 Thomas Street
Planning Proposal / Development Application	<p>RZ/11/2016 seeks to amend the Parramatta Local Environmental Plan 2011 in relation to the land by:</p> <ul style="list-style-type: none"> Maintaining the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity control, Increasing the maximum Building Height (HOB) control from 11 metres to 22 metres across the R4 zoned part of the site, and removing the HOB control from the undevelopable land, Increasing the Floor Space Ratio (FSR) control from 0.8:1 to 1.3:1 across the R4 zoned part of the site, and removing the FSR control from the undevelopable land, Removing No.85 Thomas Street from the Land Reserved for Acquisition Map, subject to agreement being reached regarding the Planning Agreement
Monetary Contribution	Nil
Works	Nil

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Item	Terms
Dedication of Land	The 2496sqm of land to be dedicated to Council must be subdivided from any development lots prior to the issuing of a Construction Certificate for development on the site. The transaction of land dedication and subdivision will be made at nil cost to Council.
Other Public Benefits	Dedication of open space shown as part of Parramatta LEP 2011 – Amendment No.20
Application of section 7.11, 7.12 and 7.24	Remain application
Registration	The developer is required to register the Planning Agreement under the <i>Real Property Act 1900</i> at the developer's expense in accordance with section 7.6 of the Environmental Planning and Assessment Act 1979.
Dispute Resolution	The Council will require a planning agreement to provide for mediation of disputes between the parties to the agreement, at their own cost, before the parties may exercise any other legal rights in relation to the dispute in accordance with section 5.14 of Councils Planning Agreements Policy 2018.
Security	The dedication of the land can only occur once lots are created, as part of a development application process. The dedication of the land will be triggered as a condition of consent prior to the issue of a Construction Certificate and offset contributions as part of this development consent.
Restrictions on Issue of Certificates	Yes. The dedication of land will be triggered as a condition of consent prior to the issue of a Construction Certificate.
Other Terms	Nil
Costs	Century 888 Pty Ltd agrees to pay Council's reasonable costs of and incidental to the negotiation, preparation and entering into the agreement, as well as administration and enforcement of the planning agreement in accordance with the terms set out in the template planning agreement.

Yours faithfully

Century 888 Pty Ltd

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PLANNING PROPOSAL

[Subject]

85-91 Thomas Street, Parramatta



cityofparramatta.nsw.gov.au



PLANNING PROPOSAL

[Subject]

85-91 Thomas Street, Parramatta

cityofparramatta.nsw.gov.au

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PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	ThinkPlanners	June 2016 – Initial Proposal
2.	ThinkPlanners	August 2018 – Former Revision
3.	ThinkPlanners	March 2020 – Current Scheme

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel and Council on the assessment of planning proposal
2.	City of Parramatta Council	Report to Council reflecting Gateway Conditions for public exhibition purposes

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

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 (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

On 6 June 2016, Council received a Planning proposal application from Think Planners which sought to amend the planning controls applicable to the site at 85-91 Thomas Street, Parramatta under Parramatta Local Environmental Plan 2011 (PLEP 2011). The land at 85-91 Thomas Street includes 4 Torrens title land parcels that are shown below and legally described as follows:

- Lot 13 DP 1239, known as No. 85 Thomas Street
- Lot 142 DP 537053 known as No. 87 Thomas Street
- Lot 15 DP 1239 known as No. 89 Thomas Street
- Lot 16 DP 1239 known as No 91 Thomas Street



Figure 1 – Sites at 85-91 Thomas Street subject to the planning proposal

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

Under *Parramatta Local Environmental Plan 2011* the site:

- is zoned part R4 – High Density Residential, part RE1 – Public Recreation
- has a minimum Lot Size of 550 sqm;
- has a maximum Building Height of 11 metres;
- has a maximum Floor Space Ratio (FSR) of 0.8:1;
- has a land acquisition for local open space applying to 1,296sqm of privately owned RE1 zoned land at No.85;
- 30m wide Foreshore Building Line
- Acid Sulfate Soils,
- Heritage,
- Land Reserved for Acquisition,
- Natural Resources – Biodiversity,
- Natural Resources – Riparian Lands and Waterways

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to adjust the land use zoning, building height and floor space ratio on the site at 85-91 Thomas Street to accommodate a residential flat building development within the developable portion of the site. In order to accommodate the gross floor area of 0.8:1 across the privately owned site, there will be an adjustment in land use zoning boundaries, increase in maximum building height and maximum floor space ratio for the proposed R4 land.

The owners of the subject site (Century 888 Pty Ltd) authorised ThinkPlanners to submit the original Planning Proposal in June 2016 to coordinate the matters relating to the subject site and this rezoning application.

The Planning Proposal intends to deliver the following outcomes for the site:

- Accommodate high-density residential development up to 4,973sqm outside the undevelopable portions of the site
- Locate the building envelope and mass the Gross Floor Area within the developable portion of the site,
- Accommodate similar amount of GFA on the site as permitted by the planning controls prior to *Parramatta LEP 2011 – Amendment No.20 Review*
- Dedicate land identified for acquisition, public open space and natural resources.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Parramatta LEP 2011 (PLEP 2011)* in relation to the zoning and height controls.

In order to achieve the desired objectives the following amendments to the *PLEP 2011* would need to be made:

1. Amend the **Land Zoning Map** to maintain the R4 – High Density Residential zone for the developable part of the site (3,825sqm) and extending the RE1 – Public Recreation zone for the undevelopable land affected by the Natural Resources - Biodiversity controls. (Sheet LZN_[010]).
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_010) from 11 metres to 22 metres that equates to 6 storeys for the proposed R4 land within the developable area of the site. Removing the Height of Buildings control for the proposed RE1 land.
3. Amend the maximum floor space ratio in the **Floor Space Ratio Map** (Sheet FSR_010) from 0.8:1 to 1.3:1 for the proposed R4 land within the developable area of the site. Removing the Floor Space Ratio control for the proposed RE1 land.
4. Amend the **Minimum Lot Size Map** (Sheet LSZ_010) to retain the existing minimum lot size of 550sqm for the proposed R4 zoned land and remove the Minimum Lot Size control for the 1,200sqm of undevelopable land at the rear affected by the proposed extension of the RE1 zone and existing Natural Resources – Biodiversity control.
5. Remove the land reserved for acquisition which applies to the 1,296sqm of land at the rear of No.85 Thomas should this land be dedicated to Council as part of an executed Planning Agreement

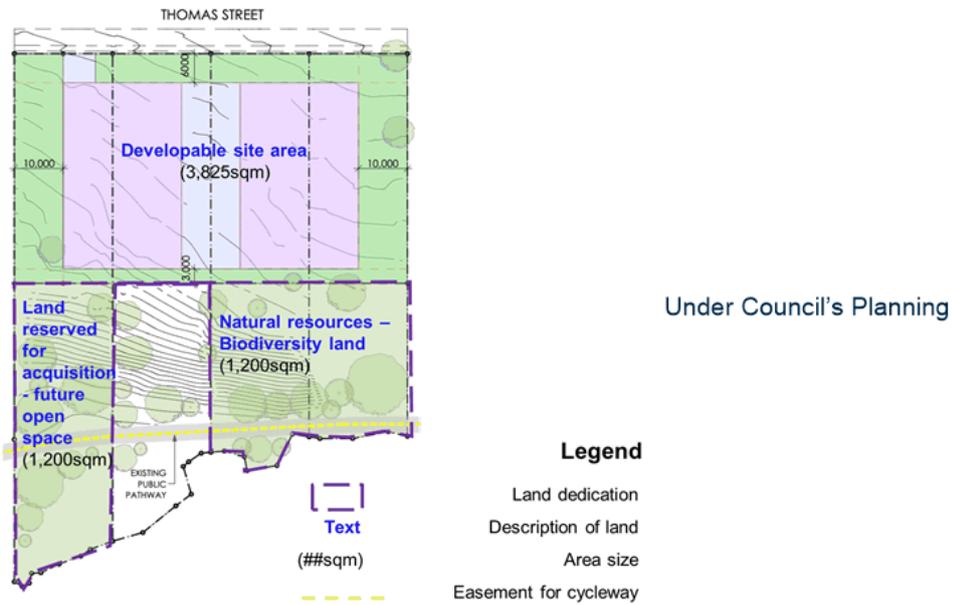
2.1. Other relevant matters

2.1.1. Voluntary Planning Agreement

The subject site and proposed development uplift being sought lends itself to the provision of public benefits, consistent with Council's Planning Agreements policy. The proponent expressed interest into entering a Voluntary Planning Agreement consistent with the policy. The applicant submitted an updated Letter of Offer on 8 March 2021 to reflect the detailed terms of the Planning Agreement and gateway assessment of the Planning Proposal. The applicant is currently proposing the following VPA item:

- Dedication of 2,496sqm of privately owned land to Council within the undevelopable part of the site at the south which comprises of:
- 1,296sqm of privately owned land zoned RE1 and identified for land acquisition for open space at No.85 Thomas Street,
- 1,200sqm of privately owned land identified under the Natural Resources – Biodiversity map and proposed for RE1 zoning as part of this Planning Proposal.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta



Under Council's Planning

Agreements Policy, planning proposals outside the Parramatta CBD seeking uplift in density need to be supported by a planning agreement that is valued at 50% of the resulting land value uplift. It is acknowledged that the gazettal of Amendment 20 reduced the development potential on the site and the planning proposal is only seeking to recoup the density potential it may have been able to achieve under the planning controls in place prior to this amendment. Based on an acceptance of this approach, it is not considered necessary to seek a planning agreement achieving 50% land value uplift, as there is effectively no increase in overall development potential of the site. It is also acknowledged that the site may not have been able to achieve the full density potential under the previous planning controls due to the constrained nature of the southern portion of the site, however the previous controls did allow development on this part of the site and the gazettal of Amendment 20 removed that potential.

In addition, the Planning Agreement is proposing to dedicate land that is identified for acquisition under PLEP 2011 free of cost, thereby removing an acquisition burden on Council. Without the Planning Proposal and associated Planning Agreement, Council would ultimately be required to purchase the land from the owner. The Planning Agreement is also proposing to dedicate the undevelopable portion of the R4 High Density Residential zoned land to Council free of cost. This land is intended to provide a contiguous vegetation buffer along the rear of the site with the adjacent RE1 Public Recreation land. It is therefore recommended that this portion of the R4 High Density Residential zoned be rezoned to RE1 Public Recreation to match the adjoining land and to properly reflect its intended use.

The proposed mechanism for the land dedication has been negotiated with the applicant, Councils Planners, Property and Operations teams. The VPA will be drafted so that execution of the agreement and registration on title occurs prior to making of the future LEP amendment. The land dedication can occur prior to issue of Construction Certificate as required by a DA conditions of consent. It is recommended that Council authorise the CEO to prepare the legal drafting of the agreement for the purposes of public exhibition..

2.1.2. Draft Development Control Plan

Given the nature of redevelopment proposed on the site, a site-specific Development Control Plan (DCP) will be required to support any future development on the site. The

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

site-specific DCP would amend the existing Part 4.1.9 of the Morton Street Precinct, Parramatta DCP 2011 to guide the redevelopment of the site through a new 'Area 5', which will have regard to the local context and detailed design requirement for the site.

This new section will be informed by new DCP controls in relation to:

- Building height and massing
- Streetscape, building setbacks and separation
- Deep soil, landscaping and future open space,
- Ecology and river foreshore

Both the draft Voluntary Planning Agreement and draft Development Control Plan will be exhibited concurrently as part of the public exhibition stage following Gateway Determination.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

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 an endorsed local strategic planning statement, strategic study or report?

Yes, the Planning Proposal responds to the State Government’s initiatives for growth in the Greater Sydney Commission’s Greater Parramatta and Olympic Peninsula (GPOP) area and Department of Planning Industry and Environment’s (DPIE) draft Greater Parramatta Growth Area which is in close proximity to the site. The GPOP area is an approximate area which will broadly experience significant growth and change over the next 20 years (see Figure 2).

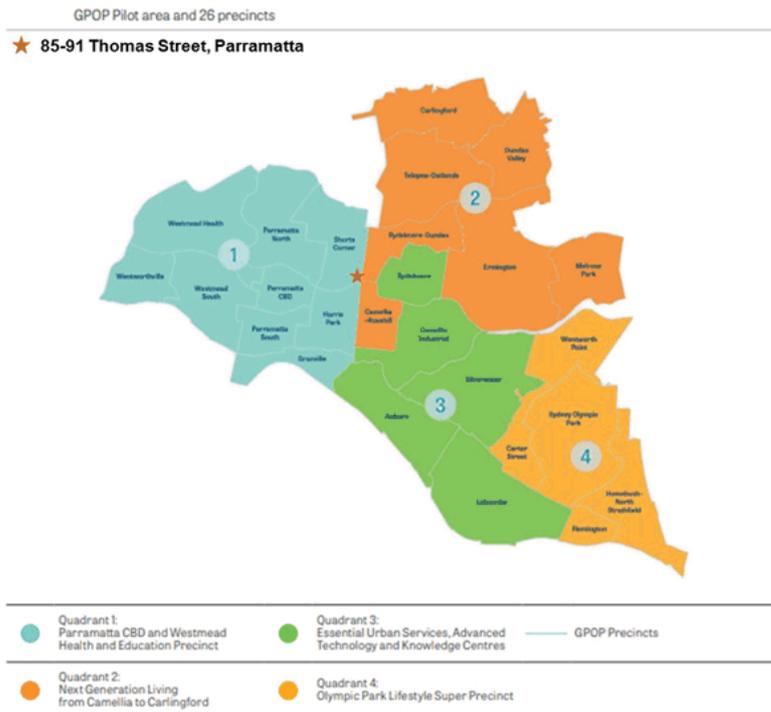


Figure 2– Subject site within GPOP

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

Redevelopment of the site for the site under the Planning Proposal reinstates the amount of permissible high-density floor space permitted on the site when the Planning Proposal was lodged in June 2016, and prior to *Parramatta LEP 2011 – Amendment No.20 Review of Land Reserved for Acquisition* which was gazette on 28 July 2017. This amendment rezoned R4 land at No.85 Thomas Street to RE1 – public recreation with a Land Acquisition affection for local open space. No.89 and No.91 were also affected by Amendment No.20 which identified 1,200sqm of R4 land for Natural Resources controls, making this portion of the site undevelopable, but able to be used for calculating FSR.



Figure 3 - Zoning of site prior to PLEP 2011 Amendment No.20

Prior to this amendment, 5,057sqm of GFA was permitted under 0.8:1 FSR across the site. The current planning controls allow a maximum of 4,020sqm of GFA is permitted. The Planning Proposal proposed changes in land use zoning boundaries to reflect the developable portions of the site, increase in maximum building height and increase maximum floor space ratio controls. These changes could accommodate approximately 4,973sqm of GFA across the developable site area, which is a lower GFA than what was permissible on the site when the PP was lodged. It also allows for the undevelopable portion of the site to be dedicated for public recreation and natural resources land.

The redevelopment would see 55-59 apartment dwellings accommodated on the site, which is equal to or lower than what was permissible on the site when the Planning proposal was lodged. A change in building height provides opportunities for the previously permissible floor space provision to be accommodated on the site.

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.

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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)?

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* (“the GSRP”) a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Table 3a – 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	The Region Plan highlights that the Central River City is undergoing a rebuilding program in a high-growth environment, which required existing infrastructure to be optimised. Redevelopment of the existing R4 zoned site in close proximity to James Ruse Drive and Parramatta Valley Cycleway to accommodate a maximum of 6-storey development hopes to maximise the 4,973sqm GFA, which is slightly below the GFA previously permissible on the site prior to PLEP 2011 – Amendment No.20 when the Planning Proposal was lodged. A VPA will also be negotiated aside this Planning Proposal once the strategic parameters and planning controls have been set.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

Liveability

An assessment of the planning proposal’s consistency with the GSRP’s relevant Liveability objectives is provided in Table 3b, below.

Table 3b – 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	The Planning Proposal hopes to optimise land identified for future public open space and existing natural resources (biodiversity & riparian lands and waterways). The
	O7: Communities are healthy, resilient and socially connected	

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	<p>O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p>	<p>PP allocates GFA under a change to zone boundaries for high-density and public recreation land use zones to reflect the developable site area, and increases to maximum HOB and FSR controls to accommodate 4,972sqm, which is slightly below the GFA which could be accommodated on the site when the PP was lodged, prior to PLEP 2011 – Amendment No.20.</p>
	<p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	
<p>Housing the city</p>	<p>O10: Greater housing supply</p>	<p>The subject site is situated outside Council's already identified growth precincts and currently zoned high-density residential . The PP proposes to accommodate 59 apartment dwellings under an increase in height up to 22m and increase in FSR across the developable portion up to 1.3:1. The PP also removes HOB, FSR and LRA controls for the area identified for land dedication. The reference design accommodates 4,973sqm of high-density residential GFA, which is below what could have been achieved when the PP was lodged.</p>
	<p>O11: Housing is more diverse and affordable</p>	<p>Given the site is already zoned R4 – High Density Residential where residential flat buildings are already permitted, and that the Planning Proposal is not seeking a significant uplift over and above what the site could previously achieve, the Planning Proposal is considered to be consistent with this objective and Council's LSPS in this instance.</p> <p>It is anticipated that City of Parramatta is expected to meet and potentially exceed its housing targets set by the Greater Sydney Commission, thus the change in planning controls must be justified in accordance with other Liveability Directions.</p>
<p>A city of great places</p>	<p>O12: Great places that bring people together</p>	<p>The site is situated in close proximity to the Parramatta River, Western Sydney University and the periphery of Parramatta CBD which provide opportunities to future residents for employment, education and recreation.</p>
	<p>O13: Environmental heritage is identified, conserved and enhanced</p>	<p>Parts of the site are identified for natural resources-biodiversity, natural resources – riparian lands and waterways and environmental heritage I1- Wetlands Parramatta River. Future development on the site will be located away from these sensitive environmental areas.</p>

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Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Table 3c – 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 site is located in close proximity to James Ruse Drive, Parramatta Valley Cycleway which connect to Parramatta CBD nearby. The increase in building height to accommodate high-density residential dwellings supports integrating land use with walkable 30min cities to the Central River City of Parramatta.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	The subject site is located within the Shorts Corner precinct of GOP. This precinct is not identified for growth as part of Phase 1 or Phase 2 of the Place-based Infrastructure Compact. The PP does not see an increase in residential GFA above what was previously permitted on the site at lodgement of the PP.
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	This Planning Proposal is generally consistent with the vision under O19 of the region plan. An increase in building height allows for the GFA previously available under the zoning prior to 28 July 2017 to be massed within a 6-storey built form.
	O21: Internationally competitive health, education, research and innovation precincts	The Planning Proposal does not seek to allow for employment floor space. The application adjusts the area boundaries affected by R4 – High Density Residential and RE1 – Public Recreation to reflect the developable areas of the site and land dedication.
	O22: Investment and business activity in centres	
	O23: Industrial and urban services land is planned, retained and managed	
O24: Economic sectors are targeted for success		

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Sustainability

An assessment of the planning proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment	
A city in its landscape	O25: The coast and waterways are protected and healthier	<p>The subject site included planning affections from Natural Resources – Riparian Lands and Waterways & Biodiversity and the Foreshore Building Line along the southern portion of the site. The reference design locates the future building envelope outside the affected areas on the elevated topography at the north of the site. The southern portion of the site would be rezoned RE1 and dedicated to Council.</p> <p>Concerns were raised in the initial assessment regarding the coastal mangroves and saltmarshes. Department of Primary Industries indicated in November 2017 that <i>“does not see any reason for potential shading issues on mangrove and saltmarsh species to prevent the lodgement of this development, as proposed”</i></p>	
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced		
	O28: Scenic and cultural landscapes are protected		The proposal is situated in close proximity to Parramatta River. A substantial setback is proposed for future development that locates the building out of the Foreshore Building Line, Natural Resources affectation and heritage area.
	O29: Environmental, social and economic values in rural areas are protected and enhanced		N/A
	O30: Urban tree canopy cover is increased		Deep soil areas are proposed for the front and side setbacks. A site specific DCP proposed to accommodate urban tree canopy cover on the site to enhance the streetscape and improve privacy between neighbouring properties.
	O31: Public open space is accessible, protected and enhanced		The subject site includes an acquisition for local open space on No.85 Thomas Street. The subject site is also subject to an easement for the Parramatta Valley Cycleway along the southern edge of the site.
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths		The subject site already includes elements of the green grid along the southern portion of the site within the natural resourced affected land where the Parramatta Valley cycleway is located.

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An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The proposal does not include sustainability initiatives such as recycled water, sustainable building materials, photovoltaics. Should the proposal proceed, initiatives towards net-zero emission by 2050, methods of recycling construction and ongoing waste should be investigated as part of the Development Application stage. Further consideration should be given to council's environmental sustainability strategy when delivering the proposal.
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	The proposal does include some flood affected land. However, the proposed building is located away from the land impacted by natural hazards.
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

Implementation

An assessment of the planning proposal’s consistency with the GSRP’s relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The proposal is responding to in depth consultation between Council, the applicant and Department of Primary Industries.

Central City District Plan

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 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 that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

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Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> • A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</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 	<p>The site located on Thomas Street is in close proximity to the James Ruse Drive regional route and Parramatta Valley Cycleway. The site may be easily accessed via car, bus or bicycle. The proposal arranges the currently permissible high-density residential use within the northern half of the subject site in hope to utilise the existing assets at the south for natural resources and public open space.</p>
<p>O5: Benefits of growth realized by collaboration of governments, community and business</p>	<p>PP C2: Working through collaboration</p> <ul style="list-style-type: none"> • A7: Identify prioritise and delivery collaboration areas 	

Liveability

An assessment of the planning proposal’s consistency with the CCDP’s relevant Liveability Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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<p>A city for people 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 need of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>As part of the proposal, the application proposed to dedicate 1,296sqm land at No.85 Thomas Street for public open space as identified in the land reserved for acquisition map and 1,200sqm of land at No.89 and 91 Thomas Street identified for Natural Resources – Riparian Lands and Waterways & Biodiversity for council ownership.</p>
<p>O7: Communities are healthy, resilient and socially connected O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods 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 Council's. • 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 initial application has been referred to the former Department of Primary Industries for comment on the sensitive ecology areas to the south as identified in the Natural Resources and Heritage Map. The input from state government agencies has assisted in preparing a supportable scheme.</p> <p>Council's LEP Amendment No.20 relating to Land Reserved for Acquisition has also affected the application identifying parts of the site for public recreation and natural resources biodiversity/riparian lands and waterways. This impacted the developable of the R4 zoned site. This Planning Proposal hopes to facilitate development in accordance with the intentions of the controls of the site.</p>
<p>Housing the city O10: Greater housing supply 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 [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>City of Parramatta is expected to meet and potentially exceed its housing targets set by the Greater Sydney Commission, thus the change in planning controls cannot be justified under O10 which proposes to increase the supply of housing.</p> <p>A Planning Proposal increasing the maximum building height provides an opportunity for the applicant to obtain Gross Floor Area (GFA) for high-density residential uses from the undevelopable land zoned R4 and, and in this exceptional</p>

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		<p>circumstance the privately owned RE1 portion rezoned by a Council let proposal.</p> <p>No affordable housing is included in the planning proposal at this stage. The proposal could investigate potential to include future affordable housing stock on the site under Council's Affordable Housing Policy.</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 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 site reference scheme proposed a design that masses the building envelope within the developable portion of the site in the northern half of the site. It provides separation between the development and existing environmental constraints such as the open space acquisition, natural resources area and Parramatta River.</p>

Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<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] • 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 [abridged] • A27: Manage car parking and identify smart traffic management strategies 	<p>The existing R4 zoned site is located in close proximity to the Parramatta CBD and intends to deliver additional high-density residential dwellings in close proximity to the employment generating uses in Parramatta CBD.</p> <p>Redevelopment for high-density residential uses on the site is subject to significant environmental and topographic restraints to the southern portion of the site. The Planning Proposal, site-specific DCP and draft VPA endeavour to address the highly restrained environmental condition of the site within an R4 zoning in close proximity to Parramatta CBD.</p>

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	<ul style="list-style-type: none"> • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct 	
<p>Jobs and skills for the city</p> <p>O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GOP Economic Corridor</p> <ul style="list-style-type: none"> • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct PPC8 • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor • A30: Prioritise transport investments that enhance access to the GOP between centres within GOP 	<p>The proposal maintains the existing R4 – High Density Residential zone for the subject site across the developable area at the northern portion of the site along the street, and extends the existing RE1 – Public Recreation use across the undeveloped site area which is proposed for land dedication. The site is located within the GOP corridor and in a location near local bus routes, regional highways and local cycleways that supports the 30-minute city.</p>
<p>O14: The plan integrates 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 • 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) • 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>O23: Industrial and urban services land is planned, retained and managed</p>	<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 would locate additional housing in close proximity to the Parramatta CBD. It is anticipated that additional housing will grow investment and business opportunities for everyday retail and commercial uses at the site and is therefore consistent with PP C10.</p>

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O23: Industrial and urban services land is planned, retained and managed	PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land	N/A
O24: Economic sectors are targeted for success	PP C12: Supporting growth of targeted industry sectors	N/A

Sustainability

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4d, below.

Table 4d – Consistency of planning proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
A city in its landscape O25: The coast and waterways are protected and healthier	PP C13: Protecting and improving the health and enjoyment of the District's Waterways <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 	The proposal is situated adjacent to Parramatta River. A substantial setback is proposed for future development that locates the building out of the Foreshore Building Line, Natural Resources affectation and heritage area. The reference design proposed positions future development outside the affected areas on the elevated topography at the north of the site.
O26: The coast and waterways are protected and healthier	PP C14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element <ul style="list-style-type: none"> • A64: Implement South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City 	The subject site is adjacent to the Parramatta River and impacted by the Coastal Management SEPP 2018. The Foreshore Building Line in the LEP also affects the subject site.

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<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>The subject site includes urban bushland which is classified as Natural Resources – Riparian Lands and Waterways. This has been taken into consideration when preparing the reference design for the planning proposal, which includes both developable and undevelopable portions to the site.</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 subject site already includes urban tree canopy within the southern portion of the site. This area is anticipated to be maintained as existing as part of the planning proposal.</p> <p>Deep soil areas are proposed for the front and side setbacks. A site specific DCP proposed to accommodate urban tree canopy cover on the site to enhance the streetscape and improve privacy between neighbouring properties.</p>
<p>O31: Public open space is accessible, protected and enhanced</p>	<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>The subject site includes an acquisition for local open space on No.85 Thomas Street. The subject site is also subject to an easement for the Parramatta Valley Cycleway along the southern edge of the site. The easement will be maintained as part of the future development.</p> <p>The Planning Agreement Offer also includes land dedication for the existing RE1 land affected by a land acquisition (1,296sqm) and natural resources biodiversity land (1,200sqm).</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>The proposal does not include sustainability initiatives such as recycled water, sustainable building materials, photovoltaics. Should the proposal proceed, initiatives towards net-zero emission by 2050, methods of recycling construction and ongoing waste should be investigated as part of the Development Application stage. Further consideration should be given to council's environmental sustainability strategy when delivering the proposal.</p>

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	<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>The proposal does include some flood affected land. However, the proposed building envelope in the reference design is located away from the land impacted by natural hazards.</p>

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3.2.1. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The following local 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:

- 3.4 Provide green spaces for recreation, relaxation and enjoyment
- 6.1 Engage in strategic planning and implement innovative solutions to manage the growth of our city

Parramatta Local Strategic Planning Statement

The LSPS sets out the long-term vision for land use planning in a council's local government area (LGA) and responds to broader priorities identified in the District Plans and integrates with a Council's Community Strategic Plan. The LSPS will provide greater weight to strategic planning in the broader plan making process and any new planning proposal must justify any inconsistency with this framework.

The Planning Proposal is assessed against the broad directions of the LSPS as shown below in Table 5.

Table 5: LSPS Assessment

Broad Directions of LSPS	Comment
1. Focus employment growth in the Parramatta Metropolitan Centre (Parramatta CBD) and Strategic Centres of Epping and Sydney Olympic Park and Westmead Innovation Precinct	N/A
2. Housing growth is focused in identified Growth Precincts	The site is not within an already identified housing growth precinct in Council's LSPS, Council's LHS or the GOPP Place-based infrastructure compact. The site is already zoned R4 – High Density Residential. Prior to Parramatta LEP 2011 – Amendment No.20, the entire 6,321sqm of privately owned land had a 0.8:1 FSR allowing up to 5057sqm of GFA . This Planning Proposal redistributes that previously available floorspace within the developable portion of the site (3,825sqm) in an increased height limit of 22m and increase FSR of 1.3:1 applying to the R4 land.
3. Preserve and enhance the low-scale character and identity of suburban City of Parramatta suburbs outside of the GOPP area	Residential flat buildings are already a permissible use on the subject site. The planning proposal does not propose to change the R4 zoning of the developable portion of the site. The reference design provides substantial setbacks exceeding what would be required by the Apartment Design Guide to better protect the amenity and privacy of adjoin R4 zoned sites, some which still include single dwelling houses

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	(north of Thomas St). There additional setbacks allow for deep soil and urban tree canopy cover.
4. Stage Housing Release with infrastructure delivery.	The site is situated within the "Shorts Corner" precinct, which is not identified as an area for prioritised growth in the short to medium term. Notwithstanding, the Planning Proposal does not propose a significant increase in GFA compared to what was achievable on the site prior to the recent rezoning under Parramatta LEP 2011 – Amendment 20 that introduced RE1 zoning, land acquisition and biodiversity controls on the site. Therefore it is considered by Council officers that the Planning Proposal should proceed despite the recommendation of the draft PIC
5. Housing Diversity underpins any future changes to planning controls	Given the site is already zoned R4 – High Density Residential and that the Planning Proposal is not seeking a significant uplift over and above what the site could previously achieve, the Planning Proposal is considered to be consistent with the LSPS in this instance.
6. The majority of employment lands are protected to ensure no net loss of jobs or employment lands	N/A
7. Neighbourhoods, places and development are well-balanced, connected and sustainable	No affordable housing is included in the planning proposal at this stage. Council's Affordable Housing Policy provides opportunities to work towards well-balanced and sustainable development.
8. Protection of the environment, including providing for sustainable development	The subject site has an existing easement for the Parramatta Valley cycleway along the southern portion of the site to assist in providing Green grid and River foreshore connections. The site also includes a 30m Foreshore Building Line, within that area includes Natural Resources – Biodiversity and Natural Resources – Riparian Lands and Waterways affectations. There is also a land acquisition affectation at the No.85 Thomas Street site for privately owned land currently zoned RE1. Opportunity to designate privately owned RE1 land undevelopable land to public open space and land affected by Natural Resources Riparian Lands & Waterways and Biodiversity will be negotiated as part of a future VPA.

Parramatta Local Housing Strategy

Council is also required to prepare a Local Housing Strategy (LHS) in accordance with the Central City District Plan. The LHS will convey the type and location of new housing in the City of Parramatta LGA. It will consider supply and demand for housing, local land use opportunities and constraints, demographic factors and appropriate building typologies to support a mix of housing.

Table 6: Draft LHS Assessment

Key Findings of Draft LHS	Comment
Finalise Parramatta CBD Planning Proposal and Granville (South) Planning Proposal	The subject site is located outside the Parramatta CBD and Granville Precinct. As mentioned

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(Parramatta Road Urban Transformation Strategy).	previously, the increase in building height allows the landowner to accommodate the 4,973sqm of apartment dwelling floorspace permissible on the site prior to 28 July 2017 when Parramatta LEP 2011 – Amendment No.20 was gazette.
Implement Westmead Innovation District Master Plan.	N/A
Continue housing delivery in already zoned precincts and their related site-specific planning proposals.	The subject site is already zoned R4 and does not lead to additional high-density residential floor space outside the already identified growth precincts than that currently permissible by the site area and FSR prior to 28 July 2017.
Investigate more medium density, low-rise housing types (terraces and townhouses) in suitable locations.	Residential flat buildings are already a permissible use on the subject site. The planning proposal does not propose to change the R4 zoning of the developable portion of the site and terraces and townhouses cannot be mandated for the site.
Pursue an Affordable Housing Scheme for new Growth Precinct Planning Proposals.	No affordable housing is included in the planning proposal at this stage. The proposal could investigate potential to include future affordable housing stock on the site under Council's Affordable Housing Policy.
Complete structure plan and design guidelines for all Growth Precincts.	The site is outside the identified structure plan areas for growth precincts. The application currently proposes a scale of development that does not trigger the need to prepare precinct wide analysis from high-density residential zone land in the nearby area bound by James Ruse Drive, Parramatta River, Macarthur Street and Victoria Road.

Both the LSPS and LHS will be used in the future to set a strategic framework for future housing and guide the planning in this area, across the LGA and are likely to come into effect in 2020. Given that the site has existing R4 zoning, the LSPS and LHS are unlikely to preclude redevelopment for high-density residential uses such as apartments on the site. Council officers recommend that the Planning Proposal be updated following Gateway Determination and prior to public exhibition to reflect the final Local Housing Strategy as endorsed by Council in mid 2020.

3.2.2. 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 (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	SEPP 1 does not apply to Parramatta LEP 2011

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SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP 33 – Hazardous and Offensive Development	x	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP No 55 Remediation of Land	x	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal. During the design development phase, detailed testing of SEPP 65 and the Residential Flat Design Code was carried out and the indicative scheme is capable of demonstrating compliance with the SEPP.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	x	May apply to future development of the site.
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Parramatta LEP 2011</i> .
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.

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SEPP (Urban Renewal) 2010	x	N/A
SEPP Coastal Management	✓	<p>This applies to this site as it adjoins 'Coastal Wetlands' and is located within the 100m buffer zone of the Mean High Water Mark of the Parramatta River. The Coastal</p> <p>SEPP gives effect to the objectives of the Coastal Management Act 2016, defining the four coastal</p> <p>management areas as per the Act through detailed mapping and specific assessment criteria for each</p> <p>coastal management area as outlined in the attached Fact Sheet. Councils must consider these criteria when assessing proposals for development that fall within one or more of the mapped areas</p>

3.2.3. 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 the subject Planning Proposal.

Table 6 – Consistency of planning proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Employment and Resources		
2. Environment and Heritage		
Direction 2.2 – Coastal Management	The subject site is located within the coastal zone as identified by the SEPP and Coastal Management Act. The planning proposal does not intensify the land use towards the southern portion of the site as this is proposed for land dedication to Council. This will provide better consistency with this SEPP.	Yes
Direction 2.3 - Heritage Conservation	The subject site contains part of I1 – Coastal Wetlands, Parramatta River. Council is satisfied that the planning proposal maintains the integrity of the item can be maintained under the proposed indicative massing within the developable portion of the site.	Yes
3. Housing, Infrastructure and Urban Development		

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Direction 3.1 - Residential Zones	The Planning Proposal is consistent with this direction, in that it: <ul style="list-style-type: none"> • facilitates additional housing in close proximity to the Parramatta City Centre that is currently not provided on the site • provides residential development in an existing urban area that will be fully serviced by existing infrastructure • does not reduce the permissible residential density of land, but does reduce the amount of residential land. 	Yes
Direction 3.4 - Integrating Land Use and Transport	The Planning Proposal is consistent with this direction, in that it: <ul style="list-style-type: none"> • will provide new dwellings in close proximity to existing bus and bicycle transport links • will enable residents to walk or cycle to work if employed in the Parramatta City Centre or utilise the heavy rail service. • will maintain and provide additional commercial premises in proximity to existing transport links • makes more efficient use of space and infrastructure by increasing densities on an underutilised site. 	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The site is identified as Class 5 on the Acid Sulfate Soils and part Class 2 on the Map in Parramatta Local Environmental Plan 2011. Acid sulfate soils are generally not found in Class 5 areas. However, this will be addressed further at the development application stage. Buildings will not be located in the Class 2 area.	Yes
Direction 4.3 - Flood Prone Land	Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.	Yes
5. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 6.2 – Reserving Land for Public Purposes	The subject site includes a land reserved for acquisition affectation on No.85 Thomas Street. This portion of land is already zoned RE1 and proposed to be dedicated to Council as part of the Planning Proposal process. Future development under the reference design does not proposed high-density residential development within this portion of the site.	Yes
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	This direction works towards ensuring planning proposals are consistent with the metropolitan region plan. In doing so, an assessment of the planning	Yes

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	proposal has been carried out with regards to the GSC's A Metropolis of Three Cities. This has been included above as part of the relationship to strategic planning framework under Section B.	
Direction 7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<p>The Planning Proposal is not located within the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan although is located within close proximity of the area.</p> <p>The subject site is located within the Shorts Corner precinct of GPOP. This precinct is not identified for growth as part of Phase 1 or Phase 2 of the Place-based Infrastructure Compact.</p>	Yes

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?

Yes, the subject site identifies 1,200sqm of land at the southern part of No.89 and 91 Thomas Street be identified as part of the Natural Resources – Biodiversity and Natural Resources – Riparian Lands and Waterways. This land remains zoned R4 with maximum building height and floor space ratios still applying to the land but is undevelopable for high-density residential purposes. The affectation of the site consequent to on 28 July 2017, Parramatta LEP 2011 – Amendment No.20.



Figure 4 & 5- Subject site and land affectation by Natural Resources – Riparian Lands and Waterways (left) and Biodiversity (right)

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?

Heritage

The subject site is affected by the heritage associated with the Parramatta River Wetlands (Item 1 – Schedule 5, Environmental Heritage). This item is located within the undevelopable portion of the site and relates principally to the adjacent Parramatta River. Should the Planning Proposal proceed, land identified as part of heritage will be dedicated to Council ownership.

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Figure 6 - Heritage affection on subject site by I1 – Parramatta River

The current Planning Proposal proposes that the building envelope is located outside the area affected by Heritage in hope to resolve the heritage and ecological concerns. The Planning Proposal will be referred again to Heritage regarding the heritage and wetland matters as part of a public exhibition associated with a Gateway Determination should the Planning Proposal proceed.

Ecology

Adjacent to the site also includes coastal mangroves and saltmarshes. The Planning Proposal was referred to the former Department of Primary Industries in 2017 seeking comment regarding potential shading impacts to marine vegetation such as the mangroves and saltmarsh to the south of the site. On 15 May 2017, Primary Industries recommended a precautionary approach regarding the ongoing long-term impacts to both the mangroves and saltmarsh. The applicant then provided a revised report which allowed Primary Industries to complete a further assessment. Primary Industry clarified on 9 November 2017 that there "does not see any reason for potential shading issues on mangrove and saltmarsh species to prevent the lodgement of this development, as currently proposed, as a Planning Proposal.

Former concepts for the planning proposal that proposed an increase in GFA for the site raised concerns for Council's Natural Resources and Open Space team. Caution was raised as an increase in density for the site could set a planning precedent for planning controls to change for the wider precinct which would result cumulative overshadowing impact to the mangroves and salt-marshes. Whilst the Planning Proposal still seeks an increase in height and may increase overshadowing to this ecology, Council officers consider this risk as resolved it satisfies as the planning precedent issue is resolved and an increase in density for this site in isolation (no net-increase in floor-space compared to 2016 controls) is satisfactory.

Flooding

The site is located adjacent to the Parramatta River and includes a steep topography upwards towards Thomas street. The northern part of the site is relatively flat above RL-12. Land towards the south of the site identified for potential land dedication to Council is more susceptible to flooding impacts.

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Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.

Urban Design

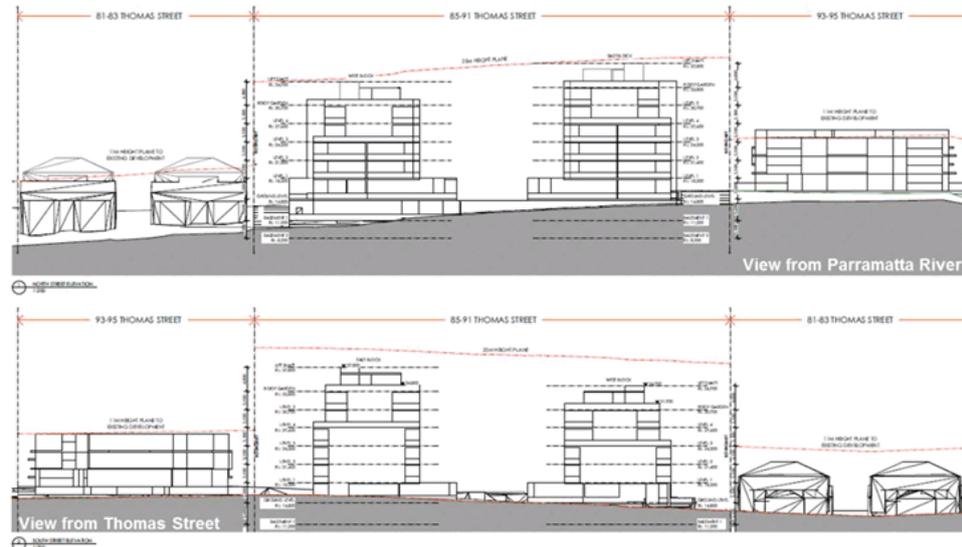


Figure 7- Reference Design for subject site (Source: PTI Architecture)

On 4 February 2020, the applicant provided Council a revised reference design for the Planning Proposal for 85-91 Thomas Street, Parramatta. The applicant's reference design proposes a 25-metre Maximum Building Height which could accommodate approximately 7 storeys. Council's Planning and Design units have maintained their recommendation that there is strategic merit in increasing the height to a maximum of 6 storeys to accommodate a similar amount of high-density residential floor-space permissible on the site at lodgement of the Planning Proposal.

Floor Space Ratio

The current scheme submitted by the applicant generates 4,994sqm of GFA for high-density residential purposes. This amount is 953sqm greater than what the current planning controls allow. It is also 63sqm less than the GFA permissible on the site at lodgement in June 2016 where a 0.8:1 FSR control applying to the entire site area (i.e. 5,057sqm of GFA). The Planning Proposal aims to amend the maximum Building Height and Floor Space Ratio controls to accommodate no-net increase in high-density residential GFA compared to what was previously permissible under Development Application controls on the site at lodgement of the application. Therefore the dwelling yield, while increasing compared to the current controls, will be the same when compared to the planning controls which applied to the site when the Planning Proposal was lodged with Council.

Building Height

The existing building height control allows for high-density residential development of maximum 3-storeys to be accommodated on the site. The adjoining property at 93-95 Thomas Street demonstrates a recent example of what could be developed under the existing planning controls (DA/630/2012). This neighbouring development is able to comfortably achieve the current maximum FSR within the existing building height as it does not need to respond to the

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topographic constraints and foreshore building line evident on the subject site, which significantly reduces the developable area of the subject site.

The applicant's Planning Proposal proposes a 25-metre Maximum Building Height which could accommodate approximately 7 storeys. This height limit is considered excessive given the reference design proposes only 6-storey development on the site. Figure 8 and 9 show that a 22m height plan can accommodate the reference design and reasonably achieve a 6-storey development despite the sloping topography. The 6-storey height is supportable with a 4-storey street wall, additional setbacks for 5th & 6th storeys and separation to adjacent development. The reference design accommodates a 3.3m variation between the proposed ground level at Thomas Street (RL 14.5m) and lower ground level at the rear (RL 11.2m). This maintains a 4-storey form at street level and no more than 6-storeys across the site.

Part 3.1 of the Parramatta DCP 2011 provides a preliminary building envelope guide recommends a 20m height limit for 6-storey residential flat buildings, with this assessment taking into consideration the sloping topography of the site to inform an appropriate building height. The applicant has revised their concept design to a building envelope of maximum 6-storeys, however still proposes a maximum building height of 25 metres. This height limit is considered onerous for a 6-storey development on the site, with a revised increase in height up to 22m for approximately 6 storeys for the following reasons:

- i. It represents a 10% variation from 20m in the DCP Preliminary Building Envelope recommendation for 6-storey residential flat buildings,
- ii. It is double the existing HOB control which would allow the currently permissible high-density residential floorspace on the southern half of the site (located in the foreshore building line) to be massed in a taller built form,
- iii. It accommodates the 3.3m variation between the proposed ground level at Thomas Street (RL 14.5m) and lower ground level at the rear (RL 11.2m). This maintains a 4-storey form at street level and no more than 6-storeys across the site.
- iv. Rooftop gardens above a 6th storey to inform a 25 metres HOB are not certain and could lead to a 7th storey being accommodated.

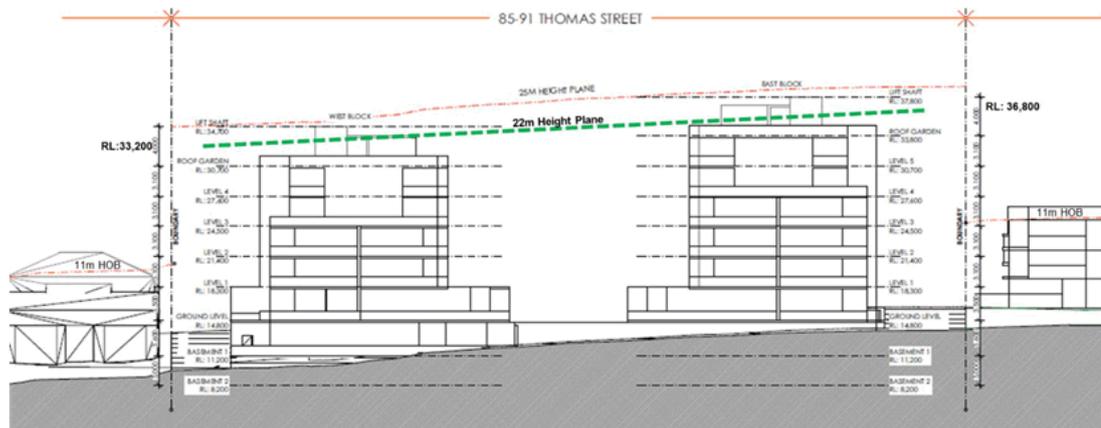


Figure 8 – Section facing north from Parramatta River with adjacent properties (Source: PTI Architecture)

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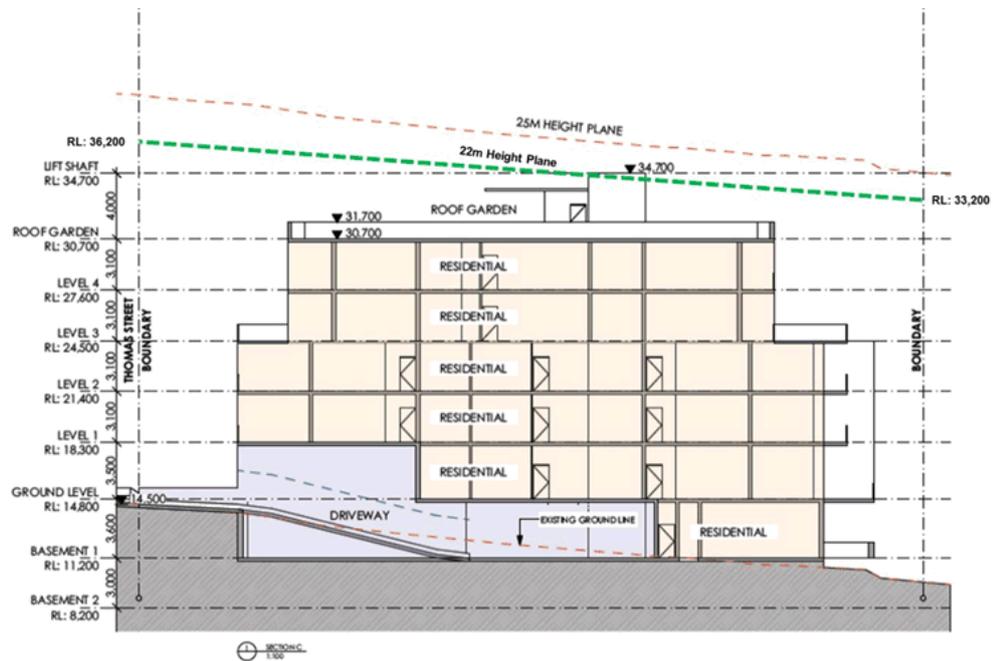


Figure 9– Section facing east from adjacent townhouse development (Source: PTI Architecture)

Building Separation & Setbacks

Given the potential increase in building height on the subject site, it is important to carefully manage privacy and amenity impacts on the adjacent properties, particularly the adjacent townhouse development located near the boundary at 81-83 Thomas Street and single dwelling houses on the northern side of Thomas Street.

The Apartment Design Guide and SEPP 65 set the minimum standards for building separation and setbacks for any residential flat building development on the site. Currently, the ADG would require a minimum of 9 metres separation between habitable and non-habitable rooms for buildings up to 4 storeys, and minimum of 12 metres for buildings 5 to 8 storeys. The reference design included as part of this planning proposal seeks to provide:

- Street setback of 6 metres up to 4-storeys, 9 metre setback up to 6-storeys, 10 metre for rooftop
- Side setback of 10 metres up to 4-storeys, 12 metre setback up to 6-storeys, 13 metre for rooftop.
- Minimum 12 metre building separation between west and east block apartment buildings,
- Rear setback of 3 metres to edge of developable portion of site and foreshore building line,

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Figure 10 – Ground Floor Setbacks for developable site area



Figure 11 – Level 5 and 6 Setbacks developable site area

Deep soil areas and tree plantings within 6 metres of the front and side property boundary will be required to further improve the relationship of the site with neighbouring buildings. This hopes to provide a satisfactory interface with adjacent properties and satisfy concerns relating to privacy and amenity. The setbacks proposed under the reference design are supportable by Council officers in addressing the privacy and amenity of neighbouring and future residents. These setback standards will be reinforced by a proposed site-specific DCP.

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Future development on the site proposes to amalgamate the 4 lots subject to the Planning Proposal. Amalgamation of the sites is supported if the proposed development addresses the scale of adjacent development (such as the townhouses, existing apartment building and single dwellings) and rhythm of the surrounding subdivision pattern with adequate building separation and setbacks exceeding the Apartment Design Guide requirements. Previous concept designs demonstrated a singular elongated row building, driveway and basement entry outside the building envelope, building within the foreshore building line, no additional setback for floors above 4-storeys, are not supported due to their adverse impacts on neighbouring properties and surrounding streetscape. The modulation of the façade will be supported by landscaping and further design detail at Development Application stage as guided by the site specific DCP. The current concept design includes two apartment blocks spaced evenly across the 4 lots, with additional front and side setbacks for Level 5 and 6 which provide a transitioning scale and separation to the scale of development and is supportable (see Figure 11).



Figure 11 – Indicative streetscape

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

Council and State Government does not identify Thomas Street, and this part of Parramatta (Short's Corner) as a growth precinct in accordance with Council's Draft Local Housing Strategy and GSC's Draft Place-based Infrastructure Compact. No major rezonings are required in this precinct for housing are likely to be made by City of Parramatta to meet the 5 year and 20 year housing targets. Any new proposals for new precincts must be justified under strategic planning objectives other than housing supply.

The Planning Proposal, draft site-specific Development Control Plan and draft Planning Agreement are informed by 2,496sqm of land dedication proposed which relates to the southern part of the site. Some of this land is identified for biodiversity and riparian lands (1,200sqm) and some for local open space (1,296sqm). Land dedication is supported in principle as part of the planning proposa.

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3.4. Section D – State and Commonwealth Interests

3.4.1. Is there adequate public infrastructure for the planning proposal?

On 7 November 2019, the GSC released the draft Place-based Infrastructure Compact (PIC) for the Greater Parramatta and Olympic Peninsula (GPOP) area. Specifically, the PIC outlines a draft-sequencing plan to support GPOP and growth in certain precincts in order to inform capital investment plans and budget processes of NSW Government agencies. The site is situated within the “Shorts Corner” precinct, which is not included as part of Phase 1 or Phase 2 areas and therefore not identified for growth within the GPOP (see page 45 and 47, PIC). This makes an increase in density above the 0.8:1 FSR across the whole site area difficult to support.

The Planning Proposal is being facilitated so the applicant may accommodate the 4,655sqm of intended GFA for the subject site as intended by the R4 zoning of the site. It decants the GFA from land zoned R4 outside the Foreshore Building Line, Natural Resources area and Land Reserved for Acquisition which makes most of the undevelopable land. Should the applicant intend to dedicate the 2,496sqm of undevelopable land to Council, the Floor Space Ratio for the site would increase from 0.8:1 to 1.2:1 FSR. Council officers support the massing of GFA within a 6-storey dual building envelope, requiring an increase in maximum HOB from 11m to 22m. Floor Space Ratio and Maximum Building Heights will be removed from the undevelopable portion of the land which is proposed for RE1 zoning.

There is likely to be a modest land value uplift given that no additional floor-space is proposed as part of the application. A base-value for the land is also difficult to identify given the 1,296sqm portion at No.85 Thomas Street was zoned R4 at lodgement, and RE1 at pre-Gateway reporting stage.

The VPA also provides a no-cost pathway for Council to become owners of the RE1 land. This removes the acquisition burden and potentially greater cost for Council to acquire the land from the landowner. It is uncertain whether that this offer is consistent with Council’s Planning Agreement’s Policy which seeks to capture 50% of the value uplift for sites outside of the Parramatta CBD. The dedication of the RE1 land is considered a supportable public benefit that outweighs the cost of assessing and completing a peer-review process of a valuation report for a planning proposal that does not propose additional high-density residential floorspace. The land value uplift process is considered an unreasonable expectation for this application and the VPA offer is acceptable in principle only.

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

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

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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. **Existing controls**

This section illustrates the current *PLEP 2011* controls which apply to the site.

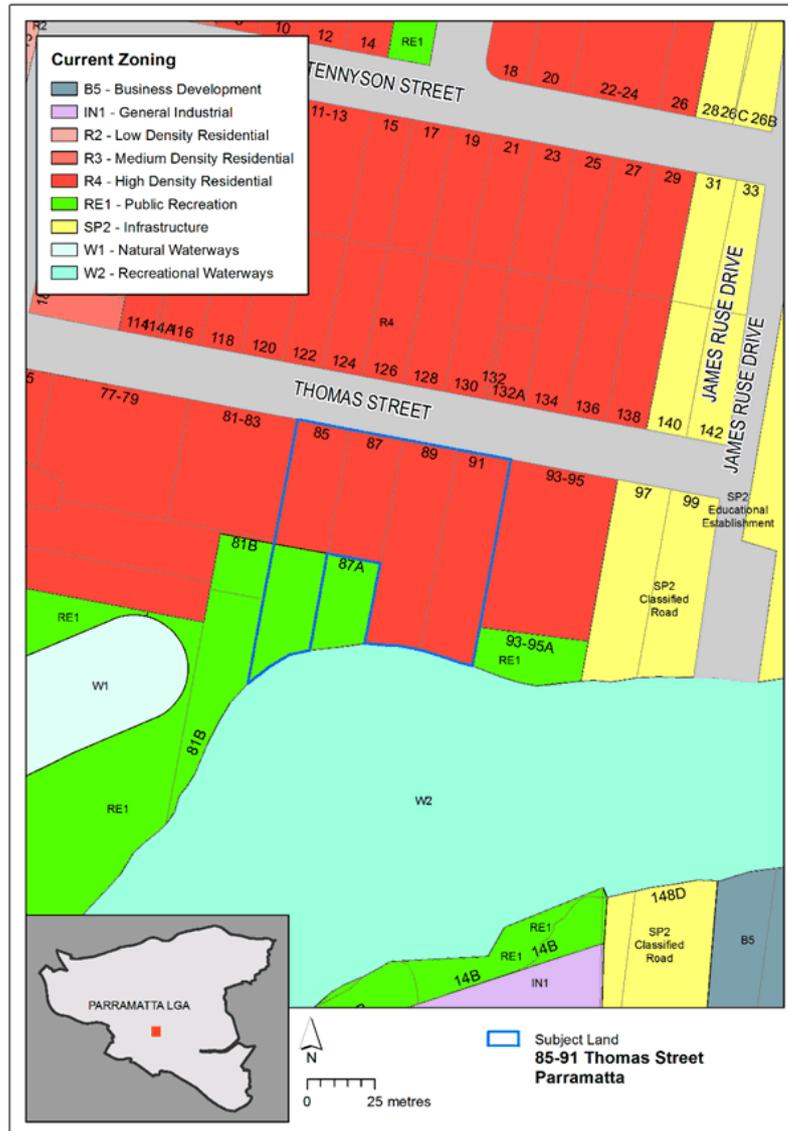


Figure 12 – Existing zoning extracted from Parramatta LEP 2011 Land Zoning Map

Figure 12 illustrates the existing R4 – High Density Residential, part RE1 Public Recreation

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Figure 13 – Existing building heights extracted from the Parramatta LEP 2011 Height of Buildings Map

Figure 13 illustrates the existing 11 metre maximum building height.

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Figure 14 – Existing floor space ratio extracted from the Parramatta LEP 2011 Floor Space Ratio Map

Figure 14 illustrates the existing 0.8:1 Floor Space Ratio.

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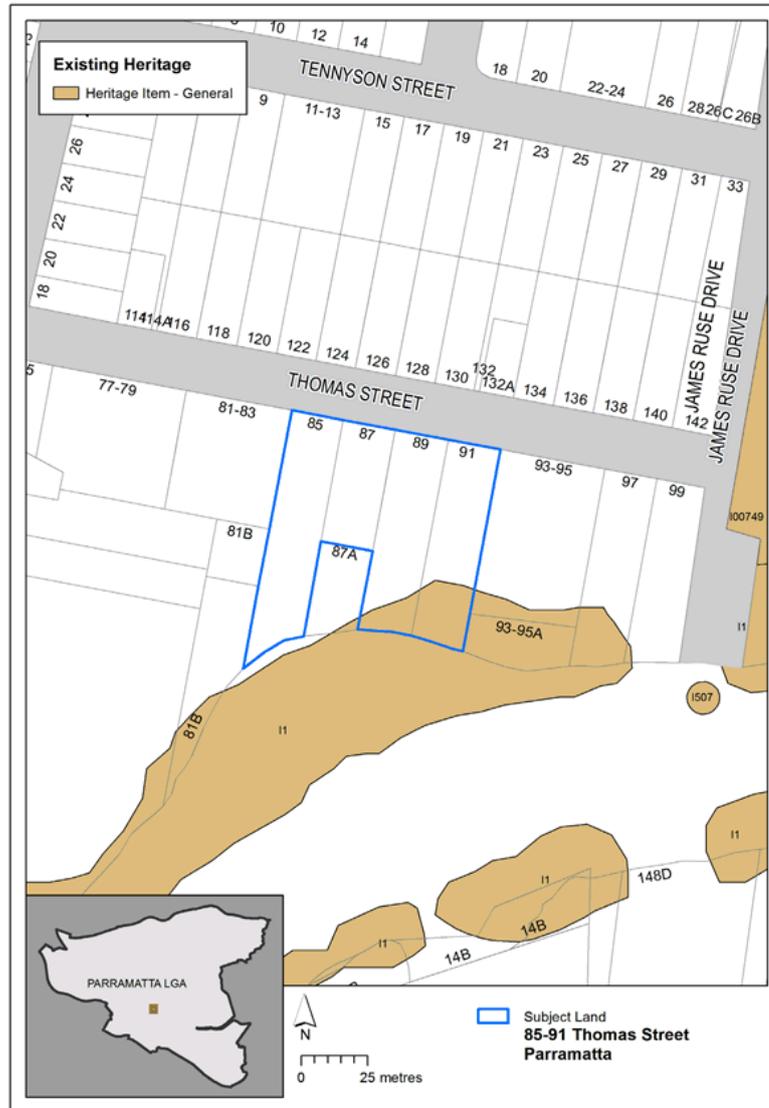


Figure 15 – Existing heritage items extracted from the *Parramatta LEP 2011* Heritage Map

Figure 15 above illustrates Item 1 – Parramatta River Wetlands of local significance which impact the site.

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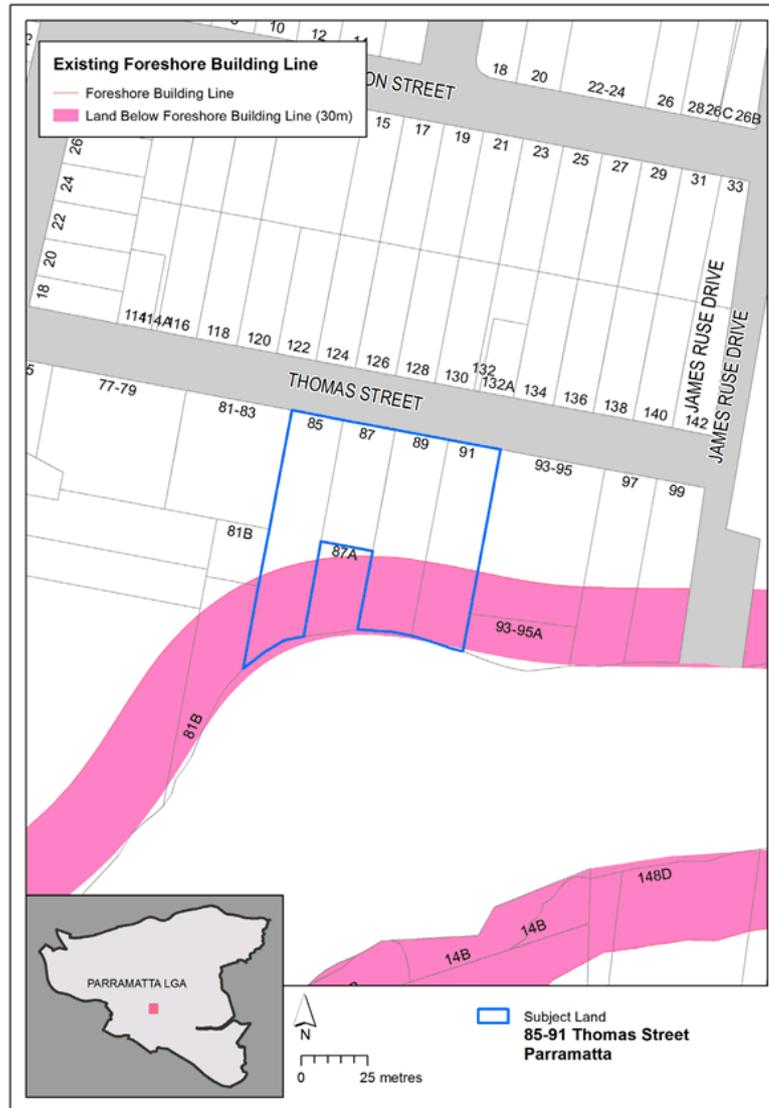


Figure 16 – Existing Foreshore Building Line in Parramatta LEP 2011 Map

Figure 16 above illustrates the extent of the Foreshore Building Line map

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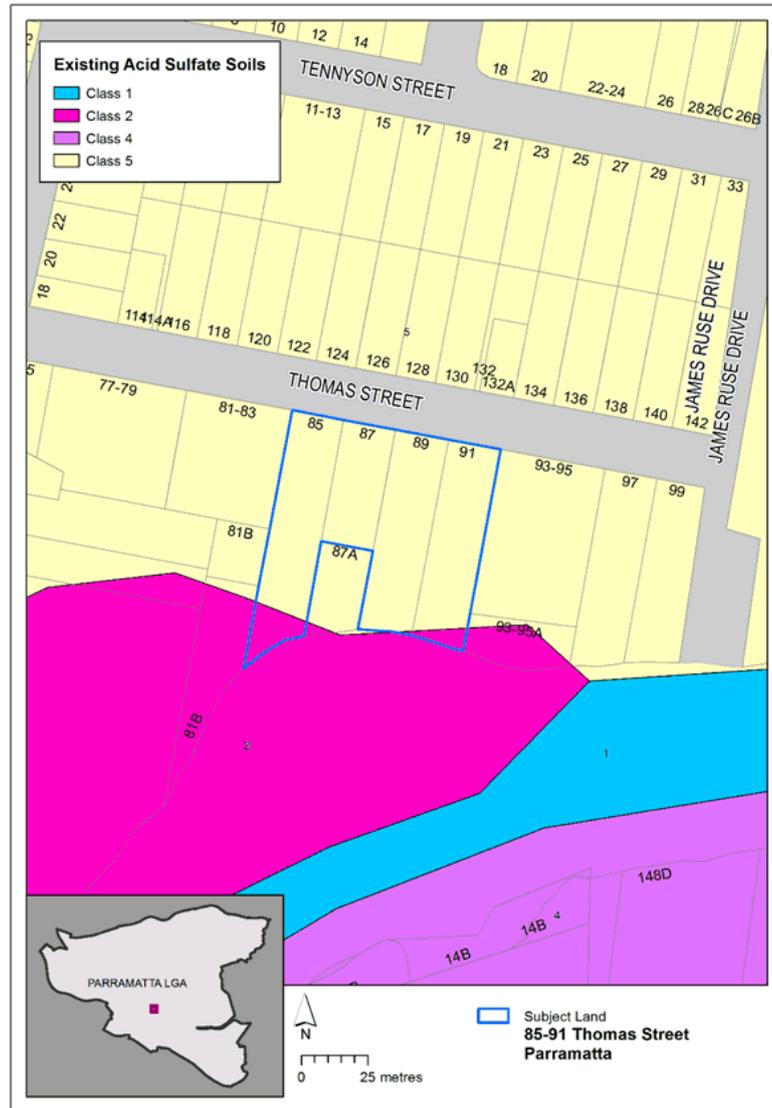


Figure 17 – Existing Acid Sulfate Soils in Parramatta LEP 2011 Map

Figure 17 above illustrates the extent of the Acid Sulfate Soils on the subject site. The developable portion is subject to Class 5, with some land to the south Class 2.

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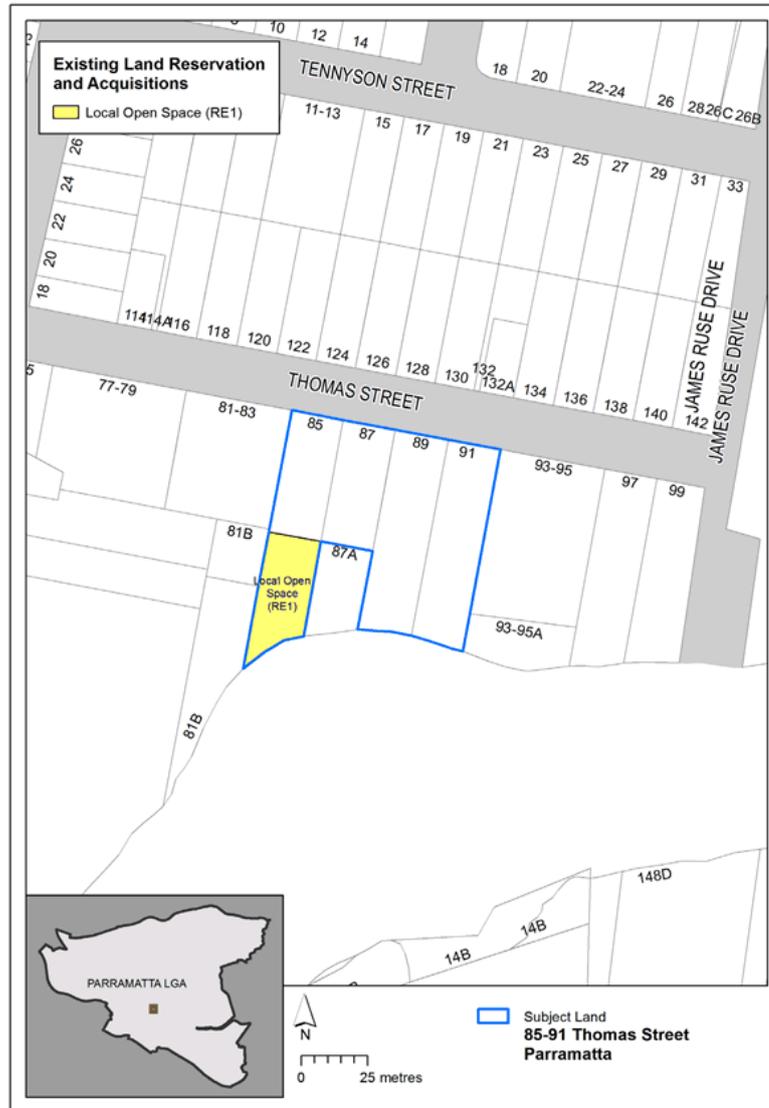


Figure 18 – Existing Land Reserved for Acquisition in Parramatta LEP 2011 Map

Figure 18 above illustrates the extent of the Land Reserved for Acquisition map showing the affectation on No.85 Thomas Street.

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Figure 19 – Existing Natural Resources - Biodiversity in Parramatta LEP 2011 Map

Figure 19 above illustrates the extent of the Natural Resources -Biodiversity map showing the affectation on No.89-91 Thomas Street within the undevelopable portion of the site.

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Figure 20 – Existing Natural Resources – Riparian Land and Waterways in Parramatta LEP 2011 Map

Figure 20 above illustrates the extent of the Natural Resources – Riparian Land and Waterways map showing the affectation on No.89-91 Thomas Street.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

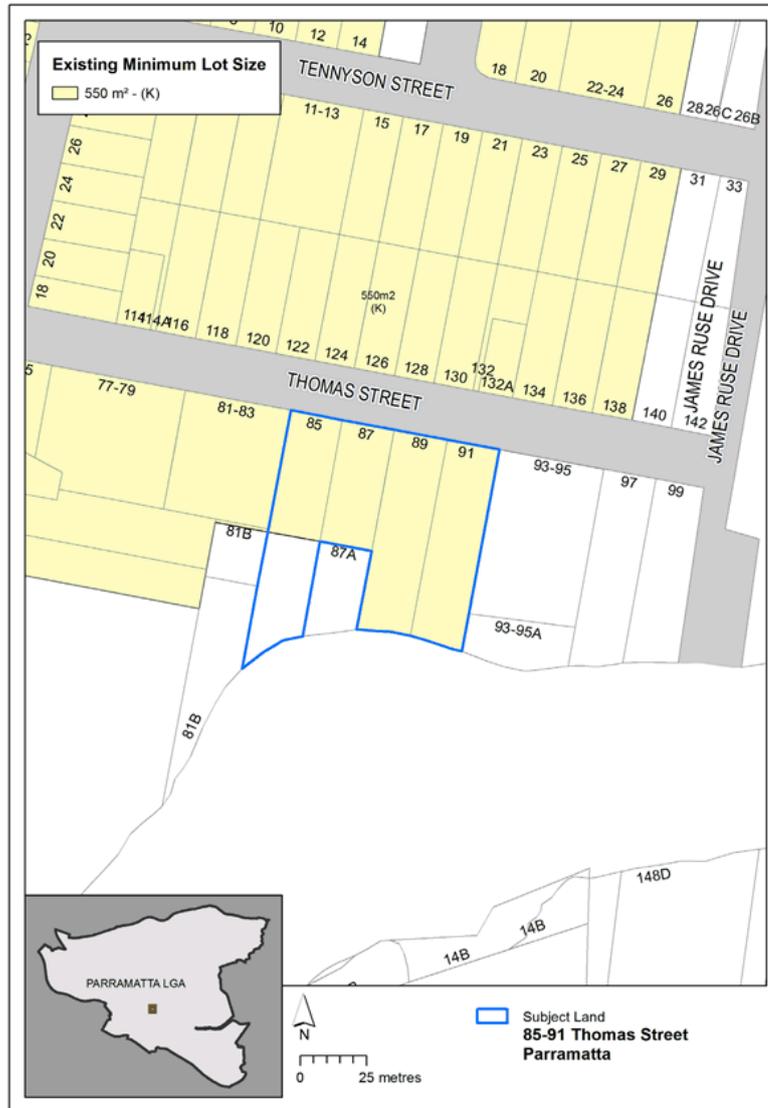


Figure 21 – Existing Minimum Lot Size in Parramatta LEP 2011 Map

Figure 21 above illustrates Minimum Lot Size of 550sqm on the subject site.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

4.2 Proposed controls

The proposed controls seek to recoup the developability achievable on the site prior to the notification of Parramatta LEP 2011 – Amendment No.20 on 28 July 2017 which resulted in 2,496sqm of land at the rear of the site being identified as undevelopable land. The proposed controls seek to amend the planning controls so the same amount of GFA achievable prior to Amendment No.20 may be achieved. The figures in this section illustrate the proposed changes to zoning, maximum building height, floor space ratio, minimum lot size and land reserve for acquisition mapping for the subject site to achieve this. No other changes are proposed as part of the Planning Proposal.

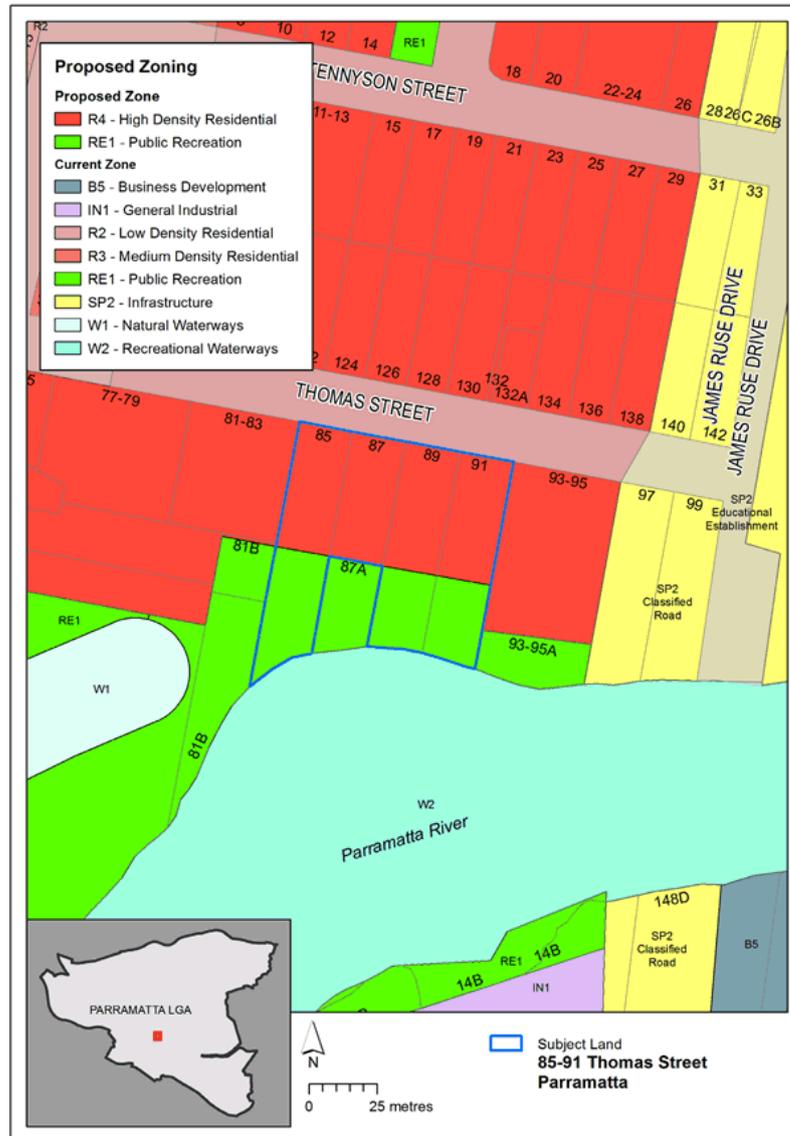


Figure 22 – Proposed amendment to the Parramatta LEP 2011 Land Use Zoning Map

Figure 22 above illustrates proposed boundary changes to land use zoning to reflect the developable and undevelopable portions of the site and proposed land dedication.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

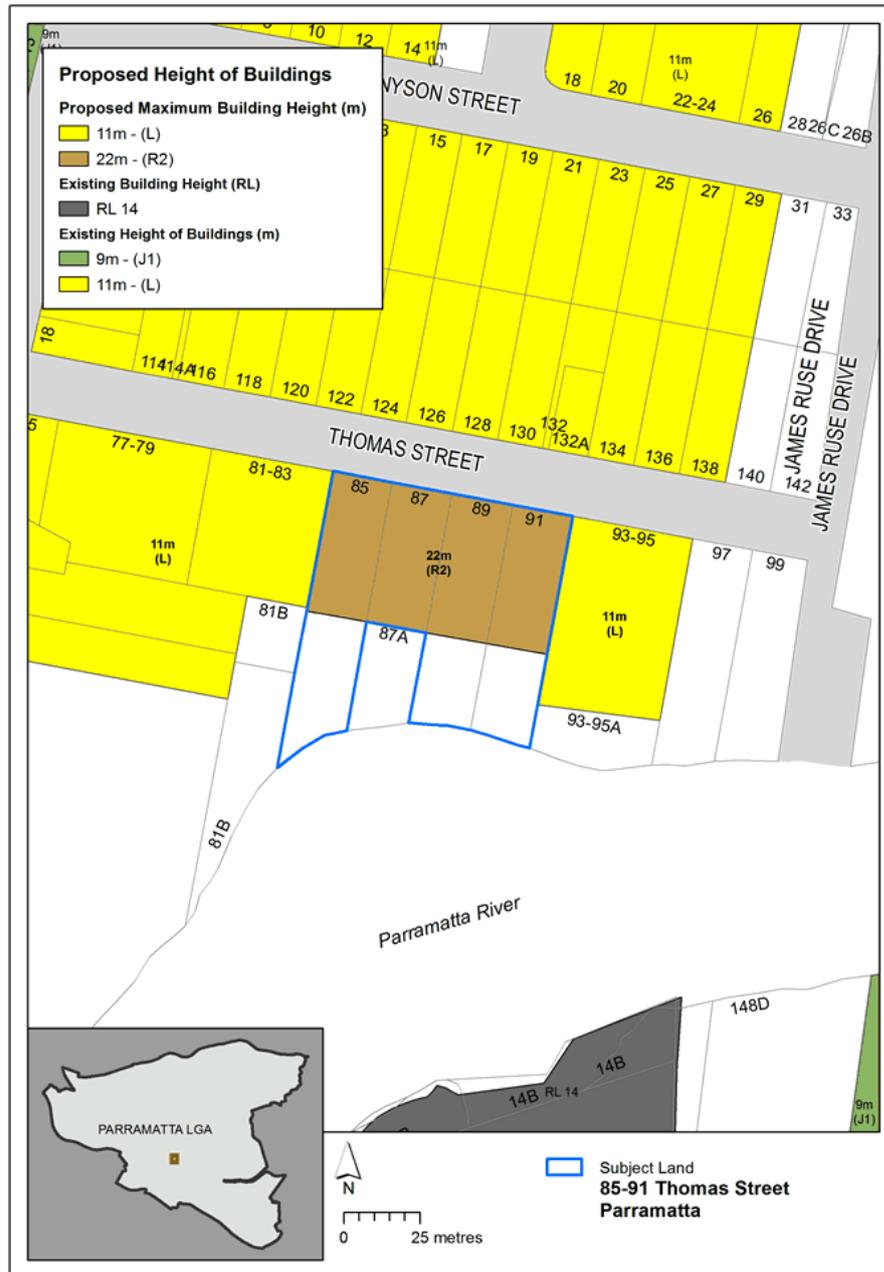


Figure 23 – Proposed Maximum Building Height in Parramatta LEP 2011 Map

Figure 23 above illustrates the extent of the proposed maximum building height up to 22 metres. It also shows the removal of HOB control for the undevelopable land.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta



Figure 24 – Proposed Floor Space Ratio in Parramatta LEP 2011 Map

Figure 24 above illustrates the extent of the proposed floor space ratio of 1.3:1. It also shows the removal of FSR control for the undevelopable land.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

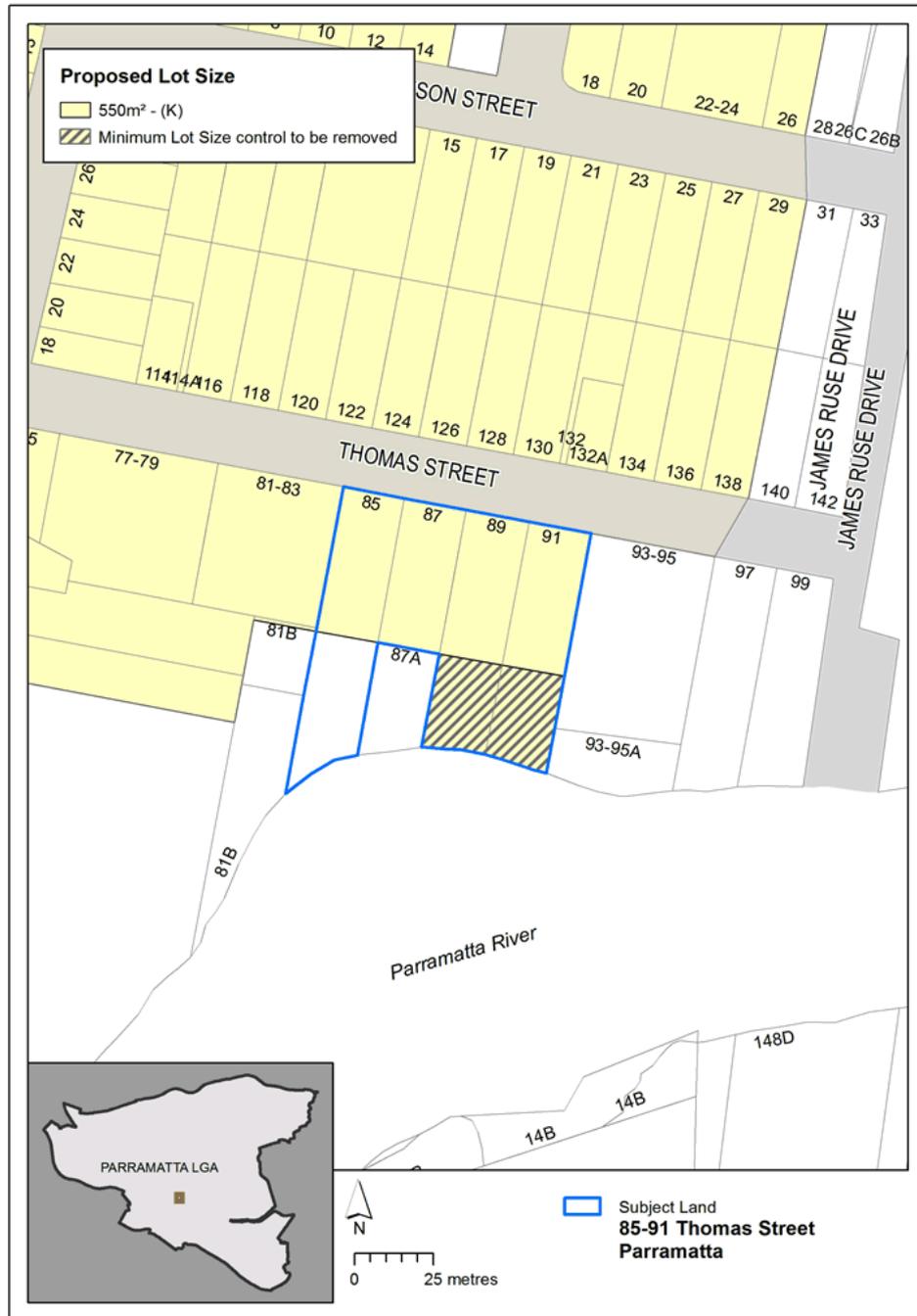


Figure 25: Proposed Minimum Lot Size Map in Parramatta LEP 2011 Map

Figure 25 illustrates the removal of the minimum lot size control from the undevelopable land proposed to be rezoned to RE1 Public Recreation and dedicated to Council as part of the Planning Proposal.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta



Figure 26: Proposed Land Reserved for Acquisition Map in Parramatta LEP 2011 Map

Figure 26 illustrates the extent of the proposed land reserved for acquisition map. It shows the removal of the land acquisition if the land is dedication to Council at nil cost for local open space as part of the Draft Planning Agreement

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

PART 5 – COMMUNITY CONSULTATION

The planning proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to adjoining landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	April 2020
Report to Council on the assessment of the PP	May 2020
Referral to Minister for review of Gateway determination	June 2020
Date of issue of the Gateway determination	August 2020
Date of issue or revised Gateway determination (if relevant)	
Commencement and completion dates for public exhibition period	July/August 2021
Commencement and completion dates for government agency notification	July/August 2021
Consideration of submissions	September 2021
Consideration of planning proposal post exhibition and associated report to Council	November/December 2021
Submission to the Department to finalise the LEP	December 2021
Notification of instrument	January 2022

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

Appendix 1 – Concept Plans

(D07279676)

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

Appendix 2 – Ecological Response

(D06327650)

D07287757 (RZ/11/2016)

54

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

Appendix 3 – Traffic Report

(D06327650)

D07287757 (RZ/11/2016)

55

PLANNING PROPOSAL – 85-91 Thomas Street, Parramatta

Appendix 4 – VPA Offer

(D07991959)

D07287757 (RZ/11/2016)

56



Gateway Determination

Planning proposal (Department Ref: PP_2020_COPAR_005_00): To rezone land and amend development controls at 85-91 Thomas Street, Parramatta.

I, the Acting Director, Central (GPOP) at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, 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 rezone land and amend development controls at 85-91 Thomas Street, Parramatta should proceed subject to the following conditions:

1. Prior to community consultation, Council is to amend the planning proposal to:
 - a. update the explanation of provisions to outline the intended outcomes regarding the proposed changes to the minimum lot sizes;
 - b. outline a suitable mechanism to ensure that land to be zoned RE1 Public Recreation has an appropriate acquiring authority identified. This maybe by way of a planning agreement finalised prior to the making of the LEP; and
 - c. update Part 4.2 to ensure text identifies the intent of the proposal.
2. 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. 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;
 - Department of Planning, Industry and Environment – Energy, Environment and Science; and
 - NSW Heritage.

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.

4. 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).
5. Prior to finalisation, the planning proposal is to be updated to address consistency with Section 9.1 Direction 6.3 Reserving land for public purposes.
6. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
7. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 18th day of August 2020.



Jazmin van Veen
Acting Director, Central (GPOP)
Central River City and Western
Parkland City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces

INNOVATIVE

ITEM NUMBER	17.4
SUBJECT	FOR APPROVAL: Post Exhibition - Outcomes of two Planning Proposals and three DCP amendments for various matters in Epping
REFERENCE	F2021/00521 - D08025044
REPORT OF	Team Leader Land Use Planning
PREVIOUS ITEMS	18.5 - FOR APPROVAL: Gateway Request: Planning Proposal - 2-8 & 1-7 Rosebank Avenue, Epping - Council - 08 Oct 2019 6:30pm 14.5 - Epping Town Centre Traffic Study and other Epping Planning Review Matters - Council - 09 Jul 2018 6.30pm 11.3 - Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2 - Council - 14 Aug 2017 6:00pm 18.6 - FOR APPROVAL: Gateway Request: Planning Proposal - Various properties in Rockleigh Way, Pembroke and Essex Streets, Epping - Council - 08 Oct 2019 6:30pm

PURPOSE:

For Council to consider the post-exhibition outcomes for Planning Proposals for East Epping and Rosebank Avenue, Epping, and draft amendments to the Hornsby Development Control Plan (DCP) 2013 for various matters in Epping. To seek Council's endorsement to:

- forward the Planning Proposals to the Department of Planning, Industry and Environment (DPIE) for finalisation; and
- finalise the amendments to the Hornsby DCP.

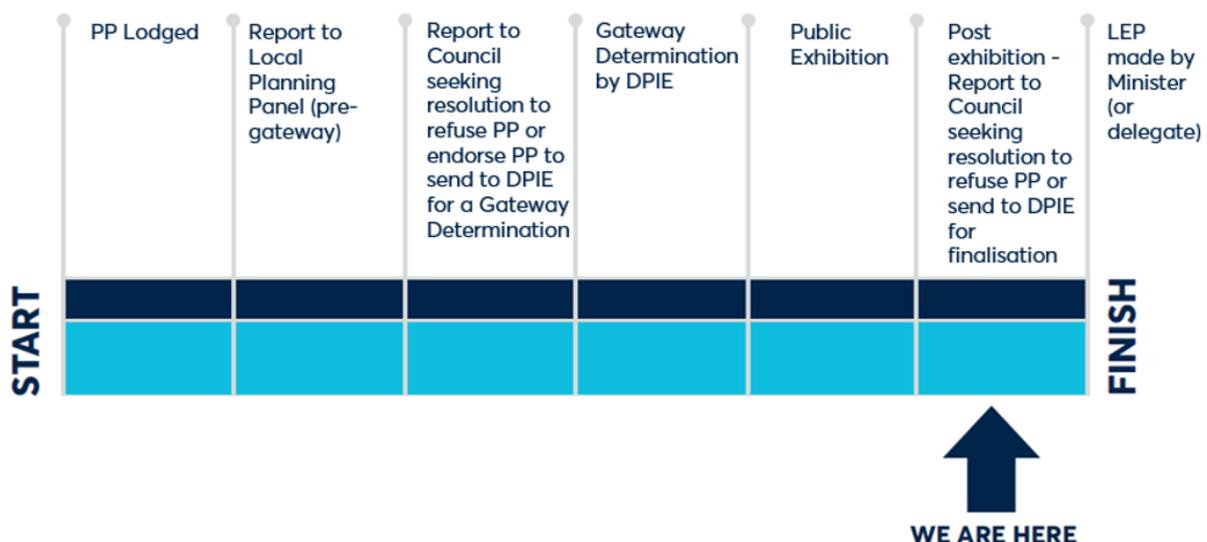
RECOMMENDATION

- (a) **That** Council receives and notes the submissions received during the public exhibition of the East Epping and Rosebank Avenue Planning Proposals and the draft amendments to the Hornsby Development Control Plan 2013 which are summarised at **Attachment 2**.
- (b) **That** Council endorse for finalisation the planning proposal relating to the following various properties in East Epping (provided at **Attachment 3**) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- For sites 2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex Street:
 - Amend the zoning from R4 High Density Residential to R3 Medium Density Residential.
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply a maximum Floor Space Ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.
 - For sites at 1 to 31 Rockleigh Way:
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.6:1, noting there is no existing FSR control for the sites.

- iii. For sites at 21-29 Essex Street:
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
 - iv. For sites at 23 to 23A Pembroke Street:
 - Amend the zoning from R3 Medium Density Residential to R4 High Density Residential.
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
- (c) **That** Council endorse for finalisation the planning proposal for 1-7 and 2-8 Rosebank Avenue, Epping (provided at **Attachment 4**) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- i. Remove the Heritage Conservation Area notation (as it applies to these properties).
 - ii. Amend the zone from R2 Low Density Residential to R4 High Density Residential.
 - iii. Amend the maximum building height from 8.5m to 11m.
 - iv. Apply a maximum FSR to 0.8:1, noting there is no existing FSR control for the sites.
- (d) **That** Council forward the East Epping and Rosebank Avenue Planning Proposals to the Department of Planning, Industry and Environment for finalisation.
- (e) **That** Council endorse for finalisation the exhibited amendments to the Hornsby Development Control Plan 2013 which seek to introduce a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment (provided at **Attachment 5**) and that the amendments come into effect 6 weeks from the date of the public notice of Council's decision to allow sufficient time to liaise with Hornsby Council.
- (f) **That** Council endorse for finalisation amendments to the Hornsby Development Control Plan 2013 which seek to introduce minor corrections to the Epping Town Centre car parking provisions, subject to the amendment which clarifies that the controls apply to the City of Parramatta local government area (provided at **Attachment 6**) and that the amendments come into effect 6 weeks from the date of the public notice of Council's decision to allow sufficient time to liaise with Hornsby Council.
- (g) That Council introduce design controls to support the Rosebank Avenue Planning Proposal to encourage an improved heritage interface with associated setbacks and planting (provided at **Attachment 7**), subject to the inclusion of the following amendments:-
- i. introducing an additional control relating to location of balconies on, and requiring screening of, upper level balconies for new development on 5 and 7 Rosebank Avenue;
 - ii. introducing an additional control limiting balcony intrusions into setbacks Rosebank Avenue; and

- iii. introducing an additional control that require the protection of existing street trees in Rosebank Avenue;
with the controls to come into effect upon finalisation of the Rosebank Avenue Planning Proposal.
- (h) **That** Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposals and the Hornsby Development Control Plan 2013, including minor amendments which differentiate the controls that apply to the City of Parramatta Council and Hornsby Council local government areas.
- (i) **Further**, that Council note the advice of the Local Planning Panel (provided at **Attachment 1**) is consistent with the Council officer’s recommendation.

PLANNING PROPOSAL TIMELINE



BACKGROUND

1. On 14 March 2014, the (then) Department of Planning and Environment (Department) finalised the Epping Urban Activation Precinct amendments to the Hornsby and Parramatta Local Environmental Plans via State Environmental Planning Policy (Epping Town Centre) 2013. The planning controls provided for capacity for approximately 10,000 additional dwellings, a revitalised commercial and retail core adjacent to a major transport hub and established four new Heritage Conservation Areas, including the East Epping and the Rosebank Avenue Heritage Conservation Areas.
2. In December 2016, the Epping Planning Review was commenced by the City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking additional growth within the Town Centre. It also allowed the City of Parramatta Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.

3. On 9 July 2018, a report was presented to Council on the findings of Stage 1 of the Epping Planning Review. At this meeting the Council resolved (in part) to prepare planning proposals for the following properties in order to address the adverse impacts of high-density development on adjoining Heritage Conservation Areas (HCAs):

- a) Relating to properties adjoining the East Epping Heritage Conservation Area:

“That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-

- (i) *Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report*
- (ii) *In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-*

- *21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and*
- *The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;*

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.”

- (b) Relating to Properties at 2-8 and 1-7 Rosebank Avenue:

That *a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments for 2 - 8 Rosebank Ave and 1 - 7 Rosebank Ave as follows:*

- (i) *Remove the Heritage Conservation Area notation from these sites;*
- (ii) *Rezone the sites from Residential R2 Low Density Residential to R3 Medium Density Residential; and*
- (iii) *Amend the permitted height of building for these sites from 8.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites).*

All other sites in Rosebank Avenue should retain their existing planning controls including the Heritage Conservation Area notation and that the Planning Proposal and associated material shall be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal

4. In line with the Council resolution of 9 July 2018, Council has prepared and subsequently endorsed planning proposals to address heritage interface issues for various properties in East Epping (in Rockleigh Way, Essex and Pembroke Streets) and Rosebank Avenue, Epping. The Planning Proposals have received Gateway Determinations from the DPIE and subsequently been placed on public exhibition. **Table 1** provides a summary of the relevant milestones relating to the Planning Proposals and proposed amendments to the Hornsby DCP 2013.

Table 1: Summary Table of Decisions

Matter	Date	Milestone
East Epping Planning Proposal	17 September 2019	Local Planning Panel advised that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	8 October 2019	Council resolved that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	10 January 2020	Gateway Determination issued by DPIE
	9 June 2020 Council Meeting	Council consider amendments to the Planning Proposal following Gateway Determination and consistency with the Harmonisation Planning Proposal
	3 August 2020	Gateway amendment issued by DPIE
	19 August to 25 September 2020	Public Exhibition of Planning Proposal
	19 May 2021	Gateway Amendment issued by DPIE granting extension to report and submit the Planning Proposal for finalisation
Rosebank Avenue Planning Proposal	17 September 2019	Local Planning Panel advised that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	8 October 2019	Council resolved that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	10 January 2020	Gateway Determination issued by DPIE
	12 March 2020	Council Officers sought formal request to amend to remove Condition 1 of Gateway Determination which related to a reduction in height than that sought. This is detailed in paragraphs 49 to 51 below.
	30 March 2020	Gateway Determination with amendment issued by DPIE
	19 August to 25 September 2020	Public Exhibition of Planning Proposal
	19 May 2021	Gateway Amendment issued by DPIE granting extension to report and submit the Planning Proposal for finalisation
Draft Amendments to the Hornsby DCP 2013	9 June 2020 Council Meeting	Council resolved to place the draft DCP amendments on public exhibition. These amendments relate to pedestrian link between Forest Grove and Essex St; controls to support the Rosebank Avenue Planning Proposal; and minor amendments to car parking controls.
	19 August to 25 September 2020	Public Exhibition of Draft DCP Amendments

5. Following the public exhibition period, this matter was reported to the Local Planning Panel on 18 May 2021. The Panel's advice is that the Planning Proposals be reported to Council in accordance with the Council Officer

recommendation included in the Local Planning Panel report (refer to **Attachment 1**).

PLANNING PROPOSALS

East Epping Planning Proposal

6. This planning proposal aims to manage the impacts of development adjacent to the East Epping Heritage Conservation Area by reducing the maximum height of building controls for properties along Essex Street and Pembroke Street and to amend the planning controls in order to prevent the development of residential flat buildings in Rockleigh Park Precinct. The Planning Proposal for East Epping is found at **Attachment 2**.
7. **Table 2** below summarises the existing controls under the *Hornsby Local Environmental Plan (LEP) 2013* that apply to the subject properties and the proposed controls as contained in the East Epping Planning Proposal.

Table 2: East Epping Planning Proposal - Summary of current planning controls and proposed amendments

Subject sites	Hornsby LEP 2013 – current controls	Planning Proposal - proposed controls
1 to 31 Rockleigh Way (northern part of Rockleigh Park precinct)	<ul style="list-style-type: none"> R3 Medium Density Residential Maximum building height of 12 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> (No changes to land use zoning) Maximum building height of 11 metres; and Maximum floor space ratio of 0.6:1
2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex St (southern part of Rockleigh Park precinct)	<ul style="list-style-type: none"> Zoned R4 High Density Residential; maximum building height of 17.5 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> R3 Medium Density Residential Maximum building height of 11 metres; and Maximum floor space ratio of 0.6:1
21-29 Essex Street	<ul style="list-style-type: none"> Zoned R4 High Density Residential; Maximum height of buildings of 17.5 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> Maximum building height of 11 metres; and Maximum floor space ratio of 0.8:1
23-23A Pembroke Street	<ul style="list-style-type: none"> Zoned R3 Medium Density Residential; Maximum building height of 12 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> R4 High Density Residential Maximum building height of 11 metres; and Maximum floor space ratio of 0.8:1

8. The proposed controls contained in the East Epping Planning Proposal have been prepared to be consistent with Council's Harmonisation Planning Proposal (the proposal to consolidate into one LEP a set of controls that will replace the current 5 LEPs that apply across the LGA) as follows:

- i. Application of a 11 metre height limit to R3 Medium Density zoned land across the LGA; and
 - ii. Application of a FSR in those R4 High Density Residential and R3 Medium Density zoned land, where Hornsby LEP 2013 does not nominate a FSR.
9. Further, it is noted that there is a transitional issue that impacts on the planning proposal as it seeks to rezone the Rockleigh Park Precinct from R4 High Density Residential to R3 Medium Density Residential under Hornsby LEP 2013. Currently residential flat buildings are permissible in both of these zones. Under the Harmonisation Planning Proposal, endorsed by Council, this precinct will remain zoned R3 Medium Density Residential however residential flat buildings will not be permitted, instead, townhouses will be the highest density residential form permitted. The Rockleigh Park Precinct is a transition area. As can be seen in Figure 1 below the area immediately to the east is R2 Low Density Residential Zoned land. A set of controls that ultimately limits this transition area to town house rather than apartment building development is considered the most appropriate transition.
10. **Figures 1 to 5** below illustrate the proposed amendments to the land use zoning, height of buildings and floor space ratio as part of the East Epping Planning Proposal.

Figure 1 East Epping Planning Proposal - Current land use zoning applying to sites adjacent the Epping East HCA

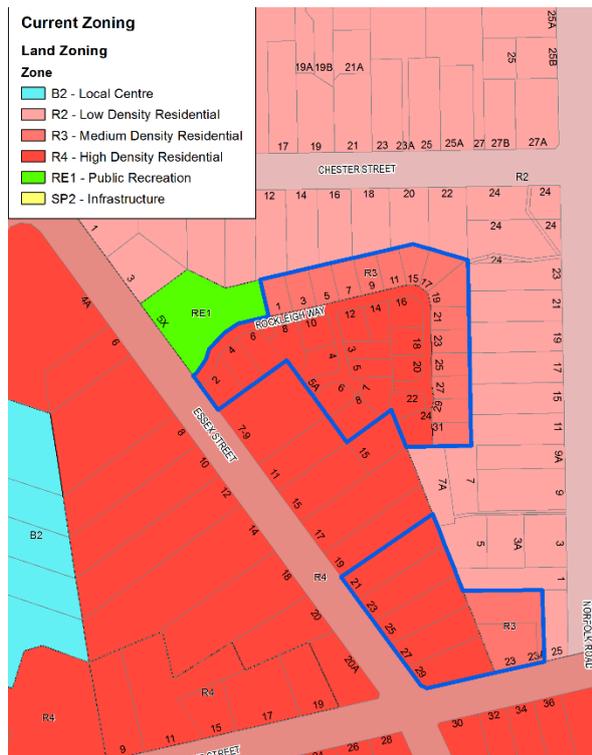


Figure 2 East Epping Planning Proposal - Proposed amendments to the land use zoning

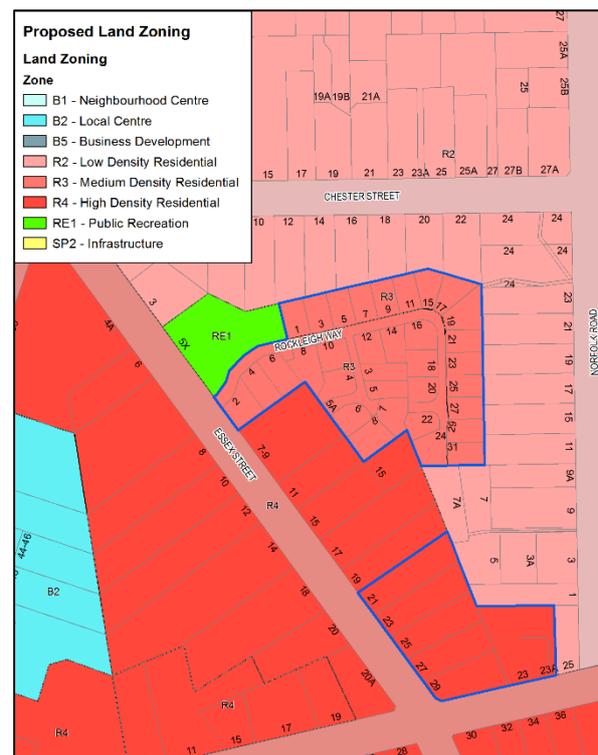


Figure 3 East Epping Planning Proposal - Current height of buildings

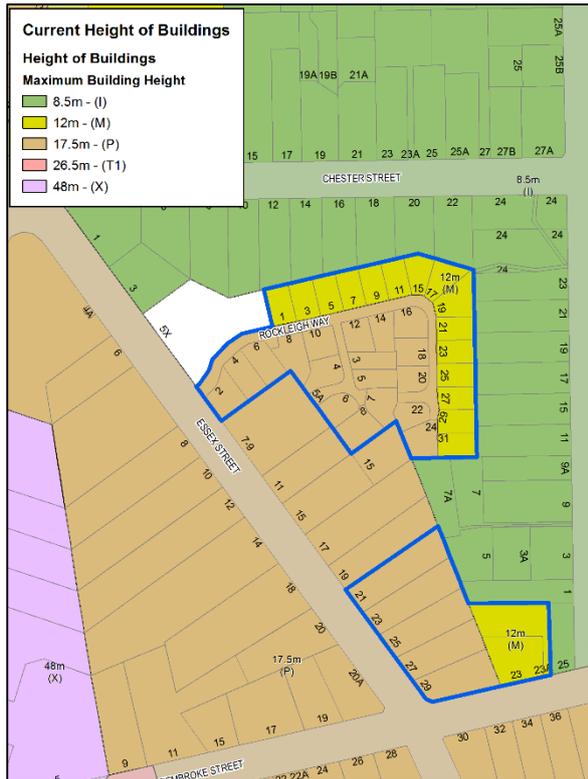


Figure 4 East Epping Planning Proposal - Proposed amendments to the height of buildings

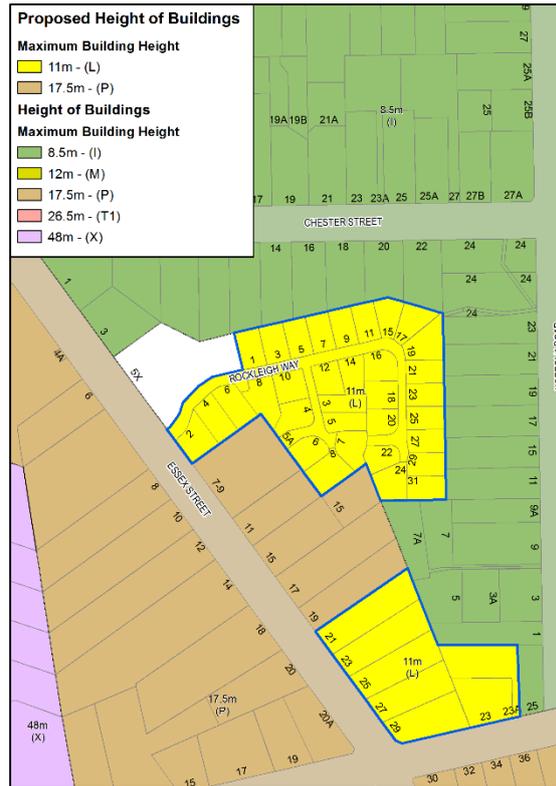
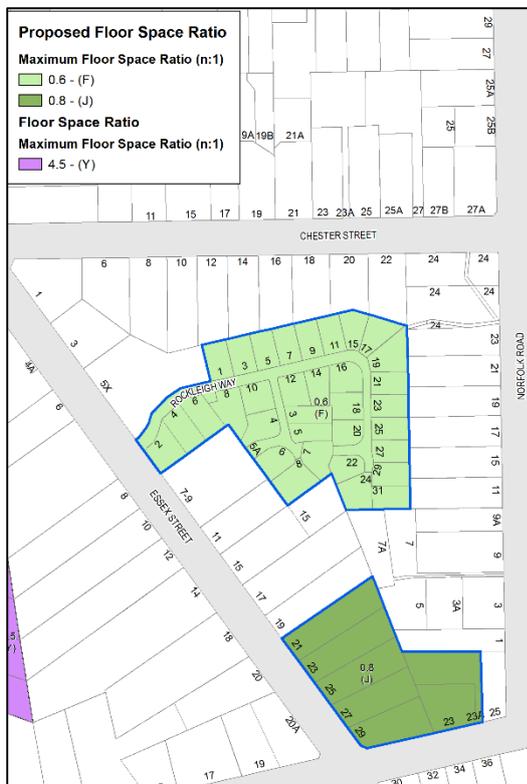


Figure 5 East Epping Planning Proposal – Proposed amendment to floor space ratio



Planning Proposal at 2-8 and 1-7 Rosebank Avenue, Epping

11. The planning proposal aims to address the adverse impacts of adjacent high density residential development and allow a more sympathetic transition to the

Rosebank Avenue Heritage Conservation Area. In order to achieve the desired objectives the following amendments to the Hornsby LEP 2013 would need to be made as they relate to land at 2 – 8 and 1 – 7 Rosebank Avenue, Epping:

- a) Amend the Land Zoning Map from R2 Low Density Residential to R4 High Density Residential;
- b) Amend the Maximum Height of Buildings Map from 8.5 metres to 11 metres;
- c) Apply a Floor Space Ratio of 0.8:1 (noting that no FSR currently applies); and
- d) Remove the Rosebank Heritage Conservation Area notation.

The Planning Proposal for Rosebank Avenue is found at **Attachment 3**.

12. **Figures 6 to 10** below illustrate the proposed amendments to the land use zoning, height of buildings, floor space ratio and heritage conservation area as part of the Rosebank Avenue Planning Proposal.

Figure 6: Existing R2 Low Density Residential Zoning (subject sites outlined in blue)



Figure 6: Existing Maximum Height of Building of 8.5 metres (subject sites outlined in blue)

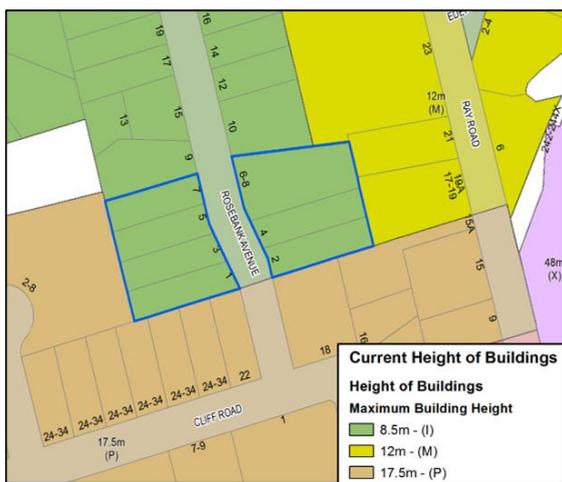


Figure 7: Proposed amendment to Land Use Zoning to R4 High Density Residential Development (subject sites outlined in blue)



Figure 7: Proposed amendment to Maximum Height of Buildings to 11 metres (subject sites outlined in blue)



Figure 8: Proposed amendment to Maximum Floor Space Ratio Map, applying 0.8:1 FSR noting no current FSR (subject sites outlined in blue)



Figure 9: Current Heritage Conservation Area and heritage items (subject sites outlined in blue)

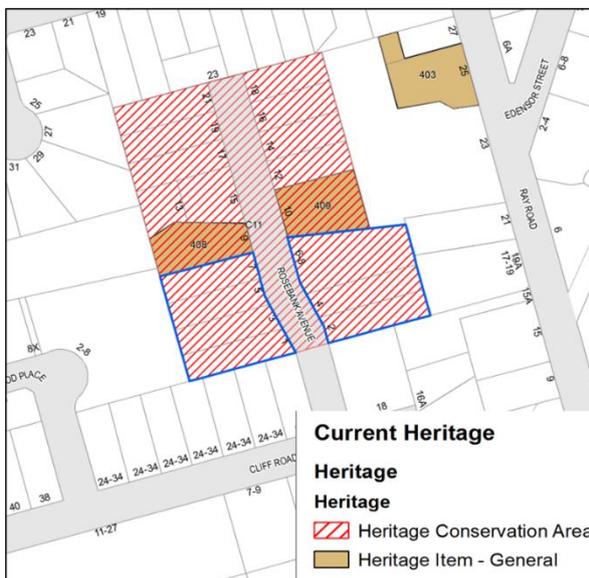
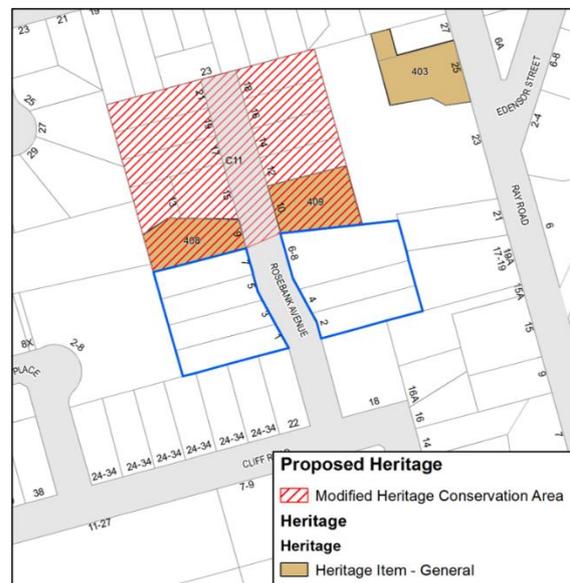


Figure 10: Proposed amendment to the Rosebank Avenue Conservation Area (subject sites outlined in blue)



DRAFT AMENDMENTS TO HORNSBY DEVELOPMENT CONTROL PLAN 2013

13. The following draft amendments are proposed to the Hornsby Development Control Plan (Hornsby DCP 2013):
 - a) Insert a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment;
 - b) Design controls to support the Rosebank Avenue Planning Proposal; and
 - c) Minor corrections to the Epping Town Centre car parking provisions (no policy implications).

14. Each of the draft DCP amendments are described in turn below and are found at **Attachments 5, 6 and 7** of this Report. If endorsed by Council, the amendments will be published on Council’s website and be formally made to the Hornsby DCP 2013.

Forest Grove/ Essex Street Pedestrian Link

15. The amendments to Section 3 of the Hornsby DCP 2013 are presented in **Attachment 5** and include amendment to the relevant DCP figures containing the Forrest Grove/Essex Street Precinct to reflect the location of the existing pedestrian link and inserting supporting text “future widening of the pedestrian link to 3 metres, to allow for public domain improvements including seating and planting.” This amendment was first pursued in response to a Council resolution of 9 July 2018 and Council endorsed the Draft DCP for exhibition containing this change on 10 February 2020.

Figure 11: Existing Pedestrian link (shown in red) between properties 60 and 60A and 58 Essex Street and 19 and 15-17 Forest Grove



16. If redevelopment potential was realised in the long term, the widening would occur through land dedication from redevelopment of either side of the link, and would require between 0.75 metres and 0.6 metres width of dedication per property. This is not considered onerous for future high-density development, as it could be included within the setback area.

DCP controls to support the Rosebank Avenue Planning Proposal

17. A Gateway Determination was received from the Department of Planning, Industry and Environment on 10 January 2020. However, Condition 1 of the Gateway Determination reduced the proposed height of 11 metres (three storeys) to the existing height of 8.5 metres (two storeys) for 5, 7 and 6-8 Rosebank Avenue. Council Officers assessed the impact of Condition 1 and considered that it would potentially undermine the objectives of the planning proposal of delivering residential flat buildings. Subsequently, Council Officers wrote to the DPIE to ask that they consider amending Condition 1 and that alternative design controls (i.e. DCP controls) could be put in place to respect the interface with existing streetscape and heritage item.
18. An alteration to the Gateway Determination was issued by DPIE on 30 March 2020, revising Condition 1 to maintain the proposed 11 metres height (three storeys), however supporting DCP controls to respond to the adjoining heritage conservation area, as follows:

“Prior to public exhibition, amend the planning proposal to outline a suitable planning mechanism to ensure transition of height and scale to the adjoining land to the north and retain streetscape values. This may include the requirement to prepare a Development Control Plan that comes into force once the planning proposal is finalised.”

19. In accordance with Condition 1 of the Gateway Determination and Council resolution of 8 October 2019, draft amendments to Sections 3 and 9 of the Hornsby DCP are proposed for Rosebank Avenue are found at **Attachment 7**, and described as follows:
 - i. Provision of minimum setbacks at ground level and first and second levels which are designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area as shown at **Figures 12 and 13** below.
 - ii. That the side setback will be designed to allow for trees to be retained and planted to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.
 - iii. Amendments to Section 3 to reduce the extent of the Rosebank Avenue Heritage Conservation Area.

Figure 12 Setback Controls for properties 1-3 and 5-7 Rosebank Avenue

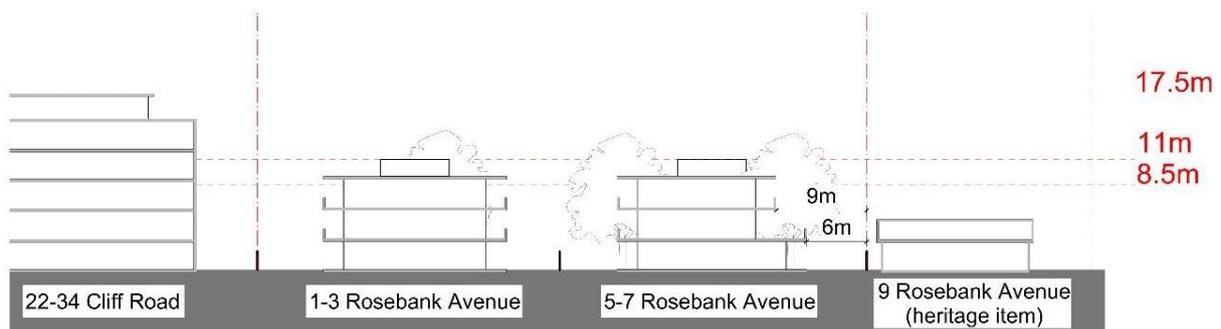
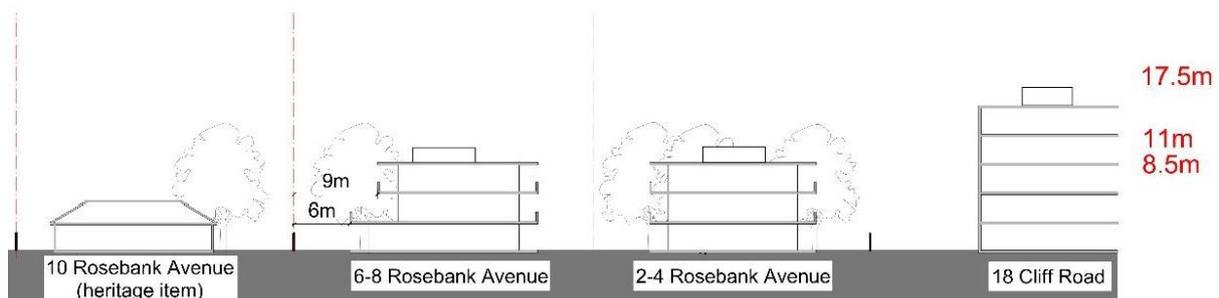


Figure 13 Setback Controls for properties 2-4 and 6-8 Rosebank Avenue



Car Parking Epping Town Centre - minor corrections

20. Council Officers have raised issues in relation to minor errors in Section 1C.2.1 Transport and Parking relating to car parking rates for Epping Town Centre. These minor errors are leading to some confusion as the application of car parking rates for Epping Town Centre (in Table 1C2.1(e) versus car parking

rates for the rest of Hornsby LGA (outlined in 1C.2.1(d)). The proposed amendments are detailed in **Attachment 6**.

21. Therefore, the proposed amendments to the Hornsby DCP 2013 are administrative in order to clarify the application of car parking rates, will not amend any car parking rates and aim to be consistent with the approach taken in Section 4.1 of the Parramatta DCP 2011 which relates to the part of the of Epping Town Centre west of the rail line.

PUBLIC EXHIBITION

22. The Rosebank Avenue and East Epping Planning Proposals and draft DCP amendments were publicly exhibited between 19 August and 25 September 2020. Supporting documentation including Gateway Determinations and amendments, Council minutes and reports and Planning Proposal and appendices were part of the exhibition package. It is noted that the Planning Proposal relating to Variation to Clause 4.6 Development Standards for FSR relating to residential accommodation in the Epping Town Centre was also placed on public exhibition during this time but this has previously been reported to the Panel and Council separately.
23. Public exhibition included:
 - Letters to all landowners and occupiers within the Epping Town Centre.
 - Letters to Hornsby Council, Transport for NSW and NSW Heritage (as required by the Gateway determination).
 - Exhibition materials placed on Council's website and in hard copy at Council's Customer Contact Centre at 126 Church Street, Parramatta and Epping Library.
24. Forty submissions were received during the public exhibition period. This included three from public agencies and 37 from community members. A summary of all submissions and Council officer responses is provided at **Attachment 1**. A summary of the key issues raised in submissions and Council officer responses are provided below.

KEY ISSUES RAISED IN SUBMISSIONS

East Epping Planning Proposal

Summary

25. A total of 22 submissions were received relating to the East Epping Planning Proposal. In summary:
 - Two (2) landowners within the Planning Proposal area which are summarised and detailed in **Attachment 2**;
 - Seventeen (17) community members outside of the area subject to the Planning Proposal which are summarised and detailed in **Attachment 2**;
 - Hornsby Council, Transport for NSW and Heritage NSW raised no objection to the Planning Proposal and Heritage NSW acknowledged that the rezoning of Rockleigh Park and the amendments to planning controls adjacent to the East Epping HCA are considered to have positive heritage outcomes.

Building height changes and associated impacts

26. During the exhibition period, numerous submissions raised concerns regarding the proposed changes to controls for the areas adjoining/transitioning to the East Epping Heritage Conservation Area. Submissions questioned the need to reduce the building heights, with others noting the reductions are not enough and the impacts of interface issues of solar access, privacy issues, screening, and noise will remain.
27. The objective of the East Epping Planning Proposal is to provide a more consistent and appropriate built form transition for land adjoining the HCA through reductions in the permitted building heights. The planning proposal aims to reduce current height controls as follows:
 - a) 5A and 21-29 Essex Street - it is proposed to reduce the height of buildings from 17.5 metres to 11 metres.
 - b) 23-23A Pembroke Street - it is proposed to reduce the height of buildings from 12 metres to 11 metres.
 - c) 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way - it is proposed to reduce the height of buildings from 17.5 metres to 9 metres.
28. It is considered that the proposed reduction in height is the most appropriate response to the transition from high density residential areas to the adjacent heritage conservation areas. A reduction in building height will ensure that any future redevelopment of the site can provide a more appropriate interface to the heritage conservation area that is currently enabled by the current controls.
29. Furthermore any future development applications on these sites will need to be assessed against the Hornsby DCP 2013 and the NSW Apartment Design Guide (ADG) to ensure that amenity impacts are suitably managed, including any impacts on adjoining neighbour solar access, privacy and outlook are minimised through adequate building separation and landscaping.

Traffic and parking

30. Concerns were raised over the potential traffic impact which may result from the proposed change in zoning for 23 and 23A Pembroke Street from R3 Medium Density Residential to R4 High Density Residential. The submission highlighted existing traffic problems exacerbated by the Epping Public School adjacent to the site.
31. The effective permissible density on 23 and 23A Pembroke Street is unchanged by the Planning Proposal. The proposed land use zoning under the Planning Proposal from a R3 Medium Density zoning to a R4 High Density zoning ensures that residential flat buildings remain permissible on these properties. This is because the R3 Medium Density Residential Zone in the Hornsby LEP 2013 currently permits residential flat buildings with development consent, it is the intention of Council through the harmonisation of its planning controls, to restrict residential flat buildings to the R4 High Density Residential Zone. A R4 High Density Residential Zone in this location would ensure a straightforward translation of land use zone upon a newly consolidated Parramatta LEP whilst achieving the intended purpose of reducing the maximum height limit for residential flat buildings on these subject properties.

32. The Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and the unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions to assist with addressing traffic issues in the Epping town centre, including implementing a range of local and State road improvement works and other planning controls.

Consistency with surrounding heritage controls

33. Various submissions identify concerns with the changes to the zoning for land within the East Epping Planning Proposal, namely along Pembroke Street. Concerns over changes to zoning leading to increased density and the possible interface impact on the adjoining property at 25 Pembroke Street which remains within the East Epping Heritage Conservation Area. Submissions note that the zoning is inconsistent with other properties within the East Epping Heritage Conservation Area and adjacent land.
34. It is noted that land within the East Epping Heritage Conservation Area already adjoins R4 zoned land. The intended outcome of the Planning Proposal is to provide a more consistent and appropriate built form transition. In achieving this a stepped built form interface was considered by Council as the best means of achieving the intended objective of the Planning Proposal. Further, and as noted above, residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale).

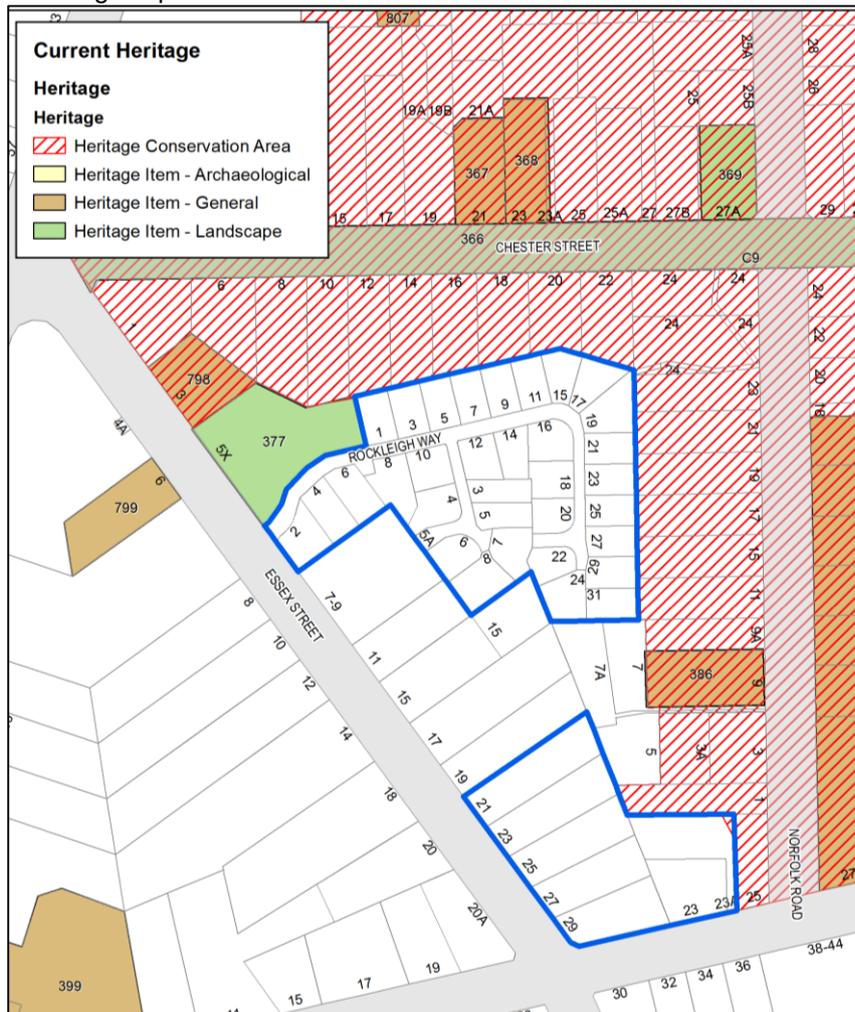
Landowner submission – impact on property value and inconsistent treatment

35. A submission from a property owner within the Planning Proposal area objected to the East Epping Planning Proposal on the grounds of a decrease in immediate land value resulting from the reduction in building height. The submission argues that it is an inequitable treatment of surrounding properties - citing examples at 7-9, 10, 15-19 and 22-26 Essex Street and 1-7, 2-4 and 9-11 Crandon Road.
36. Council accept that the Planning Proposal will reduce residential capacity. The purpose of the Planning Proposal is to address transitional issues arising from NSW Government rezoning of the Epping Town Centre in 2014 and impacts on adjacent heritage conservation areas.
37. In relation to the issues raised in relation to inequitable and inconsistent height limits. The properties cited by the submitter listed all have a maximum building height of 17.5m under the Hornsby LEP 2013. The reason the cited properties have not been included in the Planning Proposal are as follows:
- i. Properties at 10, 22-26 Essex Street and 1-7, 9-11 and 2-4 Crandon Road are not at the 'interface' (or adjoining) the East Epping HCA, and their inclusion in the Planning Proposal would not specifically meet the purpose which is to address issues of development interface with Heritage Conservation Areas (HCA). Refer **Figure 18** for the location of the Essex Street properties and the East Epping HCA.
 - ii. At the time Council resolved at its meeting on 9 July 2018 to prepare a Planning Proposal relating to various properties in East Epping, 7-9 Essex

Street had a development approval (approved by Hornsby Council on 11 March 2015 reference DA/1110/2014) for the construction of a 5 storey residential flat building, and therefore the development (now constructed) realised the planning controls relating to the site.

- iii. In relation to 15-19 Essex Street a pre-lodgment application was submitted with Council for the construction of a 6 storey residential flat building. It is noted that the subsequent development application (reference DA/546/2018) lodged with Council was subject to an appeal to the NSW Land and Environment Court and subsequently refused.

Figure 18: East Epping Heritage Conservation Area and the properties subject to the East Epping Planning Proposal



Submissions in relation to the Planning Proposal and Draft DCP Amendments for Rosebank Avenue, Epping

Summary

- 38. A total of 20 submissions were received in relation to the Rosebank Avenue Planning Proposal and associated draft DCP controls. In summary:
 - Two (2) landowners within the Planning Proposal area were in supportive of the proposed controls;
 - Five (5) landowners of Rosebank Ave (but outside of the area subject to the Planning Proposal) object to the Planning Proposal based on various

reasons which are summarised and addressed below and detailed in **Attachment 2**;

- Ten (10) community members (and the Epping Civic Trust) objected based on various reasons which are summarised and addressed below and detailed in **Attachment 2**; and
- Hornsby Council, Transport for NSW and Heritage NSW raised no objection to the Planning Proposal or draft DCP amendments. Heritage NSW acknowledged this was a local matter and recommended that the design controls be considered so as to not further impact on adjoining heritage items or HCA.

39. Although the majority of submissions objected to the proposal, it is noted these were from owners living in Rosebank Avenue (but outside the Planning Proposal area) or a community member. Specifically, the submissions of support were received from landowners subject to the Planning Proposal, who are currently experiencing the amenity impacts caused by the adjacent high density development.

Density and associated traffic impacts

40. Submissions raised concerns over further increase in development intensity, and the resultant traffic impact. Some submissions believe that there will be adverse impact from additional vehicles on the intersection performance of Cliff Road and Carlingford Road, and the Carlingford Road intersections with Ray/Rawson Street, and Beecroft Road.
41. The planning controls proposed under the Planning Proposal may result in approximately 67 units being accommodated over the sites, resulting in overall addition of 60 dwellings. On balance, this is considered reasonable to increase density in this location to address the severe amenity impacts currently experienced by residents. In addition, land where density is proposed to be increased is located appropriately 400 metres and 650 metres respectively from the Epping Town Centre and high frequency public transport infrastructure.
42. Regarding the submissions on traffic impacts, the Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and the unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions that Council to assist with addressing traffic issues in the Epping town centre, including implementing a range of local road improvement works, advocating for NSW Government road improvements, and other planning measures including:
- A planning proposal to 'switch off' Clause 4.6 variations which seek increased density on residential within the Town Centre.
 - Amendments to car parking rates in the DCP.
 - Advocating to the State Government for road and intersection improvements.

Impact on Heritage

43. Submissions received noted that the reduction of the heritage conservation area is inconsistent with Ministerial Direction Heritage Conservation and the recommendations of the Epping Town Centre (East) Heritage Review 2017 and requested that the Heritage Conservation Area be retained.
44. The Planning Proposal acknowledges that it is not consistent with Direction 2.3 - Heritage Conservation. The planning proposal is considered appropriate as it will help to resolve interface issues and community concerns. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape.
45. During the Epping Planning Review, extensive feedback was received from landowners and the community on the Rosebank Avenue Heritage Conservation Area and the options presented to mitigate the interface issues from the adjoining development. It noted that the submissions were divided in opinion as to how the interface issue should be managed.
46. On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rosebank Avenue HCA. In summary, the Council report stated that interface issues represent a failure of the planning system which has created a current land use conflict. They are a result of the Priority Precinct process and subsequent development application decisions. The current situation where 5 to 6 storey buildings overlook and encroach on the backyards of single dwellings is considered unacceptable. As part of this report, Council Officers undertook further urban design testing of higher residential densities such as manor homes or 3 storey residential flat buildings to replace existing detached dwelling development in the Rosebank Avenue HCA and other heritage interface areas.
47. In conclusion, Council accepted that there are severe interface issues occurring in the southern half of the Rosebank Avenue Heritage Conservation Area. Following consideration by Council it resolved to retain the northern part of the conservation area but to remove the southern part and to rezone this area for higher density residential development.
48. The Epping Town Centre (East) Heritage Review 2017 concluded Rosebank Avenue HCA to have maintained the significance and intactness established in previous studies and was recommended to be retained in full. However, the Review did not fully address the land use conflicts occurring at the interface at the rear some of these properties and strong community concerns raised in the Epping Planning Review.

Amendment of proposed building height as part of the Gateway Determination

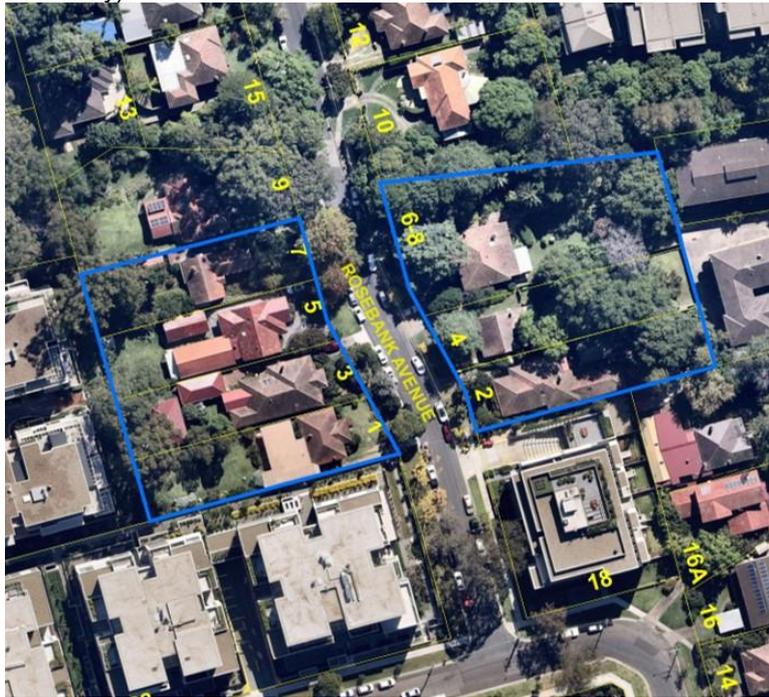
49. Submissions received during the exhibition period raised concern that the original Gateway Determination issued by DPIE had been amended, which had required under Condition 1 to reduce building heights for 5, 7 and 6 to 8 Rosebank Avenue from a maximum of 11 metres to a maximum of 8.5 metres.
50. Following this Council Officers formally requested DPIE for this condition to be amended amendment for the following reasons:

- i. Reducing the height of buildings on these sites will reduce incentives for amalgamation for a residential flat building and may result in delivery of multi-unit dwellings (town houses), which would likely result in reduced setbacks, greater site coverage and potential additional tree loss (compared to a residential flat building).
 - ii. The planning proposal is supported by draft DCP controls with any new residential flat building being required to be setback to the boundary 6 metres at ground level and 9 metres at the second and third storeys. This would create a stepped built form interface appropriate transition between it and the Heritage Conservation Area.
51. DPIE then subsequently issued an alteration on 30 March 2020 requesting that Council “*prior to public exhibition, amend the planning proposal to outline a suitable planning mechanism to ensure transition of height and scale to the adjoining land to the north and retain streetscape values. This may include the requirement to prepare a Development Control Plan that comes into force once the planning proposal is finalised.*” Council has prepared a Draft DCP for the Rosebank Avenue planning proposal which supports this proposal.

Issues raised by 9 Rosebank Avenue

52. During the public exhibition period, the owners of 9 Rosebank Avenue requested the following issues be addressed:
- A greater ground level setback within the Draft DCP for any new development from the boundary of 9 Rosebank Ave to reduce any adverse impact of privacy and heritage.
 - That the proposed FSR be reduced from 0.8:1 to 0.6:1 on the grounds of reducing traffic generation, reduce building form and impact on heritage item and potential to increase front setback to view 9 Rosebank Avenue.
 - Potential inclusion in the Planning Proposal as the creek line forms a natural boundary and that the proposal will have a detrimental impact on the heritage item.
 - They also requested an onsite meeting with Ward Councillors and Council staff.
53. The property is listed as a locally significant item under Schedule 5 of the Hornsby LEP 2013. **Figure 14** shows an aerial image showing the location of 9 Rosebank Avenue in relation to the property and Planning Proposal boundaries.

Figure 14: Aerial image of properties at Rosebank Avenue (blue outline indicating planning proposal boundary)



- 54. In response to the landowner’s request, on 16 December 2020, Council staff and local Councillors met the owners on site at 9 Rosebank Avenue to discuss the Planning Proposal and the landowners concerns.
- 55. Following the request to increase setbacks by the landowner, Council’s Urban Designers undertook built form testing to understand the implications of increasing setbacks and reducing FSR (referred to as ‘Option B’). The testing found that a 9 metre ground setback (increased from 6 metres) and 12 metre upper level setback (increased from 9 metres) between 5-7 Rosebank Ave and the boundary of 9 Rosebank Ave would result in a reduction of the achievable FSR on 5 and 7 Rosebank Avenue from the proposed 0.8:1 to between 0.6:1 to 0.65:1 (refer **Figures 15 and 16**). In terms of development yield, it is estimated that this would reduce the potential number of apartment units from 15 units to 12 units.

Figure 15 - Option B Section showing proposed built form transition to heritage item (note increased distance of setbacks between 5-7 Rosebank Ave to 9 Rosebank Ave as compared to Figure 12)

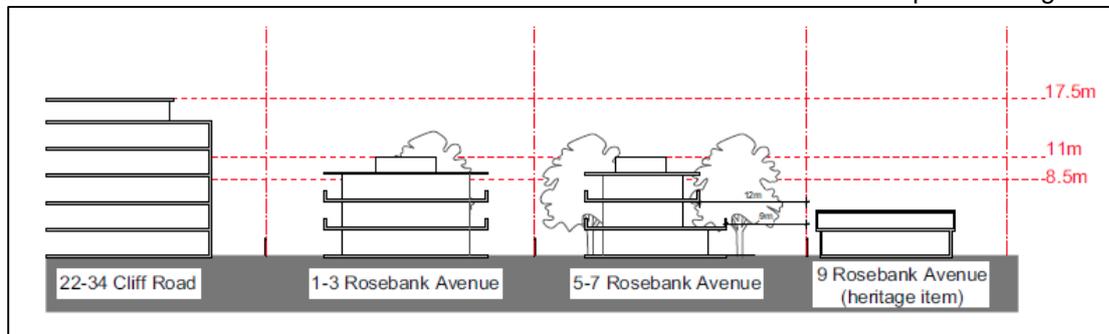
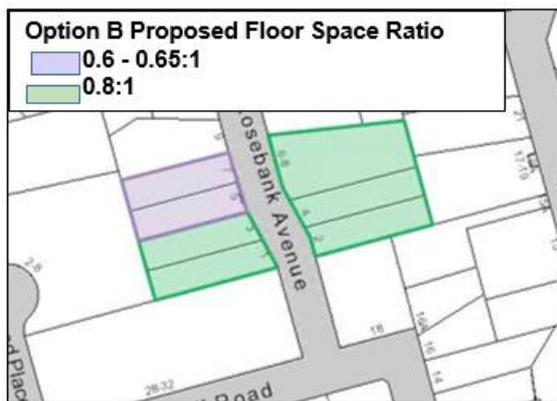


Figure 16 - Option B reduction in proposed floor space ratio of 0.6-0.65:1 for 5 & 7 Rosebank Avenue



56. On 28 January 2021, Council Officers addressed letters to the landowners of 5 and 7 Rosebank Avenue to give them an opportunity to respond to 'Option B' as these are the landowners that would be impacted with a reduced setback compared to the FSR that was placed on exhibition. On 18 February 2021 Council staff meet with the owners of 5 and 7 Rosebank Avenue to explain the proposed Option B and give them a further opportunity to respond. Subsequently the owners of 5 Rosebank Avenue submitted a formal response and, in summary, raised the following concerns in relation to this option:
- i. It is inequitable to have a different FSR than those proposed for adjoining properties;
 - ii. A dual occupancy or dwelling house could be constructed with a 1.5 metre setback to the side boundary, with greater impacts than what is proposed.
 - iii. The five and six storey developments are already impacting the character of the area.
 - iv. The boundary between 9 and 7 Rosebank Avenue is brick and the main orientation of the dwelling house at 9 Rosebank Avenue is east and west, therefore will not be impacted by privacy.
 - v. The heritage study relating to the 9 Rosebank Ave listing does not reference a separation or sense of place that should be preserved, rather a reference to the dwelling's character and architectural style.
 - vi. A reduced setback and FSR will impact on development viability at 5 and 7 Rosebank Avenue.
57. Council Officers have considered the issues raised by both landowners and provide the following response and recommendations.
58. Reducing the proposed FSR (density) may reduce the incentive for land amalgamation for the purposes of constructing a residential flat building, thereby leading to unintended consequences, such as redevelopment for uses other than residential flat buildings such as townhouses or multi-unit dwellings. Given the site-specific controls relating to greater setback provisions have been drafted to apply to residential flat buildings, should redevelopment occur for other uses these controls would not apply, thus reducing opportunities for deep soil planting and appropriate transition to the heritage conservation area.

59. Although an increased front setback would provide an opportunity to view the heritage item at 9 Rosebank Avenue, it would have the related effect of reducing the rear setback which is very important to maintain amenity, separation between the existing high density residential development and provision of landscaping and mature trees.
60. In relation to issues raised of privacy and overlooking, it is considered that an increase in setbacks would not achieve any greater privacy or outlook concerns. It is likely that any future residential flat building (refer Figure 17) would contain 3 units per level and the potential for balconies to be located north facing. The balconies of ground floor units, which is proposed to be setback 6 metres from the boundary, would not directly impact on overlooking and privacy. Any future upper level unit balconies would be setback 9 metres from the boundary and would look onto the roof top of 9 Rosebank Avenue and those balconies positioned in the north west corner could overlook the open space of 9 Rosebank Avenue. It is considered that proposed ground level setback of 6 metres, which allows for planting of mature trees and landscaping is the most appropriate method of providing adequate privacy and managing overlooking impacts.

Figure 17: Likely amalgamation pattern and residential flat buildings as a result of the proposed planning controls.



61. Notwithstanding the above, it is recommended that several additional DCP provisions be included to further minimise overlooking and privacy impacts as follows:
- i. new development located at 5 and 7 Rosebank Avenue, shall minimise the number of balconies facing northward. Those balconies facing west and north shall provide appropriate screening to minimise overlooking.
 - ii. That balconies cannot protrude in the front, rear and side setbacks.
- If endorsed by Council, these controls will be incorporated in the final DCP.
62. In relation to the issue of including 9 Rosebank Avenue, a locally listed item, within the Planning Proposal the following Council response is provided:
- i. The boundary of the Planning Proposal was based on the adverse impact from adjacent high density development. As shown on **Figure 14**, to the rear of 9 Rosebank Avenue is the Kent Street Reserve and diagonally opposite are the apartments at 2-8 Hazelwood Place, therefore it was not

- originally included as it is not directly adjacent to the high density development and a heritage listed item.
- ii. The heritage listing of the property commenced in the Hornsby Shire LEP 1994, based on the recommendation of the Hornsby Shire 1993 Heritage Study.
 - iii. The Item's heritage inventory sheet states that it is a "*good example of a Late Twentieth Century Tudor style house. Virtually unaltered and in good condition*". Its significance is based on criteria aesthetic, and it is a rare and representative example. The Inventory sheet can be found here <http://hscenquiry.hornsby.nsw.gov.au/pages/xc.track.heritage/heritage.aspx?pid=322970>
 - iv. The most recent heritage study undertaken, namely the Epping Town Centre (East) Heritage Review (2017) was commissioned by City of Parramatta Council as part of the Epping Planning Review. The Study supports the retention of the heritage listings in Rosebank Avenue and Rosebank Ave HCA status based on the fact that all properties within the Rosebank HCA (except for 13 Rosebank Avenue) date to the original subdivision of the Avenue as part of the Rosegrove Estate and all maintain their original Inter War period character (except for 5 & 21 Rosebank Avenue). The Review is found here <https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/1-%20Epping%20Town%20Centre%20%28East%29%20Heritage%20Study.pdf>
63. Therefore based on the level of significance, the length of time the item at 9 Rosebank Avenue has been listed and two supporting studies, Council Officers consider that it is unlikely that a delisting of the item through a Planning Proposal process would be supported by DPIE. Rather, appropriate built form controls which support an improved interface with new development is the best course of action recommended by Council Officers.
64. On balance, Council concludes the proposed building height and FSR are justified to support the intended effect of the planning proposal. Site specific DCP controls are proposed to further manage the built form transition and interface with the HCA of any future development.

Impacts on existing trees

65. Two submissions raised concerns over the potential impact on existing trees, including street trees, which contribute to the overall amenity of the street.
66. It is recognised that there are high amenity street trees currently in Rosebank Avenue. Therefore, to encourage their protection, it is proposed to include in the DCP controls, which support this Planning Proposal "Street trees along Rosebank Avenue shall be retained and not be adversely impacted as part of any new development." If endorsed by Council, this control will be incorporated in the final DCP.

Development Control Plan Amendments amending pedestrian link between Epping Road and Forest Grove

67. One submission was received in relation to these draft amendments requesting that the proposed seating in the laneway is not practical and would rather tree planting.
68. The proposed widening of the pedestrian link to 3 metres is intended to allow for public domain improvements including seating and planting. Seating is proposed to be balanced with planting through the provision of the increased width.

Development Control Plan Amendments to parking provisions in Epping Town Centre

69. Two submissions were received in relation to the draft DCP amendment relating to car parking.
70. One submission was concerned about the removal of parking rates relating to seniors housing. It is noted that parking rates for this type of development are contained within the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. It was not necessary to include this in the DCP.
71. Additionally, a concern was raised over the proposed amendments to wording to change from 'should' to 'must', and implies a lack of flexibility for applicants to justify variations. The submission relates to the following amendment:
"Car parking ~~should~~ must be provided on site in accordance with the ~~minimum~~ parking rates in Tables 1C.2.1(e) (d) and (e)."
72. It is Council's intention to provide greater clarity around the need to provide adequate onsite parking to facilitate proposed development. It is noted that DCPs support the planning controls within Local Environmental Plans. DCPs allow flexibility to applicants to provide alternative design solutions to meet identified objectives or outcomes and have these alternatives considered on merit.
73. Following public exhibition, Hornsby Council made Council Officers aware that proposed amendments as currently drafted would inadvertently apply to the Hornsby LGA. This is not the intention of the amendment, Therefore, it is proposed to annotate Section 1C.2.1 Transport and Parking so it is clear which controls apply to those sites within the City of Parramatta LGA (refer **Attachment 7**).

Other Submissions

Rose Street Precinct

74. Several submissions specifically identified development interface issues between development along Maida Road and the Rose Street Precinct, calling for changes in planning controls to be implemented. Specifically, submissions noted that Stage 1 of the Epping Planning Review identified the need for changes to planning controls in this precinct. Council considered the outcomes of Stage 1 of the Epping Planning Review at its meeting on 9 July 2018 and resolved that no further action be taken to amend the planning controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of the

redevelopment of the Rose Street Precinct sites is completed and reported to Council.

75. City of Parramatta Council has copies of the historical drainage and flooding information for Epping from the former Hornsby Council. This data lacks sufficient detail to properly assess the impact of possible future development. Council is currently compiling updated flood modelling for the pre-amalgamated area to enable a proper understanding of the site's hydrology. It is from this work that more detailed drainage information in relation to the Rose Street Precinct will be available and more informed decisions may be made in relation to any future rezoning.

PARRAMATTA LOCAL PLANNING PANEL

76. Council resolved on 14 May 2018 to refer Planning Proposals to the Local Planning Panel where a submission has been received during the public exhibition process, which requests that the Planning Proposal be amended. The Panel provides advice to Council on whether the Planning Proposal should be amended and whether or not to forward it to the Department of Planning, Industry and Environment for finalisation.
77. The Local Planning Panel considered this matter at its meeting on 18 May 2021. In issuing its advice to Council, the Panel supported the findings found in the assessment report and endorsed the reasons for recommendation contained in that report so that the Planning Proposal can be finalised (refer to Local Planning Panel Report and minute at **Attachment 1**).

CONSULTATION & TIMING

Stakeholder Consultation

78. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
19 August and 25 September 2021	Public Exhibition - letters to owner/occupiers within 800m radius of Epping Railway Station.	Refer Attachment 2 for Submission Table	Refer Attachment 2 for Submission table	City Planning and Design

Councillor Consultation

79. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility

11 May 2021	Councillor Tyrell & Davis	Feedback relating to Rosebank Ave in relation to issue of multi-unit development (under reduced FSR and height); status of 15-19 Essex Street development application and widening of Forest Grove – Essex St pedestrian link to date.	Response circulated via email to Councillors on 26 May 2021.	City Planning and Design
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LEGAL IMPLICATIONS FOR COUNCIL

80. There are no legal implications required to be considered in preparing this report to Council.

FINANCIAL IMPLICATIONS FOR COUNCIL

81. Any work to progress the finalisation of the Planning Proposal would be prepared by Council Officers and therefore within the existing City Planning budget.
82. In the event of the finalisation of the planning proposals and amendments to the Hornsby LEP 2013 are made, development contributions may be made as part of any development. However the timing payment of development contributions related to any development is unknown (as it is unclear when development applications would be lodged, and what the details of the development would be) and difficult to estimate at this stage of the process.
83. The level of developer contributions paid could increase marginally from the residential flat building development permitted to be approved as part of the Rosebank Avenue Planning Proposal. The level of developer contributions could decrease marginally if the development permitted is approved as part of the East Epping Planning Proposal. However the reduction in contributions received is likely to be outweighed by the benefits the community would otherwise gain by expending these additional funds on local infrastructure, and so Council Officers consider that this impact is appropriate and consistent with Council's strategic direction for the Epping Town Centre.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				

External				
Internal				
Other				
Total CAPEX				
Funding Source				

CONCLUSION AND NEXT STEPS

84. Council Officers recommend that the Rosebank Avenue and East Epping Planning Proposals (as exhibited) be endorsed as exhibited, and they be referred to the Department of Planning, Industry and Environment for finalisation.
85. Council Officers recommend that the Council support the Council Officer recommendation to finalise the DCP amendments relating to:
- Forest Grove – Essex St Pedestrian link;
 - Minor changes to the controls relating to car parking within Epping Town Centre with an amendment to differentiate between the controls applying to City of Paramatta LGA and Hornsby LGA; and
 - Rosebank Avenue with minor additions to the controls relating to location of balconies, screening of upper level balconies, limit balcony intrusions into setbacks and protection of existing street trees.
86. In accordance with the *Environmental Planning and Assessment Regulation 2000* a DCP comes into effect on the date that notice of the council's decision to approve the plan is published on its website, or on a later date specified in the notice.
87. Council Officers recommend that in relation to the Draft DCP Amendments relating to Forest Grove – Essex Street pedestrian link and minor amendments relating to car parking the notice states that the DCP amendments will come into effect within 6 weeks from the date of the public notice of Council's decision, in order to allow sufficient time to liaise with Hornsby Council on the amendments.
88. Council Officers recommend that the notice relating to the Rosebank Avenue DCP amendments state that they will come into effect when the Planning Proposal for Rosebank Avenue is finalised.

Bianca Lewis
Team Leader Land Use Planning

Robert Cologna
Acting Group Manager, City Planning

Paul Perrett
Chief Financial Officer

David Birds
Acting Executive Director, City Planning & Design

Brett Newman

Chief Executive Officer

ATTACHMENTS:

1	Local Planning Panel Report and Minutes 18 May 2021	28 Pages
2	Submission Table	30 Pages
3	East Epping Planning Propoal	596 Pages
4	Rosebank Ave Planning Proposal	269 Pages
5	DCP Amendments Forest Grove to Essex St Pedestrian Link	2 Pages
6	DCP Amendements Car Parking	6 Pages
7	DCP Amendments Rosebank Ave	3 Pages

REFERENCE MATERIAL

EXTRACT OF MINUTES OF THE LOCAL PLANNING PANEL HELD IN THE LEVEL 10 BOARDROOM, 126 CHURCH STREET, PARRAMATTA ON TUESDAY, 18 MAY 2021 AT 3:30PM

PRESENT

David Lloyd QC (Chair), Tony Reed, David Ryan, Warrick McLean

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Chairperson, acknowledged the Burrumattagal Clan of The Darug, the traditional land owners of Parramatta and paid respect to the elders both past and present.

WEBCASTING ANNOUNCEMENT

The Chairperson advised that the 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 Local Planning Panel.

DECLARATIONS OF INTEREST

David Ryan declared a perceived interest in Item 6.1 (Post-exhibition: Outcome of public exhibition of two planning proposals and three DCP amendments for various matters in Epping), being that his employer City Plan Strategy and Development are a related company to City Plan Heritage, who prepared heritage reports appended to the Report for this Item. He took no part in the consideration and determination of Item 6.1.

INNOVATIVE

6.1 SUBJECT PUBLIC MEETING: Post-exhibition: Outcome of public exhibition of two planning proposals and three DCP amendments for various matters in Epping.

REFERENCE F2020/01810 - D07709884

APPLICANT/S N/A

OWNERS N/A

REPORT OF Team Leader Land Use Planning

David Ryan declared a perceived interest in Item 6.1, being that his employer City Plan Strategy and Development are a related company to City Plan Heritage, who prepared heritage reports appended to the Report for this Item. He took no part in the consideration and determination of Item 6.1.

The Panel considered the matter listed at Item 6.1 and attachments to Item 6.1.

PUBLIC FORUM

- Janet McGarry, on behalf of the Epping Civic Trust, spoke against the recommendation at Item 6.1.

DETERMINATION

The Parramatta Local Planning Panel recommends the following to Council:

- (a) **That** Council receives and notes the submissions made during the public exhibition of the East Epping and Rosebank Avenue Planning Proposals and the draft amendments to the Hornsby Development Control Plan 2013 which are summarised at **Attachment 1**.
- (b) **That** Council endorse for finalisation the planning proposal relating to the following various properties in East Epping (provided at **Attachment 2**) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- For sites 2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex Street:
 - Amend the zoning from R4 High Density Residential to R3 Medium Density Residential.
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply a maximum Floor Space Ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.
 - For sites at 1 to 31 Rockleigh Way:
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.6:1, noting there is no existing FSR control for the sites.
 - For sites at 21-29 Essex Street:
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
 - For sites at 23 to 23A Pembroke Street:
 - Amend the zoning from R3 Medium Density Residential to R4 High Density Residential.
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
- (c) **That** Council endorse for finalisation the planning proposal for 1-7 and 2-8 Rosebank Avenue, Epping (provided at **Attachment 3**) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- Remove the Heritage Conservation Area notation (as it applies to these properties).

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- ii. Amend the zone from R2 Low Density Residential to R4 High Density Residential.
 - iii. Amend the maximum building height from 8.5m to 11m.
 - iv. Apply a maximum FSR to 0.8:1, noting there is no existing FSR control for the sites.
- (d) **That** Council forward the East Epping and Rosebank Avenue Planning Proposals to the Department of Planning, Industry and Environment for finalisation.
- (e) **That** Council endorse for finalisation the exhibited amendments to the Hornsby Development Control Plan 2013 which sought to :
- i. To introduce a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment (provided at **Attachment 4**).
 - ii. That Council endorse for finalisation the amendment to the Development Control Plan 2013 to make minor corrections to the Epping Town Centre car parking provisions (provided at **Attachment 5**).
 - iii. Introduce design controls to support the Rosebank Avenue planning proposal to encourage an improved heritage interface with associated setbacks and planting (provided at **Attachment 6**), subject to the inclusion of the following amendments:-
 - introducing an additional control relating to location of balconies on, and requiring screening of, upper level balconies for new development on 5 and 7 Rosebank Avenue;
 - introducing an additional control limiting balcony intrusions into setbacks Rosebank Avenue; and
 - introducing an additional control that require the protection of existing street trees in Rosebank Avenue.
- (f) **Further, that** Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal.

The Panel decision was unanimous.

REASONS FOR DECISION

The Panel supports the findings contained in the assessment report and endorses the reasons for recommendation contained in that report.

The meeting terminated at 3:44 pm.



Chairperson

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INNOVATION

ITEM NUMBER	6.1
SUBJECT	PUBLIC MEETING: Post-exhibition: Outcome of public exhibition of two planning proposals and three DCP amendments for various matters in Epping.
REFERENCE	F2020/01810 -
APPLICANT/S	N/A
OWNERS	N/A
REPORT OF	Team Leader Land Use Planning Click or tap here to enter text.
RECOMMENDATION	

The Local Planning Panel consider the following Council Officer recommendations:

- (a) **That** Council receives and notes the submissions made during the public exhibition of the East Epping and Rosebank Avenue Planning Proposals and the draft amendments to the Hornsby Development Control Plan 2013 which are summarised at **Attachment 1**.
- (b) **That** Council endorse for finalisation the planning proposal relating to the following various properties in East Epping (provided at **Attachment 2**) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- i. For sites 2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex Street:
 - Amend the zoning from R4 High Density Residential to R3 Medium Density Residential.
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply a maximum Floor Space Ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.
 - ii. For sites at 1 to 31 Rockleigh Way:
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.6:1, noting there is no existing FSR control for the sites.
 - iii. For sites at 21-29 Essex Street:
 - Amend the maximum building height from 17.5 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.
 - iv. For sites at 23 to 23A Pembroke Street:
 - Amend the zoning from R3 Medium Density Residential to R4 High Density Residential.
 - Amend the maximum building height from 12 metres to 11 metres.
 - Apply an FSR of 0.8:1, noting there is no existing FSR control for the sites.

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- (c) **That** Council endorse for finalisation the planning proposal for 1-7 and 2-8 Rosebank Avenue, Epping (provided at **Attachment 3**) which seeks to amend *Hornsby Local Environmental Plan 2013* as follows:
- i. Remove the Heritage Conservation Area notation (as it applies to these properties).
 - ii. Amend the zone from R2 Low Density Residential to R4 High Density Residential.
 - iii. Amend the maximum building height from 8.5m to 11m.
 - iv. Apply a maximum FSR to 0.8:1, noting there is no existing FSR control for the sites.
- (d) **That** Council forward the East Epping and Rosebank Avenue Planning Proposals to the Department of Planning, Industry and Environment for finalisation.
- (e) **That** Council endorse for finalisation the exhibited amendments to the Hornsby Development Control Plan 2013 which sought to :
- i. To introduce a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment (provided at **Attachment 4**).
 - ii. That Council endorse for finalisation the amendment to the Development Control Plan 2013 to make minor corrections to the Epping Town Centre car parking provisions (provided at **Attachment 5**).
 - iii. Introduce design controls to support the Rosebank Avenue planning proposal to encourage an improved heritage interface with associated setbacks and planting (provided at **Attachment 6**), subject to the inclusion of the following amendments:-
 - introducing an additional control relating to location of balconies on, and requiring screening of, upper level balconies for new development on 5 and 7 Rosebank Avenue;
 - introducing an additional control limiting balcony intrusions into setbacks Rosebank Avenue; and
 - introducing an additional control that require the protection of existing street trees in Rosebank Avenue.
- (f) **Further, that** Council authorises the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Planning Proposal.

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PLANNING PROPOSAL TIMELINE**BACKGROUND**

1. The Planning Proposals for Rosebank Avenue and various properties in East Epping are the progression of the Epping Planning Review undertaken by Council in 2017 and 2018, specifically addressing issues of high density development interface with Heritage Conservation Areas.
2. On 14 March 2014, the (then) Department of Planning and Environment (Department) finalised the Epping Urban Activation Precinct amendments to the Hornsby and Parramatta Local Environmental Plans via State Environmental Planning Policy (Epping Town Centre) 2013 ("the SEPP Amendment"). The SEPP Amendment provides capacity for approximately 10,000 additional dwellings and a revitalised commercial and retail core adjacent to a major transport hub. The new planning controls also established four new Heritage Conservation Areas, including the East Epping and the Rosebank Avenue Heritage Conservation Areas.
3. In December 2016, the Epping Planning Review was commenced by the City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking additional growth within the Town Centre. It also allowed the City of Parramatta Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.
4. On 9 July 2018, a report was presented to Council on the findings of Stage 1 of the Epping Planning Review. At this meeting the Council resolved (in part) to prepare planning proposals for the following properties in order to address the adverse impacts of high-density development on adjoining Heritage Conservation Areas (HCAs):
 - a) Relating to properties adjoining the East Epping Heritage Conservation Area:

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“That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-

- (i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report*
- (ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-*
 - 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and*
 - The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;*

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.”

- (b) Relating to Properties at 2-8 and 1-7 Rosebank Avenue:**

That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments for 2 - 8 Rosebank Ave and 1 - 7 Rosebank Ave as follows:

- (i) Remove the Heritage Conservation Area notation from these sites;*
- (ii) Rezone the sites from Residential R2 Low Density Residential to R3 Medium Density Residential; and*
- (iii) Amend the permitted height of building for these sites from 8.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites).*

All other sites in Rosebank Avenue should retain their existing planning controls including the Heritage Conservation Area notation and that the Planning Proposal and associated material shall be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal

5. In line with the Council resolution of 9 July 2018, Council has prepared and endorsed planning proposals to address heritage interface issues for properties at Rockleigh Way, Essex and Pembroke Streets and Rosebank Avenue, Epping. The Planning Proposals have received Gateway Determinations from the DPIE and subsequently been placed on public exhibition. **Table 1** provides a summary of the relevant milestones relating to the Planning Proposals and proposed amendments to the Hornsby DCP 2013.

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Table 1: Summary Table of Decisions

Matter	Date	Milestone
Rosebank Avenue Planning Proposal	17 September 2019	Local Planning Panel advised that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	8 October 2019	Council resolved that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	10 January 2020	Gateway Determination issued by DPIE
	12 March 2020	Council Officers sought formal request to amend to remove Condition 1 of Gateway Determination which related to a reduction in height than that sought. This is detailed in paragraphs 49 to 51 below.
	30 March 2020	Gateway Determination with amendment issued by DPIE
	19 August to 25 September 2020	Public Exhibition of Planning Proposal
East Epping Planning Proposal	17 September 2019	Local Planning Panel advised that the Planning Proposal to be forwarded to DPIE for Gateway Determination
	8 October 2019	Council resolved that the Planning Proposal to be forwarded to DPIE for Gateway Determination.
	10 January 2020	Gateway Determination issued by DPIE
	9 June 2020 Council Meeting	Council consider amendments to the Planning Proposal following Gateway Determination and consistency with the Harmonisation Planning Proposal
	3 August 2020	Gateway amendment issued by DPIE
	19 August to 25 September 2020	Public Exhibition of Planning Proposal
Draft Amendments to the Hornsby DCP 2013	9 June 2020 Council Meeting	Council resolved to place the draft DCP amendments on public exhibition. These amendments relate to pedestrian link between Forest Grove and Essex St; controls to support the Rosebank Avenue Planning Proposal; and minor amendments to car parking controls.
	19 August to 25 September 2020	Public Exhibition of Draft DCP Amendments

PLANNING PROPOSALS

East Epping Planning Proposal

- This planning proposal aims to manage the impacts of development adjacent to the East Epping Heritage Conservation Area by reducing the maximum height of building controls for properties along Essex Street and Pembroke Street and to amend the planning controls in order to prevent the development of residential flat buildings in Rockleigh Park Precinct.
- Table 2** below summarises the existing controls under the *Hornsby Local Environmental Plan (LEP) 2013* that apply to the subject properties and the proposed controls as contained in the East Epping planning proposal.

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Table 2: East Epping Planning Proposal - Summary of current planning controls and proposed amendments

Subject sites	Hornsby LEP 2013 – current controls	Planning Proposal - proposed controls
1 to 31 Rockleigh Way (northern part of Rockleigh Park precinct)	<ul style="list-style-type: none"> R3 Medium Density Residential Maximum building height of 12 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> (No changes to land use zoning) Maximum building height of 11 metres; and Maximum floor space ratio of 0.6:1
2 to 24 Rockleigh Way, 3 to 7 and 4 to 8 Brenda Way, and 5A Essex St (southern part of Rockleigh Park precinct)	<ul style="list-style-type: none"> Zoned R4 High Density Residential; maximum building height of 17.5 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> R3 Medium Density Residential Maximum building height of 11 metres; and Maximum floor space ratio of 0.6:1
21-29 Essex Street	<ul style="list-style-type: none"> Zoned R4 High Density Residential; Maximum height of buildings of 17.5 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> Maximum building height of 11 metres; and Maximum floor space ratio of 0.8:1
23-23A Pembroke Street	<ul style="list-style-type: none"> Zoned R3 Medium Density Residential; Maximum building height of 12 metres; and No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> R4 High Density Residential Maximum building height of 11 metres; and Maximum floor space ratio of 0.8:1

8. The proposed controls contained in the East Epping Planning Proposal have been prepared to be consistent with Council's Harmonisation Planning Proposal (the proposal to consolidate into one LEP a set of controls that will replace the current 5 LEPs that apply across the LGA) as follows:
- Application of a 11 metre height limit to R3 Medium Density zoned land across the LGA; and
 - Application of a FSR in those R4 High Density Residential and R3 Medium Density zoned land, where Hornsby LEP 2013 does not nominate a FSR.
9. Further, it is noted that there is a transitional issue that impacts on the planning proposal as it seeks to rezone the Rockleigh Park Precinct from R4 High Density Residential to R3 Medium Density Residential under Hornsby LEP 2013. Currently residential flat buildings are permissible in both of these zones. Under the Harmonisation Planning Proposal, endorsed by Council, this precinct will remain zoned R3 Medium Density Residential however residential flat buildings will not be permitted, instead, townhouses will be the highest density residential form permitted. The Rockleigh Park Precinct is a transition area. As can be seen in Figure 1 below the area immediately to the east is R2 Low Density Residential Zoned land. A set of controls that ultimately limits this transition area to town house rather than apartment building development is considered the most appropriate transition.

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10. **Figures 1 to 5** below illustrate the proposed amendments to the land use zoning, height of buildings and floor space ratio as part of the East Epping Planning Proposal.

Figure 1 East Epping Planning Proposal - Current land use zoning applying to sites adjacent the Epping East HCA

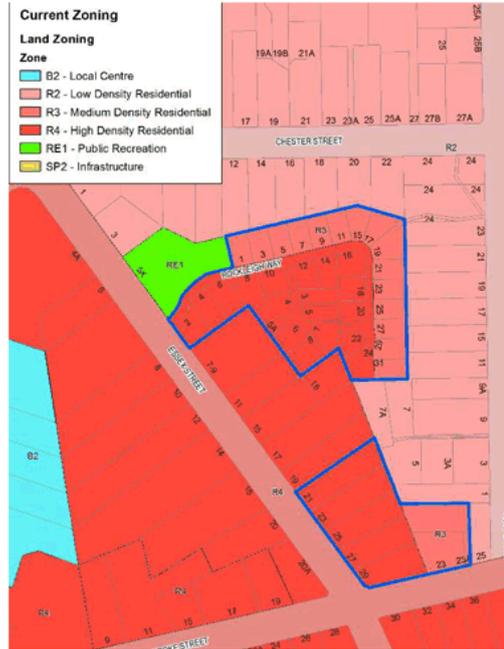


Figure 2 East Epping Planning Proposal - Proposed amendments to the land use zoning

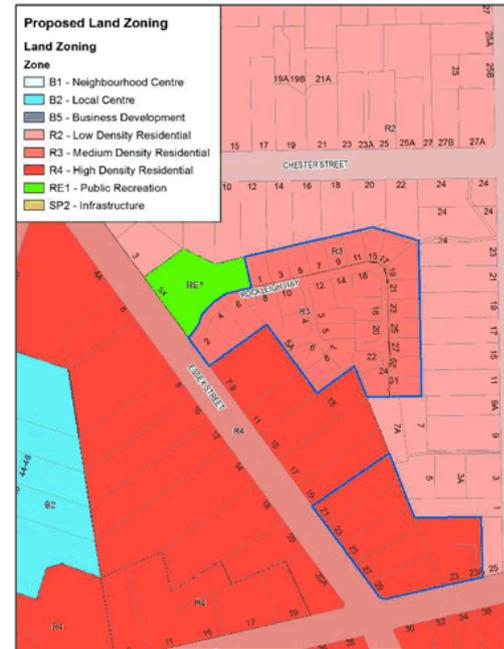


Figure 3 East Epping Planning Proposal - Current height of buildings

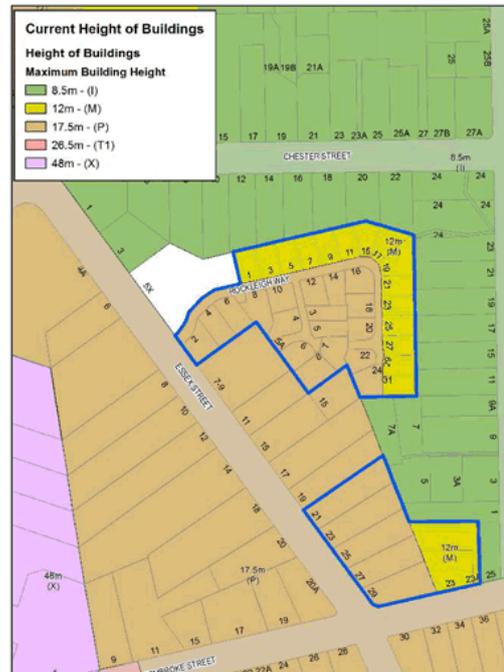
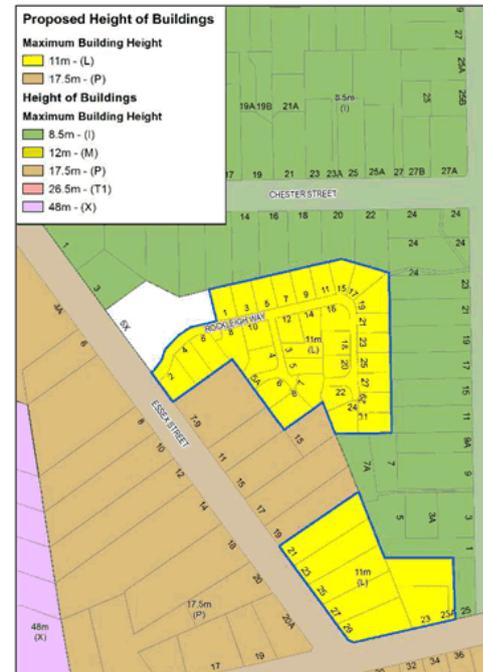


Figure 4 East Epping Planning Proposal - Proposed amendments to the height of buildings



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Figure 5 East Epping Planning Proposal –
Proposed amendment to floor space ratio



Planning proposal at 2-8 and 1-7 Rosebank Avenue, Epping

11. The planning proposal aims to address the adverse impacts of adjacent high density residential development and allow a more sympathetic transition to the Rosebank Avenue Heritage Conservation Area. In order to achieve the desired objectives the following amendments to the Hornsby LEP 2013 would need to be made as they relate to land at 2 – 8 and 1 – 7 Rosebank Avenue, Epping:
 - i. Amend the Land Zoning Map from R2 Low Density Residential to R4 High Density Residential.
 - ii. Amend the Maximum Height of Buildings Map from 8.5 metres to 11 metres.
 - iii. Apply a Floor Space Ratio of 0.8:1 (noting that no FSR currently applies); and
 - iv. Remove the Rosebank Heritage Conservation Area notation.
12. **Figures 6 to 10** below illustrates the proposed amendments to the land use zoning, height of buildings, floor space ratio and heritage conservation area as part of the Rosebank Avenue Planning Proposal.

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Figure 6: Existing R2 Low Density Residential Zoning (subject sites outlined in blue)



Figure 6: Existing Maximum Height of Building of 8.5 metres (subject sites outlined in blue)

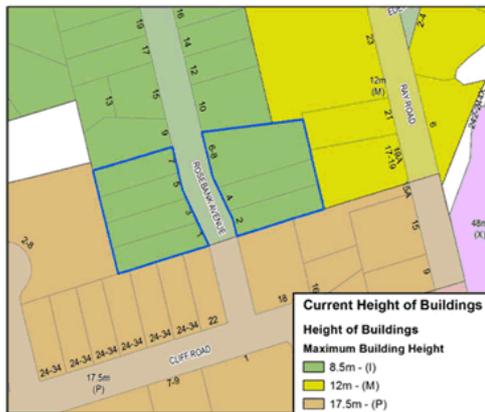


Figure 7: Proposed amendment to Land Use Zoning to R4 High Density Residential Development (subject sites outlined in blue)



Figure 7: Proposed amendment to Maximum Height of Buildings to 11 metres (subject sites outlined in blue)

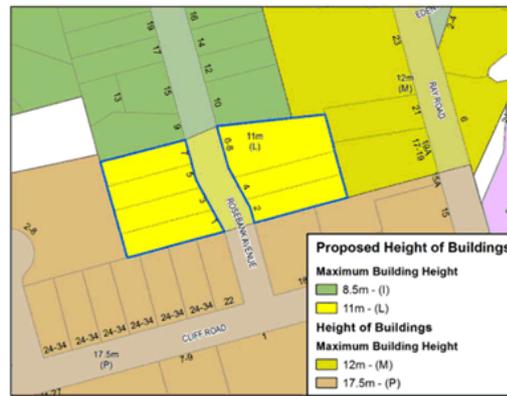


Figure 8: Proposed amendment to Maximum Floor Space Ratio Map, applying 0.8:1 FSR noting no current FSR (subject sites outlined in blue)



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Figure 9: Current Heritage Conservation Area and heritage items (subject sites outlined in blue)

Figure 10: Proposed amendment to the Rosebank Avenue Conservation Area (subject sites outlined in blue)



DRAFT AMENDMENTS TO HORNSBY DEVELOPMENT CONTROL PLAN 2013

13. The following draft amendments are proposed to the Hornsby Development Control Plan (Hornsby DCP 2013):
 - i. Insert a provision to facilitate widening of the Forest Grove/Essex Street pedestrian link in the event of redevelopment;
 - ii. Design controls to support the Rosebank Avenue Planning Proposal; and
 - iii. Minor corrections to the Epping Town Centre car parking provisions (no policy implications).

14. Each of the draft DCP amendments are described in turn below and are found at **Attachments 4, 5 and 6** of this Report. If endorsed by Council, the amendments will published on Council’s website and be formally made to the Hornsby DCP 2013.

Forest Grove/ Essex Street Pedestrian Link

15. The amendments to Section 3 of the Hornsby DCP 2013 are presented in **Attachment 2** and include amendment to the relevant DCP figures containing the Forrest Grove/ Essex Street Precinct to reflect the location of the existing pedestrian link and inserting supporting text “future widening of the pedestrian link to 3 metres, to allow for public domain improvements including seating and planting.” This amendment was first pursued in response to a Council resolution of 9 July 2018 and Council endorsed the Draft DCP for exhibition containing this change on 10 February 2020.

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- i. Provision of minimum setbacks at ground level and first and second levels which are designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area as shown at **Figures 12 and 13** below.
- ii. That the side setback will be designed to allow for trees to be retained and planted to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.
- iii. Amendments to Section 3 to reduce the extent of the Rosebank Avenue Heritage Conservation Area.

Figure 12 Setback Controls for properties 1-3 and 5-7 Rosebank Avenue

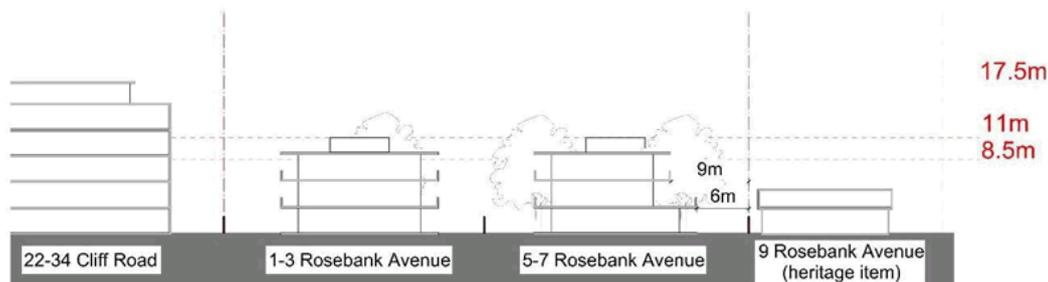
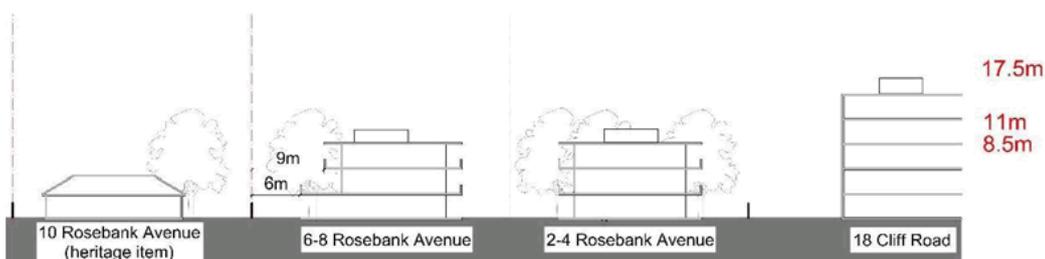


Figure 13 Setback Controls for properties 2-4 and 6-8 Rosebank Avenue



Car Parking Epping Town Centre - minor corrections

20. Council Officers have raised issues in relation to minor errors in Section 1C.2.1 Transport and Parking relating to car parking rates for Epping Town Centre. These minor errors are leading to some confusion as the application of car parking rates for Epping Town Centre (in Table 1C2.1(e) versus car parking rates for the rest of Hornsby LGA (outlined in 1C.2.1(d)). The proposed amendments are detailed in **Attachment 5**.
21. Therefore, the proposed amendments to the Hornsby DCP 2013 are administrative in order to clarify the application of car parking rates, will not amend any car parking rates and aim to be consistent with the approach taken in Section 4.1 of the Parramatta DCP 2011 which relates to the part of the of Epping Town Centre west of the rail line.

PUBLIC EXHIBITION

22. The Rosebank Avenue and East Epping Planning Proposals and draft DCP amendments were publicly exhibited between 19 August and 25 September 2020. Supporting documentation including Gateway Determinations and

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amendments, Council minutes and reports and Planning Proposal and appendices were part of the exhibition package. It is noted that the Planning Proposal relating to Variation to Clause 4.6 Development Standards for FSR relating to residential accommodation in the Epping Town Centre was also placed on public exhibition during this time but this has previously been reported to the Panel and Council separately.

23. Public exhibition included:

- Letters to all landowners and occupiers within the Epping Town Centre.
- Letters to Hornsby Council, Transport for NSW and NSW Heritage (as required by the Gateway determination).
- Exhibition materials placed on Council's website and in hard copy at Council's Customer Contact Centre at 126 Church Street, Parramatta and Epping Library.

24. Forty submissions were received during the public exhibition period. This included three from public agencies and 37 from community members. A summary of all submissions and Council officer responses is provided at **Attachment 1**. A summary of the key issues raised in submissions and Council officer responses in are provided below.

KEY ISSUES RAISED IN SUBMISSIONS

East Epping Planning Proposal

Summary

25. A total of 22 submissions were received relating to the East Epping Planning Proposal. In summary:
- Two (2) landowners within the Planning Proposal area which are summarised and detailed in **Attachment 1**;
 - Seventeen (17) community members outside of the area subject to the Planning Proposal which are summarised and detailed in **Attachment 1**;
 - Hornsby Council, Transport for NSW and Heritage NSW raised no objection to the Planning Proposal and Heritage NSW acknowledged that the rezoning of Rockleigh Park and the amendments to planning controls adjacent to the East Epping HCA are considered to have positive heritage outcomes.

Building height changes and associated impacts

26. During the exhibition period, numerous submissions raised concerns regarding the proposed changes to controls for the areas adjoining/transitioning to the East Epping Heritage Conservation Area. Submissions questioned the need to reduce the building heights, with others noting the reductions are not enough and the impacts of interface issue of solar access, privacy issues, screening, and noise will remain.
27. The objective of the East Epping Planning Proposal is to provide a more consistent and appropriate built form transition for land adjoining the HCA through reductions in the permitted building heights. The planning proposal aims to reduce current height controls as follows:

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- i. 5A and 21-29 Essex Street - it is proposed to reduce the height of buildings from 17.5 metres to 11 metres.
 - ii. 23-23A Pembroke Street - it is proposed to reduce the height of buildings from 12 metres to 11 metres.
 - iii. 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way - it is proposed to reduce the height of buildings from 17.5 metres to 9 metres.
28. It is considered that the proposed reduction in height is the most appropriate response to the transition from high density residential areas to the adjacent heritage conservation areas. A reduction in building height will ensure that any future redevelopment of the site can provide a more appropriate interface to the heritage conservation area that is currently enabled by the current controls.
29. Furthermore any future development applications on these sites will need to be assessed against the Hornsby DCP 2013 and the NSW Apartment Design Guide (ADG) to ensure that amenity impacts are suitably managed, including any impacts on adjoining neighbour solar access, privacy and outlook are minimised through adequate building separation and landscaping.

Traffic and parking

30. Concerns were raised over the potential traffic impact which may result from the proposed change in zoning for 23 and 23A Pembroke Street from R3 Medium Density Residential to R4 High Density Residential. The submission highlighted existing traffic problems exacerbated by the Epping Public School adjacent to the site.
31. The effective permissible density on 23 and 23A Pembroke Street is unchanged by the Planning Proposal. The proposed land use zoning under the Planning Proposal from a R3 Medium Density zoning to a R4 High Density zoning ensures that residential flat buildings remain permissible on these properties. This is because the R3 Medium Density Residential Zone in the Hornsby LEP 2013 currently permits residential flat buildings with development consent, it is the intention of Council through the harmonisation of its planning controls, to restrict residential flat buildings to the R4 High Density Residential Zone. A R4 High Density Residential Zone in this location would ensure a straightforward translation of land use zone upon a newly consolidated Parramatta LEP whilst achieving the intended purpose of reducing the maximum height limit for residential flat buildings on these subject properties.
32. The Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and the unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions to assist with addressing traffic issues in the Epping town centre, including implementing a range of local and State road improvement works and other planning controls.

Consistency with surrounding heritage controls

33. Various submissions identify concerns with the changes to the zoning for land within the East Epping Planning Proposal, namely along Pembroke Street.

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Concerns over changes to zoning leading to increased density and the possible interface impact on the adjoining property at 25 Pembroke Street which remains within the East Epping Heritage Conservation Area. Submissions note that the zoning is inconsistent with other properties within the East Epping Heritage Conservation Area and adjacent land.

34. It is noted that land within the East Epping Heritage Conservation Area already adjoins R4 zoned land. The intended outcome of the Planning Proposal is to provide a more consistent and appropriate built form transition. In achieving this a stepped built form interface was considered by Council as the best means of achieving the intended objective of the Planning Proposal. Further, and as noted above, residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale).

Landowner submission – impact on property value and inconsistent treatment

35. A submission from a property owner within the Planning Proposal area objected to the East Epping Planning Proposal on the grounds of a decrease in immediate land value resulting from the reduction in building height. The submission argues that it is an inequitable treatment of surrounding properties - citing examples at 7-9, 10, 15-19 and 22-26 Essex Street and 1-7, 2-4 and 9-11 Crandon Road.
36. Council accept that the Planning Proposal will reduce residential capacity. The purpose of the Planning Proposal is to address transitional issues arising from NSW Government rezoning of the Epping Town Centre in 2014 and impacts on adjacent heritage conservation areas.
37. In relation to the issues raised in relation to inequitable and inconsistent height limits. The properties cited by the submitter listed all have a maximum building height of 17.5m under the Hornsby LEP 2013. The reason the cited properties have not been included in the Planning Proposal are as follows:
- i. Properties at 10, 22-26 Essex Street and 1-7, 9-11 and 2-4 Crandon Road are not at the 'interface' (or adjoining) the East Epping HCA, and their inclusion in the Planning Proposal would not specifically meet the purpose which is to address issues of development interface with Heritage Conservation Areas (HCA). Refer **Figure 18** for the location of the Essex Street properties and the East Epping HCA.
 - ii. At the time Council resolved at its meeting on 9 July 2018 to prepare a Planning Proposal relating to various properties in East Epping, 7-9 Essex Street had a development approval (approved by Hornsby Council on 11 March 2015 reference DA/1110/2014) for the construction of a 5 storey residential flat building, and therefore the development (now constructed) realised the planning controls relating to the site.
 - iii. In relation to 15-19 Essex Street a pre-lodgment application was submitted with Council for the construction of a 6 storey residential flat building. It is noted that the subsequent development application (reference DA/546/2018) lodged with Council was subject to an appeal to the NSW Land and Environment Court and subsequently refused.

Figure 18: East Epping Heritage Conservation Area and the properties subject to the East Epping Planning Proposal

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Submissions in relation to the Planning Proposal and Draft DCP Amendments for Rosebank Avenue, Epping

Summary

38. A total of 20 submissions were received in relation to the Rosebank Avenue Planning Proposal and associated draft DCP controls. In summary:
- Two (2) landowners within the Planning Proposal area were in supportive of the proposed controls;
 - Five (5) landowners of Rosebank Ave (but outside of the area subject to the Planning Proposal) object to the Planning Proposal based on various reasons which are summarised and addressed below and detailed in **Attachment 1**;
 - Ten (10) community members (and the Epping Civic Trust) objected based on various reasons which are summarised and addressed below and detailed in **Attachment 1**; and
 - Hornsby Council, Transport for NSW and Heritage NSW raised no objection to the Planning Proposal or draft DCP amendments. Heritage NSW acknowledge this was a local matter and recommended that the design controls be considered so as to not further impact on adjoining heritage items or HCA.
39. Although the majority of submissions objected to the proposal, it is noted these were from owners living in Rosebank Avenue (but outside the Planning

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Proposal area) or a community member. Specifically, the submissions of support were received from landowners subject to the Planning Proposal, who are currently experiencing the amenity impacts caused by the adjacent high density development.

Density and associated traffic impacts

40. Submissions raised concerns over further increase in development intensity, and the resultant traffic impact. Some submissions believe that there will be adverse impact from additional vehicles on the intersection performance of Cliff Road and Carlingford Road, and the Carlingford Road intersections with Ray/Rawson Street, and Beecroft Road.
41. The planning controls proposed under the Planning Proposal may result in approximately 67 units being accommodated over the sites, resulting in overall addition of 60 dwellings. On balance, this is considered reasonable to increase density in this location to address the severe amenity impacts currently experienced by residents. In addition, land where density is proposed to be increased is located appropriately 400 metres and 650 metres respectively from the Epping Town Centre and high frequency public transport infrastructure.
42. Regarding the submissions on traffic impacts, the Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and the unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions that Council to assist with addressing traffic issues in the Epping town centre, including implementing a range of local road improvement works, advocating for NSW Government road improvements, and other planning measures including:
 - A planning proposal to 'switch off' Clause 4.6 variations which seek increased density on residential within the Town Centre.
 - Amendments to car parking rates in the DCP.
 - Advocating to the State Government for road and intersection improvements.

Impact on Heritage

43. Submissions received noted that the reduction of the heritage conservation area is inconsistent with Ministerial Direction Heritage Conservation and the recommendations of the Epping Town Centre (East) Heritage Review 2017 and requested that the Heritage Conservation Area be retained.
44. The Planning Proposal acknowledges that it is not consistent with Direction 2.3 - Heritage Conservation. The planning proposal is considered appropriate as it will help to resolve interface issues and community concerns. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape.
45. During the Epping Planning Review, extensive feedback was received from landowners and the community on the Rosebank Avenue Heritage

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Conservation Area and the options presented to mitigate the interface issues from the adjoining development. It noted that the submissions were divided in opinion as to how the interface issue should be managed.

46. On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rosebank Avenue HCA. In summary, the Council report stated that interface issues represent a failure of the planning system which has created a current land use conflict. They are a result of the Priority Precinct process and subsequent development application decisions. The current situation where 5 to 6 storey buildings overlook and encroach on the backyards of single dwellings is considered unacceptable. As part of this report, Council Officers undertook further urban design testing of higher residential densities such as manor homes or 3 storey residential flat buildings to replace existing detached dwelling development in the Rosebank Avenue HCA and other heritage interface areas.
47. In conclusion, Council accepted that there are severe interface issues occurring in the southern half of the Rosebank Avenue Heritage Conservation Area. Following consideration by Council it resolved to retain the northern part of the conservation area but to remove the southern part and to rezone this area for higher density residential development.
48. The Epping Town Centre (East) Heritage Review 2017 concluded Rosebank Avenue HCA to have maintained the significance and intactness established in previous studies and was recommended to be retained in full. However, the Review did not fully address the land use conflicts occurring at the interface at the rear some of these properties and strong community concerns raised in the Epping Planning Review.

Amendment of proposed building height as part of the Gateway Determination

49. Submissions received during the exhibition period raised concern that the original Gateway Determination issued by DPIE had been amended, which had required under Condition 1 to reduce building heights for 5, 7 and 6 to 8 Rosebank Avenue from a maximum of 11 metres to a maximum of 8.5 metres.
50. Following this Council Officers formally requested DPIE for this condition to be amended amendment for the following reasons:
 - i. Reducing the height of buildings on these sites will reduce incentives for amalgamation for a residential flat building and may result in delivery of multi-unit dwellings (town houses), which would likely result in reduced setbacks, greater site coverage and potential additional tree loss (compared to a residential flat building).
 - ii. The planning proposal is supported by draft DCP controls with any new residential flat building being required to be setback to the boundary 6 metres at ground level and 9 metres at the second and third storeys. This would create a stepped built form interface appropriate transition between it and the Heritage Conservation Area.
51. DPIE then subsequently issued an alteration on 30 March 2020 requesting that Council *“prior to public exhibition, amend the planning proposal to outline a suitable planning mechanism to ensure transition of height and scale to the*

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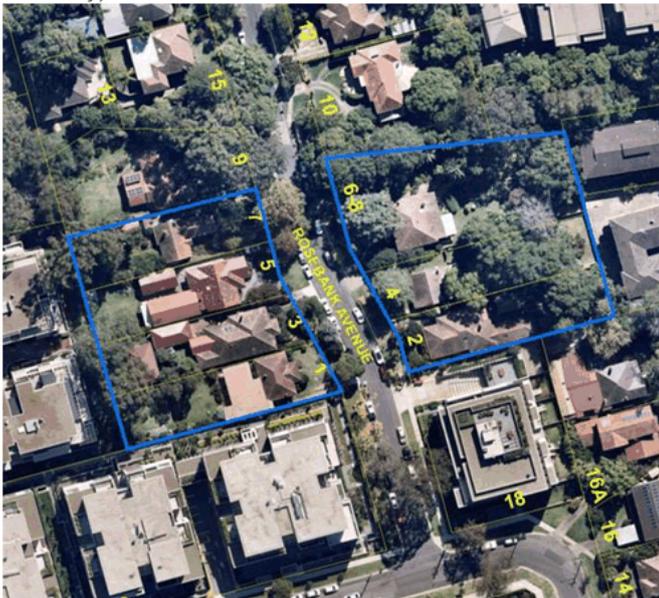
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adjoining land to the north and retain streetscape values. This may include the requirement to prepare a Development Control Plan that comes into force once the planning proposal is finalised.” Council has prepared a Draft DCP for the Rosebank Avenue planning proposal which supports this proposal.

Issues raised by 9 Rosebank Avenue

52. During the public exhibition period, the owners of 9 Rosebank Avenue requested the following issues be addressed:
- A greater ground level setback within the Draft DCP for any new development from the boundary of 9 Rosebank Ave to reduce any adverse impact of privacy and heritage.
 - That the proposed FSR be reduced from 0.8:1 to 0.6:1 on the grounds of reducing traffic generation, reduce building form and impact on heritage item and potential to increase front setback to view 9 Rosebank Avenue.
 - Potential inclusion in the Planning Proposal as the creek line forms a natural boundary and that the proposal will have a detrimental impact on the heritage item.
 - They also requested an onsite meeting with Ward Councillors and Council staff.
53. The property is listed as a locally significant item under Schedule 5 of the Hornsby LEP 2013. **Figure 14** shows an aerial image showing the location of 9 Rosebank Avenue in relation to the property and Planning Proposal boundaries.

Figure 14: Aerial image of properties at Rosebank Avenue (blue outline indicating planning proposal boundary)



54. In response to the landowner's request, on 16 December 2020, Council staff and Councillors met the owners on site at 9 Rosebank Avenue to discuss the Planning Proposal and the landowners concerns.
55. Following the request to increase setbacks by the landowner, Council's Urban Designers undertook built form testing to understand the implications of

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increasing setbacks and reducing FSR (referred to as 'Option B'). The testing found that a 9 metre ground setback (increased from 6 metres) and 12 metre upper level setback (increased from 9 metre) between 5-7 Rosebank Ave and the boundary of 9 Rosebank Ave would result in a reduction of the achievable FSR on 5 and 7 Rosebank Avenue from the proposed 0.8:1 to 0.6:1 to 0.65:1 (refer **Figures 15 and 16**). In terms of development yield, it is estimated that this would reduce the potential number of apartment units from 15 units to 12 units.

Figure 15 - Option B Section showing proposed built form transition to heritage item (note increased distance of setbacks between 5-7 Rosebank Ave to 9 Rosebank Ave as compared to Figure 12)

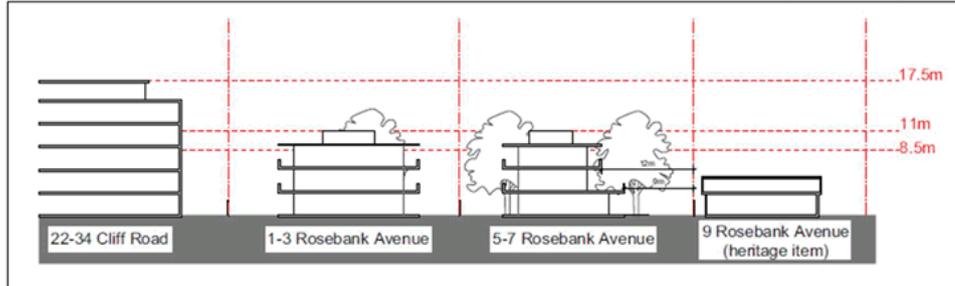
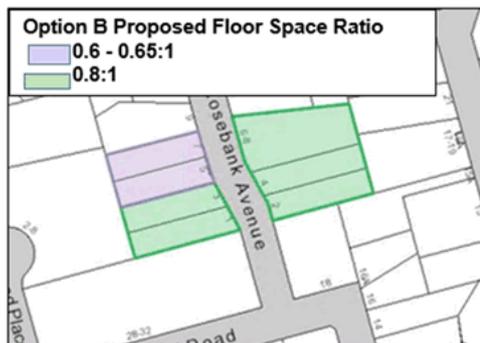


Figure 16 - Option B reduction in proposed floor space ratio of 0.6-0.65:1 for 5 & 7 Rosebank Avenue



56. On 28 January 2021, Council Officers addressed letters to the landowners of 5 and 7 Rosebank Avenue to give them an opportunity to respond to 'Option B' as these are the landowners that would be impacted with a reduced setback compared to the FSR that was placed on exhibition. On 18 February 2021 Council staff meet with the owners of 5 and 7 Rosebank Avenue to explain the proposed Option B and give them a further opportunity to respond. Subsequently the owners of 5 Rosebank Avenue submitted a formal response and, in summary, raised the following concerns in relation to this option:
- i. It is inequitable to have a different FSR than those proposed for adjoining properties;
 - ii. A dual occupancy or dwelling house could be constructed with a 1.5 metre setback to the side boundary, with greater impacts than what is proposed.
 - iii. The five and six storey developments are already impacting the character of the area.

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- iv. The boundary between 9 and 7 Rosebank Avenue is brick and the main orientation of the dwelling house at 9 Rosebank Avenue is east and west, therefore will not be impacted by privacy.
 - v. The heritage study relating to the 9 Rosebank Ave listing does not reference a separation or sense of place that should be preserved, rather a reference to the dwelling's character and architectural style.
 - vi. A reduced setback and FSR will impact on development viability at 5 and 7 Rosebank Avenue.
57. Council Officers have considered the issues raised by both landowners and provide the following response and recommendations.
58. Reducing the proposed FSR (density) may reduce the incentive for land amalgamation for the purposes of constructing a residential flat building, thereby leading to unintended consequences, such as redevelopment for uses other than residential flat buildings such as townhouses or multi-unit dwellings. Given the site-specific controls relating to greater setback provisions have been drafted to apply to residential flat buildings, should redevelopment occur for other uses these controls would not apply, thus reducing opportunities for deep soil planting and appropriate transition to the heritage conservation area.
59. Although an increased front setback would provide an opportunity to view the heritage item at 9 Rosebank Avenue, it would have the related effect of reducing the rear setback which is very important to maintain amenity, separation between the existing high density residential development and provision of landscaping and mature trees.
60. In relation to issues raised of privacy and overlooking, it is considered that an increase in setbacks would not achieve any greater privacy or outlook concerns. It is likely that any future residential flat building (**refer Figure 17**) would contain 3 units per level and the potential for balconies to be located north facing. The balconies of ground floor units, which is proposed to be setback 6 metres from the boundary, would not directly impact on overlooking and privacy. Any future upper level unit balconies would be setback 9 metres from the boundary and would look onto the roof top of 9 Rosebank Avenue and those balconies positioned in the north west corner could overlook the open space of 9 Rosebank Avenue. It is considered that proposed ground level setback of 6 metres, which allows for planting of mature trees and landscaping is the most appropriate method of providing adequate privacy and managing overlooking impacts.

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Figure 17: Likely amalgamation pattern and residential flat buildings as a result of the proposed planning controls.



61. Notwithstanding the above, it is recommended that several additional DCP provisions be included to further minimise overlooking and privacy impacts as follows:
- i. new development located at 5 and 7 Rosebank Avenue, shall minimise the number of balconies facing northward. Those balconies facing west and north shall provide appropriate screening to minimise overlooking.
 - ii. That balconies cannot protrude in the front, rear and side setbacks.
- If endorsed by Council, these controls will be incorporated in the final DCP.
62. In relation to the issue of including 9 Rosebank Avenue, a locally listed item, within the Planning Proposal the following Council response is provided:
- i. The boundary of the Planning Proposal was based on the adverse impact from adjacent high density development. As shown on **Figure 14**, to the rear of 9 Rosebank Avenue is the Kent Street Reserve and diagonally opposite are the apartments at 2-8 Hazelwood Place, therefore it was not originally included as it is not directly adjacent to the high density development and a heritage listed item.
 - ii. The heritage listing of the property commenced in the Hornsby Shire LEP 1994, based on the recommendation of the Hornsby Shire 1993 Heritage Study.
 - iii. The Item's heritage inventory sheet states that it is a "good example of a Late Twentieth Century Tudor style house. Virtually unaltered and in good condition". Its significance is based on criteria aesthetic, and it is a rare and representative example. The Inventory sheet can be found here <http://hscenquiry.hornsby.nsw.gov.au/pages/xc.track.heritage/heritage.aspx?pid=322970>
 - iv. The most recent heritage study undertaken, namely the Epping Town Centre (East) Heritage Review (2017) was commissioned by City of Parramatta Council as part of the Epping Planning Review. The Study supports the retention of the heritage listings in Rosebank Avenue and Rosebank Ave HCA status based on the fact that all properties within the Rosebank HCA (except for 13 Rosebank Avenue) date to the original subdivision of the Avenue as part of the Rosegrove Estate and all maintain their original Inter War period character (except for 5 & 21 Rosebank Avenue). The Review is found here

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<https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/1-%20Epping%20Town%20Centre%20%28East%29%20Heritage%20Study.pdf>

63. Therefore based on the level of significance, the length of time the item at 9 Rosebank Avenue has been listed and two supporting studies, Council Officers consider that it is unlikely that a delisting of the item through a Planning Proposal process would be supported by DPIE. Rather, appropriate built form controls which support an improved interface with new development is the best course of action recommended by Council Officers.
64. On balance, Council concludes the proposed building height and FSR are justified to support the intended effect of the planning proposal. Site specific DCP controls are proposed to further manage the built form transition and interface with the HCA of any future development.

Impacts on existing trees

65. Two submissions raised concerns over the potential impact on existing trees, including street trees, which contribute to the overall amenity of the street.
66. It is recognised that there are high amenity street trees currently in Rosebank Avenue. Therefore, to encourage their protection, it is proposed to include in the DCP controls, which support this Planning Proposal "Street trees along Rosebank Avenue shall be retained and not be adversely impacted as part of any new development." If endorsed by Council, this control will be incorporated in the final DCP.

Development Control Plan Amendments amending pedestrian link between Epping Road and Forest Grove

67. One submission was received in relation to these draft amendments requesting that the proposed seating in the laneway is not practical and would rather tree planting.
68. The proposed widening of the pedestrian link to 3 metres is intended to allow for public domain improvements including seating and planting. Seating is proposed to be balanced with planting through the provision of the increased width.

Development Control Plan Amendments to parking provisions in Epping Town Centre

69. Two submissions were received in relation to the draft DCP amendment relating to car parking.
70. One submission was concerned about the removal of parking rates relating to seniors housing. It is noted that parking rates for this type of development are contained within the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. It was not necessary to include this in the DCP.

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71. Additionally, a concern was raised over the proposed amendments to wording to change from 'should' to 'must', and implies a lack of flexibility for applicants to justify variations. The submission relates to the following amendment:
"Car parking should must be provided on site in accordance with the minimum parking rates in Tables 1C.2.1(e) (d) and (e)."
72. It is Council's intention to provide greater clarity around the need to provide adequate onsite parking to facilitate proposed development. It is noted that DCPs support the planning controls within Local Environmental Plans. DCPs allow flexibility to applicants to provide alternative design solutions to meet identified objectives or outcomes and have these alternatives considered on merit.

Other Submissions

Rose Street Precinct

73. Several submissions specifically identified development interface issues between development along Maida Road and the Rose Street Precinct, calling for changes in planning controls to be implemented. Specifically, submissions noted that Stage 1 of the Epping Planning Review identified the need for changes to planning controls in this precinct. Council considered the outcomes of Stage 1 of the Epping Planning Review at its meeting on 9 July 2018 and resolved that no further action be taken to amend the planning controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of the redevelopment of the Rose Street Precinct sites is completed and reported to Council.
74. City of Parramatta Council has copies of the historical drainage and flooding information for Epping from the former Hornsby Council. This data lacks sufficient detail to properly assess the impact of possible future development. Council is currently compiling updated flood modelling for the pre-amalgamated area to enable a proper understanding of the site's hydrology. It is from this work that more detailed drainage information in relation to the Rose Street Precinct will be available and more informed decisions may be made in relation to any future rezoning.

FINANCIAL IMPLICATIONS FOR COUNCIL

75. Any work to progress the finalisation of the Planning Proposal would be prepared by Council Officers and therefore within the existing City Planning budget. The level of developer contributions paid could increase marginally from the residential flat building development permitted to be approved as part of the Rosebank Avenue Planning Proposal.
76. The level of developer contributions could decrease marginally if the development permitted is approved as part of the East Epping Planning Proposal. However the reduction in contributions received is likely to be outweighed by the benefits the community would otherwise gain by expending these additional funds on local infrastructure, and so Council Officers consider that this impact is appropriate and consistent with Council's strategic direction for the Epping Town Centre.

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CONCLUSION AND NEXT STEPS

77. Council Officers recommend that the Local Planning Panel support the Council Officer recommendation that the Rosebank Avenue and East Epping Planning Proposals (as exhibited) and they be referred to the Department of Planning, Industry and Environment for finalisation.
78. Council Officers recommend that the Local Planning Panel support the Council Officer recommendation to finalise the DCP amendments relating to:
- i. Forest Grove – Essex St Pedestrian link;
 - ii. Car parking within Epping Town Centre; and
 - iii. Rosebank Avenue with minor additions to the controls relating to location of balconies, screening of upper level balconies, limit balcony intrusions into setbacks and protection of existing street trees.
79. Following Local Planning Panel consideration of the recommendations of this report, the outcomes of the exhibition period for the Planning Proposals and Draft DCP amendments will be reported to Council at an upcoming Council meeting along with the Panel's advice.

Bianca Lewis
Team Leader Land Use Planning

Robert Cologna
Acting Group Manager, City Planning

David Birds
Acting Executive Director, City Planning & Design

ATTACHMENTS:

1	Submissions Table	30 Pages
2	East Epping Planning Proposal	596 Pages
3	Rosebank Avenue Planning Proposal	269 Pages
4	DCP Amendments relating to Pedestrian Link	2 Pages
5	DCP Amendments relating to car parking	6 Pages
6	DCP Amendments relating to Rosebank Avenue	3 Pages

Attachments can be downloaded at https://businesspapers.parracity.nsw.gov.au/Open/2021/05/LPP_18052021_AGN_656_AT.PDF. Or please request from the Land Use Planning Team on 9806 5050.

Click or tap here to enter text.

Attachment A – Submission Table

The following tables summarise the submissions received and Council Officers' responses:

- Table 1 – relates to the Planning Proposal for East Epping (page 1)
- Table 2 – relates to the Planning Proposal and associated Draft DCP Amendments for Rosebank Avenue (Page 14)
- Table 3 – relates to the Draft DCP Amendments for car parking (page 29)
- Table 4 – relates to the Draft DCP Amendments for Forest Grove pedestrian link (page 30)

Table 1 - Planning Proposal for various properties in East Epping

Submission	Submission Summary	Council Officer Response
Agency Submissions		
Transport for NSW	TfNSW has no objections to the Planning Proposal.	Noted.
Heritage NSW	<p>The planning proposals and DCP amendments will not have a direct physical or visual impact on any heritage items listed on the State Heritage Register. However, we do note that the planning proposals and DCP amendments have impacts on heritage conservation areas (HCA) listed under Council's Local Environmental Plans (LEP), including:</p> <ul style="list-style-type: none"> • Rezoning Rockleigh Park from R4 High Density Residential to R3 Medium Density Residential • Amendments to planning controls adjoining the East Epping HCA, to allow for more sensitive transition between the HCA and planned development. <p>The rezoning of Rockleigh Park and the amendments to planning controls adjacent to the East Epping</p>	Noted. Council is satisfied with the interface and transition the planning proposal will facilitate, noting the potential for future impacts was a key consideration shaping the proposed changes to the planning controls. Any future developments in these areas which may impact on locally listed heritage items or the Heritage Conservation Area (HCA) will be a key consideration at the time of assessment.

Submission	Submission Summary	Council Officer Response
	<p>HCA are considered to have positive heritage outcomes. As these HCAs are listed under Council's LEP, Council is the consent authority, and the assessment and consideration of any impacts rests with Council. As such, Council should be satisfied that sufficient justification and all necessary due diligence, assessments and notifications have been undertaken prior to finalisation of the planning proposals.</p> <p>Should the planning proposals be supported, Council should give consideration to the design of any future development for sites adjoining the HCAs and heritage items to minimise any further impacts from development.</p>	
<p>Hornsby Council</p>	<p>The Epping Town Centre Heritage Review 2013 recommended that the East Epping and Rosebank Avenue HCAs be listed in accordance with current boundaries and the adjoining residential intensification precincts be limited to three storeys, along with the implementation of several development controls for interface areas, including minimum setbacks, reduced heights and density, and landscaping. Accordingly, Council resolved to forward a submission generally supporting the findings of the heritage report and the progression of the Epping Town Centre Urban Activation Precinct (UAP) in accordance with the recommendations of the review.</p> <p>Ultimately, DPE proceeded with permitting five storey developments on land adjoining the East Epping and Rosebank Avenue HCAs in the final</p>	<p>Noted. The intended effect of the planning proposal is to provide a more consistent and appropriate built form transition from the high density residential areas to the adjacent Heritage Conservation Areas. The proposed amendments have considered the potential for impacts which may result from future detailed development applications, and consider these impacts are able to be suitable managed through design.</p> <p>Noted. The intended effect of this Planning Proposal is to address transition of scale issues which currently existing with the Epping Town Centre. Overall, this planning proposal includes provisions which reduce the permissible residential density of land. The reduction in density is of minor scale and thus of minor significance of traffic conditions.</p>

Submission	Submission Summary	Council Officer Response
	<p>Epping Town Centre UAP Plan, leading to the interface and transition issues which are now sought to be rectified.</p> <p>Hornsby Shire Council undertook traffic studies that informed the Epping Town Centre Study 2011, highlighting several traffic and infrastructure issues related to the intensification of the Epping precinct. Council wrote to the (then) Minister for Planning and Infrastructure supporting the identification of funding for road and intersection upgrades within the Epping Town Centre and seeking confirmation regarding the scope of the infrastructure to be delivered and associated timeframe. Further, Council raised concerns in a submission to DPE stating that the progression of the Epping Town Centre UAP Plan should not occur until design details of the proposed upgrades by the RMS had been finalised.</p> <p>In response, DPE rejected delaying the commencement of the Epping Town Centre UAP Plan noting that proposed road upgrades were in advanced stages and would be completed in due course.</p>	
Community Submissions		
Community	<p>The controls facilitated by the planning proposal will lead to poor amenity outcomes and allow for development that is not in line with local character due to increased and inconsistent height controls.</p>	<p>The intended effect of the Planning Proposal is to address existing built form transitional issues from high density residential areas to adjacent heritage conservation areas. The Planning Proposal aims to reduce current height controls as follows:</p> <ul style="list-style-type: none"> - 5A and 21-29 Essex Street it is proposed to reduce the height of buildings from 17.5 metres to 11 metres.

Submission	Submission Summary	Council Officer Response
		<ul style="list-style-type: none"> - 23-23A Pembroke Street it is proposed to reduce the height of buildings from 12 metres to 11 metres. - 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way it is proposed to reduce the height of buildings from 17.5 metres to 9 metres. <p>Residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale).</p>
Community	<p>The proposal will reduce residential capacity and reduce revenue from council rates which is directed to supporting local infrastructure and services.</p> <p>Loss in land value from the proposal will reduce land tax revenue for the government.</p>	<p>Council accept that the Planning Proposal will reduce residential capacity, however the reduction is minor in the context of the increased density already developed and permitted in the areas surrounding Epping Town Centre.</p> <p>Council accept that the Planning Proposal will reduce residential capacity, however the reduction is minor. The purpose of the Planning Proposal is to address transitional issues arising from NSW Government rezoning of the Epping Town Centre in 2014 and impacts on adjacent heritage conservation areas. The economic impact on NSW Government in relation to land tax revenue is not a relevant consideration of the planning proposal and the proposal was endorsed for exhibition by the DPIE which is a State Government agency who raised no concerns with this issue.</p>
Community	<p>The proposed height at 23 - 23A Pembroke is too high in comparison with surrounding properties. The associated DCP should set controls should restrict windows above ground level at the rear of 23-23A Pembroke Street.</p>	<p>The Planning Proposal proposes to reduce the heights for 23-23A Pembroke Street from 12 metres to 11 metres, effectively permitting a potential for a 3-storey residential flat building. Adjoining lands to the east of this Planning Proposal along Pembroke Street currently have a maximum building height of 8.5 metres. Lands adjacent to the west of this Planning Proposal along Pembroke Street currently have a maximum building height of 17.5 metres. Land subject to this Planning Proposal (21-29 Essex St) is proposed to have maximum building height reduced from 17.5m to 11m, thereby providing for an effective transition of scale away from the Epping Town Centre and higher density development.</p>

Submission	Submission Summary	Council Officer Response
		It is noted that any future development applications on these sites will need to comply with the applicable planning controls prescribed in documents such as the Hornsby DCP 2013 and the NSW Apartment Design Guide (ADG) to ensure that impacts on adjoining neighbour's privacy and outlook are minimised through adequate building separation and landscaping.
Community	The proposed development will not provide a suitable interface with adjoining properties. It does not deal with interface issue of solar access, privacy issues, screening, and noise.	The intended effect of this Planning Proposal is to provide a more consistent and appropriate built form transition to the East Epping HCA. Any future development applications on these sites will need to be assessed against the Hornsby DCP 2013 and the NSW Apartment Design Guide (ADG) to ensure that amenity impacts are suitably managed, to ensure that impacts on adjoining neighbour's solar access, privacy and outlook are minimised through adequate building separation and landscaping.
Community	The proposed height of the development should be more consistent with the Epping Planning Review to reduce the impact of height and scale of the buildings on surrounding residents. A streetscape with large street trees and similar height dwellings would be an attractive zone interface.	<p>The intended effect of the Planning Proposal is to provide a more consistent and appropriate built form transition to the East Epping HCA. The Planning Proposal proposes to reduce the heights for 23-23A Pembroke Street from 12 metres to 11 metres, effectively permitting a potential for a 3-storey residential flat building.</p> <p>Adjoining lands to the east of this Planning Proposal along Pembroke Street currently have a maximum building height of 8.5 metres. Lands adjacent to the west of this Planning Proposal along Pembroke Street currently have a maximum building height of 17.5 metres. Land subject to this Planning Proposal (21-29 Essex St) is proposed to have maximum building height reduced from 17.5m to 11m, thereby providing for an effective transition of scale away from the Epping Town Centre and higher density development.</p> <p>Key development controls such as the Hornsby DCP 2013 and NSW Apartment Design Guidelines will ensure that amenity impacts are suitably managed, to ensure that impacts on adjoining neighbour's solar access,</p>

Submission	Submission Summary	Council Officer Response
		privacy and outlook are minimised through adequate building separation and landscaping.
Community	There has been a decade of rezoning recommendations and continuing uncertainty with various unsatisfactory zoning and DCP amendments in the Epping area	The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018. The scope of the Epping Planning Review was to address the unintended consequences of the planning control amendments brought into effect by Department of Planning, including issues of development interface with Heritage Conservation Areas.
Community	<p>The corner store at the intersection of Norfolk Road and Pembroke Street is a heritage item and nearby development should respect it, not overwhelm it. Object to any rezoning of the subject land.</p> <p>Concern about local traffic congestion due to the removal of the right turning lane on Langston Place, the overdevelopment of Epping Town Centre. Key intersections such as the Essex Street lights and the roundabouts at the intersection of Essex Street/Pembroke Street and at the intersection of Norfolk Road and Chester Street as congested. Allowing even more intensive development on Pembroke Street will only exacerbate the situation.</p>	<p>The corner store is located at 25 Pembroke Street and is located within the East Epping Heritage Conservation Area. The intended effect of the Planning Proposal is to address existing built form transitional issues from high density residential areas to adjacent heritage conservation areas. The Planning Proposal reduce current height controls at the properties directly adjacent to the corner store at 23-23A Pembroke Street it is proposed to reduce the height of buildings from 12 metres to 11 metres (3 storey residential flat buildings).</p> <p>The Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions to assist with addressing traffic issues in the Epping town centre, including implementing a range of local and State road improvement works and other planning controls. Any future development applications will consider matters relating to traffic impacts, vehicular access arrangements, and vegetation management be in accordance with the controls and standards set out in the Hornsby LEP 2013 and Hornsby DCP 2013.</p>

Submission	Submission Summary	Council Officer Response
Community	1 Essex Street has been omitted from the proposed rezoning.	1 Essex Street is located within the East Epping Heritage Conservation Area. Properties within the HCA are not included in this Planning Proposal, rather the Planning Proposal seeks to amend planning controls on those properties directly adjacent to the HCA.
Epping Civic Trust	<p>The rezoning at 23-23A Pembroke Street would lead to poor heritage interface including the heritage item at 25 Pembroke Street. Increased FSR on this site should not exceed the rate proposed for Rockleigh Way.</p> <p>If the site was redeveloped and had higher density, there would be very poor traffic outcomes as this site access is onto a very high traffic part of Pembroke Street and is impacted by the 700+ primary age children that need to access the neighbouring Epping Public School.</p> <p>The proposed development would extend higher density development further down Pembroke Street and would impact the current streetscape</p>	<p>The intended effect of this Planning Proposal is to provide a more consistent and appropriate built form transition to the East Epping HCA. The Planning Proposal aims to reduce current height controls at 23-23A Pembroke Street to reduce the height of buildings from 12 metres to 11 metres. Additionally, it is proposed that a maximum FSR control of 0.8:1 will apply to this site. By creating a better transition in built form from land to the west and east of the site, the changes will result in an improved interface with 25 Pembroke Street. Any future detailed development application will need to be supported by a Heritage Impact Assessment, which will need to consider the adjacent Heritage Conservation Area in the design, ensuring that any proposal impact on this HCA. Key development controls such as the Hornsby DCP 2013 and NSW Apartment Design Guidelines will ensure that impacts are suitably managed, to ensure that impacts on adjoining neighbour's solar access, privacy and outlook are minimised through adequate building separation and landscaping.</p> <p>The Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions that Council to assist with addressing traffic issues in the Epping town centre, including implementing a range of local and State road improvement works and other planning controls, including:</p> <ul style="list-style-type: none"> - A planning proposal to 'switch off' Clause 4.6 variations which seek increased density on residential within the Town Centre. - Amendments to car parking rates in the DCP.

Submission	Submission Summary	Council Officer Response
		<p>- Advocating to the State Government for road and intersection improvements.</p> <p>Residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale).</p>
Community	<p>The proposed rezoning of 23 and 23A Pembroke Street will lead to a poor interface with the remaining properties within the East Epping Heritage Conservation Area, namely 9 Norfolk Road.</p> <p>The proposed development will lead to an increase in traffic which is a danger to children at Epping Public School, and a loss of local character.</p>	<p>As noted in the Epping Town Centre (East) Heritage Review commissioned and endorsed by Council as part of the Epping Planning Review, the proposal will result in an improved interface to the East Epping HCA through the introduction of a more appropriate transition of scale.</p> <p>As detailed above, the intended effect of the Planning Proposal is to address existing built form transitional issues from high density residential areas to adjacent heritage conservation areas. The Planning Proposal aims to reduce current height controls. Residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale). It is intended that the outcomes of the Planning Proposal will in fact improve the interface with 9 Norfolk Road by virtue of the reduced zoning and maximum allowed building height of land to the west and south.</p> <p>Overall, this planning proposal includes provisions which reduce the permissible residential density of land. The reduction in density is of minor scale and thus of minor significance of traffic conditions.</p>
Community	<p>The rezoning would increase development in an area where there are already infrastructure issues (traffic, primary and high school places, pedestrian access) and interrupt the existing streetscape unnecessarily.</p>	<p>Residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale) by virtue of the proposed changes to density and building heights.</p> <p>It is the responsibility for the NSW Government to plan for the future need schools' infrastructure.</p>
Community	<p>This proposal should not be implemented due to the following:</p>	<p>Council endorsed the preparation of a Planning Proposal which included properties at 23-23A Pembroke Street at its meeting on 9 July 2018, including</p>

Submission	Submission Summary	Council Officer Response
	<ul style="list-style-type: none"> - Consistency with the Council resolution at the which was to retain the R3 zoning for 23-23A Pembroke Street, Epping. The change to the zoning seems to have been initiated by Council officers at a later date. While I was aware of the approval on 9 July 2018 it is only during this Exhibition that I have identified this significant change to rezone to R4. - Gives a poor transition to HCA and impacts heritage item at 25 Pembroke Street. - Allows for undesirable height increase through amalgamation with Essex Street developments. - Safety risk to students at Epping public school through dangerous vehicle access arrangements. - Traffic congestion. - Market is already oversaturated with apartments. - Density is too high. - Loss of mature trees. <p>There is reference on page 18 to achieving SEPP (Urban Renewal) 2010 through the PP stimulating renewal within the nominated precinct of Granville. I presume this is a typo.</p>	<p>the controls proposed as per the Gateway Determination of 10 January 2020, including:</p> <ul style="list-style-type: none"> - Reduce the height of buildings from 12 metres to 11 metres. - Change the zoning from R3 to R4. - Apply a maximum FSR control of 0.8:1. <p>This Planning Proposal is a result of this Council resolution. The intended effect of the Planning Proposal is to address existing built form transitional issues from high density residential areas to adjacent heritage conservation areas. By creating consistency in built form from land to the west and east of the site, the changes will result in an improved interface with 25 Pembroke Street.</p> <p>Overall, this planning proposal includes provisions which reduce the permissible residential density of land. The reduction in density is of minor scale and thus of minor significance of traffic conditions.</p> <p>Residential flat buildings will remain a permitted use at Essex and Pembroke Streets, however at a reduced height (or scale).</p> <p>The Epping Planning Review acknowledged that traffic congestion issues have arisen since the NSW Government's rezoning in 2014 and unprecedented rate of development within the Epping Town Centre. The Epping Town Centre Traffic Study undertaken in 2017 concluded that traffic will continue to deteriorate, even with potential local and State road improvements in place. Council is progressing a series of other actions to assist with addressing traffic issues in the Epping town centre, including implementing a range of local and State road improvement works and other planning controls. Any future development applications will consider matters relating to traffic impacts, vehicular access arrangements, and vegetation management be in accordance with the controls and standards set out in the Hornsby LEP 2013 and Hornsby DCP 2013.</p>

Submission	Submission Summary	Council Officer Response
		There is reference on page 18 to achieving SEPP (Urban Renewal) 2010 in relation to Granville is an error and will be amended.
Community	The proposed development will lead to additional traffic in an already congested area leading to potential accidents involving children from Epping Primary School.	The Planning Proposal results in a slight reduction in height, therefore density. Any future development applications will consider matters relating to traffic impacts and vehicular access arrangements in accordance with the controls and standards set out in the Hornsby LEP 2013 and Hornsby DCP 2013.
Community	The proposal will have an irreversible impact if removing part of the East Epping HCA, namely at the corner of Pembroke Street and Norfolk Road, specifically No. 25 Pembroke Street.	At its meeting of 9 July 2020 Council resolved that there would be no change to the current heritage overlay which applies to 25 Pembroke Street noting it forms part of the East Epping Heritage Conservation Area. Rather this planning proposal seeks to make amendments to development controls which provide a more appropriate interface with properties to the west of 25 Pembroke Street.
Community	Rezoning of 23 & 23A Pembroke needs to be reconsidered.	As part of the 2014 rezoning by the NSW Government, the properties at 23 and 23A Pembroke Street were 'up zoned' to allow for residential flat buildings. This Planning Proposal proposes to reduce the heights for 23-23A Pembroke Street from 12 metres to 11 metres, effectively reducing the height of a potential for a 3-storey residential flat building.
Landowner (within the Planning Proposal area)	<p>I strongly oppose to the proposal of reducing the maximum height from 17 metres to 11 metres and applying maximum floor space ration of 0.6:1.</p> <p>In equitable treatment of Essex Street and the height limits, citing examples at 7-9 Essex St, 10 Essex St, 15-19 Essex St, 22-26 Essex St and 1-7 Crandon Road and 9-11 Crandon Road and 2-4 Crandon Road.</p> <p>The proposal would ruin the local character of Essex Street.</p>	<p>In relation to the issues raised in relation to nearby properties and inequitable and inconsistent height limits. The properties listed have a maximum building height of 17.5m under the Hornsby LEP 2013. The purpose of the Planning Proposal is to specifically address issues of development interface with Heritage Conservation Areas. The reason the cited properties have not been included in the Planning Proposal are as follows:</p> <ul style="list-style-type: none"> Properties at 10, 22-26 Essex Street and 1-7, 9-11 and 2-4 Crandon Road are not at the 'interface' (or adjoining) the East Epping HCA, and their inclusion in the Planning Proposal would not specifically meet the purpose which is to address issues of development interface with

Submission	Submission Summary	Council Officer Response
	<p>The proposal would reduce future accommodation capacity and as a result reduce Council rate revenue for local services and infrastructure.</p> <p>The proposal will negatively impact land value resulting in lower government tax revenue.</p>	<p>Heritage Conservation Areas (HCA). Refer Figure 18 for the location of the Essex Street properties and the East Epping HCA.</p> <ul style="list-style-type: none"> • At the time Council resolved at its meeting on 9 July 2018 to prepare a Planning Proposal relating to various properties in East Epping, 7-9 Essex Street had a development approval (approved by Hornsby Council on 11 March 2015 reference DA/1110/2014) for the construction of a 5 storey residential flat building, and therefore the development (now constructed) realised the planning controls relating to the site. • In relation to 15-19 Essex Street a pre-lodgment application was submitted with Council for the construction of a 6 storey residential flat building. It is noted that the subsequent development application (reference DA/546/2018) lodged with Council was subject to an appeal to the NSW Land and Environment Court and subsequently refused. <p>Council accept that the Planning Proposal will reduce residential capacity. The purpose of the Planning Proposal is to address transitional issues arising from NSW Government rezoning of the Epping Town Centre in 2014 and impacts on adjacent heritage conservation areas. The economic impact on NSW Government in relation to land tax revenue is not a relevant consideration of the planning proposal.</p>
Community	Enquiry relating to what can be built on land at Norfolk Road North Epping.	Further information and contact details for Council's Development Advisory Team was passed onto this enquiry.
Community (Various)	<p><i>The following submissions relate to the Rose Street Precinct and have been combined for the purpose of a consistent response.</i></p> <ul style="list-style-type: none"> - The proposed development does not provide scope for suitable screen planting to mitigate privacy and acoustic issues along Rose street - Council's Heritage Consultant for the Epping Planning Review recommended that the Rose 	The Rose Street Precinct does not form part of this Planning Proposal. Council resolved at its meeting on 9 July 2018 that no further action be taken to amend the Planning Controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of the redevelopment of the Rose Street Precinct Sites is completed and reported to Council.

Submission	Submission Summary	Council Officer Response
	<p>Street Precinct have residential flat development of the same height as Maida Road given the topography and there is no historical significance.</p> <ul style="list-style-type: none"> - Maida Road development not consistent with the Hornsby DCP. The height of the development is over what is prescribed in the DCP which will lead to a loss of amenity (solar access, privacy & noise). - It is recommended that Rose St Precinct is zoned to R4 as Rosebank Ave has been for a more consistent approach. - The north side of Briggs Rd should be rezoned to the same level as the south side of Maida Road. Due to the topography, it would provide a good transition to the R2 zone to the south of Brigg Road. - The Maida Road 4 storey development is not fair in regard to interface of zoning from R3 to single-level housing due to privacy issues. Rose Street precinct should be accepted as a Medium to High Density Residential Zone. - The proposal will lead to Detrimental North-South Interface Orientation with R2 Zone to the South and subsequent significant loss of solar access. - The Epping Planning Review recommended for apartment development to extend into the Rose St Precinct, but this has not occurred. The result will be a loss of privacy, poor interface outcomes, issues with solar access, no room for screening trees and noise issues. 	

Submission	Submission Summary	Council Officer Response
Community	Rose Street Precinct has similar or worse interface issues and should also be rezoned accordingly.	As detailed above, Council has considered several areas in Epping, including Rose Street, and its interface with existing development. In relation to Rose Street Precinct the issue of topography and drainage was raised in relation to any rezoning / redevelopment option and, as such, Council resolved at its meeting on 9 July 2018 <i>"That no further action be taken to amend the Planning Controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of the redevelopment of the Rose Street Precinct Sites is completed and reported to Council."</i>

Table 2 - Planning Proposal for 1-7 and 2-8 Rosebank Avenue and Draft DCP Amendments relating to Rosebank Avenue

Submission no.	Submission Summary	Council Officer Response
Agency Submissions		
Transport for NSW	TfNSW has no objections to the Planning Proposal.	Noted.
Heritage NSW	<p>The planning proposals and DCP amendments will not have a direct physical or visual impact on any heritage items listed on the State Heritage Register. However, we do note that the planning proposals and DCP amendments have impacts on heritage conservation areas (HCA) listed under Council's Local Environmental Plans (LEP), including:</p> <ul style="list-style-type: none"> • Removal of part of the Rosebank Avenue HCA. • It is recommended that the Council consider the impact on the heritage significance of Rosebank Avenue HCA by the proposed partial removal to allow development. In addition, the overshadowing and visual impacts on all the abovementioned HCAs and the individual Local heritage items within them from potential future development permitted by these planning proposals should also be considered. • Should the planning proposals be supported, Council should give consideration to the design of any future development for sites adjoining the HCAs and heritage items to minimise any further impacts from development. 	<p>The southern part of the HCA faces serious interface issues cause by developments up to a height of 5 storeys adjacent to the HCA. The developments have caused significant resident concern in relation to their privacy and amenity. Arising from these concerns the planning proposal proposes to remove the conservation area listing from properties in the southern part of Rosebank Avenue.</p> <p>The planning proposal is considered appropriate as it will help to resolve interface issues.</p> <p>In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.</p> <p>The Draft DCP amendments have been publicly exhibited with the Planning Proposal to support the proposed controls and ensure sympathetic transition to the adjoining heritage items and heritage conservation area. Proposed controls include building setbacks, landscaping and tree retention. These are discussed in detail in the body of the report</p>
Hornsby Council	The Epping Town Centre Heritage Review 2013 recommended that the East Epping and Rosebank	In December 2016, the Epping Planning Review was commenced by City of Parramatta Council. The scope of the review was to address the unintended

Submission no.	Submission Summary	Council Officer Response
	<p>Avenue HCAs be listed in accordance with current boundaries and the adjoining residential intensification precincts be limited to three storeys, along with the implementation of several development controls for interface areas, including minimum setbacks, reduced heights and density, and landscaping. Accordingly, Council resolved to forward a submission generally supporting the findings of the heritage report and the progression of the Epping Town Centre UAP in accordance with the recommendations of the review.</p> <p>Ultimately, DPE proceeded with permitting five storey developments on land adjoining the East Epping and Rosebank Avenue HCAs in the final Epping Town Centre UAP Plan, leading to the interface and transition issues which are now sought to be rectified.</p>	<p>consequences of the planning control amendments brought into effect of DPE as well as allowing Council to manage current Planning Proposals seeking additional growth within the Town Centre. It also allowed Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.</p> <p>The Epping Planning Review Discussion Paper (June 2017) presented seven built form options for Rosebank Avenue HCA interfaces with the land zoned R4 High Density residential and the strengths and weaknesses of each option were detailed. The purposes of these options was to gain feedback from the community as to what resolution was acceptable.</p> <p>Following assessment of built form options and community feedback Council resolved at its meeting on 9 July 2018 that the current planning proposal is the best means of achieving the objectives/intended outcomes for the HCA area. The proposed amendment to Hornsby LEP 2013 will help to satisfactorily resolve interface issues whilst still retaining the significance of the remaining portion of the HCA.</p>
Community Submissions		
Community	<p>The proposal will lead to additional traffic, destroy the existing peaceful environment and increase the traffic workload for schools in Epping, Beecroft and Carlingford</p>	<p>It is estimated that the planning proposal (which proposes the rezoning of land from R2 Low Density Residential to R4 High Density Residential) could hypothetically result in approximately 67 units being accommodated over the sites, resulting in an additional 60 dwellings. On balance, this is considered reasonable to increase density in this location to address the severe amenity impacts currently experienced by adjacent residents. In addition, land where density is proposed to be increased is located appropriately 400m from the Epping Town Centre and 650m from high frequency transport infrastructure, including bus routes, Epping Railway Station and Sydney Northwest Metro.</p>

Submission no.	Submission Summary	Council Officer Response
Community	Will the planning proposal have an impact on Kent Street Reserve?	Kent Street Reserve is located to the north west of the Planning Proposal. If No. 5 & 7 Rosebank Avenue were to realise a 11 metre residential flat building in the future (as a intended effect of the Planning Proposal), due to the proposed height and distance from the boundary with the Reserve, it is not expected to have any direct impacts in terms of overshadowing or direct overlooking.
Community	<p>The proposals will largely affect amenity and solar access.</p> <p>I strongly disagree with three sub-proposals of the No.2 Planning Proposal for 1-7 and 2-8 Rosebank Avenue, Epping.</p>	<p>The intended outcome of the Planning is to provide a more consistent and appropriate built form transition between adjoining Heritage Conservation Area and the adjacent high density residential development. In relation to solar access, consideration has been given to properties to the south through setback controls within the draft DCP Amendments (proposed to support this Planning Proposal) are not only designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area, but to allow for an increased setback between existing and proposed dwellings to ensure that impacts such as solar access are minimised as far as possible. Any future development applications will consider matters relating to solar access in accordance with the controls and standards set out in the Apartment Design Guide (ADG), Hornsby LEP 2013 and Hornsby DCP 2013.</p>
Community	<p>I ask that Council reconsider its recommendations regarding the heritage listed properties at 9 & 10 Rosebank Avenue.</p> <p>Construction of future apartments will cause disruption to residents.</p>	<p>The southern part of the HCA faces serious interface issues cause by developments up to a height of 5 storeys adjacent to the HCA. The developments have caused significant resident concern in relation to their privacy and amenity. Arising from these concerns the planning proposal proposes to remove the conservation area listing from properties in the southern part of Rosebank Avenue. The planning proposal is considered appropriate as it will help to resolve interface issues.</p> <p>It is understandable that there may be future construction impact in relation to new development, however this is a short-term impact and will be considered as part of detailed development applications.</p>

Submission no.	Submission Summary	Council Officer Response
Landowner (within the Planning Proposal area)	Supportive of the rezoning from R2 to R4 High Density, however would like the proposed height to be increased from 11m to 12m. Concern that the height is not sufficient to allow for consolidation and redevelopment.	The intended effect of the Planning Proposal is to provide an improved transition of scale where currently one does not exist. The proposed building heights for the lands the subject of this Planning Proposal have been considered the most appropriate means to achieving a 3 storey residential flat building, while note resulting in additional impacts to surrounding properties.
Community	<p>The Department of Planning initially determined that Council's planning proposals should proceed on the basis of reducing the proposed heights on Rosebank Ave back to 8.5 m to preserve heritage at 9 & 10 Rosebank Ave.</p> <p>A recent traffic study found there was no capacity to further increase dwelling numbers in the Epping Town Centre.</p> <p>The proposal is not in line with the recommendation of the 2017 Epping Town Centre (East) Heritage Review or Ministerial Direction 2.3 Heritage Conservation. Consultation with the Office of Environment and Heritage and Premier and Cabinet needs to be undertaken.</p>	<p>The Planning Proposal for Rosebank Avenue received Gateway Determination from Department of Planning, Industry and Environment (DPIE) on 10 January 2020 and included a condition (Condition 1) which reduced the height of buildings within the Planning Proposal from the proposed 11 metres to 8.5 metres for 6-8 and 5-7 Rosebank Avenue. The reasons stated was <i>"to better preserve the context of the two listed heritage items and the surrounding streetscape"</i>.</p> <p>Following this Council wrote to DPIE requesting an amendment to this condition for the reasons below:</p> <ul style="list-style-type: none"> - Reducing the height of buildings on these sites will reduce incentives for amalgamation for a residential flat building and may result in delivery of multi-unit dwellings (town houses), which would likely result in reduced setbacks, greater site coverage and potential additional tree loss (compared to a residential flat building). - The Planning Proposal is supported by draft DCP controls with any new residential flat building would be required to be setback to the boundary 6 metre at ground level and 9 metres at the second and third storeys. This would create a stepped built form interface appropriate transition between it and the Heritage Conservation Area. <p>DPIE then subsequently issued an alteration on 30 March 2020 and requesting that Council <i>"prior to public exhibition, amend the planning proposal to outline a suitable planning mechanism to ensure transition of height and scale to the adjoining land to the north and retain streetscape values. This may include the</i></p>

Submission no.	Submission Summary	Council Officer Response
		<p><i>requirement to prepare a Development Control Plan that comes into force once the planning proposal is finalised.</i>" Council has prepared a Draft DCP which supports this proposal.</p> <p>The Epping Town Centre (East) Heritage Review (June 2017) purpose was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues. The Heritage Review found the Rosebank Avenue HCA to have maintained the significance and intactness established in previous studies and was recommended to be retained in full. However, this study did not fully address the land use conflicts occurring at the interface at the rear some of these properties and strong community concerns.</p> <p>On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rosebank Avenue HCA. In summary, the Council report stated that interface issues represent a failure of the planning system which has created a current land use conflict. They are as a result of the Priority Precinct process and subsequent development application decisions. The current situation where 5 to 6 storey buildings overlook and encroach on the backyards of single dwellings is considered unacceptable. In conclusion, Council accepted that there are severe interface issues occurring in the southern half of the Rosebank Avenue Heritage Conservation Area.</p> <p>Council therefore resolved at its meeting on 9 July 2018 that no planning proposals would be supported that increased residential density unless it addressed matters relating to heritage interface with high density areas. It also resolved to proceed with this Planning Proposal.</p> <p>The Planning Proposal acknowledges that it is not consistent with the Ministerial Direction in relation to Heritage Conservation and has undertaken</p>

Submission no.	Submission Summary	Council Officer Response
		consultation with the NSW Heritage NSW as part of the public exhibition of the Planning Proposal. The Planning Proposal is considered appropriate as it will help to resolve interface issues and community concerns. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.
Community	<p>There is too much ongoing disruption from construction in the local area. Construction in the local area has caused issues with traffic congestion.</p> <p>The Epping Town Centre Traffic Study 2018 demonstrates no further capacity for more development in the area. The proposal will cause further traffic congestion.</p> <p>Department of Planning's Gateway Determination report concluded that Council's planning proposals should proceed on the basis of reducing the proposed heights on Rosebank Ave back to 8.5 m to preserve heritage. There is no need for additional height as it will cause overshadowing to existing neighbouring apartments.</p>	<p>Future detailed development applications will need to consider how to mitigate impacts which result from construction traffic.</p> <p>The intended effect of the Planning Proposal is to address issues relating to the transition of scale within the Epping Town Centre. While it is acknowledged that zoning changes may result in additional traffic generation, it is considered reasonable on balance to address the amenity impacts currently experienced by residents. In addition, land where density is proposed to be increased is located appropriately 400m from the Epping Town Centre and 650m from well serviced transport infrastructure, including bus routes, Epping Railway Station and Sydney Northwest Metro.</p> <p>Refer above Council officer response immediately above this one for a detailed report in relation to height of buildings and the Gateway Determination process.</p>
Community	Epping is becoming overcrowded and increasingly unliveable as such we do not support the height increase.	The intended effect of the Planning Proposal seeks to address existing transition of scale issues which exist within the Epping Town Centre. While the Planning Proposal will likely result in additional dwellings and therefore residents, the impacts which will result from this redevelopment are considered reasonable on balance.
Epping Civic Trust	The proposal is different to what was in the original Gateway Determination which noted the proposed	The Planning Proposal for Rosebank Avenue received Gateway Determination from Department of Planning, Industry and Environment

Submission no.	Submission Summary	Council Officer Response
	<p>heights should be 8.5m to better preserve the context of the 2 listed heritage items (numbers 9 and 10) in the avenue and the surrounding streetscape.</p> <p>It also noted:</p> <ul style="list-style-type: none"> - A recent traffic study which found that there was no capacity to further increase dwelling numbers in the Epping town centre. - It was against the recommendation of the 2017 Epping Town Centre (East) Heritage Review. <p>It is inconsistent with Ministerial Direction 2.3 Heritage Conservation as it reduces the extent of the Rosebank Ave HCA.</p>	<p>(DPIE) on 10 January 2020 and included a condition (Condition 1) which reduced the height of buildings within the Planning Proposal from the proposed 11 metres to 8.5 metres for 6-8 and 5-7 Rosebank Avenue. The reasons stated was "to better preserve the context of the two listed heritage items and the surrounding streetscape".</p> <p>Following this Council wrote to DPIE requesting an amendment to this condition for the reasons below:</p> <ul style="list-style-type: none"> - Reducing the height of buildings on these sites will reduce incentives for amalgamation for a residential flat building and may result in delivery of multi-unit dwellings (town houses), which would likely result in reduced setbacks, greater site coverage and potential additional tree loss (compared to a residential flat building). - The Planning Proposal is supported by draft DCP controls with any new residential flat building would be required to be setback to the boundary 6 metre at ground level and 9 metres at the second and third storeys. This would create a stepped built form interface appropriate transition between it and the Heritage Conservation Area. <p>DPIE then subsequently issued an alteration on 30 March 2020 and requesting that Council "prior to public exhibition, amend the planning proposal to outline a suitable planning mechanism to ensure transition of height and scale to the adjoining land to the north and retain streetscape values. This may include the requirement to prepare a Development Control Plan that comes into force once the planning proposal is finalised." Council has prepared a Draft DCP which supports this proposal.</p> <p>The Epping Town Centre (East) Heritage Review (June 2017) purpose was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues. The Heritage Review found the Rosebank Avenue HCA to have maintained the significance and intactness established in previous studies and was</p>

Submission no.	Submission Summary	Council Officer Response
		<p>recommended to be retained in full. However, this study did not fully address the land use conflicts occurring at the interface at the rear some of these properties and strong community concerns.</p> <p>On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rosebank Avenue HCA. In summary, the Council report stated that interface issues represent a failure of the planning system which has created a current land use conflict. They are as a result of the Priority Precinct process and subsequent development application decisions. The current situation where 5 to 6 storey buildings overlook and encroach on the backyards of single dwellings is considered unacceptable. In conclusion, Council accepted that there are severe interface issues occurring in the southern half of the Rosebank Avenue Heritage Conservation Area. Council resolved at its meeting on 9 July 2018 that no planning proposals would be supported that increased residential density unless it addressed matters relating to heritage interface with high density areas. It also resolved to proceed with this Planning Proposal.</p> <p>The Planning Proposal acknowledges that it is not consistent with the Ministerial Direction in relation to Heritage Conservation and has undertaken consultation with the NSW Heritage NSW as part of the public exhibition of the Planning Proposal. The Planning Proposal is considered appropriate as it will help to resolve interface issues and community concerns. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.</p>
Community	The proposal is inconsistent with the Ministerial Direction 2.3 Heritage Conservation as it reduces	The Planning Proposal acknowledges that it is not consistent with the Ministerial Direction in relation to Heritage Conservation and has undertaken

Submission no.	Submission Summary	Council Officer Response
	<p>the extent of Rosebank Ave HCA. It is directly contrary to the 2017 Epping Town Centre Heritage Review.</p> <p>The 2020 traffic study which found and shows there is no capacity to further increase dwelling numbers in the Epping Town Centre.</p>	<p>consultation with the NSW Heritage NSW as part of the public exhibition of the Planning Proposal. The Planning Proposal is considered appropriate as it will help to resolve interface issues and community concerns. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.</p> <p>The Epping Town Centre (East) Heritage Review (June 2017) purpose was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues. The Heritage Review found the Rosebank Avenue HCA to have maintained the significance and intactness established in previous studies and was recommended to be retained in full. However, this study did not fully address the land use conflicts occurring at the interface at the rear some of these properties and strong community concerns.</p> <p>On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rosebank Avenue HCA. In summary, the Council report stated that interface issues represent a failure of the planning system which has created a current land use conflict. They are as a result of the Priority Precinct process and subsequent development application decisions. The current situation where 5 to 6 storey buildings overlook and encroach on the backyards of single dwellings is considered unacceptable. In conclusion, Council accepted that there are severe interface issues occurring in the southern half of the Rosebank Avenue Heritage Conservation Area. Council resolved at its meeting on 9 July 2018 that no planning proposals would be supported that increased residential density unless it addressed matters relating to heritage interface with high density areas. It also resolved to proceed with this Planning Proposal.</p>

Submission no.	Submission Summary	Council Officer Response
		<p>The intended effect of the Planning Proposal is to address issues relating to the transition of scale within the Epping Town Centre. While it is acknowledged that zoning changes may result in additional traffic generation, it is considered reasonable on balance to address the amenity impacts currently experienced by residents. In addition, land where density is proposed to be increased is located appropriately 400m from the Epping Town Centre and 650m from well serviced transport infrastructure, including bus routes, Epping Railway Station and Sydney Northwest Metro.</p>
Community	<p>The heritage conservation area should not be reduced in size.</p>	<p>The Planning Proposal is considered appropriate as it will help to resolve interface issues including resident concerns relating to overlooking and privacy as a result of adjacent residential flat buildings in Hazelwood Place. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.</p>
Community	<p>Object to the Planning Proposal to rezone the southern half of Rosebank Ave from R2 to R4 thereby permitting the building of 3 storey apartments.</p> <p>Rosebank is a small and already very congested street.</p> <p>It is therefore not prudent to rezoned to allow 100s more dwellings in this area which will further contribute to the traffic congestion.</p> <p>Placing 3 storey apartments next to Heritage Items at 9 and 10 Rosebank Avenue should not be permitted. This will create unacceptable interface</p>	<p>The planning proposal will result in a rezoning of land from R2 Low Density Residential to R4 High Density Residential which will facilitate potential amalgamation of lots and new residential flat building development. Approximately 67 units could be accommodated over the sites, resulting in an additional 60 dwellings.</p> <p>The Planning Proposal seeks to increase the height of buildings from 8.5m to 11m (3 storey), which creates a transition in built form from 17.5 metres (5 and 6 storey) residential flat buildings at Hazelwood Place to the Rosebank Avenue single storey dwellings. The Draft DCP controls seek to support this transition through generous side and rear setbacks to the adjacent heritage conservation area and heritage items. The setbacks will allow for landscaping, including retention of trees and allowing for planting of trees.</p>

Submission no.	Submission Summary	Council Officer Response
	<p>issues and destroy the integrity of the Heritage Items.</p> <p>This will result in further trees being removed which in turn will impact on the wildlife.</p>	<p>It is recognised that there are high amenity street trees currently in Rosebank Avenue. Therefore, to encourage their protection, it is proposed to include in the DCP controls, which support this Planning Proposal that "street trees along Rosebank Avenue shall be retained and not be adversely impacted as part of any new development."</p>
<p>Community</p>	<p>The development resulting from changes to the Heritage Conservation area will result in loss of vegetation, noise increase, more traffic and loss of low density residential housing.</p>	<p>The Planning Proposal is considered appropriate, on balance, as it will help to resolve interface issues including resident concerns relating to overlooking and privacy as a result of adjacent residential flat buildings in Hazelwood Place.</p> <p>While it is acknowledged that zoning changes may result in additional traffic generation, it is considered reasonable on balance to address the amenity impacts currently experienced by residents the anticipated rates are likely to be low even at peak periods. In addition, land where density is proposed to be increased is located appropriately 400m from the Epping Town Centre and 650m from well serviced transport infrastructure, including bus routes, Epping Railway Station and Sydney Northwest Metro.</p> <p>In relation to vegetation, the setback controls within the draft DCP Amendments (proposed to support this Planning Proposal) are not only designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area but to allow for trees to be retained and planted to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.</p> <p>Furthermore, it is recognised that there are high amenity street trees currently in Rosebank Avenue. Therefore, to encourage their protection, it is proposed to include in the DCP controls, which support this Planning Proposal "<i>Street trees along Rosebank Avenue shall be retained and not be adversely impacted as part of any new development.</i>"</p>

Submission no.	Submission Summary	Council Officer Response
Community	<p>Rosebank Avenue has heritage listing protection & you are trying to get rid of it.</p> <p>It is one of the very few leafy streets many of which have been allowed to be removed with no consideration or care for the environment.</p> <p>The proposal to increase the height for 5,6 & 7 Rosebank Avenue is not acceptable.</p>	<p>Council accepts that HCA will be reduced, and that the planning proposal is not in line with Ministerial Direction 2.3 Heritage Conservation.</p> <p>The setback controls within the draft DCP Amendments (proposed to support this Planning Proposal) are designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area</p> <p>In relation to vegetation, the setback controls within the draft DCP Amendments (proposed to support this Planning Proposal) are not only designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area but to allow for trees to be retained and planted to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.</p> <p>Furthermore, it is recognised that there are high amenity street trees currently in Rosebank Avenue. Therefore, to encourage their protection, it is proposed to include in the DCP controls, which support this Planning Proposal "Street trees along Rosebank Avenue shall be retained and not be adversely impacted as part of any new development."</p>
Community	I strongly disagree with three sub-proposals of the No.2 Planning Proposal for 1-7 and 2-8 Rosebank Avenue, Epping.	Noted.
Landowner (adjacent to Planning Proposal area)	<p><i>The following is a summary of the submission from 9 Rosebank Avenue, Epping.</i></p> <p>A 10 metre setback should be implemented and the R4 zone interface to the HCA and Heritage item.</p> <p>The heritage value of the item at 9 Rosebank will be greatly reduced, along with the economic value.</p>	<p>As a result of this submission, Council undertook the following:</p> <ul style="list-style-type: none"> - Councillor and Council Officer site visit to no. 9 Rosebank Avenue on 16 December 2020 (as requested) to inspect and discuss on site the potential impact on this property. - Council's Urban Design team tested an option to accommodate an increased setback (9m ground & 12m upper). - Council Officers consulted directly with owners of 5 and 7 Rosebank Avenue (letter and meeting in person) in relation to this option to vary to

Submission no.	Submission Summary	Council Officer Response
	<p>The living amenity will be significantly affected if the current setback is implemented. The amendment will lead to a further loss of privacy.</p> <p>The proposed FSR of 0.8:1 is too high and should be reduced to 0.6:1.</p> <p>The Epping Traffic study shows, even without current proposal, there will be queue along the whole Cliff Road waiting to enter Carlingford Road during peak hours. It is already stated that this is not acceptable</p> <p>Reducing the FSR to 0.6:1 will improve the built form and a greater setback will improve heritage interface.</p> <p>Reducing the FSR will help increase the front setback, mitigating impact on the streetscape and preserve historical value of the heritage item at 9 Rosebank Avenue.</p>	<p>the FSR within the Planning Proposal and setback controls within the Draft DCP.</p> <p>Findings of the urban design testing which sought to assess the effect of increased setbacks concluded that reductions to the side setback between 7 and 9 Rosebank Avenue would impact on the available floor space for 5-7 Rosebank Avenue from 0.8:1 to between 0.6:1 – 0.65:1.</p> <p>The reduced FSR may also lead to unintended consequences, such as redevelopment for uses other than residential flat buildings such as townhouses or multi-unit dwellings. Given the site specific controls relating to greater setback provisions have been drafted to apply to RFBs, should redevelopment occur for other uses these controls would not apply, thus reducing opportunities for deep soil planting.</p> <p>In relation to issues raised of privacy and overlooking, it is considered that an increase in setbacks would not achieve any greater privacy or outlook concerns. It is likely that any future residential flat building would contain 3 units per level and the potential for balconies to be located north facing. The balconies of ground floor units, which is proposed to be setback 6 metres from the boundary, would not directly impact on overlooking and privacy. Any future upper level unit balconies would be setback 9 metres from the boundary and would look onto the roof top of 9 Rosebank Ave and those balconies positioned in the north west corner could overlook the open space of 9 Rosebank Avenue. It is considered that proposed ground level setback of 6 metres, which allows for planting of mature trees and landscaping is the most appropriate method of providing adequate privacy and managing overlooking impacts</p> <p>Council Officers therefore recommend that some additional controls be put forward in the DCP to minimise potential overlooking and privacy impacts:</p>

Submission no.	Submission Summary	Council Officer Response
		<ul style="list-style-type: none"> new development located at 5 and 7 Rosebank Avenue, shall minimize the number of balconies facing northward. Those balconies facing west and north shall provide appropriate screening to minimise overlooking. That balconies cannot protrude in the front, rear and side setbacks.
Landowner (within the Planning Proposal area)	<p><i>The following is a summary of the submission from 5 Rosebank Avenue, Epping in direct response to the proposal to increase setbacks and potential reduce FSR between 5&7 Rosebank Ave and the boundary with 9 Rosebank Avenue.</i></p> <p>Given the heritage item is a dwelling house, a 6m separation from the boundary is sufficient and well exceeds what presently exists. An FSR of 0.65:1 is unusually low in an R4 zone and restrictive in terms of achieving a viable yield.</p> <p>The proposed 6m setback for three-storey units for sites within the Rosebank Avenue Planning Proposal would create a greater building separation than what currently exists. Further, the proposed three-storey height is less than the residential flat buildings located south-west of the heritage site.</p> <p>Increasing this side setback by an amount of 2.5m for 7 Rosebank Avenue achieves no obvious benefit to No. 9 in heritage terms, but it will have a considerable impact on the 7 Rosebank Avenue in terms of its development viability. Additionally, No. 9 is north of the development sites, meaning there will be no overshadowing.</p>	<p>Council Officer consider that a reduced FSR (density) controls may lead to unintended consequences, such as redevelopment for uses other than residential flat buildings such as townhouses or multi-unit dwellings. Given the site specific controls relating to greater setback provisions have been drafted to apply to RFBs, should redevelopment occur for other uses these controls would not apply, thus reducing opportunities for deep soil planting.</p> <p>The setback controls within the draft DCP Amendments (proposed to support this Planning Proposal) are not only designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area but to allow for trees to be retained and planted to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.</p> <p>Notwithstanding, Council Officers therefore recommend that some additional controls be put forward in the DCP to minimise potential overlooking and privacy impacts:</p> <ul style="list-style-type: none"> new development located at 5 and 7 Rosebank Avenue, shall minimise the number of balconies facing northward. Those balconies facing west and north shall provide appropriate screening to minimise overlooking. That balconies cannot protrude in the front, rear and side setbacks.

Submission no.	Submission Summary	Council Officer Response
	<p>The orientation of living room windows towards the east and west of 9 Rosebank Ave mitigates against significant privacy impacts.</p> <p>A consistent FSR with nearby sites of 0.8:1 is appropriate, and the ultimate capability of the site can be determined once a Development Application is being assessed.</p>	

Table 3 - Minor corrections to the Epping Town Centre car parking provisions

Submission no.	Submission Summary	Council Officer Response
Transport for NSW	TfNSW has no objections to this amendment to the Hornsby Development Control Plan 2013.	Noted.
Heritage NSW	The DCP amendments will not have a direct physical or visual impact on any heritage items listed on the State Heritage Register.	Noted.
Hornsby Council	No specific comment.	-
Professional	The replacement of 'should' with 'must' is more than a housekeeping change and indicates a notable change by Council in their intended application of the parking requirements. 'Should' denotes flexibility in application and allows a development to respond to its site conditions and in the case of Epping Town Centre, its proximity to the Railway Station. 'Must' indicates a numerical requirement to which no flexibility may be permitted. Where an applicant provides an adequate justification for doing so, they should be provided with that opportunity.	<p>It is Council's intention to provide greater clarity around the need to provide adequate onsite parking to facilitate proposed development. Parking and traffic congestion is acknowledged as an issue within the Epping Town Centre. It is Council's intention that future developments having an obligation to help manage and mitigate these impacts, and it is hoped that this minor amendment to the DCP will encourage that.</p> <p>DCPs provide greater planning detail for developments, supplementing the zoning and development standards contained within Local Environmental Plans. DCPs allows flexibility to applicants to provide alternative design solutions to meet identified objectives or outcomes and have these alternatives considered on merit.</p>
Community	The changes to the HDCP 2013 to remove the Seniors Housing as per SEPP (Housing for Seniors or People with Disabilities) 2004 to be a 'minor' change. Anything which will impact adversely on seniors is not minor. Seniors need to be able to have cars to facilitate their independence.	The intended effect of the amendments to Council's endorsed car parking rates is to remove reference to specific car parking rates for Senior's Housing within the Epping Town Centre. Parking rates for development for seniors housing are outlined under the Seniors House SEPP, and would be applied by an authority in the event of a development seeking to deliver seniors housing.

Table 4 - A new provision to facilitate widening of the Forest Grove/Essex Street pedestrian link

Submission no.	Submission Summary	Council Officer Response
Transport for NSW	TfNSW has no objections to this amendment to the Hornsby Development Control Plan 2013.	Noted.
Heritage NSW	The DCP amendments will not have a direct physical or visual impact on any heritage items listed on the State Heritage Register.	Noted.
Hornsby Council	No specific comment.	-
Community Submissions		
Community	The improvement of seating in the public domain is not practical. It should be replaced with trees.	The proposed widening of the pedestrian link to 3m is intended to allow for public domain improvements including seating and planting. Seating is proposed to be balanced with planting through the provision of the increased width of the link to 3m. Seating is an important pedestrian activation tool, as it will promote the 'use' of the link to be more than just a thoroughfare.



PLANNING PROPOSAL

Relating to various properties in East Epping (Pembroke and Essex Streets and Rockleigh Park Precinct), Epping

May 2021



cityofparramatta.nsw.gov.au

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PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Planning Proposal drafts

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel on the assessment of planning proposal to be sent to Department of Planning and Environment for Gateway Determination – 17 September 2019
2	City of Parramatta Council	Report to Council on the assessment of planning proposal to be sent to Department of Planning and Environment for Gateway Determination – 8 October 2019 (minor amendments to accommodate Appendices)
3	City of Parramatta Council	Report to Council 9 June 2020 with the amendments to the planning proposal following Gateway Determination.
4	City of Parramatta Council	August 2020 - Amendments in response to Gateway Alteration and for public exhibition.
5	City of Parramatta	Minor edit to Table 5 in response to public submission and Table 7 timelines. Version for reporting to Local Planning Panel 18 May 2021 and Council on 15 June 2021.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

INTRODUCTION

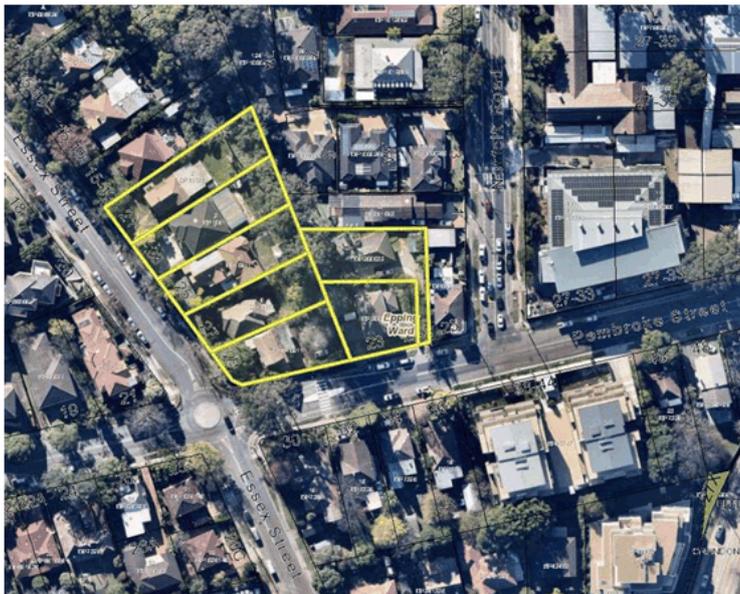
This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Hornsby Local Environmental Plan 2013*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

This planning proposal relates to 41 properties at 2-24 and 1-31 Rockleigh Way, 3-7 and 4-8 Brenda Way and 5A and 21-29 Essex Street and 23 and 23A Pembroke Street, Epping. The subject land is located near the Epping Town Centre and within the boundaries of the City of Parramatta Local Government Area (LGA). Prior to Council amalgamations on 12 May 2016 this area formed part of the Hornsby Shire LGA, therefore the existing planning controls for the sites are the Hornsby Local Environmental Plan 2013. The subject sites subject to this planning proposal are shown in **Figure 1 and 2** below.

The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018 and the resolution made by Council on 9 July 2018 in relation to a number of matters resulting from the Epping Planning Review, including issues of development interface with Heritage Conservation Areas (HCAs). Council resolved on the 8 October 2019 to send the Planning Proposal to Department of Planning, Industry and Environment (DPIE) for Gateway Determination. Gateway Determination was subsequently issued by DPIE on 10 January 2020. Following this Council resolved on 9 June 2020 to seek an alteration to the Gateway Determination in order to be consistent with the Harmonisation Planning Proposal.

The planning proposal seeks to manage the impacts of development adjacent to the East Epping Heritage Conservation Area by reducing the maximum height of building controls for properties along Essex Street and Pembroke Street and to amend the planning controls in order to prevent the development of residential flat buildings in Rockleigh Park Precinct.



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PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Figure 1 – 7 Properties along Essex and Pembroke Streets, Epping

Under the *Hornsby LEP 2013*, the properties at 21-29 Essex Street are currently:

- zoned R4 High Density Residential;
- Have a maximum height of buildings of 17.5 metres; and
- have no maximum floor space ratio (FSR).

Under the *Hornsby LEP 2013*, the properties at 23-23A Pembroke Street are currently:

- zoned R3 Medium Density Residential;
- have a maximum building height of 17.5 metres; and
- have no maximum floor space ratio (FSR).



Figure 2 - 34 properties in Rockleigh Park precinct are subject to the planning proposal

Under the *Hornsby LEP 2013* the properties at 2-24 Rockleigh Way, 3-7 and 4-8 Brenda Way and 5A Essex St (a private road known as Rockleigh Way) sites:

- Are zoned R4 High Density Residential;
- have a maximum building height of 17.5 metres; and
- have no maximum floor space ratio (FSR).

Under the *Hornsby LEP 2013* the properties at 1-31 Rockleigh Park:

- Are zoned R3 Medium Density Residential;
- have a maximum building height of 12 metres; and
- have no maximum floor space ratio (FSR).

An extract of the current *Hornsby LEP* maps for each of the sites are provided at **Figures 4 and 5** in Part 4 – Mapping.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

A legal description of the properties subject to this Planning Proposal is provided in **Table 1** below.

Property Address	Legal Description	Property Address	Legal Description
2 Rockleigh Way	Lot 2 DP285338	1 Rockleigh Way	Lot 34 DP285338
4 Rockleigh Way	Lot 3 DP285338	3 Rockleigh Way	Lot 33 DP285338
6 Rockleigh Way	Lot 4 DP285338	5 Rockleigh Way	Lot 32 DP285338
8 Rockleigh Way	Lot 5 DP285338	7 Rockleigh Way	Lot 31 DP285338
10 Rockleigh Way	Lot 6 DP285338	9 Rockleigh Way	Lot 30 DP285338
12 Rockleigh Way	Lot 13 DP285338	11 Rockleigh Way	Lot 29 DP285338
14 Rockleigh Way	Lot 14 DP285338	15 Rockleigh Way	Lot 28 DP285338
16 Rockleigh Way	Lot 15 DP285338	17 Rockleigh Way	Lot 27 DP285338
18 Rockleigh Way	Lot 16 DP285338	19 Rockleigh Way	Lot 26 DP285338
20 Rockleigh Way	Lot 17 DP285338	21 Rockleigh Way	Lot 25 DP285338
22 Rockleigh Way	Lot 18 DP285338	23 Rockleigh Way	Lot 24 DP285338
24 Rockleigh Way	Lot 19 DP285338	25 Rockleigh Way	Lot 23 DP285338
3 Brenda Way	Lot 12 DP285338	27 Rockleigh Way	Lot 22 DP285338
4 Brenda Way	Lot 7 DP285338	29 Rockleigh Way	Lot 21 DP285338
5 Brenda Way	Lot 11 DP285338	31 Rockleigh Way	Lot 20 DP285338
6 Brenda Way	Lot 8 DP285338	5A Essex Street	Lot 1 DP285338
7 Brenda Way	Lot 10 DP285338	29 Essex Street	Lot 6 DP10511
8 Brenda Way	Lot 9 DP285338	23 Pembroke Street	Lot 1 DP209032
21 Essex Street	Lot 2 DP10511	23A Pembroke Street	Lot 2 DP209032
23 Essex Street	Lot 3 DP10511	27 Essex Street	Lot 5 DP10511
25 Essex Street	Lot 4 DP10511		

Table 1: Legal Description of Properties subject to this Planning Proposal

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The main objective of this planning proposal is to provide a more consistent and appropriate built form transition to the East Epping Heritage Conservation Area.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Hornsby LEP 2013 (HLEP 2013)* in relation to the zoning, height and floor space ratio controls.

In order to achieve the desired objectives the following amendments to the *HLEP 2013* would need to be made:

For sites at 2-24 Rockleigh Way, 3-7 and 4-8 Brenda Way and 5A Essex St:

1. Amend the zone in the **Land Zoning Map** (Sheet LZN_011) from R4 High Density Residential to R3 Medium Density Residential. Refer Figure 8 in Part 4 of this planning proposal.
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 17.5 metres to 11 metres. Refer Figure 10 in Part 4 of this planning proposal.
3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.6:1, noting there is no existing FSR control for the sites. Refer Figure 12 in Part 4 of this planning proposal.

For sites at 1-31 Rockleigh Way:

1. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 12 metres to 11 metres. Refer Figure 10 in Part 4 of this planning proposal.
2. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.6:1, noting there is no existing FSR control for the sites. Refer Figure 12 in Part 4 of this planning proposal.

For sites at 21-29 Essex Street:

1. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 17.5 metres to 11 metres. Refer Figure 11 in Part 4 of this planning proposal.
2. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. Refer Figure 13 in Part 4 of this planning proposal.

For sites at 23-23A Pembroke Street:

1. Amend the zone in the **Land Zoning Map** (Sheet LZN_011) from R3 Medium Density Residential to R4 High Density Residential. Refer Figure 9 in Part 4 of this planning proposal.
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 12 metres to 11 metres. Refer Figure 11 in Part 4 of this planning proposal.
3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. Refer Figure 13 in Part 4 of this planning proposal.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Note: The Harmonisation Planning Proposal seeks to consolidate into one Planning Instrument a set of controls that will replace the controls in the five different Local Environmental Plans that currently apply in different parts of the City of Parramatta. This work will create a single LEP and DCP that will apply to the whole LGA. The Harmonisation Planning Proposal was considered by Council at its meeting of 11 November 2019. Council resolved to endorse the Planning Proposal for submission to the DPIE. DPIE subsequently issued a Gateway Determination for the Harmonisation Planning Proposal on 16 April 2020 and, as a next step, will be placed on public exhibition. Therefore the proposed planning controls in this Planning Proposal have been drafted to be consistent with the proposal controls in the harmonisation process so to ensure translation of controls are straight forward.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

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

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

The Planning Proposal is as a result of the Council resolution of Stage 1 of the Epping Planning Review on 9 July 2018 and forms part of the implementation of Stage 2. A background to the Epping Planning Review, as it relates to this planning proposal, is detailed below.

In March 2014, new planning controls for the Epping Town Centre and surrounds came into effect as a result of the, then, Department of Planning and Environments (DPE) Priority Precinct process. This process resulted in increased building heights and density controls and the creation of three new Heritage Conservation Areas – Rosebank Avenue, East Epping and Essex Street HCA (formerly located within the Hornsby Local Government Area).

Following Council amalgamations on 12 May 2016, Epping Town Centre and immediate surrounds fell wholly within the City of Parramatta Council Local Government Area.

In December 2016, the Epping Planning Review was commenced by City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect of DPE as well as allowing Council to manage current Planning Proposals seeking additional growth within the Town Centre. It also allowed Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.

The Epping Planning Review involves the following Stages:

- Stage 1 – the preparation of technical studies, community consultation and the release of a discussion paper for public comment. This Stage was undertaken between 2016 and 2018. This planning proposal is one of the Council resolved outcomes of Stage 1 of the Epping Planning Review.
- Stage 2 – involves the statutory phase, including the preparation of planning proposals that seek to amend the current planning controls to resolve the land use issues identified during the first phase. Council are currently in this phase of the project.

As part of Stage 1 community consultation, community workshops were undertaken, including 2 heritage review workshops with regards to Heritage Conservation Areas (HCA) within Epping - one workshop for landowners within the HCAs and one general workshop for interested residents. The workshop explored potential land use scenarios and associated impacts in the HCAs. The workshops aimed to listen to the concerns of residents at the impact of proposals and developments for five storey apartments on land adjoining the Epping conservation areas, including the East Epping Heritage Conservation Area.

As part of Stage 1 technical studies, City Plan Heritage completed the Epping Town Centre (East) Heritage Review (June 2017) – refer **Appendix 1** of this report. The purpose of the review was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues.

In relation to planning controls surrounding the East Epping Heritage Conservation Area,

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

the Heritage Review (refer **Appendix 1**) concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations of the Heritage Review include:

- Rezone the Rockleigh Park parcels from the R4 High Density Residential Zone which has a 17.5m (5 storey) height to the R3 Medium Density zone with a 12 metre (4 storey) building height, in order to provide a smooth transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets.
- That the heritage conservation area designation be removed from 1, 3 and 3A Norfolk Road and 25 Pembroke Street and together with 5, 7, and 7A Norfolk Road be rezoned to R3 Medium Density Residential. This would allow them to be potentially developed for apartment buildings (4 storeys).

The Epping Planning Review Discussion Paper was released for public comment in June 2017 and aimed to present appropriate options and recommendations based on technical studies and community feedback in relation to a number of planning matters. The Discussion Paper presented options for the properties at Rockleigh Park precinct and Norfolk Road and Pembroke Street and the strengths and weaknesses of each option were detailed. The purposes of these options was to gain feedback from the community as to what resolution was acceptable.

On 14 August 2017, Council considered a report (refer **Council report and Minutes at Appendix 2**) that summarised submissions from the Epping Planning Review Discussion Paper and technical studies. The report summarised the feedback from land owners and the community on the East Epping Heritage Conservation Area and the options presented to mitigate the interface issues from the adjoining development. It noted that the submissions were divided in opinion as to how the interface issue should be managed.

On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review (refer **Council report and minutes at Appendix 3**), including further assessment work undertaken for Rockleigh Park and Norfolk Road and Pembroke Street properties. In summary the Council report recommended:

- That the area zoned R4 be down-zoned to R3 in the Rockleigh Park Precinct to be consistent with R3 zone boundary to north and east; and
- No changes to battle-axe blocks at 7 and 7A Norfolk Road and rezone 1, 3, 3A and 5 Norfolk Road to R3 zone to enable three storey residential flat buildings subject to amalgamation controls being put in place to create 1 super lot and that 25 Pembroke cannot develop of itself and should retain its existing zoning.

Council resolved to support the above recommendation in relation to Rockleigh Park precinct, however no changes to properties along Norfolk Road and at 25 Pembroke Street. Further Council resolved to amend height of buildings in relation to properties at 21-29 Essex Street and 23 and 23A Pembroke Street, Epping.

A summary of decision making in relation to the above matters is provided at **Appendix 5**.

A Council-initiated Planning Proposal relating to various properties in East Epping was prepared in line with the 9 July 2018 resolution and presented to Local Planning Panel at its meeting of 17 September 2019. The Local Planning Panel advised Council to support the Planning Proposal. Subsequently, the Planning Proposal was reported to Council at its meeting of 8 October 2019 (refer **Council report and minutes at Appendix 4**). Council resolved to progress the Planning Proposal and send to the Department Planning, Industry and Environment for Gateway Determination. Gateway Determination was subsequently granted on 10 January 2020. Following this Council resolved on 9 June 2020 to seek an alteration to the Gateway Determination in order to be consistent with the Harmonisation Planning Proposal.

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

The Epping Planning Review Discussion Paper (June 2017) examined the Heritage Review recommendations for Rockleigh Park Precinct and presented options for the community to consider. The purpose of these options was to gain feedback from the community as to what planning solution was acceptable.

In relation Rockleigh Park the Discussion Paper recommended down-zoning the site from the R4 High Density zone to the R3 Medium Density zone, enabling a reduction in the permissible density. It also recommended the preparation of a master plan to determine the most appropriate outcome.

Following assessment and community feedback Council resolved that the current planning proposal is the best means of achieving the objectives/intended outcomes in relation to Rockleigh Park precinct. The proposed amendment to Hornsby LEP 2013 will help to satisfactorily resolve transition issues from the R4 High Density Residential land use zoning to the East Epping HCA.

3.2 Section B – Relationship to strategic planning framework

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: A Metropolis of Three Cities* (“the GSRP”) a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions which are each contains Potential Indicator and, generally, a suite of objective/s with each objective supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Table 3a – 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	The region plan highlights that the Central River City is undergoing a rebuilding program in a high-growth environment, which requires existing infrastructure to be optimised. This planning proposal acknowledges Epping as a strategic centre in which the provision of housing this location promotes efficient use of the existing infrastructure while still maintaining appropriate interfaces with adjacent heritage items and conservation areas.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

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Liveability

An assessment of the planning proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3b, below.

Table 3b – 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	The planning proposal aims to improve amenity to the community by creating a better transition in built form from a high density to an existing low density heritage conservation area.
	O7: Communities are healthy, resilient and socially connected	
	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	It is highly unlikely that sites within the Rockleigh Park precinct will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250-300 square metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking. Further to this, the proposed downzoning on other sites is not significant and would not undermine the capacity for Epping to deliver housing as part of the Department's rezoning in 2014.
	O11: Housing is more diverse and affordable	The R3 zones within the Hornsby LEP 2013 offers a high degree of housing diversity, with residential flat buildings still permitted in the zone. There will be no negative impacts on housing diversity and affordability as a result of this planning proposal.
A city of great places	O12: Great places that bring people together	The planning proposal will help to resolve interface issues to the East Epping heritage conservation area by providing an appropriate transition model.
	O13: Environmental heritage is identified, conserved and enhanced	

Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Table 3c – Consistency of planning proposal with relevant GSRP Actions – Productivity

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Productivity Direction	Relevant Objective	Comment
A well connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	The proposed density is appropriate given the context to existing transport infrastructure.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	

Sustainability

An assessment of the planning proposal’s consistency with the GSRP’s relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: The coast and waterways are protected and healthier	No specific sustainability measures are proposed at this stage of the planning process. Measures within the Hornsby DCP 2013 will be implemented at development application stage.
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	
	O29: Environmental, social and economic values in rural areas are protected and enhanced	
	O30: Urban tree canopy cover is increased	
	O31: Public open space is accessible, protected and enhanced	
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	
An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	No specific sustainability measures are proposed at this stage of the planning process. Measures within the Hornsby DCP 2013 will be implemented at development application stage.
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	Brenda Way and Rockleigh Way (5A Essex Street), is flood prone and impacted by the 1:100 year flood level. As the flood levels are contained within the roadway, and this planning proposal is a downzoning to reflect the current land use, it is considered to be a little impact. Any future development applications for properties in Rockleigh Way would be required to address stormwater runoff and flooding to
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

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		ensure compliance with Council's water management controls within the Hornsby DCP 2013.
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Implementation

An assessment of the planning proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	This planning proposal is a key outcome of Stage 1 of the Epping Planning Review which involved in-depth consultation with the community and the consideration of the feedback from this consultation.

Central City District Plan

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 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 Action. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the CCDP's relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> • A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</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 	<p>The planning proposal seeks to cluster appropriate density within the strategic centre of Epping while still ensuring that transitions to heritage conservation areas are appropriate.</p>

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	<p>shared use when preparing infrastructure strategies and plans</p> <ul style="list-style-type: none"> • 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 	
<p>O5: Benefits of growth realized by collaboration of governments, community and business</p>	<p>PP C2: Working through collaboration</p> <ul style="list-style-type: none"> • A7: Identify prioritise and delivery collaboration areas 	<p>This planning proposal is a key outcome of Stage 1 of the Epping Planning Review which involved in-depth consultation with the community and the consideration of the feedback from this consultation.</p>

Liveability

An assessment of the planning proposal’s consistency with the CCDP’s relevant Liveability Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
<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 Council’s. • 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 subject sites are within walking distance of community facilities in Epping Town Centre. Council has resolved to investigate options for Council owned land at Rawson Street and Pembroke Street for future civic space to accommodate current and future populations. Further to this, the planning proposal incorporates an appropriate transition model to the East Epping Conservation Area and allows for greater appreciation of heritage interfaces within this area.</p>

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<p>Housing the city O10: Greater housing supply 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 [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>It is highly unlikely that sites within the Rockleigh Park precinct will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250-300 square metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking.</p> <p>Further to this, the proposed downzoning on other sites is not significant and would not undermine the capacity for Epping to be a strategic centre as envisioned by the central city district plan.</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 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>This planning proposal proposes introduce an appropriate transition model to the East Epping conservation area. The planning proposal will help to resolve interface issues and community concerns as identified in the Epping Planning Review.</p>

Productivity

An assessment of the planning proposal’s consistency with the CCDP’s relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>O14: The plan integrates 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>It is acknowledged that this planning proposal includes provisions which reduced the permissible residential density of land.</p> <p>However, the planning proposal has been justified through the Epping Planning Review which directly identifies the subjects sites as needing amendment. The planning proposal does not undermine the capacity of Epping being a strategic</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) • 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>centre' as identified in the central city district plan as it still allows for medium density residential development</p> <p>The reduction in density is of minor scale and thus of minor significance.</p>
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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 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 be consistent with Council's local strategy as it aims to maintain the heritage significance of the East Epping HCA whilst resolving interface issues and the community.

Parramatta Local Strategic Planning Statement (LSPS)

The LSPS sets out the long-term vision for land use planning in the City of Parramatta's local government area (LGA) and responds to broader priorities identified in the District Plans and integrates with a Council's Community Strategic Plan. The LSPS came into effect on 31 March 2020 and any new Planning Proposal must justify any inconsistency with this framework.

This Planning Proposal is consistent with Planning Priority 11 of the LSPS, "Build the capacity of the Parramatta CBD, Strategic Centres, Local Centres and Employment Lands to be strong, competitive and productive" and associated action A69, "Advocate for the recommendations of the Epping Town Centre Review (when completed) and implement the adopted recommendations." The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018 and the resolution made by Council on 9 July 2018 in relation to a number of matters resulting from the Epping Planning Review, including issues of development interface with Heritage Conservation Areas (HCAs).

The Planning Proposal is also consistent with the LSPS Planning Priority 5 "Support and enhance the low-scale character and identity of suburban Parramatta outside of the GOP area and Epping Strategic Centre" and Planning Priority 9 "Enhance Parramatta's heritage and cultural assets to maintain our authentic identity and deliver infrastructure to meet community needs." The Planning Proposal results in a reduction in overall residential density and incorporates an appropriate transition model to the East Epping Conservation Area and allows for greater appreciation of heritage interfaces within this area.

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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 (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under clause 1.9 of Hornsby LEP 2013
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under clause 1.9 of Hornsby LEP 2013
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP 33 – Hazardous and Offensive Development	N/A	
SEPP No 55 Remediation of Land	✓	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Hornsby LEP 2013.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	Detailed compliance with SEPP 65 will be demonstrated at the time of making a future development application for the site facilitated by this Planning Proposal (applies only to 21-29 Essex and 23 and 23A Pembroke Streets).
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.

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SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	✓	May apply to future development of the site.
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Hornsby LEP 2013</i> .
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	✓ N/A	Not relevant to proposed amendment. The Planning Proposal will stimulate renewal within the nominated precinct of Granville and will contribute to the employment and job targets for the area.

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 the subject Planning Proposal.

Table 6 – 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	This Planning Proposal will not affect land within an existing or proposed business or industrial zone.	Yes

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2. Environment and Heritage		
Direction 2.3 - Heritage Conservation	<p>The subject sites are adjacent to the East Epping Conservation Area (C9). A Heritage Review (refer Appendix 1) was completed as part of Stage 1 of the Epping Planning Review. The Heritage Review assessed the heritage value and significance of properties located in the East Epping Heritage Conservation Area on the interface with the R3 Medium Density Residential and the R4 High Density Residential zones, with particular attention to Rockleigh Way and 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street.</p> <p>In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations of this study with regards to the Rockleigh Park precinct have materialised as part of this planning proposal.</p> <p>Further to this, Council resolved to amend the planning controls at 21-29 Essex and 23-23A Pembroke Streets to further ensure an adequate built form transition to the East Epping Conservation Area.</p>	Yes
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	<p>It is acknowledged that this planning proposal includes provisions which reduced the permissible residential density of land.</p> <p>However, the planning proposal is consistent with Clause 6 of Direction 3.1 as it:</p> <ul style="list-style-type: none"> • Has been justified through the Epping Planning Review which directly identifies the subjects sites as needing amendment • The planning proposal does not undermine the capacity of Epping being a strategic centre' as identified in the central city district plan as it still allows for medium density residential development • The reduction in density is of minor scale and thus of minor significance. 	No - justified in comments
Direction 3.4 - Integrating Land Use and Transport	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> • will continue to provide for an appropriate amount of density within the Epping strategic centre • will enable residents to walk or cycle to work if employed in the Epping or utilise the heavy rail or metro service. 	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The site is not identified on the Acid Sulfate Soils Map in Hornsby Local Environmental Plan 2013.	Yes
Direction 4.3 - Flood Prone Land	5A Essex and 16 Rockleigh Park are identified as flood affected and affected by the 1-100 year ARI. The other sites are not flood prone and is above the 1:100 year flood level.	Yes

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	Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.	
5. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	The planning proposal does not proposed substantive amendments and achieves the overall intent of the Plan for Growing Sydney. The achievements of the plan's planning principles, directions, priorities for subregions, strategic centres and transport gateways are not undermined by this planning proposal.	Yes

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?

Land the subject of this planning proposal does not contain any critical habitat or threatened species, populations or ecological communities, or their habitats. Therefore, this proposal does not pose any threat to the above.

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 assessed for the proposal for the site are built form and heritage.

Rockleigh Park Precinct

As part of the Epping Planning Review the interface issues relating to East Epping Avenue have been assessed through landowner and community feedback, heritage study (refer **Appendix 1**) and urban design testing. Based on these assessments it concluded that western side of Rockleigh Way be rezoned to be consistent with the eastern side of Rockleigh Way.

The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries. The current R4 zoning and 17.5 metre height limit (five storey residential flat buildings) would result in encroachment of inappropriate high density development adjacent to low density and the low density of the East Epping Heritage Conservation Area.

It is highly unlikely that these sites will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250-300 square

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metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking. The recommended down-zoning better reflects the current use of small single and two storey cottages.

The proposed R3 Medium Density Residential zone and 0.6:1 and 9 metre maximum height of buildings will ensure the current land uses are supported, as well as future potential to amalgamate two to three parcels in the future to develop multi-unit dwellings (that is townhouses) at an appropriate scale and intensity of development. It is also anticipated that these same controls would apply to the eastern side of Rockleigh Way as part of harmonisation of the planning controls.

The proposed planning controls for Rockleigh Park Precinct planning proposal are consistent with the recommendations of the Heritage Review (Epping East) (refer **Appendix 1**) and Epping Town Centre Discussion Paper. The proposed R3 Medium Density Residential zone would provide consistency with the adjacent development of the northern and eastern side of Rockleigh Way and a more appropriate transition to the adjoining East Epping Heritage Conservation Area. **Figure 3** below indicates the proximity of the subject sites to the East Epping Heritage Conservation Area.

Furthermore, Condition 1 of the Department Planning, Industry and Environment's Gateway Determination (granted on 10 January 2020) requires that additional 15 properties at 1 - 31 Rockleigh Way be included in the Planning Proposal. Currently this area is zoned R3 Medium Density Residential and has a maximum height of buildings 12 metres under the Hornsby LEP 2013. The DPIE's Gateway Assessment Report indicated that the additional sites should be included as they abut the HCA and the planning controls should be applied consistently for the Rockleigh Park Precinct. This will provide a more consistent transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets.

21-29 Essex Street and 23 & 23A Pembroke Street

Council on 9 July 2018 resolved to introduce the following changes to Hornsby LEP 2013 in respect of properties at 21-29 Essex Street and 23 and 23A Pembroke Street Epping:

- 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5 metre to 11 metres (to allow for apartment building development no greater than three storeys on these sites); and
- The height of building control for 23 and 23A Pembroke be reduced from 12 metres to 11 metres with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites.

Refer **Appendix 3** for full Council report and minutes of 9 July 2018.

It is noted that the Council resolved to apply a R3 Medium Density zoning to properties along Essex and Pembroke Street, however Council officers recommend a R4 High Density zoning. Although the R3 Medium Density Zone in the Hornsby LEP 2013 currently permits residential flat buildings with development consent, it is the intention of City of Parramatta Council through the harmonisation of its planning controls, to restrict residential flat buildings to the R4 High Density Zone. A R4 High Density Zone in this location would ensure a straight forward translation of land use zone upon a newly consolidated Parramatta LEP whilst achieving the intended purpose of reducing the maximum height limit for residential flat buildings on these subject properties.

The Hornsby LEP 2013 does not generally apply a standard maximum floor space ratio to residential areas including properties in Essex and Pembroke Streets. As part of Council's harmonisation of planning controls, an application of a floor space ratio of 0.8:1

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is recommended for the subject properties. This will ensure an appropriate scale and intensity of development. Further the proposed restriction height to 11 metres will allow for apartment development no greater than three storeys. The application of both a maximum height and FSR is consistent with City of Parramatta's intention for a newly consolidated Parramatta LEP and application of these controls would ensure a straight forward translation.

Further, the proposed planning controls would enable less dwellings than under the current planning controls.

It is noted that the sites directly adjoining the subject properties of this planning proposal, namely 7-9 Essex Street and 15-19 Essex Street are proposed to retain the current planning controls of R4 High Density Residential and a height of buildings of 17.5 metres. These sites are subject to active development applications, which means any amendment to planning controls at this current time be ineffective.

The proposed decrease in height of buildings from 17.5 metres (5 storeys) to 11 metres for the subject properties along Essex Street will allow for residential flat buildings of no greater than three storeys. Adjustment of the maximum height of buildings for both 23 and 23A Pembroke Street from 12 metres to 11 metres would ensure consistency with the adjacent Essex Street properties. The proposed reduction in height of buildings would provide a more appropriate built form transition to the directly adjoining East Epping Consideration Area. **Figure 3** below indicates the proximity of the subject sites to the East Epping Heritage Conservation Area.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping



Figure 3: The subject sites proximity to the East Epping Heritage Conservation Area and heritage items

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

The planning proposal aims to resolve the outcome of a planning process which facilitated density which provided an inappropriate transition in built form to the East Epping heritage conservation area. The planning proposal recognises Rockleigh Way and Brenda Way will have consistent planning controls with the north and east of Rockleigh Way and that the landowners Essex and Pembroke Streets will still have the opportunity re-develop their sites and realise improved social and economic benefits.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

The subject land is located approximately 400 metres from retail area of Epping Town Centre and approximately 650 metres from the Epping Railway Station and the Sydney Northwest Metro service.

Civil and utility infrastructure is suitably accessible to service the subject land and support future development. Redevelopment of the subject site and further development within the area can optimise public infrastructure investment.

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

Consultation with agencies will occur during public exhibition in accordance with the conditions of the Gateway Determination.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

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. **Existing controls**

This section illustrates the current *Hornsby LEP 2013* controls which apply to the site.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Figures 4 and 5 illustrates the current R4 High Density Residential and R3 Medium Density Residential zoning over properties in Rockleigh Park Precinct and the current R4 High Density Residential Essex Street and the current R3 Medium Density Residential zoning over properties in Pembroke Street.

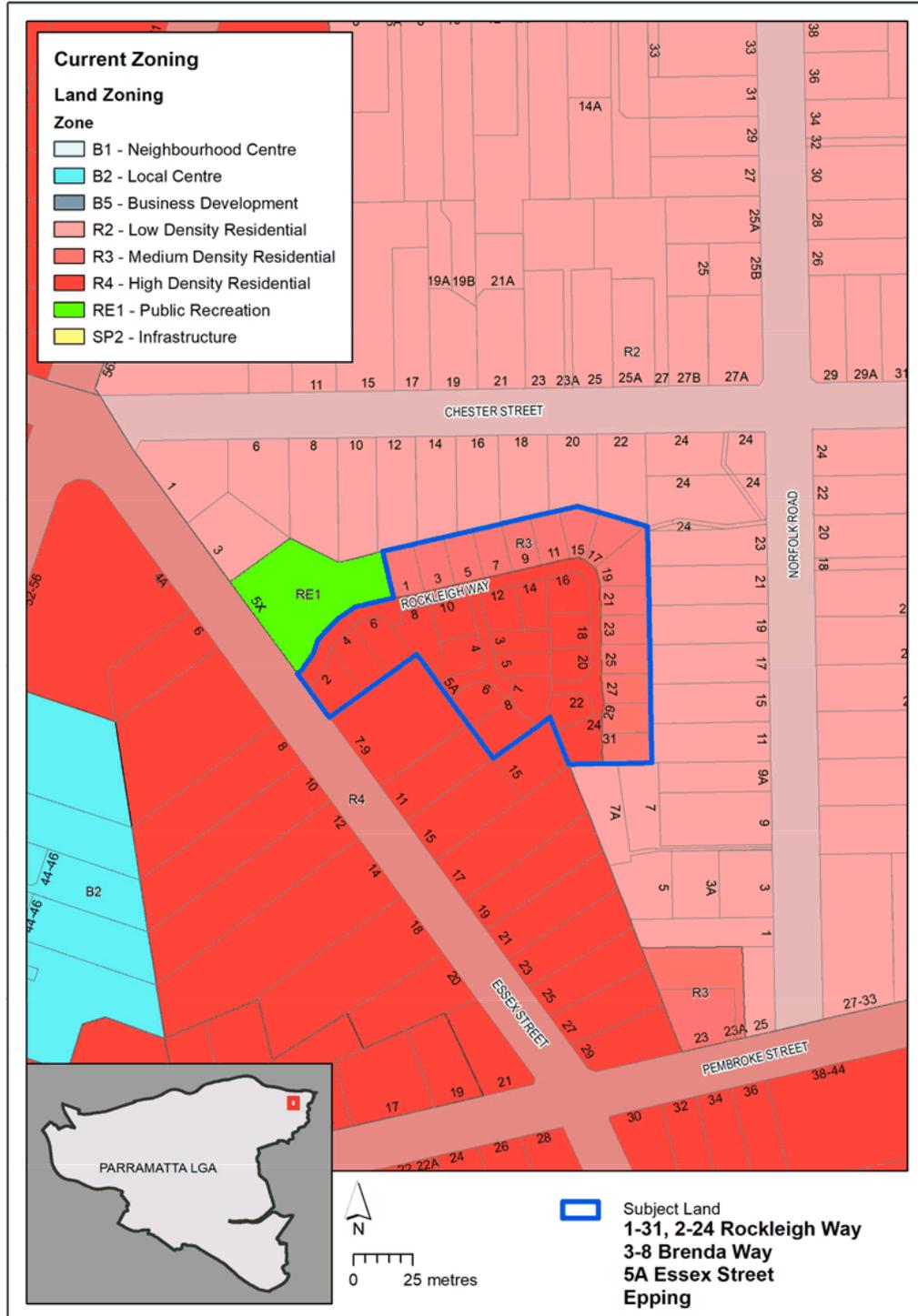


Figure 4 – Existing zoning extracted from Hornsby LEP 2013 Land Zoning Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

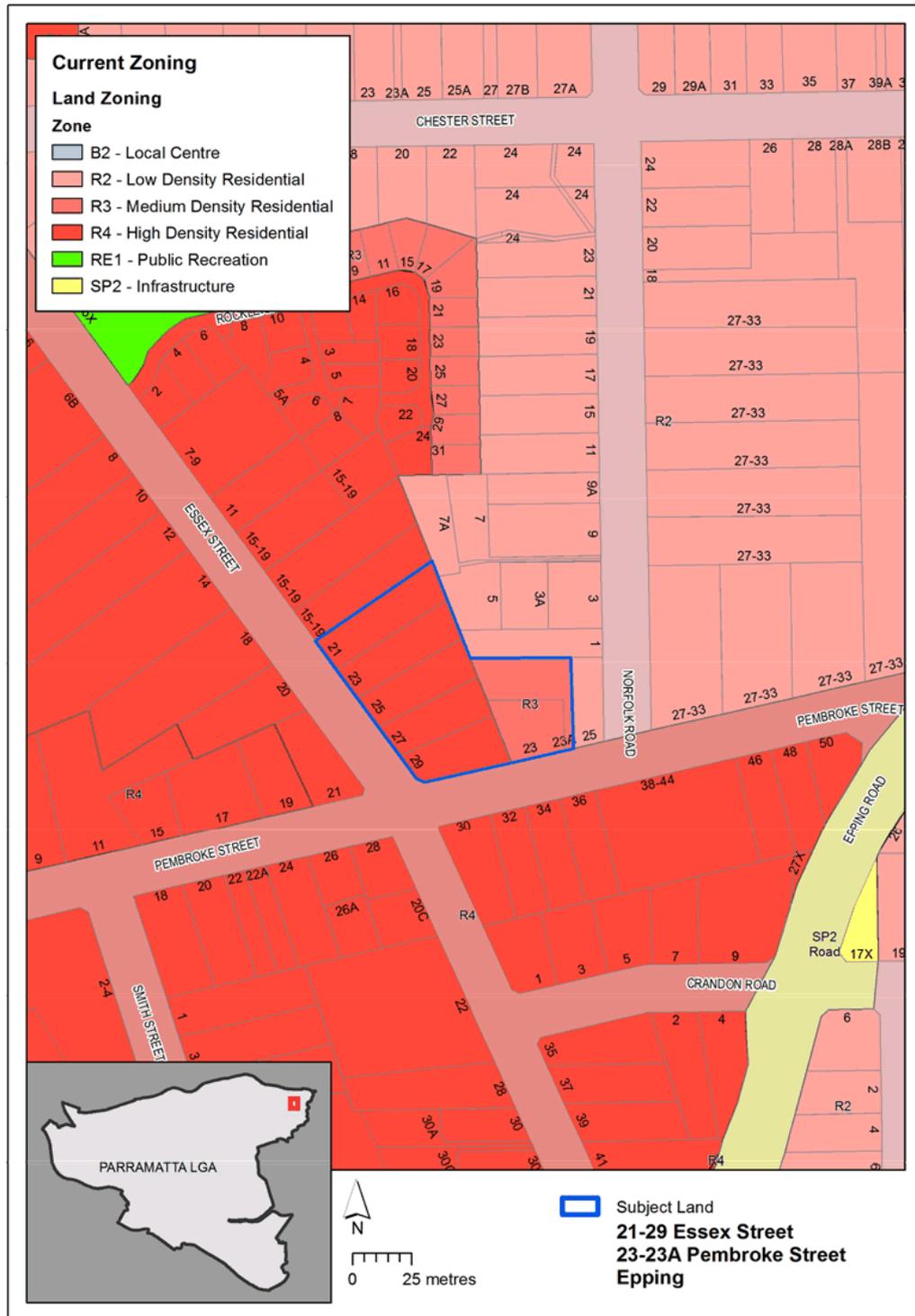


Figure 5 – Existing zoning extracted from Hornsby LEP 2013 Land Zoning Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Figures 6 and 7 illustrates the existing maximum height of buildings of 17.5 metres and 12 metres for the subject properties in the Rockleigh Park Precinct and 17.5 metres for 21-29 Essex Street and 12 metres for 23 & 23A Pembroke Street.

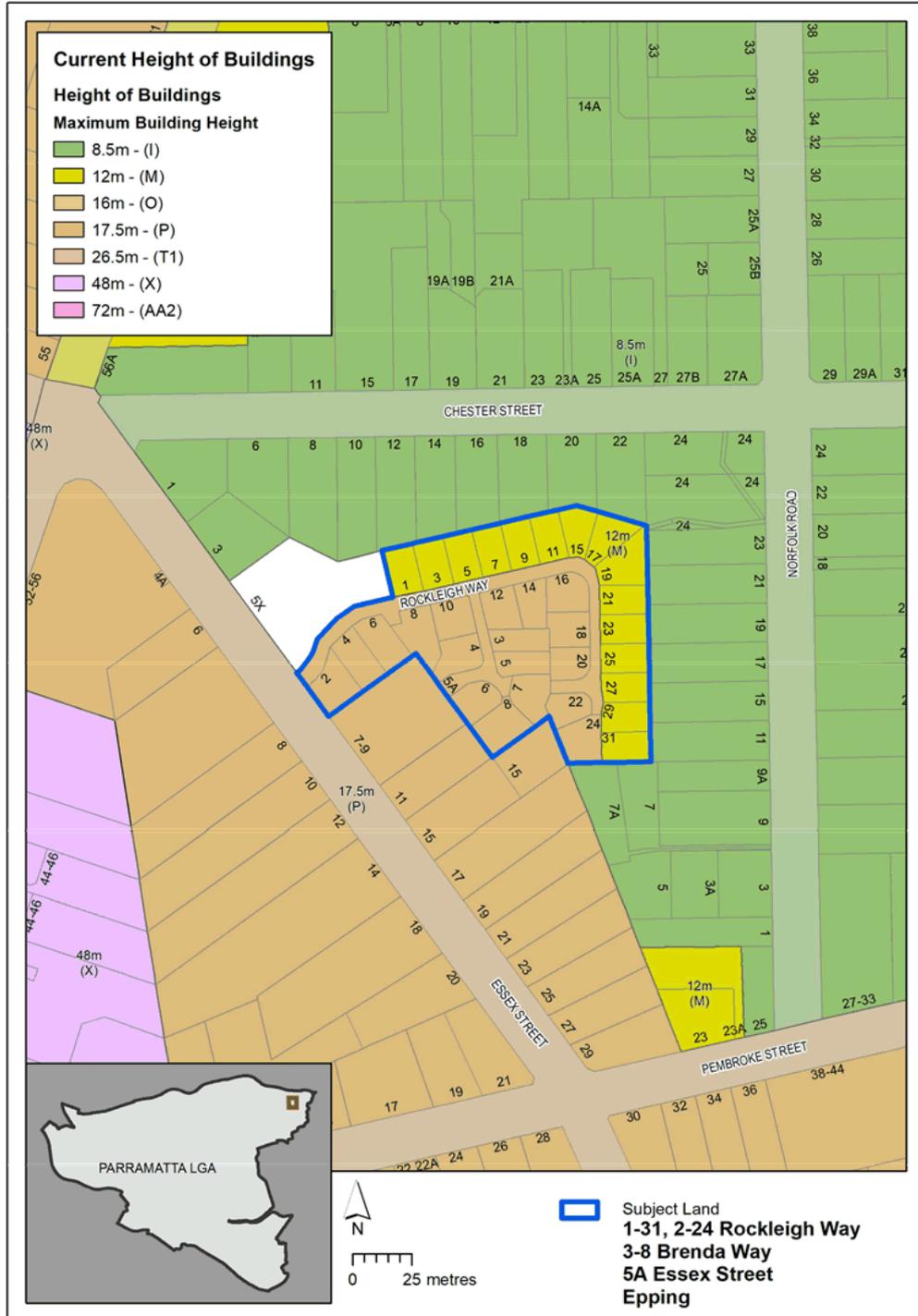


Figure 6 – Existing building heights extracted from the Hornsby LEP 2013 Height of Buildings Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

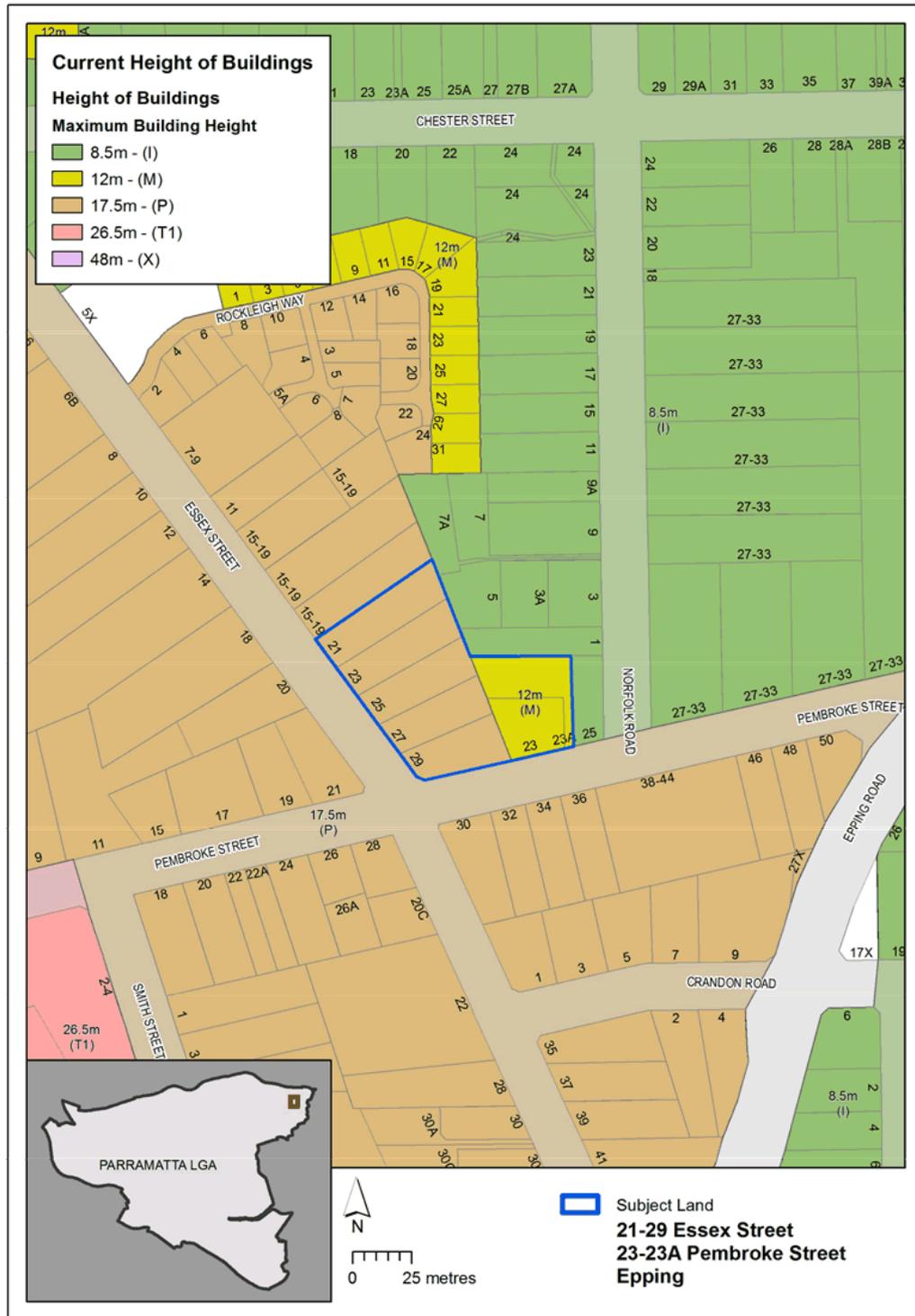


Figure 7 – Existing building heights extracted from the *Hornsby LEP 2013* Height of Buildings Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

4.2 Proposed controls

The Figures in this section illustrate the proposed planning controls under the *Hornsby LEP 2013*.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Figures 8 and 9 illustrates proposed R3 Medium Density Residential zoning over the sites in the Rockleigh Park Precinct and the proposed R4 High Density Residential zoning for 23 & 23A Pembroke Street (with the R4 zoning at 21-29 Essex Street proposed to be retained).

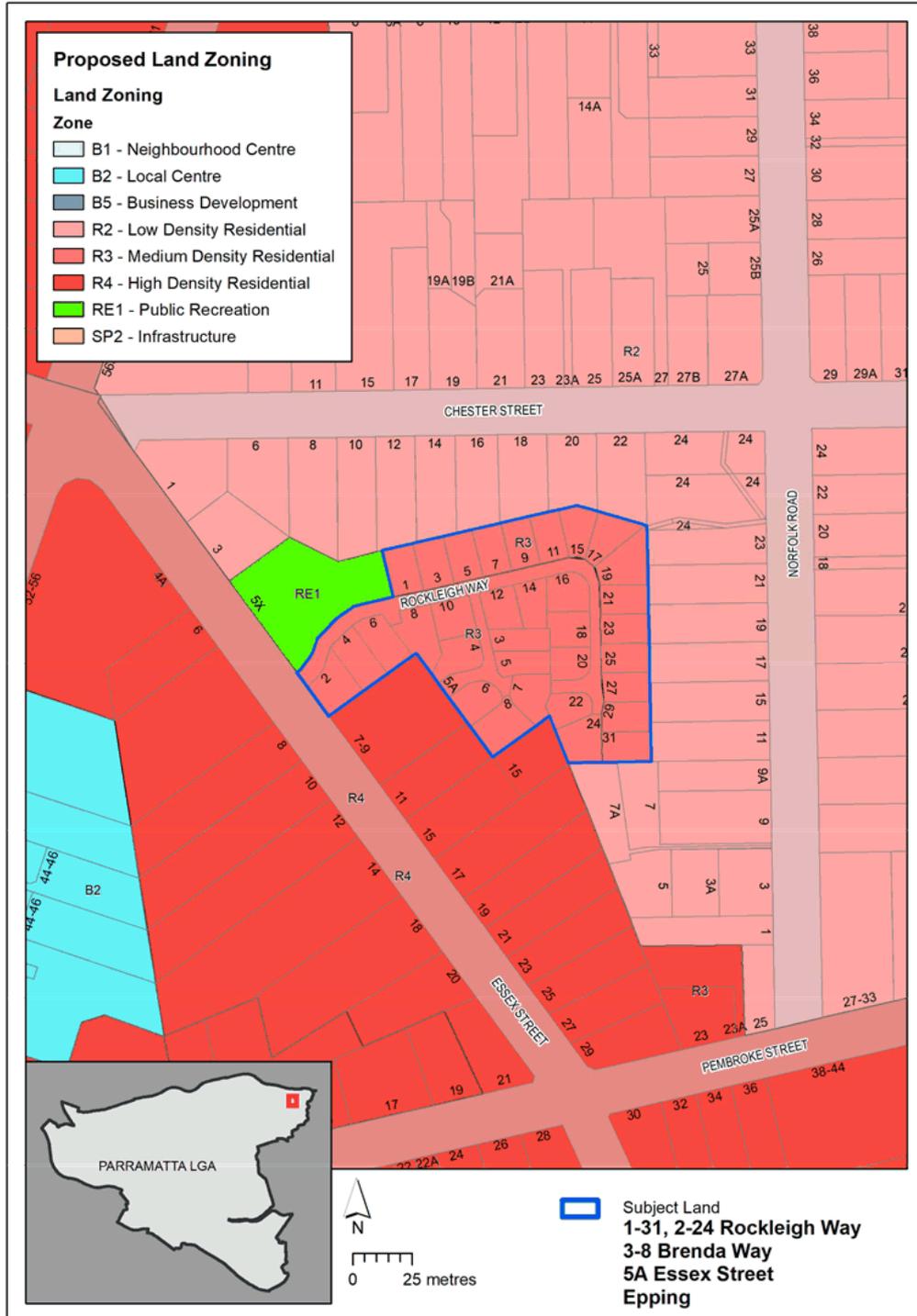


Figure 8 – Proposed amendment to the Hornsby LEP 2013 Zoning Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

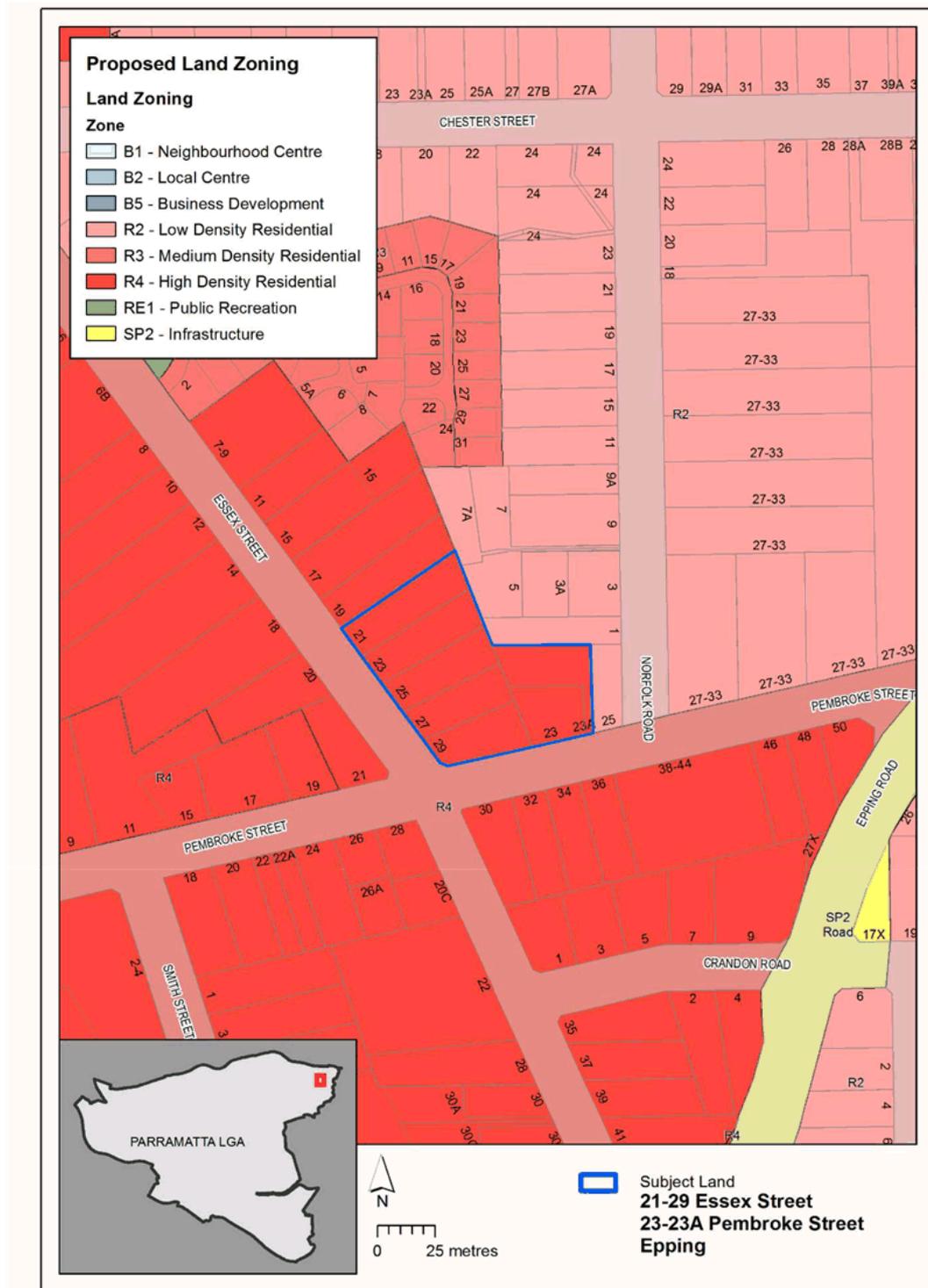


Figure 9 – Proposed amendment to the Hornsby LEP 2013 Zoning Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Figures 10 and 11 illustrates proposed maximum height of buildings of 11 metres over the sites in Rockleigh Park Precinct and the proposed maximum height of buildings of 11 metres over sites at 21-29 Essex Street and 23 & 23A Pembroke Street.

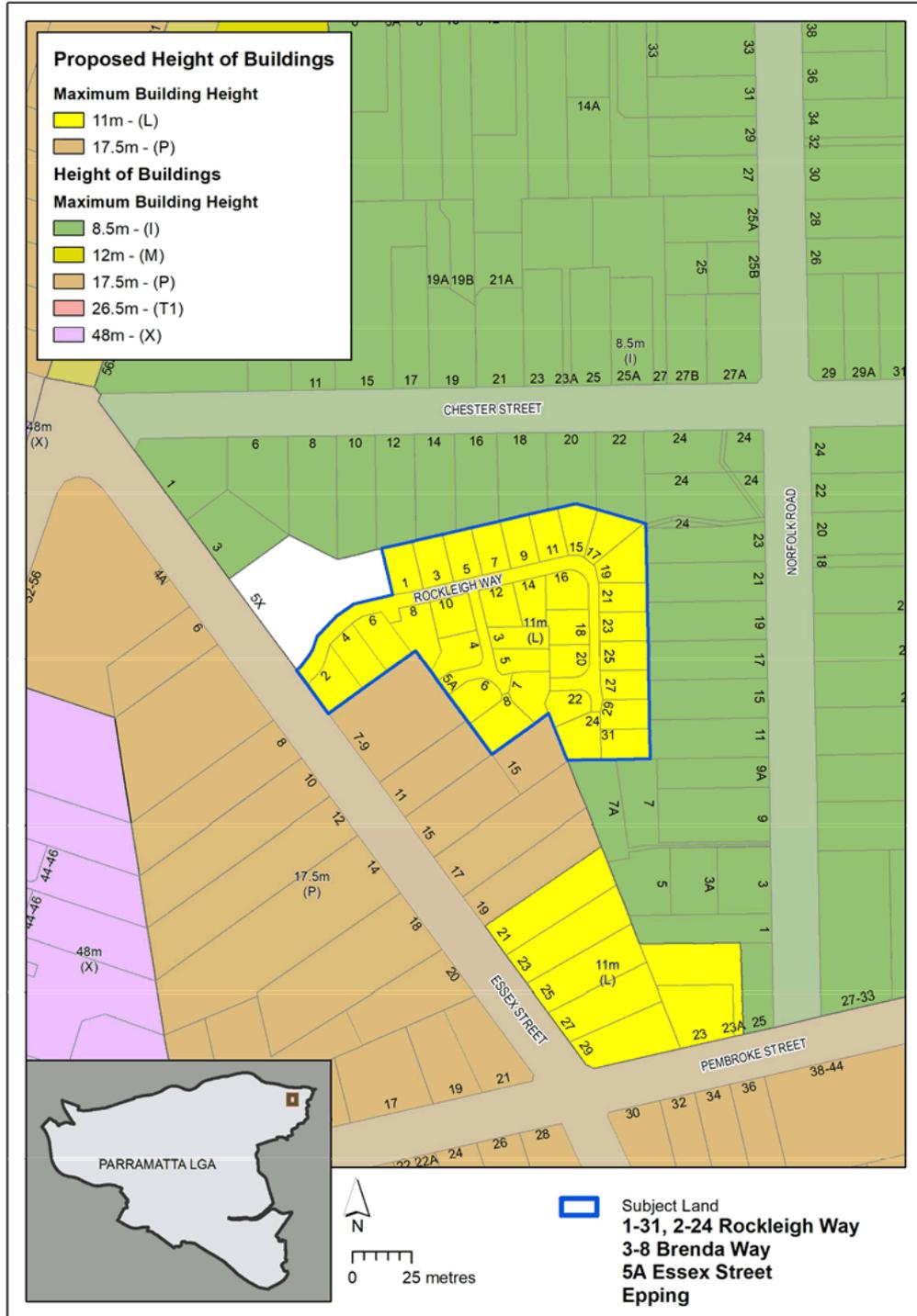


Figure 10 – Proposed amendment to the Hornsby LEP 2013 Height of Building Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

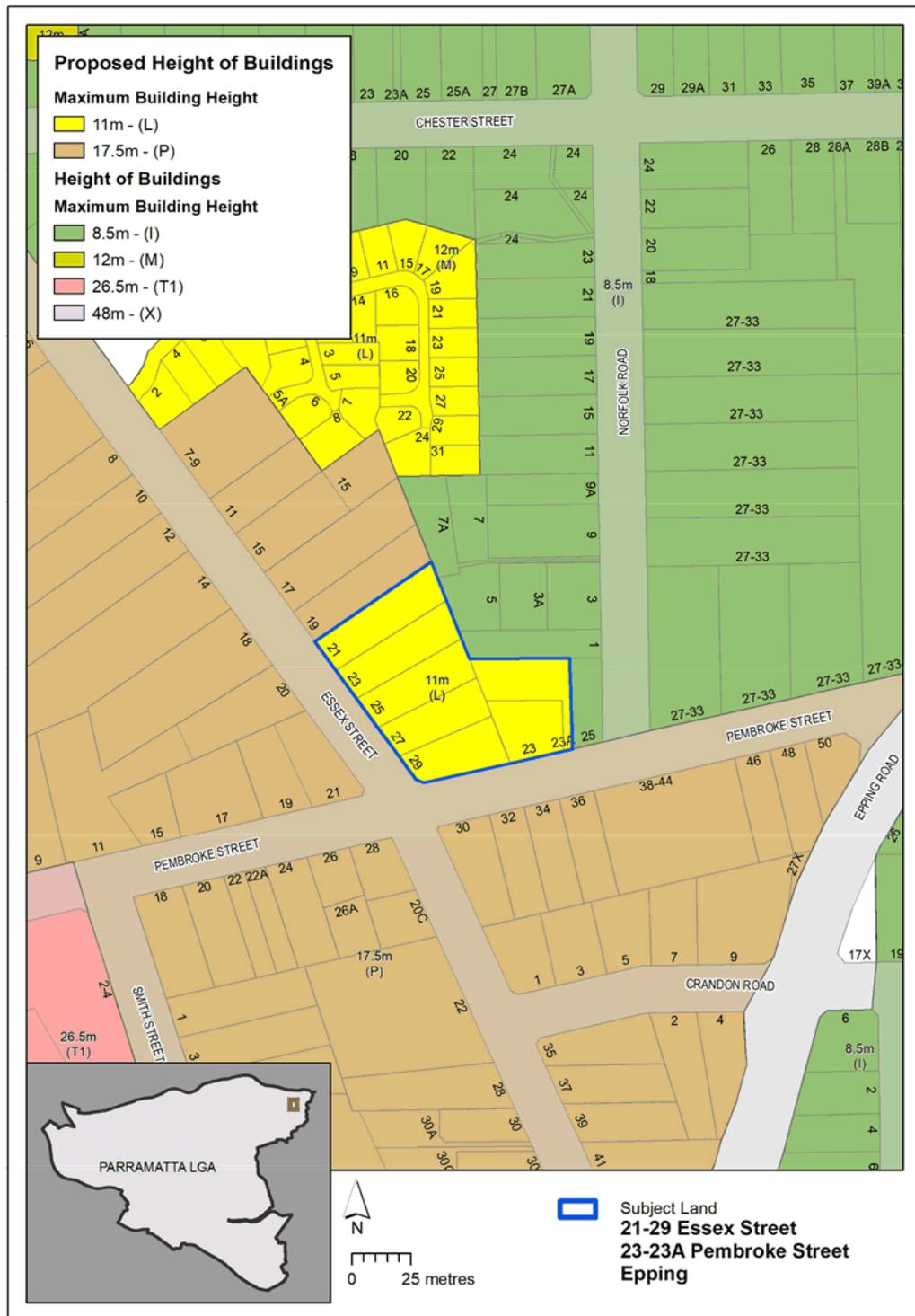


Figure 11 – Proposed amendment to the Hornsby LEP 2013 Height of Building Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Figures 12 and 13 illustrates proposed maximum floor space ratio of 0.6:1 over the sites in Rockleigh Park Precinct and the proposed maximum floor space ratio of 0.8:1 over sites at 21-29 Essex Street and 23 & 23A Pembroke Street.



Figure 12 – Proposed amendment to the Hornsby LEP 2013 Floor Space Ratio Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping



Figure 13 – Proposed amendment to the Hornsby LEP 2013 Floor Space Ratio Map

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

PART 5 – COMMUNITY CONSULTATION

The planning proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation for a minimum period of 28 days in accordance with the Gateway Determination. Public exhibition will include:

- Display on the Council's website and NSW Planning Portal;
- Written notification to affected owners and occupiers; and
- hard copy display in Council's Customer Contact Centre and Epping Branch Library (subject to COVID 19 restrictions).

The gateway determination specifies the level of public consultation that must be undertaken in relation to the planning proposal including with Hornsby Shire Council, Transport for NSW and Department of Premier and Cabinet – Heritage Branch.

Note that due to COVID-19, local newspapers (including the Northern District Times, Hornsby Advocate and Parramatta Advertiser) are not currently in print circulation and therefore newspaper notification in relation to this planning proposal will not occur.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	17 September 2019
Report to Council on the assessment of the PP	8 October 2019
Referral to Minister for review of Gateway determination	October 2019
Date of issue of the Gateway determination	10 January 2020
Report to Council on amendments to the Planning Proposal	9 June 2020
Referral to Minister for amendment to Gateway Determination	June 2020
Date of issue of the amended Gateway determination	3 August 2020
Commencement and completion dates for public exhibition period	19 August and 25 September 2020
Commencement and completion dates for government agency notification	19 August and 25 September 2020
Consideration of submissions	November 2020 – January 2021
Consideration of planning proposal post exhibition and associated report to LPP/Council	Local Planning Panel meeting - 18 May 2021 Council meeting – 15 June 2021
Submission to the Department to finalise the LEP	17 June 2021
Notification of instrument	To be determined

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Appendix 1 – Epping Town Centre (East) Heritage Review (June 2017)

F2019/02038

CITY PLAN SERVICES



Epping Town Centre (East) Heritage Review

Submitted to City of Parramatta Council

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June 2017 | 17-016

Report Revision History

Revision	Date Issued	Prepared by	Verified by
01 DRAFT	18/04/17	Keira De Rosa <i>Assistant Heritage Consultant</i> Kerime Danis <i>Director - Heritage</i>	Kerime Danis <i>Director - Heritage</i> 
02 SECOND DRAFT	13/06/17	Keira De Rosa <i>Assistant Heritage Consultant</i> Kerime Danis <i>Director - Heritage</i>	
03 FINAL	15/06/17	Keira De Rosa <i>Assistant Heritage Consultant</i>	

This document is preliminary unless approved by a Director of City Plan Heritage.

CERTIFICATION

This report has been authorised by City Plan Heritage, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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1. Executive Summary

1.1 Background

This study has been commissioned by the City of Parramatta Council in order to undertake a Heritage Review of the Epping Town Centre. The City of Parramatta Council recently inherited the balance of the Epping Town Centre as a result of Council amalgamations from Hornsby Shire Council on the 12 May 2016. Currently, the controls for different parts of Epping Town Centre vary as a result of previous decision making structures under the City of Parramatta Council and Hornsby Shire Council.

The City of Parramatta's City Strategy Department commissioned a heritage review to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and, in addition, to review related concerns of residents on a number of heritage issues. It excludes any analysis on the western side of the Town Centre, railway line, excluding Rosebank Avenue HCA and properties subject to Stage 6 of the Hornsby Council Heritage Review.

The principal aims of this heritage review are to:

- Review the three existing Heritage Conservation Areas (HCAs) of East Epping, Essex Street and Rosebank Avenue located within the Epping Town Centre area recently acquired by the City of Parramatta Council;
- Investigate concerns raised by residents on a number of heritage issues including:
 - the value and significance of each HCA; and
 - the value and significance of properties located on interface areas with R4 and R3 High Density Residential Areas;
- Review of current planning controls of interface areas around the existing HCAs; and
- Conduct Stage 6 of the Hornsby Council Heritage Review.

1.2 Summary of Findings

In general, the East Epping, Essex Street and Rosebank Avenue HCAs retain the same level of integrity and significance as described in the most recent study, *Epping Town Centre Heritage Review*, conducted in 2013, with few significant changes evident.

Subsequent to the field survey, all properties within the East Epping, Essex Street and Rosebank Avenue HCAs were reassessed for their contribution to the overall significance of their respective HCAs. The previous rankings from the 2013 study were taken in to account in the reassessment of all properties within each HCA. Generally, the ranking awarded to each property was consistent for both the Essex Street and Rosebank Avenue HCAs, however, some differences occurred for the East Epping HCA. Some properties within the East Epping HCA were listed as Neutral, due to being from the historical period of development of the area (typically Federation or Inter War) however, had been modified to a degree that has removed or obscured characteristic detailing of their respective periods.

An investigation into the impact of R3 and R4, Medium and High Density Residential Zones was undertaken, through community consultation, site visits of individual properties, and analysis of recently approved development applications at the interface zones with the East Epping, Essex Street and Rosebank Avenue HCAs. Generally, property owners whose dwellings were located adjacent to a high density residential development raised concerns with both the development and the implications of being located within a HCA. Whilst not heritage concerns, issues of privacy, safety, health and financial implications were all raised during the different phases of community consultation. Through further assessment of the impact of the high and medium density residential development at site visits, it was noted that although the new developments do impact upon the backdrop of each of the HCA's in different ways, the developments did not impact upon the setting and streetscape characteristics of the particular HCA so much that would result in the modification to the

boundaries or removal in whole or in part of any HCA. The impact of the new developments essentially was in relation to planning matters rather than heritage matters.

Notwithstanding, in order to help mitigate the issues and concerns raised by the property owners and to address impacts upon the heritage significance of the East Epping, Essex Street and Rosebank Avenue HCAs as well as individual heritage items, planning controls were reviewed and recommendations made to assist in the alleviation of future impacts.

Stage 6 of the Hornsby Council Heritage Review was also conducted, with a total of twenty-two (22) identified properties reviewed.

1.3 Conclusion and Key Recommendations

As a result of this in depth survey and assessment of the HCAs within the Epping Town Centre, the following key recommendations are made within this heritage review:

1. *Retain the current boundaries of the Essex Street and Rosebank Avenue Heritage Conservation Areas (Refer to Sections 10.2 and 10.3)*
 - Following reassessment of the Essex Street and Rosebank Avenue Heritage Conservation Areas, both areas were found to have maintained the significance and intactness established in previous studies. The impact of High and Medium Density Residential development at the interface areas with the Heritage Conservation Areas were not found to have a detrimental impact warranting removal of the Heritage Conservation Areas in part or in whole. Thus, both Heritage Conservation Areas are recommended to be retained in full.
2. *Adjust the south-west boundary of the East Epping Heritage Conservation Area (Refer to Section 10.1)*
 - It is recommended for 25 Pembroke Street, and 1, 3, and 3A Norfolk Road to be removed from the East Epping Heritage Conservation Area, and the boundaries of the HCA are adjusted accordingly.
3. *Retain individual heritage items requested for removal by property owners (Refer to Sections 10.1.1 and 10.2)*
 - 3 and 42 Essex Street have been reassessed for their heritage significance and contribution to their respective Heritage Conservation Area, East Epping and Essex Street respectively, and are recommended to retain their heritage listing under Schedule 5 of the Hornsby LEP 2013.
4. *Rezone removed properties from East Epping Heritage Conservation Area, 5, 7 and 7A Norfolk Road and identified properties within 'Rockleigh Park' to R3-Medium Density Residential with 12m height limit (Refer to Section 11.5)*
 - In order to provide a consistent transition between R4-High Density Residential development on Essex Street and Pembroke Street from further encroaching on the East Epping Heritage Conservation Area, the removed properties from the East Epping Heritage Conservation Area (25 Pembroke Street, and 1, 3, and 3A Essex Street), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the late 20th Century development known at 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential of the Heritage Conservation Area and the R4-High Density Residential area of Essex and Pembroke Streets.
5. *Changes to Design Interface Guidelines of the Hornsby DCP (Refer to Section 11.2.3)*
 - The current Design Interface Guidelines in Section 9.4.1 of the Hornsby DCP 2013 are considered to be a good framework for which to assess the impact of high and medium density residential developments which are located in the interface areas with Heritage Conservation Areas. However, Section 9.4.1 needs to be considered at least in relation to Sections 9.6.6 and 9.6.8. It is recommended that where R3 and R4 Zones interface with a Heritage Conservation Area or Heritage Item that a

10m setback, which is required for Chapman Avenue, should be implemented in order to aid in maintaining the context and setting of each Heritage Conservation Area and Item. In addition, sufficient deep soil planting between R3 and R4 and heritage conservation areas and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item. Furthermore, an adequate assessment of the potential heritage impact on the Heritage Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.

6. *Maintain current 17.5m and 12m height limits of R4 High Density Residential Zone and R3 Medium Density Residential Zone respectively (Refer to Section 11.3)*

- To ensure that a sufficient transition between Heritage Conservation Areas are maintained and are not further adversely impacted upon through higher density development at interface areas, it is recommended that the current height limits for R4 and R3 Zones are maintained.

7. *Extend R3-Medium Density Residential Zone to Brigg Road and Rose Street (Refer to Section 11.4)*

- Recommendation to extend R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street, which will have an acceptable impact upon the current setting of the Essex Street HCA, provided that adequate consideration is given in regards to sufficient setback, deep soil planting and on the impact upon the setting and curtilage of the Essex Street HCA in any further development proposals, incorporating the recommendations provided in Section 11.2 of this study report.

8. *Additional Recommended Updates to Planning Controls (Refer to Section 11.6)*

- Include an additional prescriptive measure for Essex Street and Rosebank Avenue HCA Provisions for properties located on interface with R4-High Density Residential Zone, as follows:
 - i. Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.
 - ii. In addition, it is recommended that a provision or Condition be included in the consents for an archival photographic recording to be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property.

9. *Assessment of significance of southern end of Essex Street HCA in future Heritage Review*

- Recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.

10. *Retention or replacement of street trees in Rosebank Avenue due to stormwater drainage for Cliff Road*

- Recommended for the seven (7) street trees located on the western side of Rosebank Avenue identified to be impacted by the proposed stormwater drainage from Cliff Road to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

11. Hornsby Council Heritage Review - Stage 6 (Refer to Section 13.6)

In summary, the resultant recommendations and updates were made as part of Stage 6 of the Hornsby Council Heritage Review:

iii. **Requests for Removal of Heritage listing**

The one request for removal of a Heritage Item, 184 Ray Road, has been recommended to be retained and the Inventory Sheet for the item has been updated.

iv. **Amend Anomalies in Details of Heritage Listings**

One Heritage Item, 73A Oxford Street, was recommended to be changed from R3 Medium Density Residential Zone to R2 Low Density Residential Zone to reflect the East Epping HCA zoning of R2.

v. **Request for Listing of New Items**

Of the six (6) properties recommended for heritage listing under the Hornsby LEP 2013, three (3) properties were recommended for heritage listing and three (3) were not recommended for heritage listing. Inventory Sheets for the three recommended heritage items have been created.

vi. **Review Isolated Items in Housing Strategy Zone (R4) High Density**

Of the two (2) Heritage Items which were identified as isolated items in R4 High Density Residential Zones, both Heritage items were recommended to be retained and the Inventory Sheet for each item were updated to reflect their current condition.

vii. **Review Details of Heritage Listing**

Eight (8) Heritage Items required various details reviewed. All Inventory Sheets were updated for each of the eight (8) items. Two (2) Heritage Items will require further investigation and follow up, due to needing expert advice or access to the site. All Inventory Sheets for these Heritage Items have been updated to reflect their current condition.

viii. **Missing Inventory Sheets for Existing Heritage Items**

Four (4) Heritage Items were missing Inventory Sheets. All four (4) Heritage Items Inventory Sheets have been either located or created, with up to date photographs. One Heritage Item was recommended for investigation by a Heritage Consultant who specialises in garden and landscapes.

2. Introduction

2.1 Background

This study has been commissioned by the City of Parramatta Council in order to undertake a Heritage Review of Epping Town Centre. The City of Parramatta Council recently inherited the balance of Epping Town Centre as a result of Council amalgamations from Hornsby Shire Council on the 12 May 2016. Currently, the controls for different parts of Epping Town Centre vary as a result of previous decision making structures under the City of Parramatta Council and Hornsby Shire Council.

The City of Parramatta's City Strategy department identified the need of a heritage review to inform strategic land use decisions across the Epping Town Centre that was previously under the jurisdiction of Hornsby Shire Council. In addition to review related concerns of residents on a number of heritage issues. It excludes any analysis on the western side of the Town Centre, railway line, excluding Rosebank Avenue HCA and properties subject Stage 6 of the Hornsby Council Heritage Review.

The principal aims of the heritage review are to:

- Review the three existing Heritage Conservation Areas (HCAs) incorporating East Epping, Essex Street and Rosebank Avenue located within the Epping Town Centre area and are recently acquired by the City of Parramatta Council;
- Investigate concerns raised by residents on a number of heritage issues including:
 - the value and significance of each HCA; and
 - the value and significance of properties located on interface areas with R4 and R3 High Density Residential Areas
- Review of current planning controls of interface areas around the existing HCAs; and
- Conduct Stage 6 of the Hornsby Council Heritage Review.

2.2 Study Area

The study area is located within the Epping Town Centre CBD, and is limited to the land that was previously under the jurisdiction of the Hornsby Shire Council until May 2016 (Figure 1). Epping Town Centre surrounds Epping Train Station along the North Shore and Northern Line.

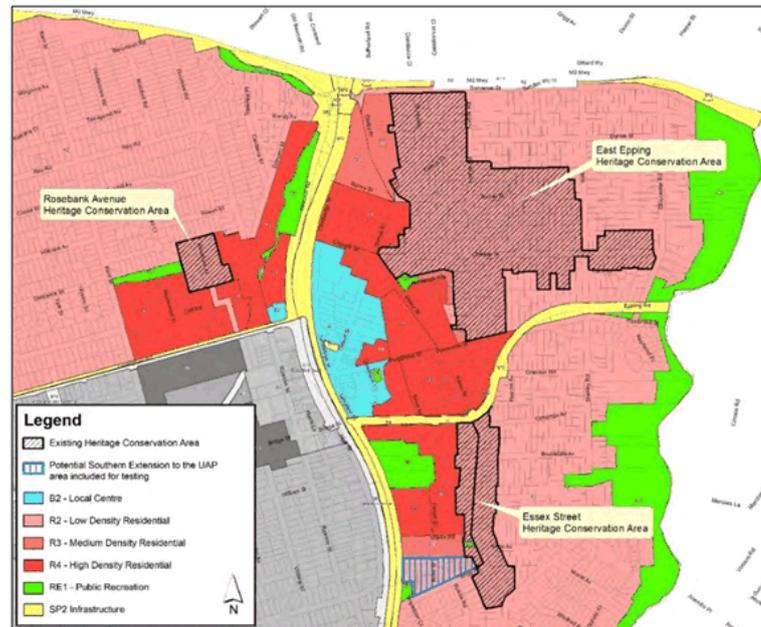


Figure 1: Epping Town Centre Study Area (Source: Amended Epping Town Centre Composite Zoning and Heritage Conservation Areas map, supplied by City of Parramatta Council)

2.3 Objectives and Components

This study focuses on five main parts, addressing the principal objectives of the heritage review:

1. Introduction to Heritage Review and overview of previous heritage studies:

- Review of all existing heritage studies relating to the study area.

2. Review of East Epping, Essex Street and Rosebank Avenue HCAs:

- Undertake a Heritage Assessment of East Epping, Essex Street and Rosebank HCAs;
- Assess the heritage value and significance of properties on the western side of Essex Street between Epping Road and Madeira Street, with the Essex Street HCA;
- Assess the heritage value and significance of properties located in the East Epping HCA on the interface with the R3 Medium Density Residential Zone and R4 High Density Residential Zone, with particular attention to 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street; and
- Provide advice on whether there are grounds for removal of any three of these HCAs in full or in part.

3. Review of Individual properties in HCAs:

- Investigate the heritage value and significance of 1 and 3 Essex Street and consider whether there are grounds for the removal of these properties from the Heritage Schedule of Hornsby LEP 2013 and the East Epping HCA; and
- Investigate the heritage value and significance of 42 Essex Street and consider whether there are grounds for the removal of this property from the Heritage Schedule of Hornsby LEP 2013 and from the Essex Street HCA.

4. Planning Controls Review

- Investigate the impact and implications of increasing the 17.5 and 12m height limits by one storey in the R4 High Density Residential Zone and R3 Medium Density Residential Zone on the integrity and conservation values of the East Epping, Essex Street and Rosebank Avenue HCAs. This investigation includes the implications of extending the R3 Medium Density Residential Zone in Briggs and Rose Streets as shown in blue hatched in Figure 1.
- Investigate the effectiveness of the current design interface guidelines (Section 9.4.1) and other relevant provisions in the Hornsby DCP 2013 in mitigating the effects of development on the character and integrity of the HCA as opposed to amenity concerns. As part of this investigation, have regard to topography and review recently approved Development Applications at the interface with HCAs.
- In addition, provide any recommendations (with clear justification) to modify or add planning and development control to address heritage related impacts in the study area.
- If any properties within the Essex Street HCA are identified for removal from the HCA, provide recommendations for the appropriate zones with FSR and height controls, and the potential implications of these changes on the character and integrity of the balance within the Essex Street HCA.
- If any properties located within the East Epping HCA are identified for removal from the HCA, provide recommendations for the appropriate zones with FSR and height controls; and
- If 1 and/or 3 Essex Street are identified for removal from the Heritage Schedule of Hornsby LEP 2013 and/or the East Epping HCA, provide recommendations on the appropriate zoning and height limits.

5. Hornsby Council Heritage Review – Stage 6:

- Investigate the list of matters identified by Hornsby Shire Council for Epping that were scheduled for review under the next Hornsby Council Heritage Review – Stage 6. This list covers requests to:
 - remove heritage items.;
 - amend anomalies in details of heritage listings;
 - review isolated heritage items in the R4 High Density Residential Zone;
 - review details of heritage listings; and
 - investigate missing inventory sheets for existing items and complete required information.

2.4 Author Identification

The following report has been prepared by Keira De Rosa (Assistant Heritage Consultant) in association with Kerime Danis (Director - Heritage) who has also reviewed and endorsed its content.

The study team included the following staff of City Plan Heritage:

- Kerime Danis (Director - Heritage), MHeritCons (Hons), BArch, AICOMOS Immediate Past President.
Field surveys, site inspections, liaison with client, report preparation and input to/ review of documentation as required.
- Keira De Rosa (Assistant Heritage Consultant) MHeritCons, MRes, BA:
Field surveys, site inspections, report preparation, mapping, graphics and preparation of State Heritage Inventory forms.
- Ziggy Potts (Assistant Heritage Consultant) MMHS, BA(Honours), BSc:
Preparation of State Heritage Inventory forms.

All photographs have been taken by CPH during the field surveys and site inspections conducted on 28 February 2017, 20 March, 21 March and 31 March 2017 unless otherwise stated.

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2.5 Sources

The reports and planning documents outlined in Section 3.1 have informed the historical context of this report. Additional secondary and primary source have also been sourced for the assessment of both HCAs and heritage items within this report.

A number of historical photographs and maps have been obtained from the NSW State Library online catalogue, the National Library of Australia, HLRV, Hornsby and City of Parramatta Council Local Studies and through various libraries accessed via Trove.

Current aerial photographs have been sourced from the NSW Department of Lands Spatial Information eXchange (SIX) at <http://lite.maps.nsw.gov.au/> as it has detailed aerial maps for Sydney while some street maps have been sourced from Google maps at <http://maps.google.com.au>. The NSW Department of Lands SIX website provided historical aerial photography from 1943.

2.6 Acknowledgments

City Plan Heritage wishes to acknowledge the invaluable support of the people and organisation that assisted in the preparation of this report:

- Paul Kennedy, Project Officer – Land Use Planning, City of Parramatta Council;

- Kevin Kuo, Team leader - Strategic Land Use Planning, City of Parramatta Council;
- Lily Wang, Place Manager, City of Parramatta Council;
- Laura Fraser, Heritage Planner, Hornsby Shire Council;
- Residents of East Epping, Essex Street and Rosebank Avenue Heritage Conservation Areas.

2.7 Limitations

- The land outside the area mapped in Figure 1 has not been covered in this report, however, was briefly surveyed during the site inspections in order to inform the contextual analysis;
- An assessment of the archaeological potential (Aboriginal and European) of the study area is beyond the scope of this report;
- Only heritage items which have been flagged for review as part of the Hornsby Council Heritage Review – Stage 6 have been reviewed. This means that the HCAs west of the railway line (excluding Rosebank Avenue HCA) were excluded from this study.
- A history of the Epping Town Centre and the three HCAs which are the focus of this report has been primarily adapted from previous studies conducted on the area, due to the limitations of the scope of works for this report and the restriction of time. Additional historic research has only been undertaken where it has been deemed by the author to require further research and explanation. Additional historic images and maps have been included in the history of the areas, where possible and available.
- Most review of heritage items and potential heritage items was undertaken on the basis of an external survey, with limited access to the properties themselves, or the interior of buildings; and
- A full heritage assessment of all sites recommended for listing has not been conducted as part of this review, however, heritage inventory forms have been prepared that provide sufficient justification for their recommended listing. This review recognises that further detailed analysis of the heritage assessment of the sites, if listed, can occur as part of the statement of heritage impact when a future development is proposed

3. Methodology

3.1 Previous Studies and Planning Document References

The current planning documents and maps relevant to heritage conservation in the study area of Epping Town Centre are:

- *Hornsby Local Environmental Plan (LEP) 2013*; and
- *Hornsby Development Control Plan (DCP) 2013*;
- *Epping Town Centre Public Domain Guidelines* (December 2015)

Previous Heritage Studies and Reviews relevant to Epping Town Centre include:

- Perumal Murphy Wu, *Hornsby Shire Heritage Study, Final Report* (May 1993)

This study was the first comprehensive study of the environmental heritage of the Hornsby LGA and established the current heritage listing for the Hornsby LEP. The Heritage Study was presented in three volumes, including a Thematic History, Specialist Report and Final Report. The Heritage Study's primary objectives were to: identify and analyse the environmental heritage of Hornsby Shire; make practical recommendations for its conservation and management; make recommendations on changes that may be required to the Hornsby Planning Scheme Ordinance, with regards to heritage; and promote heritage within Hornsby Shire. The first stage of the study followed a thematic study approach as it was for most of the heritage studies carried out across New South Wales at the time. This first volume delivered a basis for

the wider Heritage Study through identifying major themes of development across Hornsby Shire. The second volume described Hornsby Shire's built heritage in its historical context and explains its significance for Hornsby, the Sydney region and the State. This volume also included 50 recommended heritage items for Epping. The third volume presents a strategy for the conservation of Hornsby Shire's valuable heritage, including recommendations for development control measures and a range of other non-statutory initiatives.

- Tropman and Tropman Architects, *East Epping Conservation Evaluation and Review* (October 2001)

This report reviewed the heritage qualities of East Epping and the urban setting of the area. The heritage qualities and urban setting of the East Epping area was evaluated to identify HCA and Heritage Items within the study area. As a result, fourteen (14) new heritage items and two (2) HCAs were identified and recommended for inclusion in the Hornsby LEP. The two (2) HCAs recommended within the study area were East Epping and Essex Street HCAs.

- CPC Consulting, *Rosebank Avenue Heritage Assessment* (July 2003)

Following from a proposal to subdivide 15 Rosebank Avenue, Epping and for the demolition of the existing Inter War period dwelling, the streetscape was noted for its intact Inter War period landscape. As such, it was resolved by Council to undertake a heritage assessment of Rosebank Avenue, Epping to determine the need to implement a HCA. This report undertook a heritage assessment of Rosebank Avenue, Epping to determine the character, setting and heritage significance of the area and to determine the need to implement a HCA. The report concluded that the Rosebank Avenue streetscape is the only intact fine representative example of the residential development of Inter War housing estate within the Hornsby Shire and was recommended for listing under the Hornsby LEP.

- Tropman and Tropman Architects, *Hornsby Heritage Review Stage 3* (July 2004)

This report formed the third Hornsby Heritage Review aiming to assess the heritage significance of individual properties and to make recommendations for items inclusion or exclusion from the Hornsby LEP. The primary objectives were to: investigate and assess the heritage significance of the properties included in the review; to formulate statements of significance that address the heritage qualities of the properties; and to make recommendations for items to be included in, or removed from the Hornsby LEP. In Epping one (1) item was recommended to be retained and one (1) item was not recommended to be added.

- Landarc, *Hornsby Shire Heritage Review Stage 4* (January 2008)

Forming the fourth Heritage Review for the Hornsby Shire, this report included a review of heritage listed trees and a number of other built heritage items. Requests from property owners for the addition or removal of items were reviewed as well as nominations from individual and community groups considered within the report. The review of built heritage items included five (5) properties within Epping, with one recommended for removal and three (3) to be added to the Hornsby LEP.

- Godden Mackay Logan, *Hornsby Heritage Study Review Stage 5* (March 2013)

The fifth stage of the Hornsby Heritage Study reviewed the heritage significance of 78 items, for recommendations of inclusion or deletion of items from the Hornsby LEP. The review assessed thirty six (36) properties containing built and landscape items, as well as forty two (42) privately-owned heritage listed gardens. Of the items located in Epping, two (2) were recommended for listing, one (1) was recommended not to list, one items' details were updated, one (1) item was recommended for retention on LEP and two (2) items were recommended for removal.

- Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013)

Following from the preparation of the *Epping Town Centre Study* (2011) and the proposed intensification of the area, Hornsby Council resolved in 2012 to progress with recommendations from the 2001 and 2003 for the reassessment of three proposed HCAs, including the East Epping, Essex Street and Rosebank Avenue HCAs. In addition, the significance of twenty three (23) individual properties nominated for heritage listing within the Epping Town Centre Area were also assessed and the impact of the proposed Cliff Avenue Residential Intensification Precinct on the proposed Rosebank Avenue Heritage Conservation Area was also assessed. The review proposed for: all three HCAs to be listed, with extensions to some of the recommended boundaries of the areas; twenty two (22) of the twenty three (23) recommended items to be listed and a number of controls were recommended for the interface areas of the Rosebank Avenue HCA including minimum setback, reduced heights and massing new development in the Cliff Avenue Residential Intensification Precinct.

3.2 Study Methodology

This study employs a methodology that is consistent with the guidelines for Heritage Studies prepared by the then NSW Heritage Office and Department of Urban Affairs and Planning. It also uses the system described in the NSW Heritage Manual 'Assessing Heritage Significance' guidelines. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 2013.

The first stage of this study was to review the background documentation including but not limited to the existing studies detailed in Section 3.1 above and the inventory forms for the East Epping, Essex Street and Rosebank Avenue HCA's and the existing Heritage Items within the area which have been requested for review as part of this study. The review allowed for understanding of the previous rationale in the contribution/significance ranking and assessment of the boundaries of each HCAs and the Heritage Items within the area. Subsequently, determination of a methodology by which the HCAs and Heritage Items would be assessed has been established so as to maintain a consistent approach and assessment across the Epping Town Centre study area.

3.3 Heritage Conservation Area Definitions

HCAs are identified by analysing their heritage significance and the special characteristics that make up that significance; these may include subdivision and street pattern, vegetation, the consistency of building materials, form and scale, or the common age of the building stock and historical associations.

HCAs can be recognised and assessed in a number of ways. One such way is to rank and map the elements of an area to determine the cohesiveness and integrity of a place. A HCA will demonstrate a high proportion of contributory items in comparison to all other items. As well as demonstrating the proportion of significant elements topographically a HCA should also be evident in its visual experience. A HCA will become apparent when one moves into it due to the cohesive and consistent building forms, materials and scale which create a sense of place. When one can recognise that an area has a sense of place it becomes a matter of determining why that sense of place exists by articulating the physical and historical characteristics which define it, and if it then demonstrates sufficient value to be considered significant through those characteristics. Therefore, as well as having a high proportion of significant items these elements must also be visually apparent within the area. An understanding of historical patterns of subdivision and development within a locale will also aid in the identification of HCAs as one will be able to determine where such areas potentially exist only to qualify if its original elements are intact and interpretable.

Detailed Character Area Statements, Statements of Significance, Descriptions and Conservation policies were developed for East Epping, Essex Street and Rosebank Avenue HCAs in Section 6.0.

3.4 Ranking Methodology

A detailed survey of each of the HCAs, with particular focus on their interface areas with R4 High Density Residential Areas was then undertaken with methodology and system of ranking applied to the individual properties in each of the HCAs. The results of the survey were then mapped showing the following recommendations for rankings in Section 7.0.

Ranking	Definition
Heritage Item	A building that has been identified as an item of significance and has been listed on the Hornsby LEP 2013.
Contributory	A building that contributes to the character and significance of the Heritage Conservation Area for its historic or aesthetic values, or both. Building that have been adversely altered but still demonstrate historic and aesthetic values of significance to the area are also considered within this category. For example, a dwelling which may have had windows replaced but which otherwise retains its overall form and other detailing would be considered to be a contributory dwelling or dwelling with historic value. These items are of consistent period, scale, materials and form but are not individually significant enough to be included as a heritage item. They add to the cohesive and representative quality of the area.
Neutral	A building that does not contribute to the significance of the area but also does not detract from the area's overall character in terms of form, mass and small scale so that they fit without being disruptive. This may include early or new buildings. An example of a neutral building would be a modern single storey dwelling which respects the setbacks, forms and materials of the neighbouring dwellings. Retention of such neutral buildings may not be required provided that it is replaced with an appropriate infill building in a similar neutral nature.
Non-contributory	A building that detracts from the significance of the area and changes the character of the area. This may include early buildings with intrusive alterations and additions that erode their contribution to the significance of the area and which cannot easily be reversed. It also includes new buildings with detailing, scale and form that are not in line with the character of the area, for example large two storey buildings in unsympathetic 'Mediterranean' or other modern styles, such as light coloured rendered walls and black concrete roof tiles.

4. Study Area Description

4.1 Epping Town Centre Description

The study area is located in the Town Centre of Epping, a north-western suburb approximately 18km north-west of Sydney Central Business District (CBD) and 10km north-east of Parramatta CBD. The town of Epping contains a mixture of residential, commercial, education and recreation resources, which are centred around the North Shore and Northern train line around Epping Train Station. Epping Town Centre spreads in all directions outwards from Epping Train Station, with the highest density developments being located along the western side of the railway line. The whole of the Epping Town Centre study area is administered by the City of Parramatta Council. The eastern and north-western portions of the study area were formerly part of the Hornsby Council Local Government Area (LGA) until the recent local council amalgamations. The whole of the Epping Town Centre became part of the City of Parramatta LGA on 12 May 2016.

Epping Town Centre is bounded to the north by Cheltenham and North Epping, to the east by Marsfield, to the south by Eastwood and to the west by Carlingford. Further to the east is Macquarie University, ranked within the top 10 Australian Universities and among the top 2% of universities in the world and Macquarie Park, the second largest business district in NSW. In October 2012, Epping Town Centre was endorsed by the NSW Government as an Urban Activation Precinct, to develop new planning controls for the centre, allowing for additional dwellings through rezoning, a revitalised commercial and retail core, and upgrades to existing recreational facilities. In combination with the construction of the Sydney Metro Northwest and the close links to Macquarie University, Macquarie Park and Parramatta, the population of Epping is expected to exponentially increase over the coming decades.

Three HCAs exist within the Epping Town Centre study area, all of which contain a number of heritage items, totalling thirty five (35) across all three HCAs. Both the heritage conservation areas and heritage items are listed under Part 1 and 2 of Schedule 5 of the Hornsby Local Environmental Plan (LEP) 2013, of which include the following:¹

Heritage Conservation Areas		
Item No.	Description	Address
C9	East Epping Conservation Area	Refer to Figure 2
C10	Essex Street Conservation Area	Refer to Figure 2
C11	Rosebank Avenue Conservation Area	Refer to Figure 2

Heritage Items		
Item No.	Description	Address
367	House and garden	21 Chester Street
368	House and garden	23 Chester Street
369	Garden	27A Chester Street
370	"Snaresbrook"	45 Chester Street
371	House	57 Chester Street
372	House	70 Chester Street

¹ Heritage items located outside of the East Epping, Essex Street and Rosebank Avenue HCAs are not reviewed within this heritage review due to this report's limited scope. Only heritage items which are included within the *Hornsby Council Heritage Review – Stage 6*, which are also located outside of the Heritage Conservation Areas, are reviewed within this report in Section 13.0.

378	"Asheldom"	47 Essex Street
379	House	76 Essex Street
380	House	84 Essex Street
385	Epping Public School	2-16 Norfolk Road
386	House and garden	9 Norfolk Road
387	House	33 Norfolk Street
388	"Gwydir"	40 Norfolk Road
389	"Glenorie"	44 Norfolk Road
395	Chester Street Uniting Church and Grounds	56A Oxford Street
396	House	73A Oxford Street
397	"Folkestone"	87 Oxford Street
398	House and garden	93 Oxford Street
403	"Woodlands"	25 Ray Road
408	House	9 Rosebank Avenue
409	House	10 Rosebank Avenue
412	House	40 Surrey Street
413	House	9 Sussex Street
414	House	11 Sussex Street
415	House	15 Sussex Street
418	House	20 York Street
798	House	3 Essex Street
800	House	42 Essex Street
801	House	39 Norfolk Road
802	House	41 Norfolk Road
803	House	43 Norfolk Road
805	House	85 Oxford Street
806	House	91 Oxford Street
807	House	8 Surrey Street
808	House	18 Surrey Street

Descriptions of each of the HCAs under review as part of this study are detailed in Section 6.0. The following images provide an overview of the context of the Epping Town Centre study area.



Figure 2: Heritage Map 11 from the Hornsby LEP 2013 showing various heritage items and heritage conservation areas located within the Epping Town Centre study area (Source: Amended Heritage Map 11, Hornsby LEP 2013)

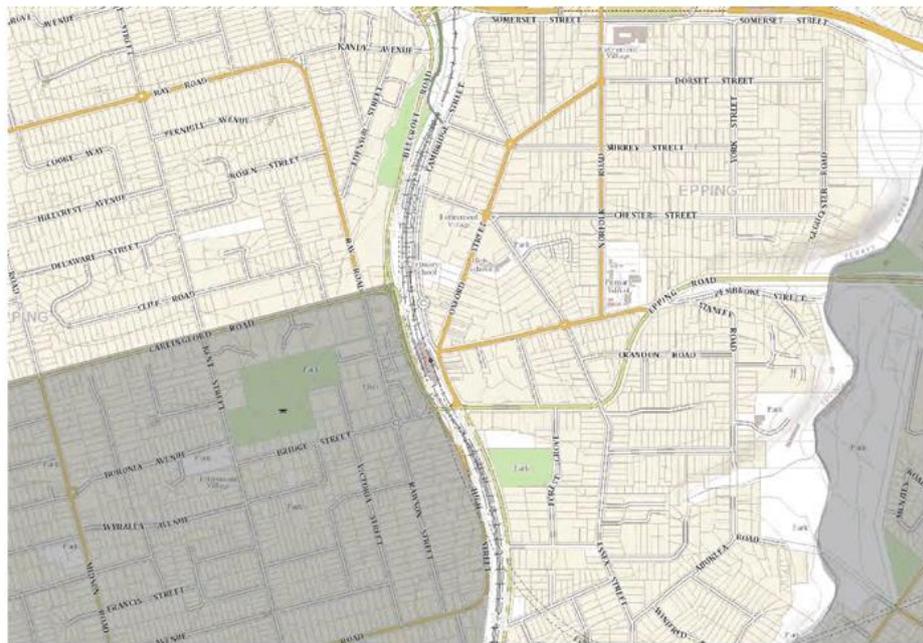


Figure 3: Cadastral Map of Study Area, out of scope area darkened in grey (Source: SIX Maps, accessed on 13 March 2017)

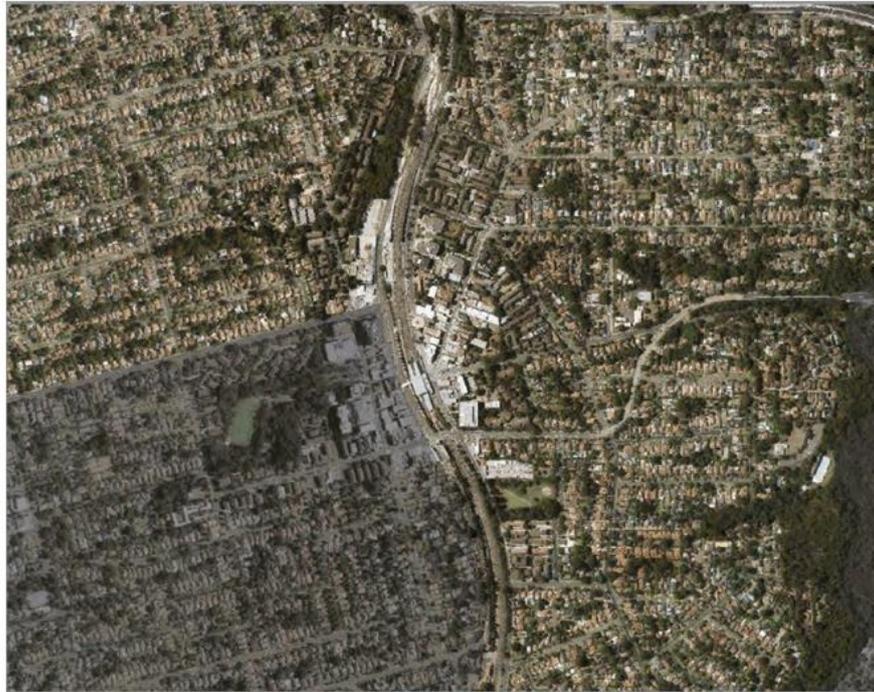


Figure 4: Aerial Map of Study Area, out of scope area darkened in grey (Source: SIX Maps, accessed on 13 March 2017)

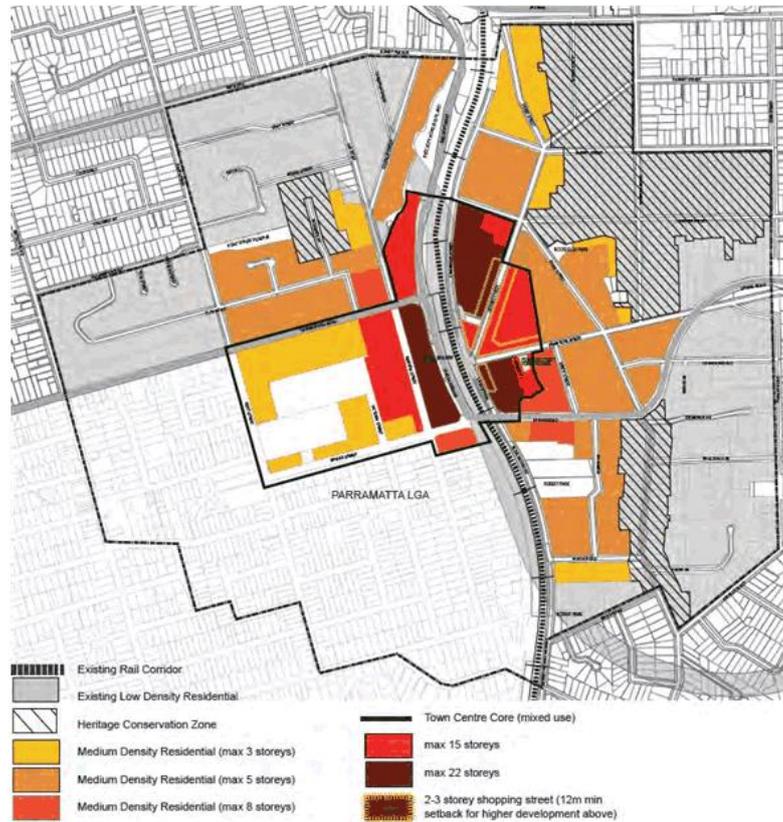


Figure 5: Built Form map of Epping Town Centre (Source: Epping Town Central Public Domain Guidelines, December 2015, Fig. 3.2)

5. Historical Summary

The following general history of the Epping Town Centre Area has been adapted from the *Epping Town Centre Heritage Review*, prepared in 2013 by Perumal Murphy Alessi in 2013, and the *East Epping Conservation Evaluation Review*, prepared in 2001 by Tropman and Tropman Architects. Historic maps and images have been included to supplement this overview. References for sources of information for the history of Epping Town Centre are scarce within both of these previous reports. Where possible, references have been added to substantiate and validate information incorporated from these reports.

5.1 General History of Epping Town Centre Area

European settlement of the Epping Town Centre was slow to develop in the early years of the nineteenth century. In 1804 the eastern side of the now existent railway line was part of the Field of Mars, an area of over 6000 acres dedicated as Common Land for the use of the personnel of the NSW Regiment, whilst areas to the west of the railway line was dedicated to naval officers. During the 1820s, part of the eastern side of the Epping Town centre Area was known as the 'Pennant Hills Sawing Establishment'. The dwellings, cooking place and burial ground of the timber sawing mill of the early 1800's was situated on the eastern side of the railway line on Oxford Street, Epping, now the present day site of the Chester Street Uniting Church. Dwellings included weatherboard and bark huts erected for the overseer and his staff and the convicts. Directly to the east of residential component of the sawing establishment was the saw pit which stretched around the present day Oxford Street from the junction of Chester Street to Pembroke Street. The sawing establishment was not long lived and closed around 1830.

Development between the years of 1830 and 1880 was very slow, with the area primarily being occupied by orchards, gardens and bushland. Very little evidence from this period of development exists today. Prior to the development of the railway line in 1882, there was no public transport to the area which hindered the development of a suburban population. The construction of the railway, which begun in 1881, motioned forward the development of the area. The first railway station for the Epping Town Centre area was situated on the western end of Surrey Street, further north than the present day platform. The original station consisted of a single platform, 264 feet long. The original name for the station was Field of Mars, which was soon changed in the following year to Carlingford. Only eight years following the development of the original station, the station was moved to the present location in 1890, prior to the duplication of the line in 1892 for the provision of improved and faster services to the Sydney region. At this same time, the bridge over the railway line was created, known as Bridge Street, and the Epping township continued to expand.

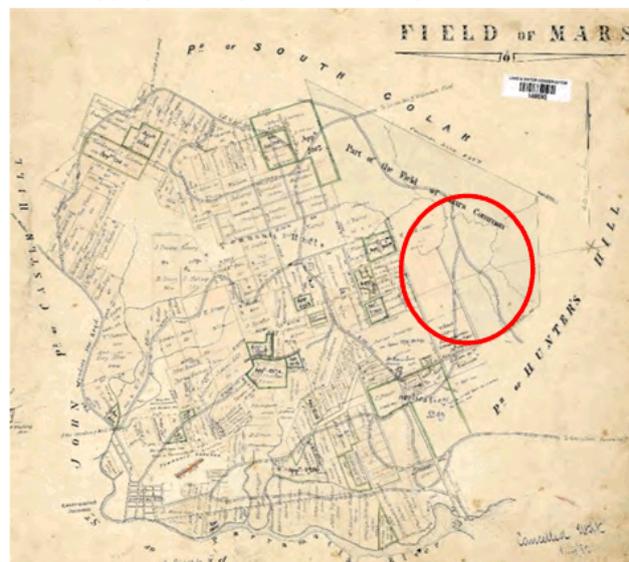


Figure 6: Field of Mars in 1882, prior to the development of the railway. The indicative location of the Epping Town Centre area is circled in red (Source: Land and Property Information, Sheet Reference 4, Edition Number 0)



Figure 7: Epping Railway Station in 1906. The bridge which now forms part of Bridge Street is visible in the background to the left and current day Beecroft Road runs along the length of the image. (Source: National Museum Australia, Josef Lebovic Gallery collection no. 1)

The opening of the railway spurred on residential development and the establishment of more orchards which had already been established in the area earlier in the nineteenth century. From the late nineteenth to the early twentieth century, Epping was known for its orchards, particularly for citrus in winter and stone fruits in summer. The railway had its advantages for the development of the orcharding industry, with easier access for local farmers to access the markets to sell their produce. One of the most prominent families of the orcharding industry in Epping during this time were the Mobbs family, who are thought to have been situated somewhere west of the West Epping Public School along present day Carlingford Road. Nurseries were also developed within the area, such as the Vollmer's Nursery which extended was located on the block bound by Epping Road to the north (formerly Laurel Avenue) Forest Park to the south (formerly Brown's Paddock), nearly as far as Essex Street to the east and Blaxland Road (formerly Sutherland Road) to the west. This nursery was established by M.F. Vollmer, a German who has arrived in Australia in the 1880s and moved into the Epping area during the 1890s. Vollmer took on a partner, C. E. Vessey, and the nursery became known as Vollmer and Vessey, Mount Tomah Nursery. Vessey took over after Vollmer's death and retired in 1919 after which his son Fred took over the business. Fred relocated the business to Eastwood and the land occupied by the nursery was subdivided in 1920 and subsequently developed. Part of the current Essex Street HCA lies on the land of the former Mount Tomah Nursery, which includes the heritage listed item at 42 Essex Street.



Figure 8: View of Mount Tomah nursery in 1902, possibly looking from the crest of present day Pembroke Street, looking south. The two dwellings on the left-hand side of the picture may possibly be 42 and 46 Essex Street, both of which are dwellings which date to the Federation period, despite their current later additions. (Source: City of Ryde Library, 4969553)

Within the same decade as the development of the railway line the Epping Town Centre area began to be closely subdivided, particularly to the east. The section of the Common Land of over 6000 acres originally granted in 1804, was subdivided not long after the railway in 1886. The first subdivision included land from Devlins Creek in the north to Pembroke Street in the south. Preparations for the sale were simultaneous with the celebration of Queen Victoria's Golden Jubilee to mark the 50th anniversary of her reign in 1887. The street names were nearly all named after English towns and counties.

In 1889, the name 'Epping' was officially adopted for the area, the name being derived due to the many trees in the area after 'Epping Forest' in England. At the same time the area surrounding the southern portion of present day Essex Street was subdivided. A survey of the land was made in 1886 and went up for sale on 30 November 1889. Initially this land was divided into country lots. The result was that, next to the growing town residences, there was a series of farmlets with both well-to-do residence and orchards. The situation of the country lots remained until the 1920s when further subdivision began.

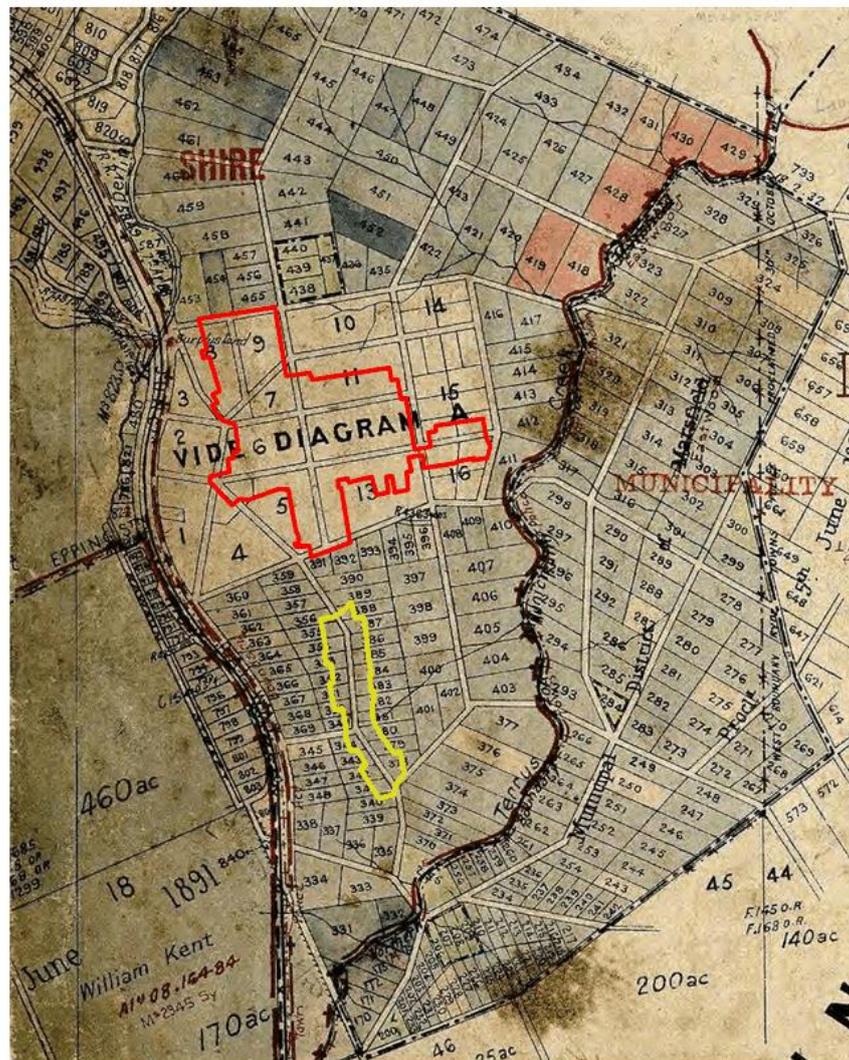


Figure 9: Extract from 1904 map of Parish of Field of Mars, County of Cumberland, Land District of Parramatta. The subdivision of the East Epping HCA and Essex Street HCA are beginning to take shape, and are outlined in red and yellow, respectively (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

As most of the early development was on the eastern side of the railway, a number of shops also emerged in the area, particularly near the station. The growing population also resulted in the Education Department's decision to construct a centralised public school in the area, now known as Epping Public School, which lies within the East Epping HCA. In January 1900, a site of over 2 acres on the corner of Norfolk Road and Pembroke Street was purchased for £350. In July, a tender was accepted for the erection of the building which was completed in June 1901. The first enrolment was for 94 pupils and by the end of the first month this number increased to 135. The School has continued to develop with more buildings added in 1911, 1913 and 1922. The early buildings largely remain in a bushland setting and school continues to be a local focus in the area.

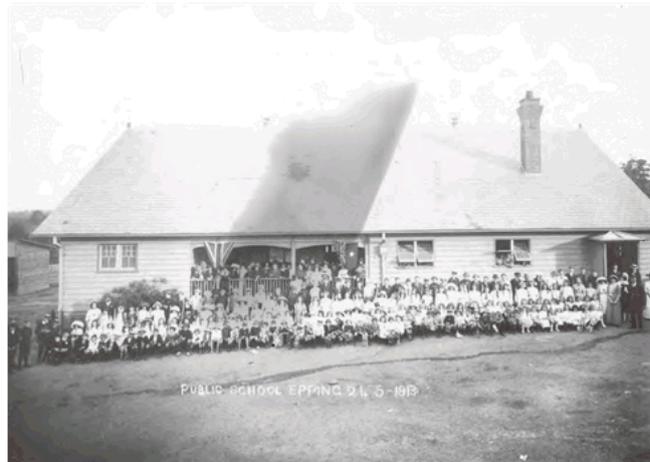


Figure 10: Epping Public School on Empire Day, 1913 (Source: Hornsby Central Library Local Studies, <https://hornsby.spydus.com/cgi-bin/spydus.exe/ENQ/OPAC/BIBENQ?BRN=64099>)

Major works were completed at Epping Station in 1900 when new platforms and a main platform building (which remains today) were constructed. Like most of the rail network the Station continued to be developed, largely in accordance with improvements to the overall system, but also to cater for the needs of the local population. The works have continued to the present, with major cross country link and triplication of the line through Chatswood and major upgrade of the complex, including construction of new overhead bridges and lifts completed in 2009. Further upgrades to Epping Station are scheduled as part of the Sydney Metro Northwest, scheduled to be completed in the first half of 2019.²



Figure 11: Epping Railway Station in 1900. The shops which had begun to develop around the railway station are visible to the right of the image (Source: National Library of Australia, <http://nla.gov.au/nla.obj-155296106>)

² Sydney Metro, Project Overview, <https://www.sydneymetro.info/northwest/project-overview> (accessed on 5 April 2017)

Unlike the eastern side of the station, land to the west of the station remained bushland and orchards for some time, however, the area was gradually developed during the early twentieth century, particularly during the Inter War period. One such subdivision was the Rosegrove Estate, today known as the Rosebank Avenue HCA. A short history of the Rosebank Avenue Heritage Conservation Area can be found in Section 6.4.2.

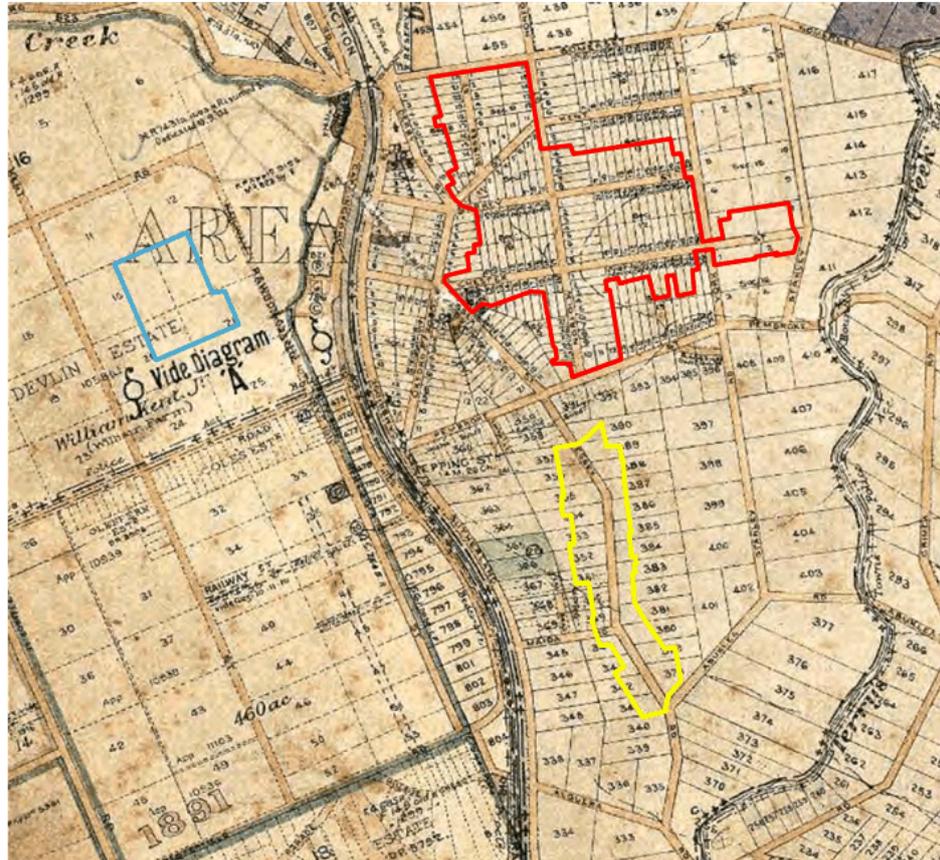


Figure 12: Extract from 1910 map of Parish of Field of Mars, County of Cumberland, Land Hornsby and Baulkham Hills Shires. The subdivision of the East Epping HCA has been divided since the 1904 map. The East Epping and Essex Street HCAs are outlined in red and yellow respectively. The Rosebank Avenue HCA is yet to be subdivided, which occurred during the Inter War period. The approximate outline of the Rosebank Avenue HCA is outlined in blue (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

The completion of Epping Road in 1940 and improvement of road networks recognised an increase in private car ownership and with this came further development and subdivision in the Epping Town Centre area. The overall improvements continued into the Post War period and building boom of the 1950s which saw a significant change in the character of the area, particularly the western side of the railway line. Aerial photographs and maps from the 1940s through to the 1950s display the development of the Epping Town Centre area.

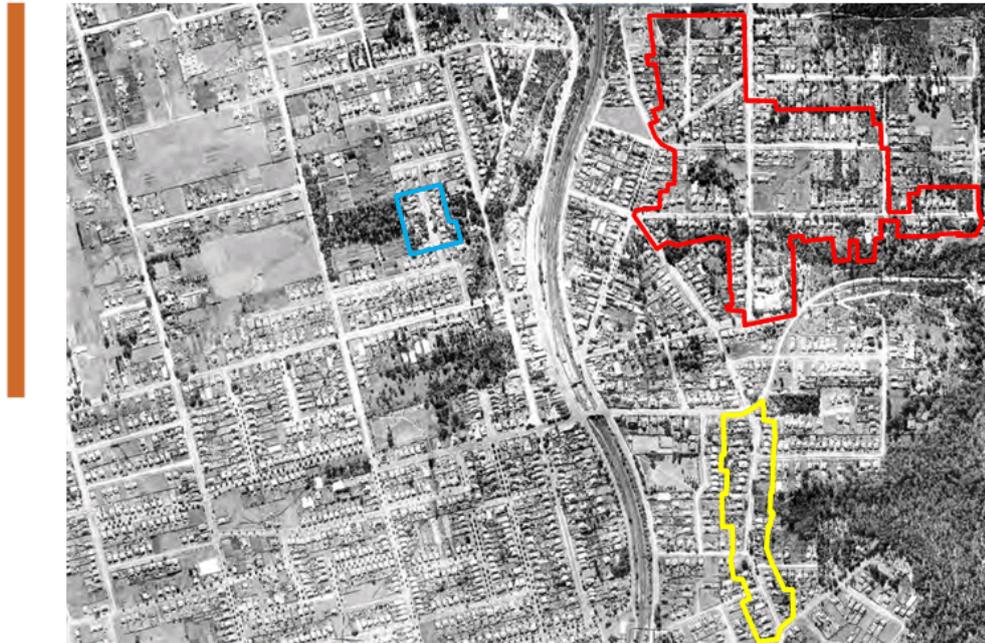


Figure 13: 1943 Aerial photographs of Epping Town Centre area. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: SIX Maps, accessed on 4 April 2017)

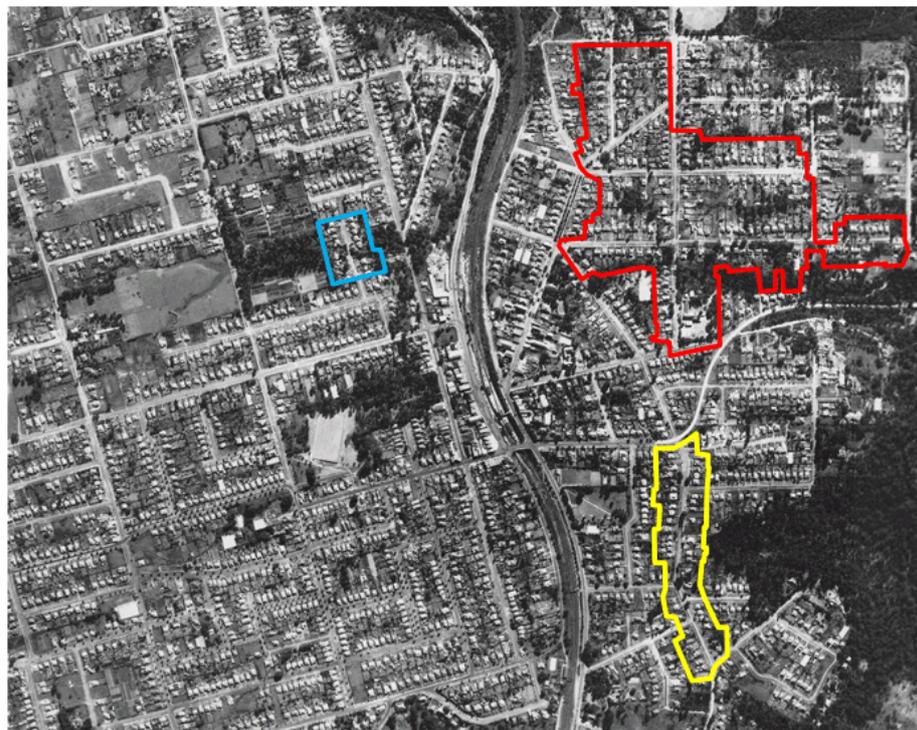


Figure 14: 1951 Aerial photograph of Epping Town Centre area. The area has been substantially developed by this point, including the western side of the railway line which saw significant development during the Inter War period. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: <https://www.flickr.com/photos/55198937@N05/9142070516>)

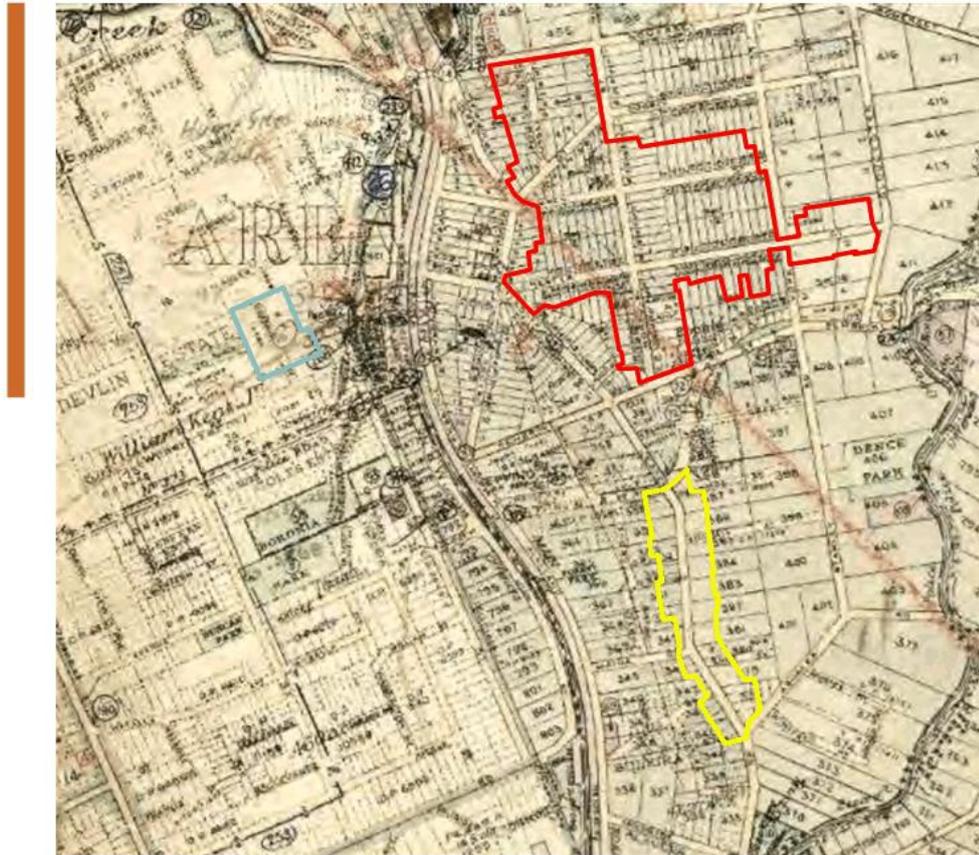


Figure 15: Extract from 1959 map of Parish of Field of Mars, County of Cumberland, Land Hornsby and Baulkham Hills Shires. The development of Epping Road is clearly reflected as well as the subdivision of the western side of the railway line. The East Epping and Essex Street HCAs are outlined in red and yellow respectively. The Rosebank Avenue HCA has by this time been subdivided, although the subdivision of the Rosegrove Estate is not clearly defined in this map. The Rosebank Avenue HCA is outlined in blue (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

Like many established areas in Sydney some medium density residential development occurred, particularly near the railway line, in the 1960s to the 1980s. Further improvements of the road networks and the addition of the M2 Motorway and improvements to the Epping Station has also resulted in a recent resurgence of larger scale residential and commercial development in the area, a trend which continues and is being explored today due to Epping's relatively easily accessible location and proximity to major business districts and universities.

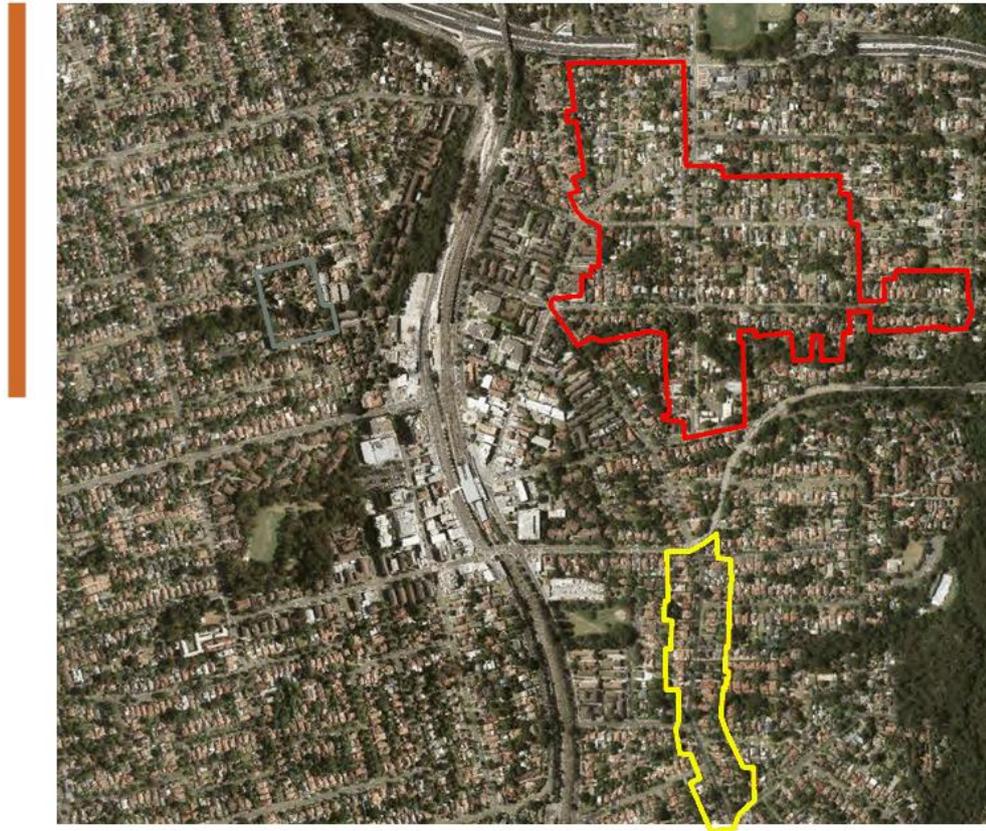


Figure 16: Aerial photograph of the Epping Town Centre area, prior to the current boom of development of the area. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: SIX Maps, accessed on 4 April 2017)

6. Heritage Conservation Area Assessments

6.1 Basis of Assessment

In assessing the cultural significance of a place, it is necessary to adequately research and consider all the information relevant to an understanding of the place and its fabric. The Burra Charter (2013) defines the cultural significance as being “aesthetic, historic, scientific or social value for past, present or future generations”.

The assessment of cultural significance is undertaken because it is necessary to understand the heritage values of a place before making decisions about the future of the place whether it is a heritage item or a HCA. This then leads to decisions that will retain these heritage values in the future.³ The ‘Statement of Significance’ indicates what heritage values of a place should be conserved, and is used as a basis for the formulation of specific guidelines for the development of conservation policies of a place. The Conservation Plan by J. S. Kerr (seventh edition, 2013, Australia ICOMOS), considers the following three criteria as a useful starting point in assessing the nature of significance:

- Ability to demonstrate a process, a custom or style;
- Associational (historic) links for which there is or is not surviving physical evidence; and
- Formal or aesthetic qualities.

All three HCAs have previously had their significance assessed as part of previous studies. The following subsections evaluate the previously established significance of each HCA in consideration of each HCAs current condition and integrity. Each assessment of significance addresses the criteria endorsed by the NSW Heritage Council, and is in accordance with the NSW Heritage Manual ‘Assessing Heritage Significance’ guidelines.

³ NSW Heritage Manual, *Assessing Heritage Significance*, 2000, p.2

6.2 East Epping Heritage Conservation Area



Figure 17: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting East Epping HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.2.1 Context and Description

The East Epping HCA is the largest of the three HCAs under review as part of this study, and spans a total of nine streets including: Chester Street, Essex Street, Norfolk Road, Oxford Street, Pembroke Street, Somerset Street, Surrey Street, Sussex Street and York Street. The area to the east of the railway line was one part of a large subdivision of the late nineteenth century. All the street names of the East Epping HCA are named after English towns and counties, with all names remaining the same as the 1910 subdivision plans for the area.

The East Epping HCA is characterised by a majority of Victorian, Federation and Inter War period dwellings, which reflect the early development of the East Epping Area. The area is further characterised by wide dual carriageways and grassed verges and substantial street plantings. The original subdivision pattern of the late nineteenth and early twentieth century is still understood, despite a number of properties being subdivided throughout the area. Despite this subdivision, the streetscape character of the area is still maintained by the dwellings which front onto the streetscapes, which are further enhanced through large setbacks, complementary fences and mature front garden landscaping.

Each of the nine streets of the East Epping HCA present a range of significant characteristics. Entering the HCA from the south into Norfolk Road, to the east is located Epping Public School with its Federation period classrooms and a large number of mature trees which stretch along the street and into the northern portion of the schools site. Moving further north along the street, Inter War and Federation period dwellings are regularly located, as the road slopes down slightly toward the first intersection with Chester Street. The section of Norfolk Road, bound by Chester Street and Surrey Street presents, a number of Late 20th Century

and 21st Century two storey dwellings, before the Inter War and Federation period character of the street returns closer to Surrey Street. Some Banksia trees line this section of the street, whilst mature Eucalypts rise above the street from front gardens of some of the early twentieth century properties. In the most northern section of Norfolk Road within the East Epping HCA, are clustered a number of Inter War Bungalows and Federation period dwellings, in Queen Anne, Cottage and Bungalow styles. Substantial landscaping on the street and in front gardens continue along this section of Norfolk Road, enhanced by timber picket fences and hedges on each of the individual properties.

Along both Sussex and Oxford Streets, two of the northern-most streets of the East Epping HCA, presents a mix of primarily Federation and Inter War periods dwellings. Being a narrower street than Oxford Street, Sussex Street's regular street trees, of both native and ornamental varieties, enhance the leafy aspect of the street, the street slopes down toward the west, with dwellings of the eastern side of the road sitting higher in their lots. Like Norfolk Road, the dwellings are set back onto their lots, with large front gardens, most of which have substantial mature plantings, which screen the houses from street view. Overall, the presentation of Sussex Street captures the aesthetic qualities of the East Epping HCA.

A small section of Oxford Street, between Derby Street and Norfolk Road, resides within the boundaries of the East Epping HCA. The street, like Norfolk Road, presents a dual carriageway, with wide verges. Federation, Inter War and Post War period dwellings line either side of the street, with a number of timber weatherboard Federation cottages located on the northern side of the road, whilst the southern side presents a number of Inter War Bungalows. Street tree planting is sporadic along Oxford Street, however, the landscaping of individual properties makes up for the lack of street trees, still eliciting the leafy character of the East Epping HCA.

Surrey Street and Chester Streets contain a diverse mix of buildings from Victorian, Federation, Inter War, Post War, Late 20th Century and 21st Century. Both streets have dual carriageways, but are not as wide as Norfolk Road, which acts as a main spine for the East Epping area. Mature trees, both native and exotic, are located along the length of each street, again enhanced by the large setbacks of properties and mature landscaped gardens. Surrey and Chester Street have the highest proportion of subdivided lots, mainly between their intersection with Norfolk Road and York Street. The original lot size of these properties from the late nineteenth and early twentieth century subdivisions, produced long lots, which have easily been subdivided to provide for additional dwellings. The dwellings located at the rear of the original houses on these subdivided lots are mostly not visible from the street, particularly where the front dwellings have mature trees and significant landscaping. On the very western end of Chester Street is located the only Church within the East Epping HCA. Built during the Inter War period, the presence of the church of the prominent corner of Chester, Oxford and Sussex Streets, acts as a western gateway to the East Epping HCA, typified by its brick turret and rendered detailing.

Across the East Epping HCA, there are a total of twenty-nine (29) heritage items located across all of the primary streets of the area. A majority of the heritage items of the East Epping HCA are from the Federation period, with one Victorian stone cottage and five (5) Inter War period dwellings and gardens. These properties and gardens further enhance the streetscapes of Sussex, Oxford, Surrey, Chester Streets and Norfolk Road, through their demonstration of historic, aesthetic, rare and representative significance.

The East Epping HCA presents a large unique area with a mixture of dwellings, gardens and landscapes from the late nineteenth century through to the present day. Whilst the majority of dwellings within the area date from the Federation and Inter War periods, the scattering of dwellings from the Post War, Late 20th and 21st Centuries, further add to the history of growth and development of the East Epping area.

The following images present a brief overview of the current character and streetscapes of the East Epping HCA.



Figure 18: Views looking north (left) and south (right) along Norfolk Road at the intersection with Surrey Street. The large mature trees lining Norfolk Road can be seen, as well as the wide dual carriageway, which acts as the main spine of the East Epping HCA.



Figure 19: Views looking east (left) and west (right) along Surrey Street at intersection with Norfolk Road. The mature landscaping in the front gardens of some properties can be seen, as well as established trees, particularly in the left image out the front of 40 Norfolk Road, a heritage item.

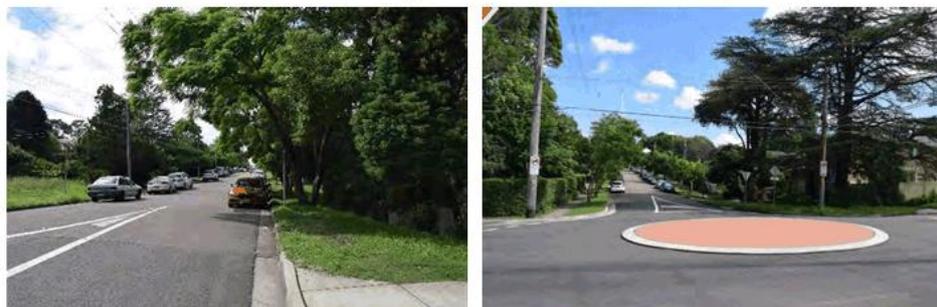


Figure 20: View looking east (left) and west (right) from the intersection of Norfolk Road and Chester Street. Substantial street tree planting can be seen in both views, particularly the large Pine trees in the right image which fall within the lot boundaries of 27A Chester Street.



Figure 21: Epping Public School, the original classrooms date from 1901 (left) and 70 Chester Street, Victorian stone cottage, the oldest dwelling in the East Epping HCA (right).



Figure 22: 11 Sussex Street, timber weatherboard Federation Cottage (left) and 85 Oxford Street, a timber weatherboard cottage with return verandah (right).



Figure 23: 93 Oxford Street, a two storey Federation Tudor style house, an unusual style for the area, presenting a prominent corner position at the intersection with Norfolk Road (left) and 39 Norfolk Road, a good example of a Federation bungalow, a prominent style within the East Epping HCA.



Figure 24: 49 Norfolk Road a Federation cottage (left) and the Uniting Chester of Chester Street, dating to the Inter War period (right).



Figure 25: 67 Chester Street, an Inter War Bungalow (left) and 58 Chester Street, a late Inter War period dwelling in Spanish style (right).



Figure 26: 33 Chester Street, a single storey Post War dwelling with some modifications (left) and 44 Surrey Street, a single storey red brick Post War dwelling (right)



Figure 27: 42 Surrey Street, two storey Late 20th Century house (left) and 12 Sussex Street, a two storey 21st Century house (right)

6.2.2 Historical Summary

The history of the East Epping HCA is directly linked to the historical development of the development of the Epping Town Centre, thus refer to the brief history provided in Section 5.1.

6.2.3 Previous Assessment and Statement of Significance

The first assessment of significance for the East Epping HCA was undertaken as part of the *East Epping Conservation Evaluation and Review* prepared by Tropman and Tropman Architects in 2001. The assessment and statement of significance from this first study is as follows:

Criterion (a)

The area is a good example of the development of Federation and Inter-War period housing in the Epping area.

The area was one of the first parts of Epping to be closely subdivided for residential purposes.

Criterion (c)

The area has retained most of its original 1886 subdivision pattern.

Criterion (g)

The area is representative of the development of Federation period and Inter-War period suburban housing.

Statement of Significance

The East Epping Heritage Conservation Area is a good representative example of the development of Federation period and Inter-War period suburban housing

of the Epping area. The area retains coherent examples of Federation and Inter-War housing as well as remnants of late 1880s housing. The area has historic significance as one of the first parts of Epping to be closely subdivided for residential purposes. This area, with the exception of the eastern side which was originally divided into larger blocks, has retained most of its original 1886 subdivision pattern.

Whilst the above assessment of significance for the East Epping HCA is brief, further assessment of the area was conducted as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the East Epping HCA still stood and updated the assessment of significance as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as one of the first subdivisions and parts of Epping to be subdivided for residential development. Despite some site amalgamations and re-subdivisions, the area largely retains its original subdivision and streetscape pattern.

The area retains evidence of its major periods of development that reflect the growth and development and major changes in the local area and shift from a rural and farming community to centralised residential and low scale commercial area.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Federation, Inter-war and Post-war detached housing in the Epping area. Some early buildings also remain.

The built context is also enhanced by the wide street proportions, street trees and garden settings and plantings which make a positive contribution to the area.

Criterion (d) - An item has strong or special association with a particular community or cultural group in NSW (or area) for social, cultural or spiritual reasons

Epping Public School is a major feature of the area and is of some social significance to the local community. Established in 1900 as a result of the growth and development it has continued to be a local focus and has developed in accordance with local needs and requirements.

The Uniting Church complex in Chester Street is also of some local social significance.

Criterion (e) - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the area)

The area retains some rock forms, undulating streets, sloping sites and a number of mature native trees and plantings which indicate the early natural character and topography of the area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the area)

The area retains a number of earlier timber weatherboard houses and one early stone dwelling which are relatively rare in the local area.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments (or a class of the local area's cultural or natural places; or
- cultural or natural environments)

The area is a good and relatively intact representative example of late 19th and early 20th century suburban residential subdivision and development.

Statement of Significance

The East Epping Heritage Conservation Area is of high local historic and aesthetic significance as a good representative example of late 19th century subdivision that retains a good and relatively intact collection of Federation, Inter-war and Post-war period residential development that represents the major period of growth and development of the Epping area.

The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Federation and Inter-war period houses. The area also retains some earlier examples and overall built context is enhanced by the local topography and native plantings, wide street proportions, street trees and garden settings.

The Church and School sites located in the area are also of some historic and social significance to the local community.

6.2.4 Revised Assessment of Significance

The previous assessments of the East Epping HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms of the evaluation of aesthetic, historical, social, rarity and representative values of the area are still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

East Epping HCA Statement of Significance

The East Epping HCA is of high local historic and aesthetic significance as a good representative example of late nineteenth century subdivision that retains a good and relatively intact collection of Federation, Inter War and Post War period residential development that represents the major periods of growth and development of the Epping area.

The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Victorian, Federation and Inter War period dwellings. The area has historic significance as one of the first parts of Epping to be closely subdivided for residential purposes. The original names of each of the streets, which were taken from English towns and counties, still remain. The areas overall built context is enhanced by the local topography and native plantings, wide street proportions, street trees and large garden settings. Many of the Federation and Inter War period houses retain their garden like settings, coupled with mature trees of both native and exotic varieties.

The inclusion of Epping Public School, established in 1901, and the Chester Street Uniting Church and grounds are also of some historic and social significance to the local community, further enhancing the pattern of development of not only the early subdivision of the area but the needs of the growing community of the East Epping area.

6.2.5 Individual Heritage Items Request for Removal within Essex Street HCA

3 Essex Street

A request by the property owner of 3 Essex Street for the removal of the property as an Heritage Item under the Hornsby LEP 2013 and to be removed from the East Epping HCA was lodged on 18 September 2015. This request was lodged by the property owner in response to the listing of the property at 3 Essex Street on the Hornsby LEP 2013 as part of the State Environmental Planning Policy (SEPP) Amendment (Epping Town Centre) 2013, published in March 2014.

The dwelling at 3 Essex Street is a single storey face brick Inter War Bungalow featuring a hipped roof clad in terracotta tiles and a stone base. The primary western façade features a projecting brick veranda with brick piers, flanked on either side by projecting bay windows, with detailed leadlight glazing set within timber double sash windows. The northern façade features a second verandah with brick piers, which has been enclosed by single brick and timber windows. The eastern boundary of the property is defined by a high brick fence and a wide timber gate. Some mature plantings exist on the site, including palm trees. A driveway is located on the eastern side of the house, which gives access to a lightweight carport attached to the southern façade of the dwelling. The location of the dwelling next to Rockleigh Park provides a leafy setting for the Inter War Bungalow.

A brief internal inspection was conducted as part of this heritage review. From the internal inspection, original detailing such as Art Deco cornices and plasterwork, timber doors and frames with associated hardware, timber picture rails, fireplace, floorboards and leadlight windows were observed throughout the property, excluding areas where modifications had taken place, which was primarily limited to the kitchen and bathrooms. The bungalow is overall in good condition, but does require some maintenance work. The bungalow appears to have maintained its condition and integrity since its assessment in the 2013 study.

An assessment of the significance of 3 Essex Street was undertaken as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy and Alessi in 2013.⁴ The established statement of significance has been slightly amended to reflect the current condition of the property and is provided below:

No. 3 Essex Street is of local historic and aesthetic significance as part of an early subdivision in the area, as a good and largely intact representative example of a substantial Inter War Bungalow constructed during c. 1920s. The site is associated with the Rockleigh House and grounds now remembered by the adjacent Park area. The building significantly retains its original scale, form and features including face brick façades and stone base and prominent roof scape, open verandah and bayed elements on the front facade. Internally many original elements of the Inter War Bungalow remain, including Art Deco cornices and plasterwork, timber doors and frames with associated hardware, timber picture rails, fireplace, floorboards and leadlight windows. Despite the addition of the high brick fence, the building has a wide frontage and prominent roof form enhanced by its garden setting and makes some visual contribution to the streetscape and neighbouring Rockleigh Park area. The large wide lot on which the Bungalow is established is unusual for the East Epping Area, presenting a unique element in the area.

The Inventory Sheet for the property has also been updated to reflect the above statement of significance, as well as updated images, which is provided as part of Appendix A. Recommendations in relation to the retention or removal of 3 Essex Street from the Hornsby LEP 2013 as a heritage item or from the East Epping HCA, have been provided in Section 10.1.

⁴ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 37.

6.3 Essex Street Heritage Conservation Area

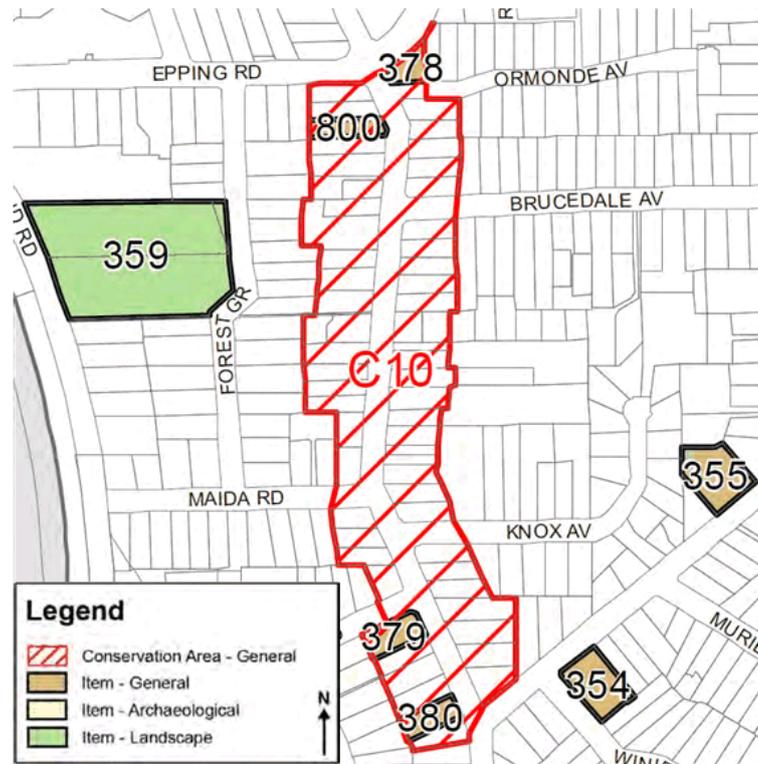


Figure 28: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Essex Street HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.3.1 Context and Description

The Essex Street Avenue Heritage Conservation Area was last described in March 2013 in the Epping Town Centre Heritage Review as:

*"The built context is characterised by a mix of Federation and Inter-war period houses including substantial timber weatherboard and distinctive Federation red brick dwellings, liver brick and Inter-War Bungalows with a number of late 20th and early 21st century period dwellings and residential complexes between. The built context is generally enhanced by the streetscape pattern reinforced by regular setbacks, wide street proportions and garden settings."*⁵

During site inspections of the area in March 2017, it was observed that the Essex Street HCA continues to retain a built context characterised by a mixture of Federation and Inter War period dwellings, with some Post War, Late 20th and 21st Century development scattered throughout. The streetscape continues to be enhanced by street tree planting, coupled with the established gardens and trees of the properties which lines the edges of the street.

The Essex Street HCA is bound to the north by Epping Road and to the south by Abuklea Road. Whilst Essex Street continues both north and south from the Essex Street HCA, this particular section of Essex Street presents a unified character unlike the other sections of Essex Street, which have a higher proportion of Late 20th and 21st Century developments. This section of Essex Street presents a wide dual carriageway with wide grassed verges.

⁵ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 13.

The street slightly bends to the east following the intersection with Maida Road. This section of Essex Street gently slopes downwards from Epping Road and Abuklea Road to the lowest point around the intersection of Knox Avenue. Between Maida Road and Epping Road, the dwellings located on the western side of Essex Street rise above street level, whilst the dwellings to the east lie below street level, due to the sloping topography of the street down towards the east.

Dotted along the length of Essex Street are a number of different species of trees, including but not limited to Banksia and Eucalypt trees. The dwellings along this section of Essex Street present a regular setback from the street, incorporating a range of different fences, all predominantly of a low scale, including timber picket fences, low sandstone or brick walls, wire and timber fences and a few modern cement rendered walls. The front gardens of each property generally include mature plantings harmonising with and adding to the streetscape character the street.

The style of dwellings located within the Essex Street HCA, include a number of different styles from the Federation (Bungalow and Cottage styles), Inter War (Bungalow and Spanish Mission styles), Post War, Late 20th Century (Organic, Australian Nostalgic, and Immigrants Nostalgic styles) and 21st Century, all depicted in Figures 31 to 36.

Whilst a couple of lots within the Essex Street HCA have been subdivided, or some older buildings from the Federation or Inter War period have been replaced or modified over time, the overall character of early 20th Century and streetscape pattern and rhythm remains.

The following images the early present a brief overview of the current character and streetscape of the Essex Street HCA.



Figure 29: Views looking from intersection of Essex Street and Abuklea Road, looking north along Essex Street. The mature street trees and large front setbacks of dwellings along the street can be



Figure 30: Views looking south along Essex Street, near Epping Road (left) and intersection of Brucedale Avenue (right)



Figure 31: Views looking from approximately 58 Essex Street, looking south (left) and north (right).



Figure 32: 86 Essex Street, Federation Bungalow (left) and 42 Essex Street, Federation weatherboard cottage (right).



Figure 33: 93 and 56 Essex Street, both examples of intact Inter War Bungalows.



Figure 34: 44 Essex Street, Inter War Spanish Mission (left) and 77 Essex Street, Post War (right).



Figure 35: 78 Essex Street, Post War (left) and 99 Essex Street, Late 20th Century Organic (right).



Figure 36: 51 Essex Street, Late 20th Century Australian Nostalgic (left) and 53 Essex Street, 21st Century.

6.3.2 Historical Summary

The history of the Essex Street HCA is directly linked to the historical development of the development of the Epping Town Centre, thus refer to the brief history provided in Section 5.1.

6.3.3 Previous Assessment and Statement of Significance

The first assessment of significance for the Essex Street Heritage Conservation Area was undertaken as part of the *East Epping Conservation Evaluation and Review* prepared by Tropman and Tropman Architects in 2001. The assessment and statement of significance from this first study is as follows:

Criterion (a)

The area is a good example of the development of Federation and Inter-War period housing in the Epping area.

The area reflects the changing nature of the place from rural, through semirural to residential.

Criterion (c)

The area has retained most of its original 1886 subdivision pattern.

Criterion (g)

The area is representative of the development of Federation period and Inter- War period suburban housing.

Statement of Significance

The Essex Street Heritage Conservation Area has historic and aesthetic significance as a representative area of intact period housing, mainly from the Federation and Inter-War periods. The areas early subdivision patterns reflect the changing nature of the area from rural, into semi-rural 'farmlets' through to

residential lots in the 1920s. These subdivision patterns are still visible in the existing street layout.

Whilst the above assessment of significance for the Essex Street HCA is brief, further assessment of the area was conducted in as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the East Epping HCA still stood and updated the assessment of significance as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as part of an early subdivision and early 20th residential development. Despite some site amalgamations and re-subdivisions, the area largely retains a sense of its original subdivision pattern that represents the early 20th century shift from a rural to a residential and suburban area.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Federation and Inter-war period detached housing in the Epping area. Some good examples of Post-war development are also extant.

The built context is also enhanced by the wide street proportions, street form and wide grassed verges, setbacks, garden settings and plantings which make a positive contribution to the area.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- *cultural or natural places; or*
- *cultural or natural environments.*
- *(or a class of the local area's*
- *cultural or natural places; or*
- *cultural or natural environments)*

The area is representative of the development of the Federation and Inter-war period suburban housing in the local area.

Statement of Significance

The Essex Street Heritage Conservation Area is of local historic and aesthetic significance as part of an early subdivision in the local area and as a representative area of intact period housing mainly from the Federation and Inter-war periods which represents a major period of growth and development and shift from a rural to a suburban area.

The area significantly retains a sense of the original subdivision pattern and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Federation and Inter-war period houses. The built context is enhanced by the local topography, wide street proportions, setbacks and garden settings.

6.3.4 Revised Assessment of Significance

The previous assessments of the Essex Street HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms the evaluation

of aesthetic, historical and representative values of the area is still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

Essex Street HCA Statement of Significance

The Essex Street HCA is of local historic and aesthetic significance as part of the early subdivision of the Epping from the late 1890s, and maintains a representative area of largely intact Federation and Inter War period dwellings reflecting the major periods of growth and development of the Epping local area. Early Federation houses, some associated with the Mount Tomah Nursery of the 1890s are still extant, and further enhanced by the retention of the later 1920s subdivision upon which many Inter War period home were developed. The area represents the shift of Epping from an area of orchards and nurseries to a thriving suburban area.

The area retains many significant elements of the early twentieth century subdivision patterns, coupled with a cohesive streetscape pattern enhanced by large setbacks, wide street proportions, undulating topography, street plantings and garden settings. This section of Essex Street, maintains a large number of good and highly intact examples of Federation and Inter War period dwellings of various styles, interspersed with some good examples of residential Post War architecture.

6.3.5 Individual Heritage Items Requested for Removal within Essex Street HCA

42 Essex Street

A request by the property owner of 42 Essex Street for the removal of the property as a Heritage Item under the Hornsby LEP 2013 and to be removed from the Essex Street HCA was lodged on 17 January 2016. This request was lodged by the property owner in response to the listing of the property at 42 Essex Street on the Hornsby LEP 2013 as part of the SEPP Amendment (Epping Town Centre) 2013, published in March 2014.

The dwelling at 42 Essex Street is a substantial, single storey timber weatherboard Federation cottage, with a hipped roof and northern projecting gabled wing with corrugated steel roof. The dwelling features a veranda with returns to the sides with timber double sash windows with colour lead lighting on the primary façade facing toward Essex Street. The northern elevation features a bay window with timber double-hung sashes featuring coloured leadlight, matching the primary eastern façade. The cottage is substantially set back from the Essex Street frontage, allowing for a large front garden, which is primarily grassed with some mature plantings established along the Essex Street boundary.

A brief internal inspection of the property was conducted as part of this heritage review. From the internal inspection, original detailing such as floor boards, cornices and timber work were observed in the main hallway and front rooms of the cottage. Additions to the rear of the original cottage currently house living spaces and a kitchen. The cottage is overall in good condition and appears to have maintained its condition and integrity since its assessment in the 2013 study.

An assessment of the significance of 42 Essex Street was undertaken as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy and Alessi in 2013.⁶ The established statement of significance has been slightly amended to reflect the current condition of the property and is provided below:

The dwelling at 42 Essex Street is of high local historic and aesthetic significance as a good and largely intact Federation period timber weatherboard cottage constructed sometime between 1893 and 1902 that is associated with MF Vollmer and the Vessey family of the Mount Tomah Nursery that operated in the immediate area in the 1890s. Despite some alterations and additions, the cottage retains its overall scale, form and details particularly weatherboard facades, roof form, open wrap-around verandah,

⁶ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 42.

gable and bay on the northern facade. Internally, original details are also maintained, including cornices, timberwork, floorboards and chimneys. The building occupies a prominent and elevated site on a bend in Essex Street, is enhanced by its garden setting and makes a positive contribution to this section of Essex Street. The cottage is one of two remaining Federation period dwellings located in the area associated with the Mount Tomah Nursery, thus being rare for the local area.

The Inventory Sheet for the property has also been updated to reflect the above statement of significance, as well as updated images provided as part of Appendix A. Recommendations in relation to the retention or removal of 42 Essex Street from the Hornsby LEP 2013 as a Heritage item of from the Essex Street HCA have been provided in Section 10.2.

6.4 Rosebank Avenue Heritage Conservation Area

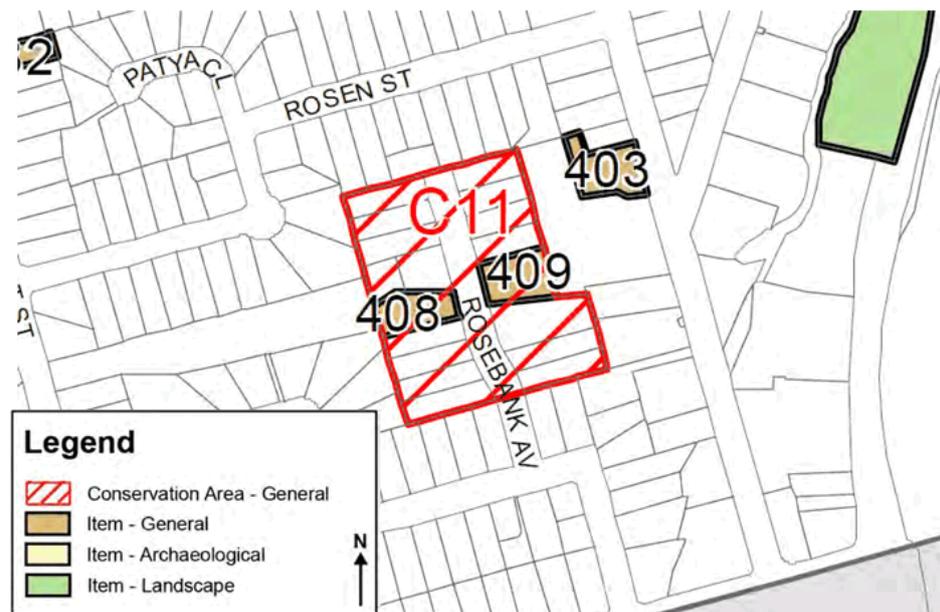


Figure 37: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Rosebank Avenue HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.4.1 Context and Description

The Rosebank Avenue Heritage Conservation Area was last described in March 2013 in the Epping Town Centre Heritage Review as retaining:

"a good and highly intact group of Inter-War period dwellings illustrating various architectural elements enhanced by the streetscape character, reinforced by retention of the original subdivision pattern and street rhythm, consistent setbacks and also mature street and garden trees and garden plantings."

During site inspections of the area in March 2017, it was observed that the Rosebank Avenue HCA continues to remain a good and highly intact group of Inter War period dwellings however, there are some changes to the surrounding setting of the area and the streetscape which has minorly detracted from the description provided in 2013. These include the multiple high density residential developments on Cliff Road and Hazlewood Place, located to the

⁷ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 15.

east and south of the HCA. Some mature trees too have been removed from the streetscape, primarily out the front of 5 Rosebank Avenue.

Despite these changes, Rosebank Avenue HCA continues to maintain its established heritage character. The form, scale and detailing of the majority of dwellings within the area retain their original elements, and are enhanced by extensive plantings within the front gardens and nature strip planting. Whilst some minor modifications have been made to some buildings, such as the enclosure of balconies, addition of carports and garages and replacement of some original windows, the consistency of the street in terms of setbacks, and street presentation are still intact.

A range of architectural styles are presented along the length of Rosebank Avenue, including Spanish Mission, Bungalow and Tudor Revival. Whilst the style of each dwelling differs, all are linked together and complement one another through consistency in height, set back and landscaping. The original subdivision of the Rosegrove Estate is still evident in the current subdivision of the area, despite the singular subdivision of 13 and 15 Rosebank Avenue. The character of the area is further linked together through the consistent street trees which line the nature strips and the interjection of the creek line which runs between 15 and 9, and 10 and 6 Rosebank Avenue. The vegetation is denser at this point in the street and creates a lively setting for the appreciation of both the northern and southern components of the street.

The following images present a brief overview of the current character and streetscape of the Rosebank Avenue HCA.



Figure 38: View looking south along Rosebank Avenue, from northern end of street (left) and from middle of street in line with the creek (right). The consistency of street trees which line Rosebank Avenue are evident, enhancing the streetscape character, behind which an array of Inter War period dwellings are nestled.



Figure 39: View of the small bridge which runs over the creek line (left) and looking west toward 9 Rosebank Avenue visible through the trees which line the creek bed.



Figure 40: Two of the dwellings located within the Rosebank Avenue HCA are listed as local items, including 9 (right) and 10 (left) Rosebank Avenue. Whilst both dwellings date from the Inter War period, they are in two distinct styles of the period, the left being a Spanish Mission style and the right in a Tudor style.



Figure 41: 16 and 17 Rosebank Avenue, respectively, are designed in an Inter War Bungalow style. The Bungalow style is featured the most amongst the dwellings of Rosebank Avenue



Figure 42: 5 and 1 Rosebank Avenue have undergone some modifications to the original fabric. 5 Rosebank Avenue has modified the entrance path and driveway, as well as the entrance way and windows, whilst 1 Rosebank Avenue has undergone some minor changes, including enclosing the front balcony and the installation of a new gate to the driveway. Despite these changes, both dwellings continue to contribute to the character of the area.

6.4.2 Historical Summary

The following historical summary of the Rosebank Avenue Conservation Area has primarily been adapted from the 2003 Heritage Assessment of Rosebank Avenue, prepared by CPC Consulting.

The site of the present day Rosebank Avenue is located on the western side of the railway at Epping. Early Parish Maps indicated that the site was part of the land granted to William Kent Junior. Pioneer settler, David Hazlewood, purchased the land in this area (including the area that is now Rosebank Avenue) as a total of 16 acres in 1897.

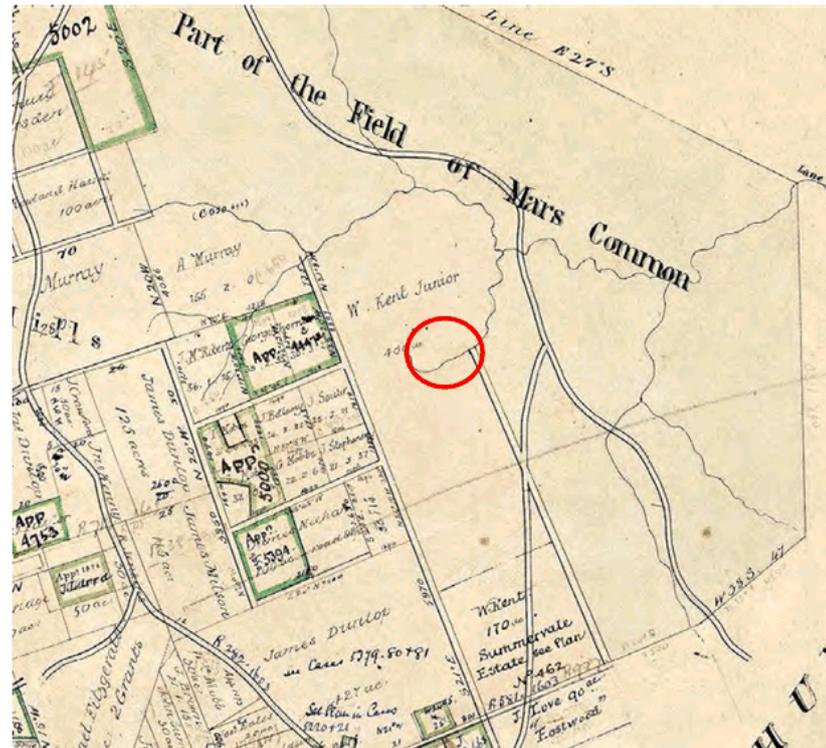


Figure 43: 1882 Field of Mars Parish Map with indicative location of Rosebank Avenue Heritage Conservation Area outlined in red (Source: Land and Property Information, Sheet Reference 4, Edition Number 0)

The Hazlewood Brothers made their reputation as rose suppliers in the early twentieth century from the Epping nursery. The Hazlewood nursery operations continued in Dural until 1965. The first subdivision of the Hazlewood Estate was placed on sale in October 1921 and included lots fronting the present Carlingford Road.

In November 1929, two years after David Hazlewood's death, the site of Rosebank Avenue went to auction sale as the Rosegrove Estate, one of the later estate subdivisions to occur in the Epping district. The Estate consisted of 18 lots fronting Rosebank Avenue and three lots fronting Ray Road. (Figure 44) A "fine old rustic bridge" was constructed over the existing creek by the Hazlewoods as part of their nursery operations and was retained as an attractive element of the Estate. The advertisements for the auction also indicate that a strict building ordinance was in place to ensure that "each home will be worthy of its setting" and that the layout and lot sizes allowed "ample space for gardens, lawns and motor car entrance".



ROSEGROVE ESTATE

In one of Nature's Loveliest Settings

21 Perfect Home Sites... 400 yards from Epping Station and Shopping Centre

ALTHOUGH photographs do not lie, they cannot, unfortunately, do full justice to this magnificent home location—ROSEGROVE ESTATE, EPPING. To appreciate the beauty of its surroundings—the appearance and character of each allotment—the well made roads with their concrete kerbs and gutters—and the Epping's station as every convenience that the home surface can desire—you must see it. The most walk over its smooth, green alleys and see its every pleasing vista.

Remember that only 21 homes can be erected on Rosegrove Estate, and the careful site building conditions will ensure that each home will be worthy of its setting. The land is ready now for building. Each allotment provides ample space for gardens, lawns and motor car entrance.

Beautiful Epping

Epping is one of Epping's most attractive—the home of beautiful scenery and the home of the future. The site is to be found in the fact that the Epping is a beautiful estate. Epping is a beautiful estate. Epping is a beautiful estate. Epping is a beautiful estate.



40 yards from Epping Station — a few minutes walk.

All shopping and other conveniences available.

High and healthy home sites, well-ventilated, commanding—118 feet above sea level.

All sites of generous size and ready now for building.

All conveniences and Services available

Those who live in Epping do most of their shopping in their own suburbs, the modern shopping centres supplies every need. A few minutes provides city amusements. Education facilities are well catered for, while water, gas and electricity are available right at the boundary of Rosegrove.

Ninety Electric Trains

Distance from Sydney are no longer measured in miles, but in minutes. Epping is fourteen in being only 28 minutes from the City. A service of electric trains per day serves all day.

ROSEGROVE allotments will be sold at surprisingly low prices; prices—that will never be repeated in this district.

What of the Future?

Perhaps it is unnecessary to dwell on the increasing possibilities of Rosegrove Estate. The phenomenal progress of Epping during the past few years is well known to everyone. Land values have reached surprising high levels, and these have attracted many who have realized very pleasing dividends for their investments. Epping's past progress, although rapid, is small compared to what the future should be.

Epping—Junction to New Railway

The decision of the railway authorities to connect Epping with St. Leonards by an Electric Railway has brought the district to the forefront amongst well-ventured speculators. It also holds promise to realize the tremendous progress and demand for home sites near the new line.

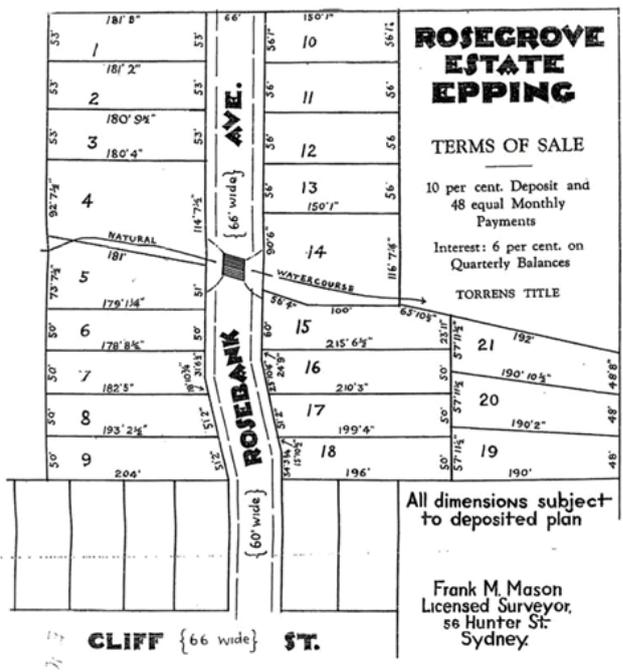


Auction 5:00
Waterloo 3:00

On the Ground 3 p.m.

Auctioneers
HARDIE & GORMAN, PTY. LTD.
36 MARTIN PLACE, SYDNEY

in conjunction with
TOM J. DWYER
Notary Chambers
84 CASTLEBRIDGE ST., SYDNEY



REAL ESTATE

WELL SITUATED

ALLOTMENTS AT EPPING

STATION, SHOPS HANDY

Situated within 400 yards of the railway station and shopping centre, Rosegrove Estate, Epping, occupies the top of a slope and fronts a main road. It will be sold by auction to-morrow by Messrs. Hardie and Gorman, in conjunction with Tom J. Dwyer. Ornamental native trees have been retained on the allotments, and the streets have been kerbed and gullied in concrete. There are 21 allotments, all generously sized. The soil is very suitable for gardens, and the allotments provide ample space for their inclusion. A large nursery adjoins the estate. Ninety electric trains each day provide transportation to and from the city, and the travelling time will be shortened when the Epping-St. Leonards branch line is built. Terms of sale will be 10 per cent. deposit, and the balance in four years.

Figure 44: 1929 Sale Notice for Rosegrove Estate (top and bottom left) and advertisement in The Sun from 1929 (bottom right) (Source: Appendix D, CPC Consulting, Heritage Assessment of Rosebank Avenue (2003) and The Sun, Friday 22 November 1929, p. 2.)

An aerial photograph from 1943 clearly shows the earlier Federation development within the surrounding streets (Cliff Road and Carlingford Road) and the formation of Rosebank Avenue.



Figure 45: 1943 Aerial of Rosebank Avenue Conservation Area, outlined in red (Source: SIX Maps, accessed on 28 March 2017)

Hornsby Shire Council's Sands Directory and Rate Books provide information regarding the development of the Rosebank Avenue streetscape. Up until 1932, the majority of the lots within the streetscape remain in the ownership of real estate agents. The 1931 Sands Directory (Page 444) records only the road as existing. The 1932/33 Sands Directory lists only Lot 1 as being owned by a C F Abbott. The Rate Books provide additional information as follows:

- Rate Book dated 29 May, 1930 - indicates a total of six lots in private ownership (Lots 1, 7, 9, 12, 17 and 18). The occupations of these owners are described as being gentleman, clerk, joiner, builder, joiner and lawyer, respectively, representing a 'middle-class' community. The remainder of the street was in the ownership of "Thomas Dwyer Real Estate of 8A Castlereagh Street, Sydney". No infrastructure is recorded in this record.
- Rate Book dated 7 October, 1932 - indicates all lots in private ownership with the exception of Lots 4, 5 and 14 still being in the ownership of Thomas Dwyer Real Estate and Lot 10 being owned by Prudential Estates Ltd. Fences are recorded as having been constructed on Lots 8, 10 and 12. Dwellings are recorded as having been constructed on Lots 9 ("cottage") and 12 ("bungalow").
- Rate Book dated 12 May, 1938 provides the following details regarding construction:

Original Lot No.	Current Address	Recorded Construction
Lot 9	1 Rosebank Avenue	Cottage
Lot 18	2 Rosebank Avenue	Cottage and garage
Lot 8	3 Rosebank Avenue	Cottage and garage
Lot 17	4 Rosebank Avenue	Cottage
Lot 7	5 Rosebank Avenue	Cottage, garage and workshop

Lot16/15	6-8 Rosebank Avenue	Cottage
Lot 6	7 Rosebank Avenue	Fence (Notes that dwelling constructed 1938-39)
Lot B (5)	9 Rosebank Avenue	Cottage C/E
Lot 14	10 Rosebank Avenue	(Notes that dwelling constructed 14 May 1940)
Lot 13	12 Rosebank Avenue	Cottage
Lot 12	14 Rosebank Avenue	Cottage
Lot A (4)	15 Rosebank Avenue	Cottage
Lot 11	16 Rosebank Avenue	Bungalow ("Laverton")
Lot 3	17 Rosebank Avenue	Cottage
Lot 10	18 Rosebank Avenue	Cottage ("Orana") and garage
Lot 2	19 Rosebank Avenue	Cottage and garage
Lot 1	21 Rosebank Avenue	Fence (Notes that dwelling constructed 1942)

It is noted that the occupations of property owners also includes builder (Lot 1), school headmaster (Lot 2), teacher (Lot A), architect (Lot 6) and musician (Lot 10).

In summary, all dwellings in the street with the exception of three had been constructed by 1938. The remaining three dwellings had been constructed by 1942. Accordingly, the majority of dwellings in Rosebank Avenue were constructed during the Inter-war period.

6.4.3 Previous Assessment of Significance

The first assessment of significance for the Rosebank Avenue HCA was undertaken by CPC Consulting in 2003 in the *Rosebank Avenue Heritage Assessment*. The assessment and statement of significance from this first study is as follows:

Criterion (a)

Rosebank Avenue is a fine example (the best example in the Hornsby Shire) of an intact Inter-war housing development and streetscape which retains its historical original subdivision layout (with minor boundary adjustments), building stock and natural features

Criterion (b)

The development of Rosebank Avenue does not have any strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of Epping or the Hornsby Shire)

Criterion (c)

Rosebank Avenue retains and displays its original subdivision layout (with minor boundary adjustments), building stock and natural features. It retains its design integrity; has distinctive aesthetic attributes in its form, composition, style and character; is the only true intact and fine example of an Inter-war development/streetscape and as such, has landmark qualities;

Criterion (d)

The Rosebank Avenue streetscape does not have associations with any particular identifiable community or cultural group.

Criterion (e)

Rosebank Avenue and its features have little archaeological or research potential.

Criterion (f)

Rosebank Avenue is a rare example of an intact area of Inter-war housing development. However, as other intact examples of Inter-war housing developments exist in NSW and other parts of Australia, it is concluded that Rosebank Avenue's intact form is only rare at a local level.

Criterion (g)

Rosebank Avenue is a fine example of an Inter-war housing estate that survives in good condition and intact. It retains its historical subdivision pattern (with only minor boundary adjustments), its natural features (gardens and creekline) and its built fabric. It has representative significance through its physical form, building stock and history.

Statement of Significance

Rosebank Avenue is a fine representative example of the residential development of an Inter-war housing estate. It remains largely intact in terms of retaining its historical subdivision pattern, its natural features, its built fabric and landscaping. Collectively, the dwellings and their associated gardens contribute to a unique precinct that captures the historical development of housing constructed during this period within the Hornsby Shire and provides an historical setting for the individual heritage items that exist in the street.

The Rosebank Avenue streetscape remains a rare example (at local level) of an intact Inter-war streetscape within the Hornsby Shire (the only intact Interwar streetscape in the Shire). This conclusion is reached given that the entire street was developed as part of the one Estate and retains its built form and subdivision pattern (that includes the unusual configuration of allotments reflecting the location of a watercourse). Given its level of intactness and integrity, it is of high local heritage significance.

The above assessment of significance for the Rosebank Avenue HCA was again assessed as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the Rosebank Avenue HCA still stood. An assessment of the areas significance was included in the study as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as a fine and highly intact example of an Inter-war period housing development and streetscape that retains its original subdivision pattern, building stock and natural features.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Inter-war period detached housing that retain their original form, character and details and a range of stylistic elements relating to that era. The buildings have common setbacks which contribute to the streetscape pattern and rhythm. The built context is also enhanced by the wide street proportions, street trees and creek line, garden settings and plantings which make a positive contribution to the area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the area)

Rosebank Avenue has been identified as being a rear and best example of an intact Inter-war housing development in the Hornsby LGA. Other examples exist in other parts of NSW and Australia.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments (or a class of the local area's cultural or natural places; or
- cultural or natural environments)

The area is a good and highly intact representative example of Inter-war period suburban subdivision and development that retains its original subdivision pattern, housing stock and associated gardens and features and natural features.

Statement of Significance

Rosebank Avenue is of high local cultural significance as a fine representative example of an Inter-war period residential subdivision and development that remains largely intact and retains its historical subdivision pattern, built context and natural features. Collectively the group form a unique precinct in the Hornsby LGA. The houses each retain their overall scale, character and varying stylistic details associated with the period and are enhanced by the wide street proportion, street trees and garden settings and remaining natural features.

6.4.4 Revised Assessment and Statement of Significance

The previous assessments of the Rosebank Avenue HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms the evaluation of aesthetic, historical and social values of the area is still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

Rosebank Avenue HCA Statement of Significance

Rosebank Avenue HCA is a fine representative example of a residential development of an Inter War housing estate. It remains largely intact in terms of retaining its historical subdivision pattern, its natural features, its built fabric and landscaping. Collectively, the dwellings and their associated gardens contribute to a unique precinct that captures the historical development of housing constructed during this period within Epping and the wider developments of the time in the Field of Mars. Collectively the area presents a unique streetscape featuring varies styles of the period, including Bungalow, Spanish Mission and Tudor Revival. Each dwelling retains their overall scale, character and varying stylistic details associated within the Inter War period which are further enhanced by the street trees, garden settings and natural creek line, providing a historical setting for the individual heritage items and contributory dwellings.

The Rosebank Avenue streetscape remains a rare example, at local level, of an intact Inter War streetscape within Epping and the Parramatta area and is one of few intact Inter War housing estates remaining. Having been developed within a short course of time between the 1930s and 1940s as part of the one Estate, Rosebank Avenue retains its built form and subdivision pattern, including the unusual configuration of allotments reflecting the location of a watercourse. Given its level of intactness and integrity, it is of high local heritage significance.

7. Field Survey of Heritage Conservation Areas

7.1 General Discussion

Site surveys of each HCA were undertaken in March 2017, in which all buildings located within East Epping, Essex Street and Rosebank Avenue HCAs were surveyed from the public domain. The historical value and character of each of the HCAs, are defined by a total of thirty-five (35) heritage items.

As part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, the contribution ranking of each of the properties located within the East Epping and Essex Street HCAs were assessed. Whilst Rosebank Avenue HCA was also included within this study, the contribution ranking of each of the properties within the HCA were not assessed. As part of the current assessment of the relative contribution of each property toward their respective HCA, previous assessments of their contributions are taken into account within this section of the report.

7.2 Ranking and Assessment Criteria

Each property within each HCA has been assessed in accordance with its contributory values to the overall significance of the relevant HCA, as defined in the revised Statements of Significance in Section 6.0. Existing heritage items identified in the Holroyd LEP 2013 have been indicated, and the remaining properties have been ranked as contributory, neutral and non-contributory. The description of each category has been provided below:

Ranking	Definition
Heritage Item	A building that has been identified as an item of significance and has been listed on the Hornsby LEP 2013.
Contributory	A building that contributes to the character and significance of HCA for its historic or aesthetic values, or both. Building that have been adversely altered but still demonstrate historic and aesthetic values of significance to the area are also considered within this category. For example, a dwelling which may have had windows replaced but which otherwise retains its overall form and other detailing would be considered to be a contributory dwelling or dwelling with historic value. These items are of consistent period, scale, materials and form but are not individually significant enough to be included as a heritage item. They add to the cohesive and representative quality of the area.
Neutral	A building that does not contribute to the significance of the area but also does not detract from the area's overall character in terms of form, mass and small scale so that they fit without being disruptive. This may include early or new buildings. An example of a neutral building would be a modern single storey dwelling which respects the setbacks, forms and materials of the neighbouring dwellings. Retention of such neutral buildings may not be required provided that it is replaced with an appropriate infill building in a similar neutral nature.
Non-contributory	A building that detracts from the significance of the area and changes the character of the area. This may include early buildings with intrusive alterations and additions that erode their contribution to the significance of the area and which cannot easily be reversed. It also includes new buildings with detailing, scale and form that are not in line with the character of the area, for example large two storey buildings in unsympathetic 'Mediterranean' or other modern styles, such as light coloured rendered walls and black concrete roof tiles.

Careful consideration has been given to the threshold between buildings identified as contributory items and those identified as neutral or non-contributory. Some of the buildings, even though they may have been altered, are still recognisable as part of the Federation or Inter War periods as defined in the Statements of Significance have been ranked as contributory within a HCA. Alterations may include sympathetic additions and changes to the architectural elements such as painting the external walls, and replacing windows, fences or roofing material. It is considered that these alterations are reversible and in the long term the aesthetics and architectural values may be recoverable.

7.3 East Epping Heritage Conservation Area

The East Epping HCA consists of 253 properties and nine (9) streets and is located in the north-eastern portion of the Epping Town Centre Study Area. The nine streets include: Chester Street, Essex Street, Norfolk Road, Oxford Street, Pembroke Street, Somerset Street, Surrey Street, Sussex Street and York Street.

7.3.1 Previous Contributions Ranking

There are currently twenty nine (29) Heritage Items listed under part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the East Epping HCA (Figure 46). The majority of heritage items within the HCA are of local significance.



Figure 46: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting East Epping HCA (Source: Heritage Map 11, Hornsby LEP 2013)

In addition to the listed heritage items within the HCA, relative contribution ranking of each property within the East Epping HCA was also identified as part of the of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, as outlined previously. The contributions map prepared for this previous study is reproduced in Figure 47.



Figure 47: Mark up showing contributory items and recommended extension of East Epping HCA boundary (Source: Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 81)

7.3.2 Review of Contributions Ranking

Whilst Heritage Items and Contributory items of the East Epping HCA were identified within the *Epping Town Centre Heritage Review*, the relative ranking of the remaining properties was not addressed. In order to gain a greater understanding of all properties relative contribution to the significance of the East Epping HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The revised relative contribution of individual buildings towards the significance of the East Epping HCA is depicted in Figure 48 and further detailed in the table overleaf. The distribution of rankings and development periods are further summarised in Figures 49 to 53.



Figure 48: East Epping HCA Contribution Ranking



Figure 49: East Epping HCA Contribution Ranking with Development Period overlay.

Ranking of Properties in East Epping HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
6	Chester Street	Post War	Contributory	Neutral
8	Chester Street	Inter War	Contributory	Neutral
9	Chester Street	Federation	Heritage Item	Heritage Item
10	Chester Street	Inter War	Contributory	Contributory
11	Chester Street	21st Century	N/A	Non Contributory
12	Chester Street	Inter War	Contributory	Neutral
14	Chester Street	Post War	Contributory	Neutral
15	Chester Street	21st Century	N/A	Non Contributory
16	Chester Street	Inter War	Contributory	Contributory
17	Chester Street	Post War	Contributory	Neutral
18	Chester Street	Inter War	Contributory	Neutral
19	Chester Street	21st Century	N/A	Neutral
19A	Chester Street	21st Century	N/A	Neutral
19B	Chester Street	21st Century	N/A	Neutral
20	Chester Street	Inter War	Contributory	Neutral
21	Chester Street	Federation	Heritage Item	Heritage Item
21A	Chester Street	Unknown	N/A	Neutral
22	Chester Street	Inter War	Contributory	Contributory
23	Chester Street	Federation	Heritage Item	Heritage Item
23A	Chester Street	Unknown	N/A	Neutral
24	Chester Street	21st Century	N/A	Neutral
25	Chester Street	Federation	Contributory	Neutral
25A	Chester Street	Inter War	Contributory	Contributory
26	Chester Street	Inter War	Contributory	Neutral
27	Chester Street	Unknown	N/A	Neutral
27A	Chester Street	21st Century	Heritage Item	Heritage Item
27B	Chester Street	Late 20th Century	N/A	Non Contributory
28	Chester Street	Post War	N/A	Neutral
28B	Chester Street	21st Century	N/A	Non Contributory
29	Chester Street	Late 20th Century	N/A	Neutral
29A	Chester Street	Vacant	N/A	Neutral
30	Chester Street	Inter War	Contributory	Neutral
31	Chester Street	Late 20th Century	N/A	Neutral
32	Chester Street	Federation	Contributory	Neutral
33	Chester Street	Post War	Contributory	Neutral
34	Chester Street	21st Century	N/A	Non Contributory

No.	Address	Development Period	Previous Ranking	Revised Ranking
35	Chester Street	Inter War	Contributory	Neutral
36	Chester Street	Inter War	Contributory	Contributory
37	Chester Street	Inter War	Contributory	Neutral
38	Chester Street	Inter War	Contributory	Contributory
39	Chester Street	Post War	Contributory	Neutral
40	Chester Street	Inter War	Contributory	Neutral
41	Chester Street	Post War	Contributory	Neutral
42	Chester Street	Post War	N/A	Neutral
43	Chester Street	Post War	Contributory	Neutral
44	Chester Street	Late 20th Century	N/A	Neutral
45	Chester Street	Federation	Heritage Item	Heritage Item
45A	Chester Street	Unknown	N/A	Neutral
45B	Chester Street	Unknown	N/A	Neutral
46	Chester Street	Inter War	N/A	Neutral
46A	Chester Street	unknown	N/A	Neutral
47	Chester Street	Inter War	Contributory	Contributory
47A	Chester Street	Unknown	N/A	Neutral
48	Chester Street	Inter War	Contributory	Contributory
49	Chester Street	Federation	Contributory	Contributory
51	Chester Street	Inter War	Contributory	Contributory
52	Chester Street	Post War	Contributory	Neutral
53	Chester Street	Inter War	N/A	Contributory
54	Chester Street	Late 20th Century	N/A	Neutral
55	Chester Street	Inter War	Contributory	Neutral
56	Chester Street	Inter War	N/A	Neutral
57	Chester Street	Federation	Heritage Item	Heritage Item
58	Chester Street	Inter War	Contributory	Neutral
59	Chester Street	Federation	N/A	Contributory
60	Chester Street	Inter War	Contributory	Neutral
61	Chester Street	Federation	Contributory	Contributory
62	Chester Street	Post War	Contributory	Neutral
64-66	Chester Street	Late 20th Century	N/A	Neutral
65	Chester Street	Inter War	Contributory	Neutral
67	Chester Street	Inter War	Contributory	Contributory
68	Chester Street	Late 20th Century	N/A	Neutral
69	Chester Street	Post War	Contributory	Neutral
70	Chester Street	Victorian	Heritage Item	Heritage Item

No.	Address	Development Period	Previous Ranking	Revised Ranking
71	Chester Street	Inter War	Contributory	Neutral
73	Chester Street	21st Century	Contributory	Non Contributory
75	Chester Street	21st Century	N/A	Non Contributory
75A	Chester Street	21st Century	N/A	Non Contributory
77	Chester Street	Inter War	Contributory	Contributory
79	Chester Street	Inter War	Contributory	Contributory
81	Chester Street	Inter War	Contributory	Contributory
83	Chester Street	Late 20th Century	Contributory	Neutral
1	Essex Street	Inter War	N/A	Contributory
3	Essex Street	Inter War	Heritage Item	Heritage Item
1	Norfolk Road	Late 20th Century	N/A	Non Contributory
3	Norfolk Road	21st Century	N/A	Non Contributory
3A	Norfolk Road	21st Century	N/A	Neutral
9	Norfolk Road	Federation	Heritage Item	Heritage Item
9A	Norfolk Road	Late 20th Century	N/A	Neutral
11	Norfolk Road	Inter War	Contributory	Contributory
15	Norfolk Road	Inter War	Contributory	Contributory
17	Norfolk Road	Inter War	N/A	Contributory
18	Norfolk Road	Unknown	N/A	Neutral
19	Norfolk Road	Inter War	Contributory	Neutral
20	Norfolk Road	Post War	N/A	Neutral
21	Norfolk Road	Inter War	Contributory	Contributory
22	Norfolk Road	Late 20th Century	N/A	Neutral
23	Norfolk Road	Post War	N/A	Neutral
24	Norfolk Road	Inter War	Contributory	Neutral
25	Norfolk Road	Unknown	N/A	Neutral
25A	Norfolk Road	Post War	N/A	Neutral
25B	Norfolk Road	21st Century	N/A	Non Contributory
26	Norfolk Road	Late 20th Century	N/A	Neutral
27	Norfolk Road	21st Century	N/A	Non Contributory
28	Norfolk Road	Late 20th Century	N/A	Neutral
29	Norfolk Road	21st Century	N/A	Non Contributory
30	Norfolk Road	Late 20th Century	N/A	Neutral
31	Norfolk Road	Post War	N/A	Neutral
32	Norfolk Road	Unknown	N/A	Neutral
33	Norfolk Road	Federation	Heritage Item	Heritage Item
34	Norfolk Road	Late 20th Century	N/A	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
35	Norfolk Road	Inter War	Contributory	Contributory
36	Norfolk Road	Federation	Contributory	Contributory
37	Norfolk Road	Inter War	N/A	Neutral
38	Norfolk Road	Federation	Contributory	Neutral
39	Norfolk Road	Inter War	Heritage Item	Heritage Item
40	Norfolk Road	Federation	Heritage Item	Heritage Item
41	Norfolk Road	Inter War	Heritage Item	Heritage Item
42	Norfolk Road	Federation	Contributory	Contributory
42A	Norfolk Road	Unknown	N/A	Neutral
43	Norfolk Road	Federation	Heritage Item	Heritage Item
44	Norfolk Road	Federation	Heritage Item	Heritage Item
45	Norfolk Road	Inter War	Contributory	Neutral
46	Norfolk Road	Federation	Contributory	Contributory
46A	Norfolk Road	Unknown	N/A	Neutral
47	Norfolk Road	Federation	N/A	Neutral
47A	Norfolk Road	Unknown	N/A	Neutral
48	Norfolk Road	Federation	Contributory	Contributory
49	Norfolk Road	Federation	N/A	Contributory
49A	Norfolk Road	Unknown	N/A	Neutral
51	Norfolk Road	Inter War	N/A	Contributory
53	Norfolk Road	Inter War	N/A	Neutral
55	Norfolk Road	21st Century	N/A	Neutral
56A	Oxford Street	Post War	Heritage Item	Heritage Item
72	Oxford Street	Post War	Contributory	Neutral
73A	Oxford Street	Federation	Heritage Item	Heritage Item
74	Oxford Street	Inter War	Contributory	Neutral
74A	Oxford Street	Post War	Contributory	Neutral
75	Oxford Street	Federation	N/A	Contributory
76	Oxford Street	Inter War	Contributory	Contributory
77	Oxford Street	Federation	N/A	Neutral
78	Oxford Street	Inter War	Contributory	Contributory
79	Oxford Street	Federation	N/A	Contributory
80	Oxford Street	21st Century	N/A	Non Contributory
80A	Oxford Street	21st Century	N/A	Non Contributory
81	Oxford Street	Inter War	N/A	Contributory
82	Oxford Street	Inter War	Contributory	Contributory
84	Oxford Street	Federation	N/A	Contributory

No.	Address	Development Period	Previous Ranking	Revised Ranking
85	Oxford Street	Federation	Heritage Item	Heritage Item
86	Oxford Street	Inter War	N/A	Neutral
87	Oxford Street	Federation	Heritage Item	Heritage Item
88	Oxford Street	Late 20th Century	N/A	Neutral
89	Oxford Street	Unknown	N/A	Neutral
90	Oxford Street	Late 20th Century	N/A	Neutral
91	Oxford Street	Federation	Heritage Item	Heritage Item
93	Oxford Street	Federation	Heritage Item	Heritage Item
25	Pembroke Street	Federation	Contributory	Contributory
27-33	Pembroke Street	Inter War	Heritage Item	Heritage Item
4	Somerset Street	Late 20th Century	N/A	Neutral
6	Somerset Street	Post War	N/A	Neutral
8	Somerset Street	Late 20th Century	N/A	Neutral
10	Somerset Street	Post War	N/A	Neutral
12	Somerset Street	Post War	N/A	Neutral
14	Somerset Street	Inter War	Contributory	Contributory
6	Surrey Street	Inter War	Contributory	Contributory
6A	Surrey Street	Unknown	N/A	Neutral
8	Surrey Street	Inter War	Heritage Item	Heritage Item
10	Surrey Street	Inter War	N/A	Contributory
12	Surrey Street	Inter War	Contributory	Neutral
12A	Surrey Street	Inter War	N/A	Neutral
12B	Surrey Street	Unknown	N/A	Neutral
14	Surrey Street	21st Century	N/A	Neutral
14A	Surrey Street	Unknown	N/A	Neutral
15	Surrey Street	Inter War	Contributory	Contributory
16	Surrey Street	Post War	N/A	Neutral
16A	Surrey Street	Unknown	N/A	Neutral
17	Surrey Street	Inter War	Contributory	Contributory
18	Surrey Street	Federation	Heritage Item	Heritage Item
18A	Surrey Street	Late 20th Century	N/A	Non Contributory
19	Surrey Street	Inter War	N/A	Contributory
20	Surrey Street	Late 20th Century	N/A	Non Contributory
20A	Surrey Street	Late 20th Century	N/A	Non Contributory
21	Surrey Street	Inter War	Contributory	Contributory
21A	Surrey Street	Post War	N/A	Neutral
22	Surrey Street	21st Century	N/A	Non Contributory

No.	Address	Development Period	Previous Ranking	Revised Ranking
23	Surrey Street	Federation	Contributory	Contributory
24	Surrey Street	21st Century	N/A	Non Contributory
25	Surrey Street	21st Century	N/A	Non Contributory
26	Surrey Street	21st Century	N/A	Neutral
27	Surrey Street	21st Century	N/A	Non Contributory
28	Surrey Street	Inter War	N/A	Neutral
29	Surrey Street	Federation	Contributory	Contributory
29A	Surrey Street	Unknown	N/A	Neutral
29B	Surrey Street	Unknown	N/A	Neutral
30	Surrey Street	Federation	Contributory	Neutral
30A	Surrey Street	Unknown	N/A	Neutral
30B	Surrey Street	Unknown	N/A	Neutral
30C	Surrey Street	Unknown	N/A	Neutral
31	Surrey Street	Federation	Contributory	Contributory
31A	Surrey Street	Unknown	N/A	Neutral
32	Surrey Street	Federation	Contributory	Contributory
32A	Surrey Street	Unknown	N/A	Neutral
33	Surrey Street	Federation	Heritage Item	Heritage Item
34	Surrey Street	Federation	Contributory	Neutral
34A	Surrey Street	Unknown	N/A	Neutral
35	Surrey Street	Inter War	Contributory	Contributory
36	Surrey Street	Post War	Contributory	Neutral
36A	Surrey Street	Unknown	N/A	Neutral
37	Surrey Street	Federation	Contributory	Neutral
38	Surrey Street	Inter War	Contributory	Neutral
39	Surrey Street	Inter War	Contributory	Contributory
40	Surrey Street	Federation	Heritage Item	Heritage Item
41	Surrey Street	21st Century	N/A	Non Contributory
42	Surrey Street	Late 20th Century	N/A	Neutral
43	Surrey Street	Unknown	N/A	Neutral
43A	Surrey Street	21st Century	N/A	Non Contributory
44	Surrey Street	Post War	Contributory	Neutral
45	Surrey Street	21st Century	Contributory	Non Contributory
45A	Surrey Street	Unknown	N/A	Neutral
45B	Surrey Street	Unknown	N/A	Neutral
46	Surrey Street	Post War	Contributory	Neutral
47	Surrey Street	Post War	N/A	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
48	Surrey Street	Post War	Contributory	Neutral
49	Surrey Street	Inter War	Contributory	Contributory
49A	Surrey Street	Unknown	N/A	Neutral
51	Surrey Street	Post War	N/A	Neutral
1	Sussex Street	Federation	Contributory	Contributory
2	Sussex Street	Inter War	Contributory	Neutral
2A	Sussex Street	Post War	N/A	Neutral
3	Sussex Street	Inter War	Contributory	Contributory
4	Sussex Street	Inter War	Contributory	Contributory
5	Sussex Street	21st Century	N/A	Neutral
6	Sussex Street	21st Century	Contributory	Non Contributory
6A	Sussex Street	Unknown	N/A	Neutral
8	Sussex Street	Inter War	Contributory	Contributory
7	Sussex Street	21st Century	Contributory	Non Contributory
9	Sussex Street	Federation	Heritage Item	Heritage Item
9A	Sussex Street	Unknown	N/A	Neutral
10	Sussex Street	Inter War	Contributory	Contributory
11	Sussex Street	Federation	Heritage Item	Heritage Item
12	Sussex Street	21st Century	N/A	Non Contributory
13	Sussex Street	Unknown	N/A	Neutral
14	Sussex Street	Post War	N/A	Neutral
15	Sussex Street	Federation	Heritage Item	Heritage Item
15A	Sussex Street	Unknown	N/A	Neutral
16	Sussex Street	Late 20th Century	N/A	Neutral
17	Sussex Street	21st Century	N/A	Neutral
17A	Sussex Street	Unknown	N/A	Neutral
19	Sussex Street	Inter War	N/A	Neutral
21	Sussex Street	Post War	N/A	Neutral
5	York Street	Inter War	N/A	Contributory
7	York Street	Post War	N/A	Neutral
9	York Street	Post War	N/A	Neutral
9A	York Street	21st Century	N/A	Non Contributory

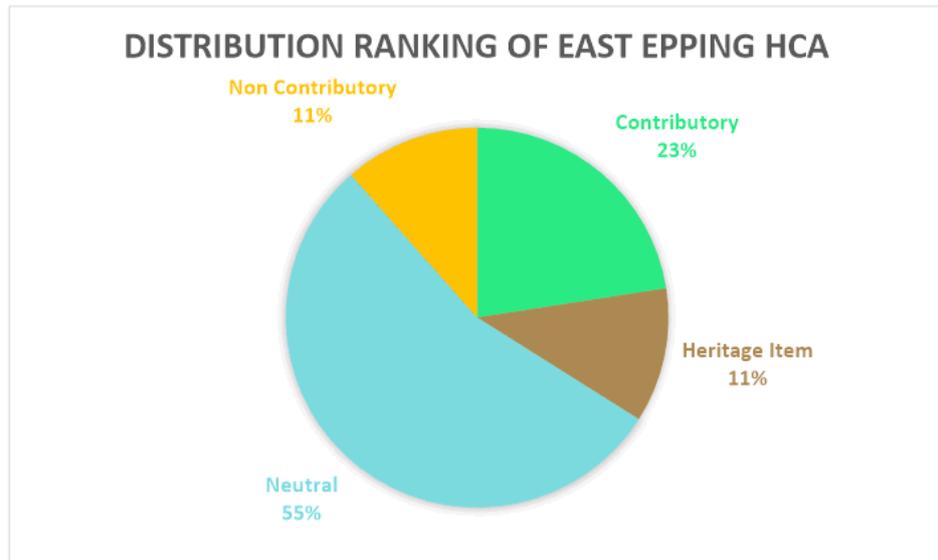


Figure 50: Distribution of Rankings of East Epping HCA.

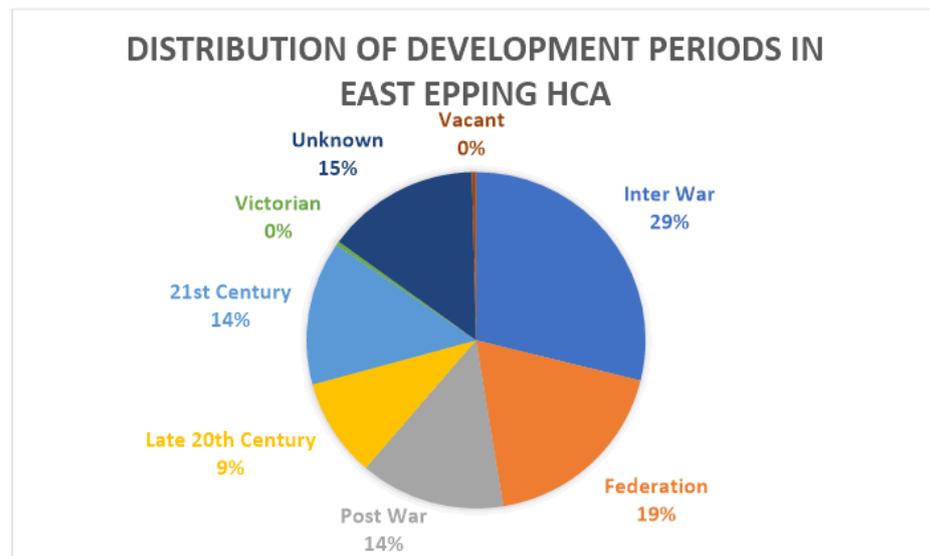


Figure 51: Distribution of Development Periods of East Epping HCA. The unknown development periods relate to properties which are located at the rear of another site and are not visible from the street fronts. Many properties within the East Epping HCA have been subdivided for dwellings to be constructed at the rear. These dwellings are not visible from the streetscape and have been ranked as being Neutral due to their presence neither enhancing or detracting from the area.

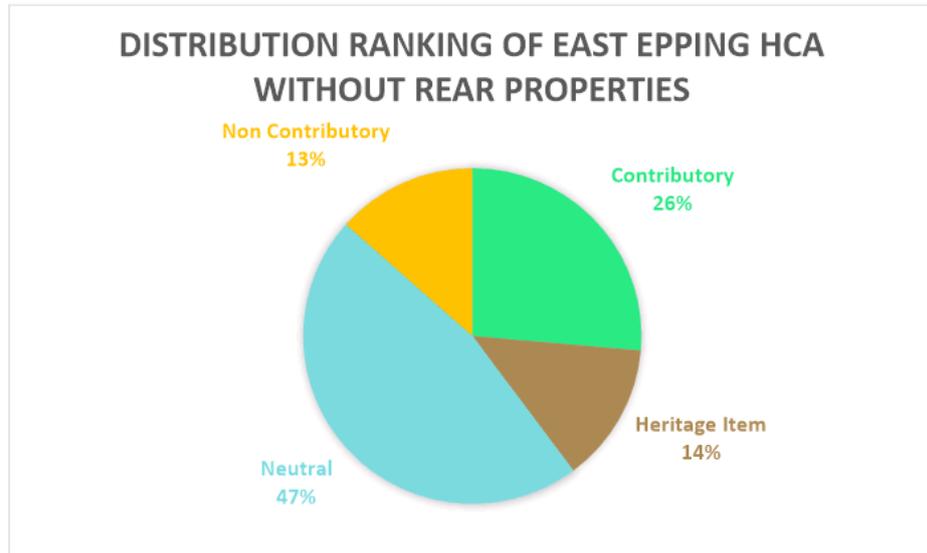


Figure 52: Distribution of ranking of East Epping HCA without rear property contribution. Due to a large number of properties within the East Epping HCA being subdivided, the properties which are not visible from the streetscape, do not contribute toward the character of the area and thus skew the distribution of rankings.

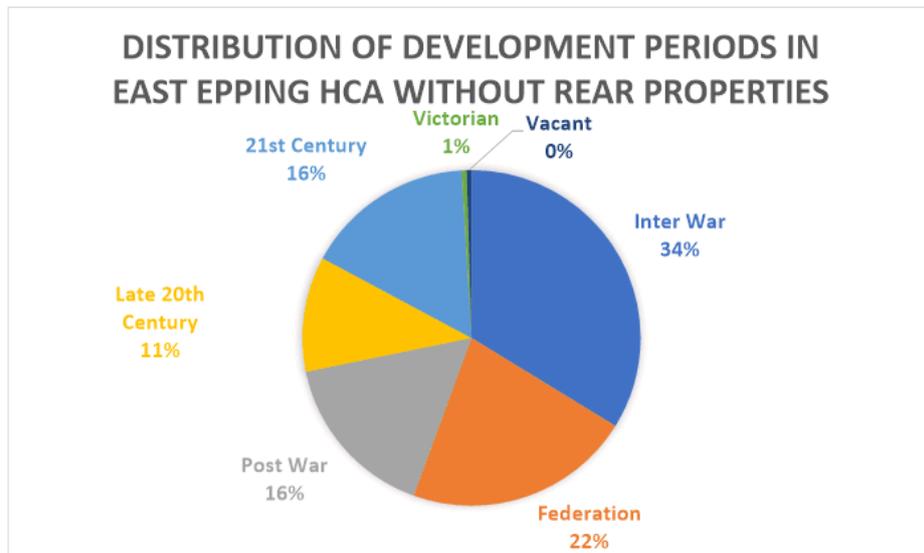


Figure 53: Distribution of developments periods of East Epping HCA without rear properties. Due to the large number of properties within the East Epping HCA being subdivided, the properties which are not visible from the streetscape do not contribute toward the character of the area. As such, their development period is unknown as depicted and have been removed from the above pie chart.

7.4 Essex Street Heritage Conservation Area

The Essex Street HCA consists of sixty (60) properties and two (2) streets and is located in the south-eastern portion of the Epping Town Centre Study Area. The two streets include Essex Street and Maida Road.

7.4.1 Previous Contributions Ranking

There are currently four (4) Heritage Items listed under Part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the Essex Street HCA (Figure 54). The majority of heritage items within the HCA are of local significance.

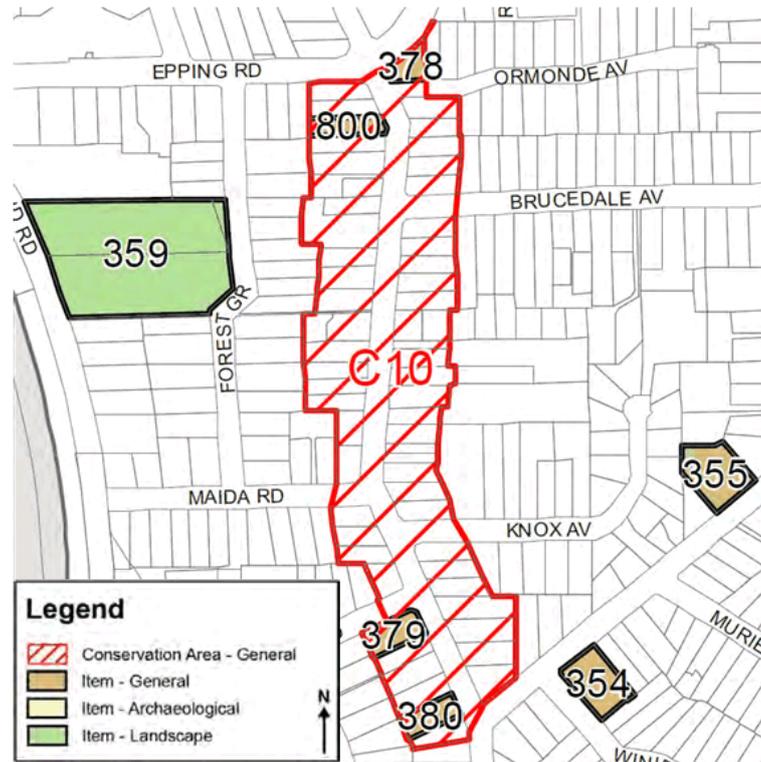


Figure 54: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Essex Street HCA (Source: Heritage Map 11, Hornsby LEP 2013)

In addition to the listed heritage items within the HCA, relative contribution ranking of each property within the East Epping HCA Area was also identified as part of the of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, as outlined previously. The contributions map prepared for this previous study is reproduced in Figure 52.

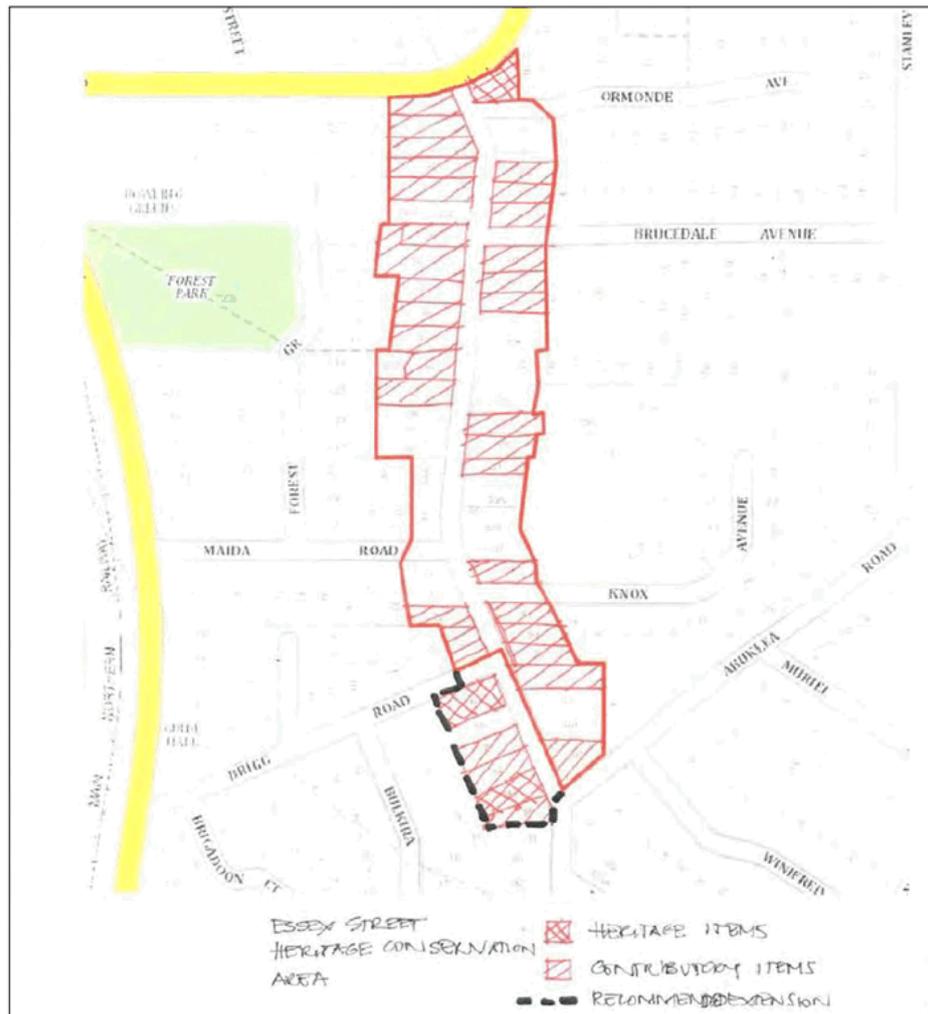


Figure 55: Mark up showing contributory items and recommended extension of Essex Street HCA (Source: Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 82)

7.4.2 Review of Contributions Ranking

Whilst Heritage Items and Contributory items of the Essex Street HCA were identified within the *Epping Town Centre Heritage Review*, the relative ranking of the remaining properties was not addressed. In order to gain a greater understanding of all properties' relative contribution to the significance of the Essex Street HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The revised relative contribution of individual buildings towards the significance of the Essex Street HCA is depicted in Figure 56 and further detailed in the table overleaf. The distribution of rankings and development periods are further summarised in Figures 57 to 59.



Figure 56: Essex Street HCA Contribution Ranking.



Figure 57: Essex Street HCA Ranking with development period overlay.

Ranking of Properties in Essex Street HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
38	Essex Street	Inter War	Contributory	Neutral
40	Essex Street	Inter War	Contributory	Contributory
42	Essex Street	Federation	Heritage Item	Heritage Item
44	Essex Street	Inter War	Contributory	Neutral
46	Essex Street	Federation	Contributory	Contributory
48A	Essex Street	Late 20th Century	N/A	Non Contributory
47	Essex Street	Federation	Heritage Item	Heritage Item
48	Essex Street	Late 20th Century	N/A	Non Contributory
50	Essex Street	Inter War	Contributory	Contributory
51	Essex Street	Late 20th Century	N/A	Neutral
52	Essex Street	Inter War	Contributory	Contributory
53	Essex Street	21st Century	N/A	Non Contributory
54	Essex Street	Inter War	Contributory	Contributory
55	Essex Street	Inter War	Contributory	Contributory
56	Essex Street	Inter War	Contributory	Contributory
57	Essex Street	Inter War	Contributory	Neutral
58	Essex Street	Inter War	Contributory	Contributory
59	Essex Street	Inter War	Contributory	Contributory
60	Essex Street	Federation	Contributory	Contributory
60A	Essex Street	Late 20th Century	N/A	Neutral
61	Essex Street	Inter War	Contributory	Contributory
62	Essex Street	Inter War	Contributory	Contributory
63	Essex Street	Inter War	Contributory	Contributory
64	Essex Street	Post War	N/A	Neutral
65	Essex Street	Inter War	Contributory	Contributory
66	Essex Street	Post war	N/A	Non Contributory
67	Essex Street	Late 20th Century	N/A	Non Contributory
68	Essex Street	Post War	N/A	Non Contributory
68A	Essex Street	Post War	N/A	Neutral
69	Essex Street	21st Century	N/A	Non Contributory
70	Essex Street	Post War	N/A	Neutral
71	Essex Street	21st Century	N/A	Non Contributory
71A	Essex Street	21st Century	N/A	Non Contributory
72	Essex Street	Inter War	Contributory	Contributory
73A	Essex Street	Late 20th Century	N/A	Neutral
74	Essex Street	Inter War	Contributory	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
75	Essex Street	Post War	N/A	Non Contributory
76	Essex Street	Federation	Heritage Item	Heritage Item
77	Essex Street	Post War	Contributory	Neutral
78	Essex Street	Post War	N/A	Neutral
79	Essex Street	Inter War	Contributory	Contributory
80	Essex Street	Inter War	Contributory	Neutral
81	Essex Street	Inter War	Contributory	Contributory
82	Essex Street	Inter War	Contributory	Contributory
83	Essex Street	Inter War	N/A	Neutral
83A	Essex Street	Late 20th Century	N/A	Non Contributory
84	Essex Street	Federation	Heritage Item	Heritage Item
85	Essex Street	Late 20th Century	N/A	Non Contributory
85A	Essex Street	Late 20th Century	N/A	Non Contributory
86	Essex Street	Federation	Contributory	Contributory
87	Essex Street	Post War	N/A	Neutral
89	Essex Street	Post War	Contributory	Neutral
91	Essex Street	Inter War	Contributory	Neutral
93	Essex Street	Inter War	Contributory	Contributory
95	Essex Street	Inter War	Contributory	Contributory
97	Essex Street	Inter War	Contributory	Contributory
99	Essex Street	Late 20th Century	N/A	Non Contributory
101	Essex Street	Inter War	N/A	Neutral
103	Essex Street	Inter War	Contributory	Contributory
15	Maida Road	Late 20th Century	N/A	Non Contributory
38	Essex Street	Inter War	Contributory	Neutral

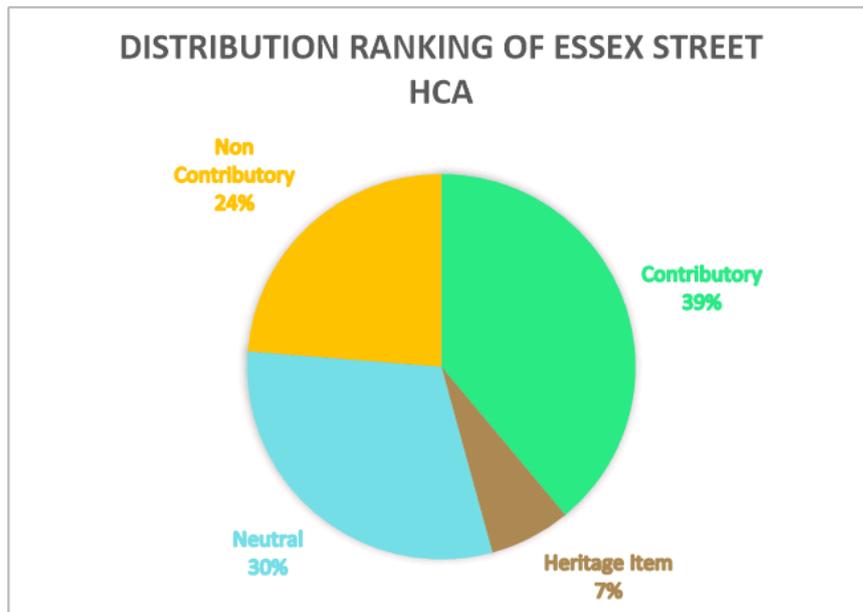


Figure 58: Distribution of Ranking of Essex Street HCA.

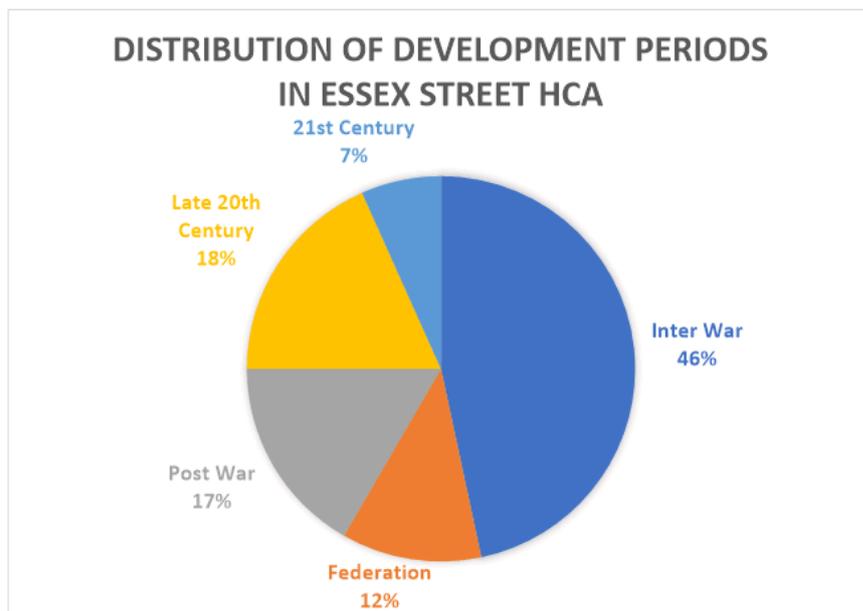


Figure 59: Distribution of Development Periods of Essex Street HCA.

7.5 Rosebank Avenue Heritage Conservation Area

The Rosebank Avenue HCA consists of approximately eighteen (18) properties and one (1) street and is located in the north-western portion of the Epping Town Centre Study Area. All properties within the HCA address Rosebank Avenue.

7.5.1 Previous Contributions Ranking

There are currently two (2) Heritage Items listed under Part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the Rosebank Avenue HCA (Figure 60). These two heritage items within the HCA are of local significance.

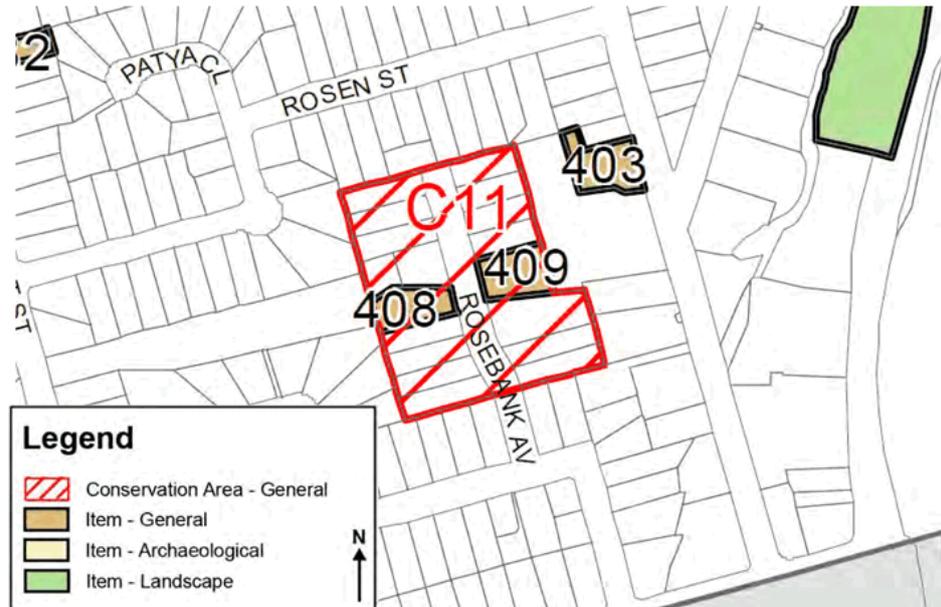


Figure 60: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Rosebank Avenue HCA (Source: Heritage Map 11, Hornsby LEP 2013)

Unlike the East Epping and Essex Street HCAs, an assessment of each property's contribution to the area was not conducted as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. Despite no contribution ranking being previously established for the Rosebank Avenue HCA, all except four dwellings within the area were constructed in 1938. The remaining three dwellings were constructed by 1942 and one in c.2007, which formed part of a subdivision of 15 Rosebank Avenue. As outlined in the Statement of Significance for the area in Section 6.4.4, the Rosebank Avenue HCA is a rare, fine and largely intact representative example of a residential development of an Inter War housing estate for the Hornsby Shire area. Due to the significance and intactness of the area, it can be stated that the relative contribution of each property within the Rosebank HCA is high, as determined through previous heritage assessments of the area.

7.5.2 Review of Contributions Ranking

Whilst Heritage Items within the Rosebank Avenue HCA were identified within the *Epping Town Centre Heritage Review*, the relative contribution of the properties was not addressed. In order to gain a greater understanding of all properties' relative contribution to the established significance of the Rosebank Avenue HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The relative contribution of individual building towards the significance of the Rosebank Avenue HCA is depicted in Figure 61 and further detailed in the following table. The distribution of rankings and development periods are further summarised in Figures 62 to 64.



Figure 61: Rosebank Avenue HCA Contribution Map.



Figure 62: Rosebank Avenue HCA Contribution map with distribution of periods overlay

Ranking of Properties in Rosebank Avenue HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
1	Rosebank Avenue	Inter War	Not assessed	Contributory
2	Rosebank Avenue	Inter War	Not assessed	Contributory
3	Rosebank Avenue	Inter War	Not assessed	Contributory
4	Rosebank Avenue	Inter War	Not assessed	Contributory
5	Rosebank Avenue	Inter War	Not assessed	Neutral
6-8	Rosebank Avenue	Inter War	Not assessed	Contributory
7	Rosebank Avenue	Inter War	Not assessed	Contributory
9	Rosebank Avenue	Inter War	Heritage Item	Heritage Item
10	Rosebank Avenue	Inter War	Heritage Item	Heritage Item
12	Rosebank Avenue	Inter War	Not assessed	Contributory
13	Rosebank Avenue	21st Century	Not assessed	Neutral
14	Rosebank Avenue	Inter War	Not assessed	Contributory
15	Rosebank Avenue	Inter War	Not assessed	Contributory
16	Rosebank Avenue	Inter War	Not assessed	Contributory
17	Rosebank Avenue	Inter War	Not assessed	Contributory
18	Rosebank Avenue	Inter War	Not assessed	Contributory
19	Rosebank Avenue	Inter War	Not assessed	Contributory
21	Rosebank Avenue	Inter War	Not assessed	Neutral

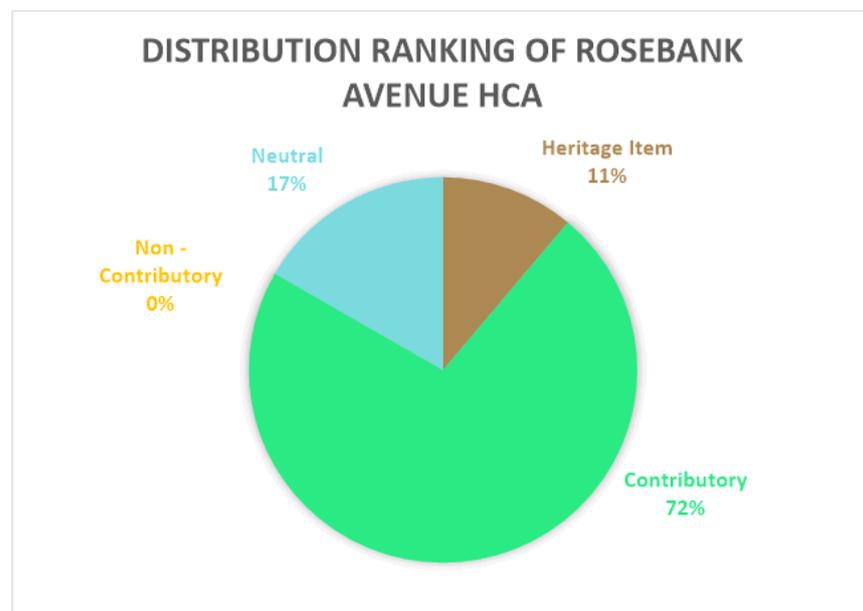


Figure 63: Distribution of Ranking of Rosebank Avenue HCA.

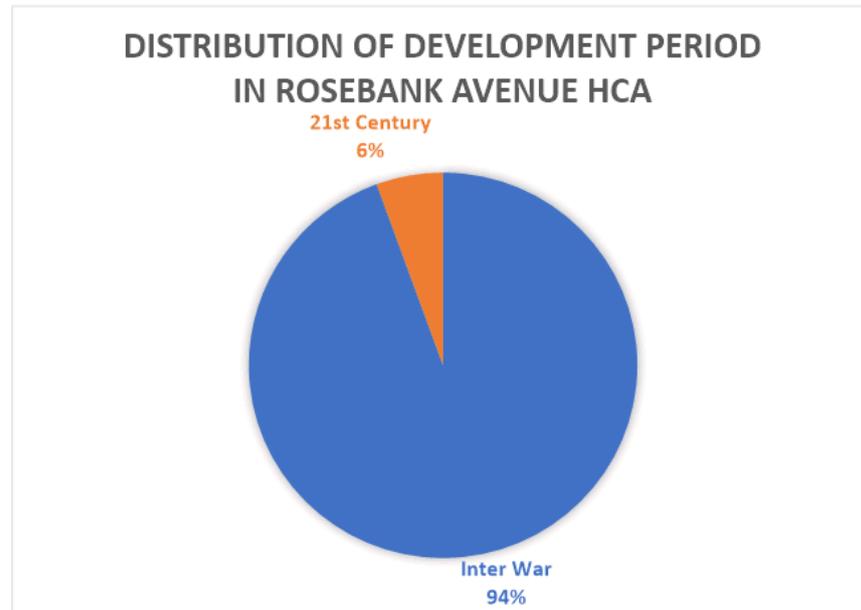


Figure 64: Distribution of Development Periods of Rosebank Avenue HCA.

7.6 Summary of Findings

7.6.1 East Epping Heritage Conservation Area

As established in Section 7.6.1, the East Epping HCA, retains its heritage significance as determined through previous studies of the area. Despite the previous contributory ranking of the East Epping HCA ranking more properties as being Contributory, the Neutral ranking awarded to the majority of properties within the HCA was primarily due to unsympathetic additions and alterations made to Federation and Inter War properties which rendered some of these properties a Neutral ranking rather than a Contributory ranking. Detailing of properties which are of the characteristics of the Federation and Inter War period could be altered to reflect the key characteristics of their respective development periods, restoring them to a ranking of Contributory. For example, this could include reinstating balconies which have been closed in, removal of unsympathetic carports, restoration of period detailing, such as exterior timber work, removal of uncharacteristic details and replacement with characteristic details.

Of the 253 properties located within the area, a total of 44% of the area is comprised of heritage items and contributory buildings and including all neutral buildings makes up a total of 89% of properties within the area. The area was confirmed to have a predominantly Federation and Inter War period character, with a total of 29% Inter War and 19% Federation properties, reflecting the early periods of development of the area following the subdivision of the Field of Mars. Post War, Late 20th Century and 21st Century properties total 37% all together; however, are scattered throughout the Inter War and Federation period properties of the area. Only one property was dated from the Victorian period at 70 Chester Street and another property was vacant, at 29A Chester Street. The vacant property previously had an Inter War Bungalow constructed on the site, and it appears that this building was demolished sometime after the 2013 study.

The high percentage of Neutral ranked properties was further due to a number of properties being subdivided, where it is typically seen in the area for an original Inter War or Federation period home to be sited at the front of the site, and newer dwelling being erected at the rear of the property, which would have served as the back yard of the original property. Due to

these rear properties not being visible from the streetscape, all of these properties have been ranked as Neutral, as they neither enhance nor detract from the overall characteristic detail of the HCA.

Whilst the area has retained its established heritage significance, the East Epping HCA requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. This is of particular concern along the south-western edge of the area, where properties located along Essex Street, Norfolk Road and the very western properties of Chester Street. Recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which are also addressed in Section 8.0.

7.6.2 Essex Street Heritage Conservation Area

As established in Section 7.6.2, the Essex Street HCA, retains its heritage significance as determined through previous studies of the area. The ranking of properties as contributory has remained relatively the same as the previous rankings in 2013, with eight (8) properties being ranked as Neutral rather than Contributory, primarily due to unsympathetic alterations and additions to Inter War period dwellings, which has reduced the integrity of the buildings. One Inter War period weatherboard building, at 38 Essex Street, has sustained significant fire damage during 2016, with none of the original roof remaining. Despite being burnt out, the external façade remains, although damaged, and was awarded a Neutral ranking.

Of the sixty (60) properties located within the area, a total of 45% are comprised of heritage items and contributory buildings, and including all neutral buildings include a total of 75% of properties within the area. The area was confirmed to have predominantly Inter War period character, with a total of 46% of properties dating the period, reflecting the subdivisions of the farmlets located along the southern end of Essex Street from the 1920s. Federation period properties also still remain in the area, totalling 14%. These properties are scattered along the street, reflecting the earlier larger subdivision pattern of this area of the Epping Town Centre. The remaining properties, totalling 42% are composed of Post War, Late 20th Century and 21st Century properties. These later period properties are primarily located toward the centre of the Essex Street HCA.

Whilst the area has overall retained its integrity and character, the Essex Street HCA requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. Particular areas of concern are the interface areas between the Essex Street properties located on the western side of the street, between Epping Road and Maida Road, where multiple high density residential developments are currently underway or have recently been approved. The recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which is also addressed in Section 8.0.

7.6.3 Rosebank Avenue Heritage Conservation Area

As established in Section 9.3, the Rosebank Avenue HCA, retains its heritage significance as determined through previous studies of the area. All properties within the area, except for 13 Rosebank Avenue, date to the original development of the Avenue as part of the Rosegrove Estate. All properties maintain their original Inter War period character; however, some modifications to two properties within the area, 5 and 21 Rosebank Avenue, have resulted in some period detailing being removed or modified, rendering in these properties being awarded a Neutral ranking. Despite this Neutral ranking, these two properties continue to contribute toward the character of the Rosebank Avenue HCA and could be returned to a Contributory ranking with reinstatement of period detailing and removal of unsympathetic modifications.

Of the 18 properties located within the area, a total of 88% of the area is comprised of heritage items and contributory buildings, and with inclusion of all neutral buildings make up a total of 100% of properties within the area. Only one property in the area dates from the 21st century, being 13 Rosebank Avenue, which lies directly behind 15 Rosebank Avenue. The new property is not visible from the street and is single storey, resulting in no impact to the significant streetscape qualities of the area.

Although the Rosebank Avenue HCA retains its integrity and established heritage significance, the area requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. Areas of particular concern are properties within the Rosebank Avenue HCA which share a property boundary with high density residential developments on Cliff Road and Hazlewood Place. Recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which is also addressed in Section 8.0.

8. Community Consultation

8.1 Previous Community Issues and Concerns

Further to the re-assessment of the significance and integrity of the East Epping, Essex Street and Rosebank Avenue HCAs, this study sought feedback from the local community, property owners and heritage groups, on the issues which have arisen following the listing of each of the three HCAs after the 2013 study, and the current development of medium and high density residential development which are impacting upon the properties within HCAs that have the interface zone with these developments.

Prior to the beginning of this study, many community members and property owners of each of the three HCAs had made contact with Hornsby Council and the City of Parramatta Council to express their various concerns on the impact of heritage listing of HCAs, individual properties and the impact of medium and high density residential development. City of Parramatta Council provided letters from property owners and community groups over various concerns relating to heritage matters within the three HCAs. Of the material provided to City Plan Heritage, the following letters were included and are summarised as follows:

Letter Addresser	Issues and Concerns Raised
Property Owner of 42 Essex Street	Owner of 42 Essex Street request for property to be removed as a heritage item and be removed from Schedule 5 of the LEP (17 January 2016)
Epping Civic Trust	Epping Civic Trust supports the listing of the Essex Street Conservation Area, and supports the maintenance of the HCA's boundaries and the updating of the Section 9.4 of the DCP to include additional transitional measures to assist in mitigation impact from high density development (19 January 2015)
Damien Tudehope MP (Member for Epping)	Damien Tudehope MP (Member for Epping) requested for an immediate review as to the appropriateness of the continuation of the heritage conservation area in Essex Street and for Council to develop a new LEP that would act as a master plan for the redevelopment of the Essex Street precinct (provided the HCA is removed) (15 June 2015);
Property Owner of 1 Essex Street	Property owners of 1 Essex Street objection to listing of 1 and 3 Essex Street within the East Epping Heritage Conservation Area, and removal of 3 Essex Street as a heritage item. Further request for both properties to be rezoned as high density residential and equivalent building heights (18 September 2015);
Essex Street HCA Residents	Petition letter from residents of Essex Street HCA, requesting for a review of the Essex Street HCA, due to the burden the 'imposed' HCA zoning has on the properties within the zone. 38 residents of Essex Street signed the petition (16 December 2014)

The overwhelming number of the letters received from community members opposed the listing of the Essex Street and East Epping HCAs, in addition to the individual listing of 3 Essex Street and 42 Essex Street. The only letter not objecting to the removal of any HCA was from the Epping Civic Trust, who support the listing of the Essex Street HCA and encourage further planning controls to be included in the Hornsby DCP 2013.

8.2 Site Visit Consultation

In order to assess the current impact of high and medium density residential development at interface areas within the East Epping, Essex Street and Rosebank Avenue HCAs site visits with specific property owners were organised over two days, 21 and 22 March 2017. The

purpose of the site visits was two-fold, the first, to assess the impact of the high and medium density residential developments which lay adjacent to properties located within the HCAs, and the second, to gather and understand the issues and concerns of individual property owners on both the listing of each of the HCAs, and the impact that development was having upon them.

Whilst appointments were organised with individual property owners at allocated times, additional consultation was also conducted with property owners who had not secured an appointment was also undertaken. The below table outlines the property owners of whom City Plan Heritage consulted with and obtained their general issues and concerns relating to the East Epping, Essex Street and Rosebank Avenue HCAs and the impact of high and medium density. The issues and concerns raised are listed in no particular order.

HCA	Property Owners Consulted	General Issues and Concerns Raised
East Epping	3 Essex Street	<ul style="list-style-type: none"> ▪ Concerned about the impacts of high density residential development on their privacy ▪ Visual and physical impact of development on rear fence ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Some owners considering moving away from area due to impact of development ▪ Some owners experiencing health issues due to construction of developments ▪ Some owners unclear why their properties are included in the HCA ▪ Documentation from the property owners of Norfolk Road and Pembroke Streets was submitted to CPH for review as part of this phase of consultation. This documentation has been taken into consideration and is addressed in Section 11.5.
	25 Pembroke Street	
	1 Norfolk Road	
	3 Norfolk Road	
	3A Norfolk Road	
	5 Norfolk Road	
	7 Norfolk Road	
	7A Norfolk Road	
Essex Street	40 Essex Street	<ul style="list-style-type: none"> ▪ Visual and physical impact of development on rear fence ▪ Loss of privacy in rear yards ▪ Safety concerns ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Mature trees under threat or have been removed due to development ▪ Would like to add to existing properties, but not sure if substantial extensions would be approved due to HCA.
	42 Essex Street	
	46 Essex Street	
	52 Essex Street	
	54 Essex Street	
	64 Essex Street	
	66 Essex Street	
Rosebank Avenue	1 Rosebank Avenue	<ul style="list-style-type: none"> ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Some owners considering moving away from area due to impact of development. Would not have considered before the land surrounding the HCA was rezoned. ▪ Mature trees under threat or have been removed due to development
	2 Rosebank Avenue	
	5 Rosebank Avenue	

8.3 Community Workshops

Two community workshops were conducted by Parramatta City Council on 1 and 3 May 2017. Each workshop was facilitated by Straight Talk who will be composing a report for inclusion in the Discussion Paper to be prepared by the City of Parramatta Council. Each of the two community workshops were geared toward two groups, the first with property owners within the HCAs and the second with community members with general interest in the heritage review.

As part of these workshops, a short presentation by both the City of Parramatta Council and City Plan Heritage was conducted before the proceedings of the workshop activities.⁸ The City of Parramatta Council's presentation provided explanation as to the context and aims of the heritage review, as part of the Epping Planning Review which aims to:

1. Progress work undertaken by the Department of Planning & Environment, completed in March 2014;
2. Consolidate the planning controls to create one set of planning controls across the Town Centre and immediate surrounds; and
3. Provide a consistent approach to managing the high level of interest from developers within the centre.

In addition, the two stage approach of the Epping Planning Review was outlined as follows:

- **Stage 1 - December 2016 to December 2017**

1. Community consultations;
2. The preparation of 4 technical studies on: heritage conservation areas; traffic; social infrastructure; and commercial land uses;
3. The exhibition of a discussion paper in mid 2017, including getting public feedback;
4. Endorsement of key principles in late 2017

- **Stage 2 - from 2018 onwards:**

1. The preparation of new planning controls, including:
 - New Local Environmental Plan (LEP)
 - New Development Control Plan (DCP)
 - New Section 94 Plan

City Plan Heritage presented the information gathered to date (1 and 3 May) for the heritage review, to contextualise the study and provide clarification of the aims and scope of the study to the community members attending the workshops. The information presented at both workshops included the following:

- Scope of the brief;
- Methodology of heritage review;
- Brief History of the Epping Town Centre Area;
- Field Survey Ranking Criteria; and
- Overview of characteristics of East Epping, Essex Street and Rosebank Avenue HCAs.

As both of the community workshops took place before any recommendations had been made by City Plan Heritage to the City of Parramatta Council, all information presented at both of the workshops were at a preliminary stage.

⁸ A copy of the presentation from the community workshops conducted on the 1 and 3 May can be found via: <https://www.cityofparramatta.nsw.gov.au/about-parramatta/precinct-planning/epping-planning-review> (accessed on 15 May 2017)

Following City Plan Heritage's presentation, Straight Talk facilitated workshop discussions, based around three target questions as follows:

1. Values:
 - What do you value most about the Heritage Conservation Areas?
2. Experiences:
 - What is your experience around development in this area?
 - What do you see as being the key concerns when it comes to development regarding the Heritage Conservation Areas?
3. What should Council Consider?
 - What do you think Council should take into consideration when reviewing the planning controls for the Heritage Conservation Areas?

For the workshop on 1 May 2017, attendees were seated according to the street on which they lived, whilst for the workshop on 3 May 2017, attendees were seated wherever they wished. A summary of the results of these two workshops are outlined in the below tables.⁹ A detailed summary of the Community Workshops is contained within the report prepared by Straight Talk.

1 May 2017 - Directly Affected Community Members Workshop	
Key Insights	<ul style="list-style-type: none"> ▪ The current aesthetic of the area is highly valued. Greenery in general makes the area inviting and gives the streets a 'lovely' feel ▪ Low density buildings are perceived to add space and safety. This adds to the family-friendly character of the suburb ▪ There was comment that over-development raises issues regarding traffic, privacy, noise and rubbish. These things were among a number of other anxieties which relate to the 'destruction' of the overall quality of the suburb ▪ Traffic and parking was perceived to be a major issue. General congestion from increasing numbers of residents who may tenant new apartment blocks as well as commuters who travel through Epping on their commute to the city and other areas for work and during the week raise questions around how this will be managed for the future ▪ Participants believe that future planning and development should be consistent and appropriate for each section of the local area. Suggestions to apply transition zones to new developments were made ▪ A majority of the attendees supported a consideration of removing in whole or in part the HCAs which are part of the Heritage Review. This was particularly apparent in regards to Rosebank Avenue and Essex Street HCAs, as they are perceived the community members to now be compromised by new development in general.
Group Exercise 1 <i>Values: What do you value the most about your neighbourhood</i>	The most often mentioned values included: Proximity to public transport and schools, green, peaceful, community, heritage, suburban, consistency, privacy, open space, safety, gardens, pool, low-density, convenience and accessibility. Alongside listing these values, many participants expressed their concern about losing them because of new development. Some participants found this exercise difficult since they believe that the area has already changed significantly and therefore they struggled to identify any existing values.

⁹ The summary of findings of the Community Workshops have been provided by Straight Talk and are incorporated into the subject tables. Some amendments have been made to these summaries where clarification or additional information from the Community Workshops observed by CPH was deemed to be relevant for inclusion within these summaries.

<p>Group Exercise 2 <i>Experiences: What is your experience around development in this area? What do you see as being the key concerns when it comes to development regarding your street or neighbourhood?</i></p>	<p>Participants mentioned several different concerns including: Traffic issues and inadequate parking, visual and privacy issues concerning low and high-density housing immediately next to each other, increasing pollution and noise issues, lack of open and green spaces, confusion about what characterises an HCA and a wish to remove the heritage listing, lack of political transparency, safety, decrease in resident’s mental health, negative economic consequences for residents, affected infrastructure and closing down of local shops and services.</p>
<p>Group Exercise 3 <i>Proposals: What do you think Council should take into consideration when reviewing the existing planning controls?</i></p>	<p>The proposals to Council were concentrated around four subjects. Firstly, numerous participants expressed a wish for Council to review the HCAs under the current Heritage Review and to consider removing the HCAs in whole or in part. On the other hand, others stated that heritage items should be protected. Appropriate planning and development was another key matter and here participants suggested height restrictions on new development, buffer zones between low and high-density housing and well-designed new development as significant matters. Participants wanted Council to focus on improving Epping’s infrastructure which, it was felt, is currently not geared for the increasing population. Improving parking facilities was particularly emphasised. Finally, it was suggested that Council preserves existing greenery and community spaces as well as expand these.</p>

<p>3 May 2017 - General Community Members</p>	
<p>Key Insights</p>	<ul style="list-style-type: none"> ▪ The aesthetic appeal of the suburb is highly valued. This incorporates the gardens, low density and heritage buildings in the area and contributes to the feeling that the area is protected and has a good sense of community ▪ Low traffic and easy access to public transport is also highly valued ▪ Many say that the HCAs in the area need to be preserved in order to retain the living history of the area ▪ Increasing building heights cause concern for participants who say this causes problems around privacy and shadowing ▪ Some participants believe that building and planning controls need to be more strictly monitored so developers follow through on their obligations ▪ There is concern that the character of the suburb will be lost and the voices of residents will be over-shadowed by developers ▪ Consistency in future planning controls is desired.
<p>Group Exercise 1 <i>Values: What do you value the most about your neighbourhood</i></p>	<p>The most often mentioned values included: Green, heritage, history, architecture, consistency, low-density, peaceful, low-traffic, consistency, gardens, size, open spaces, beauty, community, wildlife. Alongside listing values, some participants explicitly expressed that they would like to see the HCAs expanded or maintained.</p>
<p>Group Exercise 2 <i>Experiences: What is your experience around development in this area? What do you see as being</i></p>	<p>Participants mentioned several different concerns including: Visual and privacy issues concerning low and high-density housing immediately next to each other, traffic issues and inadequate parking, environmental impacts affecting vegetation and wildlife, new development undermining the value of the HCAs and a wish to extend the HCAs, violation of planning and building by developers, loss of the area’s identity and architectural character.</p>

<p><i>the key concerns when it comes to development regarding your street or neighbourhood?</i></p>	
<p>Group Exercise 3 <i>Proposals: What do you think Council should take into consideration when reviewing the existing planning controls?</i></p>	<p>The proposals to Council were concentrated around four subjects. Firstly, a number of participants stated that they would like for the HCAs to be preserved and many further mentioned that they would prefer an extension of the HCAs. Some mentioned that the HCAs should be reviewed since their value has changed due to the new development and therefore consideration of the removal of the HCAs, in whole or in part, should be considered by Council. Many were concerned about protecting heritage housing and other items. Appropriate planning and development was another central matter and here participants suggested height restrictions on new development, control of floor space ratios, buffer zones between low and high-density housing and well-designed new development as significant matters. More control over developers was put forward as an important matter and finally, protecting the architectural value of Epping. Participants pointed out the need to improve Epping's infrastructure which, it was felt, is currently not geared for the increasing population. Improving parking facilities and minimising stormwater issues were mentioned. Finally, it was suggested that Council preserves existing greenery and community spaces as well as expand these.</p>

8.4 Submissions from Community Members Following Workshops

If any attendees of the Community Workshops wished to raise any additional issues, or submit documentation in regards to the heritage review, they were encouraged to do so through submitting written documentation to the City of Parramatta Council. Copies of all additional documentation from attendees was forwarded onto City Plan Heritage following recording by the City of Parramatta Council. A summary of the additional documentation received from community members from each of the workshops is summarised in the below table.

Topic/Issue	Documents received	CPH Comments
Impact of High Density Development on Rosebank Avenue HCA	<ul style="list-style-type: none"> ▪ Manuscript of Hornsby Shire Council Meeting, 12 August. ▪ Draft Zoning Map prior to UAP ▪ Images of Cliff Road development from and in Rosebank Avenue 	Consideration of the documentation provided in regards to the impact of high density residential development on the Rosebank Avenue HCA has been considered in Sections 9.3 and 10.3.
Rosebank Avenue draining disposal point and proposed tree removal	<ul style="list-style-type: none"> ▪ Request for additional information - DA/1292/2015 dated 10 March 2016 ▪ Email from Chris Fraser, Hornsby Shire Council to Richard and David (unknown surnames), no date included 	During the site visits to Rosebank Avenue on the 21 and 22 March, CPH was made aware that a proposal for the removal of some trees on the western side of Rosebank Avenue was proposed by Council in order accommodate stormwater drainage for the recent high density residential development located on Cliff Road. The documentation supplied provides evidence for this matter. It is noted by CPH that the email from Chris Fraser (Hornsby Shire Council) does indicate that the seven (7) trees to be impacted,

		<p>including Peppermint Gum, Brush Box and 5 Scribbly Gums could possibly be retained after the proposed works.</p> <p>To date, it does not appear that any works have commenced in regards to the installation of the stormwater draining for the developments on Cliff Road, however, the loss of these trees would negatively impact upon the setting of Rosebank Avenue, which currently is a leafy street, lined by street trees and enhanced by properties front gardens and mature plantings and trees. If it is not possible to maintain all trees due to the installation of the stormwater drain, as suggested within the email supplied it is recommended to the City of Parramatta Council that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained. This matter has also been included within Section 8.5.</p>
<p>Uncharacteristic features in Rosebank Avenue HCA</p>	<ul style="list-style-type: none"> ▪ Images of 5, 21 and 22 Rosebank Avenue with notes on recent renovations to properties 	<p>The two properties located within the Rosebank Avenue HCA, being 5 and 21 Rosebank Avenue, were noted in the field survey as being of 'Neutral' ranking, due to the alterations and additions to the properties which have removed characteristics details as noted in Sections 7.5.2 and 7.6.3.</p> <p>Both 5 and 21 Rosebank Avenue could be returned to a 'Contributory' ranking with reinstatement of period detailing and removal of unsympathetic modifications, as noted in Section 7.6.3.</p> <p>22 Rosebank Avenue is located outside of the Rosebank Avenue HCA and was not assessed for its contribution to the Rosebank Avenue HCA, however, it was noted that although the building located on the property is modern, the single storey scale and form of the building is considered to be moderately sympathetic to the HCA.</p>
<p>Request for extension of Essex Street HCA</p>	<ul style="list-style-type: none"> ▪ Email from Friends of Terry Creek requesting extension of Essex Street HCA to the south 	<p>Whilst it is acknowledged that the southern end of Essex Street, south of Abuklea Road does continue the character of the leafy streetscape of Essex Street, an assessment for the extension of the Essex Street HCA was not undertaken as part of this heritage review and laid outside of the scope of the brief.</p> <p>However, it is recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's</p>

		boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
Heritage Houses and Areas	<ul style="list-style-type: none"> List of sixteen (16) 'heritage houses and areas' located in and around Epping 	No other notes than the list of 'heritage houses and areas' was provided. Unsure of purpose of list.
Heritage Houses and Non-Heritage Houses in Epping	<ul style="list-style-type: none"> Images of houses located in Rosebank Avenue Images of heritage houses located in Epping (not able to determine from which locations in Epping) Images of new apartment developments and late twentieth and early twenty-first century single and two storey residential developments 	<p>No other notes other than the photographs provided, and the labelling of images as either A, B, C or D was provided. The intention of the images provided is unknown to CPH, however, the majority of the houses contained within the photographs are located within either Rosebank Avenue, Essex Street and East Epping HCAs.</p> <p>If the intention of the photographs was to delineate between properties which contribute and which do not contribute toward the significance of each of the HCAs, reference should be made to Section 7 for the ranking of individual properties within each HCA for comparison.</p>
Chester Street Epping and Epping Town Centre Heritage Studies	<ul style="list-style-type: none"> Assessment of the cultural significance of cottages, Clive Lucas Stapleton & Partners, November 1992 Cottages: 19-21 Chester Street, Epping, Tropman & Tropman Architects, February 1993 Houses at 19 and 21 Chester Street, Epping, Robert Irving, February 1993 Objection to initial development 19 Chester Street, Rod Howard, June 1993 East Epping Conservation Evaluation and Review, Tropman & Tropman Architects, October 2001 Parramatta Council statement of HSC Epping Town Centre Study, Parramatta Council, July 2011 Epping Town Centre Study - Report on submissions. Hornsby Council, June 2012 Epping Town Centre Review, Clive Lucas, 	<p>The documentation provided covered a range of issues and concerns dating from as early as 1992. The information provided provides background to the development of 19 Chester Street and the listing of both 21 and 23 Chester Street as local items in the Hornsby LEP.</p> <p>Further documentation provided for objections and recommendations relating to previous Epping Town Centre Heritage Studies, particularly in relation to the East Epping HCA.</p> <p>No current issues are raised in the documentation provided, however, they did provide further background as to the development and listing of items on Chester Street and the listing of the East Epping HCA which included properties located on the southern side of Chester Street.</p> <p>Both 21 and 23 Chester Street are included for review in the current Hornsby Heritage Review - Stage 6. The information relating to the history, architectural features and significance of both items provided in the documentation have been integrated into the updated Inventory Forms for both items. Refer to Section 13 and Appendix A for information regarding both 21 and 23 Chester Street, Epping.</p>

	<p>Stapleton & Partners, July 2012</p> <ul style="list-style-type: none"> ▪ Draft Hornsby LEP, Clive Lucas Stapleton & Partners, February 2013 ▪ Epping UAP impact on East Epping HCA, Clive Lucas Stapleton & Partners, February 2013 ▪ Epping Town Centre Heritage Review, Perumal Murphy Alessi, March 2013 ▪ Epping Town Centre - Draft Plans and Policies, May 2013 ▪ Hornsby Shire Council Heritage Review Stage 5 East Epping HCA, Clive Lucas, Stapleton & Partners, September 2013 	
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8.5 Summary and Recommendations Arising from Community Consultation

The issues and concerns raised by property owners, community members, and local community groups of Epping have been taken into account throughout this Heritage Review. Some key issues and concerns were raised throughout the process in regards to issues outside of the scope of heritage concerns, particularly in relation to amenity, privacy, safety, traffic, green space, and a number of other issues as discussed throughout this section. Where issues and concerns raised throughout the community consultation phase were in direct relation to heritage matters, these have been addressed and incorporated throughout this report. The concerns of the community have been taken into account throughout the reassessment of the significance of each of the HCAs contained within this review (Sections 6 and 7), with particular attention to the impact of high density residential development being addressed in Section 9.

Two specific recommendations relating to heritage also arose from this Community Consultation phase, which are detailed as follows:

- It is recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
- CPH was made aware during the site visits to Rosebank Avenue that a proposal for the removal of some trees on the western side of Rosebank Avenue was proposed by Council in order accommodate stormwater drainage for the recent high density residential development located on Cliff Road. The documentation supplied indicated that seven (7) trees were to be impacted, including Peppermint Gum, Brush Box and 5 Scribbly Gums, however, could possibly be retained after the proposed works. As it does not appear that any works have commenced to date in regards to the installation of the stormwater drainage for the developments on Cliff Road, it is recommended for either the trees to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

9. Assessment of Impact of Recently Approved Development Applications in Interface Areas

The following sub sections provide a diagrammatic and visual overview of recently approved developments, which have been either approved, are under construction, or have been completed, and which lay adjacent to the boundaries of East Epping, Essex Street and Rosebank Avenue HCAs.

As part of the Community Consultation phase, which has been documented in Section 8.0, access to the rear yards of the properties, which lie in the interface area of medium and high density residential development, was granted in order to establish and document the impact of the adjacent development has or will have on the setting, context, curtilage, character, landscape and most of all significance of each HCA.

The impact of these developments is assessed in Section 10.0 in regards to their impact on the overall significance of each of the East Epping, Essex Street and Rosebank Avenue HCA's. The significance, current integrity and intactness of each HCA, as determined in Sections 6.0. and 7.6, was factored in as part of this analysis.

9.1 East Epping HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western side and southern edges of the East Epping HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
7-9 Essex Street, Epping	DA/1110/2014
11 Essex Street	PL/180/2016
15-19 Essex Street, Epping	DA/648/2016
46-50 Pembroke Street, Epping	DA/672/2016
38-44 Pembroke Street Epping	DA/1505/2014



Figure 65: Recently approved developments in interface area with R4 - High Density Residential Development East Epping Heritage Conservation Area (Source of Basemap: Hornsby Shire Council)



Figure 66: View of recent development at 38-44 Pembroke Street from 1 Norfolk Road (left) and view from rear of 7A Norfolk Road to adjacent rear of 15 -19 Essex Street, which has been recently approved for high density residential developments (right).



Figure 67: View of development at 7-9 Essex Street as viewed from Rockleigh Park to the north-east of the development (left) and view of development from Essex Street (right). The subsequent 4 properties located to the south of 7-9 Essex Street are approved for development of high density residential development

9.2 Essex Street HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western edge of the Essex Street HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
1 Forest Grove, Epping	DA/1606/2014
3-7 Forest Grove, Epping	DA/852/2016
20-24 Epping Road, Epping	DA/327/2015
3-7 Forest Grove, Epping	DA/358/2015
9-11 Forest Grove, Epping	DA/963/2014
15-17 Forest Grove, Epping	DA/346/2015
23-25 Forest Grove, Epping	DA/304/2015
27-31 Forest Grove, Epping	DA/153/2015
18-22 Maida Road, Epping	DA/1491/2014
32-34 Essex Street, Epping	DA/1002/2014



Figure 68: Recently approved developments in interface area with R4 - High Density Residential Development Essex Street HCA (Source of Basemap: Hornsby Shire Council)



Figure 69: Views from rear backyard of 66 Essex Street: looking west toward 23 and 25 Forest Grove (left); and looking south-west toward the development under construction at 27 Forest Grove.



Figure 70: Views from the rear of 42 Essex Street, a heritage item of local significance, toward the development at 20-24 Epping Road. As with 40 Essex Street, the high density residential development which is under construction lies directly behind the rear fence of the property, with minimal setback from the property line.



Figure 71: Above, view from opposite 44 Essex Street looking west. The high density residential development located at 1 Forest Grove is currently under construction, with the top two storeys visible over the roof top of 44 Essex Street. Right, view from the rear of 46 Essex Street toward the development at 1 Forest Grove. Whilst the development is very close the rear fence of 46 Essex Street the substantial planting in the property screens the majority of the development, lessening the developments impact.





Figure 72: View from rear back yard of 64 Essex Street, looking west toward the rear of 25 Forest Grove which has recently been approved for development of high density residential apartments.

9.3 Rosebank Avenue HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western and southern edges of the Rosebank Avenue HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
2-8 Hazlewood Place	DA/364/2015
22-34 Cliff Road	DA/714/2016
18-20 Cliff Road	DA/1602/2014
11-27 Cliff Road	DA/1447/2014
7-9 Cliff Road	DA/1436/2014
1-5A Cliff Road	DA/712/2016



Figure 73: Recently approved developments in interface area with R4 - High Density Residential Development adjacent to the Rosebank Avenue HCA (Source of Basemap: Hornsby Shire Council)



Figure 74: Views from rear yard of 1 Rosebank Avenue looking to the west (left) to the developments in Hazlewood Place and to the south to the developments on Cliff Road (right). Development is yet to begin on the adjacent properties to the south of 1 Rosebank Avenue, however development approval has been granted for high density residential development at 22-34 Cliff Road.



Figure 75: View from rear yard of 1 Rosebank Avenue looking to the north-west toward the development at 4 Hazlewood Place and the rear year of 3 Rosebank Avenue (left) and view from 5 Rosebank Avenue looking west. The rear of 5 Rosebank Avenue does not have any mature tree plantings in order to help screen the new development (right).



Figure 76: View from 4 Rosebank Avenue looking to the west toward the Hazlewood high density residential development visible above the roof lines of 3 and 5 Rosebank Avenue (left) and view from 4 Rosebank Avenue looking south toward Cliff Road, with development visible in the background (right).



Figure 77: Entrance to Rosebank Avenue from Cliff Road. Development is underway visible to the left at 1-5A, 7-9 and 11-27 Cliff Road. Development approval has also been granted for 22-34 Cliff Road, visible to the right, however construction has not begun as yet. The entrance to Rosebank Avenue will be surrounded by high density residential developments following the completion of the approved constructions.

10. Recommendations for Amendments to Heritage Conservation Areas

The following section outlines the recommendations for amendments to the East Epping, Essex Street and Rosebank Avenue HCAs based upon the findings of the heritage assessment of each HCA, and consideration of the issues and concern raised during the community consultation phase of this study.

10.1 East Epping HCA and Individual Items Recommendations

In consideration of the reviewed assessment of the East Epping HCA, and the issues and concerns raised by the community in relation to the East Epping HCA associated with the impact of high density residential development on the western edge of the East Epping HCA boundary, it is recommended that a slight change to south-western boundary of the HCA be implemented. It is recommended that the following four (4) properties to be removed from the boundaries of the East Epping HCA and the boundaries of the HCA be adjusted accordingly as in Figures 78 and 79:

No.	Address	Development Period	Ranking
25	Pembroke Street	Federation	Contributory
1	Norfolk Road	Late 20th Century	Non Contributory
3	Norfolk Road	21st Century	Non Contributory
3A	Norfolk Road	21st Century	Neutral



Figure 78: East Epping HCA Contribution Ranking with Development Period overlay. The four properties recommended to be removed from the HCA are outlined in pink.

The recommendation of the removal of these four properties from the East Epping HCA is made due to the combination of the impact of the high density residential development at the rear of these properties and their relative contribution to the area. 1, 3, and 3A Norfolk Road are all new single and double storey dwellings, dating from the late 20th Century and early 21st Century. The style and age of these three dwellings are not in keeping with the Federation and Inter War characteristics of the East Epping HCA, thus resulting in the dwellings not contributing to the significance of the area. On the other hand, 25 Pembroke Street is a Contributory building for the East Epping HCA, however, will soon be isolated from similar properties of Federation and Inter War periods as a result of the rezoning of the southern side of Pembroke Street being an R4-High Density Residential Zone and properties to the west of 25 Pembroke also being zoned as R4-High Density Residential Zone. Whilst exhibiting characteristics of the Federation period, as a cottage with attached corner shop, the property is not considered to meet the threshold for individual heritage listing. Whilst it was noted in the *2013 Epping Town Centre Heritage Review* that this end of Norfolk Road, provided an entry way to the East Epping HCA, it is not until 9 Norfolk Road, which is a heritage item, that the characteristic streetscape features such as mature tree plantings, and built forms of the Federation and Inter War periods begin.¹⁰ Despite the heritage listed Epping Public School being located on the eastern side of this portion of Norfolk Road, the early buildings of the school are not located in the south-eastern end of the school grounds, instead, the Federation period buildings of Epping Public School begin directly opposite 9 Norfolk Road. From this start point, a true appreciation of the characteristics of the East Epping HCA can be experienced and observed.

If, as a result of 25 Pembroke Street being removed from the East Epping HCA, should in the future demolition of the property is proposed, it is recommended that a photographic archival recording be undertaken prior to the dwelling's demolition, and any significant fabric be salvaged and recycled in an appropriate manner.

In addition, it is recommended that both 1 and 3 Essex Street are retained within the East Epping HCA and for 3 Essex Street to maintain its heritage listing under the Hornsby LEP. An internal inspection of 3 Essex Street was conducted as part of the HCA review. The dwelling retains many original details both internally and externally, as detailed in Section 6.2.5. Despite the concerns of the property owner, of being surrounded by high density residential development and being located on the very edge of the HCA, 3 Essex Street along with 1 Essex Street will not be isolated sites. Another heritage item, the Scout Hall lies on the western side of Essex Street, as well as directly to the north is the Unity Church on Chester Street, also a heritage item. In addition, a recreational park lies directly to the south of 3 Essex and to the east is the East Epping HCA. Thus, 3 Essex Street will maintain its current setting and the high density residential development which is currently underway further south along Essex Street and further to the east close to the railway line will not affect the immediate context, curtilage and setting of either this section of the East Epping HCA or the Heritage Items themselves. Thus, it is recommended that both 1 and 3 Essex Street are maintained within the East Epping HCA and for 3 Essex Street to be maintained as a heritage item under the Hornsby LEP 2013. The Inventory Sheet for 3 Essex Street has been updated to reflect the current condition and setting of the property in Appendix A.

The recommended amendments to the boundary line of the East Epping HCA is depicted overleaf in Figure 79. Recommendations for the rezoning of properties recommended to be removed from the East Epping HCA are addressed in Section 11.5.

¹⁰ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 10.

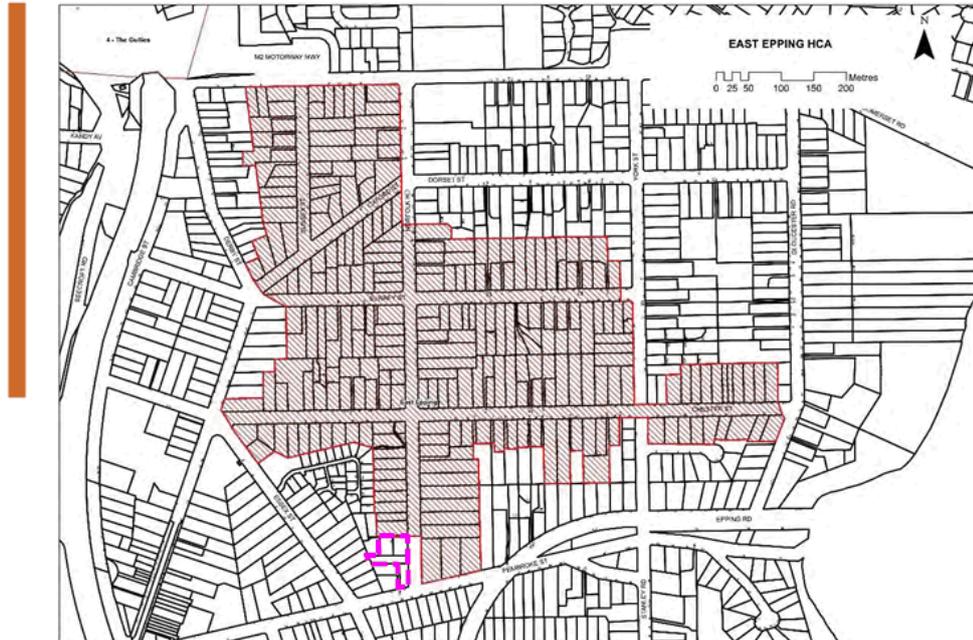


Figure 79: East Epping HCA with amendment to boundary removing 25 Pembroke Street, 1, 3 and 3A Essex Street. The properties recommended to be removed are outlined in pink.

10.2 Essex Street HCA and Individual Items Recommendations

In consideration of the survey findings and reviewed assessment of the Essex Street HCA, and despite the issues and concerns raised by the community in relation to interface areas of the high density residential development on the western edge of the area, no changes to the Essex Street HCA boundary are recommended.

Following the reassessment of the Essex Street HCA it was determined that the integrity and significance of the Essex Street HCA was still intact, as determined through the two previous studies conducted on the HCA in 2013 and 2001, as discussed in Section 6.3. In addition, the properties which are located between Epping Road and Maida Road within the Essex Street HCA are predominantly Contributory properties, primarily dating from the Federation and Inter War periods. Of the twenty (20) properties located on the western side of the Essex Street between Epping Road and Maida Road of the HCA, one (5%) is a Heritage Item, nine (45%) are Contributory, five (25%) are Neutral, and five (25%) are Non-Contributory. Thus, 50% of the properties located within this section of the Essex Street HCA are Heritage Items and Contributory buildings, and with inclusion of all Neutral buildings, they make up 75% of this section of the HCA contributing to the intactness of the Essex Street HCA. Two of the current Neutral buildings located in this section of the HCA date from the Inter War period and could be ranked as Contributory, if original detailing is reinstated and/or detracting elements are removed, which could increase the number of contributory buildings to eleven (55%), totalling twelve (60%) properties being either Heritage Items or Contributory.

In addition, the impact of the high density residential developments on Forest Grove and Epping Road upon the Essex Street HCA was also assessed as part of this heritage review in Section 9.2. Whilst five and six storey developments were currently underway at the rear of properties located on the western side of Essex Street between Epping Road and Maida Road, the visual impact of these developments are not considered to have a major impact upon the significance of the Essex Street HCA. Due to the long lot size of each of the properties on the western side of Essex Street, coupled with existing mature trees and vegetation on each of the properties, the high density residential developments recede into

the background of the setting of the Essex Street HCA and do not dominate the streetscape of the HCA. The streetscape qualities of the HCA are not affected detrimentally by the interface R4-High Density development and the impact on the backdrop of the properties are not experienced along the street-long views and vistas. It is considered that the main impact of these close high density development is privacy issue and dominance at the rear boundaries, which are essentially related to planning matters rather than heritage matters.

If the removal of these twenty (20) properties from the HCA was considered, it would result in a detrimental impact to the identified and assessed heritage significance of the HCA. The removal of these properties would result in the most intact component of the HCA being lost, reducing the HCA by a third of its size and significantly impacting upon the streetscape of the northern end of the Essex Street HCA. Furthermore, properties located on the eastern side of Essex Street, which would remain in the HCA, would further be impacted upon by the removal of these twenty (20) properties, dislocating the relationship between the east and west sides of Essex Street. The intactness and significance of the Essex Street HCA would be irrevocably changed if these twenty (20) properties were to be removed, thus, it is recommended that the existing boundary of the HCA remain as is.

Whilst it is acknowledged that the high density residential developments have and will result in significant impacts for property owners adjoining these new developments in relation to privacy and individual views from properties, these impacts are not considered to be heritage issues and do not impact upon the heritage significance of the Essex Street HCA. Despite this, recommendations have been made in Section 11.0 to mitigate some of the issues, both current and future, experienced by both property owners in these interface areas and the setting of the Essex Street HCA.

In addition, it is recommended that 42 Essex Street be retained as a heritage item under the Hornsby LEP. A brief internal inspection of 42 Essex Street was conducted as part of the HCA review. The dwelling retains many original details both internally and externally, as evidenced in Section 6.3.5. Furthermore, in conducting a review of the history of the Epping Town Centre area, the association of the 42 Essex Street within the Mount Tomah Nursery that operated in the area in the 1890s was reconfirmed. The association of the timber weatherboard Federation cottage with the Vollmer and Vessey family is a significant link with the early development of the Epping Town Centre, at a time when orchards and nurseries dotted the landscape of Epping. Whilst the high density residential development occurring at 20-24 Epping Road does create some visual impact, in terms of setting of the rear yard of the property, this impact is not considered to erode the heritage significance of the property, in terms of its historic, aesthetic, associational and representative values. Thus, it is recommended that 42 Essex Street be maintained as a heritage item under the Hornsby LEP 2013.

10.3 Rosebank Avenue Conservation Area Recommendations

In consideration of the survey findings and reviewed assessment of the Rosebank Avenue HCA, and despite the issues and concerns raised by the community in relation to interface areas of the high density residential development on the western and southern edge of the HCA, no changes to the Rosebank Avenue HCA boundary are recommended.

Following the reassessment of the Rosebank Avenue HCA it was determined that the integrity and significance of the Rosebank Avenue HCA was still intact, as determined through the two previous studies conducted on the HCA in 2013 and 2003, as discussed in Section 6.4. The Rosebank Avenue HCA still remains as a rare example, at local level, of an intact Inter War streetscape within Epping and the Parramatta area and is one of few intact Inter War housing estates remaining. Despite some minor modifications to a couple of properties within the HCA, such as modified windows, enclosed balconies and uncharacteristic driveways, these modifications are only minor and do not detract from the overall heritage significance of the HCA.

The impact of the high density residential developments to the south and west of the Rosebank Avenue HCA, along Cliff Road and Hazlewood Place will result in a modified setting and curtilage to the Rosebank Avenue HCA, particularly from the entrance looking

north along Rosebank Avenue. The entrance to Rosebank Avenue will soon be flanked by a six storey development to the west and a five storey development to the east of the entrance to Rosebank Avenue; however, once reaching 1 and 2 Rosebank Avenue, the view of the HCA will be unobstructed by the high density residential development which lays to the south. The backdrop of 1, 3, 5, 7 and 7A Rosebank Avenue will be of mature trees and high density residential redevelopment; however, due to the long blocks, the separation from the rear of the dwelling and the new developments allows for enough of a buffer to prevent the encroachment of views of the high density development being seen from Rosebank Avenue. 1, 3, and 7 Rosebank Avenue currently have substantial mature trees located along the rear boundary fence, screening much of the view of the new developments. Only 5 Rosebank Avenue does not have substantial mature trees along the rear fence line, thus resulting in more views to and from the new development, both from Rosebank Avenue and from the 5 Rosebank Avenue. Whilst the new backdrop of 1, 3, 5 and 7 Rosebank Avenue, will minimise the current leafy backdrop of the Rosebank Avenue HCA, it is not considered to warrant the removal of individual properties or the whole HCA from the Hornsby LEP.

The Rosebank Avenue HCA is exceedingly rare in the area and remains largely intact. All properties have retained their original subdivision, except for 15 Rosebank Avenue, and all retain the original buildings constructed during the 1930s and 1940s. The detailing of the Inter War period, from Bungalow, Tudor and Spanish styles, is retained amongst all original properties. Coupled with the substantial street plantings, natural creek, and established gardens of each of the properties, the Rosebank Avenue HCA will still retain its significance even following the completion of development along Cliff Road and Hazlewood Place. Whilst it is regrettable that such a backdrop to some of the properties in the HCA will be affected by the new high density residential development, the area will still retain its integrity and characteristics that makes it rare Inter War period housing development.

Whilst it is acknowledged that the high density residential developments have and will result in significant impacts for property owners in relation to privacy and individual views from properties at 1, 3, 5 and 7 Rosebank Avenue, these impacts are not considered to be heritage issues and do not impact upon the heritage significance of the Rosebank Avenue HCA. Despite this, recommendations have been made in Section 11.0 to mitigate some of the issues, both current and future, experienced by both property owners in these interface areas and the setting of the Rosebank Avenue HCA.

11. Planning Review

11.1 Existing Heritage Guidelines

Changes to Heritage items and HCAs are guided by the heritage provisions contained in the two main plans known as the *Hornsby Local Environmental Plan (LEP) 2013* and the *Hornsby Development Control Plan (DCP) 2013*. The controls in these instruments seek to "assist in conserving the heritage significance of the natural and built environment and ensure new development is sympathetic with identified heritage values. In doing this, the [Hornsby] Shire's heritage resources and the quality of the environment will be maintained or improved, resulting in attractive streetscapes and providing an appealing place to live."¹¹

Standard best practice heritage controls are currently contained in these instruments for managing the development of heritage places, including the need for Council's development consent for major changes, the requirement for statements of heritage impact to accompany development applications, and the Council's obligations to assess the impact of developments on the significance of listed places.

Planning controls specific to East Epping, Essex Street and Rosebank Avenue HCAs are contained with *Part 9.3 Heritage Conservation Areas*. This part of the DCP provides the Statements of Significance outlining the key heritage aspects of each HCA supported by explanatory information on the history and description of each HCA. In addition, prescriptive measures are also included which contain controls for demolition, streetscape character, materials and finishes, fences and gates, utilities, garages and carports, driveways, and subdivision. Furthermore, *Part 9.4.1 Development in the Vicinity of Heritage Item* provides controls for development to land that is adjoining, or across the road from a heritage item or a heritage conservation area.

In consideration of recently approved developments in line with the rezoning of the respective sites and the reassessed significance of each HCA within this study, the current planning controls relating to heritage have need to be reviewed to evaluate if the current planning controls provide adequate protection for the established heritage significance of heritage items and HCAs in the Epping Town Centre Area.

Specific matters for review were also outlined as part of the scope of works for this study by City of Parramatta Council, these included a review of Section 9.4.1 of the Hornsby DCP 2013, potential height increases for R4-High Density Residential Zone and R3-Medium Density Residential Zones, the extension of the existing R3-Medium Density Residential Zone to encompass Brigg road and Rose Street, individual property zoning changes if removed from a HCA and any other updates to the current planning controls not addressed in the aforementioned list. Each of these matters are addressed in the below subsections, with recommendations given for any changes to the existing planning controls which relate to the Epping Town Centre area.

11.2 Hornsby DCP 2013, Section 9.4.1 Review

An investigation of the effectiveness of the current design interface guidelines (Section 9.4.1) and other relevant provisions in the Hornsby DCP is necessary in order to mitigate the effects of development on the character and integrity of the East Epping, Essex Street and Rosebank Avenue HCAs. As part of this investigation, regard has been given to the topography of each of the HCAs and recently approved Development Applications at the interface with HCAs have also been reviewed in Section 9.0, in order to develop a holistic view of the impact that medium and high density residential development is having on these HCAs.

A review of the existing Hornsby LEP and DCP guidelines are investigated in the following sections, with reference to recently approved developments in the interface areas with the East Epping, Essex Street and Rosebank Avenue HCAs, as outlined in Section 9.0.

¹¹ *Hornsby Development Control Plan 2013*, 9-3.

11.2.1 Existing Guidelines

Section 9.4.1 of the Hornsby DCP 2013 provides controls for the development on land that is adjoining, or across the road from a heritage item or a heritage conservation area. The current guidelines encourage "New work that is sympathetic to the heritage significance of nearby heritage items, or adjoining heritage conservation area and their settings". The following is stated in Section 9.4.1 regarding to development in the vicinity of a Heritage item or Heritage Conservation Areas.

Heritage Items

- a. Design and siting of new work should complement the form, orientation, scale and style of the heritage item.
- b. Adequate space should be provided around the heritage item to allow for its interpretation.
- c. Development should maintain significant or historic public domain views to and from the heritage item.
- d. Original or significant landscape features that are associated with the heritage item and which contribute to its setting should be retained.
- e. For rural heritage items, the scale of new work is not to overwhelm the heritage item taking into consideration the matters within the Rural Heritage Items element.

Heritage Conservation Areas

- f. Development in the vicinity must respect the curtilage and setting of the HCA and protect views into and from the HCA.
- g. Development is to be sympathetic to the primary characteristics and heritage values of the HCA with regards to proposed:
 - context, including backdrop to places in the HCA;
 - bulk, height alignment form and roofline of new development;
 - proportions such as windows and door openings (number and location) and balconies;
 - Interface facade materials, treatments and palette;
 - Compatible fencing and screening.
- h. Development applications for multi-unit developments adjacent to HCAs must include a construction impact report demonstrating that the construction process will not detrimentally or indirectly adversely impact places in the HCA at the time of construction or over time.

The existing guidelines contained within Section 9.4.1 of the Hornsby DCP should encourage sites adjoining a heritage conservation area or heritage item to be sympathetic to the heritage significance of the area. This includes ensuring an appropriate context for the heritage conservation area, through preventing inappropriate and unsympathetic surrounding developments from detracting from the significance of the heritage conservation area and its setting.

11.2.2 Recent Development Application Response to DCP Controls

Recent developments surrounding the East Epping, Essex Street and Rosebank Avenue HCAs do not appear to have adequately addressed the provisions of Part 9.4.1 of the DCP due to their nature of built form resulting from the rezoning of the subject interface areas.

The recent approved developments within the interface areas of the East Epping, Essex Street and Rosebank Avenue HCAs are visually explored in Section 9.0. Of the developments approved surrounding the East Epping HCA, all developments are located at the very south-western corner of the HCA, where the R4 - High Density Residential Zone was implemented following the Epping Town Centre Urban Activation Precinct (UAP) Plan's new zoning. A total of five (5) development applications have been lodged since the new zoning was implemented, with a total of four (4) of the five (5) DA's being for amalgamated sites. The recent approved developments surrounding the Essex Street HCA are located along the western border of the Essex Street HCA area, between Epping and Maida Roads. As with the East Epping HCA, the properties located within this section of Epping were rezoned to R4 - High Density Residential and R3 - Medium Density Residential Zones following the Epping Town Centre UAP Plan. A total of ten (10) DA's have been lodged since 2014, with a total of nine (9) of the ten (10) developments being for amalgamated sites.

Finally, the approved developments surrounding the Rosebank Avenue HCA are located to the south, and very south-eastern and western corners of the Rosebank Avenue HCA. The Epping Town Centre UAP Plan resulted in the Rosebank Avenue HCA being surrounded on its southern side by a R4 - High Density Residential Zone. Since 2014, six (6) developments applications have been lodged, with all applications being for amalgamated lots.

Following the site inspections of multiple properties within each of the three HCAs, which were located on the interface zones with R4 and R3 developments, the majority of the developments located in these interfaces areas, particularly those located at the rear of HCA properties, were not sympathetic to the context and setting of the HCA.

The visual and physical impact of High Density Residential developments which have either been completed or are under construction at the rear of these properties in most cases did not include sufficient setback, screening or deep soil planting, to alleviate the scale and bulk of the development.

The biggest impact of these developments has been on individual properties themselves. From the streetscape, the recent high density residential developments do mostly recede into the background of the edges of the HCA, however, their impact on the HCAs is still not considered to be considerably sympathetic to the setting and context of each of the areas, as explored in Section 9.0 and analysed in Section 10.0.

Section 9.4.1 of the Hornsby DCP 2013, needs to be understood in conjunction with Sections 9.6.6 - Setbacks and 9.6.8 - Landscaping, at a minimum to be able to adequately address the current impact that recently approved high density residential developments are currently exerting on properties within the boundaries of the East Epping, Essex Street and Rosebank Avenues HCAs. In addition, consideration of the impact on the heritage significance of HCAs and/or heritage Items, need to be sufficiently addressed by development proposals. For some recently approved developments, the consideration of the impact upon the heritage significance of either a HCA, or a Heritage Item provided only a brief one paragraph explanation as to the impact on the heritage significance of the area of item. Such minimal consideration as to the impact of a large high density residential development is not considered to adequately address the impact that the development will have on an area or item of heritage significance. A discussion of each of these components are included below.

Setback

Section 9.6.6 of the Hornsby DCP provides for the following minimum setbacks in Residential Area, in Table 9.6.6(a):

Table 9.6.6(a):
Minimum Setbacks - Residential Area

Setback	Minimum building setback
Front Boundary	12m, which can be reduced to 10m for a maximum of 1/3 of the building width.
Rear Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width.
Side Boundary (including balconies)	6m, which can be reduced to 4m for a maximum of 1/3 of the building width.
Fifth Storey Setback	3m should be provided between exterior walls of the lowest storey and exterior walls of the fifth storey.
Fifth storey setback where mezzanine proposed	6m additional setback for exterior walls of the fstorey, measured from the walls of the lowest storey.
Basement Parking Setback	9m from front and rear boundaries and 4m from side boundaries to allow for deep soil landscaping.

Whilst a minimum of 10m is required at the rear boundary, this setback can be reduced to only 8m for a maximum of 1/3 of the buildings width. From a survey of some of the approved development assessments, it was evident that some of these developments have been able to encroach further than the 8m setback dictated by the above provisions, through the addition of balconies into the minimum setback.¹² The additional encroachment of the high density residential development into the minimum 8m setback results in both a physical and visual overwhelming impact on the adjacent individual property.

Whilst it is noted in Section 9.6.6 that 'development involving or adjoining heritage items should have regard to the Heritage DCP', the achievement of not even the minimum setback for the interface areas with HCAs do not appear to be in keeping with the guidelines of the Hornsby DCP.

Instead of meeting the absolute minimum requirements for setbacks for rear and side boundaries, additional setback, such as the blanket 10m setback which is required for Chapman Avenue, should be encouraged, in order to aid in maintaining the context and setting of each of the HCAs, and minimise impact on the adjoining individual properties within the HCAs.

Deep Soil Planting

Section 9.6.8 of the Hornsby DCP provides provisions for landscaping, of particular focus here is the provisions for deep soil planting, in order to aid in a sympathetic transition from HCA and/or Heritage Item to high density residential development. The following provisions are stated within Section 9.6.8 in relation to the deep soil planting:

- b. Landscaped areas should adjoin property boundaries, in accordance with Table 9.6.8(a), and be designed to accommodate:
- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
 - Trees that will reach a mature height of at least 6 to 7 metres in the side setbacks.

Table 9.6.8(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	7m wide
Secondary Boundary (on corner lots)	4m wide
Rear Boundary	7m wide
Side Boundary	4m wide

A dominant feature in each of the East Epping, Essex Street and Rosebank Avenue HCAs is their landscape settings, whether it be street planting, front or rear gardens or verge planting. Many mature trees, which are contemporary with each of the area's period of development, from the Federation, Inter-War and Post War periods are still extant, and contribute significantly to the context and setting of each of these HCAs. The landscaped settings of these HCAs should be conserved and maintained and enhanced through development which lay adjacent to each of these HCAs, not only to ensure the continuation

¹² For example, DA/327/2015 at 20-24 Epping Road, which lies to the rear of properties on the western side of the Essex Street HCA.

of their landscaped setting, but also to alleviate the physical and visual impact of the high density residential development may have on the single and two storey dwellings, which are within the HCAs.

Heritage Management Documents

In order to sufficiently assess whether a proposed development which is located in the vicinity of a HCA or a Heritage Item will result in an acceptable impact upon the context and setting of the area or item, it may be necessary for the consent authority, Parramatta City Council, to require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned, as stipulated in Part 5.10(5) of the Hornsby LEP 2013. Some of the recently approved development applications did include a heritage management document, such as a Heritage Impact Statement (Statement of Heritage Impact), whilst others only included a short paragraph within a Statement of Environmental Effects which assessed the impact on the effected Heritage Conservation Area and/or Heritage Item. Such heritage management documents should be sufficiently assessed by the consent authority to determine if the proposed development will or will not result in a negative or positive impact upon nearby HCAs or Heritage Items. Through a thorough assessment of the impact of high density residential development on a HCA or Heritage Item, a more sympathetic solution to a development could be arrived at, alleviating some of the issues which are currently being experienced by property owners at the interface areas with high density residential development and further ensuring the setting and curtilage of the area for item is retained and conserved for the future.

11.2.3 Recommendations for Section 9.4.1

The existing guidelines for development in the vicinity of a HCA in Section 9.4.1 of the Hornsby DCP 2013 does currently provide a good framework from which to assess the impact of high and medium density residential developments which are located in interface areas with HCAs. However, consideration of Sections 9.6.6 and 9.6.8 of the Hornsby DCP 2013 need also to be particularly considered in the assessment of high density residential developments in the vicinity of HCAs or Heritage Items.

It is recommended that where R3 and R4 Zones interface with a HCA or a Heritage Item that a 10m setback, which is required for Chapman Avenue, be implemented in order to aid in maintaining the context and setting of each heritage conservation areas and items. In addition, sufficient deep soil planting between R3 and R4, and HCAs and Heritage Items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation or heritage item.

The assessment of development applications within these interface areas needs to be rigorous, in order to take into account the heritage significance of the area or item it will affect, with any potential impacts needing to be adequately addressed in order to minimise the negative impacts experienced by the heritage conservation area or the heritage item.

11.3 Potential Impacts of Height Increases to HCAs

As part of the brief for this heritage review, a request for any investigation of the impact and implications of increasing the 17.5m and 12m height limits by one storey in the R4 High Density Residential Zone and R3 Medium Density Residential Zone on the integrity and conservation values of the Essex Street, Rosebank Avenue and East Epping HCAs was made.

In consideration of the existing impacts of high and medium density residential development on the interface areas with East Epping, Essex Street and Rosebank Avenue HCAs, the possibility of increasing the current height limits of R4 High Density Residential Zones and R3 Medium Density Residential Zones by one storey, would further negatively affect the current context and setting of each of the HCAs.

Whilst it has been acknowledged in this study that the high and medium density developments which are either completed, currently under construction or to be constructed mostly recede into the backdrop of each of the HCAs, in general, they do not overwhelm or adversely impact on the setting of the HCAs. An increase in the height limits of these zones would further increase the visibility of the high and medium density residential developments in the background of the HCAs. Whilst not a heritage issue, the impact upon individual property owners which share a boundary with these high and medium density developments, would likely experience further privacy and overwhelming dominance issues. An increase to the existing height limits of these zones would exacerbate the existing negative impacts upon both the East Epping, Essex Street and Rosebank Avenue HCAs and upon individual property owners.

Thus, it is recommended that the existing height limits of 17.5m and 12m are retained for R4-High Density Residential Zones and R3-Medium Density Residential Zones, respectively.

11.4 R3 Medium Density Residential Zone in Brigg Road and Rose Street

In addition to the consideration of height increases to R4-High Density Residential Zones and R3-Medium Density Residential Zones, the investigation also included the implications of extending the R3-Medium Density Residential Zone to the northern side of Briggs Road and all of Rose Street, as indicated in Figure 80.

During the site inspections conducted in March 2017, this area was also surveyed to ascertain the current condition and setting of both Brigg Road and Rose Street. From this inspection, it was noted that the majority of buildings within both of these streets comprised of a Post War, Late 20th Century and 21st Century dwellings, of either single or double storeys. The northern side of Brigg Road slopes down toward the north, the southern side of Brigg Street sloping up. Rose Street continues on the downward trajectory of the slope from Brigg Street, with the dwellings located in the area sitting low within their sites, as seen in Figure 81.

Some medium density residential developments are already under construction or completed along Maida Road, where the existing R3-Medium Density Residential Zone exists. One complete development, located at 18-22 Maida Road, is three storeys in height and lies to the rear of 70 and 72 Essex Street. The height of this three storey development does not negatively impact upon the current setting and curtilage of the Essex Street HCA, due to the height limit of the zoning being 12m and the incorporation of sufficient setbacks, further coupled with mature trees and plantings at the rear of both 70 and 72 Essex Street, as displayed in Figure 82.

Thus, it is considered that the implementation of a R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street will have an acceptable impact upon the current setting and of the Essex Street HCA, provided that consideration is given to sufficient setback, deep soil planting, and the impact upon the setting and curtilage of the Essex Street HCA is adequately addressed in any future development proposals, incorporating the recommendations, already made in Section 11.2. The topography of the area will aid in reducing the perceived overall height of medium density development and coupled with sympathetic design, will ensure that the integrity, setting and character of the Essex Street HCA is retained. Implementation of the above recommendations will ensure an appropriate transition from R2 to R3 zones.

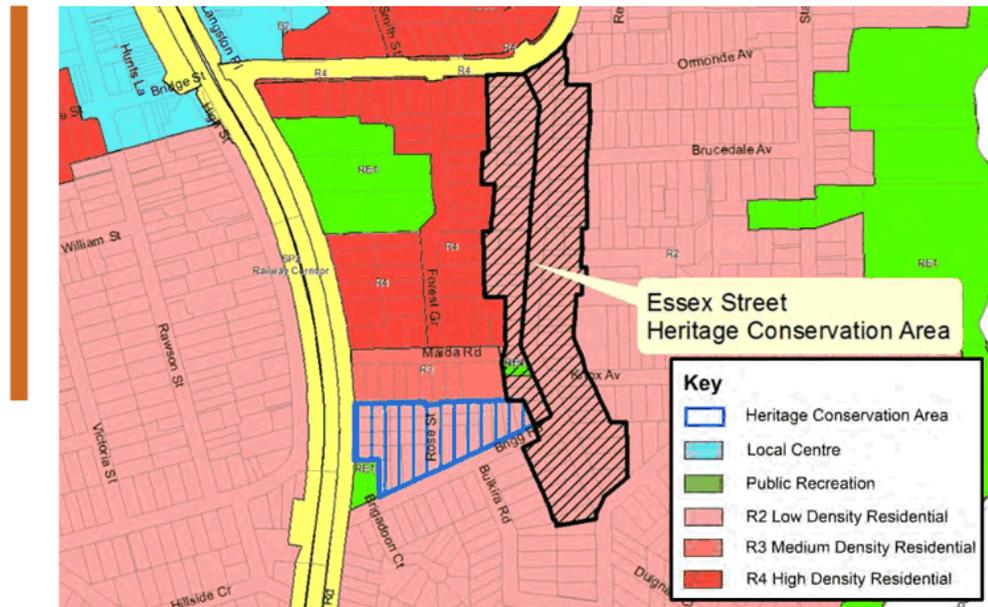


Figure 80: Extract from Epping Town Centre Composite Zoning and Heritage Conservation Area map with proposed extension of R3 Medium Residential Zone on Rose Street and Brigg Road highlighted in blue (Source: Amended Epping Town Centre Composite Zoning and Heritage Conservation Areas map, supplied by City of Parramatta Council)

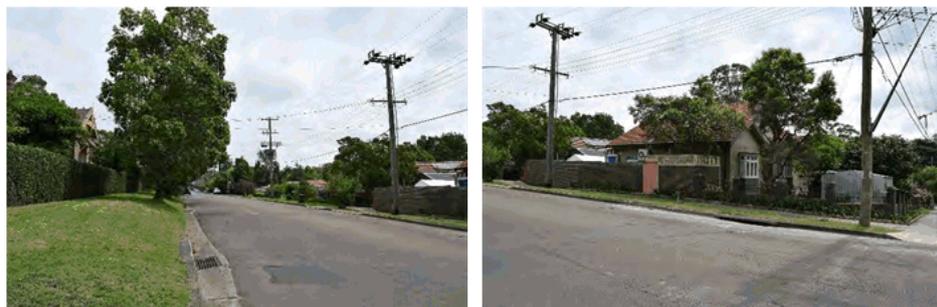


Figure 81: View looking west along Brigg Road from intersection with Essex Street. In the right image is a Heritage Item with the Essex Street HCA and in the right image is a Neutral building with the Essex Street HCA. From the left image, it can be seen that the dwelling located on the northern side of Brigg Road lay within their lots due to the topography of the area.



Figure 82: Recently constructed medium density residential development constructed at 18-22 Maida Road, view from intersection of Essex Street and Maida Road looking west (left) and view from 72 Essex Street looking west, with a small portion of the third storey of the 18-22 Maida Road development is visible in the background.

11.5 Individual Properties Changes

No recommendation has been made for the removal of any properties from either the Essex Street HCA or Rosebank Avenue HCA, thus no changes are needed to the current zoning and height limits of the existing controls. However, it has been recommended that four properties to be removed from the East Epping HCA, being 25 Pembroke Street, and 1, 3, and 3A Norfolk Road.

In order to provide a consistent transition between R4-High Density Residential Zone on Essex Street and Pembroke Street from further encroaching on the East Epping HCA, the removed properties from the East Epping HCA (25 Pembroke Street, and 1, 3, and 3A Norfolk Road), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the Late 20th Century development known as 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential Zone with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential Zone of the HCA and the R4-High Density Residential Zone of Essex and Pembroke Streets. In addition, any new developments on these rezoned properties must sufficiently consider appropriate setbacks, deep soil planting and consideration of the impact upon the setting and curtilage of the East Epping HCA and nearby Heritage items. The recommendations already made in Section 11.2 should also be adequately addressed in any future development proposals.

The inclusion of 5, 7 and 7A Norfolk Road in the recommended R3-Medium Density Residential Zoning is suggested in order to ensure a consistent transitional zone between the boundary of the East Epping HCA and the R4-High Density Residential Zone on Essex Street. The properties located at 3, 3A, 5, 7 and 7A Norfolk Road all share the same driveway, however, currently only 3 and 3A Norfolk Road are located within the East Epping HCA. With the recommended removal of 3 and 3A Norfolk Road from the East Epping HCA, the opportunity is presented to ensure that a consistent approach to zoning and height limits is invoked over the properties which share the singular driveway from Norfolk Road, these properties being 3, 3A, 5, 7 and 7A Norfolk Road. All properties are currently within a R2-Low Density Residential Zone and are recommended to be rezoned to R3-Medium Density Residential Zoning to ease the transition between the R2-Low Density Residential Zone of the East Epping HCA and the R4-High Density Residential Zone on Essex Street.

In addition, the inclusion of all properties located within 'Rockleigh Park' in the recommended R3-Medium Density Residential Zoning is recommended due to the current R4-High Density Residential Zone not providing an adequate transition between the interface areas of the East Epping HCA and areas of R4 High Density Residential Zones. The current zoning effectively splits 'Rockleigh Park' in half, and is not considered appropriate for the current conditions of the properties which work homogeneously together as one estate of low density residential housing as displayed in Figures 84 and 85. Through the rezoning of 'Rockleigh Park' as R3, both the transition between R4 and the East Epping HCA will be minimised, whilst also maintaining the current cohesive form of 'Rockleigh Park'.



Figure 84: Views looking west (left) and east (right) along Rockleigh Way. The development is currently understood as one whole estate, wide a narrow roadway which links all properties of the estate together. The estate appears to have been developed in the mid 1990s and maintains a cohesive character, playing-off detailing from Federation period detailing of the surrounding Federation period homes within the East Epping area.



Figure 85: Entrance to 'Rockleigh Park' (left) and view looking east along Rockleigh Way (right)

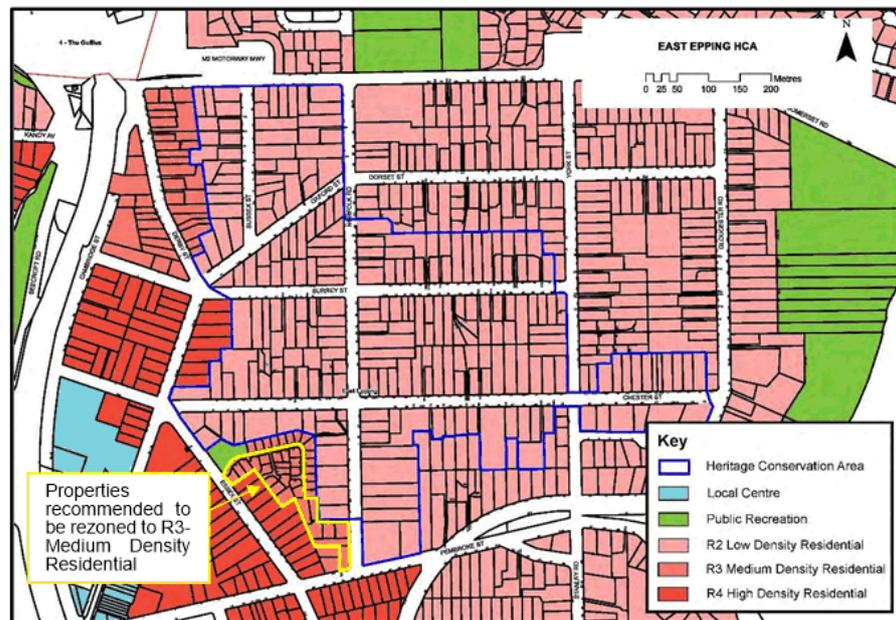


Figure 83: Recommended Land Zoning of properties removed from East Epping HCA (25 Pembroke Street, 1, 3 and 3A Norfolk Road), 5, 7 and 7A Norfolk Road and rezoning of Rockleigh Park to create a consistent transitional zone between the East Epping HCA and R4 High Density Residential Zone.

11.6 Recommended Updates to Planning Controls

Whilst a detailed review of all current planning controls relevant to heritage items and HCAs within the Epping Town Centre study area is beyond the scope of this study, this review has indicated there is some room for improvement in the current planning controls, other than those individual matters already addressed in the previous subsections. The following subsections make recommendations to the current planning controls.

11.6.1 Additional Prescriptive Measures

Specific additional prescriptive measures for each HCA are provided for in Section 9.3 of the Hornsby DCP. These provisions provide for prescriptive measures in relation to demolition, streetscape character, materials and finishes, fences and gates, utilities, garages and carports, driveways and subdivision.

As addressed in Section 10.0, the impact of high density residential development on some properties in the Essex Street and Rosebank Avenue HCAs have resulted in some properties being impacted upon through a lack of privacy from existing or future high density residential developments. For properties which are on a direct boundary line with R4 High Density

Residential Zone, additional provisions are recommended to be included in the 'Additional Prescriptive Measures' for Essex Street and Rosebank Avenue HCAs within Sections 9.3.13 and 9.3.14 respectively. The recommended provisions to be added is to allow for the construction of two storey additions to the rear of properties identified to be most affected by high density residential development as highlighted in Figures 86 and 87.

The current provisions contained within Section 9.3 of the Hornsby DCP 2013, in respect to additions to properties located within a heritage conservation area, allows for additions to properties to be made away from the street elevation and below the main ridge line. In order to assist in alleviating the impact of the high density residential developments, located behind the effected properties within the Rosebank Avenue and Essex Street HCA's, an intermediary two storey addition to the rear of properties would provide a sufficient barrier between the existing contributory dwellings in the HCAs and the high density residential development to the rear. Any addition to the rear of the properties highlighted in Figures 86 and 87, however, would still need to comply with the heritage provisions contained within the Hornsby DCP 2013, with particular attention to ensuring that the addition does not subdivide the site, does not reduce the contribution of the overall properties contribution to the respective HCA, will not remove mature trees or plantings and will not reduce the streetscape character of the area. The intervention of any addition to the rear of these properties must be sympathetic to the heritage significance of its respective HCA and any heritage item located within its vicinity.

Whilst this option may not be attainable on all sites highlighted in Figure 86 and 87, it does provide an option for some property owners to attain an increased level of amenity. Thus, it is recommended that the following 'Additional Prescriptive Measure' be added to the existing Essex Street HCA Provisions and Rosebank Avenue HCA Provisions under Element - Streetscape Character, in Tables 9.3.13(a) and 9.3.14(a), respectively.

- Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not subdivide the site, reduce the contribution of the property to the HCA, will not remove mature trees or plantings and will not reduce the streetscape character of the area.

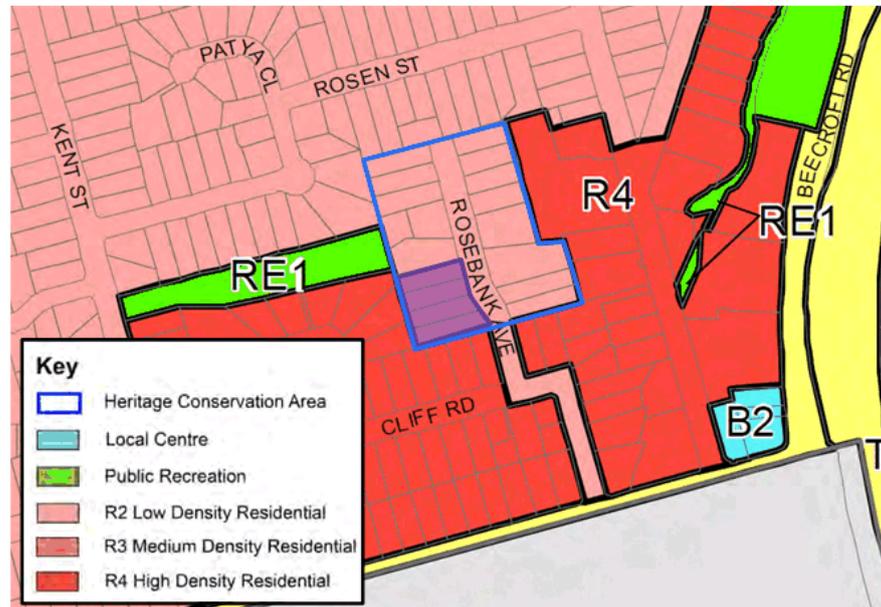


Figure 86: Rosebank Avenue HCA properties affected by high density residential development, of which the recommended provisions would apply, highlighted in purple (Source: Extract from Hornsby LEP 2013, Land Zoning Map 11)

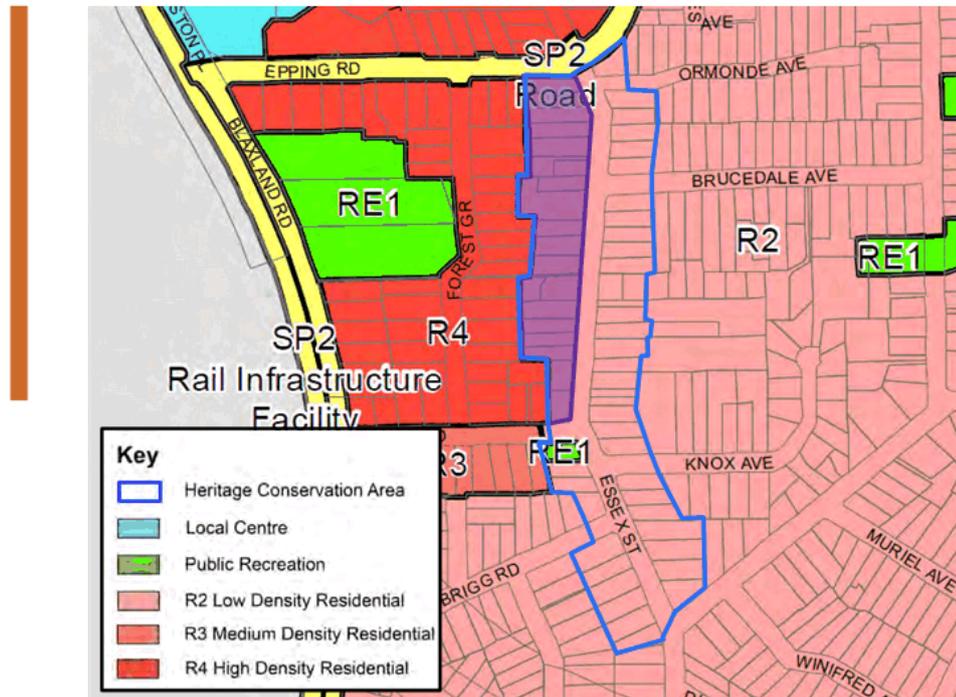


Figure 87: Essex Street HCA properties affected by high density residential development, of which the recommended provisions would apply, highlighted in purple (Source: Extract from Hornsby LEP 2013, Land Zoning Map 11)

11.6.2 Recording and Interpretation

Currently, there are no provisions within the Hornsby DCP 2013 for the preparation of an archival recording for heritage items or contributory buildings within a HCA to have an archival recording prepared prior to the major alterations and additions to a property or demolition of a property.

It is recommended that an archival photographic recording be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property. This also includes any major alterations and additions to significant gardens which significantly contribute to the streetscape character of any of the HCAs.

This recommendation is made in order to ensure that a historical record of changes to significant items and areas are collected and kept in the Council's archives for future reference and research purposes.

12. Conclusion and Key Recommendations of Heritage Conservation Area Review

As a result of in depth surveys and assessments of the HCAs within the Epping Town Centre, the following key recommendations are made as part of this heritage review study:

1. *Retain the current boundaries of the Essex Street and Rosebank Avenue Heritage Conservation Areas (Refer to Sections 10.2 and 10.3)*
 - Following reassessment of the Essex Street and Rosebank Avenue Heritage Conservation Areas, both areas were found to have maintained the significance and intactness established in previous studies. The impact of High and Medium Density Residential development at the interface areas with the Heritage Conservation Areas were not found to have a detrimental impact warranting removal of the Heritage Conservation Areas in part or in whole. Thus, both Heritage Conservation Areas are recommended to be retained in full.
2. *Adjust the south-west boundary of the East Epping Heritage Conservation Area (Refer to Section 10.1)*
 - It is recommended that 25 Pembroke Street, and 1, 3, and 3A Norfolk Road to be removed from the East Epping Heritage Conservation Area, and the boundaries of the HCA are adjusted accordingly.
3. *Retain individual heritage items requested for removal by property owners (Refer to Sections 10.1 and 10.2)*
 - 3 and 42 Essex Street have been reassessed for their heritage significance and contribution to their respective Heritage Conservation Area, East Epping and Essex Street respectively, and are recommended to retain their heritage listing under Schedule 5 of the Hornsby LEP 2013.
4. *Rezone removed properties from East Epping Heritage Conservation Area, 5, 7 and 7A Norfolk Road and identified properties within 'Rockleigh Park' to R3-Medium Density Residential with 12m height limit (Refer to Section 11.5)*
 - In order to provide a consistent transition between R4-High Density Residential development on Essex Street and Pembroke Street from further encroaching on the East Epping Heritage Conservation Area, the removed properties from the East Epping Heritage Conservation Area (25 Pembroke Street, and 1, 3, and 3A Essex Street), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the late 20th Century development known at 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential of the Heritage Conservation Area and the R4-High Density Residential area of Essex and Pembroke Streets.
5. *Changes to Design Interface Guidelines of the Hornsby DCP (Refer to Section 11.2.3)*
 - The current Design Interface Guidelines in Section 9.4.1 of the Hornsby DCP 2013 are considered to be a good framework for which to assess the impact of high and medium density residential developments which are located in the interface areas with Heritage Conservation Areas. However, Section 9.4.1 needs to be considered at least in relation to Sections 9.6.6 and 9.6.8. It is recommended that where R3 and R4 Zones interface with a Heritage Conservation Area or Heritage Item that a 10m setback, which is required for Chapman Avenue, should be implemented in order to aid in maintaining the context and setting of each Heritage Conservation Area and Item. In addition, sufficient deep soil planting between R3 and R4 and heritage conservation areas and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item. Furthermore, an adequate assessment of the potential heritage impact on the Heritage

Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.

6. *Maintain current 17.5m and 12m height limits of R4 High Density Residential Zone and R3 Medium Density Residential Zone respectively (Refer to Section 11.3)*

- To ensure that a sufficient transition between Heritage Conservation Areas are maintained and are not further adversely impacted upon through higher density development at interface areas, it is recommended that the current height limits for R4 and R3 Zones are maintained.

7. *Extend R3-Medium Density Residential Zone to Brigg Road and Rose Street (Refer to Section 11.4)*

- Recommendation to extend R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street, which will have an acceptable impact upon the current setting of the Essex Street HCA, provided that adequate consideration is given in regards to sufficient setback, deep soil planting and on the impact upon the setting and curtilage of the Essex Street HCA in any further development proposals, incorporating the recommendations provided in Section 11.2 of this study report.

8. *Additional Recommended Updates to Planning Controls (Refer to Section 11.6)*

- Include an additional prescriptive measure for Essex Street and Rosebank Avenue HCA Provisions for properties located on interface with R4-High Density Residential Zone, as follows:
 - i. Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.
 - ii. In addition, it is recommended that a provision or Condition be included in the consents for an archival photographic recording to be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property.

9. *Assessment of significance of southern end of Essex Street HCA in future Heritage Review*

- Recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.

10. *Retention or replacement of street trees in Rosebank Avenue due to stormwater drainage for Cliff Road*

- Recommended for the seven (7) street trees located on the western side of Rosebank Avenue identified to be impacted by the proposed stormwater drainage from Cliff Road to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

13. Hornsby Heritage Review Stage 6 - Items for Review

13.1 Background

The Heritage Review Stage 6 - Items for Review is part of a process commenced in 1995 to review heritage listings in Schedule 5 of the Hornsby LEP 2013 (previously Schedule D of the Hornsby LEP 1994). The review process was expanded to allow a staged program to thoroughly review items, including further requests for inclusion or removal of items. Previous Heritage Reviews have been conducted since 1997, as follows:

- *Hornsby Shire Heritage Review Stage 1 - Review of heritage items and correction of anomalies within existing listings (1997);*
- *Hornsby Shire Heritage Review Stage 2 - Review of heritage items and correction of anomalies within existing listings (1998);*
- *Hornsby Shire Heritage Review Stage 3 - Review of Heritage Items (2004) prepared by Tropman & Tropman Architects;*
- *Hornsby Shire Heritage Review Stage 4 - Review of heritage items, heritage listed trees and correction of anomalies within existing listings (2008) prepared by LandArc Pty Limited in association with Patrick O'Carrigan + Partners; and*
- *Hornsby Shire Heritage Review Stage 5 - prepared by Godden Mackay and Logan.*

This section of the report provides for Stage 6 of the Heritage Review, and includes heritage listed dwellings, gardens and woodlands. A number of items had been flagged by Hornsby Council, property owners and community members for either removal from Schedule 5 or for inclusion on Schedule 5. A number of other heritage items' inventory forms need to be updated or inventory forms are completely missing. In addition to these requests, further heritage items have been requested by Council to be reviewed as a result of the recent changes in zoning, where they intersect with R4-High Density Residential Zones.

13.2 Objectives

The Heritage Review Stage 6 - Items for Review, has the following objectives:

- Investigate the list of matters identified by Hornsby Shire Council for Epping that were scheduled for review under the next Hornsby Council Heritage Review – Stage 6. This includes:
 - a) removal heritage items.
 - b) amend anomalies in details of heritage listings.
 - c) review isolated heritage items in the R4 High Density Residential Zone.
 - d) review details of heritage listings.
 - e) investigate missing inventory sheets for existing items and complete required information.

13.3 Methodology

This Heritage Review has been prepared in accordance with the best practice heritage standards for the assessment of heritage significance and heritage studies established by the NSW Heritage Council, the then NSW Heritage Office and NSW Department of Urban Affairs and Planning, as set out in the NSW *Heritage Manual*.

It has also been prepared in accordance with national best practice standards for heritage assessment contained in the Burra Charter (Australia ICOMOS, 2013). The Burra Charter defines significance as the:

"Aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use,

associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups."

To determine whether sites have heritage significance and therefore warrant heritage listing, each site has been assessed against the seven NSW criteria of Assessing Heritage Significance as set out in the NSW *Heritage Manual*. The seven criteria for heritage significance include:

Criterion (a): An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);

Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;

Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the culture or natural history of the local area);

Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or environments.

The NSW *Heritage Manual* guidelines establish that a site warrants heritage listing when it fulfils one or more of these seven criteria of local heritage significance. The assessment process is the same for individual items, conservation areas and archaeological sites.

All buildings recommended for heritage listing have been categorised according to their architectural style and detailing in accordance with Apperly, R. Irving, R, Reynolds, P. 1989. *A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the present*. Harper Collins Publishers; Australia.

13.4 Inventory Forms

The format for the Inventory Forms used are in Microsoft Word format, based upon the State Heritage Inventory form template. Each inventory form compiles and summarises all the information about each item, including but not limited to: heritage significance, location, description of overall site components and a brief history for each of the items to support their listing recommendations.

The Microsoft Word format Inventory Forms can be readily transferred to the SHI Microsoft Access Database format by the Council in the future. All inventory forms created or updated within this Heritage Review are provided in Appendix A.

13.5 Items for Review

The following tables summarise the outcomes of the individual property assessments and recommendations. In addition, inventory forms have been either updated or created for property either missing information or for those which have been recommended for listing. The Inventory forms are provided in Appendix A.

13.5.1 Requests for Removal of Heritage Listing

The following properties have been requested for removal and have been re-assessed to determine if removal is warranted or not.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.1A	184 Ray Road, Epping	House		+	Retain on LEP. Inventory Form has been prepared in Appendix A.

13.5.2 Amend Anomalies in Details of Heritage Listings

The following property's zoning has been requested to be investigated.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
N/A	73A Oxford Street Epping	Federation Queen Anne house		Council staff Site is in HCA which is zoned R2, however, this property is zoned R3. Appears to be an anomaly as on the corner of HCA. Potential for redevelopment on heritage grounds is nil due to significance and integrity of the item. The zoning to manage this significance should reflect HCA R2 zoning. It is not an isolated site.	Recommend to change R3 zoning to R2 to reflect the East Epping HCA zoning of R2.

13.5.3 Request for Listing of New Items

The following properties have been requested to be listed as heritage items and have been assessed to determine if they warrant listing or not.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
N/A	7 Dorset Street, East Epping	House		Tara Bennett, owner of 5 Dorset Street. D01672179 Request in May 2011 D02427814 Second request in August 2013	Not recommended for listing on LEP. Simple timber weatherboard Federation Cottage with some external detailing retained. More intact examples of similar period dwellings exist within the East Epping area, which reflect the aesthetic qualities of the style better.
13.5.3A	50 Dorset Street, Epping	House		Council Resolution D02762872. Included on Exhibition copy of proposed heritage items. Recommended for listing in the Epping Town Centre Heritage Review 2014	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.3B	86 Essex Street, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP. Recommended for listing in the Epping Town Centre Review 2014	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A
N/A	3 Norfolk Road, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP	Not recommended for listing on LEP. Dwelling is a modern 21th century construction and does not meet any criteria to warrant listing. An Inventory form has not been prepared for this dwelling

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.3C	83 Norfolk Road, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A.
N/A	3 York Street, Epping	House		Council Resolution Nomination through East Epping HCA inspections	Not recommended for listing on LEP. Single storey timber weatherboard Federation cottage. Appears to have undergone substantial modifications to original fabric. New corrugated roof, windows appear to mimic original windows. Timber balustrade all new. Internal assessment of property would need to be undertaken to determine if any original fabric remains. An Inventory form has not been prepared for this dwelling.

13.5.4 Review Isolated Items in Housing Strategy Zone (R4) High Density

The following properties were identified to be 'isolated items' and were requested to be investigated determine if they their listing should be maintained.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.4A	25 Ray Road, Epping	Woodlands		Council staff Heritage item in R4 Zone	Retain on LEP. Single storey dwelling is located on high point of street, lessening the impact of the five storey development to the south and west of the item. Heritage Item was maintained and restored as part of recent development known as 'Woodlands' at 23-27 Ray Road. Listing has been updated on Inventory Form in Appendix A
N/A	6 Essex Street, Epping	House (Scout Hall)		Council Resolution Council Resolution 19/12/12 in response to public exhibition of the draft Hornsby LEP to review potential heritage	Retain on LEP and retain R4 High Density Residential zoning. Directly to the south of the site is Arden Anglican School, whilst directly to the north is a recent three storey developments. The significance of the Scout Hall is retained despite the R4 High Density Residential Zoning. Listing was updated in 2013 as part of the UAP and is not considered to need further update.

13.5.5 Review of Details of Heritage Listings

The following properties were requested to be reviewed, in whole and in part, and for their Inventory Forms to be updated.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5A	27A Chester Street, Epping	Garden		Heritage Review Stage 5 House identified to be investigated for heritage listing.	Retain garden on LEP. Inter War Bungalow which dated to the development of the heritage listed garden was demolished as part of DA/1226/2011. Current house on site does not warrant heritage listing. Listing has been updated on Inventory Form in Appendix A.
13.5.5B	78 Kent Street, Epping	Slab hut		Heritage Review Stage 5 House identified to be investigated for heritage listing.	Retain on LEP. Access to slab hut was not possible during site visit due to being located in the rear yard of 78 Kent Street. House at front of property blocking view of slab hut but glimpses of the hut have been observed and it appears in the recent aerial maps. Listing has been updated on Inventory Form in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5C	142-144 Ray Road, Epping	House & Garden		Council staff Australian Bottle trees to be included in listing	Retain on LEP and add garden to listing. At least two Bottle trees were identified on the site, along with many mature trees, which appear to have been planted early in the house's history, at least before 1943. It is recommended that an arboricultural assessment be undertaken on the existing mature trees on the eastern side of the property in order to determine the condition and significance of the existing trees. Listing has been updated on Inventory Form in Appendix A.
13.5.5D	35-37 Stanley Road, Epping	Tallwood Lodge		Council staff Listed in HR1 - No photo	Retain on LEP Listing has been updated on Inventory Form in Appendix A

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5E	9 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.
13.5.5F	11 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5G	15 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.
13.5.5H	20 York Street, Epping	House		Council staff Listed in HR1 - No photo and no description	Retain on LEP Listing has been updated on Inventory Form in Appendix A.

13.5.6 Missing Inventory Sheets for Existing Heritage Items

The following listed items were recorded as missing information or photographs from their relative inventory forms. All inventory forms have been updated and provided in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.6A	Beecroft Road near southern end of Old Beecroft Road, Epping	Stone causeway over Devlins Creek		Council Staff No information on Inventory Sheet. Listed on RTA Heritage Register	Retain on LEP Listing was last updated in 2013 and has been updated with recent images. The Inventory Form in contained in Appendix A
13.5.6B	21 Chester Street, Epping	House and Garden		Council staff Listed in 1994 LEP. Inventory Sheet missing	Retain on LEP Listing has been updated on Inventory Form in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.6C	23 Chester Street, Epping	House and Garden		Council staff Listed in 1994 LEP. Inventory Sheet missing.	Retain on LEP Listing has been updated on Inventory Form in Appendix A.
13.5.6D	9 Norfolk Road, Epping	House and Garden		Council staff House listed in HR2. Inventory Sheet for house missing	Retain on LEP The garden which is part of the heritage listing is currently undergoing major changes. It appears all mature trees mentioned in the description of the site have been maintained. Recommend for investigation by a Heritage Consultant who specialises in gardens and landscapes. Listing has been updated on Inventory Form in Appendix A.

13.6 Summary and Recommendations of Hornsby Heritage Review Stage 6

The significance, intactness and merit of each property has been assessed as far as possible from the available information and the availability of access to properties. Due to the time constraints of this Heritage Review, properties which needed a follow up site inspection due to limited views of heritage items from street view were not able to be conducted. Where this has occurred, a recommendation has been made for a site inspection to be undertaken at a later date. For those properties recommended to be retained or added to the Hornsby LEP, the Inventory Sheets have been updated or created for each of these properties. All Inventory sheets updated or created are included in Appendix A.

In summary, the following resultant recommendations and updates were made as part of Stage 6 of the Hornsby Council Heritage Review:

13.7 Requests for Removal of Heritage Listing Summary

The one (1) request for removal of a Heritage Item, 184 Ray Road, has been recommended to be retained and the Inventory Sheet for the item has been updated. The recommendation is as follows:

Street Address	Item	Recommendations	Appendix A Reference
184 Ray Road	House	Retain heritage listing	13.5.1A

13.8 Amend Anomalies in Details of Heritage Listings Summary

One (1) Heritage Item, 73A Oxford Street, was recommended to be changed from R3-Medium Density Residential Zone to R2-Low Density Residential Zone to reflect the East Epping HCA zoning of R2. The recommendation is as follows:

Street Address	Item	Recommendations	Appendix A Reference
73A Oxford Street	Federation Queen Anne house	Recommend to change R3 zoning to R2 to reflect the East Epping HCA zoning of R2	N/A

13.9 Request for Listing of New Items Summary

Of the six (6) properties recommended for heritage listing under the Hornsby LEP 2013, three (3) properties were recommended for heritage listing and three (3) were not recommended for heritage listing. Inventory Sheets for the three recommended heritage items were created. The recommendations in summary are as follows.

Street Address	Item	Recommendations	Appendix A Reference
7 Dorset Street	House	Not recommended for listing	N/A
50 Dorset Street	House	Recommended for listing	13.5.3A
86 Essex Street, Epping	House	Recommended for listing	13.5.3B
3 Norfolk Road	House	Not recommended for listing	N/A
83 Norfolk Road	House	Recommended for listing	13.5.3C
3 York Street	House	Not recommended for listing	N/A

13.10 Review Isolated Items in Housing Strategy Zone (R4) High Density Summary

Of the two (2) Heritage Items which were identified as isolated items in R4 high Density Residential Zones, both Heritage items were recommended to be retained and the Inventory Sheet for each item were updated to reflect their current condition. In summary, the recommendation were as follows:

Street Address	Item	Recommendations	Appendix A Reference
25 Ray Road	Woodlands	Retain heritage listing.	13.5.4A
6 Essex Street	House (Scout Hall)	Retain heritage listing and retain R4-High Density Residential Zone	N/A

13.11 Review Details of Heritage Listing Summary

Eight (8) Heritage Items required various details be reviewed. All Inventory Sheets were updated for each of the eight (8) items. Two (2) Heritage Items will require further investigation and follow up, due to needing expert advice or access to the site. All Inventory Sheets for these Heritage Items were updated to reflect their current condition. In summary, the recommendations and updates to Heritage Items were as follows:

Street Address	Item	Recommendations	Appendix A Reference
27A Chester Street	Garden	Retain the heritage listing of the Garden. House is not recommended for listing, as recently was built. Original Inter War Bungalow demolished as part of DA/1226/2011.	13.5.5A
78 Kent Street	Slab Hut	Retain heritage listing. Further investigation will be required at a later date to gain access to the site to acquire current photographs of the slab hut.	13.5.5B
142-144 Ray Road	House & Garden	Retain the House's heritage listing and add the Garden to the listing. It is recommended that an arboricultural assessment be undertaken on the existing mature trees on the eastern side of the property in order to determine the condition and significance of the existing trees.	13.5.5C
35-37 Stanley Road	"Tallwood Lodge"	Retain heritage listing	13.5.5D
9 Sussex Street	House	Retain heritage listing	13.5.5E
11 Sussex Street	House	Retain heritage listing	13.5.5F
15 Sussex Street	House	Retain heritage listing	13.5.5G
20 York Street	House	Retain heritage listing	13.5.5H

13.12 Missing Inventory Sheets for Existing Heritage Items Summary

Four (4) Heritage Items were missing Inventory Sheets. All four (4) Heritage Items Inventory Sheets were either located or created, with up to date photographs. One Heritage Item was recommended for investigation by a Heritage Consultant who specialises in garden and landscapes.

Street Address	Item	Recommendations	Appendix A Reference
Beecroft Road near southern end of Old Beecroft Road	Stone causeway over Devlins Creek	Retain heritage listing. Existing Inventory Sheet located dating to 2013. Inventory Sheet updated to reflect current condition.	13.5.6A
21 Chester Street	House and Garden	Retain heritage listing	13.5.6B
23 Chester Street	House and Garden	Retain heritage listing	13.5.6C
9 Norfolk Road	House and Garden	Retain heritage listing. Recommended for investigation by a Heritage Consultant who specialises in gardens and landscapes.	13.5.6D



Appendix A - Inventory Sheets

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

**Appendix 2 – City of Parramatta Council Report
and Meeting Minutes of Item 11.3 of 14 August
2017**

F2019/02038



NOTICE OF COUNCIL MEETING PUBLIC COPY

The Meeting of City of Parramatta Council will be held in the Jubilee Room, Parramatta Town Hall, Centenary Square, Parramatta on Monday, 14 August 2017 at 6:00pm.

Greg Dyer
CHIEF EXECUTIVE OFFICER

Parramatta – Building Australia's Next Great City

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Rebecca Grasso - Director Marketing and City Identity
Mark Stapleton – Director Property and Significant Assets
Press

Assistant Minutes Clerk – Joy Bramham
Minutes Clerk – Grant Davies



GALLERY

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LEADING

ITEM NUMBER	11.3
SUBJECT	Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2
REFERENCE	F2017/00210 - D05111630
REPORT OF	Snr Project Officer

PURPOSE:

The purpose of this report is twofold: to detail the feedback received from submissions on the Epping Planning Review Discussion Paper exhibited from 21 June and 19 July 2017; and to recommend principles to guide Stage 2 of the Epping Planning Review.

RECOMMENDATION

- (a) **That** Council receive and note the submissions made on the Epping Planning Review Discussion Paper.
- (b) **That** the recommended principles, as identified within this report and contained within **Attachment 6** be endorsed for the purposes of guiding Stage 2 of the Epping Planning Review.
- (c) **That** Council Officers:
- 1 Brief the incoming Councillors on the Epping Planning Review process to date including the endorsed principles to confirm the future planning direction for Epping as part of progressing Stage 2 of the project, and
 - 2 That following the above briefing, a further report be submitted to Council recommending the commencement of Stage 2 of the Epping Planning Review which will involve preparing new planning controls including:
 - 2.1 A planning proposal to amend both the *PLEP 2011* and *HLEP 2013*
 - 2.2 A development control plan amendment to amend PDCP 2011 and HDCP 2013
 - 2.3 Amendments to relevant Contributions Plans and public domain plans where relevant.
- (d) **That** the recommendations contained within **Attachment 5** detailing the outcomes of the Stage 6 Heritage Review be endorsed.
- (e) **That** Council write to the community thanking them for their feedback and advising them on the outcome of Stage 1 Review and next steps
- (f) **Further, that** Council write to the Minister for Planning, Greater Sydney Commission, Department of Planning and Environment, Transport for NSW and the Roads and Maritime Services to provide an update on the project and outline of next steps.

BACKGROUND

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1. In March 2014, new planning controls for the Epping Town Centre and surrounds came into effect as a result of the Department of Planning and Environment's (DPE) Priority Precinct process. This process resulted in increased building heights and density controls within Epping Town Centre and surrounds which at the time was split between the former Parramatta City Council (western side of the train line) and former Hornsby Shire Council (eastern side of the train line). This process also saw the creation of three new Heritage Conservation Areas (on the former Hornsby Council side) – Rosebank Avenue, East Epping and Essex Street HCA.
2. On 12 May 2016, Council amalgamations saw the Epping Town Centre and immediate surrounds fall wholly within a new jurisdiction - the City of Parramatta Council. Prior to this, the Epping Town Centre had been split between the former Parramatta City Council (PCC) to the west and the former Hornsby Shire Council to the north and east. This historic dual structure has resulted in a complex planning control framework comprising of:
 - a. two local environmental plans (*Parramatta Local Environmental Plan 2011* and *Hornsby Local Environmental Plan 2013*);
 - b. two development control plans (*Parramatta Development Control Plan 2011* and *Hornsby Development Control Plan 2013*);
 - c. three development contributions plans with different contributions rates across each development type (a Section 94A plan applying to the former PCC area, and a Section 94 plan and Section 94A Plan applying to the former Hornsby Shire area); and
 - d. one public domain plan for the former Hornsby Shire Council area and public domain guidelines for the former PCC side.
3. The amalgamation has not changed or unified the planning controls, thus an exercise of bringing all of the controls into a single framework is required to deliver consistency. The objective of unifying the controls is to have one LEP, one DCP, one development contributions plan and one public domain plan applying to the entire town centre and immediate surrounds.
4. The Epping Planning Review project is identified in Council's *Operational Plan 2016/2017* under Action 2.4 "Review of Epping Town Centre Planning Controls". The Action involves undertaking a review of the planning for the Epping Town Centre, in conjunction with the Department of Planning and Environment (DP&E). Council's *Operational Plan 2017/2018* sees Council continuing to work with stakeholders on key precincts such as Epping. The *Draft West Central District Plan* also foresees that Council will progress the delivery of the Epping Town Centre urban renewal with the Greater Sydney Commission and the DP&E to ensure that the centre is considered as an integrated whole.
5. The study area for the Epping Planning Review is based on the DP&E's Urban Activation Precinct boundary and is illustrated in **Figure 1**. However, in the case of social infrastructure, the study boundary extends beyond the boundary in **Figure 1** so as to incorporate all the social infrastructure that Epping Town Centre residents rely on, which generally, is the Epping suburb.

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Figure 1 - Epping Planning Review Study area

6. The Epping Planning Review project involves two stages, the scope of which has been to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking growth within the Town Centre. It is also intended to allow the City of Parramatta Council to progress resolutions made by the former Hornsby Shire Council on specific heritage matters. Stage 1 of the Epping Planning Review has involved:
 - a. A public launch in mid December 2016.
 - b. Preparation of technical studies on Heritage, Social Infrastructure, Commercial Floorspace and Traffic (Interim) by consultants as well urban design and planning analysis which was undertaken by Council.
 - c. Pre-Phase 1 Community Consultation commencing in December 2016; this consultation is summarised in Chapter 5.0 Community Engagement of the Discussion Paper (**Attachment 1**) and involved Council Officer attendance at various community events such as the Australia Day and Lunar New Year to inform the community of the review being undertaken.
 - d. Phase 1 Community Consultation involved consultations that informed the technical studies and Discussion Paper and was undertaken in conjunction with Straight Talk who were engaged to facilitate the consultation events. The feedback received from the Phase 1 consultations was contained in Straight Talk's Phase 1 Community Consultation report which formed part of the supporting information to the Discussion Paper in **Attachment 1**.
 - e. The preparation of the Epping Planning Review Discussion Paper (informed by points b, c and d, above) for public exhibition.

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- f. Phase 2 Community Consultation carried out during the public exhibition of the Discussion Paper with a series of Community Workshop Sessions.

7. **Figure 2** below illustrates the major structural components of Stage 1 of the Epping Planning Review.

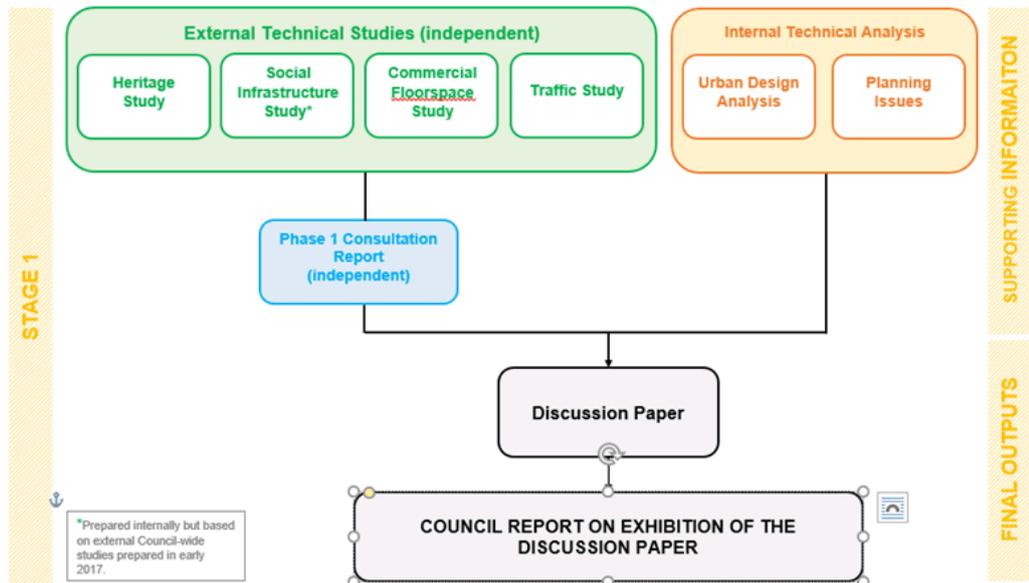


Figure 2 - Stage 1 of the Epping Planning Review

8. This Council report constitutes the last major milestone of Stage 1 of the Epping Planning Review and reports on the feedback received from the Phase 2 community consultations and Discussion Paper exhibition process.
9. Stage 2 of the Epping Planning Review will involve implementing changes to planning controls (zoning, heights, FSRs) and unifying the planning controls to create a single set of controls for the town centre. This means amending the *Parramatta LEP (PLEP) 2011* and the *Hornsby LEP (HLEP) 2013*, Parramatta DCP and Hornsby DCP, and relevant development contributions plans and public domain plans to create a single set of planning controls.
10. It is noted that the principles determined in Stage 1 also impact on other policy areas of Council (outside of the changes to planning controls covered in Stage 2) and that the findings and analysis carried out to date will be used to inform further work on these areas (ie. social infrastructure) as part of a separate process.

PUBLIC EXHIBITION OF DISCUSSION PAPER

11. The Epping Planning Review Discussion Paper (**Attachment 1**) and supporting studies were publicly exhibited from Wednesday, 21 June to Wednesday, 19 July 2016.
12. The Discussion Paper contained 32 questions, of which:
- 4 questions addressed heritage interface issues;
 - 9 questions addressed commercial floorspace issues;

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- c. 11 questions addressed social infrastructure issues;
 - d. 2 questions addressed public domain issues; and
 - e. 6 questions addressed traffic and transport issues.
13. The context around the questions are detailed in the Discussion Paper.
14. Council has specifically sought responses to the questions to help guide the future direction of Stage 2 of the Epping Planning Review. As such this report focuses on the community feedback raised in relation to the questions.
15. It must also be noted that comments/feedback were also provided outside of the questions and this is also discussed in this report.

Phase 2 Community Engagement

16. Phase 2 community engagement involved a series of Community Workshop sessions which presented the findings of the technical studies and Discussion Paper. Feedback was also sought on the options and the questions.
17. Over 750 participant entries were recorded across all engagement activities, which incorporated:
- a. Three evening sessions held on:
 - i. Social Infrastructure and commercial floor space (3 July 2017),
 - ii. Heritage (5 July 2017), and
 - iii. Traffic (12 July 2017).

These were held at the St Albans Anglican Church Main Hall in the Epping Town Centre.
 - b. Two evening sessions for Epping's two largest culturally and linguistically diverse (CALD) communities:
 - i. A session for the Chinese community was held on 10 July 2017,
 - ii. A session for the Korean community was held on 17 July 2017.

These were held at the Epping Creative Centre.
18. All sessions were facilitated by Straight Talk, a consultancy commissioned to independently facilitate and record the feedback from each session.
19. These Phase 2 consultations are summarised in the *Epping Town Centre Review: Phase two – Exhibition period consultation* (provided at **Attachment 2**).

Site visits

20. Three site visits were undertaken by Council Officers and the Administrator at the request of residents who raised concerns about the impacts of current development in their areas. Site visits were undertaken at the following locations:
- a. Rosebank Avenue.
 - b. Eastern side of Essex Street, within the Essex Street HCA.
 - c. Norfolk Street in the vicinity of Pembroke Street.

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21. The purpose of the site visits was to listen to the concerns raised by residents with regard to the findings of the Discussion Paper and assist them in informing their submission.

Developer Consultation

22. On 30 June 2017, Council Officers hosted an Information Session for the applicants of the Austino Planning Proposal (adjacent to Forest Park) and the two Preliminary planning proposals at Rawson Street and Beecroft Road.
23. The purpose of this consultation was to provide an update to the applicants on the status of the Epping Planning Review project, in order to enable them to prepare a submission.

PROJECT STEERING GROUP

24. To ensure State agency engagement on the recommendations of the Epping Planning Review process, at the commencement of the project, Council established the Epping Planning Review State Agency Steering Group.
25. The Steering Group comprises representation from the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW and Roads and Maritime Services and staff of City of Parramatta.
26. To date, the Steering Group has met on three occasions to discuss issues relating to the review as well as oversee the progress of the Discussion Paper.

COMMUNITY FEEDBACK - INTRODUCTION

Submissions

27. Council received over 300 individual pieces of correspondence in response to the exhibition. Within this correspondence, there were several submitters that made multi-part submissions, as well as a few submissions made on behalf of small groups of residents. These factors meant that the total number of submitters was over 260.
28. The submissions varied broadly in scope in terms of their response to the 32 questions posed in the Discussion Paper. The majority of submissions (about 90%) directly answered questions posed in the Discussion Paper. Of these, about one third of submitters focused on one question, about one third of submitters discussed 2-5 questions, and about one third addressed 6 or more questions. About 12% of submitters addressed 20 or more questions.
29. **Figure 3** below demonstrates the frequency of response to the 32 questions.
30. As demonstrated in **Figure 3** there was a high level of response to each of the questions posed (minimum 24 responses; maximum 131 responses). The average number of responses to each question was 50, for a total of over 1,600 individual answers across all of the questions. The four questions attracting the highest frequency of responses were 9b (relating to the purchase of the former Bowling Club site), 9k (relating to future use of the Dence Park Aquatic Centre), 9a (relating to expanding parks ahead of creating new parks), and 11a (relating to delaying processing of planning proposals until the Traffic Study is complete); each of these four questions received over 100 responses.

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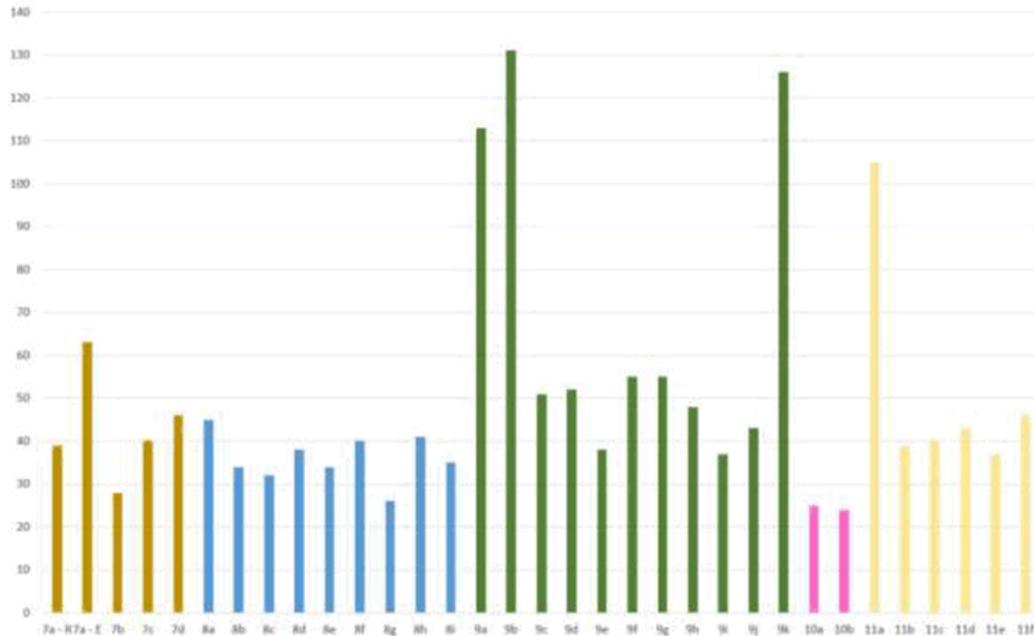


Figure 3 - Graph showing responses to the questions

31. **Attachment 3** provides a detailed summary of the submissions received in response to each question, and further sections of this report respond to this analysis on a question-by-question basis. Many respondents provided commentary outside of the questions posed, but which still broadly related to the five themes in the Discussion Paper (Heritage, Commercial Floor Space, Social Infrastructure, Public Domain and Traffic/Transport). This commentary is also summarised in **Attachment 3** on a thematic basis. Analysis of this feedback is also considered within this report.
32. Many respondents provided commentary outside of the questions and themes of the Discussion Paper. Council officers' analysis of this commentary is detailed in **Attachment 4** (General Comments). Analysis of this feedback is also considered within this report.

Community Workshop Sessions

33. The Community Workshop sessions (discussed above in 'Phase 2 Community Engagement') were a major element of the Phase 2 Community Engagement process and have been summarised in Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation* which forms **Attachment 2** to this report.
34. Generally, there are strong similarities with the feedback from the community submission process. However, any differences in views between submissions and feedback received directly from the community workshop sessions are explained in each of the chapter sections below.

HERITAGE CHAPTER

35. Chapter 7.0 of the Discussion Paper responds to the recommendations made within City Plan Services' *Epping Town Centre (East) Heritage Review* ("Heritage Review") as well as feedback received from residents during the Phase 1 consultations held in May this year.

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36. The sub-sections below summarise the responses to the Discussion Paper's four questions (ie. 7a, 7b, 7c and 7d) which pertain to Rosebank Avenue and Essex Street Heritage Conservation Areas (HCAs), Rockleigh Way, certain properties at Norfolk Road and Pembroke Street and the Rose Street Precinct.

Rosebank Avenue HCA

37. Until March 2014, the Rosebank Avenue area and surrounds were zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 by way of the Department of Planning and Environment's (DP&E's) Urban Activation Precinct process introduced the Rosebank Avenue HCA and introduced the R4 High Density Residential Zone to its south eastern, southern and eastern borders. The R4 High Density Residential Zone currently permits 5 storey residential flat buildings.
38. The Rosebank HCA and surrounding land zonings in *HLEP 2013* are illustrated in **Figure 4**, below.



Figure 4 - Rosebank Avenue HCA (hashed) and current zoning

39. Two heritage items are situated midpoint within the HCA, at No.s 9 and 10 Rosebank Avenue (refer to **Figure 5** below). These two sites mark the midpoint on either side of the HCA.
40. The street runs in a north/south direction with most properties fronting the street in an east or west direction. These lots are relatively large. However, No.23 Rosebank Avenue is the only property that fronts the street in a north/south direction. This lot is also much smaller in size and is flanked by larger lots that have frontage to Rosen Street. It therefore, has limited redevelopment opportunity on its own.
41. The Heritage Review assessed the heritage value of the HCA and has recommended the retention of the Rosebank Avenue HCA. However, this study only looks at the heritage factors and does not address the land use conflicts occurring at the interface at the rear of some of the properties within the Rosebank Avenue HCA.
42. A strong residential market has seen many of the R4 zoned sites be redeveloped for 5 storey residential flat buildings. This has created a conflict in land use that sees 5 storey residential flat buildings overlooking single and two

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storey low density residential development which is significantly impacting on the privacy and amenity of the Rosebank Avenue residents, particularly those at No.s 1-7, and 2-8 Rosebank Avenue.

43. Section 7.4.1 of the Discussion Paper presents 7 options to resolve interface issues at the Rosebank Avenue HCA (as well as the Essex Street HCA which is discussed in the section below). The options range from "Maintain the HCA" to presenting an option that would permit "3 storey residential flat building" redevelopment and involve the removal of the HCA notation in the *HLEP 2013*.
44. Council Officers recommend three options (Options 4, 5 and 6) for the Rosebank Avenue HCA all of which involve:
 - a. Removal of the HCA affectation in *HLEP 2013*; and
 - b. Planning controls that permit demolition of the existing housing and two storey redevelopment comprising: (1) Dual Occupancy (side by side); (2) Town Houses; or (3) Manor home, (with the exception of the two heritage items).
45. With the adjacent creek (zoned RE1 Public Open Space) and the two heritage items sitting midway in the precinct, the Discussion Paper noted that further analysis be undertaken to assess how *different options that might be applied to different parts of the HCA* due to the fact that the interface issues primarily affect the southern properties in Rosebank Avenue.
46. The standard question 7a. asks: *What is your preferred option and why?*

Community Feedback

47. Feedback from the community on Rosebank Avenue received via the community information sessions and via submissions was divided.
48. Some residents within Rosebank Avenue want to see the same planning controls that enable 5 storey residential development applied to their sites so they can maximise their economic benefit in the same way their neighbours have to the south and south east (refer to **Figure 5** below showing the extent of the HCA and street numbers).



Figure 5 - Rosebank Avenue HCA and heritage items with street numbers

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49. Views received via submissions and Community Workshop sessions from some residents who reside outside the HCA see the removal of the HCA and allowance for redevelopment as further degradation of local character. Many are unsympathetic to the residents experiencing the interface issues. Some view that the new R4 zone has been in place for over 3 and a half years and affected residents could have either sold up to a more tolerant resident who "knew what they were buying". Some hold the view that affected residents could have planted trees at the time the new controls came into effect to help mitigate the amenity and privacy impacts. There is also a perception from these respondents that the affected residents who see redevelopment as a resolution to the interface issues do not care about the impacts it will have on the residents who choose to stay or who are less affected by the new development.
50. With regards the heritage items at No.s 9 and 10 Rosebank Avenue, the predominant response from respondents was that the heritage items should be removed if the HCA notation is recommended for removal on the basis that the heritage items are just as affected as the properties at the southern portion of the precinct. They see that these properties also have visual proximity to the interface issues and this devalues the significance of the heritage items. There was also a contrary view – that the preference is for Options 1 ("Maintain the HCA") or Option 2 ("Landscaping at interface") across the precinct but notes that in the instance the HCA is recommended for removal, then the entire precinct should enable 5 storey residential flat buildings.

Conclusions and recommendations

51. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls introduced by the State Government in March 2014.
52. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That Council Officers accept that there are severe interface issues occurring (or, in some cases, are yet to occur) to the southern half of the precinct; specifically, the properties at No.s 1, 3, 5 and 7 as well as 2, 4 and 6-8 are likely experience the same impacts as the remaining adjoining R4 zoned land is redeveloped over time.
 - b. That a heritage item (such as the two at No.s 9 and 10 Rosebank Avenue), as opposed to a property with just a HCA notation over it, has a much more significant role in terms of heritage conservation and protection. The importance of a heritage item relies less on the surrounding character and more so on its own individual historical attributes. As such, it is not uncommon for heritage items to sit amongst development that is of a different typology.
 - c. The RE1 zoned land to the west comprising the eastern edge of Kent Street Park – along with the two heritage items - also forms a 'break' and mid point within the Rosebank Avenue Precinct.
 - d. Council Officers see that the interface issues are less significant at the rear of No.s 12 to 18 Rosebank Avenue, despite the R4 zoning on the adjoining large site to the east at No.23 Ray Road. Constructed in early 2011, the development on this site incorporates 2.5 and 3 storey town house development which faces the properties at No.s 12 to 18 Rosebank Avenue. These townhouses shield the 4 storey residential flat building development that fronts Ray Road. Since 2011, tree

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plantings now shield views to this development from Rosebank Avenue.

- e. Similarly, Council Officers determine that there are no interface issues occurring (or anticipated to occur) at the rear of the sites at No.s 13 to 21 Rosebank Avenue. This also includes No.23 Rosebank Avenue. These sites do not adjoin any R4 zoned land. As noted above, the property at No.23 is isolated, smaller in size than the other Rosebank Avenue parcels and has little chance of being redeveloped and given it is surrounded by the R2 zoned properties which have frontage to Rosen Street. Therefore, the current R2 zone is not considered to be inappropriate against the R2 zoned land which has a two storey height limit.
- f. That any change to the planning controls needs to be sensitive and sympathetic to the existing heritage items at No.s 9 and 10 Rosebank Avenue.
- g. That the removal of the HCA notation will not have any impact on the heritage significance of the two heritage items situated at No.s 9 and 10 Rosebank Avenue (refer to **Figure 5**) as these properties are recognised for their significance as stand-alone sites.
- h. That the basis for any changes to the planning controls is to place as little pressure as possible on local traffic.

53. Council Officers therefore, **recommend the following principles:**

- a. In the case of properties situated at No.s 1, 3, 5 and 7 as well as 2, 4 and 6-8 Rosebank Avenue:
 - i. That Option 7 – 3 storey residential flat building redevelopment be permissible; and
 - ii. That further urban design work identify appropriate building height, density (FSR) controls, building setback and amalgamation controls so as to ensure an appropriate transition from 3 storeys to 2 storeys towards the heritage item sites to the north. This analysis will inform new DCP controls.

These recommended controls:

 - enable owners to achieve economic benefit from a higher density solution.
 - represent a sound transition in density from the 5 storey residential flat building to a single storey heritage item.
- b. That the Rosebank Avenue HCA notation in *HLEP 2013* (labelled "C11") be removed entirely.
- c. That the existing heritage items at No.s 9 and 10 Rosebank Avenue remain listed in the LEP Heritage Schedule as heritage items.
- d. In the case of the properties situated north of the heritage items comprising No.s 13 to 21 Rosebank Avenue (western side) and 12 to 18 Rosebank Avenue (eastern side) and of No.23 Rosebank Avenue, that there be no change to the LEP planning controls.
- e. That in the case of the entire Rosebank Avenue area, that the relevant DCP controls be amended accordingly, including any amendments to

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Section 9.3.14 'Rosebank Avenue (Epping) Heritage Conservation Area' section of the Hornsby DCP'.

- f. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Essex Street HCA

54. Until March 2014, land situated on the eastern side of Forest Grove - which directly adjoins land on the western side of Essex Street between Epping Road and Maida Road - was zoned R2 Low Density Residential. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R4 zone. The R4 High Density Residential zone permits 5 storey residential flat buildings.
55. The Essex Street HCA and surrounding land zonings in *HLEP 2013* are illustrated in **Figure 6**, below.

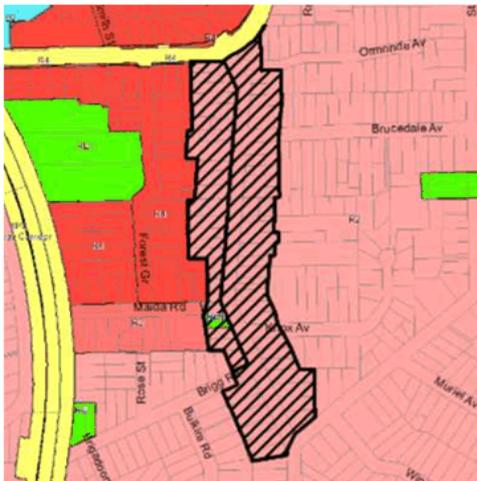


Figure 6 - Essex Street HCA (hashed) and current zoning

56. Four heritage items are situated within the Essex Street HCA - at No.s 42, 47, 76 and 84 Essex Street (refer to **Figure 7** below).
57. The Heritage Review assessed the heritage value of the HCA and has recommended retention of the Essex Street HCA. However, this study only looks at the heritage factors and does not address the land use conflicts occurring on the west side of the HCA between Epping Road and Maida Road.
58. A strong residential market has seen most of the R4 zoned sites (between Epping and Maida Roads) flanking the western side of Essex Street be redeveloped (or have existing approvals) for 5 storey residential flat buildings. This has created a conflict in land uses that sees 5 storey residential flat buildings overlooking single and two storey low density residential which is significantly impacting on the privacy and amenity of the Essex Street residents on the western side of Epping and Maida Road.

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59. Section 7.4.1 of the Discussion Paper presents 7 options to resolve interface issues at the Rosebank Avenue HCA (as well as the Essex Street HCA which is discussed in the section below). The options range from "Maintain the HCA" to "3 storey residential flat building" redevelopment.
60. Council Officers recommend three options (Options 4, 5 and 6) for the Rosebank Avenue HCA all of which involve:
- a. Removal of the HCA notation in *HLEP 2013*; and
 - b. Introduction of new planning controls that permit two storey redevelopment comprising: (1) Dual Occupancy (side by side); (2) Town Houses; or (3) Manor home (with the exception of heritage items).
61. The standard question, 7a., asks: *What is your preferred option and why?*
- Community Feedback*
62. Feedback from the community on the Essex Street HCA received via the community information sessions and via submissions is divided.
63. For residents residing on the western side of Essex Street, situated within the HCA, the responses were as follows:
- a. 75% of residents either supported the Council Officer recommendation or Option 7 ("3 Storey Residential Flat Building").
 - b. 25% of residents supported Option 1 ("No Change").
64. The predominant view from residents on the eastern side of Essex Street within the HCA also support the removal of the HCA notation to enable redevelopment that enables a transition to the adjoining R4 zone. Views from the eastern side of Essex Street held the strong view that if there was any change to the building form on the western side of the street, that the same type of development should be permissible on the eastern side of the street.
65. Views of residents that reside outside the HCA see the removal of the HCA and allowance for redevelopment as further degradation of local character. Furthermore these views have strong similarities with those of the residents situated outside the Rosebank Avenue HCA, in that:
- a. Some residents are not sympathetic to the residents experiencing the interface issues:
 - i. Some view that affected residents could have addressed interface issues early by tree planting at the time the new controls came into effect to help mitigate the amenity and privacy impacts
 - ii. Some view that affected residents could have either sold up and moved out by selling to a more tolerant resident who "knew what they were buying" and appreciates what special character is left.
 - iii. Some have the perception that the affected residents who are fed up and want to sell to maximise their economic benefit do not care about the impacts it will have on the residents who choose to stay or who are less affected by the new development.

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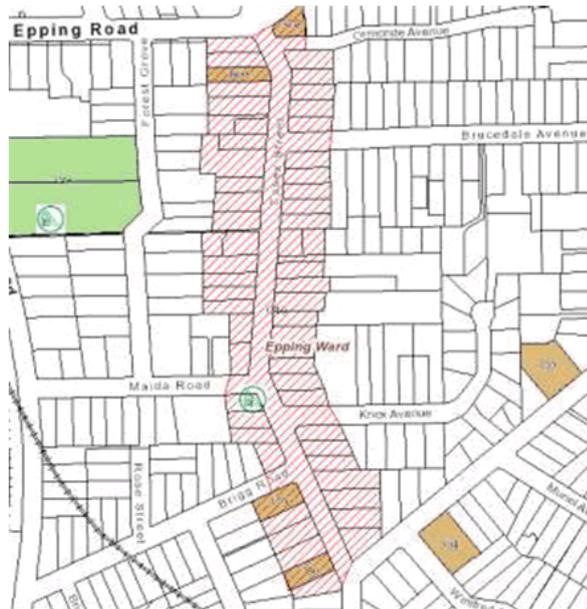


Figure 7 - Essex Street HCA and heritage items in HLEP 2013

Conclusions and recommendations

66. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
67. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
 - a. That there are significant interface issues that properties are experiencing on the western side of Essex Street HCA; specifically, those situated between Epping Road and No.86 Essex Street.
 - b. That there are no interface issues being experienced on the eastern side of the Essex Street HCA despite the numerous views of the residents residing on the eastern side. The role of the Essex Street road reserve is critical in establishing a demarcation between land uses. The road reserve which is approximately 21 metres wide when measured between the front boundaries of the western and eastern side of the street acts as a clear demarcation for any change in land use and becomes the ideal "line in the sand". If Council was to enable redevelopment uplift of the eastern side of Essex, this only pushes and extends the interface issue further east.
 - c. Essex Street stretches from Oxford Street in the north to Abuklea Road in the south with the Essex Street HCA section occupying a little more than 25% of its full length. Therefore, any recommendations to change the eastern side of Essex Street within the HCA section is likely to result in the Essex Street residents situated outside of the HCA that own land zoned R2 Low Density Residential to also seek uplift because the rezoning of the eastern side will establish a precedent.
 - d. Terry's Creek forms a natural geographical boundary rather than a boundary for land use change. Relying on Terry's Creek as a land use boundary would introduce a significant number of dwellings which

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would not only have significant traffic implications but also result in significant additional land being up-zoned further away from the station.

- e. Of the 3 recommended re-development options within the Discussion Paper (which were: Option 4 Dual Occupancy (side by side), Option 5 Town house re-development and Option 6 Manor home, that Council Officers recommend Option 6 Manor home because this option:
 - i. Represents a sound transition in density from the 5 storey residential flat building to 2 a storey medium-density, to the 1 to 2 storey low density across the street. It means that no change to the existing height control is required.
 - ii. Does not require site amalgamation so that owners will be able to independently develop their sites if they wish.
- f. That if there is a recommendation that enables redevelopment of the western side of Essex Street between Epping and Maida Roads, that there is no heritage benefit in keeping the Essex Street HCA notation.
- g. The removal of the HCA notation will not have any impact on the heritage significance of the four heritage items situated at No.s 42, 47, 76 and 84 Essex Street (refer to **Figure 7**) as these properties are recognised for their significance as stand-alone sites.

68. Council Officers therefore, **recommend the following principles:**

- a. That the Essex Street HCA notation in *HLEP 2013* (labelled "C10") be removed in full.
- b. That the existing heritage items at No.s 42, 47, 76 and 84 Essex Street remain listed in the LEP Heritage Schedule as heritage items.
- c. That the planning controls for the properties on the western side of the Essex Street HCA area be amended to permit re-development that involves demolition of the existing housing (with the exception of heritage items) to enable development of two storey manor home development, between Epping Road and Maida Road.
- d. That the planning controls for the properties on the eastern side of the Essex Street HCA area remain unchanged and not be amended.
- e. That further urban design be undertaken to determine the appropriate density, setbacks and other building envelope and controls to guide the development of new manor home development. This analysis will inform new development control plan (DCP) controls including any amendments to Section 9.3.13 'Essex Street (Epping) Heritage Conservation Area of the Hornsby DCP'.
- f. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Rockleigh Park

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69. The Rockleigh Park precinct comprises 33 small subdivided lots that come off a small, narrow laneway system. The area is predominantly zoned R4 high Density Residential (shown edged yellow in **Figure 8** below) with an R3 Medium Density Residential zoned strip edging the north and eastern boundaries. The subject site currently contains medium density housing.
70. Until March 2014, the 36 parcels that make up Rockleigh Park were zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R4 zone to the 18 parcels central within Rockleigh Park. The R4 High Density Residential zone permits 5 storey residential flat buildings. No sites have been redeveloped in accordance with the new zone on account of constraints around community title and the small street network.
71. The precinct's proximity to the R4 zoned land at Essex Street to the south and the East Epping HCA to the north (shown hashed red) are illustrated in **Figure 8**.
72. The Heritage Review commissioned by Council recommends down-zoning the parcels zoned R4 (which has a 17.5 metre or 5 storey building height) to R3 Medium Density Residential zone (which has a 12 metre or 4 storey building height) to better reflect existing development.



Figure 8 - Rockleigh Way (area edged in yellow and with a R3 zoned strip)

73. The Discussion Paper recommends supporting the R3 zone and that further urban design analysis to identify the appropriate amalgamation, height and density controls be carried out.
74. The proposed downzoning to the R3 zone better reflects the current use – small single and two storey cottages, some of which are attached, on a small, narrow laneway system.
75. The standard question at the end of this section (Question 7b) asks: *Do you agree with the recommendation for Rockleigh Park?*

Community Feedback

76. Community feedback from residents on this issue showed strong support for the down zoning of the site from the R4 zone to the R3 zone.
77. Respondents also said that the proposed R3 zone:
 - a. Would more appropriately deal with the transition between higher and lower density areas; and

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- b. Should be supported by a master planning process so that appropriate heights and density controls can be put in place.

Conclusions and recommendations

78. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
79. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. With 18 lots zoned R4 and 15 lots zoned R3 all of which rely on the same small road network for access which falls under a community title, it is highly unlikely that these sites will be purchased by a developer for redevelopment.
 - b. The recommended downzoning better reflects the current use – small single and two storey cottages, some of which are attached, on a small, narrow laneway system.
 - c. The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries.
 - d. That redevelopment of Rockleigh Park for 5 storey residential flat building development would reflect further and unnecessary encroachment of inappropriate high density development up against low density development.
 - e. That the recommendation within the Discussion Paper to down-zone the R4 zone to the R3 zone still stands.
80. Council Officers therefore, **recommend the following principles**:
- a. That the component of Rockleigh Park currently zoned R4 be rezoned to the R3 zone so that the entire 33 parcels fall under a single (R3) zone consistent with the recommendations with the Heritage Review and Discussion Paper.
 - b. That further urban design analysis be undertaken across all of Rockleigh Park to determine the best building height and density (FSR) controls including amalgamation patterns should the site be amalgamated in the future. This analysis will also inform DCP controls.

1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street

81. The parcels at 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street are all currently zoned R2 Low Density Residential with the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street located within the most southern section of the East Epping HCA (refer to **Figures 9 and 10**, below)

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84. Until March 2014, the R4 zone to the west of this area did not exist. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process rezoned the R2 Low Density Residential land to the R4 High Density Residential zone which permits 5 storey residential flat buildings.
85. The Heritage Review commissioned by Council recommends:
- a. The removal of the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street; and
 - b. Rezone No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street as well as No. 5, 7 and 7A to the R3 zone so all parcels share the same zoning and also, match the zoning to the south.
86. Since 2014, when the adjacent R4 zone came into effect, there has been no redevelopment of land in this vicinity however, it is noted that a strong residential market could drive redevelopment in the future.
87. To resolve any forthcoming interface issues at No.s 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, Section 7.4.2 of the Discussion Paper presented three options and sought feedback. The three options are as follows:
- a. Option 1 is as per the Heritage Review's recommendation (described above).
 - b. Option 2 is to both:
 - i. Remove the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Rezone all of the seven parcels to the R3 zone, but restrict development on No.s 3, 3A, 5, 7 and 7A Norfolk Road to a 2 storey manor home and encouraging No.s 1 Norfolk Road and 25 Pembroke Street to amalgamate with No.s 23 and 23A Pembroke Street to redevelopment into a town house scheme.
 - c. Option 3 is to:
 - i. Remove the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Retain the R2 zone on No.s 3, 3A, 5, 7 and 7A Norfolk Road, and
 - iii. Allow No.1 Norfolk Road and 25 Pembroke Street to be rezoned to the R3 zone.
88. The standard question at the end of this section (Question 7c) asks: *...what is your preferred option and why?*

Community Feedback

89. Feedback from the community via the community information sessions and submissions is divided.
90. Responses from the owners of No.s 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, included a coordinated group response which was included in some of the households' submissions. These indicated unanimous support

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for Option 1 (remove HCA and rezone to R3). Key reasons for supporting this option were:

- a. That there is a desire to resolve future interface issues with the anticipated R4 development yet to occur on the adjoining R4 land.
 - b. That the option could encourage amalgamated development sites large enough to support "high-quality integrated development" with adequate transition to adjacent low-rise areas and the Heritage Item at 9 Norfolk Road.
 - c. To encourage housing within walkable access to the school and town centre.
 - d. That Option 2 (manor home) was not preferred as it was seen as an undesirable and less integrated approach than larger site amalgamation along with the potential problems with strata-titled developments sharing one driveway (i.e. access, construction, utilities) was also raised although it should be noted that the manor home recommendation involves amalgamated sites.
 - e. That Option 3 was considered as an uncoordinated approach to zoning that could result in small, piecemeal development. An alternative for R4 zoning was also raised by some.
91. Feedback from two adjoining owners, including the owner of the adjoining heritage property at No. 9 Norfolk Road have preference for Option 3 as this is seen as a more appropriate building form response since the sites at No.s 3A, 5, 7 and 7A Norfolk Street have no street address.
92. Feedback from other residents were varied:
- a. some seeing Option 2 as preferable,
 - b. others as Option 3 as preferable, with
 - c. others feeling that only limited redevelopment was acceptable (low density to be replaced with low density).
93. Other residents cited the local neighbourhood shop building which is attached to the dwelling at No. 25 Pembroke Street as a valued and historically important building in this area. However, despite the Heritage Study's identification of the site as a 'contributory item', it also recommends removal of the East Epping HCA notation over the site.

Conclusions and recommendations

94. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
95. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That any response needs to be sensitive to the heritage item at No.9 Norfolk Road.
 - b. The narrowness of the lots at No.25 Pembroke Street and No.1 Norfolk Street lend themselves to amalgamating with No.s 23 and 23A given their location.

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- c. That the R4 High Density Residential zone to the west and R3 Medium Density Residential zone to the south have the strong potential to result in interface issues which need to be managed.

96. Council Officers therefore, **recommend the following principles:**

- a. That option 2 from the Discussion Paper be applied, which involves:
- i. Removing the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Rezoning all of the seven parcels to the R3 zone*, but:
 1. Limit re-development on No.s 7 and 7A Norfolk Road to a 2 storey manor home.
 2. Enable re-development on No.s 1, 3 and 3A, 5 Norfolk Road and 25 Pembroke Street to realise residential flat building (no more than 3 storeys in height) however, undertake urban design analysis to determine:
 - appropriate height, density and amalgamation controls including the controls affecting No.s 23 and 23A Pembroke Street; and
 - appropriate setback controls from the heritage item at No. 9 Norfolk Street; and
 - that this analysis informs DCP controls including any amendments to section 9.3.12 'East Epping Heritage Conservation Area'.

Note: this may result in a different zone depending on the methodology utilized in the harmonization of the planning controls.

- b. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Rose Street precinct

97. The Rose Street Precinct is flanked by properties zoned R3 Medium Density Residential (which front Maida Road), Blaxland Road to the west, the Essex Street HCA properties to the east and Brigg Road to the south. It excludes the Essex Street properties and a pocket park in the north east corner with Maida Road and Essex Street. Refer to **Figure 11** below.
98. Until March 2014, land situated on the southern side Maida Road was zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R3 zone to Maida Road. The R3 zone permits 4 storey residential flat buildings.

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Figure 11 - Rose Street Precinct (area hashed blue)

99. The land that is zoned R3 is being redeveloped into 4 storey residential flat buildings. Also the topography slopes (downwards) to the south increasing the impact of the height of new development.
100. The Heritage Review assessed the appropriateness of the R2 zone with regards to the adjoining Essex Street HCA and concluded that the Rose Street precinct be upzoned to the R3 zone on a land use basis.
101. With regards to land outside the precinct (as per **Figure 11**, above) it should be noted that as per the recommendations for Essex Street, the HCA notation to the east of the precinct is recommended for removal.
102. As at mid July 2017, over two-thirds of the strip of R3 zoned land fronting Maida Road has either been developed as 4 storey residential flat buildings or is under construction for the same.
103. There is potentially an opportunity for Council to pursue an acquisition process to purchase sites for community/public open space in the vicinity of Rotary Park given the findings from the *Epping Social Infrastructure Study* which supported the Discussion Paper.
104. The Discussion Paper supports the recommendation within the Heritage Study - which is to zone the precinct R3 zone - but also recommends that further master planning work be undertaken to determine the appropriate height and density controls so as to ensure a clear transition to the R2 zoned land on the southern side of Brigg Road.
105. The Discussion Paper seeks feedback on the recommendation (Question 7d) which asks: *Do you agree with the recommendation for the Rose Street Precinct?*

Community Feedback

106. Council received a total of 45 submissions on this issue. Feedback from the community is divided. Responses from 19 respondents support the Discussion Paper's recommendation to up-zone the precinct. This is largely because those residing within the Rose Street precinct feel they have lost significant amenity with the introduction of the 4 storey residential flat building development occurring to the north. The views of residents outside the precinct (26 respondents) do not support the recommendation for up-zoning as they feel

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that it will only extend pressure to upzone land further south. Some respondents have the view that the four storey interface is insignificant. (Refer to a summary of the submissions at **Attachment 3**).

107. The above views were also reflected at the Community Information Sessions (refer to Straight Talk's *Epping Town Centre Review - Phase Two - Exhibition period consultation* at **Attachment 2**).

Conclusions/Recommendations

108. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

109. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. That the interface issues that are occurring to the north of the precinct require a land use planning response to manage these interface issues.
- b. That the recommended R3 Medium Density zone in the Heritage Review and the Discussion Paper generally represents a sound transition to the R2 zone on the southern side of Briggs Road providing that master planning is undertaken for this precinct.

110. Council Officers therefore, **recommend the following principles**:

- a. That the land be rezoned to the R3 zone*; and
- b. That further urban design analysis/master planning process is needed to:
 - i. Determine how development from the north needs to step down to a building height of 2 storeys at the Brigg Road frontage to transition to development across the road. Transition should also be considered towards the eastern end of the site to ensure future massing appropriately responds to the low density residential development fronting Essex Street.
 - ii. Determine an appropriate amalgamation pattern, building height, density and setback controls as well as provision of communal and public open space
 - iii. That this analysis inform DCP controls.

Note: this may result in a different zone depending on the methodology utilized in the harmonization of the planning controls. But the intended built form outcome will remain the same.

- c. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Hornsby Heritage Review Stage 6

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111. Section 7.1 within the Heritage Chapter of the Discussion Paper responds to a previous Hornsby Shire Council resolution pertaining to certain heritage matters in Epping.
112. Identified as part of 'Stage 6' of the Hornsby Shire Council Heritage Study Review, the Heritage Study prepared by City Plan Services reviewed these matters and made a number of recommendations. These matters and recommendations are detailed in **Attachment 5** and are also detailed in the consolidated list of recommendations contained in **Attachment 6**.

COMMERCIAL FLOORSPACE CHAPTER

113. As noted in the Discussion Paper, in 2011 the Epping Town Centre had 4,512 jobs with 55,000sqm of office floor space and 13,000sqm of retail floor space. However, since 2014, new development within the B2 Local Centre zone has reduced the amount of office floor space. Developers are replacing existing large scale office towers and small scale (2 and 3 storey) office development with shop top housing.
114. This trend is occurring despite the Hornsby DCP controls requiring non-residential uses on the first two to three floors of development in the B2 Local Centre zone. Parramatta's DCP controls require applicant's to provide "up to" 4 storeys of commercial development, but only for development on Becroft Road.

<p>Note: Commercial floorspace is floorspace utilised for retail, office or business premises.</p>

115. The Department's position on the reduction of commercial floor space is that, based on market analysis, demand for commercial floor space is expected to reduce as other centres such as Macquarie Park and Norwest Business Park become more attractive. City of Parramatta commenced a review and in response commissioned SGS Economics and Planning to understand whether the loss of floor space is a positive trend, and to understand other commercial land use elements that may create a more successful town centre.
116. Chapter 8.0 of the Discussion Paper responds to the recommendations made within SGS Economics and Planning *Epping Town Centre Commercial Floorspace Study* ("Floorspace Study") as well as feedback received from residents during the Phase 1 consultations held in May this year.
117. The sub-sections below summarise the responses to the Discussion Paper's nine questions which pertain to:
- a. Epping Town Centre's role as a Sub-District Centre;
 - b. The role of Government owned sites; and
 - c. The mix of retail uses.

Epping as a Sub District Town Centre in 2036

118. One of the concepts considered in the Floorspace Study is the State Government's **30-minute city** where people can access a wide range of job, services and other opportunities within 30 minutes from their place of residence.
119. Sections 8.5.1 and 8.5.2 within the Discussion Paper comprises three questions (8a to 8c) which seek feedback on the future role of the Epping Town Centre to the year 2036.

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Community Feedback

120. With regards to question 8a: *Should Epping evolve as a Sub District Centre with a target of achieving the commercial floor space targets without any increase in Net Floor Space on Business B2 zoned sites?* The community's responses are highly supportive of the role of the centre having a significant component of commercial floorspace. The most common view is that there needs to be more variety in retail and more night time activity.
121. With regards to questions 8b and 8c, these ask if Epping should evolve as a Sub District Centre:
- a. Without any increase in net floorspace (8b) noting that additional commercial floorspace provision would be provided at the expense of residential development; or
 - b. By allowing an increase in net floorspace (8c) to recognise the need for increased provision of commercial floorspace.
122. Responses were as follows:
- a. Despite residents generally recognising the need for additional commercial floorspace, residents generally consider that this additional floorspace should be contained within the current height and density controls.
 - b. Developers believe that an incentive – such as mandating a minimum commercial floorspace - needs to ensure that there is no net loss of potential residential floorspace and is an essential mechanism to ensure the delivery of the amount of commercial floorspace to deliver a sub-district centre.

Conclusions and recommendations

123. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
124. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude** the following:
- a. That Epping Town Centre should aim to be a Sub-District Centre in 2036 (ie. 13,000sqm of retail floorspace and 55,000sqm of other commercial floorspace) as per the *Epping Commercial Floorspace Study* prepared by SGS Economics and Planning.
 - b. The urban design analysis demonstrates that a 3 storey podium is required on remaining developable sites within the town centre to achieve the target identified in the Study.
 - c. In order for the Epping Town Centre to become a vibrant commercial centre, additional floorspace which enables higher rates of office and retail floor space is needed.
 - d. Such controls need to be mandated and therefore, should be in the LEP not the just the DCP.
 - e. That the traffic implications of increased commercial floorspace provision and associated increase in residential floorspace (should this be supported) be tested as part of the traffic study.
125. Council Officers **recommend the following principles:**

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- a. That further analysis be undertaken to determine the best LEP mechanism that mandates for a minimum amount of commercial floorspace within suitable locations that delivers a minimum 3 storey podium of commercial floorspace in the LEP and that this apply to all land zoned B2 without having the need to expand the B2 zone (except in the case of the site at 240-244 Beecroft Road – see below).
- b. That any additional residential floorspace and height be investigated and analysed through the Traffic Study to partially recognise the proposed requirement to provide increased commercial floorspace.
- c. That the SGS Economics and Planning's *Epping Commercial Floorspace Study* and Section 8.5.2 of the Epping Planning Review Discussion Paper which demonstrates that there is demand for additional retail and commercial floor space in Epping be used to inform the assessment of future development applications until more formal planning controls are in place.

Role of Government owned Sites

126. As noted in the Discussion Paper, the *Epping Commercial Floorspace Study* has identified a role where Government-owned sites could be used as part of a deliberate strategy to support the Government's 30-minute city strategy by:

- a. Providing commercial floor space to offset the loss when other sites are developed; and
- b. Providing floor space to allow businesses that are displaced when their existing building is being redeveloped to relocate within the centre.

127. The section below discusses the Government-owned sites that have been identified as opportunities to contribute to the 30-minute city strategy.

State Government owned sites

128. Part of Section 8.5.3 of the Discussion Paper proposes two State Government owned sites within the town centre at the following addresses to provide commercial floorspace:

- a. 240-244 Beecroft Road, Epping (see **Figure 12** below); and
- b. Epping Railway Station Site (see **Figure 13** below).

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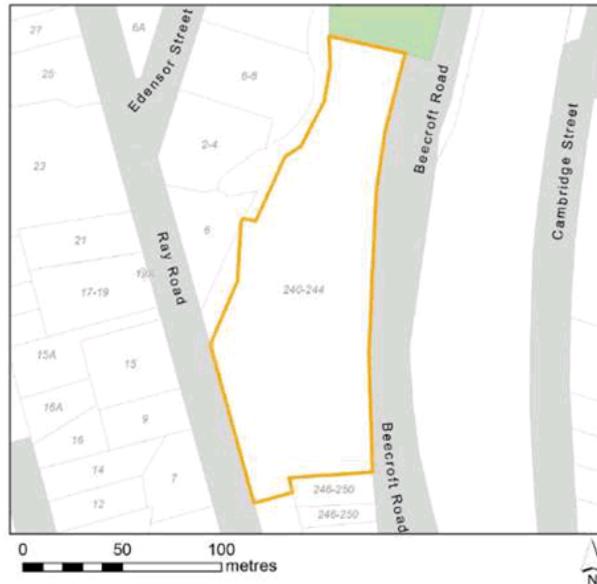


Figure 12 - UrbanGrowth NSW site – 240-244 Becroft Road, Epping

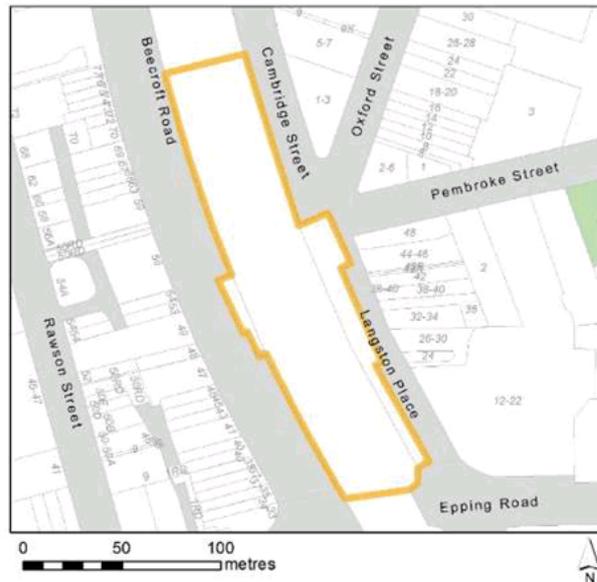


Figure 13 - Epping Railway Station site

129. The questions for each site (8e, 8f and 8g) asks the community *what contribution should each site make to the provision of commercial floor space in Epping?*

Community Feedback

130. A total of 40 responses were received on this question.

131. Community feedback received on the UrbanGrowth site at 240-244 Becroft Road, Epping was:

- a. 19 submissions supported commercial and/or retail uses at the site, though some of these preferred commercial only, while more preferred a mix of non-residential uses.

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- b. Some respondents saw the site as having potential to provide commuter parking or a bus interchange.
- c. Some respondents, including the land owner were of the view that the R4 High Density Residential zone was appropriate; reasons offered in support of this view included its proximity to the station and that there are other more suitable and feasible large commercial sites nearby. The landowner, a State Government agency, also questioned the need for large-scale floorplates in the town centre and at this site specifically.

132. Community feedback received on the Railway Station Site was as follows:

- a. There was a high level of agreement that it could make a strong contribution to connectivity and civic space. The existing pedestrian connections through the station site were generally seen as inadequate, unattractive and inaccessible, and viewed redevelopment as a potential way to address some of these issues.
- b. While there was a high level of support for use of this site for public open space and to improve public connectivity, there was less support for associated development due to concerns such as perceived overdevelopment and potential impacts on views and overshadowing.
- c. While some submissions acknowledged that partnering with a developer might be necessary to realise development at this site, in general, only a low level of development was seen as acceptable – with many not accepting any level of development at all.
- d. Many submissions acknowledged the technical complexity of such an undertaking, due to interface with the rail line.

Refer to a summary of the submissions at **Attachment 3**.

133. The above views were also reflected in the Community Workshop Sessions (refer to the *Epping Town Centre Review: Phase two – Exhibition period consultation Attachment 2*).

Conclusions and recommendations

134. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

135. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. The State Government site situated at 240-244 Beecroft Road had previously been zoned B2 zone up to March 2014 when the State Government rezoned the land to residential. The amount of commercial floorspace that the site could deliver under the current controls would be tokenistic given its current R4 zone which only permits shop top housing and neighbourhood shops.
- b. Large floorplate commercial is an important part of making a town centre commercially vibrant and diverse. The centre's poor offering of large floorplate commercial is identified as a disadvantage in the SGS Economics and Planning *Commercial Floorspace Study*.
- c. There is limited opportunity for large floorplate commercial floorspace within the town centre.
- d. The State Government sites:

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- i. Are large in scale (particularly the Beecroft Road site) and can make a unique offering by providing large floorplate commercial as found by the *Floorspace Study*.
- ii. Can make a contribution to commercial floorspace as per the urban design analysis which recommends three storey podium of commercial development.

Each State Government site could be individually assessed for an appropriate level and type of commercial floorspace.

136. Council Officers therefore, **recommend the following principles:**

- a. With regards to the site at 240-244 Beecroft Road, that:
 - i. That Council amends the planning controls (as discussed above) to rezone the site back to the B2 zone to ensure an appropriate contribution is made towards commercial floorspace whilst retaining current residential floorspace capacity. This may include concentrating these uses at the southern end of the site.
 - ii. That Council meet with UrbanGrowth NSW to discuss this proposed amendment.
- b. With regards to the Epping Railway Station site, that Council Officers meet with Transport for NSW to discuss the opportunities for the site to deliver commercial development.
- c. That the traffic impacts of both options need to be properly understood before finalising any changes to the planning controls.

Local Government owned sites

137. Part of Section 8.5.3 of the Discussion Paper considers two Council owned sites within the town centre at:

- a. Council Car Park site at Rawson Street (see **Figure 14**); and
- b. Epping Library Site (see **Figure 15**).



Figure 14 - Council Car Park landholding – 51A and 51B Rawson Street, Epping

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Figure 15 - Epping Library Site

138. Council has been approached by two developers to enter into an agreement to redevelop the Rawson Street car park.
139. The Epping Library site was previously identified by Hornsby Shire Council as a potential redevelopment site. Through an EOI process initiated by Hornsby Shire Council, it sought to redevelop the site with a view to being redeveloped with residential uses and a new library facility located on the lower storeys.
140. With regards to the Rawson Street car park site, the Discussion Paper recommended that the site not be identified as a site where significant commercial or retail floor space should be contemplated. If redeveloped, this site will more likely play a role ensuring that there is sufficient social infrastructure provided in the town centre.
141. The two questions – one for each site – asked:
- a. 8f. Should the Epping Library and Council car park sites play a role in providing for commercial floor space in the centre?
 - b. 8g. Should the floor space allocated to community uses and commercial floor spaces be equivalent to or greater than the levels required on adjoining equivalent sites?

Community Feedback

142. A total of 38 responses were received on this question.
143. Community feedback received on the Rawson Street Car Park site was as follows:
- a. The predominant view was that respondents felt that the car park site should not be redeveloped to include commercial floor space. Instead an open space/plaza was preferred, in conjunction with linkages to nearby Boronia Park and underground parking.
 - b. There were strong views that this site should be retained for public use only.

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- c. Some respondents (9) were positive about or at least willing to consider some commercial development here, some with provisos such that community facilities were maintained/increased, that height was limited, that access to Boronia Park was maintained, that such development might not be feasible given demand for commercial floor space, and that any such decision would require additional community consultation and careful consideration.
- d. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

144. Community feedback received on the Epping Library Site was as follows:

- a. Views on the library site were more evenly-mixed. While 13 respondents were supportive or at least willing to consider such a proposal, 16 submissions were not supportive.
- b. As with the car park, there was a frequent view that maintaining an exclusive public use on this site was important. Amongst those willing to consider a possible redevelopment, there were again provisos, such as prioritisation of community space over commercial, making space for NGOs, only with limited height potential, only with a master planning exercise, and only if community facilities were maintained or expanded.

Refer to a summary of the submissions at **Attachment 3**.

145. The above views were also reflected in the Community Workshop Sessions (refer to the *Epping Town Centre Review: Phase two – Exhibition period consultation* **Attachment 2**).

Conclusions and recommendations

146. These two Council assets are explored in more detail in the Social Infrastructure section of this Council report

147. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude** in the Social Infrastructure section of this Council report:

- a. Council Officers note and support the community's preference for Council to use its current assets at Rawson St and Chambers Court (Epping Library) for community uses.
- b. Refer also to the Social Infrastructure section of this Council report where this asset is discussed in more detail including recommended principles.

148. Council Officers therefore, **recommend the principles**:

- a. From the 'Local of Potential Civic Focal Point' section in the Social Infrastructure Chapter session of this report be applied here; and
- b. That investigation take place on the potential for commercial uses on both sites and that occur in conjunction with the analysis on these sites' social/community role.

Delivering a supermarket on the eastern side of the Town Centre

149. As noted in Section 8.5.4 of the Discussion Paper, one of the issues that will impact on the future liveability of Epping Town Centre will be future residents' and workers' ability to access their daily food retail needs in a convenient manner.

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150. The Discussion Paper explains that ideally there should be a supermarket provided on both sides of the rail line as supermarkets tend to be an anchor use that encourage other smaller and medium enterprises to locate nearby, providing a wider range of local uses for daily needs. A supermarket (Coles) already operates on the west side of the centre but there is no supermarket on the eastern side.
151. As the Discussion Paper explains, the planning system cannot mandate the location and operation of any business. The planning controls allocate floor space ratios and set in place planning controls that seek to create an environment for the business community to operate these types of businesses. Council cannot guarantee a supermarket would be provided, but it can put in place planning controls that promote or incentivise desirable outcomes and apply economic development initiatives to attract a supermarket tenant.
152. Supermarkets require large floorplates. On the eastern side of the Epping Town Centre, the existing lot pattern with multiple small shops requires significant lot amalgamation to occur to achieve an appropriate site. Having considered the pattern of Development Applications already in place and the possible locations for a supermarket, the Discussion Paper presents one site as ideal for a supermarket to service the eastern side of the Town Centre. The landholding (see **Figure 16**) consists of 7 sites – 38-48 Langston Place and 2 Pembroke Street – which together have a site area of approximately 2,900sqm.

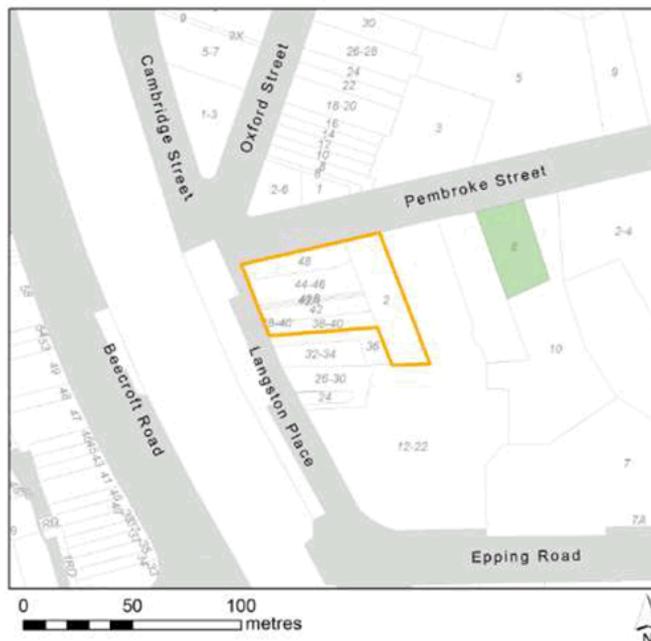


Figure 16 - Site identified within the Discussion Paper as a potential supermarket site on eastern side of Epping Town Centre

153. The question in the Discussion Paper, standard question 8h, asked *Should Council seek to actively encourage a supermarket site on the eastern side of the Epping Town Centre by providing floor space and height bonuses to incentivise the site amalgamation necessary to achieve a supermarket?*

Community Feedback

154. Specific feedback with regards to the eastern side was as follows:

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- a. Most respondents were positive about a supermarket on the eastern side of the rail line. There was a perception that additional residential development on the eastern side would necessitate this. As noted above, many submissions did not wish to accept height increases to incentivise this use.
- b. Some alternative locations were suggested besides the one raised in the Discussion Paper, such as church and library sites on the eastern side, or at the end of Chester Street where traffic is less of an issue.
- c. Few felt that supermarket options on the western side and/or nearby centres was sufficient, and that an additional supermarket was not needed on the eastern side.

155. Specific feedback with regards to the western side was as follows:

- a. There were more mixed views about additional or new supermarkets, and this seemed to be affected by the fact that there is already a supermarket on the western side.
- b. Most respondents did not support planning incentives to deliver a supermarket.
- c. Some respondents saw supermarkets as a secondary consideration on the western side, instead considering smaller shops, services and other commercial floor space as more important.
- d. Some respondents suggested that DCP controls be drafted to support delivery of a supermarket, rather than incentives.

Conclusions and recommendations

156. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude and recommend the following principle**:

- a. That the requirement for 3 storey commercial podium (as discussed, above) would provide additional floorspace for commercial and retail uses that could assist in potentially delivering a supermarket on the eastern side.

Other Large Floorplate Retail Options

157. As noted in Section 8.5.4 of the Discussion Paper, Council has two Preliminary Planning Proposals seeking to increase FSR and height on sites on the western side of the Epping Town Centre. In both the proposals submitted there are large floorplate shops provided for in the lower levels. (Refer to **Figures 17 and 18**).

158. In order to achieve a role for Epping as a sub district centre, it is critical that these sites provide commercial levels in a podium and that larger floorplate shops are retained within it. The DCP currently requires up to a 4 storey podium be provided for the Beecroft Road Site (see **Figure 18**). However, the current planning controls do not contain any provisions that require the applicants to retain large floorplate outlets. There are also no controls that require a supermarket site be retained for the site on the western corner of Rawson Road and Carlingford Road

159. This type of landuse/planning control has traditionally not been specified in a DCP and instead it has been left to the market to determine the mix of retail shop sites in a development. However, it is recommended that Council

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strengthen its DCP controls to specify that large floorplate retail should be provided.

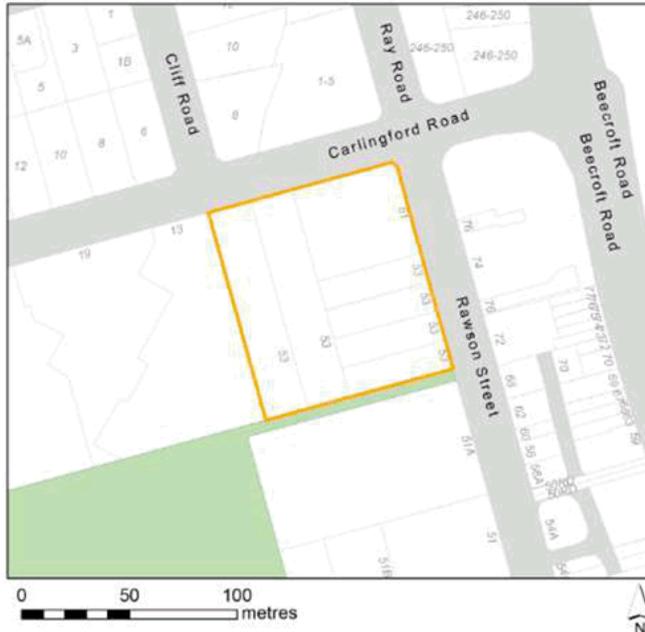


Figure 17 - Oakstand land holding

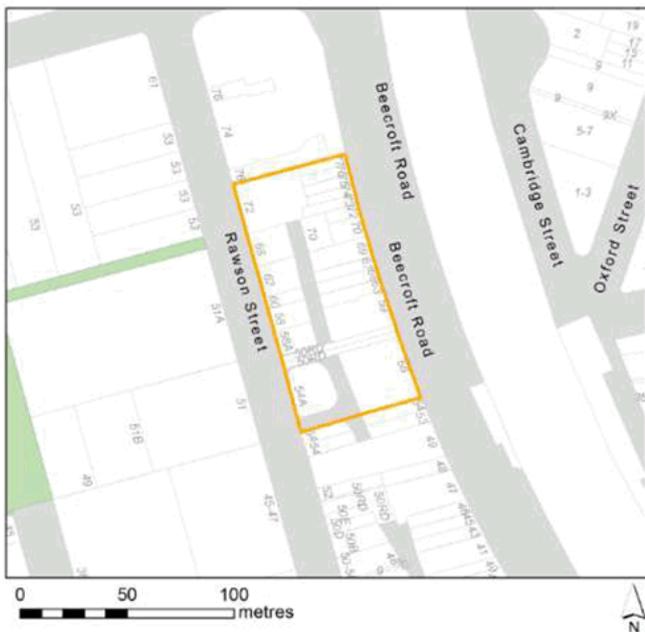


Figure 18 - Beecroft Road land holding

160. The circumstances for these sites are different to those discussed above in relation to providing a supermarket in the east. These sites have effectively already been amalgamated so there is no incentive required to promote amalgamation.

161. However, in both cases the applicants via their Preliminary Planning Proposals are seeking additional density on these sites over and above what is permitted

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under the current controls. There are various other issues, particularly traffic management and urban design, that need to be considered before any decision about whether these sites will be able to be developed at higher densities.

162. However, a position Council could take is that any additional density on these sites (subject to Council being satisfied it is satisfactory from a traffic and urban design point of view) would be conditional upon large floorplate shops being provided.

163. The Discussion Paper question (8i) asked: *Should Council consider floor space incentives to seek to ensure larger floorplate retail shops on these sites?*

Community Feedback

164. There was a common, though not unanimous, view that more retail options are required across Epping. However, amongst the respondents who discussed incentives, most did not want Council to consider incentives to encourage amalgamation of large floorplates.

Conclusions and recommendations

165. These two sites are subject to another standard question (11a) in the report that asks if further consideration of the Planning Proposals (including the Austino planning Proposal) be deferred until the Traffic Study is complete so the traffic implications are fully understood (see on Traffic Chapter, below).

166. Council Officers therefore, **recommend the following principle:**

- a. That the consideration of large floorplate controls be deferred until the preliminary planning proposals can be progressed. See also recommendations in Traffic Chapter, below.

SOCIAL INFRASTRUCTURE CHAPTER

167. Chapter 9.0 Social Infrastructure comes from technical work initially prepared for Council by Suter Planners and Elton Consulting on Council's social infrastructure across the City of Parramatta local government area. The analysis relevant to the Epping suburb was extracted and presented in the *Epping Social Infrastructure Study* prepared by Council which supported the exhibition of the Discussion Paper.

168. The role of the Chapter 9.0 Social Infrastructure is to identify principles that will guide future decision making on the provision of social infrastructure. The outcomes are via feedback received on the questions.

169. The Discussion Paper recognises that the process will also need to be informed by project feasibility and financial analysis prior to Council making any decisions on exactly how and where social infrastructure changes are pursued in the future.

170. The Discussion Paper looks at the areas requiring attention in Epping:

- a. Improving access to open space
- b. Location of potential future Civic Focal Point
- c. Methods for funding and delivering a potential future Civic Focal Point
- d. Dence Park - Epping Aquatic and Leisure Centre.

These are summarised below.

Improving open space provision in Epping to 2036

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171. Section 9.5.1 of the Discussion Paper discusses three issues that seek to improve open space provision to meet the Epping community's needs by 2036. These are outlined and addressed below.

Assessing where new land should be acquired for open space

172. The Discussion Paper's recommended principle is that Council look at opportunities to expand the size of existing parks over and above creating new parks. The Discussion Paper's standard question (9a.) asks: *Do you support an approach of expanding existing parks in and around Epping ahead of the creation of a new park in the area around the Epping Town Centre?*

Community Feedback

173. Feedback from both the submissions and Phase 2 Community Workshops shows very strong community support for expanding open space opportunities in Epping, though it is noted that not all submissions appeared to view this question as a choice between expanding existing parks versus creating a new park. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

174. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. The community's strong support for expanding access to open space is noted.
- b. Community sentiment reflects the directions outlined for open space (parks) in Council's draft Social Infrastructure Strategy (SIS), which is to be publicly exhibited between August – September 2017, and is expected to be finalised by the end of 2017. In relation to parks, the draft Strategy suggests no net loss of current parks and outdoor recreation space provision in the City of Parramatta LGA, to increase the utilisation and hours of use of Council's existing parks through improvements to quality and design, diversity of offer, enhanced pedestrian, cycle, public transport connections and or parking facilities, and further to seek to increase provision of open space for parks and outdoor recreation.

175. Council Officers therefore, **recommend the following principles**:

- a. That Council should investigate a series of detailed options to ensure that all its open space needs are met for the growing Epping population.
- b. That community feedback on expanding access to open space parks in Epping be considered as an information input to inform finalisation of Council's Social Infrastructure Strategy and the preparation of an Organised Sporting Asset Assessment Report (OSAAR) which is currently being drafted.

Acquisition of former bowling club site (725 Blaxland Road)

176. The Discussion Paper explains that a Planning Proposal by Austino Property Group applies (in part) to the former Epping Bowling Club site situated at 725 Blaxland Road (refer to **Figure 19** below). The site is currently zoned RE1 Public Recreation zone and identified for acquisition on the Land Reservation Map in *HLEP 2013*.

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Figure 19 - Former bowling club site – 725 Blaxland Road, Epping

177. Despite this, the Hornsby Council concluded in April 2016 that the purchase of the site for the purpose of expanding Forest Park *is unlikely to represent value for money when compared with alternative open space options within the locality.*
178. The applicant's planning proposal is currently proceeding through the Department of Planning and Environment's Pre-Gateway Review process. In November 2016, Council nominated to be the relevant planning authority (RPA) in order to have influence over the outcome. It did so on the condition that the Gateway Determination is issued after the exhibition of the Discussion Paper and technical studies. However, because the Traffic Study is not yet complete, Council is reluctant to determine the planning proposal until the proponent's proposed density has been tested within the traffic model. Regardless, at any point, the Minister for Planning can withdraw Council's status as the RPA and take full control of the planning proposal process and progress it in a way that may not fully address Council's or the community's concerns.
179. The Discussion Paper's standard question (9b.) asks: *Should Council purchase the former Bowling Club site separate from the current Planning Proposal process or continue to consider the Planning Proposal option that it be provided to Council subject to additional density being permitted on the existing landowners site?*

Community Feedback

180. Feedback from both the submissions and Phase 2 Community Workshops shows very strong community support in favour of purchasing the Bowling Club and for Council to not progress the Planning Proposal. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

181. Having considered the feedback from the Phase 2 consultations along with Council's analysis, Council Officers **conclude**:

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- a. Council's Property officers have since undertaken an indicative assessment of the valuation of the site and determine that its value is cost prohibitive. The analysis further finds that Council would achieve better value for money by purchasing individual residential R2 zoned properties elsewhere near the town centre for a new park. Indicative costing of this alternate approach is provided within the *Draft Former Hornsby Council/Epping Town Centre Development Contributions Plans* which are scheduled to be exhibited from August to September 2017.
- b. That should the planning proposal progress, that Council negotiate with the developer for the provision of public open space appropriately located and sized on the site.

182. Council Officers **recommend the following principle:**

- a. That Council should seek to progress the planning proposal with Council as the RPA subject to the Traffic Study being completed before FSRs for the site can be finalised. That Council also negotiate with the developer for the provision of public open space in a way that ensures there is a suitable area of open space which is appropriately sized and located.

Note: Refer also to the response to question 11a pertaining to *Consideration of Planning Proposals/Preliminary Planning Proposals*.

Process for acquiring open space

183. As noted within the Discussion Paper, Council will, as part of future phases of the planning process (initiated via the Discussion Paper) commence the feasibility analysis for identifying potential residential sites that could be acquired to expand existing parks. Consultation with land owners will precede any rezoning because in most instances they will be single detached homes. It will be necessary to explain to the occupants/owners the impacts on their property value, their ability to sell their site and the ability to stay on the site.
184. The Discussion Paper's question (9c.) asks: *Do you support Council pursuing a process where acquisition of land for open space is done on the basis of negotiated acquisition rather than compulsory acquisition?*

Community Feedback

185. With regards to the submissions received, there were mixed responses. Whilst respondents generally supported negotiated acquisition over compulsory acquisition, many other respondents expressed:
 - a. support for compulsory acquisition in limited circumstances only;
 - b. negotiated acquisition for private homes but compulsory at development sites;
 - c. support for any option which would increase open space; and
 - d. strict opposition to compulsory acquisition.

A more detailed summary of feedback to this question is contained in **Attachment 3**.

186. With regards to the Phase 2 Community Workshop, the predominant response supported negotiated acquisition with a few respondents not supporting the idea. (A more detailed summary of feedback to this question is contained in

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Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation report at Attachment 2*).

Conclusions and recommendations

187. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. Council has prepared a Council wide draft *Social Infrastructure Strategy* (SIS) which is scheduled for exhibition from August to September 2017. The draft SIS: *identifies and assesses existing social infrastructure provision in City of Parramatta LGA. It identifies contemporary challenges we have for realising quality social infrastructure, and finally key opportunities and directions by asset type (including open space) and for City of Parramatta's 13 high growth areas (which includes Epping). This draft Strategy applies to our unique and diverse neighbourhoods as well as our CBD.*
- b. Council is also preparing an *Organised Sporting Asset Assessment Report* (OSAAR). The OSAAR will further assist Council to understand the specific challenges and opportunities that existing with each of our sports fields and determine the priority actions to take to increase provision and utilisation of our sports field open space. This will include sports fields in the suburb of Epping.
- c. The Discussion Paper process which constitutes Stage 1 of the Epping Planning Review aligns with the approaches being undertaken for the draft SIS and OSAAR, both of which are about increasing access to green open space.

188. Council Officers therefore, **recommend the following principle**:

- a. That the findings, analysis and feedback from Stage 1 of the Epping Planning Review process relating to the process for acquiring open space be considered as part of the preparation of the final SIS and OSAAR projects

Utilising existing land more effectively

189. The Discussion Paper explains that there are a number of factors that determine the level of intensity of use of a local park or sports field, to ensure it can be used by the community without being degraded. Two key factors are the amount (or type) of landscaping on the site, and the level of maintenance required. The Discussion Paper provides two examples:

- a. re-configuring landscaping in existing parks could enable more active uses (including both unstructured play and organised sporting activities) while also accommodating for the needs of residents who want to use parks to passively enjoy the outdoors.
- b. provide a different surface treatment to playgrounds and sporting fields to accommodate a higher level of use, such as the use of synthetic sporting surfaces.

190. The Discussion Paper's question (9d.) asks: *Are you supportive of Council investing in improved landscaping and equipment in parks and sporting fields, including investigating synthetic surfaces for sporting fields to cater for more intensive use?*

Community Feedback

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191. Feedback from both the submissions and Phase 2 Community Workshops revealed there was unanimous community support for improving landscaping, equipment and parks in Epping. There were mixed views on synthetic surfaces, with some accepting and some against their use. The community urged a site-by-site consideration of parks with additional consultation to make future decisions about improvements to parks and sports fields. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

192. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. Council Officers recognise that the community of Epping support the upgrade and increased utilisation of parks and sports fields. Council Officers also acknowledge that there is mixed opinion for synthetic sports fields.
- b. The sports fields in the suburb of Epping must be analysed and planned within the context of the overall sports field network in the CoP LGA.
- c. Council has prepared a draft SIS which is scheduled for exhibition from August to September 2017. Work has also commenced on an LGA wide detailed organised sporting asset assessment (ie. the OSAAR).
- d. As part of the above documents Council will consider the use of synthetics and other options to increase utilisation and access to sports fields, as well as upgrades to parks within Epping.

193. Having considered the feedback from the Phase 2 consultations, Council Officers **recommend the following principle**:

- a. That the responses provided as part of the Phase 2 consultation process for the Epping Planning review relating to landscaping and synthetic surfaces for parks will inform the finalisation of the Social Infrastructure Strategy and Organised Sporting Asset Assessment Report. The intention is to finalise the SIS by the end of 2017.

Establishing partnerships to make better use of existing facilities

194. Large institutional landowners, including government and non-government schools, provide opportunities for Council to facilitate partnerships with local community organisations (such as amateur sports clubs) to make better use of existing facilities for the local community. In the case of schools, many children within the Epping community use their schools' open space areas during the week, but are unable to use the same fields on the weekend in organised sporting activities by non-school groups. The way in which schools are fenced off, and the way landscaping is used to prevent access is important to ensure the safety and supervision of students during school days, however there is an opportunity to consider further community use of schools' sporting fields.

195. Council considered a report on 13 June 2017 where it resolved to enter into a Memorandum of Understanding (MOU) with the NSW Department of Education (DOE). The associated Investigation Program identifies seven action areas that together form the basis of Council's initial work with DOE:

- a. Increase community access to sports fields.
- b. Establish formal arrangements between DOE and Council to continue use of Carlingford High School sports fields.

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- c. Increase community access to school halls and related facilities.
- d. Increase community access to library facilities.
- e. Proactive joint planning for the growth of Telopea and the shared use of school facilities and community assets.
- f. Proactive joint planning and preparation to support the opening of Wentworth Point Public School.
- g. Proactive joint planning of a primary school in the Carter Street Precinct.

196. The Discussion Paper sought feedback on how this MOU should be pursued in the Epping area through question 9e. *Which schools should Council pursue in the Epping area to progress the MOU between Council and the Department of Education to improve the availability of sporting fields?*

Community Feedback

197. The community's views from both submissions and the Phase 2 Community Workshops were as follows:

- a. There is broad support for use of school facilities.
- b. Some respondents query some of the detail about which schools and which facilities.

A more detailed summary of feedback to this question is contained in **Attachment 3**.

Conclusions and recommendations

198. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. That there is broad support for Council to work with schools to increase community use of school assets.
- b. Council is commencing implementation and this includes investigating the suitability of individual schools and assets for community use.
- c. Initial actions will focus on analysing the suitability of sports fields on specific school sites.

199. Council Officers therefore, **recommend the following principle**:

- a. That the detailed community feedback provided as part of the Phase 2 community engagement process for the Epping Planning Review inform the implementation of the MOU with the DOE.

Location of potential future Civic Focal Point

200. Section 9.5.2 of the Discussion Paper defines a **Civic Focal Point** as comprising:

- a. A library and community facility floor space; and
- b. A public urban plaza.

201. The Discussion Paper (and *Epping Social Infrastructure Study* which supports the Discussion Paper) identifies:

- a. That to meet the needs of a larger population living in a higher density environment by 2036, the Study recommends the provision of a 3,500sqm multi-purpose facility based on the Community Hub model

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(involving library and community facility floor space). This could include the co-location of an expanded library offering, as well as community meeting rooms, study areas, community programming facilities and the like.

- b. That the 550sqm Epping library facility requires an additional minimum 1,000sqm to meet current population needs.

202. The Discussion Paper subsequently proposes three options for a civic focal point within the Epping Town Centre:

- a. Rawson Street car park site (refer to **Figure 14**);
- b. Epping Library site (refer to **Figure 15**); or
- c. Two civic focal points each with a range of services.

203. The Discussion Paper then presents the Council Officer recommendation which is for Option 1 – Rawson Street Car Park site *as the site is better able to accommodate a Community Facility Hub and Civic Space in a way that can be integrated into the broader pedestrian network and town centre. ...[it] does not result in the loss of any existing community facility given that the public car park can be located underground below the new Community Facility Hub whereas the Epping Library Site and Pembroke Park would result in the loss of local open space if Pembroke Park was converted into a more formalised Civic Space.*

204. The city-wide Draft Social Infrastructure Strategy which is scheduled to be exhibited from August to September 2017, identifies the need to locate and plan for a civic focal point within the Epping Town Centre.

205. The Discussion Paper asked three questions relating to a Civic Focal Point:

- a. Questions 9f. and 9g. asked: *Where is your preferred location for a Civic Focal Point incorporating a Community Facilities Hub and some form of Civic Space? and Why is this your preferred location?*
- b. Question 9h. asked: *Would you support existing community facilities sites being sold to assist with funding a new consolidated single community hub to provide a higher quality community facility somewhere else within the Epping Town Centre?*
- c. Question 9i. asked: *Should Council seek to develop Council-owned sites to maximise the funding available to deliver a new Civic Focal Point?*

The responses to the above questions pertaining to a Civic Focal Point are consolidated below.

Options for funding and delivering a potential future Civic Focal Point

206. Section 9.5.3 of the Discussion Paper proposes three options for funding and delivering a potential future Civic Focal Point:

- a. Selling land that becomes surplus to requirements if a single Civic Focal Point is built;
- b. Maximise the development potential of sites to assist with funding a Civic Focal Point; or
- c. Allowing additional density to secure a new Civic Focal Point.

These are discussed below.

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Selling land that becomes surplus to requirements if a single Civic Focal Point is built

207. As noted within the Discussion Paper, all Council-owned sites located within the town centre have some development potential for which Council could realise value by selling the site for redevelopment. Council could seek to sell any number of sites it currently owns to provide funding for delivery of the community infrastructure discussed in this section.

208. The purpose of selling sites would not be to reduce the level of services. Instead, the strategy would be to provide improved services in a more efficient way on a consolidated site.

Maximise the development potential of sites to assist with funding a Civic Focal Point

209. As noted within the Discussion Paper, one option for funding the provision of Community Infrastructure is for Council to realise the value of land holdings in a way that provides the community with a financial return that can be used to assist with funding the new Civic Focal Point (the EOI process that Hornsby Shire Council undertook before the Local Government boundary changes that saw Epping included in the City of Parramatta is an example which involved the Council finding a partner to develop a site). Another avenue can be through a planning proposal process involving Council owned land. Two Preliminary Planning Proposal examples were provided in the Discussion Paper.

210. The redevelopment of Council owned land in partnership with other partners can deliver significant community benefits that will allow the delivery of community infrastructure in a more financially sustainable manner. The Discussion Paper seeks feedback on whether the community is comfortable with this approach.

211. The Discussion Paper's question (9i.) asks: *Should Council seek to develop Council-owned sites to maximise the funding available to deliver a new Civic Focal Point?*

Allowing additional density to secure a new Civic Focal Point

212. The Discussion Paper notes two Preliminary Planning Proposals, for sites adjoining the Rawson Street Carpark Site. Both propose an increase in the overall density permitted on their site and both proposals seek to underground the carpark, and provide community facilities and a civic space.

213. The Discussion Paper's question 9j. which asks the community to consider a trade-off between timely provision of community facilities against additional density being permitted in the town centre, was: *Are you willing to accept further increases in density in the town centre if it would assist with funding a new Civic Focal Point?*

Community Feedback

214. Community feedback received from the submission process and Phase 2 Community Workshops on questions 9f, 9g and 9h pertaining to a Civic Focal Point indicated mixed views:

- a. The most common response was a preference for two sites (and of these, most expressed support for the Rawson Street Car Park and Library sites). The key reasons for this included a preference for having different sites for different uses and a perception of "fairness" across both sides of the rail line.
- b. Of those who preferred a single site, the most common response was the Rawson Street Car Park site. The main advantages for this site

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were seen to be access, site size, parking and proximity to Boronia Park.

- c. There was proportionately more support for Council seeking to develop Council-owned sites, than for selling existing community facilities or accepting further increases in density from the Phase 2 Community Workshops. This feedback was more supportive of such redevelopment models of Council-owned sites.

215. Refer to Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation* report at **Attachment 2.a** more detailed summary of feedback at **Attachment 3**.

Conclusions and recommendations

216. Having considered the feedback from the Phase 2 consultations and submissions, Council Officers **conclude**:

- a. Council Officers note and support the community's preference for community facilities on both sides of the railway line.
- b. Council Officers note and support the community's preference for Council to use its current assets at Rawson St and Chambers Court (Epping Library) for community uses.
- c. Council officers note that there was no clear preference over the three options. However most support was given to the "developing council owned sites" option.

217. Council Officers therefore, **recommend the following principles**:

- a. That Council utilise its assets at Rawson Street car park and Chambers Court to provide community infrastructure and civic focal points on both sides of the town centre.
- b. That Council seek to develop a community hub (defined above) but on one of the sites and other adjunct uses for the other site.
- c. That there be no net loss of community facility floor space overall in Epping.
- d. That Council seek to increase the utilisation of all of Council's current assets in Epping for the broader community.
- e. That further feasibility testing of Council owned land assets should be undertaken (including additional community consultation) to develop options - including a Community Hub (defined in the Discussion Paper as a facility incorporating a library and community facility floor space) and public urban plaza - and potential funding mechanisms for community facilities in Epping.

Dence Park – Epping Aquatic and Leisure Centre

218. Council's *Social Infrastructure Study* identifies that the Dence Park – Epping Aquatic and Leisure Centre is aging and has accessibility issues which means it does not meet current standards for this type of facility. Hornsby Shire Council considered the option of closing the centre at the time the pool was its responsibility.

219. Section 9.5.4 of the Discussion Paper acknowledges that as part of the development of a community facilities strategy, Council will need to determine what role the Epping Aquatic and Leisure Centre might play. For instance,

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should the centre be redeveloped or modernised as an aquatic centre, or put to an alternate community use.

220. Through the Phase 1 community consultation process, it was clear the facility is a beloved community asset to sections of the Epping community. However, despite this impassioned position, usage levels of this facility have been in decline over the longer term, except in the last year where usage levels had actually increased since City of Parramatta took ownership.
221. The Discussion Paper noted the strengths and the weakness of the site. The strengths are that Council owns the land and that Council will open the pool for the October 2017 summer season. The weaknesses of the site are that:
- a. The Centre is aging, needs significant upgrading, and is at risk of significant infrastructure failure
 - b. It lacks visual prominence,
 - c. It is in a bushfire-prone site,
 - d. Is underutilized, and
 - e. The topography of the site makes modernising the site a relatively expensive exercise and impacts on its accessibility.
222. Adjoining bushland along Terrys Creek is a key wildlife corridor (confirmed in recent bushland fauna surveys).
223. The Discussion Paper's question (9k) asks: *What should be the future use of the Dence Park Aquatic Site?*

Community Feedback

224. The feedback from both the submissions and Phase 2 Community Workshops showed there was very strong community support to retain Dence Park for public and recreational uses. There was also strong community support to retain the swimming pool, and perhaps increase/improve it in some capacity with an expanded indoor fitness centre or similar uses. Furthermore, many respondents highlighted the environmental conservation value of the bushland and the need for its retention along with carefully selected passive recreational uses.

Conclusions and recommendations

225. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. Council's Draft SIS which is being exhibited from August to September 2017 draws attention to the LGA-wide issues pertaining to the overall aquatic infrastructure/network.
 - b. Adjoining bushland along Terrys Creek requires protection and there needs to be a restriction on the expansion of Dence Park aquatic facility.
226. Council Officers therefore, **recommend the following principles**:
- a. The feedback obtained from the Phase 2 consultation process be considered and integrated into the exhibition process for the Draft SIS.
 - b. A master plan process be undertaken for the entire Dence Park site, giving consideration to the future options for aquatic and other water related activities for the Epping Aquatic and Leisure Centre, as well as

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increasing the overall recreation uses of the site and adjoining sensitive bushland.

PUBLIC DOMAIN CHAPTER

227. The intense growth within the Epping Town Centre has presented Council with the opportunity to review aspects of the centre's public domain, identify opportunities for improvements and present these to the community for discussion. The feedback and direction will also assist Council in advising Development Application and Planning Proposal applicants until new planning controls can be formulated. The areas requiring immediate attention are pedestrian connections and footpath widths.

228. Numerous urban design themes have been consistently raised throughout the consultation process on:

- a. Pedestrian connections - That pedestrian connections should be:
 - i. created or improved either between or through blocks;
 - ii. improved between different land uses and attractors (i.e. the centre and open space areas);
 - iii. created at mid-block where block lengths were long; and
 - iv. improved to form linkages from one side of the centre to the other.
- b. A vibrant centre – The community are enthusiastic about the possible future of Epping. They want their town centre to reflect the vibrant, friendly, community which they are familiar with.
- c. Enable liveability - The community see that future infrastructure planning needs to “enable liveable town centres” as an overarching principle.

229. The Discussion Paper subsequently presented two public domain issues:

- a. Through-block connections, streets, laneways and arcades and shareways; and
- b. Wider footpaths (which pertain to building setbacks).

230. The Discussion Paper asked two questions each were supported by a diagram:

- a. 10a. *Are there any other through site links outside of those that are already proposed in Figure 30 that should be considered by Council?* and
- b. 10b. *Do you think the new ground floor setbacks proposed in Figure 31 for Epping Town Centre are appropriate?*

Community Feedback

231. Community feedback (from 23 submissions) received on the through-block connections indicated the following:

- a. Some submissions broadly reflected that any and all links should be encouraged, in order to improve safe and pleasant access across the town centre.
- b. Many submissions also identified specific existing links that they wished to see reflected in the map.

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- c. Some submissions proposed:
- extensions to existing links, and/or
 - where a new link could be created.

232. Community feedback (from 21 submissions) received on wider footpaths said the following:

- a. The majority of submissions were supportive of the new ground floor setbacks proposed in the discussion paper.
- b. Some submissions noted that having setbacks which are consistent are important, and noted that the desired setbacks are not being achieved consistently through current controls (particular concern about current redevelopment at 35 Oxford Street).
- c. Some respondents felt that setbacks should be further increased (for example, on Oxford Street, Epping Road and Beecroft Road); justifications included that increased setbacks might provide space for larger trees, and that footpaths will continue to get busier in the town centre as Epping grows and that this could present safety and accessibility risks – particularly to those with limited mobility. Trees were seen in some submissions as being important to Epping's character, as well as having shading, cooling and aesthetics benefits.
- d. Some respondents also asked Council to consider cycling movement through Epping, as increasing bicycle trips could improve traffic issues.
- e. A couple of respondents were not supportive, as it was felt that the current setback situation is adequate.
- f. One developer was also not supportive of the proposed setbacks and instead proposed that setbacks be flexible in order to accommodate large retail/commercial floorplates at podium levels, should be determined at a master planning stage, and that having tightly controlled setbacks might not achieve the best outcome in all cases.

233. Refer to **Attachment 3** for a summary of the submission responses. Also, Public Domain matters were not covered by the Community Workshop Sessions.

Conclusions and recommendations

234. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. There are a number of opportunities to improve the public domain in terms of delivering through-block links and wider footpaths.
- b. The best mechanism for delivering public domain initiatives is via new DCP controls (where appropriate) and a revised public domain plan.

235. Council Officers therefore, **recommend the following principles**:

- a. That as part of Stage 2 of the Epping Planning Review, that Council prepare appropriate DCP controls and a public domain plan that deliver through-block links and wider footpaths.

TRAFFIC CHAPTER

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236. As noted on the Discussion Paper, Council has commissioned EMM Consulting to prepare a Traffic and Land Use Options Study (Traffic Study) to provide an evidence-based approach to the assessment of existing and future traffic conditions with different development scenarios for the Epping Town Centre and surrounds, including potential infrastructure improvements.
237. The Traffic Study builds on traffic study work which was carried out previously by Halcrow in 2011 on behalf of Hornsby Shire Council, the former Parramatta City Council and the Department of Planning and Environment as part of the proposed new planning controls implemented by the Department of Planning and Environment in 2014.
238. There are significant concerns from the community around the impacts of the additional residential densities permitted under the 2014 planning controls given the additional population envisaged and the subsequent impacts on an already congested and constrained road network. There is also increasing developer pressure to increase residential densities (through Planning Proposals) beyond that permitted under the existing planning framework.
239. EMM prepared an *Interim Traffic Modelling Report* which was exhibited as supporting information to the Discussion Paper. It included preliminary analysis to provide an indicator of the issues and options available to allow discussion of these issues as part of the exhibition process.
240. The preliminary advice concludes that regardless of what land use density options or road work improvements are put in place there is little scope for significant improvements to the way the road network operates in the Epping Town Centre without new and additional policies to reduce car usage and shift more trips that currently come through the centre by car onto public transport modes.
241. This chapter of the Discussion Paper presented six questions that play a role in developing the scenarios for the purposes of the traffic model exercise.

Consideration of Planning Proposals/Preliminary Planning Proposals

242. The Discussion Paper explains the level of developer interest in the Epping Town Centre with three planning proposal under assessment and other land owners also expressing a desire to seek uplift.
243. The standard question (11a) asks: *Should Council delay the processing of current and future Planning Proposals within the Epping Town Centre and surrounds until the Traffic Study is completed?*

Community Feedback

244. This matter received a total of 103 submissions - the most received for any standard question.
245. The predominant view (94 submissions) is overwhelmingly in favour of delaying the progression of any planning proposal including existing planning proposal, preliminary planning proposals and future planning proposals.
246. The majority of submissions to this question also raised concerns about existing traffic congestion in Epping (particularly around the Town Centre). Specific matters raised included:
- a. Residential growth has already outpaced the original traffic review carried out by Hornsby Council.

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- b. There is a need to address traffic flows in and out of North Epping before further major developments are started.
 - c. The volume of traffic has already increased markedly over the past decade and this is significantly detracting from the amenity of the Town Centre, with current levels of congestion only likely to worsen.
 - d. A workable traffic solution for existing problems needs to be developed by Council and the RMS before any future Planning Proposals should be considered.
247. There was a broad view that further traffic analysis is required, and commentary on the Traffic Study was offered. Many submissions suggested that any additional impact from Planning Proposals (both current and future) needs to be carefully studied and understood, and that Council should not delay pending traffic studies.
248. A few submissions mentioned that the quality of the recommendations in the Traffic Study will depend on the quality of the assumptions made during the modelling performed. It was suggested that the Traffic Study should be peer reviewed and made available for public comment prior to finalisation. One submission recommended that the Traffic Study should assess usage and movement patterns in areas such as Cliff Road.
249. A total of 16 respondents specifically recommended that the Austino Planning Proposal be placed on hold until the Traffic Study is finalised, citing concerns about the level of density and the impact on local area traffic. In contrast, a developer submission from Austino strongly disagreed that current planning proposals be delayed until the traffic study is completed; this submission stated that this is currently the only major site in Epping that has been determined to have strategic merit by the NSW Department of Planning and Environment, the JRPP, and has been supported on traffic grounds by the RMS.
250. Some community responses sought to also delay development applications. However, under the *Environmental Planning and Assessment Act 1979* this is not legally possible. This position has been reinforced by Council's Administrator at the public launch of the Epping Planning Review in December 2016 as well as at subsequent community consultation sessions.
251. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

252. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
253. The Epping Town Centre currently experiences significant traffic delays during morning and afternoon peaks as a result of the significant amount through traffic as well as increased residential densities resulting from the new planning controls implemented in 2014. Until the traffic impacts of allowing increased development above and beyond current planning controls are properly understood (including the cumulative impact of current and potential planning proposals), any planning proposal should not be finalised.
254. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

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- a. Council has deferred consideration of a Planning Proposal and two Preliminary Planning Proposal processes on account of the work being undertaken by the Epping Planning Review:
 - i. The Austino Planning Proposal seeking to deliver an additional **272 dwellings**.
 - ii. The Oakstand Preliminary Planning Proposal seeking to deliver an additional **922 dwellings***.
 - iii. The Winten/Lyon Group Preliminary Planning Proposal seeking to deliver an additional **584 dwellings***.

Note: with regards to the two preliminary planning proposals, it is accepted that the dwelling numbers as currently proposed cannot be delivered simultaneously as both proposals seek to develop Council's car park.

- b. In addition to the above, Council is aware of at least two other land holders potentially looking to pursue a planning proposal process. Therefore, there is an urgent need to understand the traffic issues prior to advancing proposals that seek development growth above the March 2014 planning controls.
- c. The Epping Town Centre has been doing a lot of the "heavy lifting" for the residential growth in this vicinity of Sydney. With the number of planning proposals and precinct planning projects across the LGA before Council, Council does not require any further uplift in Epping for the purpose of meeting its housing targets as expressed in the Greater Sydney Commission's *Draft West Central District Plan*. Also, as has been made clear, the scope of the Epping Planning Review has been to address the failings of the planning system that came into effect in March 2014. As such, additional requests for rezoning (received through the submission process) will not be considered as part of the Epping Planning Review.
- d. The pace of change is having a significant impact on the Epping residents. Council should therefore continue to manage any further formal requests for uplift (eg. planning proposal applications) outside of the Epping Planning Review process and be subject to the Epping Traffic Study which is still being completed.
- e. The scope of the traffic analysis has been undertaken to better understand the traffic impacts of any growth, not necessarily to enable any further growth within the Town Centre. Therefore, there is no urgency or need for Council to consider individual requests for uplift as part of the Epping Planning Review process. Instead, that applicant's seeking uplift should do this via a formal planning proposal process.
- f. There is some urgency in bringing about the planning control changes to address the unintended impacts associated with the new planning controls that came into effect in March 2014 as soon as possible. The inclusion of other landowner sites within the Stage 2 process will only cause further delay to this process.

255. Council Officers therefore, **recommend the following principles:**

- a. That Council continue to manage and progress the current planning proposal (Austino) given the potential risk of not being the Relevant Planning Authority (ie. the State Government becoming the Relevant

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Planning Authority). As mentioned previously, this is to ensure that Council's and the community's concerns and issues are addressed (eg. open space – refer to 'Acquisition of former bowling club site (725 Blaxland Road)' in Social Infrastructure section (ie. Response to question 9b). However, should the proposal proceed to Gateway Determination, that Council request that a condition be placed on the Gateway to ensure that the proposed FSRs for the site cannot be finalised until the Traffic Study is completed.

- b. That following the Local Government elections in September 2017, the new Councillors be consulted and briefed on the progress of the Epping Planning Review and the community feedback received with regards to the future of the Rawson Street Car Park. This will enable Council officers to engage with the applicants of the 2 Preliminary Planning Proposals (Winten Lyon and Oakstand) to allow these proposals to be further considered.
- c. That other landowners seeking to pursue development uplift will need to pursue this via a formal planning proposal process and not through the Epping Planning Review process.
- d. That the Traffic Study must be completed to ensure that the traffic impacts of proposals seeking development uplift (with the exception of those changes proposed to deal with the unintended impacts of the previous UAP planning process) within Epping can be properly understood prior to any proposal being finalised. Furthermore, unless innovative solutions or initiatives that significantly curb or restrict car ownership/movements are incorporated as part of the development, that proposals seeking uplift will not be able to progress or be further considered given current traffic issues in Epping. Notwithstanding the above, any proposed parking/vehicle management solutions need to be assessed via the Traffic Study in order to determine its impact on the wider road network.

Car Parking Rates

256. Section 11.7.2 of the Discussion Paper explains the inconsistency between the parking rates between the Hornsby and Parramatta DCPs and the need to make them consistent. The Discussion Paper notes that parking rates should be reviewed and potentially further reduced to encourage residents to use public transport and other active transport modes.
257. The objectives around reducing car parking rates in DCPs is to minimise local car ownership and decrease private motor vehicle use.
258. The Discussion Paper's question (11b.) asks: *Should Council consider further reducing car parking rates as a means to reducing traffic within the Epping Town Centre and encourage public transport usage?*

Community Feedback

259. Community views (from a total of 38 respondents) were mixed with just over half of submissions not supporting this approach to reducing traffic.
260. Respondents that were not supportive (22) were of the view that reduced availability of car parking spaces will result in more on-street parking. Several believed that the current parking rates were reasonable and should not be changed. Some were sceptical on whether this would actually work in terms of

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reducing car ownership, and felt a more effective approach to reducing congestion would be to limit development instead.

261. Respondents that were supportive (11) generally took the view that the number of cars on the roads need to be reduced, with some supporting any measure to reduce the traffic load on Epping. Some submissions which were broadly supportive did note that reduced rates would be more appropriate for residential uses than for retail and service providers.
262. Many submissions were of the opinion that owning a car is necessary and that people cannot rely on public transport. These submissions mentioned that the new residents will need cars to move families around to libraries, school, after school activities, pick up from the station etc.

Conclusions and recommendations

263. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
264. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That given the results of the interim traffic findings, reducing car parking rates is an important planning and traffic mechanism that can contribute towards the reduction of local car ownership and alternatively promote active and public transport options through and within Epping.
265. Council Officers therefore, **recommend the following principles**:
- a. The car parking rates across the Hornsby and Parramatta DCPs be reviewed to determine appropriate lower parking rates.
 - b. That any proposed lower parking rate be tested as part of the traffic modelling in the Epping Traffic Study before changes are finalised.
 - c. That further to points a. and b. above, an interim step towards reducing parking rates could be to amend Hornsby DCP parking controls (which have minimum parking rates) to be in line with Parramatta DCP parking controls (which have maximum parking rates).

Commuter Parking Station

266. Section 11.7.3 of the Discussion Paper explains that a number of stakeholders suggested that Council should either provide or lobby the State Government to provide commuter parking near the Epping Station. The argument put forward by proponents is that this would clear surrounding streets of commuter parking and improve access to local shops for local people.
267. Commuter parking at train stations is a complex issue that depends very much on local context. It is acknowledged that allowing people to drive to stations to use public transport is decreasing the length of cross-city vehicle trips and increasing the length of public transport trips which is to be encouraged. However, the provision of commuter car parks can have other unintended impacts unless it is implemented sensitively and in appropriate locations.
268. Again, the objectives around the car parking policy for the Epping Town Centre is to minimise local car ownership and decrease private motor vehicle use.

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269. The Discussion Paper's question (11c.) asks: *Is there a suitable site for which Council should lobby the State Government to have a commuter parking station provided near Epping Station?*

Community Feedback

270. A total of 38 submissions were received with opinions split on this issue.

271. Across submissions supportive of commuter car parking, there was a view that the current situation where commuters park in local streets was not acceptable, as it affected locals, visitors, and businesses. Providing commuter car parking was seen as potentially increasing residents' usage of the rail line; current bus service was generally seen as poor, with commuter car parking as a better alternative. However, it was also noted that elderly residents who were unable to drive might still struggle to use transport.

272. The needs of neighbouring suburbs were also considered in some submissions, with the view expressed that North Epping residents need commuter parking as well; Transport for NSW's current investigations of a similar solution at Eastwood was also raised.

273. As noted above, several ideas about commuter car park sites were suggested:

- a. 240-244 Beecroft Road, mainly due to good station access,
- b. Above Epping Train Station,
- c. Above Rawson Street Car Park,
- d. Under current library site,
- e. Older apartment complex near Epping Station, through an acquisition process, and
- f. Inside newly constructed residential towers.

274. Many submissions took a broader view that any site considered should be within walking distance of the town centre and train station, while others were willing to consider sites outside the town centre in combination with shuttle buses to the station.

275. Amongst submissions not supporting commuter car parking, there was a common view that commuter parking would only increase traffic and local car use. Some felt that this would incentivise commuters from other suburbs coming into Epping to park, thereby impacting the road network and taking away parking from local residents. Others felt there was no suitable space in Epping for a commuter parking station, while others felt that a commuter parking station was a lower priority than valuable commercial, retail and residential space. Some felt that a low-cost shuttle bus would be a better alternative.

276. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

277. Having considered the feedback from the Phase 2 consultations on a commuter car parking station in the Epping Town Centre, Council Officers maintain the views expressed in the Discussion Paper and therefore **conclude** the following:

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- a. It will attract additional trips into the Epping Town Centre for the sole purpose of utilising the car park which will have a further detrimental impact on local traffic conditions and increase traffic congestion.
- b. It will encourage local employees to drive to the centre rather than arrive via public transport due to the increased access to day long parking options.
- c. Experience in other centres suggests that the availability of day long parking encourages more commuters to make the choice to drive to the station because of the increased likelihood they can find a park. If all spaces within the commuter car park are occupied, drivers will park on the street. So parking availability on local streets is not improved.
- d. An integrated transport system would see people take the bus from close to their home to the station to continue their public transport journey. This is most efficient and effective if regular bus services are feasible. The more commuter parking is provided the greater the negative impact on the feasibility of running regular bus services especially given the number of buses that provide access to Epping.
- e. Commuter parking stations do play an important role in promoting public transport but do not consider that Epping is an appropriate location for a commuter parking station.

278. Council Officers therefore, **recommend the following principles:**

- a. That Council Officers not pursue a policy of providing a commuter car parking facility within the Town Centre.

Policies to manage local parking and access to private motor vehicles

279. Section 11.7.4 of the Discussion Paper proposes two options to discourage residents that purchase into new high density development from parking in local residential streets:

- a. Resident or controlled parking schemes; and
- b. Car sharing scheme.

280. As Section 11.7.4 of the Discussion Paper noted, a commonly expressed concern when any proposal is put forward to decrease parking rates on site is that residents will still own a car and will park it on local streets. Should Council consider introducing maximum rates or reducing car parking rates below the "maximum rates" identified in the PDCP 2011 in order to influence mode shift, it is considered that additional measures could also be investigated to discourage residents purchasing into new high density development do not end up parking in local residential streets.

Resident or controlled car parking schemes

281. The Discussion Paper notes that a rollout of restricted/time limited parking zones within residential streets adjacent to higher density development could be investigated along with a resident parking scheme to enable existing residents within lower density residential zones up to a 3 storey apartment building to have the opportunity to apply for a permit to enable residents and their visitors to continue to have on-street parking albeit in a limited and controlled manner. Such initiatives also discourage commuters from parking within local streets close to Epping Station and depending on the nature of the restricted parking roll out, can encourage commuters to catch a bus to the Epping Station.

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282. The fundamental objectives around introducing a resident or controlled parking scheme is to minimise local car ownership and decrease private motor vehicle use.

283. The Discussion Paper's question (11d.) asks: *Would you support the introduction of a Resident Parking Scheme where owners of new units would not be permitted to park on local streets as a way to discourage car ownership and manage parking on local streets?*

Community Feedback

284. Community views (from a total of 41 respondents) were mixed with more than half of submissions supporting this approach to reducing traffic.

285. Respondents that were supportive generally supported introducing restricted/time parking zones within residential streets adjacent to high density residential development. Others suggested delineating a radius around the station to which the scheme would apply. Others suggested that Council remove "full day" parking in favour of different timed parking options which radiated out from the centre. There was also a specific request for extension of 2-hour parking farther along Oxford Street.

286. Respondents that were not supportive had the following opinions:

- a. Many respondents felt that people would want to own cars, regardless of efforts made by Council to encourage behaviour change.
- b. Some were concerned about how the value of units might be affected with the introduction of a scheme. One was unsure about how this approach could help with reducing car ownership.

287. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

288. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

289. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. There is strong community support for a residential or controlled parking scheme

290. Council Officers therefore, **recommend the following principle**:

- a. That Council officers carry out further investigation around the potential implementation of a resident parking scheme in Epping in order to minimise local car ownership and decrease private motor vehicle use.

Car sharing scheme

291. As noted within the Discussion Paper, car sharing enables more sustainable travel habits by making more efficient use of a parking space either on street or within a private development. A single car share vehicle can replace up to 12 private vehicles that would otherwise compete for local parking (source: www.cityofsydney.nsw.gov.au/live/residents/car-sharing). Car share schemes provide flexibility to residents or businesses who either do not own a car, cannot justify car ownership given close proximity to public transport or lack of

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a parking space. Resident and businesses can book a car online when they need one and pick it up from a car share space.

292. Furthermore, car share users are charged by time and distance, at a rate set by each operator (e.g. GoGET, Hertz24/7). Costs associated with fuel, vehicle maintenance and insurance are usually included in the operator's hire fees. Car share spaces can be located on street with the agreement of Council or within larger scale developments.
293. The objectives around introducing a car sharing scheme is to minimise local car ownership and decrease private motor vehicle use.
294. The Discussion Paper's question (11e.) asks: *Do you support car sharing schemes as measures to decrease vehicle ownership and the potential impacts of decreasing parking rates for sites within walking distance of Epping Station?* This question sought feedback on reducing the rates of car parking provision in new development in the town centre.

Community Feedback

295. Community views were mixed on this question, with the majority of respondents supporting this approach to reducing traffic. Of those supporting the scheme:
- a. Many respondents offered feedback about providing and locating potential spaces:
 - i. Some suggested dedicated spaces be created on both sides of the railway to reduce walking distance for all residents.
 - ii. Some proposed a collaborative approach with neighbouring councils as was the idea of working in a network (along with existing car share facilities at Macquarie Park).
 - b. Other views saw that car share spaces need to be dedicated for car share only, and that spaces should be included in new developments. One developer noted that they would be willing to include car share spaces in their basement parking allowance.
 - c. Some views expressed uncertainty about the effectiveness of car share schemes (even across some of those who were supportive). Some were unsure if it would work effectively in the suburbs, while others were unsure if it would actually reduce car ownership rates.
 - d. Some submissions suggested that Council would need to actively promote and make the community aware of alternative transport options like car sharing in order for this approach to have a positive impact.

Conclusions and recommendations

296. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
297. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. On 13 June 2017, the Parramatta Traffic Committee (PTC) and Traffic Engineering Advisory Group (TEAG) approved a number of car share spaces across the city (Item 1705 A3). However, it excluded a 6 car share parking spaces in Epping because whilst: *Council notes that car share may be an important element of creating a less private car*

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dependent town centre, that car share arrangements be considered as part of the current traffic and land use study for Epping. No further action be taken on car share spaces in Epping until this study is complete.

- b. The community feedback received on this issue reveals there is overwhelming support by Epping residents.

298. Council Officers therefore, **recommend the following principles:**

- a. That Council introduce a car share scheme in the Epping Town Centre as per the recommendations within the PTC report of 13 June 2017.
- b. That the potential for car share schemes to be provided within a development be further explored and if technically supported, be introduced as new DCP controls as part of Stage 2 of the Epping Planning Review.

Policies to manage local traffic congestion

299. Section 11.7.5 of the Discussion Paper proposes a "Stop/Go" traffic controller to manage pedestrian activity at the pedestrian crossing on Rawson Street adjacent to the Rawson Street car park.

300. The Discussion Paper's standard question (11f.) asks: *Do you think Council should employ crossing attendants during peak conflict periods at the Rawson Street pedestrian crossing to manage the flow of pedestrians and vehicles to best manage congestion in Rawson Street?*

Community Feedback

301. With 44 submissions, the community was divided on this issue, with an equal number of submissions supporting/not supporting this approach and a small number undecided. The reasons for supporting the proposal were around improving pedestrian safety and managing congestion. The reasons for not supporting the proposal were around skepticism of its success.

302. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

303. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude:**

- a. Council should consider funding a "Stop/Go" traffic controller on the crossing during peak times to control pedestrians, it would cost of up to \$10,000 per month inclusive of all on costs.
- b. There are technical legal questions over the enforceability of a "Stop/Go" traffic controller.
- c. The effectiveness of a "Stop/Go" traffic controller is also limited, having to be positioned on one side of the street.

304. Council Officers therefore, **recommend the following principles:**

- a. That Council trial a "Stop/Go" traffic controller at the pedestrian crossing on Rawson Street adjacent to the Rawson Street car park for a period of 2 months and report on the effectiveness of the trial to Council's PTC and TEAG by the middle of 2018.

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COMMUNITY FEEDBACK – GENERAL COMMENTS

305. As has been noted within this report, the scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
306. Whilst the purpose of the exhibition was to seek the wider community's opinion on the Discussion Paper's questions, other matters were raised that are outside the scope of this phase of the study. A broad summary of the issues raised is provided below:
- a. The predominant theme from submitters are concerns around:
 - i. Overdevelopment of the Epping Town Centre in terms of what has been built since March 2014, and
 - ii. Further developer interest in the area by way of planning proposals (either existing, preliminary or future planning proposals).
- These concerns largely relate to the associated traffic impacts, construction impacts, tree loss, character loss, heritage loss, parking concerns, visual impacts (regarding inappropriate building heights) and environmental impacts.
307. Some submitters situated outside the town centre core have requested upzonings. Council's response is that the Epping Town Centre has been doing a lot of the "heavy lifting" for the residential growth in this vicinity of Sydney. With the number of planning proposals and precinct planning projects across the LGA before Council, Council does not require any further uplift in Epping for the purpose of meeting its housing targets as expressed in the Greater Sydney Commission's *Draft West Central District Plan*. As has been made clear, the scope of the Epping Planning Review has been to address the failings of the planning system that came into effect in March 2014. As such, additional requests for rezoning (received through the submission process) will not be considered as part of the Epping Planning Review process.
308. A submission table details Council Officers response to general issues raised, is detailed in **Attachment 4**.

RECOMMENDATIONS

309. The recommendations detailed in this report are consolidated and contained in **Attachment 6**.

NEXT STEPS

310. As has been noted, the scope of the Epping Planning Review is limited to better managing the impacts of new development generated from planning controls that came into effect in March 2014 and allowing Council to manage current (formal and preliminary) planning proposals seeking growth in the town centre. It is also intended to allow Council to progress decisions made by Hornsby Shire Council on specific heritage matters when it governed part of the Epping suburb.

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311. The recommended principles from Stage 1 also impact on other policy areas of Council which are outside the changes to planning controls to be covered in Stage 2. The findings and analysis carried out to date will be used to inform further work in these areas (ie. social infrastructure) as part of separate processes.
312. Once the new Councillors have been elected, a briefing will be undertaken on the Epping Planning Review process to date, including the endorsed principles, to confirm the future planning direction for Epping as part of progressing Stage 2 of the project.
313. Further discussion with the DP&E will be carried out to determine the appropriate mechanism for which to implement Stage 2 of the Epping Planning Review. For instance whether this can be carried out via a new State Environmental Planning Policy (similar to the previous mechanism which implemented the March 2014 planning controls) or alternatively, via a Planning Proposal process.
314. The community that have given their time in such a generous way to contribute to this stage of the Review will be thanked and advised of the outcomes. Council will continue to engage with the community through future stages of the review.

FINANCIAL IMPLICATIONS

The only recommended principle that would have an immediate and direct financial implication for Council is the trial of a Stop/Go Controller for 2 months (see **point 304**), which would cost Council \$20,000. This would be funded from an existing operational budget.

Jacky Wilkes
Senior Project Officer Land Use

Kevin Kuo
Team Leader Land Use Planning

Sue Weatherley
Director Strategic Outcomes and Development

Sue Coleman
Director City Services

ATTACHMENTS:

1	Attachment 1 - Discussion Paper	111 Pages
2	Attachment 2 - Phase 2 Community Workshop Sessions Report	80 Pages
3	Attachment 3 - Summary of Submissions	45 Pages
4	Attachment 4 - General Comments	21 Pages
5	Attachment 5 - Stage 6 Summary and Recommendations	4 Pages
6	Attachment 6 - Consolidated List of Recommended Principles	8 Pages

REFERENCE MATERIAL

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE JUBILEE ROOM, PARRAMATTA TOWN HALL, CENTENARY SQUARE, PARRAMATTA ON MONDAY, 14 AUGUST 2017 AT 6:08PM

PRESENT

Amanda Chadwick – Administrator

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Administrator, Amanda Chadwick, acknowledged the Burramattagal people of The Darug Nation as the traditional custodians of this land and paid respect to their ancient culture and their elders past and present.

WEBCASTING COUNCIL MEETING

The Administrator, Amanda Chadwick, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Administrator further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

MINUTES

	SUBJECT	Minutes of the Council Meeting held on 27 July 2017
720	RESOLVED	(Chadwick)
	That	the minutes be taken as read and be accepted as a true record of the Meeting.

APOLOGIES

An apology was received and accepted for the absence of the Chief Executive Officer, Mr Greg Dyer.

DECLARATIONS OF INTEREST

The Administrator, Amanda Chadwick, advised that she does not own any property in the City of Parramatta Council local government area nor have a direct or non-direct conflict of interest in any matter on the current agenda but noted that in relation to Item 11.3 regarding the Epping Planning Review – Completion of Stage 1 and commencement of Stage 2, she is a member of car share group GoGet.

MINUTES OF THE ADMINISTRATOR

5.1	SUBJECT	Update on the Formation of City of Parramatta Council
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SUSPENSION OF STANDING ORDERS

- 737 RESOLVED (Chadwick)
- That** Standing Orders be suspended to enable consideration of item 11.3 regarding the Epping Planning Review – Completion of Stage 1 and Commencement of Stage 2.

LEADING

- 11.3 SUBJECT Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2
- REFERENCE F2017/00210 - D05111630
- REPORT OF Snr Project Officer. Also Administrator Briefing Note from Senior Project Officer dated 14 August 2017. Also correspondence from Frances and Richard Lyons, Wai Ling Chan and Save Epping's Forest Park.
- 738 RESOLVED (Chadwick)
- (a) **That** Council receive and note the submissions made on the Epping Planning Review Discussion Paper.
- (b) **That** the recommended principles, as identified within the report and contained within **Attachment 6** be endorsed for the purposes of guiding Stage 2 of the Epping Planning review subject to the following amendments:
- Traffic Chapter – Consideration of Planning Proposals/Preliminary Planning Proposals
 Clause 255, recommended principle a. be replaced with the following:

a1. That Council write to the Department of Planning and Environment (DPE) advising that significant progress has been made on the Traffic Study to date, however further work still needs to be carried out and land use scenarios tested before this Study can be completed. Council will also confirm that it seeks to retain Relevant Planning Authority status relating to the Austino Planning on the basis that the planning proposal cannot be finalised until the traffic study is completed and to ensure that the community's concerns and issues are addressed (e.g open space – refer to 'Acquisition of former of former bowling club site (725 Blaxland Road)' in Social Infrastructure section (ie Response to questions 9b).

a2. That given the status of the traffic study detailed above, current Preliminary Planning Proposals (Winten Lyon and Oakstand) and any future planning proposals should not be finalised until the Traffic Study is completed.

Traffic Chapter – Car Parking Rates

Clause 265, include the additional principle below:

d. That Council receive a report at the next Council meeting for the purpose of amending the Hornsby DCP parking rates to ensure consistency with the CoP DCP parking rates

Social Infrastructure Chapter – Dence Park – Epping Aquatic and Leisure Centre

Clause 226, include the additional principle below:

c. That the Master Plan for Dence Park be prepared 2018/2019 and include the base assumption of an aquatic facility of 50m.

Heritage Chapter – Rosebank Avenue

Clause 53, recommended principle a. be replaced with the following principle and delete principle d.:

Refer to Alternate Principle - Heritage below.

Heritage Chapter – 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street

Clause 96, recommended principle a.ii. be replaced with the following principle:

Refer to Alternate Principle – Heritage below.

Heritage Chapter – Rose Street Precinct

Clause 110, recommended principle a. and b. be replaced with the following principle:

Refer to Alternate Principle - Heritage below.

Alternate Principle - Heritage

That the development of 2 storey 'manor houses' within the following precincts be pursued in response to the current interface issues being experienced by residents. However, as part of this process further work should also be carried out to test the benefits of 3 storey residential flat buildings with all the appropriate DCP controls, for example setbacks, amalgamation patterns to determine whether an alternative approach may be more appropriate.

- Rosebank Avenue (full length of Rosebank Avenue excluding existing heritage listed items)
- 1, 3, 3A, 5, 7 and 7A Norfolk road and 25 Pembroke Street
- Rose Street Precinct (with the inclusion of 70,72 and 74 Essex Street forming part of this Precinct)

(c) **That** Council Officers:

- 1 Brief the incoming Councillors on the Epping Planning Review process to date including the endorsed principles to confirm the future planning direction for Epping as part of progressing to Stage 2 of the project, and
- 2 That following the above briefing, a further report be submitted to Council recommending the commencement of Stage 2 of the Epping Planning Review which will involve preparing new planning controls including:
 - 2.1 A planning proposal to amend both the *PLEP 2011* and *HLEP 2013*
 - 2.2 A development control plan amendment to amend PDCP 2011 and HDCP 2013
 - 2.3 Amendments to relevant Contributions Plans and public domain plans where relevant.

(d) **That** the recommendations contained within **Attachment 5** detailing the outcomes of the Stage 6 Heritage Review be endorsed.

(e) **That** Council write to the community thanking them for their feedback and advising them on the outcome of Stage 1 Review and next steps

(f) **That** Council write to the Minister for Planning, Greater Sydney Commission, Department of Planning and Environment, Transport for NSW and the Roads and Maritime Services to provide an update on the project and an outline of the next steps.

(g) **Further, that** the finalisation of LEP amendments proposing changes to zoning, height and FSR controls come into effect at the same time as relevant DCP controls relating to this

development (excluding Draft Section 94 Plan and DCP amendments relating to tree protection and parking rates).

NOTE:

Amanda Chadwick declared an interest in this matter, as she is a member of car share group GoGet.

RESUMPTION OF STANDING ORDERS

739 RESOLVED (Chadwick)
That Standing Orders be resumed.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Appendix 3 – City of Parramatta Council Report and Meeting Minutes of Item 14.3 of 9 July 2018

F2019/02038



NOTICE OF COUNCIL MEETING PUBLIC COPY

The Meeting of City of Parramatta Council will be held in the Dundas Community Centre, 21 Sturt Street, Telopea on Monday, 9 July 2018 at 6.30pm.

Sue Coleman
ACTING CHIEF EXECUTIVE OFFICER

Parramatta – Building Australia's Next Great City

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"Think Before You Print"

Council Chambers

Chief Executive Officer	Lord Mayor Clr Andrew Wilson	Chief Operating Officer
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Clr Phil Bradley
Clr Sameer Pandey
Clr Paul Han
Clr Dr Patricia Proxiv
Clr Pierre Esber
Clr Donna Davis
Clr Michelle Garrard, Deputy Lord Mayor



Clr Lorraine Wearne
Clr Bob Dwyer
Clr Bill Tyrrell
Clr Andrew Jefferies
Clr Benjamin Barrak
Clr Martin Zaiter
Clr Steven Issa

Minute Clerk
Minute Clerk
Sound
IT

Director City Services	Director Property and Significant Assets	Director Strategic Outcomes & Development	Director City Identity, Experience & Engagement	Chief Financial Officer
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Press	Press
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Public Gallery

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LEADING

ITEM NUMBER	14.5
SUBJECT	Epping Town Centre Traffic Study and other Epping Planning Review Matters
REFERENCE	F2017/00210 - D06202874
REPORT OF	Snr Project Officer
PREVIOUS ITEMS	11.3 - Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2 - Council - 14 Aug 2017 6:00pm 12.5 - Update on Epping Planning Review and Related Matters - Council - 12 Feb 2018 6.30pm 13.4 - Outcomes of Public Exhibition - Draft Amendments to Hornsby Development Control Plan 2013 - Tree and Vegetation Preservation - Council - 26 Feb 2018 6.30pm

Note: This report was deferred from the 28 May 2018 and 25 June Council Meetings.

PURPOSE:

This report details the progress of the Epping Town Centre Traffic Study and updates Council on the implications for the findings of the Epping Planning Review, as well as several related planning matters relevant to the Epping Town Centre.

RECOMMENDATION

- (a) **That** Council note this update on the Epping Planning Review and related matters.
- (b) **That** Council exhibits the Epping Town Centre Traffic Study and supporting documentation to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report.
- (c) **That** despite recommendation (b) above, that Council adopts the position that it does not support any:
 - i. Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to heritage interface controls, commercial floor space or resolving open space issues at Forest Park.
 - ii. Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*
 and that Council write to the Department of Planning and Environment (DP&E) advising them of this position.
- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
 - i. Object to the Planning Proposal in its current form and density

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proceeding; and

ii. Request that Council be re-instated as the RPA so that Council can pursue a Planning Proposal that would retain the current controls that apply to the site with the exception of the former Bowling Club portion of the site which would be rezoned from RE1 Public Recreation to R4 High Density Residential with a maximum Height of Building control of 17.5m and FSR of 1.5:1.

- (e) That should Council be re-instated as the RPA (on the basis that it will pursue a Planning Proposal as per (d)(ii) above) Council officers be authorized to commence discussions with the Austino PP applicant about the form of the Planning Proposal and whether there are any opportunities for some contribution to additional open space as part of the Planning Proposal. The outcome of these discussions should be reported to Council.
- (f) **That** Council write to the Minister for Planning and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until:
- i. the supplementary work on a new road link has been completed; and
 - ii. that the relevant approval authority agrees to the provision of commercial floor space equivalent to a 1:1 FSR.
- (g) **That** a further report is brought to Council on the options for the Rawson Street carpark site as a site for future civic space and community facilities and analysis on whether any EOI process should be commenced to seek partners to redevelop the site and realise the FSR available on the site.
- (h) **That** a further report is brought to Council on the outcome of the consultation on the Epping Town Centre Traffic Study and the results of the supplementary traffic analysis discussed in this report on:-
- i. Reopening of the former M2 bus tunnel link; and
 - ii. A new east west road link through 240-244 Beecroft Road
- (i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to:-
- i. Rosebank Avenue HCA, Precinct;
 - ii. 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street;
 - iii. Essex Street HCA Precinct;
 - iv. Rose Street Precinct; and
 - v. Rockleigh Park Precinct;
- and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
- (j) **Further, that** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the centre and that the Planning Proposal and associated material be reported to Council for endorsement

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before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

BACKGROUND

1. This report is a progression of a Council report deferred from the 12 February 2018 Council meeting (Item 12.5) provided at **Attachment 1**. This report also relates to a Council assessment of the Austino planning proposal.
2. As noted above, Item 12.5 from the 12 February 2018 Council meeting which sought to provide an update on the status of the Epping Planning Review and associated matters was deferred. It resolved as follows:

That consideration of this matter be deferred for the following reasons:

1. *Consultation with Ward Councillors.*
 2. *That Council write to the Department of Planning seeking clarification around the decision of 1 December 2017 to appoint the Sydney Central Planning Panel as the relevant Planning Authority, meaning that Council no longer has relevant planning Authority Status for this proposal. Council is seeking this clarification particularly around the fact that the Department of Planning and Environment will be referring the outcome of the Traffic Study to make their determination which is the reason for our Council delaying a recommendation to the Council.*
 3. *Upon receipt of the valuation for the former Epping Bowling Club site, the formal valuation be the subject of a Briefing to Ward Councillors and any other interested Councillors prior to the Austino Planning Proposal or any update on the Epping Planning Review being reported back to Council.*
3. In response to the resolution of 12 February 2018:
 - a. A Workshop was held with Councillors on 16 February 2018 so that the applicants of two preliminary planning proposals – Oakstand consortium and Lyon Group – could present their respective preliminary planning proposals. These preliminary planning proposals are detailed later in this report.
 - b. A Councillor briefing session was held with Ward Councillors on Wednesday, 28th March 2018 which provided an update on the Epping Planning review including the draft findings on the Epping Town Centre Traffic Study and valuation report on 725 Blaxland Road.
 - c. A meeting was held with the Member for Epping, Damien Tudehope on Thursday, 29th March 2018 which also provided an update on the Epping Planning review and included a discussion on the draft findings on the Epping Town Centre Traffic Study and valuation report on 725 Blaxland Road.
 4. Consistent with resolution 2 above, on 1 March 2018, Council Officers wrote to the Department of Planning and Environment (DP&E) seeking clarification on the removal of the relevant planning authority role from City of Parramatta council. The DP&E's response is attached to this report at **Attachment 2**.

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OVERVIEW OF EPPING PLANNING REVIEW AND STRUCTURE OF THIS REPORT

- The Epping Planning Review (EPR) was initiated as a review of planning controls for the Epping Town Centre and immediate surrounds (refer to the area delineated orange in the figure below) to address the issues of land use conflicts. These conflicts were raised by the Epping Community following from the DP&E's Priority Precinct process which increased the density controls in March 2014. The EPR Study Area is shown in Figure 1.

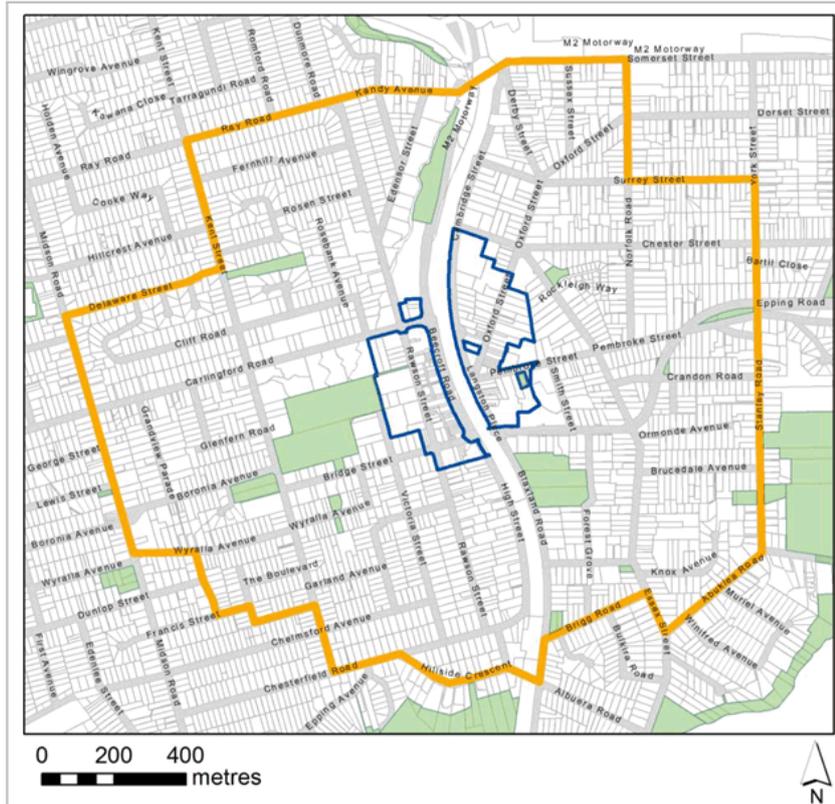


Figure 1 - Epping Planning Review study area showing the town centre and immediate surrounds

- The EPR has also followed the Council boundary changes occurring in May 2016 under which the Epping Town Centre came to be entirely contained within the City of Parramatta (having previously been split between Parramatta City and Hornsby Shire Councils).
- One objective of the EPR has been to create a unified planning framework for the Epping Town Centre and its immediate surrounds, including one set of LEP and DCP controls, a unified development contributions framework and one public domain plan. Council has already developed a single development contributions framework for the Epping Town Centre and Council's formal LGA-wide Harmonization Process will have a role in bringing some further consistency to the planning controls.
- The EPR has two stages. The first stage has involved undertaking technical studies and community consultation to inform planning control amendments to resolve land use conflicts or issues. The last remaining element of this stage is

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the completion of traffic analysis and the major element of this is the Epping Town Centre Traffic Study.

9. The **Epping Town Centre Traffic Study** (ETCTS) is the key component of this report, as its findings have major implications for the Epping Town Centre in the short to mid-term. The implications of the ETCTS are also discussed with regards to:
 - a. Updates on the status of **LEP and DCP amendments** affecting land within the Town Centre with a small section of the report discussing the release of the final **Central City District Plan** in March 2018 and relationship with the EPR.
 - b. the State Significant Development proposal affecting NSW Government owned land at **240-244 Beecroft Road, Epping**.
 - c. The **Austino Planning Proposal** and **Preliminary planning proposals** affecting land within the Town Centre.
10. This report makes recommendations on:
 - a. the **interface areas** at Rosebank Avenue, Rockleigh Park, Pembroke Street/Norfolk Rd, Essex Street and the Rose Street Precinct;
 - b. **commercial floorspace** within the centre; and
 - c. potential **social infrastructure** provision on the Rawson Street Car Parking site.

RELATED PLANNING POLICY MATTERS

11. A series of recent policy amendments (LEP, DCP and development contributions plans) are complete which apply to land within the EPR study area and relate to:
 - a. Housekeeping Amendment to Hornsby LEP 2013 recently coming into effect.
 - b. Fast Tracked Amendments to Parramatta DCP 2011 involving footpath widening recently coming into effect.
 - c. Amendment to Hornsby DCP 2013 - Tree Preservation and associated matters raised by Council in its resolution from the 26 February 2018 Council meeting pertaining to tree removal in Forest Park and the potential impact of Austino planning proposal on trees in the north of Forest Park are detailed in **Attachment 3** to this report.
 - d. Section 94 and 94A Developer Contributions Plans applying to the EPR area recently coming into effect.
12. These matters are further detailed in **Attachment 3**.

Greater Sydney Region Plan and Central City District Plan

13. In March 2018, the Greater Sydney Commission (GSC) released the final *Central City District Plan* (CCDP) and its metro-wide level plan *Greater Sydney Region Plan - A Metropolis of Three Cities*.
14. In both plans, Epping is identified as a 'Strategic Centre' for 2036. However, in the earlier iterations of the District Plan and Metro Plan, Epping was identified as a "Town Centre" or "Local Centre". Thus the role of the Epping Town Centre has been elevated to a higher-order centre without any corresponding dialogue or justification. Also, the 'Strategic Centre' category is still not clearly defined in

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the Final Plans. The change has also occurred ahead of completion of the Epping Town Centre Traffic Study.

15. The CCDP establishes dwelling targets for the five year period from 2016 to 2021 for the Parramatta LGA and jobs targets for lower and higher scenarios for 2036 for Epping, specifically. In the context of the Epping Planning Review and recent development forecast, these are discussed below:
 - a. With regards to **dwelling targets** for that period, the CCDP sees 21,650 additional dwellings for the 2016-2021 period for the Parramatta LGA. Analysis contained in this report on recent dwelling growth within the Epping Town Centre demonstrates that recent growth patterns mean this centre can meet a substantial proportion of this target.
 - b. With regards to the **jobs targets**, the Epping Town Centre is identified as a Strategic Centre for 2036 with a jobs target of 1,900 additional jobs (2036 **baseline**) to 2,400 additional job (2036 **higher target**). These are on top of the 5,100 jobs that the CCDP sees as the baseline for 2016. Further discussion about the provision of commercial floorspace is provided further in this report.
16. Furthermore, a series of actions (both direct or indirect) across a number of the CCDP's Planning Priorities apply to the Epping Town Centre and largely involve collaboration with the DP&E and GSC.

EPPING PLANNING REVIEW - STAGE 1

17. The major elements of Stage 1 of the EPR were spelled out in the 12 February 2018 report (Item 12.5) which noted that Stage 1 of the Epping Planning Review was largely completed with the exception of a Final Traffic Study. This was precluded by a report of Council at its meeting on 14 August 2017 which reported the Discussion Paper and its supporting technical studies.
18. An **Interim Traffic Modelling Report** (dated June 2017) was prepared by EMM for the purposes of the Epping Planning Review Discussion Paper which was exhibited in June/July 2017. The Interim Report formed preliminary analysis in order to consult the Epping community on traffic and access in and around the Town Centre.
19. At the 14 August 2017 Council meeting, Council endorsed a suite of principles to guide Stage 2 of the Epping Planning Review. The issues discussed in this report directly affect many of the principles.

Epping Planning Review Steering Group

20. To ensure delivery of the Epping Planning Review, in February 2017, Council established the Epping Planning Review State Agency Steering Group which has representation from the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW and Roads and Maritime Services.
21. The Steering Group is also consistent with the Central City District Plan where:

Parramatta City Council is leading the review of planning controls and the Commission is collaborating with Council and other State agencies to address social infrastructure, traffic, heritage and commercial land issues (p.21).
22. Given the recommendations within this report, the role of the Steering Group in providing further direction on the Epping Planning Review process is paramount.

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BACKGROUND TO EPPING TOWN CENTRE TRAFFIC STUDY

23. The principal traffic study underpinning the existing planning controls which is now outdated is the **Halcrow Study** of 2011 commissioned by Hornsby Council, the then Parramatta City Council and the DP&E prior to the Priority Precinct process formally commencing. The Epping Town Centre Traffic Study (ETCTS) replaces this analysis.
24. The Halcrow Study tested the short term and long term land use scenarios:
- a. The short term (2016) land use scenario was based on a forecast of additional 900 dwellings and additional 3,000sqm of retail uses; and
 - b. The long term (2026) land use forecast a further 2,100 dwellings and another 3,000sqm of retail uses.
25. In total, this tested the impact of 3,000 additional dwellings and 6,000sqm of additional retail within the Town Centre by 2026. As is discussed further in this report, the Halcrow assumptions on residential land use have substantially underestimated the development trends.

EMM's Interim Traffic Study (2017)

26. The preliminary analysis carried out by EMM in 2017 as part of the Interim Traffic Modelling report for the purposes of the EPR Discussion Paper allowed discussion of the issues as part of the Discussion Paper process. Specifically, the preliminary study identified the following key issues:
- a. The east west Carlingford Road/Epping Road and north south Beecroft Road/Blaxland Road are sub-regional routes that converge at the Town Centre mixing with local traffic.
 - b. Approximately 89% of trips that cross the bridge are through traffic trips where the origin and destination of the trip is outside the Epping Town Centre.
 - c. The through trips are a significant barrier to improving the traffic flow around the Epping Town Centre. (Note: Centres are usually structured in a way that separates local traffic from through-traffic, but the Epping Town Centre is not).
 - d. The widening of the rail bridge will not be a "game changer" given the time it will take motorists to cross the bridge. In other words, the expansion of the bridge will be an improvement, but will not be a *significant* improvement in providing relief to congestion.
 - e. Traffic routes and intersections are currently operating at over-saturated traffic levels for both the morning and afternoon peak hour, and the increased intersection traffic delays are already displacing some of the previous regional through traffic movements away from the Epping Town centre to other parallel traffic routes such as the M2 Motorway for east-west traffic and Midson Road for north-south traffic.

Local road upgrades

27. The Roads and Maritime Services' (RMS) program of main road improvements within the town centre have been factored into the ETCTS. They are:
- a. Widening of Epping Road from two lanes to three lanes involving:
 - i. Removal of the right turn movement from Langston Place into Epping Road,

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- ii. Removal of the right turn movement from Epping Road into Smith Street and Forest Gove;
 - iii. New dedicated right turn lanes from Essex Street into Epping Road; and
 - iv. New traffic light controlled pedestrian crossing for Epping Road and Essex Street.
- b. Upgrading the Beecroft Road and Carlingford Road intersection in Epping involving:
- i. New traffic light controlled pedestrian crossing for Carlingford and Beecroft Roads;
 - ii. Additional right-turn lane from Beecroft Road into Carlingford Road; and
 - iii. New pedestrian path to link with the exiting path to Epping Station.
28. A critical factor is that the traffic modelling undertaken since 2011 all factor in a widening of the rail bridge carriageway on Epping Road to accommodate an additional westbound lane. In a letter from the DP&E to Council dated 7 November 2017, it notes that "Transport for NSW is investigating several options for widening this overpass and the Council would be informed of the results when the investigation concludes" but the letter did not provide a timeframe. Since the receipt of the letter, Council Officers have not been provided with an update.

Dwelling forecasts since 2011 and actual dwelling growth

29. In order to understand the significance of the findings from the ETCTS (covered in the next section), it is important to understand recent (actual) and anticipated dwelling growth in the context of the growth predicted by the DP&E as part of the former Epping Priority Precinct process completed in March 2014. This must be understood so that infrastructure providers (Council and the State government) can ensure the delivery of appropriate infrastructure at the right time.

Dwelling forecasts

30. During the progression of the DP&E's Priority Precinct process, dwelling growth forecasts were reviewed from **3,000 additional dwellings** for 2026 in the Halcrow Study to **3,750 additional dwellings** for the year 2036 as per the Department of Planning and Environment's (DP&E's) *Finalisation Report* (November 2013). However, shortly after the City of Parramatta commenced the EPR process, in early 2017, the DP&E revised its forecast figure of 3,750 additional dwellings to **5,500 additional dwellings** by 2036 and set a maximum dwelling yield of **10,000 additional dwellings** at a 100% take up rate.

Actual dwelling growth

31. The Epping Planning Review Discussion Paper (June 2017) noted that Council Officers had reviewed recent development applications and approvals to track actual growth against the dwelling forecasts undertaken by the DP&E and/or during the Priority Precinct process. This reviewed all of the pre-lodgments, DAs under assessment and determined (both under construction and not yet under construction) that have occurred since March 2014 when the new Priority Precinct controls came into effect and found that **4,735 additional dwellings** could be delivered in the short to mid term (assumed to be as early as 2023), if

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all DAs are constructed and fully occupied in that time. This equates to an additional **10,890 people** within the centre assuming a household size of 2.3 persons per household (Source: Council's Social Outcomes Unit).

32. Then again, for the purpose of this Council report, on 19 April 2018, Council Officers tracked this figure to **5,553 additional dwellings** by 2023. This is made up of 3,940 approved dwellings and 1,613 dwellings under assessment. Again, applying an occupancy rate of 2.3 persons per household, this means an additional **12,771 people** in the town centre by 2023. With no signs of the Town Centre's residential market slowing down, Council Officers conclude that within 4 years of the new planning framework being in place, the DP&E's revised 5,550 additional dwelling target for 2036 is well on its way to being met well before 2036.

What does this growth mean?

33. The tracked growth is well above what was forecast and planned for by the DP&E during the Priority Precinct process. In effect, the 2036 revised forecast of last year by the DP&E (of 5,500 dwellings) will already effectively be met within 4 years of the new planning controls if the development detailed in existing approvals and applications are realised.
34. The rate of this growth has significant implications for the amenity and function of the centre including infrastructure provision in the short and mid-terms. For example:
- a. The widening of the rail bridge carriageway on Epping Road to accommodate an additional westbound lane is yet to be delivered by the State Government.
 - b. Education infrastructure such as schools managed by the Department of Education (public schools) as well as private schools will be under more pressure.
 - c. The significant loss of commercial floorspace spelled out in the *SGS Commercial Floorspace Study* and the *Epping Planning Review Discussion Paper* exhibited in mid 2017 means the future amenity and function of Epping as a centre is at stake.
 - d. The provision of local infrastructure (libraries, community facilities, open space and recreational facilities) is under pressure to be enhanced and improved.

Conclusions

35. Comparing the Town Centre's growth with the CCDP's dwelling targets for the Parramatta local government area (LGA) for the 2016-2021 period which is (21,650 dwellings), the 5,553 additional dwellings represents a substantial proportion of the dwelling target although some of that growth has occurred post March 2014.
36. In addition to the tracked dwelling growth since March 2014, there is substantial interest from developers and land owners within and around the town centre seeking an increase in residential yield above what the current controls allow via a planning proposal process.
37. Council must ensure that the amenity of the centre as well as the long term social, environmental and economic aspirations of the Epping community are not undermined. Both the Greater Sydney Commission and the DP&E have a critical role in this.

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EPHING TOWN CENTRE TRAFFIC STUDY

38. Council Officers commissioned EMM Planning and Environmental Consultancy in March 2017 to revise the traffic analysis work done as part of the DP&E's Precinct Planning process.
39. The Epping Town Centre Traffic Study (ETCTS) effectively replaces the 2011 Halcrow Study which formed the basis for the current planning controls within the Town Centre. It also replaces other applicant-prepared traffic analysis from 2015. A copy of the ETCTS is provided at **Attachments 4 and 5** (Attachment 4 comprises the Traffic Report and Attachment 5 comprises the Appendices).

The EMM Epping Town Centre model

40. The traffic model was developed by Transport Modelling for EMM. The base model report was completed in December 2017 and forwarded to the RMS for authorisation which was received in February 2018. In its response, RMS stated that the consultant's 2017 base model is suitable for traffic assignment analysis (traffic distribution) for the assessment of any future proposals within the study area.
41. The ETCTS models the co-ordinated operation of a chain of linked intersections. It does this for four existing and future traffic network model and land use scenarios which are:
 - a. Existing actual peak hour intersection traffic volumes which were surveyed in March 2017;
 - b. Modelled base case 2017 intersection traffic volumes from the EMME model;
 - c. Modelled +5,000 dwellings growth scenario intersection traffic volumes from 2026; and
 - d. Modelled +10,000 dwellings growth scenario intersection traffic volumes from 2026.
42. To develop a base year for the network traffic model, in March 2017 the following peak hour surveys, travel time surveys and traffic queue length observations were undertaken:
 - a. Peak hourly intersection turning movements at 17 intersections;
 - b. Morning/afternoon peak hour travel time surveys across the full study area;
 - c. Morning/afternoon peak hour maximum traffic queues for traffic signal operations on Beecroft Road, Carlingford, Epping and Blaxland Roads.
43. The model then tests two future residential growth scenarios in the study area as follows:
 - a. A 2026 land use scenario tests 5,000 additional dwellings
 - b. A 2036 land use scenario tests 10,000 additional dwellings.

These scenarios are additional dwellings realized after the new DP&E planning controls came into effect in March 2014.
44. The ETCTS also includes preliminary analysis of two local road network options:
 - a. The reopening of the former M2 bus tunnel link to Epping Station as a one way westbound link with left turn egress only at Beecroft Road and

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- b. A new east west road link connecting between Ray Road and Beecroft Road, through the NSW Government site at 240-244 Beecroft Road on the western side of Beecroft Road.
45. These two road network options are only explored in a preliminary sense for the 2026 and 2036 future traffic network models. This seeks to determine the potential future extent of the likely road network traffic delay benefits for locally based traffic accessing the major road network at Epping. Refer to Sections 7.3 and 7.4 of the ETCTS provided at **Attachment 4**.

ETCTS Findings

46. The broad findings from the ETCTS are summarized below.

Findings from Survey Counts

47. For the **March 2017** surveyed morning and afternoon peak hour traffic conditions the findings are as follows:
- a. Up to four of the six key intersections on the four major traffic routes (via Beecroft Road, Blaxland Road, Carlingford Road and Epping Road) are operating at over saturated (level of service F) traffic conditions respectively with an average 5 minute waiting time.
 - b. During the morning peak period the combined eastbound and southbound traffic queues on Carlingford Road and Beecroft Road can reach a combined total length of approximate 1.5 km.
 - c. The most widespread traffic queuing effects on all areas of the road network are considered to occur at approximately 8:40 am and 5:40pm, consistent with the Sydney regional major road traffic conditions.
 - d. The increasing road traffic congestion occurring in the Town Centre area, is adversely affecting both the regional through traffic movements and local traffic accessibility to the major road network.

Future years of 2026 and 2036

48. The findings of the +5,000 and +10,000 dwellings growth scenario intersection traffic volumes for the 2026 and 2036 are as follows:
- a. Future peak hour traffic conditions continue to worsen even when the full programs of the identified RMS and Council road improvements have been implemented.
 - b. In the road networks, five to six of the assessed intersections will have traffic conditions operating at oversaturated (level of service F) during both the morning and afternoon traffic peak periods. As an example, in 2026, the Carlingford Road/Beecroft Road intersection has an average delay which equates to 70.5 minutes (morning peak) and 23.5 minutes (afternoon peak). In 2036, this increases to 77 minutes (morning peak) and improves to 10.5 mins in the afternoon peak.
 - c. In 2036, over 3,300 vehicles cannot enter the network.
49. The average intersection delays are predicted to improve by 2036 from the 2026 base scenario as a result of Council proposed road improvements which are anticipated to be implemented during this period. However, the most crucial intersection – Beecroft Road – actually experiences a higher average delay in 2036 than for the 2026 case (p.41).

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50. The ETCTS also finds that *the afternoon performance of the network for the base 2036 is such that it is unlikely that there will be any spare capacity for additional vehicles* (p.41).

Additional westbound lane on Epping Bridge

51. The additional westbound lane on Epping Bridge would primarily benefit the afternoon peak hour westbound regional traffic movements travelling through the Town Centre. However, if the bridge were to operate with future tidal flow traffic conditions such as four lanes eastbound during the morning peak periods with two lanes westbound and three lanes in each direction during the afternoon peak periods, this future improvement could provide significant travel flow benefits during both these peak periods.

Additional road network options

52. The findings from preliminary testing of two additional road network options, are as follows:
- a. **Reopening of the former M2 bus tunnel link:** the envisaged number of vehicles that would use the tunnel would result in equivalent peak hourly traffic reductions for certain southbound right turning traffic and westbound traffic movements. These *"would probably have significant network traffic benefits in terms of reducing the future peak hourly intersection traffic delays at these intersections"* (ETCTS, p.45).
 - b. **A new east west road link through 240-244 Beecroft Road:** the envisaged number of vehicles that would use the through link would result in equivalent peak hourly traffic reductions for the other traffic movements using the Carlingford Road intersections with Beecroft Road or Ray Road and Rawson Street which *"could have significant network traffic benefits in terms of reducing the future peak hourly intersection traffic delays at these intersections"* (ETCTS, p.45).
53. However, further SIDRA intersection analysis is required of the above two road network options, this analysis is currently underway.

Implications

54. The findings from the ETCTS has major land use and infrastructure implications for town centre and surrounds. Therefore, Council Officers see that the role of the ETCTS is to:
- a. Inform planning policy affecting the Study Area particularly in relation to:
 - i. Certain proposals seeking an increase in residential yield; and
 - ii. State Significant Development applications.
 - b. Provide a basis for Council to take to the DP&E, GSC and the Minister for Planning seeking support for:
 - i. a position on residential development that indicates that any growth in residential development should only be permitted to resolve planning issues in Epping rather than just to permit additional residential development above what can be achieved under the current controls; and
 - ii. a coordinated approach to infrastructure delivery consistent with actions within the CCDP.

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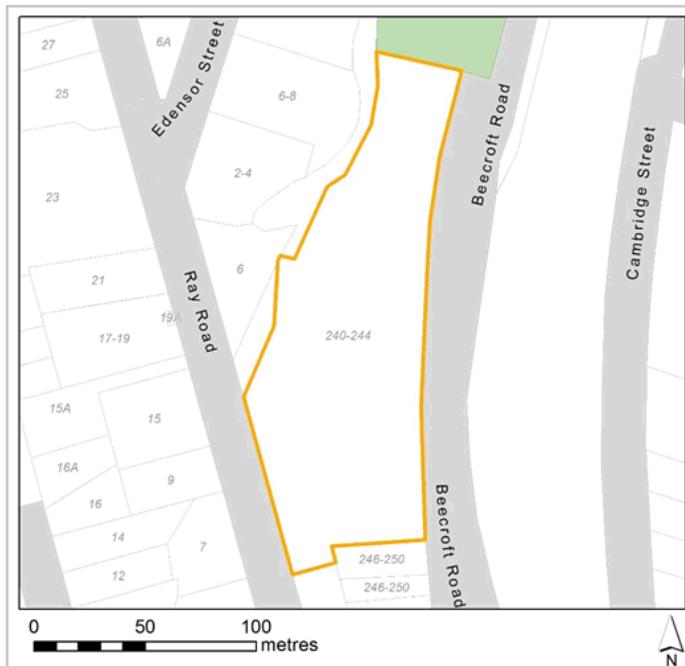
- c. Inform changes to the principles adopted by Council on 14 August 2017 that relate to:
 - i. Heritage interface;
 - ii. Commercial floorspace; and
 - iii. Open space and community infrastructure.

Consultation

55. The ETCTS and any associated traffic analysis as part of the overall ETCTS brief should be placed on exhibition so that the major stakeholders (such as RMS, Transport for NSW (TfNSW), DP&E, GSC, landowners and the wider community) have an opportunity to comment on the documentation. Consultation will occur via:
 - a. Formal invitation to State agencies represented on the EPR Steering Group which are RMS, TfNSW, DP&E and GSC.
 - b. Formal invitation to major land owners formally seeking density residential density uplift such as Austino, Oakstand and Lyon Group.
 - c. Notification e-newsletter to the 440 residents and businesses registered on the EPR project mailout database. This will include local residents and business as well as planning consultants acting for Epping landowners.
 - d. A public notice in the *Northern District Times*.
56. The ETCTS and associated supporting material will be made available on the EPR project website.

IMPACT OF ETCTS ON STATE SIGNIFICANT DEVELOPMENT AT 240-244 BEECROFT ROAD

57. The State government owned site at 240-244 Beecroft Road (refer to Figure 2) once used for the Sydney Metro Northwest project is subject of a State Significant Development (SSD) application.



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Figure 2 - State government owned land at 240-244 Beecroft Road, Epping

58. The background to his SSD application up to January 2018 is contained within the deferred Council report of 12 February 2018 (**Attachment 1**). However, the role of the site in the future development of the Town Centre is key in two ways: from both land use and traffic/access perspectives.

Land Use issue

59. The SSD application applies to 10,120sqm of the 13,342sqm total site area and proposes 39,000sqm of GFA (450 residential units) and 15 storeys which equates to a 3.8:1 FSR. Of that, the SSC proposes 2,000sqm of commercial FSR which equates to 0.2:1 *to be located at ground level on Road (could be general store, childcare, gymnasium, café, small offices)*.
60. The Commercial Floorspace Study by SGS prepared for the purposes of the EPR Discussion Paper saw that there has been a loss of commercial floorspace estimated at about 63%. Further internal analysis undertaken by Council Officers in early February 2018 has identified that that approximately **8,200sqm retail** and **35,200sqm office** floorspace needs to be “replaced” within the Town Centre. Given its scale, this site plays an important role.
61. From a planning perspective, the SSD process presents Council with an opportunity to negotiate an outcome because:
- a. The site’s current zoning (R4 High Density Residential) does not require any commercial floorspace however, a **neighbourhood shop** use (max. 100sqm) is permissible within the zone.
 - b. The site’s previous zone (B4 Mixed Use) would still have allowed the commercial office building on that site to be demolished and replaced with a building that had retail and commercial at lower levels and residential on higher levels. Returning the site to its previous zoning would not require the owner to replace the previous commercial floor space that historically existed on that site.
 - c. The timeframe around the SSD process is much faster, than a rezoning process; in the latter, Council can seek a higher amount of commercial floorspace on the site, but this would take some time. The SSD can approve commercial floorspace even if it is not permitted in the zone so there is a mechanism for addressing the floorspace in a timely manner if agreement can be reached.
62. Therefore, a 1:1 FSR (10,120sqm) for commercial uses is a balanced negotiating position that maximises the chances that commercial can be achieved on the site and contribute to Epping’s role as a Strategic Centre as identified in the CCDP.

Local Traffic/Access issue

63. Also, as already noted in this report, a road link through the SSD site is being tested to determine whether it can alleviate some of the traffic pressure at the intersections of Carlingford Road with Ray Road and Beecroft Road. Preliminary testing shows it can take of some pressure of peak hour traffic. However, more detailed analysis is progressing with a supplementary report due shortly which will form supplementary analysis to the ETCTS.

Recommendations

64. Council Officers therefore recommend:

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- a. That Council not support the application until:
 - i. A 1:1 FSR of commercial land uses can be delivered on the site; and
 - ii. A supplementary report on an east west through link is completed.
- b. That Council write to the Minister seeking that he not support the proposal until the two criteria listed in a. immediately above are achieved.

IMPACT OF ETCTS ON AUSTINO PLANNING PROPOSAL

Introduction

65. Council Officers were intending to undertake a detailed assessment of the Austino PP. However, on account of:
 - a. The Town Centre having effectively reached the DP&E's revised 2036 dwelling target; and
 - b. the findings from the ETCTS;

Council Officers consider that a detailed assessment of this proposal is no longer required. Instead the assessment method emphasises the significance of the findings of the ETCTS and recognises the critical importance of the RMS and JRPP's comments on traffic matters at the earlier stages of the planning proposal (discussed in the "Traffic" sub-section, below). In short, the traffic impacts associated with the faster than anticipated dwelling growth is the guiding principle informing the outcome of this proposal.

Background

66. The Austino Property Group are the applicant for a Planning Proposal affecting land at 2-18 Epping Road, 2-4 Forest Grove and 725 Blaxland Road (the latter site being the former bowling club site – refer to Figure 3).



Figure 3 - Land affected by the Austino Planning Proposal denoted in solid red line (from applicant's Urban Design Report)

67. The planning proposal – resubmitted to the DP&E in January 2018 seeks to:
 - a. Reconfigure the existing R4 and RE1 zones resulting in no net loss of open space;

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- b. Increase the building heights over the reconfigured R4 zone from 26.5 metres to a maximum of 65.5 metres along with 5 other building heights; and
 - c. Increase the density on the site from an equivalent 2.1:1 to a combination of 7.5:1, 4.6:1, and 1.75:1.
68. The above proposed changes seek to deliver a predominantly residential development comprising two towers on Blaxland Road with smaller towers on Epping Road accommodating estimated 794* units. (Note this calculation relies on Council's standard practice of applying an efficiency unit rate of 85sqm per unit whereby the applicant relies on a rate of 100sqm). Under the current controls (ie R4 zoning, maximum height of 26.5 metres) on the sites fronting Epping Road), the Austino landholdings would realise a total of approximately 308 units according to Council Officer analysis.
69. A VPA dated 4 December 2015 accompanies the planning proposal which proposes a public urban plaza through the proposed development providing a pedestrian connection between Epping Road and Forest Park, with an area equivalent to the area of land currently zoned RE1 Public Recreation (6,665sqm), so there will be no net loss in open space. However, much of the area proposed to be zoned public open space contains underground car parking below it which is generally not acceptable to Council.
70. This PP has a complex history. Details of the process and the proposal are provided at **Attachment 6**.

Petition

71. Between February and March 2017, Council Officers received a petition which containing nearly 600 signatures. The petition requested a number of actions including that Council purchase the site at 725 Blaxland Road. Other actions related to concerns on the impacts of the planning proposal on Forest Park in terms of traffic and urban design.
72. The petitions were tabled at the Council meeting held on 13 February 2017 where Council resolved:
- That the petition be received and referred to the appropriate Council officer for report.*
73. In response to the resolution, the appropriate time for the consideration of the petition was always intended to be undertaken as part of the assessment of the Austino planning proposal. This section in this report forms that assessment.

Traffic Analysis

74. The applicant's Traffic Impact Study prepared by GTA in 2015 tested the traffic impacts of the proposal based on the Halcrow Study's 3,000 additional dwellings for 2026. However, as identified in the Halcrow Study, the 3,000 dwellings for 2026 falls well short of the likely growth of 2025 (5,553 dwellings) based on current and expected development activity.
75. In March 2016 having reviewed the applicant's traffic analysis the RMS wrote to Hornsby Shire Council when it was the RPA noting the following:

Should Council support a recommendation for gateway determination, the exhibited proposal must also ensure that the Transport Impact Assessment traffic includes detailed Network modelling results (ie. phasing, queue lengths/delays for all movements, intersection details) for [six] key intersections for all modelled scenarios.

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76. At that time, RMS also noted that *the total Residential Parking requirements being restricted to no greater than the minimum parking rates applicable for a total of 327 apartments* on the entire site (ie. Limited to approximately half the amount being sought under this proposal)*. (Note: it is not clear what assumptions the RMS has relied to determine this number of units. Council's assessment suggests the figure is closer to 308 units).
77. In February 2018, the brief for the Epping Traffic Study was extended so that an impact assessment of the Austino planning proposal on traffic and access around the site could be undertaken. This was decided given the findings from the modelled base case 2017 intersection traffic volumes from EMME software based counts.
78. The Traffic Impact Assessment (TIA) prepared by EMM (provided at **Attachment 6**) concludes that the proposal would generate an additional 768 daily vehicle movements on Forest Grove. It also sees that because the impacts of the 2026 and 2036 additional dwellings on the network are so severe, that the actual intersection performance deterioration due to the Austino development either with or without the planning proposal is relatively small.
79. The ETCTS and recent TIA by EMM updates the Austino TIA because the TIA findings were based on a slightly lower future baseline year 2026 additional dwelling forecast than the forecast which has been used in the ETCTS. That said, the general findings within the EMM TIA are still valid. All the same, with regards to the Austino planning proposal impacts, the ETCTS concludes the:
- ...significant intersection performance deterioration from the 2017 base to the 2026 future base traffic situation renders any further traffic generating development in this location unacceptable without further capacity improvements to the locality major road and local road network capacity, in particular at the Epping Road/Blaxland Road intersection, and to a lesser extent at the Epping Road/Essex Street intersection. (p.42)*
80. When the (then) Sydney East Joint Regional Planning Panel (JRPP) assessed the planning proposal as part of its initial review, it stated, as one of the seven (7) actions, that:
- The proposal on this site should be part of the current Council traffic review of the whole of Epping Town Centre and the outcomes that review shall inform the final decision on Floor Space Ratio for the site.*
81. Because of this, a detailed assessment of the planning proposal is considered unnecessary as the fundamental determinant for deciding whether the Epping Planning Review Study Area can take any more residential development is the ETCTS.
82. It is also worth noting that in March 2014, the zoning and density controls for the parcels fronting Epping Road and Forest Grove were amended enabling higher residential yields as part of the DP&E's Priority Precinct process. With the controls having only been in place for 18 months, the applicant seeks further uplift through this planning proposal process. As noted elsewhere in this report, this planning proposal for additional residential development represents housing development simply to increase housing.

Purchase of 725 Blaxland Road (former bowling club) site

83. Part of the site (the former Bowling Club site) is zoned RE1 Public Recreation. The City of Parramatta became responsible for the Planning Controls that apply

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to the subject site when the amalgamation occurred in May 2016. Therefore, the City of Parramatta became the acquisition authority for this public recreation land.

84. However, Hornsby Council did not have a funding strategy to acquire the site at 725 Blaxland Road. When the bowling club site became available for sale (ie the transaction that resulted in the current land owner acquiring it). The then Hornsby Council, had the opportunity to purchase it but made a decision not to yet still retained both the RE1 Public Open Space zoning on the Land Zoning Map, and the "Local Open Space Reservation" on the Land Reservation Acquisition Map, over the site.
85. Currently, there is no City of Parramatta Council funding strategy for its acquisition. The revised Section 7.11 and 7.12 (formerly 94/94A) Contributions Plans for Epping which came into effect in November 2017 does include collection for some open space provision. However, the advice in the Epping Planning Review was that Council would be better served by acquiring open space in different parts of Epping where growth is occurring rather than spending a substantial proportion of any funding available (via Section 94 or from other sources) on this portion of land which adjoins an existing substantial piece of open space. This recognises that spending funds to acquire this site would reduce Council's capacity to invest in other open space to meet the needs of growth in other parts of Epping as well as other community needs.
86. An initial internal valuation of the site was undertaken in mid 2017. The ERP Discussion Paper concluded that for the reasons described above the purchase of the site did not represent value for money and this position informed the subsequent adopted principle which was that Council not purchase the site and instead:
- That Council should seek to progress the planning proposal with Council as the RPA subject to the Traffic Study being completed before FSRs for the site can be finalised. That Council also negotiate with the developer for the provision of public open space in a way that ensures there is a suitable area of open space which is appropriately sized and located.*
87. Council Officers have subsequently commissioned an independent valuation for peer review purposes. The valuations remain Commercial in Confidence and confirms that the purchase of the site by Council is not a viable financial option.
88. With regards to the adopted principle above, Council Officers suggest that the opportunity to negotiate with the landowner to have them provide an equivalent amount of open space has changed because of the result of the ETCTS and is in part depended upon the decision made by the current RPA for the Austino Planning Proposal.
89. As already detailed above in this report the DP&E has chosen to remove the Council as the Relevant Planning Authority (RPA) for the Austino Planning Proposal and so it will need to make the next key decision. If despite the ETCTS the RPA now in place for the Austino PP (ie the Central Sydney Planning Panel) decide to proceed with the Planning Proposal then the Council should seek to enter into further discussions with the applicant and the RPA to seek to achieve some dedication of an equivalent amount of open space at no cost to Council as part of the Planning Proposal. If the DP&E allows the further growth despite the problems with the road network they should also be seeking to broker appropriate open space outcomes to help deal with the growth proposed.

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90. However, if the RPA decides not to proceed with the Planning Proposal then Council and the applicant will still need to resolve what will happen to the former bowling club site as it will remain zoned RE1 Public Recreation. Whilst this zoning is retained Council remains the acquisition authority.
91. Council options for the former bowling club site in this case will be:-
- a. To commit to the acquisition by retaining the RE1 zoning. As detailed above this option is not recommended by Council Officers as is not considered to be an efficient use of Council funds.
 - b. Alternatively, rezone the site so Council is no longer the acquisition authority. In this case the appropriate zoning would be R4 High Density Residential with a maximum height of 17.5m (which permits 5-6 storeys) (Note the *Hornsby LEP* does not include FSR controls for sites zoned R4 High Density Residential but Council's Urban Designers indicate that this would allow approximately 162 units to be built on this site under the controls that would apply under the Hornsby DCP with an FSR equivalent to 1.5:1).
92. It is acknowledged that allowing the site to be rezoned to allow more residential development will be inconsistent with the ETCTS conclusions but Council has two conflicting issues that need to be managed. Council will need to balance two potential negative impacts:-
- a. the traffic impact
versus
 - b. the sub-optimal financial and open space outcomes if it commits to remaining as the acquisition authority for the former bowling club site.
93. Council Officer consider that rezoning the former bowling club site to R4 High Density Residential with a height of 17.5m and FSR of 1.5:1 is the preferred approach because:-
- a. The density that would be permitted is much less than that proposed in the applicants PP so the traffic impact would be mitigated by comparison.
 - b. Council will not be forced to expend resources acquiring the former bowling club site in a location Council Officers consider is not optimal use of available funds.
 - c. The building height is consistent with the height applied by the DP&E to transition areas when it put in place the existing planning controls in Epping. It will see a stepping down of permitted height as you move away from Epping Road and down to Forrest Park.
94. It is acknowledged that the density permitted on the former bowling club site is the most significant factor driving its valuation and as the density decreases so will the cost of acquiring the site. If Council and the DP&E accept that a R4 High Density Residential Zoning with a height of 17.5m and FSR of 1.5:1 are the appropriate alternate controls to the current RE1 zoning then it maybe possible to have further discussions with the owner about the implications of this for the redevelopment of the site and the delivery of open space outcomes.

Recommendation

95. That Council object to the Planning Proposal in its current form and density proceeding and request that Council be re-instated as the RPA so that Council

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can pursue a Planning Proposal that would retain the current controls that apply to the site with the exception of the Bowling Club portion of the site which would be rezoned from RE1 Public Recreation to R4 High Density Residential with a maximum Height of Building control of 17.5m and FSR of 1.5:1.

IMPACT OF ETCTS ON PRELIMINARY PLANNING PROPOSALS

96. As has been noted during Stage 1 of the Epping Planning Review process, two preliminary planning proposals were lodged with Council in late 2014 which affect land within the town centre (western side). Refer to Figure 4. Both proposals have been on hold on account of the ETCTS being completed as per adopted principles of 14 August 2017. When combined, the preliminary planning proposals seek more than **2,000 dwellings**. This equates to an additional 1,000 dwellings above what can currently be achieved across both sites.
97. Each proposal seeks a partnership with Council to develop their sites in conjunction with the Council car park. Figure 4 below shows both the Oakstand and Lyon Group land holdings as well as Council's land holdings. The details of each proposal are provided in **Attachment 7**.



Figure 4 – Applicant owned land for preliminary planning proposals as well as Council's Rawson Car Park sites

Recommendations

98. Given the current growth rate from tracked DAs and the findings from the ETCTS, Council Officers conclude that in the short to mid term, there is no justification for further residential development simply to increase housing. That said, there is an opportunity for an expression of interest (EOI) process with landowners within the Town Centre to transfer some of the floorspace on Council's car park sites to another land owner/s site/s. The EOI process would, at the minimum, stipulate public benefits around a community hub facility, underground car parking, an east-west connection between community hub and the Epping Rail Station, and the like.
99. The outcome of this approach would mean that there is there no net increase in residential floorspace above what can currently be achieved. Effectively Council would be "trading" off the FSR from the carpark site to other sites to generate

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funding to provide community facilities on the site of the current car park. It should be noted that any redevelopment would also include retention of carparking on site as it is recognised that this is critical to the operation of western part of the Epping Town Centre.

100. This process would be the subject of a further Council report before any further action is taken explaining the process and potential outcomes. The alternative is to retain the current carpark site and seek to redevelop it independent of other landowners sites. In this case Council would find it difficult to realise the full FSR that currently applies on the site and at the same time provide a significant piece of civic space within current height limits. The viability of achieving the FSR of 4:1 and community facilities and a civic space on the site as a stand alone redevelopment would also be covered in the report should Council request a further report be provided.

IMPACT OF ETCTS ON AREAS WITH INTERFACE ISSUES

101. With regards to the heritage interface areas at Rosebank Avenue HCA, part of the Essex Street HCA, land parcels and Pembroke Road and Norfolk Street and the Rose Street Precinct, the principles adopted at the 14 August 2017 Council meeting recommend further planning analysis that tests higher residential densities such as *manor homes* or 3 storey *residential flat buildings* which would replace existing detached dwelling development.
102. The interface issues are a result of land use conflicts occurring as a result of the DP&E's Priority Precinct process and require resolution where possible. It is acknowledged that the ETCTS identifies significant traffic impacts on the EPR study area and increasing densities at interface areas will have an increase on the traffic impacts. However, the interfaces put in place where 5-6 storey building look onto the backyards of sites zoned for single dwelling development and covered by a Heritage Conservation Area designation are unacceptable and need to be addressed in some format. This issue was discussed in detail in the Epping Planning Review documents.
103. A copy of the EPR Discussion Paper and the report considered by the Council on 14 August 2017 have been attached (refer to **Attachments 8 and 9**). The details on each HCA and background on the recommendations for these areas is available in this background material. The report below details just the recommendations made previously and options discussed with Councillors at Ward Councillor Briefings to allow Council to determine whether it should proceed with the previous recommendations.
104. Council officers are of the opinion that if growth is to be permitted which will impact on the road network that it should be to resolve these types of planning problems rather than to just increase density on a site for the sake of additional housing numbers. It is for these reasons that Council Officers recommend that changes to the planning controls proceed despite the findings of the ETCTS.
105. Furthermore, in March this year, the DP&E released its *Low Rise Medium Density Housing Code* which comes into effect in July 2018. This establishes planning controls on some forms of medium density housing and provide further guidance on the recommended outcomes in this section.

Rosebank Avenue HCA

106. With regards to Rosebank Avenue HCA, in the 14 August 2018 Council report, Council Officers recommended:
- a. Removing the HCA notation but keeping heritage items.

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- b. For the area south of the heritage items: allow 3 storey **residential flat buildings (RFBs)**.
- c. For the area north of the heritage items: no change.
- d. That the changes occur ahead of completion of ETCTS.

107. Council subsequently resolved that it pursue 2 storey **manor homes** along full length of Rosebank Ave but test benefits of 3 storey **RFBs**.

Recommendation

108. Council Officers recommend proceeding with the original recommendations to remove the HCA notation, enable 3 storey **RFBs** south of the heritage items with no change north of the heritage items. Refer to Figure 5.



Figures 5 – Council Officer recommendation for Rosebank Avenue HCA

1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street

109. With regards to properties at 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, in the 14 August 2018 Council report, Council Officers recommended:

- a. Remove HCA notation but keep heritage items.
- b. R3 zone of area edged black but limit No.s 7 & 7A Norfolk Rd to **manor homes** (current zoning is shown in Figure 6).
- c. Enable 3 storey **RFB** on No.s 1, 3, 3A and 5 Norfolk Rd and 25 Pembroke St.
- d. Changes occur ahead of completion of ETCTS.

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Figure 6 – Current zoning of 1, 3, 3A, 5, 7, and 7A Norfolk Road and 23, 23A and 25 Pembroke Street

110. Council subsequently resolved that it pursue 2 storey *manor homes* but test benefits of 3 storey *residential flat buildings*.
111. At the Ward Councillor Briefings discussed above the option of making no change to the controls in this area was discussed. Should Councillors wish to proceed with this option then Council should resolve to take no further action to change the planning controls for this precinct.

Recommendation

112. To ensure consistency with new Complying Code and subsequent analysis as part of the LEP Harmonisation process, Council Officers propose a new recommendation - **Part 'no change', part RFB:**
- No changes to battle-axe blocks at No.s 7 & 7A (ie. maintain controls for *detached dwellings*) because this conflicts with the DP&E's Complying Code on battle-axe blocks.
 - Rezone No.s 1, 3, 3A & 5 to R3 zone to enable 3 storey **RFB** subject to amalgamation controls being put in place to create 1 super lot.
 - No.25 Pembroke cannot develop of itself and should retain its existing zoning.
- Refer to the Figure 7.

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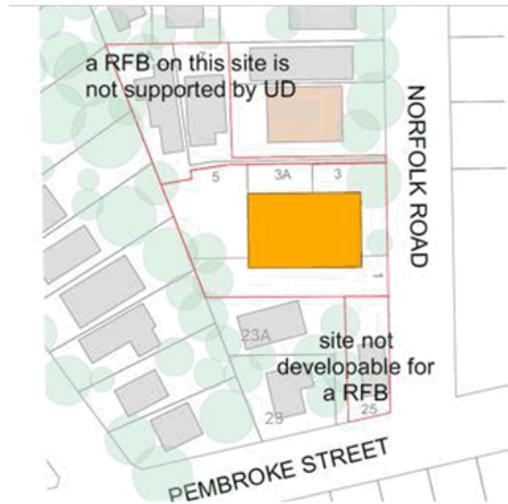


Figure 7 – Council Officer recommendation for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 23, 23A and 25 Pembroke Street

Essex Street HCA

113. With regards to the Essex Street HCA, in the 14 August 2018 Council report, Council Officers recommended:

- a. Remove HCA notation but keep heritage items.
- b. Allow **manor homes** on western side between Epping Road and Maida Road only with no change on eastern side.
- c. That the changes occur ahead of completion of ETCTS.

114. The above recommendations were supported by the Council in August 2017.

Recommendation

115. Council Officers recommend maintaining the above recommendations and develop DCP controls that protect larger setbacks to ensure the protection of the tree canopy at rear setbacks.

Rose Street Precinct

116. With regards to the Rose Street Precinct, in the 14 August 2018 Council report, Council Officers recommended:

- a. Allow **residential flat buildings** development (R3 zone) with urban design analysis to step down height to Brigg Rd to 2 storeys.
- b. That the changes occur ahead of completion of ETCTS.

117. Council subsequently resolved that it pursue 2 storey **manor homes** but test benefits of 3 storey **residential flat buildings**.

118. At the Ward Councillor Briefing Councillors the issue of the topography of this area and the drainage implications of allowing more density were raised. Council Officers consider that this issue could be investigated as part of the redevelopment options but if Councillors are of the opinion that this should be investigated upfront the recommendation should be amended accordingly.

Recommendation

119. Council Officers recommend allowing **residential flat buildings** with associated urban design analysis and DCP controls that enable the stepping down of the building height to 2 storeys at the Brigg Road/Rose Street

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frontages and that the four (4) sites fronting Blaxland Road also be included in the precinct. Refer to Figure 8.



Figure 8 – Council Officer recommendation for Rose Street Precinct but include the 4 properties fronting Blaxland Road

Rockleigh Park

120. With regards to the Rockleigh Park, in the 14 August 2018 Council report, Council Officers recommended:

- a. The area zoned R4 (edged with yellow line) be down-zoned to R3 to be consistent with R3 zone boundary to north and east.
- b. That further urban design analysis to determine best height and FSR controls.

121. The above recommendations were supported by the Council.

Recommendation

122. Council Officers recommend reinstate original recommendations. But ensure that **residential flat buildings** are prohibited from this area (R3 zone in HLEP permits 4 storey RFBs). Refer to Figure 9.



Figure 9 – Council Officer recommendation for Rockleigh Park

IMPACTS OF ETCTS ON COMMERCIAL FLOORSPACE

123. Recent pre-lodgments and development applications within the centre continue to erode the volume of commercial floorspace within the centre as developers

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are 'opting out' of applying the existing DCP provisions that require delivery of 2, 3 and 4 storey podiums of commercial floorspace in mixed use proposals. This is because of the weak 'statutory weight' that DCP controls have over an environmental planning instrument such as a LEP.

124. As discussed in the section entitled "Impact of ETCTS on State Significant Development at 240-244 Beecroft Road", Council Officers have identified that approximately **8,200sqm of retail floorspace** and **35,200sqm of office floorspace** needs to be "replaced". To deliver this, Council's Urban Designers determine that three storey commercial podiums (comprising one floor of retail and two floors of office premises) on remaining sites can deliver the required floorspace.
125. With regards to traffic, the associated traffic impacts from commercial land uses (retail and office premises) may well be greater than those associated with residential development. This is because commercial uses tend to generate a greater number of trips per square metre of floor area. This is another area where Council Officers consider that it may be necessary to allow additional development to resolve a planning issue not related solely to housing delivery. In this case allowing additional density that may detrimentally impact on traffic outcomes should be considered.
126. Given this conflict around the need for more commercial floorspace within the centre to protect its economic viability and amenity, with its associated traffic impacts, a delicate balancing exercise is required that meets the of commercial floorspace needs of the centre whilst acknowledging the potential traffic impacts.
127. In light of the above, Council Officers have identified the following potential options:
- a. **Option 1 – No change:** This option involves no change to the current controls. Because the market favours residential development and the pace of that development recently, this option is highly likely to encourage DAs that deliver only ground floor commercial that will undermine centre's amenity and economic viability. This has no traffic impact compared to current controls.
 - b. **Option 2 – Require minimum level of commercial FSR provision to be provided without amending the maximum FSR or Building Heights:** This option involves increasing the commercial FSR requirements but this occurs at the cost of residential FSR. It means that the heights or densities of buildings will not change, but there will be a higher proportion of commercial floorspace within any development and less residential than would currently be permitted. In other words, it equates to a net decrease in residential FSR but will improve centre's amenity and economic viability. This will potentially result in a detrimental impact on the local traffic network.
 - c. **Option 3 – Require minimum level of commercial FSR provision to be provided but amend the maximum FSR or Building Heights to seek to retain where possible an FSR for residential equivalent to existing levels** This will mean increases in overall density and building heights but it makes delivery of more commercial (retail/office) uses more viable which will improve the centre's amenity and economic viability. The detrimental impact on the local traffic network will be greatest with this option.

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Recommendation

128. Of the above options, Council Officers recommend **Option 3 - Increase Commercial FSR and density/building heights** because of the strong residential market and the way the planning system operates, if Option 2 was pursued, Council would receive a flood of DAs seeking mixed use development with only the ground floor allocated to commercial uses. These would all have to be considered and potentially approved under the current planning rules and the opportunity to provide the commercial floorspace Epping needs will be lost forever. Without sufficient commercial/retail floorspace the future function and amenity of the Town Centre is significantly impacted.
129. Whilst Option 3 is the Council Officer preference at this point in time this scenario needs to be run through the traffic modelling and if the outcome is unacceptable it may be necessary to fall back to Option 2. A further analysis and report to Council will allow Council to determine which option it will ultimately pursue via a Planning Proposal.

CONCLUSION

130. The reported rate of growth compared to the growth envisaged by the DP&E in 2013 demonstrates the Epping Town Centre has been doing a lot of the “heavy lifting” for dwelling growth and that the impact on infrastructure means that further housing growth for the sake of increasing house supply in Epping is not necessary.
131. This report provides a basis for Council to take to the DP&E, the Minister for Planning and the GSC seeking support for a strategic approach to future planning in Epping where any growth seeks to solve existing planning problems rather than just increasing density for the sole purpose of providing additional housing supply.

NEXT STEPS

132. The next steps are:
- a. Progressing supplementary traffic analysis on new through link through 240-244 Beecroft Rd; and re-opening of former M2 bus tunnel link.
 - b. Exhibiting the ETCTS documentation for major stakeholder comment.
 - c. Council Officers to arrange EPR Steering Group meeting with State agencies about proposed policy change and revisiting infrastructure delivery.
 - d. Council Officers prepare further Council reports that seek to:
 - i. Provide advice on provision of community facilities on the Councils Rawson Street Car park land and whether an EOI process should be pursued to enter into partnerships with other landowners.
 - ii. Report on the outcome of the consultation on the Epping Town Centre Traffic Study and the results of the supplementary traffic analysis discussed in this report on:-
 1. Reopening of the former M2 bus tunnel link; and
 2. A new east west road link through 240-244 Beecroft Road.

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- e. Planning Proposal processes inclusive of background and technical study preparation commence on:
- i. The heritage interface areas; and
 - ii. The provision of commercial floor space in the centre.

Jacky Wilkes
Senior Project Officer Land Use Planning

Robert Cologna
A/Service Manager Land Use Planning

Sue Weatherley
Director Strategic Outcomes and Development

ATTACHMENTS:

1 ATTACHMENT 1 - Council Report of 12 February 2018	16 Pages
2 ATTACHMENT 2 – April 2018 and November 2017 responses from DPE on RPA matter	3 Pages
3 ATTACHMENT 3 – Related planning policy matters	3 Pages
4 ATTACHMENT 4 - ETCTS Report	51 Pages
5 ATTACHMENT 5 - ETCTS Appendices	192 Pages
6 ATTACHMENT 6 - Austino PP Traffic Impact Assessment undertaken for Council	39 Pages
7 ATTACHMENT 7 - For 28 May 2018 Council Report on EPR - Detail of Planning Proposals	6 Pages
8 ATTACHMENT 8 - EPR Discussion Paper	111 Pages
9 ATTACHMENT 9 - Council Report of 14 August 2017	59 Pages

REFERENCE MATERIAL

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE DUNDAS COMMUNITY CENTRE, 21 STURT STREET, TELOPEA ON MONDAY, 9 JULY 2018 AT 6.33PM

PRESENT

The Lord Mayor, Councillor Andrew Wilson and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Robert Dwyer, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Paul Han, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Lorraine Wearne and Martin Zaiter.

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor Andrew Wilson, acknowledged the people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

WEBCASTING COUNCIL MEETING

The Lord Mayor, Councillor Andrew Wilson, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

OTHER RECORDING OF MEETING

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

PROCEDURAL MOTION

1449 RESOLVED (Wilson)

That Item 14.5 relating to Epping Town Centre Traffic Study and other Epping Planning Review Matters and Item 14.7 Delegations to the Chief Executive Officer be brought forward in the meeting for consideration.

14.5 SUBJECT Epping Town Centre Traffic Study and other Epping Planning Review Matters

REFERENCE F2017/00210 - D06202874

REPORT OF Snr Project Officer

1450 RESOLVED (Tyrrell/Wearne)

(a) **That** Council note this update on the Epping Planning Review and related matters.

(b1) **That** Council exhibits the Epping Town Centre Traffic Study and supporting documentation (including the further supplementary reports) to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report with a Community Briefing Session to be organised to inform the community about the content of the Traffic Study and allow them to ask questions about its preliminary findings to inform any submissions stakeholders may wish make on the study.

- (b2) **That** the exhibition material placed on public exhibition state that Council does not support any extension of Rosebank Avenue to connect with Rosen Street as described in the traffic study and advise the affected landowners of this decision.
- (c1) **That** despite recommendation (b1) above, that Council adopts the position that it does not support any:
- (i) Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to:-
 - commercial floor space in the Epping Town Centre; or
 - the Planning Controls that should apply to Heritage Conservation Areas or areas that interface with High Density Residential zones surrounding Epping Town Centre.
 - (ii) Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*;
and that Council write to both the Department of Planning and Environment (DP&E) and the Greater Sydney Commission advising them this will remain Council's position until the State Government has provided infrastructure to resolve the through traffic issues with the Epping Town Centre.
- (c2) **That** a Planning Proposal including all necessary background studies and analysis be prepared to amend Clause 4.6 of PLEP 2011 so that it cannot be used to seek a FSR greater than that permitted on the Floor Space Ratio Map for sites within the Epping Town Centre.
- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
- (i) Object to the Planning Proposal proceeding in its current form and density and request that no Planning Proposal proceed for this site. Instead the existing planning controls should be retained with the portion currently zoned RE1 Public Recreation remaining in place along with retaining no Floor Space Ratio or Height of Buildings control notations applying to that portion.
 - (ii) **That** the Council write to the Minister for Planning seeking that the Minister amends the legislative provisions related to the acquisition of open space land applying the principle that where a developer has purchased land which at the time of purchase is already zoned public open space, they should not benefit from any changes to the value derived from the existing zoning of adjoining land or changes to zoning of adjoining land. And write to the Local Members requesting funding out of the Open Spaces and Greater Sydney Package. To avoid any doubt Council considers that the owner should be entitled to the price they paid (adjusted for

- CPI) but no increases in value as a result of changes to the planning controls surrounding the site.
- (e) **That** Council write to the Minister for Planning, Landcom and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until a workshop can be organised involving Council and Landcom to discuss and seek to resolve the following:-
- (i) to establish whether a new road link can be provided through this site linking Beecroft Road and Ray Road; and
 - (ii) the provision of commercial floor space on the site being provided at a level no less than 1:1 FSR on this site.
- (f) **That** a further report is brought to Council on the options for future civic space and community facilities on the following sites:-
- (i) the Rawson Street carpark site; and
 - (ii) the Chalmers Street site (containing the existing Epping Library site and adjoining open space);
- including analysis on whether any process should be commenced to realise the FSR available on either of these sites.
- (g) **That** in addition to correspondence Council resolved to forward to the State Government regarding the investigation of M2 tolling at the 12 June 2018 Council Meeting (i.e. Item 15.5) the further supplementary reports on:-
- (i) Reopening of the former M2 bus tunnel link; and
 - (ii) A new east west road link through 240-244 Beecroft Road
- be forwarded to the relevant transport agencies that manage the former M2 bus link, the RMS and Urban Growth and circulated to Councillors upon receipt and then be placed on public exhibition with the Epping Town Centre Traffic Study with any feedback received on this issues during the consultation to be reported back to Council.
- (h) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-
- (i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report
 - (ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-
 - 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3

storeys on these sites); and

- The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments for 2 - 8 Rosebank Ave and 1 - 7 Rosebank Ave as follows:

- (i) Remove the Heritage Conservation Area notation from these sites;
- (ii) Rezone the sites from Residential R2 Low Density Residential to R3 Medium Density Residential; and
- (iii) Amend the permitted height of building for these sites from 8.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites).

All other sites in Rosebank Avenue should retain their existing planning controls including the Heritage Conservation Area notation and that the Planning Proposal and associated material shall be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (j) **That** a Planning Proposal and Draft DCP amendments including all necessary background studies and analysis be prepared to progress amendments to these plans for the Essex Street HCA Precinct with the planning controls to be consistent with the following:-

- (i) Retention of the existing Heritage Conservation Area for both sides of Essex Street
- (ii) Amend the planning controls to allow for detached dual occupancies on the western side of Essex Street between Epping Road and Maida Road (which are the sites that are impacted by proximity to the adjoining 5 storey apartment buildings) in the form where the second dwelling shall be permitted behind the existing dwelling but not in a Duplex form.
- (iii) That the Draft DCP that applies to this HCA and surrounding land be reviewed with a view to including: -
 - a detailed analysis of significant trees located on the sites on the western side of Essex Street and supporting DCP controls that seek protect those trees; and
 - Draft DCP planning controls that require provision to be made for the widening and improvement of the pedestrian link currently located between 58-60 Essex Street linking through to Forest Grove;

and that the Planning Proposal and associated material be

reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (k) **That** no further action be taken to amend the Planning Controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of re-development of the Rose Street Precinct Sites is completed and reported to Council.
- (l) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the Town Centre and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
- (m) **That** Council Officers identify potential sites for acquisition for open space purposes in the areas to the north east of the Epping Town Centre. This process should include obtaining valuations for acquisition and the construction of the parks and should also involve discussions with potentially affected landowners. A further report to Council on the outcome of this analysis be reported to Council to allow Council to determine whether it wishes to commence a rezoning process to rezone any sites in this area for open space.
- (n) **That** Council write to the Member for Epping seeking their support for funding for the acquisition of open space in the area north east of the Epping town centre as part of the Open Spaces and Greener Sydney package announced in April 2018. The Local Member also be requested to make representations to the relevant Minister to ensure the criteria that needs to be met to obtain grant funding provides flexibility (in terms of timeframe for delivery and the identification of the land to be acquired) so that Council can secure the funding prior to finalizing the rezoning and consultation/ acquisition processes
- (o) **Further, that** this motion carries the unanimous support of the Ward Councillors being Councillors Tyrrell, Wearne and Davis.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociw, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

**Appendix 4 – City of Parramatta Council Report
and Meeting Minutes of Item 18.6 of 8 October
2019**

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Item 18.6

INNOVATIVE

ITEM NUMBER	18.6
SUBJECT	FOR APPROVAL: Gateway Request: Planning Proposal - Various properties in Rockleigh Way, Pembroke and Essex Streets, Epping
REFERENCE	F2019/02038 - D07010150
REPORT OF	Senior Project Officer - Land Use
PREVIOUS ITEMS	14.5 - Epping Town Centre Traffic Study and other Epping Planning Review Matters - Council - 09 Jul 2018 6.30pm 11.3 - Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2 - Council - 14 Aug 2017 6:00pm

PURPOSE:

To seek Council's endorsement of a Planning Proposal for various sites in the Rockleigh Park precinct, Essex Street and Pembroke Street, Epping, for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment to amend the land use zoning, floor space ratio and height controls to manage impacts of future development on the sites on the adjoining East Epping Heritage Conservation Area.

RECOMMENDATION

- (a) **That** Council endorse the Planning Proposal at **Attachment 1** which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013:
- Land at 5A Essex Street, 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way:
 - Rezone the land from R4 High Density Residential to R3 Medium Density Residential;
 - Amend the maximum height of buildings control from 17.5 metres to 9 metres; and
 - Apply a floor space ratio control of 0.6:1, noting there is no existing FSR control for the sites.
 - Land at 21-29 Essex Street
 - Amend the maximum height of buildings control from 17.5 metres to 11 metres (to allow for residential flat buildings no greater than three storeys); and
 - Apply a floor space ratio control of 0.8:1, noting there is no existing FSR control for the sites.
 - Land at 23 and 23A Pembroke Street, Epping
 - Rezone the sites from R3 Medium Density Residential to R4 High Density Residential;
 - Amend the maximum height of buildings control from 12 metres to 11 metres; and
 - Apply a floor space ratio control of 0.8:1, noting there is no existing FSR control for the sites.

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- (b) **That** Council not prepare a masterplan for the Rockleigh Park Precinct sites that any redevelopment under the proposed R3 Medium Density Residential instead be assessed against the relevant Hornsby Development Control Plan (DCP) 2013.
- (c) **That** the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.
- (d) **That** Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (e) **That** Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.
- (f) **Further, that** Council note the Local Planning Panel's advice provided at **Attachment 2** is consistent with the Council Officer's recommendation.

PLANNING PROPOSAL TIMELINE



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BACKGROUND

1. This summary report is supported by a detailed assessment report included at **Attachment 2** that was provided to the Local Planning Panel at its meeting on 17 September 2019. The Panel supported Council officer's recommendations.
2. The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018 and the resolution made by Council on 9 July 2018 in relation to a number of matters resulting from the Epping Planning Review, including issues of development interface with Heritage Conservation Areas.
3. The Planning Proposal seeks to manage the impacts of future development on certain land on the adjoining East Epping Heritage Conservation Area by reducing the maximum height of building controls for properties along Essex Street and Pembroke Street and to amend the planning controls to prohibit residential flat buildings in Rockleigh Park Precinct.
4. On 14 March 2014, the (then) Department of Planning and Environment (Department) finalised the Epping Urban Activation Precinct amendments to the Hornsby and Parramatta Local Environmental Plans via State Environmental Planning Policy (Epping Town Centre) 2013 ("the SEPP Amendment"). The SEPP Amendment provides capacity for approximately 10,000 additional dwellings and a revitalised commercial and retail core adjacent to a major transport hub.
5. The new planning controls established four new Heritage Conservation Areas, including the East Epping Heritage Conservation Area. It also up-zoned the properties subject to this planning proposal on the south and west side of Rockleigh Park and Pembroke and Essex Street from R2 Low Density Residential to R4 High Density Residential, permitting 5 storey residential flat buildings.
6. In December 2016, the Epping Planning Review was commenced by the City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking additional growth within the Town Centre. It also allowed the City of Parramatta Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.
7. The Epping Planning Review project involves the following stages:-
 - Stage 1 – the preparation of technical studies, community consultation and the release of a Discussion Paper for public comment.
 - Stage 2 – the statutory phase, including the preparation of planning proposals that seek to amend the current planning controls to resolve the land use issues identified during Stage 1. Council is currently in this phase of the project and this planning proposal forms part of this stage.
8. Stage 1 was undertaken primarily between December 2016 and July 2018 and included the preparation of a series of technical studies, release of the Epping Planning Review Discussion Paper and two phases of community consultation.

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9. A number of key issues were considered as part of Stage 1 of the Epping Planning Review including the interface of high-density residential development with adjoining heritage conservation areas. One of these conservation areas is the East Epping Heritage Conservation Area and interface of high-density development or land use zoning along Rockleigh Way, Brenda Way, Pembroke Street and Essex Street. **Figure 1** overleaf highlights the properties subject to this Planning Proposal and their proximity to the East Epping conservation area.

10. As part of Stage 1 community consultation, community workshops were undertaken, including two heritage review workshops about Heritage Conservation Areas within Epping. One workshop was held for landowners within the conservation areas and one general workshop was held for interested residents. The workshop explored potential land use scenarios and associated impacts in the conservation areas. The workshops aimed to understand residents concerns about the impact five-storey residential flat building development on properties within adjoining conservation areas, including the East Epping Heritage Conservation Area.

11. As part of Stage 1 technical studies, the City commissioned City Plan Heritage consultants to complete the Epping Town Centre (East) Heritage Review (June 2017). The purpose of the review was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and review residents' concerns about heritage issues.

Figure 1: Subject properties and proximity to East Epping Heritage Conservation Area



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12. In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets is required to prevent further encroachment on the conservation area. Key recommendations of the Heritage Review include:
 - a. Rezone the Rockleigh Park parcels from the R4 High Density Residential Zone which has a 17.5 metre (five storey) height control to the R3 Medium Density zone with a 12 metre (four storey) building height control, to provide a smooth transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets.
 - b. That the heritage conservation area designation be removed from 1, 3 and 3A Norfolk Road and 25 Pembroke Street and together with 5, 7, and 7A Norfolk Road be rezoned to R3 Medium Density Residential. This would enable residential flat buildings (four storeys) to be potentially developed on the sites.
13. The City released the Epping Planning Review Discussion Paper for public comment in June 2017 and it presented options and recommendations based on technical studies and community feedback about various planning matters. The Discussion Paper presented options for the properties at Rockleigh Park precinct and Norfolk Road and Pembroke Street and detailed the strengths and weaknesses of each option to gain the community's feedback about the options.
14. On 14 August 2017, Council considered a report that summarised submissions received in response to the public exhibition of Epping Planning Review Discussion Paper and associated technical studies. The report summarised the feedback from landowners and the community on the East Epping Heritage Conservation Area and the options presented to help address interface issues from the adjoining development. It noted submissions expressed mixed views about how the interface issue should be managed.
15. On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rockleigh Park, Norfolk Road and Pembroke Street properties. In part the Council resolved:

“That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-

 - (i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report*
 - (ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-*

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- 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and
- The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.”

PLANNING PROPOSAL

16. The Planning Proposal reflects the intent of the resolution made by Council on 9 July 2018 in relation to issues of development interface with Heritage Conservation Areas assessed as part of the Epping Planning Review.
17. A detailed assessment of the planning proposal is included at **Attachment 2** as part of the Local Planning Panel report.
18. **Table 1** below summarises the existing controls under the *Hornsby Local Environmental Plan (LEP) 2013* that apply to the subject properties and the proposed controls as contained in the planning proposal.

Table 1: Summary of current planning controls and proposed amendments to the Hornsby LEP 2013 controls relating to the subject properties.

Subject sites	Hornsby LEP 2013 – current controls	Planning Proposal - proposed controls
Rockleigh Park precinct	<ul style="list-style-type: none"> • Zoned R4 High Density Residential; • maximum building height of 17.5 metres; and • No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> • R3 Medium Density Residential • Maximum building height of 9 metres; and • Maximum floor space ratio of 0.6:1
21-29 Essex Street	<ul style="list-style-type: none"> • Zoned R4 High Density Residential; • Maximum height of buildings of 17.5 metres; and • No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> • Maximum building height of 11 metres; and • Maximum floor space ratio of 0.8:1
23-23A Pembroke Street	<ul style="list-style-type: none"> • Zoned R3 Medium Density Residential; • Maximum building height of 17.5 metres; and • No maximum floor space ratio (FSR). 	<ul style="list-style-type: none"> • R4 High Density Residential • Maximum building height of 11 metres; and • Maximum floor space ratio of 0.8:1

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Rockleigh Park Precinct

19. Figures 2, 3 and 4 below illustrate the proposed amendments to the land use zoning, height of buildings and floor space ratio in relation to Rockleigh Way.

Figure 2: Proposed R3 Medium Density Residential zone

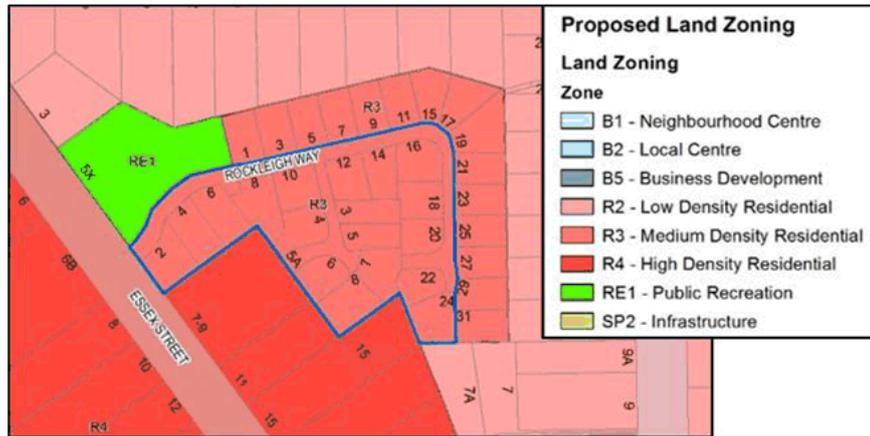
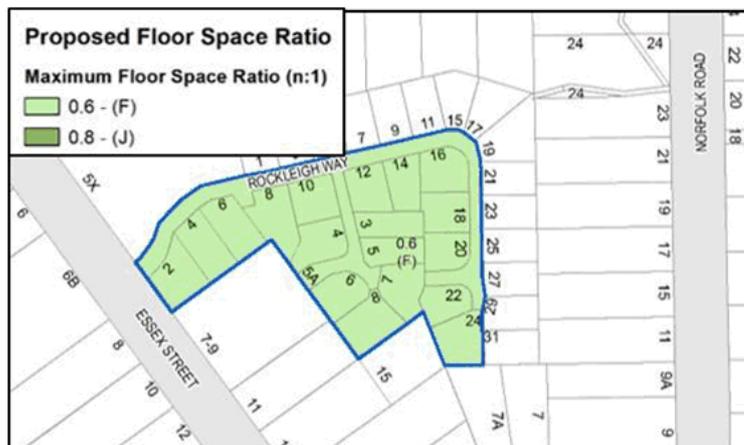


Figure 3: Proposed maximum height of buildings of 9 metres



Figure 4: Proposed maximum floor space ratio of 0.6:1



20. The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries. The current R4 zoning and 17.5 metre height limit (five storey residential flat buildings) would result in encroachment of inappropriate high density development adjacent to the low density of the East Epping Heritage Conservation Area.
21. The Hornsby LEP 2013 does not generally apply a standard maximum floor space ratio to residential areas including properties in Rockleigh Park Precinct. As part of Council's harmonisation of planning controls, an application of a floor space ratio of 0.6:1 is recommended for the subject properties. Further the proposed restriction height to 9 metres will allow for development no greater than three storeys. The application of both a maximum height and FSR is consistent with City of Parramatta's intention for a newly consolidated Parramatta LEP and application of these controls would ensure a straight forward translation. This will ensure the current land uses are supported, as well as future potential to amalgamate two to three parcels in the future to develop multi-unit dwellings (that is townhouses) at an appropriate scale and intensity of development.

Essex and Pembroke Streets

22. **Figures 5, 6 and 7** below illustrate the proposed amendments to the land use zoning, height of buildings and floor space ratio in relation to 21-29 Essex Street and 23 and 23A Pembroke Street.

Figure 5: Proposed R4 High Density Residential Zone



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Figure 6: Proposed maximum height of building of 11 metres

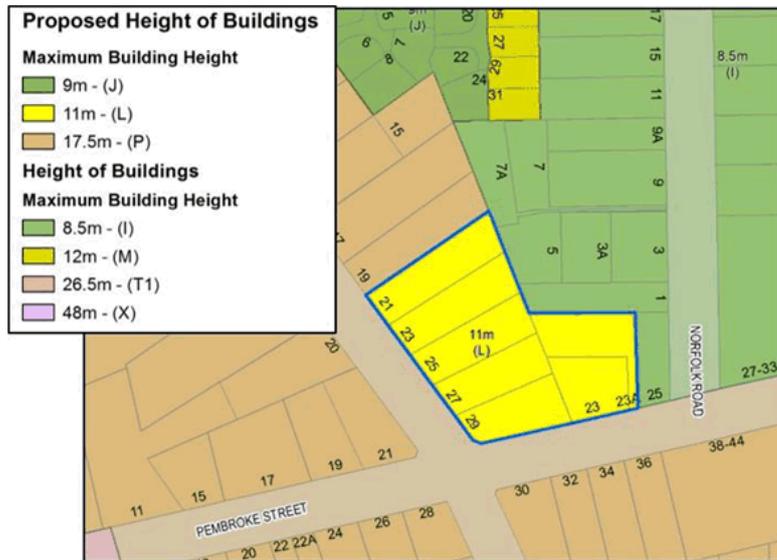


Figure 7: Proposed maximum floor space ratio of 0.8:1



23. It is noted that the Council resolved to apply a R3 Medium Density zoning to properties along Essex and Pembroke Street, however Council officers recommend a R4 High Density Residential zoning. Although the R3 Medium Density Residential Zone in the Hornsby LEP 2013 currently permits residential flat buildings with development consent, it is the intention of City of Parramatta Council through the harmonisation of its planning controls, to restrict residential flat buildings to the R4 High Density Residential Zone. A R4 High Density Residential Zone in this location would ensure a straight forward translation of land use zone upon a newly consolidated Parramatta LEP whilst achieving the intended purpose of reducing the maximum height limit for residential flat buildings on these subject properties.
24. The Hornsby LEP 2013 does not generally apply a standard maximum floor space ratio to residential areas including properties in Essex and Pembroke Streets. As part of Council's harmonisation of planning controls, an application of a floor space ratio of 0.8:1 is recommended for the subject properties. This will ensure an appropriate scale and intensity of development. Further the

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proposed restriction height to 11 metres will allow for apartment development no greater than three storeys. The application of both a maximum height and FSR is consistent with City of Parramatta's intention for a newly consolidated Parramatta LEP and application of these controls would ensure a straight forward translation.

PLAN-MAKING DELEGATIONS

25. Delegations were announced by the Minister for Planning 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 also resolved that these functions be delegated to the Chief Executive Officer (CEO).
26. Should Council resolve to proceed with this planning proposal, Council should exercise its plan-making delegations. This means that after the planning proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office in the drafting of the LEP amendment, which is then signed by the CEO before being notified on the NSW Legislation web-site.
27. The matter will be reported to Council along with the Local Planning Panel's advice to Council. If Council resolves to proceed with the Planning Proposal, it will be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination. If the matter proceeds to public consultation, a report on the outcomes of the public exhibition will be provided to the Panel addressing any objections received. If no objections are received, the matter will be reported directly to Council seeking approval to finalise the Planning Proposal.
28. As part of the public exhibition of the Planning Proposal, effected landowners and surrounding residents and key stakeholders including Council's Heritage Committee and Epping Civic Trust will be notified.

NEXT STEPS

29. Subject to Council's endorsement, the City will submit the Planning Proposal to the Department of Planning, Industry and Environment with a request for a Gateway Determination.
30. Subject to Gateway determination, the City will then publicly exhibit the Planning Proposal. As part of the public exhibition of the Planning Proposal, effected landowners and surrounding residents and key stakeholders including Council's Heritage Committee and Epping Civic Trust will be notified.
31. If the matter proceeds to public consultation, a report on the outcomes of the public exhibition will be provided to the Panel addressing any objections received. If no objections are received, the matter will be reported directly to Council seeking approval to finalise the Planning Proposal.

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ATTACHMENTS:

- | | | |
|-------------------|--|-----------|
| 1 | Planning Proposal various properties Epping | 278 Pages |
| 2 | Local Planning Panel Meeting Report and Minutes Epping | 21 Pages |

REFERENCE MATERIAL



PLANNING PROPOSAL

Relating to various properties along Pembroke and Essex Streets
and Rockleigh Park Precinct, Epping



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Planning Proposal drafts

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel on the assessment of planning proposal to be sent to Department of Planning and Environment for Gateway Determination – 17 September 2019
2	City of Parramatta Council	Report to Council on the assessment of planning proposal to be sent to Department of Planning and Environment for Gateway Determination – 8 October 2019 (minor amendments to accommodate Appendices)

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PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Hornsby Local Environmental Plan 2013*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

This planning proposal relates to 26 properties at 2-24 Rockleigh Way, 3-7 and 4-8 Brenda Way and 5A and 21-29 Essex Street and 23 and 23A Pembroke Street, Epping. The subject land is located near the Epping Town Centre and within the boundaries of the City of Parramatta Local Government Area (LGA). Prior to Council amalgamations on 12 May 2016 this area formed part of the Hornsby Shire LGA, therefore the existing planning controls for the sites are the Hornsby Local Environmental Plan 2013. The subject sites subject to this planning proposal are shown in **Figure 1 and 2** below.

The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018 and the resolution made by Council on 9 July 2018 in relation to a number of matters resulting from the Epping Planning Review, including issues of development interface with Heritage Conservation Areas (HCAs).

The planning proposal seeks to manage the impacts of development adjacent to the East Epping Heritage Conservation Area by reducing the maximum height of building controls for properties along Essex Street and Pembroke Street and to amend the planning controls in order to prevent the development of residential flat buildings in Rockleigh Park Precinct.



Figure 1 – 7 Properties along Essex and Pembroke Streets, Epping

Under the *Hornsby LEP 2013*, the properties at 21-29 Essex Street are currently:

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PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

- zoned R4 High Density Residential;
- Have a maximum height of buildings of 17.5 metres; and
- have no maximum floor space ratio (FSR).

Under the *Hornsby LEP 2013*, the properties at 23-23A Pembroke Street are currently:

- zoned R3 Medium Density Residential;
- have a maximum building height of 17.5 metres; and
- have no maximum floor space ratio (FSR).



Figure 2 - 19 properties in Rockleigh Park precinct are subject to the planning proposal

Under the *Hornsby LEP 2013* the Rockleigh Park precinct sites:

- Are zoned R4 Low Density Residential;
- have a maximum building height of 17.5 metres; and
- have no maximum floor space ratio (FSR).

An extract of the *Hornsby LEP* maps for each of the sites are provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

A legal description of the properties subject to this Planning Proposal is provided in **Table 1** below.

Property Address	Legal Description
2 Rockleigh Way	Lot 2 DP285338
4 Rockleigh Way	Lot 3 DP285338
6 Rockleigh Way	Lot 4 DP285338
8 Rockleigh Way	Lot 5 DP285338
10 Rockleigh Way	Lot 6 DP285338

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Property Address	Legal Description
12 Rockleigh Way	Lot 13 DP285338
14 Rockleigh Way	Lot 14 DP285338
16 Rockleigh Way	Lot 15 DP285338
18 Rockleigh Way	Lot 16 DP285338
20 Rockleigh Way	Lot 17 DP285338
22 Rockleigh Way	Lot 18 DP285338
24 Rockleigh Way	Lot 19 DP285338
3 Brenda Way	Lot 12 DP285338
4 Brenda Way	Lot 7 DP285338
5 Brenda Way	Lot 11 DP285338
6 Brenda Way	Lot 8 DP285338
7 Brenda Way	Lot 10 DP285338
8 Brenda Way	Lot 9 DP285338
5A Essex Street	Lot 1 DP285338
21 Essex Street	Lot 2 DP10511
23 Essex Street	Lot 3 DP10511
25 Essex Street	Lot 4 DP10511
27 Essex Street	Lot 5 DP10511
29 Essex Street	Lot 6 DP10511
23 Pembroke Street	Lot 1 DP209032
23A Pembroke Street	Lot 2 DP209032

Table 1: Legal Description of Properties subject to this Planning Proposal

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PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The main objective of this planning proposal is to provide a more consistent and appropriate built form transition to the East Epping Heritage Conservation Area.

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PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Hornsby LEP 2013 (HLEP 2013)* in relation to the zoning, height and floor space ratio controls.

In order to achieve the desired objectives the following amendments to the *HLEP 2013* would need to be made:

For sites at 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way:

1. Amend the zone in the **Land Zoning Map** (Sheet LZN_011) from R4 High Density Residential to R3 Medium Density Residential. Refer Figure 6 in Part 4 of this planning proposal.
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 17.5 metres to 9 metres. Refer Figure 8 in Part 4 of this planning proposal.
3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.6:1, noting there is no existing FSR control for the sites. Refer Figure 10 in Part 4 of this planning proposal.

For sites at 5A and 21-29 Essex Street:

1. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 17.5 metres to 11 metres. Refer Figure 9 in Part 4 of this planning proposal.
2. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. Refer Figure 11 in Part 4 of this planning proposal.

For sites at 23-23A Pembroke Street:

1. Amend the zone in the **Land Zoning Map** (Sheet LZN_011) from R3 Medium Density Residential to R4 High Density Residential. Refer Figure 7 in Part 4 of this planning proposal.
2. Amend the maximum building height in the **Height of Buildings Map** (Sheet HOB_011) from 12 metres to 11 metres. Refer Figure 9 in Part 4 of this planning proposal.
3. Amend the maximum FSR in the **Floor Space Ratio Map** (Sheet FSR_011) to apply an FSR of 0.8:1, noting there is no existing FSR control for the sites. Refer Figure 11 in Part 4 of this planning proposal.

Note: Council is currently reviewing the multiple land use plans that apply to different parts of the City of Parramatta Local Government Area (LGA). This work will create a single LEP and DCP that will apply to the whole LGA. The process of 'harmonisation' of planning controls is currently at a stage in the planning proposal process which is similar to this planning proposal. Therefore the above controls have been drafted to be consistent with the proposal controls in the harmonisation process so to ensure translation of controls are straight forward.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

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

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

The Planning Proposal is as a result of the Council resolution of Stage 1 of the Epping Planning Review on 9 July 2018 and forms part of the implementation of Stage 2. A background to the Epping Planning Review, as it relates to this planning proposal, is detailed below.

In March 2014, new planning controls for the Epping Town Centre and surrounds came into effect as a result of the, then, Department of Planning and Environments (DPE) Priority Precinct process. This process resulted in increased building heights and density controls and the creation of three new Heritage Conservation Areas – Rosebank Avenue, East Epping and Essex Street HCA (formerly located within the Hornsby Local Government Area).

Following Council amalgamations on 12 May 2016, Epping Town Centre and immediate surrounds fell wholly within the City of Parramatta Council Local Government Area.

In December 2016, the Epping Planning Review was commenced by City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect of DPE as well as allowing Council to manage current Planning Proposals seeking additional growth within the Town Centre. It also allowed Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.

The Epping Planning Review involves the following Stages:

- Stage 1 – the preparation of technical studies, community consultation and the release of a discussion paper for public comment. This Stage was undertaken between 2016 and 2018. This planning proposal is one of the Council resolved outcomes of Stage 1 of the Epping Planning Review.
- Stage 2 – involves the statutory phase, including the preparation of planning proposals that seek to amend the current planning controls to resolve the land use issues identified during the first phase. Council are currently in this phase of the project.

As part of Stage 1 community consultation, community workshops were undertaken, including 2 heritage review workshops with regards to Heritage Conservation Areas (HCA) within Epping - one workshop for landowners within the HCAs and one general workshop for interested residents. The workshop explored potential land use scenarios and associated impacts in the HCAs. The workshops aimed to listen to the concerns of residents at the impact of proposals and developments for five storey apartments on land adjoining the Epping conservation areas, including the East Epping Heritage Conservation Area.

As part of Stage 1 technical studies, City Plan Heritage completed the Epping Town Centre (East) Heritage Review (June 2017) – refer **Appendix 1** of this report. The purpose of the review was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues.

In relation to planning controls surrounding the East Epping Heritage Conservation Area,

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

the Heritage Review (refer **Appendix 1**) concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations of the Heritage Review include:

- Rezone the Rockleigh Park parcels from the R4 High Density Residential Zone which has a 17.5m (5 storey) height to the R3 Medium Density zone with a 12 metre (4 storey) building height, in order to provide a smooth transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets.
- That the heritage conservation area designation be removed from 1, 3 and 3A Norfolk Road and 25 Pembroke Street and together with 5, 7, and 7A Norfolk Road be rezoned to R3 Medium Density Residential. This would allow them to be potentially developed for apartment buildings (4 storeys).

The Epping Planning Review Discussion Paper was released for public comment in June 2017 and aimed to present appropriate options and recommendations based on technical studies and community feedback in relation to a number of planning matters. The Discussion Paper presented options for the properties at Rockleigh Park precinct and Norfolk Road and Pembroke Street and the strengths and weaknesses of each option were detailed. The purposes of these options was to gain feedback from the community as to what resolution was acceptable.

On 14 August 2017, Council considered a report (refer **Council report and Minutes at Appendix 2**) that summarised submissions from the Epping Planning Review Discussion Paper and technical studies. The report summarised the feedback from land owners and the community on the East Epping Heritage Conservation Area and the options presented to mitigate the interface issues from the adjoining development. It noted that the submissions were divided in opinion as to how the interface issue should be managed.

On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review (refer **Council report and minutes at Appendix 3**), including further assessment work undertaken for Rockleigh Park and Norfolk Road and Pembroke Street properties. In summary the Council report recommended:

- That the area zoned R4 be down-zoned to R3 in the Rockleigh Park Precinct to be consistent with R3 zone boundary to north and east; and
- No changes to battle-axe blocks at 7 and 7A Norfolk Road and rezone 1, 3, 3A and 5 Norfolk Road to R3 zone to enable three storey residential flat buildings subject to amalgamation controls being put in place to create 1 super lot and that 25 Pembroke cannot develop of itself and should retain its existing zoning.

Council resolved to support the above recommendation in relation to Rockleigh Park precinct, however no changes to properties along Norfolk Road and at 25 Pembroke Street. Further Council resolved to amend height of buildings in relation to properties at 21-29 Essex Street and 23 and 23A Pembroke Street, Epping.

A summary of decision making in relation to the above matters is provided at **Appendix 4**.

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

The Epping Planning Review Discussion Paper (June 2017) examined the Heritage Review recommendations for Rockleigh Park Precinct and presented options for the community to consider. The purpose of these options was to gain feedback from the community as to what planning solution was acceptable.

In relation Rockleigh Park the Discussion Paper recommended down-zoning the site from the R4 High Density zone to the R3 Medium Density zone, enabling a reduction in the permissible density. It also recommended the preparation of a master plan to determine

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

the most appropriate outcome.

Following assessment and community feedback Council resolved that the current planning proposal is the best means of achieving the objectives/intended outcomes in relation to Rockleigh Park precinct. The proposed amendment to Hornsby LEP 2013 will help to satisfactorily resolve transition issues from the R4 High Density Residential land use zoning to the East Epping HCA.

1.2. Section B – Relationship to strategic planning framework

1.2.1. 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: A Metropolis of Three Cities* (“the GSRP”) a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions which are each contains Potential Indicator and, generally, a suite of objective/s with each objective supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Table 3a – 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	The region plan highlights that the Central River City is undergoing a rebuilding program in a high-growth environment, which requires existing infrastructure to be optimised.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	This planning proposal acknowledges Epping as a strategic centre in which the provision of housing this location promotes efficient use of the existing infrastructure while still maintaining appropriate interfaces with adjacent heritage items and conservation areas.
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

Liveability

An assessment of the planning proposal’s consistency with the GSRP’s relevant Liveability objectives is provided in Table 3b, below.

Table 3b – Consistency of planning proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	O6: Services and infrastructure meet	The planning proposal aims to

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	communities' changing needs	improve amenity to the community by creating a better transition in built form from a high density to an existing low density heritage conservation area.
	O7: Communities are healthy, resilient and socially connected	
	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	It is highly unlikely that sites within the Rockleigh Park precinct will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250-300 square metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking. Further to this, the proposed downzoning on other sites is not significant and would not undermine the capacity for Epping to deliver housing as part of the Department's rezoning in 2014.
	O11: Housing is more diverse and affordable	The R3 zones within the Hornsby LEP 2013 offers a high degree of housing diversity, with residential flat buildings still permitted in the zone. There will be no negative impacts on housing diversity and affordability as a result of this planning proposal.
A city of great places	O12: Great places that bring people together	The planning proposal will help to resolve interface issues to the East Epping heritage conservation area by providing an appropriate transition model.
	O13: Environmental heritage is identified, conserved and enhanced	

Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Table 3c – 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 proposed density is appropriate given the context to existing transport infrastructure.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	

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Sustainability

An assessment of the planning proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: The coast and waterways are protected and healthier	No specific sustainability measures are proposed at this stage of the planning process. Measures within the Hornsby DCP 2013 will be implemented at development application stage.
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	
	O29: Environmental, social and economic values in rural areas are protected and enhanced	
	O30: Urban tree canopy cover is increased	
	O31: Public open space is accessible, protected and enhanced	
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	
An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	No specific sustainability measures are proposed at this stage of the planning process. Measures within the Hornsby DCP 2013 will be implemented at development application stage.
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	Brenda Way and Rockleigh Way (5A Essex Street), is flood prone and impacted by the 1:100 year flood level. As the flood levels are contained within the roadway, and this planning proposal is a downzoning to reflect the current land use, it is considered to be a little impact. Any future development applications for properties in Rockleigh Way would be required to address stormwater runoff and flooding to ensure compliance with Council's water management controls within the Hornsby DCP 2013.
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

Implementation

An assessment of the planning proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3d, below.

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Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	This planning proposal is a key outcome of Stage 1 of the Epping Planning Review which involved in-depth consultation with the community and the consideration of the feedback from this consultation.

Central City District Plan

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 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 Action. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal's consistency with the CCDP's relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</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 	<p>The planning proposal seeks to cluster appropriate density within the strategic centre of Epping while still ensuring that transitions to heritage conservation areas are appropriate.</p>

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<p>O5: Benefits of growth realized by collaboration of governments, community and business</p>	<p>PP C2: Working through collaboration</p> <ul style="list-style-type: none"> • A7: Identify prioritise and delivery collaboration areas 	<p>This planning proposal is a key outcome of Stage 1 of the Epping Planning Review which involved in-depth consultation with the community and the consideration of the feedback from this consultation.</p>
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Liveability

An assessment of the planning proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
<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 Council's. • 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 subject sites are within walking distance of community facilities in Epping Town Centre. Council has resolved to investigate options for Council owned land at Rawson Street and Pembroke Street for future civic space to accommodate current and future populations. Further to this, the planning proposal incorporates an appropriate transition model to the East Epping Conservation Area and allows for greater appreciation of heritage interfaces within this area.</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 [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>It is highly unlikely that sites within the Rockleigh Park precinct will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250-300 square metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking. Further to this, the proposed downzoning on other sites is not</p>

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		significant and would not undermine the capacity for Epping to be a strategic centre as envisioned by the central city district plan.
<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 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>This planning proposal proposes introduce an appropriate transition model to the East Epping conservation area. The planning proposal will help to resolve interface issues and community concerns as identified in the Epping Planning Review.</p>

Productivity

An assessment of the planning proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>O14: The plan integrates 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 • 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) • A36: Protect transport corridors as appropriate, including the Western Sydney Freight Line, North South 	<p>It is acknowledged that this planning proposal includes provisions which reduced the permissible residential density of land.</p> <p>However, the planning proposal has been justified through the Epping Planning Review which directly identifies the subjects sites as needing amendment. The planning proposal does not undermine the capacity of Epping being a strategic centre' as identified in the central city district plan as it still allows for medium density residential development</p> <p>The reduction in density is of minor scale and thus of minor significance.</p>

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	train link from Schofields to WS Airport as well as Outer Sydney Orbital and Bells Line of Road-Castlereagh connections	
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1.2.2. 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 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 be consistent with Council's local strategy as it aims to maintain the heritage significance of the East Epping HCA whilst resolving interface issues and the community.

1.2.3. 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 (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under clause 1.9 of Hornsby LEP 2013
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under clause 1.9 of Hornsby LEP 2013
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP 33 – Hazardous and Offensive Development	N/A	
SEPP No 55 Remediation of Land	✓	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Hornsby LEP 2013.

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SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	Detailed compliance with SEPP 65 will be demonstrated at the time of making a future development application for the site facilitated by this Planning Proposal (applies only to 21-29 Essex and 23 and 23A Pembroke Streets).
SEPP No 70 Affordable Housing (Revised Schemes)	N/A	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009	N/A	Not relevant to proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	✓	May apply to future development of the site.
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Hornsby LEP 2013</i> .
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	✓	The Planning Proposal will stimulate renewal within the nominated precinct of Granville and will contribute to the employment and job targets for the area.

1.2.4. 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

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- 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 the subject Planning Proposal.

Table 6 – 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	This Planning Proposal will not affect land within an existing or proposed business or industrial zone.	Yes
2. Environment and Heritage		
Direction 2.3 - Heritage Conservation	<p>The subject sites are adjacent to the East Epping Conservation Area (C9). A Heritage Review (refer Appendix 1) was completed as part of Stage 1 of the Epping Planning Review. The Heritage Review assessed the heritage value and significance of properties located in the East Epping Heritage Conservation Area on the interface with the R3 Medium Density Residential and the R4 High Density Residential zones, with particular attention to Rockleigh Way and 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street.</p> <p>In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations of this study with regards to the Rockleigh Park precinct have materialised as part of this planning proposal.</p> <p>Further to this, Council resolved to amend the planning controls at 21-29 Essex and 23-23A Pembroke Streets to further ensure an adequate built form transition to the East Epping Conservation Area.</p>	Yes
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	<p>It is acknowledged that this planning proposal includes provisions which reduced the permissible residential density of land.</p> <p>However, the planning proposal is consistent with Clause 6 of Direction 3.1 as it:</p> <ul style="list-style-type: none"> • Has been justified through the Epping Planning Review which directly identifies the subjects sites as needing amendment • The planning proposal does not undermine the capacity of Epping being a strategic centre' as identified in the central city district plan as it still allows for medium density residential development • The reduction in density is of minor scale and thus of minor significance. 	No - justified in comments

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Direction 3.4 - Integrating Land Use and Transport	The Planning Proposal is consistent with this direction, in that it: <ul style="list-style-type: none"> will continue to provide for an appropriate amount of density within the Epping strategic centre will enable residents to walk or cycle to work if employed in the Epping or utilise the heavy rail or metro service. 	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The site is not identified on the Acid Sulfate Soils Map in Hornsby Local Environmental Plan 2013.	Yes
Direction 4.3 - Flood Prone Land	5A Essex and 16 Rockleigh Park are identified as flood affected and affected by the 1-100 year ARI. The other sites are not flood prone and is above the 1:100 year flood level. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2011.	Yes
5. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	The planning proposal does not proposed substantive amendments and achieves the overall intent of the Plan for Growing Sydney. The achievements of the plan's planning principles, directions, priorities for subregions, strategic centres and transport gateways are not undermined by this planning proposal.	Yes

1.3. Section C – Environmental, social and economic impact

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

1.3.1. 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?

Land the subject of this planning proposal does not contain any critical habitat or threatened species, populations or ecological communities, or their habitats. Therefore, this proposal does not pose any threat to the above.

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

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The main potential environmental impacts to be assessed for the proposal for the site are built form and heritage.

Rockleigh Park Precinct

As part of the Epping Planning Review the interface issues relating to East Epping Avenue have been assessed through landowner and community feedback, heritage study (refer **Appendix 1**) and urban design testing. Based on these assessments it concluded that western side of Rockleigh Way be rezoned to be consistent with the eastern side of Rockleigh Way.

The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries. The current R4 zoning and 17.5 metre height limit (five storey residential flat buildings) would result in encroachment of inappropriate high density development adjacent to low density and the low density of the East Epping Heritage Conservation Area.

It is highly unlikely that these sites will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250-300 square metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking. The recommended down-zoning better reflects the current use of small single and two storey cottages.

The proposed R3 Medium Density Residential zone and 0.6:1 and 9 metre maximum height of buildings will ensure the current land uses are supported, as well as future potential to amalgamate two to three parcels in the future to develop multi-unit dwellings (that is townhouses) at an appropriate scale and intensity of development. It is also anticipated that these same controls would apply to the eastern side of Rockleigh Way as part of harmonisation of the planning controls.

The proposed planning controls for Rockleigh Park Precinct planning proposal are consistent with the recommendations of the Heritage Review (Epping East) (refer **Appendix 1**) and Epping Town Centre Discussion Paper. The proposed R3 Medium Density Residential zone would provide consistency with the adjacent development of the northern and eastern side of Rockleigh Way and a more appropriate transition to the adjoining East Epping Heritage Conservation Area. **Figure 3** below indicates the proximity of the subject sites to the East Epping Heritage Conservation Area.

21-29 Essex Street and 23 & 23A Pembroke Street

Council on 9 July 2018 resolved to introduce the following changes to Hornsby LEP 2013 in respect of properties at 21-29 Essex Street and 23 and 23A Pembroke Street Epping:

- 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5 metre to 11 metres (to allow for apartment building development no greater than three storeys on these sites); and
- The height of building control for 23 and 23A Pembroke be reduced from 12 metres to 11 metres with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites.

Refer **Appendix 3** for full Council report and minutes of 9 July 2018.

It is noted that the Council resolved to apply a R3 Medium Density zoning to properties along Essex and Pembroke Street, however Council officers recommend a R4 High Density zoning. Although the R3 Medium Density Zone in the Hornsby LEP 2013 currently permits residential flat buildings with development consent, it is the intention of City of Parramatta Council through the harmonisation of its planning controls, to restrict residential flat buildings to the R4 High Density Zone. A R4 High Density Zone in this

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location would ensure a straight forward translation of land use zone upon a newly consolidated Parramatta LEP whilst achieving the intended purpose of reducing the maximum height limit for residential flat buildings on these subject properties.

The Hornsby LEP 2013 does not generally apply a standard maximum floor space ratio to residential areas including properties in Essex and Pembroke Streets. As part of Council's harmonisation of planning controls, an application of a floor space ratio of 0.8:1 is recommended for the subject properties. This will ensure an appropriate scale and intensity of development. Further the proposed restriction height to 11 metres will allow for apartment development no greater than three storeys. The application of both a maximum height and FSR is consistent with City of Parramatta's intention for a newly consolidated Parramatta LEP and application of these controls would ensure a straight forward translation.

Further, the proposed planning controls would enable less dwellings than under the current planning controls.

It is noted that the sites directly adjoining the subject properties of this planning proposal, namely 7-9 Essex Street and 15-19 Essex Street are proposed to retain the current planning controls of R4 High Density Residential and a height of buildings of 17.5 metres. These sites are subject to active development applications, which means any amendment to planning controls at this current time be ineffective.

The proposed decrease in height of buildings from 17.5 metres (5 storeys) to 11 metres for the subject properties along Essex Street will allow for residential flat buildings of no greater than three storeys. Adjustment of the maximum height of buildings for both 23 and 23A Pembroke Street from 12 metres to 11 metres would ensure consistency with the adjacent Essex Street properties. The proposed reduction in height of buildings would provide a more appropriate built form transition to the directly adjoining East Epping Consideration Area. **Figure 3** below indicates the proximity of the subject sites to the East Epping Heritage Conservation Area.

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Figure 3: The subject sites proximity to the East Epping Heritage Conservation Area and heritage items

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

The planning proposal aims to resolve the outcome of a planning process which facilitated density which provided an inappropriate transition in built form to the East Epping heritage conservation area. The planning proposal recognises Rockleigh Way and Brenda Way will have consistent planning controls with the north and east of Rockleigh Way and that the landowners Essex and Pembroke Streets will still have the opportunity re-develop their sites and realise improved social and economic benefits.

1.4. Section D – State and Commonwealth Interests

1.4.1. Is there adequate public infrastructure for the planning proposal?

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The subject land is located approximately 400 metres from retail area of Epping Town Centre and approximately 650 metres from the Epping Railway Station and the Sydney Northwest Metro service.

Civil and utility infrastructure is suitably accessible to service the subject land and support future development. Redevelopment of the subject site and further development within the area can optimise public infrastructure investment.

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

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

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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. **Existing controls**

This section illustrates the current *Hornsby LEP 2013* controls which apply to the site.

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Figures 4 illustrates the existing R4 High Density Residential zoning over properties in Rockleigh Way and Essex Street and the existing R3 Medium Density Residential zoning over properties in Pembroke Street.

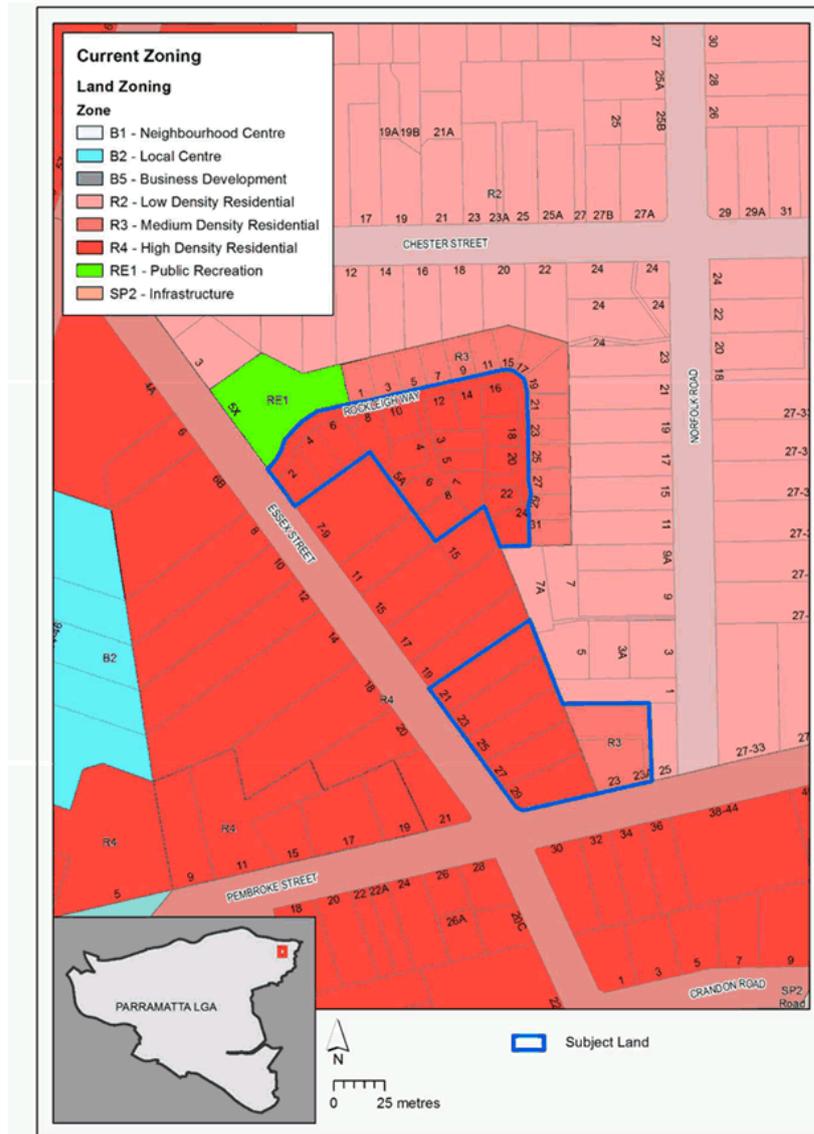


Figure 4 – Existing zoning extracted from Hornsby LEP 2013 Land Zoning Map

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Figure 5 illustrates the existing maximum height of buildings of 17.5 metres for the subject properties in Rockleigh Park and Essex Street and 12 metres for 23 & 23A Pembroke Street.

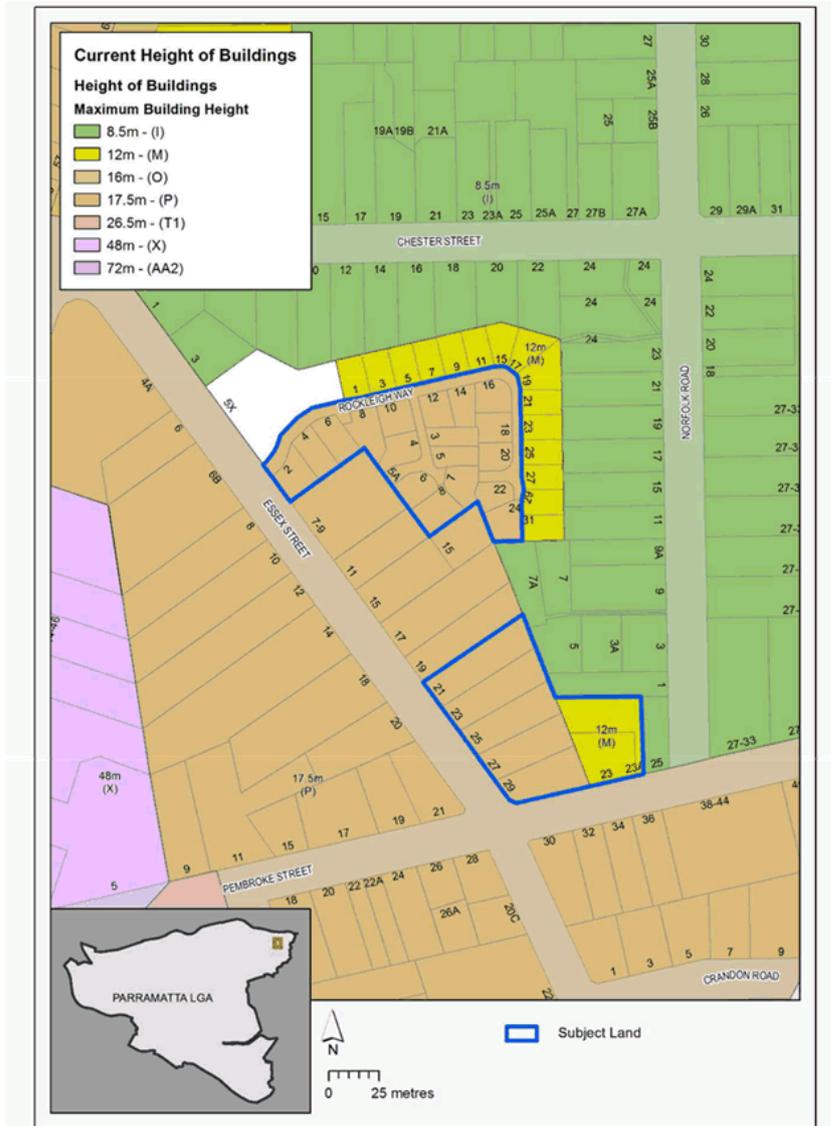


Figure 5 – Existing building heights extracted from the Hornsby LEP 2013 Height of Buildings Map

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4.2 Proposed controls

The figures in this section illustrate the proposed planning controls under the *Hornsby LEP 2013*.

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Figures 6 and 7 illustrates proposed R3 Medium Density Residential zoning over the sites in Rockleigh Way and Brenda Way and the proposed R4 High Density Residential zoning for 23 & 23A Pembroke Street (properties at 21-29 Essex Street R4 zoning is proposed to be retained).

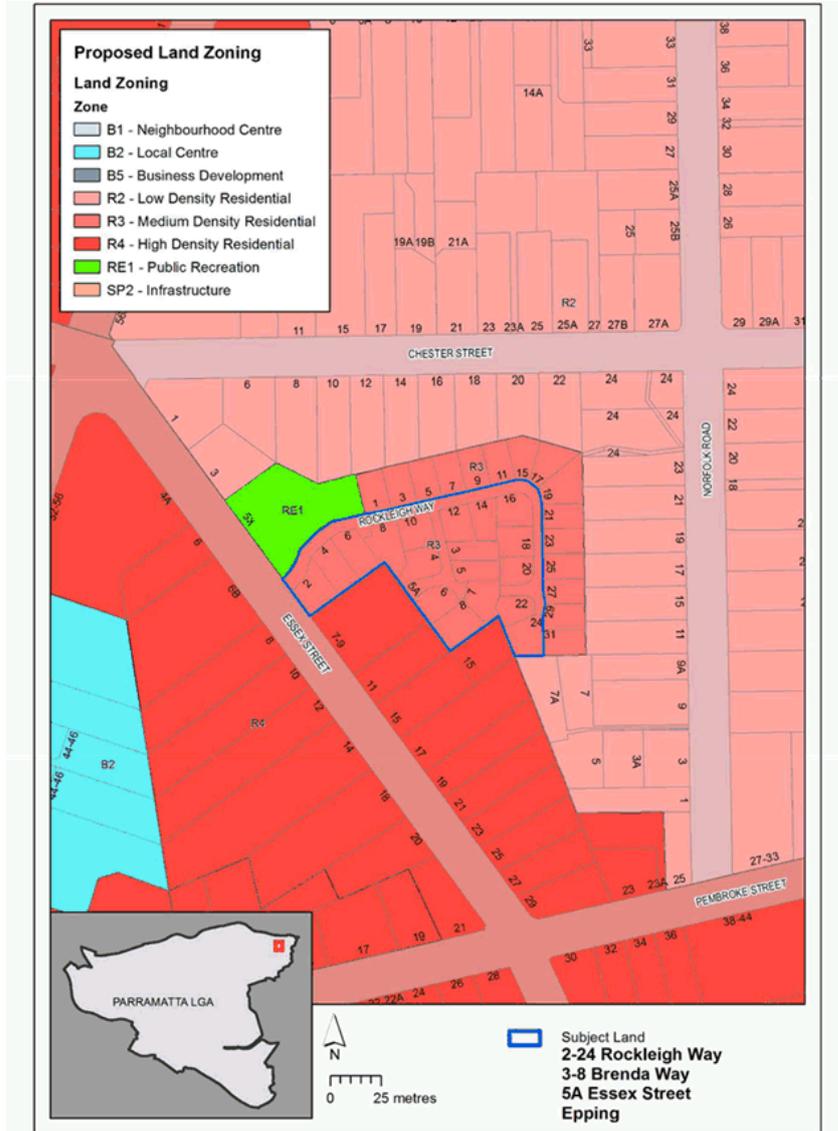


Figure 6 – Proposed amendment to the Hornsby LEP 2013 Zoning Map

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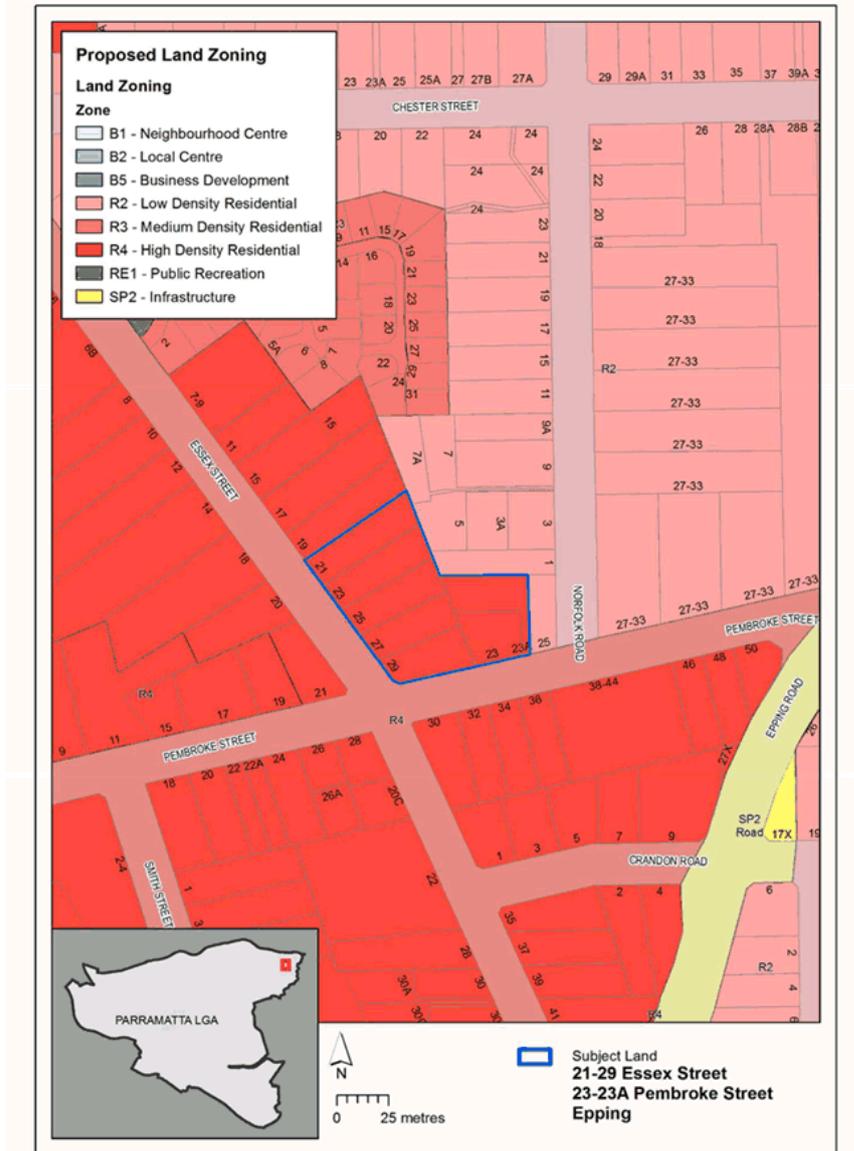


Figure 7 – Proposed amendment to the Hornsby LEP 2013 Zoning Map

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Figures 8 and 9 illustrates proposed maximum height of buildings of 9 metres over the sites in Rockleigh Way and Brenda Way and the proposed maximum height of buildings of 11 metres over sites at 21-29 Essex Street and 23 & 23A Pembroke Street.

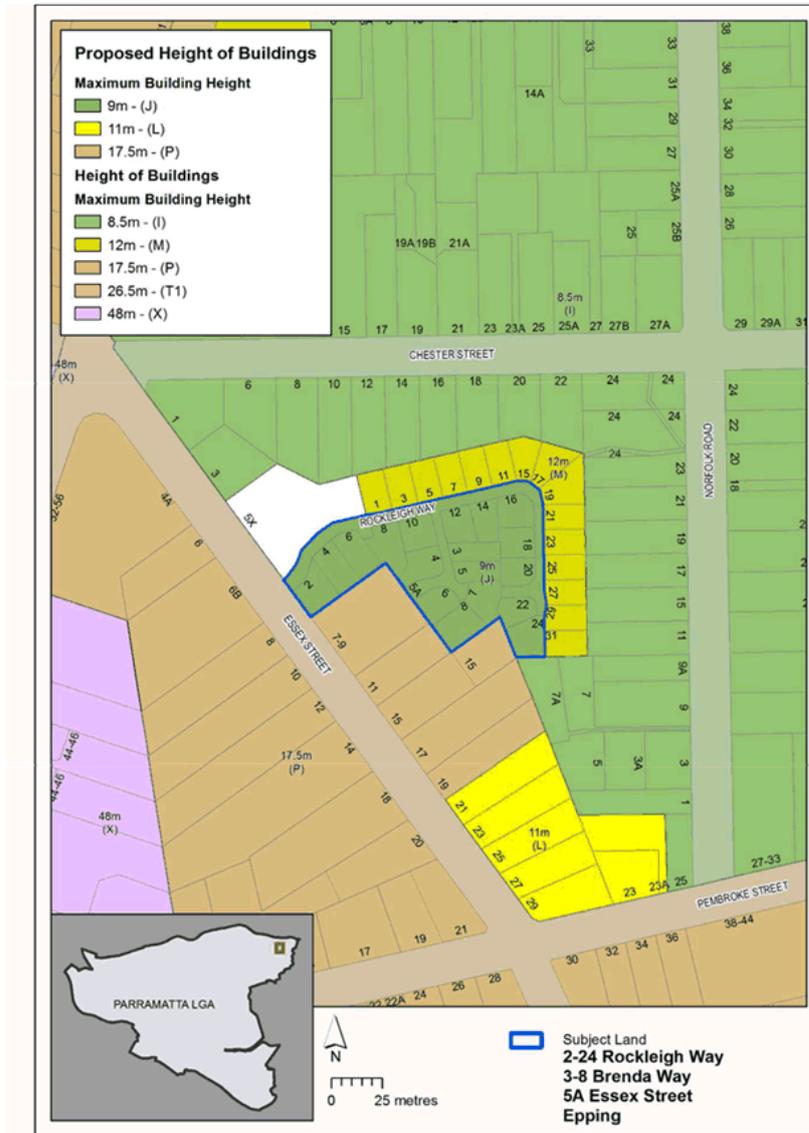


Figure 8 – Proposed amendment to the Hornsby LEP 2013 Height of Building Map

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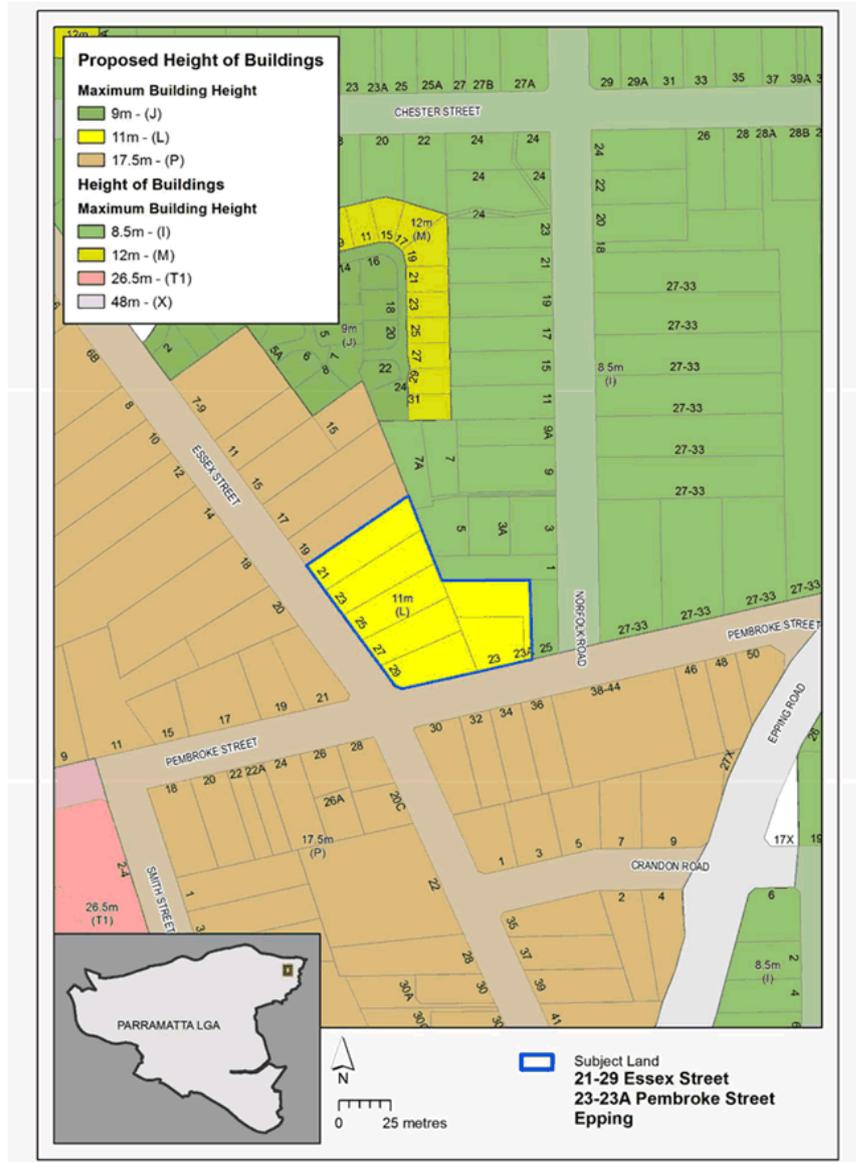


Figure 9 – Proposed amendment to the Hornsby LEP 2013 Height of Building Map

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Figures 10 and 11 illustrates proposed maximum floor space ratio of 0.6:1 over the sites in Rockleigh Way and Brenda Way and the proposed maximum floor space ratio of 0.8:1 over sites at 21-29 Essex Street and 23 & 23A Pembroke Street.



Figure 10 – Proposed amendment to the Hornsby LEP 2013 Floor Space Ratio Map

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Figure 11 – Proposed amendment to the Hornsby LEP 2013 Floor Space Ratio Map

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PART 5 – COMMUNITY CONSULTATION

The planning proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- Newspaper advertisement;
- Display on the Council's website;
- Written notification to landowners and adjoining landowners;
- Written notification to community groups in Epping, such as the Epping Civic Trust; and
- Written notification to Council's Heritage Advisory Committee.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the planning proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

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PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

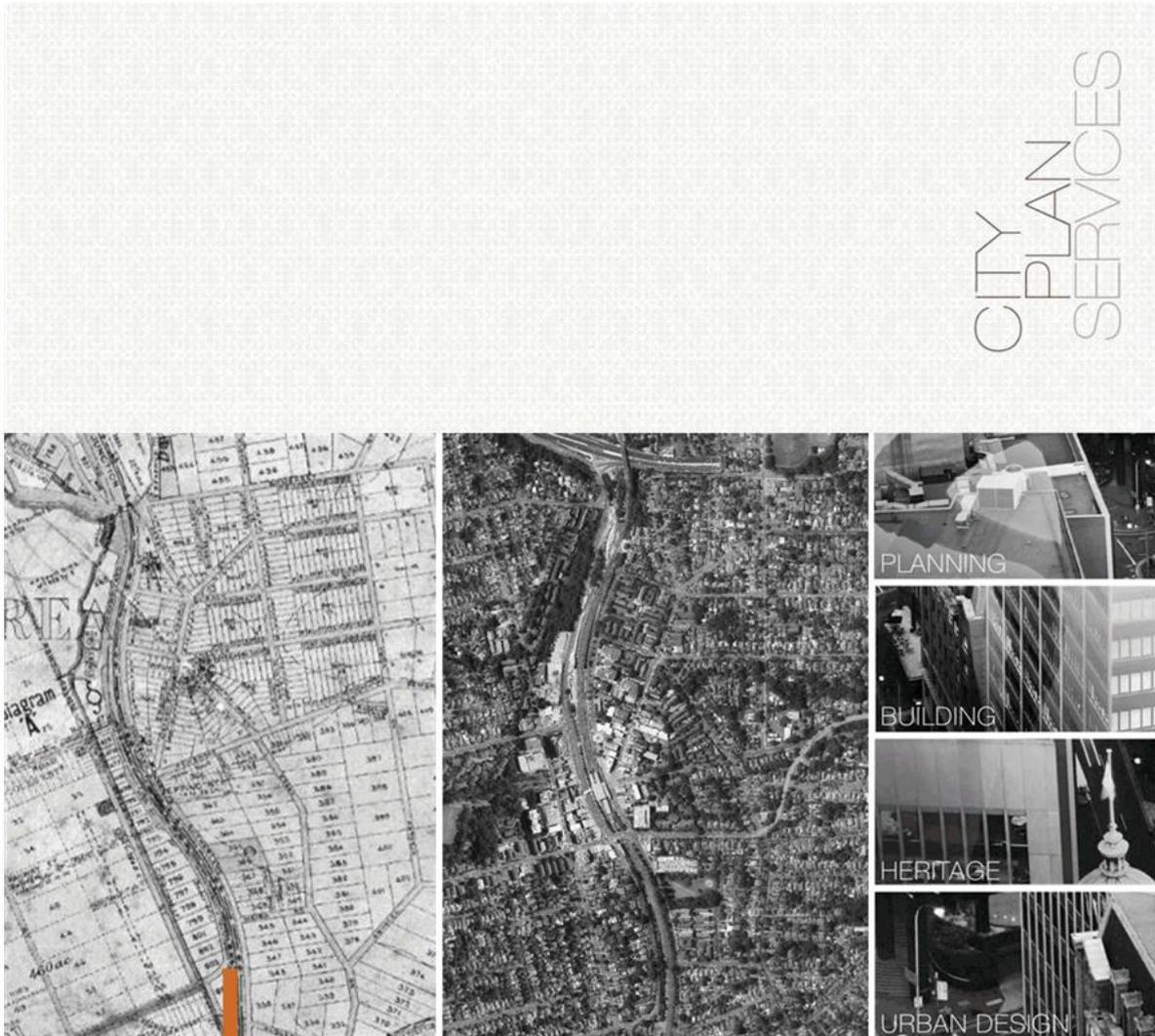
Table 7 – Anticipated timeframe to planning proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	17 September 2019
Report to Council on the assessment of the PP	8 October 2019
Referral to Minister for review of Gateway determination	October 2019
Date of issue of the Gateway determination	December 2019
Commencement and completion dates for public exhibition period	February 2020
Commencement and completion dates for government agency notification	February 2020
Consideration of submissions	March 2020
Consideration of planning proposal post exhibition and associated report to Council	April 2020
Submission to the Department to finalise the LEP	May 2020
Notification of instrument	July 2020

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Appendix 1 – Epping Town Centre (East) Heritage Review (June 2017)

F2019/02038



Epping Town Centre (East) Heritage Review

Submitted to City of Parramatta Council

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June 2017 | 17-016

Report Revision History

Revision	Date Issued	Prepared by	Verified by
01 DRAFT	18/04/17	Keira De Rosa Assistant Heritage Consultant Kerime Danis Director - Heritage	Kerime Danis Director - Heritage 
02 SECOND DRAFT	13/06/17	Keira De Rosa Assistant Heritage Consultant Kerime Danis Director - Heritage	
03 FINAL	15/06/17	Keira De Rosa Assistant Heritage Consultant	

This document is preliminary unless approved by a Director of City Plan Heritage.

CERTIFICATION

This report has been authorised by City Plan Heritage, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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1. Executive Summary

1.1 Background

This study has been commissioned by the City of Parramatta Council in order to undertake a Heritage Review of the Epping Town Centre. The City of Parramatta Council recently inherited the balance of the Epping Town Centre as a result of Council amalgamations from Hornsby Shire Council on the 12 May 2016. Currently, the controls for different parts of Epping Town Centre vary as a result of previous decision making structures under the City of Parramatta Council and Hornsby Shire Council.

The City of Parramatta's City Strategy Department commissioned a heritage review to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and, in addition, to review related concerns of residents on a number of heritage issues. It excludes any analysis on the western side of the Town Centre, railway line, excluding Rosebank Avenue HCA and properties subject to Stage 6 of the Hornsby Council Heritage Review.

The principal aims of this heritage review are to:

- Review the three existing Heritage Conservation Areas (HCAs) of East Epping, Essex Street and Rosebank Avenue located within the Epping Town Centre area recently acquired by the City of Parramatta Council;
- Investigate concerns raised by residents on a number of heritage issues including:
 - the value and significance of each HCA; and
 - the value and significance of properties located on interface areas with R4 and R3 High Density Residential Areas;
- Review of current planning controls of interface areas around the existing HCAs; and
- Conduct Stage 6 of the Hornsby Council Heritage Review.

1.2 Summary of Findings

In general, the East Epping, Essex Street and Rosebank Avenue HCAs retain the same level of integrity and significance as described in the most recent study, *Epping Town Centre Heritage Review*, conducted in 2013, with few significant changes evident.

Subsequent to the field survey, all properties within the East Epping, Essex Street and Rosebank Avenue HCAs were reassessed for their contribution to the overall significance of their respective HCAs. The previous rankings from the 2013 study were taken in to account in the reassessment of all properties within each HCA. Generally, the ranking awarded to each property was consistent for both the Essex Street and Rosebank Avenue HCAs, however, some differences occurred for the East Epping HCA. Some properties within the East Epping HCA were listed as Neutral, due to being from the historical period of development of the area (typically Federation or Inter War) however, had been modified to a degree that has removed or obscured characteristic detailing of their respective periods.

An investigation into the impact of R3 and R4, Medium and High Density Residential Zones was undertaken, through community consultation, site visits of individual properties, and analysis of recently approved development applications at the interface zones with the East Epping, Essex Street and Rosebank Avenue HCAs. Generally, property owners whose dwellings were located adjacent to a high density residential development raised concerns with both the development and the implications of being located within a HCA. Whilst not heritage concerns, issues of privacy, safety, health and financial implications were all raised during the different phases of community consultation. Through further assessment of the impact of the high and medium density residential development at site visits, it was noted that although the new developments do impact upon the backdrop of each of the HCA's in different ways, the developments did not impact upon the setting and streetscape characteristics of the particular HCA so much that would result in the modification to the

boundaries or removal in whole or in part of any HCA. The impact of the new developments essentially was in relation to planning matters rather than heritage matters.

Notwithstanding, in order to help mitigate the issues and concerns raised by the property owners and to address impacts upon the heritage significance of the East Epping, Essex Street and Rosebank Avenue HCAs as well as individual heritage items, planning controls were reviewed and recommendations made to assist in the alleviation of future impacts.

Stage 6 of the Hornsby Council Heritage Review was also conducted, with a total of twenty-two (22) identified properties reviewed.

1.3 Conclusion and Key Recommendations

As a result of this in depth survey and assessment of the HCAs within the Epping Town Centre, the following key recommendations are made within this heritage review:

1. *Retain the current boundaries of the Essex Street and Rosebank Avenue Heritage Conservation Areas (Refer to Sections 10.2 and 10.3)*
 - Following reassessment of the Essex Street and Rosebank Avenue Heritage Conservation Areas, both areas were found to have maintained the significance and intactness established in previous studies. The impact of High and Medium Density Residential development at the interface areas with the Heritage Conservation Areas were not found to have a detrimental impact warranting removal of the Heritage Conservation Areas in part or in whole. Thus, both Heritage Conservation Areas are recommended to be retained in full.
2. *Adjust the south-west boundary of the East Epping Heritage Conservation Area (Refer to Section 10.1)*
 - It is recommended for 25 Pembroke Street, and 1, 3, and 3A Norfolk Road to be removed from the East Epping Heritage Conservation Area, and the boundaries of the HCA are adjusted accordingly.
3. *Retain individual heritage items requested for removal by property owners (Refer to Sections 10.1.1 and 10.2)*
 - 3 and 42 Essex Street have been reassessed for their heritage significance and contribution to their respective Heritage Conservation Area, East Epping and Essex Street respectively, and are recommended to retain their heritage listing under Schedule 5 of the Hornsby LEP 2013.
4. *Rezone removed properties from East Epping Heritage Conservation Area, 5, 7 and 7A Norfolk Road and identified properties within 'Rockleigh Park' to R3-Medium Density Residential with 12m height limit (Refer to Section 11.5)*
 - In order to provide a consistent transition between R4-High Density Residential development on Essex Street and Pembroke Street from further encroaching on the East Epping Heritage Conservation Area, the removed properties from the East Epping Heritage Conservation Area (25 Pembroke Street, and 1, 3, and 3A Essex Street), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the late 20th Century development known at 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential of the Heritage Conservation Area and the R4-High Density Residential area of Essex and Pembroke Streets.
5. *Changes to Design Interface Guidelines of the Hornsby DCP (Refer to Section 11.2.3)*
 - The current Design Interface Guidelines in Section 9.4.1 of the Hornsby DCP 2013 are considered to be a good framework for which to assess the impact of high and medium density residential developments which are located in the interface areas with Heritage Conservation Areas. However, Section 9.4.1 needs to be considered at least in relation to Sections 9.6.6 and 9.6.8. It is recommended that where R3 and R4 Zones interface with a Heritage Conservation Area or Heritage Item that a

10m setback, which is required for Chapman Avenue, should be implemented in order to aid in maintaining the context and setting of each Heritage Conservation Area and Item. In addition, sufficient deep soil planting between R3 and R4 and heritage conservation areas and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item. Furthermore, an adequate assessment of the potential heritage impact on the Heritage Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.

6. *Maintain current 17.5m and 12m height limits of R4 High Density Residential Zone and R3 Medium Density Residential Zone respectively (Refer to Section 11.3)*

- To ensure that a sufficient transition between Heritage Conservation Areas are maintained and are not further adversely impacted upon through higher density development at interface areas, it is recommended that the current height limits for R4 and R3 Zones are maintained.

7. *Extend R3-Medium Density Residential Zone to Brigg Road and Rose Street (Refer to Section 11.4)*

- Recommendation to extend R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street, which will have an acceptable impact upon the current setting of the Essex Street HCA, provided that adequate consideration is given in regards to sufficient setback, deep soil planting and on the impact upon the setting and curtilage of the Essex Street HCA in any further development proposals, incorporating the recommendations provided in Section 11.2 of this study report.

8. *Additional Recommended Updates to Planning Controls (Refer to Section 11.6)*

- Include an additional prescriptive measure for Essex Street and Rosebank Avenue HCA Provisions for properties located on interface with R4-High Density Residential Zone, as follows:
 - i. Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.
 - ii. In addition, it is recommended that a provision or Condition be included in the consents for an archival photographic recording to be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian., Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property.

9. *Assessment of significance of southern end of Essex Street HCA in future Heritage Review*

- Recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.

10. *Retention or replacement of street trees in Rosebank Avenue due to stormwater drainage for Cliff Road*

- Recommended for the seven (7) street trees located on the western side of Rosebank Avenue identified to be impacted by the proposed stormwater drainage from Cliff Road to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

11. Hornsby Council Heritage Review - Stage 6 (Refer to Section 13.6)

In summary, the resultant recommendations and updates were made as part of Stage 6 of the Hornsby Council Heritage Review:

iii. Requests for Removal of Heritage listing

The one request for removal of a Heritage Item, 184 Ray Road, has been recommended to be retained and the Inventory Sheet for the item has been updated.

iv. Amend Anomalies in Details of Heritage Listings

One Heritage Item, 73A Oxford Street, was recommended to be changed from R3 Medium Density Residential Zone to R2 Low Density Residential Zone to reflect the East Epping HCA zoning of R2.

v. Request for Listing of New Items

Of the six (6) properties recommended for heritage listing under the Hornsby LEP 2013, three (3) properties were recommended for heritage listing and three (3) were not recommended for heritage listing. Inventory Sheets for the three recommended heritage items have been created.

vi. Review Isolated Items in Housing Strategy Zone (R4) High Density

Of the two (2) Heritage Items which were identified as isolated items in R4 High Density Residential Zones, both Heritage items were recommended to be retained and the Inventory Sheet for each item were updated to reflect their current condition.

vii. Review Details of Heritage Listing

Eight (8) Heritage Items required various details reviewed. All Inventory Sheets were updated for each of the eight (8) items. Two (2) Heritage Items will require further investigation and follow up, due to needing expert advice or access to the site. All Inventory Sheets for these Heritage Items have been updated to reflect their current condition.

viii. Missing Inventory Sheets for Existing Heritage Items

Four (4) Heritage Items were missing Inventory Sheets. All four (4) Heritage Items Inventory Sheets have been either located or created, with up to date photographs. One Heritage Item was recommended for investigation by a Heritage Consultant who specialises in garden and landscapes.

2. Introduction

2.1 Background

This study has been commissioned by the City of Parramatta Council in order to undertake a Heritage Review of Epping Town Centre. The City of Parramatta Council recently inherited the balance of Epping Town Centre as a result of Council amalgamations from Hornsby Shire Council on the 12 May 2016. Currently, the controls for different parts of Epping Town Centre vary as a result of previous decision making structures under the City of Parramatta Council and Hornsby Shire Council.

The City of Parramatta's City Strategy department identified the need of a heritage review to inform strategic land use decisions across the Epping Town Centre that was previously under the jurisdiction of Hornsby Shire Council. In addition to review related concerns of residents on a number of heritage issues. It excludes any analysis on the western side of the Town Centre, railway line, excluding Rosebank Avenue HCA and properties subject Stage 6 of the Hornsby Council Heritage Review.

The principal aims of the heritage review are to:

- Review the three existing Heritage Conservation Areas (HCAs) incorporating East Epping, Essex Street and Rosebank Avenue located within the Epping Town Centre area and are recently acquired by the City of Parramatta Council;
- Investigate concerns raised by residents on a number of heritage issues including:
 - the value and significance of each HCA; and
 - the value and significance of properties located on interface areas with R4 and R3 High Density Residential Areas
- Review of current planning controls of interface areas around the existing HCAs; and
- Conduct Stage 6 of the Hornsby Council Heritage Review.

2.2 Study Area

The study area is located within the Epping Town Centre CBD, and is limited to the land that was previously under the jurisdiction of the Hornsby Shire Council until May 2016 (Figure 1). Epping Town Centre surrounds Epping Train Station along the North Shore and Northern Line.

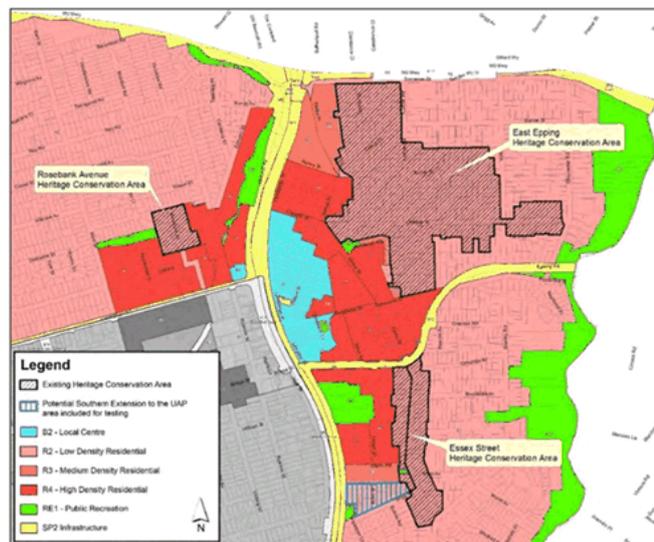


Figure 1: Epping Town Centre Study Area (Source: Amended Epping Town Centre Composite Zoning and Heritage Conservation Areas map, supplied by City of Parramatta Council)

2.3 Objectives and Components

This study is focused on five main parts, addressing the principal objectives of the heritage review:

1. Introduction to Heritage Review and overview of previous heritage studies:

- Review of all existing heritage studies relating to the study area.

2. Review of East Epping, Essex Street and Rosebank Avenue HCAs:

- Undertake a Heritage Assessment of East Epping, Essex Street and Rosebank HCAs;
- Assess the heritage value and significance of properties on the western side of Essex Street between Epping Road and Madeira Street, with the Essex Street HCA;
- Assess the heritage value and significance of properties located in the East Epping HCA on the interface with the R3 Medium Density Residential Zone and R4 High Density Residential Zone, with particular attention to 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street; and
- Provide advice on whether there are grounds for removal of any three of these HCAs in full or in part.

3. Review of Individual properties in HCAs:

- Investigate the heritage value and significance of 1 and 3 Essex Street and consider whether there are grounds for the removal of these properties from the Heritage Schedule of Hornsby LEP 2013 and the East Epping HCA; and
- Investigate the heritage value and significance of 42 Essex Street and consider whether there are grounds for the removal of this property from the Heritage Schedule of Hornsby LEP 2013 and from the Essex Street HCA.

4. Planning Controls Review

- Investigate the impact and implications of increasing the 17.5 and 12m height limits by one storey in the R4 High Density Residential Zone and R3 Medium Density Residential Zone on the integrity and conservation values of the East Epping, Essex Street and Rosebank Avenue HCAs. This investigation includes the implications of extending the R3 Medium Density Residential Zone in Briggs and Rose Streets as shown in blue hatched in Figure 1.
- Investigate the effectiveness of the current design interface guidelines (Section 9.4.1) and other relevant provisions in the Hornsby DCP 2013 in mitigating the effects of development on the character and integrity of the HCA as opposed to amenity concerns. As part of this investigation, have regard to topography and review recently approved Development Applications at the interface with HCAs.
- In addition, provide any recommendations (with clear justification) to modify or add planning and development control to address heritage related impacts in the study area.
- If any properties within the Essex Street HCA are identified for removal from the HCA, provide recommendations for the appropriate zones with FSR and height controls, and the potential implications of these changes on the character and integrity of the balance within the Essex Street HCA.
- If any properties located within the East Epping HCA are identified for removal from the HCA, provide recommendations for the appropriate zones with FSR and height controls; and
- If 1 and/or 3 Essex Street are identified for removal from the Heritage Schedule of Hornsby LEP 2013 and/or the East Epping HCA, provide recommendations on the appropriate zoning and height limits.

5. Hornsby Council Heritage Review – Stage 6:

- Investigate the list of matters identified by Hornsby Shire Council for Epping that were scheduled for review under the next Hornsby Council Heritage Review – Stage 6. This list covers requests to:
 - remove heritage items.;
 - amend anomalies in details of heritage listings;
 - review isolated heritage items in the R4 High Density Residential Zone;
 - review details of heritage listings; and
 - investigate missing inventory sheets for existing items and complete required information.

2.4 Author Identification

The following report has been prepared by Keira De Rosa (Assistant Heritage Consultant) in association with Kerime Danis (Director - Heritage) who has also reviewed and endorsed its content.

The study team included the following staff of City Plan Heritage:

- Kerime Danis (Director - Heritage), MHeritCons (Hons), BArch, AICOMOS Immediate Past President.
Field surveys, site inspections, liaison with client, report preparation and input to/ review of documentation as required.
- Keira De Rosa (Assistant Heritage Consultant) MHeritCons, MRes, BA:
Field surveys, site inspections, report preparation, mapping, graphics and preparation of State Heritage Inventory forms.
- Ziggy Potts (Assistant Heritage Consultant) MMHS, BA(Honours), BSc:
Preparation of State Heritage Inventory forms.

All photographs have been taken by CPH during the field surveys and site inspections conducted on 28 February 2017, 20 March, 21 March and 31 March 2017 unless otherwise stated.

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2.5 Sources

The reports and planning documents outlined in Section 3.1 have informed the historical context of this report. Additional secondary and primary source have also been sourced for the assessment of both HCAs and heritage items within this report.

A number of historical photographs and maps have been obtained from the NSW State Library online catalogue, the National Library of Australia, HLRV, Hornsby and City of Parramatta Council Local Studies and through various libraries accessed via Trove.

Current aerial photographs have been sourced from the NSW Department of Lands Spatial Information eXchange (SIX) at <http://lite.maps.nsw.gov.au/> as it has detailed aerial maps for Sydney while some street maps have been sourced from Google maps at <http://maps.google.com.au>. The NSW Department of Lands SIX website provided historical aerial photography from 1943.

2.6 Acknowledgments

City Plan Heritage wishes to acknowledge the invaluable support of the people and organisation that assisted in the preparation of this report:

- Paul Kennedy, Project Officer – Land Use Planning, City of Parramatta Council;

- Kevin Kuo, Team leader - Strategic Land Use Planning, City of Parramatta Council;
- Lily Wang, Place Manager, City of Parramatta Council;
- Laura Fraser, Heritage Planner, Hornsby Shire Council;
- Residents of East Epping, Essex Street and Rosebank Avenue Heritage Conservation Areas.

2.7 Limitations

- The land outside the area mapped in Figure 1 has not been covered in this report, however, was briefly surveyed during the site inspections in order to inform the contextual analysis;
- An assessment of the archaeological potential (Aboriginal and European) of the study area is beyond the scope of this report;
- Only heritage items which have been flagged for review as part of the Hornsby Council Heritage Review – Stage 6 have been reviewed. This means that the HCAs west of the railway line (excluding Rosebank Avenue HCA) were excluded from this study.
- A history of the Epping Town Centre and the three HCAs which are the focus of this report has been primarily adapted from previous studies conducted on the area, due to the limitations of the scope of works for this report and the restriction of time. Additional historic research has only been undertaken where it has been deemed by the author to require further research and explanation. Additional historic images and maps have been included in the history of the areas, where possible and available.
- Most review of heritage items and potential heritage items was undertaken on the basis of an external survey, with limited access to the properties themselves, or the interior of buildings; and
- A full heritage assessment of all sites recommended for listing has not been conducted as part of this review, however, heritage inventory forms have been prepared that provide sufficient justification for their recommended listing. This review recognises that further detailed analysis of the heritage assessment of the sites, if listed, can occur as part of the statement of heritage impact when a future development is proposed

3. Methodology

3.1 Previous Studies and Planning Document References

The current planning documents and maps relevant to heritage conservation in the study area of Epping Town Centre are:

- *Hornsby Local Environmental Plan (LEP) 2013*; and
- *Hornsby Development Control Plan (DCP) 2013*;
- *Epping Town Centre Public Domain Guidelines* (December 2015)

Previous Heritage Studies and Reviews relevant to Epping Town Centre include:

- Perumal Murphy Wu, *Hornsby Shire Heritage Study, Final Report* (May 1993)

This study was the first comprehensive study of the environmental heritage of the Hornsby LGA and established the current heritage listing for the Hornsby LEP. The Heritage Study was presented in three volumes, including a Thematic History, Specialist Report and Final Report. The Heritage Study's primary objectives were to: identify and analyse the environmental heritage of Hornsby Shire; make practical recommendations for its conservation and management; make recommendations on changes that may be required to the Hornsby Planning Scheme Ordinance, with regards to heritage; and promote heritage within Hornsby Shire. The first stage of the study followed a thematic study approach as it was for most of the heritage studies carried out across New South Wales at the time. This first volume delivered a basis for

the wider Heritage Study through identifying major themes of development across Hornsby Shire. The second volume described Hornsby Shire's built heritage in its historical context and explains its significance for Hornsby, the Sydney region and the State. This volume also included 50 recommended heritage items for Epping. The third volume presents a strategy for the conservation of Hornsby Shire's valuable heritage, including recommendations for development control measures and a range of other non-statutory initiatives.

- Tropman and Tropman Architects, *East Epping Conservation Evaluation and Review* (October 2001)

This report reviewed the heritage qualities of East Epping and the urban setting of the area. The heritage qualities and urban setting of the East Epping area was evaluated to identify HCA and Heritage Items within the study area. As a result, fourteen (14) new heritage items and two (2) HCAs were identified and recommended for inclusion in the Hornsby LEP. The two (2) HCAs recommended within the study area were East Epping and Essex Street HCAs.

- CPC Consulting, *Rosebank Avenue Heritage Assessment* (July 2003)

Following from a proposal to subdivide 15 Rosebank Avenue, Epping and for the demolition of the existing Inter War period dwelling, the streetscape was noted for its intact Inter War period landscape. As such, it was resolved by Council to undertake a heritage assessment of Rosebank Avenue, Epping to determine the need to implement a HCA. This report undertook a heritage assessment of Rosebank Avenue, Epping to determine the character, setting and heritage significance of the area and to determine the need to implement a HCA. The report concluded that the Rosebank Avenue streetscape is the only intact fine representative example of the residential development of Inter War housing estate within the Hornsby Shire and was recommended for listing under the Hornsby LEP.

- Tropman and Tropman Architects, *Hornsby Heritage Review Stage 3* (July 2004)

This report formed the third Hornsby Heritage Review aiming to assess the heritage significance of individual properties and to make recommendations for items inclusion or exclusion from the Hornsby LEP. The primary objectives were to: investigate and assess the heritage significance of the properties included in the review; to formulate statements of significance that address the heritage qualities of the properties; and to make recommendations for items to be included in, or removed from the Hornsby LEP. In Epping one (1) item was recommended to be retained and one (1) item was not recommended to be added.

- Landarc, *Hornsby Shire Heritage Review Stage 4* (January 2008)

Forming the fourth Heritage Review for the Hornsby Shire, this report included a review of heritage listed trees and a number of other built heritage items. Requests from property owners for the addition or removal of items were reviewed as well as nominations from individual and community groups considered within the report. The review of built heritage items included five (5) properties within Epping, with one recommended for removal and three (3) to be added to the Hornsby LEP.

- Godden Mackay Logan, *Hornsby Heritage Study Review Stage 5* (March 2013)

The fifth stage of the Hornsby Heritage Study reviewed the heritage significance of 78 items, for recommendations of inclusion or deletion of items from the Hornsby LEP. The review assessed thirty six (36) properties containing built and landscape items, as well as forty two (42) privately-owned heritage listed gardens. Of the items located in Epping, two (2) were recommended for listing, one (1) was recommended not to list, one items' details were updated, one (1) item was recommended for retention on LEP and two (2) items were recommended for removal.

- Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013)

Following from the preparation of the *Epping Town Centre Study* (2011) and the proposed intensification of the area, Hornsby Council resolved in 2012 to progress with recommendations from the 2001 and 2003 for the reassessment of three proposed HCAs, including the East Epping, Essex Street and Rosebank Avenue HCAs. In addition, the significance of twenty three (23) individual properties nominated for heritage listing within the Epping Town Centre Area were also assessed and the impact of the proposed Cliff Avenue Residential Intensification Precinct on the proposed Rosebank Avenue Heritage Conservation Area was also assessed. The review proposed for: all three HCAs to be listed, with extensions to some of the recommended boundaries of the areas; twenty two (22) of the twenty three (23) recommended items to be listed and a number of controls were recommended for the interface areas of the Rosebank Avenue HCA including minimum setback, reduced heights and massing new development in the Cliff Avenue Residential Intensification Precinct.

3.2 Study Methodology

This study employs a methodology that is consistent with the guidelines for Heritage Studies prepared by the then NSW Heritage Office and Department of Urban Affairs and Planning. It also uses the system described in the NSW Heritage Manual 'Assessing Heritage Significance' guidelines. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 2013.

The first stage of this study was to review the background documentation including but not limited to the existing studies detailed in Section 3.1 above and the inventory forms for the East Epping, Essex Street and Rosebank Avenue HCA's and the existing Heritage Items within the area which have been requested for review as part of this study. The review allowed for understanding of the previous rationale in the contribution/significance ranking and assessment of the boundaries of each HCAs and the Heritage Items within the area. Subsequently, determination of a methodology by which the HCAs and Heritage Items would be assessed has been established so as to maintain a consistent approach and assessment across the Epping Town Centre study area.

3.3 Heritage Conservation Area Definitions

HCAs are identified by analysing their heritage significance and the special characteristics that make up that significance; these may include subdivision and street pattern, vegetation, the consistency of building materials, form and scale, or the common age of the building stock and historical associations.

HCAs can be recognised and assessed in a number of ways. One such way is to rank and map the elements of an area to determine the cohesiveness and integrity of a place. A HCA will demonstrate a high proportion of contributory items in comparison to all other items. As well as demonstrating the proportion of significant elements topographically a HCA should also be evident in its visual experience. A HCA will become apparent when one moves into it due to the cohesive and consistent building forms, materials and scale which create a sense of place. When one can recognise that an area has a sense of place it becomes a matter of determining why that sense of place exists by articulating the physical and historical characteristics which define it, and if it then demonstrates sufficient value to be considered significant through those characteristics. Therefore, as well as having a high proportion of significant items these elements must also be visually apparent within the area. An understanding of historical patterns of subdivision and development within a locale will also aid in the identification of HCAs as one will be able to determine where such areas potentially exist only to qualify if its original elements are intact and interpretable.

Detailed Character Area Statements, Statements of Significance, Descriptions and Conservation policies were developed for East Epping, Essex Street and Rosebank Avenue HCAs in Section 6.0.

3.4 Ranking Methodology

A detailed survey of each of the HCAs, with particular focus on their interface areas with R4 High Density Residential Areas was then undertaken with methodology and system of ranking applied to the individual properties in each of the HCAs. The results of the survey were then mapped showing the following recommendations for rankings in Section 7.0.

Ranking	Definition
Heritage Item	A building that has been identified as an item of significance and has been listed on the Hornsby LEP 2013.
Contributory	A building that contributes to the character and significance of the Heritage Conservation Area for its historic or aesthetic values, or both. Building that have been adversely altered but still demonstrate historic and aesthetic values of significance to the area are also considered within this category. For example, a dwelling which may have had windows replaced but which otherwise retains its overall form and other detailing would be considered to be a contributory dwelling or dwelling with historic value. These items are of consistent period, scale, materials and form but are not individually significant enough to be included as a heritage item. They add to the cohesive and representative quality of the area.
Neutral	A building that does not contribute to the significance of the area but also does not detract from the area's overall character in terms of form, mass and small scale so that they fit without being disruptive. This may include early or new buildings. An example of a neutral building would be a modern single storey dwelling which respects the setbacks, forms and materials of the neighbouring dwellings. Retention of such neutral buildings may not be required provided that it is replaced with an appropriate infill building in a similar neutral nature.
Non-contributory	A building that detracts from the significance of the area and changes the character of the area. This may include early buildings with intrusive alterations and additions that erode their contribution to the significance of the area and which cannot easily be reversed. It also includes new buildings with detailing, scale and form that are not in line with the character of the area, for example large two storey buildings in unsympathetic 'Mediterranean' or other modern styles, such as light coloured rendered walls and black concrete roof tiles.

4. Study Area Description

4.1 Epping Town Centre Description

The study area is located in the Town Centre of Epping, a north-western suburb approximately 18km north-west of Sydney Central Business District (CBD) and 10km north-east of Parramatta CBD. The town of Epping contains a mixture of residential, commercial, education and recreation resources, which are centred around the North Shore and Northern train line around Epping Train Station. Epping Town Centre spreads in all directions outwards from Epping Train Station, with the highest density developments being located along the western side of the railway line. The whole of the Epping Town Centre study area is administered by the City of Parramatta Council. The eastern and north-western portions of the study area were formerly part of the Hornsby Council Local Government Area (LGA) until the recent local council amalgamations. The whole of the Epping Town Centre became part of the City of Parramatta LGA on 12 May 2016.

Epping Town Centre is bounded to the north by Cheltenham and North Epping, to the east by Marsfield, to the south by Eastwood and to the west by Carlingford. Further to the east is Macquarie University, ranked within the top 10 Australian Universities and among the top 2% of universities in the world and Macquarie Park, the second largest business district in NSW. In October 2012, Epping Town Centre was endorsed by the NSW Government as an Urban Activation Precinct, to develop new planning controls for the centre, allowing for additional dwellings through rezoning, a revitalised commercial and retail core, and upgrades to existing recreational facilities. In combination with the construction of the Sydney Metro Northwest and the close links to Macquarie University, Macquarie Park and Parramatta, the population of Epping is expected to exponentially increase over the coming decades.

Three HCAs exist within the Epping Town Centre study area, all of which contain a number of heritage items, totalling thirty five (35) across all three HCAs. Both the heritage conservation areas and heritage items are listed under Part 1 and 2 of Schedule 5 of the Hornsby Local Environmental Plan (LEP) 2013, of which include the following:¹

Heritage Conservation Areas

Item No.	Description	Address
C9	East Epping Conservation Area	Refer to Figure 2
C10	Essex Street Conservation Area	Refer to Figure 2
C11	Rosebank Avenue Conservation Area	Refer to Figure 2

Heritage Items

Item No.	Description	Address
367	House and garden	21 Chester Street
368	House and garden	23 Chester Street
369	Garden	27A Chester Street
370	"Snaresbrook"	45 Chester Street
371	House	57 Chester Street
372	House	70 Chester Street

¹ Heritage items located outside of the East Epping, Essex Street and Rosebank Avenue HCAs are not reviewed within this heritage review due to this report's limited scope. Only heritage items which are included within the *Hornsby Council Heritage Review – Stage 6*, which are also located outside of the Heritage Conservation Areas, are reviewed within this report in Section 13.0.

378	"Asheldom"	47 Essex Street
379	House	76 Essex Street
380	House	84 Essex Street
385	Epping Public School	2-16 Norfolk Road
386	House and garden	9 Norfolk Road
387	House	33 Norfolk Street
388	"Gwydir"	40 Norfolk Road
389	"Glenorie"	44 Norfolk Road
395	Chester Street Uniting Church and Grounds	56A Oxford Street
396	House	73A Oxford Street
397	"Folkestone"	87 Oxford Street
398	House and garden	93 Oxford Street
403	"Woodlands"	25 Ray Road
408	House	9 Rosebank Avenue
409	House	10 Rosebank Avenue
412	House	40 Surrey Street
413	House	9 Sussex Street
414	House	11 Sussex Street
415	House	15 Sussex Street
418	House	20 York Street
798	House	3 Essex Street
800	House	42 Essex Street
801	House	39 Norfolk Road
802	House	41 Norfolk Road
803	House	43 Norfolk Road
805	House	85 Oxford Street
806	House	91 Oxford Street
807	House	8 Surrey Street
808	House	18 Surrey Street

Descriptions of each of the HCAs under review as part of this study are detailed in Section 6.0. The following images provide an overview of the context of the Epping Town Centre study area.



Figure 2: Heritage Map 11 from the Hornsby LEP 2013 showing various heritage items and heritage conservation areas located within the Epping Town Centre study area (Source: Amended Heritage Map 11, Hornsby LEP 2013)

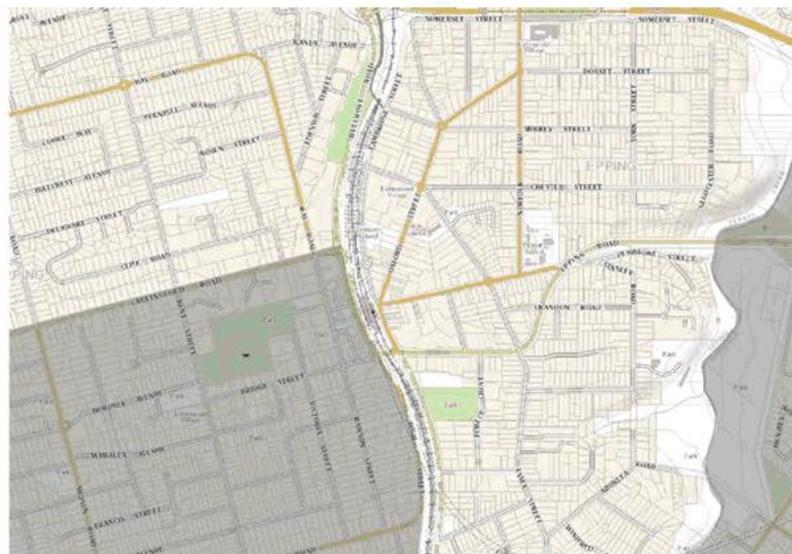


Figure 3: Cadastral Map of Study Area, out of scope area darkened in grey (Source: SIX Maps, accessed on 13 March 2017)

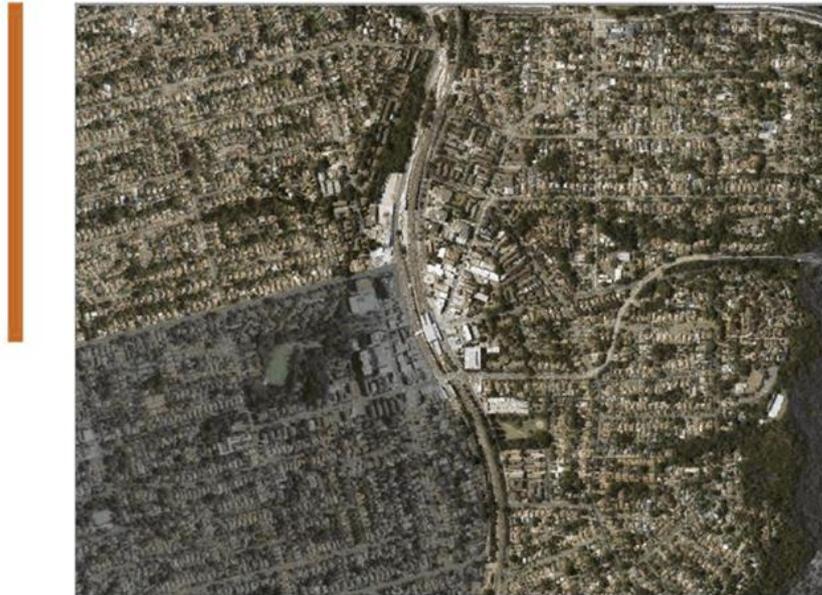


Figure 4: Aerial Map of Study Area, out of scope area darkened in grey (Source: SIX Maps, accessed on 13 March 2017)

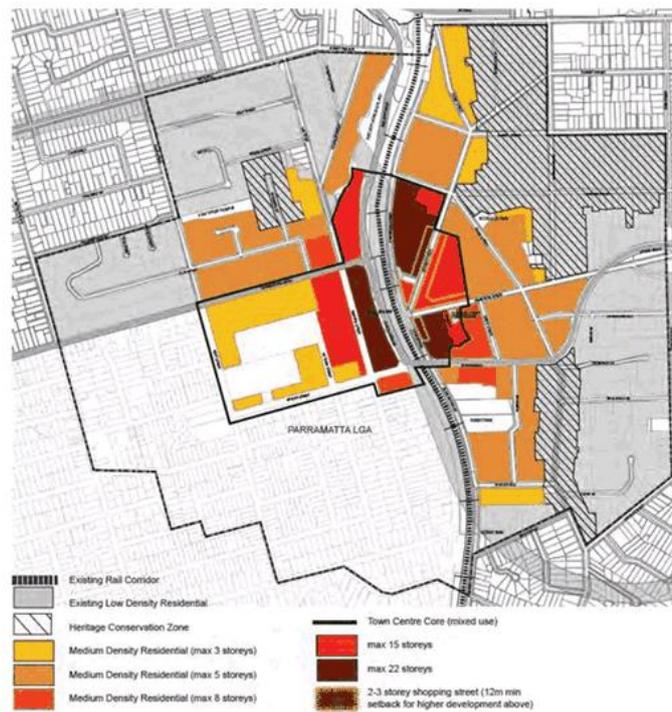


Figure 5: Built Form map of Epping Town Centre (Source: Epping Town Central Public Domain Guidelines, December 2015, Fig. 3.2)

5. Historical Summary

The following general history of the Epping Town Centre Area has been adapted from the *Epping Town Centre Heritage Review*, prepared in 2013 by Perumal Murphy Alessi in 2013, and the *East Epping Conservation Evaluation Review*, prepared in 2001 by Tropman and Tropman Architects. Historic maps and images have been included to supplement this overview. References for sources of information for the history of Epping Town Centre are scarce within both of these previous reports. Where possible, references have been added to substantiate and validate information incorporated from these reports.

5.1 General History of Epping Town Centre Area

European settlement of the Epping Town Centre was slow to develop in the early years of the nineteenth century. In 1804 the eastern side of the now existent railway line was part of the Field of Mars, an area of over 6000 acres dedicated as Common Land for the use of the personnel of the NSW Regiment, whilst areas to the west of the railway line was dedicated to naval officers. During the 1820s, part of the eastern side of the Epping Town centre Area was known as the 'Pennant Hills Sawing Establishment'. The dwellings, cooking place and burial ground of the timber sawing mill of the early 1800's was situated on the eastern side of the railway line on Oxford Street, Epping, now the present day site of the Chester Street Uniting Church. Dwellings included weatherboard and bark huts erected for the overseer and his staff and the convicts. Directly to the east of residential component of the sawing establishment was the saw pit which stretched around the present day Oxford Street from the junction of Chester Street to Pembroke Street. The sawing establishment was not long lived and closed around 1830.

Development between the years of 1830 and 1880 was very slow, with the area primarily being occupied by orchards, gardens and bushland. Very little evidence from this period of development exists today. Prior to the development of the railway line in 1882, there was no public transport to the area which hindered the development of a suburban population. The construction of the railway, which begun in 1881, motioned forward the development of the area. The first railway station for the Epping Town Centre area was situated on the western end of Surrey Street, further north than the present day platform. The original station consisted of a single platform, 264 feet long. The original name for the station was Field of Mars, which was soon changed in the following year to Carlingford. Only eight years following the development of the original station, the station was moved to the present location in 1890, prior to the duplication of the line in 1892 for the provision of improved and faster services to the Sydney region. At this same time, the bridge over the railway line was created, known as Bridge Street, and the Epping township continued to expand.



Figure 6: Field of Mars in 1882, prior to the development of the railway. The indicative location of the Epping Town Centre area is circled in red (Source: Land and Property Information, Sheet Reference 4, Edition Number 0)



Figure 7: Epping Railway Station in 1906. The bridge which now forms part of Bridge Street is visible in the background to the left and current day Beecroft Road runs along the length of the image. (Source: National Museum Australia, Josef Lebovic Gallery collection no. 1)

The opening of the railway spurred on residential development and the establishment of more orchards which had already been established in the area earlier in the nineteenth century. From the late nineteenth to the early twentieth century, Epping was known for its orchards, particularly for citrus in winter and stone fruits in summer. The railway had its advantages for the development of the orcharding industry, with easier access for local farmers to access the markets to sell their produce. One of the most prominent families of the orcharding industry in Epping during this time were the Mobbs family, who are thought to have been situated somewhere west of the West Epping Public School along present day Carlingford Road. Nurseries were also developed within the area, such as the Vollmer's Nursery which extended was located on the block bound by Epping Road to the north (formerly Laurel Avenue) Forest Park to the south (formerly Brown's Paddock), nearly as far as Essex Street to the east and Blaxland Road (formerly Sutherland Road) to the west. This nursery was established by M.F. Vollmer, a German who has arrived in Australia in the 1880s and moved into the Epping area during the 1890s. Vollmer took on a partner, C. E. Vessey, and the nursery became known as Vollmer and Vessey, Mount Tomah Nursery. Vessey took over after Vollmer's death and retired in 1919 after which his son Fred took over the business. Fred relocated the business to Eastwood and the land occupied by the nursery was subdivided in 1920 and subsequently developed. Part of the current Essex Street HCA lies on the land of the former Mount Tomah Nursery, which includes the heritage listed item at 42 Essex Street.



Figure 8: View of Mount Tomah nursery in 1902, possible looking from the crest of present day Pembroke Street, looking south. The two dwellings on the left-hand side of the picture may possibly be 42 and 46 Essex Street, both of which are dwellings which date to the Federation period, despite their current later additions. (Source: City of Ryde Library, 4969553)

Within the same decade as the development of the railway line the Epping Town Centre area begun to be closely subdivided, particularly to the east. The section of the Common Land of over 6000 acres originally granted in 1804, was subdivided not long after the railway in 1886. The first subdivision included land from Devlins Creek in the north to Pembroke Street in the south. Preparations for the sale were simultaneous with the celebration of Queen Victoria's Golden Jubilee to mark the 50th anniversary of her reign in 1887. The street names were nearly all named after English towns and counties.

In 1889, the name 'Epping' was officially adopted for the area, the name being derived due to the many trees in the area after 'Epping Forest' in England. At the same time the area surrounding the southern portion of present day Essex Street was subdivided. A survey of the land was made in 1886 and went up for sale on 30 November 1889. Initially this land was divided into country lots. The result was that, next to the growing town residences, there was a series of farmlets with both well-to-do residence and orchards. The situation of the country lots remained until the 1920s when further subdivision began.

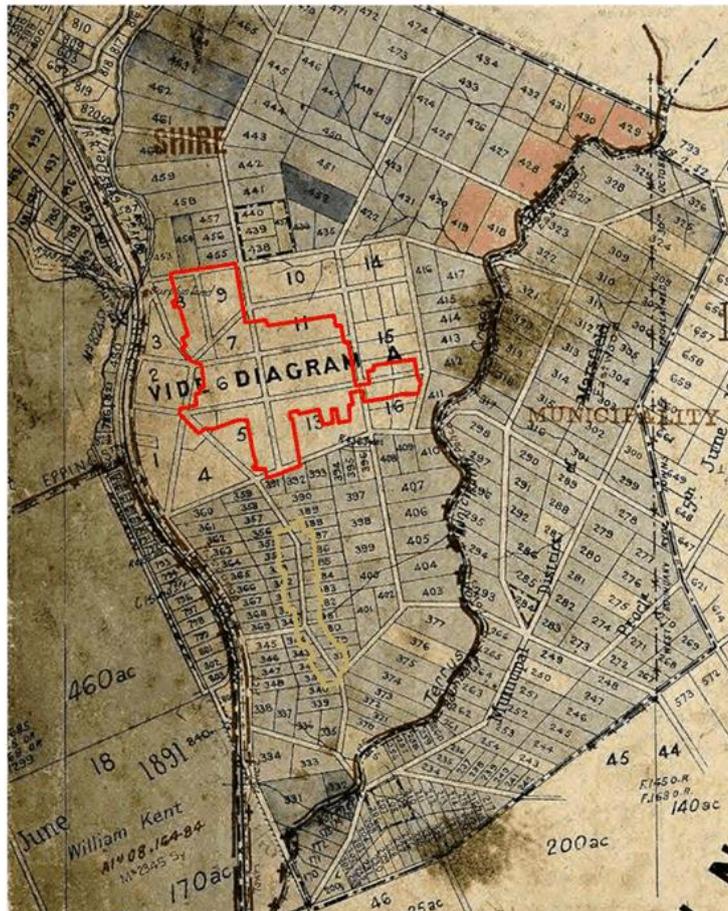


Figure 9: Extract from 1904 map of Parish of Field of Mars, County of Cumberland, Land District of Parramatta. The subdivision of the East Epping HCA and Essex Street HCA are beginning to take shape, and are outlined in red and yellow, respectively (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

As most of the early development was on the eastern side of the railway, a number of shops also emerged in the area, particularly near the station. The growing population also resulted in the Education Department's decision to construct a centralised public school in the area, now known as Epping Public School, which lies within the East Epping HCA. In January 1900, a site of over 2 acres on the corner of Norfolk Road and Pembroke Street was purchased for £350. In July, a tender was accepted for the erection of the building which was completed in June 1901. The first enrolment was for 94 pupils and by the end of the first month this number increased to 135. The School has continued to develop with more buildings added in 1911, 1913 and 1922. The early buildings largely remain in a bushland setting and school continues to be a local focus in the area.



Figure 10: Epping Public School on Empire Day, 1913 (Source: Hornsby Central Library Local Studies, <https://hornsby.spydus.com/cgi-bin/spydus.exe/ENQ/OPAC/BIBENQ?BRN=64099>)

Major works were completed at Epping Station in 1900 when new platforms and a main platform building (which remains today) were constructed. Like most of the rail network the Station continued to be developed, largely in accordance with improvements to the overall system, but also to cater for the needs of the local population. The works have continued to the present, with major cross country link and triplication of the line through Chatswood and major upgrade of the complex, including construction of new overhead bridges and lifts completed in 2009. Further upgrades to Epping Station are scheduled as part of the Sydney Metro Northwest, scheduled to be completed in the first half of 2019.²



Figure 11: Epping Railway Station in 1900. The shops which had begun to develop around the railway station are visible to the right of the image (Source: National Library of Australia, <http://nla.gov.au/nla.obj-155296106>)

² Sydney Metro, Project Overview, <https://www.sydneymetro.info/northwest/project-overview> (accessed on 5 April 2017)

Unlike the eastern side of the station, land to the west of the station remained bushland and orchards for some time, however, the area was gradually developed during the early twentieth century, particularly during the Inter War period. One such subdivision was the Rosegrove Estate, today known as the Rosebank Avenue HCA. A short history of the Rosebank Avenue Heritage Conservation Area can be found in Section 6.4.2.

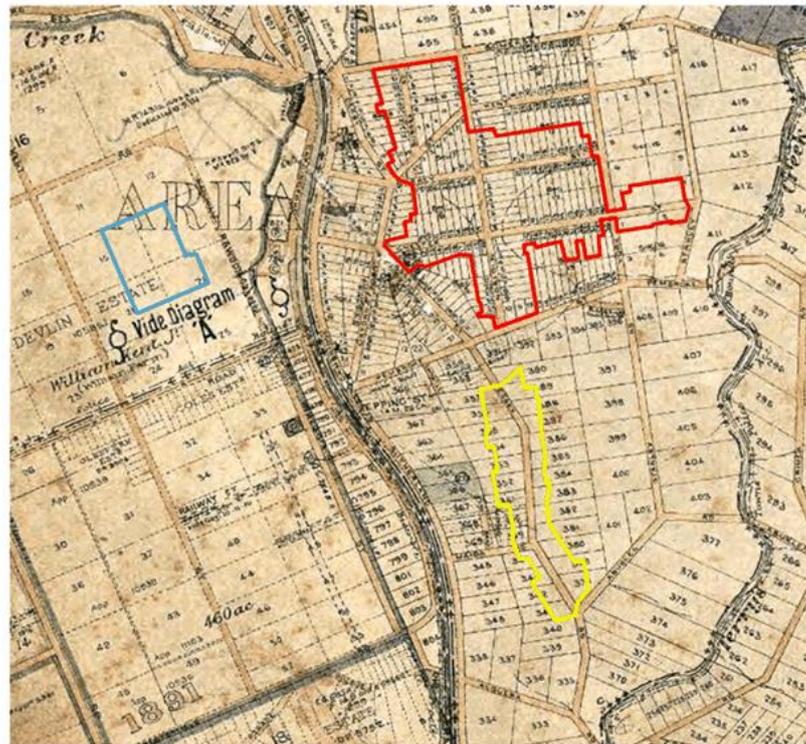


Figure 12: Extract from 1910 map of Parish of Field of Mars, County of Cumberland, Land Hornsby and Baulkham Hills Shires. The subdivision of the East Epping HCA has been divided since the 1904 map. The East Epping and Essex Street HCAs are outlined in red and yellow respectively. The Rosebank Avenue HCA is yet to be subdivided, which occurred during the Inter War period. The approximate outline of the Rosebank Avenue HCA is outlined in blue (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

The completion of Epping Road in 1940 and improvement of road networks recognised an increase in private car ownership and with this came further development and subdivision in the Epping Town Centre area. The overall improvements continued into the Post War period and building boom of the 1950s which saw a significant change in the character of the area, particularly the western side of the railway line. Aerial photographs and maps from the 1940s through to the 1950s display the development of the Epping Town Centre area.

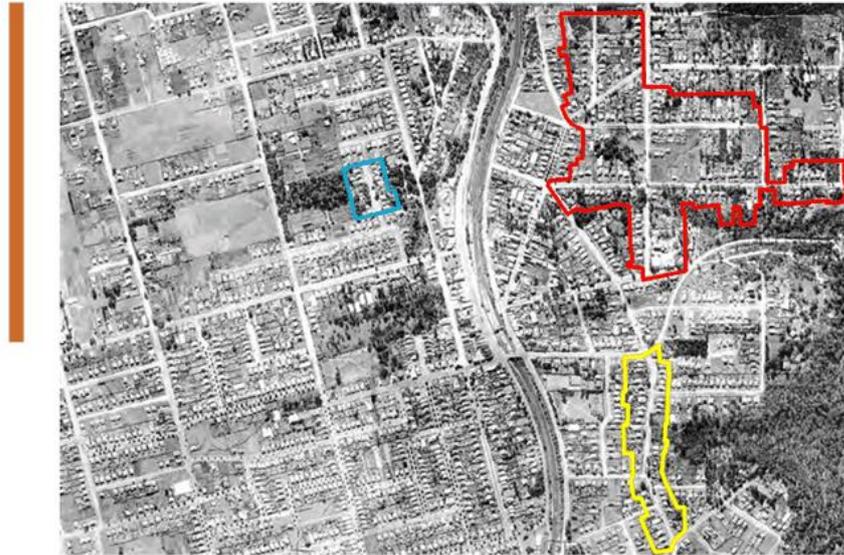


Figure 13: 1943 Aerial photographs of Epping Town Centre area. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: SIX Maps, accessed on 4 April 2017)

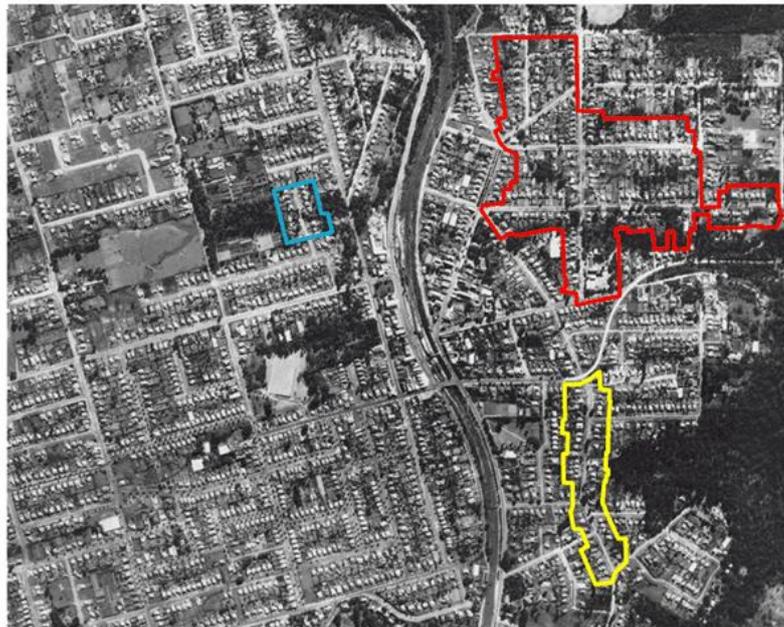


Figure 14: 1951 Aerial photograph of Epping Town Centre area. The area has been substantially developed by this point, including the western side of the railway line which saw significant development during the Inter War period. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: <https://www.flickr.com/photos/55198937@N05/9142070516>)

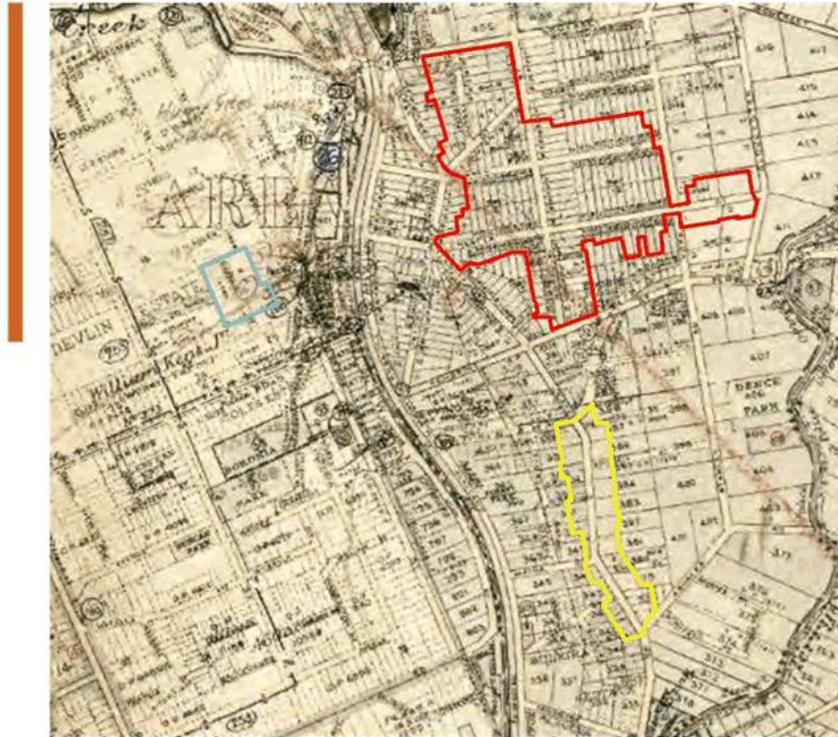


Figure 15: Extract from 1959 map of Parish of Field of Mars, County of Cumberland, Land Hornsby and Baulkham Hills Shires. The development of Epping Road is clearly reflected as well as the subdivision of the western side of the railway line. The East Epping and Essex Street HCAs are outlined in red and yellow respectively. The Rosebank Avenue HCA has by this time been subdivided, although the subdivision of the Rosegrove Estate is not clearly defined in this map. The Rosebank Avenue HCA is outlined in blue (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

Like many established areas in Sydney some medium density residential development occurred, particularly near the railway line, in the 1960s to the 1980s. Further improvements of the road networks and the addition of the M2 Motorway and improvements to the Epping Station has also resulted in a recent resurgence of larger scale residential and commercial development in the area, a trend which continues and is being explored today due to Epping's relatively easily accessible location and proximity to major business districts and universities.

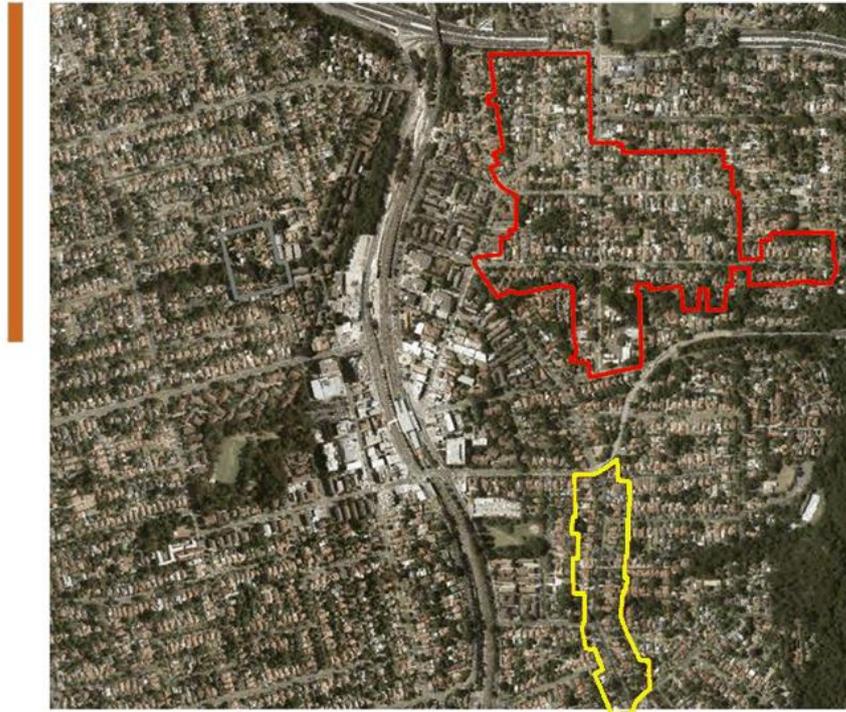


Figure 16: Aerial photograph of the Epping Town Centre area, prior to the current boom of development of the area The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: SIX Maps, accessed on 4 April 2017)

6. Heritage Conservation Area Assessments

6.1 Basis of Assessment

In assessing the cultural significance of a place, it is necessary to adequately research and consider all the information relevant to an understanding of the place and its fabric. The Burra Charter (2013) defines the cultural significance as being "aesthetic, historic, scientific or social value for past, present or future generations".

The assessment of cultural significance is undertaken because it is necessary to understand the heritage values of a place before making decisions about the future of the place whether it is a heritage item or a HCA. This then leads to decisions that will retain these heritage values in the future.³ The 'Statement of Significance' indicates what heritage values of a place should be conserved, and is used as a basis for the formulation of specific guidelines for the development of conservation policies of a place. The Conservation Plan by J. S. Kerr (seventh edition, 2013, Australia ICOMOS), considers the following three criteria as a useful starting point in assessing the nature of significance:

- Ability to demonstrate a process, a custom or style;
- Associational (historic) links for which there is or is not surviving physical evidence; and
- Formal or aesthetic qualities.

All three HCAs have previously had their significance assessed as part of previous studies. The following subsections evaluate the previously established significance of each HCA in consideration of each HCAs current condition and integrity. Each assessment of significance addresses the criteria endorsed by the NSW Heritage Council, and is in accordance with the NSW Heritage Manual 'Assessing Heritage Significance' guidelines.

³ NSW Heritage Manual, *Assessing Heritage Significance*, 2000, p.2

6.2 East Epping Heritage Conservation Area



Figure 17: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting East Epping HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.2.1 Context and Description

The East Epping HCA is the largest of the three HCAs under review as part of this study, and spans a total of nine streets including: Chester Street, Essex Street, Norfolk Road, Oxford Street, Pembroke Street, Somerset Street, Surrey Street, Sussex Street and York Street. The area to the east of the railway line was one part of a large subdivision of the late nineteenth century. All the street names of the East Epping HCA are named after English towns and counties, with all names remaining the same as the 1910 subdivision plans for the area.

The East Epping HCA is characterised by a majority of Victorian, Federation and Inter War period dwellings, which reflect the early development of the East Epping Area. The area is further characterised by wide dual carriageways and grassed verges and substantial street plantings. The original subdivision pattern of the late nineteenth and early twentieth century is still understood, despite a number of properties being subdivided throughout the area. Despite this subdivision, the streetscape character of the area is still maintained by the dwellings which front onto the streetscapes, which are further enhanced through large setbacks, complementary fences and mature front garden landscaping.

Each of the nine streets of the East Epping HCA present a range of significant characteristics. Entering the HCA from the south into Norfolk Road, to the east is located Epping Public School with its Federation period classrooms and a large number of mature trees which stretch along the street and into the northern portion of the schools site. Moving further north along the street, Inter War and Federation period dwellings are regularly located, as the road slopes down slightly toward the first intersection with Chester Street. The section of Norfolk Road, bound by Chester Street and Surrey Street presents, a number of Late 20th Century

and 21st Century two storey dwellings, before the Inter War and Federation period character of the street returns closer to Surrey Street. Some Banksia trees line this section of the street, whilst mature Eucalypts rise above the street from front gardens of some of the early twentieth century properties. In the most northern section of Norfolk Road within the East Epping HCA, are clustered a number of Inter War Bungalows and Federation period dwellings, in Queen Anne, Cottage and Bungalow styles. Substantial landscaping on the street and in front gardens continue along this section of Norfolk Road, enhanced by timber picket fences and hedges on each of the individual properties.

Along both Sussex and Oxford Streets, two of the northern-most streets of the East Epping HCA, presents a mix of primarily Federation and Inter War periods dwellings. Being a narrower street than Oxford Street, Sussex Street's regular street trees, of both native and ornamental varieties, enhance the leafy aspect of the street, the street slopes down toward the west, with dwellings of the eastern side of the road sitting higher in their lots. Like Norfolk Road, the dwellings are set back onto their lots, with large front gardens, most of which have substantial mature plantings, which screen the houses from street view. Overall, the presentation of Sussex Street captures the aesthetic qualities of the East Epping HCA.

A small section of Oxford Street, between Derby Street and Norfolk Road, resides within the boundaries of the East Epping HCA. The street, like Norfolk Road, presents a dual carriageway, with wide verges. Federation, Inter War and Post War period dwellings line either side of the street, with a number of timber weatherboard Federation cottages located on the northern side of the road, whilst the southern side presents a number of Inter War Bungalows. Street tree planting is sporadic along Oxford Street, however, the landscaping of individual properties makes up for the lack of street trees, still eliciting the leafy character of the East Epping HCA.

Surrey Street and Chester Streets contain a diverse mix of buildings from Victorian, Federation, Inter War, Post War, Late 20th Century and 21st Century. Both streets have dual carriageways, but are not as wide as Norfolk Road, which acts as a main spine for the East Epping area. Mature trees, both native and exotic, are located along the length of each street, again enhanced by the large setbacks of properties and mature landscaped gardens. Surrey and Chester Street have the highest proportion of subdivided lots, mainly between their intersection with Norfolk Road and York Street. The original lot size of these properties from the late nineteenth and early twentieth century subdivisions, produced long lots, which have easily been subdivided to provide for additional dwellings. The dwellings located at the rear of the original houses on these subdivided lots are mostly not visible from the street, particularly where the front dwellings have mature trees and significant landscaping. On the very western end of Chester Street is located the only Church within the East Epping HCA. Built during the Inter War period, the presence of the church of the prominent corner of Chester, Oxford and Sussex Streets, acts as a western gateway to the East Epping HCA, typified by its brick turret and rendered detailing.

Across the East Epping HCA, there are a total of twenty-nine (29) heritage items located across all of the primary streets of the area. A majority of the heritage items of the East Epping HCA are from the Federation period, with one Victorian stone cottage and five (5) Inter War period dwellings and gardens. These properties and gardens further enhance the streetscapes of Sussex, Oxford, Surrey, Chester Streets and Norfolk Road, through their demonstration of historic, aesthetic, rare and representative significance.

The East Epping HCA presents a large unique area with a mixture of dwellings, gardens and landscapes from the late nineteenth century through to the present day. Whilst the majority of dwellings within the area date from the Federation and Inter War periods, the scattering of dwellings from the Post War, Late 20th and 21st Centuries, further add to the history of growth and development of the East Epping area.

The following images present a brief overview of the current character and streetscapes of the East Epping HCA.



Figure 18: Views looking north (left) and south (right) along Norfolk Road at the intersection with Surrey Street. The large mature trees lining Norfolk Road can be seen, as well as the wide dual carriageway, which acts as the main spine of the East Epping HCA.



Figure 19: Views looking east (left) and west (right) along Surrey Street at intersection with Norfolk Road. The mature landscaping in the front gardens of some properties can be seen, as well as established trees, particularly in the left image out the front of 40 Norfolk Road, a heritage item.



Figure 20: View looking east (left) and west (right) from the intersection of Norfolk Road and Chester Street. Substantial street tree planting can be seen in both views, particularly the large Pine trees in the right image which fall within the lot boundaries of 27A Chester Street.



Figure 21: Epping Public School, the original classrooms date from 1901 (left) and 70 Chester Street, Victorian stone cottage, the oldest dwelling in the East Epping HCA (right).



Figure 22: 11 Sussex Street, timber weatherboard Federation Cottage (left) and 85 Oxford Street, a timber weatherboard cottage with return verandah (right).



Figure 23: 93 Oxford Street, a two storey Federation Tudor style house, an unusual style for the area, presenting a prominent corner position at the intersection with Norfolk Road (left) and 39 Norfolk Road, a good example of a Federation bungalow, a prominent style within the East Epping HCA.



Figure 24: 49 Norfolk Road a Federation cottage (left) and the Uniting Church of Chester Street, dating to the Inter War period (right).



Figure 25: 67 Chester Street, an Inter War Bungalow (left) and 58 Chester Street, a late Inter War period dwelling in Spanish style (right).



Figure 26: 33 Chester Street, a single storey Post War dwelling with some modifications (left) and 44 Surrey Street, a single storey red brick Post War dwelling (right)



Figure 27: 42 Surrey Street, two storey Late 20th Century house (left) and 12 Sussex Street, a two storey 21st Century house (right)

6.2.2 Historical Summary

The history of the East Epping HCA is directly linked to the historical development of the development of the Epping Town Centre, thus refer to the brief history provided in Section 5.1.

6.2.3 Previous Assessment and Statement of Significance

The first assessment of significance for the East Epping HCA was undertaken as part of the *East Epping Conservation Evaluation and Review* prepared by Tropman and Tropman Architects in 2001. The assessment and statement of significance from this first study is as follows:

Criterion (a)

*The area is a good example of the development of Federation and Inter-War period housing in the Epping area.
The area was one of the first parts of Epping to be closely subdivided for residential purposes.*

Criterion (c)

The area has retained most of its original 1886 subdivision pattern.

Criterion (g)

The area is representative of the development of Federation period and Inter-War period suburban housing.

Statement of Significance

The East Epping Heritage Conservation Area is a good representative example of the development of Federation period and Inter-War period suburban housing

of the Epping area. The area retains coherent examples of Federation and Inter-War housing as well as remnants of late 1880s housing. The area has historic significance as one of the first parts of Epping to be closely subdivided for residential purposes. This area, with the exception of the eastern side which was originally divided into larger blocks, has retained most of its original 1886 subdivision pattern.

Whilst the above assessment of significance for the East Epping HCA is brief, further assessment of the area was conducted as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the East Epping HCA still stood and updated the assessment of significance as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as one of the first subdivisions and parts of Epping to be subdivided for residential development. Despite some site amalgamations and re-subdivisions, the area largely retains its original subdivision and streetscape pattern.

The area retains evidence of its major periods of development that reflect the growth and development and major changes in the local area and shift from a rural and farming community to centralised residential and low scale commercial area.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Federation, Inter-war and Post-war detached housing in the Epping area. Some early buildings also remain.

The built context is also enhanced by the wide street proportions, street trees and garden settings and plantings which make a positive contribution to the area.

Criterion (d) - An item has strong or special association with a particular community or cultural group in NSW (or area) for social, cultural or spiritual reasons

Epping Public School is a major feature of the area and is of some social significance to the local community. Established in 1900 as a result of the growth and development it has continued to be a local focus and has developed in accordance with local needs and requirements.

The Uniting Church complex in Chester Street is also of some local social significance.

Criterion (e) - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the area)

The area retains some rock forms, undulating streets, sloping sites and a number of mature native trees and plantings which indicate the early natural character and topography of the area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the area)

The area retains a number of earlier timber weatherboard houses and one early stone dwelling which are relatively rare in the local area.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments (or a class of the local area's cultural or natural places; or
- cultural or natural environments)

The area is a good and relatively intact representative example of late 19th and early 20th century suburban residential subdivision and development.

Statement of Significance

The East Epping Heritage Conservation Area is of high local historic and aesthetic significance as a good representative example of late 19th century subdivision that retains a good and relatively intact collection of Federation, Inter-war and Post-war period residential development that represents the major period of growth and development of the Epping area.

The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Federation and Inter-war period houses. The area also retains some earlier examples and overall built context is enhanced by the local topography and native plantings, wide street proportions, street trees and garden settings.

The Church and School sites located in the area are also of some historic and social significance to the local community.

6.2.4 Revised Assessment of Significance

The previous assessments of the East Epping HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms of the evaluation of aesthetic, historical, social, rarity and representative values of the area are still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

East Epping HCA Statement of Significance

The East Epping HCA is of high local historic and aesthetic significance as a good representative example of late nineteenth century subdivision that retains a good and relatively intact collection of Federation, Inter War and Post War period residential development that represents the major periods of growth and development of the Epping area.

The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Victorian, Federation and Inter War period dwellings. The area has historic significance as one of the first parts of Epping to be closely subdivided for residential purposes. The original names of each of the streets, which were taken from English towns and counties, still remain. The areas overall built context is enhanced by the local topography and native plantings, wide street proportions, street trees and large garden settings. Many of the Federation and Inter War period houses retain their garden like settings, coupled with mature trees of both native and exotic varieties.

The inclusion of Epping Public School, established in 1901, and the Chester Street Uniting Church and grounds are also of some historic and social significance to the local community, further enhancing the pattern of development of not only the early subdivision of the area but the needs of the growing community of the East Epping area.

6.2.5 Individual Heritage Items Request for Removal within Essex Street HCA

3 Essex Street

A request by the property owner of 3 Essex Street for the removal of the property as an Heritage Item under the Hornsby LEP 2013 and to be removed from the East Epping HCA was lodged on 18 September 2015. This request was lodged by the property owner in response to the listing of the property at 3 Essex Street on the Hornsby LEP 2013 as part of the State Environmental Planning Policy (SEPP) Amendment (Epping Town Centre) 2013, published in March 2014.

The dwelling at 3 Essex Street is a single storey face brick Inter War Bungalow featuring a hipped roof clad in terracotta tiles and a stone base. The primary western façade features a projecting brick veranda with brick piers, flanked on either side by projecting bay windows, with detailed leadlight glazing set within timber double sash windows. The northern façade features a second verandah with brick piers, which has been enclosed by single brick and timber windows. The eastern boundary of the property is defined by a high brick fence and a wide timber gate. Some mature plantings exist on the site, including palm trees. A driveway is located on the eastern side of the house, which gives access to a lightweight carport attached to the southern façade of the dwelling. The location of the dwelling next to Rockleigh Park provides a leafy setting for the Inter War Bungalow.

A brief internal inspection was conducted as part of this heritage review. From the internal inspection, original detailing such as Art Deco cornices and plasterwork, timber doors and frames with associated hardware, timber picture rails, fireplace, floorboards and leadlight windows were observed throughout the property, excluding areas where modifications had taken place, which was primarily limited to the kitchen and bathrooms. The bungalow is overall in good condition, but does require some maintenance work. The bungalow appears to have maintained its condition and integrity since its assessment in the 2013 study.

An assessment of the significance of 3 Essex Street was undertaken as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy and Alessi in 2013.⁴ The established statement of significance has been slightly amended to reflect the current condition of the property and is provided below:

No. 3 Essex Street is of local historic and aesthetic significance as part of an early subdivision in the area, as a good and largely intact representative example of a substantial Inter War Bungalow constructed during c. 1920s. The site is associated with the Rockleigh House and grounds now remembered by the adjacent Park area. The building significantly retains its original scale, form and features including face brick façades and stone base and prominent roof scape, open verandah and bayed elements on the front facade. Internally many original elements of the Inter War Bungalow remain, including Art Deco cornices and plasterwork, timber doors and frames with associated hardware, timber picture rails, fireplace, floorboards and leadlight windows. Despite the addition of the high brick fence, the building has a wide frontage and prominent roof form enhanced by its garden setting and makes some visual contribution to the streetscape and neighbouring Rockleigh Park area. The large wide lot on which the Bungalow is established is unusual for the East Epping Area, presenting a unique element in the area.

The Inventory Sheet for the property has also been updated to reflect the above statement of significance, as well as updated images, which is provided as part of Appendix A. Recommendations in relation to the retention or removal of 3 Essex Street from the Hornsby LEP 2013 as a heritage item or from the East Epping HCA, have been provided in Section 10.1.

⁴ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 37.

6.3 Essex Street Heritage Conservation Area

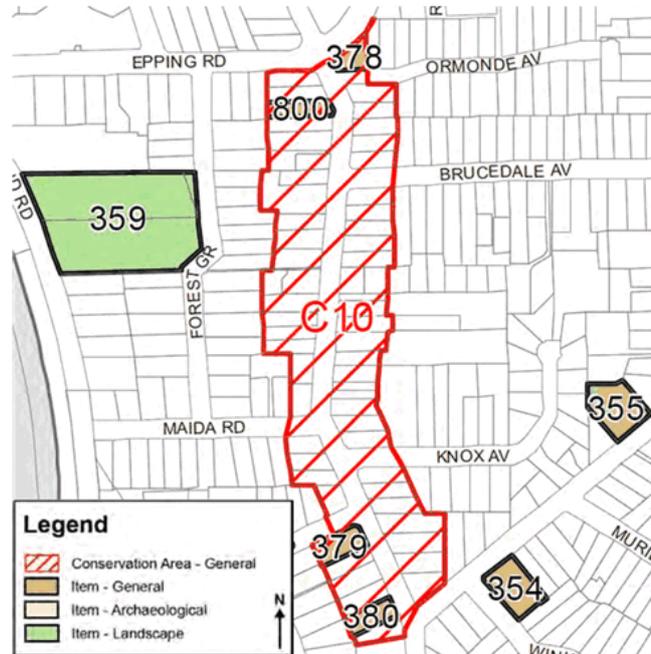


Figure 28: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Essex Street HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.3.1 Context and Description

The Essex Street Avenue Heritage Conservation Area was last described in March 2013 in the Epping Town Centre Heritage Review as:

"The built context is characterised by a mix of Federation and Inter-war period houses including substantial timber weatherboard and distinctive Federation red brick dwellings, liver brick and Inter-War Bungalows with a number of late 20th and early 21st century period dwellings and residential complexes between. The built context is generally enhanced by the streetscape pattern reinforced by regular setbacks, wide street proportions and garden settings."⁵

During site inspections of the area in March 2017, it was observed that the Essex Street HCA continues to retain a built context characterised by a mixture of Federation and Inter War period dwellings, with some Post War, Late 20th and 21st Century development scattered throughout. The streetscape continues to be enhanced by street tree planting, coupled with the established gardens and trees of the properties which lines the edges of the street.

The Essex Street HCA is bound to the north by Epping Road and to the south by Abuklea Road. Whilst Essex Street continues both north and south from the Essex Street HCA, this particular section of Essex Street presents a unified character unlike the other sections of Essex Street, which have a higher proportion of Late 20th and 21st Century developments. This section of Essex Street presents a wide dual carriageway with wide grassed verges.

⁵ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 13.

The street slightly bends to the east following the intersection with Maida Road. This section of Essex Street gently slopes downwards from Epping Road and Abuklea Road to the lowest point around the intersection of Knox Avenue. Between Maida Road and Epping Road, the dwellings located on the western side of Essex Street rise above street level, whilst the dwellings to the east lie below street level, due to the sloping topography of the street down towards the east.

Dotted along the length of Essex Street are a number of different species of trees, including but not limited to Banksia and Eucalypt trees. The dwellings along this section of Essex Street present a regular setback from the street, incorporating a range of different fences, all predominantly of a low scale, including timber picket fences, low sandstone or brick walls, wire and timber fences and a few modern cement rendered walls. The front gardens of each property generally include mature plantings harmonising with and adding to the streetscape character the street.

The style of dwellings located within the Essex Street HCA, include a number of different styles from the Federation (Bungalow and Cottage styles), Inter War (Bungalow and Spanish Mission styles), Post War, Late 20th Century (Organic, Australian Nostalgic, and Immigrants Nostalgic styles) and 21st Century, all depicted in Figures 31 to 36.

Whilst a couple of lots within the Essex Street HCA have been subdivided, or some older buildings from the Federation or Inter War period have been replaced or modified over time, the overall character of early 20th Century and streetscape pattern and rhythm remains.

The following images the early present a brief overview of the current character and streetscape of the Essex Street HCA.



Figure 29: Views looking from intersection of Essex Street and Abuklea Road, looking north along Essex Street. The mature street trees and large front setbacks of dwellings along the street can be



Figure 30: Views looking south along Essex Street, near Epping Road (left) and intersection of Brucedale Avenue (right)



Figure 31: Views looking from approximately 58 Essex Street, looking south (left) and north (right).



Figure 32: 86 Essex Street, Federation Bungalow (left) and 42 Essex Street, Federation weatherboard cottage (right).



Figure 33: 93 and 56 Essex Street, both examples of intact Inter War Bungalows.



Figure 34: 44 Essex Street, Inter War Spanish Mission (left) and 77 Essex Street, Post War (right).



Figure 35: 78 Essex Street, Post War (left) and 99 Essex Street, Late 20th Century Organic (right).



Figure 36: 51 Essex Street, Late 20th Century Australian Nostalgic (left) and 53 Essex Street, 21st Century.

6.3.2 Historical Summary

The history of the Essex Street HCA is directly linked to the historical development of the development of the Epping Town Centre, thus refer to the brief history provided in Section 5.1.

6.3.3 Previous Assessment and Statement of Significance

The first assessment of significance for the Essex Street Heritage Conservation Area was undertaken as part of the *East Epping Conservation Evaluation and Review* prepared by Tropman and Tropman Architects in 2001. The assessment and statement of significance from this first study is as follows:

Criterion (a)

The area is a good example of the development of Federation and Inter-War period housing in the Epping area.

The area reflects the changing nature of the place from rural, through semirural to residential.

Criterion (c)

The area has retained most of its original 1886 subdivision pattern.

Criterion (g)

The area is representative of the development of Federation period and Inter- War period suburban housing.

Statement of Significance

The Essex Street Heritage Conservation Area has historic and aesthetic significance as a representative area of intact period housing, mainly from the Federation and Inter-War periods. The areas early subdivision patterns reflect the changing nature of the area from rural, into semi-rural 'farmlets' through to

residential lots in the 1920s. These subdivision patterns are still visible in the existing street layout.

Whilst the above assessment of significance for the Essex Street HCA is brief, further assessment of the area was conducted in as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the East Epping HCA still stood and updated the assessment of significance as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as part of an early subdivision and early 20th residential development. Despite some site amalgamations and re-subdivisions, the area largely retains a sense of its original subdivision pattern that represents the early 20th century shift from a rural to a residential and suburban area.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Federation and Inter-war period detached housing in the Epping area. Some good examples of Post-war development are also extant.

The built context is also enhanced by the wide street proportions, street form and wide grassed verges, setbacks, garden settings and plantings which make a positive contribution to the area.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments.
- (or a class of the local area's
- cultural or natural places; or
- cultural or natural environments)

The area is representative of the development of the Federation and Inter-war period suburban housing in the local area.

Statement of Significance

The Essex Street Heritage Conservation Area is of local historic and aesthetic significance as part of an early subdivision in the local area and as a representative area of intact period housing mainly from the Federation and Inter-war periods which represents a major period of growth and development and shift from a rural to a suburban area.

The area significantly retains a sense of the original subdivision pattern and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Federation and Inter-war period houses. The built context is enhanced by the local topography, wide street proportions, setbacks and garden settings.

6.3.4 Revised Assessment of Significance

The previous assessments of the Essex Street HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms the evaluation

of aesthetic, historical and representative values of the area is still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

Essex Street HCA Statement of Significance

The Essex Street HCA is of local historic and aesthetic significance as part of the early subdivision of the Epping from the late 1890s, and maintains a representative area of largely intact Federation and Inter War period dwellings reflecting the major periods of growth and development of the Epping local area. Early Federation houses, some associated with the Mount Tomah Nursery of the 1890s are still extant, and further enhanced by the retention of the later 1920s subdivision upon which many Inter War period home were developed. The area represents the shift of Epping from an area of orchards and nurseries to a thriving suburban area.

The area retains many significant elements of the early twentieth century subdivision patterns, coupled with a cohesive streetscape pattern enhanced by large setbacks, wide street proportions, undulating topography, street plantings and garden settings. This section of Essex Street, maintains a large number of good and highly intact examples of Federation and Inter War period dwellings of various styles, interspersed with some good examples of residential Post War architecture.

6.3.5 Individual Heritage Items Requested for Removal within Essex Street HCA

42 Essex Street

A request by the property owner of 42 Essex Street for the removal of the property as a Heritage Item under the Hornsby LEP 2013 and to be removed from the Essex Street HCA was lodged on 17 January 2016. This request was lodged by the property owner in response to the listing of the property at 42 Essex Street on the Hornsby LEP 2013 as part of the SEPP Amendment (Epping Town Centre) 2013, published in March 2014.

The dwelling at 42 Essex Street is a substantial, single storey timber weatherboard Federation cottage, with a hipped roof and northern projecting gabled wing with corrugated steel roof. The dwelling features a veranda with returns to the sides with timber double sash windows with colour lead lighting on the primary façade facing toward Essex Street. The northern elevation features a bay window with timber double-hung sashes featuring coloured leadlight, matching the primary eastern façade. The cottage is substantially set back from the Essex Street frontage, allowing for a large front garden, which is primarily grassed with some mature plantings established along the Essex Street boundary.

A brief internal inspection of the property was conducted as part of this heritage review. From the internal inspection, original detailing such as floor boards, cornices and timber work were observed in the main hallway and front rooms of the cottage. Additions to the rear of the original cottage currently house living spaces and a kitchen. The cottage is overall in good condition and appears to have maintained its condition and integrity since its assessment in the 2013 study.

An assessment of the significance of 42 Essex Street was undertaken as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy and Alessi in 2013.⁶ The established statement of significance has been slightly amended to reflect the current condition of the property and is provided below:

The dwelling at 42 Essex Street is of high local historic and aesthetic significance as a good and largely intact Federation period timber weatherboard cottage constructed sometime between 1893 and 1902 that is associated with MF Vollmer and the Vessey family of the Mount Tomah Nursery that operated in the immediate area in the 1890s. Despite some alterations and additions, the cottage retains its overall scale, form and details particularly weatherboard facades, roof form, open wrap-around verandah,

⁶ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 42.

gable and bay on the northern facade. Internally, original details are also maintained, including cornices, timberwork, floorboards and chimneys. The building occupies a prominent and elevated site on a bend in Essex Street, is enhanced by its garden setting and makes a positive contribution to this section of Essex Street. The cottage is one of two remaining Federation period dwellings located in the area associated with the Mount Tomah Nursery, thus being rare for the local area.

The Inventory Sheet for the property has also been updated to reflect the above statement of significance, as well as updated images provided as part of Appendix A. Recommendations in relation to the retention or removal of 42 Essex Street from the Hornsby LEP 2013 as a Heritage item of from the Essex Street HCA have been provided in Section 10.2.

6.4 Rosebank Avenue Heritage Conservation Area

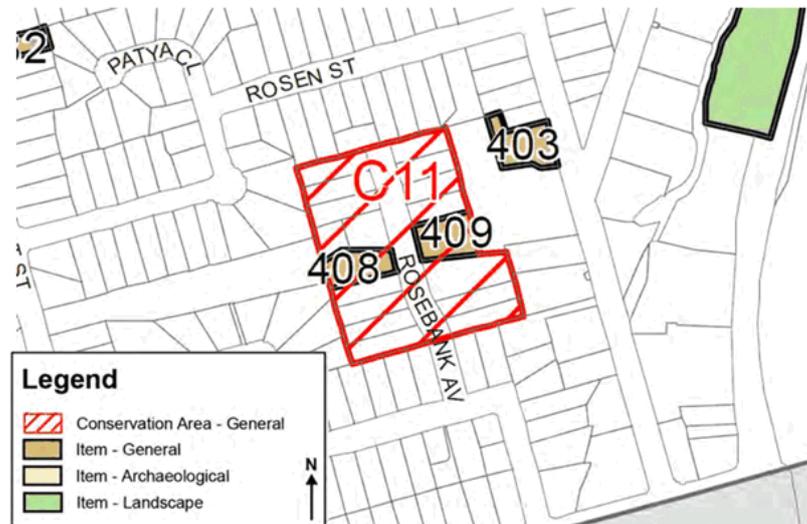


Figure 37: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Rosebank Avenue HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.4.1 Context and Description

The Rosebank Avenue Heritage Conservation Area was last described in March 2013 in the Epping Town Centre Heritage Review as retaining:

"a good and highly intact group of Inter-War period dwellings illustrating various architectural elements enhanced by the streetscape character, reinforced by retention of the original subdivision pattern and street rhythm, consistent setbacks and also mature street and garden trees and garden plantings."

During site inspections of the area in March 2017, it was observed that the Rosebank Avenue HCA continues to remain a good and highly intact group of Inter War period dwellings however, there are some changes to the surrounding setting of the area and the streetscape which has minorly detracted from the description provided in 2013. These include the multiple high density residential developments on Cliff Road and Hazlewood Place, located to the

⁷ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 15.

east and south of the HCA. Some mature trees too have been removed from the streetscape, primarily out the front of 5 Rosebank Avenue.

Despite these changes, Rosebank Avenue HCA continues to maintain its established heritage character. The form, scale and detailing of the majority of dwellings within the area retain their original elements, and are enhanced by extensive plantings within the front gardens and nature strip planting. Whilst some minor modifications have been made to some buildings, such as the enclosure of balconies, addition of carports and garages and replacement of some original windows, the consistency of the street in terms of setbacks, and street presentation are still intact.

A range of architectural styles are presented along the length of Rosebank Avenue, including Spanish Mission, Bungalow and Tudor Revival. Whilst the style of each dwelling differs, all are linked together and complement one another through consistency in height, set back and landscaping. The original subdivision of the Rosegrove Estate is still evident in the current subdivision of the area, despite the singular subdivision of 13 and 15 Rosebank Avenue. The character of the area is further linked together through the consistent street trees which line the nature strips and the interjection of the creek line which runs between 15 and 9, and 10 and 6 Rosebank Avenue. The vegetation is denser at this point in the street and creates a lively setting for the appreciation of both the northern and southern components of the street.

The following images present a brief overview of the current character and streetscape of the Rosebank Avenue HCA.



Figure 38: View looking south along Rosebank Avenue, from northern end of street (left) and from middle of street in line with the creek (right). The consistency of street trees which line Rosebank Avenue are evident, enhancing the streetscape character, behind which an array of Inter War period dwellings are nestled.



Figure 39: View of the small bridge which runs over the creek line (left) and looking west toward 9 Rosebank Avenue visible through the trees which line the creek bed.



Figure 40: Two of the dwellings located within the Rosebank Avenue HCA are listed as local items, including 9 (right) and 10 (left) Rosebank Avenue. Whilst both dwellings date from the Inter War period, they are in two distinct styles of the period, the left being a Spanish Mission style and the right in a Tudor style.



Figure 41: 16 and 17 Rosebank Avenue, respectively, are designed in an Inter War Bungalow style. The Bungalow style is featured the most amongst the dwellings of Rosebank Avenue



Figure 42: 5 and 1 Rosebank Avenue have undergone some modifications to the original fabric. 5 Rosebank Avenue has modified the entrance path and driveway, as well as the entrance way and windows, whilst 1 Rosebank Avenue has undergone some minor changes, including enclosing the front balcony and the installation of a new gate to the driveway. Despite these changes, both dwellings continue to contribute to the character of the area.

6.4.2 Historical Summary

The following historical summary of the Rosebank Avenue Conservation Area has primarily been adapted from the 2003 Heritage Assessment of Rosebank Avenue, prepared by CPC Consulting.

The site of the present day Rosebank Avenue is located on the western side of the railway at Epping. Early Parish Maps indicated that the site was part of the land granted to William Kent Junior. Pioneer settler, David Hazlewood, purchased the land in this area (including the area that is now Rosebank Avenue) as a total of 16 acres in 1897.

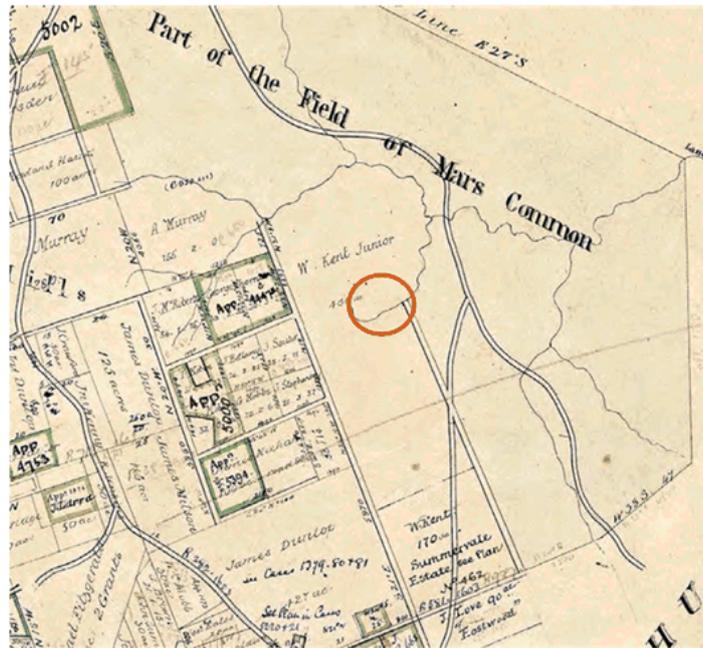


Figure 43: 1882 Field of Mars Parish Map with indicative location of Rosebank Avenue Heritage Conservation Area outlined in red (Source: Land and Property Information, Sheet Reference 4, Edition Number 0)

The Hazlewood Brothers made their reputation as rose suppliers in the early twentieth century from the Epping nursery. The Hazlewood nursery operations continued in Dural until 1965. The first subdivision of the Hazlewood Estate was placed on sale in October 1921 and included lots fronting the present Carlingford Road.

In November 1929, two years after David Hazlewood's death, the site of Rosebank Avenue went to auction sale as the Rosegrove Estate, one of the later estate subdivisions to occur in the Epping district. The Estate consisted of 18 lots fronting Rosebank Avenue and three lots fronting Ray Road. (Figure 44) A "fine old rustic bridge" was constructed over the existing creek by the Hazlewoods as part of their nursery operations and was retained as an attractive element of the Estate. The advertisements for the auction also indicate that a strict building ordinance was in place to ensure that "each home will be worthy of its setting" and that the layout and lot sizes allowed "ample space for gardens, lawns and motor car entrance".

An aerial photograph from 1943 clearly shows the earlier Federation development within the surrounding streets (Cliff Road and Carlingford Road) and the formation of Rosebank Avenue.



Figure 45: 1943 Aerial of Rosebank Avenue Conservation Area, outlined in red (Source: SIX Maps, accessed on 28 March 2017)

Hornsby Shire Council's Sands Directory and Rate Books provide information regarding the development of the Rosebank Avenue streetscape. Up until 1932, the majority of the lots within the streetscape remain in the ownership of real estate agents. The 1931 Sands Directory (Page 444) records only the road as existing. The 1932/33 Sands Directory lists only Lot 1 as being owned by a C F Abbott. The Rate Books provide additional information as follows:

- Rate Book dated 29 May, 1930 - indicates a total of six lots in private ownership (Lots 1, 7, 9, 12, 17 and 18). The occupations of these owners are described as being gentleman, clerk, joiner, builder, joiner and lawyer, respectively, representing a 'middle-class' community. The remainder of the street was in the ownership of "Thomas Dwyer Real Estate of 8A Castlereagh Street, Sydney". No infrastructure is recorded in this record.
- Rate Book dated 7 October, 1932 - indicates all lots in private ownership with the exception of Lots 4, 5 and 14 still being in the ownership of Thomas Dwyer Real Estate and Lot 10 being owned by Prudential Estates Ltd. Fences are recorded as having been constructed on Lots 8, 10 and 12. Dwellings are recorded as having been constructed on Lots 9 ("cottage") and 12 ("bungalow").
- Rate Book dated 12 May, 1938 provides the following details regarding construction:

Original Lot No.	Current Address	Recorded Construction
Lot 9	1 Rosebank Avenue	Cottage
Lot 18	2 Rosebank Avenue	Cottage and garage
Lot 8	3 Rosebank Avenue	Cottage and garage
Lot 17	4 Rosebank Avenue	Cottage
Lot 7	5 Rosebank Avenue	Cottage, garage and workshop

Lot16/15	6-8 Rosebank Avenue	Cottage
Lot 6	7 Rosebank Avenue	Fence (Notes that dwelling constructed 1938-39)
Lot B (5)	9 Rosebank Avenue	Cottage C/E
Lot 14	10 Rosebank Avenue	(Notes that dwelling constructed 14 May 1940)
Lot 13	12 Rosebank Avenue	Cottage
Lot 12	14 Rosebank Avenue	Cottage
Lot A (4)	15 Rosebank Avenue	Cottage
Lot 11	16 Rosebank Avenue	Bungalow ("Laverton")
Lot 3	17 Rosebank Avenue	Cottage
Lot 10	18 Rosebank Avenue	Cottage ("Orana") and garage
Lot 2	19 Rosebank Avenue	Cottage and garage
Lot 1	21 Rosebank Avenue	Fence (Notes that dwelling constructed 1942)

It is noted that the occupations of property owners also includes builder (Lot 1), school headmaster (Lot 2), teacher (Lot A), architect (Lot 6) and musician (Lot 10).

In summary, all dwellings in the street with the exception of three had been constructed by 1938. The remaining three dwellings had been constructed by 1942. Accordingly, the majority of dwellings in Rosebank Avenue were constructed during the Inter-war period.

6.4.3 Previous Assessment of Significance

The first assessment of significance for the Rosebank Avenue HCA was undertaken by CPC Consulting in 2003 in the *Rosebank Avenue Heritage Assessment*. The assessment and statement of significance from this first study is as follows:

Criterion (a)

Rosebank Avenue is a fine example (the best example in the Hornsby Shire) of an intact Inter-war housing development and streetscape which retains its historical original subdivision layout (with minor boundary adjustments), building stock and natural features

Criterion (b)

The development of Rosebank Avenue does not have any strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of Epping or the Hornsby Shire)

Criterion (c)

Rosebank Avenue retains and displays its original subdivision layout (with minor boundary adjustments), building stock and natural features. It retains its design integrity; has distinctive aesthetic attributes in its form, composition, style and character; is the only true intact and fine example of an Inter-war development/streetscape and as such, has landmark qualities;

Criterion (d)

The Rosebank Avenue streetscape does not have associations with any particular identifiable community or cultural group.

Criterion (e)

Rosebank Avenue and its features have little archaeological or research potential.

Criterion (f)

Rosebank Avenue is a rare example of an intact area of Inter-war housing development. However, as other intact examples of Inter-war housing developments exist in NSW and other parts of Australia, it is concluded that Rosebank Avenue's intact form is only rare at a local level.

Criterion (g)

Rosebank Avenue is a fine example of an Inter-war housing estate that survives in good condition and intact. It retains its historical subdivision pattern (with only minor boundary adjustments), its natural features (gardens and creekline) and its built fabric. It has representative significance through its physical form, building stock and history.

Statement of Significance

Rosebank Avenue is a fine representative example of the residential development of an Inter-war housing estate. It remains largely intact in terms of retaining its historical subdivision pattern, its natural features, its built fabric and landscaping. Collectively, the dwellings and their associated gardens contribute to a unique precinct that captures the historical development of housing constructed during this period within the Hornsby Shire and provides an historical setting for the individual heritage items that exist in the street.

The Rosebank Avenue streetscape remains a rare example (at local level) of an intact Inter-war streetscape within the Hornsby Shire (the only intact Interwar streetscape in the Shire). This conclusion is reached given that the entire street was developed as part of the one Estate and retains its built form and subdivision pattern (that includes the unusual configuration of allotments reflecting the location of a watercourse). Given its level of intactness and integrity, it is of high local heritage significance.

The above assessment of significance for the Rosebank Avenue HCA was again assessed as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the Rosebank Avenue HCA still stood. An assessment of the areas significance was included in the study as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as a fine and highly intact example of an Inter-war period housing development and streetscape that retains its original subdivision pattern, building stock and natural features.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Inter-war period detached housing that retain their original form, character and details and a range of stylistic elements relating to that era. The buildings have common setbacks which contribute to the streetscape pattern and rhythm. The built context is also enhanced by the wide street proportions, street trees and creek line, garden settings and plantings which make a positive contribution to the area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the area)

Rosebank Avenue has been identified as being a rear and best example of an intact Inter-war housing development in the Hornsby LGA. Other examples exist in other parts of NSW and Australia.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments (or a class of the local area's cultural or natural places; or
- cultural or natural environments)

The area is a good and highly intact representative example of Inter-war period suburban subdivision and development that retains its original subdivision pattern, housing stock and associated gardens and features and natural features.

Statement of Significance

Rosebank Avenue is of high local cultural significance as a fine representative example of an Inter-war period residential subdivision and development that remains largely intact and retains its historical subdivision pattern, built context and natural features. Collectively the group form a unique precinct in the Hornsby LGA. The houses each retain their overall scale, character and varying stylistic details associated with the period and are enhanced by the wide street proportion, street trees and garden settings and remaining natural features.

6.4.4 Revised Assessment and Statement of Significance

The previous assessments of the Rosebank Avenue HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms the evaluation of aesthetic, historical and social values of the area is still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

Rosebank Avenue HCA Statement of Significance

Rosebank Avenue HCA is a fine representative example of a residential development of an Inter War housing estate. It remains largely intact in terms of retaining its historical subdivision pattern, its natural features, its built fabric and landscaping. Collectively, the dwellings and their associated gardens contribute to a unique precinct that captures the historical development of housing constructed during this period within Epping and the wider developments of the time in the Field of Mars. Collectively the area presents a unique streetscape featuring varies styles of the period, including Bungalow, Spanish Mission and Tudor Revival. Each dwelling retains their overall scale, character and varying stylistic details associated within the Inter War period which are further enhanced by the street trees, garden settings and natural creek line, providing a historical setting for the individual heritage items and contributory dwellings.

The Rosebank Avenue streetscape remains a rare example, at local level, of an intact Inter War streetscape within Epping and the Parramatta area and is one of few intact Inter War housing estates remaining. Having been developed within a short course of time between the 1930s and 1940s as part of the one Estate, Rosebank Avenue retains its built form and subdivision pattern, including the unusual configuration of allotments reflecting the location of a watercourse. Given its level of intactness and integrity, it is of high local heritage significance.

7. Field Survey of Heritage Conservation Areas

7.1 General Discussion

Site surveys of each HCA were undertaken in March 2017, in which all buildings located within East Epping, Essex Street and Rosebank Avenue HCAs were surveyed from the public domain. The historical value and character of each of the HCAs, are defined by a total of thirty-five (35) heritage items.

As part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, the contribution ranking of each of the properties located within the East Epping and Essex Street HCAs were assessed. Whilst Rosebank Avenue HCA was also included within this study, the contribution ranking of each of the properties within the HCA were not assessed. As part of the current assessment of the relative contribution of each property toward their respective HCA, previous assessments of their contributions are taken into account within this section of the report.

7.2 Ranking and Assessment Criteria

Each property within each HCA has been assessed in accordance with its contributory values to the overall significance of the relevant HCA, as defined in the revised Statements of Significance in Section 6.0. Existing heritage items identified in the Holroyd LEP 2013 have been indicated, and the remaining properties have been ranked as contributory, neutral and non-contributory. The description of each category has been provided below:

Ranking	Definition
Heritage Item	A building that has been identified as an item of significance and has been listed on the Hornsby LEP 2013.
Contributory	A building that contributes to the character and significance of HCA for its historic or aesthetic values, or both. Building that have been adversely altered but still demonstrate historic and aesthetic values of significance to the area are also considered within this category. For example, a dwelling which may have had windows replaced but which otherwise retains its overall form and other detailing would be considered to be a contributory dwelling or dwelling with historic value. These items are of consistent period, scale, materials and form but are not individually significant enough to be included as a heritage item. They add to the cohesive and representative quality of the area.
Neutral	A building that does not contribute to the significance of the area but also does not detract from the area's overall character in terms of form, mass and small scale so that they fit without being disruptive. This may include early or new buildings. An example of a neutral building would be a modern single storey dwelling which respects the setbacks, forms and materials of the neighbouring dwellings. Retention of such neutral buildings may not be required provided that it is replaced with an appropriate infill building in a similar neutral nature.
Non-contributory	A building that detracts from the significance of the area and changes the character of the area. This may include early buildings with intrusive alterations and additions that erode their contribution to the significance of the area and which cannot easily be reversed. It also includes new buildings with detailing, scale and form that are not in line with the character of the area, for example large two storey buildings in unsympathetic 'Mediterranean' or other modern styles, such as light coloured rendered walls and black concrete roof tiles.

Careful consideration has been given to the threshold between buildings identified as contributory items and those identified as neutral or non-contributory. Some of the buildings, even though they may have been altered, are still recognisable as part of the Federation or Inter War periods as defined in the Statements of Significance have been ranked as contributory within a HCA. Alterations may include sympathetic additions and changes to the architectural elements such as painting the external walls, and replacing windows, fences or roofing material. It is considered that these alterations are reversible and in the long term the aesthetics and architectural values may be recoverable.

7.3 East Epping Heritage Conservation Area

The East Epping HCA consists of 253 properties and nine (9) streets and is located in the north-eastern portion of the Epping Town Centre Study Area. The nine streets include: Chester Street, Essex Street, Norfolk Road, Oxford Street, Pembroke Street, Somerset Street, Surrey Street, Sussex Street and York Street.

7.3.1 Previous Contributions Ranking

There are currently twenty nine (29) Heritage Items listed under part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the East Epping HCA (Figure 46). The majority of heritage items within the HCA are of local significance.



Figure 46: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting East Epping HCA (Source: Heritage Map 11, Hornsby LEP 2013)

In addition to the listed heritage items within the HCA, relative contribution ranking of each property within the East Epping HCA was also identified as part of the of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, as outlined previously. The contributions map prepared for this previous study is reproduced in Figure 47.



Figure 47: Mark up showing contributory items and recommended extension of East Epping HCA boundary (Source: Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 81)

7.3.2 Review of Contributions Ranking

Whilst Heritage Items and Contributory items of the East Epping HCA were identified within the *Epping Town Centre Heritage Review*, the relative ranking of the remaining properties was not addressed. In order to gain a greater understanding of all properties relative contribution to the significance of the East Epping HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The revised relative contribution of individual buildings towards the significance of the East Epping HCA is depicted in Figure 48 and further detailed in the table overleaf. The distribution of rankings and development periods are further summarised in Figures 49 to 53.



Figure 48: East Epping HCA Contribution Ranking



Figure 49: East Epping HCA Contribution Ranking with Development Period overlay.

Ranking of Properties in East Epping HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
6	Chester Street	Post War	Contributory	Neutral
8	Chester Street	Inter War	Contributory	Neutral
9	Chester Street	Federation	Heritage Item	Heritage Item
10	Chester Street	Inter War	Contributory	Contributory
11	Chester Street	21st Century	N/A	Non Contributory
12	Chester Street	Inter War	Contributory	Neutral
14	Chester Street	Post War	Contributory	Neutral
15	Chester Street	21st Century	N/A	Non Contributory
16	Chester Street	Inter War	Contributory	Contributory
17	Chester Street	Post War	Contributory	Neutral
18	Chester Street	Inter War	Contributory	Neutral
19	Chester Street	21st Century	N/A	Neutral
19A	Chester Street	21st Century	N/A	Neutral
19B	Chester Street	21st Century	N/A	Neutral
20	Chester Street	Inter War	Contributory	Neutral
21	Chester Street	Federation	Heritage Item	Heritage Item
21A	Chester Street	Unknown	N/A	Neutral
22	Chester Street	Inter War	Contributory	Contributory
23	Chester Street	Federation	Heritage Item	Heritage Item
23A	Chester Street	Unknown	N/A	Neutral
24	Chester Street	21st Century	N/A	Neutral
25	Chester Street	Federation	Contributory	Neutral
25A	Chester Street	Inter War	Contributory	Contributory
26	Chester Street	Inter War	Contributory	Neutral
27	Chester Street	Unknown	N/A	Neutral
27A	Chester Street	21st Century	Heritage Item	Heritage Item
27B	Chester Street	Late 20th Century	N/A	Non Contributory
28	Chester Street	Post War	N/A	Neutral
28B	Chester Street	21st Century	N/A	Non Contributory
29	Chester Street	Late 20th Century	N/A	Neutral
29A	Chester Street	Vacant	N/A	Neutral
30	Chester Street	Inter War	Contributory	Neutral
31	Chester Street	Late 20th Century	N/A	Neutral
32	Chester Street	Federation	Contributory	Neutral
33	Chester Street	Post War	Contributory	Neutral
34	Chester Street	21st Century	N/A	Non Contributory

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No.	Address	Development Period	Previous Ranking	Revised Ranking
35	Chester Street	Inter War	Contributory	Neutral
36	Chester Street	Inter War	Contributory	Contributory
37	Chester Street	Inter War	Contributory	Neutral
38	Chester Street	Inter War	Contributory	Contributory
39	Chester Street	Post War	Contributory	Neutral
40	Chester Street	Inter War	Contributory	Neutral
41	Chester Street	Post War	Contributory	Neutral
42	Chester Street	Post War	N/A	Neutral
43	Chester Street	Post War	Contributory	Neutral
44	Chester Street	Late 20th Century	N/A	Neutral
45	Chester Street	Federation	Heritage Item	Heritage Item
45A	Chester Street	Unknown	N/A	Neutral
45B	Chester Street	Unknown	N/A	Neutral
46	Chester Street	Inter War	N/A	Neutral
46A	Chester Street	unknown	N/A	Neutral
47	Chester Street	Inter War	Contributory	Contributory
47A	Chester Street	Unknown	N/A	Neutral
48	Chester Street	Inter War	Contributory	Contributory
49	Chester Street	Federation	Contributory	Contributory
51	Chester Street	Inter War	Contributory	Contributory
52	Chester Street	Post War	Contributory	Neutral
53	Chester Street	Inter War	N/A	Contributory
54	Chester Street	Late 20th Century	N/A	Neutral
55	Chester Street	Inter War	Contributory	Neutral
56	Chester Street	Inter War	N/A	Neutral
57	Chester Street	Federation	Heritage Item	Heritage Item
58	Chester Street	Inter War	Contributory	Neutral
59	Chester Street	Federation	N/A	Contributory
60	Chester Street	Inter War	Contributory	Neutral
61	Chester Street	Federation	Contributory	Contributory
62	Chester Street	Post War	Contributory	Neutral
64-66	Chester Street	Late 20th Century	N/A	Neutral
65	Chester Street	Inter War	Contributory	Neutral
67	Chester Street	Inter War	Contributory	Contributory
68	Chester Street	Late 20th Century	N/A	Neutral
69	Chester Street	Post War	Contributory	Neutral
70	Chester Street	Victorian	Heritage Item	Heritage Item

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No.	Address	Development Period	Previous Ranking	Revised Ranking
71	Chester Street	Inter War	Contributory	Neutral
73	Chester Street	21st Century	Contributory	Non Contributory
75	Chester Street	21st Century	N/A	Non Contributory
75A	Chester Street	21st Century	N/A	Non Contributory
77	Chester Street	Inter War	Contributory	Contributory
79	Chester Street	Inter War	Contributory	Contributory
81	Chester Street	Inter War	Contributory	Contributory
83	Chester Street	Late 20th Century	Contributory	Neutral
1	Essex Street	Inter War	N/A	Contributory
3	Essex Street	Inter War	Heritage Item	Heritage Item
1	Norfolk Road	Late 20th Century	N/A	Non Contributory
3	Norfolk Road	21st Century	N/A	Non Contributory
3A	Norfolk Road	21st Century	N/A	Neutral
9	Norfolk Road	Federation	Heritage Item	Heritage Item
9A	Norfolk Road	Late 20th Century	N/A	Neutral
11	Norfolk Road	Inter War	Contributory	Contributory
15	Norfolk Road	Inter War	Contributory	Contributory
17	Norfolk Road	Inter War	N/A	Contributory
18	Norfolk Road	Unknown	N/A	Neutral
19	Norfolk Road	Inter War	Contributory	Neutral
20	Norfolk Road	Post War	N/A	Neutral
21	Norfolk Road	Inter War	Contributory	Contributory
22	Norfolk Road	Late 20th Century	N/A	Neutral
23	Norfolk Road	Post War	N/A	Neutral
24	Norfolk Road	Inter War	Contributory	Neutral
25	Norfolk Road	Unknown	N/A	Neutral
25A	Norfolk Road	Post War	N/A	Neutral
25B	Norfolk Road	21st Century	N/A	Non Contributory
26	Norfolk Road	Late 20th Century	N/A	Neutral
27	Norfolk Road	21st Century	N/A	Non Contributory
28	Norfolk Road	Late 20th Century	N/A	Neutral
29	Norfolk Road	21st Century	N/A	Non Contributory
30	Norfolk Road	Late 20th Century	N/A	Neutral
31	Norfolk Road	Post War	N/A	Neutral
32	Norfolk Road	Unknown	N/A	Neutral
33	Norfolk Road	Federation	Heritage Item	Heritage Item
34	Norfolk Road	Late 20th Century	N/A	Neutral

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No.	Address	Development Period	Previous Ranking	Revised Ranking
35	Norfolk Road	Inter War	Contributory	Contributory
36	Norfolk Road	Federation	Contributory	Contributory
37	Norfolk Road	Inter War	N/A	Neutral
38	Norfolk Road	Federation	Contributory	Neutral
39	Norfolk Road	Inter War	Heritage Item	Heritage Item
40	Norfolk Road	Federation	Heritage Item	Heritage Item
41	Norfolk Road	Inter War	Heritage Item	Heritage Item
42	Norfolk Road	Federation	Contributory	Contributory
42A	Norfolk Road	Unknown	N/A	Neutral
43	Norfolk Road	Federation	Heritage Item	Heritage Item
44	Norfolk Road	Federation	Heritage Item	Heritage Item
45	Norfolk Road	Inter War	Contributory	Neutral
46	Norfolk Road	Federation	Contributory	Contributory
46A	Norfolk Road	Unknown	N/A	Neutral
47	Norfolk Road	Federation	N/A	Neutral
47A	Norfolk Road	Unknown	N/A	Neutral
48	Norfolk Road	Federation	Contributory	Contributory
49	Norfolk Road	Federation	N/A	Contributory
49A	Norfolk Road	Unknown	N/A	Neutral
51	Norfolk Road	Inter War	N/A	Contributory
53	Norfolk Road	Inter War	N/A	Neutral
55	Norfolk Road	21st Century	N/A	Neutral
56A	Oxford Street	Post War	Heritage Item	Heritage Item
72	Oxford Street	Post War	Contributory	Neutral
73A	Oxford Street	Federation	Heritage Item	Heritage Item
74	Oxford Street	Inter War	Contributory	Neutral
74A	Oxford Street	Post War	Contributory	Neutral
75	Oxford Street	Federation	N/A	Contributory
76	Oxford Street	Inter War	Contributory	Contributory
77	Oxford Street	Federation	N/A	Neutral
78	Oxford Street	Inter War	Contributory	Contributory
79	Oxford Street	Federation	N/A	Contributory
80	Oxford Street	21st Century	N/A	Non Contributory
80A	Oxford Street	21st Century	N/A	Non Contributory
81	Oxford Street	Inter War	N/A	Contributory
82	Oxford Street	Inter War	Contributory	Contributory
84	Oxford Street	Federation	N/A	Contributory

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No.	Address	Development Period	Previous Ranking	Revised Ranking
85	Oxford Street	Federation	Heritage Item	Heritage Item
86	Oxford Street	Inter War	N/A	Neutral
87	Oxford Street	Federation	Heritage Item	Heritage Item
88	Oxford Street	Late 20th Century	N/A	Neutral
89	Oxford Street	Unknown	N/A	Neutral
90	Oxford Street	Late 20th Century	N/A	Neutral
91	Oxford Street	Federation	Heritage Item	Heritage Item
93	Oxford Street	Federation	Heritage Item	Heritage Item
25	Pembroke Street	Federation	Contributory	Contributory
27-33	Pembroke Street	Inter War	Heritage Item	Heritage Item
4	Somerset Street	Late 20th Century	N/A	Neutral
6	Somerset Street	Post War	N/A	Neutral
8	Somerset Street	Late 20th Century	N/A	Neutral
10	Somerset Street	Post War	N/A	Neutral
12	Somerset Street	Post War	N/A	Neutral
14	Somerset Street	Inter War	Contributory	Contributory
6	Surrey Street	Inter War	Contributory	Contributory
6A	Surrey Street	Unknown	N/A	Neutral
8	Surrey Street	Inter War	Heritage Item	Heritage Item
10	Surrey Street	Inter War	N/A	Contributory
12	Surrey Street	Inter War	Contributory	Neutral
12A	Surrey Street	Inter War	N/A	Neutral
12B	Surrey Street	Unknown	N/A	Neutral
14	Surrey Street	21st Century	N/A	Neutral
14A	Surrey Street	Unknown	N/A	Neutral
15	Surrey Street	Inter War	Contributory	Contributory
16	Surrey Street	Post War	N/A	Neutral
16A	Surrey Street	Unknown	N/A	Neutral
17	Surrey Street	Inter War	Contributory	Contributory
18	Surrey Street	Federation	Heritage Item	Heritage Item
18A	Surrey Street	Late 20th Century	N/A	Non Contributory
19	Surrey Street	Inter War	N/A	Contributory
20	Surrey Street	Late 20th Century	N/A	Non Contributory
20A	Surrey Street	Late 20th Century	N/A	Non Contributory
21	Surrey Street	Inter War	Contributory	Contributory
21A	Surrey Street	Post War	N/A	Neutral
22	Surrey Street	21st Century	N/A	Non Contributory

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No.	Address	Development Period	Previous Ranking	Revised Ranking
23	Surrey Street	Federation	Contributory	Contributory
24	Surrey Street	21st Century	N/A	Non Contributory
25	Surrey Street	21st Century	N/A	Non Contributory
26	Surrey Street	21st Century	N/A	Neutral
27	Surrey Street	21st Century	N/A	Non Contributory
28	Surrey Street	Inter War	N/A	Neutral
29	Surrey Street	Federation	Contributory	Contributory
29A	Surrey Street	Unknown	N/A	Neutral
29B	Surrey Street	Unknown	N/A	Neutral
30	Surrey Street	Federation	Contributory	Neutral
30A	Surrey Street	Unknown	N/A	Neutral
30B	Surrey Street	Unknown	N/A	Neutral
30C	Surrey Street	Unknown	N/A	Neutral
31	Surrey Street	Federation	Contributory	Contributory
31A	Surrey Street	Unknown	N/A	Neutral
32	Surrey Street	Federation	Contributory	Contributory
32A	Surrey Street	Unknown	N/A	Neutral
33	Surrey Street	Federation	Heritage Item	Heritage Item
34	Surrey Street	Federation	Contributory	Neutral
34A	Surrey Street	Unknown	N/A	Neutral
35	Surrey Street	Inter War	Contributory	Contributory
36	Surrey Street	Post War	Contributory	Neutral
36A	Surrey Street	Unknown	N/A	Neutral
37	Surrey Street	Federation	Contributory	Neutral
38	Surrey Street	Inter War	Contributory	Neutral
39	Surrey Street	Inter War	Contributory	Contributory
40	Surrey Street	Federation	Heritage Item	Heritage Item
41	Surrey Street	21st Century	N/A	Non Contributory
42	Surrey Street	Late 20th Century	N/A	Neutral
43	Surrey Street	Unknown	N/A	Neutral
43A	Surrey Street	21st Century	N/A	Non Contributory
44	Surrey Street	Post War	Contributory	Neutral
45	Surrey Street	21st Century	Contributory	Non Contributory
45A	Surrey Street	Unknown	N/A	Neutral
45B	Surrey Street	Unknown	N/A	Neutral
46	Surrey Street	Post War	Contributory	Neutral
47	Surrey Street	Post War	N/A	Neutral

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No.	Address	Development Period	Previous Ranking	Revised Ranking
48	Surrey Street	Post War	Contributory	Neutral
49	Surrey Street	Inter War	Contributory	Contributory
49A	Surrey Street	Unknown	N/A	Neutral
51	Surrey Street	Post War	N/A	Neutral
1	Sussex Street	Federation	Contributory	Contributory
2	Sussex Street	Inter War	Contributory	Neutral
2A	Sussex Street	Post War	N/A	Neutral
3	Sussex Street	Inter War	Contributory	Contributory
4	Sussex Street	Inter War	Contributory	Contributory
5	Sussex Street	21st Century	N/A	Neutral
6	Sussex Street	21st Century	Contributory	Non Contributory
6A	Sussex Street	Unknown	N/A	Neutral
8	Sussex Street	Inter War	Contributory	Contributory
7	Sussex Street	21st Century	Contributory	Non Contributory
9	Sussex Street	Federation	Heritage Item	Heritage Item
9A	Sussex Street	Unknown	N/A	Neutral
10	Sussex Street	Inter War	Contributory	Contributory
11	Sussex Street	Federation	Heritage Item	Heritage Item
12	Sussex Street	21st Century	N/A	Non Contributory
13	Sussex Street	Unknown	N/A	Neutral
14	Sussex Street	Post War	N/A	Neutral
15	Sussex Street	Federation	Heritage Item	Heritage Item
15A	Sussex Street	Unknown	N/A	Neutral
16	Sussex Street	Late 20th Century	N/A	Neutral
17	Sussex Street	21st Century	N/A	Neutral
17A	Sussex Street	Unknown	N/A	Neutral
19	Sussex Street	Inter War	N/A	Neutral
21	Sussex Street	Post War	N/A	Neutral
5	York Street	Inter War	N/A	Contributory
7	York Street	Post War	N/A	Neutral
9	York Street	Post War	N/A	Neutral
9A	York Street	21st Century	N/A	Non Contributory

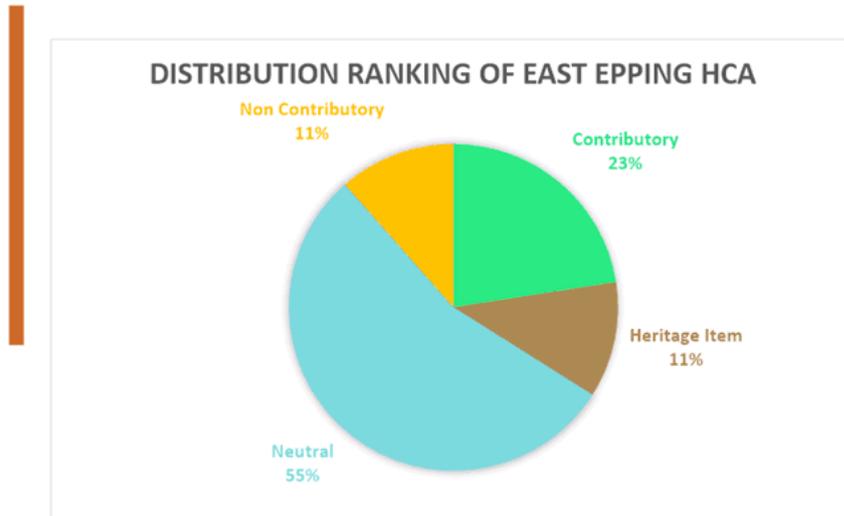


Figure 50: Distribution of Rankings of East Epping HCA.

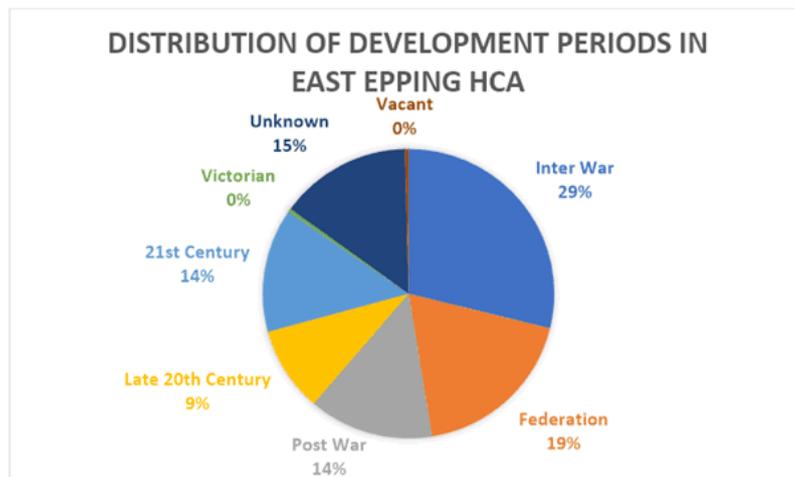


Figure 51: Distribution of Development Periods of East Epping HCA. The unknown development periods relate to properties which are located at the rear of another site and are not visible from the street fronts. Many properties within the East Epping HCA have been subdivided for dwellings to be constructed at the rear. These dwellings are not visible from the streetscape and have been ranked as being Neutral due to their presence neither enhancing or detracting from the area.

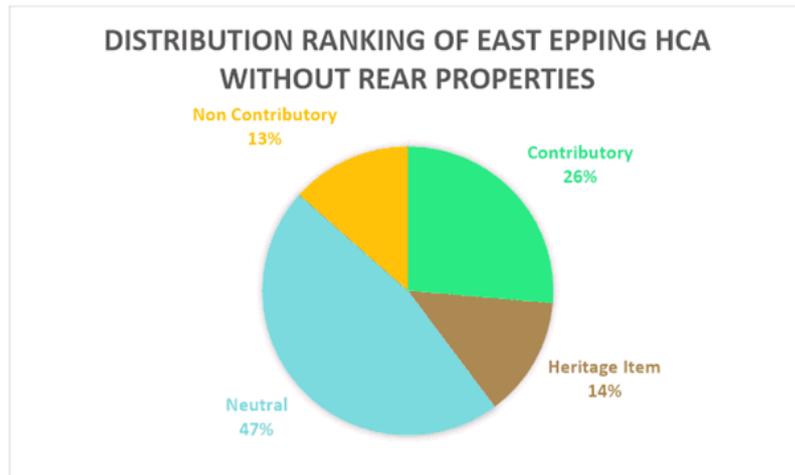


Figure 52: Distribution of ranking of East Epping HCA without rear property contribution. Due to a large number of properties within the East Epping HCA being subdivided, the properties which are not visible from the streetscape, do not contribute toward the character of the area and thus skew the distribution of rankings.

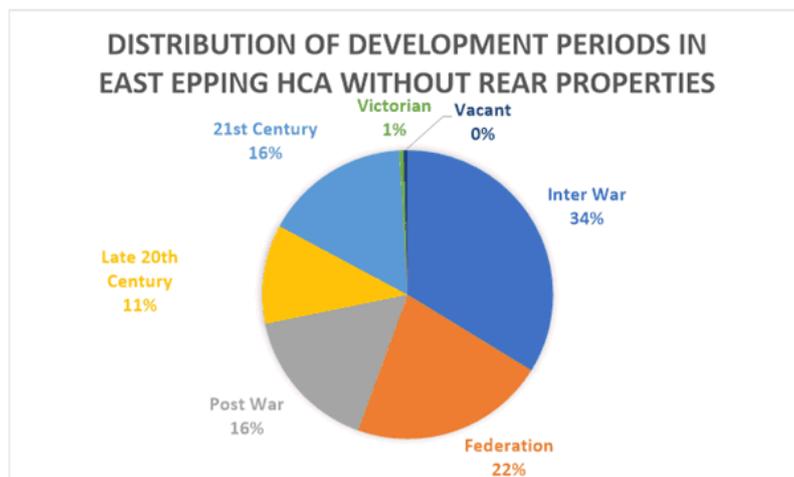


Figure 53: Distribution of developments periods of East Epping HCA without rear properties. Due to the large number of properties within the East Epping HCA being subdivided, the properties which are not visible from the streetscape do no contribute toward the character of the area. As such, their development period is unknown as depicted and have been removed from the above pie chart.

7.4 Essex Street Heritage Conservation Area

The Essex Street HCA consists of sixty (60) properties and two (2) streets and is located in the south-eastern portion of the Epping Town Centre Study Area. The two streets include Essex Street and Maida Road.

7.4.1 Previous Contributions Ranking

There are currently four (4) Heritage Items listed under Part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the Essex Street HCA (Figure 54). The majority of heritage items within the HCA are of local significance.

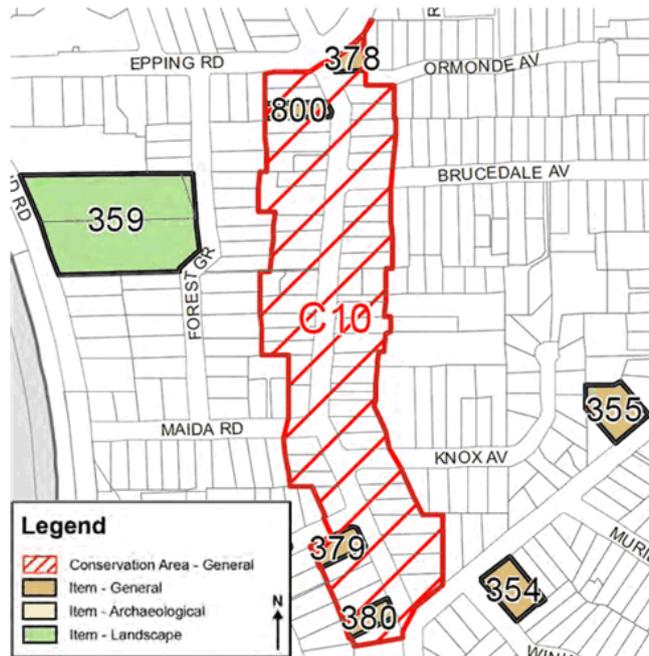


Figure 54: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Essex Street HCA (Source: Heritage Map 11, Hornsby LEP 2013)

In addition to the listed heritage items within the HCA, relative contribution ranking of each property within the East Epping HCA Area was also identified as part of the of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, as outlined previously. The contributions map prepared for this previous study is reproduced in Figure 52.

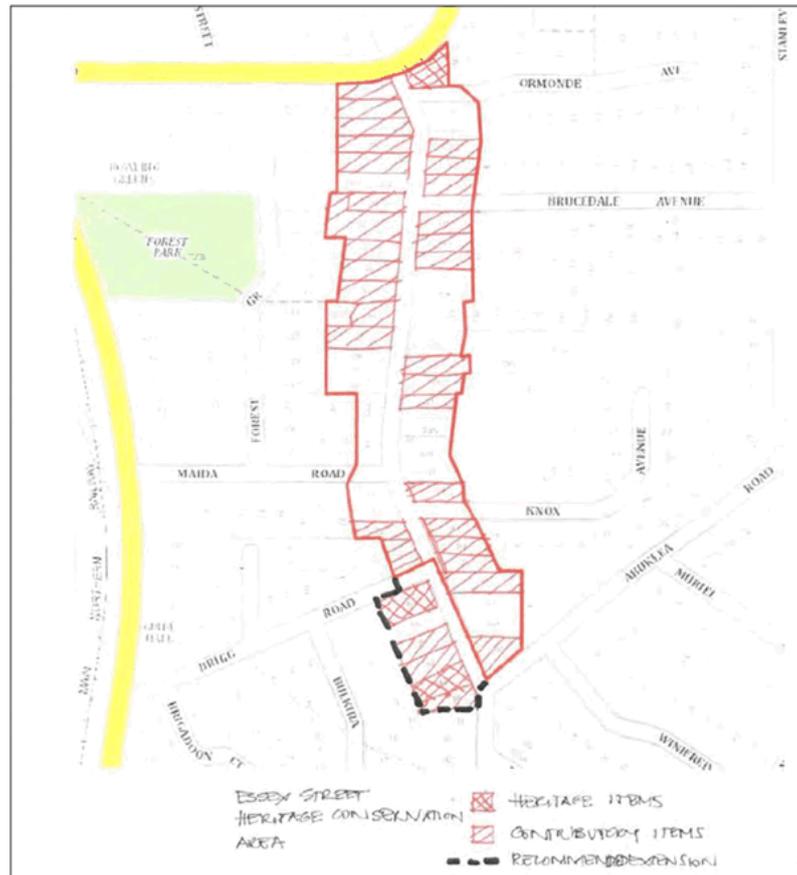


Figure 55: Mark up showing contributory items and recommended extension of Essex Street HCA (Source: Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 82)

7.4.2 Review of Contributions Ranking

Whilst Heritage Items and Contributory items of the Essex Street HCA were identified within the *Epping Town Centre Heritage Review*, the relative ranking of the remaining properties was not addressed. In order to gain a greater understanding of all properties' relative contribution to the significance of the Essex Street HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The revised relative contribution of individual buildings towards the significance of the Essex Street HCA is depicted in Figure 56 and further detailed in the table overleaf. The distribution of rankings and development periods are further summarised in Figures 57 to 59.



Figure 56: Essex Street HCA Contribution Ranking.



Figure 57: Essex Street HCA Ranking with development period overlay.

Ranking of Properties in Essex Street HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
38	Essex Street	Inter War	Contributory	Neutral
40	Essex Street	Inter War	Contributory	Contributory
42	Essex Street	Federation	Heritage Item	Heritage Item
44	Essex Street	Inter War	Contributory	Neutral
46	Essex Street	Federation	Contributory	Contributory
48A	Essex Street	Late 20th Century	N/A	Non Contributory
47	Essex Street	Federation	Heritage Item	Heritage Item
48	Essex Street	Late 20th Century	N/A	Non Contributory
50	Essex Street	Inter War	Contributory	Contributory
51	Essex Street	Late 20th Century	N/A	Neutral
52	Essex Street	Inter War	Contributory	Contributory
53	Essex Street	21st Century	N/A	Non Contributory
54	Essex Street	Inter War	Contributory	Contributory
55	Essex Street	Inter War	Contributory	Contributory
56	Essex Street	Inter War	Contributory	Contributory
57	Essex Street	Inter War	Contributory	Neutral
58	Essex Street	Inter War	Contributory	Contributory
59	Essex Street	Inter War	Contributory	Contributory
60	Essex Street	Federation	Contributory	Contributory
60A	Essex Street	Late 20th Century	N/A	Neutral
61	Essex Street	Inter War	Contributory	Contributory
62	Essex Street	Inter War	Contributory	Contributory
63	Essex Street	Inter War	Contributory	Contributory
64	Essex Street	Post War	N/A	Neutral
65	Essex Street	Inter War	Contributory	Contributory
66	Essex Street	Post war	N/A	Non Contributory
67	Essex Street	Late 20th Century	N/A	Non Contributory
68	Essex Street	Post War	N/A	Non Contributory
68A	Essex Street	Post War	N/A	Neutral
69	Essex Street	21st Century	N/A	Non Contributory
70	Essex Street	Post War	N/A	Neutral
71	Essex Street	21st Century	N/A	Non Contributory
71A	Essex Street	21st Century	N/A	Non Contributory
72	Essex Street	Inter War	Contributory	Contributory
73A	Essex Street	Late 20th Century	N/A	Neutral
74	Essex Street	Inter War	Contributory	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
75	Essex Street	Post War	N/A	Non Contributory
76	Essex Street	Federation	Heritage Item	Heritage Item
77	Essex Street	Post War	Contributory	Neutral
78	Essex Street	Post War	N/A	Neutral
79	Essex Street	Inter War	Contributory	Contributory
80	Essex Street	Inter War	Contributory	Neutral
81	Essex Street	Inter War	Contributory	Contributory
82	Essex Street	Inter War	Contributory	Contributory
83	Essex Street	Inter War	N/A	Neutral
83A	Essex Street	Late 20th Century	N/A	Non Contributory
84	Essex Street	Federation	Heritage Item	Heritage Item
85	Essex Street	Late 20th Century	N/A	Non Contributory
85A	Essex Street	Late 20th Century	N/A	Non Contributory
86	Essex Street	Federation	Contributory	Contributory
87	Essex Street	Post War	N/A	Neutral
89	Essex Street	Post War	Contributory	Neutral
91	Essex Street	Inter War	Contributory	Neutral
93	Essex Street	Inter War	Contributory	Contributory
95	Essex Street	Inter War	Contributory	Contributory
97	Essex Street	Inter War	Contributory	Contributory
99	Essex Street	Late 20th Century	N/A	Non Contributory
101	Essex Street	Inter War	N/A	Neutral
103	Essex Street	Inter War	Contributory	Contributory
15	Maida Road	Late 20th Century	N/A	Non Contributory
38	Essex Street	Inter War	Contributory	Neutral

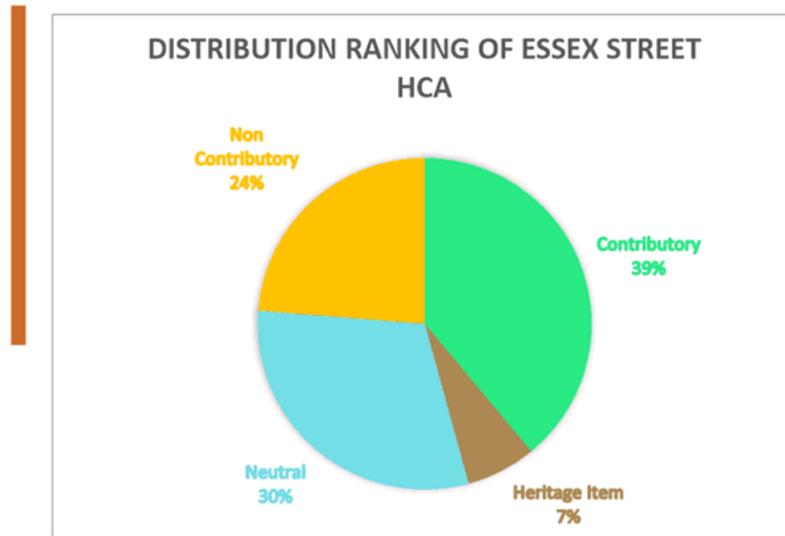


Figure 58: Distribution of Ranking of Essex Street HCA.

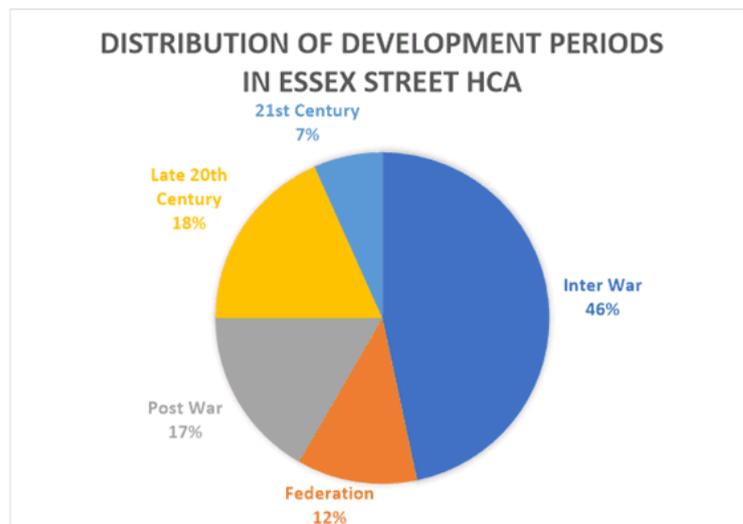


Figure 59: Distribution of Development Periods of Essex Street HCA.

7.5 Rosebank Avenue Heritage Conservation Area

The Rosebank Avenue HCA consists of approximately eighteen (18) properties and one (1) street and is located in the north-western portion of the Epping Town Centre Study Area. All properties within the HCA address Rosebank Avenue.

7.5.1 Previous Contributions Ranking

There are currently two (2) Heritage Items listed under Part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the Rosebank Avenue HCA (Figure 60). These two heritage items within the HCA are of local significance.

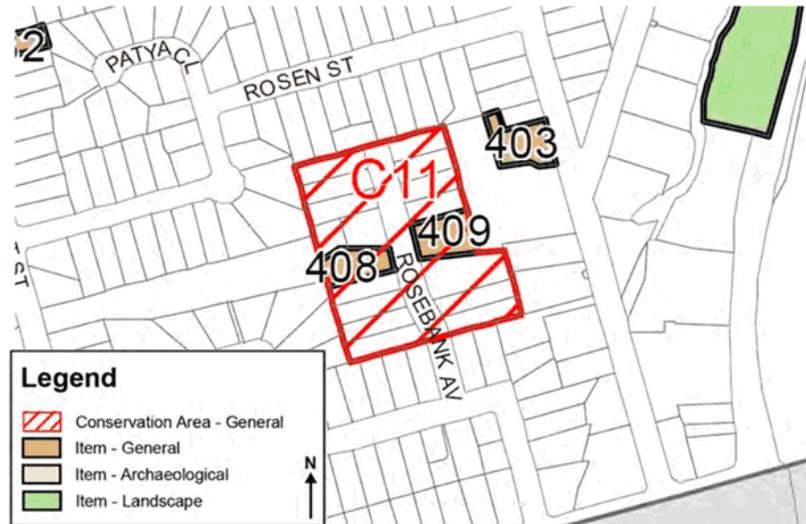


Figure 60: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Rosebank Avenue HCA (Source: Heritage Map 11, Hornsby LEP 2013)

Unlike the East Epping and Essex Street HCAs, an assessment of each property's contribution to the area was not conducted as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. Despite no contribution ranking being previously established for the Rosebank Avenue HCA, all except four dwellings within the area were constructed in 1938. The remaining three dwellings were constructed by 1942 and one in c.2007, which formed part of a subdivision of 15 Rosebank Avenue. As outlined in the Statement of Significance for the area in Section 6.4.4, the Rosebank Avenue HCA is a rare, fine and largely intact representative example of a residential development of an Inter War housing estate for the Hornsby Shire area. Due to the significance and intactness of the area, it can be stated that the relative contribution of each property within the Rosebank HCA is high, as determined through previous heritage assessments of the area.

7.5.2 Review of Contributions Ranking

Whilst Heritage Items within the Rosebank Avenue HCA were identified within the *Epping Town Centre Heritage Review*, the relative contribution of the properties was not addressed. In order to gain a greater understanding of all properties' relative contribution to the established significance of the Rosebank Avenue HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The relative contribution of individual building towards the significance of the Rosebank Avenue HCA is depicted in Figure 61 and further detailed in the following table. The distribution of rankings and development periods are further summarised in Figures 62 to 64.



Figure 61: Rosebank Avenue HCA Contribution Map.



Figure 62: Rosebank Avenue HCA Contribution map with distribution of periods overlay

Ranking of Properties in Rosebank Avenue HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
1	Rosebank Avenue	Inter War	Not assessed	Contributory
2	Rosebank Avenue	Inter War	Not assessed	Contributory
3	Rosebank Avenue	Inter War	Not assessed	Contributory
4	Rosebank Avenue	Inter War	Not assessed	Contributory
5	Rosebank Avenue	Inter War	Not assessed	Neutral
6-8	Rosebank Avenue	Inter War	Not assessed	Contributory
7	Rosebank Avenue	Inter War	Not assessed	Contributory
9	Rosebank Avenue	Inter War	Heritage Item	Heritage Item
10	Rosebank Avenue	Inter War	Heritage Item	Heritage Item
12	Rosebank Avenue	Inter War	Not assessed	Contributory
13	Rosebank Avenue	21st Century	Not assessed	Neutral
14	Rosebank Avenue	Inter War	Not assessed	Contributory
15	Rosebank Avenue	Inter War	Not assessed	Contributory
16	Rosebank Avenue	Inter War	Not assessed	Contributory
17	Rosebank Avenue	Inter War	Not assessed	Contributory
18	Rosebank Avenue	Inter War	Not assessed	Contributory
19	Rosebank Avenue	Inter War	Not assessed	Contributory
21	Rosebank Avenue	Inter War	Not assessed	Neutral

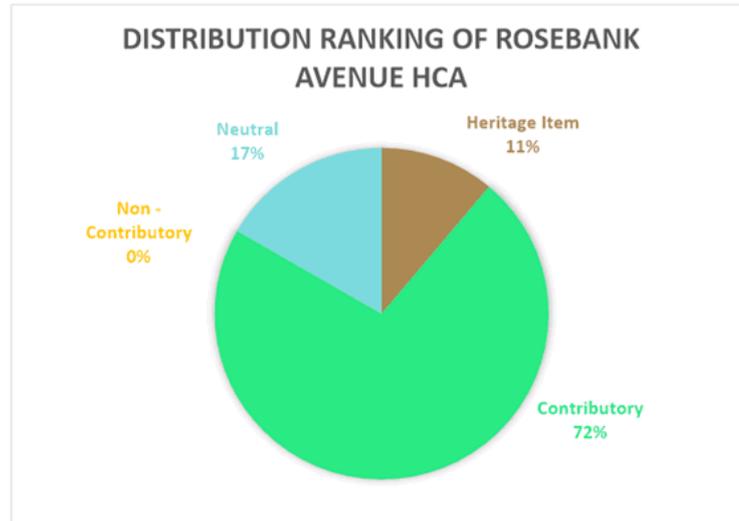


Figure 63: Distribution of Ranking of Rosebank Avenue HCA.

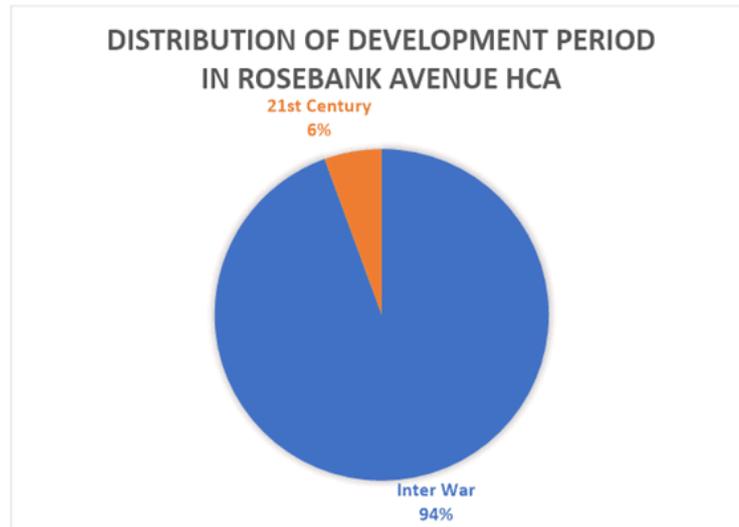


Figure 64: Distribution of Development Periods of Rosebank Avenue HCA.

7.6 Summary of Findings

7.6.1 East Epping Heritage Conservation Area

As established in Section 7.6.1, the East Epping HCA, retains its heritage significance as determined through previous studies of the area. Despite the previous contributory ranking of the East Epping HCA ranking more properties as being Contributory, the Neutral ranking awarded to the majority of properties within the HCA was primarily due to unsympathetic additions and alterations made to Federation and Inter War properties which rendered some of these properties a Neutral ranking rather than a Contributory ranking. Detailing of properties which are of the characteristics of the Federation and Inter War period could be altered to reflect the key characteristics of their respective development periods, restoring them to a ranking of Contributory. For example, this could include reinstating balconies which have been closed in, removal of unsympathetic carports, restoration of period detailing, such as exterior timber work, removal of uncharacteristic details and replacement with characteristic details.

Of the 253 properties located within the area, a total of 44% of the area is comprised of heritage items and contributory buildings and including all neutral buildings makes up a total of 89% of properties within the area. The area was confirmed to have a predominantly Federation and Inter War period character, with a total of 29% Inter War and 19% Federation properties, reflecting the early periods of development of the area following the subdivision of the Field of Mars. Post War, Late 20th Century and 21st Century properties total 37% all together; however, are scattered throughout the Inter War and Federation period properties of the area. Only one property was dated from the Victorian period at 70 Chester Street and another property was vacant, at 29A Chester Street. The vacant property previously had an Inter War Bungalow constructed on the site, and it appears that this building was demolished sometime after the 2013 study.

The high percentage of Neutral ranked properties was further due to a number of properties being subdivided, where it is typically seen in the area for an original Inter War or Federation period home to be sited at the front of the site, and newer dwelling being erected at the rear of the property, which would have served as the back yard of the original property. Due to

these rear properties not being visible from the streetscape, all of these properties have been ranked as Neutral, as they neither enhance nor detract from the overall characteristic detail of the HCA.

Whilst the area has retained its established heritage significance, the East Epping HCA requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. This is of particular concern along the south-western edge of the area, where properties located along Essex Street, Norfolk Road and the very western properties of Chester Street. Recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which are also addressed in Section 8.0.

7.6.2 Essex Street Heritage Conservation Area

As established in Section 7.6.2, the Essex Street HCA, retains its heritage significance as determined through previous studies of the area. The ranking of properties as contributory has remained relatively the same as the previous rankings in 2013, with eight (8) properties being ranked as Neutral rather than Contributory, primarily due to unsympathetic alterations and additions to Inter War period dwellings, which has reduced the integrity of the buildings. One Inter War period weatherboard building, at 38 Essex Street, has sustained significant fire damage during 2016, with none of the original roof remaining. Despite being burnt out, the external façade remains, although damaged, and was awarded a Neutral ranking.

Of the sixty (60) properties located within the area, a total of 45% are comprised of heritage items and contributory buildings, and including all neutral buildings include a total of 75% of properties within the area. The area was confirmed to have predominantly Inter War period character, with a total of 46% of properties dating the period, reflecting the subdivisions of the farmlets located along the southern end of Essex Street from the 1920s. Federation period properties also still remain in the area, totalling 14%. These properties are scattered along the street, reflecting the earlier larger subdivision pattern of this area of the Epping Town Centre. The remaining properties, totalling 42% are composed of Post War, Late 20th Century and 21st Century properties. These later period properties are primarily located toward the centre of the Essex Street HCA.

Whilst the area has overall retained its integrity and character, the Essex Street HCA requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. Particular areas of concern are the interface areas between the Essex Street properties located on the western side of the street, between Epping Road and Maida Road, where multiple high density residential developments are currently underway or have recently been approved. The recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which is also addressed in Section 8.0.

7.6.3 Rosebank Avenue Heritage Conservation Area

As established in Section 9.3, the Rosebank Avenue HCA, retains its heritage significance as determined through previous studies of the area. All properties within the area, except for 13 Rosebank Avenue, date to the original development of the Avenue as part of the Rosegrove Estate. All properties maintain their original Inter War period character; however, some modifications to two properties within the area, 5 and 21 Rosebank Avenue, have resulted in some period detailing being removed or modified, rendering in these properties being awarded a Neutral ranking. Despite this Neutral ranking, these two properties continue to contribute toward the character of the Rosebank Avenue HCA and could be returned to a Contributory ranking with reinstatement of period detailing and removal of unsympathetic modifications.

Of the 18 properties located within the area, a total of 88% of the area is comprised of heritage items and contributory buildings, and with inclusion of all neutral buildings make up a total of 100% of properties within the area. Only one property in the area dates from the 21st century, being 13 Rosebank Avenue, which lies directly behind 15 Rosebank Avenue. The new property is not visible from the street and is single storey, resulting in no impact to the significant streetscape qualities of the area.

Although the Rosebank Avenue HCA retains its integrity and established heritage significance, the area requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. Areas of particular concern are properties within the Rosebank Avenue HCA which share a property boundary with high density residential developments on Cliff Road and Hazlewood Place. Recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which is also addressed in Section 8.0.

8. Community Consultation

8.1 Previous Community Issues and Concerns

Further to the re-assessment of the significance and integrity of the East Epping, Essex Street and Rosebank Avenue HCAs, this study sought feedback from the local community, property owners and heritage groups, on the issues which have arisen following the listing of each of the three HCAs after the 2013 study, and the current development of medium and high density residential development which are impacting upon the properties within HCAs that have the interface zone with these developments.

Prior to the beginning of this study, many community members and property owners of each of the three HCAs had made contact with Hornsby Council and the City of Parramatta Council to express their various concerns on the impact of heritage listing of HCAs, individual properties and the impact of medium and high density residential development. City of Parramatta Council provided letters from property owners and community groups over various concerns relating to heritage matters within the three HCAs. Of the material provided to City Plan Heritage, the following letters were included and are summarised as follows:

Letter Addresser	Issues and Concerns Raised
Property Owner of 42 Essex Street	Owner of 42 Essex Street request for property to be removed as a heritage item and be removed from Schedule 5 of the LEP (17 January 2016)
Epping Civic Trust	Epping Civic Trust supports the listing of the Essex Street Conservation Area, and supports the maintenance of the HCA's boundaries and the updating of the Section 9.4 of the DCP to include additional transitional measures to assist in mitigation impact from high density development (19 January 2015)
Damien Tudehope MP (Member for Epping)	Damien Tudehope MP (Member for Epping) requested for an immediate review as to the appropriateness of the continuation of the heritage conservation area in Essex Street and for Council to develop a new LEP that would act as a master plan for the redevelopment of the Essex Street precinct (provided the HCA is removed) (15 June 2015);
Property Owner of 1 Essex Street	Property owners of 1 Essex Street objection to listing of 1 and 3 Essex Street within the East Epping Heritage Conservation Area, and removal of 3 Essex Street as a heritage item. Further request for both properties to be rezoned as high density residential and equivalent building heights (18 September 2015);
Essex Street HCA Residents	Petition letter from residents of Essex Street HCA, requesting for a review of the Essex Street HCA, due to the burden the 'imposed' HCA zoning has on the properties within the zone. 38 residents of Essex Street signed the petition (16 December 2014)

The overwhelming number of the letters received from community members opposed the listing of the Essex Street and East Epping HCAs, in addition to the individual listing of 3 Essex Street and 42 Essex Street. The only letter not objecting to the removal of any HCA was from the Epping Civic Trust, who support the listing of the Essex Street HCA and encourage further planning controls to be included in the Hornsby DCP 2013.

8.2 Site Visit Consultation

In order to assess the current impact of high and medium density residential development at interface areas within the East Epping, Essex Street and Rosebank Avenue HCAs site visits with specific property owners were organised over two days, 21 and 22 March 2017. The

purpose of the site visits was two-fold, the first, to assess the impact of the high and medium density residential developments which lay adjacent to properties located within the HCAs, and the second, to gather and understand the issues and concerns of individual property owners on both the listing of each of the HCAs, and the impact that development was having upon them.

Whilst appointments were organised with individual property owners at allocated times, additional consultation was also conducted with property owners who had not secured an appointment was also undertaken. The below table outlines the property owners of whom City Plan Heritage consulted with and obtained their general issues and concerns relating to the East Epping, Essex Street and Rosebank Avenue HCAs and the impact of high and medium density. The issues and concerns raised are listed in no particular order.

HCA	Property Owners Consulted	General Issues and Concerns Raised
East Epping	3 Essex Street	<ul style="list-style-type: none"> ▪ Concerned about the impacts of high density residential development on their privacy ▪ Visual and physical impact of development on rear fence ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Some owners considering moving away from area due to impact of development ▪ Some owners experiencing health issues due to construction of developments ▪ Some owners unclear why their properties are included in the HCA ▪ Documentation from the property owners of Norfolk Road and Pembroke Streets was submitted to CPH for review as part of this phase of consultation. This documentation has been taken into consideration and is addressed in Section 11.5.
	25 Pembroke Street	
	1 Norfolk Road	
	3 Norfolk Road	
	3A Norfolk Road	
	5 Norfolk Road	
	7 Norfolk Road	
	7A Norfolk Road	
Essex Street	40 Essex Street	<ul style="list-style-type: none"> ▪ Visual and physical impact of development on rear fence ▪ Loss of privacy in rear yards ▪ Safety concerns ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Mature trees under threat or have been removed due to development ▪ Would like to add to existing properties, but not sure if substantial extensions would be approved due to HCA.
	42 Essex Street	
	46 Essex Street	
	52 Essex Street	
	54 Essex Street	
	64 Essex Street	
	66 Essex Street	
Rosebank Avenue	1 Rosebank Avenue	<ul style="list-style-type: none"> ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Some owners considering moving away from area due to impact of development. Would not have considered before the land surrounding the HCA was rezoned. ▪ Mature trees under threat or have been removed due to development
	2 Rosebank Avenue	
	5 Rosebank Avenue	

8.3 Community Workshops

Two community workshops were conducted by Parramatta City Council on 1 and 3 May 2017. Each workshop was facilitated by Straight Talk who will be composing a report for inclusion in the Discussion Paper to be prepared by the City of Parramatta Council. Each of the two community workshops were geared toward two groups, the first with property owners within the HCAs and the second with community members with general interest in the heritage review.

As part of these workshops, a short presentation by both the City of Parramatta Council and City Plan Heritage was conducted before the proceedings of the workshop activities.⁸ The City of Parramatta Council's presentation provided explanation as to the context and aims of the heritage review, as part of the Epping Planning Review which aims to:

1. Progress work undertaken by the Department of Planning & Environment, completed in March 2014;
2. Consolidate the planning controls to create one set of planning controls across the Town Centre and immediate surrounds; and
3. Provide a consistent approach to managing the high level of interest from developers within the centre.

In addition, the two stage approach of the Epping Planning Review was outlined as follows:

- **Stage 1 - December 2016 to December 2017**

1. Community consultations;
2. The preparation of 4 technical studies on: heritage conservation areas; traffic; social infrastructure; and commercial land uses;
3. The exhibition of a discussion paper in mid 2017, including getting public feedback;
4. Endorsement of key principles in late 2017

- **Stage 2 - from 2018 onwards:**

1. The preparation of new planning controls, including:
 - New Local Environmental Plan (LEP)
 - New Development Control Plan (DCP)
 - New Section 94 Plan

City Plan Heritage presented the information gathered to date (1 and 3 May) for the heritage review, to contextualise the study and provide clarification of the aims and scope of the study to the community members attending the workshops. The information presented at both workshops included the following:

- Scope of the brief;
- Methodology of heritage review;
- Brief History of the Epping Town Centre Area;
- Field Survey Ranking Criteria; and
- Overview of characteristics of East Epping, Essex Street and Rosebank Avenue HCAs.

As both of the community workshops took place before any recommendations had been made by City Plan Heritage to the City of Parramatta Council, all information presented at both of the workshops were at a preliminary stage.

⁸ A copy of the presentation from the community workshops conducted on the 1 and 3 May can be found via: <https://www.cityofparramatta.nsw.gov.au/about-parramatta/precinct-planning/epping-planning-review> (accessed on 15 May 2017)

Following City Plan Heritage's presentation, Straight Talk facilitated workshop discussions, based around three target questions as follows:

1. Values:
 - What do you value most about the Heritage Conservation Areas?
2. Experiences:
 - What is your experience around development in this area?
 - What do you see as being the key concerns when it comes to development regarding the Heritage Conservation Areas?
3. What should Council Consider?
 - What do you think Council should take into consideration when reviewing the planning controls for the Heritage Conservation Areas?

For the workshop on 1 May 2017, attendees were seated according to the street on which they lived, whilst for the workshop on 3 May 2017, attendees were seated wherever they wished. A summary of the results of these two workshops are outlined in the below tables.⁹ A detailed summary of the Community Workshops is contained within the report prepared by Straight Talk.

1 May 2017 - Directly Affected Community Members Workshop	
Key Insights	<ul style="list-style-type: none"> ▪ The current aesthetic of the area is highly valued. Greenery in general makes the area inviting and gives the streets a 'lovely' feel ▪ Low density buildings are perceived to add space and safety. This adds to the family-friendly character of the suburb ▪ There was comment that over-development raises issues regarding traffic, privacy, noise and rubbish. These things were among a number of other anxieties which relate to the 'destruction' of the overall quality of the suburb ▪ Traffic and parking was perceived to be a major issue. General congestion from increasing numbers of residents who may tenant new apartment blocks as well as commuters who travel through Epping on their commute to the city and other areas for work and during the week raise questions around how this will be managed for the future ▪ Participants believe that future planning and development should be consistent and appropriate for each section of the local area. Suggestions to apply transition zones to new developments were made ▪ A majority of the attendees supported a consideration of removing in whole or in part the HCAs which are part of the Heritage Review. This was particularly apparent in regards to Rosebank Avenue and Essex Street HCAs, as they are perceived the community members to now be compromised by new development in general.
Group Exercise 1 <i>Values: What do you value the most about your neighbourhood</i>	The most often mentioned values included: Proximity to public transport and schools, green, peaceful, community, heritage, suburban, consistency, privacy, open space, safety, gardens, pool, low-density, convenience and accessibility. Alongside listing these values, many participants expressed their concern about losing them because of new development. Some participants found this exercise difficult since they believe that the area has already changed significantly and therefore they struggled to identify any existing values.

⁹ The summary of findings of the Community Workshops have been provided by Straight Talk and are incorporated into the subject tables. Some amendments have been made to these summaries where clarification or additional information from the Community Workshops observed by CPH was deemed to be relevant for inclusion within these summaries.

<p>Group Exercise 2 <i>Experiences: What is your experience around development in this area? What do you see as being the key concerns when it comes to development regarding your street or neighbourhood?</i></p>	<p>Participants mentioned several different concerns including: Traffic issues and inadequate parking, visual and privacy issues concerning low and high-density housing immediately next to each other, increasing pollution and noise issues, lack of open and green spaces, confusion about what characterises an HCA and a wish to remove the heritage listing, lack of political transparency, safety, decrease in resident's mental health, negative economic consequences for residents, affected infrastructure and closing down of local shops and services.</p>
<p>Group Exercise 3 <i>Proposals: What do you think Council should take into consideration when reviewing the existing planning controls?</i></p>	<p>The proposals to Council were concentrated around four subjects. Firstly, numerous participants expressed a wish for Council to review the HCAs under the current Heritage Review and to consider removing the HCAs in whole or in part. On the other hand, others stated that heritage items should be protected. Appropriate planning and development was another key matter and here participants suggested height restrictions on new development, buffer zones between low and high-density housing and well-designed new development as significant matters. Participants wanted Council to focus on improving Epping's infrastructure which, it was felt, is currently not geared for the increasing population. Improving parking facilities was particularly emphasised. Finally, it was suggested that Council preserves existing greenery and community spaces as well as expand these.</p>

3 May 2017 - General Community Members

<p>Key Insights</p>	<ul style="list-style-type: none"> ▪ The aesthetic appeal of the suburb is highly valued. This incorporates the gardens, low density and heritage buildings in the area and contributes to the feeling that the area is protected and has a good sense of community ▪ Low traffic and easy access to public transport is also highly valued ▪ Many say that the HCAs in the area need to be preserved in order to retain the living history of the area ▪ Increasing building heights cause concern for participants who say this causes problems around privacy and shadowing ▪ Some participants believe that building and planning controls need to be more strictly monitored so developers follow through on their obligations ▪ There is concern that the character of the suburb will be lost and the voices of residents will be over-shadowed by developers ▪ Consistency in future planning controls is desired.
<p>Group Exercise 1 <i>Values: What do you value the most about your neighbourhood</i></p>	<p>The most often mentioned values included: Green, heritage, history, architecture, consistency, low-density, peaceful, low-traffic, consistency, gardens, size, open spaces, beauty, community, wildlife. Alongside listing values, some participants explicitly expressed that they would like to see the HCAs expanded or maintained.</p>
<p>Group Exercise 2 <i>Experiences: What is your experience around development in this area? What do you see as being</i></p>	<p>Participants mentioned several different concerns including: Visual and privacy issues concerning low and high-density housing immediately next to each other, traffic issues and inadequate parking, environmental impacts affecting vegetation and wildlife, new development undermining the value of the HCAs and a wish to extend the HCAs, violation of planning and building by developers, loss of the area's identity and architectural character.</p>

<p><i>the key concerns when it comes to development regarding your street or neighbourhood?</i></p>	
<p>Group Exercise 3 <i>Proposals: What do you think Council should take into consideration when reviewing the existing planning controls?</i></p>	<p>The proposals to Council were concentrated around four subjects. Firstly, a number of participants stated that they would like for the HCAs to be preserved and many further mentioned that they would prefer an extension of the HCAs. Some mentioned that the HCAs should be reviewed since their value has changed due to the new development and therefore consideration of the removal of the HCAs, in whole or in part, should be considered by Council. Many were concerned about protecting heritage housing and other items. Appropriate planning and development was another central matter and here participants suggested height restrictions on new development, control of floor space ratios, buffer zones between low and high-density housing and well-designed new development as significant matters. More control over developers was put forward as an important matter and finally, protecting the architectural value of Epping. Participants pointed out the need to improve Epping's infrastructure which, it was felt, is currently not geared for the increasing population. Improving parking facilities and minimising stormwater issues were mentioned. Finally, it was suggested that Council preserves existing greenery and community spaces as well as expand these.</p>

8.4 Submissions from Community Members Following Workshops

If any attendees of the Community Workshops wished to raise any additional issues, or submit documentation in regards to the heritage review, they were encouraged to do so through submitting written documentation to the City of Parramatta Council. Copies of all additional documentation from attendees was forwarded onto City Plan Heritage following recording by the City of Parramatta Council. A summary of the additional documentation received from community members from each of the workshops is summarised in the below table.

Topic/Issue	Documents received	CPH Comments
Impact of High Density Development on Rosebank Avenue HCA	<ul style="list-style-type: none"> ▪ Manuscript of Hornsby Shire Council Meeting, 12 August. ▪ Draft Zoning Map prior to UAP ▪ Images of Cliff Road development from and in Rosebank Avenue 	Consideration of the documentation provided in regards to the impact of high density residential development on the Rosebank Avenue HCA has been considered in Sections 9.3 and 10.3.
Rosebank Avenue draining disposal point and proposed tree removal	<ul style="list-style-type: none"> ▪ Request for additional information - DA/1292/2015 dated 10 March 2016 ▪ Email from Chris Fraser, Hornsby Shire Council to Richard and David (unknown surnames), no date included 	During the site visits to Rosebank Avenue on the 21 and 22 March, CPH was made aware that a proposal for the removal of some trees on the western side of Rosebank Avenue was proposed by Council in order to accommodate stormwater drainage for the recent high density residential development located on Cliff Road. The documentation supplied provides evidence for this matter. It is noted by CPH that the email from Chris Fraser (Hornsby Shire Council) does indicate that the seven (7) trees to be impacted,

		<p>including Peppermint Gum, Brush Box and 5 Scribbly Gums could possibly be retained after the proposed works.</p> <p>To date, it does not appear that any works have commenced in regards to the installation of the stormwater draining for the developments on Cliff Road, however, the loss of these trees would negatively impact upon the setting of Rosebank Avenue, which currently is a leafy street, lined by street trees and enhanced by properties front gardens and mature plantings and trees. If it is not possible to maintain all trees due to the installation of the stormwater drain, as suggested within the email supplied it is recommended to the City of Parramatta Council that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained. This matter has also been included within Section 8.5.</p>
<p>Uncharacteristic features in Rosebank Avenue HCA</p>	<ul style="list-style-type: none"> ▪ Images of 5, 21 and 22 Rosebank Avenue with notes on recent renovations to properties 	<p>The two properties located within the Rosebank Avenue HCA, being 5 and 21 Rosebank Avenue, were noted in the field survey as being of 'Neutral' ranking, due to the alterations and additions to the properties which have removed characteristics details as noted in Sections 7.5.2 and 7.6.3.</p> <p>Both 5 and 21 Rosebank Avenue could be returned to a 'Contributory' ranking with reinstatement of period detailing and removal of unsympathetic modifications, as noted in Section 7.6.3.</p> <p>22 Rosebank Avenue is located outside of the Rosebank Avenue HCA and was not assessed for its contribution to the Rosebank Avenue HCA, however, it was noted that although the building located on the property is modern, the single storey scale and form of the building is considered to be moderately sympathetic to the HCA.</p>
<p>Request for extension of Essex Street HCA</p>	<ul style="list-style-type: none"> ▪ Email from Friends of Terry Creek requesting extension of Essex Street HCA to the south 	<p>Whilst it is acknowledged that the southern end of Essex Street, south of Abuklea Road does continue the character of the leafy streetscape of Essex Street, an assessment for the extension of the Essex Street HCA was not undertaken as part of this heritage review and laid outside of the scope of the brief.</p> <p>However, it is recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's</p>

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Planning Proposal various properties Epping

		boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
Heritage Houses and Areas	<ul style="list-style-type: none"> List of sixteen (16) 'heritage houses and areas' located in and around Epping 	No other notes than the list of 'heritage houses and areas' was provided. Unsure of purpose of list.
Heritage Houses and Non-Heritage Houses in Epping	<ul style="list-style-type: none"> Images of houses located in Rosebank Avenue Images of heritage houses located in Epping (not able to determine from which locations in Epping) Images of new apartment developments and late twentieth and early twenty-first century single and two storey residential developments 	<p>No other notes other than the photographs provided, and the labelling of images as either A, B, C or D was provided. The intention of the images provided is unknown to CPH, however, the majority of the houses contained within the photographs are located within either Rosebank Avenue, Essex Street and East Epping HCAs.</p> <p>If the intention of the photographs was to delineate between properties which contribute and which do not contribute toward the significance of each of the HCAs, reference should be made to Section 7 for the ranking of individual properties within each HCA for comparison.</p>
Chester Street Epping and Epping Town Centre Heritage Studies	<ul style="list-style-type: none"> Assessment of the cultural significance of cottages, Clive Lucas Stapleton & Partners, November 1992 Cottages: 19-21 Chester Street, Epping, Tropman & Tropman Architects, February 1993 Houses at 19 and 21 Chester Street, Epping, Robert Irving, February 1993 Objection to initial development 19 Chester Street, Rod Howard, June 1993 East Epping Conservation Evaluation and Review, Tropman & Tropman Architects, October 2001 Parramatta Council statement of HSC Epping Town Centre Study, Parramatta Council, July 2011 Epping Town Centre Study - Report on submissions. Hornsby Council, June 2012 Epping Town Centre Review, Clive Lucas, 	<p>The documentation provided covered a range of issues and concerns dating from as early as 1992. The information provided provides background to the development of 19 Chester Street and the listing of both 21 and 23 Chester Street as local items in the Hornsby LEP.</p> <p>Further documentation provided for objections and recommendations relating to previous Epping Town Centre Heritage Studies, particularly in relation to the East Epping HCA.</p> <p>No current issues are raised in the documentation provided, however, they did provide further background as to the development and listing of items on Chester Street and the listing of the East Epping HCA which included properties located on the southern side of Chester Street.</p> <p>Both 21 and 23 Chester Street are included for review in the current Hornsby Heritage Review - Stage 6. The information relating to the history, architectural features and significance of both items provided in the documentation have been integrated into the updated Inventory Forms for both items. Refer to Section 13 and Appendix A for information regarding both 21 and 23 Chester Street, Epping.</p>

	<p>Stapleton & Partners, July 2012</p> <ul style="list-style-type: none"> ▪ Draft Hornsby LEP, Clive Lucas Stapleton & Partners, February 2013 ▪ Epping UAP impact on East Epping HCA, Clive Lucas Stapleton & Partners, February 2013 ▪ Epping Town Centre Heritage Review, Perumal Murphy Alessi, March 2013 ▪ Epping Town Centre - Draft Plans and Policies, May 2013 ▪ Hornsby Shire Council Heritage Review Stage 5 East Epping HCA, Clive Lucas, Stapleton & Partners, September 2013 	
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8.5 Summary and Recommendations Arising from Community Consultation

The issues and concerns raised by property owners, community members, and local community groups of Epping have been taken into account throughout this Heritage Review. Some key issues and concerns were raised throughout the process in regards to issues outside of the scope of heritage concerns, particularly in relation to amenity, privacy, safety, traffic, green space, and a number of other issues as discussed throughout this section. Where issues and concerns raised throughout the community consultation phase were in direct relation to heritage matters, these have been addressed and incorporated throughout this report. The concerns of the community have been taken into account throughout the reassessment of the significance of each of the HCAs contained within this review (Sections 6 and 7), with particular attention to the impact of high density residential development being addressed in Section 9.

Two specific recommendations relating to heritage also arose from this Community Consultation phase, which are detailed as follows:

- It is recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
- CPH was made aware during the site visits to Rosebank Avenue that a proposal for the removal of some trees on the western side of Rosebank Avenue was proposed by Council in order accommodate stormwater drainage for the recent high density residential development located on Cliff Road. The documentation supplied indicated that seven (7) trees were to be impacted, including Peppermint Gum, Brush Box and 5 Scribbly Gums, however, could possibly be retained after the proposed works. As it does not appear that any works have commenced to date in regards to the installation of the stormwater drainage for the developments on Cliff Road, it is recommended for either the trees to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

9. Assessment of Impact of Recently Approved Development Applications in Interface Areas

The following sub sections provide a diagrammatic and visual overview of recently approved developments, which have been either approved, are under construction, or have been completed, and which lay adjacent to the boundaries of East Epping, Essex Street and Rosebank Avenue HCAs.

As part of the Community Consultation phase, which has been documented in Section 8.0, access to the rear yards of the properties, which lie in the interface area of medium and high density residential development, was granted in order to establish and document the impact of the adjacent development has or will have on the setting, context, curtilage, character, landscape and most of all significance of each HCA.

The impact of these developments is assessed in Section 10.0 in regards to their impact on the overall significance of each of the East Epping, Essex Street and Rosebank Avenue HCA's. The significance, current integrity and intactness of each HCA, as determined in Sections 6.0. and 7.6, was factored in as part of this analysis.

9.1 East Epping HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western side and southern edges of the East Epping HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
7-9 Essex Street, Epping	DA/1110/2014
11 Essex Street	PL/180/2016
15-19 Essex Street, Epping	DA/648/2016
46-50 Pembroke Street, Epping	DA/672/2016
38-44 Pembroke Street Epping	DA/1505/2014



Figure 65: Recently approved developments in interface area with R4 - High Density Residential Development East Epping Heritage Conservation Area (Source of Basemap: Hornsby Shire Council)

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Figure 66: View of recent development at 38-44 Pembroke Street from 1 Norfolk Road (left) and view from rear of 7A Norfolk Road to adjacent rear of 15 -19 Essex Street, which has been recently approved for high density residential developments (right).



Figure 67: View of development at 7-9 Essex Street as viewed from Rockleigh Park to the north-east of the development (left) and view of development from Essex Street (right). The subsequent 4 properties located to the south of 7-9 Essex Street are approved for development of high density residential development

9.2 Essex Street HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western edge of the Essex Street HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
1 Forest Grove, Epping	DA/1606/2014
3-7 Forest Grove, Epping	DA/852/2016
20-24 Epping Road, Epping	DA/327/2015
3-7 Forest Grove, Epping	DA/358/2015
9-11 Forest Grove, Epping	DA/963/2014
15-17 Forest Grove, Epping	DA/346/2015
23-25 Forest Grove, Epping	DA/304/2015
27-31 Forest Grove, Epping	DA/153/2015
18-22 Maida Road, Epping	DA/1491/2014
32-34 Essex Street, Epping	DA/1002/2014



Figure 68: Recently approved developments in interface area with R4 - High Density Residential Development Essex Street HCA (Source of Basemap: Hornsby Shire Council)



Figure 69: Views from rear backyard of 66 Essex Street: looking west toward 23 and 25 Forest Grove (left); and looking south-west toward the development under construction at 27 Forest Grove.



Figure 70: Views from the rear of 42 Essex Street, a heritage item of local significance, toward the development at 20-24 Epping Road. As with 40 Essex Street, the high density residential development which is under construction lies directly behind the rear fence of the property, with minimal setback from the property line.



Figure 71: Above, view from opposite 44 Essex Street looking west. The high density residential development located at 1 Forest Grove is currently under construction, with the top two storeys visible over the roof top of 44 Essex Street. Right, view from the rear of 46 Essex Street toward the development at 1 Forest Grove. Whilst the development is very close the rear fence of 46 Essex Street the substantial planting in the property screens the majority of the development, lessening the developments impact.





Figure 72: View from rear back yard of 64 Essex Street, looking west toward the rear of 25 Forest Grove which has recently been approved for development of high density residential apartments.

9.3 Rosebank Avenue HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western and southern edges of the Rosebank Avenue HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
2-8 Hazlewood Place	DA/364/2015
22-34 Cliff Road	DA/714/2016
18-20 Cliff Road	DA/1602/2014
11-27 Cliff Road	DA/1447/2014
7-9 Cliff Road	DA/1436/2014
1-5A Cliff Road	DA/712/2016



Figure 73: Recently approved developments in interface area with R4 - High Density Residential Development adjacent to the Rosebank Avenue HCA (Source of Basemap: Hornsby Shire Council)



Figure 74: Views from rear yard of 1 Rosebank Avenue looking to the west (left) to the developments in Hazlewood Place and to the south to the developments on Cliff Road (right). Development is yet to begin on the adjacent properties to the south of 1 Rosebank Avenue, however development approval has been granted for high density residential development at 22-34 Cliff Road.



Figure 75: View from rear yard of 1 Rosebank Avenue looking to the north-west toward the development at 4 Hazlewood Place and the rear yard of 3 Rosebank Avenue (left) and view from 5 Rosebank Avenue looking west. The rear of 5 Rosebank Avenue does not have any mature tree plantings in order to help screen the new development (right).



Figure 76: View from 4 Rosebank Avenue looking to the west toward the Hazlewood high density residential development visible above the roof lines of 3 and 5 Rosebank Avenue (left) and view from 4 Rosebank Avenue looking south toward Cliff Road, with development visible in the background (right).



Figure 77: Entrance to Rosebank Avenue from Cliff Road. Development is underway visible to the left at 1-5A, 7-9 and 11-27 Cliff Road. Development approval has also been granted for 22-34 Cliff Road, visible to the right, however construction has not begun as yet. The entrance to Rosebank Avenue will be surrounded by high density residential developments following the completion of the approved constructions.

10. Recommendations for Amendments to Heritage Conservation Areas

The following section outlines the recommendations for amendments to the East Epping, Essex Street and Rosebank Avenue HCAs based upon the findings of the heritage assessment of each HCA, and consideration of the issues and concern raised during the community consultation phase of this study.

10.1 East Epping HCA and Individual Items Recommendations

In consideration of the reviewed assessment of the East Epping HCA, and the issues and concerns raised by the community in relation to the East Epping HCA associated with the impact of high density residential development on the western edge of the East Epping HCA boundary, it is recommended that a slight change to south-western boundary of the HCA be implemented. It is recommended that the following four (4) properties to be removed from the boundaries of the East Epping HCA and the boundaries of the HCA be adjusted accordingly as in Figures 78 and 79:

No.	Address	Development Period	Ranking
25	Pembroke Street	Federation	Contributory
1	Norfolk Road	Late 20th Century	Non Contributory
3	Norfolk Road	21st Century	Non Contributory
3A	Norfolk Road	21st Century	Neutral



Figure 78: East Epping HCA Contribution Ranking with Development Period overlay. The four properties recommended to be removed from the HCA are outlined in pink.

The recommendation of the removal of these four properties from the East Epping HCA is made due to the combination of the impact of the high density residential development at the rear of these properties and their relative contribution to the area. 1, 3, and 3A Norfolk Road are all new single and double storey dwellings, dating from the late 20th Century and early 21st Century. The style and age of these three dwellings are not in keeping with the Federation and Inter War characteristics of the East Epping HCA, thus resulting in the dwellings not contributing to the significance of the area. On the other hand, 25 Pembroke Street is a Contributory building for the East Epping HCA, however, will soon be isolated from similar properties of Federation and Inter War periods as a result of the rezoning of the southern side of Pembroke Street being an R4-High Density Residential Zone and properties to the west of 25 Pembroke also being zoned as R4-High Density Residential Zone. Whilst exhibiting characteristics of the Federation period, as a cottage with attached corner shop, the property is not considered to meet the threshold for individual heritage listing. Whilst it was noted in the *2013 Epping Town Centre Heritage Review* that this end of Norfolk Road, provided an entry way to the East Epping HCA, it is not until 9 Norfolk Road, which is a heritage item, that the characteristic streetscape features such as mature tree plantings, and built forms of the Federation and Inter War periods begin.¹⁰ Despite the heritage listed Epping Public School being located on the eastern side of this portion of Norfolk Road, the early buildings of the school are not located in the south-eastern end of the school grounds, instead, the Federation period buildings of Epping Public School begin directly opposite 9 Norfolk Road. From this start point, a true appreciation of the characteristics of the East Epping HCA can be experienced and observed.

If, as a result of 25 Pembroke Street being removed from the East Epping HCA, should in the future demolition of the property is proposed, it is recommended that a photographic archival recording be undertaken prior to the dwelling's demolition, and any significant fabric be salvaged and recycled in an appropriate manner.

In addition, it is recommended that both 1 and 3 Essex Street are retained within the East Epping HCA and for 3 Essex Street to maintain its heritage listing under the Hornsby LEP. An internal inspection of 3 Essex Street was conducted as part of the HCA review. The dwelling retains many original details both internally and externally, as detailed in Section 6.2.5. Despite the concerns of the property owner, of being surrounded by high density residential development and being located on the very edge of the HCA, 3 Essex Street along with 1 Essex Street will not be isolated sites. Another heritage item, the Scout Hall lies on the western side of Essex Street, as well as directly to the north is the Unity Church on Chester Street, also a heritage item. In addition, a recreational park lies directly to the south of 3 Essex and to the east is the East Epping HCA. Thus, 3 Essex Street will maintain its current setting and the high density residential development which is currently underway further south along Essex Street and further to the east close to the railway line will not affect the immediate context, curtilage and setting of either this section of the East Epping HCA or the Heritage Items themselves. Thus, it is recommended that both 1 and 3 Essex Street are maintained within the East Epping HCA and for 3 Essex Street to be maintained as a heritage item under the Hornsby LEP 2013. The Inventory Sheet for 3 Essex Street has been updated to reflect the current condition and setting of the property in Appendix A.

The recommended amendments to the boundary line of the East Epping HCA is depicted overleaf in Figure 79. Recommendations for the rezoning of properties recommended to be removed from the East Epping HCA are addressed in Section 11.5.

¹⁰ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 10.



Figure 79: East Epping HCA with amendment to boundary removing 25 Pembroke Street, 1, 3 and 3A Essex Street. The properties recommended to be removed are outlined in pink.

10.2 Essex Street HCA and Individual Items Recommendations

In consideration of the survey findings and reviewed assessment of the Essex Street HCA, and despite the issues and concerns raised by the community in relation to interface areas of the high density residential development on the western edge of the area, no changes to the Essex Street HCA boundary are recommended.

Following the reassessment of the Essex Street HCA it was determined that the integrity and significance of the Essex Street HCA was still intact, as determined through the two previous studies conducted on the HCA in 2013 and 2001, as discussed in Section 6.3. In addition, the properties which are located between Epping Road and Maida Road within the Essex Street HCA are predominantly Contributory properties, primarily dating from the Federation and Inter War periods. Of the twenty (20) properties located on the western side of the Essex Street between Epping Road and Maida Road of the HCA, one (5%) is a Heritage Item, nine (45%) are Contributory, five (25%) are Neutral, and five (25%) are Non-Contributory. Thus, 50% of the properties located within this section of the Essex Street HCA are Heritage Items and Contributory buildings, and with inclusion of all Neutral buildings, they make up 75% of this section of the HCA contributing to the intactness of the Essex Street HCA. Two of the current Neutral buildings located in this section of the HCA date from the Inter War period and could be ranked as Contributory, if original detailing is reinstated and/or detracting elements are removed, which could increase the number of contributory buildings to eleven (55%), totalling twelve (60%) properties being either Heritage Items or Contributory.

In addition, the impact of the high density residential developments on Forest Grove and Epping Road upon the Essex Street HCA was also assessed as part of this heritage review in Section 9.2. Whilst five and six storey developments were currently underway at the rear of properties located on the western side of Essex Street between Epping Road and Maida Road, the visual impact of these developments are not considered to have a major impact upon the significance of the Essex Street HCA. Due to the long lot size of each of the properties on the western side of Essex Street, coupled with existing mature trees and vegetation on each of the properties, the high density residential developments recede into

the background of the setting of the Essex Street HCA and do not dominate the streetscape of the HCA. The streetscape qualities of the HCA are not affected detrimentally by the interface R4-High Density development and the impact on the backdrop of the properties are not experienced along the street-long views and vistas. It is considered that the main impact of these close high density development is privacy issue and dominance at the rear boundaries, which are essentially related to planning matters rather than heritage matters.

If the removal of these twenty (20) properties from the HCA was considered, it would result in a detrimental impact to the identified and assessed heritage significance of the HCA. The removal of these properties would result in the most intact component of the HCA being lost, reducing the HCA by a third of its size and significantly impacting upon the streetscape of the northern end of the Essex Street HCA. Furthermore, properties located on the eastern side of Essex Street, which would remain in the HCA, would further be impacted upon by the removal of these twenty (20) properties, dislocating the relationship between the east and west sides of Essex Street. The intactness and significance of the Essex Street HCA would be irrevocably changed if these twenty (20) properties were to be removed, thus, it is recommended that the existing boundary of the HCA remain as is.

Whilst it is acknowledged that the high density residential developments have and will result in significant impacts for property owners adjoining these new developments in relation to privacy and individual views from properties, these impacts are not considered to be heritage issues and do not impact upon the heritage significance of the Essex Street HCA. Despite this, recommendations have been made in Section 11.0 to mitigate some of the issues, both current and future, experienced by both property owners in these interface areas and the setting of the Essex Street HCA.

In addition, it is recommended that 42 Essex Street be retained as a heritage item under the Hornsby LEP. A brief internal inspection of 42 Essex Street was conducted as part of the HCA review. The dwelling retains many original details both internally and externally, as evidenced in Section 6.3.5. Furthermore, in conducting a review of the history of the Epping Town Centre area, the association of the 42 Essex Street within the Mount Tomah Nursery that operated in the area in the 1890s was reconfirmed. The association of the timber weatherboard Federation cottage with the Vollmer and Vessey family is a significant link with the early development of the Epping Town Centre, at a time when orchards and nurseries dotted the landscape of Epping. Whilst the high density residential development occurring at 20-24 Epping Road does create some visual impact, in terms of setting of the rear yard of the property, this impact is not considered to erode the heritage significance of the property, in terms of its historic, aesthetic, associational and representative values. Thus, it is recommended that 42 Essex Street be maintained as a heritage item under the Hornsby LEP 2013.

10.3 Rosebank Avenue Conservation Area Recommendations

In consideration of the survey findings and reviewed assessment of the Rosebank Avenue HCA, and despite the issues and concerns raised by the community in relation to interface areas of the high density residential development on the western and southern edge of the HCA, no changes to the Rosebank Avenue HCA boundary are recommended.

Following the reassessment of the Rosebank Avenue HCA it was determined that the integrity and significance of the Rosebank Avenue HCA was still intact, as determined through the two previous studies conducted on the HCA in 2013 and 2003, as discussed in Section 6.4. The Rosebank Avenue HCA still remains as a rare example, at local level, of an intact Inter War streetscape within Epping and the Parramatta area and is one of few intact Inter War housing estates remaining. Despite some minor modifications to a couple of properties within the HCA, such as modified windows, enclosed balconies and uncharacteristic driveways, these modifications are only minor and do not detract from the overall heritage significance of the HCA.

The impact of the high density residential developments to the south and west of the Rosebank Avenue HCA, along Cliff Road and Hazlewood Place will result in a modified setting and curtilage to the Rosebank Avenue HCA, particularly from the entrance looking

north along Rosebank Avenue. The entrance to Rosebank Avenue will soon be flanked by a six storey development to the west and a five storey development to the east of the entrance to Rosebank Avenue; however, once reaching 1 and 2 Rosebank Avenue, the view of the HCA will be unobstructed by the high density residential development which lays to the south. The backdrop of 1, 3, 5, 7 and 7A Rosebank Avenue will be of mature trees and high density residential redevelopment; however, due to the long blocks, the separation from the rear of the dwelling and the new developments allows for enough of a buffer to prevent the encroachment of views of the high density development being seen from Rosebank Avenue. 1, 3, and 7 Rosebank Avenue currently have substantial mature trees located along the rear boundary fence, screening much of the view of the new developments. Only 5 Rosebank Avenue does not have substantial mature trees along the rear fence line, thus resulting in more views to and from the new development, both from Rosebank Avenue and from the 5 Rosebank Avenue. Whilst the new backdrop of 1, 3, 5 and 7 Rosebank Avenue, will minimise the current leafy backdrop of the Rosebank Avenue HCA, it is not considered to warrant the removal of individual properties or the whole HCA from the Hornsby LEP.

The Rosebank Avenue HCA is exceedingly rare in the area and remains largely intact. All properties have retained their original subdivision, except for 15 Rosebank Avenue, and all retain the original buildings constructed during the 1930s and 1940s. The detailing of the Inter War period, from Bungalow, Tudor and Spanish styles, is retained amongst all original properties. Coupled with the substantial street plantings, natural creek, and established gardens of each of the properties, the Rosebank Avenue HCA will still retain its significance even following the completion of development along Cliff Road and Hazlewood Place. Whilst it is regrettable that such a backdrop to some of the properties in the HCA will be affected by the new high density residential development, the area will still retain its integrity and characteristics that makes it rare Inter War period housing development.

Whilst it is acknowledged that the high density residential developments have and will result in significant impacts for property owners in relation to privacy and individual views from properties at 1, 3, 5 and 7 Rosebank Avenue, these impacts are not considered to be heritage issues and do not impact upon the heritage significance of the Rosebank Avenue HCA. Despite this, recommendations have been made in Section 11.0 to mitigate some of the issues, both current and future, experienced by both property owners in these interface areas and the setting of the Rosebank Avenue HCA.

11. Planning Review

11.1 Existing Heritage Guidelines

Changes to Heritage items and HCAs are guided by the heritage provisions contained in the two main plans known as the *Hornsby Local Environmental Plan (LEP) 2013* and the *Hornsby Development Control Plan (DCP) 2013*. The controls in these instruments seek to "assist in conserving the heritage significance of the natural and built environmental and ensure new development is sympathetic with identified heritage values. In doing this, the [Hornsby] Shire's heritage resources and the quality of the environment will be maintained or improved, resulting in attractive streetscapes and providing an appealing place to live."¹¹

Standard best practice heritage controls are currently contained in these instruments for managing the development of heritage places, including the need for Council's development consent for major changes, the requirement for statements of heritage impact to accompany development applications, and the Council's obligations to assess the impact of developments on the significance of listed places.

Planning controls specific to East Epping, Essex Street and Rosebank Avenue HCAs are contained with *Part 9.3 Heritage Conservation Areas*. This part of the DCP provides the Statements of Significance outlining the key heritage aspects of each HCA supported by explanatory information on the history and description of each HCA. In addition, prescriptive measures are also included which contain controls for demolition, streetscape character, materials and finishes, fences and gates, utilities, garages and carports, driveways, and subdivision. Furthermore, *Part 9.4.1 Development in the Vicinity of Heritage Item* provides controls for development to land that is adjoining, or across the road from a heritage item or a heritage conservation area.

In consideration of recently approved developments in line with the rezoning of the respective sites and the reassessed significance of each HCA within this study, the current planning controls relating to heritage have need to be reviewed to evaluate if the current planning controls provide adequate protection for the established heritage significance of heritage items and HCAs in the Epping Town Centre Area.

Specific matters for review were also outlined as part of the scope of works for this study by City of Parramatta Council, these included a review of Section 9.4.1 of the Hornsby DCP 2013, potential height increases for R4-High Density Residential Zone and R3-Medium Density Residential Zones, the extension of the existing R3-Medium Density Residential Zone to encompass Brigg road and Rose Street, individual property zoning changes if removed from a HCA and any other updates to the current planning controls not addressed in the aforementioned list. Each of these matters are addressed in the below subsections, with recommendations given for any changes to the existing planning controls which relate to the Epping Town Centre area.

11.2 Hornsby DCP 2013, Section 9.4.1 Review

An investigation of the effectiveness of the current design interface guidelines (Section 9.4.1) and other relevant provisions in the Hornsby DCP is necessary in order to mitigate the effects of development on the character and integrity of the East Epping, Essex Street and Rosebank Avenue HCAs. As part of this investigation, regard has been given to the topography of each of the HCAs and recently approved Development Applications at the interface with HCAs have also been reviewed in Section 9.0, in order to develop a holistic view of the impact that medium and high density residential development is having on these HCAs.

A review of the existing Hornsby LEP and DCP guidelines are investigated in the following sections, with reference to recently approved developments in the interface areas with the East Epping, Essex Street and Rosebank Avenue HCAs, as outlined in Section 9.0.

¹¹ *Hornsby Development Control Plan 2013*, 9-3.

11.2.1 Existing Guidelines

Section 9.4.1 of the Hornsby DCP 2013 provides controls for the development on land that is adjoining, or across the road from a heritage item or a heritage conservation area. The current guidelines encourage "New work that is sympathetic to the heritage significance of nearby heritage items, or adjoining heritage conservation area and their settings". The following is stated in Section 9.4.1 regarding to development in the vicinity of a Heritage item or Heritage Conservation Areas.

Heritage Items

- a. Design and siting of new work should complement the form, orientation, scale and style of the heritage item.
- b. Adequate space should be provided around the heritage item to allow for its interpretation.
- c. Development should maintain significant or historic public domain views to and from the heritage item.
- d. Original or significant landscape features that are associated with the heritage item and which contribute to its setting should be retained.
- e. For rural heritage items, the scale of new work is not to overwhelm the heritage item taking into consideration the matters within the Rural Heritage Items element.

Heritage Conservation Areas

- f. Development in the vicinity must respect the curtilage and setting of the HCA and protect views into and from the HCA.
- g. Development is to be sympathetic to the primary characteristics and heritage values of the HCA with regards to proposed:
 - context, including backdrop to places in the HCA;
 - bulk, height alignment form and roofline of new development;
 - proportions such as windows and door openings (number and location) and balconies;
 - Interface facade materials, treatments and palette;
 - Compatible fencing and screening.
- h. Development applications for multi-unit developments adjacent to HCAs must include a construction impact report demonstrating that the construction process will not detrimentally or indirectly adversely impact places in the HCA at the time of construction or over time.

The existing guidelines contained within Section 9.4.1 of the Hornsby DCP should encourage sites adjoining a heritage conservation area or heritage item to be sympathetic to the heritage significance of the area. This includes ensuring an appropriate context for the heritage conservation area, through preventing inappropriate and unsympathetic surrounding developments from detracting from the significance of the heritage conservation area and its setting.

11.2.2 Recent Development Application Response to DCP Controls

Recent developments surrounding the East Epping, Essex Street and Rosebank Avenue HCAs do not appear to have adequately addressed the provisions of Part 9.4.1 of the DCP due to their nature of built form resulting from the rezoning of the subject interface areas.

The recent approved developments within the interface areas of the East Epping, Essex Street and Rosebank Avenue HCAs are visually explored in Section 9.0. Of the developments approved surrounding the East Epping HCA, all developments are located at the very south-western corner of the HCA, where the R4 - High Density Residential Zone was implemented following the Epping Town Centre Urban Activation Precinct (UAP) Plan's new zoning. A total of five (5) development applications have been lodged since the new zoning was implemented, with a total of four (4) of the five (5) DA's being for amalgamated sites. The recent approved developments surrounding the Essex Street HCA are located along the western border of the Essex Street HCA area, between Epping and Maida Roads. As with the East Epping HCA, the properties located within this section of Epping were rezoned to R4 - High Density Residential and R3 - Medium Density Residential Zones following the Epping Town Centre UAP Plan. A total of ten (10) DA's have been lodged since 2014, with a total of nine (9) of the ten (10) developments being for amalgamated sites.

Finally, the approved developments surrounding the Rosebank Avenue HCA are located to the south, and very south-eastern and western corners of the Rosebank Avenue HCA. The Epping Town Centre UAP Plan resulted in the Rosebank Avenue HCA being surrounded on its southern side by a R4 - High Density Residential Zone. Since 2014, six (6) developments applications have been lodged, with all applications being for amalgamated lots.

Following the site inspections of multiple properties within each of the three HCAs, which were located on the interface zones with R4 and R3 developments, the majority of the developments located in these interfaces areas, particularly those located at the rear of HCA properties, were not sympathetic to the context and setting of the HCA.

The visual and physical impact of High Density Residential developments which have either been completed or are under construction at the rear of these properties in most cases did not include sufficient setback, screening or deep soil planting, to alleviate the scale and bulk of the development.

The biggest impact of these developments has been on individual properties themselves. From the streetscape, the recent high density residential developments do mostly recede into the background of the edges of the HCA, however, their impact on the HCAs is still not considered to be considerably sympathetic to the setting and context of each of the areas, as explored in Section 9.0 and analysed in Section 10.0.

Section 9.4.1 of the Hornsby DCP 2013, needs to be understood in conjunction with Sections 9.6.6 - Setbacks and 9.6.8 - Landscaping, at a minimum to be able to adequately address the current impact that recently approved high density residential developments are currently exerting on properties within the boundaries of the East Epping, Essex Street and Rosebank Avenues HCAs. In addition, consideration of the impact on the heritage significance of HCAs and/or heritage Items, need to be sufficiently addressed by development proposals. For some recently approved developments, the consideration of the impact upon the heritage significance of either a HCA, or a Heritage Item provided only a brief one paragraph explanation as to the impact on the heritage significance of the area of item. Such minimal consideration as to the impact of a large high density residential development is not considered to adequately address the impact that the development will have on an area or item of heritage significance. A discussion of each of these components are included below.

Setback

Section 9.6.6 of the Hornsby DCP provides for the following minimum setbacks in Residential Area, in Table 9.6.6(a):

Table 9.6.6(a):
Minimum Setbacks - Residential Area

Setback	Minimum building setback
Front Boundary	12m, which can be reduced to 10m for a maximum of 1/3 of the building width.
Rear Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width.
Side Boundary (including balconies)	6m, which can be reduced to 4m for a maximum of 1/3 of the building width.
Fifth Storey Setback	3m should be provided between exterior walls of the lowest storey and exterior walls of the fifth storey.
Fifth storey setback where mezzanine proposed	6m additional setback for exterior walls of the storey, measured from the walls of the lowest storey.
Basement Parking Setback	9m from front and rear boundaries and 4m from side boundaries to allow for deep soil landscaping.

Whilst a minimum of 10m is required at the rear boundary, this setback can be reduced to only 8m for a maximum of 1/3 of the buildings width. From a survey of some of the approved development assessments, it was evident that some of these developments have been able to encroach further than the 8m setback dictated by the above provisions, through the addition of balconies into the minimum setback.¹² The additional encroachment of the high density residential development into the minimum 8m setback results in both a physical and visual overwhelming impact on the adjacent individual property.

Whilst it is noted in Section 9.6.6 that 'development involving or adjoining heritage items should have regard to the Heritage DCP', the achievement of not even the minimum setback for the interface areas with HCAs do not appear to be in keeping with the guidelines of the Hornsby DCP.

Instead of meeting the absolute minimum requirements for setbacks for rear and side boundaries, additional setback, such as the blanket 10m setback which is required for Chapman Avenue, should be encouraged, in order to aid in maintaining the context and setting of each of the HCAs, and minimise impact on the adjoining individual properties within the HCAs.

Deep Soil Planting

Section 9.6.8 of the Hornsby DCP provides provisions for landscaping, of particular focus here is the provisions for deep soil planting, in order to aid in a sympathetic transition from HCA and/or Heritage Item to high density residential development. The following provisions are stated within Section 9.6.8 in relation the deep soil planting:

- b. Landscaped areas should adjoin property boundaries, in accordance with Table 9.6.8(a), and be designed to accommodate:
- Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
 - Trees that will reach a mature height of at least 6 to 7 metres in the side setbacks.

Table 9.6.8(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	7m wide
Secondary Boundary (on corner lots)	4m wide
Rear Boundary	7m wide
Side Boundary	4m wide

A dominant feature in each of the East Epping, Essex Street and Rosebank Avenue HCAs is their landscape settings, whether it be street planting, front or rear gardens or verge planting. Many mature trees, which are contemporary with each of the area's period of development, from the Federation, Inter-War and Post War periods are still extant, and contribute significantly to the context and setting of each of these HCAs. The landscaped settings of these HCAs should be conserved and maintained and enhanced through development which lay adjacent to each of these HCAs, not only to ensure the continuation

¹² For example, DA/327/2015 at 20-24 Epping Road, which lies to the rear of properties on the western side of the Essex Street HCA.

of their landscaped setting, but also to alleviate the physical and visual impact of the high density residential development may have on the single and two storey dwellings, which are within the HCAs.

Heritage Management Documents

In order to sufficiently assess whether a proposed development which is located in the vicinity of a HCA or a Heritage Item will result in an acceptable impact upon the context and setting of the area or item, it may be necessary for the consent authority, Parramatta City Council, to require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned, as stipulated in Part 5.10(5) of the Hornsby LEP 2013. Some of the recently approved development applications did include a heritage management document, such as a Heritage Impact Statement (Statement of Heritage Impact), whilst others only included a short paragraph within a Statement of Environmental Effects which assessed the impact on the effected Heritage Conservation Area and/or Heritage Item. Such heritage management documents should be sufficiently assessed by the consent authority to determine if the proposed development will or will not result in a negative or positive impact upon nearby HCAs or Heritage Items. Through a thorough assessment of the impact of high density residential development on a HCA or Heritage Item, a more sympathetic solution to a development could be arrived at, alleviating some of the issues which are currently being experienced by property owners at the interface areas with high density residential development and further ensuring the setting and curtilage of the area for item is retained and conserved for the future.

11.2.3 Recommendations for Section 9.4.1

The existing guidelines for development in the vicinity of a HCA in Section 9.4.1 of the Hornsby DCP 2013 does currently provide a good framework from which to assess the impact of high and medium density residential developments which are located in interface areas with HCAs. However, consideration of Sections 9.6.6 and 9.6.8 of the Hornsby DCP 2013 need also to be particularly considered in the assessment of high density residential developments in the vicinity of HCAs or Heritage Items.

It is recommended that where R3 and R4 Zones interface with a HCA or a Heritage Item that a 10m setback, which is required for Chapman Avenue, be implemented in order to aid in maintaining the context and setting of each heritage conservation areas and items. In addition, sufficient deep soil planting between R3 and R4, and HCAs and Heritage Items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation or heritage item.

The assessment of development applications within these interface areas needs to be rigorous, in order to take into account the heritage significance of the area or item it will affect, with any potential impacts needing to be adequately addressed in order to minimise the negative impacts experienced by the heritage conservation area or the heritage item.

11.3 Potential Impacts of Height Increases to HCAs

As part of the brief for this heritage review, a request for any investigation of the impact and implications of increasing the 17.5m and 12m height limits by one storey in the R4 High Density Residential Zone and R3 Medium Density Residential Zone on the integrity and conservation values of the Essex Street, Rosebank Avenue and East Epping HCAs was made.

In consideration of the existing impacts of high and medium density residential development on the interface areas with East Epping, Essex Street and Rosebank Avenue HCAs, the possibility of increasing the current height limits of R4 High Density Residential Zones and R3 Medium Density Residential Zones by one storey, would further negatively affect the current context and setting of each of the HCAs.

Whilst it has been acknowledged in this study that the high and medium density developments which are either completed, currently under construction or to be constructed mostly recede into the backdrop of each of the HCAs, in general, they do not overwhelm or adversely impact on the setting of the HCAs. An increase in the height limits of these zones would further increase the visibility of the high and medium density residential developments in the background of the HCAs. Whilst not a heritage issue, the impact upon individual property owners which share a boundary with these high and medium density developments, would likely experience further privacy and overwhelming dominance issues. An increase to the existing height limits of these zones would exacerbate the existing negative impacts upon both the East Epping, Essex Street and Rosebank Avenue HCAs and upon individual property owners.

Thus, it is recommended that the existing height limits of 17.5m and 12m are retained for R4-High Density Residential Zones and R3-Medium Density Residential Zones, respectively.

11.4 R3 Medium Density Residential Zone in Brigg Road and Rose Street

In addition to the consideration of height increases to R4-High Density Residential Zones and R3-Medium Density Residential Zones, the investigation also included the implications of extending the R3-Medium Density Residential Zone to the northern side of Briggs Road and all of Rose Street, as indicated in Figure 80.

During the site inspections conducted in March 2017, this area was also surveyed to ascertain the current condition and setting of both Brigg Road and Rose Street. From this inspection, it was noted that the majority of buildings within both of these streets comprised of a Post War, Late 20th Century and 21st Century dwellings, of either single or double storeys. The northern side of Brigg Road slopes down toward the north, the southern side of Brigg Street sloping up. Rose Street continues on the downward trajectory of the slope from Brigg Street, with the dwellings located in the area sitting low within their sites, as seen in Figure 81.

Some medium density residential developments are already under construction or completed along Maida Road, where the existing R3-Medium Density Residential Zone exists. One complete development, located at 18-22 Maida Road, is three storeys in height and lies to the rear of 70 and 72 Essex Street. The height of this three storey development does not negatively impact upon the current setting and curtilage of the Essex Street HCA, due to the height limit of the zoning being 12m and the incorporation of sufficient setbacks, further coupled with mature trees and plantings at the rear of both 70 and 72 Essex Street, as displayed in Figure 82.

Thus, it is considered that the implementation of a R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street will have an acceptable impact upon the current setting and of the Essex Street HCA, provided that consideration is given to sufficient setback, deep soil planting, and the impact upon the setting and curtilage of the Essex Street HCA is adequately addressed in any future development proposals, incorporating the recommendations, already made in Section 11.2. The topography of the area will aid in reducing the perceived overall height of medium density development and coupled with sympathetic design, will ensure that the integrity, setting and character of the Essex Street HCA is retained. Implementation of the above recommendations will ensure an appropriate transition from R2 to R3 zones.



Figure 80: Extract from Epping Town Centre Composite Zoning and Heritage Conservation Area map with proposed extension of R3 Medium Residential Zone on Rose Street and Brigg Road highlighted in blue (Source: Amended Epping Town Centre Composite Zoning and Heritage Conservation Areas map, supplied by City of Parramatta Council)

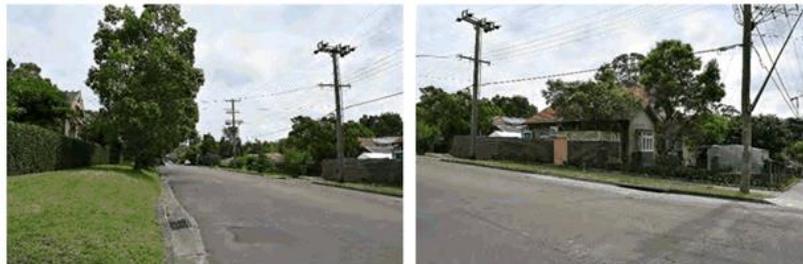


Figure 81: View looking west along Brigg Road from intersection with Essex Street. In the left image is a Heritage Item with the Essex Street HCA and in the right image is a Neutral building with the Essex Street HCA. From the left image, it can be seen that the dwelling located on the northern side of Brigg Road lay within their lots due to the topography of the area.



Figure 82: Recently constructed medium density residential development constructed at 18-22 Maida Road, view from intersection of Essex Street and Maida Road looking west (left) and view from 72 Essex Street looking west, with a small portion of the third storey of the 18-22 Maida Road development is visible in the background.

11.5 Individual Properties Changes

No recommendation has been made for the removal of any properties from either the Essex Street HCA or Rosebank Avenue HCA, thus no changes are needed to the current zoning and height limits of the existing controls. However, it has been recommended that four properties to be removed from the East Epping HCA, being 25 Pembroke Street, and 1, 3, and 3A Norfolk Road.

In order to provide a consistent transition between R4-High Density Residential Zone on Essex Street and Pembroke Street from further encroaching on the East Epping HCA, the removed properties from the East Epping HCA (25 25 Pembroke Street, and 1, 3, and 3A Norfolk Road), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the Late 20th Century development known as 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential Zone with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential Zone of the HCA and the R4-High Density Residential Zone of Essex and Pembroke Streets. In addition, any new developments on these rezoned properties must sufficiently consider appropriate setbacks, deep soil planting and consideration of the impact upon the setting and curtilage of the East Epping HCA and nearby Heritage items. The recommendations already made in Section 11.2 should also be adequately addressed in any future development proposals.

The inclusion of 5, 7 and 7A Norfolk Road in the recommended R3-Medium Density Residential Zoning is suggested in order to ensure a consistent transitional zone between the boundary of the East Epping HCA and the R4-High Density Residential Zone on Essex Street. The properties located at 3, 3A, 5, 7 and 7A Norfolk Road all share the same driveway, however, currently only 3 and 3A Norfolk Road are located within the East Epping HCA. With the recommended removal of 3 and 3A Norfolk Road from the East Epping HCA, the opportunity is presented to ensure that a consistent approach to zoning and height limits is invoked over the properties which share the singular driveway from Norfolk Road, these properties being 3, 3A, 5, 7 and 7A Norfolk Road. All properties are currently within a R2-Low Density Residential Zone and are recommended to be rezoned to R3-Medium Density Residential Zoning to ease the transition between the R2-Low Density Residential Zone of the East Epping HCA and the R4-High Density Residential Zone on Essex Street.

In addition, the inclusion of all properties located within 'Rockleigh Park' in the recommended R3-Medium Density Residential Zoning is recommended due to the current R4-High Density Residential Zone not providing an adequate transition between the interface areas of the East Epping HCA and areas of R4 High Density Residential Zones. The current zoning effectively splits 'Rockleigh Park' in half, and is not considered appropriate for the current conditions of the properties which work homogeneously together as one estate of low density residential housing as displayed in Figures 84 and 85. Through the rezoning of 'Rockleigh Park' as R3, both the transition between R4 and the East Epping HCA will be minimised, whilst also maintaining the current cohesive form of 'Rockleigh Park'.



Figure 84: Views looking west (left) and east (right) along Rockleigh Way. The development is currently understood as one whole estate, wide a narrow roadway which links all properties of the estate together. The estate appears to have been developed in the mid 1990s and maintains a cohesive character, playing-off detailing from Federation period detailing of the surrounding Federation period homes within the East Epping area.



Figure 85: Entrance to 'Rockleigh Park' (left) and view looking east along Rockleigh Way (right)

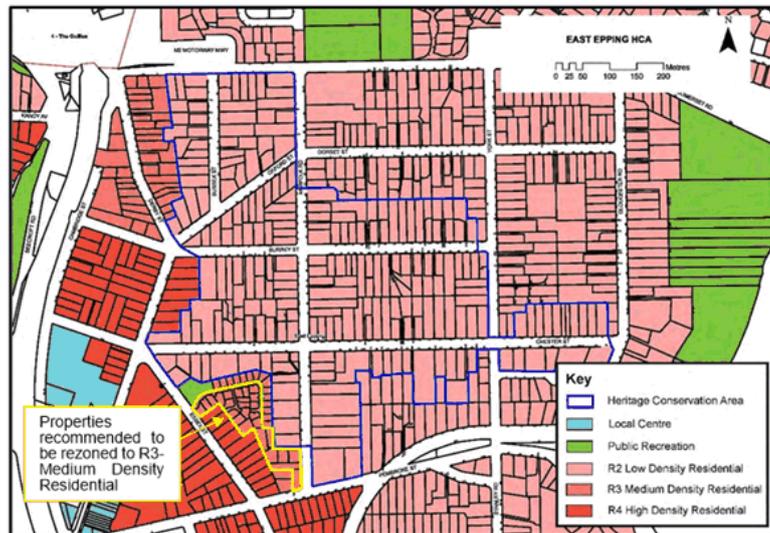


Figure 83: Recommended Land Zoning of properties removed from East Epping HCA (25 Pembroke Street, 1, 3 and 3A Norfolk Road), 5, 7 and 7A Norfolk Road and rezoning of Rockleigh Park to create a consistent transitional zone between the East Epping HCA and R4 High Density Residential Zone.

11.6 Recommended Updates to Planning Controls

Whilst a detailed review of all current planning controls relevant to heritage items and HCAs within the Epping Town Centre study area is beyond the scope of this study, this review has indicated there is some room for improvement in the current planning controls, other than those individual matters already addressed in the previous subsections. The following subsections make recommendations to the current planning controls.

11.6.1 Additional Prescriptive Measures

Specific additional prescriptive measures for each HCA are provided for in Section 9.3 of the Hornsby DCP. These provisions provide for prescriptive measures in relation to demolition, streetscape character, materials and finishes, fences and gates, utilities, garages and carports, driveways and subdivision.

As addressed in Section 10.0, the impact of high density residential development on some properties in the Essex Street and Rosebank Avenue HCAs have resulted in some properties being impacted upon through a lack of privacy from existing or future high density residential developments. For properties which are on a direct boundary line with R4 High Density

Residential Zone, additional provisions are recommended to be included in the 'Additional Prescriptive Measures' for Essex Street and Rosebank Avenue HCAs within Sections 9.3.13 and 9.3.14 respectively. The recommended provisions to be added is to allow for the construction of two storey additions to the rear of properties identified to be most affected by high density residential development as highlighted in Figures 86 and 87.

The current provisions contained within Section 9.3 of the Hornsby DCP 2013, in respect to additions to properties located within a heritage conservation area, allows for additions to properties to be made away from the street elevation and below the main ridge line. In order to assist in alleviating the impact of the high density residential developments, located behind the effected properties within the Rosebank Avenue and Essex Street HCA's, an intermediary two storey addition to the rear of properties would provide a sufficient barrier between the existing contributory dwellings in the HCAs and the high density residential development to the rear. Any addition to the rear of the properties highlighted in Figures 86 and 87, however, would still need to comply with the heritage provisions contained within the Hornsby DCP 2013, with particular attention to ensuring that the addition does not subdivide the site, does not reduce the contribution of the overall properties contribution to the respective HCA, will not remove mature trees or plantings and will not reduce the streetscape character of the area. The intervention of any addition to the rear of these properties must be sympathetic to the heritage significance of its respective HCA and any heritage item located within its vicinity.

Whilst this option may not be attainable on all sites highlighted in Figure 86 and 87, it does provide an option for some property owners to attain an increased level of amenity. Thus, it is recommended that the following 'Additional Prescriptive Measure' be added the existing Essex Street HCA Provisions and Rosebank Avenue HCA Provisions under Element - Streetscape Character, in Tables 9.3.13(a) and 9.3.14(a), respectively.

- Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not subdivide the site, reduce the contribution of the property to the HCA, will not remove mature trees or plantings and will not reduce the streetscape character of the area.

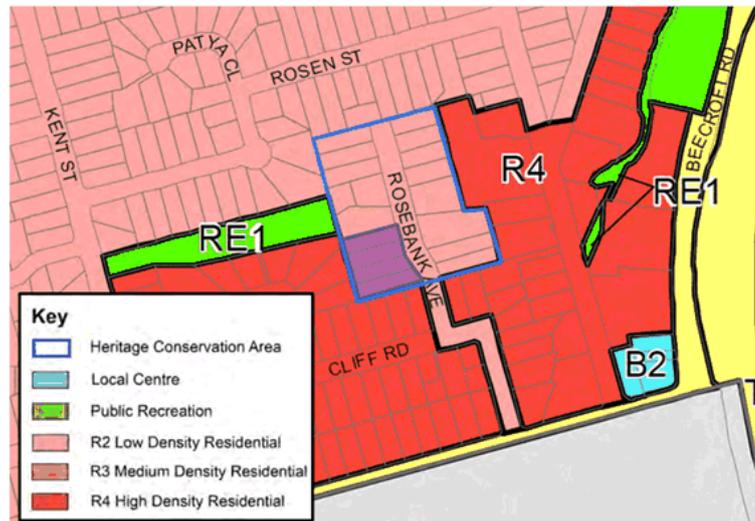


Figure 86: Rosebank Avenue HCA properties affected by high density residential development, of which the recommended provisions would apply, highlighted in purple (Source: Extract from Hornsby LEP 2013, Land Zoning Map 11)

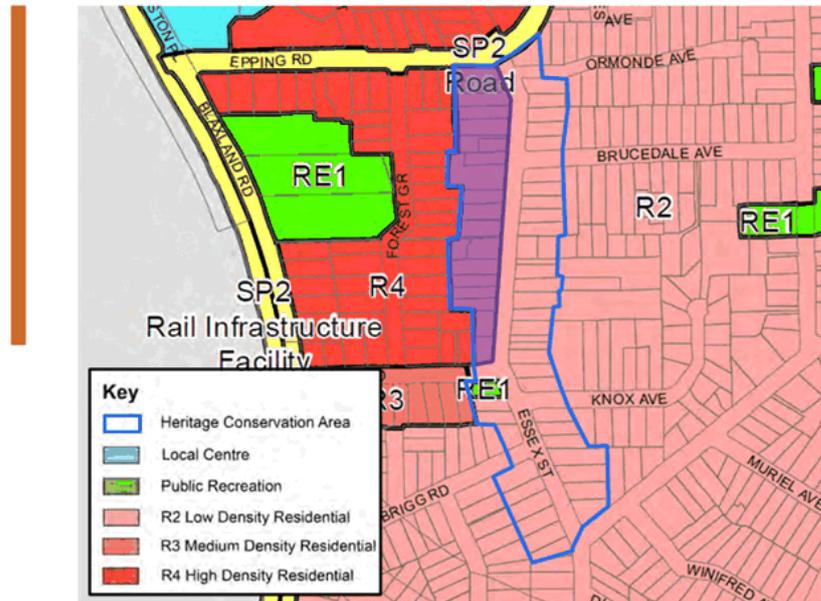


Figure 87: Essex Street HCA properties affected by high density residential development, of which the recommended provisions would apply, highlighted in purple (Source: Extract from Hornsby LEP 2013, Land Zoning Map 11)

11.6.2 Recording and Interpretation

Currently, there are no provisions within the Hornsby DCP 2013 for the preparation of an archival recording for heritage items or contributory buildings within a HCA to have an archival recording prepared prior to the major alterations and additions to a property or demolition of a property.

It is recommended that an archival photographic recording be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property. This also includes any major alterations and additions to significant gardens which significantly contribute to the streetscape character of any of the HCAs.

This recommendation is made in order to ensure that a historical record of changes to significant items and areas are collected and kept in the Council's archives for future reference and research purposes.

12. Conclusion and Key Recommendations of Heritage Conservation Area Review

As a result of in depth surveys and assessments of the HCAs within the Epping Town Centre, the following key recommendations are made as part of this heritage review study:

1. *Retain the current boundaries of the Essex Street and Rosebank Avenue Heritage Conservation Areas (Refer to Sections 10.2 and 10.3)*
 - Following reassessment of the Essex Street and Rosebank Avenue Heritage Conservation Areas, both areas were found to have maintained the significance and intactness established in previous studies. The impact of High and Medium Density Residential development at the interface areas with the Heritage Conservation Areas were not found to have a detrimental impact warranting removal of the Heritage Conservation Areas in part or in whole. Thus, both Heritage Conservation Areas are recommended to be retained in full.
2. *Adjust the south-west boundary of the East Epping Heritage Conservation Area (Refer to Section 10.1)*
 - It is recommended that 25 Pembroke Street, and 1, 3, and 3A Norfolk Road to be removed from the East Epping Heritage Conservation Area, and the boundaries of the HCA are adjusted accordingly.
3. *Retain individual heritage items requested for removal by property owners (Refer to Sections 10.1 and 10.2)*
 - 3 and 42 Essex Street have been reassessed for their heritage significance and contribution to their respective Heritage Conservation Area, East Epping and Essex Street respectively, and are recommended to retain their heritage listing under Schedule 5 of the Hornsby LEP 2013.
4. *Rezone removed properties from East Epping Heritage Conservation Area, 5, 7 and 7A Norfolk Road and identified properties within 'Rockleigh Park' to R3-Medium Density Residential with 12m height limit (Refer to Section 11.5)*
 - In order to provide a consistent transition between R4-High Density Residential development on Essex Street and Pembroke Street from further encroaching on the East Epping Heritage Conservation Area, the removed properties from the East Epping Heritage Conservation Area (25 Pembroke Street, and 1, 3, and 3A Essex Street), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the late 20th Century development known at 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential of the Heritage Conservation Area and the R4-High Density Residential area of Essex and Pembroke Streets.
5. *Changes to Design Interface Guidelines of the Hornsby DCP (Refer to Section 11.2.3)*
 - The current Design Interface Guidelines in Section 9.4.1 of the Hornsby DCP 2013 are considered to be a good framework for which to assess the impact of high and medium density residential developments which are located in the interface areas with Heritage Conservation Areas. However, Section 9.4.1 needs to be considered at least in relation to Sections 9.6.6 and 9.6.8. It is recommended that where R3 and R4 Zones interface with a Heritage Conservation Area or Heritage Item that a 10m setback, which is required for Chapman Avenue, should be implemented in order to aid in maintaining the context and setting of each Heritage Conservation Area and Item. In addition, sufficient deep soil planting between R3 and R4 and heritage conservation areas and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item. Furthermore, an adequate assessment of the potential heritage impact on the Heritage

Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.

6. *Maintain current 17.5m and 12m height limits of R4 High Density Residential Zone and R3 Medium Density Residential Zone respectively (Refer to Section 11.3)*

- To ensure that a sufficient transition between Heritage Conservation Areas are maintained and are not further adversely impacted upon through higher density development at interface areas, it is recommended that the current height limits for R4 and R3 Zones are maintained.

7. *Extend R3-Medium Density Residential Zone to Brigg Road and Rose Street (Refer to Section 11.4)*

- Recommendation to extend R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street, which will have an acceptable impact upon the current setting of the Essex Street HCA, provided that adequate consideration is given in regards to sufficient setback, deep soil planting and on the impact upon the setting and curtilage of the Essex Street HCA in any further development proposals, incorporating the recommendations provided in Section 11.2 of this study report.

8. *Additional Recommended Updates to Planning Controls (Refer to Section 11.6)*

- Include an additional prescriptive measure for Essex Street and Rosebank Avenue HCA Provisions for properties located on interface with R4-High Density Residential Zone, as follows:
 - i. Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.
 - ii. In addition, it is recommended that a provision or Condition be included in the consents for an archival photographic recording to be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian., Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property.

9. *Assessment of significance of southern end of Essex Street HCA in future Heritage Review*

- Recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.

10. *Retention or replacement of street trees in Rosebank Avenue due to stormwater drainage for Cliff Road*

- Recommended for the seven (7) street trees located on the western side of Rosebank Avenue identified to be impacted by the proposed stormwater drainage from Cliff Road to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

13. Hornsby Heritage Review Stage 6 - Items for Review

13.1 Background

The Heritage Review Stage 6 - Items for Review is part of a process commenced in 1995 to review heritage listings in Schedule 5 of the Hornsby LEP 2013 (previously Schedule D of the Hornsby LEP 1994). The review process was expanded to allow a staged program to thoroughly review items, including further requests for inclusion or removal of items. Previous Heritage Reviews have been conducted since 1997, as follows:

- *Hornsby Shire Heritage Review Stage 1 - Review of heritage items and correction of anomalies within existing listings* (1997);
- *Hornsby Shire Heritage Review Stage 2 - Review of heritage items and correction of anomalies within existing listings* (1998);
- *Hornsby Shire Heritage Review Stage 3 - Review of Heritage Items* (2004) prepared by Tropman & Tropman Architects;
- *Hornsby Shire Heritage Review Stage 4 - Review of heritage items, heritage listed trees and correction of anomalies within existing listings* (2008) prepared by LandArc Pty Limited in association with Patrick O'Carrigan + Partners; and
- *Hornsby Shire Heritage Review Stage 5* - prepared by Godden Mackay and Logan.

This section of the report provides for Stage 6 of the Heritage Review, and includes heritage listed dwellings, gardens and woodlands. A number of items had been flagged by Hornsby Council, property owners and community members for either removal from Schedule 5 or for inclusion on Schedule 5. A number of other heritage items' inventory forms need to be updated or inventory forms are completely missing. In addition to these requests, further heritage items have been requested by Council to be reviewed as a result of the recent changes in zoning, where they intersect with R4-High Density Residential Zones.

13.2 Objectives

The Heritage Review Stage 6 - Items for Review, has the following objectives:

- Investigate the list of matters identified by Hornsby Shire Council for Epping that were scheduled for review under the next Hornsby Council Heritage Review – Stage 6. This includes:
 - a) removal heritage items.
 - b) amend anomalies in details of heritage listings.
 - c) review isolated heritage items in the R4 High Density Residential Zone.
 - d) review details of heritage listings.
 - e) investigate missing inventory sheets for existing items and complete required information.

13.3 Methodology

This Heritage Review has been prepared in accordance with the best practice heritage standards for the assessment of heritage significance and heritage studies established by the NSW Heritage Council, the then NSW Heritage Office and NSW Department of Urban Affairs and Planning, as set out in the NSW *Heritage Manual*.

It has also been prepared in accordance with national best practice standards for heritage assessment contained in the Burra Charter (Australia ICOMOS, 2013). The Burra Charter defines significance as the:

"Aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use,

associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups."

To determine whether sites have heritage significance and therefore warrant heritage listing, each site has been assessed against the seven NSW criteria of Assessing Heritage Significance as set out in the NSW *Heritage Manual*. The seven criteria for heritage significance include:

Criterion (a): An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);

Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;

Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the culture or natural history of the local area);

Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or environments.

The NSW *Heritage Manual* guidelines establish that a site warrants heritage listing when it fulfils one or more of these seven criteria of local heritage significance. The assessment process is the same for individual items, conservation areas and archaeological sites.

All buildings recommended for heritage listing have been categorised according to their architectural style and detailing in accordance with Apperly, R. Irving, R, Reynolds, P. 1989. *A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the present*. Harper Collins Publishers; Australia.

13.4 Inventory Forms

The format for the Inventory Forms used are in Microsoft Word format, based upon the State Heritage Inventory form template. Each inventory form compiles and summarises all the information about each item, including but not limited to: heritage significance, location, description of overall site components and a brief history for each of the items to support their listing recommendations.

The Microsoft Word format Inventory Forms can be readily transferred to the SHI Microsoft Access Database format by the Council in the future. All inventory forms created or updated within this Heritage Review are provided in Appendix A.

13.5 Items for Review

The following tables summarise the outcomes of the individual property assessments and recommendations. In addition, inventory forms have been either updated or created for property either missing information or for those which have been recommended for listing. The Inventory forms are provided in Appendix A.

13.5.1 Requests for Removal of Heritage Listing

The following properties have been requested for removal and have been re-assessed to determine if removal is warranted or not.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.1A	184 Ray Road, Epping	House		+	Retain on LEP. Inventory Form has been prepared in Appendix A.

13.5.2 Amend Anomalies in Details of Heritage Listings

The following property's zoning has been requested to be investigated.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
N/A	73A Oxford Street Epping	Federation Queen Anne house		Council staff Site is in HCA which is zoned R2, however, this property is zoned R3. Appears to be an anomaly as on the corner of HCA. Potential for redevelopment on heritage grounds is nil due to significance and integrity of the item. The zoning to manage this significance should reflect HCA R2 zoning. It is not an isolated site.	Recommend to change R3 zoning to R2 to reflect the East Epping HCA zoning of R2.

13.5.3 Request for Listing of New Items

The following properties have been requested to be listed as heritage items and have been assessed to determine if they warrant listing or not.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
N/A	7 Dorset Street, East Epping	House		Tara Bennett, owner of 5 Dorset Street. D01672179 Request in May 2011 D02427814 Second request in August 2013	Not recommended for listing on LEP. Simple timber weatherboard Federation Cottage with some external detailing retained. More intact examples of similar period dwellings exist within the East Epping area, which reflect the aesthetic qualities of the style better.
13.5.3A	50 Dorset Street, Epping	House		Council Resolution D02762872. Included on Exhibition copy of proposed heritage items. Recommended for listing in the Epping Town Centre Heritage Review 2014	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A.

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Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.3B	86 Essex Street, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP. Recommended for listing in the Epping Town Centre Review 2014	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A
N/A	3 Norfolk Road, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP	Not recommended for listing on LEP. Dwelling is a modern 21st century construction and does not meet any criteria to warrant listing. An Inventory form has not been prepared for this dwelling

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Planning Proposal various properties Epping

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.3C	83 Norfolk Road, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A.
N/A	3 York Street, Epping	House		Council Resolution Nomination through East Epping HCA inspections	Not recommended for listing on LEP. Single storey timber weatherboard Federation cottage. Appears to have undergone substantial modifications to original fabric. New corrugated roof, windows appear to mimic original windows. Timber balustrade all new. Internal assessment of property would need to be undertaken to determine if any original fabric remains. An Inventory form has not been prepared for this dwelling.

13.5.4 Review Isolated Items in Housing Strategy Zone (R4) High Density

The following properties were identified to be 'isolated items' and were requested to be investigated determine if they their listing should be maintained.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.4A	25 Ray Road, Epping	Woodlands		Council staff Heritage item in R4 Zone	Retain on LEP. Single storey dwelling is located on high point of street, lessening the impact of the five storey development to the south and west of the item. Heritage Item was maintained and restored as part of recent development known as 'Woodlands' at 23-27 Ray Road. Listing has been updated on Inventory Form in Appendix A
N/A	6 Essex Street, Epping	House (Scout Hall)		Council Resolution Council Resolution 19/12/12 in response to public exhibition of the draft Hornsby LEP to review potential heritage	Retain on LEP and retain R4 High Density Residential zoning. Directly to the south of the site is Arden Anglican School, whilst directly to the north is a recent three storey developments. The significance of the Scout Hall is retained despite the R4 High Density Residential Zoning. Listing was updated in 2013 as part of the UAP and is not considered to need further update.

13.5.5 Review of Details of Heritage Listings

The following properties were requested to be reviewed, in whole and in part, and for their Inventory Forms to be updated.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5A	27A Chester Street, Epping	Garden		Heritage Review Stage 5 House identified to be investigated for heritage listing.	Retain garden on LEP. Inter War Bungalow which dated to the development of the heritage listed garden was demolished as part of DA/1226/2011. Current house on site does not warrant heritage listing. Listing has been updated on Inventory Form in Appendix A.
13.5.5B	78 Kent Street, Epping	Slab hut		Heritage Review Stage 5 House identified to be investigated for heritage listing.	Retain on LEP. Access to slab hut was not possible during site visit due to being located in the rear yard of 78 Kent Street. House at front of property blocking view of slab hut but glimpses of the hut have been observed and it appears in the recent aerial maps. Listing has been updated on Inventory Form in Appendix A.

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Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5C	142-144 Ray Road, Epping	House & Garden		Council staff Australian Bottle trees to be included in listing	Retain on LEP and add garden to listing. At least two Bottle trees were identified on the site, along with many mature trees, which appear to have been planted early in the house's history, at least before 1943. It is recommended that an arboricultural assessment be undertaken on the existing mature trees on the eastern side of the property in order to determine the condition and significance of the existing trees. Listing has been updated on Inventory Form in Appendix A.
13.5.5D	35-37 Stanley Road, Epping	Tallwood Lodge		Council staff Listed in HR1 - No photo	Retain on LEP Listing has been updated on Inventory Form in Appendix A

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Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5E	9 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.
13.5.5F	11 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.

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Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5G	15 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.
13.5.5H	20 York Street, Epping	House		Council staff Listed in HR1 - No photo and no description	Retain on LEP Listing has been updated on Inventory Form in Appendix A.

13.5.6 Missing Inventory Sheets for Existing Heritage Items

The following listed items were recorded as missing information or photographs from their relative inventory forms. All inventory forms have been updated and provided in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.6A	Beecroft Road near southern end of Old Beecroft Road, Epping	Stone causeway over Devlins Creek		Council Staff No information on Inventory Sheet. Listed on RTA Heritage Register	Retain on LEP Listing was last updated in 2013 and has been updated with recent images. The Inventory Form in contained in Appendix A
13.5.6B	21 Chester Street, Epping	House and Garden		Council staff Listed in 1994 LEP. Inventory Sheet missing	Retain on LEP Listing has been updated on Inventory Form in Appendix A.

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Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.6C	23 Chester Street, Epping	House and Garden		Council staff Listed in 1994 LEP. Inventory Sheet missing.	Retain on LEP Listing has been updated on Inventory Form in Appendix A.
13.5.6D	9 Norfolk Road, Epping	House and Garden		Council staff House listed in HR2. Inventory Sheet for house missing	Retain on LEP The garden which is part of the heritage listing is currently undergoing major changes. It appears all mature trees mentioned in the description of the site have been maintained. Recommend for investigation by a Heritage Consultant who specialises in gardens and landscapes. Listing has been updated on Inventory Form in Appendix A.

13.6 Summary and Recommendations of Hornsby Heritage Review Stage 6

The significance, intactness and merit of each property has been assessed as far as possible from the available information and the availability of access to properties. Due to the time constraints of this Heritage Review, properties which needed a follow up site inspection due to limited views of heritage items from street view were not able to be conducted. Where this has occurred, a recommendation has been made for a site inspection to be undertaken at a later date. For those properties recommended to be retained or added to the Hornsby LEP, the Inventory Sheets have been updated or created for each of these properties. All inventory sheets updated or created are included in Appendix A.

In summary, the following resultant recommendations and updates were made as part of Stage 6 of the Hornsby Council Heritage Review:

13.7 Requests for Removal of Heritage Listing Summary

The one (1) request for removal of a Heritage Item, 184 Ray Road, has been recommended to be retained and the Inventory Sheet for the item has been updated. The recommendation is as follows:

Street Address	Item	Recommendations	Appendix A Reference
184 Ray Road	House	Retain heritage listing	13.5.1A

13.8 Amend Anomalies in Details of Heritage Listings Summary

One (1) Heritage Item, 73A Oxford Street, was recommended to be changed from R3-Medium Density Residential Zone to R2-Low Density Residential Zone to reflect the East Epping HCA zoning of R2. The recommendation is as follows:

Street Address	Item	Recommendations	Appendix A Reference
73A Oxford Street	Federation Queen Anne house	Recommend to change R3 zoning to R2 to reflect the East Epping HCA zoning of R2	N/A

13.9 Request for Listing of New Items Summary

Of the six (6) properties recommended for heritage listing under the Hornsby LEP 2013, three (3) properties were recommended for heritage listing and three (3) were not recommended for heritage listing. Inventory Sheets for the three recommended heritage items were created. The recommendations in summary are as follows.

Street Address	Item	Recommendations	Appendix A Reference
7 Dorset Street	House	Not recommended for listing	N/A
50 Dorset Street	House	Recommended for listing	13.5.3A
86 Essex Street, Epping	House	Recommended for listing	13.5.3B
3 Norfolk Road	House	Not recommended for listing	N/A
83 Norfolk Road	House	Recommended for listing	13.5.3C
3 York Street	House	Not recommended for listing	N/A

13.10 Review Isolated Items in Housing Strategy Zone (R4) High Density Summary

Of the two (2) Heritage Items which were identified as isolated items in R4 high Density Residential Zones, both Heritage Items were recommended to be retained and the Inventory Sheet for each item were updated to reflect their current condition. In summary, the recommendation were as follows:

Street Address	Item	Recommendations	Appendix A Reference
25 Ray Road	Woodlands	Retain heritage listing.	13.5.4A
6 Essex Street	House (Scout Hall)	Retain heritage listing and retain R4-High Density Residential Zone	N/A

13.11 Review Details of Heritage Listing Summary

Eight (8) Heritage Items required various details be reviewed. All Inventory Sheets were updated for each of the eight (8) items. Two (2) Heritage Items will require further investigation and follow up, due to needing expert advice or access to the site. All Inventory Sheets for these Heritage Items were updated to reflect their current condition. In summary, the recommendations and updates to Heritage Items were as follows:

Street Address	Item	Recommendations	Appendix A Reference
27A Chester Street	Garden	Retain the heritage listing of the Garden. House is not recommended for listing, as recently was built. Original Inter War Bungalow demolished as part of DA/1226/2011.	13.5.5A
78 Kent Street	Slab Hut	Retain heritage listing. Further investigation will be required at a later date to gain access to the site to acquire current photographs of the slab hut.	13.5.5B
142-144 Ray Road	House & Garden	Retain the House's heritage listing and add the Garden to the listing. It is recommended that an arboricultural assessment be undertaken on the existing mature trees on the eastern side of the property in order to determine the condition and significance of the existing trees.	13.5.5C
35-37 Stanley Road	"Tallwood Lodge"	Retain heritage listing	13.5.5D
9 Sussex Street	House	Retain heritage listing	13.5.5E
11 Sussex Street	House	Retain heritage listing	13.5.5F
15 Sussex Street	House	Retain heritage listing	13.5.5G
20 York Street	House	Retain heritage listing	13.5.5H

13.12 Missing Inventory Sheets for Existing Heritage Items Summary

Four (4) Heritage Items were missing Inventory Sheets. All four (4) Heritage Items Inventory Sheets were either located or created, with up to date photographs. One Heritage Item was recommended for investigation by a Heritage Consultant who specialises in garden and landscapes.

Street Address	Item	Recommendations	Appendix A Reference
Beecroft Road near southern end of Old Beecroft Road	Stone causeway over Devlins Creek	Retain heritage listing. Existing Inventory Sheet located dating to 2013. Inventory Sheet updated to reflect current condition.	13.5.6A
21 Chester Street	House and Garden	Retain heritage listing	13.5.6B
23 Chester Street	House and Garden	Retain heritage listing	13.5.6C
9 Norfolk Road	House and Garden	Retain heritage listing. Recommended for investigation by a Heritage Consultant who specialises in gardens and landscapes.	13.5.6D



Appendix A - Inventory Sheets

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

**Appendix 2 – City of Parramatta Council Report
and Meeting Minutes of Item 11.3 of 14 August
2017**

F2019/02038



NOTICE OF COUNCIL MEETING PUBLIC COPY

The Meeting of City of Parramatta Council will be held in the Jubilee Room, Parramatta Town Hall, Centenary Square, Parramatta on Monday, 14 August 2017 at 6:00pm.

Greg Dyer
CHIEF EXECUTIVE OFFICER

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COUNCIL CHAMBERS

Amanda Chadwick
Administrator

Greg Dyer Chief Executive Officer
Sue Weatherley - Director Strategic Outcomes & Development
Sue Coleman - Director City Services
Craig Becroft - Chief Financial Officer
Tim Butler- Chief Operating Officer
Rebecca Grasso - Director Marketing and City Identity
Mark Stapleton – Director Property and Significant Assets
Press

Assistant Minutes Clerk – Joy Bramham
Minutes Clerk – Grant Davies



GALLERY

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LEADING

ITEM NUMBER	11.3
SUBJECT	Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2
REFERENCE	F2017/00210 - D05111630
REPORT OF	Snr Project Officer

PURPOSE:

The purpose of this report is twofold: to detail the feedback received from submissions on the Epping Planning Review Discussion Paper exhibited from 21 June and 19 July 2017; and to recommend principles to guide Stage 2 of the Epping Planning Review.

RECOMMENDATION

- (a) **That** Council receive and note the submissions made on the Epping Planning Review Discussion Paper.
- (b) **That** the recommended principles, as identified within this report and contained within **Attachment 6** be endorsed for the purposes of guiding Stage 2 of the Epping Planning Review.
- (c) **That** Council Officers:
- 1 Brief the incoming Councillors on the Epping Planning Review process to date including the endorsed principles to confirm the future planning direction for Epping as part of progressing Stage 2 of the project, and
 - 2 That following the above briefing, a further report be submitted to Council recommending the commencement of Stage 2 of the Epping Planning Review which will involve preparing new planning controls including:
 - 2.1 A planning proposal to amend both the *PLEP 2011* and *HLEP 2013*
 - 2.2 A development control plan amendment to amend PDCP 2011 and HDCP 2013
 - 2.3 Amendments to relevant Contributions Plans and public domain plans where relevant.
- (d) **That** the recommendations contained within **Attachment 5** detailing the outcomes of the Stage 6 Heritage Review be endorsed.
- (e) **That** Council write to the community thanking them for their feedback and advising them on the outcome of Stage 1 Review and next steps
- (f) **Further, that** Council write to the Minister for Planning, Greater Sydney Commission, Department of Planning and Environment, Transport for NSW and the Roads and Maritime Services to provide an update on the project and outline of next steps.

BACKGROUND

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1. In March 2014, new planning controls for the Epping Town Centre and surrounds came into effect as a result of the Department of Planning and Environment's (DPE) Priority Precinct process. This process resulted in increased building heights and density controls within Epping Town Centre and surrounds which at the time was split between the former Parramatta City Council (western side of the train line) and former Hornsby Shire Council (eastern side of the train line). This process also saw the creation of three new Heritage Conservation Areas (on the former Hornsby Council side) – Rosebank Avenue, East Epping and Essex Street HCA.
2. On 12 May 2016, Council amalgamations saw the Epping Town Centre and immediate surrounds fall wholly within a new jurisdiction - the City of Parramatta Council. Prior to this, the Epping Town Centre had been split between the former Parramatta City Council (PCC) to the west and the former Hornsby Shire Council to the north and east. This historic dual structure has resulted in a complex planning control framework comprising of:
 - a. two local environmental plans (*Parramatta Local Environmental Plan 2011* and *Hornsby Local Environmental Plan 2013*);
 - b. two development control plans (*Parramatta Development Control Plan 2011* and *Hornsby Development Control Plan 2013*);
 - c. three development contributions plans with different contributions rates across each development type (a Section 94A plan applying to the former PCC area, and a Section 94 plan and Section 94A Plan applying to the former Hornsby Shire area); and
 - d. one public domain plan for the former Hornsby Shire Council area and public domain guidelines for the former PCC side.
3. The amalgamation has not changed or unified the planning controls, thus an exercise of bringing all of the controls into a single framework is required to deliver consistency. The objective of unifying the controls is to have one LEP, one DCP, one development contributions plan and one public domain plan applying to the entire town centre and immediate surrounds.
4. The Epping Planning Review project is identified in Council's *Operational Plan 2016/2017* under Action 2.4 "Review of Epping Town Centre Planning Controls". The Action involves undertaking a review of the planning for the Epping Town Centre, in conjunction with the Department of Planning and Environment (DP&E). Council's *Operational Plan 2017/2018* sees Council continuing to work with stakeholders on key precincts such as Epping. The *Draft West Central District Plan* also foresees that Council will progress the delivery of the Epping Town Centre urban renewal with the Greater Sydney Commission and the DP&E to ensure that the centre is considered as an integrated whole.
5. The study area for the Epping Planning Review is based on the DP&E's Urban Activation Precinct boundary and is illustrated in **Figure 1**. However, in the case of social infrastructure, the study boundary extends beyond the boundary in **Figure 1** so as to incorporate all the social infrastructure that Epping Town Centre residents rely on, which generally, is the Epping suburb.

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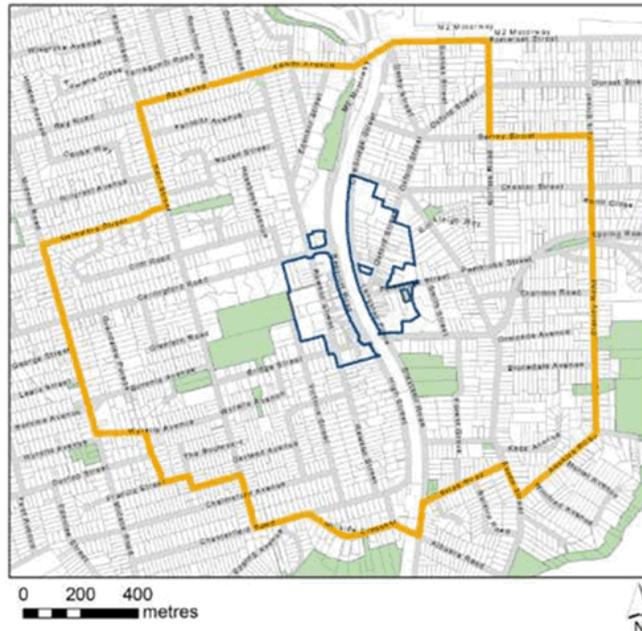


Figure 1 - Epping Planning Review Study area

6. The Epping Planning Review project involves two stages, the scope of which has been to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking growth within the Town Centre. It is also intended to allow the City of Parramatta Council to progress resolutions made by the former Hornsby Shire Council on specific heritage matters. Stage 1 of the Epping Planning Review has involved:
 - a. A public launch in mid December 2016.
 - b. Preparation of technical studies on Heritage, Social Infrastructure, Commercial Floorspace and Traffic (Interim) by consultants as well urban design and planning analysis which was undertaken by Council.
 - c. Pre-Phase 1 Community Consultation commencing in December 2016; this consultation is summarised in Chapter 5.0 Community Engagement of the Discussion Paper (**Attachment 1**) and involved Council Officer attendance at various community events such as the Australia Day and Lunar New Year to inform the community of the review being undertaken.
 - d. Phase 1 Community Consultation involved consultations that informed the technical studies and Discussion Paper and was undertaken in conjunction with Straight Talk who were engaged to facilitate the consultation events. The feedback received from the Phase 1 consultations was contained in Straight Talk's Phase 1 Community Consultation report which formed part of the supporting information to the Discussion Paper in **Attachment 1**.
 - e. The preparation of the Epping Planning Review Discussion Paper (informed by points b, c and d, above) for public exhibition.

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- f. Phase 2 Community Consultation carried out during the public exhibition of the Discussion Paper with a series of Community Workshop Sessions.
- 7. **Figure 2** below illustrates the major structural components of Stage 1 of the Epping Planning Review.

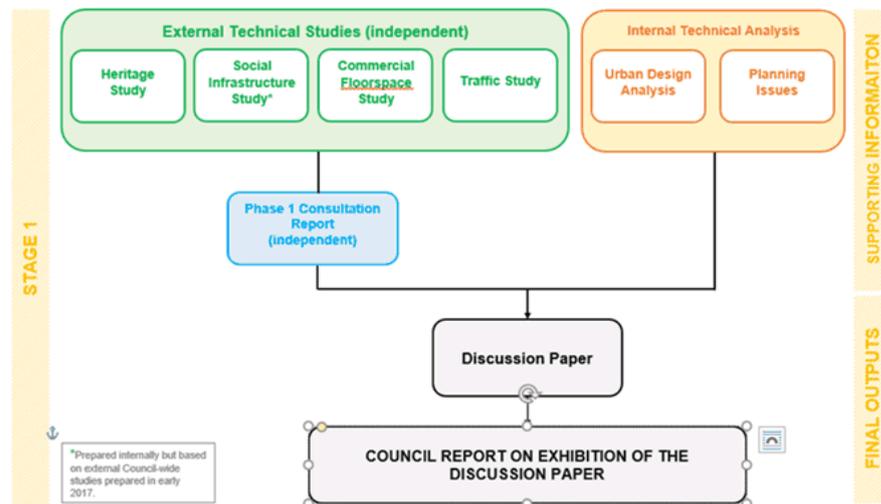


Figure 2 - Stage 1 of the Epping Planning Review

- 8. This Council report constitutes the last major milestone of Stage 1 of the Epping Planning Review and reports on the feedback received from the Phase 2 community consultations and Discussion Paper exhibition process.
- 9. Stage 2 of the Epping Planning Review will involve implementing changes to planning controls (zoning, heights, FSRs) and unifying the planning controls to create a single set of controls for the town centre. This means amending the *Parramatta LEP (PLEP) 2011* and the *Hornsby LEP (HLEP) 2013*, Parramatta DCP and Hornsby DCP, and relevant development contributions plans and public domain plans to create a single set of planning controls.
- 10. It is noted that the principles determined in Stage 1 also impact on other policy areas of Council (outside of the changes to planning controls covered in Stage 2) and that the findings and analysis carried out to date will be used to inform further work on these areas (ie. social infrastructure) as part of a separate process.

PUBLIC EXHIBITION OF DISCUSSION PAPER

- 11. The Epping Planning Review Discussion Paper (**Attachment 1**) and supporting studies were publicly exhibited from Wednesday, 21 June to Wednesday, 19 July 2016.
- 12. The Discussion Paper contained 32 questions, of which:
 - a. 4 questions addressed heritage interface issues;
 - b. 9 questions addressed commercial floorspace issues;

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- c. 11 questions addressed social infrastructure issues;
 - d. 2 questions addressed public domain issues; and
 - e. 6 questions addressed traffic and transport issues.
13. The context around the questions are detailed in the Discussion Paper.
14. Council has specifically sought responses to the questions to help guide the future direction of Stage 2 of the Epping Planning Review. As such this report focuses on the community feedback raised in relation to the questions.
15. It must also be noted that comments/feedback were also provided outside of the questions and this is also discussed in this report.

Phase 2 Community Engagement

16. Phase 2 community engagement involved a series of Community Workshop sessions which presented the findings of the technical studies and Discussion Paper. Feedback was also sought on the options and the questions.
17. Over 750 participant entries were recorded across all engagement activities, which incorporated:
- a. Three evening sessions held on:
 - i. Social Infrastructure and commercial floor space (3 July 2017),
 - ii. Heritage (5 July 2017), and
 - iii. Traffic (12 July 2017).

These were held at the St Albans Anglican Church Main Hall in the Epping Town Centre.
 - b. Two evening sessions for Epping's two largest culturally and linguistically diverse (CALD) communities:
 - i. A session for the Chinese community was held on 10 July 2017,
 - ii. A session for the Korean community was held on 17 July 2017.

These were held at the Epping Creative Centre.
18. All sessions were facilitated by Straight Talk, a consultancy commissioned to independently facilitate and record the feedback from each session.
19. These Phase 2 consultations are summarised in the *Epping Town Centre Review: Phase two – Exhibition period consultation* (provided at **Attachment 2**).

Site visits

20. Three site visits were undertaken by Council Officers and the Administrator at the request of residents who raised concerns about the impacts of current development in their areas. Site visits were undertaken at the following locations:
- a. Rosebank Avenue.
 - b. Eastern side of Essex Street, within the Essex Street HCA.
 - c. Norfolk Street in the vicinity of Pembroke Street.

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21. The purpose of the site visits was to listen to the concerns raised by residents with regard to the findings of the Discussion Paper and assist them in informing their submission.

Developer Consultation

22. On 30 June 2017, Council Officers hosted an Information Session for the applicants of the Austino Planning Proposal (adjacent to Forest Park) and the two Preliminary planning proposals at Rawson Street and Beecroft Road.
23. The purpose of this consultation was to provide an update to the applicants on the status of the Epping Planning Review project, in order to enable them to prepare a submission.

PROJECT STEERING GROUP

24. To ensure State agency engagement on the recommendations of the Epping Planning Review process, at the commencement of the project, Council established the Epping Planning Review State Agency Steering Group.
25. The Steering Group comprises representation from the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW and Roads and Maritime Services and staff of City of Parramatta.
26. To date, the Steering Group has met on three occasions to discuss issues relating to the review as well as oversee the progress of the Discussion Paper.

COMMUNITY FEEDBACK - INTRODUCTION

Submissions

27. Council received over 300 individual pieces of correspondence in response to the exhibition. Within this correspondence, there were several submitters that made multi-part submissions, as well as a few submissions made on behalf of small groups of residents. These factors meant that the total number of submitters was over 260.
28. The submissions varied broadly in scope in terms of their response to the 32 questions posed in the Discussion Paper. The majority of submissions (about 90%) directly answered questions posed in the Discussion Paper. Of these, about one third of submitters focused on one question, about one third of submitters discussed 2-5 questions, and about one third addressed 6 or more questions. About 12% of submitters addressed 20 or more questions.
29. **Figure 3** below demonstrates the frequency of response to the 32 questions.
30. As demonstrated in **Figure 3** there was a high level of response to each of the questions posed (minimum 24 responses; maximum 131 responses). The average number of responses to each question was 50, for a total of over 1,600 individual answers across all of the questions. The four questions attracting the highest frequency of responses were 9b (relating to the purchase of the former Bowling Club site), 9k (relating to future use of the Dence Park Aquatic Centre), 9a (relating to expanding parks ahead of creating new parks), and 11a (relating to delaying processing of planning proposals until the Traffic Study is complete); each of these four questions received over 100 responses.

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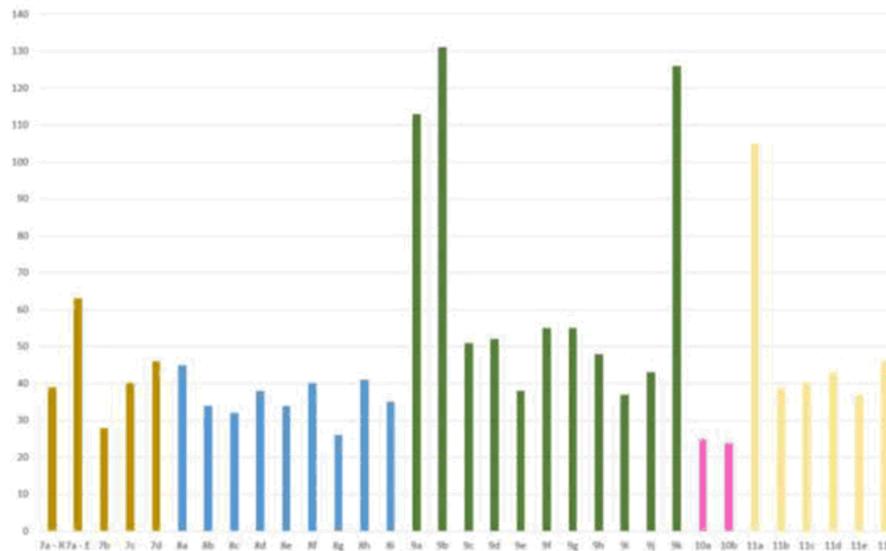


Figure 3 - Graph showing responses to the questions

- 31. **Attachment 3** provides a detailed summary of the submissions received in response to each question, and further sections of this report respond to this analysis on a question-by-question basis. Many respondents provided commentary outside of the questions posed, but which still broadly related to the five themes in the Discussion Paper (Heritage, Commercial Floor Space, Social Infrastructure, Public Domain and Traffic/Transport). This commentary is also summarised in **Attachment 3** on a thematic basis. Analysis of this feedback is also considered within this report.
- 32. Many respondents provided commentary outside of the questions and themes of the Discussion Paper. Council officers' analysis of this commentary is detailed in **Attachment 4** (General Comments). Analysis of this feedback is also considered within this report.

Community Workshop Sessions

- 33. The Community Workshop sessions (discussed above in 'Phase 2 Community Engagement') were a major element of the Phase 2 Community Engagement process and have been summarised in Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation* which forms **Attachment 2** to this report.
- 34. Generally, there are strong similarities with the feedback from the community submission process. However, any differences in views between submissions and feedback received directly from the community workshop sessions are explained in each of the chapter sections below.

HERITAGE CHAPTER

- 35. Chapter 7.0 of the Discussion Paper responds to the recommendations made within City Plan Services' *Epping Town Centre (East) Heritage Review* ("Heritage Review") as well as feedback received from residents during the Phase 1 consultations held in May this year.

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36. The sub-sections below summarise the responses to the Discussion Paper's four questions (ie. 7a, 7b, 7c and 7d) which pertain to Rosebank Avenue and Essex Street Heritage Conservation Areas (HCAs), Rockleigh Way, certain properties at Norfolk Road and Pembroke Street and the Rose Street Precinct.

Rosebank Avenue HCA

37. Until March 2014, the Rosebank Avenue area and surrounds were zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 by way of the Department of Planning and Environment's (DP&E's) Urban Activation Precinct process introduced the Rosebank Avenue HCA and introduced the R4 High Density Residential Zone to its south eastern, southern and eastern borders. The R4 High Density Residential Zone currently permits 5 storey residential flat buildings.
38. The Rosebank HCA and surrounding land zonings in *HLEP 2013* are illustrated in **Figure 4**, below.



Figure 4 - Rosebank Avenue HCA (hashed) and current zoning

39. Two heritage items are situated midpoint within the HCA, at No.s 9 and 10 Rosebank Avenue (refer to **Figure 5** below). These two sites mark the midpoint on either side of the HCA.
40. The street runs in a north/south direction with most properties fronting the street in an east or west direction. These lots are relatively large. However, No.23 Rosebank Avenue is the only property that fronts the street in a north/south direction. This lot is also much smaller in size and is flanked by larger lots that have frontage to Rosen Street. It therefore, has limited redevelopment opportunity on its own.
41. The Heritage Review assessed the heritage value of the HCA and has recommended the retention of the Rosebank Avenue HCA. However, this study only looks at the heritage factors and does not address the land use conflicts occurring at the interface at the rear of some of the properties within the Rosebank Avenue HCA.
42. A strong residential market has seen many of the R4 zoned sites be redeveloped for 5 storey residential flat buildings. This has created a conflict in land use that sees 5 storey residential flat buildings overlooking single and two

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storey low density residential development which is significantly impacting on the privacy and amenity of the Rosebank Avenue residents, particularly those at No.s 1-7, and 2-8 Rosebank Avenue.

43. Section 7.4.1 of the Discussion Paper presents 7 options to resolve interface issues at the Rosebank Avenue HCA (as well as the Essex Street HCA which is discussed in the section below). The options range from "Maintain the HCA" to presenting an option that would permit "3 storey residential flat building" redevelopment and involve the removal of the HCA notation in the *HLEP 2013*.
44. Council Officers recommend three options (Options 4, 5 and 6) for the Rosebank Avenue HCA all of which involve:
 - a. Removal of the HCA affectation in *HLEP 2013*; and
 - b. Planning controls that permit demolition of the existing housing and two storey redevelopment comprising: (1) Dual Occupancy (side by side); (2) Town Houses; or (3) Manor home, (with the exception of the two heritage items).
45. With the adjacent creek (zoned RE1 Public Open Space) and the two heritage items sitting midway in the precinct, the Discussion Paper noted that further analysis be undertaken to assess how *different options that might be applied to different parts of the HCA* due to the fact that the interface issues primarily affect the southern properties in Rosebank Avenue.
46. The standard question 7a. asks: *What is your preferred option and why?*

Community Feedback

47. Feedback from the community on Rosebank Avenue received via the community information sessions and via submissions was divided.
48. Some residents within Rosebank Avenue want to see the same planning controls that enable 5 storey residential development applied to their sites so they can maximise their economic benefit in the same way their neighbours have to the south and south east (refer to **Figure 5** below showing the extent of the HCA and street numbers).



Figure 5 - Rosebank Avenue HCA and heritage items with street numbers

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49. Views received via submissions and Community Workshop sessions from some residents who reside outside the HCA see the removal of the HCA and allowance for redevelopment as further degradation of local character. Many are unsympathetic to the residents experiencing the interface issues. Some view that the new R4 zone has been in place for over 3 and a half years and affected residents could have either sold up to a more tolerant resident who "knew what they were buying". Some hold the view that affected residents could have planted trees at the time the new controls came into effect to help mitigate the amenity and privacy impacts. There is also a perception from these respondents that the affected residents who see redevelopment as a resolution to the interface issues do not care about the impacts it will have on the residents who choose to stay or who are less affected by the new development.
50. With regards the heritage items at No.s 9 and 10 Rosebank Avenue, the predominant response from respondents was that the heritage items should be removed if the HCA notation is recommended for removal on the basis that the heritage items are just as affected as the properties at the southern portion of the precinct. They see that these properties also have visual proximity to the interface issues and this devalues the significance of the heritage items. There was also a contrary view – that the preference is for Options 1 ("Maintain the HCA") or Option 2 ("Landscaping at interface") across the precinct but notes that in the instance the HCA is recommended for removal, then the entire precinct should enable 5 storey residential flat buildings.

Conclusions and recommendations

51. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls introduced by the State Government in March 2014.
52. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That Council Officers accept that there are severe interface issues occurring (or, in some cases, are yet to occur) to the southern half of the precinct; specifically, the properties at No.s 1, 3, 5 and 7 as well as 2, 4 and 6-8 are likely experience the same impacts as the remaining adjoining R4 zoned land is redeveloped over time.
 - b. That a heritage item (such as the two at No.s 9 and 10 Rosebank Avenue), as opposed to a property with just a HCA notation over it, has a much more significant role in terms of heritage conservation and protection. The importance of a heritage item relies less on the surrounding character and more so on its own individual historical attributes. As such, it is not uncommon for heritage items to sit amongst development that is of a different typology.
 - c. The RE1 zoned land to the west comprising the eastern edge of Kent Street Park – along with the two heritage items - also forms a 'break' and mid point within the Rosebank Avenue Precinct.
 - d. Council Officers see that the interface issues are less significant at the rear of No.s 12 to 18 Rosebank Avenue, despite the R4 zoning on the adjoining large site to the east at No.23 Ray Road. Constructed in early 2011, the development on this site incorporates 2.5 and 3 storey town house development which faces the properties at No.s 12 to 18 Rosebank Avenue. These townhouses shield the 4 storey residential flat building development that fronts Ray Road. Since 2011, tree

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plantings now shield views to this development from Rosebank Avenue.

- e. Similarly, Council Officers determine that there are no interface issues occurring (or anticipated to occur) at the rear of the sites at No.s 13 to 21 Rosebank Avenue. This also includes No.23 Rosebank Avenue. These sites do not adjoin any R4 zoned land. As noted above, the property at No.23 is isolated, smaller in size than the other Rosebank Avenue parcels and has little chance of being redeveloped and given it is surrounded by the R2 zoned properties which have frontage to Rosen Street. Therefore, the current R2 zone is not considered to be inappropriate against the R2 zoned land which has a two storey height limit.
 - f. That any change to the planning controls needs to be sensitive and sympathetic to the existing heritage items at No.s 9 and 10 Rosebank Avenue.
 - g. That the removal of the HCA notation will not have any impact on the heritage significance of the two heritage items situated at No.s 9 and 10 Rosebank Avenue (refer to **Figure 5**) as these properties are recognised for their significance as stand-alone sites.
 - h. That the basis for any changes to the planning controls is to place as little pressure as possible on local traffic.
53. Council Officers therefore, **recommend the following principles:**
- a. In the case of properties situated at No.s 1, 3, 5 and 7 as well as 2, 4 and 6-8 Rosebank Avenue:
 - i. That Option 7 – 3 storey residential flat building redevelopment be permissible; and
 - ii. That further urban design work identify appropriate building height, density (FSR) controls, building setback and amalgamation controls so as to ensure an appropriate transition from 3 storeys to 2 storeys towards the heritage item sites to the north. This analysis will inform new DCP controls.

These recommended controls:

 - enable owners to achieve economic benefit from a higher density solution.
 - represent a sound transition in density from the 5 storey residential flat building to a single storey heritage item.
 - b. That the Rosebank Avenue HCA notation in *HLEP 2013* (labelled "C11") be removed entirely.
 - c. That the existing heritage items at No.s 9 and 10 Rosebank Avenue remain listed in the LEP Heritage Schedule as heritage items.
 - d. In the case of the properties situated north of the heritage items comprising No.s 13 to 21 Rosebank Avenue (western side) and 12 to 18 Rosebank Avenue (eastern side) and of No.23 Rosebank Avenue, that there be no change to the LEP planning controls.
 - e. That in the case of the entire Rosebank Avenue area, that the relevant DCP controls be amended accordingly, including any amendments to

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Section 9.3.14 'Rosebank Avenue (Epping) Heritage Conservation Area' section of the Hornsby DCP'.

- f. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Essex Street HCA

54. Until March 2014, land situated on the eastern side of Forest Grove - which directly adjoins land on the western side of Essex Street between Epping Road and Maida Road - was zoned R2 Low Density Residential. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R4 zone. The R4 High Density Residential zone permits 5 storey residential flat buildings.
55. The Essex Street HCA and surrounding land zonings in *HLEP 2013* are illustrated in **Figure 6**, below.

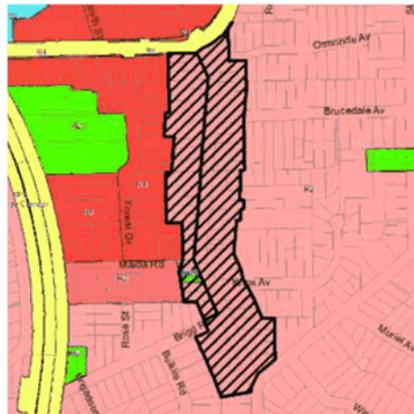


Figure 6 - Essex Street HCA (hashed) and current zoning

56. Four heritage items are situated within the Essex Street HCA - at No.s 42, 47, 76 and 84 Essex Street (refer to **Figure 7** below).
57. The Heritage Review assessed the heritage value of the HCA and has recommended retention of the Essex Street HCA. However, this study only looks at the heritage factors and does not address the land use conflicts occurring on the west side of the HCA between Epping Road and Maida Road.
58. A strong residential market has seen most of the R4 zoned sites (between Epping and Maida Roads) flanking the western side of Essex Street be redeveloped (or have existing approvals) for 5 storey residential flat buildings. This has created a conflict in land uses that sees 5 storey residential flat buildings overlooking single and two storey low density residential which is significantly impacting on the privacy and amenity of the Essex Street residents on the western side of Epping and Maida Road.

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59. Section 7.4.1 of the Discussion Paper presents 7 options to resolve interface issues at the Rosebank Avenue HCA (as well as the Essex Street HCA which is discussed in the section below). The options range from "Maintain the HCA" to "3 storey residential flat building" redevelopment.
60. Council Officers recommend three options (Options 4, 5 and 6) for the Rosebank Avenue HCA all of which involve:
- a. Removal of the HCA notation in *HLEP 2013*; and
 - b. Introduction of new planning controls that permit two storey redevelopment comprising: (1) Dual Occupancy (side by side); (2) Town Houses; or (3) Manor home (with the exception of heritage items).
61. The standard question, 7a., asks: *What is your preferred option and why?*
- Community Feedback*
62. Feedback from the community on the Essex Street HCA received via the community information sessions and via submissions is divided.
63. For residents residing on the western side of Essex Street, situated within the HCA, the responses were as follows:
- a. 75% of residents either supported the Council Officer recommendation or Option 7 ("3 Storey Residential Flat Building").
 - b. 25% of residents supported Option 1 ("No Change").
64. The predominant view from residents on the eastern side of Essex Street within the HCA also support the removal of the HCA notation to enable redevelopment that enables a transition to the adjoining R4 zone. Views from the eastern side of Essex Street held the strong view that if there was any change to the building form on the western side of the street, that the same type of development should be permissible on the eastern side of the street.
65. Views of residents that reside outside the HCA see the removal of the HCA and allowance for redevelopment as further degradation of local character. Furthermore these views have strong similarities with those of the residents situated outside the Rosebank Avenue HCA, in that:
- a. Some residents are not sympathetic to the residents experiencing the interface issues:
 - i. Some view that affected residents could have addressed interface issues early by tree planting at the time the new controls came into effect to help mitigate the amenity and privacy impacts
 - ii. Some view that affected residents could have either sold up and moved out by selling to a more tolerant resident who "knew what they were buying" and appreciates what special character is left.
 - iii. Some have the perception that the affected residents who are fed up and want to sell to maximise their economic benefit do not care about the impacts it will have on the residents who choose to stay or who are less affected by the new development.

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Figure 7 - Essex Street HCA and heritage items in HLEP 2013

Conclusions and recommendations

66. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
67. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
 - a. That there are significant interface issues that properties are experiencing on the western side of Essex Street HCA; specifically, those situated between Epping Road and No.86 Essex Street.
 - b. That there are no interface issues being experienced on the eastern side of the Essex Street HCA despite the numerous views of the residents residing on the eastern side. The role of the Essex Street road reserve is critical in establishing a demarcation between land uses. The road reserve which is approximately 21 metres wide when measured between the front boundaries of the western and eastern side of the street acts as a clear demarcation for any change in land use and becomes the ideal "line in the sand". If Council was to enable redevelopment uplift of the eastern side of Essex, this only pushes and extends the interface issue further east.
 - c. Essex Street stretches from Oxford Street in the north to Abuklea Road in the south with the Essex Street HCA section occupying a little more than 25% of its full length. Therefore, any recommendations to change the eastern side of Essex Street within the HCA section is likely to result in the Essex Street residents situated outside of the HCA that own land zoned R2 Low Density Residential to also seek uplift because the rezoning of the eastern side will establish a precedent.
 - d. Terry's Creek forms a natural geographical boundary rather than a boundary for land use change. Relying on Terry's Creek as a land use boundary would introduce a significant number of dwellings which

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- would not only have significant traffic implications but also result in significant additional land being up-zoned further away from the station.
- e. Of the 3 recommended re-development options within the Discussion Paper (which were: Option 4 Dual Occupancy (side by side), Option 5 Town house re-development and Option 6 Manor home, that Council Officers recommend Option 6 Manor home because this option:
 - i. Represents a sound transition in density from the 5 storey residential flat building to 2 a storey medium-density, to the 1 to 2 storey low density across the street. It means that no change to the existing height control is required.
 - ii. Does not require site amalgamation so that owners will be able to independently develop their sites if they wish.
 - f. That if there is a recommendation that enables redevelopment of the western side of Essex Street between Epping and Maida Roads, that there is no heritage benefit in keeping the Essex Street HCA notation.
 - g. The removal of the HCA notation will not have any impact on the heritage significance of the four heritage items situated at No.s 42, 47, 76 and 84 Essex Street (refer to **Figure 7**) as these properties are recognised for their significance as stand-alone sites.
68. Council Officers therefore, **recommend the following principles:**
- a. That the Essex Street HCA notation in *HLEP 2013* (labelled "C10") be removed in full.
 - b. That the existing heritage items at No.s 42, 47, 76 and 84 Essex Street remain listed in the LEP Heritage Schedule as heritage items.
 - c. That the planning controls for the properties on the western side of the Essex Street HCA area be amended to permit re-development that involves demolition of the existing housing (with the exception of heritage items) to enable development of two storey manor home development, between Epping Road and Maida Road.
 - d. That the planning controls for the properties on the eastern side of the Essex Street HCA area remain unchanged and not be amended.
 - e. That further urban design be undertaken to determine the appropriate density, setbacks and other building envelope and controls to guide the development of new manor home development. This analysis will inform new development control plan (DCP) controls including any amendments to Section 9.3.13 'Essex Street (Epping) Heritage Conservation Area of the Hornsby DCP'.
 - f. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Rockleigh Park

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69. The Rockleigh Park precinct comprises 33 small subdivided lots that come off a small, narrow laneway system. The area is predominantly zoned R4 high Density Residential (shown edged yellow in **Figure 8** below) with an R3 Medium Density Residential zoned strip edging the north and eastern boundaries. The subject site currently contains medium density housing.
70. Until March 2014, the 36 parcels that make up Rockleigh Park were zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R4 zone to the 18 parcels central within Rockleigh Park. The R4 High Density Residential zone permits 5 storey residential flat buildings. No sites have been redeveloped in accordance with the new zone on account of constraints around community title and the small street network.
71. The precinct's proximity to the R4 zoned land at Essex Street to the south and the East Epping HCA to the north (shown hashed red) are illustrated in **Figure 8**.
72. The Heritage Review commissioned by Council recommends down-zoning the parcels zoned R4 (which has a 17.5 metre or 5 storey building height) to R3 Medium Density Residential zone (which has a 12 metre or 4 storey building height) to better reflect existing development.



Figure 8 - Rockleigh Way (area edged in yellow and with a R3 zoned strip)

73. The Discussion Paper recommends supporting the R3 zone and that further urban design analysis to identify the appropriate amalgamation, height and density controls be carried out.
74. The proposed downzoning to the R3 zone better reflects the current use – small single and two storey cottages, some of which are attached, on a small, narrow laneway system.
75. The standard question at the end of this section (Question 7b) asks: *Do you agree with the recommendation for Rockleigh Park?*

Community Feedback

76. Community feedback from residents on this issue showed strong support for the down zoning of the site from the R4 zone to the R3 zone.
77. Respondents also said that the proposed R3 zone:
- a. Would more appropriately deal with the transition between higher and lower density areas; and

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- b. Should be supported by a master planning process so that appropriate heights and density controls can be put in place.

Conclusions and recommendations

78. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

79. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. With 18 lots zoned R4 and 15 lots zoned R3 all of which rely on the same small road network for access which falls under a community title, it is highly unlikely that these sites will be purchased by a developer for redevelopment.
- b. The recommended downzoning better reflects the current use – small single and two storey cottages, some of which are attached, on a small, narrow laneway system.
- c. The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries.
- d. That redevelopment of Rockleigh Park for 5 storey residential flat building development would reflect further and unnecessary encroachment of inappropriate high density development up against low density development.
- e. That the recommendation within the Discussion Paper to down-zone the R4 zone to the R3 zone still stands.

80. Council Officers therefore, **recommend the following principles**:

- a. That the component of Rockleigh Park currently zoned R4 be rezoned to the R3 zone so that the entire 33 parcels fall under a single (R3) zone consistent with the recommendations with the Heritage Review and Discussion Paper.
- b. That further urban design analysis be undertaken across all of Rockleigh Park to determine the best building height and density (FSR) controls including amalgamation patterns should the site be amalgamated in the future. This analysis will also inform DCP controls.

1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street

81. The parcels at 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street are all currently zoned R2 Low Density Residential with the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street located within the most southern section of the East Epping HCA (refer to **Figures 9 and 10**, below)

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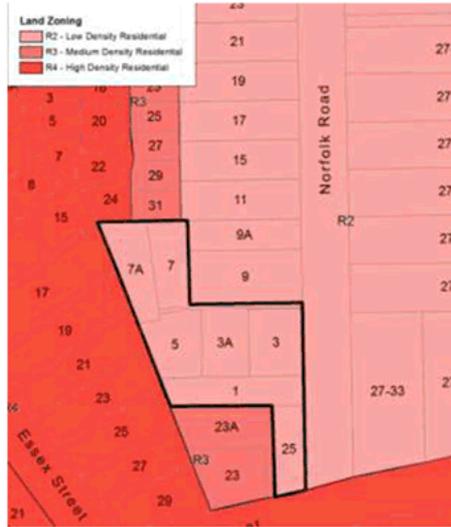


Figure 9 - Norfolk Road and Pembroke Street properties – land zonings as per HLEP 2013



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84. Until March 2014, the R4 zone to the west of this area did not exist. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process rezoned the R2 Low Density Residential land to the R4 High Density Residential zone which permits 5 storey residential flat buildings.
85. The Heritage Review commissioned by Council recommends:
- a. The removal of the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street; and
 - b. Rezone No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street as well as No. 5, 7 and 7A to the R3 zone so all parcels share the same zoning and also, match the zoning to the south.
86. Since 2014, when the adjacent R4 zone came into effect, there has been no redevelopment of land in this vicinity however, it is noted that a strong residential market could drive redevelopment in the future.
87. To resolve any forthcoming interface issues at No.s 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, Section 7.4.2 of the Discussion Paper presented three options and sought feedback. The three options are as follows:
- a. Option 1 is as per the Heritage Review's recommendation (described above).
 - b. Option 2 is to both:
 - i. Remove the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Rezone all of the seven parcels to the R3 zone, but restrict development on No.s 3, 3A, 5, 7 and 7A Norfolk Road to a 2 storey manor home and encouraging No.s 1 Norfolk Road and 25 Pembroke Street to amalgamate with No.s 23 and 23A Pembroke Street to redevelopment into a town house scheme.
 - c. Option 3 is to:
 - i. Remove the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Retain the R2 zone on No.s 3, 3A, 5, 7 and 7A Norfolk Road, and
 - iii. Allow No.1 Norfolk Road and 25 Pembroke Street to be rezoned to the R3 zone.
88. The standard question at the end of this section (Question 7c) asks: *...what is your preferred option and why?*

Community Feedback

89. Feedback from the community via the community information sessions and submissions is divided.
90. Responses from the owners of No.s 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, included a coordinated group response which was included in some of the households' submissions. These indicated unanimous support

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for Option 1 (remove HCA and rezone to R3). Key reasons for supporting this option were:

- a. That there is a desire to resolve future interface issues with the anticipated R4 development yet to occur on the adjoining R4 land.
 - b. That the option could encourage amalgamated development sites large enough to support "high-quality integrated development" with adequate transition to adjacent low-rise areas and the Heritage Item at 9 Norfolk Road.
 - c. To encourage housing within walkable access to the school and town centre.
 - d. That Option 2 (manor home) was not preferred as it was seen as an undesirable and less integrated approach than larger site amalgamation along with the potential problems with strata-titled developments sharing one driveway (i.e. access, construction, utilities) was also raised although it should be noted that the manor home recommendation involves amalgamated sites.
 - e. That Option 3 was considered as an uncoordinated approach to zoning that could result in small, piecemeal development. An alternative for R4 zoning was also raised by some.
91. Feedback from two adjoining owners, including the owner of the adjoining heritage property at No. 9 Norfolk Road have preference for Option 3 as this is seen as a more appropriate building form response since the sites at No.s 3A, 5, 7 and 7A Norfolk Street have no street address.
92. Feedback from other residents were varied:
- a. some seeing Option 2 as preferable,
 - b. others as Option 3 as preferable, with
 - c. others feeling that only limited redevelopment was acceptable (low density to be replaced with low density).
93. Other residents cited the local neighbourhood shop building which is attached to the dwelling at No. 25 Pembroke Street as a valued and historically important building in this area. However, despite the Heritage Study's identification of the site as a 'contributory item', it also recommends removal of the East Epping HCA notation over the site.

Conclusions and recommendations

94. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
95. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That any response needs to be sensitive to the heritage item at No.9 Norfolk Road.
 - b. The narrowness of the lots at No.25 Pembroke Street and No.1 Norfolk Street lend themselves to amalgamating with No.s 23 and 23A given their location.

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Planning Proposal various properties Epping

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- c. That the R4 High Density Residential zone to the west and R3 Medium Density Residential zone to the south have the strong potential to result in interface issues which need to be managed.
96. Council Officers therefore, **recommend the following principles:**
- a. That option 2 from the Discussion Paper be applied, which involves:
- i. Removing the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Rezoning all of the seven parcels to the R3 zone*, but:
 1. Limit re-development on No.s 7 and 7A Norfolk Road to a 2 storey manor home.
 2. Enable re-development on No.s 1, 3 and 3A, 5 Norfolk Road and 25 Pembroke Street to realise residential flat building (no more than 3 storeys in height) however, undertake urban design analysis to determine:
 - appropriate height, density and amalgamation controls including the controls affecting No.s 23 and 23A Pembroke Street; and
 - appropriate setback controls from the heritage item at No. 9 Norfolk Street; and
 - that this analysis informs DCP controls including any amendments to section 9.3.12 'East Epping Heritage Conservation Area'.
- Note:** this may result in a different zone depending on the methodology utilized in the harmonization of the planning controls.
- b. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Rose Street precinct

97. The Rose Street Precinct is flanked by properties zoned R3 Medium Density Residential (which front Maida Road), Blaxland Road to the west, the Essex Street HCA properties to the east and Brigg Road to the south. It excludes the Essex Street properties and a pocket park in the north east corner with Maida Road and Essex Street. Refer to **Figure 11** below.
98. Until March 2014, land situated on the southern side Maida Road was zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R3 zone to Maida Road. The R3 zone permits 4 storey residential flat buildings.

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Figure 11 - Rose Street Precinct (area hashed blue)

99. The land that is zoned R3 is being redeveloped into 4 storey residential flat buildings. Also the topography slopes (downwards) to the south increasing the impact of the height of new development.
100. The Heritage Review assessed the appropriateness of the R2 zone with regards to the adjoining Essex Street HCA and concluded that the Rose Street precinct be upzoned to the R3 zone on a land use basis.
101. With regards to land outside the precinct (as per **Figure 11**, above) it should be noted that as per the recommendations for Essex Street, the HCA notation to the east of the precinct is recommended for removal.
102. As at mid July 2017, over two-thirds of the strip of R3 zoned land fronting Maida Road has either been developed as 4 storey residential flat buildings or is under construction for the same.
103. There is potentially an opportunity for Council to pursue an acquisition process to purchase sites for community/public open space in the vicinity of Rotary Park given the findings from the *Epping Social Infrastructure Study* which supported the Discussion Paper.
104. The Discussion Paper supports the recommendation within the Heritage Study - which is to zone the precinct R3 zone - but also recommends that further master planning work be undertaken to determine the appropriate height and density controls so as to ensure a clear transition to the R2 zoned land on the southern side of Brigg Road.
105. The Discussion Paper seeks feedback on the recommendation (Question 7d) which asks: *Do you agree with the recommendation for the Rose Street Precinct?*

Community Feedback

106. Council received a total of 45 submissions on this issue. Feedback from the community is divided. Responses from 19 respondents support the Discussion Paper's recommendation to up-zone the precinct. This is largely because those residing within the Rose Street precinct feel they have lost significant amenity with the introduction of the 4 storey residential flat building development occurring to the north. The views of residents outside the precinct (26 respondents) do not support the recommendation for up-zoning as they feel

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that it will only extend pressure to upzone land further south. Some respondents have the view that the four storey interface is insignificant. (Refer to a summary of the submissions at **Attachment 3**).

107. The above views were also reflected at the Community Information Sessions (refer to Straight Talk's *Epping Town Centre Review - Phase Two - Exhibition period consultation* at **Attachment 2**).

Conclusions/Recommendations

108. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

109. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. That the interface issues that are occurring to the north of the precinct require a land use planning response to manage these interface issues.
- b. That the recommended R3 Medium Density zone in the Heritage Review and the Discussion Paper generally represents a sound transition to the R2 zone on the southern side of Briggs Road providing that master planning is undertaken for this precinct.

110. Council Officers therefore, **recommend the following principles**:

- a. That the land be rezoned to the R3 zone*; and
- b. That further urban design analysis/master planning process is needed to:
 - i. Determine how development from the north needs to step down to a building height of 2 storeys at the Brigg Road frontage to transition to development across the road. Transition should also be considered towards the eastern end of the site to ensure future massing appropriately responds to the low density residential development fronting Essex Street.
 - ii. Determine an appropriate amalgamation pattern, building height, density and setback controls as well as provision of communal and public open space
 - iii. That this analysis inform DCP controls.

Note: this may result in a different zone depending on the methodology utilized in the harmonization of the planning controls. But the intended built form outcome will remain the same.

- c. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Hornsby Heritage Review Stage 6

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111. Section 7.1 within the Heritage Chapter of the Discussion Paper responds to a previous Hornsby Shire Council resolution pertaining to certain heritage matters in Epping.
112. Identified as part of 'Stage 6' of the Hornsby Shire Council Heritage Study Review, the Heritage Study prepared by City Plan Services reviewed these matters and made a number of recommendations. These matters and recommendations are detailed in **Attachment 5** and are also detailed in the consolidated list of recommendations contained in **Attachment 6**.

COMMERCIAL FLOORSPACE CHAPTER

113. As noted in the Discussion Paper, in 2011 the Epping Town Centre had 4,512 jobs with 55,000sqm of office floor space and 13,000sqm of retail floor space. However, since 2014, new development within the B2 Local Centre zone has reduced the amount of office floor space. Developers are replacing existing large scale office towers and small scale (2 and 3 storey) office development with shop top housing.
114. This trend is occurring despite the Hornsby DCP controls requiring non-residential uses on the first two to three floors of development in the B2 Local Centre zone. Parramatta's DCP controls require applicant's to provide "up to" 4 storeys of commercial development, but only for development on Beecroft Road.

Note: Commercial floorspace is floorspace utilised for retail, office or business premises.

115. The Department's position on the reduction of commercial floor space is that, based on market analysis, demand for commercial floor space is expected to reduce as other centres such as Macquarie Park and Norwest Business Park become more attractive. City of Parramatta commenced a review and in response commissioned SGS Economics and Planning to understand whether the loss of floor space is a positive trend, and to understand other commercial land use elements that may create a more successful town centre.
116. Chapter 8.0 of the Discussion Paper responds to the recommendations made within SGS Economics and Planning *Epping Town Centre Commercial Floorspace Study* ("Floorspace Study") as well as feedback received from residents during the Phase 1 consultations held in May this year.
117. The sub-sections below summarise the responses to the Discussion Paper's nine questions which pertain to:
- a. Epping Town Centre's role as a Sub-District Centre;
 - b. The role of Government owned sites; and
 - c. The mix of retail uses.

Epping as a Sub District Town Centre in 2036

118. One of the concepts considered in the Floorspace Study is the State Government's **30-minute city** where people can access a wide range of job, services and other opportunities within 30 minutes from their place of residence.
119. Sections 8.5.1 and 8.5.2 within the Discussion Paper comprises three questions (8a to 8c) which seek feedback on the future role of the Epping Town Centre to the year 2036.

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Community Feedback

120. With regards to question 8a: *Should Epping evolve as a Sub District Centre with a target of achieving the commercial floor space targets without any increase in Net Floor Space on Business B2 zoned sites?* The community's responses are highly supportive of the role of the centre having a significant component of commercial floorspace. The most common view is that there needs to be more variety in retail and more night time activity.
121. With regards to questions 8b and 8c, these ask if Epping should evolve as a Sub District Centre:
- a. Without any increase in net floorspace (8b) noting that additional commercial floorspace provision would be provided at the expense of residential development; or
 - b. By allowing an increase in net floorspace (8c) to recognise the need for increased provision of commercial floorspace.
122. Responses were as follows:
- a. Despite residents generally recognising the need for additional commercial floorspace, residents generally consider that this additional floorspace should be contained within the current height and density controls.
 - b. Developers believe that an incentive – such as mandating a minimum commercial floorspace - needs to ensure that there is no net loss of potential residential floorspace and is an essential mechanism to ensure the delivery of the amount of commercial floorspace to deliver a sub-district centre.

Conclusions and recommendations

123. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
124. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude** the following:
- a. That Epping Town Centre should aim to be a Sub-District Centre in 2036 (ie. 13,000sqm of retail floorspace and 55,000sqm of other commercial floorspace) as per the *Epping Commercial Floorspace Study* prepared by SGS Economics and Planning.
 - b. The urban design analysis demonstrates that a 3 storey podium is required on remaining developable sites within the town centre to achieve the target identified in the Study.
 - c. In order for the Epping Town Centre to become a vibrant commercial centre, additional floorspace which enables higher rates of office and retail floor space is needed.
 - d. Such controls need to be mandated and therefore, should be in the LEP not the just the DCP.
 - e. That the traffic implications of increased commercial floorspace provision and associated increase in residential floorspace (should this be supported) be tested as part of the traffic study.

125. Council Officers **recommend the following principles:**

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- a. That further analysis be undertaken to determine the best LEP mechanism that mandates for a minimum amount of commercial floorspace within suitable locations that delivers a minimum 3 storey podium of commercial floorspace in the LEP and that this apply to all land zoned B2 without having the need to expand the B2 zone (except in the case of the site at 240-244 Beecroft Road – see below).
- b. That any additional residential floorspace and height be investigated and analysed through the Traffic Study to partially recognise the proposed requirement to provide increased commercial floorspace.
- c. That the SGS Economics and Planning's *Epping Commercial Floorspace Study* and Section 8.5.2 of the Epping Planning Review Discussion Paper which demonstrates that there is demand for additional retail and commercial floor space in Epping be used to inform the assessment of future development applications until more formal planning controls are in place.

Role of Government owned Sites

126. As noted in the Discussion Paper, the *Epping Commercial Floorspace Study* has identified a role where Government-owned sites could be used as part of a deliberate strategy to support the Government's 30-minute city strategy by:
 - a. Providing commercial floor space to offset the loss when other sites are developed; and
 - b. Providing floor space to allow businesses that are displaced when their existing building is being redeveloped to relocate within the centre.
127. The section below discusses the Government-owned sites that have been identified as opportunities to contribute to the 30-minute city strategy.

State Government owned sites

128. Part of Section 8.5.3 of the Discussion Paper proposes two State Government owned sites within the town centre at the following addresses to provide commercial floorspace:
 - a. 240-244 Beecroft Road, Epping (see **Figure 12** below); and
 - b. Epping Railway Station Site (see **Figure 13** below).

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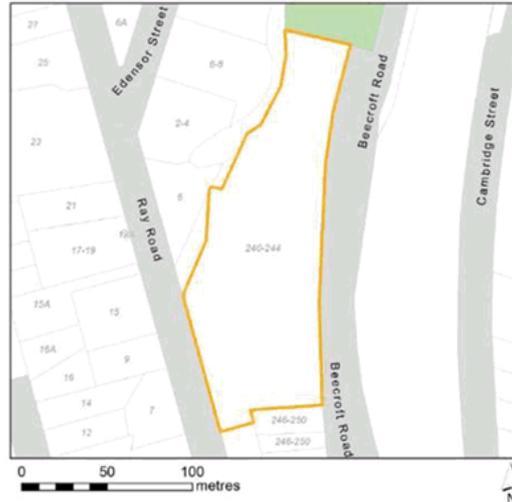


Figure 12 - UrbanGrowth NSW site – 240-244 Beecroft Road, Epping

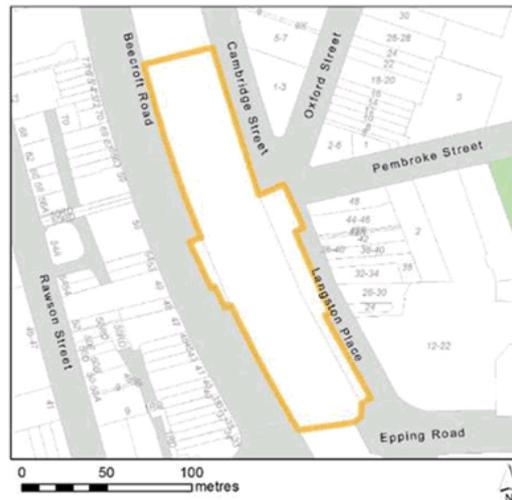


Figure 13 - Epping Railway Station site

129. The questions for each site (8e, 8f and 8g) asks the community *what contribution should each site make to the provision of commercial floor space in Epping?*

Community Feedback

130. A total of 40 responses were received on this question.

131. Community feedback received on the UrbanGrowth site at 240-244 Beecroft Road, Epping was:

- a. 19 submissions supported commercial and/or retail uses at the site, though some of these preferred commercial only, while more preferred a mix of non-residential uses.

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- b. Some respondents saw the site as having potential to provide commuter parking or a bus interchange.
 - c. Some respondents, including the land owner were of the view that the R4 High Density Residential zone was appropriate; reasons offered in support of this view included its proximity to the station and that there are other more suitable and feasible large commercial sites nearby. The landowner, a State Government agency, also questioned the need for large-scale floorplates in the town centre and at this site specifically.
132. Community feedback received on the Railway Station Site was as follows:
- a. There was a high level of agreement that it could make a strong contribution to connectivity and civic space. The existing pedestrian connections through the station site were generally seen as inadequate, unattractive and inaccessible, and viewed redevelopment as a potential way to address some of these issues.
 - b. While there was a high level of support for use of this site for public open space and to improve public connectivity, there was less support for associated development due to concerns such as perceived overdevelopment and potential impacts on views and overshadowing.
 - c. While some submissions acknowledged that partnering with a developer might be necessary to realise development at this site, in general, only a low level of development was seen as acceptable – with many not accepting any level of development at all.
 - d. Many submissions acknowledged the technical complexity of such an undertaking, due to interface with the rail line.

Refer to a summary of the submissions at **Attachment 3**.

133. The above views were also reflected in the Community Workshop Sessions (refer to the *Epping Town Centre Review: Phase two – Exhibition period consultation Attachment 2*).

Conclusions and recommendations

134. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
135. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. The State Government site situated at 240-244 Beecroft Road had previously been zoned B2 zone up to March 2014 when the State Government rezoned the land to residential. The amount of commercial floorspace that the site could deliver under the current controls would be tokenistic given its current R4 zone which only permits shop top housing and neighbourhood shops.
 - b. Large floorplate commercial is an important part of making a town centre commercially vibrant and diverse. The centre's poor offering of large floorplate commercial is identified as a disadvantage in the SGS Economics and Planning *Commercial Floorspace Study*.
 - c. There is limited opportunity for large floorplate commercial floorspace within the town centre.
 - d. The State Government sites:

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- i. Are large in scale (particularly the Beecroft Road site) and can make a unique offering by providing large floorplate commercial as found by the *Floorspace Study*.
- ii. Can make a contribution to commercial floorspace as per the urban design analysis which recommends three storey podium of commercial development.

Each State Government site could be individually assessed for an appropriate level and type of commercial floorspace.

136. Council Officers therefore, **recommend the following principles:**

- a. With regards to the site at 240-244 Beecroft Road, that:
 - i. That Council amends the planning controls (as discussed above) to rezone the site back to the B2 zone to ensure an appropriate contribution is made towards commercial floorspace whilst retaining current residential floorspace capacity. This may include concentrating these uses at the southern end of the site.
 - ii. That Council meet with UrbanGrowth NSW to discuss this proposed amendment.
- b. With regards to the Epping Railway Station site, that Council Officers meet with Transport for NSW to discuss the opportunities for the site to deliver commercial development.
- c. That the traffic impacts of both options need to be properly understood before finalising any changes to the planning controls.

Local Government owned sites

137. Part of Section 8.5.3 of the Discussion Paper considers two Council owned sites within the town centre at:

- a. Council Car Park site at Rawson Street (see **Figure 14**); and
- b. Epping Library Site (see **Figure 15**).

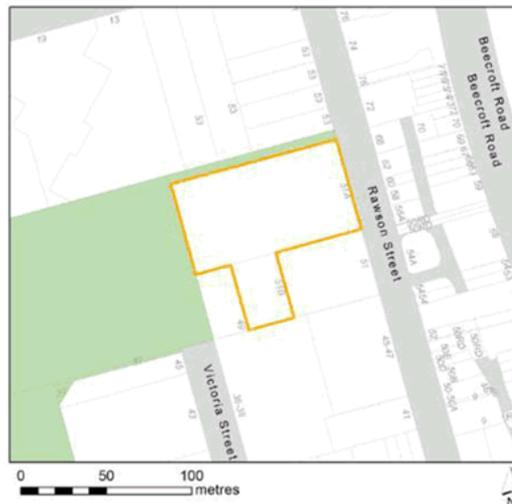


Figure 14 - Council Car Park landholding – 51A and 51B Rawson Street, Epping

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Figure 15 - Epping Library Site

138. Council has been approached by two developers to enter into an agreement to redevelop the Rawson Street car park.
139. The Epping Library site was previously identified by Hornsby Shire Council as a potential redevelopment site. Through an EOI process initiated by Hornsby Shire Council, it sought to redevelop the site with a view to being redeveloped with residential uses and a new library facility located on the lower storeys.
140. With regards to the Rawson Street car park site, the Discussion Paper recommended that the site not be identified as a site where significant commercial or retail floor space should be contemplated. If redeveloped, this site will more likely play a role ensuring that there is sufficient social infrastructure provided in the town centre.
141. The two questions – one for each site – asked:
- a. 8f. Should the Epping Library and Council car park sites play a role in providing for commercial floor space in the centre?
 - b. 8g. Should the floor space allocated to community uses and commercial floor spaces be equivalent to or greater than the levels required on adjoining equivalent sites?

Community Feedback

142. A total of 38 responses were received on this question.
143. Community feedback received on the Rawson Street Car Park site was as follows:
- a. The predominant view was that respondents felt that the car park site should not be redeveloped to include commercial floor space. Instead an open space/plaza was preferred, in conjunction with linkages to nearby Boronia Park and underground parking.
 - b. There were strong views that this site should be retained for public use only.

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- c. Some respondents (9) were positive about or at least willing to consider some commercial development here, some with provisos such that community facilities were maintained/increased, that height was limited, that access to Boronia Park was maintained, that such development might not be feasible given demand for commercial floor space, and that any such decision would require additional community consultation and careful consideration.
 - d. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.
144. Community feedback received on the Epping Library Site was as follows:
- a. Views on the library site were more evenly-mixed. While 13 respondents were supportive or at least willing to consider such a proposal, 16 submissions were not supportive.
 - b. As with the car park, there was a frequent view that maintaining an exclusive public use on this site was important. Amongst those willing to consider a possible redevelopment, there were again provisos, such as prioritisation of community space over commercial, making space for NGOs, only with limited height potential, only with a master planning exercise, and only if community facilities were maintained or expanded.

Refer to a summary of the submissions at **Attachment 3**.

145. The above views were also reflected in the Community Workshop Sessions (refer to the *Epping Town Centre Review: Phase two – Exhibition period consultation* **Attachment 2**).

Conclusions and recommendations

146. These two Council assets are explored in more detail in the Social Infrastructure section of this Council report
147. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude** in the Social Infrastructure section of this Council report:
- a. Council Officers note and support the community's preference for Council to use its current assets at Rawson St and Chambers Court (Epping Library) for community uses.
 - b. Refer also to the Social Infrastructure section of this Council report where this asset is discussed in more detail including recommended principles.
148. Council Officers therefore, **recommend the principles**:
- a. From the 'Local of Potential Civic Focal Point' section in the Social Infrastructure Chapter session of this report be applied here; and
 - b. That investigation take place on the potential for commercial uses on both sites and that occur in conjunction with the analysis on these sites' social/community role.

Delivering a supermarket on the eastern side of the Town Centre

149. As noted in Section 8.5.4 of the Discussion Paper, one of the issues that will impact on the future liveability of Epping Town Centre will be future residents' and workers' ability to access their daily food retail needs in a convenient manner.

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150. The Discussion Paper explains that ideally there should be a supermarket provided on both sides of the rail line as supermarkets tend to be an anchor use that encourage other smaller and medium enterprises to locate nearby, providing a wider range of local uses for daily needs. A supermarket (Coles) already operates on the west side of the centre but there is no supermarket on the eastern side.
151. As the Discussion Paper explains, the planning system cannot mandate the location and operation of any business. The planning controls allocate floor space ratios and set in place planning controls that seek to create an environment for the business community to operate these types of businesses. Council cannot guarantee a supermarket would be provided, but it can put in place planning controls that promote or incentivise desirable outcomes and apply economic development initiatives to attract a supermarket tenant.
152. Supermarkets require large floorplates. On the eastern side of the Epping Town Centre, the existing lot pattern with multiple small shops requires significant lot amalgamation to occur to achieve an appropriate site. Having considered the pattern of Development Applications already in place and the possible locations for a supermarket, the Discussion Paper presents one site as ideal for a supermarket to service the eastern side of the Town Centre. The landholding (see **Figure 16**) consists of 7 sites – 38-48 Langston Place and 2 Pembroke Street – which together have a site area of approximately 2,900sqm.

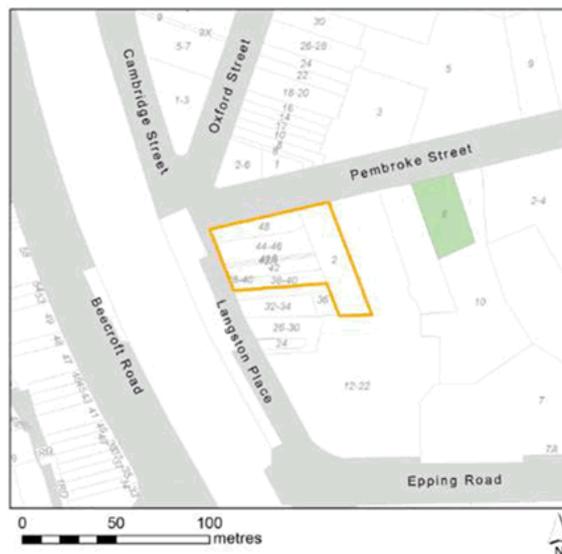


Figure 16 - Site identified within the Discussion Paper as a potential supermarket site on eastern side of Epping Town Centre

153. The question in the Discussion Paper, standard question 8h, asked *Should Council seek to actively encourage a supermarket site on the eastern side of the Epping Town Centre by providing floor space and height bonuses to incentivise the site amalgamation necessary to achieve a supermarket?*

Community Feedback

154. Specific feedback with regards to the eastern side was as follows:

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- a. Most respondents were positive about a supermarket on the eastern side of the rail line. There was a perception that additional residential development on the eastern side would necessitate this. As noted above, many submissions did not wish to accept height increases to incentivise this use.
 - b. Some alternative locations were suggested besides the one raised in the Discussion Paper, such as church and library sites on the eastern side, or at the end of Chester Street where traffic is less of an issue.
 - c. Few felt that supermarket options on the western side and/or nearby centres was sufficient, and that an additional supermarket was not needed on the eastern side.
155. Specific feedback with regards to the western side was as follows:
- a. There were more mixed views about additional or new supermarkets, and this seemed to be affected by the fact that there is already a supermarket on the western side.
 - b. Most respondents did not support planning incentives to deliver a supermarket.
 - c. Some respondents saw supermarkets as a secondary consideration on the western side, instead considering smaller shops, services and other commercial floor space as more important.
 - d. Some respondents suggested that DCP controls be drafted to support delivery of a supermarket, rather than incentives.

Conclusions and recommendations

156. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude and recommend the following principle**:
- a. That the requirement for 3 storey commercial podium (as discussed, above) would provide additional floorspace for commercial and retail uses that could assist in potentially delivering a supermarket on the eastern side.

Other Large Floorplate Retail Options

157. As noted in Section 8.5.4 of the Discussion Paper, Council has two Preliminary Planning Proposals seeking to increase FSR and height on sites on the western side of the Epping Town Centre. In both the proposals submitted there are large floorplate shops provided for in the lower levels. (Refer to **Figures 17 and 18**).
158. In order to achieve a role for Epping as a sub district centre, it is critical that these sites provide commercial levels in a podium and that larger floorplate shops are retained within it. The DCP currently requires up to a 4 storey podium be provided for the Beecroft Road Site (see **Figure 18**). However, the current planning controls do not contain any provisions that require the applicants to retain large floorplate outlets. There are also no controls that require a supermarket site be retained for the site on the western corner of Rawson Road and Carlingford Road
159. This type of landuse/planning control has traditionally not been specified in a DCP and instead it has been left to the market to determine the mix of retail shop sites in a development. However, it is recommended that Council

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strengthen its DCP controls to specify that large floorplate retail should be provided.

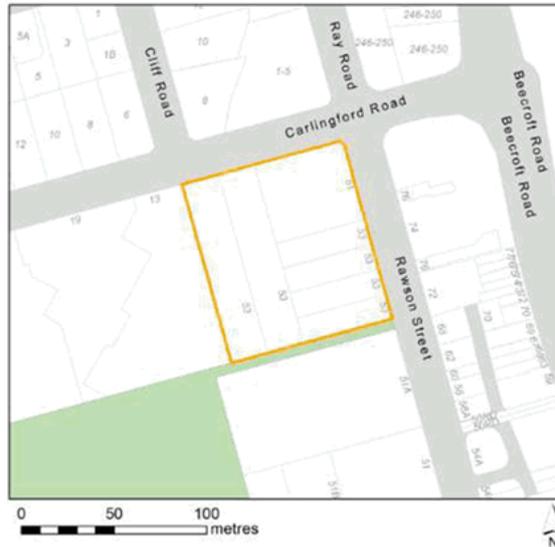


Figure 17 - Oakstand land holding



Figure 18 - Beecroft Road land holding

- 160. The circumstances for these sites are different to those discussed above in relation to providing a supermarket in the east. These sites have effectively already been amalgamated so there is no incentive required to promote amalgamation.
- 161. However, in both cases the applicants via their Preliminary Planning Proposals are seeking additional density on these sites over and above what is permitted

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under the current controls. There are various other issues, particularly traffic management and urban design, that need to be considered before any decision about whether these sites will be able to be developed at higher densities.

162. However, a position Council could take is that any additional density on these sites (subject to Council being satisfied it is satisfactory from a traffic and urban design point of view) would be conditional upon large floorplate shops being provided.

163. The Discussion Paper question (8i) asked: *Should Council consider floor space incentives to seek to ensure larger floorplate retail shops on these sites?*

Community Feedback

164. There was a common, though not unanimous, view that more retail options are required across Epping. However, amongst the respondents who discussed incentives, most did not want Council to consider incentives to encourage amalgamation of large floorplates.

Conclusions and recommendations

165. These two sites are subject to another standard question (11a) in the report that asks if further consideration of the Planning Proposals (including the Austino planning Proposal) be deferred until the Traffic Study is complete so the traffic implications are fully understood (see on Traffic Chapter, below).

166. Council Officers therefore, **recommend the following principle:**

- a. That the consideration of large floorplate controls be deferred until the preliminary planning proposals can be progressed. See also recommendations in Traffic Chapter, below.

SOCIAL INFRASTRUCTURE CHAPTER

167. Chapter 9.0 Social Infrastructure comes from technical work initially prepared for Council by Suter Planners and Elton Consulting on Council's social infrastructure across the City of Parramatta local government area. The analysis relevant to the Epping suburb was extracted and presented in the *Epping Social Infrastructure Study* prepared by Council which supported the exhibition of the Discussion Paper.

168. The role of the Chapter 9.0 Social Infrastructure is to identify principles that will guide future decision making on the provision of social infrastructure. The outcomes are via feedback received on the questions.

169. The Discussion Paper recognises that the process will also need to be informed by project feasibility and financial analysis prior to Council making any decisions on exactly how and where social infrastructure changes are pursued in the future.

170. The Discussion Paper looks at the areas requiring attention in Epping:

- a. Improving access to open space
- b. Location of potential future Civic Focal Point
- c. Methods for funding and delivering a potential future Civic Focal Point
- d. Dence Park - Epping Aquatic and Leisure Centre.

These are summarised below.

Improving open space provision in Epping to 2036

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Item 18.6 - Attachment 1Planning Proposal various properties Epping

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171. Section 9.5.1 of the Discussion Paper discusses three issues that seek to improve open space provision to meet the Epping community's needs by 2036. These are outlined and addressed below.

Assessing where new land should be acquired for open space

172. The Discussion Paper's recommended principle is that Council look at opportunities to expand the size of existing parks over and above creating new parks. The Discussion Paper's standard question (9a.) asks: *Do you support an approach of expanding existing parks in and around Epping ahead of the creation of a new park in the area around the Epping Town Centre?*

Community Feedback

173. Feedback from both the submissions and Phase 2 Community Workshops shows very strong community support for expanding open space opportunities in Epping, though it is noted that not all submissions appeared to view this question as a choice between expanding existing parks versus creating a new park. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

174. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. The community's strong support for expanding access to open space is noted.
- b. Community sentiment reflects the directions outlined for open space (parks) in Council's draft Social Infrastructure Strategy (SIS), which is to be publicly exhibited between August – September 2017, and is expected to be finalised by the end of 2017. In relation to parks, the draft Strategy suggests no net loss of current parks and outdoor recreation space provision in the City of Parramatta LGA, to increase the utilisation and hours of use of Council's existing parks through improvements to quality and design, diversity of offer, enhanced pedestrian, cycle, public transport connections and or parking facilities, and further to seek to increase provision of open space for parks and outdoor recreation.

175. Council Officers therefore, **recommend the following principles**:

- a. That Council should investigate a series of detailed options to ensure that all its open space needs are met for the growing Epping population.
- b. That community feedback on expanding access to open space parks in Epping be considered as an information input to inform finalisation of Council's Social Infrastructure Strategy and the preparation of an Organised Sporting Asset Assessment Report (OSAAR) which is currently being drafted.

Acquisition of former bowling club site (725 Blaxland Road)

176. The Discussion Paper explains that a Planning Proposal by Austino Property Group applies (in part) to the former Epping Bowling Club site situated at 725 Blaxland Road (refer to **Figure 19** below). The site is currently zoned RE1 Public Recreation zone and identified for acquisition on the Land Reservation Map in *HLEP 2013*.

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Figure 19 - Former bowling club site – 725 Blaxland Road, Epping

177. Despite this, the Hornsby Council concluded in April 2016 that the purchase of the site for the purpose of expanding Forest Park *is unlikely to represent value for money when compared with alternative open space options within the locality.*
178. The applicant's planning proposal is currently proceeding through the Department of Planning and Environment's Pre-Gateway Review process. In November 2016, Council nominated to be the relevant planning authority (RPA) in order to have influence over the outcome. It did so on the condition that the Gateway Determination is issued after the exhibition of the Discussion Paper and technical studies. However, because the Traffic Study is not yet complete, Council is reluctant to determine the planning proposal until the proponent's proposed density has been tested within the traffic model. Regardless, at any point, the Minister for Planning can withdraw Council's status as the RPA and take full control of the planning proposal process and progress it in a way that may not fully address Council's or the community's concerns.
179. The Discussion Paper's standard question (9b.) asks: *Should Council purchase the former Bowling Club site separate from the current Planning Proposal process or continue to consider the Planning Proposal option that it be provided to Council subject to additional density being permitted on the existing landowners site?*

Community Feedback

180. Feedback from both the submissions and Phase 2 Community Workshops shows very strong community support in favour of purchasing the Bowling Club and for Council to not progress the Planning Proposal. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

181. Having considered the feedback from the Phase 2 consultations along with Council's analysis, Council Officers **conclude**:

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- a. Council's Property officers have since undertaken an indicative assessment of the valuation of the site and determine that its value is cost prohibitive. The analysis further finds that Council would achieve better value for money by purchasing individual residential R2 zoned properties elsewhere near the town centre for a new park. Indicative costing of this alternate approach is provided within the *Draft Former Hornsby Council/Epping Town Centre Development Contributions Plans* which are scheduled to be exhibited from August to September 2017.
- b. That should the planning proposal progress, that Council negotiate with the developer for the provision of public open space appropriately located and sized on the site.

182. Council Officers **recommend the following principle:**

- a. That Council should seek to progress the planning proposal with Council as the RPA subject to the Traffic Study being completed before FSRs for the site can be finalised. That Council also negotiate with the developer for the provision of public open space in a way that ensures there is a suitable area of open space which is appropriately sized and located.

Note: Refer also to the response to question 11a pertaining to *Consideration of Planning Proposals/Preliminary Planning Proposals*.

Process for acquiring open space

183. As noted within the Discussion Paper, Council will, as part of future phases of the planning process (initiated via the Discussion Paper) commence the feasibility analysis for identifying potential residential sites that could be acquired to expand existing parks. Consultation with land owners will precede any rezoning because in most instances they will be single detached homes. It will be necessary to explain to the occupants/owners the impacts on their property value, their ability to sell their site and the ability to stay on the site.
184. The Discussion Paper's question (9c.) asks: *Do you support Council pursuing a process where acquisition of land for open space is done on the basis of negotiated acquisition rather than compulsory acquisition?*

Community Feedback

185. With regards to the submissions received, there were mixed responses. Whilst respondents generally supported negotiated acquisition over compulsory acquisition, many other respondents expressed:
 - a. support for compulsory acquisition in limited circumstances only;
 - b. negotiated acquisition for private homes but compulsory at development sites;
 - c. support for any option which would increase open space; and
 - d. strict opposition to compulsory acquisition.

A more detailed summary of feedback to this question is contained in **Attachment 3**.

186. With regards to the Phase 2 Community Workshop, the predominant response supported negotiated acquisition with a few respondents not supporting the idea. (A more detailed summary of feedback to this question is contained in

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Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation report at Attachment 2*).

Conclusions and recommendations

187. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. Council has prepared a Council wide draft *Social Infrastructure Strategy* (SIS) which is scheduled for exhibition from August to September 2017. The draft SIS: *identifies and assesses existing social infrastructure provision in City of Parramatta LGA. It identifies contemporary challenges we have for realising quality social infrastructure, and finally key opportunities and directions by asset type (including open space) and for City of Parramatta's 13 high growth areas (which includes Epping). This draft Strategy applies to our unique and diverse neighbourhoods as well as our CBD.*
- b. Council is also preparing an *Organised Sporting Asset Assessment Report* (OSAAR). The OSAAR will further assist Council to understand the specific challenges and opportunities that existing with each of our sports fields and determine the priority actions to take to increase provision and utilisation of our sports field open space. This will include sports fields in the suburb of Epping.
- c. The Discussion Paper process which constitutes Stage 1 of the Epping Planning Review aligns with the approaches being undertaken for the draft SIS and OSAAR, both of which are about increasing access to green open space.

188. Council Officers therefore, **recommend the following principle**:

- a. That the findings, analysis and feedback from Stage 1 of the Epping Planning Review process relating to the process for acquiring open space be considered as part of the preparation of the final SIS and OSAAR projects

Utilising existing land more effectively

189. The Discussion Paper explains that there are a number of factors that determine the level of intensity of use of a local park or sports field, to ensure it can be used by the community without being degraded. Two key factors are the amount (or type) of landscaping on the site, and the level of maintenance required. The Discussion Paper provides two examples:

- a. re-configuring landscaping in existing parks could enable more active uses (including both unstructured play and organised sporting activities) while also accommodating for the needs of residents who want to use parks to passively enjoy the outdoors.
- b. provide a different surface treatment to playgrounds and sporting fields to accommodate a higher level of use, such as the use of synthetic sporting surfaces.

190. The Discussion Paper's question (9d.) asks: *Are you supportive of Council investing in improved landscaping and equipment in parks and sporting fields, including investigating synthetic surfaces for sporting fields to cater for more intensive use?*

Community Feedback

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191. Feedback from both the submissions and Phase 2 Community Workshops revealed there was unanimous community support for improving landscaping, equipment and parks in Epping. There were mixed views on synthetic surfaces, with some accepting and some against their use. The community urged a site-by-site consideration of parks with additional consultation to make future decisions about improvements to parks and sports fields. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

192. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. Council Officers recognise that the community of Epping support the upgrade and increased utilisation of parks and sports fields. Council Officers also acknowledge that there is mixed opinion for synthetic sports fields.
- b. The sports fields in the suburb of Epping must be analysed and planned within the context of the overall sports field network in the CoP LGA.
- c. Council has prepared a draft SIS which is scheduled for exhibition from August to September 2017. Work has also commenced on an LGA wide detailed organised sporting asset assessment (ie. the OSAAR).
- d. As part of the above documents Council will consider the use of synthetics and other options to increase utilisation and access to sports fields, as well as upgrades to parks within Epping.

193. Having considered the feedback from the Phase 2 consultations, Council Officers **recommend the following principle**:

- a. That the responses provided as part of the Phase 2 consultation process for the Epping Planning review relating to landscaping and synthetic surfaces for parks will inform the finalisation of the Social Infrastructure Strategy and Organised Sporting Asset Assessment Report. The intention is to finalise the SIS by the end of 2017.

Establishing partnerships to make better use of existing facilities

194. Large institutional landowners, including government and non-government schools, provide opportunities for Council to facilitate partnerships with local community organisations (such as amateur sports clubs) to make better use of existing facilities for the local community. In the case of schools, many children within the Epping community use their schools' open space areas during the week, but are unable to use the same fields on the weekend in organised sporting activities by non-school groups. The way in which schools are fenced off, and the way landscaping is used to prevent access is important to ensure the safety and supervision of students during school days, however there is an opportunity to consider further community use of schools' sporting fields.

195. Council considered a report on 13 June 2017 where it resolved to enter into a Memorandum of Understanding (MOU) with the NSW Department of Education (DOE). The associated Investigation Program identifies seven action areas that together form the basis of Council's initial work with DOE:

- a. Increase community access to sports fields.
- b. Establish formal arrangements between DOE and Council to continue use of Carlingford High School sports fields.

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- c. Increase community access to school halls and related facilities.
 - d. Increase community access to library facilities.
 - e. Proactive joint planning for the growth of Telopea and the shared use of school facilities and community assets.
 - f. Proactive joint planning and preparation to support the opening of Wentworth Point Public School.
 - g. Proactive joint planning of a primary school in the Carter Street Precinct.
196. The Discussion Paper sought feedback on how this MOU should be pursued in the Epping area through question 9e. *Which schools should Council pursue in the Epping area to progress the MOU between Council and the Department of Education to improve the availability of sporting fields?*

Community Feedback

197. The community's views from both submissions and the Phase 2 Community Workshops were as follows:
- a. There is broad support for use of school facilities.
 - b. Some respondents query some of the detail about which schools and which facilities.
- A more detailed summary of feedback to this question is contained in **Attachment 3**.

Conclusions and recommendations

198. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That there is broad support for Council to work with schools to increase community use of school assets.
 - b. Council is commencing implementation and this includes investigating the suitability of individual schools and assets for community use.
 - c. Initial actions will focus on analysing the suitability of sports fields on specific school sites.
199. Council Officers therefore, **recommend the following principle**:
- a. That the detailed community feedback provided as part of the Phase 2 community engagement process for the Epping Planning Review inform the implementation of the MOU with the DOE.

Location of potential future Civic Focal Point

200. Section 9.5.2 of the Discussion Paper defines a **Civic Focal Point** as comprising:
- a. A library and community facility floor space; and
 - b. A public urban plaza.
201. The Discussion Paper (and *Epping Social Infrastructure Study* which supports the Discussion Paper) identifies:
- a. That to meet the needs of a larger population living in a higher density environment by 2036, the Study recommends the provision of a 3,500sqm multi-purpose facility based on the Community Hub model

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(involving library and community facility floor space). This could include the co-location of an expanded library offering, as well as community meeting rooms, study areas, community programming facilities and the like.

- b. That the 550sqm Epping library facility requires an additional minimum 1,000sqm to meet current population needs.
202. The Discussion Paper subsequently proposes three options for a civic focal point within the Epping Town Centre:
- a. Rawson Street car park site (refer to **Figure 14**);
 - b. Epping Library site (refer to **Figure 15**); or
 - c. Two civic focal points each with a range of services.
203. The Discussion Paper then presents the Council Officer recommendation which is for Option 1 – Rawson Street Car Park site as *the site is better able to accommodate a Community Facility Hub and Civic Space in a way that can be integrated into the broader pedestrian network and town centre. ...[it] does not result in the loss of any existing community facility given that the public car park can be located underground below the new Community Facility Hub whereas the Epping Library Site and Pembroke Park would result in the loss of local open space if Pembroke Park was converted into a more formalised Civic Space.*
204. The city-wide Draft Social Infrastructure Strategy which is scheduled to be exhibited from August to September 2017, identifies the need to locate and plan for a civic focal point within the Epping Town Centre.
205. The Discussion Paper asked three questions relating to a Civic Focal Point:
- a. Questions 9f. and 9g. asked: *Where is your preferred location for a Civic Focal Point incorporating a Community Facilities Hub and some form of Civic Space? and Why is this your preferred location?*
 - b. Question 9h. asked: *Would you support existing community facilities sites being sold to assist with funding a new consolidated single community hub to provide a higher quality community facility somewhere else within the Epping Town Centre?*
 - c. Question 9i. asked: *Should Council seek to develop Council-owned sites to maximise the funding available to deliver a new Civic Focal Point?*

The responses to the above questions pertaining to a Civic Focal Point are consolidated below.

Options for funding and delivering a potential future Civic Focal Point

206. Section 9.5.3 of the Discussion Paper proposes three options for funding and delivering a potential future Civic Focal Point:
- a. Selling land that becomes surplus to requirements if a single Civic Focal Point is built;
 - b. Maximise the development potential of sites to assist with funding a Civic Focal Point; or
 - c. Allowing additional density to secure a new Civic Focal Point.

These are discussed below.

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Selling land that becomes surplus to requirements if a single Civic Focal Point is built

207. As noted within the Discussion Paper, all Council-owned sites located within the town centre have some development potential for which Council could realise value by selling the site for redevelopment. Council could seek to sell any number of sites it currently owns to provide funding for delivery of the community infrastructure discussed in this section.

208. The purpose of selling sites would not be to reduce the level of services. Instead, the strategy would be to provide improved services in a more efficient way on a consolidated site.

Maximise the development potential of sites to assist with funding a Civic Focal Point

209. As noted within the Discussion Paper, one option for funding the provision of Community Infrastructure is for Council to realise the value of land holdings in a way that provides the community with a financial return that can be used to assist with funding the new Civic Focal Point (the EOI process that Hornsby Shire Council undertook before the Local Government boundary changes that saw Epping included in the City of Parramatta is an example which involved the Council finding a partner to develop a site). Another avenue can be through a planning proposal process involving Council owned land. Two Preliminary Planning Proposal examples were provided in the Discussion Paper.

210. The redevelopment of Council owned land in partnership with other partners can deliver significant community benefits that will allow the delivery of community infrastructure in a more financially sustainable manner. The Discussion Paper seeks feedback on whether the community is comfortable with this approach.

211. The Discussion Paper's question (9i.) asks: *Should Council seek to develop Council-owned sites to maximise the funding available to deliver a new Civic Focal Point?*

Allowing additional density to secure a new Civic Focal Point

212. The Discussion Paper notes two Preliminary Planning Proposals, for sites adjoining the Rawson Street Carpark Site. Both propose an increase in the overall density permitted on their site and both proposals seek to underground the carpark, and provide community facilities and a civic space.

213. The Discussion Paper's question 9j. which asks the community to consider a trade-off between timely provision of community facilities against additional density being permitted in the town centre, was: *Are you willing to accept further increases in density in the town centre if it would assist with funding a new Civic Focal Point?*

Community Feedback

214. Community feedback received from the submission process and Phase 2 Community Workshops on questions 9f, 9g and 9h pertaining to a Civic Focal Point indicated mixed views:

- a. The most common response was a preference for two sites (and of these, most expressed support for the Rawson Street Car Park and Library sites). The key reasons for this included a preference for having different sites for different uses and a perception of "fairness" across both sides of the rail line.
- b. Of those who preferred a single site, the most common response was the Rawson Street Car Park site. The main advantages for this site

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were seen to be access, site size, parking and proximity to Boronia Park.

- c. There was proportionately more support for Council seeking to develop Council-owned sites, than for selling existing community facilities or accepting further increases in density from the Phase 2 Community Workshops. This feedback was more supportive of such redevelopment models of Council-owned sites.

215. Refer to Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation* report at **Attachment 2.a** more detailed summary of feedback at **Attachment 3**.

Conclusions and recommendations

216. Having considered the feedback from the Phase 2 consultations and submissions, Council Officers **conclude**:

- a. Council Officers note and support the community's preference for community facilities on both sides of the railway line.
- b. Council Officers note and support the community's preference for Council to use its current assets at Rawson St and Chambers Court (Epping Library) for community uses.
- c. Council officers note that there was no clear preference over the three options. However most support was given to the "developing council owned sites" option.

217. Council Officers therefore, **recommend the following principles**:

- a. That Council utilise its assets at Rawson Street car park and Chambers Court to provide community infrastructure and civic focal points on both sides of the town centre.
- b. That Council seek to develop a community hub (defined above) but on one of the sites and other adjunct uses for the other site.
- c. That there be no net loss of community facility floor space overall in Epping.
- d. That Council seek to increase the utilisation of all of Council's current assets in Epping for the broader community.
- e. That further feasibility testing of Council owned land assets should be undertaken (including additional community consultation) to develop options - including a Community Hub (defined in the Discussion Paper as a *facility incorporating a library and community facility floor space*) and public urban plaza - and potential funding mechanisms for community facilities in Epping.

Dence Park – Epping Aquatic and Leisure Centre

218. Council's *Social Infrastructure Study* identifies that the Dence Park – Epping Aquatic and Leisure Centre is aging and has accessibility issues which means it does not meet current standards for this type of facility. Hornsby Shire Council considered the option of closing the centre at the time the pool was its responsibility.

219. Section 9.5.4 of the Discussion Paper acknowledges that as part of the development of a community facilities strategy, Council will need to determine what role the Epping Aquatic and Leisure Centre might play. For instance,

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should the centre be redeveloped or modernised as an aquatic centre, or put to an alternate community use.

220. Through the Phase 1 community consultation process, it was clear the facility is a beloved community asset to sections of the Epping community. However, despite this impassioned position, usage levels of this facility have been in decline over the longer term, except in the last year where usage levels had actually increased since City of Parramatta took ownership.
221. The Discussion Paper noted the strengths and the weakness of the site. The strengths are that Council owns the land and that Council will open the pool for the October 2017 summer season. The weaknesses of the site are that:
- a. The Centre is aging, needs significant upgrading, and is at risk of significant infrastructure failure
 - b. It lacks visual prominence,
 - c. It is in a bushfire-prone site,
 - d. Is underutilized, and
 - e. The topography of the site makes modernising the site a relatively expensive exercise and impacts on its accessibility.
222. Adjoining bushland along Terrys Creek is a key wildlife corridor (confirmed in recent bushland fauna surveys).
223. The Discussion Paper's question (9k) asks: *What should be the future use of the Dence Park Aquatic Site?*

Community Feedback

224. The feedback from both the submissions and Phase 2 Community Workshops showed there was very strong community support to retain Dence Park for public and recreational uses. There was also strong community support to retain the swimming pool, and perhaps increase/improve it in some capacity with an expanded indoor fitness centre or similar uses. Furthermore, many respondents highlighted the environmental conservation value of the bushland and the need for its retention along with carefully selected passive recreational uses.

Conclusions and recommendations

225. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. Council's Draft SIS which is being exhibited from August to September 2017 draws attention to the LGA-wide issues pertaining to the overall aquatic infrastructure/network.
 - b. Adjoining bushland along Terrys Creek requires protection and there needs to be a restriction on the expansion of Dence Park aquatic facility.
226. Council Officers therefore, **recommend the following principles**:
- a. The feedback obtained from the Phase 2 consultation process be considered and integrated into the exhibition process for the Draft SIS.
 - b. A master plan process be undertaken for the entire Dence Park site, giving consideration to the future options for aquatic and other water related activities for the Epping Aquatic and Leisure Centre, as well as

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increasing the overall recreation uses of the site and adjoining sensitive bushland.

PUBLIC DOMAIN CHAPTER

227. The intense growth within the Epping Town Centre has presented Council with the opportunity to review aspects of the centre's public domain, identify opportunities for improvements and present these to the community for discussion. The feedback and direction will also assist Council in advising Development Application and Planning Proposal applicants until new planning controls can be formulated. The areas requiring immediate attention are pedestrian connections and footpath widths.

228. Numerous urban design themes have been consistently raised throughout the consultation process on:

- a. Pedestrian connections - That pedestrian connections should be:
 - i. created or improved either between or through blocks;
 - ii. improved between different land uses and attractors (i.e. the centre and open space areas);
 - iii. created at mid-block where block lengths were long; and
 - iv. improved to form linkages from one side of the centre to the other.
- b. A vibrant centre – The community are enthusiastic about the possible future of Epping. They want their town centre to reflect the vibrant, friendly, community which they are familiar with.
- c. Enable liveability - The community see that future infrastructure planning needs to "enable liveable town centres" as an overarching principle.

229. The Discussion Paper subsequently presented two public domain issues:

- a. Through-block connections, streets, laneways and arcades and shareways; and
- b. Wider footpaths (which pertain to building setbacks).

230. The Discussion Paper asked two questions each were supported by a diagram:

- a. 10a. *Are there any other through site links outside of those that are already proposed in Figure 30 that should be considered by Council?* and
- b. 10b. *Do you think the new ground floor setbacks proposed in Figure 31 for Epping Town Centre are appropriate?*

Community Feedback

231. Community feedback (from 23 submissions) received on the through-block connections indicated the following:

- a. Some submissions broadly reflected that any and all links should be encouraged, in order to improve safe and pleasant access across the town centre.
- b. Many submissions also identified specific existing links that they wished to see reflected in the map.

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- c. Some submissions proposed:
- extensions to existing links, and/or
 - where a new link could be created.
232. Community feedback (from 21 submissions) received on wider footpaths said the following:
- a. The majority of submissions were supportive of the new ground floor setbacks proposed in the discussion paper.
 - b. Some submissions noted that having setbacks which are consistent are important, and noted that the desired setbacks are not being achieved consistently through current controls (particular concern about current redevelopment at 35 Oxford Street).
 - c. Some respondents felt that setbacks should be further increased (for example, on Oxford Street, Epping Road and Beecroft Road); justifications included that increased setbacks might provide space for larger trees, and that footpaths will continue to get busier in the town centre as Epping grows and that this could present safety and accessibility risks – particularly to those with limited mobility. Trees were seen in some submissions as being important to Epping's character, as well as having shading, cooling and aesthetics benefits.
 - d. Some respondents also asked Council to consider cycling movement through Epping, as increasing bicycle trips could improve traffic issues.
 - e. A couple of respondents were not supportive, as it was felt that the current setback situation is adequate.
 - f. One developer was also not supportive of the proposed setbacks and instead proposed that setbacks be flexible in order to accommodate large retail/commercial floorplates at podium levels, should be determined at a master planning stage, and that having tightly controlled setbacks might not achieve the best outcome in all cases.
233. Refer to **Attachment 3** for a summary of the submission responses. Also, Public Domain matters were not covered by the Community Workshop Sessions.

Conclusions and recommendations

234. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. There are a number of opportunities to improve the public domain in terms of delivering through-block links and wider footpaths.
 - b. The best mechanism for delivering public domain initiatives is via new DCP controls (where appropriate) and a revised public domain plan.
235. Council Officers therefore, **recommend the following principles**:
- a. That as part of Stage 2 of the Epping Planning Review, that Council prepare appropriate DCP controls and a public domain plan that deliver through-block links and wider footpaths.

TRAFFIC CHAPTER

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236. As noted on the Discussion Paper, Council has commissioned EMM Consulting to prepare a Traffic and Land Use Options Study (Traffic Study) to provide an evidence-based approach to the assessment of existing and future traffic conditions with different development scenarios for the Epping Town Centre and surrounds, including potential infrastructure improvements.
237. The Traffic Study builds on traffic study work which was carried out previously by Halcrow in 2011 on behalf of Hornsby Shire Council, the former Parramatta City Council and the Department of Planning and Environment as part of the proposed new planning controls implemented by the Department of Planning and Environment in 2014.
238. There are significant concerns from the community around the impacts of the additional residential densities permitted under the 2014 planning controls given the additional population envisaged and the subsequent impacts on an already congested and constrained road network. There is also increasing developer pressure to increase residential densities (through Planning Proposals) beyond that permitted under the existing planning framework.
239. EMM prepared an *Interim Traffic Modelling Report* which was exhibited as supporting information to the Discussion Paper. It included preliminary analysis to provide an indicator of the issues and options available to allow discussion of these issues as part of the exhibition process.
240. The preliminary advice concludes that regardless of what land use density options or road work improvements are put in place there is little scope for significant improvements to the way the road network operates in the Epping Town Centre without new and additional policies to reduce car usage and shift more trips that currently come through the centre by car onto public transport modes.
241. This chapter of the Discussion Paper presented six questions that play a role in developing the scenarios for the purposes of the traffic model exercise.

Consideration of Planning Proposals/Preliminary Planning Proposals

242. The Discussion Paper explains the level of developer interest in the Epping Town Centre with three planning proposal under assessment and other land owners also expressing a desire to seek uplift.
243. The standard question (11a) asks: *Should Council delay the processing of current and future Planning Proposals within the Epping Town Centre and surrounds until the Traffic Study is completed?*

Community Feedback

244. This matter received a total of 103 submissions - the most received for any standard question.
245. The predominant view (94 submissions) is overwhelmingly in favour of delaying the progression of any planning proposal including existing planning proposal, preliminary planning proposals and future planning proposals.
246. The majority of submissions to this question also raised concerns about existing traffic congestion in Epping (particularly around the Town Centre). Specific matters raised included:
- a. Residential growth has already outpaced the original traffic review carried out by Hornsby Council.

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- b. There is a need to address traffic flows in and out of North Epping before further major developments are started.
 - c. The volume of traffic has already increased markedly over the past decade and this is significantly detracting from the amenity of the Town Centre, with current levels of congestion only likely to worsen.
 - d. A workable traffic solution for existing problems needs to be developed by Council and the RMS before any future Planning Proposals should be considered.
247. There was a broad view that further traffic analysis is required, and commentary on the Traffic Study was offered. Many submissions suggested that any additional impact from Planning Proposals (both current and future) needs to be carefully studied and understood, and that Council should not delay pending traffic studies.
248. A few submissions mentioned that the quality of the recommendations in the Traffic Study will depend on the quality of the assumptions made during the modelling performed. It was suggested that the Traffic Study should be peer reviewed and made available for public comment prior to finalisation. One submission recommended that the Traffic Study should assess usage and movement patterns in areas such as Cliff Road.
249. A total of 16 respondents specifically recommended that the Austino Planning Proposal be placed on hold until the Traffic Study is finalised, citing concerns about the level of density and the impact on local area traffic. In contrast, a developer submission from Austino strongly disagreed that current planning proposals be delayed until the traffic study is completed; this submission stated that this is currently the only major site in Epping that has been determined to have strategic merit by the NSW Department of Planning and Environment, the JRPP, and has been supported on traffic grounds by the RMS.
250. Some community responses sought to also delay development applications. However, under the *Environmental Planning and Assessment Act 1979* this is not legally possible. This position has been reinforced by Council's Administrator at the public launch of the Epping Planning Review in December 2016 as well as at subsequent community consultation sessions.
251. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

252. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
253. The Epping Town Centre currently experiences significant traffic delays during morning and afternoon peaks as a result of the significant amount through traffic as well as increased residential densities resulting from the new planning controls implemented in 2014. Until the traffic impacts of allowing increased development above and beyond current planning controls are properly understood (including the cumulative impact of current and potential planning proposals), any planning proposal should not be finalised.
254. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

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- a. Council has deferred consideration of a Planning Proposal and two Preliminary Planning Proposal processes on account of the work being undertaken by the Epping Planning Review:
 - i. The Austino Planning Proposal seeking to deliver an additional **272 dwellings**.
 - ii. The Oakstand Preliminary Planning Proposal seeking to deliver an additional **922 dwellings***.
 - iii. The Winten/Lyon Group Preliminary Planning Proposal seeking to deliver an additional **584 dwellings***.

Note: with regards to the two preliminary planning proposals, it is accepted that the dwelling numbers as currently proposed cannot be delivered simultaneously as both proposal seek to develop Council's car park.

- b. In addition to the above, Council is aware of at least two other land holders potentially looking to pursue a planning proposal process. Therefore, there is an urgent need to understand the traffic issues prior to advancing proposals that seek development growth above the March 2014 planning controls.
 - c. The Epping Town Centre has been doing a lot of the "heavy lifting" for the residential growth in this vicinity of Sydney. With the number of planning proposals and precinct planning projects across the LGA before Council, Council does not require any further uplift in Epping for the purpose of meeting its housing targets as expressed in the Greater Sydney Commission's *Draft West Central District Plan*. Also, as has been made clear, the scope of the Epping Planning Review has been to address the failings of the planning system that came into effect in March 2014. As such, additional requests for rezoning (received through the submission process) will not be considered as part of the Epping Planning Review.
 - d. The pace of change is having a significant impact on the Epping residents. Council should therefore continue to manage any further formal requests for uplift (eg. planning proposal applications) outside of the Epping Planning Review process and be subject to the Epping Traffic Study which is still being completed.
 - e. The scope of the traffic analysis has been undertaken to better understand the traffic impacts of any growth, not necessarily to enable any further growth within the Town Centre. Therefore, there is no urgency or need for Council to consider individual requests for uplift as part of the Epping Planning Review process. Instead, that applicant's seeking uplift should do this via a formal planning proposal process.
 - f. There is some urgency in bringing about the planning control changes to address the unintended impacts associated with the new planning controls that came into effect in March 2014 as soon as possible. The inclusion of other landowner sites within the Stage 2 process will only cause further delay to this process.
255. Council Officers therefore, **recommend the following principles:**
- a. That Council continue to manage and progress the current planning proposal (Austino) given the potential risk of not being the Relevant Planning Authority (ie. the State Government becoming the Relevant

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Planning Authority). As mentioned previously, this is to ensure that Council's and the community's concerns and issues are addressed (eg. open space – refer to 'Acquisition of former bowling club site (725 Blaxland Road)' in Social Infrastructure section (ie. Response to question 9b). However, should the proposal proceed to Gateway Determination, that Council request that a condition be placed on the Gateway to ensure that the proposed FSRs for the site cannot be finalised until the Traffic Study is completed.

- b. That following the Local Government elections in September 2017, the new Councillors be consulted and briefed on the progress of the Epping Planning Review and the community feedback received with regards to the future of the Rawson Street Car Park. This will enable Council officers to engage with the applicants of the 2 Preliminary Planning Proposals (Winten Lyon and Oakstand) to allow these proposals to be further considered.
- c. That other landowners seeking to pursue development uplift will need to pursue this via a formal planning proposal process and not through the Epping Planning Review process.
- d. That the Traffic Study must be completed to ensure that the traffic impacts of proposals seeking development uplift (with the exception of those changes proposed to deal with the unintended impacts of the previous UAP planning process) within Epping can be properly understood prior to any proposal being finalised. Furthermore, unless innovative solutions or initiatives that significantly curb or restrict car ownership/movements are incorporated as part of the development, that proposals seeking uplift will not be able to progress or be further considered given current traffic issues in Epping. Notwithstanding the above, any proposed parking/vehicle management solutions need to be assessed via the Traffic Study in order to determine its impact on the wider road network.

Car Parking Rates

256. Section 11.7.2 of the Discussion Paper explains the inconsistency between the parking rates between the Hornsby and Parramatta DCPs and the need to make them consistent. The Discussion Paper notes that parking rates should be reviewed and potentially further reduced to encourage residents to use public transport and other active transport modes.
257. The objectives around reducing car parking rates in DCPs is to minimise local car ownership and decrease private motor vehicle use.
258. The Discussion Paper's question (11b.) asks: *Should Council consider further reducing car parking rates as a means to reducing traffic within the Epping Town Centre and encourage public transport usage?*

Community Feedback

259. Community views (from a total of 38 respondents) were mixed with just over half of submissions not supporting this approach to reducing traffic.
260. Respondents that were not supportive (22) were of the view that reduced availability of car parking spaces will result in more on-street parking. Several believed that the current parking rates were reasonable and should not be changed. Some were sceptical on whether this would actually work in terms of

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reducing car ownership, and felt a more effective approach to reducing congestion would be to limit development instead.

261. Respondents that were supportive (11) generally took the view that the number of cars on the roads need to be reduced, with some supporting any measure to reduce the traffic load on Epping. Some submissions which were broadly supportive did note that reduced rates would be more appropriate for residential uses than for retail and service providers.
262. Many submissions were of the opinion that owning a car is necessary and that people cannot rely on public transport. These submissions mentioned that the new residents will need cars to move families around to libraries, school, after school activities, pick up from the station etc.

Conclusions and recommendations

263. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
264. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That given the results of the interim traffic findings, reducing car parking rates is an important planning and traffic mechanism that can contribute towards the reduction of local car ownership and alternatively promote active and public transport options through and within Epping.
265. Council Officers therefore, **recommend the following principles**:
- a. The car parking rates across the Hornsby and Parramatta DCPs be reviewed to determine appropriate lower parking rates.
 - b. That any proposed lower parking rate be tested as part of the traffic modelling in the Epping Traffic Study before changes are finalised.
 - c. That further to points a. and b. above, an interim step towards reducing parking rates could be to amend Hornsby DCP parking controls (which have minimum parking rates) to be in line with Parramatta DCP parking controls (which have maximum parking rates).

Commuter Parking Station

266. Section 11.7.3 of the Discussion Paper explains that a number of stakeholders suggested that Council should either provide or lobby the State Government to provide commuter parking near the Epping Station. The argument put forward by proponents is that this would clear surrounding streets of commuter parking and improve access to local shops for local people.
267. Commuter parking at train stations is a complex issue that depends very much on local context. It is acknowledged that allowing people to drive to stations to use public transport is decreasing the length of cross-city vehicle trips and increasing the length of public transport trips which is to be encouraged. However, the provision of commuter car parks can have other unintended impacts unless it is implemented sensitively and in appropriate locations.
268. Again, the objectives around the car parking policy for the Epping Town Centre is to minimise local car ownership and decrease private motor vehicle use.

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269. The Discussion Paper's question (11c.) asks: *Is there a suitable site for which Council should lobby the State Government to have a commuter parking station provided near Epping Station?*

Community Feedback

270. A total of 38 submissions were received with opinions split on this issue.

271. Across submissions supportive of commuter car parking, there was a view that the current situation where commuters park in local streets was not acceptable, as it affected locals, visitors, and businesses. Providing commuter car parking was seen as potentially increasing residents' usage of the rail line; current bus service was generally seen as poor, with commuter car parking as a better alternative. However, it was also noted that elderly residents who were unable to drive might still struggle to use transport.

272. The needs of neighbouring suburbs were also considered in some submissions, with the view expressed that North Epping residents need commuter parking as well; Transport for NSW's current investigations of a similar solution at Eastwood was also raised.

273. As noted above, several ideas about commuter car park sites were suggested:

- a. 240-244 Beecroft Road, mainly due to good station access,
- b. Above Epping Train Station,
- c. Above Rawson Street Car Park,
- d. Under current library site,
- e. Older apartment complex near Epping Station, through an acquisition process, and
- f. Inside newly constructed residential towers.

274. Many submissions took a broader view that any site considered should be within walking distance of the town centre and train station, while others were willing to consider sites outside the town centre in combination with shuttle buses to the station.

275. Amongst submissions not supporting commuter car parking, there was a common view that commuter parking would only increase traffic and local car use. Some felt that this would incentivise commuters from other suburbs coming into Epping to park, thereby impacting the road network and taking away parking from local residents. Others felt there was no suitable space in Epping for a commuter parking station, while others felt that a commuter parking station was a lower priority than valuable commercial, retail and residential space. Some felt that a low-cost shuttle bus would be a better alternative.

276. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

277. Having considered the feedback from the Phase 2 consultations on a commuter car parking station in the Epping Town Centre, Council Officers maintain the views expressed in the Discussion Paper and therefore **conclude** the following:

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- a. It will attract additional trips into the Epping Town Centre for the sole purpose of utilising the car park which will have a further detrimental impact on local traffic conditions and increase traffic congestion.
- b. It will encourage local employees to drive to the centre rather than arrive via public transport due to the increased access to day long parking options.
- c. Experience in other centres suggests that the availability of day long parking encourages more commuters to make the choice to drive to the station because of the increased likelihood they can find a park. If all spaces within the commuter car park are occupied, drivers will park on the street. So parking availability on local streets is not improved.
- d. An integrated transport system would see people take the bus from close to their home to the station to continue their public transport journey. This is most efficient and effective if regular bus services are feasible. The more commuter parking is provided the greater the negative impact on the feasibility of running regular bus services especially given the number of buses that provide access to Epping.
- e. Commuter parking stations do play an important role in promoting public transport but do not consider that Epping is an appropriate location for a commuter parking station.

278. Council Officers therefore, **recommend the following principles:**

- a. That Council Officers not pursue a policy of providing a commuter car parking facility within the Town Centre.

Policies to manage local parking and access to private motor vehicles

279. Section 11.7.4 of the Discussion Paper proposes two options to discourage residents that purchase into new high density development from parking in local residential streets:

- a. Resident or controlled parking schemes; and
- b. Car sharing scheme.

280. As Section 11.7.4 of the Discussion Paper noted, a commonly expressed concern when any proposal is put forward to decrease parking rates on site is that residents will still own a car and will park it on local streets. Should Council consider introducing maximum rates or reducing car parking rates below the "maximum rates" identified in the PDCP 2011 in order to influence mode shift, it is considered that additional measures could also be investigated to discourage residents purchasing into new high density development do not end up parking in local residential streets.

Resident or controlled car parking schemes

281. The Discussion Paper notes that a rollout of restricted/time limited parking zones within residential streets adjacent to higher density development could be investigated along with a resident parking scheme to enable existing residents within lower density residential zones up to a 3 storey apartment building to have the opportunity to apply for a permit to enable residents and their visitors to continue to have on-street parking albeit in a limited and controlled manner. Such initiatives also discourage commuters from parking within local streets close to Epping Station and depending on the nature of the restricted parking roll out, can encourage commuters to catch a bus to the Epping Station.

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282. The fundamental objectives around introducing a resident or controlled parking scheme is to minimise local car ownership and decrease private motor vehicle use.
283. The Discussion Paper's question (11d.) asks: *Would you support the introduction of a Resident Parking Scheme where owners of new units would not be permitted to park on local streets as a way to discourage car ownership and manage parking on local streets?*

Community Feedback

284. Community views (from a total of 41 respondents) were mixed with more than half of submissions supporting this approach to reducing traffic.
285. Respondents that were supportive generally supported introducing restricted/time parking zones within residential streets adjacent to high density residential development. Others suggested delineating a radius around the station to which the scheme would apply. Others suggested that Council remove "full day" parking in favour of different timed parking options which radiated out from the centre. There was also a specific request for extension of 2-hour parking farther along Oxford Street.
286. Respondents that were not supportive had the following opinions:
- a. Many respondents felt that people would want to own cars, regardless of efforts made by Council to encourage behaviour change.
 - b. Some were concerned about how the value of units might be affected with the introduction of a scheme. One was unsure about how this approach could help with reducing car ownership.
287. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

288. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
289. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. There is strong community support for a residential or controlled parking scheme
290. Council Officers therefore, **recommend the following principle**:
- a. That Council officers carry out further investigation around the potential implementation of a resident parking scheme in Epping in order to minimise local car ownership and decrease private motor vehicle use.

Car sharing scheme

291. As noted within the Discussion Paper, car sharing enables more sustainable travel habits by making more efficient use of a parking space either on street or within a private development. A single car share vehicle can replace up to 12 private vehicles that would otherwise compete for local parking (source: www.cityofsydney.nsw.gov.au/live/residents/car-sharing). Car share schemes provide flexibility to residents or businesses who either do not own a car, cannot justify car ownership given close proximity to public transport or lack of

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a parking space. Resident and businesses can book a car online when they need one and pick it up from a car share space.

292. Furthermore, car share users are charged by time and distance, at a rate set by each operator (e.g. GoGET, Hertz24/7). Costs associated with fuel, vehicle maintenance and insurance are usually included in the operator's hire fees. Car share spaces can be located on street with the agreement of Council or within larger scale developments.
293. The objectives around introducing a car sharing scheme is to minimise local car ownership and decrease private motor vehicle use.
294. The Discussion Paper's question (11e.) asks: *Do you support car sharing schemes as measures to decrease vehicle ownership and the potential impacts of decreasing parking rates for sites within walking distance of Epping Station?* This question sought feedback on reducing the rates of car parking provision in new development in the town centre.

Community Feedback

295. Community views were mixed on this question, with the majority of respondents supporting this approach to reducing traffic. Of those supporting the scheme:
- a. Many respondents offered feedback about providing and locating potential spaces:
 - i. Some suggested dedicated spaces be created on both sides of the railway to reduce walking distance for all residents.
 - ii. Some proposed a collaborative approach with neighbouring councils as was the idea of working in a network (along with existing car share facilities at Macquarie Park).
 - b. Other views saw that car share spaces need to be dedicated for car share only, and that spaces should be included in new developments. One developer noted that they would be willing to include car share spaces in their basement parking allowance.
 - c. Some views expressed uncertainty about the effectiveness of car share schemes (even across some of those who were supportive). Some were unsure if it would work effectively in the suburbs, while others were unsure if it would actually reduce car ownership rates.
 - d. Some submissions suggested that Council would need to actively promote and make the community aware of alternative transport options like car sharing in order for this approach to have a positive impact.

Conclusions and recommendations

296. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
297. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. On 13 June 2017, the Parramatta Traffic Committee (PTC) and Traffic Engineering Advisory Group (TEAG) approved a number of car share spaces across the city (Item 1705 A3). However, it excluded a 6 car share parking spaces in Epping because whilst: *Council notes that car share may be an important element of creating a less private car*

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dependent town centre, that car share arrangements be considered as part of the current traffic and land use study for Epping. No further action be taken on car share spaces in Epping until this study is complete.

- b. The community feedback received on this issue reveals there is overwhelming support by Epping residents.

298. Council Officers therefore, **recommend the following principles:**

- a. That Council introduce a car share scheme in the Epping Town Centre as per the recommendations within the PTC report of 13 June 2017.
- b. That the potential for car share schemes to be provided within a development be further explored and if technically supported, be introduced as new DCP controls as part of Stage 2 of the Epping Planning Review.

Policies to manage local traffic congestion

299. Section 11.7.5 of the Discussion Paper proposes a "Stop/Go" traffic controller to manage pedestrian activity at the pedestrian crossing on Rawson Street adjacent to the Rawson Street car park.

300. The Discussion Paper's standard question (11f.) asks: *Do you think Council should employ crossing attendants during peak conflict periods at the Rawson Street pedestrian crossing to manage the flow of pedestrians and vehicles to best manage congestion in Rawson Street?*

Community Feedback

301. With 44 submissions, the community was divided on this issue, with an equal number of submissions supporting/not supporting this approach and a small number undecided. The reasons for supporting the proposal were around improving pedestrian safety and managing congestion. The reasons for not supporting the proposal were around skepticism of its success.

302. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

303. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude:**

- a. Council should consider funding a "Stop/Go" traffic controller on the crossing during peak times to control pedestrians, it would cost of up to \$10,000 per month inclusive of all on costs.
- b. There are technical legal questions over the enforceability of a "Stop/Go" traffic controller.
- c. The effectiveness of a "Stop/Go" traffic controller is also limited, having to be positioned on one side of the street.

304. Council Officers therefore, **recommend the following principles:**

- a. That Council trial a "Stop/Go" traffic controller at the pedestrian crossing on Rawson Street adjacent to the Rawson Street car park for a period of 2 months and report on the effectiveness of the trial to Council's PTC and TEAG by the middle of 2018.

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COMMUNITY FEEDBACK – GENERAL COMMENTS

305. As has been noted within this report, the scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
306. Whilst the purpose of the exhibition was to seek the wider community's opinion on the Discussion Paper's questions, other matters were raised that are outside the scope of this phase of the study. A broad summary of the issues raised is provided below:
- a. The predominant theme from submitters are concerns around:
 - i. Overdevelopment of the Epping Town Centre in terms of what has been built since March 2014, and
 - ii. Further developer interest in the area by way of planning proposals (either existing, preliminary or future planning proposals).

These concerns largely relate to the associated traffic impacts, construction impacts, tree loss, character loss, heritage loss, parking concerns, visual impacts (regarding inappropriate building heights) and environmental impacts.
307. Some submitters situated outside the town centre core have requested upzonings. Council's response is that the Epping Town Centre has been doing a lot of the "heavy lifting" for the residential growth in this vicinity of Sydney. With the number of planning proposals and precinct planning projects across the LGA before Council, Council does not require any further uplift in Epping for the purpose of meeting its housing targets as expressed in the Greater Sydney Commission's *Draft West Central District Plan*. As has been made clear, the scope of the Epping Planning Review has been to address the failings of the planning system that came into effect in March 2014. As such, additional requests for rezoning (received through the submission process) will not be considered as part of the Epping Planning Review process.
308. A submission table details Council Officers response to general issues raised, is detailed in **Attachment 4**.

RECOMMENDATIONS

309. The recommendations detailed in this report are consolidated and contained in **Attachment 6**.

NEXT STEPS

310. As has been noted, the scope of the Epping Planning Review is limited to better managing the impacts of new development generated from planning controls that came into effect in March 2014 and allowing Council to manage current (formal and preliminary) planning proposals seeking growth in the town centre. It is also intended to allow Council to progress decisions made by Hornsby Shire Council on specific heritage matters when it governed part of the Epping suburb.

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311. The recommended principles from Stage 1 also impact on other policy areas of Council which are outside the changes to planning controls to be covered in Stage 2. The findings and analysis carried out to date will be used to inform further work in these areas (ie. social infrastructure) as part of separate processes.
312. Once the new Councillors have been elected, a briefing will be undertaken on the Epping Planning Review process to date, including the endorsed principles, to confirm the future planning direction for Epping as part of progressing Stage 2 of the project.
313. Further discussion with the DP&E will be carried out to determine the appropriate mechanism for which to implement Stage 2 of the Epping Planning Review. For instance whether this can be carried out via a new State Environmental Planning Policy (similar to the previous mechanism which implemented the March 2014 planning controls) or alternatively, via a Planning Proposal process.
314. The community that have given their time in such a generous way to contribute to this stage of the Review will be thanked and advised of the outcomes. Council will continue to engage with the community through future stages of the review.

FINANCIAL IMPLICATIONS

The only recommended principle that would have an immediate and direct financial implication for Council is the trial of a Stop/Go Controller for 2 months (see **point 304**), which would cost Council \$20,000. This would be funded from an existing operational budget.

Jacky Wilkes
Senior Project Officer Land Use

Kevin Kuo
Team Leader Land Use Planning

Sue Weatherley
Director Strategic Outcomes and Development

Sue Coleman
Director City Services

ATTACHMENTS:

1	Attachment 1 - Discussion Paper	111 Pages
2	Attachment 2 - Phase 2 Community Workshop Sessions Report	80 Pages
3	Attachment 3 - Summary of Submissions	45 Pages
4	Attachment 4 - General Comments	21 Pages
5	Attachment 5 - Stage 6 Summary and Recommendations	4 Pages
6	Attachment 6 - Consolidated List of Recommended Principles	8 Pages

REFERENCE MATERIAL

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MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE JUBILEE ROOM, PARRAMATTA TOWN HALL, CENTENARY SQUARE, PARRAMATTA ON MONDAY, 14 AUGUST 2017 AT 6:08PM

PRESENT

Amanda Chadwick – Administrator

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Administrator, Amanda Chadwick, acknowledged the Burramattagal people of The Darug Nation as the traditional custodians of this land and paid respect to their ancient culture and their elders past and present.

WEBCASTING COUNCIL MEETING

The Administrator, Amanda Chadwick, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Administrator further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

MINUTES

	SUBJECT	Minutes of the Council Meeting held on 27 July 2017
720	RESOLVED	(Chadwick)
		That the minutes be taken as read and be accepted as a true record of the Meeting.

APOLOGIES

An apology was received and accepted for the absence of the Chief Executive Officer, Mr Greg Dyer.

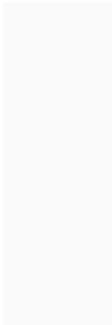
DECLARATIONS OF INTEREST

The Administrator, Amanda Chadwick, advised that she does not own any property in the City of Parramatta Council local government area nor have a direct or non-direct conflict of interest in any matter on the current agenda but noted that in relation to Item 11.3 regarding the Epping Planning Review – Completion of Stage 1 and commencement of Stage 2, she is a member of car share group GoGet.

MINUTES OF THE ADMINISTRATOR

5.1	SUBJECT	Update on the Formation of City of Parramatta Council
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SUSPENSION OF STANDING ORDERS

737 RESOLVED (Chadwick)
That Standing Orders be suspended to enable consideration of item 11.3 regarding the Epping Planning Review – Completion of Stage 1 and Commencement of Stage 2.

LEADING

11.3 SUBJECT Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2
 REFERENCE F2017/00210 - D05111630
 REPORT OF Snr Project Officer. Also Administrator Briefing Note from Senior Project Officer dated 14 August 2017. Also correspondence from Frances and Richard Lyons, Wai Ling Chan and Save Epping's Forest Park.

738 RESOLVED (Chadwick)

(a) **That** Council receive and note the submissions made on the Epping Planning Review Discussion Paper.

(b) **That** the recommended principles, as identified within the report and contained within **Attachment 6** be endorsed for the purposes of guiding Stage 2 of the Epping Planning review subject to the following amendments:

Traffic Chapter – Consideration of Planning Proposals/Preliminary Planning Proposals
 Clause 255, recommended principle a. be replaced with the following:

a1. That Council write to the Department of Planning and Environment (DPE) advising that significant progress has been made on the Traffic Study to date, however further work still needs to be carried out and land use scenarios tested before this Study can be completed. Council will also confirm that it seeks to retain Relevant Planning Authority status relating to the Austino Planning on the basis that the planning proposal cannot be finalised until the traffic study is completed and to ensure that the community's concerns and issues are addressed (e.g open space – refer to 'Acquisition of former of former bowling club site (725 Blaxland Road)' in Social Infrastructure section (ie Response to questions 9b).

a2. That given the status of the traffic study detailed above, current Preliminary Planning Proposals (Winten Lyon and Oakstand) and any future planning proposals should not be finalised until the Traffic Study is completed.

Traffic Chapter – Car Parking Rates

Clause 265, include the additional principle below:

d. That Council receive a report at the next Council meeting for the purpose of amending the Hornsby DCP parking rates to ensure consistency with the CoP DCP parking rates

Social Infrastructure Chapter – Dence Park – Epping Aquatic and Leisure Centre

Clause 226, include the additional principle below:

c. That the Master Plan for Dence Park be prepared 2018/2019 and include the base assumption of an aquatic facility of 50m.

Heritage Chapter – Rosebank Avenue

Clause 53, recommended principle a. be replaced with the following principle and delete principle d.:

Refer to Alternate Principle - Heritage below.

Heritage Chapter – 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street

Clause 96, recommended principle a.ii. be replaced with the following principle:

Refer to Alternate Principle – Heritage below.

Heritage Chapter – Rose Street Precinct

Clause 110, recommended principle a. and b. be replaced with the following principle:

Refer to Alternate Principle - Heritage below.

Alternate Principle - Heritage

That the development of 2 storey 'manor houses' within the following precincts be pursued in response to the current interface issues being experienced by residents. However, as part of this process further work should also be carried out to test the benefits of 3 storey residential flat buildings with all the appropriate DCP controls, for example setbacks, amalgamation patterns to determine whether an alternative approach may be more appropriate.

- Rosebank Avenue (full length of Rosebank Avenue excluding existing heritage listed items)
- 1, 3, 3A, 5, 7 and 7A Norfolk road and 25 Pembroke Street
- Rose Street Precinct (with the inclusion of 70,72 and 74 Essex Street forming part of this Precinct)

(c) **That** Council Officers:

- 1 Brief the incoming Councillors on the Epping Planning Review process to date including the endorsed principles to confirm the future planning direction for Epping as part of progressing to Stage 2 of the project, and
- 2 That following the above briefing, a further report be submitted to Council recommending the commencement of Stage 2 of the Epping Planning Review which will involve preparing new planning controls including:
 - 2.1 A planning proposal to amend both the *PLEP 2011* and *HLEP 2013*
 - 2.2 A development control plan amendment to amend *PDCP 2011* and *HDCP 2013*
 - 2.3 Amendments to relevant Contributions Plans and public domain plans where relevant.

(d) **That** the recommendations contained within **Attachment 5** detailing the outcomes of the Stage 6 Heritage Review be endorsed.

(e) **That** Council write to the community thanking them for their feedback and advising them on the outcome of Stage 1 Review and next steps

(f) **That** Council write to the Minister for Planning, Greater Sydney Commission, Department of Planning and Environment, Transport for NSW and the Roads and Maritime Services to provide an update on the project and an outline of the next steps.

(g) **Further, that** the finalisation of LEP amendments proposing changes to zoning, height and FSR controls come into effect at the same time as relevant DCP controls relating to this

development (excluding Draft Section 94 Plan and DCP amendments relating to tree protection and parking rates).

NOTE:

Amanda Chadwick declared an interest in this matter, as she is a member of car share group GoGet.

RESUMPTION OF STANDING ORDERS

739 RESOLVED (Chadwick)
That Standing Orders be resumed.

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

**Appendix 3 – City of Parramatta Council
Report and Meeting Minutes of Item 14.5 of 9
July 2018**

F2019/02038



NOTICE OF COUNCIL MEETING PUBLIC COPY

The Meeting of City of Parramatta Council will be held in the Dundas Community Centre, 21 Sturt Street, Telopea on Monday, 9 July 2018 at 6.30pm.

Sue Coleman
ACTING CHIEF EXECUTIVE OFFICER

Parramatta – Building Australia's Next Great City

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"Think Before You Print"

Council Chambers

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

Director City Services	Director Property and Significant Assets	Director Strategic Outcomes & Development	Director City Identity, Experience & Engagement	Chief Financial Officer
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Press

Press

Public Gallery

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Planning Proposal various properties Epping

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LEADING

ITEM NUMBER	14.5
SUBJECT	Epping Town Centre Traffic Study and other Epping Planning Review Matters
REFERENCE	F2017/00210 - D06202874
REPORT OF	Snr Project Officer
PREVIOUS ITEMS	11.3 - Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2 - Council - 14 Aug 2017 6:00pm 12.5 - Update on Epping Planning Review and Related Matters - Council - 12 Feb 2018 6.30pm 13.4 - Outcomes of Public Exhibition - Draft Amendments to Hornsby Development Control Plan 2013 - Tree and Vegetation Preservation - Council - 26 Feb 2018 6.30pm

Note: This report was deferred from the 28 May 2018 and 25 June Council Meetings.

PURPOSE:

This report details the progress of the Epping Town Centre Traffic Study and updates Council on the implications for the findings of the Epping Planning Review, as well as several related planning matters relevant to the Epping Town Centre.

RECOMMENDATION

- (a) **That** Council note this update on the Epping Planning Review and related matters.
- (b) **That** Council exhibits the Epping Town Centre Traffic Study and supporting documentation to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report.
- (c) **That** despite recommendation (b) above, that Council adopts the position that it does not support any:
 - i. Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to heritage interface controls, commercial floor space or resolving open space issues at Forest Park.
 - ii. Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*
 and that Council write to the Department of Planning and Environment (DP&E) advising them of this position.
- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
 - i. Object to the Planning Proposal in its current form and density

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- proceeding; and
- ii. Request that Council be re-instated as the RPA so that Council can pursue a Planning Proposal that would retain the current controls that apply to the site with the exception of the former Bowling Club portion of the site which would be rezoned from RE1 Public Recreation to R4 High Density Residential with a maximum Height of Building control of 17.5m and FSR of 1.5:1.
- (e) That should Council be re-instated as the RPA (on the basis that it will pursue a Planning Proposal as per (d)(ii) above) Council officers be authorized to commence discussions with the Austino PP applicant about the form of the Planning Proposal and whether there are any opportunities for some contribution to additional open space as part of the Planning Proposal. The outcome of these discussions should be reported to Council.
 - (f) **That** Council write to the Minister for Planning and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until:
 - i. the supplementary work on a new road link has been completed; and
 - ii. that the relevant approval authority agrees to the provision of commercial floor space equivalent to a 1:1 FSR.
 - (g) **That** a further report is brought to Council on the options for the Rawson Street carpark site as a site for future civic space and community facilities and analysis on whether any EOI process should be commenced to seek partners to redevelop the site and realise the FSR available on the site.
 - (h) **That** a further report is brought to Council on the outcome of the consultation on the Epping Town Centre Traffic Study and the results of the supplementary traffic analysis discussed in this report on:-
 - i. Reopening of the former M2 bus tunnel link; and
 - ii. A new east west road link through 240-244 Beecroft Road
 - (i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to:-
 - i. Rosebank Avenue HCA, Precinct;
 - ii. 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street;
 - iii. Essex Street HCA Precinct;
 - iv. Rose Street Precinct; and
 - v. Rockleigh Park Precinct;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
 - (j) **Further, that** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the centre and that the Planning Proposal and associated material be reported to Council for endorsement

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before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

BACKGROUND

1. This report is a progression of a Council report deferred from the 12 February 2018 Council meeting (Item 12.5) provided at **Attachment 1**. This report also relates to a Council assessment of the Austino planning proposal.
2. As noted above, Item 12.5 from the 12 February 2018 Council meeting which sought to provide an update on the status of the Epping Planning Review and associated matters was deferred. It resolved as follows:

That consideration of this matter be deferred for the following reasons:

1. *Consultation with Ward Councillors.*
 2. *That Council write to the Department of Planning seeking clarification around the decision of 1 December 2017 to appoint the Sydney Central Planning Panel as the relevant Planning Authority, meaning that Council no longer has relevant planning Authority Status for this proposal. Council is seeking this clarification particularly around the fact that the Department of Planning and Environment will be referring the outcome of the Traffic Study to make their determination which is the reason for our Council delaying a recommendation to the Council.*
 3. *Upon receipt of the valuation for the former Epping Bowling Club site, the formal valuation be the subject of a Briefing to Ward Councillors and any other interested Councillors prior to the Austino Planning Proposal or any update on the Epping Planning Review being reported back to Council.*
3. In response to the resolution of 12 February 2018:
 - a. A Workshop was held with Councillors on 16 February 2018 so that the applicants of two preliminary planning proposals – Oakstand consortium and Lyon Group – could present their respective preliminary planning proposals. These preliminary planning proposals are detailed later in this report.
 - b. A Councillor briefing session was held with Ward Councillors on Wednesday, 28th March 2018 which provided an update on the Epping Planning review including the draft findings on the Epping Town Centre Traffic Study and valuation report on 725 Blaxland Road.
 - c. A meeting was held with the Member for Epping, Damien Tudehope on Thursday, 29th March 2018 which also provided an update on the Epping Planning review and included a discussion on the draft findings on the Epping Town Centre Traffic Study and valuation report on 725 Blaxland Road.
 4. Consistent with resolution 2 above, on 1 March 2018, Council Officers wrote to the Department of Planning and Environment (DP&E) seeking clarification on the removal of the relevant planning authority role from City of Parramatta council. The DP&E's response is attached to this report at **Attachment 2**.

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OVERVIEW OF EPPING PLANNING REVIEW AND STRUCTURE OF THIS REPORT

5. The Epping Planning Review (EPR) was initiated as a review of planning controls for the Epping Town Centre and immediate surrounds (refer to the area delineated orange in the figure below) to address the issues of land use conflicts. These conflicts were raised by the Epping Community following from the DP&E's Priority Precinct process which increased the density controls in March 2014. The EPR Study Area is shown in Figure 1.

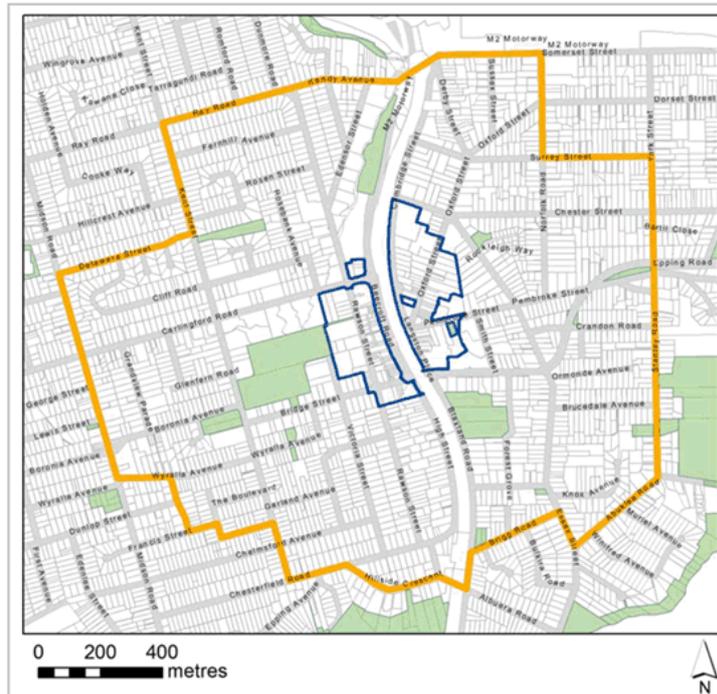


Figure 1 - Epping Planning Review study area showing the town centre and immediate surrounds

6. The EPR has also followed the Council boundary changes occurring in May 2016 under which the Epping Town Centre came to be entirely contained within the City of Parramatta (having previously been split between Parramatta City and Hornsby Shire Councils).
7. One objective of the EPR has been to create a unified planning framework for the Epping Town Centre and its immediate surrounds, including one set of LEP and DCP controls, a unified development contributions framework and one public domain plan. Council has already developed a single development contributions framework for the Epping Town Centre and Council's formal LGA-wide Harmonization Process will have a role in bringing some further consistency to the planning controls.
8. The EPR has two stages. The first stage has involved undertaking technical studies and community consultation to inform planning control amendments to resolve land use conflicts or issues. The last remaining element of this stage is

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the completion of traffic analysis and the major element of this is the Epping Town Centre Traffic Study.

9. The **Epping Town Centre Traffic Study (ETCTS)** is the key component of this report, as its findings have major implications for the Epping Town Centre in the short to mid-term. The implications of the ETCTS are also discussed with regards to:
 - a. Updates on the status of **LEP and DCP amendments** affecting land within the Town Centre with a small section of the report discussing the release of the final **Central City District Plan** in March 2018 and relationship with the EPR.
 - b. the State Significant Development proposal affecting NSW Government owned land at **240-244 Beecroft Road, Epping**.
 - c. The **Austino Planning Proposal and Preliminary planning proposals** affecting land within the Town Centre.
10. This report makes recommendations on:
 - a. the **interface areas** at Rosebank Avenue, Rockleigh Park, Pembroke Street/Norfolk Rd, Essex Street and the Rose Street Precinct;
 - b. **commercial floorspace** within the centre; and
 - c. potential **social infrastructure** provision on the Rawson Street Car Parking site.

RELATED PLANNING POLICY MATTERS

11. A series of recent policy amendments (LEP, DCP and development contributions plans) are complete which apply to land within the EPR study area and relate to:
 - a. Housekeeping Amendment to Hornsby LEP 2013 recently coming into effect.
 - b. Fast Tracked Amendments to Parramatta DCP 2011 involving footpath widening recently coming into effect.
 - c. Amendment to Hornsby DCP 2013 - Tree Preservation and associated matters raised by Council in its resolution from the 26 February 2018 Council meeting pertaining to tree removal in Forest Park and the potential impact of Austino planning proposal on trees in the north of Forest Park are detailed in **Attachment 3** to this report.
 - d. Section 94 and 94A Developer Contributions Plans applying to the EPR area recently coming into effect.
12. These matters are further detailed in **Attachment 3**.

Greater Sydney Region Plan and Central City District Plan

13. In March 2018, the Greater Sydney Commission (GSC) released the final *Central City District Plan (CCDP)* and its metro-wide level plan *Greater Sydney Region Plan - A Metropolis of Three Cities*.
14. In both plans, Epping is identified as a 'Strategic Centre' for 2036. However, in the earlier iterations of the District Plan and Metro Plan, Epping was identified as a "Town Centre" or "Local Centre". Thus the role of the Epping Town Centre has been elevated to a higher-order centre without any corresponding dialogue or justification. Also, the 'Strategic Centre' category is still not clearly defined in

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the Final Plans. The change has also occurred ahead of completion of the Epping Town Centre Traffic Study.

15. The CCDP establishes dwelling targets for the five year period from 2016 to 2021 for the Parramatta LGA and jobs targets for lower and higher scenarios for 2036 for Epping, specifically. In the context of the Epping Planning Review and recent development forecast, these are discussed below:
 - a. With regards to **dwelling targets** for that period, the CCDP sees 21,650 additional dwellings for the 2016-2021 period for the Parramatta LGA. Analysis contained in this report on recent dwelling growth within the Epping Town Centre demonstrates that recent growth patterns mean this centre can meet a substantial proportion of this target.
 - b. With regards to the **jobs targets**, the Epping Town Centre is identified as a Strategic Centre for 2036 with a jobs target of 1,900 additional jobs (2036 baseline) to 2,400 additional job (2036 higher target). These are on top of the 5,100 jobs that the CCDP sees as the baseline for 2016. Further discussion about the provision of commercial floorspace is provided further in this report.
16. Furthermore, a series of actions (both direct or indirect) across a number of the CCDP's Planning Priorities apply to the Epping Town Centre and largely involve collaboration with the DP&E and GSC.

EPPING PLANNING REVIEW - STAGE 1

17. The major elements of Stage 1 of the EPR were spelled out in the 12 February 2018 report (Item 12.5) which noted that Stage 1 of the Epping Planning Review was largely completed with the exception of a Final Traffic Study. This was precluded by a report of Council at its meeting on 14 August 2017 which reported the Discussion Paper and its supporting technical studies.
18. An **Interim Traffic Modelling Report** (dated June 2017) was prepared by EMM for the purposes of the Epping Planning Review Discussion Paper which was exhibited in June/July 2017. The Interim Report formed preliminary analysis in order to consult the Epping community on traffic and access in and around the Town Centre.
19. At the 14 August 2017 Council meeting, Council endorsed a suite of principles to guide Stage 2 of the Epping Planning Review. The issues discussed in this report directly affect many of the principles.

Epping Planning Review Steering Group

20. To ensure delivery of the Epping Planning Review, in February 2017, Council established the Epping Planning Review State Agency Steering Group which has representation from the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW and Roads and Maritime Services.
21. The Steering Group is also consistent with the Central City District Plan where:

Parramatta City Council is leading the review of planning controls and the Commission is collaborating with Council and other State agencies to address social infrastructure, traffic, heritage and commercial land issues (p.21).
22. Given the recommendations within this report, the role of the Steering Group in providing further direction on the Epping Planning Review process is paramount.

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BACKGROUND TO EPPING TOWN CENTRE TRAFFIC STUDY

23. The principal traffic study underpinning the existing planning controls which is now outdated is the **Halcrow Study** of 2011 commissioned by Hornsby Council, the then Parramatta City Council and the DP&E prior to the Priority Precinct process formally commencing. The Epping Town Centre Traffic Study (ETCTS) replaces this analysis.
24. The Halcrow Study tested the short term and long term land use scenarios:
- a. The short term (2016) land use scenario was based on a forecast of additional 900 dwellings and additional 3,000sqm of retail uses; and
 - b. The long term (2026) land use forecast a further 2,100 dwellings and another 3,000sqm of retail uses.
25. In total, this tested the impact of 3,000 additional dwellings and 6,000sqm of additional retail within the Town Centre by 2026. As is discussed further in this report, the Halcrow assumptions on residential land use have substantially underestimated the development trends.

EMM's Interim Traffic Study (2017)

26. The preliminary analysis carried out by EMM in 2017 as part of the Interim Traffic Modelling report for the purposes of the EPR Discussion Paper allowed discussion of the issues as part of the Discussion Paper process. Specifically, the preliminary study identified the following key issues:
- a. The east west Carlingford Road/Epping Road and north south Beecroft Road/Blaxland Road are sub-regional routes that converge at the Town Centre mixing with local traffic.
 - b. Approximately 89% of trips that cross the bridge are through traffic trips where the origin and destination of the trip is outside the Epping Town Centre.
 - c. The through trips are a significant barrier to improving the traffic flow around the Epping Town Centre. (Note: Centres are usually structured in a way that separates local traffic from through-traffic, but the Epping Town Centre is not).
 - d. The widening of the rail bridge will not be a "game changer" given the time it will take motorists to cross the bridge. In other words, the expansion of the bridge will be an improvement, but will not be a *significant* improvement in providing relief to congestion.
 - e. Traffic routes and intersections are currently operating at over-saturated traffic levels for both the morning and afternoon peak hour, and the increased intersection traffic delays are already displacing some of the previous regional through traffic movements away from the Epping Town centre to other parallel traffic routes such as the M2 Motorway for east-west traffic and Midson Road for north-south traffic.

Local road upgrades

27. The Roads and Maritime Services' (RMS) program of main road improvements within the town centre have been factored into the ETCTS. They are:
- a. Widening of Epping Road from two lanes to three lanes involving:
 - i. Removal of the right turn movement from Langston Place into Epping Road,

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- ii. Removal of the right turn movement from Epping Road into Smith Street and Forest Gove;
 - iii. New dedicated right turn lanes from Essex Street into Epping Road; and
 - iv. New traffic light controlled pedestrian crossing for Epping Road and Essex Street.
- b. Upgrading the Beecroft Road and Carlingford Road intersection in Epping involving:
- i. New traffic light controlled pedestrian crossing for Carlingford and Beecroft Roads;
 - ii. Additional right-turn lane from Beecroft Road into Carlingford Road; and
 - iii. New pedestrian path to link with the exiting path to Epping Station.
28. A critical factor is that the traffic modelling undertaken since 2011 all factor in a widening of the rail bridge carriageway on Epping Road to accommodate an additional westbound lane. In a letter from the DP&E to Council dated 7 November 2017, it notes that "Transport for NSW is investigating several options for widening this overpass and the Council would be informed of the results when the investigation concludes" but the letter did not provide a timeframe. Since the receipt of the letter, Council Officers have not been provided with an update.

Dwelling forecasts since 2011 and actual dwelling growth

29. In order to understand the significance of the findings from the ETCTS (covered in the next section), it is important to understand recent (actual) and anticipated dwelling growth in the context of the growth predicted by the DP&E as part of the former Epping Priority Precinct process completed in March 2014. This must be understood so that infrastructure providers (Council and the State government) can ensure the delivery of appropriate infrastructure at the right time.

Dwelling forecasts

30. During the progression of the DP&E's Priority Precinct process, dwelling growth forecasts were reviewed from **3,000 additional dwellings** for 2026 in the Halcrow Study to **3,750 additional dwellings** for the year 2036 as per the Department of Planning and Environment's (DP&E's) *Finalisation Report* (November 2013). However, shortly after the City of Parramatta commenced the EPR process, in early 2017, the DP&E revised its forecast figure of 3,750 additional dwellings to **5,500 additional dwellings** by 2036 and set a maximum dwelling yield of **10,000 additional dwellings** at a 100% take up rate.

Actual dwelling growth

31. The Epping Planning Review Discussion Paper (June 2017) noted that Council Officers had reviewed recent development applications and approvals to track actual growth against the dwelling forecasts undertaken by the DP&E and/or during the Priority Precinct process. This reviewed all of the pre-lodgments, DAs under assessment and determined (both under construction and not yet under construction) that have occurred since March 2014 when the new Priority Precinct controls came into effect and found that **4,735 additional dwellings** could be delivered in the short to mid term (assumed to be as early as 2023), if

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all DAs are constructed and fully occupied in that time. This equates to an additional **10,890 people** within the centre assuming a household size of 2.3 persons per household (Source: Council's Social Outcomes Unit).

32. Then again, for the purpose of this Council report, on 19 April 2018, Council Officers tracked this figure to **5,553 additional dwellings** by 2023. This is made up of 3,940 approved dwellings and 1,613 dwellings under assessment. Again, applying an occupancy rate of 2.3 persons per household, this means an additional **12,771 people** in the town centre by 2023. With no signs of the Town Centre's residential market slowing down, Council Officers conclude that within 4 years of the new planning framework being in place, the DP&E's revised 5,550 additional dwelling target for 2036 is well on its way to being met well before 2036.

What does this growth mean?

33. The tracked growth is well above what was forecast and planned for by the DP&E during the Priority Precinct process. In effect, the 2036 revised forecast of last year by the DP&E (of 5,500 dwellings) will already effectively be met within 4 years of the new planning controls if the development detailed in existing approvals and applications are realised.
34. The rate of this growth has significant implications for the amenity and function of the centre including infrastructure provision in the short and mid-terms. For example:
- a. The widening of the rail bridge carriageway on Epping Road to accommodate an additional westbound lane is yet to be delivered by the State Government.
 - b. Education infrastructure such as schools managed by the Department of Education (public schools) as well as private schools will be under more pressure.
 - c. The significant loss of commercial floorspace spelled out in the SGS *Commercial Floorspace Study* and the *Epping Planning Review Discussion Paper* exhibited in mid 2017 means the future amenity and function of Epping as a centre is at stake.
 - d. The provision of local infrastructure (libraries, community facilities, open space and recreational facilities) is under pressure to be enhanced and improved.

Conclusions

35. Comparing the Town Centre's growth with the CCDP's dwelling targets for the Parramatta local government area (LGA) for the 2016-2021 period which is (21,650 dwellings), the 5,553 additional dwellings represents a substantial proportion of the dwelling target although some of that growth has occurred post March 2014.
36. In addition to the tracked dwelling growth since March 2014, there is substantial interest from developers and land owners within and around the town centre seeking an increase in residential yield above what the current controls allow via a planning proposal process.
37. Council must ensure that the amenity of the centre as well as the long term social, environmental and economic aspirations of the Epping community are not undermined. Both the Greater Sydney Commission and the DP&E have a critical role in this.

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EPPING TOWN CENTRE TRAFFIC STUDY

38. Council Officers commissioned EMM Planning and Environmental Consultancy in March 2017 to revise the traffic analysis work done as part of the DP&E's Precinct Planning process.
39. The Epping Town Centre Traffic Study (ETCTS) effectively replaces the 2011 Halcrow Study which formed the basis for the current planning controls within the Town Centre. It also replaces other applicant-prepared traffic analysis from 2015. A copy of the ETCTS is provided at **Attachments 4 and 5** (Attachment 4 comprises the Traffic Report and Attachment 5 comprises the Appendices).

The EMM Epping Town Centre model

40. The traffic model was developed by Transport Modelling for EMM. The base model report was completed in December 2017 and forwarded to the RMS for authorisation which was received in February 2018. In its response, RMS stated that the consultant's 2017 base model is suitable for traffic assignment analysis (traffic distribution) for the assessment of any future proposals within the study area.
41. The ETCTS models the co-ordinated operation of a chain of linked intersections. It does this for four existing and future traffic network model and land use scenarios which are:
- a. Existing actual peak hour intersection traffic volumes which were surveyed in March 2017;
 - b. Modelled base case 2017 intersection traffic volumes from the EMME model;
 - c. Modelled +5,000 dwellings growth scenario intersection traffic volumes from 2026; and
 - d. Modelled +10,000 dwellings growth scenario intersection traffic volumes from 2026.
42. To develop a base year for the network traffic model, in March 2017 the following peak hour surveys, travel time surveys and traffic queue length observations were undertaken:
- a. Peak hourly intersection turning movements at 17 intersections;
 - b. Morning/afternoon peak hour travel time surveys across the full study area;
 - c. Morning/afternoon peak hour maximum traffic queues for traffic signal operations on Beecroft Road, Carlingford, Epping and Blaxland Roads.
43. The model then tests two future residential growth scenarios in the study area as follows:
- a. A 2026 land use scenario tests 5,000 additional dwellings
 - b. A 2036 land use scenario tests 10,000 additional dwellings.
- These scenarios are additional dwellings realized after the new DP&E planning controls came into effect in March 2014.
44. The ETCTS also includes preliminary analysis of two local road network options:
- a. The reopening of the former M2 bus tunnel link to Epping Station as a one way westbound link with left turn egress only at Beecroft Road and

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- b. A new east west road link connecting between Ray Road and Beecroft Road, through the NSW Government site at 240-244 Beecroft Road on the western side of Beecroft Road.
45. These two road network options are only explored in a preliminary sense for the 2026 and 2036 future traffic network models. This seeks to determine the potential future extent of the likely road network traffic delay benefits for locally based traffic accessing the major road network at Epping. Refer to Sections 7.3 and 7.4 of the ETCTS provided at **Attachment 4**.

ETCTS Findings

46. The broad findings from the ETCTS are summarized below.

Findings from Survey Counts

47. For the **March 2017** surveyed morning and afternoon peak hour traffic conditions the findings are as follows:
- a. Up to four of the six key intersections on the four major traffic routes (via Beecroft Road, Blaxland Road, Carlingford Road and Epping Road) are operating at over saturated (level of service F) traffic conditions respectively with an average 5 minute waiting time.
 - b. During the morning peak period the combined eastbound and southbound traffic queues on Carlingford Road and Beecroft Road can reach a combined total length of approximate 1.5 km.
 - c. The most widespread traffic queuing effects on all areas of the road network are considered to occur at approximately 8:40 am and 5:40pm, consistent with the Sydney regional major road traffic conditions.
 - d. The increasing road traffic congestion occurring in the Town Centre area, is adversely affecting both the regional through traffic movements and local traffic accessibility to the major road network.

Future years of 2026 and 2036

48. The findings of the +5,000 and +10,000 dwellings growth scenario intersection traffic volumes for the 2026 and 2036 are as follows:
- a. Future peak hour traffic conditions continue to worsen even when the full programs of the identified RMS and Council road improvements have been implemented.
 - b. In the road networks, five to six of the assessed intersections will have traffic conditions operating at oversaturated (level of service F) during both the morning and afternoon traffic peak periods. As an example, in 2026, the Carlingford Road/Beecroft Road intersection has an average delay which equates to 70.5 minutes (morning peak) and 23.5 minutes (afternoon peak). In 2036, this increases to 77 minutes (morning peak) and improves to 10.5 mins in the afternoon peak.
 - c. In 2036, over 3,300 vehicles cannot enter the network.
49. The average intersection delays are predicted to improve by 2036 from the 2026 base scenario as a result of Council proposed road improvements which are anticipated to be implemented during this period. However, the most crucial intersection – Beecroft Road – actually experiences a higher average delay in 2036 than for the 2026 case (p.41).

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50. The ETCTS also finds that *the afternoon performance of the network for the base 2036 is such that it is unlikely that there will be any spare capacity for additional vehicles* (p.41).

Additional westbound lane on Epping Bridge

51. The additional westbound lane on Epping Bridge would primarily benefit the afternoon peak hour westbound regional traffic movements travelling through the Town Centre. However, if the bridge were to operate with future tidal flow traffic conditions such as four lanes eastbound during the morning peak periods with two lanes westbound and three lanes in each direction during the afternoon peak periods, this future improvement could provide significant travel flow benefits during both these peak periods.

Additional road network options

52. The findings from preliminary testing of two additional road network options, are as follows:
- a. **Reopening of the former M2 bus tunnel link:** the envisaged number of vehicles that would use the tunnel would result in equivalent peak hourly traffic reductions for certain southbound right turning traffic and westbound traffic movements. These *"would probably have significant network traffic benefits in terms of reducing the future peak hourly intersection traffic delays at these intersections"* (ETCTS, p.45).
 - b. **A new east west road link through 240-244 Beecroft Road:** the envisaged number of vehicles that would use the through link would result in equivalent peak hourly traffic reductions for the other traffic movements using the Carlingford Road intersections with Beecroft Road or Ray Road and Rawson Street which *"could have significant network traffic benefits in terms of reducing the future peak hourly intersection traffic delays at these intersections"* (ETCTS, p.45).
53. However, further SIDRA intersection analysis is required of the above two road network options, this analysis is currently underway.

Implications

54. The findings from the ETCTS has major land use and infrastructure implications for town centre and surrounds. Therefore, Council Officers see that the role of the ETCTS is to:
- a. Inform planning policy affecting the Study Area particularly in relation to:
 - i. Certain proposals seeking an increase in residential yield; and
 - ii. State Significant Development applications.
 - b. Provide a basis for Council to take to the DP&E, GSC and the Minister for Planning seeking support for:
 - i. a position on residential development that indicates that any growth in residential development should only be permitted to resolve planning issues in Epping rather than just to permit additional residential development above what can be achieved under the current controls; and
 - ii. a coordinated approach to infrastructure delivery consistent with actions within the CCDP.

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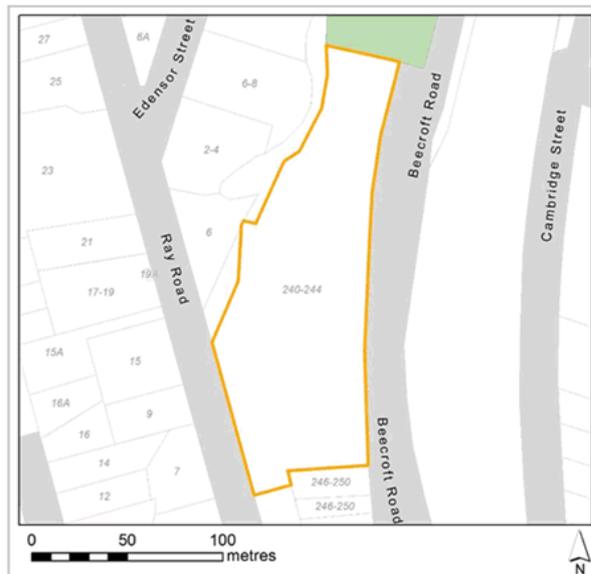
- c. Inform changes to the principles adopted by Council on 14 August 2017 that relate to:
 - i. Heritage interface;
 - ii. Commercial floorspace; and
 - iii. Open space and community infrastructure.

Consultation

- 55. The ETCTS and any associated traffic analysis as part of the overall ETCTS brief should be placed on exhibition so that the major stakeholders (such as RMS, Transport for NSW (TfNSW), DP&E, GSC, landowners and the wider community) have an opportunity to comment on the documentation. Consultation will occur via:
 - a. Formal invitation to State agencies represented on the EPR Steering Group which are RMS, TfNSW, DP&E and GSC.
 - b. Formal invitation to major land owners formally seeking density residential density uplift such as Austino, Oakstand and Lyon Group.
 - c. Notification e-newsletter to the 440 residents and businesses registered on the EPR project mailout database. This will include local residents and business as well as planning consultants acting for Epping landowners.
 - d. A public notice in the *Northern District Times*.
- 56. The ETCTS and associated supporting material will be made available on the EPR project website.

IMPACT OF ETCTS ON STATE SIGNIFICANT DEVELOPMENT AT 240-244 BEECROFT ROAD

- 57. The State government owned site at 240-244 Beecroft Road (refer to Figure 2) once used for the Sydney Metro Northwest project is subject of a State Significant Development (SSD) application.



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Figure 2 - State government owned land at 240-244 Beecroft Road, Epping

58. The background to his SSD application up to January 2018 is contained within the deferred Council report of 12 February 2018 (**Attachment 1**). However, the role of the site in the future development of the Town Centre is key in two ways: from both land use and traffic/access perspectives.

Land Use issue

59. The SSD application applies to 10,120sqm of the 13,342sqm total site area and proposes 39,000sqm of GFA (450 residential units) and 15 storeys which equates to a 3.8:1 FSR. Of that, the SSC proposes 2,000sqm of commercial FSR which equates to 0.2:1 *to be located at ground level on Road (could be general store, childcare, gymnasium, café, small offices)*.
60. The Commercial Floorspace Study by SGS prepared for the purposes of the EPR Discussion Paper saw that there has been a loss of commercial floorspace estimated at about 63%. Further internal analysis undertaken by Council Officers in early February 2018 has identified that that approximately **8,200sqm retail** and **35,200sqm office** floorspace needs to be "replaced" within the Town Centre. Given its scale, this site plays an important role.
61. From a planning perspective, the SSD process presents Council with an opportunity to negotiate an outcome because:
- The site's current zoning (R4 High Density Residential) does not require any commercial floorspace however, a **neighbourhood shop** use (max. 100sqm) is permissible within the zone.
 - The site's previous zone (B4 Mixed Use) would still have allowed the commercial office building on that site to be demolished and replaced with a building that had retail and commercial at lower levels and residential on higher levels. Returning the site to its previous zoning would not require the owner to replace the previous commercial floor space that historically existed on that site.
 - The timeframe around the SSD process is much faster, than a rezoning process; in the latter, Council can seek a higher amount of commercial floorspace on the site, but this would take some time. The SSD can approve commercial floorspace even if it is not permitted in the zone so there is a mechanism for addressing the floorspace in a timely manner if agreement can be reached.
62. Therefore, a 1:1 FSR (10,120sqm) for commercial uses is a balanced negotiating position that maximises the chances that commercial can be achieved on the site and contribute to Epping's role as a Strategic Centre as identified in the CCDP.

Local Traffic/Access issue

63. Also, as already noted in this report, a road link through the SSD site is being tested to determine whether it can alleviate some of the traffic pressure at the intersections of Carlingford Road with Ray Road and Beecroft Road. Preliminary testing shows it can take of some pressure of peak hour traffic. However, more detailed analysis is progressing with a supplementary report due shortly which will form supplementary analysis to the ETCTS.

Recommendations

64. Council Officers therefore recommend:

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- a. That Council not support the application until:
 - i. A 1:1 FSR of commercial land uses can be delivered on the site; and
 - ii. A supplementary report on an east west through link is completed.
- b. That Council write to the Minister seeking that he not support the proposal until the two criteria listed in a. immediately above are achieved.

IMPACT OF ETCTS ON AUSTINO PLANNING PROPOSAL

Introduction

65. Council Officers were intending to undertake a detailed assessment of the Austino PP. However, on account of:
 - a. The Town Centre having effectively reached the DP&E's revised 2036 dwelling target; and
 - b. the findings from the ETCTS;

Council Officers consider that a detailed assessment of this proposal is no longer required. Instead the assessment method emphasises the significance of the findings of the ETCTS and recognises the critical importance of the RMS and JRPP's comments on traffic matters at the earlier stages of the planning proposal (discussed in the "Traffic" sub-section, below). In short, the traffic impacts associated with the faster than anticipated dwelling growth is the guiding principle informing the outcome of this proposal.

Background

66. The Austino Property Group are the applicant for a Planning Proposal affecting land at 2-18 Epping Road, 2-4 Forest Grove and 725 Blaxland Road (the latter site being the former bowling club site – refer to Figure 3).



Figure 3 - Land affected by the Austino Planning Proposal denoted in solid red line (from applicant's Urban Design Report)

67. The planning proposal – resubmitted to the DP&E in January 2018 seeks to:
 - a. Reconfigure the existing R4 and RE1 zones resulting in no net loss of open space;

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- b. Increase the building heights over the reconfigured R4 zone from 26.5 metres to a maximum of 65.5 metres along with 5 other building heights; and
 - c. Increase the density on the site from an equivalent 2.1:1 to a combination of 7.5:1, 4.6:1, and 1.75:1.
68. The above proposed changes seek to deliver a predominantly residential development comprising two towers on Blaxland Road with smaller towers on Epping Road accommodating estimated 794* units. (Note this calculation relies on Council's standard practice of applying an efficiency unit rate of 85sqm per unit whereby the applicant relies on a rate of 100sqm). Under the current controls (ie R4 zoning, maximum height of 26.5 metres) on the sites fronting Epping Road), the Austino landholdings would realise a total of approximately 308 units according to Council Officer analysis.
69. A VPA dated 4 December 2015 accompanies the planning proposal which proposes a public urban plaza through the proposed development providing a pedestrian connection between Epping Road and Forest Park, with an area equivalent to the area of land currently zoned RE1 Public Recreation (6,665sqm), so there will be no net loss in open space. However, much of the area proposed to be zoned public open space contains underground car parking below it which is generally not acceptable to Council.
70. This PP has a complex history. Details of the process and the proposal are provided at **Attachment 6**.

Petition

71. Between February and March 2017, Council Officers received a petition which containing nearly 600 signatures. The petition requested a number of actions including that Council purchase the site at 725 Blaxland Road. Other actions related to concerns on the impacts of the planning proposal on Forest Park in terms of traffic and urban design.
72. The petitions were tabled at the Council meeting held on 13 February 2017 where Council resolved:
- That the petition be received and referred to the appropriate Council officer for report.*
73. In response to the resolution, the appropriate time for the consideration of the petition was always intended to be undertaken as part of the assessment of the Austino planning proposal. This section in this report forms that assessment.

Traffic Analysis

74. The applicant's Traffic Impact Study prepared by GTA in 2015 tested the traffic impacts of the proposal based on the Halcrow Study's 3,000 additional dwellings for 2026. However, as identified in the Halcrow Study, the 3,000 dwellings for 2026 falls well short of the likely growth of 2025 (5,553 dwellings) based on current and expected development activity.
75. In March 2016 having reviewed the applicant's traffic analysis the RMS wrote to Hornsby Shire Council when it was the RPA noting the following:

Should Council support a recommendation for gateway determination, the exhibited proposal must also ensure that the Transport Impact Assessment traffic includes detailed Network modelling results (ie. phasing, queue lengths/delays for all movements, intersection details) for [six] key intersections for all modelled scenarios.

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76. At that time, RMS also noted that *the total Residential Parking requirements being restricted to no greater than the minimum parking rates applicable for a total of 327 apartments* on the entire site (ie. Limited to approximately half the amount being sought under this proposal)*. (Note: it is not clear what assumptions the RMS has relied to determine this number of units. Council's assessment suggests the figure is closer to 308 units).
77. In February 2018, the brief for the Epping Traffic Study was extended so that an impact assessment of the Austino planning proposal on traffic and access around the site could be undertaken. This was decided given the findings from the modelled base case 2017 intersection traffic volumes from EMME software based counts.
78. The Traffic Impact Assessment (TIA) prepared by EMM (provided at **Attachment 6**) concludes that the proposal would generate an additional 768 daily vehicle movements on Forest Grove. It also sees that because the impacts of the 2026 and 2036 additional dwellings on the network are so severe, that the actual intersection performance deterioration due to the Austino development either with or without the planning proposal is relatively small.
79. The ETCTS and recent TIA by EMM updates the Austino TIA because the TIA findings were based on a slightly lower future baseline year 2026 additional dwelling forecast than the forecast which has been used in the ETCTS. That said, the general findings within the EMM TIA are still valid. All the same, with regards to the Austino planning proposal impacts, the ETCTS concludes the:
- ...significant intersection performance deterioration from the 2017 base to the 2026 future base traffic situation renders any further traffic generating development in this location unacceptable without further capacity improvements to the locality major road and local road network capacity, in particular at the Epping Road/Blaxland Road intersection, and to a lesser extent at the Epping Road/Essex Street intersection. (p.42)*
80. When the (then) Sydney East Joint Regional Planning Panel (JRPP) assessed the planning proposal as part of its initial review, it stated, as one of the seven (7) actions, that:
- The proposal on this site should be part of the current Council traffic review of the whole of Epping Town Centre and the outcomes that review shall inform the final decision on Floor Space Ratio for the site.*
81. Because of this, a detailed assessment of the planning proposal is considered unnecessary as the fundamental determinant for deciding whether the Epping Planning Review Study Area can take any more residential development is the ETCTS.
82. It is also worth noting that in March 2014, the zoning and density controls for the parcels fronting Epping Road and Forest Grove were amended enabling higher residential yields as part of the DP&E's Priority Precinct process. With the controls having only been in place for 18 months, the applicant seeks further uplift through this planning proposal process. As noted elsewhere in this report, this planning proposal for additional residential development represents housing development simply to increase housing.

Purchase of 725 Blaxland Road (former bowling club) site

83. Part of the site (the former Bowling Club site) is zoned RE1 Public Recreation. The City of Parramatta became responsible for the Planning Controls that apply

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to the subject site when the amalgamation occurred in May 2016. Therefore, the City of Parramatta became the acquisition authority for this public recreation land.

84. However, Hornsby Council did not have a funding strategy to acquire the site at 725 Blaxland Road. When the bowling club site became available for sale (ie the transaction that resulted in the current land owner acquiring it). The then Hornsby Council, had the opportunity to purchase it but made a decision not to yet still retained both the RE1 Public Open Space zoning on the Land Zoning Map, and the "Local Open Space Reservation" on the Land Reservation Acquisition Map, over the site.
85. Currently, there is no City of Parramatta Council funding strategy for its acquisition. The revised Section 7.11 and 7.12 (formerly 94/94A) Contributions Plans for Epping which came into effect in November 2017 does include collection for some open space provision. However, the advice in the Epping Planning Review was that Council would be better served by acquiring open space in different parts of Epping where growth is occurring rather than spending a substantial proportion of any funding available (via Section 94 or from other sources) on this portion of land which adjoins an existing substantial piece of open space. This recognises that spending funds to acquire this site would reduce Council's capacity to invest in other open space to meet the needs of growth in other parts of Epping as well as other community needs.
86. An initial internal valuation of the site was undertaken in mid 2017. The ERP Discussion Paper concluded that for the reasons described above the purchase of the site did not represent value for money and this position informed the subsequent adopted principle which was that Council not purchase the site and instead:
- That Council should seek to progress the planning proposal with Council as the RPA subject to the Traffic Study being completed before FSRs for the site can be finalised. That Council also negotiate with the developer for the provision of public open space in a way that ensures there is a suitable area of open space which is appropriately sized and located.*
87. Council Officers have subsequently commissioned an independent valuation for peer review purposes. The valuations remain Commercial in Confidence and confirms that the purchase of the site by Council is not a viable financial option.
88. With regards to the adopted principle above, Council Officers suggest that the opportunity to negotiate with the landowner to have them provide an equivalent amount of open space has changed because of the result of the ETCTS and is in part depended upon the decision made by the current RPA for the Austino Planning Proposal.
89. As already detailed above in this report the DP&E has chosen to remove the Council as the Relevant Planning Authority (RPA) for the Austino Planning Proposal and so it will need to make the next key decision. If despite the ETCTS the RPA now in place for the Austino PP (ie the Central Sydney Planning Panel) decide to proceed with the Planning Proposal then the Council should seek to enter into further discussions with the applicant and the RPA to seek to achieve some dedication of an equivalent amount of open space at no cost to Council as part of the Planning Proposal. If the DP&E allows the further growth despite the problems with the road network they should also be seeking to broker appropriate open space outcomes to help deal with the growth proposed.

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90. However, if the RPA decides not to proceed with the Planning Proposal then Council and the applicant will still need to resolve what will happen to the former bowling club site as it will remain zoned RE1 Public Recreation. Whilst this zoning is retained Council remains the acquisition authority.
91. Council options for the former bowling club site in this case will be:-
- a. To commit to the acquisition by retaining the RE1 zoning. As detailed above this option is not recommended by Council Officers as is not considered to be an efficient use of Council funds.
 - b. Alternatively, rezone the site so Council is no longer the acquisition authority. In this case the appropriate zoning would be R4 High Density Residential with a maximum height of 17.5m (which permits 5-6 storeys) (Note the *Hornsby LEP* does not include FSR controls for sites zoned R4 High Density Residential but Council's Urban Designers indicate that this would allow approximately 162 units to be built on this site under the controls that would apply under the Hornsby DCP with an FSR equivalent to 1.5:1).
92. It is acknowledged that allowing the site to be rezoned to allow more residential development will be inconsistent with the ETCTS conclusions but Council has two conflicting issues that need to be managed. Council will need to balance two potential negative impacts:-
- a. the traffic impact
versus
 - b. the sub-optimal financial and open space outcomes if it commits to remaining as the acquisition authority for the former bowling club site.
93. Council Officer consider that rezoning the former bowling club site to R4 High Density Residential with a height of 17.5m and FSR of 1.5:1 is the preferred approach because:-
- a. The density that would be permitted is much less than that proposed in the applicants PP so the traffic impact would be mitigated by comparison.
 - b. Council will not be forced to expend resources acquiring the former bowling club site in a location Council Officers consider is not optimal use of available funds.
 - c. The building height is consistent with the height applied by the DP&E to transition areas when it put in place the existing planning controls in Epping. It will see a stepping down of permitted height as you move away from Epping Road and down to Forrest Park.
94. It is acknowledged that the density permitted on the former bowling club site is the most significant factor driving its valuation and as the density decreases so will the cost of acquiring the site. If Council and the DP&E accept that a R4 High Density Residential Zoning with a height of 17.5m and FSR of 1.5:1 are the appropriate alternate controls to the current RE1 zoning then it maybe possible to have further discussions with the owner about the implications of this for the redevelopment of the site and the delivery of open space outcomes.

Recommendation

95. That Council object to the Planning Proposal in its current form and density proceeding and request that Council be re-instated as the RPA so that Council

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can pursue a Planning Proposal that would retain the current controls that apply to the site with the exception of the Bowling Club portion of the site which would be rezoned from RE1 Public Recreation to R4 High Density Residential with a maximum Height of Building control of 17.5m and FSR of 1.5:1.

IMPACT OF ETCTS ON PRELIMINARY PLANNING PROPOSALS

96. As has been noted during Stage 1 of the Epping Planning Review process, two preliminary planning proposals were lodged with Council in late 2014 which affect land within the town centre (western side). Refer to Figure 4. Both proposals have been on hold on account of the ETCTS being completed as per adopted principles of 14 August 2017. When combined, the preliminary planning proposals seek more than **2,000 dwellings**. This equates to an additional 1,000 dwellings above what can currently be achieved across both sites.
97. Each proposal seeks a partnership with Council to develop their sites in conjunction with the Council car park. Figure 4 below shows both the Oakstand and Lyon Group land holdings as well as Council's land holdings. The details of each proposal are provided in **Attachment 7**.



Figure 4 – Applicant owned land for preliminary planning proposals as well as Council's Rawson Car Park sites

Recommendations

98. Given the current growth rate from tracked DAs and the findings from the ETCTS, Council Officers conclude that in the short to mid term, there is no justification for further residential development simply to increase housing. That said, there is an opportunity for an expression of interest (EOI) process with landowners within the Town Centre to transfer some of the floorspace on Council's car park sites to another land owner/s site/s. The EOI process would, at the minimum, stipulate public benefits around a community hub facility, underground car parking, an east-west connection between community hub and the Epping Rail Station, and the like.
99. The outcome of this approach would mean that there is there no net increase in residential floorspace above what can currently be achieved. Effectively Council would be "trading" off the FSR from the carpark site to other sites to generate

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funding to provide community facilities on the site of the current car park. It should be noted that any redevelopment would also include retention of carparking on site as it is recognised that this is critical to the operation of western part of the Epping Town Centre.

100. This process would be the subject of a further Council report before any further action is taken explaining the process and potential outcomes. The alternative is to retain the current carpark site and seek to redevelop it independent of other landowners sites. In this case Council would find it difficult to realise the full FSR that currently applies on the site and at the same time provide a significant piece of civic space within current height limits. The viability of achieving the FSR of 4:1 and community facilities and a civic space on the site as a stand alone redevelopment would also be covered in the report should Council request a further report be provided.

IMPACT OF ETCTS ON AREAS WITH INTERFACE ISSUES

101. With regards to the heritage interface areas at Rosebank Avenue HCA, part of the Essex Street HCA, land parcels and Pembroke Road and Norfolk Street and the Rose Street Precinct, the principles adopted at the 14 August 2017 Council meeting recommend further planning analysis that tests higher residential densities such as *manor homes* or 3 storey *residential flat buildings* which would replace existing detached dwelling development.
102. The interface issues are a result of land use conflicts occurring as a result of the DP&E's Priority Precinct process and require resolution where possible. It is acknowledged that the ETCTS identifies significant traffic impacts on the EPR study area and increasing densities at interface areas will have an increase on the traffic impacts. However, the interfaces put in place where 5-6 storey building look onto the backyards of sites zoned for single dwelling development and covered by a Heritage Conservation Area designation are unacceptable and need to be addressed in some format. This issue was discussed in detail in the Epping Planning Review documents.
103. A copy of the EPR Discussion Paper and the report considered by the Council on 14 August 2017 have been attached (refer to **Attachments 8 and 9**). The details on each HCA and background on the recommendations for these areas is available in this background material. The report below details just the recommendations made previously and options discussed with Councillors at Ward Councillor Briefings to allow Council to determine whether it should proceed with the previous recommendations.
104. Council officers are of the opinion that if growth is to be permitted which will impact on the road network that it should be to resolve these types of planning problems rather than to just increase density on a site for the sake of additional housing numbers. It is for these reasons that Council Officers recommend that changes to the planning controls proceed despite the findings of the ETCTS.
105. Furthermore, in March this year, the DP&E released its *Low Rise Medium Density Housing Code* which comes into effect in July 2018. This establishes planning controls on some forms of medium density housing and provide further guidance on the recommended outcomes in this section.

Rosebank Avenue HCA

106. With regards to Rosebank Avenue HCA, in the 14 August 2018 Council report, Council Officers recommended:
- a. Removing the HCA notation but keeping heritage items.

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- b. For the area south of the heritage items: allow 3 storey **residential flat buildings (RFBs)**.
 - c. For the area north of the heritage items: no change.
 - d. That the changes occur ahead of completion of ETCTS.
107. Council subsequently resolved that it pursue 2 storey **manor homes** along full length of Rosebank Ave but test benefits of 3 storey **RFBs**.

Recommendation

108. Council Officers recommend proceeding with the original recommendations to remove the HCA notation, enable 3 storey **RFBs** south of the heritage items with no change north of the heritage items. Refer to Figure 5.



Figure 5 – Council Officer recommendation for Rosebank Avenue HCA

1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street

109. With regards to properties at 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, in the 14 August 2018 Council report, Council Officers recommended:
- a. Remove HCA notation but keep heritage items.
 - b. R3 zone of area edged black but limit No.s 7 & 7A Norfolk Rd to **manor homes** (current zoning is shown in Figure 6).
 - c. Enable 3 storey **RFB** on No.s 1, 3, 3A and 5 Norfolk Rd and 25 Pembroke St.
 - d. Changes occur ahead of completion of ETCTS.

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Figure 6 – Current zoning of 1, 3, 3A, 5, 7, and 7A Norfolk Road and 23, 23A and 25 Pembroke Street

110. Council subsequently resolved that it pursue 2 storey **manor homes** but test benefits of 3 storey **residential flat buildings**.
111. At the Ward Councillor Briefings discussed above the option of making no change to the controls in this area was discussed. Should Councillors wish to proceed with this option then Council should resolve to take no further action to change the planning controls for this precinct.

Recommendation

112. To ensure consistency with new Complying Code and subsequent analysis as part of the LEP Harmonisation process, Council Officers propose a new recommendation - **Part 'no change', part RFB**:
- No changes to battle-axe blocks at No.s 7 & 7A (ie. maintain controls for **detached dwellings**) because this conflicts with the DP&E's Complying Code on battle-axe blocks.
 - Rezone No.s 1, 3, 3A & 5 to R3 zone to enable 3 storey **RFB** subject to amalgamation controls being put in place to create 1 super lot.
 - No.25 Pembroke cannot develop of itself and should retain its existing zoning.
- Refer to the Figure 7.

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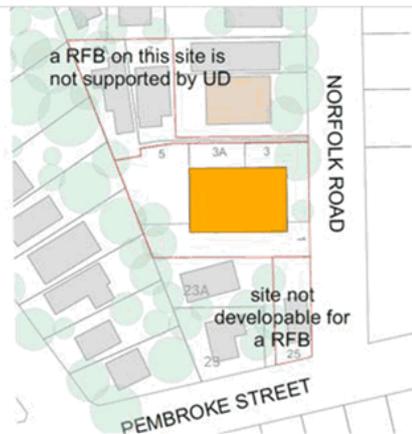


Figure 7 – Council Officer recommendation for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 23, 23A and 25 Pembroke Street

Essex Street HCA

113. With regards to the Essex Street HCA, in the 14 August 2018 Council report, Council Officers recommended:

- a. Remove HCA notation but keep heritage items.
- b. Allow **manor homes** on western side between Epping Road and Maida Road only with no change on eastern side.
- c. That the changes occur ahead of completion of ETCTS.

114. The above recommendations were supported by the Council in August 2017.

Recommendation

115. Council Officers recommend maintaining the above recommendations and develop DCP controls that protect larger setbacks to ensure the protection of the tree canopy at rear setbacks.

Rose Street Precinct

116. With regards to the Rose Street Precinct, in the 14 August 2018 Council report, Council Officers recommended:

- a. Allow **residential flat buildings** development (R3 zone) with urban design analysis to step down height to Brigg Rd to 2 storeys.
- b. That the changes occur ahead of completion of ETCTS.

117. Council subsequently resolved that it pursue 2 storey **manor homes** but test benefits of 3 storey **residential flat buildings**.

118. At the Ward Councillor Briefing Councillors the issue of the topography of this area and the drainage implications of allowing more density were raised. Council Officers consider that this issue could be investigated as part of the redevelopment options but if Councillors are of the opinion that this should be investigated upfront the recommendation should be amended accordingly.

Recommendation

119. Council Officers recommend allowing **residential flat buildings** with associated urban design analysis and DCP controls that enable the stepping down of the building height to 2 storeys at the Brigg Road/Rose Street

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frontages and that the four (4) sites fronting Blaxland Road also be included in the precinct. Refer to Figure 8.



Figure 8 – Council Officer recommendation for Rose Street Precinct but include the 4 properties fronting Blaxland Road

Rockleigh Park

120. With regards to the Rockleigh Park, in the 14 August 2018 Council report, Council Officers recommended:

- a. The area zoned R4 (edged with yellow line) be down-zoned to R3 to be consistent with R3 zone boundary to north and east.
- b. That further urban design analysis to determine best height and FSR controls.

121. The above recommendations were supported by the Council.

Recommendation

122. Council Officers recommend reinstate original recommendations. But ensure that **residential flat buildings** are prohibited from this area (R3 zone in HLEP permits 4 storey RFBs). Refer to Figure 9.



Figure 9 – Council Officer recommendation for Rockleigh Park

IMPACTS OF ETCTS ON COMMERCIAL FLOORSPACE

123. Recent pre-lodgments and development applications within the centre continue to erode the volume of commercial floorspace within the centre as developers

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are 'opting out' of applying the existing DCP provisions that require delivery of 2, 3 and 4 storey podiums of commercial floorspace in mixed use proposals. This is because of the weak 'statutory weight' that DCP controls have over an environmental planning instrument such as a LEP.

124. As discussed in the section entitled "Impact of ETCTS on State Significant Development at 240-244 Beecroft Road", Council Officers have identified that approximately **8,200sqm of retail floorspace** and **35,200sqm of office floorspace** needs to be "replaced". To deliver this, Council's Urban Designers determine that three storey commercial podiums (comprising one floor of retail and two floors of office premises) on remaining sites can deliver the required floorspace.
125. With regards to traffic, the associated traffic impacts from commercial land uses (retail and office premises) may well be greater than those associated with residential development. This is because commercial uses tend to generate a greater number of trips per square metre of floor area. This is another area where Council Officers consider that it may be necessary to allow additional development to resolve a planning issue not related solely to housing delivery. In this case allowing additional density that may detrimentally impact on traffic outcomes should be considered.
126. Given this conflict around the need for more commercial floorspace within the centre to protect its economic viability and amenity, with its associated traffic impacts, a delicate balancing exercise is required that meets the of commercial floorspace needs of the centre whilst acknowledging the potential traffic impacts.
127. In light of the above, Council Officers have identified the following potential options:
- a. **Option 1 – No change:** This option involves no change to the current controls. Because the market favours residential development and the pace of that development recently, this option is highly likely to encourage DAs that deliver only ground floor commercial that will undermine centre's amenity and economic viability. This has no traffic impact compared to current controls.
 - b. **Option 2 – Require minimum level of commercial FSR provision to be provided without amending the maximum FSR or Building Heights:** This option involves increasing the commercial FSR requirements but this occurs at the cost of residential FSR. It means that the heights or densities of buildings will not change, but there will be a higher proportion of commercial floorspace within any development and less residential than would currently be permitted. In other words, it equates to a net decrease in residential FSR but will improve centre's amenity and economic viability. This will potentially result in a detrimental impact on the local traffic network.
 - c. **Option 3 – Require minimum level of commercial FSR provision to be provided but amend the maximum FSR or Building Heights to seek to retain where possible an FSR for residential equivalent to existing levels** This will mean increases in overall density and building heights but it makes delivery of more commercial (retail/office) uses more viable which will improve the centre's amenity and economic viability. The detrimental impact on the local traffic network will be greatest with this option.

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Recommendation

128. Of the above options, Council Officers recommend **Option 3 - Increase Commercial FSR and density/building heights** because of the strong residential market and the way the planning system operates, if Option 2 was pursued, Council would receive a flood of DAs seeking mixed use development with only the ground floor allocated to commercial uses. These would all have to be considered and potentially approved under the current planning rules and the opportunity to provide the commercial floorspace Epping needs will be lost forever. Without sufficient commercial/retail floorspace the future function and amenity of the Town Centre is significantly impacted.
129. Whilst Option 3 is the Council Officer preference at this point in time this scenario needs to be run through the traffic modelling and if the outcome is unacceptable it may be necessary to fall back to Option 2. A further analysis and report to Council will allow Council to determine which option it will ultimately pursue via a Planning Proposal.

CONCLUSION

130. The reported rate of growth compared to the growth envisaged by the DP&E in 2013 demonstrates the Epping Town Centre has been doing a lot of the "heavy lifting" for dwelling growth and that the impact on infrastructure means that further housing growth for the sake of increasing house supply in Epping is not necessary.
131. This report provides a basis for Council to take to the DP&E, the Minister for Planning and the GSC seeking support for a strategic approach to future planning in Epping where any growth seeks to solve existing planning problems rather than just increasing density for the sole purpose of providing additional housing supply.

NEXT STEPS

132. The next steps are:
- a. Progressing supplementary traffic analysis on new through link through 240-244 Beecroft Rd; and re-opening of former M2 bus tunnel link.
 - b. Exhibiting the ETCTS documentation for major stakeholder comment.
 - c. Council Officers to arrange EPR Steering Group meeting with State agencies about proposed policy change and revisiting infrastructure delivery.
 - d. Council Officers prepare further Council reports that seek to:
 - i. Provide advice on provision of community facilities on the Councils Rawson Street Car park land and whether an EOI process should be pursued to enter into partnerships with other landowners.
 - ii. Report on the outcome of the consultation on the Epping Town Centre Traffic Study and the results of the supplementary traffic analysis discussed in this report on:-
 1. Reopening of the former M2 bus tunnel link; and
 2. A new east west road link through 240-244 Beecroft Road.

Item 18.6 - Attachment 1Planning Proposal various properties Epping

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- e. Planning Proposal processes inclusive of background and technical study preparation commence on:
- i. The heritage interface areas; and
 - ii. The provision of commercial floor space in the centre.

Jacky Wilkes
Senior Project Officer Land Use Planning

Robert Cologna
A/Service Manager Land Use Planning

Sue Weatherley
Director Strategic Outcomes and Development

ATTACHMENTS:

1	ATTACHMENT 1 - Council Report of 12 February 2018	16
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2	ATTACHMENT 2 – April 2018 and November 2017 responses from DPE on RPA matter	3
		Pages
3	ATTACHMENT 3 – Related planning policy matters	3
		Pages
4	ATTACHMENT 4 - ETCTS Report	51
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5	ATTACHMENT 5 - ETCTS Appendices	192
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6	ATTACHMENT 6 - Austino PP Traffic Impact Assessment undertaken for Council	39
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7	ATTACHMENT 7 - For 28 May 2018 Council Report on EPR - Detail of Planning Proposals	6
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8	ATTACHMENT 8 - EPR Discussion Paper	111
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9	ATTACHMENT 9 - Council Report of 14 August 2017	59
		Pages

REFERENCE MATERIAL

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE DUNDAS COMMUNITY CENTRE, 21 STURT STREET, TELOPEA ON MONDAY, 9 JULY 2018 AT 6.33PM

PRESENT

The Lord Mayor, Councillor Andrew Wilson and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Robert Dwyer, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Paul Han, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociw, Bill Tyrrell, Lorraine Wearne and Martin Zaiter.

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor Andrew Wilson, acknowledged the people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

WEBCASTING COUNCIL MEETING

The Lord Mayor, Councillor Andrew Wilson, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

OTHER RECORDING OF MEETING

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

PROCEDURAL MOTION

1449	RESOLVED (Wilson)	That Item 14.5 relating to Epping Town Centre Traffic Study and other Epping Planning Review Matters and Item 14.7 Delegations to the Chief Executive Officer be brought forward in the meeting for consideration.
14.5	SUBJECT	Epping Town Centre Traffic Study and other Epping Planning Review Matters
	REFERENCE	F2017/00210 - D06202874
	REPORT OF	Snr Project Officer
1450	RESOLVED (Tyrrell/Wearne)	<p>(a) That Council note this update on the Epping Planning Review and related matters.</p> <p>(b1) That Council exhibits the Epping Town Centre Traffic Study and supporting documentation (including the further supplementary reports) to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report with a Community Briefing Session to be organised to inform the community about the content of the Traffic Study and allow them to ask questions about its preliminary findings to inform any submissions stakeholders may wish make on the study.</p>

- (b2) **That** the exhibition material placed on public exhibition state that Council does not support any extension of Rosebank Avenue to connect with Rosen Street as described in the traffic study and advise the affected landowners of this decision.
- (c1) **That** despite recommendation (b1) above, that Council adopts the position that it does not support any:
- (i) Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to:-
 - commercial floor space in the Epping Town Centre; or
 - the Planning Controls that should apply to Heritage Conservation Areas or areas that interface with High Density Residential zones surrounding Epping Town Centre.
 - (ii) Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*;
and that Council write to both the Department of Planning and Environment (DP&E) and the Greater Sydney Commission advising them this will remain Council's position until the State Government has provided infrastructure to resolve the through traffic issues with the Epping Town Centre.
- (c2) **That** a Planning Proposal including all necessary background studies and analysis be prepared to amend Clause 4.6 of PLEP 2011 so that it cannot be used to seek a FSR greater than that permitted on the Floor Space Ratio Map for sites within the Epping Town Centre.
- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
- (i) Object to the Planning Proposal proceeding in its current form and density and request that no Planning Proposal proceed for this site. Instead the existing planning controls should be retained with the portion currently zoned RE1 Public Recreation remaining in place along with retaining no Floor Space Ratio or Height of Buildings control notations applying to that portion.
 - (ii) **That** the Council write to the Minister for Planning seeking that the Minister amends the legislative provisions related to the acquisition of open space land applying the principle that where a developer has purchased land which at the time of purchase is already zoned public open space, they should not benefit from any changes to the value derived from the existing zoning of adjoining land or changes to zoning of adjoining land. And write to the Local Members requesting funding out of the Open Spaces and Greater Sydney Package. To avoid any doubt Council considers that the owner should be entitled to the price they paid (adjusted for

- CPI) but no increases in value as a result of changes to the planning controls surrounding the site.
- (e) **That** Council write to the Minister for Planning, Landcom and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until a workshop can be organised involving Council and Landcom to discuss and seek to resolve the following:-
- (i) to establish whether a new road link can be provided through this site linking Beecroft Road and Ray Road; and
 - (ii) the provision of commercial floor space on the site being provided at a level no less than 1:1 FSR on this site.
- (f) **That** a further report is brought to Council on the options for future civic space and community facilities on the following sites:-
- (i) the Rawson Street carpark site; and
 - (ii) the Chalmers Street site (containing the existing Epping Library site and adjoining open space);
- including analysis on whether any process should be commenced to realise the FSR available on either of these sites.
- (g) **That** in addition to correspondence Council resolved to forward to the State Government regarding the investigation of M2 tolling at the 12 June 2018 Council Meeting (i.e. Item 15.5) the further supplementary reports on:-
- (i) Reopening of the former M2 bus tunnel link; and
 - (ii) A new east west road link through 240-244 Beecroft Road
- be forwarded to the relevant transport agencies that manage the former M2 bus link, the RMS and Urban Growth and circulated to Councillors upon receipt and then be placed on public exhibition with the Epping Town Centre Traffic Study with any feedback received on this issues during the consultation to be reported back to Council.
- (h) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-
- (i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report
 - (ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-
 - 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3

storeys on these sites); and

- The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

(i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments for 2 - 8 Rosebank Ave and 1 - 7 Rosebank Ave as follows:

- (i) Remove the Heritage Conservation Area notation from these sites;
- (ii) Rezone the sites from Residential R2 Low Density Residential to R3 Medium Density Residential; and
- (iii) Amend the permitted height of building for these sites from 8.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites).

All other sites in Rosebank Avenue should retain their existing planning controls including the Heritage Conservation Area notation and that the Planning Proposal and associated material shall be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

(j) **That** a Planning Proposal and Draft DCP amendments including all necessary background studies and analysis be prepared to progress amendments to these plans for the Essex Street HCA Precinct with the planning controls to be consistent with the following:-

- (i) Retention of the existing Heritage Conservation Area for both sides of Essex Street
- (ii) Amend the planning controls to allow for detached dual occupancies on the western side of Essex Street between Epping Road and Maida Road (which are the sites that are impacted by proximity to the adjoining 5 storey apartment buildings) in the form where the second dwelling shall be permitted behind the existing dwelling but not in a Duplex form.
- (iii) That the Draft DCP that applies to this HCA and surrounding land be reviewed with a view to including: -
 - a detailed analysis of significant trees located on the sites on the western side of Essex Street and supporting DCP controls that seek protect those trees; and
 - Draft DCP planning controls that require provision to be made for the widening and improvement of the pedestrian link currently located between 58-60 Essex Street linking through to Forest Grove;

and that the Planning Proposal and associated material be

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reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (k) **That** no further action be taken to amend the Planning Controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of re-development of the Rose Street Precinct Sites is completed and reported to Council.
- (l) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the Town Centre and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
- (m) **That** Council Officers identify potential sites for acquisition for open space purposes in the areas to the north east of the Epping Town Centre. This process should include obtaining valuations for acquisition and the construction of the parks and should also involve discussions with potentially affected landowners. A further report to Council on the outcome of this analysis be reported to Council to allow Council to determine whether it wishes to commence a rezoning process to rezone any sites in this area for open space.
- (n) **That** Council write to the Member for Epping seeking their support for funding for the acquisition of open space in the area north east of the Epping town centre as part of the Open Spaces and Greener Sydney package announced in April 2018. The Local Member also be requested to make representations to the relevant Minister to ensure the criteria that needs to be met to obtain grant funding provides flexibility (in terms of timeframe for delivery and the identification of the land to be acquired) so that Council can secure the funding prior to finalizing the rezoning and consultation/ acquisition processes
- (o) **Further, that** this motion carries the unanimous support of the Ward Councillors being Councillors Tyrrell, Wearne and Davis.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Appendix 4 – Summary of decision making in relation to the subject properties

F2019/02038

Summary of assessment and decision making in relation to properties in East Epping as part of the Epping Planning Review

The following provides a summary of assessment and decision making in relation the following properties within or adjoining the East Epping Heritage Conservation Area:

1. Rockleigh Park Precinct
2. 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street
3. 23 and 23A Pembroke Street and 21-29 Essex Street

All reports below are available at

<https://www.cityofparramatta.nsw.gov.au/council/precinct-planning/epping-planning-review>

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

Rockleigh Park (2-24 Rockleigh Way, 3-7 & 4-8 Brenda Way and 5A Essex Street)		
Report & Date	Assessment	Decision (if relevant)
Epping Town Centre (East) Heritage Review – June 2017	<p>In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations include:</p> <ul style="list-style-type: none"> • Rezone the Rockleigh Park parcels from the R4 High Density Residential Zone which has a 17.5m (5 storey) height to the R3 Medium Density zone with a 12 metre (4 storey) building height, in order to provide a smooth transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets. 	N/A
Epping Planning Review Discussion Paper – June 2017	<p>Section 7 of the Discussion Paper examined the Heritage Review recommendations for both Rockleigh Park Precinct and presented options for the community to consider. The purpose of these options was to gain feedback from the community as to what planning solution was acceptable.</p> <p>In relation Rockleigh Park the Discussion Paper recommended down-zoning the site from the R4 High Density zone to the R3 Medium Density zone, enabling a reduction in the permissible density. It also recommended the preparation of a master plan to determine the most appropriate outcome.</p>	N/A
Council Report - 14 August 2017	Council considered a report that summarised landowner and residents submissions in relation to the Epping Planning	At its meeting on 14 August 2017, Council resolved (in part):

Rockleigh Park (2-24 Rockleigh Way, 3-7 & 4-8 Brenda Way and 5A Essex Street)		
Report & Date	Assessment	Decision (if relevant)
	<p>Review Discussion Paper and technical studies exhibited from 21 June to 19 July 2017.</p> <p>In relation to Rockleigh Park, (refer Sections 69 to 80 of the Council report) community feedback showed strong support for the down-zoning of the site from the R4 to the R3 zone as it would more appropriately deal with the transition between higher and lower densities and, further, should be supported by a master planning process so that appropriate height and density controls can be put in place. Based on feedback and the Heritage Review (2017) Council Officers recommended:</p> <ol style="list-style-type: none"> 1. The component of Rockleigh Park currently zoned R4 be rezoned to R3 so that the entire Rockleigh Park precinct fall under a consistent R3 zone; and 2. That further urban design analysis be undertaken across all of Rockleigh Park to determine the best building height and density controls, including amalgamation patterns in the future. This analysis will also inform DCP controls. 	<p><i>"That the recommended principles, as identified within the report and contained within Attachment 6 be endorsed for the purposes of guiding Stage 2 of the Epping Planning review..."</i></p>
Council Report – 9 July 2018	<p>On 9 July 2018, a Council report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for the sites in Rockleigh Park Precinct. In summary the Council report recommended:</p> <ul style="list-style-type: none"> • That the area zoned R4 be down-zoned to R3 in the Rockleigh Park Precinct to be consistent with R3 zone boundary to north and east; • That further urban design analysis to determine best height and FSR controls; and • Residential flat buildings are prohibited from this area. 	<p>At its meeting on 9 July 2018 in relation to East Epping, Council resolved (in part):</p> <p>(h) <i>That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-</i></p> <p><u>(i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report</u></p>

1, 3, 3A, 5, 7 and 7A Norfolk Road		
Report & Date	Assessment	Decision Made
Epping Town Centre (East) Heritage Review – June 2017	In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations include: <ul style="list-style-type: none"> That the heritage conservation area designation be removed from 1, 3 and 3A Norfolk Road and 25 Pembroke Street and together with 5, 7, and 7A Norfolk Road be rezoned to R3 Medium Density Residential. This would allow them to be potentially developed for apartment buildings (4 storeys). 	N/A
Epping Planning Review Discussion Paper – June 2017	Section 7 of the Discussion Paper presented three options to address the transition issues to the HCA in relation to 1-7A Norfolk Road and 25 Pembroke Street. The strengths and weaknesses of the following options were presented: <ol style="list-style-type: none"> recommendation of the Heritage Review – to remove the HCA designation from 1-3A Norfolk Road and 25 Pembroke Street and together with 5-7A Norfolk Road be rezoned to R3. rezone 1-7A Norfolk Road and 25 Pembroke Street to R3 Medium Density Residential to allow 2 storey manor homes allow 1 Norfolk Road and 25 Pembroke Street to be rezoned to R3 Medium Density Residential and retain R2 Low Density Residential zoning on 3-7A Norfolk Road. 	N/A
Council Report 14 August 2017	Council considered a report that summarised the feedback from land owners and the community in relation to the East Epping Heritage Conservation Area, specifically options presented in relation to the properties in Norfolk Road and	At its meeting on 14 August 2017, Council resolved (in part):

1, 3, 3A, 5, 7 and 7A Norfolk Road		
Report & Date	Assessment	Decision Made
	<p>Pembroke Street (refer Sections 81-96 of the Council report).</p> <p>Community feedback was divided in relation to the properties. Responses from landowners included unanimous support for removal of the HCA and rezoning to R3 (Option 1). To permit apartment development feedback from adjoining owners had a preference for Option 2 and other residents supported Options 2 or 3 which proposed lower density development than Option 1.</p> <p>Based on feedback and the Heritage Review (2017) Council Officers recommended:</p> <ul style="list-style-type: none"> • that Option 2 of the Discussions Paper be applied, which involves removing the HCA notation over properties 1, 3, 3A Norfolk Road and 25 Pembroke Street and rezoning at seven parcels to the R3 zone to allow: <ul style="list-style-type: none"> ○ 2 storey manor homes on 7 and 7A Norfolk Road; and ○ Enable redevelopment of 1, 3, 3A and 5 Norfolk Road and 25 Pembroke Street to realise residential flat buildings (no more than three storeys) and undertake appropriate urban design analysis to determine built form controls. 	<p><i>That the recommended principles, as identified within the report and contained within Attachment 6 be endorsed for the purposes of guiding Stage 2 of the Epping Planning review subject to the following amendments:</i></p> <p><i>Heritage Chapter – 1, 3, 3A, 5, 7 and 7A Norfolk Road Clause 96, recommended principle a.ii be replaced with the following principle:</i></p> <p><i>Refer to Alternate Principle - Heritage below.</i></p> <p>Alternate Principle - Heritage</p> <p><i>That the development of 2 storey 'manor houses' within the following precincts be pursued in response to the current interface issues being experienced by residents. However, as part of this process further work should also be carried out to test the benefits of 3 storey residential flat buildings with all the appropriate DCP controls, for example setbacks, amalgamation patterns to determine whether an alternative approach may be more appropriate.</i></p> <p style="text-align: center;">- 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street</p>
Council Report – 9 July 2018	<p>On 9 July 2018, a Council report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for the sites in Pembroke Street, Norfolk Road</p>	<p>At its meeting on 9 July 2018 in relation to East Epping, Council resolved (in part):</p>

1, 3, 3A, 5, 7 and 7A Norfolk Road		
Report & Date	Assessment	Decision Made
	<p>and Rockleigh Park Precinct. In summary the Council report recommended</p> <ul style="list-style-type: none"> - No changes to battle-axe blocks at 7 and 7A Norfolk Road and rezone 1, 3, 3A and 5 Norfolk Road to R3 zone to enable three storey residential flat buildings subject to amalgamation controls being put in place to create 1 super lot and that 25 Pembroke cannot develop of itself and should retain its existing zoning. 	<p>(h) That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-</p> <p>(ii) <u>In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-</u></p> <ul style="list-style-type: none"> o 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and o The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites; <p>and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.</p>

23 and 23A Pembroke Street and 21-29 Essex Street		
Report & Date	Assessment	Decision Made
Epping Town Centre (East) Heritage Review – June 2017	No assessment in relation to these properties was presented in the Heritage Review.	N/A
Epping Planning Review Discussion Paper – June 2017	No assessment in relation to these properties was presented in the Discussion Paper.	N/A
Council Report 14 August 2017	No assessment in relation to these properties was presented in the Council report.	N/A
Council Report – 9 July 2018	No assessment in relation to these properties was presented in the Council report.	<p>At its meeting on 9 July 2018 in relation to East Epping, Council resolved (in part):</p> <p>(h) That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-</p> <p>(i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report</p> <p>(ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-</p> <p>□ 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3</p>

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23 and 23A Pembroke Street and 21-29 Essex Street		
Report & Date	Assessment	Decision Made
		<p><u>Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and</u></p> <p><input type="checkbox"/> <u>The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;</u></p> <p>and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.</p>

Item 18.6 - Attachment 2

Local Planning Panel Meeting Report and Minutes Epping

Local Planning Panel 17 September 2019

Item 6.6

INNOVATIVE

ITEM NUMBER	6.6
SUBJECT	Gateway Request: Planning Proposal - various properties in Rockleigh Way, Pembroke and Essex Streets, Epping
REFERENCE	F2019/02038 - D06984544
REPORT OF	Senior Project Officer - Land Use
PREVIOUS ITEMS	14.5 - Epping Town Centre Traffic Study and other Epping Planning Review Matters - Council - 09 Jul 2018 6.30pm 11.3 - Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2 - Council - 14 Aug 2017 6:00pm

PURPOSE:

To seek the Local Planning Panel's (LPP) advice on a Planning Proposal for various sites in the Rockleigh Park Precinct, Essex Street and Pembroke Street, Epping for the purposes of seeking a Gateway Determination from the Department of Planning, Industry and Environment to amend the land use zoning, floor space ratio and height controls to manage the impact of high density land use zoning on the adjoining East Epping Heritage Conservation Area.

RECOMMENDATION

That the Local Planning Panel consider the following Council staff recommendation in its advice to Council:

- (a) **That** Council endorse the Planning Proposal at **Attachment 1** which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013 in relation to the following sites:
- (i) Land at 5A Essex Street, 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way:
 - Rezone the land from R4 High Density Residential to R3 Medium Density Residential;
 - Amend the maximum height of buildings from 17.5 metres to 9 metres; and
 - Apply a floor space ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.
 - (ii) Land at 21-29 Essex Street
 - Amend the maximum height of buildings from 17.5 metres to 11 metres (to allow for residential flat buildings no greater than 3 storeys); and
 - Apply a floor space ratio (FSR) of 0.8:1, noting there is no existing FSR control for the sites.
 - (iii) Land at 23 and 23A Pembroke Street, Epping
 - Rezone the sites from R3 Medium Density Residential to R4 High Density Residential;
 - Amend the maximum height of buildings from 12 metres to

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- 11 metres; and
- Apply a floor space ratio (FSR) of 0.8:1, noting there is no existing FSR control for the sites.
- (b) **That** Council not prepare a masterplan for the Rockleigh Park Precinct sites. Instead any redevelopment under the proposed R3 Medium Density Residential be assessed against the relevant Hornsby Development Control Plan (DCP) 2013.
- (c) **That** the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.
- (d) **That** Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (e) **Further, that** Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

BACKGROUND

SITE DESCRIPTION

1. This planning proposal relates to the following twenty-six land parcels (refer **Figure 1 and 2**):
 - a. 23-23A Pembroke Street;
 - b. 21, 23, 25, 27 and 29 Essex Street;
 - c. 5A Essex Street;
 - d. 3, 4, 5, 6, 7 and 8 Brenda Way; and
 - e. 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Rockleigh Park.

Figure 1 – 7 Properties along Essex and Pembroke Streets, Epping subject to this planning proposal (as outlined in yellow)



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2. The properties in Essex and Pembroke Street are large blocks (ranging between 680 and 950 square metres). Each lot contains a one or two storey dwelling house. 23A Pembroke Street is a battle-axe block at the rear of 23 Pembroke Street.

Figure 2 - 19 properties in Rockleigh Park precinct are subject to the planning proposal (shaded in blue)



3. A total of eighteen properties in Rockleigh Park Precinct are small single and two storey cottages, some of which are attached, and located on relatively small lots (between 250 and 350 square metres). 5A Essex Street is a roadway (known as Brenda Way and Rockleigh Park) and provides access to properties in the Rockleigh Park precinct and falls under community title.

CURRENT PLANNING CONTROLS

4. The provisions of the Hornsby Local Environmental Plan (LEP) 2013 apply to the subject properties, a summary of the relevant planning controls are provided in **Table 1** and shown in **Figures 3 to 5** below.

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Table 1: Summary of current Hornsby LEP 2013 controls relating to the subject properties.

Subject sites	Hornsby LEP 2013 controls
Rockleigh Park precinct	<ul style="list-style-type: none"> • Zoned R4 Low Density Residential; • maximum building height of 17.5 metres; and • No maximum floor space ratio (FSR).
21-29 Essex Street	<ul style="list-style-type: none"> • Zoned R4 High Density Residential; • Maximum height of buildings of 17.5 metres; and • No maximum floor space ratio (FSR).
23-23A Pembroke Street	<ul style="list-style-type: none"> • Zoned R3 Medium Density Residential; • Maximum building height of 17.5 metres; and • No maximum floor space ratio (FSR).

Figure 3: Subject properties and current land use zoning in Hornsby Local Environmental Plan 2013



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Figure 4: Subject properties and current height of building in Hornsby Local Environmental Plan 2013.

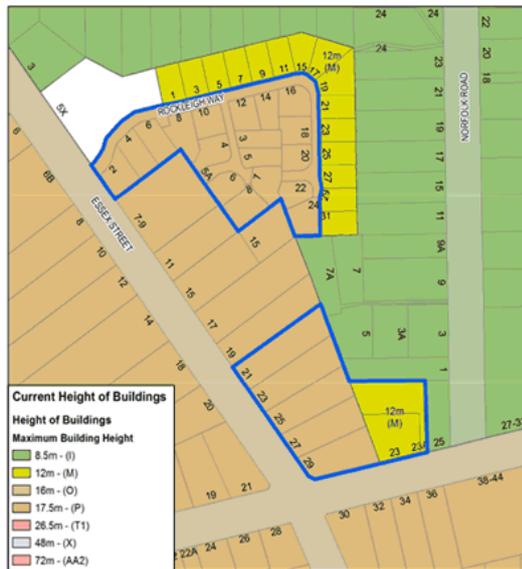


Figure 5: Subject properties and proximity to East Epping Heritage Conservation Area



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Epping Town Centre Urban Activation Process

5. On 14 March 2014, the (then) Department of Planning and Environment (Department) finalised the Epping Urban Activation Precinct amendments to the Hornsby and Parramatta Local Environmental Plans via State Environmental Planning Policy (Epping Town Centre) 2013 ("the SEPP Amendment"). The SEPP Amendment provides capacity for approximately 10,000 additional dwellings and a revitalised commercial and retail core adjacent to a major transport hub.
6. The new planning controls established four new Heritage Conservation Areas, including the East Epping Heritage Conservation Area. It also up-zoned the properties subject to this planning proposal on the south and west side of Rockleigh Park and Pembroke and Essex Street from R2 Low Density Residential to R4 High Density Residential, permitting 5 storey residential flat buildings.
7. As part of the UAP Program, Perumal, Murphy Alessi Heritage Consultants were engaged by the Department to review the significance of the proposed East Epping and Essex Street Heritage Conservation boundaries, the significance of individual properties nominated for heritage listing and the impact of the proposed Cliff Avenue Residential intensification precinct on the proposed Rosebank Avenue HCA.
8. The heritage report, named the Epping Town Centre Heritage Review (March 2013), recommended that adjoining residential intensification precincts be limited to three storeys, which was supported by Hornsby Shire Council. Notwithstanding this recommendation, the Department finalised the UAP to permit five storey development on land adjoining the Essex Street and Rosebank Avenue Heritage Conservation Areas. The Department justified this amendment based on submissions received from land owners concerned about the feasibility of redevelopment and that the impact on adjoining Heritage Conservation Areas could be addressed by providing sufficient setbacks and deep soil planting as required by Hornsby DCP 2013.
9. Subsequently, Hornsby Shire Council amended the Heritage Section of the Hornsby DCP 2013 (section 9.4.1) to provide additional design guidance at the interface between five storey development and Heritage Conservation Areas.
10. When considering the aforementioned DCP amendments, Hornsby Shire Council at their meeting of 8 October 2014, considered the submissions, including concerns in relation to the perceived amenity, noise and traffic impacts of the R4 zoning of Rockleigh Way on residents in the R3 zone part of Rockleigh Way. Submissions from residents called for a consistent R4 High Density Residential zoning on both sides of Rockleigh Way to ensure development impacts were fairly distributed. Hornsby Council Officers recommended that no change to the planning controls in relation to Rockleigh Way as the lots are narrow and shallow and would require amalgamation to achieve lots of developable size. In addition Hornsby Council Officers noted that the R3 zoning on the northern and eastern side of the street provides a "more sensitive transition to the adjoining East Epping HCA." No changes to the planning controls Rockleigh Way were resolved as part of this Hornsby Shire Council meeting.

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Epping Planning Review Project – Stage 1

11. In December 2016, the Epping Planning Review was commenced by the City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking additional growth within the Town Centre. It also allowed the City of Parramatta Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.
12. The study area for the Epping Planning Review was based on the Department's Urban Activation Precinct boundary and is illustrated in **Figure 6**.

Figure 6 - Epping Planning Review Study area (in orange)

13. The Epping Planning Review project involves the following stages:-

- Stage 1 – the preparation of technical studies, community consultation and the release of a Discussion Paper for public comment.
- Stage 2 – involves the statutory phase, including the preparation of planning proposals that seek to amend the current planning controls to resolve the land use issues identified during the first phase. Council are currently in this phase of the project and this planning proposal forms part of this stage.

14. Stage 1 was undertaken primarily between December 2016 and July 2018 and included the preparation of a series of technical studies, release of the Epping Planning Review Discussion Paper and two phases of community consultation.

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15. As part of Stage 1 technical studies, City Plan Heritage completed the Epping Town Centre (East) Heritage Review (June 2017) which can be found at **Attachment 2**. The purpose of the review was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues.

16. The Heritage Review assessed the heritage value and significance of properties located in the East Epping Heritage Conservation Area on the interface with the R3 Medium Density Residential and the R4 High Density Residential zones, with particular attention to Rockleigh Way and 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street. Location of these properties are shown in **Figure 7** below.

Figure 7: Location of 1-7A Norfolk Road and 25 Pembroke Street



17. In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations in relation to the conservation area include:

- Rezone the Rockleigh Park parcels from the R4 High Density Residential Zone which has a 17.5m (5 storey) height to the R3 Medium Density zone with a 12 metre (4 storey) building height, in order to provide a smooth transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets.

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- That the heritage conservation area designation be removed from 1, 3 and 3A Norfolk Road and 25 Pembroke Street and together with 5, 7, and 7A Norfolk Road be rezoned to R3 Medium Density Residential. This would allow them to be potentially developed for apartment buildings (4 storeys).
18. The City of Parramatta Council's Epping Planning Review Discussion Paper (June 2017) examined the Heritage Review recommendations for both Rockleigh Park Precinct and properties on Norfolk Street and Pembroke Street and presented options for the community to consider (refer Section 7). The purpose of these options was to gain feedback from the community as to what planning solution was acceptable.
19. In relation Rockleigh Park the Discussion Paper recommended down-zoning the site from the R4 High Density zone to the R3 Medium Density zone, enabling a reduction in the permissible density. It also recommended the preparation of a master plan to determine the most appropriate outcome.
20. In relation to 1-7A Norfolk Road and 25 Pembroke Street, the Discussion Paper presented three options and the strengths and weaknesses of each option. In summary, these options were as follows:
- a. recommendation of the Heritage Review (refer paragraph 17 above)
 - b. rezone 1-7A Norfolk Road and 25 Pembroke Street to R3 Medium Density Residential to allow 2 storey manor homes
 - c. allow 1 Norfolk Road and 25 Pembroke Street to be rezoned to R3 Medium Density Residential and retain R2 Low Density Residential zoning on 3-7A Norfolk Road.
21. A copy of the Discussion Paper can be found at Council's website at www.bit.ly/2BwqsgC.
22. Council considered matters relating to Rockleigh Park Precinct and properties on Norfolk Road and Pembroke Street at its meetings on the 14 August 2017 and 9 July 2018. A summary of these matters, including a timeline of decision-making is provided at **Attachment 3** of this Report.
23. In respect of the subject sites (of this Planning Proposal), Council at its meeting on 9 July 2018 resolved:
- That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-*
- (i) *Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report*
 - (ii) *In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-*

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- 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and
- The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

KEY ISSUES

Land Use Planning – Rockleigh Park Precinct

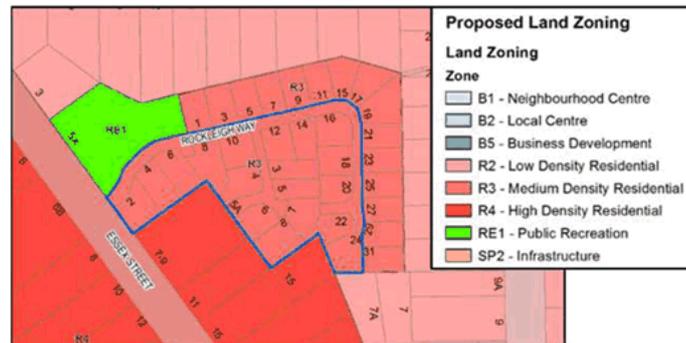
24. As part of the Epping Planning Review the interface issues relating to East Epping Avenue have been assessed through landowner and community feedback, heritage study and urban design testing. Based on these assessments it concluded that the western side of Rockleigh Way be rezoned to be consistent with the eastern side of Rockleigh Way.

25. Council on 9 July 2018 resolved to introduce the following changes to Hornsby LEP 2013 in respect of properties at 2-24 Rockleigh Way, 3-7 and 4-8 Brenda Way and 5A Essex Street:

- Rezone the sites from R4 High Density Residential to R3 Medium Density Residential;
- Amend the maximum height of buildings from 17.5 metres to 9 metres; and
- Apply a floor space ratio (FSR) of 0.6:1.

26. Figures 8, 9 and 10 below illustrate the proposed amendments to the land use zoning, height of buildings and floor space ratio in relation to Rockleigh Way.

Figure 8: Proposed R3 Medium Density Residential zone



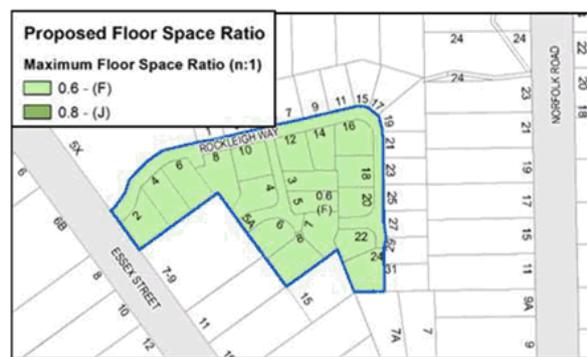
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Figure 9: Proposed maximum height of buildings of 9 metres



Figure 10: Proposed maximum floor space ratio of 0.6:1



27. The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries. The current R4 zoning and 17.5 metre height limit (five storey residential flat buildings) would result in encroachment of inappropriate high density development adjacent to low density and the low density of the East Epping Heritage Conservation Area.

28. The Hornsby LEP 2013 does not generally apply a standard maximum floor space ratio to residential areas including properties in Rockleigh Park Precinct. As part of Council's harmonisation of planning controls, an application of a floor space ratio of 0.6:1 is recommended for the subject properties. Further the proposed restriction height to 9 metres will allow for development no greater than three storeys. The application of both a maximum height and FSR is consistent with City of Parramatta's intention for a newly consolidated Parramatta LEP and application of these controls would ensure a straight forward translation. This will ensure the current land uses are supported, as well as future potential to amalgamate two to three parcels in the future to develop multi-unit dwellings (that is townhouses) at an appropriate scale and intensity of development. It is also anticipated that these same controls would apply to the eastern side of Rockleigh Way as part of harmonisation of the planning controls.

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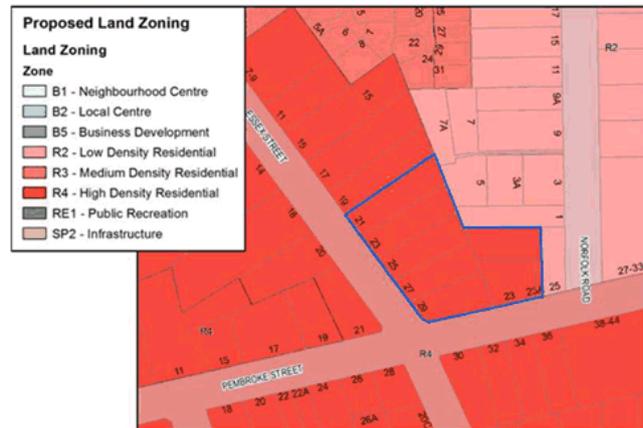
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29. It is unlikely that these sites will be purchased by a developer for redevelopment for five storey residential flat buildings. The existing lots are small (between 250 and 300 square metres) and have established dwelling homes. Further, a total of 33 lots rely on the same narrow road network for access which falls under community title and it would be a challenge to provide adequate vehicular access and parking. The recommended down-zoning better reflects the current use of small single and two storey cottages.
30. Given this analysis and following a more detailed review by Council's Land Use Planning Team, it is not considered necessary to prepare a masterplan for this precinct and that instead the current Hornsby Development Control Plan 2013 controls apply to any future redevelopment. This is considered to be acceptable in the medium term.

Land Use Planning – Essex and Pembroke Streets

31. Council on 9 July 2018 resolved to introduce the following changes to Hornsby LEP 2013 in respect of properties at 21-29 Essex Street and 23 and 23A Pembroke Street Epping:
 - a. 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5 metre to 11 metre (to allow for apartment building development no greater than three storeys on these sites); and
 - b. The height of building control for 23 and 23A Pembroke be reduced from 12 metres to 11 metres with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites.
32. Figures 11, 12 and 13 below illustrate the proposed amendments to the land use zoning, height of buildings and floor space ratio in relation to 21-29 Essex Street and 23 and 23A Pembroke Street.

Figure 11: Proposed R4 High Density Residential Zone



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Figure 12: Proposed maximum height of building of 11 metres

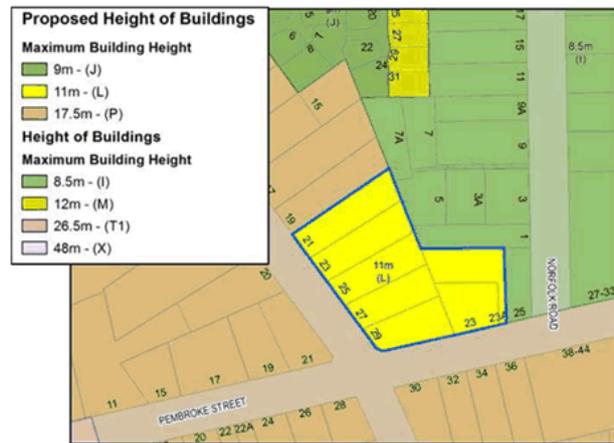


Figure 13: Proposed maximum floor space ratio of 0.8:1



33. It is noted that the Council resolved to apply a R3 Medium Density zoning to properties along Essex and Pembroke Street, however Council officers recommend a R4 High Density zoning. Although the R3 Medium Density Zone in the Hornsby LEP 2013 currently permits residential flat buildings with development consent, it is the intention of City of Parramatta Council through the harmonisation of its planning controls, to restrict residential flat buildings to the R4 High Density Zone. A R4 High Density Zone in this location would ensure a straight forward translation of land use zone upon a newly consolidated Parramatta LEP whilst achieving the intended purpose of reducing the maximum height limit for residential flat buildings on these subject properties.

34. The Hornsby LEP 2013 does not generally apply a standard maximum floor space ratio to residential areas including properties in Essex and Pembroke Streets. As part of Council's harmonisation of planning controls, an application of a floor space ratio of 0.8:1 is recommended for the subject properties. This will ensure an appropriate scale and intensity of development. Further the proposed restriction height to 11 metres will allow for apartment development no greater

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than three storeys. The application of both a maximum height and FSR is consistent with City of Parramatta's intention for a newly consolidated Parramatta LEP and application of these controls would ensure a straight forward translation.

35. These controls will allow for a potential medium density development and a more desirable interface with the East Epping Heritage Conservation Area. Further, the proposed planning controls would enable less dwellings than under the current planning controls.
36. It is noted that the sites directly adjoining the subject properties of this planning proposal, namely 7-9 Essex Street and 15-19 Essex Street are proposed to retain the current planning controls of R4 High Density Residential and a height of buildings of 17.5 metres. These sites are subject to active development applications, which means any amendment to planning controls at this current time will be ineffective. The following current development applications relate to these sites (as summarised in **Table 2**):

Table 2: Development Applications applying to 7-9 and 15-19 Essex St, Epping

DA reference / Property	Description	Status
DA/1110/2014 7-9 Essex St	Demolition of existing structures and construction of a five storey residential flat building comprising 32 units	Determined – Approved (former Hornsby Shire Council) 11 March 2015
DA/546/2018 15-19 Essex St	Demolition of existing structures construction of a part five, part six, part seven-storey residential flat building comprising of 78 apartments.	Decision to appeal against the deemed refusal of the DA is currently with the Land and Environment Court. The applicant is seeking orders from the Court that the DA be approved.

37. It is noted that there are no current development applications or pre-lodgement applications with the City of Parramatta for the properties at 21-29 Essex Street and 23 and 23A Pembroke Street at the time of writing this report.

Heritage

38. The proposed planning controls for Rockleigh Park Precinct planning proposal are consistent with the recommendations of the Heritage Review (Epping East) and Epping Town Centre Discussion Paper. The proposed R3 Medium Density Residential zone would provide consistency with the adjacent development of the northern and eastern side of Rockleigh Way and a more appropriate transition to the adjoining East Epping Heritage Conservation Area.
39. The proposed decrease in height of buildings from 17.5 metres (5 storeys) to 11 metres for the subject properties along Essex Street will allow for residential flat buildings of no greater than three storeys. Adjustment of the maximum height of buildings for both 23 and 23A Pembroke Street from 12 metres to 11 metres would ensure consistency with the adjacent Essex Street properties. The proposed reduction in height of buildings would provide a more appropriate built form transition to the directly adjoining East Epping Consideration Area.

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40. This matter was considered by the Heritage Committee on 21 August 2019. Key comments from Committee members included:
- concern that the blocks adjoining the heritage conservation area are being rezoned from Residential R4 to Residential R3; instead the Committee recommended they be zoned Residential R2; and
 - support for transition zones adjoining the heritage conservation areas.
41. The Committee resolved to recommend that 23 and 23A Pembroke Street have their height reduced to 11 metres. This is consistent with the recommendation of this report.

Traffic

42. As the proposed amendments results in a minor 'down-zoning' it is considered that any future development would result in less density and therefore less overall traffic generation. The subject sites are approximately 500 metres walking distance to Epping Railway Station and Sydney Northwest Metro and bus services and therefore the strategic objective of better integrating land use and transport is being met.

CONSULTATION

43. The matter will be reported to Council along with the Local Planning Panel's advice to Council. If Council resolves to proceed with the Planning Proposal, it will be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination. If the matter proceeds to public consultation, a report on the outcomes of the public exhibition will be provided to the Panel addressing any objections received. If no objections are received, the matter will be reported directly to Council seeking approval to finalise the Planning Proposal.
44. As part of the public exhibition of the Planning Proposal, effected landowners and surrounding residents and key stakeholders including Council's Heritage Committee and Epping Civic Trust will be notified.

PLANNING AGREEMENT

45. Under Council's Planning Agreement Policy (adopted 26 November 2018) Council may, at its discretion, enter into a planning agreement for a planning proposal. The landowner would be required to provide infrastructure contributions that are valued to at least 50 per cent of the land value uplift under Council's policy.
46. The Rockleigh Way sites are proposing to change from a R4 High Density Residential zone to a R3 High Density Residential zone. Further properties at Pembroke and Essex Street are proposed to reduce in height of buildings.
47. In this instance, Council Officers do not recommend proceeding with a Planning Agreement in relation to future development on these sites for three key reasons:
- a. Firstly, high-density sites within the Epping Town Centre Urban Activation Precinct were not required to enter into Planning Agreements as part of their 'upzoning' by the Department. Therefore, it would be inequitable to enter into a Planning Agreement in relation to this development.

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- b. Secondly, the planning proposal results in a reduction of density on the subject sites.
- c. Thirdly, any future residential development would need to pay development contributions to fund local infrastructure in accordance with the relevant development contributions plan.

PLAN-MAKING DELEGATIONS

48. Delegations were announced by the Minister for Planning 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 also resolved that these functions be delegated to the Chief Executive Officer (CEO).

49. Should Council resolve to proceed with this planning proposal, Council should exercise its plan-making delegations. This means that after the planning proposal has been to Gateway, undergone public exhibition and been adopted by Council, Council officers will deal directly with the Parliamentary Counsel Office in the drafting of the LEP amendment, which is then signed by the CEO before being notified on the NSW Legislation web-site.

NEXT STEPS

50. Pending Council endorsement, the next step would be to send the Planning Proposal to the Department of Planning, Industry and Environment with a request for a Gateway Determination.

51. Following Gateway determination, Council will publicly exhibit the Planning Proposal, and attend to administrative matters as outlined in the recommendation.

Bianca Lewis
Senior 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	Planning Proposal for various properties along Pembroke and Essex Streets and Rockleigh Park Precinct	37 Pages
2	Epping Town Centre (East) Heritage Review - June 2017	128

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3 Summary of assessment and decision making

Pages
8 Pages

REFERENCE MATERIAL

Attachments 1-3 of Local Planning Panel Report
can be found at the Appendices of Attachment 1 of
this Council Report.

MINUTES OF THE LOCAL PLANNING PANEL HELD AT THE RYDALMERE OPERATIONS CENTRE, 316 VICTORIA ROAD, RYDALMERE ON TUESDAY, 17 SEPTEMBER 2019 AT 3.34PM

PRESENT

Stephen O'Connor in the Chair, David Ryan, Alf Lester and Ian Gilbertson

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Chairperson Stephen O'Connor, acknowledged the Burrumattagal Clan of The Darug, the traditional land owners of Parramatta and paid respect to the elders both past and present.

WEBCASTING ANNOUNCEMENT

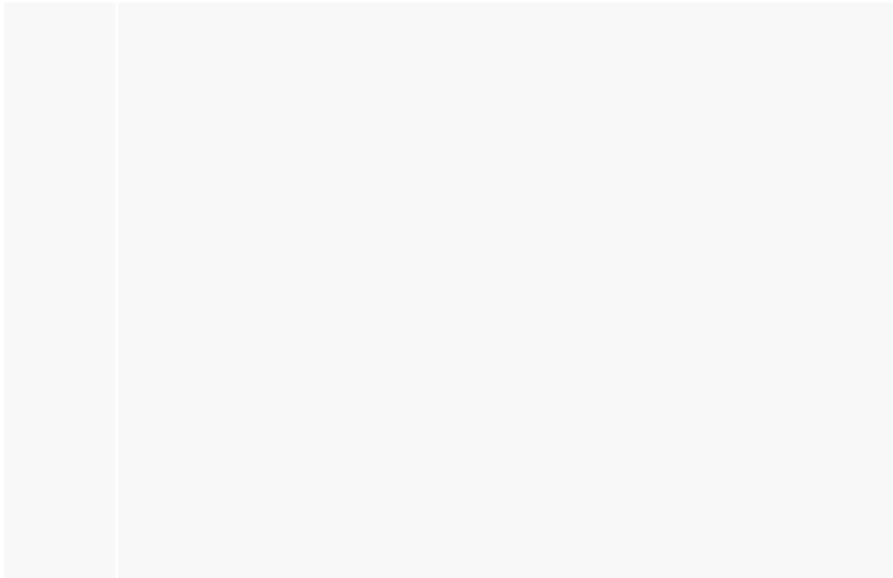
The Chairperson Stephen O'Connor advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

APOLOGIES

There were no apologies received.

DECLARATIONS OF INTEREST

David Ryan declared a reasonably perceived conflict of interest in Items 6.5 and 6.6 as the heritage report prepared on behalf of Council for both reports was written by City Plan Heritage a sister company of his current employer. Mr Ryan left the meeting when Items 6.5 and 6.6 were discussed and did not take part in the consideration or decisions of these matters.



6.6 SUBJECT Gateway Request: Planning Proposal - various properties in Rockleigh Way, Pembroke and Essex Streets, Epping
REFERENCE F2019/02038 - D06984544
REPORT OF Senior Project Officer - Land Use

The Panel considered the matter listed as Item 6.5, attachments to Item 6.5 and the matters observed at the site inspection.

PUBLIC FORUM

Nil

2035 **DETERMINATION**
That the Parramatta Local Planning Panel provides the following advice and recommendation to the Council:
(a) **That** Council endorse the Planning Proposal at **Attachment 1** which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013 in relation to the following sites:
(i) Land at 5A Essex Street, 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way:
▪ Rezone the land from R4 High Density Residential to R3

- Medium Density Residential;
- Amend the maximum height of buildings from 17.5 metres to 9 metres; and
 - Apply a floor space ratio (FSR) of 0.6:1, noting there is no existing FSR control for the sites.
- (ii) Land at 21-29 Essex Street
- Amend the maximum height of buildings from 17.5 metres to 11 metres (to allow for residential flat buildings no greater than 3 storeys); and
 - Apply a floor space ratio (FSR) of 0.8:1, noting there is no existing FSR control for the sites.
- (iii) Land at 23 and 23A Pembroke Street, Epping
- Rezone the sites from R3 Medium Density Residential to R4 High Density Residential;
 - Amend the maximum height of buildings from 12 metres to 11 metres; and
 - Apply a floor space ratio (FSR) of 0.8:1, noting there is no existing FSR control for the sites.
- (b) **That** Council not prepare a masterplan for the Rockleigh Park Precinct sites. Instead any redevelopment under the proposed R3 Medium Density Residential be assessed against the relevant Hornsby Development Control Plan (DCP) 2013.
- (c) **That** the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.
- (d) **That** Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (e) **Further, that** Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

The decision of the Panel was unanimous.

REASONS FOR THE DECISION

The Panel supports the findings contained in the assessment report and endorses the reasons for approval contained in that report.

The meeting terminated at 6:08 pm.



Chairperson

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE CLOISTER FUNCTION ROOMS, ST PATRICK'S CATHEDRAL 1 MARIST PLACE, PARRAMATTA ON TUESDAY, 8 OCTOBER 2019 AT 6:33PM

These are draft minutes and are subject to confirmation by Council at its next meeting. The confirmed minutes will replace this draft version on the website once confirmed.

PRESENT

The Lord Mayor, Councillor Bob Dwyer and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Paul Han, Steven Issa, Andrew Jefferies (6.38pm), Sameer Pandey, Dr Patricia Procriv, Bill Tyrrell, Andrew Wilson, Lorraine Wearne and Martin Zaiter.

1. OPENING MEETING

The Lord Mayor, Councillor Bob Dwyer, opened the meeting at 6:33pm.

2. ACKNOWLEDGEMENT OF THE TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor Bob Dwyer, acknowledged the Burramattagal people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor, Councillor Bob Dwyer, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. OTHER RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

The Lord Mayor advised members of the public that a photographer is present at the Council Meeting to record a presentation to be made later in the evening.

18.6 SUBJECT FOR APPROVAL: Gateway Request: Planning Proposal - Various properties in Rockleigh Way, Pembroke and Essex Streets, Epping

REFERENCE F2019/02038 - D07010150

REPORT OF Senior Project Officer - Land Use

2442 RESOLVED (Davis/Wearne)

(a) **That** Council endorse the Planning Proposal at **Attachment 1** which seeks the following amendments to Hornsby Local Environmental Plan (LEP) 2013:

- Land at 5A Essex Street, 2-24 Rockleigh Park, 3-7 and 4-8 Brenda Way:
 - Rezone the land from R4 High Density Residential to R3 Medium Density Residential;
 - Amend the maximum height of buildings control from 17.5 metres to 9 metres; and
 - Apply a floor space ratio control of 0.6:1, noting there is no existing FSR control for the sites.
- Land at 21-29 Essex Street
 - Amend the maximum height of buildings control from 17.5 metres to 11 metres (to allow for residential flat buildings no greater than three storeys); and
 - Apply a floor space ratio control of 0.8:1, noting there is no existing FSR control for the sites.
- Land at 23 and 23A Pembroke Street, Epping

- Rezone the sites from R3 Medium Density Residential to R4 High Density Residential;
 - Amend the maximum height of buildings control from 12 metres to 11 metres; and
 - Apply a floor space ratio control of 0.8:1, noting there is no existing FSR control for the sites.
- (b) **That** Council not prepare a masterplan for the Rockleigh Park Precinct sites that any redevelopment under the proposed R3 Medium Density Residential instead be assessed against the relevant Hornsby Development Control Plan (DCP) 2013.
- (c) **That** the Planning Proposal be forwarded to the Department of Planning, Industry and Environment to request the issuing of a Gateway Determination.
- (d) **That** Council advises the Department of Planning, Industry and Environment that the Chief Executive Officer will be exercising the plan-making delegations for this Planning Proposal as authorised by Council on 26 November 2012.
- (e) **That** Council authorise the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.
- (f) **Further, that** Council note the Local Planning Panel's advice provided at **Attachment 2** is consistent with the Council Officer's recommendation.

DIVISION The result being:-

AYES: Cirs Barrak, Bradley, Davis, Dwyer, Esber, Garrard, Han, Issa, Jefferies, Pandey, Proxiv, Tyrrell, Wearne, Wilson and Zaiter

NOES: Nil

PLANNING PROPOSAL – Various properties along Pembroke and Essex Streets, and Rockleigh Park Precinct, Epping

Appendix 5 – Summary of decision making in relation to the subject properties

F2019/02038

Summary of assessment and decision making in relation to properties in East Epping as part of the Epping Planning Review

The following provides a summary of assessment and decision making in relation the following properties within or adjoining the East Epping Heritage Conservation Area:

1. Rockleigh Park Precinct
2. 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street
3. 23 and 23A Pembroke Street and 21-29 Essex Street

All reports below are available at

<https://www.cityofparramatta.nsw.gov.au/council/precinct-planning/epping-planning-review>

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

Rockleigh Park (2-24 Rockleigh Way, 3-7 & 4-8 Brenda Way and 5A Essex Street)		
Report & Date	Assessment	Decision (if relevant)
Epping Town Centre (East) Heritage Review – June 2017	<p>In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations include:</p> <ul style="list-style-type: none"> • Rezone the Rockleigh Park parcels from the R4 High Density Residential Zone which has a 17.5m (5 storey) height to the R3 Medium Density zone with a 12 metre (4 storey) building height, in order to provide a smooth transition from the R2 Low Density Residential of the East Epping Heritage Conservation Area and the R4 High Density Residential area of Essex and Pembroke Streets. 	N/A
Epping Planning Review Discussion Paper – June 2017	<p>Section 7 of the Discussion Paper examined the Heritage Review recommendations for both Rockleigh Park Precinct and presented options for the community to consider. The purpose of these options was to gain feedback from the community as to what planning solution was acceptable.</p> <p>In relation Rockleigh Park the Discussion Paper recommended down-zoning the site from the R4 High Density zone to the R3 Medium Density zone, enabling a reduction in the permissible density. It also recommended the preparation of a master plan to determine the most appropriate outcome.</p>	N/A
Council Report - 14 August 2017	Council considered a report that summarised landowner and residents submissions in relation to the Epping Planning	At its meeting on 14 August 2017, Council resolved (in part):

Rockleigh Park (2-24 Rockleigh Way, 3-7 & 4-8 Brenda Way and 5A Essex Street)		
Report & Date	Assessment	Decision (if relevant)
	<p>Review Discussion Paper and technical studies exhibited from 21 June to 19 July 2017.</p> <p>In relation to Rockleigh Park, (refer Sections 69 to 80 of the Council report) community feedback showed strong support for the down-zoning of the site from the R4 to the R3 zone as it would more appropriately deal with the transition between higher and lower densities and, further, should be supported by a master planning process so that appropriate height and density controls can be put in place. Based on feedback and the Heritage Review (2017) Council Officers recommended:</p> <ol style="list-style-type: none"> 1. The component of Rockleigh Park currently zoned R4 be rezoned to R3 so that the entire Rockleigh Park precinct fall under a consistent R3 zone; and 2. That further urban design analysis be undertaken across all of Rockleigh Park to determine the best building height and density controls, including amalgamation patterns in the future. This analysis will also inform DCP controls. 	<p><i>“That the recommended principles, as identified within the report and contained within Attachment 6 be endorsed for the purposes of guiding Stage 2 of the Epping Planning review...”</i></p>
Council Report – 9 July 2018	<p>On 9 July 2018, a Council report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for the sites in Rockleigh Park Precinct. In summary the Council report recommended:</p> <ul style="list-style-type: none"> • That the area zoned R4 be down-zoned to R3 in the Rockleigh Park Precinct to be consistent with R3 zone boundary to north and east; • That further urban design analysis to determine best height and FSR controls; and • Residential flat buildings are prohibited from this area. 	<p>At its meeting on 9 July 2018 in relation to East Epping, Council resolved (in part):</p> <p>(h) <i>That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-</i></p> <p><u>(i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report</u></p>

1, 3, 3A, 5, 7 and 7A Norfolk Road		
Report & Date	Assessment	Decision Made
Epping Town Centre (East) Heritage Review – June 2017	<p>In relation to planning controls surrounding the East Epping Heritage Conservation Area, the Heritage Review concluded that a consistent transition between the R4 High Density Residential development along Essex and Pembroke Streets was required in order to prevent further encroachment on the conservation area. Key recommendations include:</p> <ul style="list-style-type: none"> • That the heritage conservation area designation be removed from 1, 3 and 3A Norfolk Road and 25 Pembroke Street and together with 5, 7, and 7A Norfolk Road be rezoned to R3 Medium Density Residential. This would allow them to be potentially developed for apartment buildings (4 storeys). 	N/A
Epping Planning Review Discussion Paper – June 2017	<p>Section 7 of the Discussion Paper presented three options to address the transition issues to the HCA in relation to 1-7A Norfolk Road and 25 Pembroke Street. The strengths and weaknesses of the following options were presented:</p> <ol style="list-style-type: none"> 1. recommendation of the Heritage Review – to remove the HCA designation from 1-3A Norfolk Road and 25 Pembroke Street and together with 5-7A Norfolk Road be rezoned to R3. 2. rezone 1-7A Norfolk Road and 25 Pembroke Street to R3 Medium Density Residential to allow 2 storey manor homes 3. allow 1 Norfolk Road and 25 Pembroke Street to be rezoned to R3 Medium Density Residential and retain R2 Low Density Residential zoning on 3-7A Norfolk Road. 	N/A
Council Report 14 August 2017	<p>Council considered a report that summarised the feedback from land owners and the community in relation to the East Epping Heritage Conservation Area, specifically options presented in relation to the properties in Norfolk Road and</p>	At its meeting on 14 August 2017, Council resolved (in part):

1, 3, 3A, 5, 7 and 7A Norfolk Road		
Report & Date	Assessment	Decision Made
	<p>Pembroke Street (refer Sections 81-96 of the Council report).</p> <p>Community feedback was divided in relation to the properties. Responses from landowners included unanimous support for removal of the HCA and rezoning to R3 (Option 1). To permit apartment development feedback from adjoining owners had a preference for Option 2 and other residents supported Options 2 or 3 which proposed lower density development than Option 1.</p> <p>Based on feedback and the Heritage Review (2017) Council Officers recommended:</p> <ul style="list-style-type: none"> • that Option 2 of the Discussions Paper be applied, which involves removing the HCA notation over properties 1, 3, 3A Norfolk Road and 25 Pembroke Street and rezoning at seven parcels to the R3 zone to allow: <ul style="list-style-type: none"> ○ 2 storey manor homes on 7 and 7A Norfolk Road; and ○ Enable redevelopment of 1, 3, 3A and 5 Norfolk Road and 25 Pembroke Street to realise residential flat buildings (no more than three storeys) and undertake appropriate urban design analysis to determine built form controls. 	<p><i>That the recommended principles, as identified within the report and contained within Attachment 6 be endorsed for the purposes of guiding Stage 2 of the Epping Planning review subject to the following amendments:</i></p> <p><i>Heritage Chapter – 1, 3, 3A, 5, 7 and 7A Norfolk Road Clause 96, recommended principle a.ii be replaced with the following principle:</i></p> <p><i>Refer to Alternate Principle - Heritage below.</i></p> <p>Alternate Principle - Heritage</p> <p><i>That the development of 2 storey ‘manor houses’ within the following precincts be pursued in response to the current interface issues being experienced by residents. However, as part of this process further work should also be carried out to test the benefits of 3 storey residential flat buildings with all the appropriate DCP controls, for example setbacks, amalgamation patterns to determine whether an alternative approach may be more appropriate.</i></p> <p style="text-align: center;">- 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street</p>
Council Report – 9 July 2018	On 9 July 2018, a Council report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for the sites in Pembroke Street, Norfolk Road	At its meeting on 9 July 2018 in relation to East Epping, Council resolved (in part):

1, 3, 3A, 5, 7 and 7A Norfolk Road		
Report & Date	Assessment	Decision Made
	<p>and Rockleigh Park Precinct. In summary the Council report recommended</p> <ul style="list-style-type: none"> - No changes to battle-axe blocks at 7 and 7A Norfolk Road and rezone 1, 3, 3A and 5 Norfolk Road to R3 zone to enable three storey residential flat buildings subject to amalgamation controls being put in place to create 1 super lot and that 25 Pembroke cannot develop of itself and should retain its existing zoning. 	<p>(h) That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-</p> <p>(ii) <u>In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-</u></p> <ul style="list-style-type: none"> o 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and o The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites; <p>and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.</p>

23 and 23A Pembroke Street and 21-29 Essex Street		
Report & Date	Assessment	Decision Made
Epping Town Centre (East) Heritage Review – June 2017	No assessment in relation to these properties was presented in the Heritage Review.	N/A
Epping Planning Review Discussion Paper – June 2017	No assessment in relation to these properties was presented in the Discussion Paper.	N/A
Council Report 14 August 2017	No assessment in relation to these properties was presented in the Council report.	N/A
Council Report – 9 July 2018	No assessment in relation to these properties was presented in the Council report.	<p>At its meeting on 9 July 2018 in relation to East Epping, Council resolved (in part):</p> <p>(h) <i>That a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-</i></p> <p>(i) <i>Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report</i></p> <p>(ii) <i>In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-</i></p> <p><input type="checkbox"/> <i>21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3</i></p>

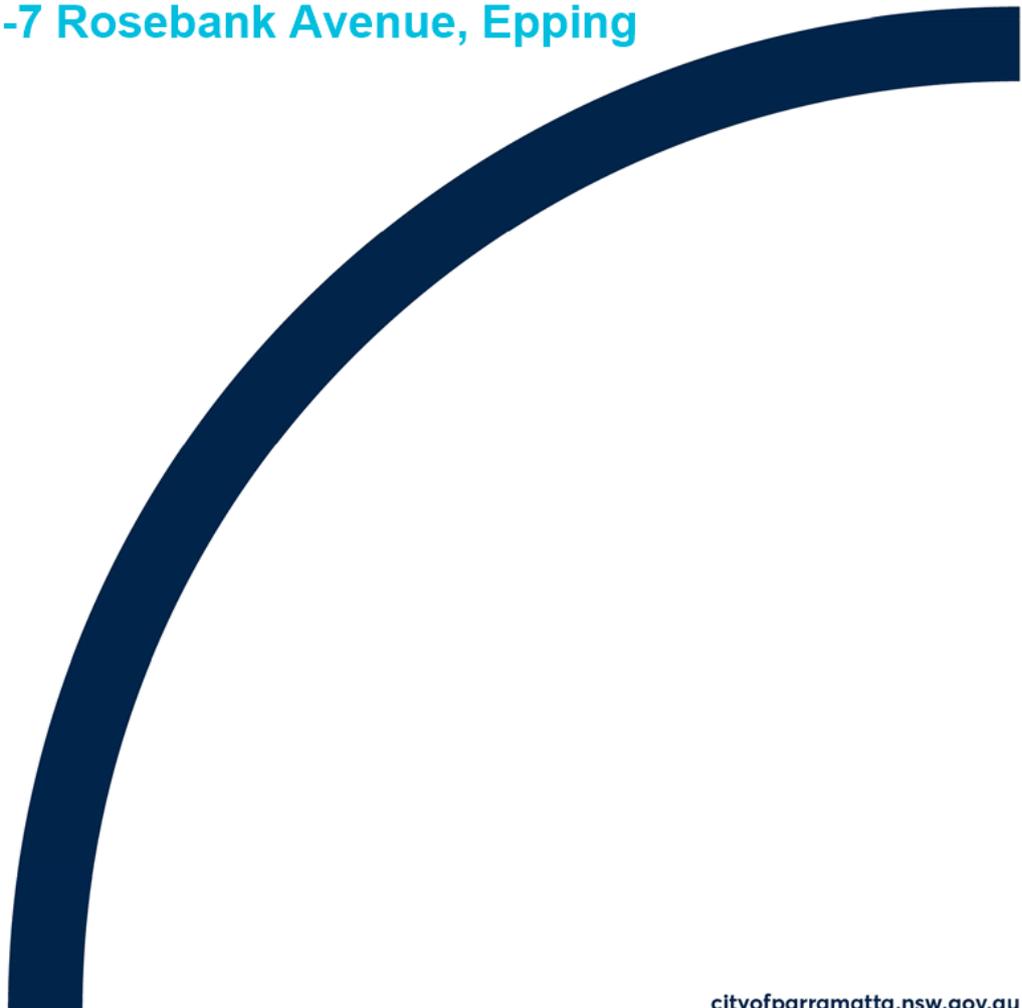
23 and 23A Pembroke Street and 21-29 Essex Street		
Report & Date	Assessment	Decision Made
		<p><u>Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites); and</u></p> <p><input type="checkbox"/> <u>The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;</u></p> <p>and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.</p>



PLANNING PROPOSAL

2-8 and 1-7 Rosebank Avenue, Epping

May 2021



cityofparramatta.nsw.gov.au

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PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Planning Proposal drafts

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel on the assessment of planning proposal to be sent to Department of Planning and Environment for Gateway Determination – 17 September 2019
2	City of Parramatta Council	Report to Council on the assessment of planning proposal to be sent to Department of Planning and Environment for Gateway Determination – 8 October 2019 (minor amendments to accommodate Appendices)
3	City of Parramatta Council	August 2020 - Response to Gateway Conditions for the purpose of public exhibition; Council's Local Strategic Planning Statement ; and changes to public exhibition due to COVID-19 restrictions.
4	City of Parramatta	Edit to include proposed additional DCP controls and Table 7 timelines. Version for reporting to Local Planning Panel 18 May 2021 and Council on 15 June 2021.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Hornsby Local Environmental Plan 2013*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DP&E) guides, 'A Guide to Preparing Local Environment Plans' (August 2016) and 'A Guide to Preparing Planning Proposals' (August 2016) and 'Guidance for merged councils on planning functions' (May 2016).

Background and context

This planning proposal relates to seven properties at 2-8 and 1-7 Rosebank Ave, Epping.

The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018 and the resolution made by Council on 9 July 2018 in relation to a number of matters resulting from the Epping Planning Review, including issues of development interface with Heritage Conservation Areas (HCAs). Council resolved on the 8 October 2019 to send the Planning Proposal to Department of Planning, Industry and Environment (DPIE) for Gateway Determination. Gateway Determination was subsequently issued by DPIE on 10 January 2020 and alteration to the Gateway Determination was received on 30 March 2020.

The subject land is located near the Epping Town Centre and within the boundaries of the City of Parramatta Local Government Area (LGA). Prior to Council amalgamations on 12 May 2016 this area formed part of the Hornsby Shire LGA, therefore the existing planning controls for the sites are the *Hornsby Local Environmental Plan 2013*. The subject site is shown in **Figure 1** below.

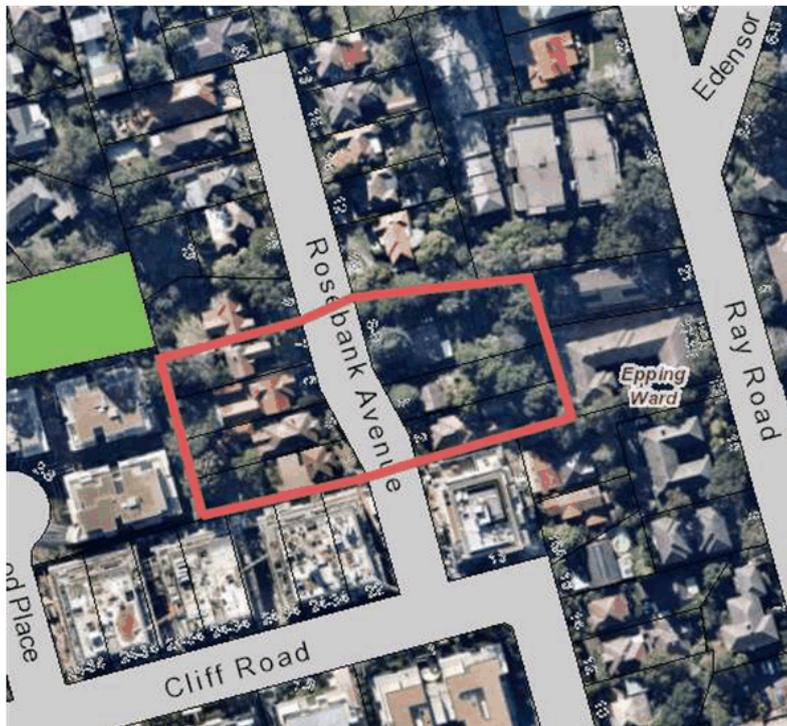


Figure 1: Land in Rosebank Avenue subject to the planning proposal (land shown outlined in red)

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Under *Hornsby Local Environmental Plan (LEP) 2013* the land:

- is zoned R2 Low Density Residential;
- has a maximum building height of 8.5 metres;
- is situated within the Rosebank Avenue Heritage Conservation Area; and
- is partially affected by 1:100 year overland flood.

An extract of each the above maps is provided in Part 4 – Mapping - Section 4.1 Existing controls.

A legal description of the properties subject to this Planning Proposal is provided in **Table 1** below.

Property Address	Legal Description
1 Rosebank Street	Lot 9 DP16580
2 Rosebank Street	Lot 18 DP16580
3 Rosebank Street	Lot 8 DP16580
4 Rosebank Street	Lot 17 DP16580
5 Rosebank Street	Lot 7 DP16580
6-8 Rosebank Street	Lot 151 DP712107
7 Rosebank Street	Lot 6 DP16580

Table 1: Legal Description of Properties subject to this Planning Proposal

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objectives of this planning proposal are to:

- To enable site amalgamation and allow residential flat buildings on the subject sites, including removal of the Heritage Conservation Area.
- To allow for additional building height and floor space for a sympathetic transition between the adjoining high density development and the Heritage Conservation Area.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

PART 2 – EXPLANATION OF PROVISIONS

This planning proposal seeks to amend *Hornsby Local Environmental Plan 2013* in relation to the zoning, height and heritage controls. In order to achieve the desired objectives the following amendments to the *Hornsby LEP 2013* would need to be made as it relates to land at 2 – 8 Rosebank Avenue and 1 – 7 Rosebank Avenue, Epping:

1. Amend the zone in the **Land Zoning Map** (Sheet LZN_011) from R2 Low Density Residential to R4 High Density Residential. Refer **Figure 11** in Part 4 of this planning proposal.
2. Amend the maximum **Height of Building Map** (Sheet HOB_011) from 8.5m to 11m. Refer to **Figure 12** of this planning proposal.
3. Amend the maximum **Floor Space Ratio** (Sheet FSR_011) from showing no allocated maximum FSR to an FSR of 0.8:1. Refer **Figure 13** in Part 4 of this planning proposal.
4. Amend the Rosebank Heritage Conservation Area shown on the **Heritage Map** (Sheet HER_011) by reducing the extent of the conservation area. Refer **Figure 14** in Part 4 of this planning proposal.

Note: The Harmonisation Planning Proposal seeks to consolidate into one Planning Instrument a set of controls that will replace the controls in the five different Local Environmental Plans that currently apply in different parts of the City of Parramatta. This work will create a single LEP and DCP that will apply to the whole LGA. The Harmonisation Planning Proposal was considered by Council at its meeting of 11 November 2019. Council resolved to endorse the Planning Proposal for submission to the DPIE. DPIE subsequently issued a Gateway Determination for the Harmonisation Planning Proposal on 16 April 2020 and, as a next step, will be placed on public exhibition. Therefore the proposed planning controls in this Planning Proposal have been drafted to be consistent with the proposal controls in the harmonisation process so to ensure translation of controls are straight forward.

1.1. Other relevant matters

1.1.1. Draft Development Control Plan

Council resolved at its meeting on the 9 June 2020, to exhibit draft amendments to the Hornsby Development Control Plan (DCP) 2013 relating to the Rosebank Avenue HCA alongside the Rosebank Avenue Planning Proposal. Draft amendments have been prepared to DCP, specifically:

- Section 3.3 Residential Flat Buildings (3 storeys) to ensure a sympathetic transition to the adjoining heritage items and heritage conservation area. Proposed controls include building setbacks, landscaping, tree retention, **location of balconies, screening of upper level balconies, limit balcony intrusions into setbacks and protection of existing street trees.**
- Section 9.3.14 Rosebank Avenue (Epping) Heritage Conservation Area – Character Statement will be required to reflect proposed amendments to the HCA.

The Draft DCP amendments are consistent with Condition 1 of the Gateway Determination which states: *“Prior to public exhibition, amend the planning proposal to outline a suitable planning mechanism to ensure transition of height and scale to the adjoining land to the north and retain streetscape values. This may include the requirement to prepare a Development Control Plan that comes into force once the planning proposal is finalised.”*

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

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

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

The Planning Proposal is as a result of the resolution of Stage 1 of the Epping Planning Review and forms part of the implementation of Stage 2. A background to the Epping Planning Review, as it relates to this planning proposal, is detailed below.

In March 2014, new planning controls for the Epping Town Centre and surrounds came into effect as a result of the, then, Department of Planning and Environments (DPE) Priority Precinct process. This process resulted in increased building heights and density controls and the creation of three new Heritage Conservation Areas – Rosebank Avenue, East Epping and Essex Street HCA (formerly located within the Hornsby Local Government Area).

Following Council amalgamations on 12 May 2016, Epping Town Centre and immediate surrounds fell wholly within the City of Parramatta Council Local Government Area.

In December 2016, the Epping Planning Review was commenced by City of Parramatta Council. The scope of the review was to address the unintended consequences of the planning control amendments brought into effect of DPE as well as allowing Council to manage current Planning Proposals seeking additional growth within the Town Centre. It also allowed Council to progress matters considered by the former Hornsby Shire Council, including heritage matters.

The Epping Planning Review involves the following Stages:

- Stage 1 – the preparation of technical studies, community consultation and the release of a discussion paper for public comment. This Stage was undertaken between 2016 and 2018. This planning proposal is one of the Council resolved outcomes of Stage 1 of the Epping Planning Review.
- Stage 2 – involves the statutory phase, including the preparation of planning proposals that seek to amend the current planning controls to resolve the land use issues identified during the first phase. Council are currently in this phase of the project.

As part of Stage 1 community consultation, community workshops were undertaken, including 2 heritage review workshops with regards to Heritage Conservation Areas (HCA) within Epping - one workshop for landowners within the HCAs and one general workshop for interested residents. The workshop explored potential land use scenarios and associated impacts in the HCAs. The workshops aimed to listen to the concerns of residents at the impact of proposals and developments for five storey apartments on land adjoining the Epping conservation areas, including the Rosebank Avenue Heritage Conservation Area.

As part of Stage 1 technical studies, City Plan Heritage completed the Epping Town Centre (East) Heritage Review (June 2017). Refer **Appendix 1** for a copy of the Heritage Review. The purpose of the review was to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and in addition to review related concerns of residents on a number of heritage issues.

The Heritage Review found the Rosebank Avenue HCA to have maintained the significance and intactness established in previous studies and was recommended to be

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

retained in full. However, this study did not fully address the land use conflicts occurring at the interface at the rear some of these properties and strong community concerns.

The Epping Planning Review Discussion Paper was released for public comment in June 2017 and aimed to present appropriate options and recommendations based on technical studies and community feedback in relation to a number of planning matters. The Discussion Paper presented 7 options for Rosebank Avenue HCA interfaces with the land zoned R4 High Density residential and the strengths and weaknesses of each option were detailed. The purposes of these options was to gain feedback from the community as to what resolution was acceptable.

On 14 August 2017, Council considered a report that summarised submissions from the Epping Planning Review Discussion Paper and technical studies. A copy of the Council meeting Report and Minutes are at **Appendix 2**. The report summarised the feedback from land owners and the community on the Rosebank Avenue Heritage Conservation Area and the options presented to mitigate the interface issues from the adjoining development. It noted that the submissions were divided in opinion as to how the interface issue should be managed.

On 9 July 2018, a report was presented updating Council on the implications for the findings of the Epping Planning Review, including further assessment work undertaken for Rosebank Avenue HCA. A copy of the Council meeting Report and Minutes are at **Appendix 3**. In summary, the Council report stated that interface issues represent a failure of the planning system which has created a current land use conflict. They are as a result of the Priority Precinct process and subsequent development application decisions. The current situation where 5 to 6 storey buildings overlook and encroach on the backyards of single dwellings is considered unacceptable. As part of this report, Council Officers undertook further urban design testing of higher residential densities such as manor homes or 3 storey residential flat buildings to replace existing detached dwelling development in the Rosebank Avenue HCA and other heritage interface areas.

In conclusion, Council accepted that there are severe interface issues occurring in the southern half of the Rosebank Avenue Heritage Conservation Area. Following consideration by Council it resolved to retain the northern part of the conservation area but to remove the southern part and to rezone this area for higher density residential development.

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

The Epping Planning Review Discussion Paper (June 2017) presented seven built form options for Rosebank Avenue HCA interfaces with the land zoned R4 High Density residential and the strengths and weaknesses of each option were detailed. The purposes of these options was to gain feedback from the community as to what resolution was acceptable.

To resolve the amenity impacts associated with the interface between the HCA and the high density development and to give appropriate weight to responses received during community consultation it is proposed to reduce the extent of the HCA. The subject properties will be rezoned to R4 High Density Residential to allow for 3 storey residential buildings. Amendments are also proposed to Hornsby DCP 2013 to manage the transition to the retained heritage items at numbers 9 and 10 Rosebank Avenue and to the HCA.

Following assessment of built form options and community feedback Council resolved that the current planning proposal is the best means of achieving the objectives/intended outcomes for the HCA area. The proposed amendment to Hornsby LEP 2013 will help to satisfactorily resolve interface issues whilst still retaining the significance of the remaining portion of the HCA.

1.2. Section B – Relationship to strategic planning framework

1.2.1. 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: A Metropolis of Three Cities* (“the GSRP”) a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions which are each contains Potential Indicator and, generally, a suite of objective/s with each objective supported by a Strategy or Strategies. Those objectives and or strategies relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in Table 3a, below.

Table 3a – 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	The region plan highlights that the Central River City is undergoing a rebuilding program in a high-growth environment, which requires existing infrastructure to be optimised. The proposal meets this objective, due to the fact that the subject area is well serviced by transport infrastructure and has optimum access to employment opportunities. Providing housing in this location promotes efficient use of the existing infrastructure.
	O2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	O3: Infrastructure adapts to meet future need	
	O4: Infrastructure use is optimised	

Liveability

An assessment of the planning proposal’s consistency with the GSRP’s relevant Liveability objectives is provided in Table 3b, below.

Table 3b – 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	The planning proposal aims to improve amenity to the community by creating a better transition in built form from a high density to an existing low density area. The proposed DCP controls will ensure appropriate setbacks, landscaping
	O7: Communities are healthy, resilient and socially connected	
	O8: Greater Sydney’s communities are culturally rich with diverse	

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Liveability Direction	Relevant Objective	Comment
	neighbourhoods	and private communal open for future residents.
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: Greater housing supply	The planning proposal will result in a rezoning of land from R2 Low Density Residential to R4 High Density Residential which will facilitate potential amalgamation of lots and new residential flat building development. Approximately 67 units could be accommodated over the sites, resulting in an additional 60 dwellings. No affordable housing is included in the planning proposal at this stage.
	O11: Housing is more diverse and affordable	
A city of great places	O12: Great places that bring people together	The planning proposal will help to resolve interface issues and community concerns. The area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.
	O13: Environmental heritage is identified, conserved and enhanced	

Productivity

An assessment of the planning proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 3c, below.

Table 3c – 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 land where density is proposed to be increased is located appropriately 400m from the Epping Town Centre and 650m from well serviced transport infrastructure, including bus routes, Epping Railway Station and Sydney Northwest Metro.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	

Sustainability

An assessment of the planning proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O25: The coast and waterways are protected and healthier	Development controls are proposed to be put in place to ensure

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Sustainability Direction	Relevant Objective	Comment
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	generous setbacks to accommodate landscaping, including trees.
	O28: Scenic and cultural landscapes are protected	
	O29: Environmental, social and economic values in rural areas are protected and enhanced	
	O30: Urban tree canopy cover is increased	
	O31: Public open space is accessible, protected and enhanced	
	O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths	
An efficient city	O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	No specific sustainability measures are proposed at this stage of the planning process.
	O34: Energy and water flows are captured, used and re-used	
	O35: More waste is re-used and recycled to support the development of a circular economy	
A resilient city	O36: People and places adapt to climate change and future shocks and stresses	Part of the Rosebank Avenue HCA, including 6 – 8 Rosebank Avenue is flood prone and below the 1:100 year flood level. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Hornsby DCP 2013.
	O37: Exposure to natural and urban hazards is reduced	
	O38: Heatwaves and extreme heat are managed	

Implementation

An assessment of the planning proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3d, below.

Table 3d – Consistency of planning proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	This planning proposal is a key outcome of Stage 1 of the Epping Planning Review which involved in-depth consultation with the community and the consideration of the feedback from this consultation.

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Central City District Plan

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 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 Action. Those Planning Priorities and Actions relevant to this planning proposal are discussed below.

Infrastructure and Collaboration

An assessment of the planning proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 4a, below.

Table 4a – Consistency of planning proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> • A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</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 	<p>The land where density is proposed to be increased is appropriately located near the Epping Town Centre and transport infrastructure</p>

Liveability

An assessment of the planning proposal’s consistency with the CCDP’s relevant Liveability Priorities and Actions is provided in Table 4b, below.

Table 4b – Consistency of planning proposal with relevant CCDP Actions – Liveability

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Liveability Direction	Planning Priority/Action	Comment
<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 Council's. • 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 subject sites are within walking distance of community facilities in Epping Town Centre. Council has resolved to investigate options for Council owned land at Rawson Street and Pembroke Street for future civic space to accommodate current and future populations.</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 [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>A rezoning land from R2 low density residential to R4 high density residential could see the development of approximately 67 dwelling units. The location of these additional housing is close to jobs, services and public transport.</p>
<p>A city of great places</p> <p>O12: Great places that bring people together</p> <p>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 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) 	<p>Whilst this planning proposal proposes to remove the Rosebank Avenue HCA listing over properties at 2 – 8 Rosebank Avenue and 1 –7 Rosebank Avenue all other properties will remain in the HCA. The planning proposal will help to resolve interface issues and community concerns. The area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA</p>

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Liveability Direction	Planning Priority/Action	Comment
	<ul style="list-style-type: none"> • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	

Productivity

An assessment of the planning proposal’s consistency with the CCDP’s relevant Productivity Priorities and Actions is provided in Table 4c, below.

Table 4c – Consistency of planning proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>O14: The plan integrates 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 • 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) • 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>The subject site is located appropriately 400m from the Epping Town Centre and 650m from well serviced transport infrastructure, including bus routes, Epping Railway Station and Sydney Northwest Metro.</p>

1.2.2. 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 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 be consistent with Council’s local strategy as it aims to maintain the heritage significance of the Rosebank Avenue HCA whilst resolving interface issues and the community.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Parramatta Local Strategic Planning Statement (LSPS)

The LSPS sets out the long-term vision for land use planning in the City of Parramatta's local government area (LGA) and responds to broader priorities identified in the District Plans and integrates with a Council's Community Strategic Plan. The LSPS came into effect on 31 March 2020 and provides greater weight to strategic planning in the broader plan making process and any new Planning Proposal must justify any inconsistency with this framework.

This Planning Proposal is consistent with Planning Priority 11 of the LSPS, "Build the capacity of the Parramatta CBD, Strategic Centres, Local Centres and Employment Lands to be strong, competitive and productive" and associated action A69, "Advocate for the recommendations of the Epping Town Centre Review (when completed) and implement the adopted recommendations." The Planning Proposal is a progression of the Epping Planning Review undertaken by Council in 2017 and 2018 and the resolution made by Council on 9 July 2018 in relation to a number of matters resulting from the Epping Planning Review, including issues of development interface with Heritage Conservation Areas (HCAs).

The Planning Proposal is inconsistent with Planning Priority 9 "Enhance Parramatta's heritage and cultural assets to maintain our authentic identity and deliver infrastructure to meet community needs." However, the inconsistency is considered justified for the following reasons:

- The southern part of the HCA faces serious interface issues cause by developments up to a height of five storeys adjacent to the HCA. The developments have caused significant resident concern in relation to their privacy and amenity. The planning proposal will help to resolve interface issues and community concerns.
- The planning proposal seeks reduction in the extent of the Rosebank Avenue Heritage Conservation Area that is listed in Schedule 5 of the Hornsby LEP 2013. The area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.

1.2.3. 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 (refer to Table 5 below).

Table 5 – Consistency of planning proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not applicable to the subject land under clause 1.9 of Hornsby LEP 2013
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under clause 1.9 of Hornsby LEP 2013

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State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP 6 – Number of Storeys in a Building	N/A	Standard instrument definitions apply.
SEPP 33 – Hazardous and Offensive Development	N/A	
SEPP No 55 Remediation of Land	✓	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2011.
SEPP 64 – Advertising and Signage	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP No 65 Design Quality of Residential Flat Development	✓	An indicative amalgamation pattern was tested to ensure the sites are capable of accommodating residential flat buildings and compliance with the SEPP. Detailed compliance with SEPP 65 and Apartment Design Guide will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP No.70 Affordable Housing (Revised Schemes)	N/A	
SEPP (Affordable Rental Housing) 2009	N/A	
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future development of the site.
SEPP (Infrastructure) 2007	✓	May apply to future development of the site.

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State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
Sydney Regional Environmental Plan No 18– Public Transport Corridors	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the <i>Parramatta LEP 2011</i> .
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Urban Renewal) 2010	N/A	

1.2.4. 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 the subject Planning Proposal.

Table 6 – 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		N/A
2. Environment and Heritage		
Direction 2.3 - Heritage Conservation	The planning proposal seeks reduction in the extent of the Rosebank Avenue Heritage Conservation Area that is listed in schedule 5 of the Hornsby LEP 2013. The southern part of the HCA faces serious interface issues cause by developments up to a height of 5 storeys adjacent to the HCA. The developments have caused significant resident concern in relation to their privacy and amenity.	No

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Relevant Direction	Comment	Compliance
	<p>Arising from these concerns the planning proposal proposes to remove the conservation area listing from properties in the southern part of Rosebank Avenue.</p> <p>Interface issues are considered to be less significant at the rear of properties in the northern part of the HCA.</p> <p>The planning proposal is considered appropriate as it will help to resolve interface issues and community concerns. In addition, the area of the HCA to be retained reflects the heritage values recognised in the Statement of Significance for the HCA and will retain a highly intact interwar streetscape. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.</p>	
3. Housing, Infrastructure and Urban Development		
Direction 3.1 - Residential Zones	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> • facilitates additional housing in close proximity to Epping Town Centre that is currently not provided on the site • provides residential development in an existing urban area that will be fully serviced by existing infrastructure • does not reduce the permissible residential density of land. 	Yes
Direction 3.4 - Integrating Land Use and Transport	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> • will provide new dwellings in close proximity to existing public transport links • will enable residents to walk or cycle to work if employed in the Epping Town Centre and utilise the heavy rail or Metro service. • makes more efficient use of space and infrastructure by increasing densities in an underutilised area. 	Yes
4. Hazard and Risk		
Direction 4.1 - Acid Sulfate Soils	The Rosebank Avenue Heritage Conservation Area is not identified as within any of the classes on the Acid Sulfate Soils Map in the Hornsby Local Environmental Plan 2013.	Yes
Direction 4.3 - Flood Prone Land	<p>Part of the Rosebank Avenue HCA, including 6 – 8 Rosebank Avenue is flood prone and below the 1:100 year flood level.</p> <p>Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Hornsby DCP 2013.</p>	Yes
5. Local Plan Making		
Direction 6.1 - Approval and Referral Requirements	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes

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Relevant Direction	Comment	Compliance
Direction 6.3 - Site Specific Provisions	The Planning Proposal does not introduce any site specific provisions.	Yes
6. Metropolitan Planning		
Direction 7.1 - Implementation of A Plan for Growing Sydney	As detailed in Section 3.2.1 of this report, the planning proposal is consistent with the directions, action and priorities of a Plan for Growing Sydney	Yes
Direction 7.3 – Parramatta Road Corridor Urban Transformation Strategy	NA	N/A
Direction 7.5 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	NA

1.3. Section C – Environmental, social and economic impact

1.3.1. 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?

Land the subject of this planning proposal does not contain any critical habitat or threatened species, populations or ecological communities, or their habitats. Therefore, this proposal does not pose any threat to the above.

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

The primary environmental impacts in relation to the proposal for the site are:

- Built Form and Interface Issues;
- Heritage impacts; and
- Flooding

These are examined each in detail below.

Built Form and Interface Issues

Recent developments in Cliff Road and Hazelwood Place that adjoin properties in the Rosebank Avenue HCA do not appear to have adequately addressed the setback and deep soil planting provisions of the Hornsby DCP to minimise the scale and bulk of the development. Whilst a minimum of 10 metres is required by the DCP at the rear boundary, this setback can be reduced to only 8 metres for a maximum of 1/3 of the buildings width. **Figures 2 and 3** below indicate the proximity of the apartment buildings to the subject properties at 1-7 and 2-8 Rosebank Avenue. In some cases the rear setbacks between residential flat buildings and property line is only 7 metres, through the addition of balconies into the minimum setback. The additional encroachment of the high density residential development into the minimum 8 metres setback results in both a physical and visual overwhelming impact on the adjacent individual property. **Figure 4** indicates the visual impact of the close proximity of high density residential flat buildings.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

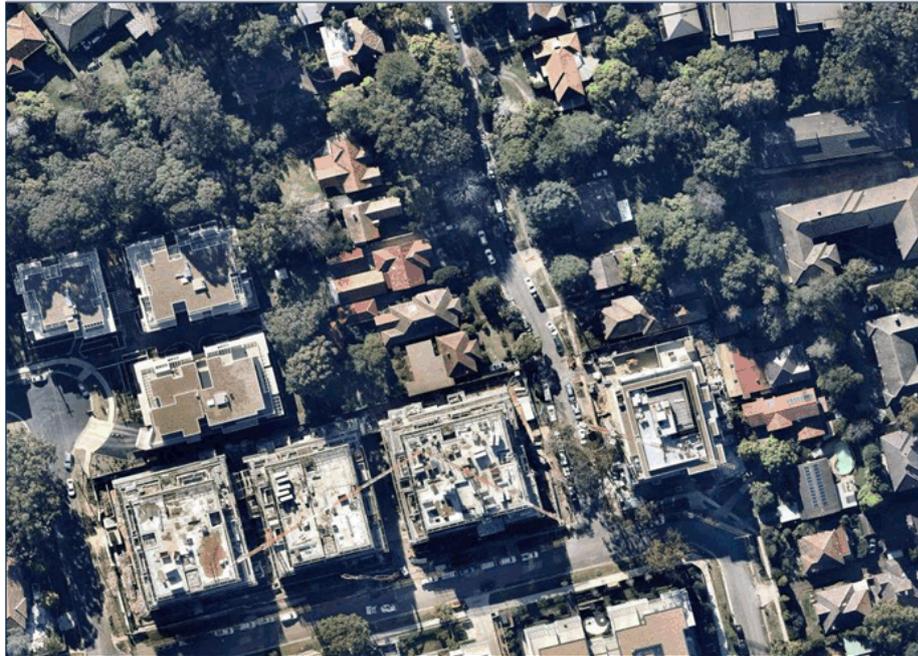


Figure 2: Proximity of apartment buildings to subject properties (photo source: Nearmaps 1 July 2019)

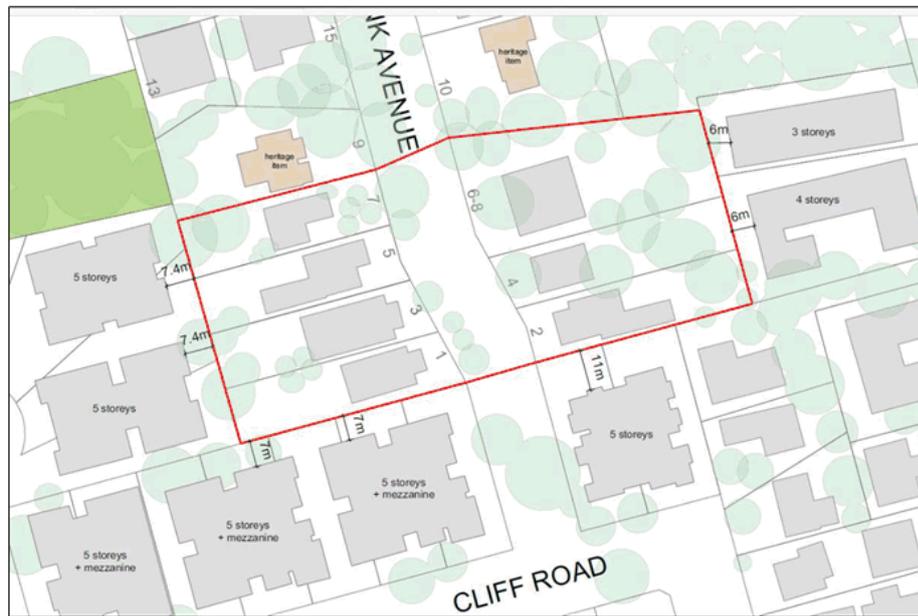


Figure 3: Current setback distances of 5 storey residential flat building to property boundary

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping



Figure 4: Visual impact from adjoining 5 storey development from 5 Rosebank Ave (source Epping (East) Heritage Review – **Appendix 1**)

As part of the Epping Planning Review – Stage 1 - community consultation was undertaken on built form options to address interface issues. Section 7 of the Epping Planning Review Discussion Paper (June 2017) presented 7 options for Rosebank Avenue HCA interfaces with the land zoned R4 High Density residential and the strengths and weaknesses of each option were detailed. The purposes of these options was to gain feedback from the community as to what resolution was acceptable. In summary, these options were as follows:

- 1 - maintain current HCA
- 2 – Landscaping at interface with R2 and R4 zoned land
- 3 – allow dual occupancy (at rear)
- 4 – allow dual occupancy (side by side)
- 5 – allow town house redevelopment
- 6 – allow manor home redevelopment
- 7 – allow 3 storey residential flat building redevelopment

On 14 August 2017, Council considered a report (refer **Appendix 2**) that summarised submissions from the Epping Planning Review Discussion Paper and technical studies exhibited from 21 June to 19 July 2017. The report summarised the feedback from land owners and the community on the Rosebank Avenue Heritage Conservation Area and the options presented (as listed above) to mitigate the interface issues from the adjoining development. The submissions were divided in opinion as to how the interface issue should be managed. Having considered the feedback from the consultations, (in short) Council resolved that to undertake urban design work to test appropriate built form controls for both manor home redevelopment (Option 6) and 3 storey residential flat buildings (Option 7).

The results of the investigation were presented at the Council meeting on 9 July 2018 (refer **Appendix 3**) and subsequently resolved to introduce the following changes to Hornsby LEP 2013 in respect of properties at 2 – 8 Rosebank Avenue and 1 – 7 Rosebank Avenue, Epping:

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- Remove the Heritage Conservation Area notation;
- Rezone the sites from R2 Low Density Residential to R3 Medium Density Residential; and
- Amend the permitted height of buildings from 8.5 metres to 11 metres (to allow for apartment building development no greater than 3 storeys on the sites).

The current Hornsby DCP provides for a 6 metre side setback (including balconies), which can be reduced to 4.5 metre for non-habitable rooms, to a maximum of one third of the building width. This setback is not considered acceptable for properties adjoining the heritage items and that part of the HCA to be retained. The following draft DCP Amendments relating to setbacks to support this Planning Proposal:

- Provision of minimum setback of 6 metres at ground level and 9 metres at first and second levels to the boundary. The proposed setbacks are designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area as shown at **Figures 5 & 6** below.
- That the side setback will be designed to allow for trees to be retained and planted to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.
- That any new development located at 5 and 7 Rosebank Avenue, shall minimise the number of balconies facing northward. Those balconies facing west and north shall provide appropriate screening to minimise overlooking.
- That balconies cannot protrude in the front, rear and side setbacks.
- Street trees along Rosebank Avenue shall be retained and not be adversely impacted as part of any new development.

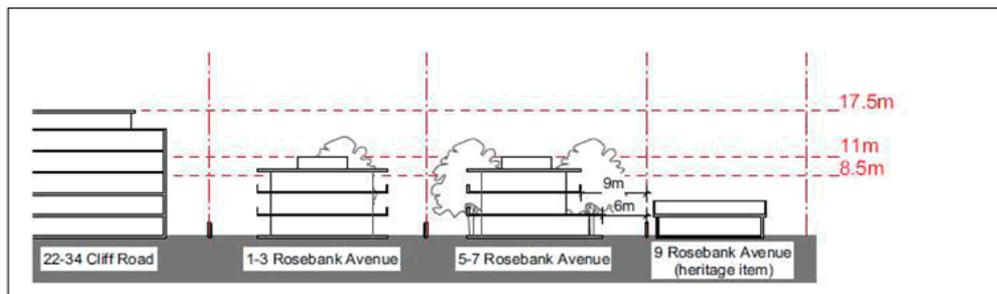


Figure 5: Section showing proposed built form transition to heritage item (western side of Rosebank)

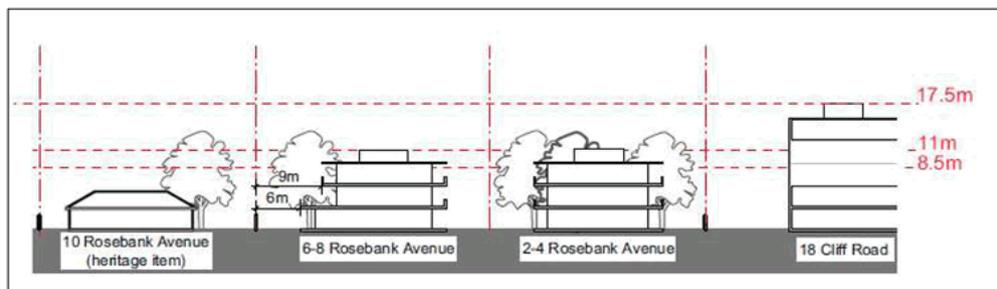


Figure 6: Section showing proposed built form transition to heritage item (eastern side of Rosebank)

An indicative lot amalgamation pattern is shown in **Figure 7** below.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping



Figure 7: Potential lot amalgamation pattern as a result of proposed planning controls

Heritage

The Planning Proposal will result in the removal of part of the Heritage Conservation Area (HCA) from the *Hornsby LEP 2013*, however the impact on heritage has been considered against the severe amenity impacts on residents living within the HCA.

Stage 1 of the Epping Planning Review provided opportunity for Epping residents to consider a number of built form options for this area, as well as consider the recommendations of the technical report - Heritage Review (refer **Appendix 1**).

The Heritage Review also included the following recommendations in order to help mitigate the issues and concerns raised by the property owners and to address impacts upon the heritage significance of the Rosebank Avenue HCAs:

- A 10 metre setback should be implemented at the R4 Zone interface with the Heritage Conservation Area or Heritage Items in order to aid in maintaining the context and setting of Area and Items
- Sufficient deep soil planting between the R4 Zone and the HCA and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item.
- An adequate assessment of the potential heritage impact on the Heritage Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.
- A measure should be included for the Rosebank Avenue HCA that would allow 2 storey additions at the rear of properties with direct interface to the high density residential zone, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.

Council concluded that an improved built form transition between the Rosebank HCA and the high density development was warranted.

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Whilst 7 properties are proposed to be removed from the Rosebank Avenue HCA, 11 properties, including 2 heritage items, will be retained within the HCA, the area of the HCA to be retained is sufficiently large as to be able to reflect the heritage values recognised in the Statement of Significance for the HCA. In particular, the retained area will contain an inter-war residential subdivision and development that remains largely intact and retains its historical subdivision pattern, built context and natural features. Dwellings in this part of the HCA comprise architectural elements that illustrate various characteristics of the inter-war period of residential development. A bridge over the creek providing evidence of the early character of the area is within the retained area of the HCA.

As described above Draft DCP Amendments are proposed to support this Planning Proposal which aims to provide a sympathetic transition to the adjoining heritage items and HCA through setbacks (refer **Figures 5 & 6**) and opportunities maintain the landscape amenity and setting.

Flooding

Part of the Rosebank Avenue Heritage Conservation Area, including 6 – 8 Rosebank Avenue is flood prone and below the 1:100 year flood level.

Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at development application stage. This will also include any design detail required to ensure compliance with Council's water management controls within the Hornsby Development Controls Plan 2013.

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

The planning proposal aims to resolve the outcome of a planning process which facilitated density at the expense of the amenity of adjoining landowners in Rosebank Avenue. The planning proposal recognises that the landowners of the subject sites will have the opportunity re-develop their sites and realise improved social and economic benefits.

Further, development of the subject land could provide approximately 67 dwellings and could incorporate a mix of apartment types to respond to the diverse population and contribute to housing choice and affordability. In providing increased dwellings and housing choice in proximity to transport nodes this will support the viability of its transport as well as support future transport options. Based on the assumed development outcomes the proposal also has the potential to generate jobs during the construction phase.

1.4. Section D – State and Commonwealth Interests

1.4.1. Is there adequate public infrastructure for the planning proposal?

The subject land is located approximately 400 metres from retail area of Epping Town Centre and approximately 650 metres from the Epping Railway Station and the Sydney Northwest Metro service.

Civil and utility infrastructure is suitably accessible to service the subject land and support future development. Redevelopment of the subject site and further development within the area can optimise public infrastructure investment.

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

Consultation with agencies will occur during public exhibition in accordance with the conditions of the Gateway Determination.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

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. **Existing controls**

This section illustrates the current *Hornsby Local Environmental Plan (LEP) 2013* controls which apply to the site.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

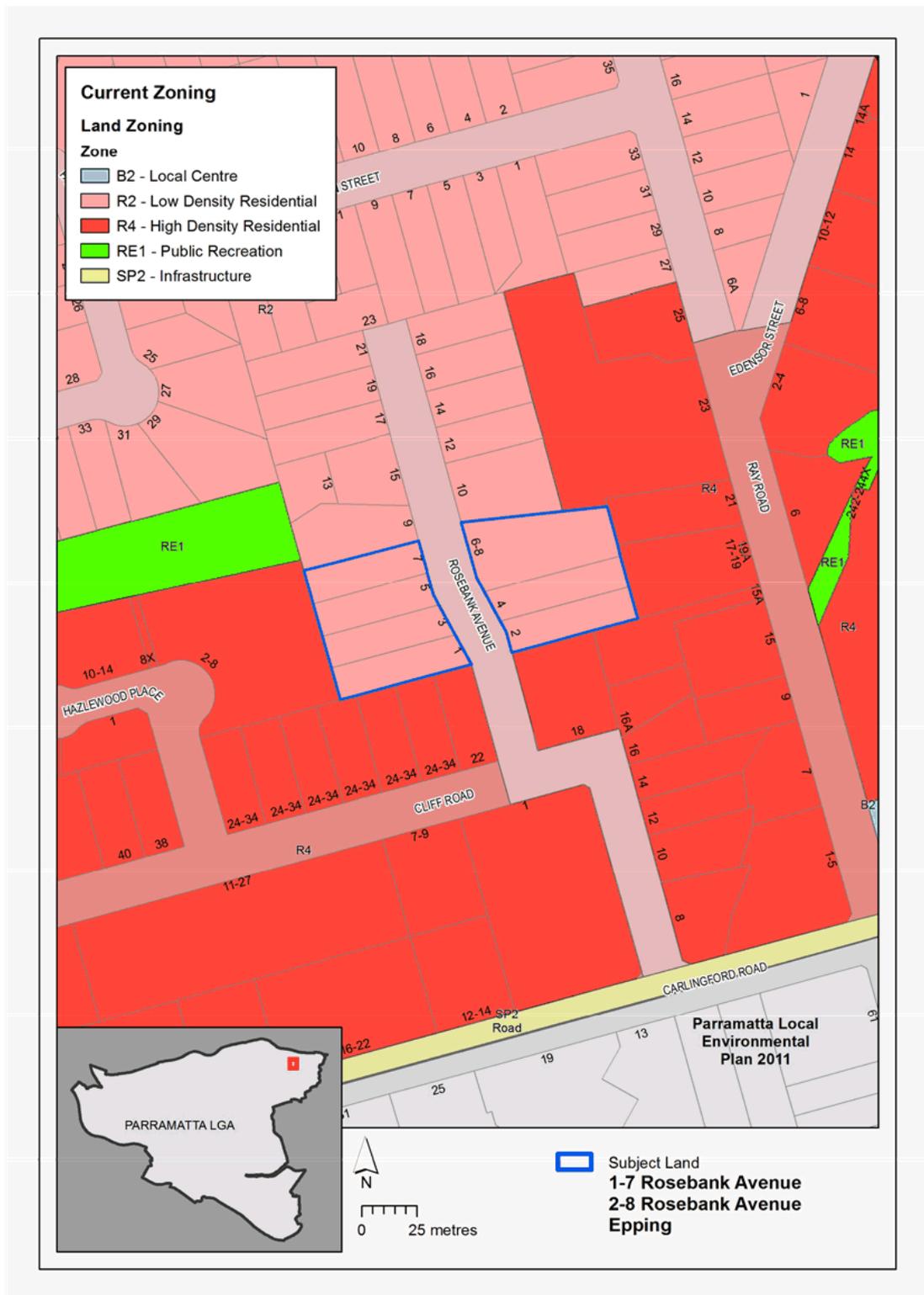


Figure 8 – Existing zoning extracted from Hornsby LEP 2013 Land Zoning Map which illustrates the existing R2 Low Density Residential zone over the sites.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

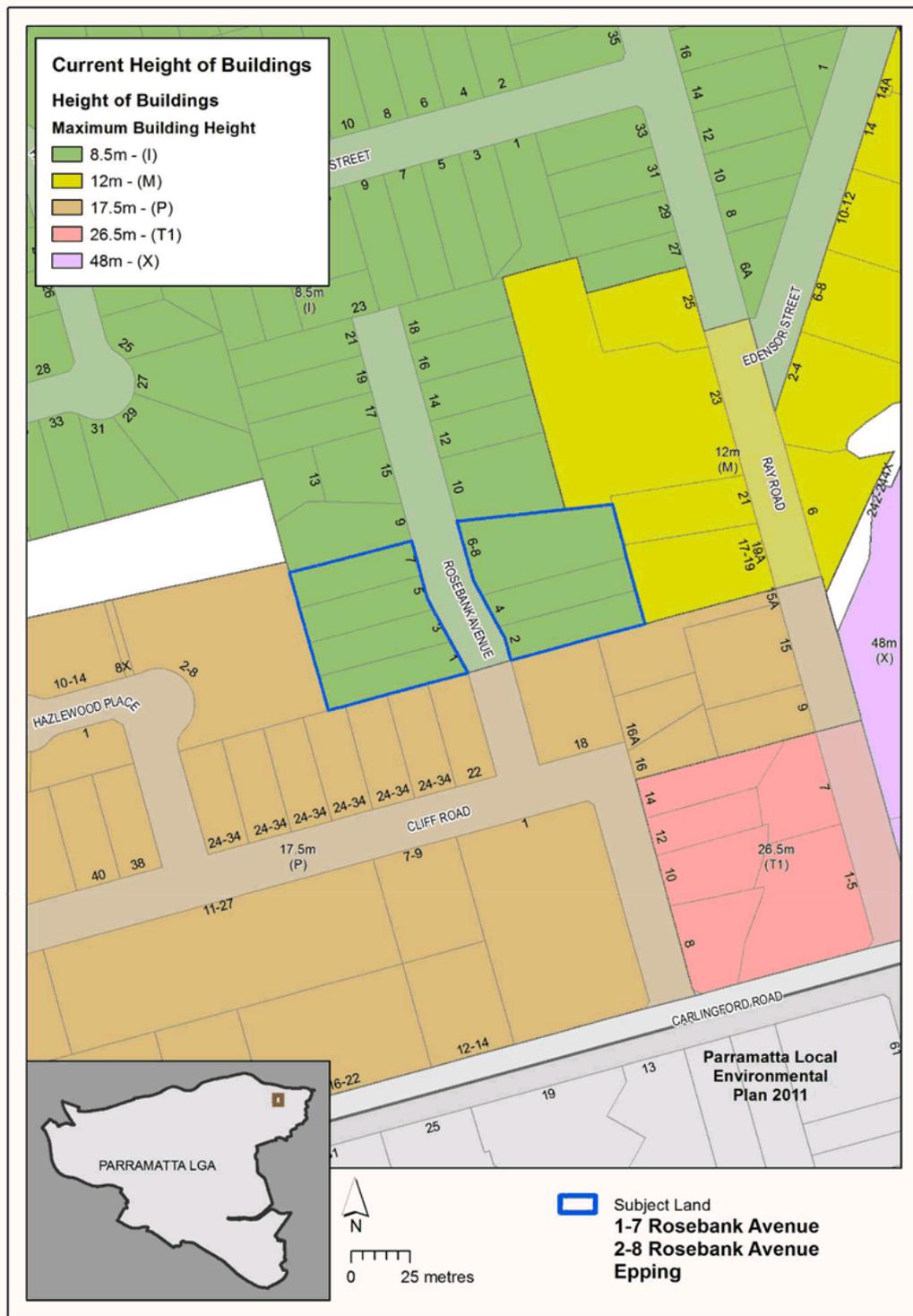


Figure 9 – Existing building heights extracted from the *Hornsby LEP 2013* Height of Buildings Map which illustrates the existing maximum height of buildings of 8.5m over the sites.

(F2019/01712)

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

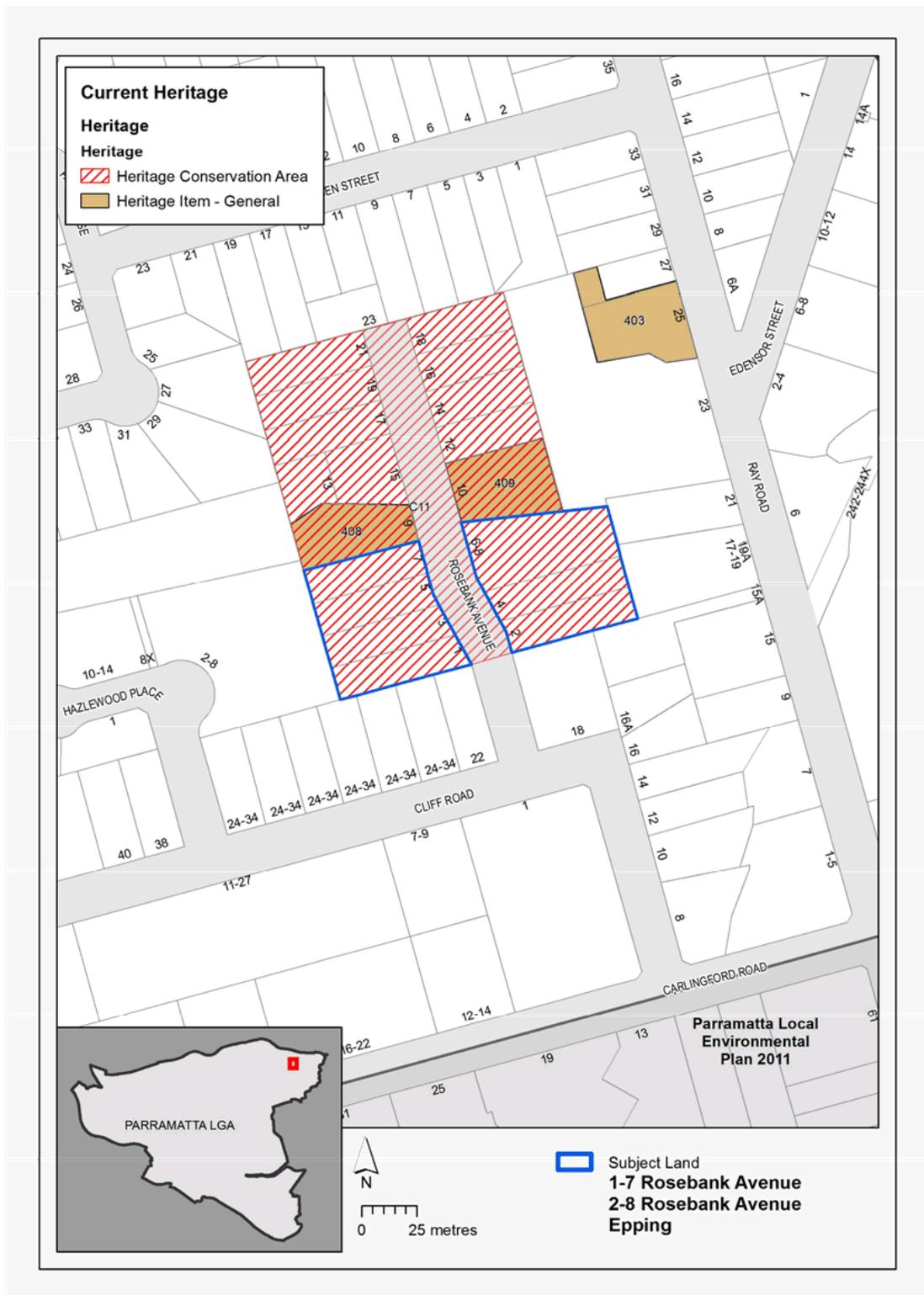


Figure 10 – Existing heritage items extracted from the Hornsby LEP 2013 Heritage Map which illustrates the existing extent of the Rosebank Heritage Conservation Area over the sites

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

4.2 Proposed controls

The figures in this section illustrate the proposed.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

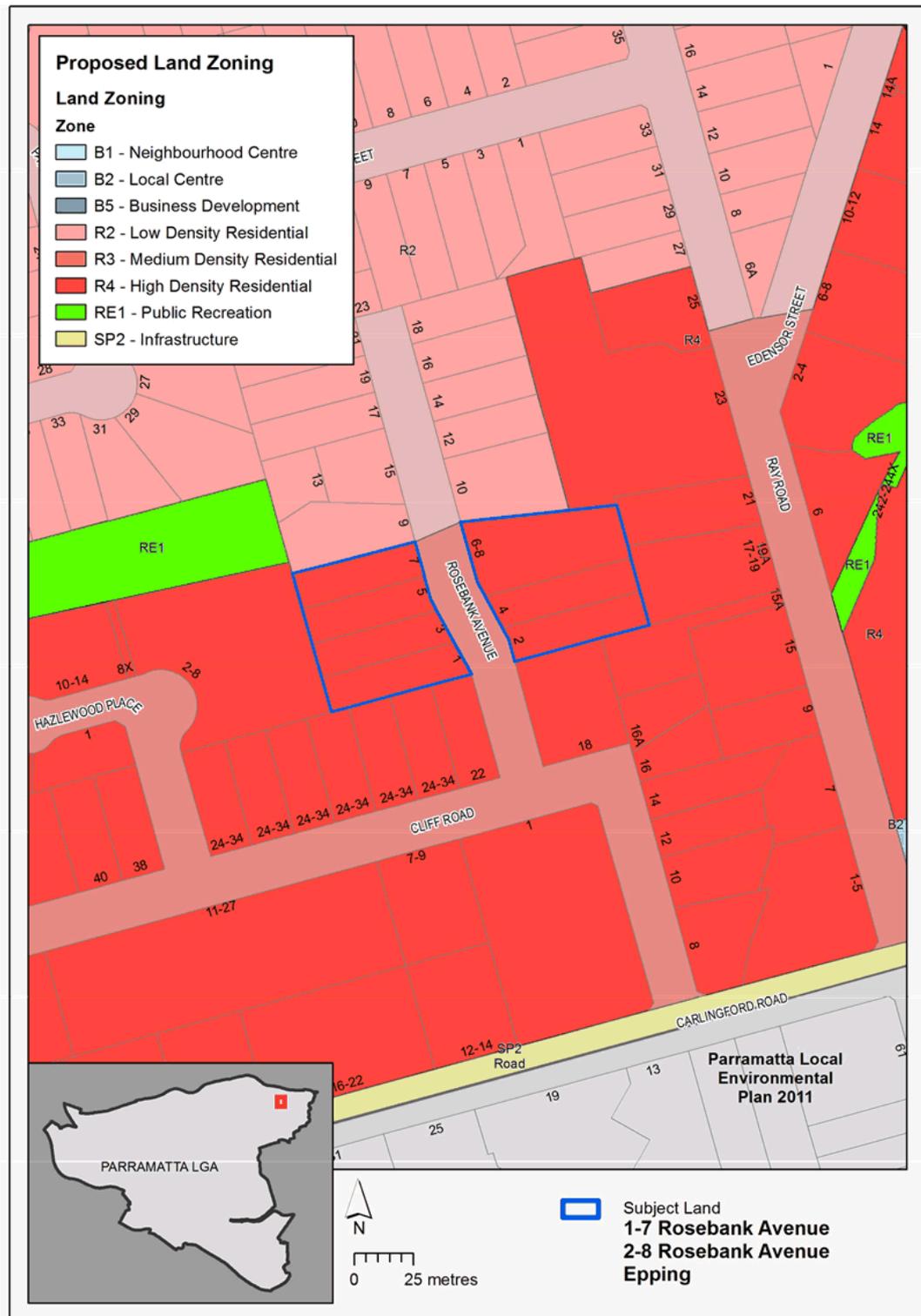


Figure 11 – Proposed amendment to the Hornsby LEP 2013 Zoning Map

Figure 11 above illustrates proposed R4 High Density Residential zoning over the site.

(F2019/01712)

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

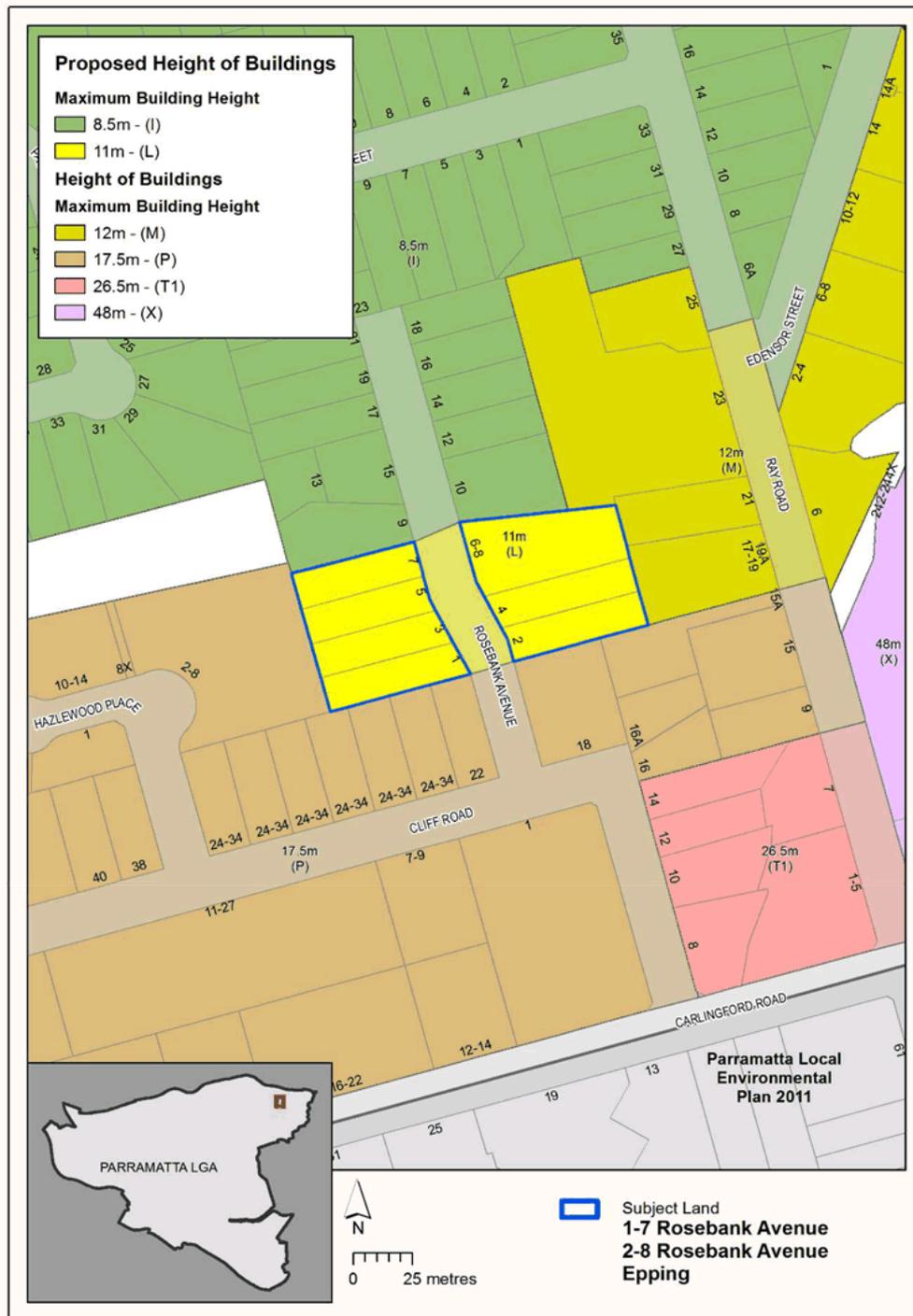


Figure 12 – Proposed amendment to the Hornsby LEP 2013 Height of Building Map

Figure 12 above illustrates the proposed 11 metre building height over the sites.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

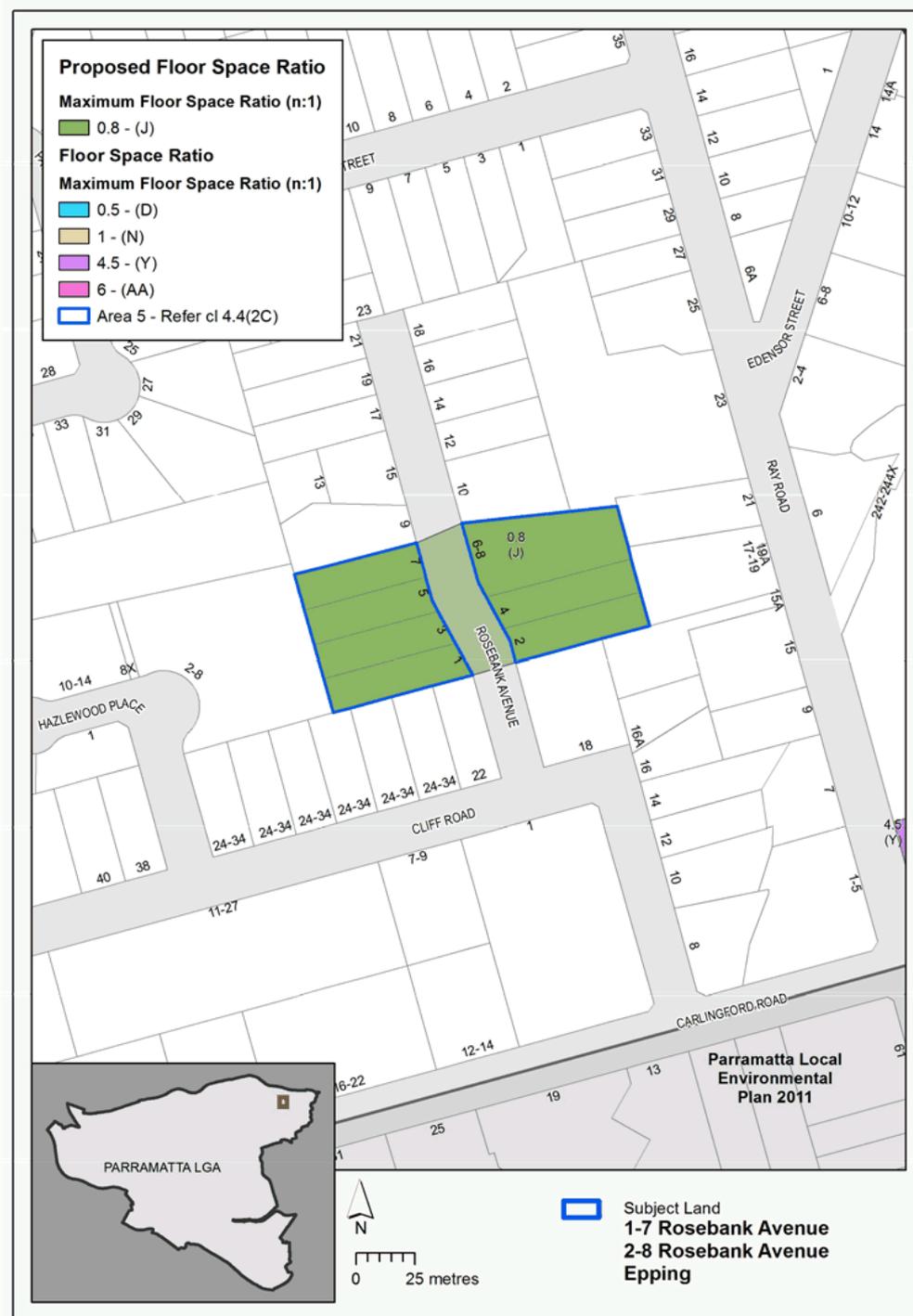


Figure 13 – Proposed amendment to the *Hornsby LEP 2013* Floor Space Ratio Map

Figure 13 above illustrates the proposed 0.8:1 floor space ratio over the sites.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

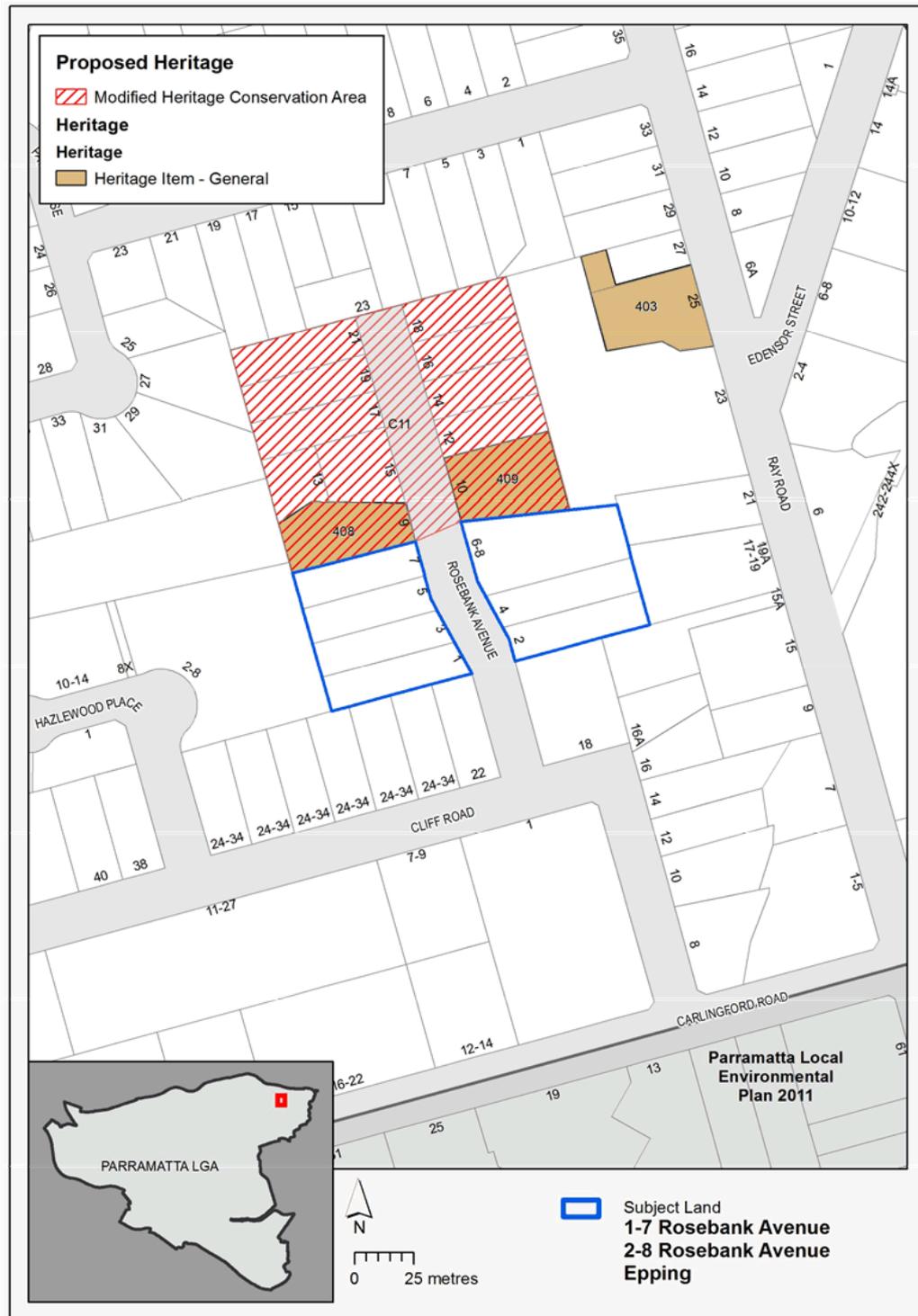


Figure 14 – Proposed amendment to the *Hornsby LEP 2013* Heritage Map.

Figure 14 above illustrates the proposed reduction in the Rosebank Heritage Conservation Area.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

PART 5 – COMMUNITY CONSULTATION

The planning proposal is to be publicly available for community consultation.

Public exhibition is likely to include:

- Display on the Council's website and the NSW Planning Portal;
- Written notification to affected owners and occupiers; and
- hard copy display in Council's Customer Contact Centre and Epping Branch Library (subject to COVID 19 restrictions).

The Gateway determination specifies the level of public consultation that must be undertaken in relation to the Planning Proposal. This includes consultation with Hornsby Shire Council, Transport for NSW and Department of Premier and Cabinet – Heritage Branch.

Note that due to COVID-19, local newspapers (Northern District Times, Hornsby Advocate and Parramatta Advertiser) are not currently in print circulation and therefore newspaper notification in relation to this planning proposal will not occur at this time.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

PART 6 – PROJECT TIMELINE

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the planning proposal.

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	17 September 2019
Report to Council on the assessment of the PP	8 October 2019
Referral to Minister for review of Gateway determination	October 2019
Date of issue of the Gateway determination	10 January 2020
Referral to DPIE for amendment to Gateway Determination	12 March 2020
Date of issue of the amended Gateway determination	3 August 2020
Report to Council on associated draft DCP Amendments to support the Planning Proposal	9 June 2020
Commencement and completion dates for public exhibition period	19 August and 25 September 2020
Commencement and completion dates for government agency notification	19 August and 25 September 2020
Consideration of submissions	November 2020 – January 2021
Consideration of planning proposal post exhibition and associated report to Council	Local Planning Panel meeting - 18 May 2021 Council meeting – 15 June 2021
Submission to the Department to finalise the LEP	17 June 2021
Notification of instrument	To be determined

Table 7 – Anticipated timeframe to planning proposal process

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Appendix 1 – Epping Town Centre (East) Heritage Review (June 2017)

F2019/02038

CITY PLAN SERVICES



Epping Town Centre (East) Heritage Review

Submitted to City of Parramatta Council

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CITY PLAN HERITAGE P/L ABN 46 103 185 413

June 2017 | 17-016

Report Revision History

Revision	Date Issued	Prepared by	Verified by
01 DRAFT	18/04/17	Keira De Rosa <i>Assistant Heritage Consultant</i> Kerime Danis <i>Director - Heritage</i>	Kerime Danis <i>Director - Heritage</i> 
02 SECOND DRAFT	13/06/17	Keira De Rosa <i>Assistant Heritage Consultant</i> Kerime Danis <i>Director - Heritage</i>	
03 FINAL	15/06/17	Keira De Rosa <i>Assistant Heritage Consultant</i>	

This document is preliminary unless approved by a Director of City Plan Heritage.

CERTIFICATION

This report has been authorised by City Plan Heritage, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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1. Executive Summary

1.1 Background

This study has been commissioned by the City of Parramatta Council in order to undertake a Heritage Review of the Epping Town Centre. The City of Parramatta Council recently inherited the balance of the Epping Town Centre as a result of Council amalgamations from Hornsby Shire Council on the 12 May 2016. Currently, the controls for different parts of Epping Town Centre vary as a result of previous decision making structures under the City of Parramatta Council and Hornsby Shire Council.

The City of Parramatta's City Strategy Department commissioned a heritage review to inform strategic land use decisions across part of the Epping Town Centre previously under the jurisdiction of Hornsby Shire Council and, in addition, to review related concerns of residents on a number of heritage issues. It excludes any analysis on the western side of the Town Centre, railway line, excluding Rosebank Avenue HCA and properties subject to Stage 6 of the Hornsby Council Heritage Review.

The principal aims of this heritage review are to:

- Review the three existing Heritage Conservation Areas (HCAs) of East Epping, Essex Street and Rosebank Avenue located within the Epping Town Centre area recently acquired by the City of Parramatta Council;
- Investigate concerns raised by residents on a number of heritage issues including:
 - the value and significance of each HCA; and
 - the value and significance of properties located on interface areas with R4 and R3 High Density Residential Areas;
- Review of current planning controls of interface areas around the existing HCAs; and
- Conduct Stage 6 of the Hornsby Council Heritage Review.

1.2 Summary of Findings

In general, the East Epping, Essex Street and Rosebank Avenue HCAs retain the same level of integrity and significance as described in the most recent study, *Epping Town Centre Heritage Review*, conducted in 2013, with few significant changes evident.

Subsequent to the field survey, all properties within the East Epping, Essex Street and Rosebank Avenue HCAs were reassessed for their contribution to the overall significance of their respective HCAs. The previous rankings from the 2013 study were taken in to account in the reassessment of all properties within each HCA. Generally, the ranking awarded to each property was consistent for both the Essex Street and Rosebank Avenue HCAs, however, some differences occurred for the East Epping HCA. Some properties within the East Epping HCA were listed as Neutral, due to being from the historical period of development of the area (typically Federation or Inter War) however, had been modified to a degree that has removed or obscured characteristic detailing of their respective periods.

An investigation into the impact of R3 and R4, Medium and High Density Residential Zones was undertaken, through community consultation, site visits of individual properties, and analysis of recently approved development applications at the interface zones with the East Epping, Essex Street and Rosebank Avenue HCAs. Generally, property owners whose dwellings were located adjacent to a high density residential development raised concerns with both the development and the implications of being located within a HCA. Whilst not heritage concerns, issues of privacy, safety, health and financial implications were all raised during the different phases of community consultation. Through further assessment of the impact of the high and medium density residential development at site visits, it was noted that although the new developments do impact upon the backdrop of each of the HCA's in different ways, the developments did not impact upon the setting and streetscape characteristics of the particular HCA so much that would result in the modification to the

boundaries or removal in whole or in part of any HCA. The impact of the new developments essentially was in relation to planning matters rather than heritage matters.

Notwithstanding, in order to help mitigate the issues and concerns raised by the property owners and to address impacts upon the heritage significance of the East Epping, Essex Street and Rosebank Avenue HCAs as well as individual heritage items, planning controls were reviewed and recommendations made to assist in the alleviation of future impacts.

Stage 6 of the Hornsby Council Heritage Review was also conducted, with a total of twenty-two (22) identified properties reviewed.

1.3 Conclusion and Key Recommendations

As a result of this in depth survey and assessment of the HCAs within the Epping Town Centre, the following key recommendations are made within this heritage review:

1. *Retain the current boundaries of the Essex Street and Rosebank Avenue Heritage Conservation Areas (Refer to Sections 10.2 and 10.3)*
 - Following reassessment of the Essex Street and Rosebank Avenue Heritage Conservation Areas, both areas were found to have maintained the significance and intactness established in previous studies. The impact of High and Medium Density Residential development at the interface areas with the Heritage Conservation Areas were not found to have a detrimental impact warranting removal of the Heritage Conservation Areas in part or in whole. Thus, both Heritage Conservation Areas are recommended to be retained in full.
2. *Adjust the south-west boundary of the East Epping Heritage Conservation Area (Refer to Section 10.1)*
 - It is recommended for 25 Pembroke Street, and 1, 3, and 3A Norfolk Road to be removed from the East Epping Heritage Conservation Area, and the boundaries of the HCA are adjusted accordingly.
3. *Retain individual heritage items requested for removal by property owners (Refer to Sections 10.1.1 and 10.2)*
 - 3 and 42 Essex Street have been reassessed for their heritage significance and contribution to their respective Heritage Conservation Area, East Epping and Essex Street respectively, and are recommended to retain their heritage listing under Schedule 5 of the Hornsby LEP 2013.
4. *Rezone removed properties from East Epping Heritage Conservation Area, 5, 7 and 7A Norfolk Road and identified properties within 'Rockleigh Park' to R3-Medium Density Residential with 12m height limit (Refer to Section 11.5)*
 - In order to provide a consistent transition between R4-High Density Residential development on Essex Street and Pembroke Street from further encroaching on the East Epping Heritage Conservation Area, the removed properties from the East Epping Heritage Conservation Area (25 Pembroke Street, and 1, 3, and 3A Essex Street), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the late 20th Century development known at 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential of the Heritage Conservation Area and the R4-High Density Residential area of Essex and Pembroke Streets.
5. *Changes to Design Interface Guidelines of the Hornsby DCP (Refer to Section 11.2.3)*
 - The current Design Interface Guidelines in Section 9.4.1 of the Hornsby DCP 2013 are considered to be a good framework for which to assess the impact of high and medium density residential developments which are located in the interface areas with Heritage Conservation Areas. However, Section 9.4.1 needs to be considered at least in relation to Sections 9.6.6 and 9.6.8. It is recommended that where R3 and R4 Zones interface with a Heritage Conservation Area or Heritage Item that a

10m setback, which is required for Chapman Avenue, should be implemented in order to aid in maintaining the context and setting of each Heritage Conservation Area and Item. In addition, sufficient deep soil planting between R3 and R4 and heritage conservation areas and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item. Furthermore, an adequate assessment of the potential heritage impact on the Heritage Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.

6. *Maintain current 17.5m and 12m height limits of R4 High Density Residential Zone and R3 Medium Density Residential Zone respectively (Refer to Section 11.3)*

- To ensure that a sufficient transition between Heritage Conservation Areas are maintained and are not further adversely impacted upon through higher density development at interface areas, it is recommended that the current height limits for R4 and R3 Zones are maintained.

7. *Extend R3-Medium Density Residential Zone to Brigg Road and Rose Street (Refer to Section 11.4)*

- Recommendation to extend R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street, which will have an acceptable impact upon the current setting of the Essex Street HCA, provided that adequate consideration is given in regards to sufficient setback, deep soil planting and on the impact upon the setting and curtilage of the Essex Street HCA in any further development proposals, incorporating the recommendations provided in Section 11.2 of this study report.

8. *Additional Recommended Updates to Planning Controls (Refer to Section 11.6)*

- Include an additional prescriptive measure for Essex Street and Rosebank Avenue HCA Provisions for properties located on interface with R4-High Density Residential Zone, as follows:
 - i. Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.
 - ii. In addition, it is recommended that a provision or Condition be included in the consents for an archival photographic recording to be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property.

9. *Assessment of significance of southern end of Essex Street HCA in future Heritage Review*

- Recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.

10. *Retention or replacement of street trees in Rosebank Avenue due to stormwater drainage for Cliff Road*

- Recommended for the seven (7) street trees located on the western side of Rosebank Avenue identified to be impacted by the proposed stormwater drainage from Cliff Road to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

11. Hornsby Council Heritage Review - Stage 6 (Refer to Section 13.6)

In summary, the resultant recommendations and updates were made as part of Stage 6 of the Hornsby Council Heritage Review:

iii. **Requests for Removal of Heritage listing**

The one request for removal of a Heritage Item, 184 Ray Road, has been recommended to be retained and the Inventory Sheet for the item has been updated.

iv. **Amend Anomalies in Details of Heritage Listings**

One Heritage Item, 73A Oxford Street, was recommended to be changed from R3 Medium Density Residential Zone to R2 Low Density Residential Zone to reflect the East Epping HCA zoning of R2.

v. **Request for Listing of New Items**

Of the six (6) properties recommended for heritage listing under the Hornsby LEP 2013, three (3) properties were recommended for heritage listing and three (3) were not recommended for heritage listing. Inventory Sheets for the three recommended heritage items have been created.

vi. **Review Isolated Items in Housing Strategy Zone (R4) High Density**

Of the two (2) Heritage Items which were identified as isolated items in R4 High Density Residential Zones, both Heritage items were recommended to be retained and the Inventory Sheet for each item were updated to reflect their current condition.

vii. **Review Details of Heritage Listing**

Eight (8) Heritage Items required various details reviewed. All Inventory Sheets were updated for each of the eight (8) items. Two (2) Heritage Items will require further investigation and follow up, due to needing expert advice or access to the site. All Inventory Sheets for these Heritage Items have been updated to reflect their current condition.

viii. **Missing Inventory Sheets for Existing Heritage Items**

Four (4) Heritage Items were missing Inventory Sheets. All four (4) Heritage Items Inventory Sheets have been either located or created, with up to date photographs. One Heritage Item was recommended for investigation by a Heritage Consultant who specialises in garden and landscapes.

2. Introduction

2.1 Background

This study has been commissioned by the City of Parramatta Council in order to undertake a Heritage Review of Epping Town Centre. The City of Parramatta Council recently inherited the balance of Epping Town Centre as a result of Council amalgamations from Hornsby Shire Council on the 12 May 2016. Currently, the controls for different parts of Epping Town Centre vary as a result of previous decision making structures under the City of Parramatta Council and Hornsby Shire Council.

The City of Parramatta's City Strategy department identified the need of a heritage review to inform strategic land use decisions across the Epping Town Centre that was previously under the jurisdiction of Hornsby Shire Council. In addition to review related concerns of residents on a number of heritage issues. It excludes any analysis on the western side of the Town Centre, railway line, excluding Rosebank Avenue HCA and properties subject Stage 6 of the Hornsby Council Heritage Review.

The principal aims of the heritage review are to:

- Review the three existing Heritage Conservation Areas (HCAs) incorporating East Epping, Essex Street and Rosebank Avenue located within the Epping Town Centre area and are recently acquired by the City of Parramatta Council;
- Investigate concerns raised by residents on a number of heritage issues including:
 - the value and significance of each HCA; and
 - the value and significance of properties located on interface areas with R4 and R3 High Density Residential Areas
- Review of current planning controls of interface areas around the existing HCAs; and
- Conduct Stage 6 of the Hornsby Council Heritage Review.

2.2 Study Area

The study area is located within the Epping Town Centre CBD, and is limited to the land that was previously under the jurisdiction of the Hornsby Shire Council until May 2016 (Figure 1). Epping Town Centre surrounds Epping Train Station along the North Shore and Northern Line.

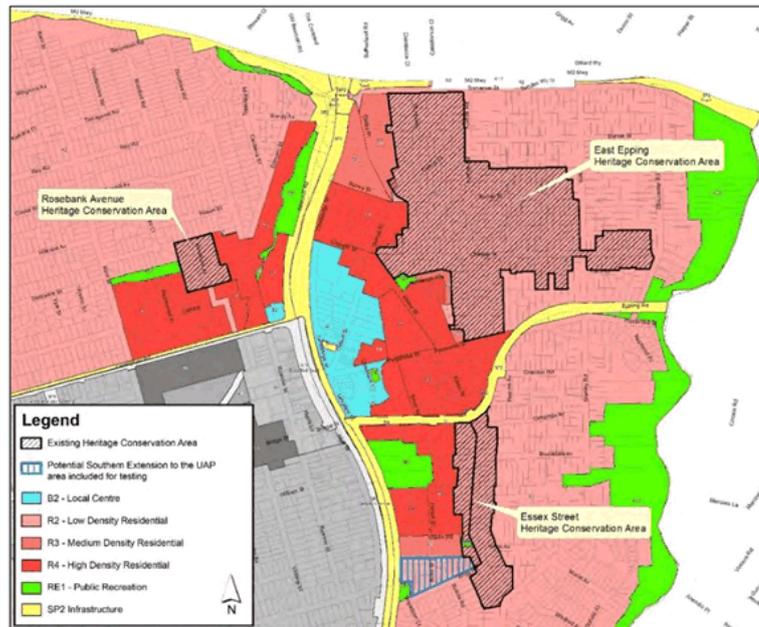


Figure 1: Epping Town Centre Study Area (Source: Amended Epping Town Centre Composite Zoning and Heritage Conservation Areas map, supplied by City of Parramatta Council)

2.3 Objectives and Components

This study focuses on five main parts, addressing the principal objectives of the heritage review:

1. Introduction to Heritage Review and overview of previous heritage studies:

- Review of all existing heritage studies relating to the study area.

2. Review of East Epping, Essex Street and Rosebank Avenue HCAs:

- Undertake a Heritage Assessment of East Epping, Essex Street and Rosebank HCAs;
- Assess the heritage value and significance of properties on the western side of Essex Street between Epping Road and Madeira Street, with the Essex Street HCA;
- Assess the heritage value and significance of properties located in the East Epping HCA on the interface with the R3 Medium Density Residential Zone and R4 High Density Residential Zone, with particular attention to 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street; and
- Provide advice on whether there are grounds for removal of any three of these HCAs in full or in part.

3. Review of Individual properties in HCAs:

- Investigate the heritage value and significance of 1 and 3 Essex Street and consider whether there are grounds for the removal of these properties from the Heritage Schedule of Hornsby LEP 2013 and the East Epping HCA; and
- Investigate the heritage value and significance of 42 Essex Street and consider whether there are grounds for the removal of this property from the Heritage Schedule of Hornsby LEP 2013 and from the Essex Street HCA.

4. Planning Controls Review

- Investigate the impact and implications of increasing the 17.5 and 12m height limits by one storey in the R4 High Density Residential Zone and R3 Medium Density Residential Zone on the integrity and conservation values of the East Epping, Essex Street and Rosebank Avenue HCAs. This investigation includes the implications of extending the R3 Medium Density Residential Zone in Briggs and Rose Streets as shown in blue hatched in Figure 1.
- Investigate the effectiveness of the current design interface guidelines (Section 9.4.1) and other relevant provisions in the Hornsby DCP 2013 in mitigating the effects of development on the character and integrity of the HCA as opposed to amenity concerns. As part of this investigation, have regard to topography and review recently approved Development Applications at the interface with HCAs.
- In addition, provide any recommendations (with clear justification) to modify or add planning and development control to address heritage related impacts in the study area.
- If any properties within the Essex Street HCA are identified for removal from the HCA, provide recommendations for the appropriate zones with FSR and height controls, and the potential implications of these changes on the character and integrity of the balance within the Essex Street HCA.
- If any properties located within the East Epping HCA are identified for removal from the HCA, provide recommendations for the appropriate zones with FSR and height controls; and
- If 1 and/or 3 Essex Street are identified for removal from the Heritage Schedule of Hornsby LEP 2013 and/or the East Epping HCA, provide recommendations on the appropriate zoning and height limits.

5. Hornsby Council Heritage Review – Stage 6:

- Investigate the list of matters identified by Hornsby Shire Council for Epping that were scheduled for review under the next Hornsby Council Heritage Review – Stage 6. This list covers requests to:
 - remove heritage items.;
 - amend anomalies in details of heritage listings;
 - review isolated heritage items in the R4 High Density Residential Zone;
 - review details of heritage listings; and
 - investigate missing inventory sheets for existing items and complete required information.

2.4 Author Identification

The following report has been prepared by Keira De Rosa (Assistant Heritage Consultant) in association with Kerime Danis (Director - Heritage) who has also reviewed and endorsed its content.

The study team included the following staff of City Plan Heritage:

- Kerime Danis (Director - Heritage), MHeritCons (Hons), BArch, AICOMOS Immediate Past President.
Field surveys, site inspections, liaison with client, report preparation and input to/ review of documentation as required.
- Keira De Rosa (Assistant Heritage Consultant) MHeritCons, MRes, BA:
Field surveys, site inspections, report preparation, mapping, graphics and preparation of State Heritage Inventory forms.
- Ziggy Potts (Assistant Heritage Consultant) MMHS, BA(Honours), BSc:
Preparation of State Heritage Inventory forms.

All photographs have been taken by CPH during the field surveys and site inspections conducted on 28 February 2017, 20 March, 21 March and 31 March 2017 unless otherwise stated.

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2.5 Sources

The reports and planning documents outlined in Section 3.1 have informed the historical context of this report. Additional secondary and primary source have also been sourced for the assessment of both HCAs and heritage items within this report.

A number of historical photographs and maps have been obtained from the NSW State Library online catalogue, the National Library of Australia, HLRV, Hornsby and City of Parramatta Council Local Studies and through various libraries accessed via Trove.

Current aerial photographs have been sourced from the NSW Department of Lands Spatial Information eXchange (SIX) at <http://lite.maps.nsw.gov.au/> as it has detailed aerial maps for Sydney while some street maps have been sourced from Google maps at <http://maps.google.com.au>. The NSW Department of Lands SIX website provided historical aerial photography from 1943.

2.6 Acknowledgments

City Plan Heritage wishes to acknowledge the invaluable support of the people and organisation that assisted in the preparation of this report:

- Paul Kennedy, Project Officer – Land Use Planning, City of Parramatta Council;

- Kevin Kuo, Team leader - Strategic Land Use Planning, City of Parramatta Council;
- Lily Wang, Place Manager, City of Parramatta Council;
- Laura Fraser, Heritage Planner, Hornsby Shire Council;
- Residents of East Epping, Essex Street and Rosebank Avenue Heritage Conservation Areas.

2.7 Limitations

- The land outside the area mapped in Figure 1 has not been covered in this report, however, was briefly surveyed during the site inspections in order to inform the contextual analysis;
- An assessment of the archaeological potential (Aboriginal and European) of the study area is beyond the scope of this report;
- Only heritage items which have been flagged for review as part of the Hornsby Council Heritage Review – Stage 6 have been reviewed. This means that the HCAs west of the railway line (excluding Rosebank Avenue HCA) were excluded from this study.
- A history of the Epping Town Centre and the three HCAs which are the focus of this report has been primarily adapted from previous studies conducted on the area, due to the limitations of the scope of works for this report and the restriction of time. Additional historic research has only been undertaken where it has been deemed by the author to require further research and explanation. Additional historic images and maps have been included in the history of the areas, where possible and available.
- Most review of heritage items and potential heritage items was undertaken on the basis of an external survey, with limited access to the properties themselves, or the interior of buildings; and
- A full heritage assessment of all sites recommended for listing has not been conducted as part of this review, however, heritage inventory forms have been prepared that provide sufficient justification for their recommended listing. This review recognises that further detailed analysis of the heritage assessment of the sites, if listed, can occur as part of the statement of heritage impact when a future development is proposed

3. Methodology

3.1 Previous Studies and Planning Document References

The current planning documents and maps relevant to heritage conservation in the study area of Epping Town Centre are:

- *Hornsby Local Environmental Plan (LEP) 2013*; and
- *Hornsby Development Control Plan (DCP) 2013*;
- *Epping Town Centre Public Domain Guidelines* (December 2015)

Previous Heritage Studies and Reviews relevant to Epping Town Centre include:

- Perumal Murphy Wu, *Hornsby Shire Heritage Study, Final Report* (May 1993)

This study was the first comprehensive study of the environmental heritage of the Hornsby LGA and established the current heritage listing for the Hornsby LEP. The Heritage Study was presented in three volumes, including a Thematic History, Specialist Report and Final Report. The Heritage Study's primary objectives were to: identify and analyse the environmental heritage of Hornsby Shire; make practical recommendations for its conservation and management; make recommendations on changes that may be required to the Hornsby Planning Scheme Ordinance, with regards to heritage; and promote heritage within Hornsby Shire. The first stage of the study followed a thematic study approach as it was for most of the heritage studies carried out across New South Wales at the time. This first volume delivered a basis for

the wider Heritage Study through identifying major themes of development across Hornsby Shire. The second volume described Hornsby Shire's built heritage in its historical context and explains its significance for Hornsby, the Sydney region and the State. This volume also included 50 recommended heritage items for Epping. The third volume presents a strategy for the conservation of Hornsby Shire's valuable heritage, including recommendations for development control measures and a range of other non-statutory initiatives.

- Tropman and Tropman Architects, *East Epping Conservation Evaluation and Review* (October 2001)

This report reviewed the heritage qualities of East Epping and the urban setting of the area. The heritage qualities and urban setting of the East Epping area was evaluated to identify HCA and Heritage Items within the study area. As a result, fourteen (14) new heritage items and two (2) HCAs were identified and recommended for inclusion in the Hornsby LEP. The two (2) HCAs recommended within the study area were East Epping and Essex Street HCAs.

- CPC Consulting, *Rosebank Avenue Heritage Assessment* (July 2003)

Following from a proposal to subdivide 15 Rosebank Avenue, Epping and for the demolition of the existing Inter War period dwelling, the streetscape was noted for its intact Inter War period landscape. As such, it was resolved by Council to undertake a heritage assessment of Rosebank Avenue, Epping to determine the need to implement a HCA. This report undertook a heritage assessment of Rosebank Avenue, Epping to determine the character, setting and heritage significance of the area and to determine the need to implement a HCA. The report concluded that the Rosebank Avenue streetscape is the only intact fine representative example of the residential development of Inter War housing estate within the Hornsby Shire and was recommended for listing under the Hornsby LEP.

- Tropman and Tropman Architects, *Hornsby Heritage Review Stage 3* (July 2004)

This report formed the third Hornsby Heritage Review aiming to assess the heritage significance of individual properties and to make recommendations for items inclusion or exclusion from the Hornsby LEP. The primary objectives were to: investigate and assess the heritage significance of the properties included in the review; to formulate statements of significance that address the heritage qualities of the properties; and to make recommendations for items to be included in, or removed from the Hornsby LEP. In Epping one (1) item was recommended to be retained and one (1) item was not recommended to be added.

- Landarc, *Hornsby Shire Heritage Review Stage 4* (January 2008)

Forming the fourth Heritage Review for the Hornsby Shire, this report included a review of heritage listed trees and a number of other built heritage items. Requests from property owners for the addition or removal of items were reviewed as well as nominations from individual and community groups considered within the report. The review of built heritage items included five (5) properties within Epping, with one recommended for removal and three (3) to be added to the Hornsby LEP.

- Godden Mackay Logan, *Hornsby Heritage Study Review Stage 5* (March 2013)

The fifth stage of the Hornsby Heritage Study reviewed the heritage significance of 78 items, for recommendations of inclusion or deletion of items from the Hornsby LEP. The review assessed thirty six (36) properties containing built and landscape items, as well as forty two (42) privately-owned heritage listed gardens. Of the items located in Epping, two (2) were recommended for listing, one (1) was recommended not to list, one items' details were updated, one (1) item was recommended for retention on LEP and two (2) items were recommended for removal.

- Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013)

Following from the preparation of the *Epping Town Centre Study* (2011) and the proposed intensification of the area, Hornsby Council resolved in 2012 to progress with recommendations from the 2001 and 2003 for the reassessment of three proposed HCAs, including the East Epping, Essex Street and Rosebank Avenue HCAs. In addition, the significance of twenty three (23) individual properties nominated for heritage listing within the Epping Town Centre Area were also assessed and the impact of the proposed Cliff Avenue Residential Intensification Precinct on the proposed Rosebank Avenue Heritage Conservation Area was also assessed. The review proposed for: all three HCAs to be listed, with extensions to some of the recommended boundaries of the areas; twenty two (22) of the twenty three (23) recommended items to be listed and a number of controls were recommended for the interface areas of the Rosebank Avenue HCA including minimum setback, reduced heights and massing new development in the Cliff Avenue Residential Intensification Precinct.

3.2 Study Methodology

This study employs a methodology that is consistent with the guidelines for Heritage Studies prepared by the then NSW Heritage Office and Department of Urban Affairs and Planning. It also uses the system described in the NSW Heritage Manual 'Assessing Heritage Significance' guidelines. The philosophy and process adopted is that guided by the Australia ICOMOS Burra Charter 2013.

The first stage of this study was to review the background documentation including but not limited to the existing studies detailed in Section 3.1 above and the inventory forms for the East Epping, Essex Street and Rosebank Avenue HCA's and the existing Heritage Items within the area which have been requested for review as part of this study. The review allowed for understanding of the previous rationale in the contribution/significance ranking and assessment of the boundaries of each HCAs and the Heritage Items within the area. Subsequently, determination of a methodology by which the HCAs and Heritage Items would be assessed has been established so as to maintain a consistent approach and assessment across the Epping Town Centre study area.

3.3 Heritage Conservation Area Definitions

HCAs are identified by analysing their heritage significance and the special characteristics that make up that significance; these may include subdivision and street pattern, vegetation, the consistency of building materials, form and scale, or the common age of the building stock and historical associations.

HCAs can be recognised and assessed in a number of ways. One such way is to rank and map the elements of an area to determine the cohesiveness and integrity of a place. A HCA will demonstrate a high proportion of contributory items in comparison to all other items. As well as demonstrating the proportion of significant elements topographically a HCA should also be evident in its visual experience. A HCA will become apparent when one moves into it due to the cohesive and consistent building forms, materials and scale which create a sense of place. When one can recognise that an area has a sense of place it becomes a matter of determining why that sense of place exists by articulating the physical and historical characteristics which define it, and if it then demonstrates sufficient value to be considered significant through those characteristics. Therefore, as well as having a high proportion of significant items these elements must also be visually apparent within the area. An understanding of historical patterns of subdivision and development within a locale will also aid in the identification of HCAs as one will be able to determine where such areas potentially exist only to qualify if its original elements are intact and interpretable.

Detailed Character Area Statements, Statements of Significance, Descriptions and Conservation policies were developed for East Epping, Essex Street and Rosebank Avenue HCAs in Section 6.0.

3.4 Ranking Methodology

A detailed survey of each of the HCAs, with particular focus on their interface areas with R4 High Density Residential Areas was then undertaken with methodology and system of ranking applied to the individual properties in each of the HCAs. The results of the survey were then mapped showing the following recommendations for rankings in Section 7.0.

Ranking	Definition
Heritage Item	A building that has been identified as an item of significance and has been listed on the Hornsby LEP 2013.
Contributory	A building that contributes to the character and significance of the Heritage Conservation Area for its historic or aesthetic values, or both. Building that have been adversely altered but still demonstrate historic and aesthetic values of significance to the area are also considered within this category. For example, a dwelling which may have had windows replaced but which otherwise retains its overall form and other detailing would be considered to be a contributory dwelling or dwelling with historic value. These items are of consistent period, scale, materials and form but are not individually significant enough to be included as a heritage item. They add to the cohesive and representative quality of the area.
Neutral	A building that does not contribute to the significance of the area but also does not detract from the area's overall character in terms of form, mass and small scale so that they fit without being disruptive. This may include early or new buildings. An example of a neutral building would be a modern single storey dwelling which respects the setbacks, forms and materials of the neighbouring dwellings. Retention of such neutral buildings may not be required provided that it is replaced with an appropriate infill building in a similar neutral nature.
Non-contributory	A building that detracts from the significance of the area and changes the character of the area. This may include early buildings with intrusive alterations and additions that erode their contribution to the significance of the area and which cannot easily be reversed. It also includes new buildings with detailing, scale and form that are not in line with the character of the area, for example large two storey buildings in unsympathetic 'Mediterranean' or other modern styles, such as light coloured rendered walls and black concrete roof tiles.

4. Study Area Description

4.1 Epping Town Centre Description

The study area is located in the Town Centre of Epping, a north-western suburb approximately 18km north-west of Sydney Central Business District (CBD) and 10km north-east of Parramatta CBD. The town of Epping contains a mixture of residential, commercial, education and recreation resources, which are centred around the North Shore and Northern train line around Epping Train Station. Epping Town Centre spreads in all directions outwards from Epping Train Station, with the highest density developments being located along the western side of the railway line. The whole of the Epping Town Centre study area is administered by the City of Parramatta Council. The eastern and north-western portions of the study area were formerly part of the Hornsby Council Local Government Area (LGA) until the recent local council amalgamations. The whole of the Epping Town Centre became part of the City of Parramatta LGA on 12 May 2016.

Epping Town Centre is bounded to the north by Cheltenham and North Epping, to the east by Marsfield, to the south by Eastwood and to the west by Carlingford. Further to the east is Macquarie University, ranked within the top 10 Australian Universities and among the top 2% of universities in the world and Macquarie Park, the second largest business district in NSW. In October 2012, Epping Town Centre was endorsed by the NSW Government as an Urban Activation Precinct, to develop new planning controls for the centre, allowing for additional dwellings through rezoning, a revitalised commercial and retail core, and upgrades to existing recreational facilities. In combination with the construction of the Sydney Metro Northwest and the close links to Macquarie University, Macquarie Park and Parramatta, the population of Epping is expected to exponentially increase over the coming decades.

Three HCAs exist within the Epping Town Centre study area, all of which contain a number of heritage items, totalling thirty five (35) across all three HCAs. Both the heritage conservation areas and heritage items are listed under Part 1 and 2 of Schedule 5 of the Hornsby Local Environmental Plan (LEP) 2013, of which include the following:¹

Heritage Conservation Areas		
Item No.	Description	Address
C9	East Epping Conservation Area	Refer to Figure 2
C10	Essex Street Conservation Area	Refer to Figure 2
C11	Rosebank Avenue Conservation Area	Refer to Figure 2

Heritage Items		
Item No.	Description	Address
367	House and garden	21 Chester Street
368	House and garden	23 Chester Street
369	Garden	27A Chester Street
370	"Snaresbrook"	45 Chester Street
371	House	57 Chester Street
372	House	70 Chester Street

¹ Heritage items located outside of the East Epping, Essex Street and Rosebank Avenue HCAs are not reviewed within this heritage review due to this report's limited scope. Only heritage items which are included within the *Hornsby Council Heritage Review – Stage 6*, which are also located outside of the Heritage Conservation Areas, are reviewed within this report in Section 13.0.

378	"Asheldom"	47 Essex Street
379	House	76 Essex Street
380	House	84 Essex Street
385	Epping Public School	2-16 Norfolk Road
386	House and garden	9 Norfolk Road
387	House	33 Norfolk Street
388	"Gwydir"	40 Norfolk Road
389	"Glenorie"	44 Norfolk Road
395	Chester Street Uniting Church and Grounds	56A Oxford Street
396	House	73A Oxford Street
397	"Folkestone"	87 Oxford Street
398	House and garden	93 Oxford Street
403	"Woodlands"	25 Ray Road
408	House	9 Rosebank Avenue
409	House	10 Rosebank Avenue
412	House	40 Surrey Street
413	House	9 Sussex Street
414	House	11 Sussex Street
415	House	15 Sussex Street
418	House	20 York Street
798	House	3 Essex Street
800	House	42 Essex Street
801	House	39 Norfolk Road
802	House	41 Norfolk Road
803	House	43 Norfolk Road
805	House	85 Oxford Street
806	House	91 Oxford Street
807	House	8 Surrey Street
808	House	18 Surrey Street

Descriptions of each of the HCAs under review as part of this study are detailed in Section 6.0. The following images provide an overview of the context of the Epping Town Centre study area.



Figure 2: Heritage Map 11 from the Hornsby LEP 2013 showing various heritage items and heritage conservation areas located within the Epping Town Centre study area (Source: Amended Heritage Map 11, Hornsby LEP 2013)

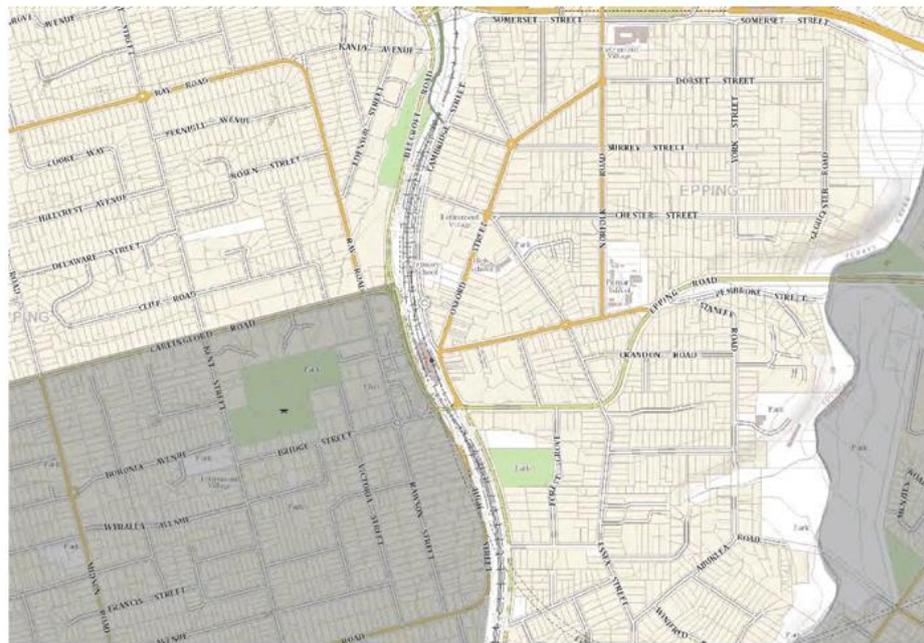


Figure 3: Cadastral Map of Study Area, out of scope area darkened in grey (Source: SIX Maps, accessed on 13 March 2017)

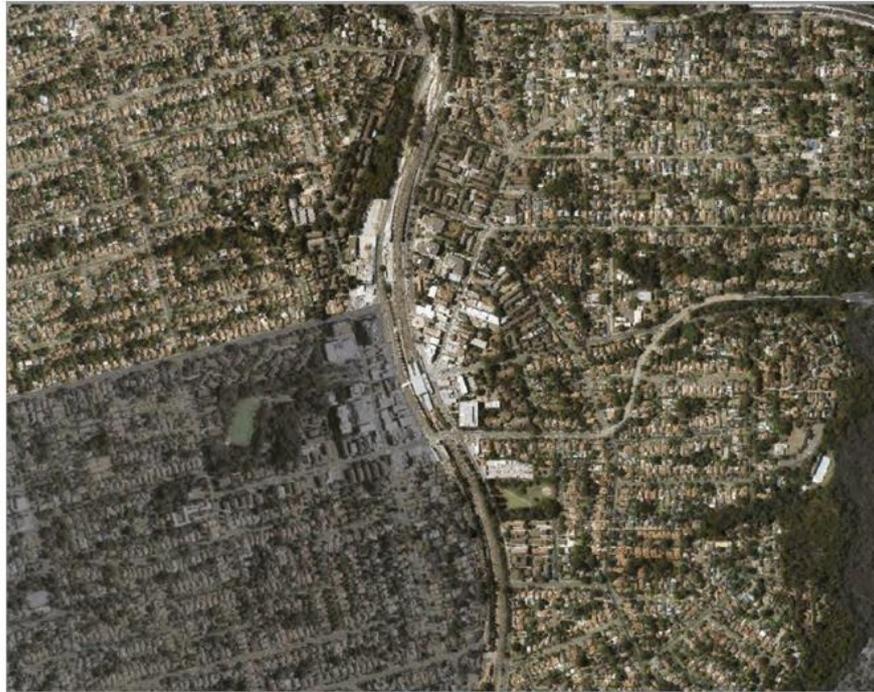


Figure 4: Aerial Map of Study Area, out of scope area darkened in grey (Source: SIX Maps, accessed on 13 March 2017)

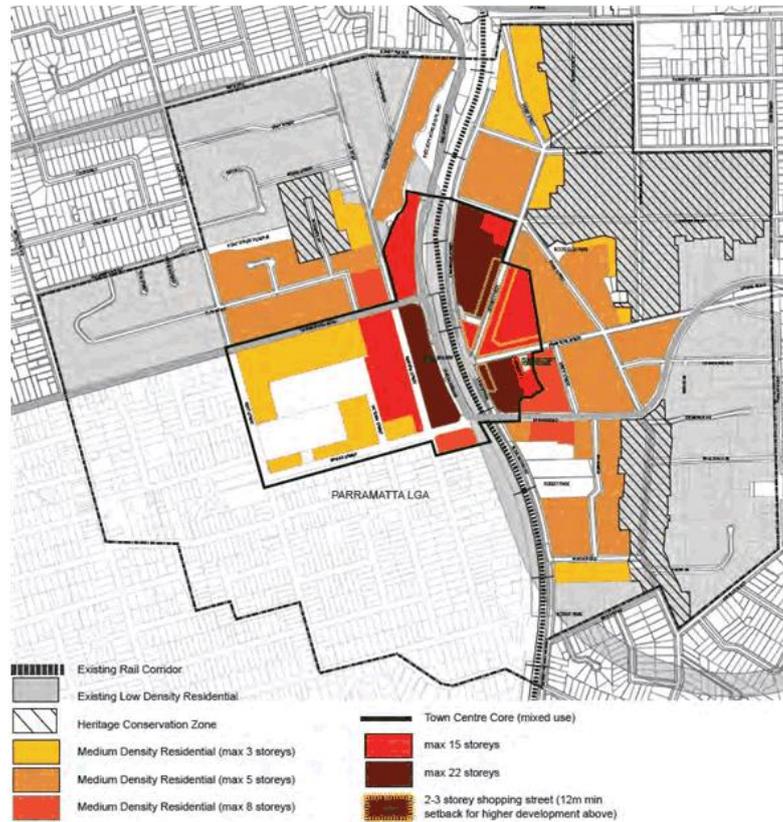


Figure 5: Built Form map of Epping Town Centre (Source: Epping Town Central Public Domain Guidelines, December 2015, Fig. 3.2)

5. Historical Summary

The following general history of the Epping Town Centre Area has been adapted from the *Epping Town Centre Heritage Review*, prepared in 2013 by Perumal Murphy Alessi in 2013, and the *East Epping Conservation Evaluation Review*, prepared in 2001 by Tropman and Tropman Architects. Historic maps and images have been included to supplement this overview. References for sources of information for the history of Epping Town Centre are scarce within both of these previous reports. Where possible, references have been added to substantiate and validate information incorporated from these reports.

5.1 General History of Epping Town Centre Area

European settlement of the Epping Town Centre was slow to develop in the early years of the nineteenth century. In 1804 the eastern side of the now existent railway line was part of the Field of Mars, an area of over 6000 acres dedicated as Common Land for the use of the personnel of the NSW Regiment, whilst areas to the west of the railway line was dedicated to naval officers. During the 1820s, part of the eastern side of the Epping Town centre Area was known as the 'Pennant Hills Sawing Establishment'. The dwellings, cooking place and burial ground of the timber sawing mill of the early 1800's was situated on the eastern side of the railway line on Oxford Street, Epping, now the present day site of the Chester Street Uniting Church. Dwellings included weatherboard and bark huts erected for the overseer and his staff and the convicts. Directly to the east of residential component of the sawing establishment was the saw pit which stretched around the present day Oxford Street from the junction of Chester Street to Pembroke Street. The sawing establishment was not long lived and closed around 1830.

Development between the years of 1830 and 1880 was very slow, with the area primarily being occupied by orchards, gardens and bushland. Very little evidence from this period of development exists today. Prior to the development of the railway line in 1882, there was no public transport to the area which hindered the development of a suburban population. The construction of the railway, which begun in 1881, motioned forward the development of the area. The first railway station for the Epping Town Centre area was situated on the western end of Surrey Street, further north than the present day platform. The original station consisted of a single platform, 264 feet long. The original name for the station was Field of Mars, which was soon changed in the following year to Carlingford. Only eight years following the development of the original station, the station was moved to the present location in 1890, prior to the duplication of the line in 1892 for the provision of improved and faster services to the Sydney region. At this same time, the bridge over the railway line was created, known as Bridge Street, and the Epping township continued to expand.

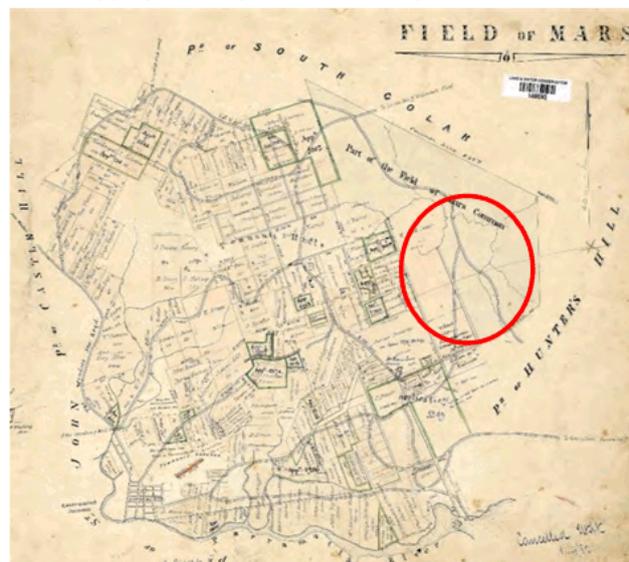


Figure 6: Field of Mars in 1882, prior to the development of the railway. The indicative location of the Epping Town Centre area is circled in red (Source: Land and Property Information, Sheet Reference 4, Edition Number 0)



Figure 7: Epping Railway Station in 1906. The bridge which now forms part of Bridge Street is visible in the background to the left and current day Beecroft Road runs along the length of the image. (Source: National Museum Australia, Josef Lebovic Gallery collection no. 1)

The opening of the railway spurred on residential development and the establishment of more orchards which had already been established in the area earlier in the nineteenth century. From the late nineteenth to the early twentieth century, Epping was known for its orchards, particularly for citrus in winter and stone fruits in summer. The railway had its advantages for the development of the orcharding industry, with easier access for local farmers to access the markets to sell their produce. One of the most prominent families of the orcharding industry in Epping during this time were the Mobbs family, who are thought to have been situated somewhere west of the West Epping Public School along present day Carlingford Road. Nurseries were also developed within the area, such as the Vollmer's Nursery which extended was located on the block bound by Epping Road to the north (formerly Laurel Avenue) Forest Park to the south (formerly Brown's Paddock), nearly as far as Essex Street to the east and Blaxland Road (formerly Sutherland Road) to the west. This nursery was established by M.F. Vollmer, a German who has arrived in Australia in the 1880s and moved into the Epping area during the 1890s. Vollmer took on a partner, C. E. Vessey, and the nursery became known as Vollmer and Vessey, Mount Tomah Nursery. Vessey took over after Vollmer's death and retired in 1919 after which his son Fred took over the business. Fred relocated the business to Eastwood and the land occupied by the nursery was subdivided in 1920 and subsequently developed. Part of the current Essex Street HCA lies on the land of the former Mount Tomah Nursery, which includes the heritage listed item at 42 Essex Street.



Figure 8: View of Mount Tomah nursery in 1902, possibly looking from the crest of present day Pembroke Street, looking south. The two dwellings on the left-hand side of the picture may possibly be 42 and 46 Essex Street, both of which are dwellings which date to the Federation period, despite their current later additions. (Source: City of Ryde Library, 4969553)

Within the same decade as the development of the railway line the Epping Town Centre area began to be closely subdivided, particularly to the east. The section of the Common Land of over 6000 acres originally granted in 1804, was subdivided not long after the railway in 1886. The first subdivision included land from Devlins Creek in the north to Pembroke Street in the south. Preparations for the sale were simultaneous with the celebration of Queen Victoria's Golden Jubilee to mark the 50th anniversary of her reign in 1887. The street names were nearly all named after English towns and counties.

In 1889, the name 'Epping' was officially adopted for the area, the name being derived due to the many trees in the area after 'Epping Forest' in England. At the same time the area surrounding the southern portion of present day Essex Street was subdivided. A survey of the land was made in 1886 and went up for sale on 30 November 1889. Initially this land was divided into country lots. The result was that, next to the growing town residences, there was a series of farmlets with both well-to-do residence and orchards. The situation of the country lots remained until the 1920s when further subdivision began.

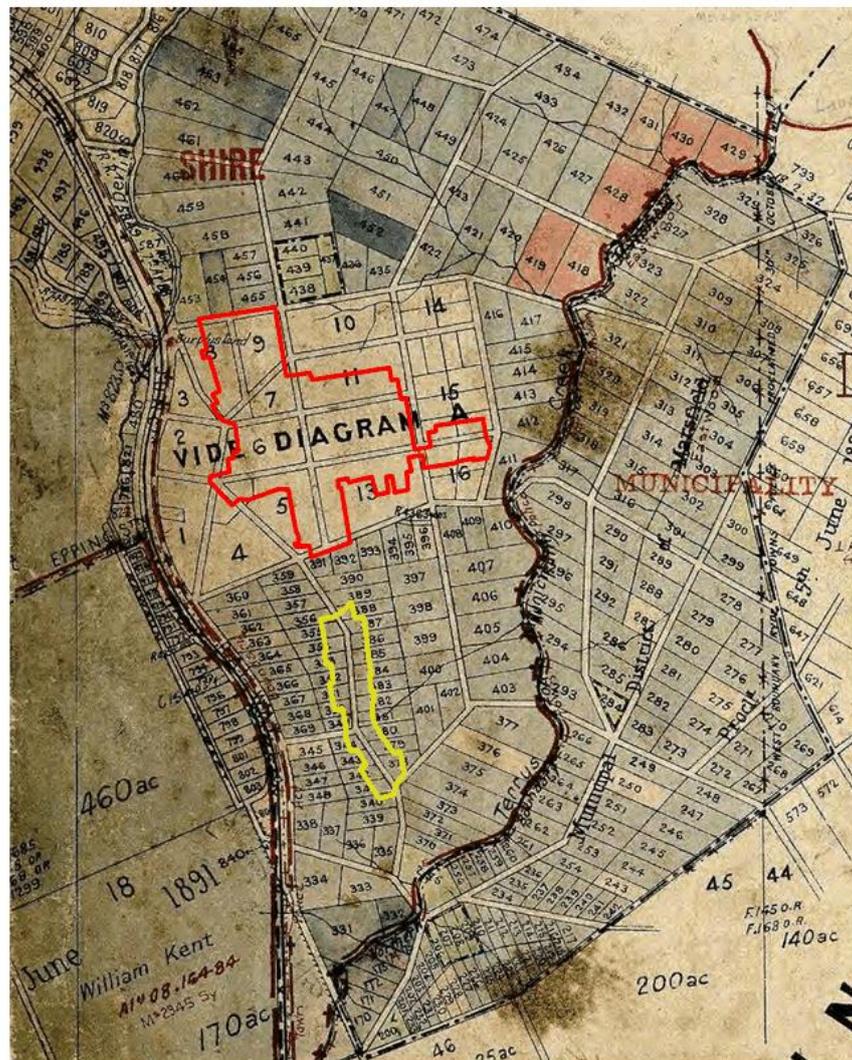


Figure 9: Extract from 1904 map of Parish of Field of Mars, County of Cumberland, Land District of Parramatta. The subdivision of the East Epping HCA and Essex Street HCA are beginning to take shape, and are outlined in red and yellow, respectively (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

As most of the early development was on the eastern side of the railway, a number of shops also emerged in the area, particularly near the station. The growing population also resulted in the Education Department's decision to construct a centralised public school in the area, now known as Epping Public School, which lies within the East Epping HCA. In January 1900, a site of over 2 acres on the corner of Norfolk Road and Pembroke Street was purchased for £350. In July, a tender was accepted for the erection of the building which was completed in June 1901. The first enrolment was for 94 pupils and by the end of the first month this number increased to 135. The School has continued to develop with more buildings added in 1911, 1913 and 1922. The early buildings largely remain in a bushland setting and school continues to be a local focus in the area.

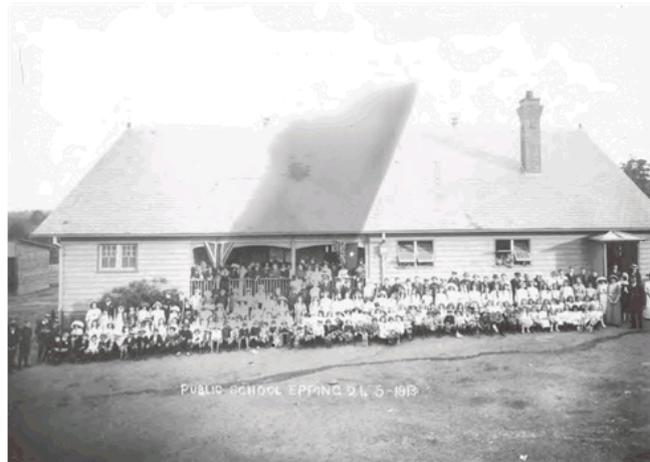


Figure 10: Epping Public School on Empire Day, 1913 (Source: Hornsby Central Library Local Studies, <https://hornsby.spydus.com/cgi-bin/spydus.exe/ENQ/OPAC/BIBENQ?BRN=64099>)

Major works were completed at Epping Station in 1900 when new platforms and a main platform building (which remains today) were constructed. Like most of the rail network the Station continued to be developed, largely in accordance with improvements to the overall system, but also to cater for the needs of the local population. The works have continued to the present, with major cross country link and triplication of the line through Chatswood and major upgrade of the complex, including construction of new overhead bridges and lifts completed in 2009. Further upgrades to Epping Station are scheduled as part of the Sydney Metro Northwest, scheduled to be completed in the first half of 2019.²



Figure 11: Epping Railway Station in 1900. The shops which had begun to develop around the railway station are visible to the right of the image (Source: National Library of Australia, <http://nla.gov.au/nla.obj-155296106>)

² Sydney Metro, Project Overview, <https://www.sydneymetro.info/northwest/project-overview> (accessed on 5 April 2017)

Unlike the eastern side of the station, land to the west of the station remained bushland and orchards for some time, however, the area was gradually developed during the early twentieth century, particularly during the Inter War period. One such subdivision was the Rosegrove Estate, today known as the Rosebank Avenue HCA. A short history of the Rosebank Avenue Heritage Conservation Area can be found in Section 6.4.2.

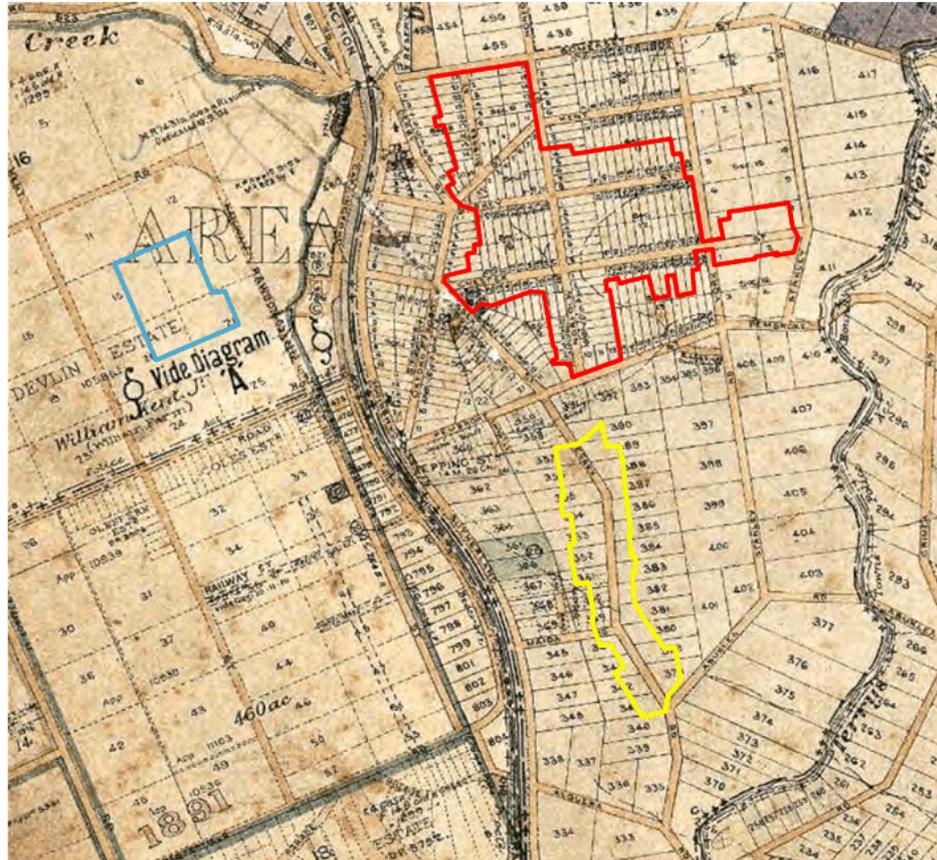


Figure 12: Extract from 1910 map of Parish of Field of Mars, County of Cumberland, Land Hornsby and Baulkham Hills Shires. The subdivision of the East Epping HCA has been divided since the 1904 map. The East Epping and Essex Street HCAs are outlined in red and yellow respectively. The Rosebank Avenue HCA is yet to be subdivided, which occurred during the Inter War period. The approximate outline of the Rosebank Avenue HCA is outlined in blue (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

The completion of Epping Road in 1940 and improvement of road networks recognised an increase in private car ownership and with this came further development and subdivision in the Epping Town Centre area. The overall improvements continued into the Post War period and building boom of the 1950s which saw a significant change in the character of the area, particularly the western side of the railway line. Aerial photographs and maps from the 1940s through to the 1950s display the development of the Epping Town Centre area.

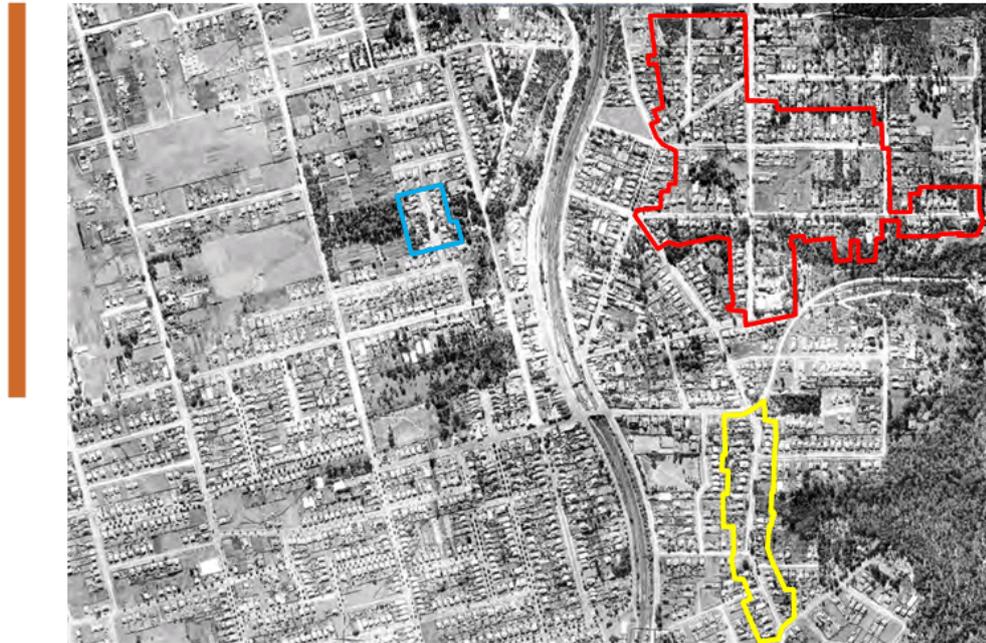


Figure 13: 1943 Aerial photographs of Epping Town Centre area. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: SIX Maps, accessed on 4 April 2017)

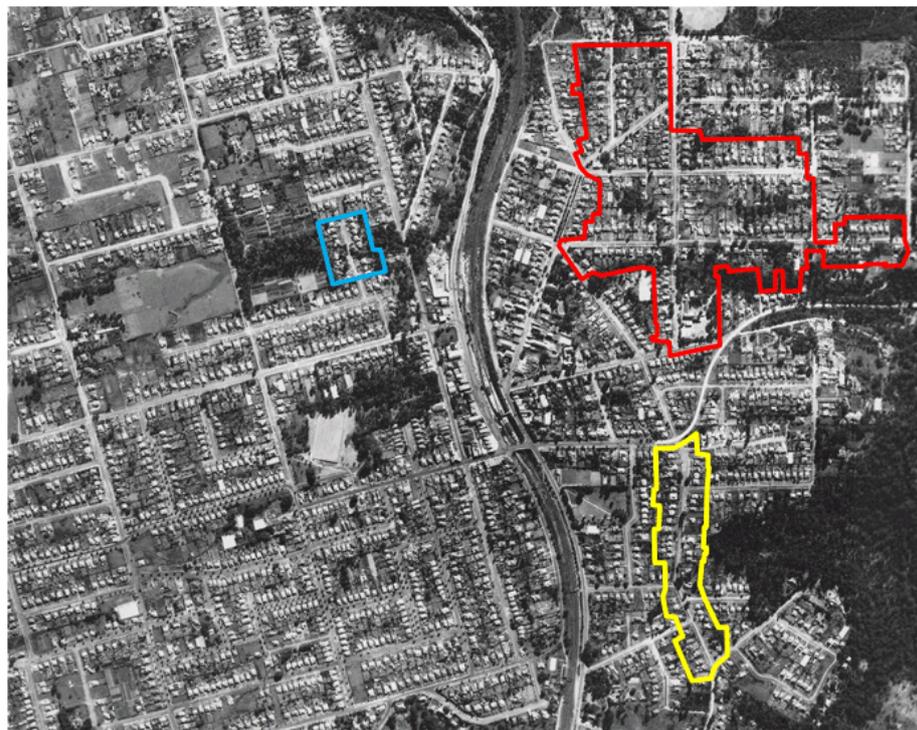


Figure 14: 1951 Aerial photograph of Epping Town Centre area. The area has been substantially developed by this point, including the western side of the railway line which saw significant development during the Inter War period. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: <https://www.flickr.com/photos/55198937@N05/9142070516>)

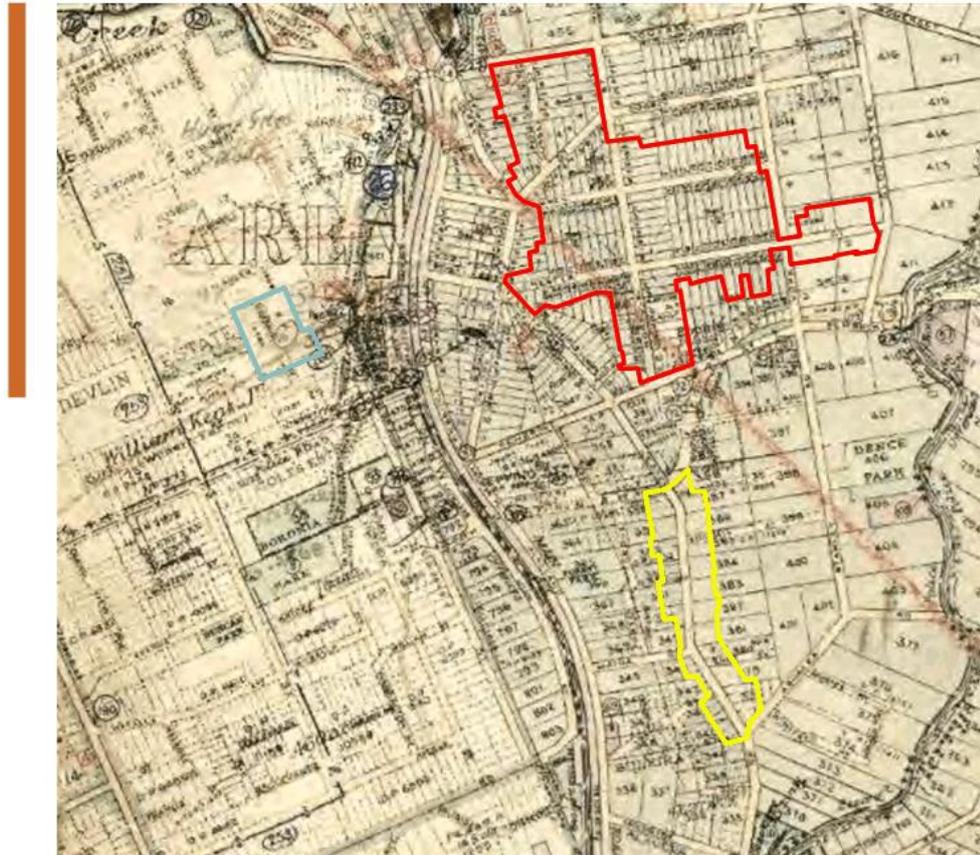


Figure 15: Extract from 1959 map of Parish of Field of Mars, County of Cumberland, Land Hornsby and Baulkham Hills Shires. The development of Epping Road is clearly reflected as well as the subdivision of the western side of the railway line. The East Epping and Essex Street HCAs are outlined in red and yellow respectively. The Rosebank Avenue HCA has by this time been subdivided, although the subdivision of the Rosegrove Estate is not clearly defined in this map. The Rosebank Avenue HCA is outlined in blue (Source: Land and Property Information, Sheet Reference 1, Edition Number 4)

Like many established areas in Sydney some medium density residential development occurred, particularly near the railway line, in the 1960s to the 1980s. Further improvements of the road networks and the addition of the M2 Motorway and improvements to the Epping Station has also resulted in a recent resurgence of larger scale residential and commercial development in the area, a trend which continues and is being explored today due to Epping's relatively easily accessible location and proximity to major business districts and universities.

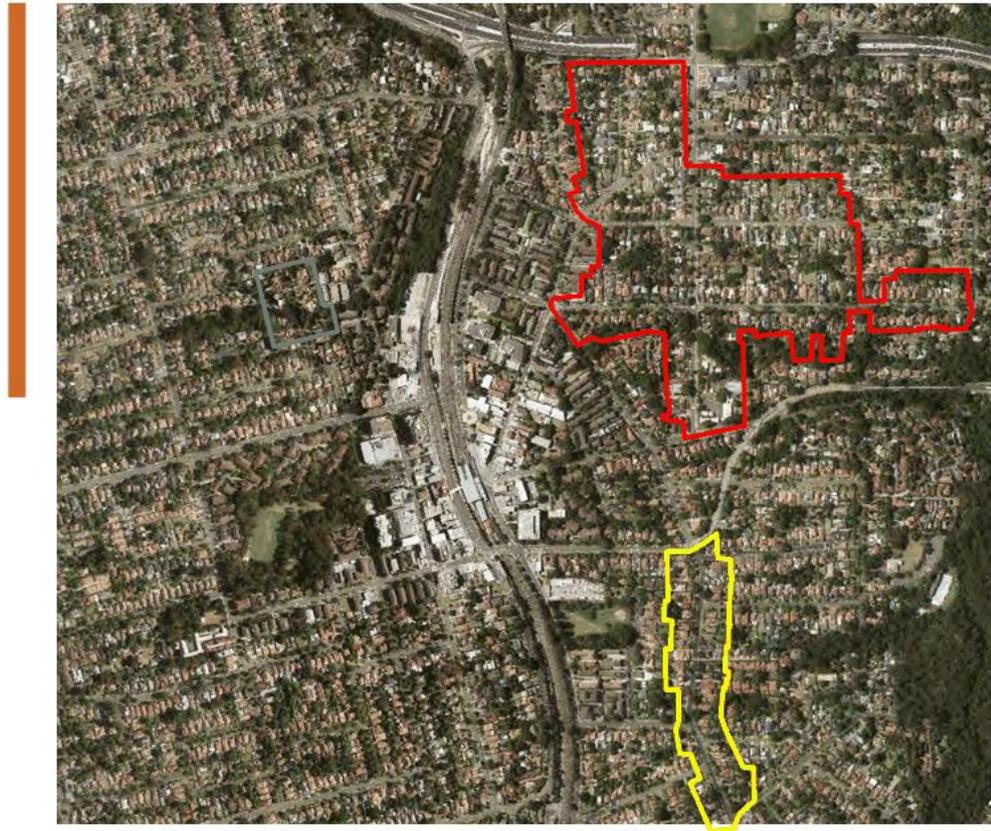


Figure 16: Aerial photograph of the Epping Town Centre area, prior to the current boom of development of the area. The East Epping, Essex Street and Rosebank Avenue HCA's are outlined in red, yellow and blue, respectively (Source: SIX Maps, accessed on 4 April 2017)

6. Heritage Conservation Area Assessments

6.1 Basis of Assessment

In assessing the cultural significance of a place, it is necessary to adequately research and consider all the information relevant to an understanding of the place and its fabric. The Burra Charter (2013) defines the cultural significance as being "aesthetic, historic, scientific or social value for past, present or future generations".

The assessment of cultural significance is undertaken because it is necessary to understand the heritage values of a place before making decisions about the future of the place whether it is a heritage item or a HCA. This then leads to decisions that will retain these heritage values in the future.³ The 'Statement of Significance' indicates what heritage values of a place should be conserved, and is used as a basis for the formulation of specific guidelines for the development of conservation policies of a place. The Conservation Plan by J. S. Kerr (seventh edition, 2013, Australia ICOMOS), considers the following three criteria as a useful starting point in assessing the nature of significance:

- Ability to demonstrate a process, a custom or style;
- Associational (historic) links for which there is or is not surviving physical evidence; and
- Formal or aesthetic qualities.

All three HCAs have previously had their significance assessed as part of previous studies. The following subsections evaluate the previously established significance of each HCA in consideration of each HCAs current condition and integrity. Each assessment of significance addresses the criteria endorsed by the NSW Heritage Council, and is in accordance with the NSW Heritage Manual 'Assessing Heritage Significance' guidelines.

³ NSW Heritage Manual, *Assessing Heritage Significance*, 2000, p.2

6.2 East Epping Heritage Conservation Area



Figure 17: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting East Epping HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.2.1 Context and Description

The East Epping HCA is the largest of the three HCAs under review as part of this study, and spans a total of nine streets including: Chester Street, Essex Street, Norfolk Road, Oxford Street, Pembroke Street, Somerset Street, Surrey Street, Sussex Street and York Street. The area to the east of the railway line was one part of a large subdivision of the late nineteenth century. All the street names of the East Epping HCA are named after English towns and counties, with all names remaining the same as the 1910 subdivision plans for the area.

The East Epping HCA is characterised by a majority of Victorian, Federation and Inter War period dwellings, which reflect the early development of the East Epping Area. The area is further characterised by wide dual carriageways and grassed verges and substantial street plantings. The original subdivision pattern of the late nineteenth and early twentieth century is still understood, despite a number of properties being subdivided throughout the area. Despite this subdivision, the streetscape character of the area is still maintained by the dwellings which front onto the streetscapes, which are further enhanced through large setbacks, complementary fences and mature front garden landscaping.

Each of the nine streets of the East Epping HCA present a range of significant characteristics. Entering the HCA from the south into Norfolk Road, to the east is located Epping Public School with its Federation period classrooms and a large number of mature trees which stretch along the street and into the northern portion of the school's site. Moving further north along the street, Inter War and Federation period dwellings are regularly located, as the road slopes down slightly toward the first intersection with Chester Street. The section of Norfolk Road, bound by Chester Street and Surrey Street presents, a number of Late 20th Century

and 21st Century two storey dwellings, before the Inter War and Federation period character of the street returns closer to Surrey Street. Some Banksia trees line this section of the street, whilst mature Eucalypts rise above the street from front gardens of some of the early twentieth century properties. In the most northern section of Norfolk Road within the East Epping HCA, are clustered a number of Inter War Bungalows and Federation period dwellings, in Queen Anne, Cottage and Bungalow styles. Substantial landscaping on the street and in front gardens continue along this section of Norfolk Road, enhanced by timber picket fences and hedges on each of the individual properties.

Along both Sussex and Oxford Streets, two of the northern-most streets of the East Epping HCA, presents a mix of primarily Federation and Inter War periods dwellings. Being a narrower street than Oxford Street, Sussex Street's regular street trees, of both native and ornamental varieties, enhance the leafy aspect of the street, the street slopes down toward the west, with dwellings of the eastern side of the road sitting higher in their lots. Like Norfolk Road, the dwellings are set back onto their lots, with large front gardens, most of which have substantial mature plantings, which screen the houses from street view. Overall, the presentation of Sussex Street captures the aesthetic qualities of the East Epping HCA.

A small section of Oxford Street, between Derby Street and Norfolk Road, resides within the boundaries of the East Epping HCA. The street, like Norfolk Road, presents a dual carriageway, with wide verges. Federation, Inter War and Post War period dwellings line either side of the street, with a number of timber weatherboard Federation cottages located on the northern side of the road, whilst the southern side presents a number of Inter War Bungalows. Street tree planting is sporadic along Oxford Street, however, the landscaping of individual properties makes up for the lack of street trees, still eliciting the leafy character of the East Epping HCA.

Surrey Street and Chester Streets contain a diverse mix of buildings from Victorian, Federation, Inter War, Post War, Late 20th Century and 21st Century. Both streets have dual carriageways, but are not as wide as Norfolk Road, which acts as a main spine for the East Epping area. Mature trees, both native and exotic, are located along the length of each street, again enhanced by the large setbacks of properties and mature landscaped gardens. Surrey and Chester Street have the highest proportion of subdivided lots, mainly between their intersection with Norfolk Road and York Street. The original lot size of these properties from the late nineteenth and early twentieth century subdivisions, produced long lots, which have easily been subdivided to provide for additional dwellings. The dwellings located at the rear of the original houses on these subdivided lots are mostly not visible from the street, particularly where the front dwellings have mature trees and significant landscaping. On the very western end of Chester Street is located the only Church within the East Epping HCA. Built during the Inter War period, the presence of the church of the prominent corner of Chester, Oxford and Sussex Streets, acts as a western gateway to the East Epping HCA, typified by its brick turret and rendered detailing.

Across the East Epping HCA, there are a total of twenty-nine (29) heritage items located across all of the primary streets of the area. A majority of the heritage items of the East Epping HCA are from the Federation period, with one Victorian stone cottage and five (5) Inter War period dwellings and gardens. These properties and gardens further enhance the streetscapes of Sussex, Oxford, Surrey, Chester Streets and Norfolk Road, through their demonstration of historic, aesthetic, rare and representative significance.

The East Epping HCA presents a large unique area with a mixture of dwellings, gardens and landscapes from the late nineteenth century through to the present day. Whilst the majority of dwellings within the area date from the Federation and Inter War periods, the scattering of dwellings from the Post War, Late 20th and 21st Centuries, further add to the history of growth and development of the East Epping area.

The following images present a brief overview of the current character and streetscapes of the East Epping HCA.



Figure 18: Views looking north (left) and south (right) along Norfolk Road at the intersection with Surrey Street. The large mature trees lining Norfolk Road can be seen, as well as the wide dual carriageway, which acts as the main spine of the East Epping HCA.



Figure 19: Views looking east (left) and west (right) along Surrey Street at intersection with Norfolk Road. The mature landscaping in the front gardens of some properties can be seen, as well as established trees, particularly in the left image out the front of 40 Norfolk Road, a heritage item.

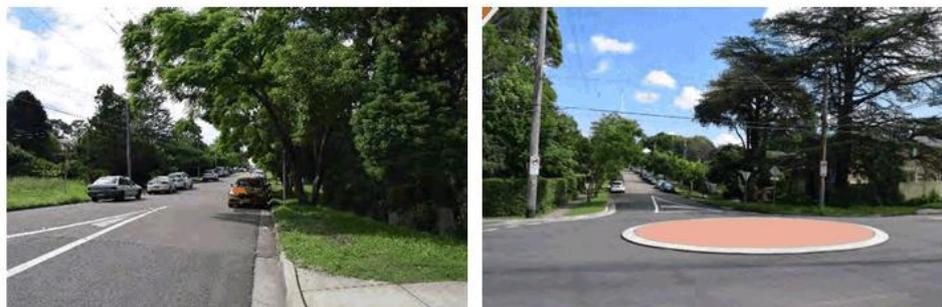


Figure 20: View looking east (left) and west (right) from the intersection of Norfolk Road and Chester Street. Substantial street tree planting can be seen in both views, particularly the large Pine trees in the right image which fall within the lot boundaries of 27A Chester Street.



Figure 21: Epping Public School, the original classrooms date from 1901 (left) and 70 Chester Street, Victorian stone cottage, the oldest dwelling in the East Epping HCA (right).



Figure 22: 11 Sussex Street, timber weatherboard Federation Cottage (left) and 85 Oxford Street, a timber weatherboard cottage with return verandah (right).



Figure 23: 93 Oxford Street, a two storey Federation Tudor style house, an unusual style for the area, presenting a prominent corner position at the intersection with Norfolk Road (left) and 39 Norfolk Road, a good example of a Federation bungalow, a prominent style within the East Epping HCA.



Figure 24: 49 Norfolk Road a Federation cottage (left) and the Uniting Chester of Chester Street, dating to the Inter War period (right).



Figure 25: 67 Chester Street, an Inter War Bungalow (left) and 58 Chester Street, a late Inter War period dwelling in Spanish style (right).



Figure 26: 33 Chester Street, a single storey Post War dwelling with some modifications (left) and 44 Surrey Street, a single storey red brick Post War dwelling (right)



Figure 27: 42 Surrey Street, two storey Late 20th Century house (left) and 12 Sussex Street, a two storey 21st Century house (right)

6.2.2 Historical Summary

The history of the East Epping HCA is directly linked to the historical development of the development of the Epping Town Centre, thus refer to the brief history provided in Section 5.1.

6.2.3 Previous Assessment and Statement of Significance

The first assessment of significance for the East Epping HCA was undertaken as part of the *East Epping Conservation Evaluation and Review* prepared by Tropman and Tropman Architects in 2001. The assessment and statement of significance from this first study is as follows:

Criterion (a)

The area is a good example of the development of Federation and Inter-War period housing in the Epping area.

The area was one of the first parts of Epping to be closely subdivided for residential purposes.

Criterion (c)

The area has retained most of its original 1886 subdivision pattern.

Criterion (g)

The area is representative of the development of Federation period and Inter-War period suburban housing.

Statement of Significance

The East Epping Heritage Conservation Area is a good representative example of the development of Federation period and Inter-War period suburban housing

of the Epping area. The area retains coherent examples of Federation and Inter-War housing as well as remnants of late 1880s housing. The area has historic significance as one of the first parts of Epping to be closely subdivided for residential purposes. This area, with the exception of the eastern side which was originally divided into larger blocks, has retained most of its original 1886 subdivision pattern.

Whilst the above assessment of significance for the East Epping HCA is brief, further assessment of the area was conducted as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the East Epping HCA still stood and updated the assessment of significance as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as one of the first subdivisions and parts of Epping to be subdivided for residential development. Despite some site amalgamations and re-subdivisions, the area largely retains its original subdivision and streetscape pattern.

The area retains evidence of its major periods of development that reflect the growth and development and major changes in the local area and shift from a rural and farming community to centralised residential and low scale commercial area.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Federation, Inter-war and Post-war detached housing in the Epping area. Some early buildings also remain.

The built context is also enhanced by the wide street proportions, street trees and garden settings and plantings which make a positive contribution to the area.

Criterion (d) - An item has strong or special association with a particular community or cultural group in NSW (or area) for social, cultural or spiritual reasons

Epping Public School is a major feature of the area and is of some social significance to the local community. Established in 1900 as a result of the growth and development it has continued to be a local focus and has developed in accordance with local needs and requirements.

The Uniting Church complex in Chester Street is also of some local social significance.

Criterion (e) - An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the area)

The area retains some rock forms, undulating streets, sloping sites and a number of mature native trees and plantings which indicate the early natural character and topography of the area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the area)

The area retains a number of earlier timber weatherboard houses and one early stone dwelling which are relatively rare in the local area.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments (or a class of the local area's cultural or natural places; or
- cultural or natural environments)

The area is a good and relatively intact representative example of late 19th and early 20th century suburban residential subdivision and development.

Statement of Significance

The East Epping Heritage Conservation Area is of high local historic and aesthetic significance as a good representative example of late 19th century subdivision that retains a good and relatively intact collection of Federation, Inter-war and Post-war period residential development that represents the major period of growth and development of the Epping area.

The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Federation and Inter-war period houses. The area also retains some earlier examples and overall built context is enhanced by the local topography and native plantings, wide street proportions, street trees and garden settings.

The Church and School sites located in the area are also of some historic and social significance to the local community.

6.2.4 Revised Assessment of Significance

The previous assessments of the East Epping HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms of the evaluation of aesthetic, historical, social, rarity and representative values of the area are still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

East Epping HCA Statement of Significance

The East Epping HCA is of high local historic and aesthetic significance as a good representative example of late nineteenth century subdivision that retains a good and relatively intact collection of Federation, Inter War and Post War period residential development that represents the major periods of growth and development of the Epping area.

The area significantly retains most of its original 1886 subdivision and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Victorian, Federation and Inter War period dwellings. The area has historic significance as one of the first parts of Epping to be closely subdivided for residential purposes. The original names of each of the streets, which were taken from English towns and counties, still remain. The areas overall built context is enhanced by the local topography and native plantings, wide street proportions, street trees and large garden settings. Many of the Federation and Inter War period houses retain their garden like settings, coupled with mature trees of both native and exotic varieties.

The inclusion of Epping Public School, established in 1901, and the Chester Street Uniting Church and grounds are also of some historic and social significance to the local community, further enhancing the pattern of development of not only the early subdivision of the area but the needs of the growing community of the East Epping area.

6.2.5 Individual Heritage Items Request for Removal within Essex Street HCA

3 Essex Street

A request by the property owner of 3 Essex Street for the removal of the property as an Heritage Item under the Hornsby LEP 2013 and to be removed from the East Epping HCA was lodged on 18 September 2015. This request was lodged by the property owner in response to the listing of the property at 3 Essex Street on the Hornsby LEP 2013 as part of the State Environmental Planning Policy (SEPP) Amendment (Epping Town Centre) 2013, published in March 2014.

The dwelling at 3 Essex Street is a single storey face brick Inter War Bungalow featuring a hipped roof clad in terracotta tiles and a stone base. The primary western façade features a projecting brick veranda with brick piers, flanked on either side by projecting bay windows, with detailed leadlight glazing set within timber double sash windows. The northern façade features a second verandah with brick piers, which has been enclosed by single brick and timber windows. The eastern boundary of the property is defined by a high brick fence and a wide timber gate. Some mature plantings exist on the site, including palm trees. A driveway is located on the eastern side of the house, which gives access to a lightweight carport attached to the southern façade of the dwelling. The location of the dwelling next to Rockleigh Park provides a leafy setting for the Inter War Bungalow.

A brief internal inspection was conducted as part of this heritage review. From the internal inspection, original detailing such as Art Deco cornices and plasterwork, timber doors and frames with associated hardware, timber picture rails, fireplace, floorboards and leadlight windows were observed throughout the property, excluding areas where modifications had taken place, which was primarily limited to the kitchen and bathrooms. The bungalow is overall in good condition, but does require some maintenance work. The bungalow appears to have maintained its condition and integrity since its assessment in the 2013 study.

An assessment of the significance of 3 Essex Street was undertaken as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy and Alessi in 2013.⁴ The established statement of significance has been slightly amended to reflect the current condition of the property and is provided below:

No. 3 Essex Street is of local historic and aesthetic significance as part of an early subdivision in the area, as a good and largely intact representative example of a substantial Inter War Bungalow constructed during c. 1920s. The site is associated with the Rockleigh House and grounds now remembered by the adjacent Park area. The building significantly retains its original scale, form and features including face brick façades and stone base and prominent roof scape, open verandah and bayed elements on the front facade. Internally many original elements of the Inter War Bungalow remain, including Art Deco cornices and plasterwork, timber doors and frames with associated hardware, timber picture rails, fireplace, floorboards and leadlight windows. Despite the addition of the high brick fence, the building has a wide frontage and prominent roof form enhanced by its garden setting and makes some visual contribution to the streetscape and neighbouring Rockleigh Park area. The large wide lot on which the Bungalow is established is unusual for the East Epping Area, presenting a unique element in the area.

The Inventory Sheet for the property has also been updated to reflect the above statement of significance, as well as updated images, which is provided as part of Appendix A. Recommendations in relation to the retention or removal of 3 Essex Street from the Hornsby LEP 2013 as a heritage item or from the East Epping HCA, have been provided in Section 10.1.

⁴ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 37.

6.3 Essex Street Heritage Conservation Area

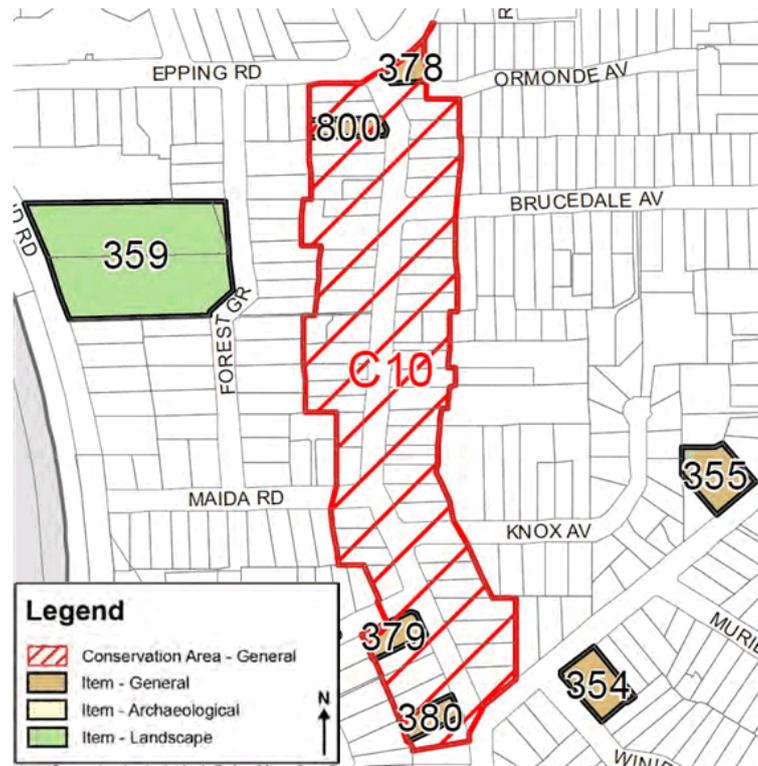


Figure 28: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Essex Street HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.3.1 Context and Description

The Essex Street Avenue Heritage Conservation Area was last described in March 2013 in the Epping Town Centre Heritage Review as:

*"The built context is characterised by a mix of Federation and Inter-war period houses including substantial timber weatherboard and distinctive Federation red brick dwellings, liver brick and Inter-War Bungalows with a number of late 20th and early 21st century period dwellings and residential complexes between. The built context is generally enhanced by the streetscape pattern reinforced by regular setbacks, wide street proportions and garden settings."*⁵

During site inspections of the area in March 2017, it was observed that the Essex Street HCA continues to retain a built context characterised by a mixture of Federation and Inter War period dwellings, with some Post War, Late 20th and 21st Century development scattered throughout. The streetscape continues to be enhanced by street tree planting, coupled with the established gardens and trees of the properties which lines the edges of the street.

The Essex Street HCA is bound to the north by Epping Road and to the south by Abuklea Road. Whilst Essex Street continues both north and south from the Essex Street HCA, this particular section of Essex Street presents a unified character unlike the other sections of Essex Street, which have a higher proportion of Late 20th and 21st Century developments. This section of Essex Street presents a wide dual carriageway with wide grassed verges.

⁵ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 13.

The street slightly bends to the east following the intersection with Maida Road. This section of Essex Street gently slopes downwards from Epping Road and Abuklea Road to the lowest point around the intersection of Knox Avenue. Between Maida Road and Epping Road, the dwellings located on the western side of Essex Street rise above street level, whilst the dwellings to the east lie below street level, due to the sloping topography of the street down towards the east.

Dotted along the length of Essex Street are a number of different species of trees, including but not limited to Banksia and Eucalypt trees. The dwellings along this section of Essex Street present a regular setback from the street, incorporating a range of different fences, all predominantly of a low scale, including timber picket fences, low sandstone or brick walls, wire and timber fences and a few modern cement rendered walls. The front gardens of each property generally include mature plantings harmonising with and adding to the streetscape character the street.

The style of dwellings located within the Essex Street HCA, include a number of different styles from the Federation (Bungalow and Cottage styles), Inter War (Bungalow and Spanish Mission styles), Post War, Late 20th Century (Organic, Australian Nostalgic, and Immigrants Nostalgic styles) and 21st Century, all depicted in Figures 31 to 36.

Whilst a couple of lots within the Essex Street HCA have been subdivided, or some older buildings from the Federation or Inter War period have been replaced or modified over time, the overall character of early 20th Century and streetscape pattern and rhythm remains.

The following images the early present a brief overview of the current character and streetscape of the Essex Street HCA.



Figure 29: Views looking from intersection of Essex Street and Abuklea Road, looking north along Essex Street. The mature street trees and large front setbacks of dwellings along the street can be



Figure 30: Views looking south along Essex Street, near Epping Road (left) and intersection of Bruceedale Avenue (right)



Figure 31: Views looking from approximately 58 Essex Street, looking south (left) and north (right).



Figure 32: 86 Essex Street, Federation Bungalow (left) and 42 Essex Street, Federation weatherboard cottage (right).



Figure 33: 93 and 56 Essex Street, both examples of intact Inter War Bungalows.



Figure 34: 44 Essex Street, Inter War Spanish Mission (left) and 77 Essex Street, Post War (right).



Figure 35: 78 Essex Street, Post War (left) and 99 Essex Street, Late 20th Century Organic (right).



Figure 36: 51 Essex Street, Late 20th Century Australian Nostalgic (left) and 53 Essex Street, 21st Century.

6.3.2 Historical Summary

The history of the Essex Street HCA is directly linked to the historical development of the development of the Epping Town Centre, thus refer to the brief history provided in Section 5.1.

6.3.3 Previous Assessment and Statement of Significance

The first assessment of significance for the Essex Street Heritage Conservation Area was undertaken as part of the *East Epping Conservation Evaluation and Review* prepared by Tropman and Tropman Architects in 2001. The assessment and statement of significance from this first study is as follows:

Criterion (a)

The area is a good example of the development of Federation and Inter-War period housing in the Epping area.

The area reflects the changing nature of the place from rural, through semirural to residential.

Criterion (c)

The area has retained most of its original 1886 subdivision pattern.

Criterion (g)

The area is representative of the development of Federation period and Inter- War period suburban housing.

Statement of Significance

The Essex Street Heritage Conservation Area has historic and aesthetic significance as a representative area of intact period housing, mainly from the Federation and Inter-War periods. The areas early subdivision patterns reflect the changing nature of the area from rural, into semi-rural 'farmlets' through to

residential lots in the 1920s. These subdivision patterns are still visible in the existing street layout.

Whilst the above assessment of significance for the Essex Street HCA is brief, further assessment of the area was conducted in as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the East Epping HCA still stood and updated the assessment of significance as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as part of an early subdivision and early 20th residential development. Despite some site amalgamations and re-subdivisions, the area largely retains a sense of its original subdivision pattern that represents the early 20th century shift from a rural to a residential and suburban area.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Federation and Inter-war period detached housing in the Epping area. Some good examples of Post-war development are also extant.

The built context is also enhanced by the wide street proportions, street form and wide grassed verges, setbacks, garden settings and plantings which make a positive contribution to the area.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- *cultural or natural places; or*
- *cultural or natural environments.*
- *(or a class of the local area's*
- *cultural or natural places; or*
- *cultural or natural environments)*

The area is representative of the development of the Federation and Inter-war period suburban housing in the local area.

Statement of Significance

The Essex Street Heritage Conservation Area is of local historic and aesthetic significance as part of an early subdivision in the local area and as a representative area of intact period housing mainly from the Federation and Inter-war periods which represents a major period of growth and development and shift from a rural to a suburban area.

The area significantly retains a sense of the original subdivision pattern and streetscape pattern with mostly single detached houses including a number of good and highly intact examples of Federation and Inter-war period houses. The built context is enhanced by the local topography, wide street proportions, setbacks and garden settings.

6.3.4 Revised Assessment of Significance

The previous assessments of the Essex Street HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms the evaluation

of aesthetic, historical and representative values of the area is still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

Essex Street HCA Statement of Significance

The Essex Street HCA is of local historic and aesthetic significance as part of the early subdivision of the Epping from the late 1890s, and maintains a representative area of largely intact Federation and Inter War period dwellings reflecting the major periods of growth and development of the Epping local area. Early Federation houses, some associated with the Mount Tomah Nursery of the 1890s are still extant, and further enhanced by the retention of the later 1920s subdivision upon which many Inter War period home were developed. The area represents the shift of Epping from an area of orchards and nurseries to a thriving suburban area.

The area retains many significant elements of the early twentieth century subdivision patterns, coupled with a cohesive streetscape pattern enhanced by large setbacks, wide street proportions, undulating topography, street plantings and garden settings. This section of Essex Street, maintains a large number of good and highly intact examples of Federation and Inter War period dwellings of various styles, interspersed with some good examples of residential Post War architecture.

6.3.5 Individual Heritage Items Requested for Removal within Essex Street HCA

42 Essex Street

A request by the property owner of 42 Essex Street for the removal of the property as a Heritage Item under the Hornsby LEP 2013 and to be removed from the Essex Street HCA was lodged on 17 January 2016. This request was lodged by the property owner in response to the listing of the property at 42 Essex Street on the Hornsby LEP 2013 as part of the SEPP Amendment (Epping Town Centre) 2013, published in March 2014.

The dwelling at 42 Essex Street is a substantial, single storey timber weatherboard Federation cottage, with a hipped roof and northern projecting gabled wing with corrugated steel roof. The dwelling features a veranda with returns to the sides with timber double sash windows with colour lead lighting on the primary façade facing toward Essex Street. The northern elevation features a bay window with timber double-hung sashes featuring coloured leadlight, matching the primary eastern façade. The cottage is substantially set back from the Essex Street frontage, allowing for a large front garden, which is primarily grassed with some mature plantings established along the Essex Street boundary.

A brief internal inspection of the property was conducted as part of this heritage review. From the internal inspection, original detailing such as floor boards, cornices and timber work were observed in the main hallway and front rooms of the cottage. Additions to the rear of the original cottage currently house living spaces and a kitchen. The cottage is overall in good condition and appears to have maintained its condition and integrity since its assessment in the 2013 study.

An assessment of the significance of 42 Essex Street was undertaken as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy and Alessi in 2013.⁶ The established statement of significance has been slightly amended to reflect the current condition of the property and is provided below:

The dwelling at 42 Essex Street is of high local historic and aesthetic significance as a good and largely intact Federation period timber weatherboard cottage constructed sometime between 1893 and 1902 that is associated with MF Vollmer and the Vessey family of the Mount Tomah Nursery that operated in the immediate area in the 1890s. Despite some alterations and additions, the cottage retains its overall scale, form and details particularly weatherboard facades, roof form, open wrap-around verandah,

⁶ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 42.

gable and bay on the northern facade. Internally, original details are also maintained, including cornices, timberwork, floorboards and chimneys. The building occupies a prominent and elevated site on a bend in Essex Street, is enhanced by its garden setting and makes a positive contribution to this section of Essex Street. The cottage is one of two remaining Federation period dwellings located in the area associated with the Mount Tomah Nursery, thus being rare for the local area.

The Inventory Sheet for the property has also been updated to reflect the above statement of significance, as well as updated images provided as part of Appendix A. Recommendations in relation to the retention or removal of 42 Essex Street from the Hornsby LEP 2013 as a Heritage item of from the Essex Street HCA have been provided in Section 10.2.

6.4 Rosebank Avenue Heritage Conservation Area

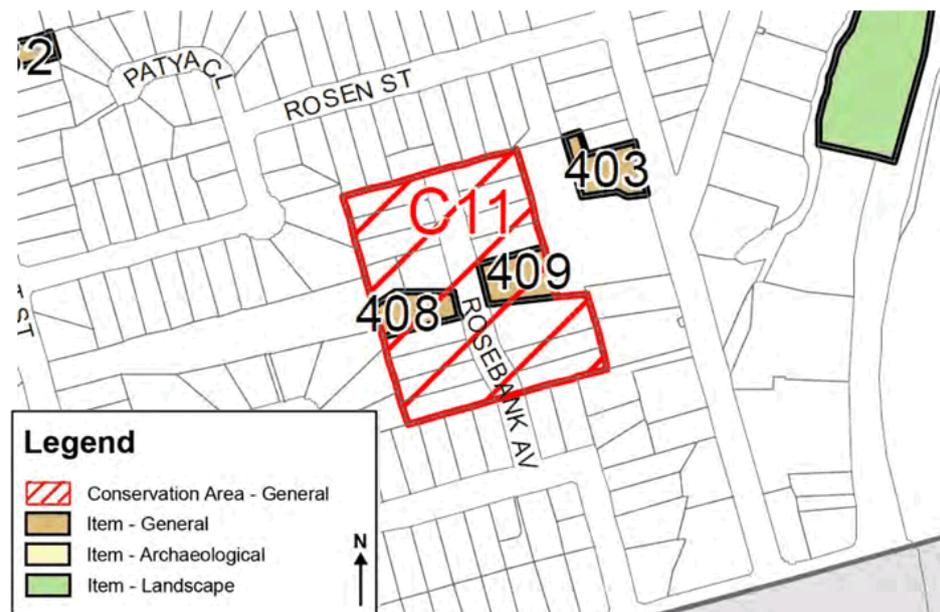


Figure 37: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Rosebank Avenue HCA (Source: Heritage Map 11, Hornsby LEP 2013)

6.4.1 Context and Description

The Rosebank Avenue Heritage Conservation Area was last described in March 2013 in the Epping Town Centre Heritage Review as retaining:

"a good and highly intact group of Inter-War period dwellings illustrating various architectural elements enhanced by the streetscape character, reinforced by retention of the original subdivision pattern and street rhythm, consistent setbacks and also mature street and garden trees and garden plantings."

During site inspections of the area in March 2017, it was observed that the Rosebank Avenue HCA continues to remain a good and highly intact group of Inter War period dwellings however, there are some changes to the surrounding setting of the area and the streetscape which has minorly detracted from the description provided in 2013. These include the multiple high density residential developments on Cliff Road and Hazlewood Place, located to the

⁷ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 15.

east and south of the HCA. Some mature trees too have been removed from the streetscape, primarily out the front of 5 Rosebank Avenue.

Despite these changes, Rosebank Avenue HCA continues to maintain its established heritage character. The form, scale and detailing of the majority of dwellings within the area retain their original elements, and are enhanced by extensive plantings within the front gardens and nature strip planting. Whilst some minor modifications have been made to some buildings, such as the enclosure of balconies, addition of carports and garages and replacement of some original windows, the consistency of the street in terms of setbacks, and street presentation are still intact.

A range of architectural styles are presented along the length of Rosebank Avenue, including Spanish Mission, Bungalow and Tudor Revival. Whilst the style of each dwelling differs, all are linked together and complement one another through consistency in height, set back and landscaping. The original subdivision of the Rosegrove Estate is still evident in the current subdivision of the area, despite the singular subdivision of 13 and 15 Rosebank Avenue. The character of the area is further linked together through the consistent street trees which line the nature strips and the interjection of the creek line which runs between 15 and 9, and 10 and 6 Rosebank Avenue. The vegetation is denser at this point in the street and creates a lively setting for the appreciation of both the northern and southern components of the street.

The following images present a brief overview of the current character and streetscape of the Rosebank Avenue HCA.



Figure 38: View looking south along Rosebank Avenue, from northern end of street (left) and from middle of street in line with the creek (right). The consistency of street trees which line Rosebank Avenue are evident, enhancing the streetscape character, behind which an array of Inter War period dwellings are nestled.



Figure 39: View of the small bridge which runs over the creek line (left) and looking west toward 9 Rosebank Avenue visible through the trees which line the creek bed.



Figure 40: Two of the dwellings located within the Rosebank Avenue HCA are listed as local items, including 9 (right) and 10 (left) Rosebank Avenue. Whilst both dwellings date from the Inter War period, they are in two distinct styles of the period, the left being a Spanish Mission style and the right in a Tudor style.



Figure 41: 16 and 17 Rosebank Avenue, respectively, are designed in an Inter War Bungalow style. The Bungalow style is featured the most amongst the dwellings of Rosebank Avenue



Figure 42: 5 and 1 Rosebank Avenue have undergone some modifications to the original fabric. 5 Rosebank Avenue has modified the entrance path and driveway, as well as the entrance way and windows, whilst 1 Rosebank Avenue has undergone some minor changes, including enclosing the front balcony and the installation of a new gate to the driveway. Despite these changes, both dwellings continue to contribute to the character of the area.

6.4.2 Historical Summary

The following historical summary of the Rosebank Avenue Conservation Area has primarily been adapted from the 2003 Heritage Assessment of Rosebank Avenue, prepared by CPC Consulting.

The site of the present day Rosebank Avenue is located on the western side of the railway at Epping. Early Parish Maps indicated that the site was part of the land granted to William Kent Junior. Pioneer settler, David Hazlewood, purchased the land in this area (including the area that is now Rosebank Avenue) as a total of 16 acres in 1897.

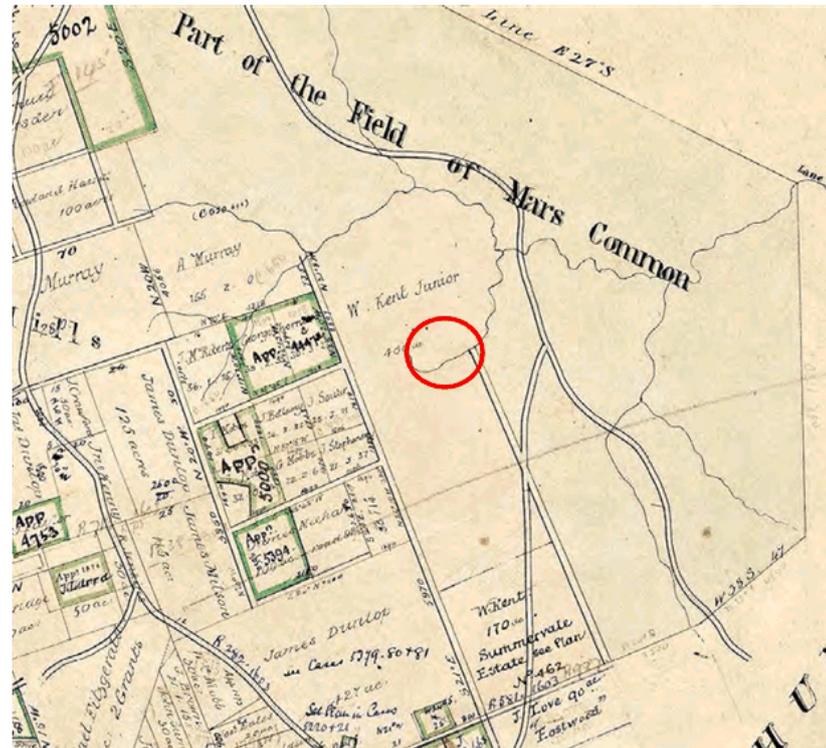


Figure 43: 1882 Field of Mars Parish Map with indicative location of Rosebank Avenue Heritage Conservation Area outlined in red (Source: Land and Property Information, Sheet Reference 4, Edition Number 0)

The Hazlewood Brothers made their reputation as rose suppliers in the early twentieth century from the Epping nursery. The Hazlewood nursery operations continued in Dural until 1965. The first subdivision of the Hazlewood Estate was placed on sale in October 1921 and included lots fronting the present Carlingford Road.

In November 1929, two years after David Hazlewood's death, the site of Rosebank Avenue went to auction sale as the Rosegrove Estate, one of the later estate subdivisions to occur in the Epping district. The Estate consisted of 18 lots fronting Rosebank Avenue and three lots fronting Ray Road. (Figure 44) A "fine old rustic bridge" was constructed over the existing creek by the Hazlewoods as part of their nursery operations and was retained as an attractive element of the Estate. The advertisements for the auction also indicate that a strict building ordinance was in place to ensure that "each home will be worthy of its setting" and that the layout and lot sizes allowed "ample space for gardens, lawns and motor car entrance".



ROSEGROVE ESTATE

In one of Nature's Loveliest Settings

21 Perfect Home Sites... 400 yards from Epping Station and Shopping Centre

ALTHOUGH photographs do not do justice to this magnificent home location—ROSEGROVE ESTATE, EPPING. To appreciate the beauty of its surroundings—the appearance and character of each allotment—the well made cements with their concrete kerbs and gutters—and the Epping's waterworks are every convenience that the home surface can desire—see them monthly on 12. The most walk over its smooth, green alleys and see its every pleasing vista.

one person. The very "Epping" atmosphere of the surrounding nature and greenery are home in the glorious setting. Remember that only 21 homes can be erected on Rosegrove Estate, and the careful site building and planning will ensure that each home will be worthy of its setting. The land is ready now for building. Each allotment provides ample space for gardens, lawns and motor car entrance.

Beautiful Epping

A Shrewd Suburban Being in one of Epping's most valuable sites of beautiful scenery and of the convenience. Part of the site is bound in the fact that the Epping waterworks are situated in the Estate. The waterworks are situated in the Estate and the water is supplied to the houses and motor cars.



40 yards from Epping Station — a few minutes walk.

All shopping and other conveniences available.

High and healthy home sites, surrounded by trees—118 feet above sea level.

All plots of generous size and ready now for building.

All conveniences and Services available

THOSE who live in Epping do most of their shopping in their own suburbs, the modern shopping centres supplies every need. A few chains provide city amusements. Education facilities are well catered for, while water, gas and electricity are available right at the boundary of Rosegrove.

Ninety Electric Trains

Distance from Sydney are no longer measured in miles, but in minutes. Epping is fourteen in being only 28 minutes from the City. A service of electric trains per day serves all day.

ROSEGROVE allotments will be sold at surprisingly low prices; prices—that will never be repeated in this district.

What of the Future?

Perhaps it is unnecessary to dwell on the increasing possibilities of Rosegrove Estate. The phenomenal progress of Epping during the past few years will be a guarantee. Local values have reached surprising high levels, and these have attracted many who have realized very pleasing dividends for their investments. Epping's past progress, although rapid, is small compared to what the future should be.

Epping—Junction to New Railway

Wonderful influence on values. The decision of the railway authorities to connect Epping with St. Leonards by an Electric Railway has brought the district to the forefront amongst the most progressive. It also holds promise to realize the convenience and demand for home sites near the new line.

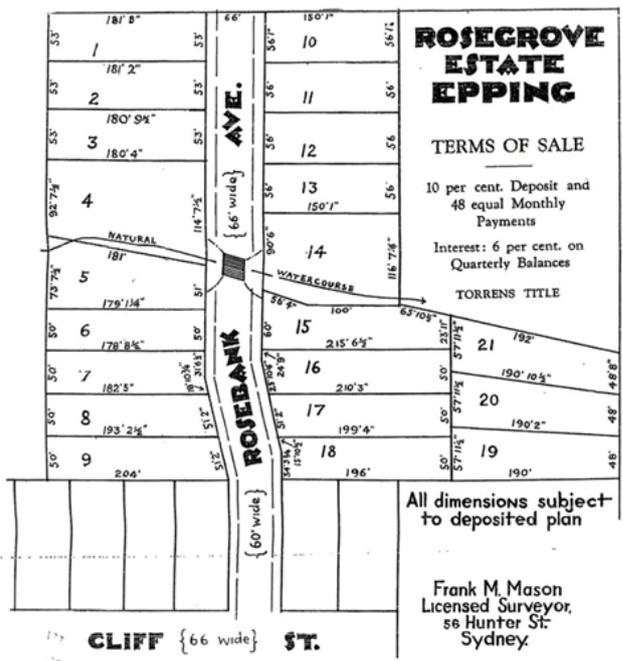


Auction 5:00
Waterloo 3:00

On the Ground 3 p.m.

Auctioneers
HARDIE & GORMAN, PTY. LTD.
36 MARTIN PLACE, SYDNEY

in conjunction with
TOM J. DWYER
Nesden Chambers
84 CASTLEBRAGH ST., SYDNEY



REAL ESTATE

WELL SITUATED

ALLOTMENTS AT EPPING

STATION, SHOPS HANDY

Situated within 400 yards of the railway station and shopping centre, Rosegrove Estate, Epping, occupies the top of a slope and fronts a main road. It will be sold by auction to-morrow by Messrs. Hardie and Gorman, in conjunction with Tom J. Dwyer.

Ornamental native trees have been retained on the allotments, and the streets have been kerbed and gullied in concrete. There are 21 allotments, all generously sized. The soil is very suitable for gardens, and the allotments provide ample space for their inclusion. A large nursery adjoins the estate. Ninety electric trains each day provide transportation to and from the city, and the travelling time will be shortened when the Epping-St. Leonards branch line is built. Terms of sale will be 10 per cent. deposit, and the balance in four years.

Figure 44: 1929 Sale Notice for Rosegrove Estate (top and bottom left) and advertisement in The Sun from 1929 (bottom right) (Source: Appendix D, CPC Consulting, Heritage Assessment of Rosebank Avenue (2003) and The Sun, Friday 22 November 1929, p. 2.)

An aerial photograph from 1943 clearly shows the earlier Federation development within the surrounding streets (Cliff Road and Carlingford Road) and the formation of Rosebank Avenue.



Figure 45: 1943 Aerial of Rosebank Avenue Conservation Area, outlined in red (Source: SIX Maps, accessed on 28 March 2017)

Hornsby Shire Council's Sands Directory and Rate Books provide information regarding the development of the Rosebank Avenue streetscape. Up until 1932, the majority of the lots within the streetscape remain in the ownership of real estate agents. The 1931 Sands Directory (Page 444) records only the road as existing. The 1932/33 Sands Directory lists only Lot 1 as being owned by a C F Abbott. The Rate Books provide additional information as follows:

- Rate Book dated 29 May, 1930 - indicates a total of six lots in private ownership (Lots 1, 7, 9, 12, 17 and 18). The occupations of these owners are described as being gentleman, clerk, joiner, builder, joiner and lawyer, respectively, representing a 'middle-class' community. The remainder of the street was in the ownership of "Thomas Dwyer Real Estate of 8A Castlereagh Street, Sydney". No infrastructure is recorded in this record.
- Rate Book dated 7 October, 1932 - indicates all lots in private ownership with the exception of Lots 4, 5 and 14 still being in the ownership of Thomas Dwyer Real Estate and Lot 10 being owned by Prudential Estates Ltd. Fences are recorded as having been constructed on Lots 8, 10 and 12. Dwellings are recorded as having been constructed on Lots 9 ("cottage") and 12 ("bungalow").
- Rate Book dated 12 May, 1938 provides the following details regarding construction:

Original Lot No.	Current Address	Recorded Construction
Lot 9	1 Rosebank Avenue	Cottage
Lot 18	2 Rosebank Avenue	Cottage and garage
Lot 8	3 Rosebank Avenue	Cottage and garage
Lot 17	4 Rosebank Avenue	Cottage
Lot 7	5 Rosebank Avenue	Cottage, garage and workshop

Lot16/15	6-8 Rosebank Avenue	Cottage
Lot 6	7 Rosebank Avenue	Fence (Notes that dwelling constructed 1938-39)
Lot B (5)	9 Rosebank Avenue	Cottage C/E
Lot 14	10 Rosebank Avenue	(Notes that dwelling constructed 14 May 1940)
Lot 13	12 Rosebank Avenue	Cottage
Lot 12	14 Rosebank Avenue	Cottage
Lot A (4)	15 Rosebank Avenue	Cottage
Lot 11	16 Rosebank Avenue	Bungalow ("Laverton")
Lot 3	17 Rosebank Avenue	Cottage
Lot 10	18 Rosebank Avenue	Cottage ("Orana") and garage
Lot 2	19 Rosebank Avenue	Cottage and garage
Lot 1	21 Rosebank Avenue	Fence (Notes that dwelling constructed 1942)

It is noted that the occupations of property owners also includes builder (Lot 1), school headmaster (Lot 2), teacher (Lot A), architect (Lot 6) and musician (Lot 10).

In summary, all dwellings in the street with the exception of three had been constructed by 1938. The remaining three dwellings had been constructed by 1942. Accordingly, the majority of dwellings in Rosebank Avenue were constructed during the Inter-war period.

6.4.3 Previous Assessment of Significance

The first assessment of significance for the Rosebank Avenue HCA was undertaken by CPC Consulting in 2003 in the *Rosebank Avenue Heritage Assessment*. The assessment and statement of significance from this first study is as follows:

Criterion (a)

Rosebank Avenue is a fine example (the best example in the Hornsby Shire) of an intact Inter-war housing development and streetscape which retains its historical original subdivision layout (with minor boundary adjustments), building stock and natural features

Criterion (b)

The development of Rosebank Avenue does not have any strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of Epping or the Hornsby Shire)

Criterion (c)

Rosebank Avenue retains and displays its original subdivision layout (with minor boundary adjustments), building stock and natural features. It retains its design integrity; has distinctive aesthetic attributes in its form, composition, style and character; is the only true intact and fine example of an Inter-war development/streetscape and as such, has landmark qualities;

Criterion (d)

The Rosebank Avenue streetscape does not have associations with any particular identifiable community or cultural group.

Criterion (e)

Rosebank Avenue and its features have little archaeological or research potential.

Criterion (f)

Rosebank Avenue is a rare example of an intact area of Inter-war housing development. However, as other intact examples of Inter-war housing developments exist in NSW and other parts of Australia, it is concluded that Rosebank Avenue's intact form is only rare at a local level.

Criterion (g)

Rosebank Avenue is a fine example of an Inter-war housing estate that survives in good condition and intact. It retains its historical subdivision pattern (with only minor boundary adjustments), its natural features (gardens and creekline) and its built fabric. It has representative significance through its physical form, building stock and history.

Statement of Significance

Rosebank Avenue is a fine representative example of the residential development of an Inter-war housing estate. It remains largely intact in terms of retaining its historical subdivision pattern, its natural features, its built fabric and landscaping. Collectively, the dwellings and their associated gardens contribute to a unique precinct that captures the historical development of housing constructed during this period within the Hornsby Shire and provides an historical setting for the individual heritage items that exist in the street.

The Rosebank Avenue streetscape remains a rare example (at local level) of an intact Inter-war streetscape within the Hornsby Shire (the only intact Interwar streetscape in the Shire). This conclusion is reached given that the entire street was developed as part of the one Estate and retains its built form and subdivision pattern (that includes the unusual configuration of allotments reflecting the location of a watercourse). Given its level of intactness and integrity, it is of high local heritage significance.

The above assessment of significance for the Rosebank Avenue HCA was again assessed as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. This study considered that the previous assessment of the Rosebank Avenue HCA still stood. An assessment of the areas significance was included in the study as follows:

Criterion (a) – An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the area)

The area is of local historic significance as a fine and highly intact example of an Inter-war period housing development and streetscape that retains its original subdivision pattern, building stock and natural features.

Criterion (c) - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the area)

The area is characterised by good and largely intact examples of the Inter-war period detached housing that retain their original form, character and details and a range of stylistic elements relating to that era. The buildings have common setbacks which contribute to the streetscape pattern and rhythm. The built context is also enhanced by the wide street proportions, street trees and creek line, garden settings and plantings which make a positive contribution to the area.

Criterion (f) - An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the area)

Rosebank Avenue has been identified as being a rear and best example of an intact Inter-war housing development in the Hornsby LGA. Other examples exist in other parts of NSW and Australia.

Criterion (g) - An item is important in demonstrating the principal characteristics of a class of NSW's (or area's)

- cultural or natural places; or
- cultural or natural environments (or a class of the local area's cultural or natural places; or
- cultural or natural environments)

The area is a good and highly intact representative example of Inter-war period suburban subdivision and development that retains its original subdivision pattern, housing stock and associated gardens and features and natural features.

Statement of Significance

Rosebank Avenue is of high local cultural significance as a fine representative example of an Inter-war period residential subdivision and development that remains largely intact and retains its historical subdivision pattern, built context and natural features. Collectively the group form a unique precinct in the Hornsby LGA. The houses each retain their overall scale, character and varying stylistic details associated with the period and are enhanced by the wide street proportion, street trees and garden settings and remaining natural features.

6.4.4 Revised Assessment and Statement of Significance

The previous assessments of the Rosebank Avenue HCA remain consistent with the existing condition of the area. The two previous assessments of significance, in terms the evaluation of aesthetic, historical and social values of the area is still considered valid and appropriate.

The previous Statements of Significance have been minorly updated in the below revised Statement of Significance, based upon the current condition and integrity of the area.

Rosebank Avenue HCA Statement of Significance

Rosebank Avenue HCA is a fine representative example of a residential development of an Inter War housing estate. It remains largely intact in terms of retaining its historical subdivision pattern, its natural features, its built fabric and landscaping. Collectively, the dwellings and their associated gardens contribute to a unique precinct that captures the historical development of housing constructed during this period within Epping and the wider developments of the time in the Field of Mars. Collectively the area presents a unique streetscape featuring varies styles of the period, including Bungalow, Spanish Mission and Tudor Revival. Each dwelling retains their overall scale, character and varying stylistic details associated within the Inter War period which are further enhanced by the street trees, garden settings and natural creek line, providing a historical setting for the individual heritage items and contributory dwellings.

The Rosebank Avenue streetscape remains a rare example, at local level, of an intact Inter War streetscape within Epping and the Parramatta area and is one of few intact Inter War housing estates remaining. Having been developed within a short course of time between the 1930s and 1940s as part of the one Estate, Rosebank Avenue retains its built form and subdivision pattern, including the unusual configuration of allotments reflecting the location of a watercourse. Given its level of intactness and integrity, it is of high local heritage significance.

7. Field Survey of Heritage Conservation Areas

7.1 General Discussion

Site surveys of each HCA were undertaken in March 2017, in which all buildings located within East Epping, Essex Street and Rosebank Avenue HCAs were surveyed from the public domain. The historical value and character of each of the HCAs, are defined by a total of thirty-five (35) heritage items.

As part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, the contribution ranking of each of the properties located within the East Epping and Essex Street HCAs were assessed. Whilst Rosebank Avenue HCA was also included within this study, the contribution ranking of each of the properties within the HCA were not assessed. As part of the current assessment of the relative contribution of each property toward their respective HCA, previous assessments of their contributions are taken into account within this section of the report.

7.2 Ranking and Assessment Criteria

Each property within each HCA has been assessed in accordance with its contributory values to the overall significance of the relevant HCA, as defined in the revised Statements of Significance in Section 6.0. Existing heritage items identified in the Holroyd LEP 2013 have been indicated, and the remaining properties have been ranked as contributory, neutral and non-contributory. The description of each category has been provided below:

Ranking	Definition
Heritage Item	A building that has been identified as an item of significance and has been listed on the Hornsby LEP 2013.
Contributory	A building that contributes to the character and significance of HCA for its historic or aesthetic values, or both. Building that have been adversely altered but still demonstrate historic and aesthetic values of significance to the area are also considered within this category. For example, a dwelling which may have had windows replaced but which otherwise retains its overall form and other detailing would be considered to be a contributory dwelling or dwelling with historic value. These items are of consistent period, scale, materials and form but are not individually significant enough to be included as a heritage item. They add to the cohesive and representative quality of the area.
Neutral	A building that does not contribute to the significance of the area but also does not detract from the area's overall character in terms of form, mass and small scale so that they fit without being disruptive. This may include early or new buildings. An example of a neutral building would be a modern single storey dwelling which respects the setbacks, forms and materials of the neighbouring dwellings. Retention of such neutral buildings may not be required provided that it is replaced with an appropriate infill building in a similar neutral nature.
Non-contributory	A building that detracts from the significance of the area and changes the character of the area. This may include early buildings with intrusive alterations and additions that erode their contribution to the significance of the area and which cannot easily be reversed. It also includes new buildings with detailing, scale and form that are not in line with the character of the area, for example large two storey buildings in unsympathetic 'Mediterranean' or other modern styles, such as light coloured rendered walls and black concrete roof tiles.

Careful consideration has been given to the threshold between buildings identified as contributory items and those identified as neutral or non-contributory. Some of the buildings, even though they may have been altered, are still recognisable as part of the Federation or Inter War periods as defined in the Statements of Significance have been ranked as contributory within a HCA. Alterations may include sympathetic additions and changes to the architectural elements such as painting the external walls, and replacing windows, fences or roofing material. It is considered that these alterations are reversible and in the long term the aesthetics and architectural values may be recoverable.

7.3 East Epping Heritage Conservation Area

The East Epping HCA consists of 253 properties and nine (9) streets and is located in the north-eastern portion of the Epping Town Centre Study Area. The nine streets include: Chester Street, Essex Street, Norfolk Road, Oxford Street, Pembroke Street, Somerset Street, Surrey Street, Sussex Street and York Street.

7.3.1 Previous Contributions Ranking

There are currently twenty nine (29) Heritage Items listed under part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the East Epping HCA (Figure 46). The majority of heritage items within the HCA are of local significance.



Figure 46: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting East Epping HCA (Source: Heritage Map 11, Hornsby LEP 2013)

In addition to the listed heritage items within the HCA, relative contribution ranking of each property within the East Epping HCA was also identified as part of the of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, as outlined previously. The contributions map prepared for this previous study is reproduced in Figure 47.



Figure 47: Mark up showing contributory items and recommended extension of East Epping HCA boundary (Source: Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 81)

7.3.2 Review of Contributions Ranking

Whilst Heritage Items and Contributory items of the East Epping HCA were identified within the *Epping Town Centre Heritage Review*, the relative ranking of the remaining properties was not addressed. In order to gain a greater understanding of all properties relative contribution to the significance of the East Epping HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The revised relative contribution of individual buildings towards the significance of the East Epping HCA is depicted in Figure 48 and further detailed in the table overleaf. The distribution of rankings and development periods are further summarised in Figures 49 to 53.



Figure 48: East Epping HCA Contribution Ranking



Figure 49: East Epping HCA Contribution Ranking with Development Period overlay.

Ranking of Properties in East Epping HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
6	Chester Street	Post War	Contributory	Neutral
8	Chester Street	Inter War	Contributory	Neutral
9	Chester Street	Federation	Heritage Item	Heritage Item
10	Chester Street	Inter War	Contributory	Contributory
11	Chester Street	21st Century	N/A	Non Contributory
12	Chester Street	Inter War	Contributory	Neutral
14	Chester Street	Post War	Contributory	Neutral
15	Chester Street	21st Century	N/A	Non Contributory
16	Chester Street	Inter War	Contributory	Contributory
17	Chester Street	Post War	Contributory	Neutral
18	Chester Street	Inter War	Contributory	Neutral
19	Chester Street	21st Century	N/A	Neutral
19A	Chester Street	21st Century	N/A	Neutral
19B	Chester Street	21st Century	N/A	Neutral
20	Chester Street	Inter War	Contributory	Neutral
21	Chester Street	Federation	Heritage Item	Heritage Item
21A	Chester Street	Unknown	N/A	Neutral
22	Chester Street	Inter War	Contributory	Contributory
23	Chester Street	Federation	Heritage Item	Heritage Item
23A	Chester Street	Unknown	N/A	Neutral
24	Chester Street	21st Century	N/A	Neutral
25	Chester Street	Federation	Contributory	Neutral
25A	Chester Street	Inter War	Contributory	Contributory
26	Chester Street	Inter War	Contributory	Neutral
27	Chester Street	Unknown	N/A	Neutral
27A	Chester Street	21st Century	Heritage Item	Heritage Item
27B	Chester Street	Late 20th Century	N/A	Non Contributory
28	Chester Street	Post War	N/A	Neutral
28B	Chester Street	21st Century	N/A	Non Contributory
29	Chester Street	Late 20th Century	N/A	Neutral
29A	Chester Street	Vacant	N/A	Neutral
30	Chester Street	Inter War	Contributory	Neutral
31	Chester Street	Late 20th Century	N/A	Neutral
32	Chester Street	Federation	Contributory	Neutral
33	Chester Street	Post War	Contributory	Neutral
34	Chester Street	21st Century	N/A	Non Contributory

No.	Address	Development Period	Previous Ranking	Revised Ranking
35	Chester Street	Inter War	Contributory	Neutral
36	Chester Street	Inter War	Contributory	Contributory
37	Chester Street	Inter War	Contributory	Neutral
38	Chester Street	Inter War	Contributory	Contributory
39	Chester Street	Post War	Contributory	Neutral
40	Chester Street	Inter War	Contributory	Neutral
41	Chester Street	Post War	Contributory	Neutral
42	Chester Street	Post War	N/A	Neutral
43	Chester Street	Post War	Contributory	Neutral
44	Chester Street	Late 20th Century	N/A	Neutral
45	Chester Street	Federation	Heritage Item	Heritage Item
45A	Chester Street	Unknown	N/A	Neutral
45B	Chester Street	Unknown	N/A	Neutral
46	Chester Street	Inter War	N/A	Neutral
46A	Chester Street	unknown	N/A	Neutral
47	Chester Street	Inter War	Contributory	Contributory
47A	Chester Street	Unknown	N/A	Neutral
48	Chester Street	Inter War	Contributory	Contributory
49	Chester Street	Federation	Contributory	Contributory
51	Chester Street	Inter War	Contributory	Contributory
52	Chester Street	Post War	Contributory	Neutral
53	Chester Street	Inter War	N/A	Contributory
54	Chester Street	Late 20th Century	N/A	Neutral
55	Chester Street	Inter War	Contributory	Neutral
56	Chester Street	Inter War	N/A	Neutral
57	Chester Street	Federation	Heritage Item	Heritage Item
58	Chester Street	Inter War	Contributory	Neutral
59	Chester Street	Federation	N/A	Contributory
60	Chester Street	Inter War	Contributory	Neutral
61	Chester Street	Federation	Contributory	Contributory
62	Chester Street	Post War	Contributory	Neutral
64-66	Chester Street	Late 20th Century	N/A	Neutral
65	Chester Street	Inter War	Contributory	Neutral
67	Chester Street	Inter War	Contributory	Contributory
68	Chester Street	Late 20th Century	N/A	Neutral
69	Chester Street	Post War	Contributory	Neutral
70	Chester Street	Victorian	Heritage Item	Heritage Item

No.	Address	Development Period	Previous Ranking	Revised Ranking
71	Chester Street	Inter War	Contributory	Neutral
73	Chester Street	21st Century	Contributory	Non Contributory
75	Chester Street	21st Century	N/A	Non Contributory
75A	Chester Street	21st Century	N/A	Non Contributory
77	Chester Street	Inter War	Contributory	Contributory
79	Chester Street	Inter War	Contributory	Contributory
81	Chester Street	Inter War	Contributory	Contributory
83	Chester Street	Late 20th Century	Contributory	Neutral
1	Essex Street	Inter War	N/A	Contributory
3	Essex Street	Inter War	Heritage Item	Heritage Item
1	Norfolk Road	Late 20th Century	N/A	Non Contributory
3	Norfolk Road	21st Century	N/A	Non Contributory
3A	Norfolk Road	21st Century	N/A	Neutral
9	Norfolk Road	Federation	Heritage Item	Heritage Item
9A	Norfolk Road	Late 20th Century	N/A	Neutral
11	Norfolk Road	Inter War	Contributory	Contributory
15	Norfolk Road	Inter War	Contributory	Contributory
17	Norfolk Road	Inter War	N/A	Contributory
18	Norfolk Road	Unknown	N/A	Neutral
19	Norfolk Road	Inter War	Contributory	Neutral
20	Norfolk Road	Post War	N/A	Neutral
21	Norfolk Road	Inter War	Contributory	Contributory
22	Norfolk Road	Late 20th Century	N/A	Neutral
23	Norfolk Road	Post War	N/A	Neutral
24	Norfolk Road	Inter War	Contributory	Neutral
25	Norfolk Road	Unknown	N/A	Neutral
25A	Norfolk Road	Post War	N/A	Neutral
25B	Norfolk Road	21st Century	N/A	Non Contributory
26	Norfolk Road	Late 20th Century	N/A	Neutral
27	Norfolk Road	21st Century	N/A	Non Contributory
28	Norfolk Road	Late 20th Century	N/A	Neutral
29	Norfolk Road	21st Century	N/A	Non Contributory
30	Norfolk Road	Late 20th Century	N/A	Neutral
31	Norfolk Road	Post War	N/A	Neutral
32	Norfolk Road	Unknown	N/A	Neutral
33	Norfolk Road	Federation	Heritage Item	Heritage Item
34	Norfolk Road	Late 20th Century	N/A	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
35	Norfolk Road	Inter War	Contributory	Contributory
36	Norfolk Road	Federation	Contributory	Contributory
37	Norfolk Road	Inter War	N/A	Neutral
38	Norfolk Road	Federation	Contributory	Neutral
39	Norfolk Road	Inter War	Heritage Item	Heritage Item
40	Norfolk Road	Federation	Heritage Item	Heritage Item
41	Norfolk Road	Inter War	Heritage Item	Heritage Item
42	Norfolk Road	Federation	Contributory	Contributory
42A	Norfolk Road	Unknown	N/A	Neutral
43	Norfolk Road	Federation	Heritage Item	Heritage Item
44	Norfolk Road	Federation	Heritage Item	Heritage Item
45	Norfolk Road	Inter War	Contributory	Neutral
46	Norfolk Road	Federation	Contributory	Contributory
46A	Norfolk Road	Unknown	N/A	Neutral
47	Norfolk Road	Federation	N/A	Neutral
47A	Norfolk Road	Unknown	N/A	Neutral
48	Norfolk Road	Federation	Contributory	Contributory
49	Norfolk Road	Federation	N/A	Contributory
49A	Norfolk Road	Unknown	N/A	Neutral
51	Norfolk Road	Inter War	N/A	Contributory
53	Norfolk Road	Inter War	N/A	Neutral
55	Norfolk Road	21st Century	N/A	Neutral
56A	Oxford Street	Post War	Heritage Item	Heritage Item
72	Oxford Street	Post War	Contributory	Neutral
73A	Oxford Street	Federation	Heritage Item	Heritage Item
74	Oxford Street	Inter War	Contributory	Neutral
74A	Oxford Street	Post War	Contributory	Neutral
75	Oxford Street	Federation	N/A	Contributory
76	Oxford Street	Inter War	Contributory	Contributory
77	Oxford Street	Federation	N/A	Neutral
78	Oxford Street	Inter War	Contributory	Contributory
79	Oxford Street	Federation	N/A	Contributory
80	Oxford Street	21st Century	N/A	Non Contributory
80A	Oxford Street	21st Century	N/A	Non Contributory
81	Oxford Street	Inter War	N/A	Contributory
82	Oxford Street	Inter War	Contributory	Contributory
84	Oxford Street	Federation	N/A	Contributory

No.	Address	Development Period	Previous Ranking	Revised Ranking
85	Oxford Street	Federation	Heritage Item	Heritage Item
86	Oxford Street	Inter War	N/A	Neutral
87	Oxford Street	Federation	Heritage Item	Heritage Item
88	Oxford Street	Late 20th Century	N/A	Neutral
89	Oxford Street	Unknown	N/A	Neutral
90	Oxford Street	Late 20th Century	N/A	Neutral
91	Oxford Street	Federation	Heritage Item	Heritage Item
93	Oxford Street	Federation	Heritage Item	Heritage Item
25	Pembroke Street	Federation	Contributory	Contributory
27-33	Pembroke Street	Inter War	Heritage Item	Heritage Item
4	Somerset Street	Late 20th Century	N/A	Neutral
6	Somerset Street	Post War	N/A	Neutral
8	Somerset Street	Late 20th Century	N/A	Neutral
10	Somerset Street	Post War	N/A	Neutral
12	Somerset Street	Post War	N/A	Neutral
14	Somerset Street	Inter War	Contributory	Contributory
6	Surrey Street	Inter War	Contributory	Contributory
6A	Surrey Street	Unknown	N/A	Neutral
8	Surrey Street	Inter War	Heritage Item	Heritage Item
10	Surrey Street	Inter War	N/A	Contributory
12	Surrey Street	Inter War	Contributory	Neutral
12A	Surrey Street	Inter War	N/A	Neutral
12B	Surrey Street	Unknown	N/A	Neutral
14	Surrey Street	21st Century	N/A	Neutral
14A	Surrey Street	Unknown	N/A	Neutral
15	Surrey Street	Inter War	Contributory	Contributory
16	Surrey Street	Post War	N/A	Neutral
16A	Surrey Street	Unknown	N/A	Neutral
17	Surrey Street	Inter War	Contributory	Contributory
18	Surrey Street	Federation	Heritage Item	Heritage Item
18A	Surrey Street	Late 20th Century	N/A	Non Contributory
19	Surrey Street	Inter War	N/A	Contributory
20	Surrey Street	Late 20th Century	N/A	Non Contributory
20A	Surrey Street	Late 20th Century	N/A	Non Contributory
21	Surrey Street	Inter War	Contributory	Contributory
21A	Surrey Street	Post War	N/A	Neutral
22	Surrey Street	21st Century	N/A	Non Contributory

No.	Address	Development Period	Previous Ranking	Revised Ranking
23	Surrey Street	Federation	Contributory	Contributory
24	Surrey Street	21st Century	N/A	Non Contributory
25	Surrey Street	21st Century	N/A	Non Contributory
26	Surrey Street	21st Century	N/A	Neutral
27	Surrey Street	21st Century	N/A	Non Contributory
28	Surrey Street	Inter War	N/A	Neutral
29	Surrey Street	Federation	Contributory	Contributory
29A	Surrey Street	Unknown	N/A	Neutral
29B	Surrey Street	Unknown	N/A	Neutral
30	Surrey Street	Federation	Contributory	Neutral
30A	Surrey Street	Unknown	N/A	Neutral
30B	Surrey Street	Unknown	N/A	Neutral
30C	Surrey Street	Unknown	N/A	Neutral
31	Surrey Street	Federation	Contributory	Contributory
31A	Surrey Street	Unknown	N/A	Neutral
32	Surrey Street	Federation	Contributory	Contributory
32A	Surrey Street	Unknown	N/A	Neutral
33	Surrey Street	Federation	Heritage Item	Heritage Item
34	Surrey Street	Federation	Contributory	Neutral
34A	Surrey Street	Unknown	N/A	Neutral
35	Surrey Street	Inter War	Contributory	Contributory
36	Surrey Street	Post War	Contributory	Neutral
36A	Surrey Street	Unknown	N/A	Neutral
37	Surrey Street	Federation	Contributory	Neutral
38	Surrey Street	Inter War	Contributory	Neutral
39	Surrey Street	Inter War	Contributory	Contributory
40	Surrey Street	Federation	Heritage Item	Heritage Item
41	Surrey Street	21st Century	N/A	Non Contributory
42	Surrey Street	Late 20th Century	N/A	Neutral
43	Surrey Street	Unknown	N/A	Neutral
43A	Surrey Street	21st Century	N/A	Non Contributory
44	Surrey Street	Post War	Contributory	Neutral
45	Surrey Street	21st Century	Contributory	Non Contributory
45A	Surrey Street	Unknown	N/A	Neutral
45B	Surrey Street	Unknown	N/A	Neutral
46	Surrey Street	Post War	Contributory	Neutral
47	Surrey Street	Post War	N/A	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
48	Surrey Street	Post War	Contributory	Neutral
49	Surrey Street	Inter War	Contributory	Contributory
49A	Surrey Street	Unknown	N/A	Neutral
51	Surrey Street	Post War	N/A	Neutral
1	Sussex Street	Federation	Contributory	Contributory
2	Sussex Street	Inter War	Contributory	Neutral
2A	Sussex Street	Post War	N/A	Neutral
3	Sussex Street	Inter War	Contributory	Contributory
4	Sussex Street	Inter War	Contributory	Contributory
5	Sussex Street	21st Century	N/A	Neutral
6	Sussex Street	21st Century	Contributory	Non Contributory
6A	Sussex Street	Unknown	N/A	Neutral
8	Sussex Street	Inter War	Contributory	Contributory
7	Sussex Street	21st Century	Contributory	Non Contributory
9	Sussex Street	Federation	Heritage Item	Heritage Item
9A	Sussex Street	Unknown	N/A	Neutral
10	Sussex Street	Inter War	Contributory	Contributory
11	Sussex Street	Federation	Heritage Item	Heritage Item
12	Sussex Street	21st Century	N/A	Non Contributory
13	Sussex Street	Unknown	N/A	Neutral
14	Sussex Street	Post War	N/A	Neutral
15	Sussex Street	Federation	Heritage Item	Heritage Item
15A	Sussex Street	Unknown	N/A	Neutral
16	Sussex Street	Late 20th Century	N/A	Neutral
17	Sussex Street	21st Century	N/A	Neutral
17A	Sussex Street	Unknown	N/A	Neutral
19	Sussex Street	Inter War	N/A	Neutral
21	Sussex Street	Post War	N/A	Neutral
5	York Street	Inter War	N/A	Contributory
7	York Street	Post War	N/A	Neutral
9	York Street	Post War	N/A	Neutral
9A	York Street	21st Century	N/A	Non Contributory

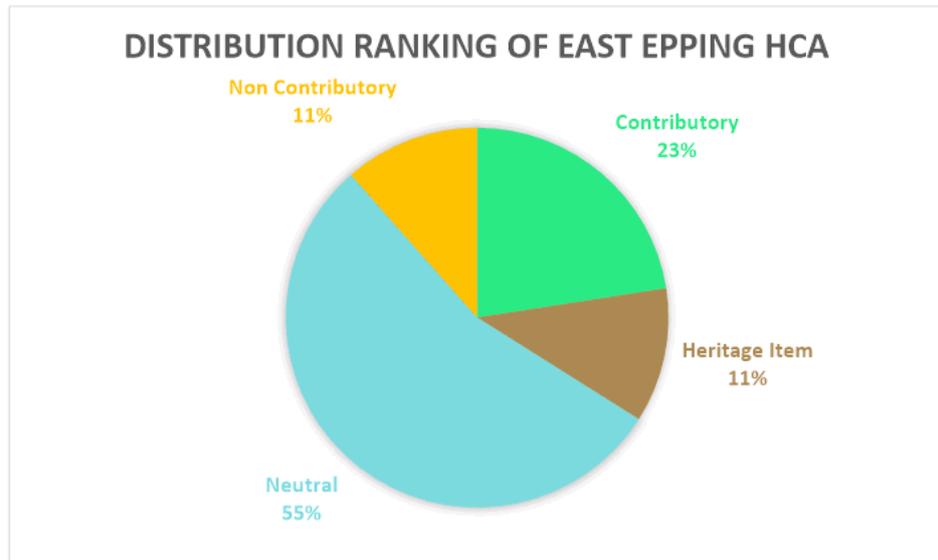


Figure 50: Distribution of Rankings of East Epping HCA.

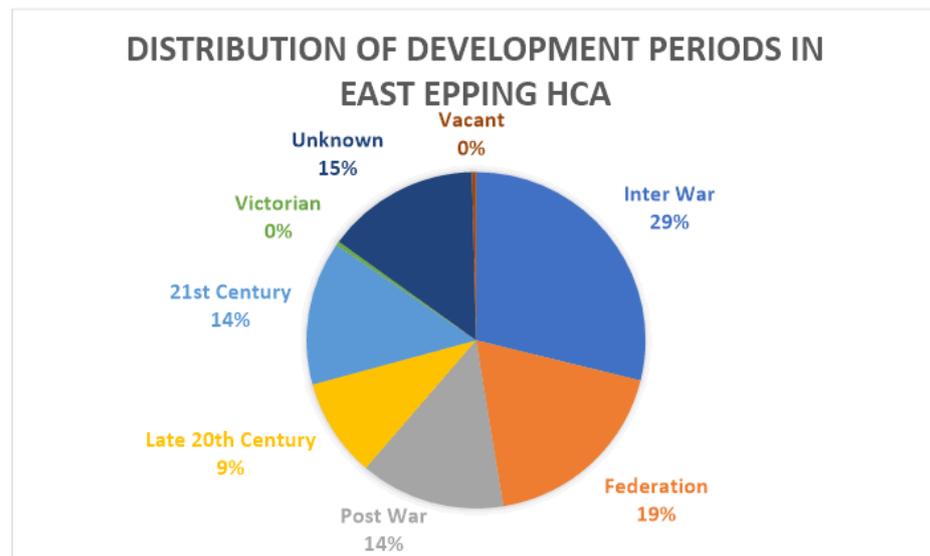


Figure 51: Distribution of Development Periods of East Epping HCA. The unknown development periods relate to properties which are located at the rear of another site and are not visible from the street fronts. Many properties within the East Epping HCA have been subdivided for dwellings to be constructed at the rear. These dwellings are not visible from the streetscape and have been ranked as being Neutral due to their presence neither enhancing or detracting from the area.

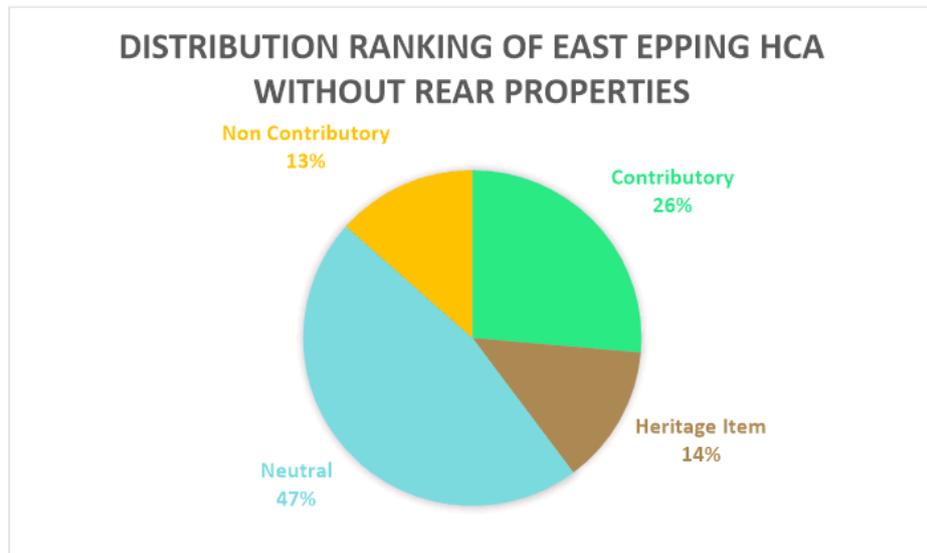


Figure 52: Distribution of ranking of East Epping HCA without rear property contribution. Due to a large number of properties within the East Epping HCA being subdivided, the properties which are not visible from the streetscape, do not contribute toward the character of the area and thus skew the distribution of rankings.

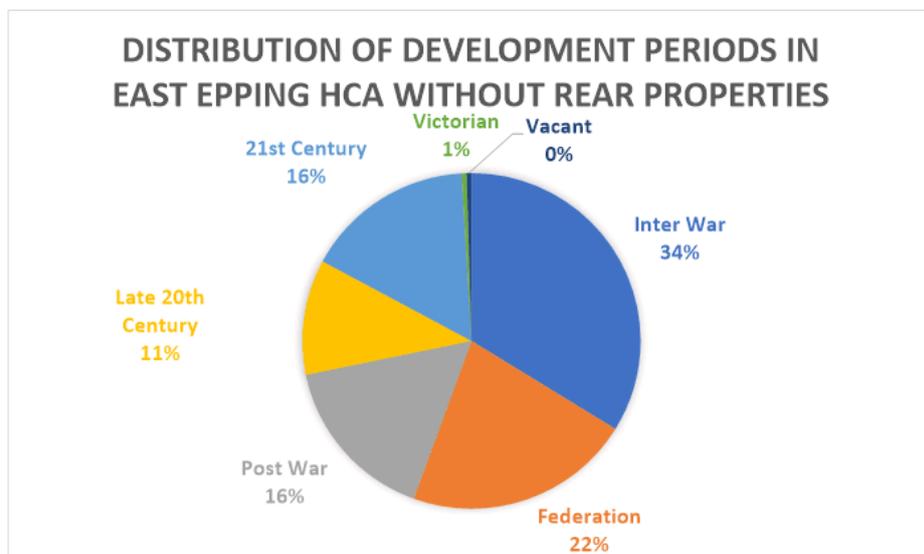


Figure 53: Distribution of developments periods of East Epping HCA without rear properties. Due to the large number of properties within the East Epping HCA being subdivided, the properties which are not visible from the streetscape do not contribute toward the character of the area. As such, their development period is unknown as depicted and have been removed from the above pie chart.

7.4 Essex Street Heritage Conservation Area

The Essex Street HCA consists of sixty (60) properties and two (2) streets and is located in the south-eastern portion of the Epping Town Centre Study Area. The two streets include Essex Street and Maida Road.

7.4.1 Previous Contributions Ranking

There are currently four (4) Heritage Items listed under Part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the Essex Street HCA (Figure 54). The majority of heritage items within the HCA are of local significance.

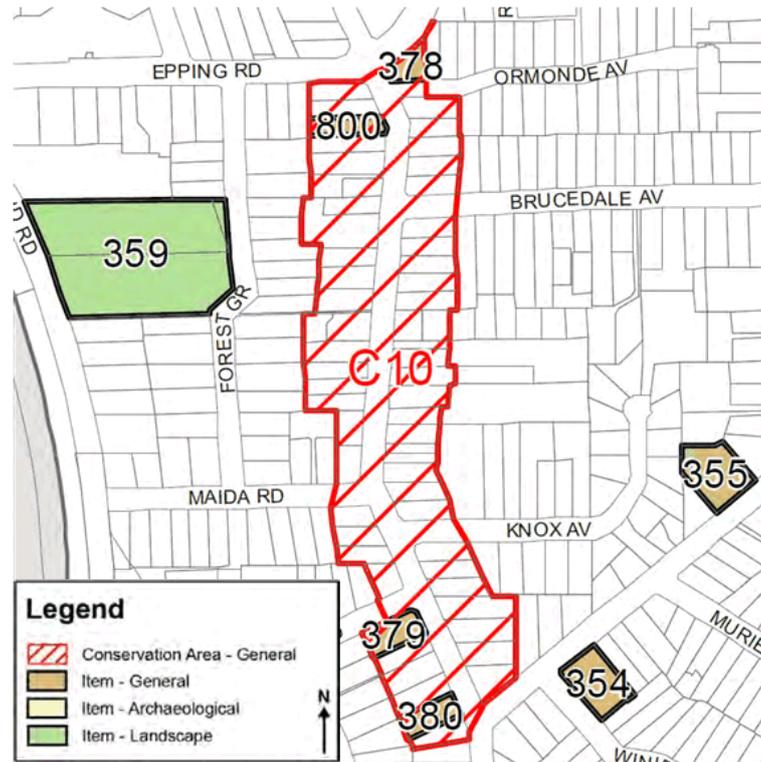


Figure 54: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Essex Street HCA (Source: Heritage Map 11, Hornsby LEP 2013)

In addition to the listed heritage items within the HCA, relative contribution ranking of each property within the East Epping HCA Area was also identified as part of the of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013, as outlined previously. The contributions map prepared for this previous study is reproduced in Figure 52.

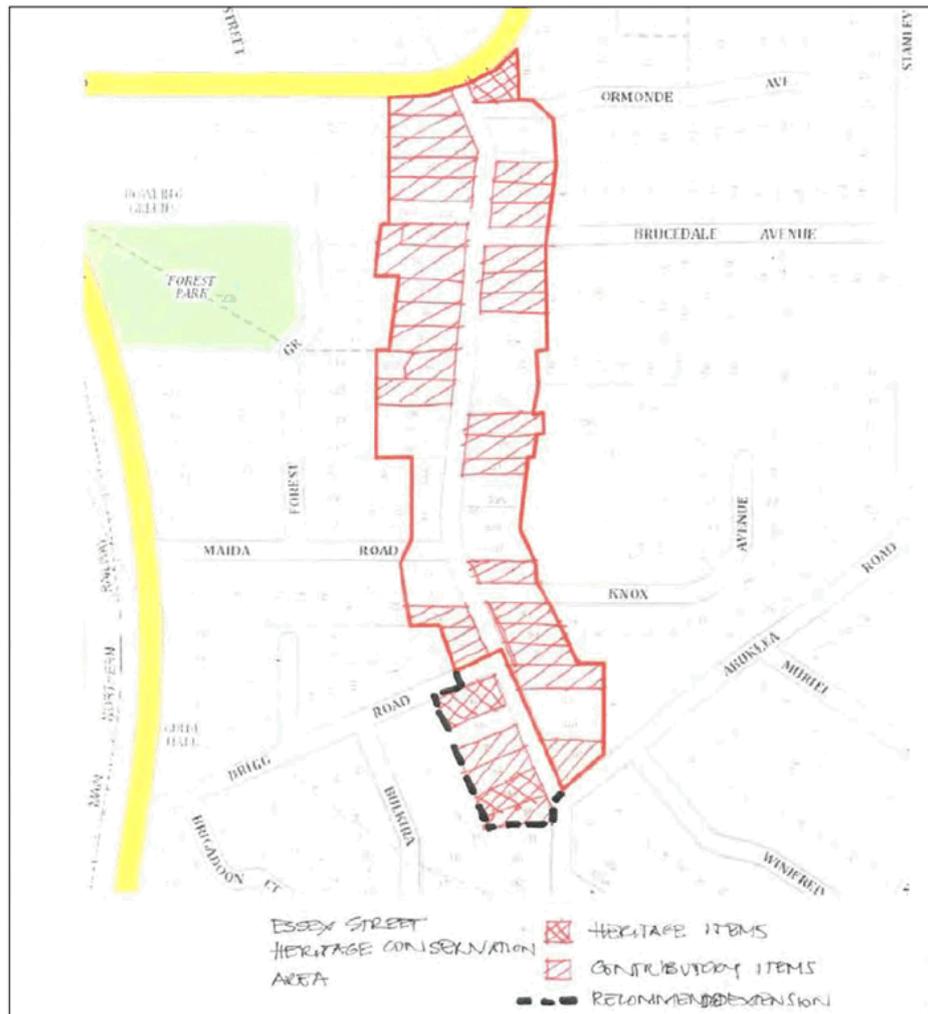


Figure 55: Mark up showing contributory items and recommended extension of Essex Street HCA (Source: Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 82)

7.4.2 Review of Contributions Ranking

Whilst Heritage Items and Contributory items of the Essex Street HCA were identified within the *Epping Town Centre Heritage Review*, the relative ranking of the remaining properties was not addressed. In order to gain a greater understanding of all properties' relative contribution to the significance of the Essex Street HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The revised relative contribution of individual buildings towards the significance of the Essex Street HCA is depicted in Figure 56 and further detailed in the table overleaf. The distribution of rankings and development periods are further summarised in Figures 57 to 59.



Figure 56: Essex Street HCA Contribution Ranking.



Figure 57: Essex Street HCA Ranking with development period overlay.

Ranking of Properties in Essex Street HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
38	Essex Street	Inter War	Contributory	Neutral
40	Essex Street	Inter War	Contributory	Contributory
42	Essex Street	Federation	Heritage Item	Heritage Item
44	Essex Street	Inter War	Contributory	Neutral
46	Essex Street	Federation	Contributory	Contributory
48A	Essex Street	Late 20th Century	N/A	Non Contributory
47	Essex Street	Federation	Heritage Item	Heritage Item
48	Essex Street	Late 20th Century	N/A	Non Contributory
50	Essex Street	Inter War	Contributory	Contributory
51	Essex Street	Late 20th Century	N/A	Neutral
52	Essex Street	Inter War	Contributory	Contributory
53	Essex Street	21st Century	N/A	Non Contributory
54	Essex Street	Inter War	Contributory	Contributory
55	Essex Street	Inter War	Contributory	Contributory
56	Essex Street	Inter War	Contributory	Contributory
57	Essex Street	Inter War	Contributory	Neutral
58	Essex Street	Inter War	Contributory	Contributory
59	Essex Street	Inter War	Contributory	Contributory
60	Essex Street	Federation	Contributory	Contributory
60A	Essex Street	Late 20th Century	N/A	Neutral
61	Essex Street	Inter War	Contributory	Contributory
62	Essex Street	Inter War	Contributory	Contributory
63	Essex Street	Inter War	Contributory	Contributory
64	Essex Street	Post War	N/A	Neutral
65	Essex Street	Inter War	Contributory	Contributory
66	Essex Street	Post war	N/A	Non Contributory
67	Essex Street	Late 20th Century	N/A	Non Contributory
68	Essex Street	Post War	N/A	Non Contributory
68A	Essex Street	Post War	N/A	Neutral
69	Essex Street	21st Century	N/A	Non Contributory
70	Essex Street	Post War	N/A	Neutral
71	Essex Street	21st Century	N/A	Non Contributory
71A	Essex Street	21st Century	N/A	Non Contributory
72	Essex Street	Inter War	Contributory	Contributory
73A	Essex Street	Late 20th Century	N/A	Neutral
74	Essex Street	Inter War	Contributory	Neutral

No.	Address	Development Period	Previous Ranking	Revised Ranking
75	Essex Street	Post War	N/A	Non Contributory
76	Essex Street	Federation	Heritage Item	Heritage Item
77	Essex Street	Post War	Contributory	Neutral
78	Essex Street	Post War	N/A	Neutral
79	Essex Street	Inter War	Contributory	Contributory
80	Essex Street	Inter War	Contributory	Neutral
81	Essex Street	Inter War	Contributory	Contributory
82	Essex Street	Inter War	Contributory	Contributory
83	Essex Street	Inter War	N/A	Neutral
83A	Essex Street	Late 20th Century	N/A	Non Contributory
84	Essex Street	Federation	Heritage Item	Heritage Item
85	Essex Street	Late 20th Century	N/A	Non Contributory
85A	Essex Street	Late 20th Century	N/A	Non Contributory
86	Essex Street	Federation	Contributory	Contributory
87	Essex Street	Post War	N/A	Neutral
89	Essex Street	Post War	Contributory	Neutral
91	Essex Street	Inter War	Contributory	Neutral
93	Essex Street	Inter War	Contributory	Contributory
95	Essex Street	Inter War	Contributory	Contributory
97	Essex Street	Inter War	Contributory	Contributory
99	Essex Street	Late 20th Century	N/A	Non Contributory
101	Essex Street	Inter War	N/A	Neutral
103	Essex Street	Inter War	Contributory	Contributory
15	Maida Road	Late 20th Century	N/A	Non Contributory
38	Essex Street	Inter War	Contributory	Neutral

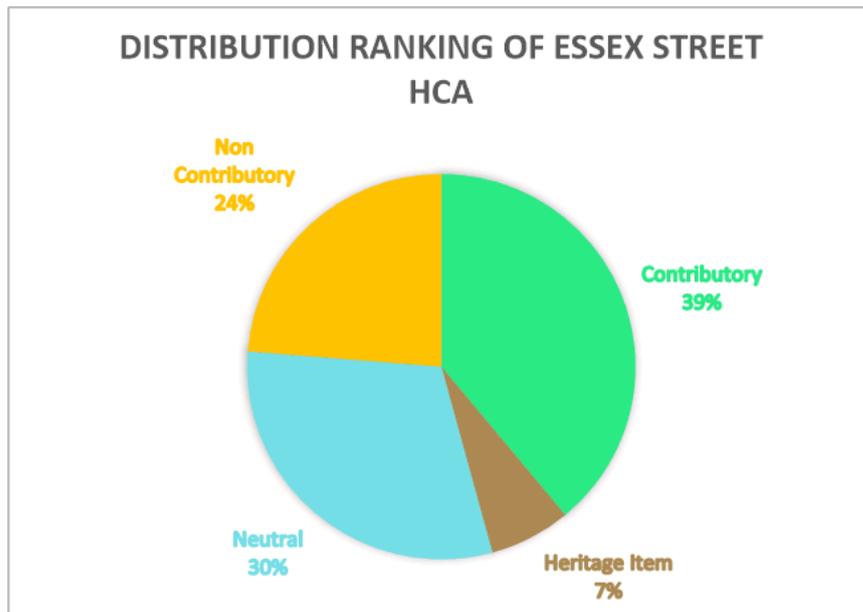


Figure 58: Distribution of Ranking of Essex Street HCA.

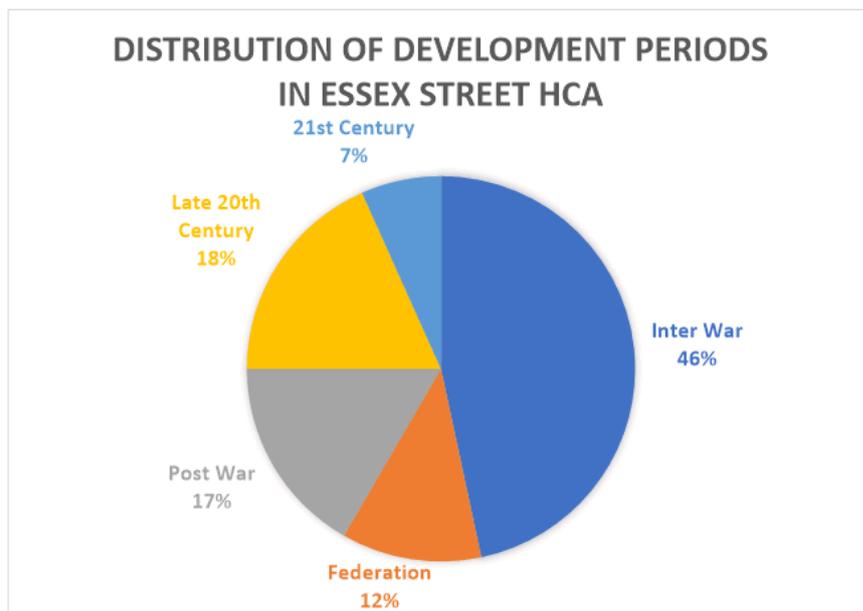


Figure 59: Distribution of Development Periods of Essex Street HCA.

7.5 Rosebank Avenue Heritage Conservation Area

The Rosebank Avenue HCA consists of approximately eighteen (18) properties and one (1) street and is located in the north-western portion of the Epping Town Centre Study Area. All properties within the HCA address Rosebank Avenue.

7.5.1 Previous Contributions Ranking

There are currently two (2) Heritage Items listed under Part 1 of Schedule 5 of the Hornsby LEP 2013 which are located within the Rosebank Avenue HCA (Figure 60). These two heritage items within the HCA are of local significance.

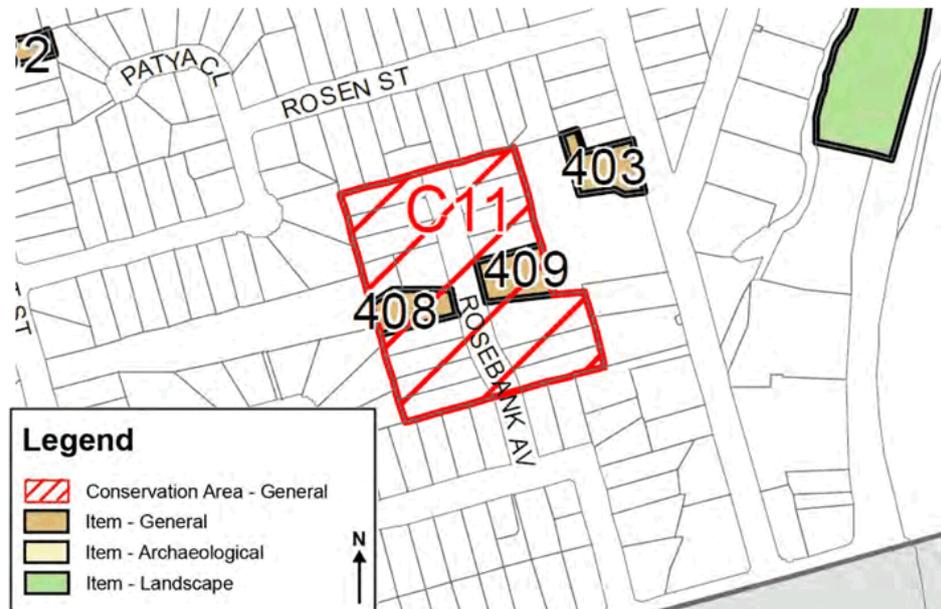


Figure 60: Extract of Heritage Map 11 from Hornsby LEP 2013, depicting Rosebank Avenue HCA (Source: Heritage Map 11, Hornsby LEP 2013)

Unlike the East Epping and Essex Street HCAs, an assessment of each property's contribution to the area was not conducted as part of the *Epping Town Centre Heritage Review* prepared by Perumal Murphy Alessi in 2013. Despite no contribution ranking being previously established for the Rosebank Avenue HCA, all except four dwellings within the area were constructed in 1938. The remaining three dwellings were constructed by 1942 and one in c.2007, which formed part of a subdivision of 15 Rosebank Avenue. As outlined in the Statement of Significance for the area in Section 6.4.4, the Rosebank Avenue HCA is a rare, fine and largely intact representative example of a residential development of an Inter War housing estate for the Hornsby Shire area. Due to the significance and intactness of the area, it can be stated that the relative contribution of each property within the Rosebank HCA is high, as determined through previous heritage assessments of the area.

7.5.2 Review of Contributions Ranking

Whilst Heritage Items within the Rosebank Avenue HCA were identified within the *Epping Town Centre Heritage Review*, the relative contribution of the properties was not addressed. In order to gain a greater understanding of all properties' relative contribution to the established significance of the Rosebank Avenue HCA, an assessment of each property's contribution has been conducted on foot as part of this study.

The relative contribution of individual building towards the significance of the Rosebank Avenue HCA is depicted in Figure 61 and further detailed in the following table. The distribution of rankings and development periods are further summarised in Figures 62 to 64.



Figure 61: Rosebank Avenue HCA Contribution Map.



Figure 62: Rosebank Avenue HCA Contribution map with distribution of periods overlay

Ranking of Properties in Rosebank Avenue HCA

No.	Address	Development Period	Previous Ranking	Revised Ranking
1	Rosebank Avenue	Inter War	Not assessed	Contributory
2	Rosebank Avenue	Inter War	Not assessed	Contributory
3	Rosebank Avenue	Inter War	Not assessed	Contributory
4	Rosebank Avenue	Inter War	Not assessed	Contributory
5	Rosebank Avenue	Inter War	Not assessed	Neutral
6-8	Rosebank Avenue	Inter War	Not assessed	Contributory
7	Rosebank Avenue	Inter War	Not assessed	Contributory
9	Rosebank Avenue	Inter War	Heritage Item	Heritage Item
10	Rosebank Avenue	Inter War	Heritage Item	Heritage Item
12	Rosebank Avenue	Inter War	Not assessed	Contributory
13	Rosebank Avenue	21st Century	Not assessed	Neutral
14	Rosebank Avenue	Inter War	Not assessed	Contributory
15	Rosebank Avenue	Inter War	Not assessed	Contributory
16	Rosebank Avenue	Inter War	Not assessed	Contributory
17	Rosebank Avenue	Inter War	Not assessed	Contributory
18	Rosebank Avenue	Inter War	Not assessed	Contributory
19	Rosebank Avenue	Inter War	Not assessed	Contributory
21	Rosebank Avenue	Inter War	Not assessed	Neutral

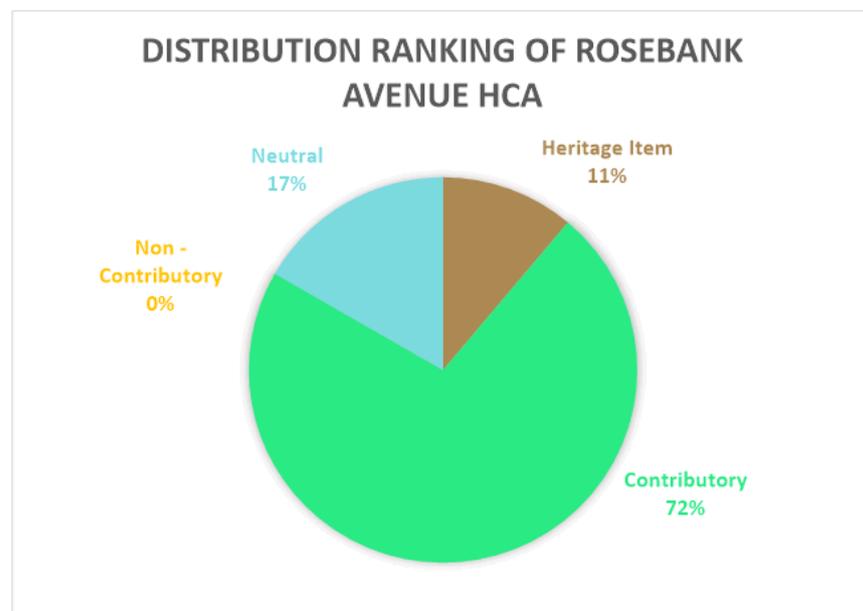


Figure 63: Distribution of Ranking of Rosebank Avenue HCA.

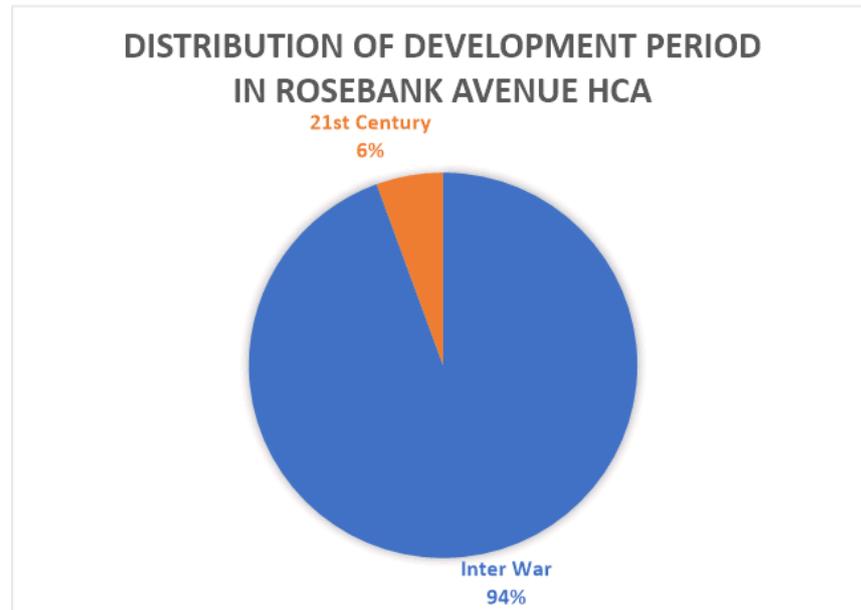


Figure 64: Distribution of Development Periods of Rosebank Avenue HCA.

7.6 Summary of Findings

7.6.1 East Epping Heritage Conservation Area

As established in Section 7.6.1, the East Epping HCA, retains its heritage significance as determined through previous studies of the area. Despite the previous contributory ranking of the East Epping HCA ranking more properties as being Contributory, the Neutral ranking awarded to the majority of properties within the HCA was primarily due to unsympathetic additions and alterations made to Federation and Inter War properties which rendered some of these properties a Neutral ranking rather than a Contributory ranking. Detailing of properties which are of the characteristics of the Federation and Inter War period could be altered to reflect the key characteristics of their respective development periods, restoring them to a ranking of Contributory. For example, this could include reinstating balconies which have been closed in, removal of unsympathetic carports, restoration of period detailing, such as exterior timber work, removal of uncharacteristic details and replacement with characteristic details.

Of the 253 properties located within the area, a total of 44% of the area is comprised of heritage items and contributory buildings and including all neutral buildings makes up a total of 89% of properties within the area. The area was confirmed to have a predominantly Federation and Inter War period character, with a total of 29% Inter War and 19% Federation properties, reflecting the early periods of development of the area following the subdivision of the Field of Mars. Post War, Late 20th Century and 21st Century properties total 37% all together; however, are scattered throughout the Inter War and Federation period properties of the area. Only one property was dated from the Victorian period at 70 Chester Street and another property was vacant, at 29A Chester Street. The vacant property previously had an Inter War Bungalow constructed on the site, and it appears that this building was demolished sometime after the 2013 study.

The high percentage of Neutral ranked properties was further due to a number of properties being subdivided, where it is typically seen in the area for an original Inter War or Federation period home to be sited at the front of the site, and newer dwelling being erected at the rear of the property, which would have served as the back yard of the original property. Due to

these rear properties not being visible from the streetscape, all of these properties have been ranked as Neutral, as they neither enhance nor detract from the overall characteristic detail of the HCA.

Whilst the area has retained its established heritage significance, the East Epping HCA requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. This is of particular concern along the south-western edge of the area, where properties located along Essex Street, Norfolk Road and the very western properties of Chester Street. Recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which are also addressed in Section 8.0.

7.6.2 Essex Street Heritage Conservation Area

As established in Section 7.6.2, the Essex Street HCA, retains its heritage significance as determined through previous studies of the area. The ranking of properties as contributory has remained relatively the same as the previous rankings in 2013, with eight (8) properties being ranked as Neutral rather than Contributory, primarily due to unsympathetic alterations and additions to Inter War period dwellings, which has reduced the integrity of the buildings. One Inter War period weatherboard building, at 38 Essex Street, has sustained significant fire damage during 2016, with none of the original roof remaining. Despite being burnt out, the external façade remains, although damaged, and was awarded a Neutral ranking.

Of the sixty (60) properties located within the area, a total of 45% are comprised of heritage items and contributory buildings, and including all neutral buildings include a total of 75% of properties within the area. The area was confirmed to have predominantly Inter War period character, with a total of 46% of properties dating the period, reflecting the subdivisions of the farmlets located along the southern end of Essex Street from the 1920s. Federation period properties also still remain in the area, totalling 14%. These properties are scattered along the street, reflecting the earlier larger subdivision pattern of this area of the Epping Town Centre. The remaining properties, totalling 42% are composed of Post War, Late 20th Century and 21st Century properties. These later period properties are primarily located toward the centre of the Essex Street HCA.

Whilst the area has overall retained its integrity and character, the Essex Street HCA requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. Particular areas of concern are the interface areas between the Essex Street properties located on the western side of the street, between Epping Road and Maida Road, where multiple high density residential developments are currently underway or have recently been approved. The recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which is also addressed in Section 8.0.

7.6.3 Rosebank Avenue Heritage Conservation Area

As established in Section 9.3, the Rosebank Avenue HCA, retains its heritage significance as determined through previous studies of the area. All properties within the area, except for 13 Rosebank Avenue, date to the original development of the Avenue as part of the Rosegrove Estate. All properties maintain their original Inter War period character; however, some modifications to two properties within the area, 5 and 21 Rosebank Avenue, have resulted in some period detailing being removed or modified, rendering in these properties being awarded a Neutral ranking. Despite this Neutral ranking, these two properties continue to contribute toward the character of the Rosebank Avenue HCA and could be returned to a Contributory ranking with reinstatement of period detailing and removal of unsympathetic modifications.

Of the 18 properties located within the area, a total of 88% of the area is comprised of heritage items and contributory buildings, and with inclusion of all neutral buildings make up a total of 100% of properties within the area. Only one property in the area dates from the 21st century, being 13 Rosebank Avenue, which lies directly behind 15 Rosebank Avenue. The new property is not visible from the street and is single storey, resulting in no impact to the significant streetscape qualities of the area.

Although the Rosebank Avenue HCA retains its integrity and established heritage significance, the area requires adequate conservation guidelines and planning controls both within the area and in particular with interface areas of medium and high density development, which have the potential to further impact upon the visual setting and character of the area. Areas of particular concern are properties within the Rosebank Avenue HCA which share a property boundary with high density residential developments on Cliff Road and Hazlewood Place. Recommendations on amendments to the current planning provisions for the area and interface areas are made in Section 11.2, which also take into account consultation with the residents and community members, which is also addressed in Section 8.0.

8. Community Consultation

8.1 Previous Community Issues and Concerns

Further to the re-assessment of the significance and integrity of the East Epping, Essex Street and Rosebank Avenue HCAs, this study sought feedback from the local community, property owners and heritage groups, on the issues which have arisen following the listing of each of the three HCAs after the 2013 study, and the current development of medium and high density residential development which are impacting upon the properties within HCAs that have the interface zone with these developments.

Prior to the beginning of this study, many community members and property owners of each of the three HCAs had made contact with Hornsby Council and the City of Parramatta Council to express their various concerns on the impact of heritage listing of HCAs, individual properties and the impact of medium and high density residential development. City of Parramatta Council provided letters from property owners and community groups over various concerns relating to heritage matters within the three HCAs. Of the material provided to City Plan Heritage, the following letters were included and are summarised as follows:

Letter Addresser	Issues and Concerns Raised
Property Owner of 42 Essex Street	Owner of 42 Essex Street request for property to be removed as a heritage item and be removed from Schedule 5 of the LEP (17 January 2016)
Epping Civic Trust	Epping Civic Trust supports the listing of the Essex Street Conservation Area, and supports the maintenance of the HCA's boundaries and the updating of the Section 9.4 of the DCP to include additional transitional measures to assist in mitigation impact from high density development (19 January 2015)
Damien Tudehope MP (Member for Epping)	Damien Tudehope MP (Member for Epping) requested for an immediate review as to the appropriateness of the continuation of the heritage conservation area in Essex Street and for Council to develop a new LEP that would act as a master plan for the redevelopment of the Essex Street precinct (provided the HCA is removed) (15 June 2015);
Property Owner of 1 Essex Street	Property owners of 1 Essex Street objection to listing of 1 and 3 Essex Street within the East Epping Heritage Conservation Area, and removal of 3 Essex Street as a heritage item. Further request for both properties to be rezoned as high density residential and equivalent building heights (18 September 2015);
Essex Street HCA Residents	Petition letter from residents of Essex Street HCA, requesting for a review of the Essex Street HCA, due to the burden the 'imposed' HCA zoning has on the properties within the zone. 38 residents of Essex Street signed the petition (16 December 2014)

The overwhelming number of the letters received from community members opposed the listing of the Essex Street and East Epping HCAs, in addition to the individual listing of 3 Essex Street and 42 Essex Street. The only letter not objecting to the removal of any HCA was from the Epping Civic Trust, who support the listing of the Essex Street HCA and encourage further planning controls to be included in the Hornsby DCP 2013.

8.2 Site Visit Consultation

In order to assess the current impact of high and medium density residential development at interface areas within the East Epping, Essex Street and Rosebank Avenue HCAs site visits with specific property owners were organised over two days, 21 and 22 March 2017. The

purpose of the site visits was two-fold, the first, to assess the impact of the high and medium density residential developments which lay adjacent to properties located within the HCAs, and the second, to gather and understand the issues and concerns of individual property owners on both the listing of each of the HCAs, and the impact that development was having upon them.

Whilst appointments were organised with individual property owners at allocated times, additional consultation was also conducted with property owners who had not secured an appointment was also undertaken. The below table outlines the property owners of whom City Plan Heritage consulted with and obtained their general issues and concerns relating to the East Epping, Essex Street and Rosebank Avenue HCAs and the impact of high and medium density. The issues and concerns raised are listed in no particular order.

HCA	Property Owners Consulted	General Issues and Concerns Raised
East Epping	3 Essex Street	<ul style="list-style-type: none"> ▪ Concerned about the impacts of high density residential development on their privacy ▪ Visual and physical impact of development on rear fence ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Some owners considering moving away from area due to impact of development ▪ Some owners experiencing health issues due to construction of developments ▪ Some owners unclear why their properties are included in the HCA ▪ Documentation from the property owners of Norfolk Road and Pembroke Streets was submitted to CPH for review as part of this phase of consultation. This documentation has been taken into consideration and is addressed in Section 11.5.
	25 Pembroke Street	
	1 Norfolk Road	
	3 Norfolk Road	
	3A Norfolk Road	
	5 Norfolk Road	
	7 Norfolk Road	
	7A Norfolk Road	
Essex Street	40 Essex Street	<ul style="list-style-type: none"> ▪ Visual and physical impact of development on rear fence ▪ Loss of privacy in rear yards ▪ Safety concerns ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Mature trees under threat or have been removed due to development ▪ Would like to add to existing properties, but not sure if substantial extensions would be approved due to HCA.
	42 Essex Street	
	46 Essex Street	
	52 Essex Street	
	54 Essex Street	
	64 Essex Street	
	66 Essex Street	
Rosebank Avenue	1 Rosebank Avenue	<ul style="list-style-type: none"> ▪ Worried about impact on financial value of property due to HCA, R2 zoning and adjacent development ▪ Some owners considering moving away from area due to impact of development. Would not have considered before the land surrounding the HCA was rezoned. ▪ Mature trees under threat or have been removed due to development
	2 Rosebank Avenue	
	5 Rosebank Avenue	

8.3 Community Workshops

Two community workshops were conducted by Parramatta City Council on 1 and 3 May 2017. Each workshop was facilitated by Straight Talk who will be composing a report for inclusion in the Discussion Paper to be prepared by the City of Parramatta Council. Each of the two community workshops were geared toward two groups, the first with property owners within the HCAs and the second with community members with general interest in the heritage review.

As part of these workshops, a short presentation by both the City of Parramatta Council and City Plan Heritage was conducted before the proceedings of the workshop activities.⁸ The City of Parramatta Council's presentation provided explanation as to the context and aims of the heritage review, as part of the Epping Planning Review which aims to:

1. Progress work undertaken by the Department of Planning & Environment, completed in March 2014;
2. Consolidate the planning controls to create one set of planning controls across the Town Centre and immediate surrounds; and
3. Provide a consistent approach to managing the high level of interest from developers within the centre.

In addition, the two stage approach of the Epping Planning Review was outlined as follows:

- **Stage 1 - December 2016 to December 2017**

1. Community consultations;
2. The preparation of 4 technical studies on: heritage conservation areas; traffic; social infrastructure; and commercial land uses;
3. The exhibition of a discussion paper in mid 2017, including getting public feedback;
4. Endorsement of key principles in late 2017

- **Stage 2 - from 2018 onwards:**

1. The preparation of new planning controls, including:
 - New Local Environmental Plan (LEP)
 - New Development Control Plan (DCP)
 - New Section 94 Plan

City Plan Heritage presented the information gathered to date (1 and 3 May) for the heritage review, to contextualise the study and provide clarification of the aims and scope of the study to the community members attending the workshops. The information presented at both workshops included the following:

- Scope of the brief;
- Methodology of heritage review;
- Brief History of the Epping Town Centre Area;
- Field Survey Ranking Criteria; and
- Overview of characteristics of East Epping, Essex Street and Rosebank Avenue HCAs.

As both of the community workshops took place before any recommendations had been made by City Plan Heritage to the City of Parramatta Council, all information presented at both of the workshops were at a preliminary stage.

⁸ A copy of the presentation from the community workshops conducted on the 1 and 3 May can be found via: <https://www.cityofparramatta.nsw.gov.au/about-parramatta/precinct-planning/epping-planning-review> (accessed on 15 May 2017)

Following City Plan Heritage's presentation, Straight Talk facilitated workshop discussions, based around three target questions as follows:

1. Values:
 - What do you value most about the Heritage Conservation Areas?
2. Experiences:
 - What is your experience around development in this area?
 - What do you see as being the key concerns when it comes to development regarding the Heritage Conservation Areas?
3. What should Council Consider?
 - What do you think Council should take into consideration when reviewing the planning controls for the Heritage Conservation Areas?

For the workshop on 1 May 2017, attendees were seated according to the street on which they lived, whilst for the workshop on 3 May 2017, attendees were seated wherever they wished. A summary of the results of these two workshops are outlined in the below tables.⁹ A detailed summary of the Community Workshops is contained within the report prepared by Straight Talk.

1 May 2017 - Directly Affected Community Members Workshop	
Key Insights	<ul style="list-style-type: none"> ▪ The current aesthetic of the area is highly valued. Greenery in general makes the area inviting and gives the streets a 'lovely' feel ▪ Low density buildings are perceived to add space and safety. This adds to the family-friendly character of the suburb ▪ There was comment that over-development raises issues regarding traffic, privacy, noise and rubbish. These things were among a number of other anxieties which relate to the 'destruction' of the overall quality of the suburb ▪ Traffic and parking was perceived to be a major issue. General congestion from increasing numbers of residents who may tenant new apartment blocks as well as commuters who travel through Epping on their commute to the city and other areas for work and during the week raise questions around how this will be managed for the future ▪ Participants believe that future planning and development should be consistent and appropriate for each section of the local area. Suggestions to apply transition zones to new developments were made ▪ A majority of the attendees supported a consideration of removing in whole or in part the HCAs which are part of the Heritage Review. This was particularly apparent in regards to Rosebank Avenue and Essex Street HCAs, as they are perceived the community members to now be compromised by new development in general.
Group Exercise 1 <i>Values: What do you value the most about your neighbourhood</i>	The most often mentioned values included: Proximity to public transport and schools, green, peaceful, community, heritage, suburban, consistency, privacy, open space, safety, gardens, pool, low-density, convenience and accessibility. Alongside listing these values, many participants expressed their concern about losing them because of new development. Some participants found this exercise difficult since they believe that the area has already changed significantly and therefore they struggled to identify any existing values.

⁹ The summary of findings of the Community Workshops have been provided by Straight Talk and are incorporated into the subject tables. Some amendments have been made to these summaries where clarification or additional information from the Community Workshops observed by CPH was deemed to be relevant for inclusion within these summaries.

<p>Group Exercise 2 <i>Experiences: What is your experience around development in this area? What do you see as being the key concerns when it comes to development regarding your street or neighbourhood?</i></p>	<p>Participants mentioned several different concerns including: Traffic issues and inadequate parking, visual and privacy issues concerning low and high-density housing immediately next to each other, increasing pollution and noise issues, lack of open and green spaces, confusion about what characterises an HCA and a wish to remove the heritage listing, lack of political transparency, safety, decrease in resident’s mental health, negative economic consequences for residents, affected infrastructure and closing down of local shops and services.</p>
<p>Group Exercise 3 <i>Proposals: What do you think Council should take into consideration when reviewing the existing planning controls?</i></p>	<p>The proposals to Council were concentrated around four subjects. Firstly, numerous participants expressed a wish for Council to review the HCAs under the current Heritage Review and to consider removing the HCAs in whole or in part. On the other hand, others stated that heritage items should be protected. Appropriate planning and development was another key matter and here participants suggested height restrictions on new development, buffer zones between low and high-density housing and well-designed new development as significant matters. Participants wanted Council to focus on improving Epping’s infrastructure which, it was felt, is currently not geared for the increasing population. Improving parking facilities was particularly emphasised. Finally, it was suggested that Council preserves existing greenery and community spaces as well as expand these.</p>

<p>3 May 2017 - General Community Members</p>	
<p>Key Insights</p>	<ul style="list-style-type: none"> ▪ The aesthetic appeal of the suburb is highly valued. This incorporates the gardens, low density and heritage buildings in the area and contributes to the feeling that the area is protected and has a good sense of community ▪ Low traffic and easy access to public transport is also highly valued ▪ Many say that the HCAs in the area need to be preserved in order to retain the living history of the area ▪ Increasing building heights cause concern for participants who say this causes problems around privacy and shadowing ▪ Some participants believe that building and planning controls need to be more strictly monitored so developers follow through on their obligations ▪ There is concern that the character of the suburb will be lost and the voices of residents will be over-shadowed by developers ▪ Consistency in future planning controls is desired.
<p>Group Exercise 1 <i>Values: What do you value the most about your neighbourhood</i></p>	<p>The most often mentioned values included: Green, heritage, history, architecture, consistency, low-density, peaceful, low-traffic, consistency, gardens, size, open spaces, beauty, community, wildlife. Alongside listing values, some participants explicitly expressed that they would like to see the HCAs expanded or maintained.</p>
<p>Group Exercise 2 <i>Experiences: What is your experience around development in this area? What do you see as being</i></p>	<p>Participants mentioned several different concerns including: Visual and privacy issues concerning low and high-density housing immediately next to each other, traffic issues and inadequate parking, environmental impacts affecting vegetation and wildlife, new development undermining the value of the HCAs and a wish to extend the HCAs, violation of planning and building by developers, loss of the area’s identity and architectural character.</p>

<p><i>the key concerns when it comes to development regarding your street or neighbourhood?</i></p>	
<p>Group Exercise 3 <i>Proposals: What do you think Council should take into consideration when reviewing the existing planning controls?</i></p>	<p>The proposals to Council were concentrated around four subjects. Firstly, a number of participants stated that they would like for the HCAs to be preserved and many further mentioned that they would prefer an extension of the HCAs. Some mentioned that the HCAs should be reviewed since their value has changed due to the new development and therefore consideration of the removal of the HCAs, in whole or in part, should be considered by Council. Many were concerned about protecting heritage housing and other items. Appropriate planning and development was another central matter and here participants suggested height restrictions on new development, control of floor space ratios, buffer zones between low and high-density housing and well-designed new development as significant matters. More control over developers was put forward as an important matter and finally, protecting the architectural value of Epping. Participants pointed out the need to improve Epping's infrastructure which, it was felt, is currently not geared for the increasing population. Improving parking facilities and minimising stormwater issues were mentioned. Finally, it was suggested that Council preserves existing greenery and community spaces as well as expand these.</p>

8.4 Submissions from Community Members Following Workshops

If any attendees of the Community Workshops wished to raise any additional issues, or submit documentation in regards to the heritage review, they were encouraged to do so through submitting written documentation to the City of Parramatta Council. Copies of all additional documentation from attendees was forwarded onto City Plan Heritage following recording by the City of Parramatta Council. A summary of the additional documentation received from community members from each of the workshops is summarised in the below table.

Topic/Issue	Documents received	CPH Comments
<p>Impact of High Density Development on Rosebank Avenue HCA</p>	<ul style="list-style-type: none"> ▪ Manuscript of Hornsby Shire Council Meeting, 12 August. ▪ Draft Zoning Map prior to UAP ▪ Images of Cliff Road development from and in Rosebank Avenue 	<p>Consideration of the documentation provided in regards to the impact of high density residential development on the Rosebank Avenue HCA has been considered in Sections 9.3 and 10.3.</p>
<p>Rosebank Avenue draining disposal point and proposed tree removal</p>	<ul style="list-style-type: none"> ▪ Request for additional information - DA/1292/2015 dated 10 March 2016 ▪ Email from Chris Fraser, Hornsby Shire Council to Richard and David (unknown surnames), no date included 	<p>During the site visits to Rosebank Avenue on the 21 and 22 March, CPH was made aware that a proposal for the removal of some trees on the western side of Rosebank Avenue was proposed by Council in order accommodate stormwater drainage for the recent high density residential development located on Cliff Road. The documentation supplied provides evidence for this matter. It is noted by CPH that the email from Chris Fraser (Hornsby Shire Council) does indicate that the seven (7) trees to be impacted,</p>

		<p>including Peppermint Gum, Brush Box and 5 Scribbly Gums could possibly be retained after the proposed works.</p> <p>To date, it does not appear that any works have commenced in regards to the installation of the stormwater draining for the developments on Cliff Road, however, the loss of these trees would negatively impact upon the setting of Rosebank Avenue, which currently is a leafy street, lined by street trees and enhanced by properties front gardens and mature plantings and trees. If it is not possible to maintain all trees due to the installation of the stormwater drain, as suggested within the email supplied it is recommended to the City of Parramatta Council that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained. This matter has also been included within Section 8.5.</p>
<p>Uncharacteristic features in Rosebank Avenue HCA</p>	<ul style="list-style-type: none"> ▪ Images of 5, 21 and 22 Rosebank Avenue with notes on recent renovations to properties 	<p>The two properties located within the Rosebank Avenue HCA, being 5 and 21 Rosebank Avenue, were noted in the field survey as being of 'Neutral' ranking, due to the alterations and additions to the properties which have removed characteristics details as noted in Sections 7.5.2 and 7.6.3.</p> <p>Both 5 and 21 Rosebank Avenue could be returned to a 'Contributory' ranking with reinstatement of period detailing and removal of unsympathetic modifications, as noted in Section 7.6.3.</p> <p>22 Rosebank Avenue is located outside of the Rosebank Avenue HCA and was not assessed for its contribution to the Rosebank Avenue HCA, however, it was noted that although the building located on the property is modern, the single storey scale and form of the building is considered to be moderately sympathetic to the HCA.</p>
<p>Request for extension of Essex Street HCA</p>	<ul style="list-style-type: none"> ▪ Email from Friends of Terry Creek requesting extension of Essex Street HCA to the south 	<p>Whilst it is acknowledged that the southern end of Essex Street, south of Abuklea Road does continue the character of the leafy streetscape of Essex Street, an assessment for the extension of the Essex Street HCA was not undertaken as part of this heritage review and laid outside of the scope of the brief.</p> <p>However, it is recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's</p>

		boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
Heritage Houses and Areas	<ul style="list-style-type: none"> List of sixteen (16) 'heritage houses and areas' located in and around Epping 	No other notes than the list of 'heritage houses and areas' was provided. Unsure of purpose of list.
Heritage Houses and Non-Heritage Houses in Epping	<ul style="list-style-type: none"> Images of houses located in Rosebank Avenue Images of heritage houses located in Epping (not able to determine from which locations in Epping) Images of new apartment developments and late twentieth and early twenty-first century single and two storey residential developments 	<p>No other notes other than the photographs provided, and the labelling of images as either A, B, C or D was provided. The intention of the images provided is unknown to CPH, however, the majority of the houses contained within the photographs are located within either Rosebank Avenue, Essex Street and East Epping HCAs.</p> <p>If the intention of the photographs was to delineate between properties which contribute and which do not contribute toward the significance of each of the HCAs, reference should be made to Section 7 for the ranking of individual properties within each HCA for comparison.</p>
Chester Street Epping and Epping Town Centre Heritage Studies	<ul style="list-style-type: none"> Assessment of the cultural significance of cottages, Clive Lucas Stapleton & Partners, November 1992 Cottages: 19-21 Chester Street, Epping, Tropman & Tropman Architects, February 1993 Houses at 19 and 21 Chester Street, Epping, Robert Irving, February 1993 Objection to initial development 19 Chester Street, Rod Howard, June 1993 East Epping Conservation Evaluation and Review, Tropman & Tropman Architects, October 2001 Parramatta Council statement of HSC Epping Town Centre Study, Parramatta Council, July 2011 Epping Town Centre Study - Report on submissions. Hornsby Council, June 2012 Epping Town Centre Review, Clive Lucas, 	<p>The documentation provided covered a range of issues and concerns dating from as early as 1992. The information provided provides background to the development of 19 Chester Street and the listing of both 21 and 23 Chester Street as local items in the Hornsby LEP.</p> <p>Further documentation provided for objections and recommendations relating to previous Epping Town Centre Heritage Studies, particularly in relation to the East Epping HCA.</p> <p>No current issues are raised in the documentation provided, however, they did provide further background as to the development and listing of items on Chester Street and the listing of the East Epping HCA which included properties located on the southern side of Chester Street.</p> <p>Both 21 and 23 Chester Street are included for review in the current Hornsby Heritage Review - Stage 6. The information relating to the history, architectural features and significance of both items provided in the documentation have been integrated into the updated Inventory Forms for both items. Refer to Section 13 and Appendix A for information regarding both 21 and 23 Chester Street, Epping.</p>

	<p>Stapleton & Partners, July 2012</p> <ul style="list-style-type: none"> ▪ Draft Hornsby LEP, Clive Lucas Stapleton & Partners, February 2013 ▪ Epping UAP impact on East Epping HCA, Clive Lucas Stapleton & Partners, February 2013 ▪ Epping Town Centre Heritage Review, Perumal Murphy Alessi, March 2013 ▪ Epping Town Centre - Draft Plans and Policies, May 2013 ▪ Hornsby Shire Council Heritage Review Stage 5 East Epping HCA, Clive Lucas, Stapleton & Partners, September 2013 	
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8.5 Summary and Recommendations Arising from Community Consultation

The issues and concerns raised by property owners, community members, and local community groups of Epping have been taken into account throughout this Heritage Review. Some key issues and concerns were raised throughout the process in regards to issues outside of the scope of heritage concerns, particularly in relation to amenity, privacy, safety, traffic, green space, and a number of other issues as discussed throughout this section. Where issues and concerns raised throughout the community consultation phase were in direct relation to heritage matters, these have been addressed and incorporated throughout this report. The concerns of the community have been taken into account throughout the reassessment of the significance of each of the HCAs contained within this review (Sections 6 and 7), with particular attention to the impact of high density residential development being addressed in Section 9.

Two specific recommendations relating to heritage also arose from this Community Consultation phase, which are detailed as follows:

- It is recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
- CPH was made aware during the site visits to Rosebank Avenue that a proposal for the removal of some trees on the western side of Rosebank Avenue was proposed by Council in order accommodate stormwater drainage for the recent high density residential development located on Cliff Road. The documentation supplied indicated that seven (7) trees were to be impacted, including Peppermint Gum, Brush Box and 5 Scribbly Gums, however, could possibly be retained after the proposed works. As it does not appear that any works have commenced to date in regards to the installation of the stormwater drainage for the developments on Cliff Road, it is recommended for either the trees to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

9. Assessment of Impact of Recently Approved Development Applications in Interface Areas

The following sub sections provide a diagrammatic and visual overview of recently approved developments, which have been either approved, are under construction, or have been completed, and which lay adjacent to the boundaries of East Epping, Essex Street and Rosebank Avenue HCAs.

As part of the Community Consultation phase, which has been documented in Section 8.0, access to the rear yards of the properties, which lie in the interface area of medium and high density residential development, was granted in order to establish and document the impact of the adjacent development has or will have on the setting, context, curtilage, character, landscape and most of all significance of each HCA.

The impact of these developments is assessed in Section 10.0 in regards to their impact on the overall significance of each of the East Epping, Essex Street and Rosebank Avenue HCA's. The significance, current integrity and intactness of each HCA, as determined in Sections 6.0. and 7.6, was factored in as part of this analysis.

9.1 East Epping HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western side and southern edges of the East Epping HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
7-9 Essex Street, Epping	DA/1110/2014
11 Essex Street	PL/180/2016
15-19 Essex Street, Epping	DA/648/2016
46-50 Pembroke Street, Epping	DA/672/2016
38-44 Pembroke Street Epping	DA/1505/2014



Figure 65: Recently approved developments in interface area with R4 - High Density Residential Development East Epping Heritage Conservation Area (Source of Basemap: Hornsby Shire Council)



Figure 66: View of recent development at 38-44 Pembroke Street from 1 Norfolk Road (left) and view from rear of 7A Norfolk Road to adjacent rear of 15 -19 Essex Street, which has been recently approved for high density residential developments (right).



Figure 67: View of development at 7-9 Essex Street as viewed from Rockleigh Park to the north-east of the development (left) and view of development from Essex Street (right). The subsequent 4 properties located to the south of 7-9 Essex Street are approved for development of high density residential development

9.2 Essex Street HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western edge of the Essex Street HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
1 Forest Grove, Epping	DA/1606/2014
3-7 Forest Grove, Epping	DA/852/2016
20-24 Epping Road, Epping	DA/327/2015
3-7 Forest Grove, Epping	DA/358/2015
9-11 Forest Grove, Epping	DA/963/2014
15-17 Forest Grove, Epping	DA/346/2015
23-25 Forest Grove, Epping	DA/304/2015
27-31 Forest Grove, Epping	DA/153/2015
18-22 Maida Road, Epping	DA/1491/2014
32-34 Essex Street, Epping	DA/1002/2014



Figure 68: Recently approved developments in interface area with R4 - High Density Residential Development Essex Street HCA (Source of Basemap: Hornsby Shire Council)



Figure 69: Views from rear backyard of 66 Essex Street: looking west toward 23 and 25 Forest Grove (left); and looking south-west toward the development under construction at 27 Forest Grove.



Figure 70: Views from the rear of 42 Essex Street, a heritage item of local significance, toward the development at 20-24 Epping Road. As with 40 Essex Street, the high density residential development which is under construction lies directly behind the rear fence of the property, with minimal setback from the property line.



Figure 71: Above, view from opposite 44 Essex Street looking west. The high density residential development located at 1 Forest Grove is currently under construction, with the top two storeys visible over the roof top of 44 Essex Street. Right, view from the rear of 46 Essex Street toward the development at 1 Forest Grove. Whilst the development is very close the rear fence of 46 Essex Street the substantial planting in the property screens the majority of the development, lessening the developments impact.





Figure 72: View from rear back yard of 64 Essex Street, looking west toward the rear of 25 Forest Grove which has recently been approved for development of high density residential apartments.

9.3 Rosebank Avenue HCA - Impact of Surrounding Developments

The following table and images provides an overview of the recently approved developments on the western and southern edges of the Rosebank Avenue HCA. Comments on the impact of each of these developments is provided in the captions.

Address of Development	Development Application Number
2-8 Hazlewood Place	DA/364/2015
22-34 Cliff Road	DA/714/2016
18-20 Cliff Road	DA/1602/2014
11-27 Cliff Road	DA/1447/2014
7-9 Cliff Road	DA/1436/2014
1-5A Cliff Road	DA/712/2016



Figure 73: Recently approved developments in interface area with R4 - High Density Residential Development adjacent to the Rosebank Avenue HCA (Source of Basemap: Hornsby Shire Council)



Figure 74: Views from rear yard of 1 Rosebank Avenue looking to the west (left) to the developments in Hazlewood Place and to the south to the developments on Cliff Road (right). Development is yet to begin on the adjacent properties to the south of 1 Rosebank Avenue, however development approval has been granted for high density residential development at 22-34 Cliff Road.



Figure 75: View from rear yard of 1 Rosebank Avenue looking to the north-west toward the development at 4 Hazlewood Place and the rear yard of 3 Rosebank Avenue (left) and view from 5 Rosebank Avenue looking west. The rear of 5 Rosebank Avenue does not have any mature tree plantings in order to help screen the new development (right).



Figure 76: View from 4 Rosebank Avenue looking to the west toward the Hazlewood high density residential development visible above the roof lines of 3 and 5 Rosebank Avenue (left) and view from 4 Rosebank Avenue looking south toward Cliff Road, with development visible in the background (right).



Figure 77: Entrance to Rosebank Avenue from Cliff Road. Development is underway visible to the left at 1-5A, 7-9 and 11-27 Cliff Road. Development approval has also been granted for 22-34 Cliff Road, visible to the right, however construction has not begun as yet. The entrance to Rosebank Avenue will be surrounded by high density residential developments following the completion of the approved constructions.

10. Recommendations for Amendments to Heritage Conservation Areas

The following section outlines the recommendations for amendments to the East Epping, Essex Street and Rosebank Avenue HCAs based upon the findings of the heritage assessment of each HCA, and consideration of the issues and concern raised during the community consultation phase of this study.

10.1 East Epping HCA and Individual Items Recommendations

In consideration of the reviewed assessment of the East Epping HCA, and the issues and concerns raised by the community in relation to the East Epping HCA associated with the impact of high density residential development on the western edge of the East Epping HCA boundary, it is recommended that a slight change to south-western boundary of the HCA be implemented. It is recommended that the following four (4) properties to be removed from the boundaries of the East Epping HCA and the boundaries of the HCA be adjusted accordingly as in Figures 78 and 79:

No.	Address	Development Period	Ranking
25	Pembroke Street	Federation	Contributory
1	Norfolk Road	Late 20th Century	Non Contributory
3	Norfolk Road	21st Century	Non Contributory
3A	Norfolk Road	21st Century	Neutral



Figure 78: East Epping HCA Contribution Ranking with Development Period overlay. The four properties recommended to be removed from the HCA are outlined in pink.

The recommendation of the removal of these four properties from the East Epping HCA is made due to the combination of the impact of the high density residential development at the rear of these properties and their relative contribution to the area. 1, 3, and 3A Norfolk Road are all new single and double storey dwellings, dating from the late 20th Century and early 21st Century. The style and age of these three dwellings are not in keeping with the Federation and Inter War characteristics of the East Epping HCA, thus resulting in the dwellings not contributing to the significance of the area. On the other hand, 25 Pembroke Street is a Contributory building for the East Epping HCA, however, will soon be isolated from similar properties of Federation and Inter War periods as a result of the rezoning of the southern side of Pembroke Street being an R4-High Density Residential Zone and properties to the west of 25 Pembroke also being zoned as R4-High Density Residential Zone. Whilst exhibiting characteristics of the Federation period, as a cottage with attached corner shop, the property is not considered to meet the threshold for individual heritage listing. Whilst it was noted in the *2013 Epping Town Centre Heritage Review* that this end of Norfolk Road, provided an entry way to the East Epping HCA, it is not until 9 Norfolk Road, which is a heritage item, that the characteristic streetscape features such as mature tree plantings, and built forms of the Federation and Inter War periods begin.¹⁰ Despite the heritage listed Epping Public School being located on the eastern side of this portion of Norfolk Road, the early buildings of the school are not located in the south-eastern end of the school grounds, instead, the Federation period buildings of Epping Public School begin directly opposite 9 Norfolk Road. From this start point, a true appreciation of the characteristics of the East Epping HCA can be experienced and observed.

If, as a result of 25 Pembroke Street being removed from the East Epping HCA, should in the future demolition of the property is proposed, it is recommended that a photographic archival recording be undertaken prior to the dwelling's demolition, and any significant fabric be salvaged and recycled in an appropriate manner.

In addition, it is recommended that both 1 and 3 Essex Street are retained within the East Epping HCA and for 3 Essex Street to maintain its heritage listing under the Hornsby LEP. An internal inspection of 3 Essex Street was conducted as part of the HCA review. The dwelling retains many original details both internally and externally, as detailed in Section 6.2.5. Despite the concerns of the property owner, of being surrounded by high density residential development and being located on the very edge of the HCA, 3 Essex Street along with 1 Essex Street will not be isolated sites. Another heritage item, the Scout Hall lies on the western side of Essex Street, as well as directly to the north is the Unity Church on Chester Street, also a heritage item. In addition, a recreational park lies directly to the south of 3 Essex and to the east is the East Epping HCA. Thus, 3 Essex Street will maintain its current setting and the high density residential development which is currently underway further south along Essex Street and further to the east close to the railway line will not affect the immediate context, curtilage and setting of either this section of the East Epping HCA or the Heritage Items themselves. Thus, it is recommended that both 1 and 3 Essex Street are maintained within the East Epping HCA and for 3 Essex Street to be maintained as a heritage item under the Hornsby LEP 2013. The Inventory Sheet for 3 Essex Street has been updated to reflect the current condition and setting of the property in Appendix A.

The recommended amendments to the boundary line of the East Epping HCA is depicted overleaf in Figure 79. Recommendations for the rezoning of properties recommended to be removed from the East Epping HCA are addressed in Section 11.5.

¹⁰ Perumal Murphy Alessi, *Epping Town Centre Heritage Review* (March 2013) p. 10.

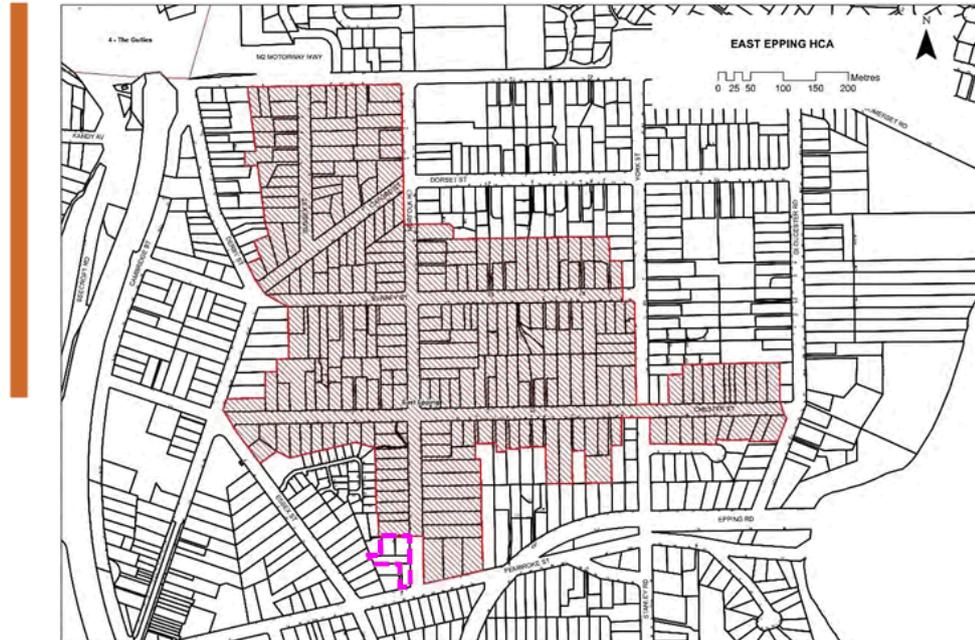


Figure 79: East Epping HCA with amendment to boundary removing 25 Pembroke Street, 1, 3 and 3A Essex Street. The properties recommended to be removed are outlined in pink.

10.2 Essex Street HCA and Individual Items Recommendations

In consideration of the survey findings and reviewed assessment of the Essex Street HCA, and despite the issues and concerns raised by the community in relation to interface areas of the high density residential development on the western edge of the area, no changes to the Essex Street HCA boundary are recommended.

Following the reassessment of the Essex Street HCA it was determined that the integrity and significance of the Essex Street HCA was still intact, as determined through the two previous studies conducted on the HCA in 2013 and 2001, as discussed in Section 6.3. In addition, the properties which are located between Epping Road and Maida Road within the Essex Street HCA are predominantly Contributory properties, primarily dating from the Federation and Inter War periods. Of the twenty (20) properties located on the western side of the Essex Street between Epping Road and Maida Road of the HCA, one (5%) is a Heritage Item, nine (45%) are Contributory, five (25%) are Neutral, and five (25%) are Non-Contributory. Thus, 50% of the properties located within this section of the Essex Street HCA are Heritage Items and Contributory buildings, and with inclusion of all Neutral buildings, they make up 75% of this section of the HCA contributing to the intactness of the Essex Street HCA. Two of the current Neutral buildings located in this section of the HCA date from the Inter War period and could be ranked as Contributory, if original detailing is reinstated and/or detracting elements are removed, which could increase the number of contributory buildings to eleven (55%), totalling twelve (60%) properties being either Heritage Items or Contributory.

In addition, the impact of the high density residential developments on Forest Grove and Epping Road upon the Essex Street HCA was also assessed as part of this heritage review in Section 9.2. Whilst five and six storey developments were currently underway at the rear of properties located on the western side of Essex Street between Epping Road and Maida Road, the visual impact of these developments are not considered to have a major impact upon the significance of the Essex Street HCA. Due to the long lot size of each of the properties on the western side of Essex Street, coupled with existing mature trees and vegetation on each of the properties, the high density residential developments recede into

the background of the setting of the Essex Street HCA and do not dominate the streetscape of the HCA. The streetscape qualities of the HCA are not affected detrimentally by the interface R4-High Density development and the impact on the backdrop of the properties are not experienced along the street-long views and vistas. It is considered that the main impact of these close high density development is privacy issue and dominance at the rear boundaries, which are essentially related to planning matters rather than heritage matters.

If the removal of these twenty (20) properties from the HCA was considered, it would result in a detrimental impact to the identified and assessed heritage significance of the HCA. The removal of these properties would result in the most intact component of the HCA being lost, reducing the HCA by a third of its size and significantly impacting upon the streetscape of the northern end of the Essex Street HCA. Furthermore, properties located on the eastern side of Essex Street, which would remain in the HCA, would further be impacted upon by the removal of these twenty (20) properties, dislocating the relationship between the east and west sides of Essex Street. The intactness and significance of the Essex Street HCA would be irrevocably changed if these twenty (20) properties were to be removed, thus, it is recommended that the existing boundary of the HCA remain as is.

Whilst it is acknowledged that the high density residential developments have and will result in significant impacts for property owners adjoining these new developments in relation to privacy and individual views from properties, these impacts are not considered to be heritage issues and do not impact upon the heritage significance of the Essex Street HCA. Despite this, recommendations have been made in Section 11.0 to mitigate some of the issues, both current and future, experienced by both property owners in these interface areas and the setting of the Essex Street HCA.

In addition, it is recommended that 42 Essex Street be retained as a heritage item under the Hornsby LEP. A brief internal inspection of 42 Essex Street was conducted as part of the HCA review. The dwelling retains many original details both internally and externally, as evidenced in Section 6.3.5. Furthermore, in conducting a review of the history of the Epping Town Centre area, the association of the 42 Essex Street within the Mount Tomah Nursery that operated in the area in the 1890s was reconfirmed. The association of the timber weatherboard Federation cottage with the Vollmer and Vessey family is a significant link with the early development of the Epping Town Centre, at a time when orchards and nurseries dotted the landscape of Epping. Whilst the high density residential development occurring at 20-24 Epping Road does create some visual impact, in terms of setting of the rear yard of the property, this impact is not considered to erode the heritage significance of the property, in terms of its historic, aesthetic, associational and representative values. Thus, it is recommended that 42 Essex Street be maintained as a heritage item under the Hornsby LEP 2013.

10.3 Rosebank Avenue Conservation Area Recommendations

In consideration of the survey findings and reviewed assessment of the Rosebank Avenue HCA, and despite the issues and concerns raised by the community in relation to interface areas of the high density residential development on the western and southern edge of the HCA, no changes to the Rosebank Avenue HCA boundary are recommended.

Following the reassessment of the Rosebank Avenue HCA it was determined that the integrity and significance of the Rosebank Avenue HCA was still intact, as determined through the two previous studies conducted on the HCA in 2013 and 2003, as discussed in Section 6.4. The Rosebank Avenue HCA still remains as a rare example, at local level, of an intact Inter War streetscape within Epping and the Parramatta area and is one of few intact Inter War housing estates remaining. Despite some minor modifications to a couple of properties within the HCA, such as modified windows, enclosed balconies and uncharacteristic driveways, these modifications are only minor and do not detract from the overall heritage significance of the HCA.

The impact of the high density residential developments to the south and west of the Rosebank Avenue HCA, along Cliff Road and Hazlewood Place will result in a modified setting and curtilage to the Rosebank Avenue HCA, particularly from the entrance looking

north along Rosebank Avenue. The entrance to Rosebank Avenue will soon be flanked by a six storey development to the west and a five storey development to the east of the entrance to Rosebank Avenue; however, once reaching 1 and 2 Rosebank Avenue, the view of the HCA will be unobstructed by the high density residential development which lays to the south. The backdrop of 1, 3, 5, 7 and 7A Rosebank Avenue will be of mature trees and high density residential redevelopment; however, due to the long blocks, the separation from the rear of the dwelling and the new developments allows for enough of a buffer to prevent the encroachment of views of the high density development being seen from Rosebank Avenue. 1, 3, and 7 Rosebank Avenue currently have substantial mature trees located along the rear boundary fence, screening much of the view of the new developments. Only 5 Rosebank Avenue does not have substantial mature trees along the rear fence line, thus resulting in more views to and from the new development, both from Rosebank Avenue and from the 5 Rosebank Avenue. Whilst the new backdrop of 1, 3, 5 and 7 Rosebank Avenue, will minimise the current leafy backdrop of the Rosebank Avenue HCA, it is not considered to warrant the removal of individual properties or the whole HCA from the Hornsby LEP.

The Rosebank Avenue HCA is exceedingly rare in the area and remains largely intact. All properties have retained their original subdivision, except for 15 Rosebank Avenue, and all retain the original buildings constructed during the 1930s and 1940s. The detailing of the Inter War period, from Bungalow, Tudor and Spanish styles, is retained amongst all original properties. Coupled with the substantial street plantings, natural creek, and established gardens of each of the properties, the Rosebank Avenue HCA will still retain its significance even following the completion of development along Cliff Road and Hazlewood Place. Whilst it is regrettable that such a backdrop to some of the properties in the HCA will be affected by the new high density residential development, the area will still retain its integrity and characteristics that makes it rare Inter War period housing development.

Whilst it is acknowledged that the high density residential developments have and will result in significant impacts for property owners in relation to privacy and individual views from properties at 1, 3, 5 and 7 Rosebank Avenue, these impacts are not considered to be heritage issues and do not impact upon the heritage significance of the Rosebank Avenue HCA. Despite this, recommendations have been made in Section 11.0 to mitigate some of the issues, both current and future, experienced by both property owners in these interface areas and the setting of the Rosebank Avenue HCA.

11. Planning Review

11.1 Existing Heritage Guidelines

Changes to Heritage items and HCAs are guided by the heritage provisions contained in the two main plans known as the *Hornsby Local Environmental Plan (LEP) 2013* and the *Hornsby Development Control Plan (DCP) 2013*. The controls in these instruments seek to "assist in conserving the heritage significance of the natural and built environment and ensure new development is sympathetic with identified heritage values. In doing this, the [Hornsby] Shire's heritage resources and the quality of the environment will be maintained or improved, resulting in attractive streetscapes and providing an appealing place to live."¹¹

Standard best practice heritage controls are currently contained in these instruments for managing the development of heritage places, including the need for Council's development consent for major changes, the requirement for statements of heritage impact to accompany development applications, and the Council's obligations to assess the impact of developments on the significance of listed places.

Planning controls specific to East Epping, Essex Street and Rosebank Avenue HCAs are contained with *Part 9.3 Heritage Conservation Areas*. This part of the DCP provides the Statements of Significance outlining the key heritage aspects of each HCA supported by explanatory information on the history and description of each HCA. In addition, prescriptive measures are also included which contain controls for demolition, streetscape character, materials and finishes, fences and gates, utilities, garages and carports, driveways, and subdivision. Furthermore, *Part 9.4.1 Development in the Vicinity of Heritage Item* provides controls for development to land that is adjoining, or across the road from a heritage item or a heritage conservation area.

In consideration of recently approved developments in line with the rezoning of the respective sites and the reassessed significance of each HCA within this study, the current planning controls relating to heritage have need to be reviewed to evaluate if the current planning controls provide adequate protection for the established heritage significance of heritage items and HCAs in the Epping Town Centre Area.

Specific matters for review were also outlined as part of the scope of works for this study by City of Parramatta Council, these included a review of Section 9.4.1 of the Hornsby DCP 2013, potential height increases for R4-High Density Residential Zone and R3-Medium Density Residential Zones, the extension of the existing R3-Medium Density Residential Zone to encompass Brigg road and Rose Street, individual property zoning changes if removed from a HCA and any other updates to the current planning controls not addressed in the aforementioned list. Each of these matters are addressed in the below subsections, with recommendations given for any changes to the existing planning controls which relate to the Epping Town Centre area.

11.2 Hornsby DCP 2013, Section 9.4.1 Review

An investigation of the effectiveness of the current design interface guidelines (Section 9.4.1) and other relevant provisions in the Hornsby DCP is necessary in order to mitigate the effects of development on the character and integrity of the East Epping, Essex Street and Rosebank Avenue HCAs. As part of this investigation, regard has been given to the topography of each of the HCAs and recently approved Development Applications at the interface with HCAs have also been reviewed in Section 9.0, in order to develop a holistic view of the impact that medium and high density residential development is having on these HCAs.

A review of the existing Hornsby LEP and DCP guidelines are investigated in the following sections, with reference to recently approved developments in the interface areas with the East Epping, Essex Street and Rosebank Avenue HCAs, as outlined in Section 9.0.

¹¹ *Hornsby Development Control Plan 2013*, 9-3.

11.2.1 Existing Guidelines

Section 9.4.1 of the Hornsby DCP 2013 provides controls for the development on land that is adjoining, or across the road from a heritage item or a heritage conservation area. The current guidelines encourage "New work that is sympathetic to the heritage significance of nearby heritage items, or adjoining heritage conservation area and their settings". The following is stated in Section 9.4.1 regarding to development in the vicinity of a Heritage item or Heritage Conservation Areas.

Heritage Items

- a. Design and siting of new work should complement the form, orientation, scale and style of the heritage item.
- b. Adequate space should be provided around the heritage item to allow for its interpretation.
- c. Development should maintain significant or historic public domain views to and from the heritage item.
- d. Original or significant landscape features that are associated with the heritage item and which contribute to its setting should be retained.
- e. For rural heritage items, the scale of new work is not to overwhelm the heritage item taking into consideration the matters within the Rural Heritage Items element.

Heritage Conservation Areas

- f. Development in the vicinity must respect the curtilage and setting of the HCA and protect views into and from the HCA.
- g. Development is to be sympathetic to the primary characteristics and heritage values of the HCA with regards to proposed:
 - context, including backdrop to places in the HCA;
 - bulk, height alignment form and roofline of new development;
 - proportions such as windows and door openings (number and location) and balconies;
 - Interface facade materials, treatments and palette;
 - Compatible fencing and screening.
- h. Development applications for multi-unit developments adjacent to HCAs must include a construction impact report demonstrating that the construction process will not detrimentally or indirectly adversely impact places in the HCA at the time of construction or over time.

The existing guidelines contained within Section 9.4.1 of the Hornsby DCP should encourage sites adjoining a heritage conservation area or heritage item to be sympathetic to the heritage significance of the area. This includes ensuring an appropriate context for the heritage conservation area, through preventing inappropriate and unsympathetic surrounding developments from detracting from the significance of the heritage conservation area and its setting.

11.2.2 Recent Development Application Response to DCP Controls

Recent developments surrounding the East Epping, Essex Street and Rosebank Avenue HCAs do not appear to have adequately addressed the provisions of Part 9.4.1 of the DCP due to their nature of built form resulting from the rezoning of the subject interface areas.

The recent approved developments within the interface areas of the East Epping, Essex Street and Rosebank Avenue HCAs are visually explored in Section 9.0. Of the developments approved surrounding the East Epping HCA, all developments are located at the very south-western corner of the HCA, where the R4 - High Density Residential Zone was implemented following the Epping Town Centre Urban Activation Precinct (UAP) Plan's new zoning. A total of five (5) development applications have been lodged since the new zoning was implemented, with a total of four (4) of the five (5) DA's being for amalgamated sites. The recent approved developments surrounding the Essex Street HCA are located along the western border of the Essex Street HCA area, between Epping and Maida Roads. As with the East Epping HCA, the properties located within this section of Epping were rezoned to R4 - High Density Residential and R3 - Medium Density Residential Zones following the Epping Town Centre UAP Plan. A total of ten (10) DA's have been lodged since 2014, with a total of nine (9) of the ten (10) developments being for amalgamated sites.

Finally, the approved developments surrounding the Rosebank Avenue HCA are located to the south, and very south-eastern and western corners of the Rosebank Avenue HCA. The Epping Town Centre UAP Plan resulted in the Rosebank Avenue HCA being surrounded on its southern side by a R4 - High Density Residential Zone. Since 2014, six (6) developments applications have been lodged, with all applications being for amalgamated lots.

Following the site inspections of multiple properties within each of the three HCAs, which were located on the interface zones with R4 and R3 developments, the majority of the developments located in these interfaces areas, particularly those located at the rear of HCA properties, were not sympathetic to the context and setting of the HCA.

The visual and physical impact of High Density Residential developments which have either been completed or are under construction at the rear of these properties in most cases did not include sufficient setback, screening or deep soil planting, to alleviate the scale and bulk of the development.

The biggest impact of these developments has been on individual properties themselves. From the streetscape, the recent high density residential developments do mostly recede into the background of the edges of the HCA, however, their impact on the HCAs is still not considered to be considerably sympathetic to the setting and context of each of the areas, as explored in Section 9.0 and analysed in Section 10.0.

Section 9.4.1 of the Hornsby DCP 2013, needs to be understood in conjunction with Sections 9.6.6 - Setbacks and 9.6.8 - Landscaping, at a minimum to be able to adequately address the current impact that recently approved high density residential developments are currently exerting on properties within the boundaries of the East Epping, Essex Street and Rosebank Avenues HCAs. In addition, consideration of the impact on the heritage significance of HCAs and/or heritage Items, need to be sufficiently addressed by development proposals. For some recently approved developments, the consideration of the impact upon the heritage significance of either a HCA, or a Heritage Item provided only a brief one paragraph explanation as to the impact on the heritage significance of the area of item. Such minimal consideration as to the impact of a large high density residential development is not considered to adequately address the impact that the development will have on an area or item of heritage significance. A discussion of each of these components are included below.

Setback

Section 9.6.6 of the Hornsby DCP provides for the following minimum setbacks in Residential Area, in Table 9.6.6(a):

Table 9.6.6(a):
Minimum Setbacks - Residential Area

Setback	Minimum building setback
Front Boundary	12m, which can be reduced to 10m for a maximum of 1/3 of the building width.
Rear Boundary	10m, which can be reduced to 8m for a maximum of 1/3 of the building width.
Side Boundary (including balconies)	6m, which can be reduced to 4m for a maximum of 1/3 of the building width.
Fifth Storey Setback	3m should be provided between exterior walls of the lowest storey and exterior walls of the fifth storey.
Fifth storey setback where mezzanine proposed	6m additional setback for exterior walls of the fstorey, measured from the walls of the lowest storey.
Basement Parking Setback	9m from front and rear boundaries and 4m from side boundaries to allow for deep soil landscaping.

Whilst a minimum of 10m is required at the rear boundary, this setback can be reduced to only 8m for a maximum of 1/3 of the buildings width. From a survey of some of the approved development assessments, it was evident that some of these developments have been able to encroach further than the 8m setback dictated by the above provisions, through the addition of balconies into the minimum setback.¹² The additional encroachment of the high density residential development into the minimum 8m setback results in both a physical and visual overwhelming impact on the adjacent individual property.

Whilst it is noted in Section 9.6.6 that 'development involving or adjoining heritage items should have regard to the Heritage DCP', the achievement of not even the minimum setback for the interface areas with HCAs do not appear to be in keeping with the guidelines of the Hornsby DCP.

Instead of meeting the absolute minimum requirements for setbacks for rear and side boundaries, additional setback, such as the blanket 10m setback which is required for Chapman Avenue, should be encouraged, in order to aid in maintaining the context and setting of each of the HCAs, and minimise impact on the adjoining individual properties within the HCAs.

Deep Soil Planting

Section 9.6.8 of the Hornsby DCP provides provisions for landscaping, of particular focus here is the provisions for deep soil planting, in order to aid in a sympathetic transition from HCA and/or Heritage Item to high density residential development. The following provisions are stated within Section 9.6.8 in relation the deep soil planting:

- b. Landscaped areas should adjoin property boundaries, in accordance with Table 9.6.8(a), and be designed to accommodate:
 - Canopy trees that will reach mature heights of at least 10 to 12 metres in the front and rear setback, and
 - Trees that will reach a mature height of at least 6 to 7 metres in the side setbacks.

Table 9.6.8(a): Deep Soil Landscaped Areas

Setback	Property Boundary Landscaped Area (deep soil)
Front Boundary	7m wide
Secondary Boundary (on corner lots)	4m wide
Rear Boundary	7m wide
Side Boundary	4m wide

A dominant feature in each of the East Epping, Essex Street and Rosebank Avenue HCAs is their landscape settings, whether it be street planting, front or rear gardens or verge planting. Many mature trees, which are contemporary with each of the area's period of development, from the Federation, Inter-War and Post War periods are still extant, and contribute significantly to the context and setting of each of these HCAs. The landscaped settings of these HCAs should be conserved and maintained and enhanced through development which lay adjacent to each of these HCAs, not only to ensure the continuation

¹² For example, DA/327/2015 at 20-24 Epping Road, which lies to the rear of properties on the western side of the Essex Street HCA.

of their landscaped setting, but also to alleviate the physical and visual impact of the high density residential development may have on the single and two storey dwellings, which are within the HCAs.

Heritage Management Documents

In order to sufficiently assess whether a proposed development which is located in the vicinity of a HCA or a Heritage Item will result in an acceptable impact upon the context and setting of the area or item, it may be necessary for the consent authority, Parramatta City Council, to require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned, as stipulated in Part 5.10(5) of the Hornsby LEP 2013. Some of the recently approved development applications did include a heritage management document, such as a Heritage Impact Statement (Statement of Heritage Impact), whilst others only included a short paragraph within a Statement of Environmental Effects which assessed the impact on the effected Heritage Conservation Area and/or Heritage Item. Such heritage management documents should be sufficiently assessed by the consent authority to determine if the proposed development will or will not result in a negative or positive impact upon nearby HCAs or Heritage Items. Through a thorough assessment of the impact of high density residential development on a HCA or Heritage Item, a more sympathetic solution to a development could be arrived at, alleviating some of the issues which are currently being experienced by property owners at the interface areas with high density residential development and further ensuring the setting and curtilage of the area for item is retained and conserved for the future.

11.2.3 Recommendations for Section 9.4.1

The existing guidelines for development in the vicinity of a HCA in Section 9.4.1 of the Hornsby DCP 2013 does currently provide a good framework from which to assess the impact of high and medium density residential developments which are located in interface areas with HCAs. However, consideration of Sections 9.6.6 and 9.6.8 of the Hornsby DCP 2013 need also to be particularly considered in the assessment of high density residential developments in the vicinity of HCAs or Heritage Items.

It is recommended that where R3 and R4 Zones interface with a HCA or a Heritage Item that a 10m setback, which is required for Chapman Avenue, be implemented in order to aid in maintaining the context and setting of each heritage conservation areas and items. In addition, sufficient deep soil planting between R3 and R4, and HCAs and Heritage Items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation or heritage item.

The assessment of development applications within these interface areas needs to be rigorous, in order to take into account the heritage significance of the area or item it will affect, with any potential impacts needing to be adequately addressed in order to minimise the negative impacts experienced by the heritage conservation area or the heritage item.

11.3 Potential Impacts of Height Increases to HCAs

As part of the brief for this heritage review, a request for any investigation of the impact and implications of increasing the 17.5m and 12m height limits by one storey in the R4 High Density Residential Zone and R3 Medium Density Residential Zone on the integrity and conservation values of the Essex Street, Rosebank Avenue and East Epping HCAs was made.

In consideration of the existing impacts of high and medium density residential development on the interface areas with East Epping, Essex Street and Rosebank Avenue HCAs, the possibility of increasing the current height limits of R4 High Density Residential Zones and R3 Medium Density Residential Zones by one storey, would further negatively affect the current context and setting of each of the HCAs.

Whilst it has been acknowledged in this study that the high and medium density developments which are either completed, currently under construction or to be constructed mostly recede into the backdrop of each of the HCAs, in general, they do not overwhelm or adversely impact on the setting of the HCAs. An increase in the height limits of these zones would further increase the visibility of the high and medium density residential developments in the background of the HCAs. Whilst not a heritage issue, the impact upon individual property owners which share a boundary with these high and medium density developments, would likely experience further privacy and overwhelming dominance issues. An increase to the existing height limits of these zones would exacerbate the existing negative impacts upon both the East Epping, Essex Street and Rosebank Avenue HCAs and upon individual property owners.

Thus, it is recommended that the existing height limits of 17.5m and 12m are retained for R4-High Density Residential Zones and R3-Medium Density Residential Zones, respectively.

11.4 R3 Medium Density Residential Zone in Brigg Road and Rose Street

In addition to the consideration of height increases to R4-High Density Residential Zones and R3-Medium Density Residential Zones, the investigation also included the implications of extending the R3-Medium Density Residential Zone to the northern side of Briggs Road and all of Rose Street, as indicated in Figure 80.

During the site inspections conducted in March 2017, this area was also surveyed to ascertain the current condition and setting of both Brigg Road and Rose Street. From this inspection, it was noted that the majority of buildings within both of these streets comprised of a Post War, Late 20th Century and 21st Century dwellings, of either single or double storeys. The northern side of Brigg Road slopes down toward the north, the southern side of Brigg Street sloping up. Rose Street continues on the downward trajectory of the slope from Brigg Street, with the dwellings located in the area sitting low within their sites, as seen in Figure 81.

Some medium density residential developments are already under construction or completed along Maida Road, where the existing R3-Medium Density Residential Zone exists. One complete development, located at 18-22 Maida Road, is three storeys in height and lies to the rear of 70 and 72 Essex Street. The height of this three storey development does not negatively impact upon the current setting and curtilage of the Essex Street HCA, due to the height limit of the zoning being 12m and the incorporation of sufficient setbacks, further coupled with mature trees and plantings at the rear of both 70 and 72 Essex Street, as displayed in Figure 82.

Thus, it is considered that the implementation of a R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street will have an acceptable impact upon the current setting and of the Essex Street HCA, provided that consideration is given to sufficient setback, deep soil planting, and the impact upon the setting and curtilage of the Essex Street HCA is adequately addressed in any future development proposals, incorporating the recommendations, already made in Section 11.2. The topography of the area will aid in reducing the perceived overall height of medium density development and coupled with sympathetic design, will ensure that the integrity, setting and character of the Essex Street HCA is retained. Implementation of the above recommendations will ensure an appropriate transition from R2 to R3 zones.

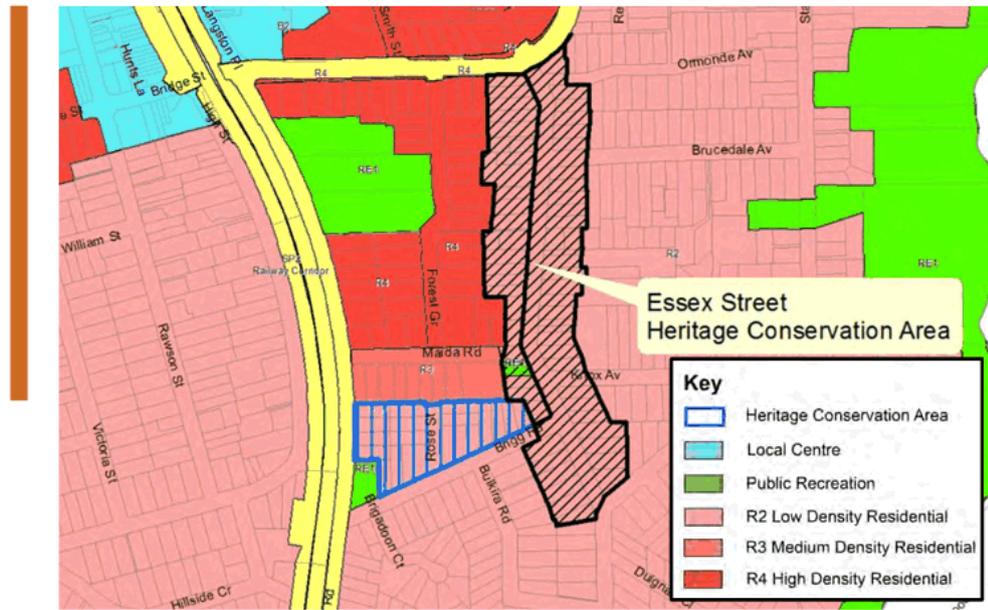


Figure 80: Extract from Epping Town Centre Composite Zoning and Heritage Conservation Area map with proposed extension of R3 Medium Residential Zone on Rose Street and Brigg Road highlighted in blue (Source: Amended Epping Town Centre Composite Zoning and Heritage Conservation Areas map, supplied by City of Parramatta Council)

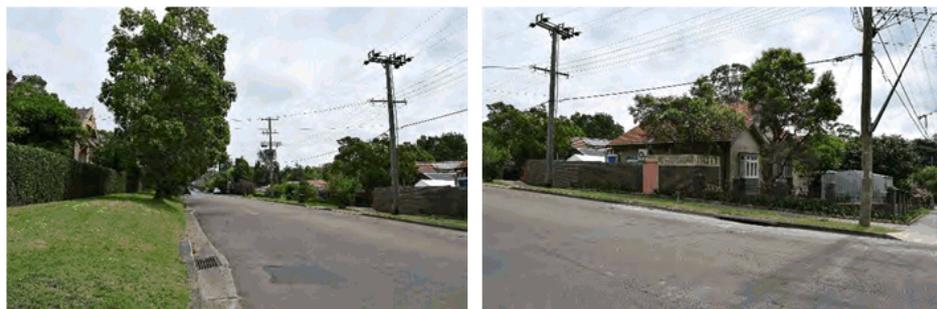


Figure 81: View looking west along Brigg Road from intersection with Essex Street. In the right image is a Heritage Item with the Essex Street HCA and in the right image is a Neutral building with the Essex Street HCA. From the left image, it can be seen that the dwelling located on the northern side of Brigg Road lay within their lots due to the topography of the area.



Figure 82: Recently constructed medium density residential development constructed at 18-22 Maida Road, view from intersection of Essex Street and Maida Road looking west (left) and view from 72 Essex Street looking west, with a small portion of the third storey of the 18-22 Maida Road development is visible in the background.

11.5 Individual Properties Changes

No recommendation has been made for the removal of any properties from either the Essex Street HCA or Rosebank Avenue HCA, thus no changes are needed to the current zoning and height limits of the existing controls. However, it has been recommended that four properties to be removed from the East Epping HCA, being 25 Pembroke Street, and 1, 3, and 3A Norfolk Road.

In order to provide a consistent transition between R4-High Density Residential Zone on Essex Street and Pembroke Street from further encroaching on the East Epping HCA, the removed properties from the East Epping HCA (25 Pembroke Street, and 1, 3, and 3A Norfolk Road), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the Late 20th Century development known as 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential Zone with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential Zone of the HCA and the R4-High Density Residential Zone of Essex and Pembroke Streets. In addition, any new developments on these rezoned properties must sufficiently consider appropriate setbacks, deep soil planting and consideration of the impact upon the setting and curtilage of the East Epping HCA and nearby Heritage items. The recommendations already made in Section 11.2 should also be adequately addressed in any future development proposals.

The inclusion of 5, 7 and 7A Norfolk Road in the recommended R3-Medium Density Residential Zoning is suggested in order to ensure a consistent transitional zone between the boundary of the East Epping HCA and the R4-High Density Residential Zone on Essex Street. The properties located at 3, 3A, 5, 7 and 7A Norfolk Road all share the same driveway, however, currently only 3 and 3A Norfolk Road are located within the East Epping HCA. With the recommended removal of 3 and 3A Norfolk Road from the East Epping HCA, the opportunity is presented to ensure that a consistent approach to zoning and height limits is invoked over the properties which share the singular driveway from Norfolk Road, these properties being 3, 3A, 5, 7 and 7A Norfolk Road. All properties are currently within a R2-Low Density Residential Zone and are recommended to be rezoned to R3-Medium Density Residential Zoning to ease the transition between the R2-Low Density Residential Zone of the East Epping HCA and the R4-High Density Residential Zone on Essex Street.

In addition, the inclusion of all properties located within 'Rockleigh Park' in the recommended R3-Medium Density Residential Zoning is recommended due to the current R4-High Density Residential Zone not providing an adequate transition between the interface areas of the East Epping HCA and areas of R4 High Density Residential Zones. The current zoning effectively splits 'Rockleigh Park' in half, and is not considered appropriate for the current conditions of the properties which work homogeneously together as one estate of low density residential housing as displayed in Figures 84 and 85. Through the rezoning of 'Rockleigh Park' as R3, both the transition between R4 and the East Epping HCA will be minimised, whilst also maintaining the current cohesive form of 'Rockleigh Park'.



Figure 84: Views looking west (left) and east (right) along Rockleigh Way. The development is currently understood as one whole estate, wide a narrow roadway which links all properties of the estate together. The estate appears to have been developed in the mid 1990s and maintains a cohesive character, playing-off detailing from Federation period detailing of the surrounding Federation period homes within the East Epping area.



Figure 85: Entrance to 'Rockleigh Park' (left) and view looking east along Rockleigh Way (right)

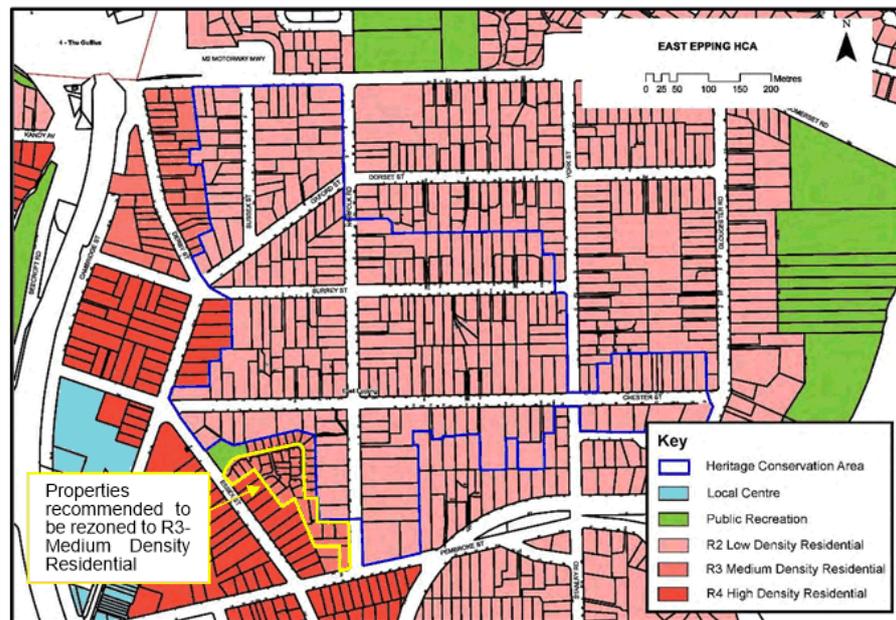


Figure 83: Recommended Land Zoning of properties removed from East Epping HCA (25 Pembroke Street, 1, 3 and 3A Norfolk Road), 5, 7 and 7A Norfolk Road and rezoning of Rockleigh Park to create a consistent transitional zone between the East Epping HCA and R4 High Density Residential Zone.

11.6 Recommended Updates to Planning Controls

Whilst a detailed review of all current planning controls relevant to heritage items and HCAs within the Epping Town Centre study area is beyond the scope of this study, this review has indicated there is some room for improvement in the current planning controls, other than those individual matters already addressed in the previous subsections. The following subsections make recommendations to the current planning controls.

11.6.1 Additional Prescriptive Measures

Specific additional prescriptive measures for each HCA are provided for in Section 9.3 of the Hornsby DCP. These provisions provide for prescriptive measures in relation to demolition, streetscape character, materials and finishes, fences and gates, utilities, garages and carports, driveways and subdivision.

As addressed in Section 10.0, the impact of high density residential development on some properties in the Essex Street and Rosebank Avenue HCAs have resulted in some properties being impacted upon through a lack of privacy from existing or future high density residential developments. For properties which are on a direct boundary line with R4 High Density

Residential Zone, additional provisions are recommended to be included in the 'Additional Prescriptive Measures' for Essex Street and Rosebank Avenue HCAs within Sections 9.3.13 and 9.3.14 respectively. The recommended provisions to be added is to allow for the construction of two storey additions to the rear of properties identified to be most affected by high density residential development as highlighted in Figures 86 and 87.

The current provisions contained within Section 9.3 of the Hornsby DCP 2013, in respect to additions to properties located within a heritage conservation area, allows for additions to properties to be made away from the street elevation and below the main ridge line. In order to assist in alleviating the impact of the high density residential developments, located behind the effected properties within the Rosebank Avenue and Essex Street HCA's, an intermediary two storey addition to the rear of properties would provide a sufficient barrier between the existing contributory dwellings in the HCAs and the high density residential development to the rear. Any addition to the rear of the properties highlighted in Figures 86 and 87, however, would still need to comply with the heritage provisions contained within the Hornsby DCP 2013, with particular attention to ensuring that the addition does not subdivide the site, does not reduce the contribution of the overall properties contribution to the respective HCA, will not remove mature trees or plantings and will not reduce the streetscape character of the area. The intervention of any addition to the rear of these properties must be sympathetic to the heritage significance of its respective HCA and any heritage item located within its vicinity.

Whilst this option may not be attainable on all sites highlighted in Figure 86 and 87, it does provide an option for some property owners to attain an increased level of amenity. Thus, it is recommended that the following 'Additional Prescriptive Measure' be added to the existing Essex Street HCA Provisions and Rosebank Avenue HCA Provisions under Element - Streetscape Character, in Tables 9.3.13(a) and 9.3.14(a), respectively.

- Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not subdivide the site, reduce the contribution of the property to the HCA, will not remove mature trees or plantings and will not reduce the streetscape character of the area.

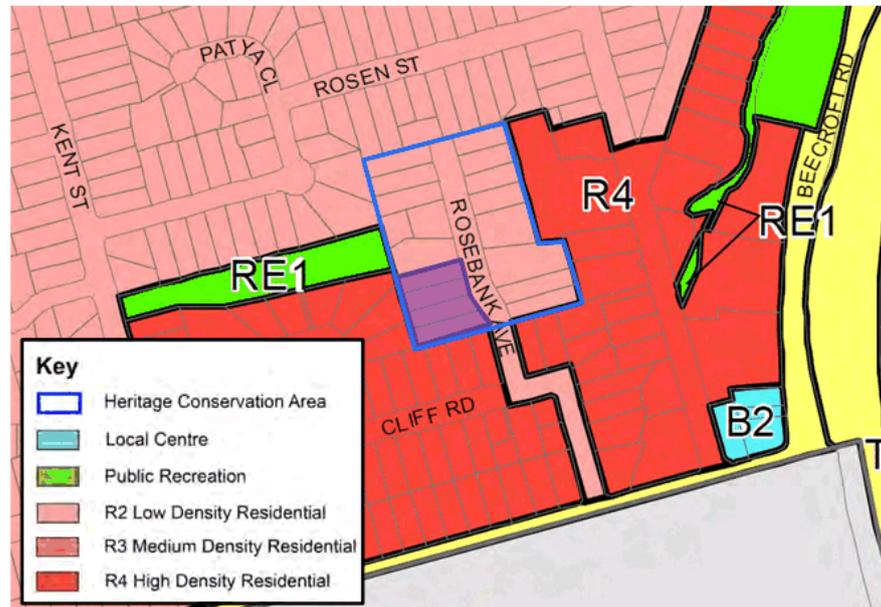


Figure 86: Rosebank Avenue HCA properties affected by high density residential development, of which the recommended provisions would apply, highlighted in purple (Source: Extract from Hornsby LEP 2013, Land Zoning Map 11)

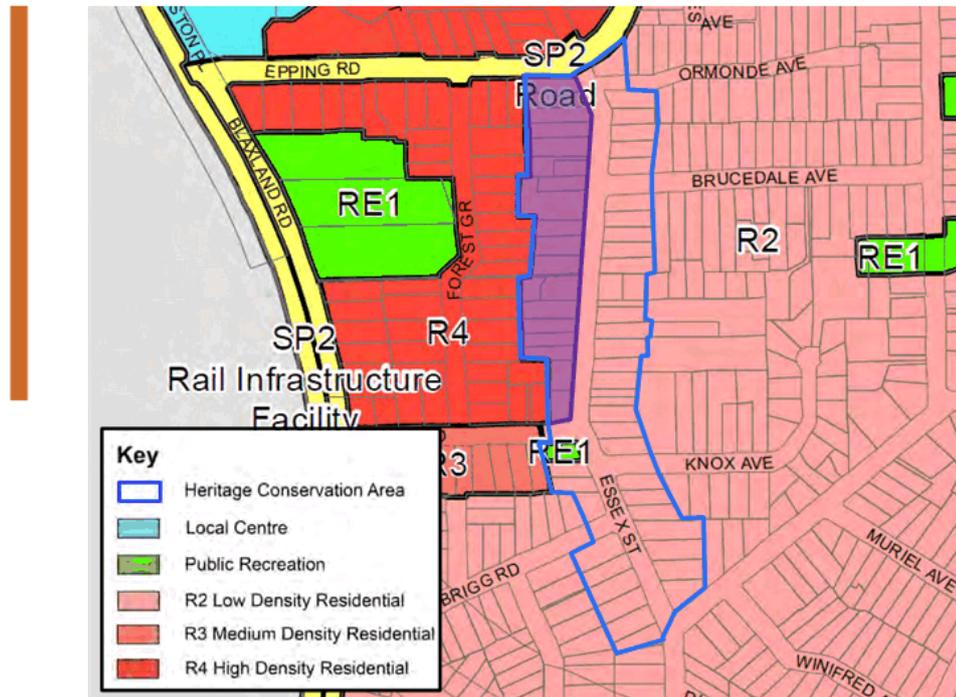


Figure 87: Essex Street HCA properties affected by high density residential development, of which the recommended provisions would apply, highlighted in purple (Source: Extract from Hornsby LEP 2013, Land Zoning Map 11)

11.6.2 Recording and Interpretation

Currently, there are no provisions within the Hornsby DCP 2013 for the preparation of an archival recording for heritage items or contributory buildings within a HCA to have an archival recording prepared prior to the major alterations and additions to a property or demolition of a property.

It is recommended that an archival photographic recording be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property. This also includes any major alterations and additions to significant gardens which significantly contribute to the streetscape character of any of the HCAs.

This recommendation is made in order to ensure that a historical record of changes to significant items and areas are collected and kept in the Council's archives for future reference and research purposes.

12. Conclusion and Key Recommendations of Heritage Conservation Area Review

As a result of in depth surveys and assessments of the HCAs within the Epping Town Centre, the following key recommendations are made as part of this heritage review study:

1. *Retain the current boundaries of the Essex Street and Rosebank Avenue Heritage Conservation Areas (Refer to Sections 10.2 and 10.3)*
 - Following reassessment of the Essex Street and Rosebank Avenue Heritage Conservation Areas, both areas were found to have maintained the significance and intactness established in previous studies. The impact of High and Medium Density Residential development at the interface areas with the Heritage Conservation Areas were not found to have a detrimental impact warranting removal of the Heritage Conservation Areas in part or in whole. Thus, both Heritage Conservation Areas are recommended to be retained in full.
2. *Adjust the south-west boundary of the East Epping Heritage Conservation Area (Refer to Section 10.1)*
 - It is recommended that 25 Pembroke Street, and 1, 3, and 3A Norfolk Road to be removed from the East Epping Heritage Conservation Area, and the boundaries of the HCA are adjusted accordingly.
3. *Retain individual heritage items requested for removal by property owners (Refer to Sections 10.1 and 10.2)*
 - 3 and 42 Essex Street have been reassessed for their heritage significance and contribution to their respective Heritage Conservation Area, East Epping and Essex Street respectively, and are recommended to retain their heritage listing under Schedule 5 of the Hornsby LEP 2013.
4. *Rezone removed properties from East Epping Heritage Conservation Area, 5, 7 and 7A Norfolk Road and identified properties within 'Rockleigh Park' to R3-Medium Density Residential with 12m height limit (Refer to Section 11.5)*
 - In order to provide a consistent transition between R4-High Density Residential development on Essex Street and Pembroke Street from further encroaching on the East Epping Heritage Conservation Area, the removed properties from the East Epping Heritage Conservation Area (25 Pembroke Street, and 1, 3, and 3A Essex Street), 5, 7 and 7A Norfolk Road (which share a driveway with 3 and 3A Norfolk Road) and the late 20th Century development known at 'Rockleigh Park' are recommended to be rezoned as R3-Medium Density Residential with a 12m height limit, in order to provide a smooth transition from the R2-Low Density Residential of the Heritage Conservation Area and the R4-High Density Residential area of Essex and Pembroke Streets.
5. *Changes to Design Interface Guidelines of the Hornsby DCP (Refer to Section 11.2.3)*
 - The current Design Interface Guidelines in Section 9.4.1 of the Hornsby DCP 2013 are considered to be a good framework for which to assess the impact of high and medium density residential developments which are located in the interface areas with Heritage Conservation Areas. However, Section 9.4.1 needs to be considered at least in relation to Sections 9.6.6 and 9.6.8. It is recommended that where R3 and R4 Zones interface with a Heritage Conservation Area or Heritage Item that a 10m setback, which is required for Chapman Avenue, should be implemented in order to aid in maintaining the context and setting of each Heritage Conservation Area and Item. In addition, sufficient deep soil planting between R3 and R4 and heritage conservation areas and items should be encouraged, as well as the retention of any mature trees which aid in screening the high or medium density development from the heritage conservation area or heritage item. Furthermore, an adequate assessment of the potential heritage impact on the Heritage

Conservation Area and/or Heritage item should be addressed for any future proposed development, to aid in the mitigation of likely heritage impacts.

6. *Maintain current 17.5m and 12m height limits of R4 High Density Residential Zone and R3 Medium Density Residential Zone respectively (Refer to Section 11.3)*
 - To ensure that a sufficient transition between Heritage Conservation Areas are maintained and are not further adversely impacted upon through higher density development at interface areas, it is recommended that the current height limits for R4 and R3 Zones are maintained.
7. *Extend R3-Medium Density Residential Zone to Brigg Road and Rose Street (Refer to Section 11.4)*
 - Recommendation to extend R3-Medium Density Residential Zone to the northern side of Brigg Road and to Rose Street, which will have an acceptable impact upon the current setting of the Essex Street HCA, provided that adequate consideration is given in regards to sufficient setback, deep soil planting and on the impact upon the setting and curtilage of the Essex Street HCA in any further development proposals, incorporating the recommendations provided in Section 11.2 of this study report.
8. *Additional Recommended Updates to Planning Controls (Refer to Section 11.6)*
 - Include an additional prescriptive measure for Essex Street and Rosebank Avenue HCA Provisions for properties located on interface with R4-High Density Residential Zone, as follows:
 - i. Additional development in the rear of properties with direct interface to High and Medium Density Residential Zones can develop up to two storey additions, provided that the addition will not reduce the contribution of the property to the HCA, will not remove mature trees or plantings, and will not reduce the streetscape character of the area.
 - ii. In addition, it is recommended that a provision or Condition be included in the consents for an archival photographic recording to be prepared for all Heritage Items and Contributory buildings and any Neutral buildings which date from the Victorian, Federation, Inter War or Post War periods within the East Epping, Essex Street and Rosebank Avenue HCA's when major alterations and additions and/or demolition is proposed for the property.
9. *Assessment of significance of southern end of Essex Street HCA in future Heritage Review*
 - Recommended that future heritage reviews, possibly as part of the new Local Environmental Plan to be developed for the City of Parramatta Council, consider assessing the southern end of the Essex Street HCA, for either extending the HCA's boundary, or for an arboricultural assessment to be undertaken for the possibility of listing the street trees as a landscape items.
10. *Retention or replacement of street trees in Rosebank Avenue due to stormwater drainage for Cliff Road*
 - Recommended for the seven (7) street trees located on the western side of Rosebank Avenue identified to be impacted by the proposed stormwater drainage from Cliff Road to be maintained, or if this is not possible, that appropriate replacement trees be planted in the road reserve to ensure that the consistent street tree plantings of Rosebank Avenue are maintained.

13. Hornsby Heritage Review Stage 6 - Items for Review

13.1 Background

The Heritage Review Stage 6 - Items for Review is part of a process commenced in 1995 to review heritage listings in Schedule 5 of the Hornsby LEP 2013 (previously Schedule D of the Hornsby LEP 1994). The review process was expanded to allow a staged program to thoroughly review items, including further requests for inclusion or removal of items. Previous Heritage Reviews have been conducted since 1997, as follows:

- *Hornsby Shire Heritage Review Stage 1 - Review of heritage items and correction of anomalies within existing listings* (1997);
- *Hornsby Shire Heritage Review Stage 2 - Review of heritage items and correction of anomalies within existing listings* (1998);
- *Hornsby Shire Heritage Review Stage 3 - Review of Heritage Items* (2004) prepared by Tropman & Tropman Architects;
- *Hornsby Shire Heritage Review Stage 4 - Review of heritage items, heritage listed trees and correction of anomalies within existing listings* (2008) prepared by LandArc Pty Limited in association with Patrick O'Carrigan + Partners; and
- *Hornsby Shire Heritage Review Stage 5* - prepared by Godden Mackay and Logan.

This section of the report provides for Stage 6 of the Heritage Review, and includes heritage listed dwellings, gardens and woodlands. A number of items had been flagged by Hornsby Council, property owners and community members for either removal from Schedule 5 or for inclusion on Schedule 5. A number of other heritage items' inventory forms need to be updated or inventory forms are completely missing. In addition to these requests, further heritage items have been requested by Council to be reviewed as a result of the recent changes in zoning, where they intersect with R4-High Density Residential Zones.

13.2 Objectives

The Heritage Review Stage 6 - Items for Review, has the following objectives:

- Investigate the list of matters identified by Hornsby Shire Council for Epping that were scheduled for review under the next Hornsby Council Heritage Review – Stage 6. This includes:
 - a) removal heritage items.
 - b) amend anomalies in details of heritage listings.
 - c) review isolated heritage items in the R4 High Density Residential Zone.
 - d) review details of heritage listings.
 - e) investigate missing inventory sheets for existing items and complete required information.

13.3 Methodology

This Heritage Review has been prepared in accordance with the best practice heritage standards for the assessment of heritage significance and heritage studies established by the NSW Heritage Council, the then NSW Heritage Office and NSW Department of Urban Affairs and Planning, as set out in the NSW *Heritage Manual*.

It has also been prepared in accordance with national best practice standards for heritage assessment contained in the Burra Charter (Australia ICOMOS, 2013). The Burra Charter defines significance as the:

"Aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use,

associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups."

To determine whether sites have heritage significance and therefore warrant heritage listing, each site has been assessed against the seven NSW criteria of Assessing Heritage Significance as set out in the NSW *Heritage Manual*. The seven criteria for heritage significance include:

Criterion (a): An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (b): An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);

Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;

Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the culture or natural history of the local area);

Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or environments.

The NSW *Heritage Manual* guidelines establish that a site warrants heritage listing when it fulfils one or more of these seven criteria of local heritage significance. The assessment process is the same for individual items, conservation areas and archaeological sites.

All buildings recommended for heritage listing have been categorised according to their architectural style and detailing in accordance with Apperly, R. Irving, R, Reynolds, P. 1989. *A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the present*. Harper Collins Publishers; Australia.

13.4 Inventory Forms

The format for the Inventory Forms used are in Microsoft Word format, based upon the State Heritage Inventory form template. Each inventory form compiles and summarises all the information about each item, including but not limited to: heritage significance, location, description of overall site components and a brief history for each of the items to support their listing recommendations.

The Microsoft Word format Inventory Forms can be readily transferred to the SHI Microsoft Access Database format by the Council in the future. All inventory forms created or updated within this Heritage Review are provided in Appendix A.

13.5 Items for Review

The following tables summarise the outcomes of the individual property assessments and recommendations. In addition, inventory forms have been either updated or created for property either missing information or for those which have been recommended for listing. The Inventory forms are provided in Appendix A.

13.5.1 Requests for Removal of Heritage Listing

The following properties have been requested for removal and have been re-assessed to determine if removal is warranted or not.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.1A	184 Ray Road, Epping	House		+	Retain on LEP. Inventory Form has been prepared in Appendix A.

13.5.2 Amend Anomalies in Details of Heritage Listings

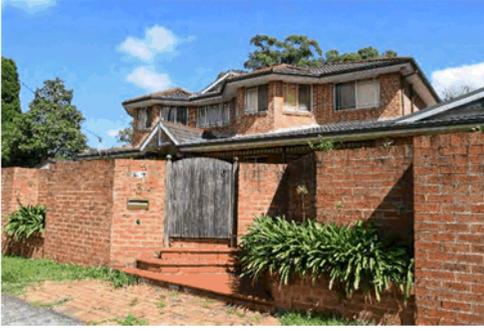
The following property's zoning has been requested to be investigated.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
N/A	73A Oxford Street Epping	Federation Queen Anne house		Council staff Site is in HCA which is zoned R2, however, this property is zoned R3. Appears to be an anomaly as on the corner of HCA. Potential for redevelopment on heritage grounds is nil due to significance and integrity of the item. The zoning to manage this significance should reflect HCA R2 zoning. It is not an isolated site.	Recommend to change R3 zoning to R2 to reflect the East Epping HCA zoning of R2.

13.5.3 Request for Listing of New Items

The following properties have been requested to be listed as heritage items and have been assessed to determine if they warrant listing or not.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
N/A	7 Dorset Street, East Epping	House		Tara Bennett, owner of 5 Dorset Street. D01672179 Request in May 2011 D02427814 Second request in August 2013	Not recommended for listing on LEP. Simple timber weatherboard Federation Cottage with some external detailing retained. More intact examples of similar period dwellings exist within the East Epping area, which reflect the aesthetic qualities of the style better.
13.5.3A	50 Dorset Street, Epping	House		Council Resolution D02762872. Included on Exhibition copy of proposed heritage items. Recommended for listing in the Epping Town Centre Heritage Review 2014	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.3B	86 Essex Street, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP. Recommended for listing in the Epping Town Centre Review 2014	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A
N/A	3 Norfolk Road, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP	Not recommended for listing on LEP. Dwelling is a modern 21th century construction and does not meet any criteria to warrant listing. An Inventory form has not been prepared for this dwelling

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.3C	83 Norfolk Road, Epping	House		Council Resolution Included on Exhibition copy of proposed heritage items in the Epping UAP	Recommended for listing on LEP. Inventory Form has been prepared in Appendix A.
N/A	3 York Street, Epping	House		Council Resolution Nomination through East Epping HCA inspections	Not recommended for listing on LEP. Single storey timber weatherboard Federation cottage. Appears to have undergone substantial modifications to original fabric. New corrugated roof, windows appear to mimic original windows. Timber balustrade all new. Internal assessment of property would need to be undertaken to determine if any original fabric remains. An Inventory form has not been prepared for this dwelling.

13.5.4 Review Isolated Items in Housing Strategy Zone (R4) High Density

The following properties were identified to be 'isolated items' and were requested to be investigated determine if they their listing should be maintained.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.4A	25 Ray Road, Epping	Woodlands		Council staff Heritage item in R4 Zone	Retain on LEP. Single storey dwelling is located on high point of street, lessening the impact of the five storey development to the south and west of the item. Heritage Item was maintained and restored as part of recent development known as 'Woodlands' at 23-27 Ray Road. Listing has been updated on Inventory Form in Appendix A
N/A	6 Essex Street, Epping	House (Scout Hall)		Council Resolution Council Resolution 19/12/12 in response to public exhibition of the draft Hornsby LEP to review potential heritage	Retain on LEP and retain R4 High Density Residential zoning. Directly to the south of the site is Arden Anglican School, whilst directly to the north is a recent three storey developments. The significance of the Scout Hall is retained despite the R4 High Density Residential Zoning. Listing was updated in 2013 as part of the UAP and is not considered to need further update.

13.5.5 Review of Details of Heritage Listings

The following properties were requested to be reviewed, in whole and in part, and for their Inventory Forms to be updated.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5A	27A Chester Street, Epping	Garden		Heritage Review Stage 5 House identified to be investigated for heritage listing.	Retain garden on LEP. Inter War Bungalow which dated to the development of the heritage listed garden was demolished as part of DA/1226/2011. Current house on site does not warrant heritage listing. Listing has been updated on Inventory Form in Appendix A.
13.5.5B	78 Kent Street, Epping	Slab hut		Heritage Review Stage 5 House identified to be investigated for heritage listing.	Retain on LEP. Access to slab hut was not possible during site visit due to being located in the rear yard of 78 Kent Street. House at front of property blocking view of slab hut but glimpses of the hut have been observed and it appears in the recent aerial maps. Listing has been updated on Inventory Form in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5C	142-144 Ray Road, Epping	House & Garden		Council staff Australian Bottle trees to be included in listing	Retain on LEP and add garden to listing. At least two Bottle trees were identified on the site, along with many mature trees, which appear to have been planted early in the house's history, at least before 1943. It is recommended that an arboricultural assessment be undertaken on the existing mature trees on the eastern side of the property in order to determine the condition and significance of the existing trees. Listing has been updated on Inventory Form in Appendix A.
13.5.5D	35-37 Stanley Road, Epping	Tallwood Lodge		Council staff Listed in HR1 - No photo	Retain on LEP Listing has been updated on Inventory Form in Appendix A

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5E	9 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.
13.5.5F	11 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.5G	15 Sussex Street, Epping	House		Council staff Listed in HS – 1993. Currently 3 houses (9, 11 and 15 Sussex Street) on one inventory sheet	Retain on LEP All houses are listed separately under the LEP and their relative Inventory Forms have been updated to individually address each property. Updated Inventory Forms in Appendix A.
13.5.5H	20 York Street, Epping	House		Council staff Listed in HR1 - No photo and no description	Retain on LEP Listing has been updated on Inventory Form in Appendix A.

13.5.6 Missing Inventory Sheets for Existing Heritage Items

The following listed items were recorded as missing information or photographs from their relative inventory forms. All inventory forms have been updated and provided in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.6A	Beecroft Road near southern end of Old Beecroft Road, Epping	Stone causeway over Devlins Creek		Council Staff No information on Inventory Sheet. Listed on RTA Heritage Register	Retain on LEP Listing was last updated in 2013 and has been updated with recent images. The Inventory Form in contained in Appendix A
13.5.6B	21 Chester Street, Epping	House and Garden		Council staff Listed in 1994 LEP. Inventory Sheet missing	Retain on LEP Listing has been updated on Inventory Form in Appendix A.

Appendix A Reference	Street Address	Item	Item Image	Issue/Information	Review Recommendation
13.5.6C	23 Chester Street, Epping	House and Garden		Council staff Listed in 1994 LEP. Inventory Sheet missing.	Retain on LEP Listing has been updated on Inventory Form in Appendix A.
13.5.6D	9 Norfolk Road, Epping	House and Garden		Council staff House listed in HR2. Inventory Sheet for house missing	Retain on LEP The garden which is part of the heritage listing is currently undergoing major changes. It appears all mature trees mentioned in the description of the site have been maintained. Recommend for investigation by a Heritage Consultant who specialises in gardens and landscapes. Listing has been updated on Inventory Form in Appendix A.

13.6 Summary and Recommendations of Hornsby Heritage Review Stage 6

The significance, intactness and merit of each property has been assessed as far as possible from the available information and the availability of access to properties. Due to the time constraints of this Heritage Review, properties which needed a follow up site inspection due to limited views of heritage items from street view were not able to be conducted. Where this has occurred, a recommendation has been made for a site inspection to be undertaken at a later date. For those properties recommended to be retained or added to the Hornsby LEP, the Inventory Sheets have been updated or created for each of these properties. All Inventory sheets updated or created are included in Appendix A.

In summary, the following resultant recommendations and updates were made as part of Stage 6 of the Hornsby Council Heritage Review:

13.7 Requests for Removal of Heritage Listing Summary

The one (1) request for removal of a Heritage Item, 184 Ray Road, has been recommended to be retained and the Inventory Sheet for the item has been updated. The recommendation is as follows:

Street Address	Item	Recommendations	Appendix A Reference
184 Ray Road	House	Retain heritage listing	13.5.1A

13.8 Amend Anomalies in Details of Heritage Listings Summary

One (1) Heritage Item, 73A Oxford Street, was recommended to be changed from R3-Medium Density Residential Zone to R2-Low Density Residential Zone to reflect the East Epping HCA zoning of R2. The recommendation is as follows:

Street Address	Item	Recommendations	Appendix A Reference
73A Oxford Street	Federation Queen Anne house	Recommend to change R3 zoning to R2 to reflect the East Epping HCA zoning of R2	N/A

13.9 Request for Listing of New Items Summary

Of the six (6) properties recommended for heritage listing under the Hornsby LEP 2013, three (3) properties were recommended for heritage listing and three (3) were not recommended for heritage listing. Inventory Sheets for the three recommended heritage items were created. The recommendations in summary are as follows.

Street Address	Item	Recommendations	Appendix A Reference
7 Dorset Street	House	Not recommended for listing	N/A
50 Dorset Street	House	Recommended for listing	13.5.3A
86 Essex Street, Epping	House	Recommended for listing	13.5.3B
3 Norfolk Road	House	Not recommended for listing	N/A
83 Norfolk Road	House	Recommended for listing	13.5.3C
3 York Street	House	Not recommended for listing	N/A

13.10 Review Isolated Items in Housing Strategy Zone (R4) High Density Summary

Of the two (2) Heritage Items which were identified as isolated items in R4 high Density Residential Zones, both Heritage items were recommended to be retained and the Inventory Sheet for each item were updated to reflect their current condition. In summary, the recommendation were as follows:

Street Address	Item	Recommendations	Appendix A Reference
25 Ray Road	Woodlands	Retain heritage listing.	13.5.4A
6 Essex Street	House (Scout Hall)	Retain heritage listing and retain R4-High Density Residential Zone	N/A

13.11 Review Details of Heritage Listing Summary

Eight (8) Heritage Items required various details be reviewed. All Inventory Sheets were updated for each of the eight (8) items. Two (2) Heritage Items will require further investigation and follow up, due to needing expert advice or access to the site. All Inventory Sheets for these Heritage Items were updated to reflect their current condition. In summary, the recommendations and updates to Heritage Items were as follows:

Street Address	Item	Recommendations	Appendix A Reference
27A Chester Street	Garden	Retain the heritage listing of the Garden. House is not recommended for listing, as recently was built. Original Inter War Bungalow demolished as part of DA/1226/2011.	13.5.5A
78 Kent Street	Slab Hut	Retain heritage listing. Further investigation will be required at a later date to gain access to the site to acquire current photographs of the slab hut.	13.5.5B
142-144 Ray Road	House & Garden	Retain the House's heritage listing and add the Garden to the listing. It is recommended that an arboricultural assessment be undertaken on the existing mature trees on the eastern side of the property in order to determine the condition and significance of the existing trees.	13.5.5C
35-37 Stanley Road	"Tallwood Lodge"	Retain heritage listing	13.5.5D
9 Sussex Street	House	Retain heritage listing	13.5.5E
11 Sussex Street	House	Retain heritage listing	13.5.5F
15 Sussex Street	House	Retain heritage listing	13.5.5G
20 York Street	House	Retain heritage listing	13.5.5H

13.12 Missing Inventory Sheets for Existing Heritage Items Summary

Four (4) Heritage Items were missing Inventory Sheets. All four (4) Heritage Items Inventory Sheets were either located or created, with up to date photographs. One Heritage Item was recommended for investigation by a Heritage Consultant who specialises in garden and landscapes.

Street Address	Item	Recommendations	Appendix A Reference
Becroft Road near southern end of Old Becroft Road	Stone causeway over Devlins Creek	Retain heritage listing. Existing Inventory Sheet located dating to 2013. Inventory Sheet updated to reflect current condition.	13.5.6A
21 Chester Street	House and Garden	Retain heritage listing	13.5.6B
23 Chester Street	House and Garden	Retain heritage listing	13.5.6C
9 Norfolk Road	House and Garden	Retain heritage listing. Recommended for investigation by a Heritage Consultant who specialises in gardens and landscapes.	13.5.6D



Appendix A - Inventory Sheets

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

**Appendix 2 – City of Parramatta Council Report
and Meeting Minutes of Item 11.3 of 14 August
2017**

F2019/02038



NOTICE OF COUNCIL MEETING PUBLIC COPY

The Meeting of City of Parramatta Council will be held in the Jubilee Room, Parramatta Town Hall, Centenary Square, Parramatta on Monday, 14 August 2017 at 6:00pm.

Greg Dyer
CHIEF EXECUTIVE OFFICER

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Mark Stapleton – Director Property and Significant Assets
Press

Assistant Minutes Clerk – Joy Bramham
Minutes Clerk – Grant Davies



GALLERY

Council 14 August 2017

Item 11.3

LEADING

ITEM NUMBER	11.3
SUBJECT	Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2
REFERENCE	F2017/00210 - D05111630
REPORT OF	Snr Project Officer

PURPOSE:

The purpose of this report is twofold: to detail the feedback received from submissions on the Epping Planning Review Discussion Paper exhibited from 21 June and 19 July 2017; and to recommend principles to guide Stage 2 of the Epping Planning Review.

RECOMMENDATION

- (a) **That** Council receive and note the submissions made on the Epping Planning Review Discussion Paper.
- (b) **That** the recommended principles, as identified within this report and contained within **Attachment 6** be endorsed for the purposes of guiding Stage 2 of the Epping Planning Review.
- (c) **That** Council Officers:
- 1 Brief the incoming Councillors on the Epping Planning Review process to date including the endorsed principles to confirm the future planning direction for Epping as part of progressing Stage 2 of the project, and
 - 2 That following the above briefing, a further report be submitted to Council recommending the commencement of Stage 2 of the Epping Planning Review which will involve preparing new planning controls including:
 - 2.1 A planning proposal to amend both the *PLEP 2011* and *HLEP 2013*
 - 2.2 A development control plan amendment to amend PDCP 2011 and HDCP 2013
 - 2.3 Amendments to relevant Contributions Plans and public domain plans where relevant.
- (d) **That** the recommendations contained within **Attachment 5** detailing the outcomes of the Stage 6 Heritage Review be endorsed.
- (e) **That** Council write to the community thanking them for their feedback and advising them on the outcome of Stage 1 Review and next steps
- (f) **Further, that** Council write to the Minister for Planning, Greater Sydney Commission, Department of Planning and Environment, Transport for NSW and the Roads and Maritime Services to provide an update on the project and outline of next steps.

BACKGROUND

Council 14 August 2017

Item 11.3

1. In March 2014, new planning controls for the Epping Town Centre and surrounds came into effect as a result of the Department of Planning and Environment's (DPE) Priority Precinct process. This process resulted in increased building heights and density controls within Epping Town Centre and surrounds which at the time was split between the former Parramatta City Council (western side of the train line) and former Hornsby Shire Council (eastern side of the train line). This process also saw the creation of three new Heritage Conservation Areas (on the former Hornsby Council side) – Rosebank Avenue, East Epping and Essex Street HCA.
2. On 12 May 2016, Council amalgamations saw the Epping Town Centre and immediate surrounds fall wholly within a new jurisdiction - the City of Parramatta Council. Prior to this, the Epping Town Centre had been split between the former Parramatta City Council (PCC) to the west and the former Hornsby Shire Council to the north and east. This historic dual structure has resulted in a complex planning control framework comprising of:
 - a. two local environmental plans (*Parramatta Local Environmental Plan 2011* and *Hornsby Local Environmental Plan 2013*);
 - b. two development control plans (*Parramatta Development Control Plan 2011* and *Hornsby Development Control Plan 2013*);
 - c. three development contributions plans with different contributions rates across each development type (a Section 94A plan applying to the former PCC area, and a Section 94 plan and Section 94A Plan applying to the former Hornsby Shire area); and
 - d. one public domain plan for the former Hornsby Shire Council area and public domain guidelines for the former PCC side.
3. The amalgamation has not changed or unified the planning controls, thus an exercise of bringing all of the controls into a single framework is required to deliver consistency. The objective of unifying the controls is to have one LEP, one DCP, one development contributions plan and one public domain plan applying to the entire town centre and immediate surrounds.
4. The Epping Planning Review project is identified in Council's *Operational Plan 2016/2017* under Action 2.4 "Review of Epping Town Centre Planning Controls". The Action involves undertaking a review of the planning for the Epping Town Centre, in conjunction with the Department of Planning and Environment (DP&E). Council's *Operational Plan 2017/2018* sees Council continuing to work with stakeholders on key precincts such as Epping. The *Draft West Central District Plan* also foresees that Council will progress the delivery of the Epping Town Centre urban renewal with the Greater Sydney Commission and the DP&E to ensure that the centre is considered as an integrated whole.
5. The study area for the Epping Planning Review is based on the DP&E's Urban Activation Precinct boundary and is illustrated in **Figure 1**. However, in the case of social infrastructure, the study boundary extends beyond the boundary in **Figure 1** so as to incorporate all the social infrastructure that Epping Town Centre residents rely on, which generally, is the Epping suburb.

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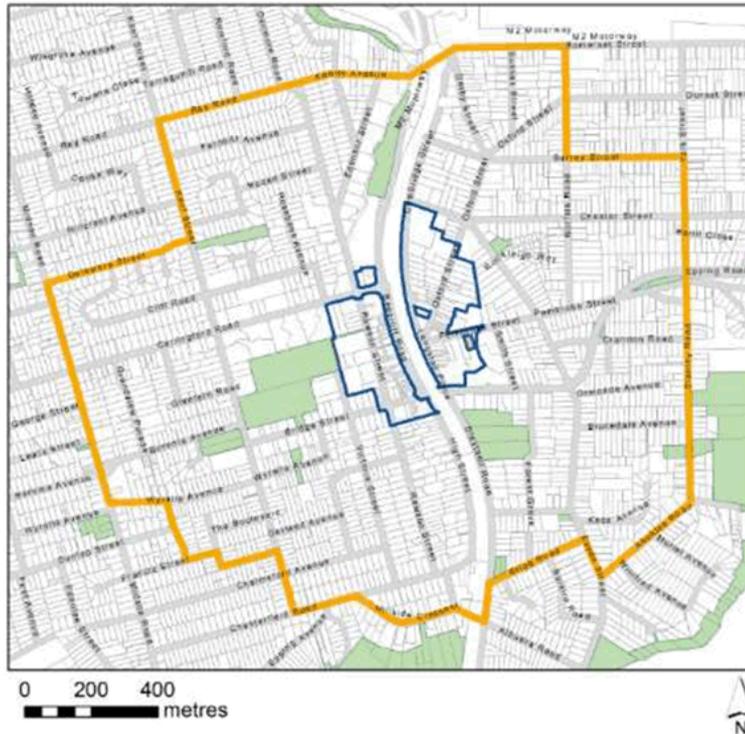


Figure 1 - Epping Planning Review Study area

6. The Epping Planning Review project involves two stages, the scope of which has been to address the unintended consequences of the planning control amendments brought into effect in March 2014 as well as allowing Council to manage current (formal and preliminary) Planning Proposals seeking growth within the Town Centre. It is also intended to allow the City of Parramatta Council to progress resolutions made by the former Hornsby Shire Council on specific heritage matters. Stage 1 of the Epping Planning Review has involved:
 - a. A public launch in mid December 2016.
 - b. Preparation of technical studies on Heritage, Social Infrastructure, Commercial Floorspace and Traffic (Interim) by consultants as well urban design and planning analysis which was undertaken by Council.
 - c. Pre-Phase 1 Community Consultation commencing in December 2016; this consultation is summarised in Chapter 5.0 Community Engagement of the Discussion Paper (**Attachment 1**) and involved Council Officer attendance at various community events such as the Australia Day and Lunar New Year to inform the community of the review being undertaken.
 - d. Phase 1 Community Consultation involved consultations that informed the technical studies and Discussion Paper and was undertaken in conjunction with Straight Talk who were engaged to facilitate the consultation events. The feedback received from the Phase 1 consultations was contained in Straight Talk's Phase 1 Community Consultation report which formed part of the supporting information to the Discussion Paper in **Attachment 1**.
 - e. The preparation of the Epping Planning Review Discussion Paper (informed by points b, c and d, above) for public exhibition.

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- f. Phase 2 Community Consultation carried out during the public exhibition of the Discussion Paper with a series of Community Workshop Sessions.
7. **Figure 2** below illustrates the major structural components of Stage 1 of the Epping Planning Review.

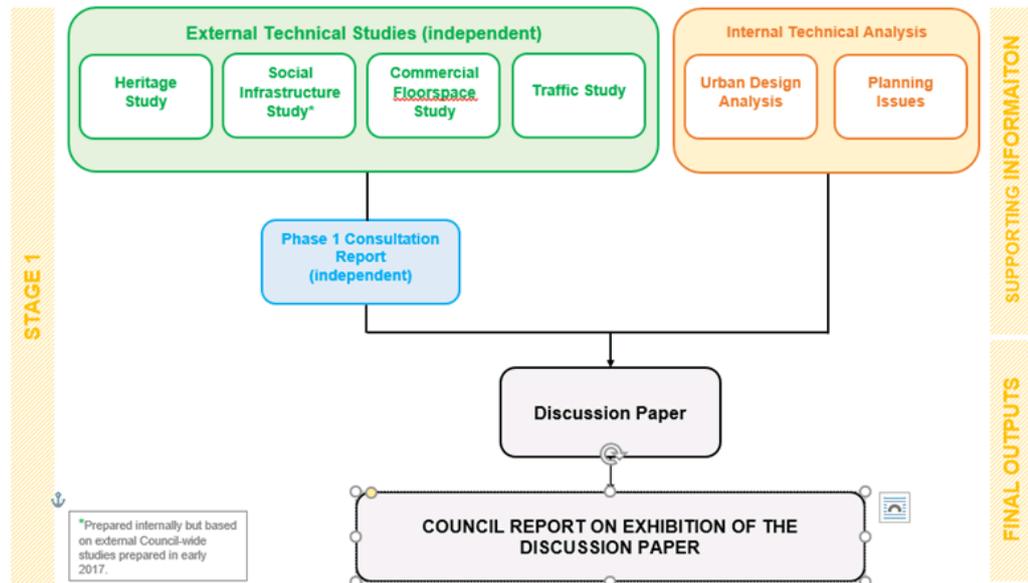


Figure 2 - Stage 1 of the Epping Planning Review

8. This Council report constitutes the last major milestone of Stage 1 of the Epping Planning Review and reports on the feedback received from the Phase 2 community consultations and Discussion Paper exhibition process.
9. Stage 2 of the Epping Planning Review will involve implementing changes to planning controls (zoning, heights, FSRs) and unifying the planning controls to create a single set of controls for the town centre. This means amending the *Parramatta LEP (PLEP) 2011* and the *Hornsby LEP (HLEP) 2013*, Parramatta DCP and Hornsby DCP, and relevant development contributions plans and public domain plans to create a single set of planning controls.
10. It is noted that the principles determined in Stage 1 also impact on other policy areas of Council (outside of the changes to planning controls covered in Stage 2) and that the findings and analysis carried out to date will be used to inform further work on these areas (ie. social infrastructure) as part of a separate process.

PUBLIC EXHIBITION OF DISCUSSION PAPER

11. The Epping Planning Review Discussion Paper (**Attachment 1**) and supporting studies were publicly exhibited from Wednesday, 21 June to Wednesday, 19 July 2016.
12. The Discussion Paper contained 32 questions, of which:
- 4 questions addressed heritage interface issues;
 - 9 questions addressed commercial floorspace issues;

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- c. 11 questions addressed social infrastructure issues;
 - d. 2 questions addressed public domain issues; and
 - e. 6 questions addressed traffic and transport issues.
13. The context around the questions are detailed in the Discussion Paper.
14. Council has specifically sought responses to the questions to help guide the future direction of Stage 2 of the Epping Planning Review. As such this report focuses on the community feedback raised in relation to the questions.
15. It must also be noted that comments/feedback were also provided outside of the questions and this is also discussed in this report.

Phase 2 Community Engagement

16. Phase 2 community engagement involved a series of Community Workshop sessions which presented the findings of the technical studies and Discussion Paper. Feedback was also sought on the options and the questions.
17. Over 750 participant entries were recorded across all engagement activities, which incorporated:
- a. Three evening sessions held on:
 - i. Social Infrastructure and commercial floor space (3 July 2017),
 - ii. Heritage (5 July 2017), and
 - iii. Traffic (12 July 2017).

These were held at the St Albans Anglican Church Main Hall in the Epping Town Centre.
 - b. Two evening sessions for Epping's two largest culturally and linguistically diverse (CALD) communities:
 - i. A session for the Chinese community was held on 10 July 2017,
 - ii. A session for the Korean community was held on 17 July 2017.

These were held at the Epping Creative Centre.
18. All sessions were facilitated by Straight Talk, a consultancy commissioned to independently facilitate and record the feedback from each session.
19. These Phase 2 consultations are summarised in the *Epping Town Centre Review: Phase two – Exhibition period consultation* (provided at **Attachment 2**).

Site visits

20. Three site visits were undertaken by Council Officers and the Administrator at the request of residents who raised concerns about the impacts of current development in their areas. Site visits were undertaken at the following locations:
- a. Rosebank Avenue.
 - b. Eastern side of Essex Street, within the Essex Street HCA.
 - c. Norfolk Street in the vicinity of Pembroke Street.

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21. The purpose of the site visits was to listen to the concerns raised by residents with regard to the findings of the Discussion Paper and assist them in informing their submission.

Developer Consultation

22. On 30 June 2017, Council Officers hosted an Information Session for the applicants of the Austino Planning Proposal (adjacent to Forest Park) and the two Preliminary planning proposals at Rawson Street and Beecroft Road.
23. The purpose of this consultation was to provide an update to the applicants on the status of the Epping Planning Review project, in order to enable them to prepare a submission.

PROJECT STEERING GROUP

24. To ensure State agency engagement on the recommendations of the Epping Planning Review process, at the commencement of the project, Council established the Epping Planning Review State Agency Steering Group.
25. The Steering Group comprises representation from the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW and Roads and Maritime Services and staff of City of Parramatta.
26. To date, the Steering Group has met on three occasions to discuss issues relating to the review as well as oversee the progress of the Discussion Paper.

COMMUNITY FEEDBACK - INTRODUCTION

Submissions

27. Council received over 300 individual pieces of correspondence in response to the exhibition. Within this correspondence, there were several submitters that made multi-part submissions, as well as a few submissions made on behalf of small groups of residents. These factors meant that the total number of submitters was over 260.
28. The submissions varied broadly in scope in terms of their response to the 32 questions posed in the Discussion Paper. The majority of submissions (about 90%) directly answered questions posed in the Discussion Paper. Of these, about one third of submitters focused on one question, about one third of submitters discussed 2-5 questions, and about one third addressed 6 or more questions. About 12% of submitters addressed 20 or more questions.
29. **Figure 3** below demonstrates the frequency of response to the 32 questions.
30. As demonstrated in **Figure 3** there was a high level of response to each of the questions posed (minimum 24 responses; maximum 131 responses). The average number of responses to each question was 50, for a total of over 1,600 individual answers across all of the questions. The four questions attracting the highest frequency of responses were 9b (relating to the purchase of the former Bowling Club site), 9k (relating to future use of the Dence Park Aquatic Centre), 9a (relating to expanding parks ahead of creating new parks), and 11a (relating to delaying processing of planning proposals until the Traffic Study is complete); each of these four questions received over 100 responses.

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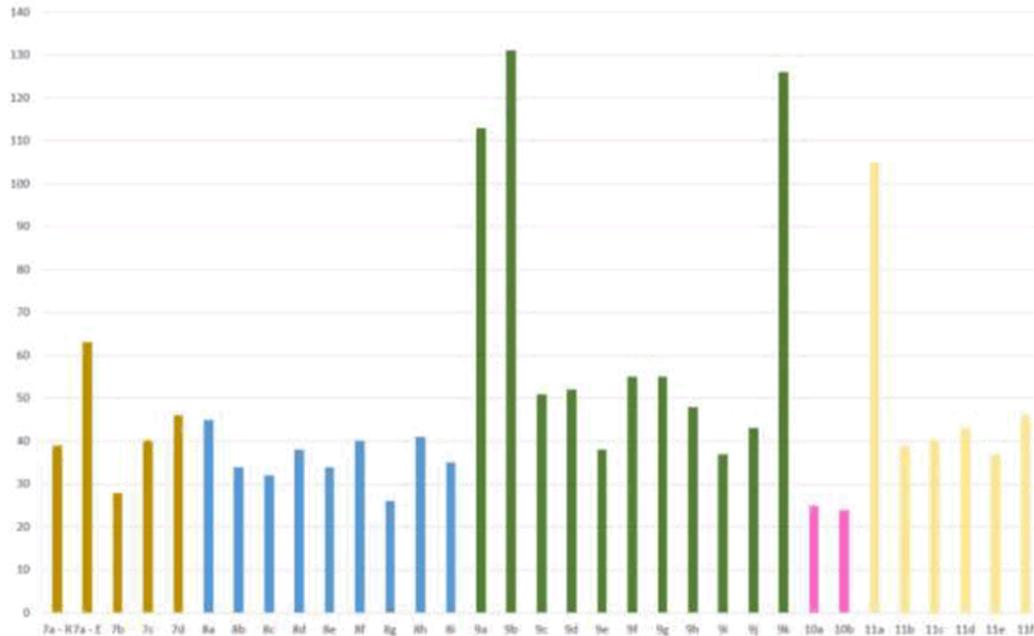


Figure 3 - Graph showing responses to the questions

31. **Attachment 3** provides a detailed summary of the submissions received in response to each question, and further sections of this report respond to this analysis on a question-by-question basis. Many respondents provided commentary outside of the questions posed, but which still broadly related to the five themes in the Discussion Paper (Heritage, Commercial Floor Space, Social Infrastructure, Public Domain and Traffic/Transport). This commentary is also summarised in **Attachment 3** on a thematic basis. Analysis of this feedback is also considered within this report.
32. Many respondents provided commentary outside of the questions and themes of the Discussion Paper. Council officers' analysis of this commentary is detailed in **Attachment 4** (General Comments). Analysis of this feedback is also considered within this report.

Community Workshop Sessions

33. The Community Workshop sessions (discussed above in 'Phase 2 Community Engagement') were a major element of the Phase 2 Community Engagement process and have been summarised in Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation* which forms **Attachment 2** to this report.
34. Generally, there are strong similarities with the feedback from the community submission process. However, any differences in views between submissions and feedback received directly from the community workshop sessions are explained in each of the chapter sections below.

HERITAGE CHAPTER

35. Chapter 7.0 of the Discussion Paper responds to the recommendations made within City Plan Services' *Epping Town Centre (East) Heritage Review* ("Heritage Review") as well as feedback received from residents during the Phase 1 consultations held in May this year.

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36. The sub-sections below summarise the responses to the Discussion Paper's four questions (ie. 7a, 7b, 7c and 7d) which pertain to Rosebank Avenue and Essex Street Heritage Conservation Areas (HCAs), Rockleigh Way, certain properties at Norfolk Road and Pembroke Street and the Rose Street Precinct.

Rosebank Avenue HCA

37. Until March 2014, the Rosebank Avenue area and surrounds were zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 by way of the Department of Planning and Environment's (DP&E's) Urban Activation Precinct process introduced the Rosebank Avenue HCA and introduced the R4 High Density Residential Zone to its south eastern, southern and eastern borders. The R4 High Density Residential Zone currently permits 5 storey residential flat buildings.
38. The Rosebank HCA and surrounding land zonings in *HLEP 2013* are illustrated in **Figure 4**, below.



Figure 4 - Rosebank Avenue HCA (hashed) and current zoning

39. Two heritage items are situated midpoint within the HCA, at No.s 9 and 10 Rosebank Avenue (refer to **Figure 5** below). These two sites mark the midpoint on either side of the HCA.
40. The street runs in a north/south direction with most properties fronting the street in an east or west direction. These lots are relatively large. However, No.23 Rosebank Avenue is the only property that fronts the street in a north/south direction. This lot is also much smaller in size and is flanked by larger lots that have frontage to Rosen Street. It therefore, has limited redevelopment opportunity on its own.
41. The Heritage Review assessed the heritage value of the HCA and has recommended the retention of the Rosebank Avenue HCA. However, this study only looks at the heritage factors and does not address the land use conflicts occurring at the interface at the rear of some of the properties within the Rosebank Avenue HCA.
42. A strong residential market has seen many of the R4 zoned sites be redeveloped for 5 storey residential flat buildings. This has created a conflict in land use that sees 5 storey residential flat buildings overlooking single and two

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storey low density residential development which is significantly impacting on the privacy and amenity of the Rosebank Avenue residents, particularly those at No.s 1-7, and 2-8 Rosebank Avenue.

43. Section 7.4.1 of the Discussion Paper presents 7 options to resolve interface issues at the Rosebank Avenue HCA (as well as the Essex Street HCA which is discussed in the section below). The options range from "Maintain the HCA" to presenting an option that would permit "3 storey residential flat building" redevelopment and involve the removal of the HCA notation in the *HLEP 2013*.
44. Council Officers recommend three options (Options 4, 5 and 6) for the Rosebank Avenue HCA all of which involve:
 - a. Removal of the HCA affectation in *HLEP 2013*; and
 - b. Planning controls that permit demolition of the existing housing and two storey redevelopment comprising: (1) Dual Occupancy (side by side); (2) Town Houses; or (3) Manor home, (with the exception of the two heritage items).
45. With the adjacent creek (zoned RE1 Public Open Space) and the two heritage items sitting midway in the precinct, the Discussion Paper noted that further analysis be undertaken to assess how *different options that might be applied to different parts of the HCA* due to the fact that the interface issues primarily affect the southern properties in Rosebank Avenue.
46. The standard question 7a. asks: *What is your preferred option and why?*

Community Feedback

47. Feedback from the community on Rosebank Avenue received via the community information sessions and via submissions was divided.
48. Some residents within Rosebank Avenue want to see the same planning controls that enable 5 storey residential development applied to their sites so they can maximise their economic benefit in the same way their neighbours have to the south and south east (refer to **Figure 5** below showing the extent of the HCA and street numbers).



Figure 5 - Rosebank Avenue HCA and heritage items with street numbers

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49. Views received via submissions and Community Workshop sessions from some residents who reside outside the HCA see the removal of the HCA and allowance for redevelopment as further degradation of local character. Many are unsympathetic to the residents experiencing the interface issues. Some view that the new R4 zone has been in place for over 3 and a half years and affected residents could have either sold up to a more tolerant resident who "knew what they were buying". Some hold the view that affected residents could have planted trees at the time the new controls came into effect to help mitigate the amenity and privacy impacts. There is also a perception from these respondents that the affected residents who see redevelopment as a resolution to the interface issues do not care about the impacts it will have on the residents who choose to stay or who are less affected by the new development.
50. With regards the heritage items at No.s 9 and 10 Rosebank Avenue, the predominant response from respondents was that the heritage items should be removed if the HCA notation is recommended for removal on the basis that the heritage items are just as affected as the properties at the southern portion of the precinct. They see that these properties also have visual proximity to the interface issues and this devalues the significance of the heritage items. There was also a contrary view – that the preference is for Options 1 ("Maintain the HCA") or Option 2 ("Landscaping at interface") across the precinct but notes that in the instance the HCA is recommended for removal, then the entire precinct should enable 5 storey residential flat buildings.

Conclusions and recommendations

51. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls introduced by the State Government in March 2014.
52. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That Council Officers accept that there are severe interface issues occurring (or, in some cases, are yet to occur) to the southern half of the precinct; specifically, the properties at No.s 1, 3, 5 and 7 as well as 2, 4 and 6-8 are likely experience the same impacts as the remaining adjoining R4 zoned land is redeveloped over time.
 - b. That a heritage item (such as the two at No.s 9 and 10 Rosebank Avenue), as opposed to a property with just a HCA notation over it, has a much more significant role in terms of heritage conservation and protection. The importance of a heritage item relies less on the surrounding character and more so on its own individual historical attributes. As such, it is not uncommon for heritage items to sit amongst development that is of a different typology.
 - c. The RE1 zoned land to the west comprising the eastern edge of Kent Street Park – along with the two heritage items - also forms a 'break' and mid point within the Rosebank Avenue Precinct.
 - d. Council Officers see that the interface issues are less significant at the rear of No.s 12 to 18 Rosebank Avenue, despite the R4 zoning on the adjoining large site to the east at No.23 Ray Road. Constructed in early 2011, the development on this site incorporates 2.5 and 3 storey town house development which faces the properties at No.s 12 to 18 Rosebank Avenue. These townhouses shield the 4 storey residential flat building development that fronts Ray Road. Since 2011, tree

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plantings now shield views to this development from Rosebank Avenue.

- e. Similarly, Council Officers determine that there are no interface issues occurring (or anticipated to occur) at the rear of the sites at No.s 13 to 21 Rosebank Avenue. This also includes No.23 Rosebank Avenue. These sites do not adjoin any R4 zoned land. As noted above, the property at No.23 is isolated, smaller in size than the other Rosebank Avenue parcels and has little chance of being redeveloped and given it is surrounded by the R2 zoned properties which have frontage to Rosen Street. Therefore, the current R2 zone is not considered to be inappropriate against the R2 zoned land which has a two storey height limit.
- f. That any change to the planning controls needs to be sensitive and sympathetic to the existing heritage items at No.s 9 and 10 Rosebank Avenue.
- g. That the removal of the HCA notation will not have any impact on the heritage significance of the two heritage items situated at No.s 9 and 10 Rosebank Avenue (refer to **Figure 5**) as these properties are recognised for their significance as stand-alone sites.
- h. That the basis for any changes to the planning controls is to place as little pressure as possible on local traffic.

53. Council Officers therefore, **recommend the following principles:**

- a. In the case of properties situated at No.s 1, 3, 5 and 7 as well as 2, 4 and 6-8 Rosebank Avenue:
 - i. That Option 7 – 3 storey residential flat building redevelopment be permissible; and
 - ii. That further urban design work identify appropriate building height, density (FSR) controls, building setback and amalgamation controls so as to ensure an appropriate transition from 3 storeys to 2 storeys towards the heritage item sites to the north. This analysis will inform new DCP controls.

These recommended controls:

 - enable owners to achieve economic benefit from a higher density solution.
 - represent a sound transition in density from the 5 storey residential flat building to a single storey heritage item.
- b. That the Rosebank Avenue HCA notation in *HLEP 2013* (labelled "C11") be removed entirely.
- c. That the existing heritage items at No.s 9 and 10 Rosebank Avenue remain listed in the LEP Heritage Schedule as heritage items.
- d. In the case of the properties situated north of the heritage items comprising No.s 13 to 21 Rosebank Avenue (western side) and 12 to 18 Rosebank Avenue (eastern side) and of No.23 Rosebank Avenue, that there be no change to the LEP planning controls.
- e. That in the case of the entire Rosebank Avenue area, that the relevant DCP controls be amended accordingly, including any amendments to

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Section 9.3.14 'Rosebank Avenue (Epping) Heritage Conservation Area' section of the Hornsby DCP'.

- f. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Essex Street HCA

54. Until March 2014, land situated on the eastern side of Forest Grove - which directly adjoins land on the western side of Essex Street between Epping Road and Maida Road - was zoned R2 Low Density Residential. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R4 zone. The R4 High Density Residential zone permits 5 storey residential flat buildings.
55. The Essex Street HCA and surrounding land zonings in *HLEP 2013* are illustrated in **Figure 6**, below.

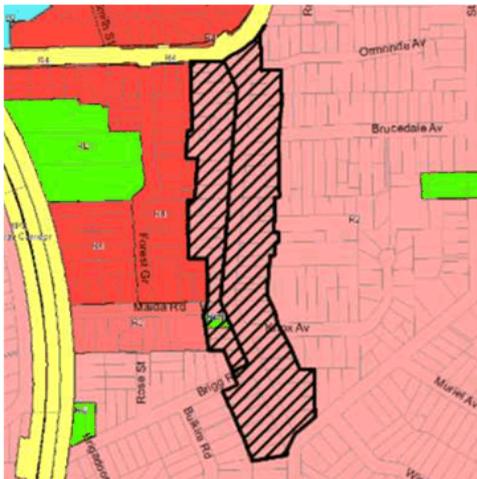


Figure 6 - Essex Street HCA (hashed) and current zoning

56. Four heritage items are situated within the Essex Street HCA - at No.s 42, 47, 76 and 84 Essex Street (refer to **Figure 7** below).
57. The Heritage Review assessed the heritage value of the HCA and has recommended retention of the Essex Street HCA. However, this study only looks at the heritage factors and does not address the land use conflicts occurring on the west side of the HCA between Epping Road and Maida Road.
58. A strong residential market has seen most of the R4 zoned sites (between Epping and Maida Roads) flanking the western side of Essex Street be redeveloped (or have existing approvals) for 5 storey residential flat buildings. This has created a conflict in land uses that sees 5 storey residential flat buildings overlooking single and two storey low density residential which is significantly impacting on the privacy and amenity of the Essex Street residents on the western side of Epping and Maida Road.

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59. Section 7.4.1 of the Discussion Paper presents 7 options to resolve interface issues at the Rosebank Avenue HCA (as well as the Essex Street HCA which is discussed in the section below). The options range from "Maintain the HCA" to "3 storey residential flat building" redevelopment.
60. Council Officers recommend three options (Options 4, 5 and 6) for the Rosebank Avenue HCA all of which involve:
- a. Removal of the HCA notation in *HLEP 2013*; and
 - b. Introduction of new planning controls that permit two storey redevelopment comprising: (1) Dual Occupancy (side by side); (2) Town Houses; or (3) Manor home (with the exception of heritage items).
61. The standard question, 7a., asks: *What is your preferred option and why?*
- Community Feedback*
62. Feedback from the community on the Essex Street HCA received via the community information sessions and via submissions is divided.
63. For residents residing on the western side of Essex Street, situated within the HCA, the responses were as follows:
- a. 75% of residents either supported the Council Officer recommendation or Option 7 ("3 Storey Residential Flat Building").
 - b. 25% of residents supported Option 1 ("No Change").
64. The predominant view from residents on the eastern side of Essex Street within the HCA also support the removal of the HCA notation to enable redevelopment that enables a transition to the adjoining R4 zone. Views from the eastern side of Essex Street held the strong view that if there was any change to the building form on the western side of the street, that the same type of development should be permissible on the eastern side of the street.
65. Views of residents that reside outside the HCA see the removal of the HCA and allowance for redevelopment as further degradation of local character. Furthermore these views have strong similarities with those of the residents situated outside the Rosebank Avenue HCA, in that:
- a. Some residents are not sympathetic to the residents experiencing the interface issues:
 - i. Some view that affected residents could have addressed interface issues early by tree planting at the time the new controls came into effect to help mitigate the amenity and privacy impacts
 - ii. Some view that affected residents could have either sold up and moved out by selling to a more tolerant resident who "knew what they were buying" and appreciates what special character is left.
 - iii. Some have the perception that the affected residents who are fed up and want to sell to maximise their economic benefit do not care about the impacts it will have on the residents who choose to stay or who are less affected by the new development.

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Figure 7 - Essex Street HCA and heritage items in HLEP 2013

Conclusions and recommendations

66. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
67. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
 - a. That there are significant interface issues that properties are experiencing on the western side of Essex Street HCA; specifically, those situated between Epping Road and No.86 Essex Street.
 - b. That there are no interface issues being experienced on the eastern side of the Essex Street HCA despite the numerous views of the residents residing on the eastern side. The role of the Essex Street road reserve is critical in establishing a demarcation between land uses. The road reserve which is approximately 21 metres wide when measured between the front boundaries of the western and eastern side of the street acts as a clear demarcation for any change in land use and becomes the ideal "line in the sand". If Council was to enable redevelopment uplift of the eastern side of Essex, this only pushes and extends the interface issue further east.
 - c. Essex Street stretches from Oxford Street in the north to Abuklea Road in the south with the Essex Street HCA section occupying a little more than 25% of its full length. Therefore, any recommendations to change the eastern side of Essex Street within the HCA section is likely to result in the Essex Street residents situated outside of the HCA that own land zoned R2 Low Density Residential to also seek uplift because the rezoning of the eastern side will establish a precedent.
 - d. Terry's Creek forms a natural geographical boundary rather than a boundary for land use change. Relying on Terry's Creek as a land use boundary would introduce a significant number of dwellings which

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would not only have significant traffic implications but also result in significant additional land being up-zoned further away from the station.

- e. Of the 3 recommended re-development options within the Discussion Paper (which were: Option 4 Dual Occupancy (side by side), Option 5 Town house re-development and Option 6 Manor home, that Council Officers recommend Option 6 Manor home because this option:
 - i. Represents a sound transition in density from the 5 storey residential flat building to 2 a storey medium-density, to the 1 to 2 storey low density across the street. It means that no change to the existing height control is required.
 - ii. Does not require site amalgamation so that owners will be able to independently develop their sites if they wish.
- f. That if there is a recommendation that enables redevelopment of the western side of Essex Street between Epping and Maida Roads, that there is no heritage benefit in keeping the Essex Street HCA notation.
- g. The removal of the HCA notation will not have any impact on the heritage significance of the four heritage items situated at No.s 42, 47, 76 and 84 Essex Street (refer to **Figure 7**) as these properties are recognised for their significance as stand-alone sites.

68. Council Officers therefore, **recommend the following principles:**

- a. That the Essex Street HCA notation in *HLEP 2013* (labelled "C10") be removed in full.
- b. That the existing heritage items at No.s 42, 47, 76 and 84 Essex Street remain listed in the LEP Heritage Schedule as heritage items.
- c. That the planning controls for the properties on the western side of the Essex Street HCA area be amended to permit re-development that involves demolition of the existing housing (with the exception of heritage items) to enable development of two storey manor home development, between Epping Road and Maida Road.
- d. That the planning controls for the properties on the eastern side of the Essex Street HCA area remain unchanged and not be amended.
- e. That further urban design be undertaken to determine the appropriate density, setbacks and other building envelope and controls to guide the development of new manor home development. This analysis will inform new development control plan (DCP) controls including any amendments to Section 9.3.13 'Essex Street (Epping) Heritage Conservation Area of the Hornsby DCP'.
- f. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Rockleigh Park

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69. The Rockleigh Park precinct comprises 33 small subdivided lots that come off a small, narrow laneway system. The area is predominantly zoned R4 high Density Residential (shown edged yellow in **Figure 8** below) with an R3 Medium Density Residential zoned strip edging the north and eastern boundaries. The subject site currently contains medium density housing.
70. Until March 2014, the 36 parcels that make up Rockleigh Park were zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R4 zone to the 18 parcels central within Rockleigh Park. The R4 High Density Residential zone permits 5 storey residential flat buildings. No sites have been redeveloped in accordance with the new zone on account of constraints around community title and the small street network.
71. The precinct's proximity to the R4 zoned land at Essex Street to the south and the East Epping HCA to the north (shown hashed red) are illustrated in **Figure 8**.
72. The Heritage Review commissioned by Council recommends down-zoning the parcels zoned R4 (which has a 17.5 metre or 5 storey building height) to R3 Medium Density Residential zone (which has a 12 metre or 4 storey building height) to better reflect existing development.



Figure 8 - Rockleigh Way (area edged in yellow and with a R3 zoned strip)

73. The Discussion Paper recommends supporting the R3 zone and that further urban design analysis to identify the appropriate amalgamation, height and density controls be carried out.
74. The proposed downzoning to the R3 zone better reflects the current use – small single and two storey cottages, some of which are attached, on a small, narrow laneway system.
75. The standard question at the end of this section (Question 7b) asks: *Do you agree with the recommendation for Rockleigh Park?*

Community Feedback

76. Community feedback from residents on this issue showed strong support for the down zoning of the site from the R4 zone to the R3 zone.
77. Respondents also said that the proposed R3 zone:
 - a. Would more appropriately deal with the transition between higher and lower density areas; and

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- b. Should be supported by a master planning process so that appropriate heights and density controls can be put in place.

Conclusions and recommendations

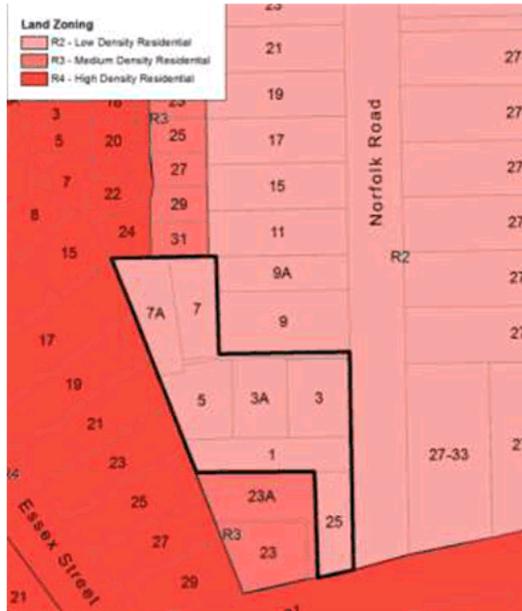
78. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
79. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
 - a. With 18 lots zoned R4 and 15 lots zoned R3 all of which rely on the same small road network for access which falls under a community title, it is highly unlikely that these sites will be purchased by a developer for redevelopment.
 - b. The recommended downzoning better reflects the current use – small single and two storey cottages, some of which are attached, on a small, narrow laneway system.
 - c. The proposed R3 Medium Density Residential zone is consistent with the Rockleigh Park properties that form its northern and eastern boundaries.
 - d. That redevelopment of Rockleigh Park for 5 storey residential flat building development would reflect further and unnecessary encroachment of inappropriate high density development up against low density development.
 - e. That the recommendation within the Discussion Paper to down-zone the R4 zone to the R3 zone still stands.
80. Council Officers therefore, **recommend the following principles**:
 - a. That the component of Rockleigh Park currently zoned R4 be rezoned to the R3 zone so that the entire 33 parcels fall under a single (R3) zone consistent with the recommendations with the Heritage Review and Discussion Paper.
 - b. That further urban design analysis be undertaken across all of Rockleigh Park to determine the best building height and density (FSR) controls including amalgamation patterns should the site be amalgamated in the future. This analysis will also inform DCP controls.

1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street

81. The parcels at 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street are all currently zoned R2 Low Density Residential with the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street located within the most southern section of the East Epping HCA (refer to **Figures 9 and 10**, below)

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84. Until March 2014, the R4 zone to the west of this area did not exist. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process rezoned the R2 Low Density Residential land to the R4 High Density Residential zone which permits 5 storey residential flat buildings.
85. The Heritage Review commissioned by Council recommends:
- a. The removal of the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street; and
 - b. Rezone No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street as well as No. 5, 7 and 7A to the R3 zone so all parcels share the same zoning and also, match the zoning to the south.
86. Since 2014, when the adjacent R4 zone came into effect, there has been no redevelopment of land in this vicinity however, it is noted that a strong residential market could drive redevelopment in the future.
87. To resolve any forthcoming interface issues at No.s 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, Section 7.4.2 of the Discussion Paper presented three options and sought feedback. The three options are as follows:
- a. Option 1 is as per the Heritage Review's recommendation (described above).
 - b. Option 2 is to both:
 - i. Remove the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Rezone all of the seven parcels to the R3 zone, but restrict development on No.s 3, 3A, 5, 7 and 7A Norfolk Road to a 2 storey manor home and encouraging No.s 1 Norfolk Road and 25 Pembroke Street to amalgamate with No.s 23 and 23A Pembroke Street to redevelopment into a town house scheme.
 - c. Option 3 is to:
 - i. Remove the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Retain the R2 zone on No.s 3, 3A, 5, 7 and 7A Norfolk Road, and
 - iii. Allow No.1 Norfolk Road and 25 Pembroke Street to be rezoned to the R3 zone.
88. The standard question at the end of this section (Question 7c) asks: *...what is your preferred option and why?"*.

Community Feedback

89. Feedback from the community via the community information sessions and submissions is divided.
90. Responses from the owners of No.s 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, included a coordinated group response which was included in some of the households' submissions. These indicated unanimous support

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for Option 1 (remove HCA and rezone to R3). Key reasons for supporting this option were:

- a. That there is a desire to resolve future interface issues with the anticipated R4 development yet to occur on the adjoining R4 land.
 - b. That the option could encourage amalgamated development sites large enough to support "high-quality integrated development" with adequate transition to adjacent low-rise areas and the Heritage Item at 9 Norfolk Road.
 - c. To encourage housing within walkable access to the school and town centre.
 - d. That Option 2 (manor home) was not preferred as it was seen as an undesirable and less integrated approach than larger site amalgamation along with the potential problems with strata-titled developments sharing one driveway (i.e. access, construction, utilities) was also raised although it should be noted that the manor home recommendation involves amalgamated sites.
 - e. That Option 3 was considered as an uncoordinated approach to zoning that could result in small, piecemeal development. An alternative for R4 zoning was also raised by some.
91. Feedback from two adjoining owners, including the owner of the adjoining heritage property at No. 9 Norfolk Road have preference for Option 3 as this is seen as a more appropriate building form response since the sites at No.s 3A, 5, 7 and 7A Norfolk Street have no street address.
92. Feedback from other residents were varied:
- a. some seeing Option 2 as preferable,
 - b. others as Option 3 as preferable, with
 - c. others feeling that only limited redevelopment was acceptable (low density to be replaced with low density).
93. Other residents cited the local neighbourhood shop building which is attached to the dwelling at No. 25 Pembroke Street as a valued and historically important building in this area. However, despite the Heritage Study's identification of the site as a 'contributory item', it also recommends removal of the East Epping HCA notation over the site.

Conclusions and recommendations

94. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
95. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. That any response needs to be sensitive to the heritage item at No.9 Norfolk Road.
 - b. The narrowness of the lots at No.25 Pembroke Street and No.1 Norfolk Street lend themselves to amalgamating with No.s 23 and 23A given their location.

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- c. That the R4 High Density Residential zone to the west and R3 Medium Density Residential zone to the south have the strong potential to result in interface issues which need to be managed.

96. Council Officers therefore, **recommend the following principles:**

- a. That option 2 from the Discussion Paper be applied, which involves:
- i. Removing the East Epping HCA notation (labelled "C9" in *HLEP 2013*) over the properties at No.s 1, 3 and 3A Norfolk Road and 25 Pembroke Street, and
 - ii. Rezoning all of the seven parcels to the R3 zone*, but:
 1. Limit re-development on No.s 7 and 7A Norfolk Road to a 2 storey manor home.
 2. Enable re-development on No.s 1, 3 and 3A, 5 Norfolk Road and 25 Pembroke Street to realise residential flat building (no more than 3 storeys in height) however, undertake urban design analysis to determine:
 - appropriate height, density and amalgamation controls including the controls affecting No.s 23 and 23A Pembroke Street; and
 - appropriate setback controls from the heritage item at No. 9 Norfolk Street; and
 - that this analysis informs DCP controls including any amendments to section 9.3.12 'East Epping Heritage Conservation Area'.

Note: this may result in a different zone depending on the methodology utilized in the harmonization of the planning controls.

- b. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Rose Street precinct

97. The Rose Street Precinct is flanked by properties zoned R3 Medium Density Residential (which front Maida Road), Blaxland Road to the west, the Essex Street HCA properties to the east and Brigg Road to the south. It excludes the Essex Street properties and a pocket park in the north east corner with Maida Road and Essex Street. Refer to **Figure 11** below.
98. Until March 2014, land situated on the southern side Maida Road was zoned R2 Low Density Residential Zone. However, new planning controls which came into effect in March 2014 via the DP&E's Urban Activation Precinct process introduced the R3 zone to Maida Road. The R3 zone permits 4 storey residential flat buildings.

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Figure 11 - Rose Street Precinct (area hashed blue)

99. The land that is zoned R3 is being redeveloped into 4 storey residential flat buildings. Also the topography slopes (downwards) to the south increasing the impact of the height of new development.
100. The Heritage Review assessed the appropriateness of the R2 zone with regards to the adjoining Essex Street HCA and concluded that the Rose Street precinct be upzoned to the R3 zone on a land use basis.
101. With regards to land outside the precinct (as per **Figure 11**, above) it should be noted that as per the recommendations for Essex Street, the HCA notation to the east of the precinct is recommended for removal.
102. As at mid July 2017, over two-thirds of the strip of R3 zoned land fronting Maida Road has either been developed as 4 storey residential flat buildings or is under construction for the same.
103. There is potentially an opportunity for Council to pursue an acquisition process to purchase sites for community/public open space in the vicinity of Rotary Park given the findings from the *Epping Social Infrastructure Study* which supported the Discussion Paper.
104. The Discussion Paper supports the recommendation within the Heritage Study - which is to zone the precinct R3 zone - but also recommends that further master planning work be undertaken to determine the appropriate height and density controls so as to ensure a clear transition to the R2 zoned land on the southern side of Brigg Road.
105. The Discussion Paper seeks feedback on the recommendation (Question 7d) which asks: *Do you agree with the recommendation for the Rose Street Precinct?*

Community Feedback

106. Council received a total of 45 submissions on this issue. Feedback from the community is divided. Responses from 19 respondents support the Discussion Paper's recommendation to up-zone the precinct. This is largely because those residing within the Rose Street precinct feel they have lost significant amenity with the introduction of the 4 storey residential flat building development occurring to the north. The views of residents outside the precinct (26 respondents) do not support the recommendation for up-zoning as they feel

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that it will only extend pressure to upzone land further south. Some respondents have the view that the four storey interface is insignificant. (Refer to a summary of the submissions at **Attachment 3**).

107. The above views were also reflected at the Community Information Sessions (refer to Straight Talk's *Epping Town Centre Review - Phase Two - Exhibition period consultation* at **Attachment 2**).

Conclusions/Recommendations

108. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

109. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. That the interface issues that are occurring to the north of the precinct require a land use planning response to manage these interface issues.
- b. That the recommended R3 Medium Density zone in the Heritage Review and the Discussion Paper generally represents a sound transition to the R2 zone on the southern side of Briggs Road providing that master planning is undertaken for this precinct.

110. Council Officers therefore, **recommend the following principles**:

- a. That the land be rezoned to the R3 zone*; and
- b. That further urban design analysis/master planning process is needed to:
 - i. Determine how development from the north needs to step down to a building height of 2 storeys at the Brigg Road frontage to transition to development across the road. Transition should also be considered towards the eastern end of the site to ensure future massing appropriately responds to the low density residential development fronting Essex Street.
 - ii. Determine an appropriate amalgamation pattern, building height, density and setback controls as well as provision of communal and public open space
 - iii. That this analysis inform DCP controls.

Note: this may result in a different zone depending on the methodology utilized in the harmonization of the planning controls. But the intended built form outcome will remain the same.

- c. That despite the increase in residential density proposed, that the above recommendations could proceed ahead of the completion of the Traffic study as they seek to urgently deal with the unintended impacts arising from the new planning controls implemented in 2014 relating to land use interface issues. Furthermore, the potential increase in dwelling numbers resulting from this recommendation is likely to be minimal when compared against the traffic impacts arising from proposals detailed later in this report.

Hornsby Heritage Review Stage 6

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111. Section 7.1 within the Heritage Chapter of the Discussion Paper responds to a previous Hornsby Shire Council resolution pertaining to certain heritage matters in Epping.
112. Identified as part of 'Stage 6' of the Hornsby Shire Council Heritage Study Review, the Heritage Study prepared by City Plan Services reviewed these matters and made a number of recommendations. These matters and recommendations are detailed in **Attachment 5** and are also detailed in the consolidated list of recommendations contained in **Attachment 6**.

COMMERCIAL FLOORSPACE CHAPTER

113. As noted in the Discussion Paper, in 2011 the Epping Town Centre had 4,512 jobs with 55,000sqm of office floor space and 13,000sqm of retail floor space. However, since 2014, new development within the B2 Local Centre zone has reduced the amount of office floor space. Developers are replacing existing large scale office towers and small scale (2 and 3 storey) office development with shop top housing.
114. This trend is occurring despite the Hornsby DCP controls requiring non-residential uses on the first two to three floors of development in the B2 Local Centre zone. Parramatta's DCP controls require applicant's to provide "up to" 4 storeys of commercial development, but only for development on Becroft Road.

<p>Note: Commercial floorspace is floorspace utilised for retail, office or business premises.</p>

115. The Department's position on the reduction of commercial floor space is that, based on market analysis, demand for commercial floor space is expected to reduce as other centres such as Macquarie Park and Norwest Business Park become more attractive. City of Parramatta commenced a review and in response commissioned SGS Economics and Planning to understand whether the loss of floor space is a positive trend, and to understand other commercial land use elements that may create a more successful town centre.
116. Chapter 8.0 of the Discussion Paper responds to the recommendations made within SGS Economics and Planning *Epping Town Centre Commercial Floorspace Study* ("Floorspace Study") as well as feedback received from residents during the Phase 1 consultations held in May this year.
117. The sub-sections below summarise the responses to the Discussion Paper's nine questions which pertain to:
- a. Epping Town Centre's role as a Sub-District Centre;
 - b. The role of Government owned sites; and
 - c. The mix of retail uses.

Epping as a Sub District Town Centre in 2036

118. One of the concepts considered in the Floorspace Study is the State Government's **30-minute city** where people can access a wide range of job, services and other opportunities within 30 minutes from their place of residence.
119. Sections 8.5.1 and 8.5.2 within the Discussion Paper comprises three questions (8a to 8c) which seek feedback on the future role of the Epping Town Centre to the year 2036.

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Community Feedback

120. With regards to question 8a: *Should Epping evolve as a Sub District Centre with a target of achieving the commercial floor space targets without any increase in Net Floor Space on Business B2 zoned sites?* The community's responses are highly supportive of the role of the centre having a significant component of commercial floorspace. The most common view is that there needs to be more variety in retail and more night time activity.
121. With regards to questions 8b and 8c, these ask if Epping should evolve as a Sub District Centre:
- a. Without any increase in net floorspace (8b) noting that additional commercial floorspace provision would be provided at the expense of residential development; or
 - b. By allowing an increase in net floorspace (8c) to recognise the need for increased provision of commercial floorspace.
122. Responses were as follows:
- a. Despite residents generally recognising the need for additional commercial floorspace, residents generally consider that this additional floorspace should be contained within the current height and density controls.
 - b. Developers believe that an incentive – such as mandating a minimum commercial floorspace - needs to ensure that there is no net loss of potential residential floorspace and is an essential mechanism to ensure the delivery of the amount of commercial floorspace to deliver a sub-district centre.

Conclusions and recommendations

123. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
124. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude** the following:
- a. That Epping Town Centre should aim to be a Sub-District Centre in 2036 (ie. 13,000sqm of retail floorspace and 55,000sqm of other commercial floorspace) as per the *Epping Commercial Floorspace Study* prepared by SGS Economics and Planning.
 - b. The urban design analysis demonstrates that a 3 storey podium is required on remaining developable sites within the town centre to achieve the target identified in the Study.
 - c. In order for the Epping Town Centre to become a vibrant commercial centre, additional floorspace which enables higher rates of office and retail floor space is needed.
 - d. Such controls need to be mandated and therefore, should be in the LEP not the just the DCP.
 - e. That the traffic implications of increased commercial floorspace provision and associated increase in residential floorspace (should this be supported) be tested as part of the traffic study.

125. Council Officers **recommend the following principles:**

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- a. That further analysis be undertaken to determine the best LEP mechanism that mandates for a minimum amount of commercial floorspace within suitable locations that delivers a minimum 3 storey podium of commercial floorspace in the LEP and that this apply to all land zoned B2 without having the need to expand the B2 zone (except in the case of the site at 240-244 Beecroft Road – see below).
- b. That any additional residential floorspace and height be investigated and analysed through the Traffic Study to partially recognise the proposed requirement to provide increased commercial floorspace.
- c. That the SGS Economics and Planning's *Epping Commercial Floorspace Study* and Section 8.5.2 of the Epping Planning Review Discussion Paper which demonstrates that there is demand for additional retail and commercial floor space in Epping be used to inform the assessment of future development applications until more formal planning controls are in place.

Role of Government owned Sites

126. As noted in the Discussion Paper, the *Epping Commercial Floorspace Study* has identified a role where Government-owned sites could be used as part of a deliberate strategy to support the Government's 30-minute city strategy by:

- a. Providing commercial floor space to offset the loss when other sites are developed; and
- b. Providing floor space to allow businesses that are displaced when their existing building is being redeveloped to relocate within the centre.

127. The section below discusses the Government-owned sites that have been identified as opportunities to contribute to the 30-minute city strategy.

State Government owned sites

128. Part of Section 8.5.3 of the Discussion Paper proposes two State Government owned sites within the town centre at the following addresses to provide commercial floorspace:

- a. 240-244 Beecroft Road, Epping (see **Figure 12** below); and
- b. Epping Railway Station Site (see **Figure 13** below).

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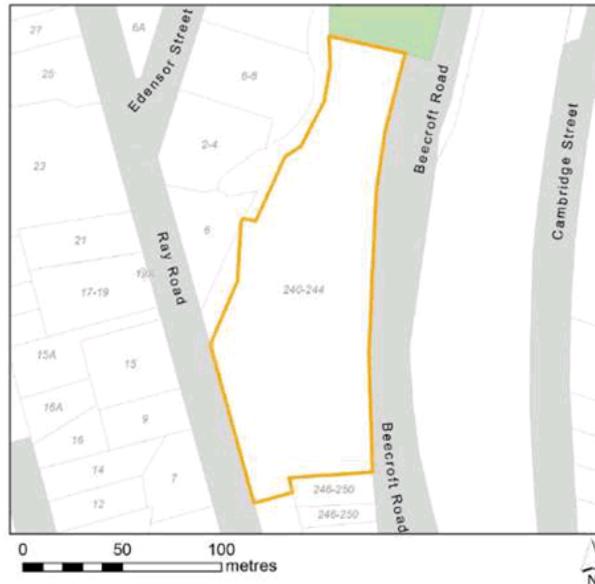


Figure 12 - UrbanGrowth NSW site – 240-244 Beecroft Road, Epping

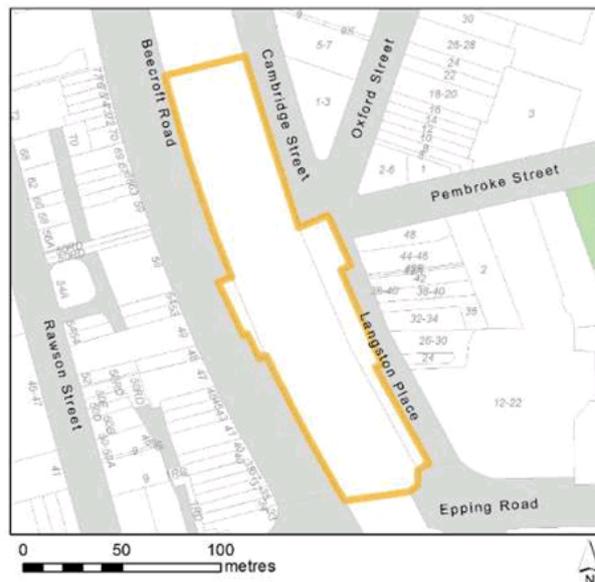


Figure 13 - Epping Railway Station site

129. The questions for each site (8e, 8f and 8g) asks the community *what contribution should each site make to the provision of commercial floor space in Epping?*

Community Feedback

130. A total of 40 responses were received on this question.

131. Community feedback received on the UrbanGrowth site at 240-244 Beecroft Road, Epping was:

- a. 19 submissions supported commercial and/or retail uses at the site, though some of these preferred commercial only, while more preferred a mix of non-residential uses.

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- b. Some respondents saw the site as having potential to provide commuter parking or a bus interchange.
- c. Some respondents, including the land owner were of the view that the R4 High Density Residential zone was appropriate; reasons offered in support of this view included its proximity to the station and that there are other more suitable and feasible large commercial sites nearby. The landowner, a State Government agency, also questioned the need for large-scale floorplates in the town centre and at this site specifically.

132. Community feedback received on the Railway Station Site was as follows:

- a. There was a high level of agreement that it could make a strong contribution to connectivity and civic space. The existing pedestrian connections through the station site were generally seen as inadequate, unattractive and inaccessible, and viewed redevelopment as a potential way to address some of these issues.
- b. While there was a high level of support for use of this site for public open space and to improve public connectivity, there was less support for associated development due to concerns such as perceived overdevelopment and potential impacts on views and overshadowing.
- c. While some submissions acknowledged that partnering with a developer might be necessary to realise development at this site, in general, only a low level of development was seen as acceptable – with many not accepting any level of development at all.
- d. Many submissions acknowledged the technical complexity of such an undertaking, due to interface with the rail line.

Refer to a summary of the submissions at **Attachment 3**.

133. The above views were also reflected in the Community Workshop Sessions (refer to the *Epping Town Centre Review: Phase two – Exhibition period consultation Attachment 2*).

Conclusions and recommendations

134. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

135. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. The State Government site situated at 240-244 Beecroft Road had previously been zoned B2 zone up to March 2014 when the State Government rezoned the land to residential. The amount of commercial floorspace that the site could deliver under the current controls would be tokenistic given its current R4 zone which only permits shop top housing and neighbourhood shops.
- b. Large floorplate commercial is an important part of making a town centre commercially vibrant and diverse. The centre's poor offering of large floorplate commercial is identified as a disadvantage in the SGS Economics and Planning *Commercial Floorspace Study*.
- c. There is limited opportunity for large floorplate commercial floorspace within the town centre.
- d. The State Government sites:

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- i. Are large in scale (particularly the Beecroft Road site) and can make a unique offering by providing large floorplate commercial as found by the *Floorspace Study*.
- ii. Can make a contribution to commercial floorspace as per the urban design analysis which recommends three storey podium of commercial development.

Each State Government site could be individually assessed for an appropriate level and type of commercial floorspace.

136. Council Officers therefore, **recommend the following principles:**

- a. With regards to the site at 240-244 Beecroft Road, that:
 - i. That Council amends the planning controls (as discussed above) to rezone the site back to the B2 zone to ensure an appropriate contribution is made towards commercial floorspace whilst retaining current residential floorspace capacity. This may include concentrating these uses at the southern end of the site.
 - ii. That Council meet with UrbanGrowth NSW to discuss this proposed amendment.
- b. With regards to the Epping Railway Station site, that Council Officers meet with Transport for NSW to discuss the opportunities for the site to deliver commercial development.
- c. That the traffic impacts of both options need to be properly understood before finalising any changes to the planning controls.

Local Government owned sites

137. Part of Section 8.5.3 of the Discussion Paper considers two Council owned sites within the town centre at:

- a. Council Car Park site at Rawson Street (see **Figure 14**); and
- b. Epping Library Site (see **Figure 15**).



Figure 14 - Council Car Park landholding – 51A and 51B Rawson Street, Epping

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Figure 15 - Epping Library Site

138. Council has been approached by two developers to enter into an agreement to redevelop the Rawson Street car park.
139. The Epping Library site was previously identified by Hornsby Shire Council as a potential redevelopment site. Through an EOI process initiated by Hornsby Shire Council, it sought to redevelop the site with a view to being redeveloped with residential uses and a new library facility located on the lower storeys.
140. With regards to the Rawson Street car park site, the Discussion Paper recommended that the site not be identified as a site where significant commercial or retail floor space should be contemplated. If redeveloped, this site will more likely play a role ensuring that there is sufficient social infrastructure provided in the town centre.
141. The two questions – one for each site – asked:
- a. 8f. *Should the Epping Library and Council car park sites play a role in providing for commercial floor space in the centre?*
 - b. 8g. *Should the floor space allocated to community uses and commercial floor spaces be equivalent to or greater than the levels required on adjoining equivalent sites?*

Community Feedback

142. A total of 38 responses were received on this question.
143. Community feedback received on the Rawson Street Car Park site was as follows:
- a. The predominant view was that respondents felt that the car park site should not be redeveloped to include commercial floor space. Instead an open space/plaza was preferred, in conjunction with linkages to nearby Boronia Park and underground parking.
 - b. There were strong views that this site should be retained for public use only.

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- c. Some respondents (9) were positive about or at least willing to consider some commercial development here, some with provisos such that community facilities were maintained/increased, that height was limited, that access to Boronia Park was maintained, that such development might not be feasible given demand for commercial floor space, and that any such decision would require additional community consultation and careful consideration.
- d. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

144. Community feedback received on the Epping Library Site was as follows:

- a. Views on the library site were more evenly-mixed. While 13 respondents were supportive or at least willing to consider such a proposal, 16 submissions were not supportive.
- b. As with the car park, there was a frequent view that maintaining an exclusive public use on this site was important. Amongst those willing to consider a possible redevelopment, there were again provisos, such as prioritisation of community space over commercial, making space for NGOs, only with limited height potential, only with a master planning exercise, and only if community facilities were maintained or expanded.

Refer to a summary of the submissions at **Attachment 3**.

145. The above views were also reflected in the Community Workshop Sessions (refer to the *Epping Town Centre Review: Phase two – Exhibition period consultation* **Attachment 2**).

Conclusions and recommendations

146. These two Council assets are explored in more detail in the Social Infrastructure section of this Council report

147. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude** in the Social Infrastructure section of this Council report:

- a. Council Officers note and support the community's preference for Council to use its current assets at Rawson St and Chambers Court (Epping Library) for community uses.
- b. Refer also to the Social Infrastructure section of this Council report where this asset is discussed in more detail including recommended principles.

148. Council Officers therefore, **recommend the principles**:

- a. From the 'Local of Potential Civic Focal Point' section in the Social Infrastructure Chapter session of this report be applied here; and
- b. That investigation take place on the potential for commercial uses on both sites and that occur in conjunction with the analysis on these sites' social/community role.

Delivering a supermarket on the eastern side of the Town Centre

149. As noted in Section 8.5.4 of the Discussion Paper, one of the issues that will impact on the future liveability of Epping Town Centre will be future residents' and workers' ability to access their daily food retail needs in a convenient manner.

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150. The Discussion Paper explains that ideally there should be a supermarket provided on both sides of the rail line as supermarkets tend to be an anchor use that encourage other smaller and medium enterprises to locate nearby, providing a wider range of local uses for daily needs. A supermarket (Coles) already operates on the west side of the centre but there is no supermarket on the eastern side.
151. As the Discussion Paper explains, the planning system cannot mandate the location and operation of any business. The planning controls allocate floor space ratios and set in place planning controls that seek to create an environment for the business community to operate these types of businesses. Council cannot guarantee a supermarket would be provided, but it can put in place planning controls that promote or incentivise desirable outcomes and apply economic development initiatives to attract a supermarket tenant.
152. Supermarkets require large floorplates. On the eastern side of the Epping Town Centre, the existing lot pattern with multiple small shops requires significant lot amalgamation to occur to achieve an appropriate site. Having considered the pattern of Development Applications already in place and the possible locations for a supermarket, the Discussion Paper presents one site as ideal for a supermarket to service the eastern side of the Town Centre. The landholding (see **Figure 16**) consists of 7 sites – 38-48 Langston Place and 2 Pembroke Street – which together have a site area of approximately 2,900sqm.

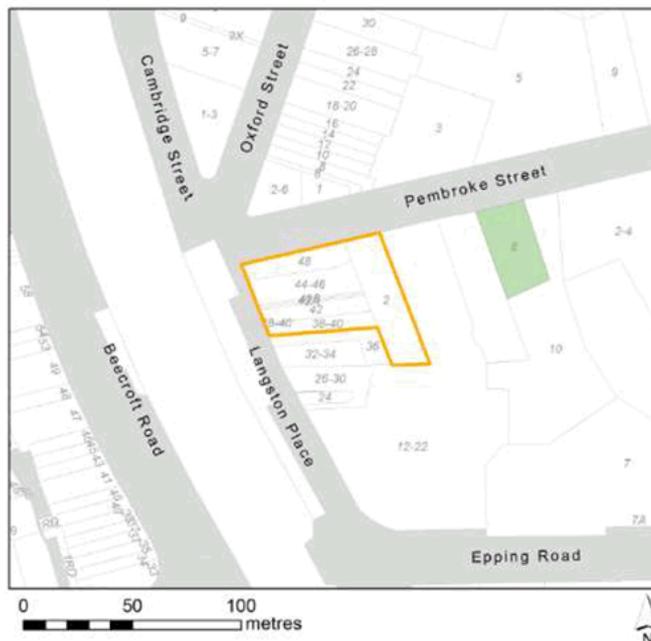


Figure 16 - Site identified within the Discussion Paper as a potential supermarket site on eastern side of Epping Town Centre

153. The question in the Discussion Paper, standard question 8h, asked *Should Council seek to actively encourage a supermarket site on the eastern side of the Epping Town Centre by providing floor space and height bonuses to incentivise the site amalgamation necessary to achieve a supermarket?*

Community Feedback

154. Specific feedback with regards to the eastern side was as follows:

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- a. Most respondents were positive about a supermarket on the eastern side of the rail line. There was a perception that additional residential development on the eastern side would necessitate this. As noted above, many submissions did not wish to accept height increases to incentivise this use.
- b. Some alternative locations were suggested besides the one raised in the Discussion Paper, such as church and library sites on the eastern side, or at the end of Chester Street where traffic is less of an issue.
- c. Few felt that supermarket options on the western side and/or nearby centres was sufficient, and that an additional supermarket was not needed on the eastern side.

155. Specific feedback with regards to the western side was as follows:

- a. There were more mixed views about additional or new supermarkets, and this seemed to be affected by the fact that there is already a supermarket on the western side.
- b. Most respondents did not support planning incentives to deliver a supermarket.
- c. Some respondents saw supermarkets as a secondary consideration on the western side, instead considering smaller shops, services and other commercial floor space as more important.
- d. Some respondents suggested that DCP controls be drafted to support delivery of a supermarket, rather than incentives.

Conclusions and recommendations

156. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude and recommend the following principle**:

- a. That the requirement for 3 storey commercial podium (as discussed, above) would provide additional floorspace for commercial and retail uses that could assist in potentially delivering a supermarket on the eastern side.

Other Large Floorplate Retail Options

157. As noted in Section 8.5.4 of the Discussion Paper, Council has two Preliminary Planning Proposals seeking to increase FSR and height on sites on the western side of the Epping Town Centre. In both the proposals submitted there are large floorplate shops provided for in the lower levels. (Refer to **Figures 17 and 18**).

158. In order to achieve a role for Epping as a sub district centre, it is critical that these sites provide commercial levels in a podium and that larger floorplate shops are retained within it. The DCP currently requires up to a 4 storey podium be provided for the Beecroft Road Site (see **Figure 18**). However, the current planning controls do not contain any provisions that require the applicants to retain large floorplate outlets. There are also no controls that require a supermarket site be retained for the site on the western corner of Rawson Road and Carlingford Road

159. This type of landuse/planning control has traditionally not been specified in a DCP and instead it has been left to the market to determine the mix of retail shop sites in a development. However, it is recommended that Council

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strengthen its DCP controls to specify that large floorplate retail should be provided.



Figure 17 - Oakstand land holding

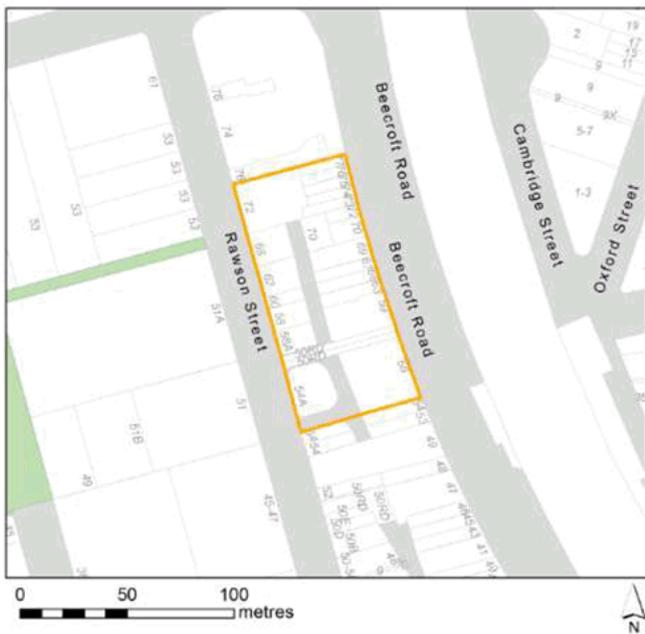


Figure 18 - Beecroft Road land holding

160. The circumstances for these sites are different to those discussed above in relation to providing a supermarket in the east. These sites have effectively already been amalgamated so there is no incentive required to promote amalgamation.

161. However, in both cases the applicants via their Preliminary Planning Proposals are seeking additional density on these sites over and above what is permitted

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under the current controls. There are various other issues, particularly traffic management and urban design, that need to be considered before any decision about whether these sites will be able to be developed at higher densities.

162. However, a position Council could take is that any additional density on these sites (subject to Council being satisfied it is satisfactory from a traffic and urban design point of view) would be conditional upon large floorplate shops being provided.

163. The Discussion Paper question (8i) asked: *Should Council consider floor space incentives to seek to ensure larger floorplate retail shops on these sites?*

Community Feedback

164. There was a common, though not unanimous, view that more retail options are required across Epping. However, amongst the respondents who discussed incentives, most did not want Council to consider incentives to encourage amalgamation of large floorplates.

Conclusions and recommendations

165. These two sites are subject to another standard question (11a) in the report that asks if further consideration of the Planning Proposals (including the Austino planning Proposal) be deferred until the Traffic Study is complete so the traffic implications are fully understood (see on Traffic Chapter, below).

166. Council Officers therefore, **recommend the following principle:**

- a. That the consideration of large floorplate controls be deferred until the preliminary planning proposals can be progressed. See also recommendations in Traffic Chapter, below.

SOCIAL INFRASTRUCTURE CHAPTER

167. Chapter 9.0 Social Infrastructure comes from technical work initially prepared for Council by Suter Planners and Elton Consulting on Council's social infrastructure across the City of Parramatta local government area. The analysis relevant to the Epping suburb was extracted and presented in the *Epping Social Infrastructure Study* prepared by Council which supported the exhibition of the Discussion Paper.

168. The role of the Chapter 9.0 Social Infrastructure is to identify principles that will guide future decision making on the provision of social infrastructure. The outcomes are via feedback received on the questions.

169. The Discussion Paper recognises that the process will also need to be informed by project feasibility and financial analysis prior to Council making any decisions on exactly how and where social infrastructure changes are pursued in the future.

170. The Discussion Paper looks at the areas requiring attention in Epping:

- a. Improving access to open space
- b. Location of potential future Civic Focal Point
- c. Methods for funding and delivering a potential future Civic Focal Point
- d. Dence Park - Epping Aquatic and Leisure Centre.

These are summarised below.

Improving open space provision in Epping to 2036

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171. Section 9.5.1 of the Discussion Paper discusses three issues that seek to improve open space provision to meet the Epping community's needs by 2036. These are outlined and addressed below.

Assessing where new land should be acquired for open space

172. The Discussion Paper's recommended principle is that Council look at opportunities to expand the size of existing parks over and above creating new parks. The Discussion Paper's standard question (9a.) asks: *Do you support an approach of expanding existing parks in and around Epping ahead of the creation of a new park in the area around the Epping Town Centre?*

Community Feedback

173. Feedback from both the submissions and Phase 2 Community Workshops shows very strong community support for expanding open space opportunities in Epping, though it is noted that not all submissions appeared to view this question as a choice between expanding existing parks versus creating a new park. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

174. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. The community's strong support for expanding access to open space is noted.
- b. Community sentiment reflects the directions outlined for open space (parks) in Council's draft Social Infrastructure Strategy (SIS), which is to be publicly exhibited between August – September 2017, and is expected to be finalised by the end of 2017. In relation to parks, the draft Strategy suggests no net loss of current parks and outdoor recreation space provision in the City of Parramatta LGA, to increase the utilisation and hours of use of Council's existing parks through improvements to quality and design, diversity of offer, enhanced pedestrian, cycle, public transport connections and or parking facilities, and further to seek to increase provision of open space for parks and outdoor recreation.

175. Council Officers therefore, **recommend the following principles**:

- a. That Council should investigate a series of detailed options to ensure that all its open space needs are met for the growing Epping population.
- b. That community feedback on expanding access to open space parks in Epping be considered as an information input to inform finalisation of Council's Social Infrastructure Strategy and the preparation of an Organised Sporting Asset Assessment Report (OSAAR) which is currently being drafted.

Acquisition of former bowling club site (725 Blaxland Road)

176. The Discussion Paper explains that a Planning Proposal by Austino Property Group applies (in part) to the former Epping Bowling Club site situated at 725 Blaxland Road (refer to **Figure 19** below). The site is currently zoned RE1 Public Recreation zone and identified for acquisition on the Land Reservation Map in *HLEP 2013*.

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Figure 19 - Former bowling club site – 725 Blaxland Road, Epping

177. Despite this, the Hornsby Council concluded in April 2016 that the purchase of the site for the purpose of expanding Forest Park *is unlikely to represent value for money when compared with alternative open space options within the locality.*
178. The applicant's planning proposal is currently proceeding through the Department of Planning and Environment's Pre-Gateway Review process. In November 2016, Council nominated to be the relevant planning authority (RPA) in order to have influence over the outcome. It did so on the condition that the Gateway Determination is issued after the exhibition of the Discussion Paper and technical studies. However, because the Traffic Study is not yet complete, Council is reluctant to determine the planning proposal until the proponent's proposed density has been tested within the traffic model. Regardless, at any point, the Minister for Planning can withdraw Council's status as the RPA and take full control of the planning proposal process and progress it in a way that may not fully address Council's or the community's concerns.
179. The Discussion Paper's standard question (9b.) asks: *Should Council purchase the former Bowling Club site separate from the current Planning Proposal process or continue to consider the Planning Proposal option that it be provided to Council subject to additional density being permitted on the existing landowners site?*

Community Feedback

180. Feedback from both the submissions and Phase 2 Community Workshops shows very strong community support in favour of purchasing the Bowling Club and for Council to not progress the Planning Proposal. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

181. Having considered the feedback from the Phase 2 consultations along with Council's analysis, Council Officers **conclude**:

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- a. Council's Property officers have since undertaken an indicative assessment of the valuation of the site and determine that its value is cost prohibitive. The analysis further finds that Council would achieve better value for money by purchasing individual residential R2 zoned properties elsewhere near the town centre for a new park. Indicative costing of this alternate approach is provided within the *Draft Former Hornsby Council/Epping Town Centre Development Contributions Plans* which are scheduled to be exhibited from August to September 2017.
- b. That should the planning proposal progress, that Council negotiate with the developer for the provision of public open space appropriately located and sized on the site.

182. Council Officers **recommend the following principle:**

- a. That Council should seek to progress the planning proposal with Council as the RPA subject to the Traffic Study being completed before FSRs for the site can be finalised. That Council also negotiate with the developer for the provision of public open space in a way that ensures there is a suitable area of open space which is appropriately sized and located.

Note: Refer also to the response to question 11a pertaining to *Consideration of Planning Proposals/Preliminary Planning Proposals*.

Process for acquiring open space

183. As noted within the Discussion Paper, Council will, as part of future phases of the planning process (initiated via the Discussion Paper) commence the feasibility analysis for identifying potential residential sites that could be acquired to expand existing parks. Consultation with land owners will precede any rezoning because in most instances they will be single detached homes. It will be necessary to explain to the occupants/owners the impacts on their property value, their ability to sell their site and the ability to stay on the site.
184. The Discussion Paper's question (9c.) asks: *Do you support Council pursuing a process where acquisition of land for open space is done on the basis of negotiated acquisition rather than compulsory acquisition?*

Community Feedback

185. With regards to the submissions received, there were mixed responses. Whilst respondents generally supported negotiated acquisition over compulsory acquisition, many other respondents expressed:
 - a. support for compulsory acquisition in limited circumstances only;
 - b. negotiated acquisition for private homes but compulsory at development sites;
 - c. support for any option which would increase open space; and
 - d. strict opposition to compulsory acquisition.

A more detailed summary of feedback to this question is contained in **Attachment 3**.

186. With regards to the Phase 2 Community Workshop, the predominant response supported negotiated acquisition with a few respondents not supporting the idea. (A more detailed summary of feedback to this question is contained in

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Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation report at Attachment 2*).

Conclusions and recommendations

187. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. Council has prepared a Council wide draft *Social Infrastructure Strategy* (SIS) which is scheduled for exhibition from August to September 2017. The draft SIS: *identifies and assesses existing social infrastructure provision in City of Parramatta LGA. It identifies contemporary challenges we have for realising quality social infrastructure, and finally key opportunities and directions by asset type (including open space) and for City of Parramatta's 13 high growth areas (which includes Epping). This draft Strategy applies to our unique and diverse neighbourhoods as well as our CBD.*
- b. Council is also preparing an *Organised Sporting Asset Assessment Report* (OSAAR). The OSAAR will further assist Council to understand the specific challenges and opportunities that existing with each of our sports fields and determine the priority actions to take to increase provision and utilisation of our sports field open space. This will include sports fields in the suburb of Epping.
- c. The Discussion Paper process which constitutes Stage 1 of the Epping Planning Review aligns with the approaches being undertaken for the draft SIS and OSAAR, both of which are about increasing access to green open space.

188. Council Officers therefore, **recommend the following principle**:

- a. That the findings, analysis and feedback from Stage 1 of the Epping Planning Review process relating to the process for acquiring open space be considered as part of the preparation of the final SIS and OSAAR projects

Utilising existing land more effectively

189. The Discussion Paper explains that there are a number of factors that determine the level of intensity of use of a local park or sports field, to ensure it can be used by the community without being degraded. Two key factors are the amount (or type) of landscaping on the site, and the level of maintenance required. The Discussion Paper provides two examples:

- a. re-configuring landscaping in existing parks could enable more active uses (including both unstructured play and organised sporting activities) while also accommodating for the needs of residents who want to use parks to passively enjoy the outdoors.
- b. provide a different surface treatment to playgrounds and sporting fields to accommodate a higher level of use, such as the use of synthetic sporting surfaces.

190. The Discussion Paper's question (9d.) asks: *Are you supportive of Council investing in improved landscaping and equipment in parks and sporting fields, including investigating synthetic surfaces for sporting fields to cater for more intensive use?*

Community Feedback

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191. Feedback from both the submissions and Phase 2 Community Workshops revealed there was unanimous community support for improving landscaping, equipment and parks in Epping. There were mixed views on synthetic surfaces, with some accepting and some against their use. The community urged a site-by-site consideration of parks with additional consultation to make future decisions about improvements to parks and sports fields. (A more detailed summary of feedback to this question is contained in **Attachments 2 and 3**).

Conclusions and recommendations

192. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. Council Officers recognise that the community of Epping support the upgrade and increased utilisation of parks and sports fields. Council Officers also acknowledge that there is mixed opinion for synthetic sports fields.
- b. The sports fields in the suburb of Epping must be analysed and planned within the context of the overall sports field network in the CoP LGA.
- c. Council has prepared a draft SIS which is scheduled for exhibition from August to September 2017. Work has also commenced on an LGA wide detailed organised sporting asset assessment (ie. the OSAAR).
- d. As part of the above documents Council will consider the use of synthetics and other options to increase utilisation and access to sports fields, as well as upgrades to parks within Epping.

193. Having considered the feedback from the Phase 2 consultations, Council Officers **recommend the following principle**:

- a. That the responses provided as part of the Phase 2 consultation process for the Epping Planning review relating to landscaping and synthetic surfaces for parks will inform the finalisation of the Social Infrastructure Strategy and Organised Sporting Asset Assessment Report. The intention is to finalise the SIS by the end of 2017.

Establishing partnerships to make better use of existing facilities

194. Large institutional landowners, including government and non-government schools, provide opportunities for Council to facilitate partnerships with local community organisations (such as amateur sports clubs) to make better use of existing facilities for the local community. In the case of schools, many children within the Epping community use their schools' open space areas during the week, but are unable to use the same fields on the weekend in organised sporting activities by non-school groups. The way in which schools are fenced off, and the way landscaping is used to prevent access is important to ensure the safety and supervision of students during school days, however there is an opportunity to consider further community use of schools' sporting fields.

195. Council considered a report on 13 June 2017 where it resolved to enter into a Memorandum of Understanding (MOU) with the NSW Department of Education (DOE). The associated Investigation Program identifies seven action areas that together form the basis of Council's initial work with DOE:

- a. Increase community access to sports fields.
- b. Establish formal arrangements between DOE and Council to continue use of Carlingford High School sports fields.

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- c. Increase community access to school halls and related facilities.
- d. Increase community access to library facilities.
- e. Proactive joint planning for the growth of Telopea and the shared use of school facilities and community assets.
- f. Proactive joint planning and preparation to support the opening of Wentworth Point Public School.
- g. Proactive joint planning of a primary school in the Carter Street Precinct.

196. The Discussion Paper sought feedback on how this MOU should be pursued in the Epping area through question 9e. *Which schools should Council pursue in the Epping area to progress the MOU between Council and the Department of Education to improve the availability of sporting fields?*

Community Feedback

197. The community's views from both submissions and the Phase 2 Community Workshops were as follows:

- a. There is broad support for use of school facilities.
- b. Some respondents query some of the detail about which schools and which facilities.

A more detailed summary of feedback to this question is contained in **Attachment 3**.

Conclusions and recommendations

198. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. That there is broad support for Council to work with schools to increase community use of school assets.
- b. Council is commencing implementation and this includes investigating the suitability of individual schools and assets for community use.
- c. Initial actions will focus on analysing the suitability of sports fields on specific school sites.

199. Council Officers therefore, **recommend the following principle**:

- a. That the detailed community feedback provided as part of the Phase 2 community engagement process for the Epping Planning Review inform the implementation of the MOU with the DOE.

Location of potential future Civic Focal Point

200. Section 9.5.2 of the Discussion Paper defines a **Civic Focal Point** as comprising:

- a. A library and community facility floor space; and
- b. A public urban plaza.

201. The Discussion Paper (and *Epping Social Infrastructure Study* which supports the Discussion Paper) identifies:

- a. That to meet the needs of a larger population living in a higher density environment by 2036, the Study recommends the provision of a 3,500sqm multi-purpose facility based on the Community Hub model

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(involving library and community facility floor space). This could include the co-location of an expanded library offering, as well as community meeting rooms, study areas, community programming facilities and the like.

- b. That the 550sqm Epping library facility requires an additional minimum 1,000sqm to meet current population needs.

202. The Discussion Paper subsequently proposes three options for a civic focal point within the Epping Town Centre:

- a. Rawson Street car park site (refer to **Figure 14**);
- b. Epping Library site (refer to **Figure 15**); or
- c. Two civic focal points each with a range of services.

203. The Discussion Paper then presents the Council Officer recommendation which is for Option 1 – Rawson Street Car Park site *as the site is better able to accommodate a Community Facility Hub and Civic Space in a way that can be integrated into the broader pedestrian network and town centre. ...[it] does not result in the loss of any existing community facility given that the public car park can be located underground below the new Community Facility Hub whereas the Epping Library Site and Pembroke Park would result in the loss of local open space if Pembroke Park was converted into a more formalised Civic Space.*

204. The city-wide Draft Social Infrastructure Strategy which is scheduled to be exhibited from August to September 2017, identifies the need to locate and plan for a civic focal point within the Epping Town Centre.

205. The Discussion Paper asked three questions relating to a Civic Focal Point:

- a. Questions 9f. and 9g. asked: *Where is your preferred location for a Civic Focal Point incorporating a Community Facilities Hub and some form of Civic Space? and Why is this your preferred location?*
- b. Question 9h. asked: *Would you support existing community facilities sites being sold to assist with funding a new consolidated single community hub to provide a higher quality community facility somewhere else within the Epping Town Centre?*
- c. Question 9i. asked: *Should Council seek to develop Council-owned sites to maximise the funding available to deliver a new Civic Focal Point?*

The responses to the above questions pertaining to a Civic Focal Point are consolidated below.

Options for funding and delivering a potential future Civic Focal Point

206. Section 9.5.3 of the Discussion Paper proposes three options for funding and delivering a potential future Civic Focal Point:

- a. Selling land that becomes surplus to requirements if a single Civic Focal Point is built;
- b. Maximise the development potential of sites to assist with funding a Civic Focal Point; or
- c. Allowing additional density to secure a new Civic Focal Point.

These are discussed below.

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Selling land that becomes surplus to requirements if a single Civic Focal Point is built

207. As noted within the Discussion Paper, all Council-owned sites located within the town centre have some development potential for which Council could realise value by selling the site for redevelopment. Council could seek to sell any number of sites it currently owns to provide funding for delivery of the community infrastructure discussed in this section.

208. The purpose of selling sites would not be to reduce the level of services. Instead, the strategy would be to provide improved services in a more efficient way on a consolidated site.

Maximise the development potential of sites to assist with funding a Civic Focal Point

209. As noted within the Discussion Paper, one option for funding the provision of Community Infrastructure is for Council to realise the value of land holdings in a way that provides the community with a financial return that can be used to assist with funding the new Civic Focal Point (the EOI process that Hornsby Shire Council undertook before the Local Government boundary changes that saw Epping included in the City of Parramatta is an example which involved the Council finding a partner to develop a site). Another avenue can be through a planning proposal process involving Council owned land. Two Preliminary Planning Proposal examples were provided in the Discussion Paper.

210. The redevelopment of Council owned land in partnership with other partners can deliver significant community benefits that will allow the delivery of community infrastructure in a more financially sustainable manner. The Discussion Paper seeks feedback on whether the community is comfortable with this approach.

211. The Discussion Paper's question (9i.) asks: *Should Council seek to develop Council-owned sites to maximise the funding available to deliver a new Civic Focal Point?*

Allowing additional density to secure a new Civic Focal Point

212. The Discussion Paper notes two Preliminary Planning Proposals, for sites adjoining the Rawson Street Carpark Site. Both propose an increase in the overall density permitted on their site and both proposals seek to underground the carpark, and provide community facilities and a civic space.

213. The Discussion Paper's question 9j. which asks the community to consider a trade-off between timely provision of community facilities against additional density being permitted in the town centre, was: *Are you willing to accept further increases in density in the town centre if it would assist with funding a new Civic Focal Point?*

Community Feedback

214. Community feedback received from the submission process and Phase 2 Community Workshops on questions 9f, 9g and 9h pertaining to a Civic Focal Point indicated mixed views:

- a. The most common response was a preference for two sites (and of these, most expressed support for the Rawson Street Car Park and Library sites). The key reasons for this included a preference for having different sites for different uses and a perception of "fairness" across both sides of the rail line.
- b. Of those who preferred a single site, the most common response was the Rawson Street Car Park site. The main advantages for this site

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were seen to be access, site size, parking and proximity to Boronia Park.

- c. There was proportionately more support for Council seeking to develop Council-owned sites, than for selling existing community facilities or accepting further increases in density from the Phase 2 Community Workshops. This feedback was more supportive of such redevelopment models of Council-owned sites.

215. Refer to Straight Talk's *Epping Town Centre Review: Phase two – Exhibition period consultation* report at **Attachment 2.a** more detailed summary of feedback at **Attachment 3**.

Conclusions and recommendations

216. Having considered the feedback from the Phase 2 consultations and submissions, Council Officers **conclude**:

- a. Council Officers note and support the community's preference for community facilities on both sides of the railway line.
- b. Council Officers note and support the community's preference for Council to use its current assets at Rawson St and Chambers Court (Epping Library) for community uses.
- c. Council officers note that there was no clear preference over the three options. However most support was given to the "developing council owned sites" option.

217. Council Officers therefore, **recommend the following principles**:

- a. That Council utilise its assets at Rawson Street car park and Chambers Court to provide community infrastructure and civic focal points on both sides of the town centre.
- b. That Council seek to develop a community hub (defined above) but on one of the sites and other adjunct uses for the other site.
- c. That there be no net loss of community facility floor space overall in Epping.
- d. That Council seek to increase the utilisation of all of Council's current assets in Epping for the broader community.
- e. That further feasibility testing of Council owned land assets should be undertaken (including additional community consultation) to develop options - including a Community Hub (defined in the Discussion Paper as a facility incorporating a library and community facility floor space) and public urban plaza - and potential funding mechanisms for community facilities in Epping.

Dence Park – Epping Aquatic and Leisure Centre

218. Council's *Social Infrastructure Study* identifies that the Dence Park – Epping Aquatic and Leisure Centre is aging and has accessibility issues which means it does not meet current standards for this type of facility. Hornsby Shire Council considered the option of closing the centre at the time the pool was its responsibility.

219. Section 9.5.4 of the Discussion Paper acknowledges that as part of the development of a community facilities strategy, Council will need to determine what role the Epping Aquatic and Leisure Centre might play. For instance,

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should the centre be redeveloped or modernised as an aquatic centre, or put to an alternate community use.

220. Through the Phase 1 community consultation process, it was clear the facility is a beloved community asset to sections of the Epping community. However, despite this impassioned position, usage levels of this facility have been in decline over the longer term, except in the last year where usage levels had actually increased since City of Parramatta took ownership.
221. The Discussion Paper noted the strengths and the weakness of the site. The strengths are that Council owns the land and that Council will open the pool for the October 2017 summer season. The weaknesses of the site are that:
- a. The Centre is aging, needs significant upgrading, and is at risk of significant infrastructure failure
 - b. It lacks visual prominence,
 - c. It is in a bushfire-prone site,
 - d. Is underutilized, and
 - e. The topography of the site makes modernising the site a relatively expensive exercise and impacts on its accessibility.
222. Adjoining bushland along Terrys Creek is a key wildlife corridor (confirmed in recent bushland fauna surveys).
223. The Discussion Paper's question (9k) asks: *What should be the future use of the Dence Park Aquatic Site?*

Community Feedback

224. The feedback from both the submissions and Phase 2 Community Workshops showed there was very strong community support to retain Dence Park for public and recreational uses. There was also strong community support to retain the swimming pool, and perhaps increase/improve it in some capacity with an expanded indoor fitness centre or similar uses. Furthermore, many respondents highlighted the environmental conservation value of the bushland and the need for its retention along with carefully selected passive recreational uses.

Conclusions and recommendations

225. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. Council's Draft SIS which is being exhibited from August to September 2017 draws attention to the LGA-wide issues pertaining to the overall aquatic infrastructure/network.
 - b. Adjoining bushland along Terrys Creek requires protection and there needs to be a restriction on the expansion of Dence Park aquatic facility.
226. Council Officers therefore, **recommend the following principles**:
- a. The feedback obtained from the Phase 2 consultation process be considered and integrated into the exhibition process for the Draft SIS.
 - b. A master plan process be undertaken for the entire Dence Park site, giving consideration to the future options for aquatic and other water related activities for the Epping Aquatic and Leisure Centre, as well as

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increasing the overall recreation uses of the site and adjoining sensitive bushland.

PUBLIC DOMAIN CHAPTER

227. The intense growth within the Epping Town Centre has presented Council with the opportunity to review aspects of the centre's public domain, identify opportunities for improvements and present these to the community for discussion. The feedback and direction will also assist Council in advising Development Application and Planning Proposal applicants until new planning controls can be formulated. The areas requiring immediate attention are pedestrian connections and footpath widths.

228. Numerous urban design themes have been consistently raised throughout the consultation process on:

- a. Pedestrian connections - That pedestrian connections should be:
 - i. created or improved either between or through blocks;
 - ii. improved between different land uses and attractors (i.e. the centre and open space areas);
 - iii. created at mid-block where block lengths were long; and
 - iv. improved to form linkages from one side of the centre to the other.
- b. A vibrant centre – The community are enthusiastic about the possible future of Epping. They want their town centre to reflect the vibrant, friendly, community which they are familiar with.
- c. Enable liveability - The community see that future infrastructure planning needs to “enable liveable town centres” as an overarching principle.

229. The Discussion Paper subsequently presented two public domain issues:

- a. Through-block connections, streets, laneways and arcades and shareways; and
- b. Wider footpaths (which pertain to building setbacks).

230. The Discussion Paper asked two questions each were supported by a diagram:

- a. 10a. *Are there any other through site links outside of those that are already proposed in Figure 30 that should be considered by Council?* and
- b. 10b. *Do you think the new ground floor setbacks proposed in Figure 31 for Epping Town Centre are appropriate?*

Community Feedback

231. Community feedback (from 23 submissions) received on the through-block connections indicated the following:

- a. Some submissions broadly reflected that any and all links should be encouraged, in order to improve safe and pleasant access across the town centre.
- b. Many submissions also identified specific existing links that they wished to see reflected in the map.

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- c. Some submissions proposed:
- extensions to existing links, and/or
 - where a new link could be created.

232. Community feedback (from 21 submissions) received on wider footpaths said the following:

- a. The majority of submissions were supportive of the new ground floor setbacks proposed in the discussion paper.
- b. Some submissions noted that having setbacks which are consistent are important, and noted that the desired setbacks are not being achieved consistently through current controls (particular concern about current redevelopment at 35 Oxford Street).
- c. Some respondents felt that setbacks should be further increased (for example, on Oxford Street, Epping Road and Beecroft Road); justifications included that increased setbacks might provide space for larger trees, and that footpaths will continue to get busier in the town centre as Epping grows and that this could present safety and accessibility risks – particularly to those with limited mobility. Trees were seen in some submissions as being important to Epping's character, as well as having shading, cooling and aesthetics benefits.
- d. Some respondents also asked Council to consider cycling movement through Epping, as increasing bicycle trips could improve traffic issues.
- e. A couple of respondents were not supportive, as it was felt that the current setback situation is adequate.
- f. One developer was also not supportive of the proposed setbacks and instead proposed that setbacks be flexible in order to accommodate large retail/commercial floorplates at podium levels, should be determined at a master planning stage, and that having tightly controlled setbacks might not achieve the best outcome in all cases.

233. Refer to **Attachment 3** for a summary of the submission responses. Also, Public Domain matters were not covered by the Community Workshop Sessions.

Conclusions and recommendations

234. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. There are a number of opportunities to improve the public domain in terms of delivering through-block links and wider footpaths.
- b. The best mechanism for delivering public domain initiatives is via new DCP controls (where appropriate) and a revised public domain plan.

235. Council Officers therefore, **recommend the following principles**:

- a. That as part of Stage 2 of the Epping Planning Review, that Council prepare appropriate DCP controls and a public domain plan that deliver through-block links and wider footpaths.

TRAFFIC CHAPTER

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236. As noted on the Discussion Paper, Council has commissioned EMM Consulting to prepare a Traffic and Land Use Options Study (Traffic Study) to provide an evidence-based approach to the assessment of existing and future traffic conditions with different development scenarios for the Epping Town Centre and surrounds, including potential infrastructure improvements.
237. The Traffic Study builds on traffic study work which was carried out previously by Halcrow in 2011 on behalf of Hornsby Shire Council, the former Parramatta City Council and the Department of Planning and Environment as part of the proposed new planning controls implemented by the Department of Planning and Environment in 2014.
238. There are significant concerns from the community around the impacts of the additional residential densities permitted under the 2014 planning controls given the additional population envisaged and the subsequent impacts on an already congested and constrained road network. There is also increasing developer pressure to increase residential densities (through Planning Proposals) beyond that permitted under the existing planning framework.
239. EMM prepared an *Interim Traffic Modelling Report* which was exhibited as supporting information to the Discussion Paper. It included preliminary analysis to provide an indicator of the issues and options available to allow discussion of these issues as part of the exhibition process.
240. The preliminary advice concludes that regardless of what land use density options or road work improvements are put in place there is little scope for significant improvements to the way the road network operates in the Epping Town Centre without new and additional policies to reduce car usage and shift more trips that currently come through the centre by car onto public transport modes.
241. This chapter of the Discussion Paper presented six questions that play a role in developing the scenarios for the purposes of the traffic model exercise.

Consideration of Planning Proposals/Preliminary Planning Proposals

242. The Discussion Paper explains the level of developer interest in the Epping Town Centre with three planning proposal under assessment and other land owners also expressing a desire to seek uplift.
243. The standard question (11a) asks: *Should Council delay the processing of current and future Planning Proposals within the Epping Town Centre and surrounds until the Traffic Study is completed?*

Community Feedback

244. This matter received a total of 103 submissions - the most received for any standard question.
245. The predominant view (94 submissions) is overwhelmingly in favour of delaying the progression of any planning proposal including existing planning proposal, preliminary planning proposals and future planning proposals.
246. The majority of submissions to this question also raised concerns about existing traffic congestion in Epping (particularly around the Town Centre). Specific matters raised included:
- a. Residential growth has already outpaced the original traffic review carried out by Hornsby Council.

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- b. There is a need to address traffic flows in and out of North Epping before further major developments are started.
 - c. The volume of traffic has already increased markedly over the past decade and this is significantly detracting from the amenity of the Town Centre, with current levels of congestion only likely to worsen.
 - d. A workable traffic solution for existing problems needs to be developed by Council and the RMS before any future Planning Proposals should be considered.
247. There was a broad view that further traffic analysis is required, and commentary on the Traffic Study was offered. Many submissions suggested that any additional impact from Planning Proposals (both current and future) needs to be carefully studied and understood, and that Council should not delay pending traffic studies.
248. A few submissions mentioned that the quality of the recommendations in the Traffic Study will depend on the quality of the assumptions made during the modelling performed. It was suggested that the Traffic Study should be peer reviewed and made available for public comment prior to finalisation. One submission recommended that the Traffic Study should assess usage and movement patterns in areas such as Cliff Road.
249. A total of 16 respondents specifically recommended that the Austino Planning Proposal be placed on hold until the Traffic Study is finalised, citing concerns about the level of density and the impact on local area traffic. In contrast, a developer submission from Austino strongly disagreed that current planning proposals be delayed until the traffic study is completed; this submission stated that this is currently the only major site in Epping that has been determined to have strategic merit by the NSW Department of Planning and Environment, the JRPP, and has been supported on traffic grounds by the RMS.
250. Some community responses sought to also delay development applications. However, under the *Environmental Planning and Assessment Act 1979* this is not legally possible. This position has been reinforced by Council's Administrator at the public launch of the Epping Planning Review in December 2016 as well as at subsequent community consultation sessions.
251. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

252. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
253. The Epping Town Centre currently experiences significant traffic delays during morning and afternoon peaks as a result of the significant amount through traffic as well as increased residential densities resulting from the new planning controls implemented in 2014. Until the traffic impacts of allowing increased development above and beyond current planning controls are properly understood (including the cumulative impact of current and potential planning proposals), any planning proposal should not be finalised.
254. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude:**

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- a. Council has deferred consideration of a Planning Proposal and two Preliminary Planning Proposal processes on account of the work being undertaken by the Epping Planning Review:
 - i. The Austino Planning Proposal seeking to deliver an additional **272 dwellings**.
 - ii. The Oakstand Preliminary Planning Proposal seeking to deliver an additional **922 dwellings***.
 - iii. The Winten/Lyon Group Preliminary Planning Proposal seeking to deliver an additional **584 dwellings***.

Note: with regards to the two preliminary planning proposals, it is accepted that the dwelling numbers as currently proposed cannot be delivered simultaneously as both proposal seek to develop Council's car park.

- b. In addition to the above, Council is aware of at least two other land holders potentially looking to pursue a planning proposal process. Therefore, there is an urgent need to understand the traffic issues prior to advancing proposals that seek development growth above the March 2014 planning controls.
- c. The Epping Town Centre has been doing a lot of the "heavy lifting" for the residential growth in this vicinity of Sydney. With the number of planning proposals and precinct planning projects across the LGA before Council, Council does not require any further uplift in Epping for the purpose of meeting its housing targets as expressed in the Greater Sydney Commission's *Draft West Central District Plan*. Also, as has been made clear, the scope of the Epping Planning Review has been to address the failings of the planning system that came into effect in March 2014. As such, additional requests for rezoning (received through the submission process) will not be considered as part of the Epping Planning Review.
- d. The pace of change is having a significant impact on the Epping residents. Council should therefore continue to manage any further formal requests for uplift (eg. planning proposal applications) outside of the Epping Planning Review process and be subject to the Epping Traffic Study which is still being completed.
- e. The scope of the traffic analysis has been undertaken to better understand the traffic impacts of any growth, not necessarily to enable any further growth within the Town Centre. Therefore, there is no urgency or need for Council to consider individual requests for uplift as part of the Epping Planning Review process. Instead, that applicant's seeking uplift should do this via a formal planning proposal process.
- f. There is some urgency in bringing about the planning control changes to address the unintended impacts associated with the new planning controls that came into effect in March 2014 as soon as possible. The inclusion of other landowner sites within the Stage 2 process will only cause further delay to this process.

255. Council Officers therefore, **recommend the following principles:**

- a. That Council continue to manage and progress the current planning proposal (Austino) given the potential risk of not being the Relevant Planning Authority (ie. the State Government becoming the Relevant

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Planning Authority). As mentioned previously, this is to ensure that Council's and the community's concerns and issues are addressed (eg. open space – refer to 'Acquisition of former bowling club site (725 Blaxland Road)' in Social Infrastructure section (ie. Response to question 9b). However, should the proposal proceed to Gateway Determination, that Council request that a condition be placed on the Gateway to ensure that the proposed FSRs for the site cannot be finalised until the Traffic Study is completed.

- b. That following the Local Government elections in September 2017, the new Councillors be consulted and briefed on the progress of the Epping Planning Review and the community feedback received with regards to the future of the Rawson Street Car Park. This will enable Council officers to engage with the applicants of the 2 Preliminary Planning Proposals (Winten Lyon and Oakstand) to allow these proposals to be further considered.
- c. That other landowners seeking to pursue development uplift will need to pursue this via a formal planning proposal process and not through the Epping Planning Review process.
- d. That the Traffic Study must be completed to ensure that the traffic impacts of proposals seeking development uplift (with the exception of those changes proposed to deal with the unintended impacts of the previous UAP planning process) within Epping can be properly understood prior to any proposal being finalised. Furthermore, unless innovative solutions or initiatives that significantly curb or restrict car ownership/movements are incorporated as part of the development, that proposals seeking uplift will not be able to progress or be further considered given current traffic issues in Epping. Notwithstanding the above, any proposed parking/vehicle management solutions need to be assessed via the Traffic Study in order to determine its impact on the wider road network.

Car Parking Rates

256. Section 11.7.2 of the Discussion Paper explains the inconsistency between the parking rates between the Hornsby and Parramatta DCPs and the need to make them consistent. The Discussion Paper notes that parking rates should be reviewed and potentially further reduced to encourage residents to use public transport and other active transport modes.
257. The objectives around reducing car parking rates in DCPs is to minimise local car ownership and decrease private motor vehicle use.
258. The Discussion Paper's question (11b.) asks: *Should Council consider further reducing car parking rates as a means to reducing traffic within the Epping Town Centre and encourage public transport usage?*

Community Feedback

259. Community views (from a total of 38 respondents) were mixed with just over half of submissions not supporting this approach to reducing traffic.
260. Respondents that were not supportive (22) were of the view that reduced availability of car parking spaces will result in more on-street parking. Several believed that the current parking rates were reasonable and should not be changed. Some were sceptical on whether this would actually work in terms of

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reducing car ownership, and felt a more effective approach to reducing congestion would be to limit development instead.

261. Respondents that were supportive (11) generally took the view that the number of cars on the roads need to be reduced, with some supporting any measure to reduce the traffic load on Epping. Some submissions which were broadly supportive did note that reduced rates would be more appropriate for residential uses than for retail and service providers.

262. Many submissions were of the opinion that owning a car is necessary and that people cannot rely on public transport. These submissions mentioned that the new residents will need cars to move families around to libraries, school, after school activities, pick up from the station etc.

Conclusions and recommendations

263. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

264. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. That given the results of the interim traffic findings, reducing car parking rates is an important planning and traffic mechanism that can contribute towards the reduction of local car ownership and alternatively promote active and public transport options through and within Epping.

265. Council Officers therefore, **recommend the following principles**:

- a. The car parking rates across the Hornsby and Parramatta DCPs be reviewed to determine appropriate lower parking rates.
- b. That any proposed lower parking rate be tested as part of the traffic modelling in the Epping Traffic Study before changes are finalised.
- c. That further to points a. and b. above, an interim step towards reducing parking rates could be to amend Hornsby DCP parking controls (which have minimum parking rates) to be in line with Parramatta DCP parking controls (which have maximum parking rates).

Commuter Parking Station

266. Section 11.7.3 of the Discussion Paper explains that a number of stakeholders suggested that Council should either provide or lobby the State Government to provide commuter parking near the Epping Station. The argument put forward by proponents is that this would clear surrounding streets of commuter parking and improve access to local shops for local people.

267. Commuter parking at train stations is a complex issue that depends very much on local context. It is acknowledged that allowing people to drive to stations to use public transport is decreasing the length of cross-city vehicle trips and increasing the length of public transport trips which is to be encouraged. However, the provision of commuter car parks can have other unintended impacts unless it is implemented sensitively and in appropriate locations.

268. Again, the objectives around the car parking policy for the Epping Town Centre is to minimise local car ownership and decrease private motor vehicle use.

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269. The Discussion Paper's question (11c.) asks: *Is there a suitable site for which Council should lobby the State Government to have a commuter parking station provided near Epping Station?*

Community Feedback

270. A total of 38 submissions were received with opinions split on this issue.

271. Across submissions supportive of commuter car parking, there was a view that the current situation where commuters park in local streets was not acceptable, as it affected locals, visitors, and businesses. Providing commuter car parking was seen as potentially increasing residents' usage of the rail line; current bus service was generally seen as poor, with commuter car parking as a better alternative. However, it was also noted that elderly residents who were unable to drive might still struggle to use transport.

272. The needs of neighbouring suburbs were also considered in some submissions, with the view expressed that North Epping residents need commuter parking as well; Transport for NSW's current investigations of a similar solution at Eastwood was also raised.

273. As noted above, several ideas about commuter car park sites were suggested:

- a. 240-244 Beecroft Road, mainly due to good station access,
- b. Above Epping Train Station,
- c. Above Rawson Street Car Park,
- d. Under current library site,
- e. Older apartment complex near Epping Station, through an acquisition process, and
- f. Inside newly constructed residential towers.

274. Many submissions took a broader view that any site considered should be within walking distance of the town centre and train station, while others were willing to consider sites outside the town centre in combination with shuttle buses to the station.

275. Amongst submissions not supporting commuter car parking, there was a common view that commuter parking would only increase traffic and local car use. Some felt that this would incentivise commuters from other suburbs coming into Epping to park, thereby impacting the road network and taking away parking from local residents. Others felt there was no suitable space in Epping for a commuter parking station, while others felt that a commuter parking station was a lower priority than valuable commercial, retail and residential space. Some felt that a low-cost shuttle bus would be a better alternative.

276. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

277. Having considered the feedback from the Phase 2 consultations on a commuter car parking station in the Epping Town Centre, Council Officers maintain the views expressed in the Discussion Paper and therefore **conclude** the following:

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- a. It will attract additional trips into the Epping Town Centre for the sole purpose of utilising the car park which will have a further detrimental impact on local traffic conditions and increase traffic congestion.
- b. It will encourage local employees to drive to the centre rather than arrive via public transport due to the increased access to day long parking options.
- c. Experience in other centres suggests that the availability of day long parking encourages more commuters to make the choice to drive to the station because of the increased likelihood they can find a park. If all spaces within the commuter car park are occupied, drivers will park on the street. So parking availability on local streets is not improved.
- d. An integrated transport system would see people take the bus from close to their home to the station to continue their public transport journey. This is most efficient and effective if regular bus services are feasible. The more commuter parking is provided the greater the negative impact on the feasibility of running regular bus services especially given the number of buses that provide access to Epping.
- e. Commuter parking stations do play an important role in promoting public transport but do not consider that Epping is an appropriate location for a commuter parking station.

278. Council Officers therefore, **recommend the following principles:**

- a. That Council Officers not pursue a policy of providing a commuter car parking facility within the Town Centre.

Policies to manage local parking and access to private motor vehicles

279. Section 11.7.4 of the Discussion Paper proposes two options to discourage residents that purchase into new high density development from parking in local residential streets:

- a. Resident or controlled parking schemes; and
- b. Car sharing scheme.

280. As Section 11.7.4 of the Discussion Paper noted, a commonly expressed concern when any proposal is put forward to decrease parking rates on site is that residents will still own a car and will park it on local streets. Should Council consider introducing maximum rates or reducing car parking rates below the "maximum rates" identified in the PDCP 2011 in order to influence mode shift, it is considered that additional measures could also be investigated to discourage residents purchasing into new high density development do not end up parking in local residential streets.

Resident or controlled car parking schemes

281. The Discussion Paper notes that a rollout of restricted/time limited parking zones within residential streets adjacent to higher density development could be investigated along with a resident parking scheme to enable existing residents within lower density residential zones up to a 3 storey apartment building to have the opportunity to apply for a permit to enable residents and their visitors to continue to have on-street parking albeit in a limited and controlled manner. Such initiatives also discourage commuters from parking within local streets close to Epping Station and depending on the nature of the restricted parking roll out, can encourage commuters to catch a bus to the Epping Station.

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282. The fundamental objectives around introducing a resident or controlled parking scheme is to minimise local car ownership and decrease private motor vehicle use.

283. The Discussion Paper's question (11d.) asks: *Would you support the introduction of a Resident Parking Scheme where owners of new units would not be permitted to park on local streets as a way to discourage car ownership and manage parking on local streets?*

Community Feedback

284. Community views (from a total of 41 respondents) were mixed with more than half of submissions supporting this approach to reducing traffic.

285. Respondents that were supportive generally supported introducing restricted/time parking zones within residential streets adjacent to high density residential development. Others suggested delineating a radius around the station to which the scheme would apply. Others suggested that Council remove "full day" parking in favour of different timed parking options which radiated out from the centre. There was also a specific request for extension of 2-hour parking farther along Oxford Street.

286. Respondents that were not supportive had the following opinions:

- a. Many respondents felt that people would want to own cars, regardless of efforts made by Council to encourage behaviour change.
- b. Some were concerned about how the value of units might be affected with the introduction of a scheme. One was unsure about how this approach could help with reducing car ownership.

287. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

288. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.

289. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:

- a. There is strong community support for a residential or controlled parking scheme

290. Council Officers therefore, **recommend the following principle**:

- a. That Council officers carry out further investigation around the potential implementation of a resident parking scheme in Epping in order to minimise local car ownership and decrease private motor vehicle use.

Car sharing scheme

291. As noted within the Discussion Paper, car sharing enables more sustainable travel habits by making more efficient use of a parking space either on street or within a private development. A single car share vehicle can replace up to 12 private vehicles that would otherwise compete for local parking (source: www.cityofsydney.nsw.gov.au/live/residents/car-sharing). Car share schemes provide flexibility to residents or businesses who either do not own a car, cannot justify car ownership given close proximity to public transport or lack of

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a parking space. Resident and businesses can book a car online when they need one and pick it up from a car share space.

292. Furthermore, car share users are charged by time and distance, at a rate set by each operator (e.g. GoGET, Hertz24/7). Costs associated with fuel, vehicle maintenance and insurance are usually included in the operator's hire fees. Car share spaces can be located on street with the agreement of Council or within larger scale developments.
293. The objectives around introducing a car sharing scheme is to minimise local car ownership and decrease private motor vehicle use.
294. The Discussion Paper's question (11e.) asks: *Do you support car sharing schemes as measures to decrease vehicle ownership and the potential impacts of decreasing parking rates for sites within walking distance of Epping Station?* This question sought feedback on reducing the rates of car parking provision in new development in the town centre.

Community Feedback

295. Community views were mixed on this question, with the majority of respondents supporting this approach to reducing traffic. Of those supporting the scheme:
- a. Many respondents offered feedback about providing and locating potential spaces:
 - i. Some suggested dedicated spaces be created on both sides of the railway to reduce walking distance for all residents.
 - ii. Some proposed a collaborative approach with neighbouring councils as was the idea of working in a network (along with existing car share facilities at Macquarie Park).
 - b. Other views saw that car share spaces need to be dedicated for car share only, and that spaces should be included in new developments. One developer noted that they would be willing to include car share spaces in their basement parking allowance.
 - c. Some views expressed uncertainty about the effectiveness of car share schemes (even across some of those who were supportive). Some were unsure if it would work effectively in the suburbs, while others were unsure if it would actually reduce car ownership rates.
 - d. Some submissions suggested that Council would need to actively promote and make the community aware of alternative transport options like car sharing in order for this approach to have a positive impact.

Conclusions and recommendations

296. The scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
297. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude**:
- a. On 13 June 2017, the Parramatta Traffic Committee (PTC) and Traffic Engineering Advisory Group (TEAG) approved a number of car share spaces across the city (Item 1705 A3). However, it excluded a 6 car share parking spaces in Epping because whilst: *Council notes that car share may be an important element of creating a less private car*

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dependent town centre, that car share arrangements be considered as part of the current traffic and land use study for Epping. No further action be taken on car share spaces in Epping until this study is complete.

- b. The community feedback received on this issue reveals there is overwhelming support by Epping residents.

298. Council Officers therefore, **recommend the following principles:**

- a. That Council introduce a car share scheme in the Epping Town Centre as per the recommendations within the PTC report of 13 June 2017.
- b. That the potential for car share schemes to be provided within a development be further explored and if technically supported, be introduced as new DCP controls as part of Stage 2 of the Epping Planning Review.

Policies to manage local traffic congestion

299. Section 11.7.5 of the Discussion Paper proposes a "Stop/Go" traffic controller to manage pedestrian activity at the pedestrian crossing on Rawson Street adjacent to the Rawson Street car park.

300. The Discussion Paper's standard question (11f.) asks: *Do you think Council should employ crossing attendants during peak conflict periods at the Rawson Street pedestrian crossing to manage the flow of pedestrians and vehicles to best manage congestion in Rawson Street?*

Community Feedback

301. With 44 submissions, the community was divided on this issue, with an equal number of submissions supporting/not supporting this approach and a small number undecided. The reasons for supporting the proposal were around improving pedestrian safety and managing congestion. The reasons for not supporting the proposal were around skepticism of its success.

302. The above views were also expressed at the Community Workshop Sessions. Refer to **Attachments 2 and 3** for a summary of the Community Workshop Session and submissions feedback.

Conclusions and recommendations

303. Having considered the feedback from the Phase 2 consultations, Council Officers **conclude:**

- a. Council should consider funding a "Stop/Go" traffic controller on the crossing during peak times to control pedestrians, it would cost of up to \$10,000 per month inclusive of all on costs.
- b. There are technical legal questions over the enforceability of a "Stop/Go" traffic controller.
- c. The effectiveness of a "Stop/Go" traffic controller is also limited, having to be positioned on one side of the street.

304. Council Officers therefore, **recommend the following principles:**

- a. That Council trial a "Stop/Go" traffic controller at the pedestrian crossing on Rawson Street adjacent to the Rawson Street car park for a period of 2 months and report on the effectiveness of the trial to Council's PTC and TEAG by the middle of 2018.

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COMMUNITY FEEDBACK – GENERAL COMMENTS

305. As has been noted within this report, the scope of the Stage 1 analysis and recommendations has been to address the unintended impacts resulting from the new planning controls that came into effect by the State Government in March 2014.
306. Whilst the purpose of the exhibition was to seek the wider community's opinion on the Discussion Paper's questions, other matters were raised that are outside the scope of this phase of the study. A broad summary of the issues raised is provided below:
- a. The predominant theme from submitters are concerns around:
 - i. Overdevelopment of the Epping Town Centre in terms of what has been built since March 2014, and
 - ii. Further developer interest in the area by way of planning proposals (either existing, preliminary or future planning proposals).
- These concerns largely relate to the associated traffic impacts, construction impacts, tree loss, character loss, heritage loss, parking concerns, visual impacts (regarding inappropriate building heights) and environmental impacts.
307. Some submitters situated outside the town centre core have requested upzonings. Council's response is that the Epping Town Centre has been doing a lot of the "heavy lifting" for the residential growth in this vicinity of Sydney. With the number of planning proposals and precinct planning projects across the LGA before Council, Council does not require any further uplift in Epping for the purpose of meeting its housing targets as expressed in the Greater Sydney Commission's *Draft West Central District Plan*. As has been made clear, the scope of the Epping Planning Review has been to address the failings of the planning system that came into effect in March 2014. As such, additional requests for rezoning (received through the submission process) will not be considered as part of the Epping Planning Review process.
308. A submission table details Council Officers response to general issues raised, is detailed in **Attachment 4**.

RECOMMENDATIONS

309. The recommendations detailed in this report are consolidated and contained in **Attachment 6**.

NEXT STEPS

310. As has been noted, the scope of the Epping Planning Review is limited to better managing the impacts of new development generated from planning controls that came into effect in March 2014 and allowing Council to manage current (formal and preliminary) planning proposals seeking growth in the town centre. It is also intended to allow Council to progress decisions made by Hornsby Shire Council on specific heritage matters when it governed part of the Epping suburb.

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311. The recommended principles from Stage 1 also impact on other policy areas of Council which are outside the changes to planning controls to be covered in Stage 2. The findings and analysis carried out to date will be used to inform further work in these areas (ie. social infrastructure) as part of separate processes.
312. Once the new Councillors have been elected, a briefing will be undertaken on the Epping Planning Review process to date, including the endorsed principles, to confirm the future planning direction for Epping as part of progressing Stage 2 of the project.
313. Further discussion with the DP&E will be carried out to determine the appropriate mechanism for which to implement Stage 2 of the Epping Planning Review. For instance whether this can be carried out via a new State Environmental Planning Policy (similar to the previous mechanism which implemented the March 2014 planning controls) or alternatively, via a Planning Proposal process.
314. The community that have given their time in such a generous way to contribute to this stage of the Review will be thanked and advised of the outcomes. Council will continue to engage with the community through future stages of the review.

FINANCIAL IMPLICATIONS

The only recommended principle that would have an immediate and direct financial implication for Council is the trial of a Stop/Go Controller for 2 months (see **point 304**), which would cost Council \$20,000. This would be funded from an existing operational budget.

Jacky Wilkes
Senior Project Officer Land Use

Kevin Kuo
Team Leader Land Use Planning

Sue Weatherley
Director Strategic Outcomes and Development

Sue Coleman
Director City Services

ATTACHMENTS:

1	Attachment 1 - Discussion Paper	111 Pages
2	Attachment 2 - Phase 2 Community Workshop Sessions Report	80 Pages
3	Attachment 3 - Summary of Submissions	45 Pages
4	Attachment 4 - General Comments	21 Pages
5	Attachment 5 - Stage 6 Summary and Recommendations	4 Pages
6	Attachment 6 - Consolidated List of Recommended Principles	8 Pages

REFERENCE MATERIAL

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE JUBILEE ROOM, PARRAMATTA TOWN HALL, CENTENARY SQUARE, PARRAMATTA ON MONDAY, 14 AUGUST 2017 AT 6:08PM

PRESENT

Amanda Chadwick – Administrator

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Administrator, Amanda Chadwick, acknowledged the Burramattagal people of The Darug Nation as the traditional custodians of this land and paid respect to their ancient culture and their elders past and present.

WEBCASTING COUNCIL MEETING

The Administrator, Amanda Chadwick, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Administrator further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

MINUTES

	SUBJECT	Minutes of the Council Meeting held on 27 July 2017
720	RESOLVED	(Chadwick)
	That	the minutes be taken as read and be accepted as a true record of the Meeting.

APOLOGIES

An apology was received and accepted for the absence of the Chief Executive Officer, Mr Greg Dyer.

DECLARATIONS OF INTEREST

The Administrator, Amanda Chadwick, advised that she does not own any property in the City of Parramatta Council local government area nor have a direct or non-direct conflict of interest in any matter on the current agenda but noted that in relation to Item 11.3 regarding the Epping Planning Review – Completion of Stage 1 and commencement of Stage 2, she is a member of car share group GoGet.

MINUTES OF THE ADMINISTRATOR

5.1	SUBJECT	Update on the Formation of City of Parramatta Council
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SUSPENSION OF STANDING ORDERS

- 737 RESOLVED (Chadwick)
- That** Standing Orders be suspended to enable consideration of item 11.3 regarding the Epping Planning Review – Completion of Stage 1 and Commencement of Stage 2.

LEADING

- 11.3 SUBJECT Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2
- REFERENCE F2017/00210 - D05111630
- REPORT OF Snr Project Officer. Also Administrator Briefing Note from Senior Project Officer dated 14 August 2017. Also correspondence from Frances and Richard Lyons, Wai Ling Chan and Save Epping's Forest Park.
- 738 RESOLVED (Chadwick)
- (a) **That** Council receive and note the submissions made on the Epping Planning Review Discussion Paper.
- (b) **That** the recommended principles, as identified within the report and contained within **Attachment 6** be endorsed for the purposes of guiding Stage 2 of the Epping Planning review subject to the following amendments:
- Traffic Chapter – Consideration of Planning Proposals/Preliminary Planning Proposals
 Clause 255, recommended principle a. be replaced with the following:

a1. That Council write to the Department of Planning and Environment (DPE) advising that significant progress has been made on the Traffic Study to date, however further work still needs to be carried out and land use scenarios tested before this Study can be completed. Council will also confirm that it seeks to retain Relevant Planning Authority status relating to the Austino Planning on the basis that the planning proposal cannot be finalised until the traffic study is completed and to ensure that the community's concerns and issues are addressed (e.g open space – refer to 'Acquisition of former of former bowling club site (725 Blaxland Road)' in Social Infrastructure section (ie Response to questions 9b).

a2. That given the status of the traffic study detailed above, current Preliminary Planning Proposals (Winten Lyon and Oakstand) and any future planning proposals should not be finalised until the Traffic Study is completed.

Traffic Chapter – Car Parking Rates

Clause 265, include the additional principle below:

d. That Council receive a report at the next Council meeting for the purpose of amending the Hornsby DCP parking rates to ensure consistency with the CoP DCP parking rates

Social Infrastructure Chapter – Dence Park – Epping Aquatic and Leisure Centre

Clause 226, include the additional principle below:

c. That the Master Plan for Dence Park be prepared 2018/2019 and include the base assumption of an aquatic facility of 50m.

Heritage Chapter – Rosebank Avenue

Clause 53, recommended principle a. be replaced with the following principle and delete principle d.:

Refer to Alternate Principle - Heritage below.

Heritage Chapter – 1, 3, 3A, 5, 7 and 7A Norfolk Road and 25 Pembroke Street

Clause 96, recommended principle a.ii. be replaced with the following principle:

Refer to Alternate Principle – Heritage below.

Heritage Chapter – Rose Street Precinct

Clause 110, recommended principle a. and b. be replaced with the following principle:

Refer to Alternate Principle - Heritage below.

Alternate Principle - Heritage

That the development of 2 storey 'manor houses' within the following precincts be pursued in response to the current interface issues being experienced by residents. However, as part of this process further work should also be carried out to test the benefits of 3 storey residential flat buildings with all the appropriate DCP controls, for example setbacks, amalgamation patterns to determine whether an alternative approach may be more appropriate.

- Rosebank Avenue (full length of Rosebank Avenue excluding existing heritage listed items)
- 1, 3, 3A, 5, 7 and 7A Norfolk road and 25 Pembroke Street
- Rose Street Precinct (with the inclusion of 70,72 and 74 Essex Street forming part of this Precinct)

(c) **That** Council Officers:

- 1 Brief the incoming Councillors on the Epping Planning Review process to date including the endorsed principles to confirm the future planning direction for Epping as part of progressing to Stage 2 of the project, and
- 2 That following the above briefing, a further report be submitted to Council recommending the commencement of Stage 2 of the Epping Planning Review which will involve preparing new planning controls including:
 - 2.1 A planning proposal to amend both the *PLEP 2011* and *HLEP 2013*
 - 2.2 A development control plan amendment to amend PDCP 2011 and HDCP 2013
 - 2.3 Amendments to relevant Contributions Plans and public domain plans where relevant.

(d) **That** the recommendations contained within **Attachment 5** detailing the outcomes of the Stage 6 Heritage Review be endorsed.

(e) **That** Council write to the community thanking them for their feedback and advising them on the outcome of Stage 1 Review and next steps

(f) **That** Council write to the Minister for Planning, Greater Sydney Commission, Department of Planning and Environment, Transport for NSW and the Roads and Maritime Services to provide an update on the project and an outline of the next steps.

(g) **Further, that** the finalisation of LEP amendments proposing changes to zoning, height and FSR controls come into effect at the same time as relevant DCP controls relating to this

development (excluding Draft Section 94 Plan and DCP amendments relating to tree protection and parking rates).

NOTE:

Amanda Chadwick declared an interest in this matter, as she is a member of car share group GoGet.

RESUMPTION OF STANDING ORDERS

739 RESOLVED (Chadwick)
That Standing Orders be resumed.

PLANNING PROPOSAL – 2-8 & 1-7 Rosebank Avenue, Epping

Appendix 3 – City of Parramatta Council Report and Meeting Minutes of Item 14.3 of 9 July 2018

F2019/02038



NOTICE OF COUNCIL MEETING PUBLIC COPY

The Meeting of City of Parramatta Council will be held in the Dundas Community Centre, 21 Sturt Street, Telopea on Monday, 9 July 2018 at 6.30pm.

Sue Coleman
ACTING CHIEF EXECUTIVE OFFICER

Parramatta – Building Australia's Next Great City

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"Think Before You Print"

Council Chambers

Chief Executive Officer	Lord Mayor Clr Andrew Wilson	Chief Operating Officer
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Clr Phil Bradley
Clr Sameer Pandey
Clr Paul Han
Clr Dr Patricia Procriv
Clr Pierre Esber
Clr Donna Davis
Clr Michelle Garrard, Deputy Lord Mayor



Clr Lorraine Wearne
Clr Bob Dwyer
Clr Bill Tyrrell
Clr Andrew Jefferies
Clr Benjamin Barrak
Clr Martin Zaiter
Clr Steven Issa

Minute Clerk
Minute Clerk
Sound
IT

Director City Services	Director Property and Significant Assets	Director Strategic Outcomes & Development	Director City Identity, Experience & Engagement	Chief Financial Officer
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Press	Press
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Public Gallery

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LEADING

ITEM NUMBER	14.5
SUBJECT	Epping Town Centre Traffic Study and other Epping Planning Review Matters
REFERENCE	F2017/00210 - D06202874
REPORT OF	Snr Project Officer
PREVIOUS ITEMS	11.3 - Epping Planning Review - Completion of Stage 1 and Commencement of Stage 2 - Council - 14 Aug 2017 6:00pm 12.5 - Update on Epping Planning Review and Related Matters - Council - 12 Feb 2018 6.30pm 13.4 - Outcomes of Public Exhibition - Draft Amendments to Hornsby Development Control Plan 2013 - Tree and Vegetation Preservation - Council - 26 Feb 2018 6.30pm

Note: This report was deferred from the 28 May 2018 and 25 June Council Meetings.

PURPOSE:

This report details the progress of the Epping Town Centre Traffic Study and updates Council on the implications for the findings of the Epping Planning Review, as well as several related planning matters relevant to the Epping Town Centre.

RECOMMENDATION

- (a) **That** Council note this update on the Epping Planning Review and related matters.
- (b) **That** Council exhibits the Epping Town Centre Traffic Study and supporting documentation to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report.
- (c) **That** despite recommendation (b) above, that Council adopts the position that it does not support any:
 - i. Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to heritage interface controls, commercial floor space or resolving open space issues at Forest Park.
 - ii. Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*
 and that Council write to the Department of Planning and Environment (DP&E) advising them of this position.
- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
 - i. Object to the Planning Proposal in its current form and density

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proceeding; and

ii. Request that Council be re-instated as the RPA so that Council can pursue a Planning Proposal that would retain the current controls that apply to the site with the exception of the former Bowling Club portion of the site which would be rezoned from RE1 Public Recreation to R4 High Density Residential with a maximum Height of Building control of 17.5m and FSR of 1.5:1.

- (e) That should Council be re-instated as the RPA (on the basis that it will pursue a Planning Proposal as per (d)(ii) above) Council officers be authorized to commence discussions with the Austino PP applicant about the form of the Planning Proposal and whether there are any opportunities for some contribution to additional open space as part of the Planning Proposal. The outcome of these discussions should be reported to Council.
- (f) **That** Council write to the Minister for Planning and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until:
- i. the supplementary work on a new road link has been completed; and
 - ii. that the relevant approval authority agrees to the provision of commercial floor space equivalent to a 1:1 FSR.
- (g) **That** a further report is brought to Council on the options for the Rawson Street carpark site as a site for future civic space and community facilities and analysis on whether any EOI process should be commenced to seek partners to redevelop the site and realise the FSR available on the site.
- (h) **That** a further report is brought to Council on the outcome of the consultation on the Epping Town Centre Traffic Study and the results of the supplementary traffic analysis discussed in this report on:-
- i. Reopening of the former M2 bus tunnel link; and
 - ii. A new east west road link through 240-244 Beecroft Road
- (i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to:-
- i. Rosebank Avenue HCA, Precinct;
 - ii. 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street;
 - iii. Essex Street HCA Precinct;
 - iv. Rose Street Precinct; and
 - v. Rockleigh Park Precinct;
- and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
- (j) **Further, that** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the centre and that the Planning Proposal and associated material be reported to Council for endorsement

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before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

BACKGROUND

1. This report is a progression of a Council report deferred from the 12 February 2018 Council meeting (Item 12.5) provided at **Attachment 1**. This report also relates to a Council assessment of the Austino planning proposal.
2. As noted above, Item 12.5 from the 12 February 2018 Council meeting which sought to provide an update on the status of the Epping Planning Review and associated matters was deferred. It resolved as follows:

That consideration of this matter be deferred for the following reasons:

1. *Consultation with Ward Councillors.*
 2. *That Council write to the Department of Planning seeking clarification around the decision of 1 December 2017 to appoint the Sydney Central Planning Panel as the relevant Planning Authority, meaning that Council no longer has relevant planning Authority Status for this proposal. Council is seeking this clarification particularly around the fact that the Department of Planning and Environment will be referring the outcome of the Traffic Study to make their determination which is the reason for our Council delaying a recommendation to the Council.*
 3. *Upon receipt of the valuation for the former Epping Bowling Club site, the formal valuation be the subject of a Briefing to Ward Councillors and any other interested Councillors prior to the Austino Planning Proposal or any update on the Epping Planning Review being reported back to Council.*
3. In response to the resolution of 12 February 2018:
 - a. A Workshop was held with Councillors on 16 February 2018 so that the applicants of two preliminary planning proposals – Oakstand consortium and Lyon Group – could present their respective preliminary planning proposals. These preliminary planning proposals are detailed later in this report.
 - b. A Councillor briefing session was held with Ward Councillors on Wednesday, 28th March 2018 which provided an update on the Epping Planning review including the draft findings on the Epping Town Centre Traffic Study and valuation report on 725 Blaxland Road.
 - c. A meeting was held with the Member for Epping, Damien Tudehope on Thursday, 29th March 2018 which also provided an update on the Epping Planning review and included a discussion on the draft findings on the Epping Town Centre Traffic Study and valuation report on 725 Blaxland Road.
 4. Consistent with resolution 2 above, on 1 March 2018, Council Officers wrote to the Department of Planning and Environment (DP&E) seeking clarification on the removal of the relevant planning authority role from City of Parramatta council. The DP&E's response is attached to this report at **Attachment 2**.

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OVERVIEW OF EPPING PLANNING REVIEW AND STRUCTURE OF THIS REPORT

5. The Epping Planning Review (EPR) was initiated as a review of planning controls for the Epping Town Centre and immediate surrounds (refer to the area delineated orange in the figure below) to address the issues of land use conflicts. These conflicts were raised by the Epping Community following from the DP&E's Priority Precinct process which increased the density controls in March 2014. The EPR Study Area is shown in Figure 1.

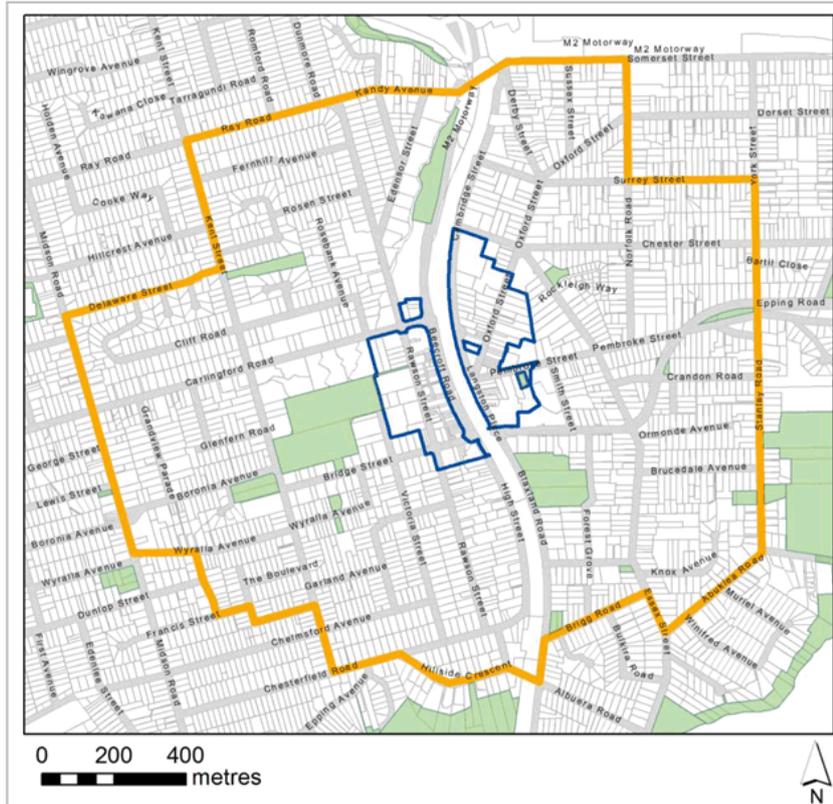


Figure 1 - Epping Planning Review study area showing the town centre and immediate surrounds

6. The EPR has also followed the Council boundary changes occurring in May 2016 under which the Epping Town Centre came to be entirely contained within the City of Parramatta (having previously been split between Parramatta City and Hornsby Shire Councils).
7. One objective of the EPR has been to create a unified planning framework for the Epping Town Centre and its immediate surrounds, including one set of LEP and DCP controls, a unified development contributions framework and one public domain plan. Council has already developed a single development contributions framework for the Epping Town Centre and Council's formal LGA-wide Harmonization Process will have a role in bringing some further consistency to the planning controls.
8. The EPR has two stages. The first stage has involved undertaking technical studies and community consultation to inform planning control amendments to resolve land use conflicts or issues. The last remaining element of this stage is

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the completion of traffic analysis and the major element of this is the Epping Town Centre Traffic Study.

9. The **Epping Town Centre Traffic Study (ETCTS)** is the key component of this report, as its findings have major implications for the Epping Town Centre in the short to mid-term. The implications of the ETCTS are also discussed with regards to:
 - a. Updates on the status of **LEP and DCP amendments** affecting land within the Town Centre with a small section of the report discussing the release of the final **Central City District Plan** in March 2018 and relationship with the EPR.
 - b. the State Significant Development proposal affecting NSW Government owned land at **240-244 Beecroft Road, Epping**.
 - c. The **Austino Planning Proposal** and **Preliminary planning proposals** affecting land within the Town Centre.
10. This report makes recommendations on:
 - a. the **interface areas** at Rosebank Avenue, Rockleigh Park, Pembroke Street/Norfolk Rd, Essex Street and the Rose Street Precinct;
 - b. **commercial floorspace** within the centre; and
 - c. potential **social infrastructure** provision on the Rawson Street Car Parking site.

RELATED PLANNING POLICY MATTERS

11. A series of recent policy amendments (LEP, DCP and development contributions plans) are complete which apply to land within the EPR study area and relate to:
 - a. Housekeeping Amendment to Hornsby LEP 2013 recently coming into effect.
 - b. Fast Tracked Amendments to Parramatta DCP 2011 involving footpath widening recently coming into effect.
 - c. Amendment to Hornsby DCP 2013 - Tree Preservation and associated matters raised by Council in its resolution from the 26 February 2018 Council meeting pertaining to tree removal in Forest Park and the potential impact of Austino planning proposal on trees in the north of Forest Park are detailed in **Attachment 3** to this report.
 - d. Section 94 and 94A Developer Contributions Plans applying to the EPR area recently coming into effect.
12. These matters are further detailed in **Attachment 3**.

Greater Sydney Region Plan and Central City District Plan

13. In March 2018, the Greater Sydney Commission (GSC) released the final *Central City District Plan (CCDP)* and its metro-wide level plan *Greater Sydney Region Plan - A Metropolis of Three Cities*.
14. In both plans, Epping is identified as a 'Strategic Centre' for 2036. However, in the earlier iterations of the District Plan and Metro Plan, Epping was identified as a "Town Centre" or "Local Centre". Thus the role of the Epping Town Centre has been elevated to a higher-order centre without any corresponding dialogue or justification. Also, the 'Strategic Centre' category is still not clearly defined in

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the Final Plans. The change has also occurred ahead of completion of the Epping Town Centre Traffic Study.

15. The CCDP establishes dwelling targets for the five year period from 2016 to 2021 for the Parramatta LGA and jobs targets for lower and higher scenarios for 2036 for Epping, specifically. In the context of the Epping Planning Review and recent development forecast, these are discussed below:
 - a. With regards to **dwelling targets** for that period, the CCDP sees 21,650 additional dwellings for the 2016-2021 period for the Parramatta LGA. Analysis contained in this report on recent dwelling growth within the Epping Town Centre demonstrates that recent growth patterns mean this centre can meet a substantial proportion of this target.
 - b. With regards to the **jobs targets**, the Epping Town Centre is identified as a Strategic Centre for 2036 with a jobs target of 1,900 additional jobs (2036 **baseline**) to 2,400 additional job (2036 **higher target**). These are on top of the 5,100 jobs that the CCDP sees as the baseline for 2016. Further discussion about the provision of commercial floorspace is provided further in this report.
16. Furthermore, a series of actions (both direct or indirect) across a number of the CCDP's Planning Priorities apply to the Epping Town Centre and largely involve collaboration with the DP&E and GSC.

EPPING PLANNING REVIEW - STAGE 1

17. The major elements of Stage 1 of the EPR were spelled out in the 12 February 2018 report (Item 12.5) which noted that Stage 1 of the Epping Planning Review was largely completed with the exception of a Final Traffic Study. This was precluded by a report of Council at its meeting on 14 August 2017 which reported the Discussion Paper and its supporting technical studies.
18. An **Interim Traffic Modelling Report** (dated June 2017) was prepared by EMM for the purposes of the Epping Planning Review Discussion Paper which was exhibited in June/July 2017. The Interim Report formed preliminary analysis in order to consult the Epping community on traffic and access in and around the Town Centre.
19. At the 14 August 2017 Council meeting, Council endorsed a suite of principles to guide Stage 2 of the Epping Planning Review. The issues discussed in this report directly affect many of the principles.

Epping Planning Review Steering Group

20. To ensure delivery of the Epping Planning Review, in February 2017, Council established the Epping Planning Review State Agency Steering Group which has representation from the Greater Sydney Commission, the Department of Planning and Environment, Transport for NSW and Roads and Maritime Services.
21. The Steering Group is also consistent with the Central City District Plan where:

Parramatta City Council is leading the review of planning controls and the Commission is collaborating with Council and other State agencies to address social infrastructure, traffic, heritage and commercial land issues (p.21).
22. Given the recommendations within this report, the role of the Steering Group in providing further direction on the Epping Planning Review process is paramount.

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BACKGROUND TO EPPING TOWN CENTRE TRAFFIC STUDY

23. The principal traffic study underpinning the existing planning controls which is now outdated is the **Halcrow Study** of 2011 commissioned by Hornsby Council, the then Parramatta City Council and the DP&E prior to the Priority Precinct process formally commencing. The Epping Town Centre Traffic Study (ETCTS) replaces this analysis.
24. The Halcrow Study tested the short term and long term land use scenarios:
- a. The short term (2016) land use scenario was based on a forecast of additional 900 dwellings and additional 3,000sqm of retail uses; and
 - b. The long term (2026) land use forecast a further 2,100 dwellings and another 3,000sqm of retail uses.
25. In total, this tested the impact of 3,000 additional dwellings and 6,000sqm of additional retail within the Town Centre by 2026. As is discussed further in this report, the Halcrow assumptions on residential land use have substantially underestimated the development trends.

EMM's Interim Traffic Study (2017)

26. The preliminary analysis carried out by EMM in 2017 as part of the Interim Traffic Modelling report for the purposes of the EPR Discussion Paper allowed discussion of the issues as part of the Discussion Paper process. Specifically, the preliminary study identified the following key issues:
- a. The east west Carlingford Road/Epping Road and north south Beecroft Road/Blaxland Road are sub-regional routes that converge at the Town Centre mixing with local traffic.
 - b. Approximately 89% of trips that cross the bridge are through traffic trips where the origin and destination of the trip is outside the Epping Town Centre.
 - c. The through trips are a significant barrier to improving the traffic flow around the Epping Town Centre. (Note: Centres are usually structured in a way that separates local traffic from through-traffic, but the Epping Town Centre is not).
 - d. The widening of the rail bridge will not be a "game changer" given the time it will take motorists to cross the bridge. In other words, the expansion of the bridge will be an improvement, but will not be a *significant* improvement in providing relief to congestion.
 - e. Traffic routes and intersections are currently operating at over-saturated traffic levels for both the morning and afternoon peak hour, and the increased intersection traffic delays are already displacing some of the previous regional through traffic movements away from the Epping Town centre to other parallel traffic routes such as the M2 Motorway for east-west traffic and Midson Road for north-south traffic.

Local road upgrades

27. The Roads and Maritime Services' (RMS) program of main road improvements within the town centre have been factored into the ETCTS. They are:
- a. Widening of Epping Road from two lanes to three lanes involving:
 - i. Removal of the right turn movement from Langston Place into Epping Road,

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- ii. Removal of the right turn movement from Epping Road into Smith Street and Forest Gove;
 - iii. New dedicated right turn lanes from Essex Street into Epping Road; and
 - iv. New traffic light controlled pedestrian crossing for Epping Road and Essex Street.
- b. Upgrading the Beecroft Road and Carlingford Road intersection in Epping involving:
- i. New traffic light controlled pedestrian crossing for Carlingford and Beecroft Roads;
 - ii. Additional right-turn lane from Beecroft Road into Carlingford Road; and
 - iii. New pedestrian path to link with the exiting path to Epping Station.
28. A critical factor is that the traffic modelling undertaken since 2011 all factor in a widening of the rail bridge carriageway on Epping Road to accommodate an additional westbound lane. In a letter from the DP&E to Council dated 7 November 2017, it notes that "Transport for NSW is investigating several options for widening this overpass and the Council would be informed of the results when the investigation concludes" but the letter did not provide a timeframe. Since the receipt of the letter, Council Officers have not been provided with an update.

Dwelling forecasts since 2011 and actual dwelling growth

29. In order to understand the significance of the findings from the ETCTS (covered in the next section), it is important to understand recent (actual) and anticipated dwelling growth in the context of the growth predicted by the DP&E as part of the former Epping Priority Precinct process completed in March 2014. This must be understood so that infrastructure providers (Council and the State government) can ensure the delivery of appropriate infrastructure at the right time.

Dwelling forecasts

30. During the progression of the DP&E's Priority Precinct process, dwelling growth forecasts were reviewed from **3,000 additional dwellings** for 2026 in the Halcrow Study to **3,750 additional dwellings** for the year 2036 as per the Department of Planning and Environment's (DP&E's) *Finalisation Report* (November 2013). However, shortly after the City of Parramatta commenced the EPR process, in early 2017, the DP&E revised its forecast figure of 3,750 additional dwellings to **5,500 additional dwellings** by 2036 and set a maximum dwelling yield of **10,000 additional dwellings** at a 100% take up rate.

Actual dwelling growth

31. The Epping Planning Review Discussion Paper (June 2017) noted that Council Officers had reviewed recent development applications and approvals to track actual growth against the dwelling forecasts undertaken by the DP&E and/or during the Priority Precinct process. This reviewed all of the pre-lodgments, DAs under assessment and determined (both under construction and not yet under construction) that have occurred since March 2014 when the new Priority Precinct controls came into effect and found that **4,735 additional dwellings** could be delivered in the short to mid term (assumed to be as early as 2023), if

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all DAs are constructed and fully occupied in that time. This equates to an additional **10,890 people** within the centre assuming a household size of 2.3 persons per household (Source: Council's Social Outcomes Unit).

32. Then again, for the purpose of this Council report, on 19 April 2018, Council Officers tracked this figure to **5,553 additional dwellings** by 2023. This is made up of 3,940 approved dwellings and 1,613 dwellings under assessment. Again, applying an occupancy rate of 2.3 persons per household, this means an additional **12,771 people** in the town centre by 2023. With no signs of the Town Centre's residential market slowing down, Council Officers conclude that within 4 years of the new planning framework being in place, the DP&E's revised 5,550 additional dwelling target for 2036 is well on its way to being met well before 2036.

What does this growth mean?

33. The tracked growth is well above what was forecast and planned for by the DP&E during the Priority Precinct process. In effect, the 2036 revised forecast of last year by the DP&E (of 5,500 dwellings) will already effectively be met within 4 years of the new planning controls if the development detailed in existing approvals and applications are realised.
34. The rate of this growth has significant implications for the amenity and function of the centre including infrastructure provision in the short and mid-terms. For example:
- a. The widening of the rail bridge carriageway on Epping Road to accommodate an additional westbound lane is yet to be delivered by the State Government.
 - b. Education infrastructure such as schools managed by the Department of Education (public schools) as well as private schools will be under more pressure.
 - c. The significant loss of commercial floorspace spelled out in the *SGS Commercial Floorspace Study* and the *Epping Planning Review Discussion Paper* exhibited in mid 2017 means the future amenity and function of Epping as a centre is at stake.
 - d. The provision of local infrastructure (libraries, community facilities, open space and recreational facilities) is under pressure to be enhanced and improved.

Conclusions

35. Comparing the Town Centre's growth with the CCDP's dwelling targets for the Parramatta local government area (LGA) for the 2016-2021 period which is (21,650 dwellings), the 5,553 additional dwellings represents a substantial proportion of the dwelling target although some of that growth has occurred post March 2014.
36. In addition to the tracked dwelling growth since March 2014, there is substantial interest from developers and land owners within and around the town centre seeking an increase in residential yield above what the current controls allow via a planning proposal process.
37. Council must ensure that the amenity of the centre as well as the long term social, environmental and economic aspirations of the Epping community are not undermined. Both the Greater Sydney Commission and the DP&E have a critical role in this.

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EPPING TOWN CENTRE TRAFFIC STUDY

38. Council Officers commissioned EMM Planning and Environmental Consultancy in March 2017 to revise the traffic analysis work done as part of the DP&E's Precinct Planning process.
39. The Epping Town Centre Traffic Study (ETCTS) effectively replaces the 2011 Halcrow Study which formed the basis for the current planning controls within the Town Centre. It also replaces other applicant-prepared traffic analysis from 2015. A copy of the ETCTS is provided at **Attachments 4 and 5** (Attachment 4 comprises the Traffic Report and Attachment 5 comprises the Appendices).

The EMM Epping Town Centre model

40. The traffic model was developed by Transport Modelling for EMM. The base model report was completed in December 2017 and forwarded to the RMS for authorisation which was received in February 2018. In its response, RMS stated that the consultant's 2017 base model is suitable for traffic assignment analysis (traffic distribution) for the assessment of any future proposals within the study area.
41. The ETCTS models the co-ordinated operation of a chain of linked intersections. It does this for four existing and future traffic network model and land use scenarios which are:
 - a. Existing actual peak hour intersection traffic volumes which were surveyed in March 2017;
 - b. Modelled base case 2017 intersection traffic volumes from the EMME model;
 - c. Modelled +5,000 dwellings growth scenario intersection traffic volumes from 2026; and
 - d. Modelled +10,000 dwellings growth scenario intersection traffic volumes from 2026.
42. To develop a base year for the network traffic model, in March 2017 the following peak hour surveys, travel time surveys and traffic queue length observations were undertaken:
 - a. Peak hourly intersection turning movements at 17 intersections;
 - b. Morning/afternoon peak hour travel time surveys across the full study area;
 - c. Morning/afternoon peak hour maximum traffic queues for traffic signal operations on Beecroft Road, Carlingford, Epping and Blaxland Roads.
43. The model then tests two future residential growth scenarios in the study area as follows:
 - a. A 2026 land use scenario tests 5,000 additional dwellings
 - b. A 2036 land use scenario tests 10,000 additional dwellings.

These scenarios are additional dwellings realized after the new DP&E planning controls came into effect in March 2014.
44. The ETCTS also includes preliminary analysis of two local road network options:
 - a. The reopening of the former M2 bus tunnel link to Epping Station as a one way westbound link with left turn egress only at Beecroft Road and

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- b. A new east west road link connecting between Ray Road and Beecroft Road, through the NSW Government site at 240-244 Beecroft Road on the western side of Beecroft Road.
45. These two road network options are only explored in a preliminary sense for the 2026 and 2036 future traffic network models. This seeks to determine the potential future extent of the likely road network traffic delay benefits for locally based traffic accessing the major road network at Epping. Refer to Sections 7.3 and 7.4 of the ETCTS provided at **Attachment 4**.

ETCTS Findings

46. The broad findings from the ETCTS are summarized below.

Findings from Survey Counts

47. For the **March 2017** surveyed morning and afternoon peak hour traffic conditions the findings are as follows:
- a. Up to four of the six key intersections on the four major traffic routes (via Beecroft Road, Blaxland Road, Carlingford Road and Epping Road) are operating at over saturated (level of service F) traffic conditions respectively with an average 5 minute waiting time.
 - b. During the morning peak period the combined eastbound and southbound traffic queues on Carlingford Road and Beecroft Road can reach a combined total length of approximate 1.5 km.
 - c. The most widespread traffic queuing effects on all areas of the road network are considered to occur at approximately 8:40 am and 5:40pm, consistent with the Sydney regional major road traffic conditions.
 - d. The increasing road traffic congestion occurring in the Town Centre area, is adversely affecting both the regional through traffic movements and local traffic accessibility to the major road network.

Future years of 2026 and 2036

48. The findings of the +5,000 and +10,000 dwellings growth scenario intersection traffic volumes for the 2026 and 2036 are as follows:
- a. Future peak hour traffic conditions continue to worsen even when the full programs of the identified RMS and Council road improvements have been implemented.
 - b. In the road networks, five to six of the assessed intersections will have traffic conditions operating at oversaturated (level of service F) during both the morning and afternoon traffic peak periods. As an example, in 2026, the Carlingford Road/Beecroft Road intersection has an average delay which equates to 70.5 minutes (morning peak) and 23.5 minutes (afternoon peak). In 2036, this increases to 77 minutes (morning peak) and improves to 10.5 mins in the afternoon peak.
 - c. In 2036, over 3,300 vehicles cannot enter the network.
49. The average intersection delays are predicted to improve by 2036 from the 2026 base scenario as a result of Council proposed road improvements which are anticipated to be implemented during this period. However, the most crucial intersection – Beecroft Road – actually experiences a higher average delay in 2036 than for the 2026 case (p.41).

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50. The ETCTS also finds that *the afternoon performance of the network for the base 2036 is such that it is unlikely that there will be any spare capacity for additional vehicles* (p.41).

Additional westbound lane on Epping Bridge

51. The additional westbound lane on Epping Bridge would primarily benefit the afternoon peak hour westbound regional traffic movements travelling through the Town Centre. However, if the bridge were to operate with future tidal flow traffic conditions such as four lanes eastbound during the morning peak periods with two lanes westbound and three lanes in each direction during the afternoon peak periods, this future improvement could provide significant travel flow benefits during both these peak periods.

Additional road network options

52. The findings from preliminary testing of two additional road network options, are as follows:
- a. **Reopening of the former M2 bus tunnel link:** the envisaged number of vehicles that would use the tunnel would result in equivalent peak hourly traffic reductions for certain southbound right turning traffic and westbound traffic movements. These *"would probably have significant network traffic benefits in terms of reducing the future peak hourly intersection traffic delays at these intersections"* (ETCTS, p.45).
 - b. **A new east west road link through 240-244 Beecroft Road:** the envisaged number of vehicles that would use the through link would result in equivalent peak hourly traffic reductions for the other traffic movements using the Carlingford Road intersections with Beecroft Road or Ray Road and Rawson Street which *"could have significant network traffic benefits in terms of reducing the future peak hourly intersection traffic delays at these intersections"* (ETCTS, p.45).
53. However, further SIDRA intersection analysis is required of the above two road network options, this analysis is currently underway.

Implications

54. The findings from the ETCTS has major land use and infrastructure implications for town centre and surrounds. Therefore, Council Officers see that the role of the ETCTS is to:
- a. Inform planning policy affecting the Study Area particularly in relation to:
 - i. Certain proposals seeking an increase in residential yield; and
 - ii. State Significant Development applications.
 - b. Provide a basis for Council to take to the DP&E, GSC and the Minister for Planning seeking support for:
 - i. a position on residential development that indicates that any growth in residential development should only be permitted to resolve planning issues in Epping rather than just to permit additional residential development above what can be achieved under the current controls; and
 - ii. a coordinated approach to infrastructure delivery consistent with actions within the CCDP.

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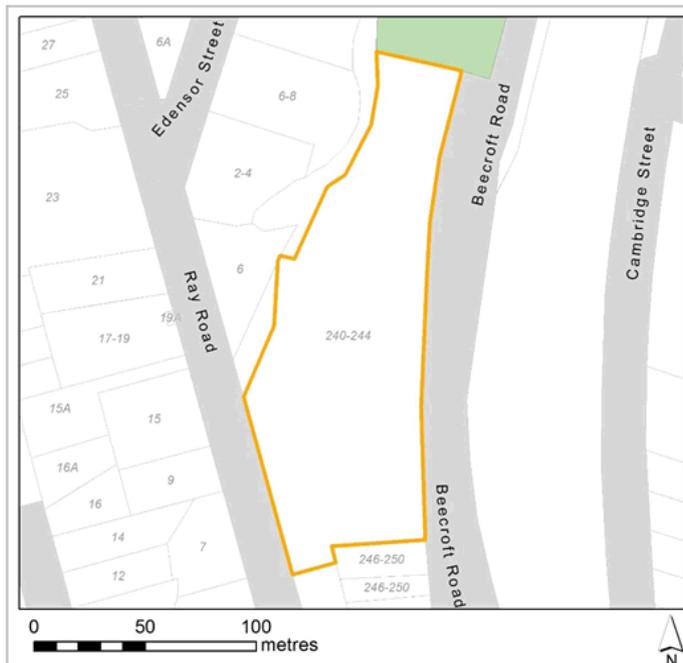
- c. Inform changes to the principles adopted by Council on 14 August 2017 that relate to:
 - i. Heritage interface;
 - ii. Commercial floorspace; and
 - iii. Open space and community infrastructure.

Consultation

55. The ETCTS and any associated traffic analysis as part of the overall ETCTS brief should be placed on exhibition so that the major stakeholders (such as RMS, Transport for NSW (TfNSW), DP&E, GSC, landowners and the wider community) have an opportunity to comment on the documentation. Consultation will occur via:
 - a. Formal invitation to State agencies represented on the EPR Steering Group which are RMS, TfNSW, DP&E and GSC.
 - b. Formal invitation to major land owners formally seeking density residential density uplift such as Austino, Oakstand and Lyon Group.
 - c. Notification e-newsletter to the 440 residents and businesses registered on the EPR project mailout database. This will include local residents and business as well as planning consultants acting for Epping landowners.
 - d. A public notice in the *Northern District Times*.
56. The ETCTS and associated supporting material will be made available on the EPR project website.

IMPACT OF ETCTS ON STATE SIGNIFICANT DEVELOPMENT AT 240-244 BEECROFT ROAD

57. The State government owned site at 240-244 Beecroft Road (refer to Figure 2) once used for the Sydney Metro Northwest project is subject of a State Significant Development (SSD) application.



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Figure 2 - State government owned land at 240-244 Beecroft Road, Epping

58. The background to his SSD application up to January 2018 is contained within the deferred Council report of 12 February 2018 (**Attachment 1**). However, the role of the site in the future development of the Town Centre is key in two ways: from both land use and traffic/access perspectives.

Land Use issue

59. The SSD application applies to 10,120sqm of the 13,342sqm total site area and proposes 39,000sqm of GFA (450 residential units) and 15 storeys which equates to a 3.8:1 FSR. Of that, the SSC proposes 2,000sqm of commercial FSR which equates to 0.2:1 *to be located at ground level on Road (could be general store, childcare, gymnasium, café, small offices)*.
60. The Commercial Floorspace Study by SGS prepared for the purposes of the EPR Discussion Paper saw that there has been a loss of commercial floorspace estimated at about 63%. Further internal analysis undertaken by Council Officers in early February 2018 has identified that that approximately **8,200sqm retail** and **35,200sqm office** floorspace needs to be "replaced" within the Town Centre. Given its scale, this site plays an important role.
61. From a planning perspective, the SSD process presents Council with an opportunity to negotiate an outcome because:
- The site's current zoning (R4 High Density Residential) does not require any commercial floorspace however, a **neighbourhood shop** use (max. 100sqm) is permissible within the zone.
 - The site's previous zone (B4 Mixed Use) would still have allowed the commercial office building on that site to be demolished and replaced with a building that had retail and commercial at lower levels and residential on higher levels. Returning the site to its previous zoning would not require the owner to replace the previous commercial floor space that historically existed on that site.
 - The timeframe around the SSD process is much faster, than a rezoning process; in the latter, Council can seek a higher amount of commercial floorspace on the site, but this would take some time. The SSD can approve commercial floorspace even if it is not permitted in the zone so there is a mechanism for addressing the floorspace in a timely manner if agreement can be reached.
62. Therefore, a 1:1 FSR (10,120sqm) for commercial uses is a balanced negotiating position that maximises the chances that commercial can be achieved on the site and contribute to Epping's role as a Strategic Centre as identified in the CCDP.

Local Traffic/Access issue

63. Also, as already noted in this report, a road link through the SSD site is being tested to determine whether it can alleviate some of the traffic pressure at the intersections of Carlingford Road with Ray Road and Beecroft Road. Preliminary testing shows it can take of some pressure of peak hour traffic. However, more detailed analysis is progressing with a supplementary report due shortly which will form supplementary analysis to the ETCTS.

Recommendations

64. Council Officers therefore recommend:

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- a. That Council not support the application until:
 - i. A 1:1 FSR of commercial land uses can be delivered on the site; and
 - ii. A supplementary report on an east west through link is completed.
- b. That Council write to the Minister seeking that he not support the proposal until the two criteria listed in a. immediately above are achieved.

IMPACT OF ETCTS ON AUSTINO PLANNING PROPOSAL

Introduction

65. Council Officers were intending to undertake a detailed assessment of the Austino PP. However, on account of:
 - a. The Town Centre having effectively reached the DP&E's revised 2036 dwelling target; and
 - b. the findings from the ETCTS;

Council Officers consider that a detailed assessment of this proposal is no longer required. Instead the assessment method emphasises the significance of the findings of the ETCTS and recognises the critical importance of the RMS and JRPP's comments on traffic matters at the earlier stages of the planning proposal (discussed in the "Traffic" sub-section, below). In short, the traffic impacts associated with the faster than anticipated dwelling growth is the guiding principle informing the outcome of this proposal.

Background

66. The Austino Property Group are the applicant for a Planning Proposal affecting land at 2-18 Epping Road, 2-4 Forest Grove and 725 Blaxland Road (the latter site being the former bowling club site – refer to Figure 3).



Figure 3 - Land affected by the Austino Planning Proposal denoted in solid red line (from applicant's Urban Design Report)

67. The planning proposal – resubmitted to the DP&E in January 2018 seeks to:
 - a. Reconfigure the existing R4 and RE1 zones resulting in no net loss of open space;

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- b. Increase the building heights over the reconfigured R4 zone from 26.5 metres to a maximum of 65.5 metres along with 5 other building heights; and
 - c. Increase the density on the site from an equivalent 2.1:1 to a combination of 7.5:1, 4.6:1, and 1.75:1.
68. The above proposed changes seek to deliver a predominantly residential development comprising two towers on Blaxland Road with smaller towers on Epping Road accommodating estimated 794* units. (Note this calculation relies on Council's standard practice of applying an efficiency unit rate of 85sqm per unit whereby the applicant relies on a rate of 100sqm). Under the current controls (ie R4 zoning, maximum height of 26.5 metres) on the sites fronting Epping Road), the Austino landholdings would realise a total of approximately 308 units according to Council Officer analysis.
69. A VPA dated 4 December 2015 accompanies the planning proposal which proposes a public urban plaza through the proposed development providing a pedestrian connection between Epping Road and Forest Park, with an area equivalent to the area of land currently zoned RE1 Public Recreation (6,665sqm), so there will be no net loss in open space. However, much of the area proposed to be zoned public open space contains underground car parking below it which is generally not acceptable to Council.
70. This PP has a complex history. Details of the process and the proposal are provided at **Attachment 6**.

Petition

71. Between February and March 2017, Council Officers received a petition which containing nearly 600 signatures. The petition requested a number of actions including that Council purchase the site at 725 Blaxland Road. Other actions related to concerns on the impacts of the planning proposal on Forest Park in terms of traffic and urban design.
72. The petitions were tabled at the Council meeting held on 13 February 2017 where Council resolved:
- That the petition be received and referred to the appropriate Council officer for report.*
73. In response to the resolution, the appropriate time for the consideration of the petition was always intended to be undertaken as part of the assessment of the Austino planning proposal. This section in this report forms that assessment.

Traffic Analysis

74. The applicant's Traffic Impact Study prepared by GTA in 2015 tested the traffic impacts of the proposal based on the Halcrow Study's 3,000 additional dwellings for 2026. However, as identified in the Halcrow Study, the 3,000 dwellings for 2026 falls well short of the likely growth of 2025 (5,553 dwellings) based on current and expected development activity.
75. In March 2016 having reviewed the applicant's traffic analysis the RMS wrote to Hornsby Shire Council when it was the RPA noting the following:

Should Council support a recommendation for gateway determination, the exhibited proposal must also ensure that the Transport Impact Assessment traffic includes detailed Network modelling results (ie. phasing, queue lengths/delays for all movements, intersection details) for [six] key intersections for all modelled scenarios.

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76. At that time, RMS also noted that *the total Residential Parking requirements being restricted to no greater than the minimum parking rates applicable for a total of 327 apartments* on the entire site (ie. Limited to approximately half the amount being sought under this proposal)*. (Note: it is not clear what assumptions the RMS has relied to determine this number of units. Council's assessment suggests the figure is closer to 308 units).
77. In February 2018, the brief for the Epping Traffic Study was extended so that an impact assessment of the Austino planning proposal on traffic and access around the site could be undertaken. This was decided given the findings from the modelled base case 2017 intersection traffic volumes from EMME software based counts.
78. The Traffic Impact Assessment (TIA) prepared by EMM (provided at **Attachment 6**) concludes that the proposal would generate an additional 768 daily vehicle movements on Forest Grove. It also sees that because the impacts of the 2026 and 2036 additional dwellings on the network are so severe, that the actual intersection performance deterioration due to the Austino development either with or without the planning proposal is relatively small.
79. The ETCTS and recent TIA by EMM updates the Austino TIA because the TIA findings were based on a slightly lower future baseline year 2026 additional dwelling forecast than the forecast which has been used in the ETCTS. That said, the general findings within the EMM TIA are still valid. All the same, with regards to the Austino planning proposal impacts, the ETCTS concludes the:
- ...significant intersection performance deterioration from the 2017 base to the 2026 future base traffic situation renders any further traffic generating development in this location unacceptable without further capacity improvements to the locality major road and local road network capacity, in particular at the Epping Road/Blaxland Road intersection, and to a lesser extent at the Epping Road/Essex Street intersection. (p.42)*
80. When the (then) Sydney East Joint Regional Planning Panel (JRPP) assessed the planning proposal as part of its initial review, it stated, as one of the seven (7) actions, that:
- The proposal on this site should be part of the current Council traffic review of the whole of Epping Town Centre and the outcomes that review shall inform the final decision on Floor Space Ratio for the site.*
81. Because of this, a detailed assessment of the planning proposal is considered unnecessary as the fundamental determinant for deciding whether the Epping Planning Review Study Area can take any more residential development is the ETCTS.
82. It is also worth noting that in March 2014, the zoning and density controls for the parcels fronting Epping Road and Forest Grove were amended enabling higher residential yields as part of the DP&E's Priority Precinct process. With the controls having only been in place for 18 months, the applicant seeks further uplift through this planning proposal process. As noted elsewhere in this report, this planning proposal for additional residential development represents housing development simply to increase housing.

Purchase of 725 Blaxland Road (former bowling club) site

83. Part of the site (the former Bowling Club site) is zoned RE1 Public Recreation. The City of Parramatta became responsible for the Planning Controls that apply

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to the subject site when the amalgamation occurred in May 2016. Therefore, the City of Parramatta became the acquisition authority for this public recreation land.

84. However, Hornsby Council did not have a funding strategy to acquire the site at 725 Blaxland Road. When the bowling club site became available for sale (ie the transaction that resulted in the current land owner acquiring it). The then Hornsby Council, had the opportunity to purchase it but made a decision not to yet still retained both the RE1 Public Open Space zoning on the Land Zoning Map, and the "Local Open Space Reservation" on the Land Reservation Acquisition Map, over the site.
85. Currently, there is no City of Parramatta Council funding strategy for its acquisition. The revised Section 7.11 and 7.12 (formerly 94/94A) Contributions Plans for Epping which came into effect in November 2017 does include collection for some open space provision. However, the advice in the Epping Planning Review was that Council would be better served by acquiring open space in different parts of Epping where growth is occurring rather than spending a substantial proportion of any funding available (via Section 94 or from other sources) on this portion of land which adjoins an existing substantial piece of open space. This recognises that spending funds to acquire this site would reduce Council's capacity to invest in other open space to meet the needs of growth in other parts of Epping as well as other community needs.
86. An initial internal valuation of the site was undertaken in mid 2017. The ERP Discussion Paper concluded that for the reasons described above the purchase of the site did not represent value for money and this position informed the subsequent adopted principle which was that Council not purchase the site and instead:
- That Council should seek to progress the planning proposal with Council as the RPA subject to the Traffic Study being completed before FSRs for the site can be finalised. That Council also negotiate with the developer for the provision of public open space in a way that ensures there is a suitable area of open space which is appropriately sized and located.*
87. Council Officers have subsequently commissioned an independent valuation for peer review purposes. The valuations remain Commercial in Confidence and confirms that the purchase of the site by Council is not a viable financial option.
88. With regards to the adopted principle above, Council Officers suggest that the opportunity to negotiate with the landowner to have them provide an equivalent amount of open space has changed because of the result of the ETCTS and is in part depended upon the decision made by the current RPA for the Austino Planning Proposal.
89. As already detailed above in this report the DP&E has chosen to remove the Council as the Relevant Planning Authority (RPA) for the Austino Planning Proposal and so it will need to make the next key decision. If despite the ETCTS the RPA now in place for the Austino PP (ie the Central Sydney Planning Panel) decide to proceed with the Planning Proposal then the Council should seek to enter into further discussions with the applicant and the RPA to seek to achieve some dedication of an equivalent amount of open space at no cost to Council as part of the Planning Proposal. If the DP&E allows the further growth despite the problems with the road network they should also be seeking to broker appropriate open space outcomes to help deal with the growth proposed.

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90. However, if the RPA decides not to proceed with the Planning Proposal then Council and the applicant will still need to resolve what will happen to the former bowling club site as it will remain zoned RE1 Public Recreation. Whilst this zoning is retained Council remains the acquisition authority.
91. Council options for the former bowling club site in this case will be:-
- a. To commit to the acquisition by retaining the RE1 zoning. As detailed above this option is not recommended by Council Officers as is not considered to be an efficient use of Council funds.
 - b. Alternatively, rezone the site so Council is no longer the acquisition authority. In this case the appropriate zoning would be R4 High Density Residential with a maximum height of 17.5m (which permits 5-6 storeys) (Note the *Hornsby LEP* does not include FSR controls for sites zoned R4 High Density Residential but Council's Urban Designers indicate that this would allow approximately 162 units to be built on this site under the controls that would apply under the Hornsby DCP with an FSR equivalent to 1.5:1).
92. It is acknowledged that allowing the site to be rezoned to allow more residential development will be inconsistent with the ETCTS conclusions but Council has two conflicting issues that need to be managed. Council will need to balance two potential negative impacts:-
- a. the traffic impact
versus
 - b. the sub-optimal financial and open space outcomes if it commits to remaining as the acquisition authority for the former bowling club site.
93. Council Officer consider that rezoning the former bowling club site to R4 High Density Residential with a height of 17.5m and FSR of 1.5:1 is the preferred approach because:-
- a. The density that would be permitted is much less than that proposed in the applicants PP so the traffic impact would be mitigated by comparison.
 - b. Council will not be forced to expend resources acquiring the former bowling club site in a location Council Officers consider is not optimal use of available funds.
 - c. The building height is consistent with the height applied by the DP&E to transition areas when it put in place the existing planning controls in Epping. It will see a stepping down of permitted height as you move away from Epping Road and down to Forrest Park.
94. It is acknowledged that the density permitted on the former bowling club site is the most significant factor driving its valuation and as the density decreases so will the cost of acquiring the site. If Council and the DP&E accept that a R4 High Density Residential Zoning with a height of 17.5m and FSR of 1.5:1 are the appropriate alternate controls to the current RE1 zoning then it maybe possible to have further discussions with the owner about the implications of this for the redevelopment of the site and the delivery of open space outcomes.

Recommendation

95. That Council object to the Planning Proposal in its current form and density proceeding and request that Council be re-instated as the RPA so that Council

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can pursue a Planning Proposal that would retain the current controls that apply to the site with the exception of the Bowling Club portion of the site which would be rezoned from RE1 Public Recreation to R4 High Density Residential with a maximum Height of Building control of 17.5m and FSR of 1.5:1.

IMPACT OF ETCTS ON PRELIMINARY PLANNING PROPOSALS

96. As has been noted during Stage 1 of the Epping Planning Review process, two preliminary planning proposals were lodged with Council in late 2014 which affect land within the town centre (western side). Refer to Figure 4. Both proposals have been on hold on account of the ETCTS being completed as per adopted principles of 14 August 2017. When combined, the preliminary planning proposals seek more than **2,000 dwellings**. This equates to an additional 1,000 dwellings above what can currently be achieved across both sites.
97. Each proposal seeks a partnership with Council to develop their sites in conjunction with the Council car park. Figure 4 below shows both the Oakstand and Lyon Group land holdings as well as Council's land holdings. The details of each proposal are provided in **Attachment 7**.



Figure 4 – Applicant owned land for preliminary planning proposals as well as Council's Rawson Car Park sites

Recommendations

98. Given the current growth rate from tracked DAs and the findings from the ETCTS, Council Officers conclude that in the short to mid term, there is no justification for further residential development simply to increase housing. That said, there is an opportunity for an expression of interest (EOI) process with landowners within the Town Centre to transfer some of the floorspace on Council's car park sites to another land owner/s site/s. The EOI process would, at the minimum, stipulate public benefits around a community hub facility, underground car parking, an east-west connection between community hub and the Epping Rail Station, and the like.
99. The outcome of this approach would mean that there is there no net increase in residential floorspace above what can currently be achieved. Effectively Council would be "trading" off the FSR from the carpark site to other sites to generate

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funding to provide community facilities on the site of the current car park. It should be noted that any redevelopment would also include retention of carparking on site as it is recognised that this is critical to the operation of western part of the Epping Town Centre.

100. This process would be the subject of a further Council report before any further action is taken explaining the process and potential outcomes. The alternative is to retain the current carpark site and seek to redevelop it independent of other landowners sites. In this case Council would find it difficult to realise the full FSR that currently applies on the site and at the same time provide a significant piece of civic space within current height limits. The viability of achieving the FSR of 4:1 and community facilities and a civic space on the site as a stand alone redevelopment would also be covered in the report should Council request a further report be provided.

IMPACT OF ETCTS ON AREAS WITH INTERFACE ISSUES

101. With regards to the heritage interface areas at Rosebank Avenue HCA, part of the Essex Street HCA, land parcels and Pembroke Road and Norfolk Street and the Rose Street Precinct, the principles adopted at the 14 August 2017 Council meeting recommend further planning analysis that tests higher residential densities such as *manor homes* or 3 storey *residential flat buildings* which would replace existing detached dwelling development.
102. The interface issues are a result of land use conflicts occurring as a result of the DP&E's Priority Precinct process and require resolution where possible. It is acknowledged that the ETCTS identifies significant traffic impacts on the EPR study area and increasing densities at interface areas will have an increase on the traffic impacts. However, the interfaces put in place where 5-6 storey building look onto the backyards of sites zoned for single dwelling development and covered by a Heritage Conservation Area designation are unacceptable and need to be addressed in some format. This issue was discussed in detail in the Epping Planning Review documents.
103. A copy of the EPR Discussion Paper and the report considered by the Council on 14 August 2017 have been attached (refer to **Attachments 8 and 9**). The details on each HCA and background on the recommendations for these areas is available in this background material. The report below details just the recommendations made previously and options discussed with Councillors at Ward Councillor Briefings to allow Council to determine whether it should proceed with the previous recommendations.
104. Council officers are of the opinion that if growth is to be permitted which will impact on the road network that it should be to resolve these types of planning problems rather than to just increase density on a site for the sake of additional housing numbers. It is for these reasons that Council Officers recommend that changes to the planning controls proceed despite the findings of the ETCTS.
105. Furthermore, in March this year, the DP&E released its *Low Rise Medium Density Housing Code* which comes into effect in July 2018. This establishes planning controls on some forms of medium density housing and provide further guidance on the recommended outcomes in this section.

Rosebank Avenue HCA

106. With regards to Rosebank Avenue HCA, in the 14 August 2018 Council report, Council Officers recommended:
- a. Removing the HCA notation but keeping heritage items.

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- b. For the area south of the heritage items: allow 3 storey **residential flat buildings (RFBs)**.
- c. For the area north of the heritage items: no change.
- d. That the changes occur ahead of completion of ETCTS.

107. Council subsequently resolved that it pursue 2 storey **manor homes** along full length of Rosebank Ave but test benefits of 3 storey **RFBs**.

Recommendation

108. Council Officers recommend proceeding with the original recommendations to remove the HCA notation, enable 3 storey **RFBs** south of the heritage items with no change north of the heritage items. Refer to Figure 5.



Figures 5 – Council Officer recommendation for Rosebank Avenue HCA

1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street

109. With regards to properties at 1, 3, 3A, 5, 7, and 7A Norfolk Road and 25 Pembroke Street, in the 14 August 2018 Council report, Council Officers recommended:

- a. Remove HCA notation but keep heritage items.
- b. R3 zone of area edged black but limit No.s 7 & 7A Norfolk Rd to **manor homes** (current zoning is shown in Figure 6).
- c. Enable 3 storey **RFB** on No.s 1, 3, 3A and 5 Norfolk Rd and 25 Pembroke St.
- d. Changes occur ahead of completion of ETCTS.

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Figure 6 – Current zoning of 1, 3, 3A, 5, 7, and 7A Norfolk Road and 23, 23A and 25 Pembroke Street

110. Council subsequently resolved that it pursue 2 storey *manor homes* but test benefits of 3 storey *residential flat buildings*.
111. At the Ward Councillor Briefings discussed above the option of making no change to the controls in this area was discussed. Should Councillors wish to proceed with this option then Council should resolve to take no further action to change the planning controls for this precinct.

Recommendation

112. To ensure consistency with new Complying Code and subsequent analysis as part of the LEP Harmonisation process, Council Officers propose a new recommendation - **Part 'no change', part RFB:**
- a. No changes to battle-axe blocks at No.s 7 & 7A (ie. maintain controls for *detached dwellings*) because this conflicts with the DP&E's Complying Code on battle-axe blocks.
 - b. Rezone No.s 1, 3, 3A & 5 to R3 zone to enable 3 storey **RFB** subject to amalgamation controls being put in place to create 1 super lot.
 - c. No.25 Pembroke cannot develop of itself and should retain its existing zoning.
- Refer to the Figure 7.

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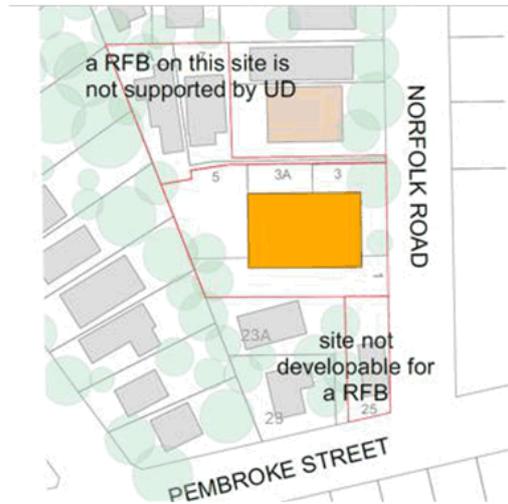


Figure 7 – Council Officer recommendation for 1, 3, 3A, 5, 7, and 7A Norfolk Road and 23, 23A and 25 Pembroke Street

Essex Street HCA

113. With regards to the Essex Street HCA, in the 14 August 2018 Council report, Council Officers recommended:

- a. Remove HCA notation but keep heritage items.
- b. Allow **manor homes** on western side between Epping Road and Maida Road only with no change on eastern side.
- c. That the changes occur ahead of completion of ETCTS.

114. The above recommendations were supported by the Council in August 2017.

Recommendation

115. Council Officers recommend maintaining the above recommendations and develop DCP controls that protect larger setbacks to ensure the protection of the tree canopy at rear setbacks.

Rose Street Precinct

116. With regards to the Rose Street Precinct, in the 14 August 2018 Council report, Council Officers recommended:

- a. Allow **residential flat buildings** development (R3 zone) with urban design analysis to step down height to Brigg Rd to 2 storeys.
- b. That the changes occur ahead of completion of ETCTS.

117. Council subsequently resolved that it pursue 2 storey **manor homes** but test benefits of 3 storey **residential flat buildings**.

118. At the Ward Councillor Briefing Councillors the issue of the topography of this area and the drainage implications of allowing more density were raised. Council Officers consider that this issue could be investigated as part of the redevelopment options but if Councillors are of the opinion that this should be investigated upfront the recommendation should be amended accordingly.

Recommendation

119. Council Officers recommend allowing **residential flat buildings** with associated urban design analysis and DCP controls that enable the stepping down of the building height to 2 storeys at the Brigg Road/Rose Street

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frontages and that the four (4) sites fronting Blaxland Road also be included in the precinct. Refer to Figure 8.



Figure 8 – Council Officer recommendation for Rose Street Precinct but include the 4 properties fronting Blaxland Road

Rockleigh Park

120. With regards to the Rockleigh Park, in the 14 August 2018 Council report, Council Officers recommended:

- a. The area zoned R4 (edged with yellow line) be down-zoned to R3 to be consistent with R3 zone boundary to north and east.
- b. That further urban design analysis to determine best height and FSR controls.

121. The above recommendations were supported by the Council.

Recommendation

122. Council Officers recommend reinstate original recommendations. But ensure that **residential flat buildings** are prohibited from this area (R3 zone in HLEP permits 4 storey RFBs). Refer to Figure 9.



Figure 9 – Council Officer recommendation for Rockleigh Park

IMPACTS OF ETCTS ON COMMERCIAL FLOORSPACE

123. Recent pre-lodgments and development applications within the centre continue to erode the volume of commercial floorspace within the centre as developers

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are 'opting out' of applying the existing DCP provisions that require delivery of 2, 3 and 4 storey podiums of commercial floorspace in mixed use proposals. This is because of the weak 'statutory weight' that DCP controls have over an environmental planning instrument such as a LEP.

124. As discussed in the section entitled "Impact of ETCTS on State Significant Development at 240-244 Beecroft Road", Council Officers have identified that approximately **8,200sqm of retail floorspace** and **35,200sqm of office floorspace** needs to be "replaced". To deliver this, Council's Urban Designers determine that three storey commercial podiums (comprising one floor of retail and two floors of office premises) on remaining sites can deliver the required floorspace.
125. With regards to traffic, the associated traffic impacts from commercial land uses (retail and office premises) may well be greater than those associated with residential development. This is because commercial uses tend to generate a greater number of trips per square metre of floor area. This is another area where Council Officers consider that it may be necessary to allow additional development to resolve a planning issue not related solely to housing delivery. In this case allowing additional density that may detrimentally impact on traffic outcomes should be considered.
126. Given this conflict around the need for more commercial floorspace within the centre to protect its economic viability and amenity, with its associated traffic impacts, a delicate balancing exercise is required that meets the of commercial floorspace needs of the centre whilst acknowledging the potential traffic impacts.
127. In light of the above, Council Officers have identified the following potential options:
- a. **Option 1 – No change:** This option involves no change to the current controls. Because the market favours residential development and the pace of that development recently, this option is highly likely to encourage DAs that deliver only ground floor commercial that will undermine centre's amenity and economic viability. This has no traffic impact compared to current controls.
 - b. **Option 2 – Require minimum level of commercial FSR provision to be provided without amending the maximum FSR or Building Heights:** This option involves increasing the commercial FSR requirements but this occurs at the cost of residential FSR. It means that the heights or densities of buildings will not change, but there will be a higher proportion of commercial floorspace within any development and less residential than would currently be permitted. In other words, it equates to a net decrease in residential FSR but will improve centre's amenity and economic viability. This will potentially result in a detrimental impact on the local traffic network.
 - c. **Option 3 – Require minimum level of commercial FSR provision to be provided but amend the maximum FSR or Building Heights to seek to retain where possible an FSR for residential equivalent to existing levels** This will mean increases in overall density and building heights but it makes delivery of more commercial (retail/office) uses more viable which will improve the centre's amenity and economic viability. The detrimental impact on the local traffic network will be greatest with this option.

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Recommendation

128. Of the above options, Council Officers recommend **Option 3 - Increase Commercial FSR and density/building heights** because of the strong residential market and the way the planning system operates, if Option 2 was pursued, Council would receive a flood of DAs seeking mixed use development with only the ground floor allocated to commercial uses. These would all have to be considered and potentially approved under the current planning rules and the opportunity to provide the commercial floorspace Epping needs will be lost forever. Without sufficient commercial/retail floorspace the future function and amenity of the Town Centre is significantly impacted.
129. Whilst Option 3 is the Council Officer preference at this point in time this scenario needs to be run through the traffic modelling and if the outcome is unacceptable it may be necessary to fall back to Option 2. A further analysis and report to Council will allow Council to determine which option it will ultimately pursue via a Planning Proposal.

CONCLUSION

130. The reported rate of growth compared to the growth envisaged by the DP&E in 2013 demonstrates the Epping Town Centre has been doing a lot of the “heavy lifting” for dwelling growth and that the impact on infrastructure means that further housing growth for the sake of increasing house supply in Epping is not necessary.
131. This report provides a basis for Council to take to the DP&E, the Minister for Planning and the GSC seeking support for a strategic approach to future planning in Epping where any growth seeks to solve existing planning problems rather than just increasing density for the sole purpose of providing additional housing supply.

NEXT STEPS

132. The next steps are:
- a. Progressing supplementary traffic analysis on new through link through 240-244 Beecroft Rd; and re-opening of former M2 bus tunnel link.
 - b. Exhibiting the ETCTS documentation for major stakeholder comment.
 - c. Council Officers to arrange EPR Steering Group meeting with State agencies about proposed policy change and revisiting infrastructure delivery.
 - d. Council Officers prepare further Council reports that seek to:
 - i. Provide advice on provision of community facilities on the Councils Rawson Street Car park land and whether an EOI process should be pursued to enter into partnerships with other landowners.
 - ii. Report on the outcome of the consultation on the Epping Town Centre Traffic Study and the results of the supplementary traffic analysis discussed in this report on:-
 1. Reopening of the former M2 bus tunnel link; and
 2. A new east west road link through 240-244 Beecroft Road.

Council 9 July 2018

Item 14.5

- e. Planning Proposal processes inclusive of background and technical study preparation commence on:
- i. The heritage interface areas; and
 - ii. The provision of commercial floor space in the centre.

Jacky Wilkes
Senior Project Officer Land Use Planning

Robert Cologna
A/Service Manager Land Use Planning

Sue Weatherley
Director Strategic Outcomes and Development

ATTACHMENTS:

1	ATTACHMENT 1 - Council Report of 12 February 2018	16 Pages
2	ATTACHMENT 2 – April 2018 and November 2017 responses from DPE on RPA matter	3 Pages
3	ATTACHMENT 3 – Related planning policy matters	3 Pages
4	ATTACHMENT 4 - ETCTS Report	51 Pages
5	ATTACHMENT 5 - ETCTS Appendices	192 Pages
6	ATTACHMENT 6 - Austino PP Traffic Impact Assessment undertaken for Council	39 Pages
7	ATTACHMENT 7 - For 28 May 2018 Council Report on EPR - Detail of Planning Proposals	6 Pages
8	ATTACHMENT 8 - EPR Discussion Paper	111 Pages
9	ATTACHMENT 9 - Council Report of 14 August 2017	59 Pages

REFERENCE MATERIAL

MINUTES OF THE MEETING OF CITY OF PARRAMATTA COUNCIL HELD IN THE DUNDAS COMMUNITY CENTRE, 21 STURT STREET, TELOPEA ON MONDAY, 9 JULY 2018 AT 6.33PM

PRESENT

The Lord Mayor, Councillor Andrew Wilson and Councillors Benjamin Barrak, Phil Bradley, Donna Davis, Robert Dwyer, Pierre Esber, Michelle Garrard (Deputy Lord Mayor), Paul Han, Steven Issa, Andrew Jefferies, Sameer Pandey, Dr Patricia Prociv, Bill Tyrrell, Lorraine Wearne and Martin Zaiter.

ACKNOWLEDGEMENT TO TRADITIONAL LAND OWNERS

The Lord Mayor, Councillor Andrew Wilson, acknowledged the people of The Darug Nation as the traditional custodians of this land, and paid respect to their ancient culture and their elders past and present.

WEBCASTING COUNCIL MEETING

The Lord Mayor, Councillor Andrew Wilson, advised that this public meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

OTHER RECORDING OF MEETING

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

PROCEDURAL MOTION

- 1449 RESOLVED (Wilson)
- That Item 14.5 relating to Epping Town Centre Traffic Study and other Epping Planning Review Matters and Item 14.7 Delegations to the Chief Executive Officer be brought forward in the meeting for consideration.
- 14.5 SUBJECT Epping Town Centre Traffic Study and other Epping Planning Review Matters
- REFERENCE F2017/00210 - D06202874
- REPORT OF Snr Project Officer
- 1450 RESOLVED (Tyrrell/Wearne)
- (a) **That** Council note this update on the Epping Planning Review and related matters.
- (b1) **That** Council exhibits the Epping Town Centre Traffic Study and supporting documentation (including the further supplementary reports) to enable comment from major stakeholders in accordance with the consultation plan described in the body of this report with a Community Briefing Session to be organised to inform the community about the content of the Traffic Study and allow them to ask questions about its preliminary findings to inform any submissions stakeholders may wish make on the study.

- (b2) **That** the exhibition material placed on public exhibition state that Council does not support any extension of Rosebank Avenue to connect with Rosen Street as described in the traffic study and advise the affected landowners of this decision.
- (c1) **That** despite recommendation (b1) above, that Council adopts the position that it does not support any:
- (i) Planning proposal or preliminary planning proposal that applies to sites situated within the Epping Planning Review Study Area which seek to deliver extra housing in addition to what can be achieved under the current planning controls, unless the planning proposal is seeking to address a planning issue identified in Council's Epping Planning Review process related to:-
 - commercial floor space in the Epping Town Centre; or
 - the Planning Controls that should apply to Heritage Conservation Areas or areas that interface with High Density Residential zones surrounding Epping Town Centre.
 - (ii) Development applications seeking an increase in residential density via clause 4.6 of the *PLEP 2011*;
and that Council write to both the Department of Planning and Environment (DP&E) and the Greater Sydney Commission advising them this will remain Council's position until the State Government has provided infrastructure to resolve the through traffic issues with the Epping Town Centre.
- (c2) **That** a Planning Proposal including all necessary background studies and analysis be prepared to amend Clause 4.6 of PLEP 2011 so that it cannot be used to seek a FSR greater than that permitted on the Floor Space Ratio Map for sites within the Epping Town Centre.
- (d) **That** in relation to the Austino Planning Proposal that Council write to the DP&E to:-
- (i) Object to the Planning Proposal proceeding in its current form and density and request that no Planning Proposal proceed for this site. Instead the existing planning controls should be retained with the portion currently zoned RE1 Public Recreation remaining in place along with retaining no Floor Space Ratio or Height of Buildings control notations applying to that portion.
 - (ii) **That** the Council write to the Minister for Planning seeking that the Minister amends the legislative provisions related to the acquisition of open space land applying the principle that where a developer has purchased land which at the time of purchase is already zoned public open space, they should not benefit from any changes to the value derived from the existing zoning of adjoining land or changes to zoning of adjoining land. And write to the Local Members requesting funding out of the Open Spaces and Greater Sydney Package. To avoid any doubt Council considers that the owner should be entitled to the price they paid (adjusted for

CPI) but no increases in value as a result of changes to the planning controls surrounding the site.

- (e) **That** Council write to the Minister for Planning, Landcom and the Greater Sydney Commission and request the State Significant Development currently being progressed for 240-244 Beecroft Road be placed on hold until a workshop can be organised involving Council and Landcom to discuss and seek to resolve the following:-
- (i) to establish whether a new road link can be provided through this site linking Beecroft Road and Ray Road; and
 - (ii) the provision of commercial floor space on the site being provided at a level no less than 1:1 FSR on this site.
- (f) **That** a further report is brought to Council on the options for future civic space and community facilities on the following sites:-
- (i) the Rawson Street carpark site; and
 - (ii) the Chalmers Street site (containing the existing Epping Library site and adjoining open space);
- including analysis on whether any process should be commenced to realise the FSR available on either of these sites.
- (g) **That** in addition to correspondence Council resolved to forward to the State Government regarding the investigation of M2 tolling at the 12 June 2018 Council Meeting (i.e. Item 15.5) the further supplementary reports on:-
- (i) Reopening of the former M2 bus tunnel link; and
 - (ii) A new east west road link through 240-244 Beecroft Road
- be forwarded to the relevant transport agencies that manage the former M2 bus link, the RMS and Urban Growth and circulated to Councillors upon receipt and then be placed on public exhibition with the Epping Town Centre Traffic Study with any feedback received on this issues during the consultation to be reported back to Council.
- (h) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments as follows:-
- (i) Rockleigh Park Precinct; controls consistent with the recommendations in the body of this report
 - (ii) In the Norfolk, Pembroke, Essex Street area the planning controls be retained (including the Heritage Conservation Area notation) for 1, 3, 3A, 5, 7, and 7A Norfolk Road 25 Pembroke (ie retain the existing R2 Low Density Residential zoning and the existing Height of Building controls of 8.5m) and instead amend the controls for the following sites as follows:-
 - 21, 23, 25, 27 and 29 Essex Street amend the zoning from R4 High Density Residential to R3 Medium Density Residential with maximum height permitted on these sites to be amended from 17.5m to 11m (to allow for apartment building development no greater than 3

storeys on these sites); and

- The height of building control for 23, 23A Pembroke be reduced from 12m to 11m with the existing zoning of Residential R3 Medium Density Residential to be retained for these two sites;

and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (i) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress LEP amendments for 2 - 8 Rosebank Ave and 1 - 7 Rosebank Ave as follows:

- (i) Remove the Heritage Conservation Area notation from these sites;
- (ii) Rezone the sites from Residential R2 Low Density Residential to R3 Medium Density Residential; and
- (iii) Amend the permitted height of building for these sites from 8.5m to 11m (to allow for apartment building development no greater than 3 storeys on these sites).

All other sites in Rosebank Avenue should retain their existing planning controls including the Heritage Conservation Area notation and that the Planning Proposal and associated material shall be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (j) **That** a Planning Proposal and Draft DCP amendments including all necessary background studies and analysis be prepared to progress amendments to these plans for the Essex Street HCA Precinct with the planning controls to be consistent with the following:-

- (i) Retention of the existing Heritage Conservation Area for both sides of Essex Street
- (ii) Amend the planning controls to allow for detached dual occupancies on the western side of Essex Street between Epping Road and Maida Road (which are the sites that are impacted by proximity to the adjoining 5 storey apartment buildings) in the form where the second dwelling shall be permitted behind the existing dwelling but not in a Duplex form.
- (iii) That the Draft DCP that applies to this HCA and surrounding land be reviewed with a view to including: -
 - a detailed analysis of significant trees located on the sites on the western side of Essex Street and supporting DCP controls that seek protect those trees; and
 - Draft DCP planning controls that require provision to be made for the widening and improvement of the pedestrian link currently located between 58-60 Essex Street linking through to Forest Grove;

and that the Planning Proposal and associated material be

reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.

- (k) **That** no further action be taken to amend the Planning Controls that apply to the Rose Street Precinct until a drainage analysis detailing the implications of re-development of the Rose Street Precinct Sites is completed and reported to Council.
- (l) **That** a Planning Proposal including all necessary background studies and analysis be prepared to progress the recommended LEP amendments detailed in this report relating to new controls to require the provision of commercial floor space in the Town Centre and that the Planning Proposal and associated material be reported to Council for endorsement before it is forwarded to the Department of Planning and Environment seeking any Gateway Determination for the planning proposal.
- (m) **That** Council Officers identify potential sites for acquisition for open space purposes in the areas to the north east of the Epping Town Centre. This process should include obtaining valuations for acquisition and the construction of the parks and should also involve discussions with potentially affected landowners. A further report to Council on the outcome of this analysis be reported to Council to allow Council to determine whether it wishes to commence a rezoning process to rezone any sites in this area for open space.
- (n) **That** Council write to the Member for Epping seeking their support for funding for the acquisition of open space in the area north east of the Epping town centre as part of the Open Spaces and Greener Sydney package announced in April 2018. The Local Member also be requested to make representations to the relevant Minister to ensure the criteria that needs to be met to obtain grant funding provides flexibility (in terms of timeframe for delivery and the identification of the land to be acquired) so that Council can secure the funding prior to finalizing the rezoning and consultation/ acquisition processes
- (o) **Further, that** this motion carries the unanimous support of the Ward Councillors being Councillors Tyrrell, Wearne and Davis.

DIVISION The result being:-

AYES: Councillors B Barrak, P Bradley, D Davis, B Dwyer, P Esber, M Garrard, P Han, S Issa, A Jefferies, S Pandey, P Prociv, W Tyrrell, L Wearne, A Wilson and M Zaiter

NOES: Nil

Attachment 2 - Draft DCP Amendment Pedestrian Link

All plans in the below sections will be amended to include the new information shown inside the red boxes on the image on page 2;

- Page 3-41 in 'Section 3.2 Medium Density Housing' under the heading '3.2.14 Key Development Principles'.
- Page 3-58 in 'Section 3.3 Residential Flat Buildings (3 Storeys)', under the heading '3.3.15 Key Development Principles'.
- Page 3-90 in 'Section 3.4 Residential Flat Buildings (5 Storeys)', under the heading '3.4.15 Key Development Principles'.
- Page 3-113 in 'Section 3.5 Residential Flat Buildings (6 or more Storeys)' under the heading '3.5.14 Key Development Principles'

Epping Road/Forest Grove, Epping Precinct

Key Development Principles Diagram



Strategy

Redevelopment should be predominantly residential flat buildings of varying heights. Redevelopment along the southern side of Maida Road should be predominately three storey townhouses.

Landscape setting

Provide broad setbacks along street frontages and locate communal open spaces to retain existing trees that are prominent streetscape features.

Surround + screen new buildings with canopy trees + shrubs.

Development should take into account potential stormwater inundation and overland flow path provisions.

Servicing

Promote access from local streets.

If access is not available from the local streets, consolidate existing vehicle entrances on Epping Road.

Setback from Epping Road to be from new boundary in consideration of RMS road widening. Rear laneway to be located between common open space and rear boundary.

Built form

To reflect the established pattern of detached-dwellings: limit the width of new facades that would be visible from any street, and divide the floorspace of every new building into well-articulated pavilion forms that are separated by courtyards with canopy trees.

Siting + design should provide at least two hours sunlight daily for living areas in 70% of new dwellings.

Design quality of facades should respond to visibility from all street frontages.

Adjoining conservation areas: ensure garden setbacks, heights, building forms and design features are compatible with values that are specified by the Hornsby Shire Heritage Inventory.

Employ setbacks + building forms that retain reasonable sunlight + privacy for existing neighbors.

1C.2.1 Transport and Parking in the City of Parramatta Local Government Area

Desired Outcomes

- Development that manages transport demand around transit nodes to encourage public transport usage.
- Car parking and bicycle facilities that meet the requirements of future occupants and their visitors.
- Development with simple, safe and direct vehicular access.

Prescriptive Measures

General

- Direct vehicular access to main roads should be avoided and/or access points consolidated.
- For development (other than single dwelling houses on existing lots), vehicle access and parking should be designed to allow vehicles to enter and exit the site in a forward direction.
- Design and dimensions of car parks, loading areas and driveways should comply with AS2890.1 and AS2890.2.
- Planning and design layout of parking areas for people with disabilities should be in accordance with AS2890.6 and AS1428.1.
- Planning and design layout of loading and manoeuvring areas should be provided in accordance with AS2890.2 and:
 - preferably be located to the side or rear of buildings,
 - screened from view from local and main roads, and
 - located so that vehicles do not stand on any public road, footway, laneway or service road.
- Planning and design layout of bicycle parking (rails, racks or lockers) should be designed in accordance with AS2890.3.

Dwelling Houses (additional general controls)

- The driveway to a single dwelling house should be located at least 6 metres from an intersection in accordance with AS2890.1.
- Driveways for single dwelling houses on existing lots should incorporate a dedicated turning area, designed to allow the 85% Design Car Turning Path, where:
 - there is poor sight distance from the driveway to pedestrian or vehicular traffic,
 - the accessway fronts a main road or highly pedestrianised area, or
 - where vehicles would otherwise have to

reverse more than 50 metres.

- The minimum dimensions of car parking spaces for single dwelling houses should be in accordance with AS2890.1, as summarised in Table 1C.2.1(a):

Table 1C.2.1(a) Dwelling House - Parking Design Guide

Parking Type (residential)	Minimum Dimensions
Unobstructed parking space	2.4m(w) x 5.4m(l)
Single lock-up garage	3m(w) x 5.4m(l)
Double lock-up garage	5.7m(w) x 5.4m(l)

- The maximum grade for a driveway to a single dwelling house should be no greater than 25% with a maximum transition for changes of grade of 8% per plan metre. Table 1C.2.1(b) may be used as a guide in designing driveways.

Notes:

Main roads

Development adjoining roads that are subject to Clause 101 (2a) of the *Infrastructure State Environmental Planning Policy 2007* require separate approval from the RMS for access to State and Regional Roads as classified by the Roads and Maritime Services (RMS). A list of classified and unclassified main roads for Hornsby Shire as of September 2016 is provided in Annexure C.

Designated roads

Designated roads are Council identified roads that require development to have an increased setback from the road edge, consistent with the established streetscape. A list of designated roads is provided in Annexure C.

A highly pedestrianised area includes sites located in close proximity to schools, shopping centres, bus stops, places of worship and other busy community facilities.

Australian Standard AS2890 is available at www.sai-global.com.

**Design levels at the top of the adjacent kerb and gutter/crown or road must be obtained from Council's Works Division and the driveway design amended to comply with AS2890.1.

Table 1C.2.1(b) Dwelling House - Driveway Design Guide

Distance of parking area from the Front Boundary	Level of the parking area above the top of adjacent road* (Property higher than road)	Level of the parking area below the top of adjacent road * (Property lower than road)
5.5m	1.067m	0.567m
6.0m	1.192m	0.692m
7.0m	1.442m	0.942m
8.0m	1.692m	1.192m
9.0m	1.942m	1.442m
10.0m	2.192	1.692m
11.0m	2.442	1.942
12.0m	2.692	2.192m

Service Vehicles

- k. On site loading and unloading areas for non-residential developments should be provided in accordance with the RTA Guide to Traffic Generating Development (2002).
- l. The on site loading and unloading area in a non residential development should incorporate provision for 1 car space and 1 motor cycle space for use by couriers, sited in a convenient location. Larger developments may require more.
- m. On site pick up and manoeuvring areas for waste collection vehicles should be provided in accordance with the waste collection provisions at Section 1C.2.3 of the DCP.
- n. On site parking for a removalist vehicle should be provided for a residential development with more than 20 dwellings that adjoins a public road where kerb side parking for removalist vehicles is difficult or restricted. Parking for a removalist vehicle should be designed to accommodate at least a small rigid vehicle (SRV), and preferably a medium rigid vehicle (MRV) as defined by AS2890.2.

Notes:

The RTA Guide to Traffic Generating Development (2002) is available at www.rms.nsw.gov.au. For servicing rates refer to Table 5.1 (page 5-3)

Car parking

- o. Car parking ~~should~~ **must** be provided on site in accordance with the ~~minimum~~ parking rates in Tables 1C.2.1(~~e~~) (d) and (e). Parking spaces are for cars, unless otherwise specified. The minimum parking rates in Tables 1C.2.1(~~d~~) (e) should apply for development within ~~Epping Town Centre Core 800m of Epping Railway Station~~. Where the land use is not specified in Table 1C.2.1(~~d~~) (e), the relevant rate in Table 1C.2.1(~~e~~) (d) will apply. ~~Car Parking rates are minimums unless otherwise specified.~~
- p. ~~The parking rate for sites located within the Epping Town Centre Core referred to in Table 1C.2.1(d) and paragraphs 1C.2.1(y)-(ak) refers to residential, educational and business development sites that fall within those areas identified as "Town Centre Core" on Figure 4.6(a) in Part 4 – Business. Where a development site falls partly within the Epping Town Centre Core, the parking rate for the Town Centre Core is to apply to the whole development.~~
- q. The car parking rate for sites less than (<) 800 metres from a railway station in Tables 1C.2.1(~~e~~) (d) and 1C.2.1(e) is a radial distance from the main pedestrian entry. Where a development site falls partly within the 800 metre radius, the parking rate for "sites <800m" is to apply to the whole development.
- r. A Car Parking Demand Assessment should be provided for:
 - any significant variation proposed to the minimum parking rates prescribed in Table 1C.2.1(~~e~~) (d) or 1C.2.1(~~d~~) (e),
 - land uses not specified in Table 1C.2.1(~~e~~) (d) or 1C.2.1(~~d~~) (e), or
 - intensive traffic generating developments.
- s. Before granting approval to depart from on-site parking rates specified in Tables 1C.2.1(~~e~~) (d) or 1C.2.1(~~d~~) (e), Council will consider the Car Parking Demand Assessment and any other relevant planning consideration.
- t. A Car Parking Demand Assessment should address at minimum the following matters:
 - any relevant parking policy,
 - the availability of alternative car parking in the locality
 - efficiencies gained from the consolidation of shared car parking spaces on the same site,
 - public car parks intended to serve the land,
 - extent of existing on-street parking in non residential zones,

- extent of existing on-street parking in residential zones,
 - the practicality of providing car parking on the site, particularly for constrained development sites,
 - any car parking deficiency associated with the existing use of the site,
 - local traffic management in the locality of the site,
 - the impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas,
 - the need to create safe, functional and attractive parking areas,
 - access to or provision of alternative transport modes to and from the land, and.
 - the character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- u. The minimum number of car parking spaces is to be rounded up to the nearest whole number if it is not a whole number. **The maximum number of car parking spaces is to be rounded down to the nearest whole number if it is not a whole number.**
- v. Stacked parking spaces may be provided if reserved for use by a particular dwelling, commercial unit or the like.
- w. Shade trees should be provided in open parking areas at the ratio of 1 shade tree for every 6 spaces.

Note:

Where a Car Parking Demand Assessment or a Parking Study is required, a report should be prepared by a suitably qualified traffic and transport consultant.

Motor Cycle Parking (excluding Epping Town Centre Core)

- x. In all buildings that provide on site parking
- 1 space suitable for motor cycles should be provided per 50 car parking spaces, or part thereof.
 - motorcycle parking should be available as part of the common property for use by residents and visitors.

Motor Cycle Parking (Epping Town Centre Core)

- y. Motorcycle parking should be available as part of the common property for use by residents and visitors and should be provided in accordance with Table 1C.2.1(c)

Table: 1C.2.1(c) Motor Cycle Parking (Epping Town Centre Core)

Building Type	Motor Cycle Parking
On site car parking with less than 25 parking spaces	1 space (minimum)
On site car parking with more than 25 parking spaces	4 spaces (area equal to a minimum of one car parking space)

Notes:

The Motor Cycle Parking is in addition to the car parking required in Tables 1C.2.1(d) and 1C.2.1(e) for tenants and/or visitors (not service vehicles which are separately addressed).

Motor Cycle Parking is not required for dwelling houses.

1-4 HORNSBY DEVELOPMENT CONTROL PLAN 2013 | GENERAL
(THIS CHAPTER WAS LAST AMENDED ON 31 MAY 2019)

Table: 1C.2.1(d) On Site Car Parking Rates (Excluding Development Listed in Table 1C.2.1(e) within 800m of the Epping Railway Station Town-Centre-Core) - relevant extracts only

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
Residential Accommodation		
Dwelling Houses		
0-2 Bedrooms	1 space/ dwelling	
3 or more Bedrooms	2 spaces/ dwelling	
Secondary Dwellings (see Note*)		
0-2 Bedrooms	1 space/ dwelling	1 space/ dwelling
3 or more Bedrooms	2 spaces/ dwelling	2 spaces/ dwelling
Attached Dual Occupancy		
0-2 Bedrooms		1 space/ dwelling
3 or more Bedrooms		2 spaces/ dwelling
Medium Density Dwellings		
0-1 Bedroom	0.75 space/ dwelling	1 space/ dwelling
2 Bedrooms	1 space/ dwelling	1.25 spaces/ dwelling
3 or more Bedrooms	1.5 spaces/ dwelling	2 spaces/ dwelling
Visitors (see Note***)	1 space per 7 dwellings	1 space per 5 dwellings
High Density Dwellings (including Universal Design Housing**)		
Studio	Maximum 0.4 space/dwelling	
1 Bedroom	Maximum 0.4 space/dwelling	1 space/ dwelling
2 Bedrooms	Maximum 0.7 space/dwelling	1.25 spaces/ dwelling
3 or more Bedrooms	Maximum 1.2 space/dwelling	2 spaces/ dwelling
Visitors (see Note***)	1 space per 7 dwellings	1 space per 5 dwellings
Seniors Housing	per SEPP (Housing for Seniors or People with a Disability) 2004	
Tourist and Visitor Accommodation (see Note**)		
Bed & Breakfast Accommodation, Farmstay Accommodation	1 space/guest bedroom + 2 spaces for the permanent residents	
Short Term Rental Accommodation (Holiday lets)	Apply residential accommodation rates above	
Hotel or Motel accommodation	1 space/room + 1 space per 2 employees	
Caravan Parks	1 space/van, cabin or tent site	
Commercial Premises		
Business or Office Premises	1/48m ² GFA	1/40m ² GFA
Shops	1/29m ² GLFA	1/20m ² GLFA
Bulky Goods Premises	1/75m ² GLFA, including space for cars with trailers	1/50m ² GLFA, including space for cars with trailers
Restaurants or Cafes (ex drive-through take-away restaurants)	1/29m ² GLFA	15/100m ² GFA + 15/100 m ² of outdoor seating area
Vehicle Sales or Hire Premises	1/150m ² site area + 6 spaces/work bay	
Markets	2 spaces per stall (customers only)	
Marina	0.6 spaces/ berth	

Table: 1C.2.1(d) On Site Car Parking Rates (Excluding Development Listed in Table 1C.2.1(e) within 800m of the Epping Railway Station Town Centre Core) - relevant extracts only

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
Industrial Uses and Areas		
Industry and Warehouse or Distribution Centres (<i>max 20% ancillary office floor area, Note****</i>)	1/150m ² GLFA	1/100m ² GLFA
Vehicle Repair Station and Vehicle Body Repair Workshops	1/150m ² GFA + 6 spaces/work bay	
Sex Services Premises	1 space/ workroom + 1 space per 2 employees	
Agriculture		
Intensive Plant Agriculture	1 space/ employee	
Plant Nursery	0.5 spaces per 100m ² of that part of the site used in conjunction with the nursery + parking for any ancillary uses per rates in this table	
Education		
Child Care Centre	1 space per 4 children	
Educational Establishments	1 space per full time teacher + 1 space per 2 students of driving age	
Health Care		
Health Consulting Rooms	3 per surgery	
Medical Centres	4 per surgery	
Halls, meeting places		
Community Halls	1 space per 5 seats min (subject to parking study)	
Places of Public Worship	1 space per 5 seats min (subject to parking study)	
Entertainment Facility	1 space per 5 seats min (subject to parking study)	
Temporary Community Events	Markets to provide 2 spaces per stall (customers only) available on site or in the immediate locality. Other events subject to a parking study	
Other Uses	as per RTA Guide to Traffic Generating Development or a Parking Study	

Table: 1C.2.1(e) On Site Car Parking Rates on land within 800 metres of Epping Town Centre Core Railway Station (d)

Type of Development	Car Parking Requirement
Residential Accommodation	
Residential flat buildings and shop top housing on land within 800 metres of Epping town centre Railway Station (including Universal Design Housing)** Studio	Maximum 0.4 space/dwelling Maximum 0.4 spaces/dwelling Maximum 0.7 spaces/dwelling
1 Bedroom	Maximum 1.2 spaces/dwelling
2 Bedrooms	Minimum of 1 space per 7 dwellings
3 or more Bedrooms	
Visitors (see Note***)	
Commercial Premises/Health Care – on land within 800 metres of Epping railway station	
Business or Office Premises	Maximum of 1/50m ² of GFA
Shops	Maximum of 1/30m ² , GLFA
Restaurants or Cafes (ex drive-through take-away restaurants)	Maximum of 1/30m ² , GLFA
Accessible Parking	Minimum of 1-2% of all spaces to be provided as readily accessible spaces, appropriately designed for use by people with disabilities.
Health Consulting Rooms/Medical Centres	Maximum of 1/50m ² of GFA
Other Uses	as per Table 1C.2.1(e) (d)
A condition of consent will be imposed by the consent authority requiring the following restrictions to be placed on the property title prior to the issue of the Occupation Certificate:	
<ul style="list-style-type: none"> ■ Apartment owners and tenants are excluded from participating in any future Council residential parking permit scheme; and ■ Car share car spaces cannot be reallocated as parking spaces for residents or as visitor parking. 	

Notes:

*To ensure secondary dwellings do not have an oversized garage area and have the potential to covertly evolve into a larger dwelling that does not comply with the maximum secondary dwelling size in the HLEP, a maximum of 2 car spaces/dwelling is permitted.

** All car parking spaces including Universal Design Housing should be in accordance with AS 2890.1

***Visitor parking for medium/high residential development is required for development proposals comprising more than 5 dwellings. On-site parking for visitor accommodation applies to areas accessible by road only.

****Parking requirements for Industrial Units is increased when ancillary retailing is permitted, or an ancillary office space component is in excess of 20% of the floor area.

Gross Floor Area is as defined by the HLEP.

Gross leasable floor area means the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts corridors and other public areas but including stock storage areas.

3.3.15 Development adjacent to Rosebank Avenue Heritage Conservation Area

These controls relate to any 3 storey residential flat building development on 6-8 and 5-7 Rosebank Avenue which are adjacent to the Rosebank Avenue Heritage Conservation Area and heritage items at 9 and 10 Rosebank Avenue.

Desired outcome

- a) Setbacks designed to ensure a sympathetic transition to the adjoining heritage item and heritage conservation area.
- b) Setbacks that allow for trees to be retained and planted within the side setback boundaries to maintain the landscape amenity and setting of adjoining heritage items and heritage conservation areas.

Prescriptive measures

- a) The minimum side setback of residential flat buildings to the boundary of the site which sits adjacent to the Rosebank Avenue Heritage Conservation Area and heritage items sites should comply with the following:
 - A minimum 6 metres to the boundary for the ground floor in accordance with Figures 3.3(g) and 3.3(h);
 - A minimum of 9 metres to the boundary for the second and third storeys with Figures 3.3(g) and 3.3(h);
- b) Minimise the removal of existing trees on the side boundary in order to retain the existing landscape setting of the heritage items and the heritage conservation area.
- c) The side setback is to be retained as deep soil and basement car parking shall not intrude into the side setback to the boundary with the heritage item and heritage conservation area.
- d) Landscaping on the site should be incorporated to include additional tree planting on the side boundary.

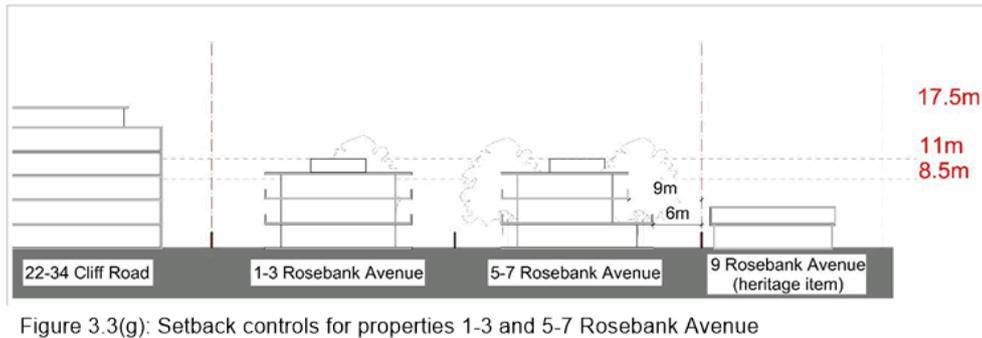


Figure 3.3(g): Setback controls for properties 1-3 and 5-7 Rosebank Avenue

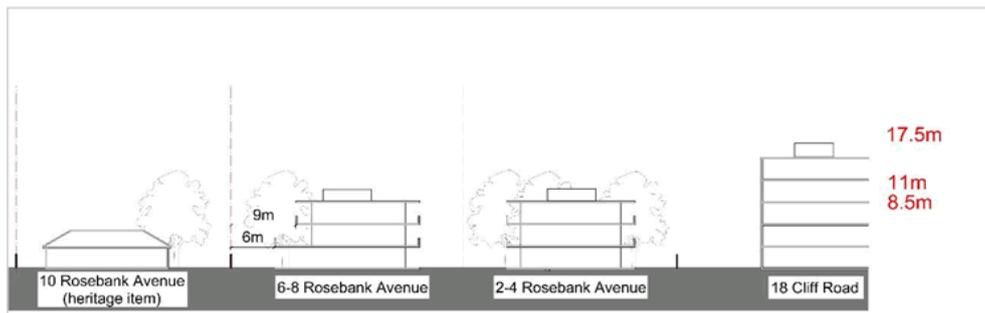


Figure 3.3(h): Setback controls for properties 2-4 and 6-8 Rosebank Avenue

9.3.14 Rosebank Avenue (Epping) Heritage Conservation Area —Character Statement

The location of the Rosebank Avenue (Epping) Heritage Conservation Area is depicted in Figure 9.3(m).

History

- a. Rosebank Avenue was originally part of the land granted to William Kent Junior, purchased by Pioneer settler, David Hazlewood in 1897. In 1908 David Hazlewood's sons Walter and Harry Hazelwood developed a rose growing industry within the Hazelwood Estate, which became the Hazlewood Brothers Nursery and leading rose suppliers in the early twentieth century.
- b. The first subdivision of the Hazlewood Estate was placed on sale in October 1921. In November 1929, two years after David Hazlewood's death, the site of Rosebank Avenue went to auction sale as the Rosegrove Estate, one of the later estate subdivisions to occur within the Epping district.
- c. The Estate consisted of 18 lots fronting Rosebank Avenue and three lots fronting Ray Road. 17 properties in separate ownership (one of which was constructed over two of the original lots) were developed for residential dwelling houses during the Inter-war period, between 1929 and 1942.
- d. A "fine old rustic bridge" which was constructed over the existing creek by the Hazlewoods as part of their nursery operations was retained as an attractive element of the Estate.

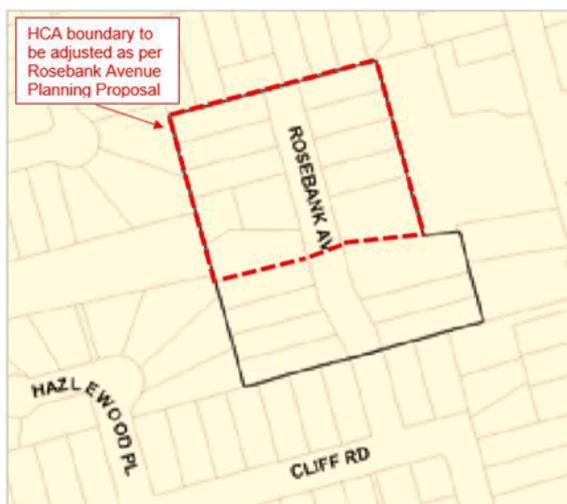


Figure 9.3(m): Rosebank Avenue (Epping) Heritage Conservation Area (C)

- e. A strict building ordinance was put in place to ensure that "each home will be worthy of its setting" and that the layout and lot sizes allowed "ample space for gardens, lawns and motor car entrance".

Description

- a. A rare example of a good and highly intact Inter-war streetscape within Hornsby Shire.
- b. The group of Inter-war period dwellings illustrate various characteristic Inter-war architectural elements from the Bungalow, Tudor Revival and Spanish Mission styles.
- c. Generally the buildings retain their original scale, form, character and presentation, evidence of the original intent and covenants placed on the subdivision.
- d. Recent alterations and additions and minor modifications are evident, however, do not detract from the overall character and quality of the group and streetscape.
- e. The unifying character of the streetscape arises from the retention of the original subdivision pattern and street rhythm, consistent setbacks, style and character of the buildings, scale of buildings and openings, building materials and colours, fencing, paths, driveways, garages, and landscape elements.
- f. The gardens and landscaping reflect the typical characteristics and features of the Inter-war period.
- g. The single-laned bridge (modernised) associated with the Hazelwood Brothers Nursery and creek are still in existence and provides evidence of the early character of the area.

Statement of Significance

- a. Rosebank Avenue is of high local cultural significance as a fine representative example of an Inter-war period residential subdivision and development that remains largely intact and retains its historical subdivision pattern, built context and natural features.
- b. Collectively the group form a unique precinct in Hornsby Shire.
- c. The houses each retain their overall scale, character and varying stylistic details associated with the period and are enhanced by the wide street proportion, street trees and garden settings and remaining natural features.

9.4 Development in the Vicinity of Heritage

9.4.1 Development in the Vicinity of Heritage Items and Heritage Conservation Areas

Desired Outcomes

- a. New work that is sympathetic to the heritage significance of nearby heritage items, or adjoining heritage conservation area, and their settings.

Prescriptive Measures

Heritage Items

- a. Design and siting of new work should complement the form, orientation, scale and style of the heritage item.
- b. Adequate space should be provided around the heritage item to allow for its interpretation.
- c. Development should maintain significant or historic public domain views to and from the heritage item.
- d. Original or significant landscape features that are associated with the heritage item and which contribute to its setting should be retained.
- e. For rural heritage items, the scale of new work is not to overwhelm the heritage item taking into consideration the matters within the Rural Heritage Items element.

Heritage Conservation Areas

- f. Development in the vicinity must respect the curtilage and setting of the HCA and protect views into and from the HCA.
- g. Development is to be sympathetic to the primary characteristics and heritage values of the HCA with regards to proposed:
 - context, including backdrop to places in the HCA;
 - bulk, height alignment form and roofline of new development;
 - proportions such as windows and door openings (number and location) and balconies;
 - Interface facade materials, treatments and palette;
 - Compatible fencing and screening.
- h. Development applications for multi-unit developments adjacent to HCAs must include a construction impact report demonstrating that the construction process will not detrimentally or indirectly adversely impact places in the HCA at the time of construction or over time.



Notes:

These controls apply to land that is adjoining, or across the road from a heritage item or a heritage conservation area.

The setting of a heritage item or heritage conservation area often extends beyond current property boundaries, and can be influenced by historic subdivision patterns, topography, vegetation, and views to and from the heritage item or heritage conservation area.

It is important to understand the relationship of a heritage item, or heritage conservation area, to adjoining land. Relevant factors include:

- Is the site within historic property boundaries of the heritage item;
- Could development on the site affect views to or from the heritage item or heritage conservation area;
- Could development on the site change the visual backdrop of the heritage item or heritage conservation area;
- Is the heritage item or heritage conservation area physically separated from the development site by a road, gully or escarpment, creek or similar; and
- Are there any trees or remnant features on the development site that may have had an association with the heritage item.

Rosebank Avenue Heritage Conservation Area

- a. Specific controls relating to development adjacent to the Rosebank Avenue Heritage Conservation Area and the heritage items at 9 and 10 Rosebank Avenue are provided for in Section 3.3.15 of the *Hornsby DCP 2013*.

INNOVATIVE

ITEM NUMBER	17.5
SUBJECT	FOR APPROVAL: Post Exhibition - Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period (Deferred Item)
REFERENCE	F2020/02047 - D08064842
REPORT OF	Snr Project Officer Land Use; Team Leader –Land Use Planning

This matter was deferred from the Council Meeting of 24 May 2021 to provide Councillors with more time to consider information provided.

PURPOSE:

The purpose of this report is to:

- enable Council to consider the outcomes of the public exhibition of the Parramatta CBD Planning Proposal and to seek Council's endorsement of the revised planning proposal to be forwarded to the Department of Planning, Industry and Environment for finalisation.
- approve changes to the Parramatta CBD Planning Proposal that have merit for investigation during a later stage of work and be progressed through separate planning proposal processes.
- approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD including a new contributions levy rate set higher than the current 3% rate.

RECOMMENDATION

(a) **That** Council note:

- (i) The submissions made in response to the public exhibition of the *Parramatta CBD Planning Proposal (CBD PP)*, summarised at Attachments 12 to 15 of the Local Planning Panel (**LPP**) Report;
- (ii) The LPP Report at **Attachment 2** to this report.

(b) **That** Council:

- (i) Approve the requested changes to the CBD PP set out in **Table 1 of Attachment 1** (*'Changes that are supported (via Decision Pathway 1 - Green)'*);
- (ii) Note not making any of the requested changes to the CBD PP summarised in **Table 2 of Attachment 1** (*'Changes that are not supported (via Decision Pathway 2 - Red)'*);
- (iii) Approve further investigation of the requested changes to the CBD PP set out in **Table 3 of Attachment 1** (*'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)'*).

(b1) **That** Council approve the inclusion in **Table 3 of Attachment 1** (*'Changes that have merit for further investigation (via Decision Pathway 3 - Orange)'*)

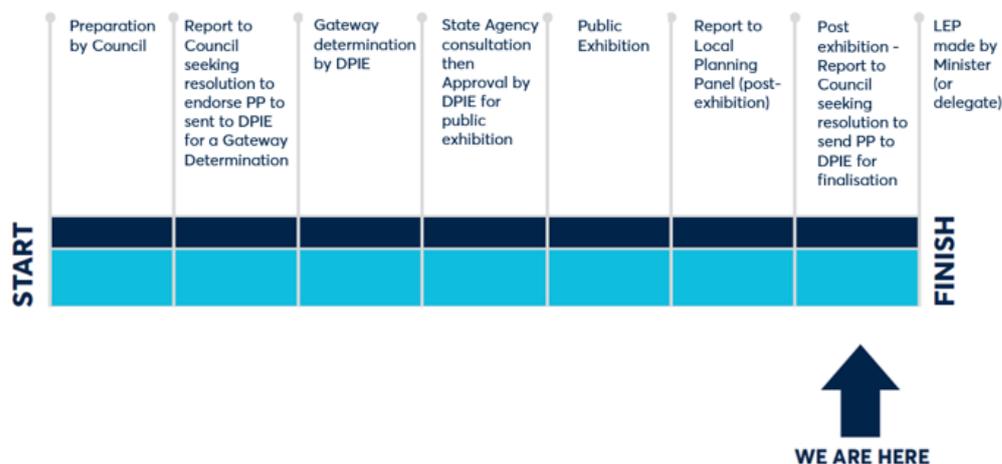
consideration of an additional subclause in Clause 7.3 (parking) requiring the provision of parking spaces for car share vehicles in each new development.

- (c) **That** Council note that on 27 April 2015 and on 25 November 2019, Council approved further investigation on a number of “Planning Investigation Areas” (**PIAs**) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3 in paragraph 33 of this report) and that no change is required to the PIAs in response to submissions received on the CBP PP.
- (d) **That** Council approve:
- (i) The revised CBD PP (in Attachments 1 to 9 of the LPP Report); and
 - (ii) Forwarding the CBD PP to the Department of Planning, Industry and Environment (**DPIE**) for finalisation.
- (e) **That** Council note the application to DPIE, will also request the CBD PP amend *Parramatta Local Environmental Plan 2011 (PLEP 2011)*, in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- (f) **That** Council writes to the Secretary of DPIE seeking an exemption from the *State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021* in the B3 Commercial Core zone as this is inconsistent with the employment objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.
- (g) **That** Council:
- (i) Approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD within 12 months; and
 - (ii) Note the plan will include a new contributions levy rate set higher than the current 3% rate, subject to feasibility testing of the levy rate.
- (h) **That** Council request DPIE not finalise the amendments to PLEP 2011 until:
- (i) Council has exhibited and endorsed a new Section 7.12 development contributions plan for the Parramatta CBD; and
 - (ii) DPIE has amended clause 25K of the *Environmental Planning and Assessment Regulation 2000* to allow the higher Section 7.12 development contributions rate.
- (i) **That** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.

PLANNING PROPOSAL TIMELINE

The timeline below illustrates that the Parramatta CBD Planning Proposal is progressing towards finalisation stage.

Planning Proposal Timeline



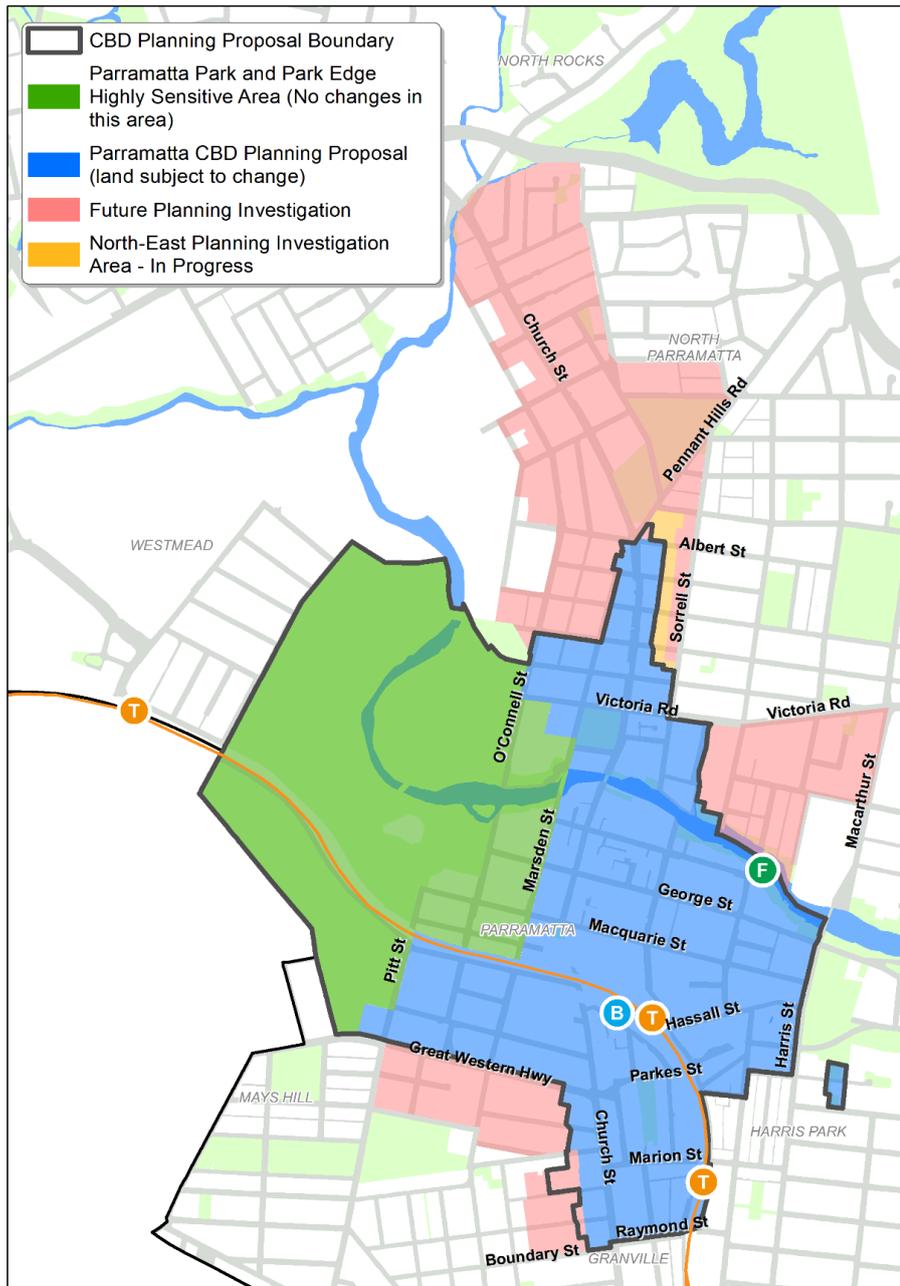
SUMMARY

1. This report details the outcomes from the public exhibition of the Parramatta CBD Planning Proposal (CBD PP) and seeks Council endorsement of a revised planning proposal amending Parramatta Local Environmental Plan 2011 (PLEP 2011) for forwarding to the Department of Planning, Industry and Environment (DPIE) for finalisation. A map showing the CBD PP boundary and other areas mentioned in this report is at Figure 1.
2. In response to the exhibition of the CBD PP documentation, a total of 309 submissions were received from the community representing:
 - a. Residents and individuals (235 submissions)
 - b. Organisations, Institutions and Interest Groups (12 submissions)
 - c. Developers, Major Landowners and/ or their Consultants (51 submissions)
 - d. Public Authorities and Service Providers (12 submissions)
3. It is proposed to progress the current CBD PP with minor amendments, and deal with the more significant amendments arising in a group of separate new draft Planning Proposals. This includes the future Planning Investigation Areas.
4. One of the key elements of the exhibited CBD PP was the accessing of Incentive FSR and Opportunity Site FSR through the inclusion of community infrastructure on site, to be formalised through a planning agreement. Since the CBD PP was exhibited, the DPIE finalised and released its new "Planning Agreements – Practice Note". This Practice Note does not support the use of Planning Agreements for the purposes of value capture.
5. To address this, an alternative approach is recommended that preserves the original intent of the exhibited planning proposal by requiring compliance with key community infrastructure principles in order to access the Incentive FSR. A value sharing contribution will no longer apply and instead a new Section 7.12 development contributions plan will be prepared with a higher rate. In this way,

infrastructure funding will still be assured through this alternate funding pathway (if endorsed by both Council and the DPIE).

6. This review of infrastructure funding for the CBD PP will lead to a new Section 7.12 Development Contributions Plan (with higher rate) to be reported to Council separately, as will the other supporting elements of the CBD PP being:
 - a. the Parramatta CBD Integrated Transport Plan;
 - b. amendments to the Parramatta Development Control Plan and;
 - c. updated Floodplain Risk Management Plan.
7. It is intended that these plans will be in place prior to the DPIE finalising the Council endorsed CBD PP.
8. The CBP PP seeks to evolve the character of the Parramatta CBD so that it can properly play the important role of the metropolitan centre for western Sydney and to ensure integration of land use with the significant investment in transport and other infrastructure being put in place by the State Government and Council.
9. The CBD PP document as exhibited includes the detailed analysis of all the studies and policies to justify the strategies and actions contained within it. The CBD PP is also consistent with relevant State Government and Council policies. In instances where there may have been some inconsistency between State Government and Council objectives, those matters have been considered and resolved in a manner that supports the over-arching objective of progressing the role of Parramatta as the metropolitan centre for western Sydney.
10. The time frame for completing the PLEP 2011 Amendment is by 30 September 2021. Council is required to submit the planning proposal to the Department for finalisation by 1 July 2021 consistent with Condition 6 of the Alteration to the Gateway Determination issued on 21 April 2021.

Figure 1 - Map showing the CBD PP boundary and other areas mentioned in this report.



BACKGROUND

11. Since 2013 Council has been engaged in a process to deliver a new planning framework to facilitate and strengthen the Parramatta CBD’s position as one of Sydney’s three metropolitan CBDs. The recently exhibited CBD PP is one of the main elements of the Parramatta CBD Planning Framework (see Figure 2). The CBD Planning Framework proposes planning controls that facilitate the delivery of an extra 46,000 jobs and 14,000 dwellings within the Parramatta CBD over the next 40 years. In doing so the CBD Planning Framework also delivers on key economic, social and cultural objectives for Western Sydney which is home to over half of Sydney’s population.

Figure 2 – Parramatta CBD Framework Review illustrating the four main elements of the framework.



12. The table below details the major milestones to progress the CBD PP.

Table 1: major milestones to progress the CBD PP

April 2015	The principles and actions that guided the preparation of the new planning framework together with the research and technical studies to be undertaken were endorsed by Council in the 'Parramatta CBD Planning Strategy'.
April 2016	Additional work undertaken to prepare the draft CBD PP to amend the planning controls for the Parramatta CBD. The draft CBD PP was endorsed by Council and forwarded to DPIE requesting a Gateway determination.
March 2017 – September 2017	Additional research and technical studies completed to support refinements to the CBD PP.
December 2018	The DPIE issued a conditional Gateway determination allowing the CBD PP to proceed subject to thirty-four conditions.
March 2019 and June 2019	Resolutions of Council provided the strategic framework and policy direction for Council officers to respond to the matters resulting from the Gateway determination.
November 2019	Council endorsed an updated CBD PP to enable public authority (pre-exhibition) consultation in line with Condition 2 of the DPIE's Gateway determination.
December 2019 – February 2020	Consultation with the required public authorities occurred with four submissions being received at that time. In response, minor, non-policy changes were made to the CBD PP. A Councillor Briefing note dated 17 April 2020 advised of these changes. The revised document was then sent to the DPIE with a request to proceed to the wider public exhibition process required under Conditions 3 and 4 of the Gateway determination.
July 2020	The DPIE responded by way of correspondence dated 27 July 2020. In doing so the DPIE confirmed that notification that the CBD PP could proceed to public exhibition, subject to further amendments as outlined in

	the accompanying Alteration to the Gateway Determination.
April 2021	On 21 April 2021, the DPIE provided Council with a letter and Alteration of the Gateway Determination with a revised timeframe to complete the PLEP 2011 Amendment for the CBD PP. The Alteration makes an amendment to Condition 6 of the Gateway Determination, with Council now required to submit the Planning Proposal to the Department for finalisation by 1 July 2021 and complete the PLEP 2011 Amendment by 30 September 2021. Previously, the Department set a timeframe to finalise the PLEP 2011 Amendment within 24 months of the Gateway Determination (ie. by December 2020).

PRE-EXHIBITION PROCESSES

Informal submissions

13. Seven (7) informal submissions were received between December 2019 and August 2020. This was prior to the commencement of the formal exhibition period of the CBD PP and thus sit outside the requirements for community participation in the *EP&A Act 1979*. These informal submissions broadly covered matters relating to West Auto Alley, North Parramatta, heritage, land in the vicinity of Elizabeth Street and land zoning. It is noted five (5) submitters lodged a formal submission during the exhibition process.
14. For further details of this informal feedback, refer to Section 3.1 of the Community Engagement Report at Attachment 10 of the LPP Report which can be found in **Attachment 2** to this report.

Process for CBD landowners seeking policy change prior to the CBD PP's exhibition

15. Since early 2020, the CBD PP progressed towards its formal exhibition phase, some Parramatta CBD landowners expressed a wish to commence a site-specific Planning Proposal (PP) for their respective site/s. However, landowners were advised:
 - a) If the site specific PP was **consistent** with the CBD PP, then it would not be assessed or processed even if it was lodged, until the CBD PP exhibition outcome is reported to Council, so Council Officer resources could be directed to the CBD PP as a priority and because it was anticipated that any Planning Proposal consistent with the CBD PP would take longer to finalise than the CBD PP.
 - b) If the site-specific PP was **inconsistent** with the CBD PP, then it would be accepted, but that the assessment was likely to be impacted by the assessment of submissions received in response to the exhibition of the CBD PP, and therefore these site-specific PPs would not be progressed until a decision had been made on the CBD PP.
16. As a result of the above advice to landowners, submissions were received from both groups during the exhibition of the CBD PP.

COMMUNICATION PLAN FOR THE EXHIBITION OF THE CBD PP

17. In early September 2020, a Communication Plan outlining how Council would consult with the community during the exhibition period was prepared in partnership with Council's City Engagement team to ensure the plan was fit for purpose, adequately resourced and aligned with Council's *Community Engagement Strategy* (December 2019). The purpose of the Communication Plan was to go 'above and beyond' what was required from a statutory perspective under the *EP&A Act 1979* for planning proposals.
18. The CBD PP was exhibited for six (6) weeks commencing on Monday, 21 September 2020 and concluding on Monday, 2 November 2020. A broad list of the communication mechanisms utilised (as per the Communication Plan) follows:
 - a. Addressed notification letters and emails
 - b. Frequently asked questions (FAQs) and Community Summary Sheet
 - c. Media Release and public notices
 - d. Social Media
 - e. ePulse (e-newsletter)
 - f. Project email address and email databases (4 databases in total)
 - g. Webpages (Participate Parramatta and City of Parramatta websites and NSW Planning Portal's e-planning portal)
 - h. Direct consultations:
 - i. 'Phone a Planner' sessions
 - ii. Online Industry Forum
 - iii. Online Community Q&A Session
 - i. Online submission portal and formal submission process
 - j. Presentations to external groups and committees (e.g. Committee of Sydney, Ethos Urban Seminar and the Parramatta Chamber of Commerce as well as Council's Heritage and Flooding Committees).
19. These mechanisms are detailed in the Community Engagement Report which is contained at Attachment 10 of the LPP Report which can be found in **Attachment 2** to this report.

SUBMISSION REVIEW

Introduction

20. In response to the exhibition of the CBD PP documentation, a total of 309 submissions were received from the community representing: residents; organisations and institutions; developers, major landowners and planning consultants; and public authorities and service providers.
21. Submissions have been categorised as follows:
 - a) Residents and individuals (234 submissions)
 - b) Organisations, Institutions and Interest Groups (12 submissions)
 - c) Developers, Major Landowners and/ or their Consultants (51 submissions)

d) Public Authorities and Service Providers (12 submissions)

22. A broad summary of the submissions received in each category are provided in the subsections below.

Council Officer responses – Decision Pathways

23. In reviewing the submissions across the categories, and as described in Table 2 below, Council Officers either:
- Support a proposed change (Decision Pathway 1 – green);
 - Do not support a proposed change (Decision Pathway 2 – red);
 - See merit in further investigating a proposed change (Decision Pathway 3 – orange).

In responding to all submissions, Council Officers provide points of clarification and or explanation and note where the matter raised is considered to be consistent with the CBD PP or a separate endorsed process and no further decisions are required.

24. When considering whether or not to support a submitter's request to seek a change to the exhibited planning controls, Council officers took into account general practice for considering variations to development standards pursuant to Clause 4.6 of the *Parramatta Local Environmental Plan 2011* (PLEP 2011). While it is noted that Clause 4.6 of PLEP 2011 limits variations to height and FSR changes to 5% within the CBD (per Clause 4.6(8)(ca)), officers also considered Planning Circular PS 20-002 prepared by the DPIE, which specifies that in respect of a Clause 4.6 Variation, the Secretary's assumed concurrence "may not be assumed by a delegate of council if: the development contravenes a numerical standard by greater than 10% or if the development contravenes a non-numerical development standard".
25. Consequently, when considering numerical requests from submitters to increase height or floor space ratio controls (FSR), for example, officers have adopted a 10% maximum exceedance to determine whether a request was substantive or not. Substantive requests to change planning controls from those publicly exhibited in a planning proposal would have the risk of adversely affecting adjoining property owners. Making substantive changes to the planning controls as a Council decision post-exhibition prevents the community from having a fair and reasonable opportunity to review and comment on such changes. If substantive changes were to be approved, then the relevant planning controls would warrant re-exhibition.
26. A decision to make substantive changes to the planning proposal, and, subsequently, choose not to re-exhibit the planning proposal has an inherent risk to the instrument's validity. This was tested in the case of *Friends of Turramurra Inc vs Minister for Planning* before the Land and Environment Court ([2011] NSW LEC 128] where a draft LEP was declared invalid by the Court because of substantive changes made to the instrument post-exhibition without a re-exhibition process.
27. The table below explains the factors considered by Council Officers for each of the three "Decision Pathways" (support; not support; or merit for further investigation). This approach is consistent with the principles of evidence based strategic planning.

Table 2 –Decision Pathways

Decision Pathway type	Supporting Factors
<p>1. Supporting a proposed change (green) – issues that have strategic planning merit</p> <p>Note: this <i>involves amending</i> the CBD PP and Draft PLEP 2011 Amendment instrument and/or Draft PLEP 2011 Amendment Maps to be forwarded to DPIE for finalisation.</p>	<p>These requested policy changes are generally:</p> <ul style="list-style-type: none"> • Consistent with Council's policy framework for the Parramatta CBD including supporting technical studies, Gateway determination and Alteration Gateway determination; and a State Authority or Service Provider submission comment where supported by Council officers; and/or • Of relatively minor impact that do not warrant re-exhibition of the CBD PP.
<p>2. Not supporting a proposed change (red) – issues that do not have strategic planning merit</p> <p>Note: this <i>does not involve any amendment</i> to the CBD PP and Draft PLEP 2011 Amendment instrument and/or Draft PLEP 2011 Amendment Maps to be forwarded to DPIE for finalisation.</p>	<p>These requested policy changes are generally:</p> <ul style="list-style-type: none"> • Inconsistent with Council's Policy framework for the CBD PP (Council's Local Strategic Planning Statement and Local Housing Strategy) including supporting technical studies, Gateway determination and Alteration Gateway determination; and/or • Located within the Parramatta Park and the Park Edge Highly Sensitive Area; and/or • Resulting in the demolition of a listed heritage item or significantly amending planning controls related to listed heritage items that will impact on their significance*; and/or • Inadequately justified by a submitter's supporting technical analysis; and/or • Undermining statutory processes (e.g. a recently notified Site Specific PP or design excellence award process or a supporting voluntary planning agreement); and/or • Result in a substantial change in the case of a numerical provision, greater than 10 per cent; and/or • Likely to establish a precedent which may encourage other landowners in a similar scenario to pursue an increase in their own height and density controls. <p>In summary, no amendments to the CBD PP documentation for finalisation are proposed in response.</p>
<p>3. Has merit for further investigation at a later stage as part of a separate process (orange) – issues that have merit for further exploration, but may not necessarily result in a policy change</p> <p>Note: this <i>does not involve any amendment</i> to the CBD PP and Draft PLEP 2011 Amendment instrument and/or Draft PLEP 2011 Amendment Maps to be forwarded to DPIE for finalisation.</p>	<p>Requested policy changes that generally:</p> <ul style="list-style-type: none"> • Are consistent with Council's policy framework for the CBD but are more significant changes, and if integrated would require re-exhibition of the CBD PP; and/or • Require further investigation to confirm whether they are consistent with the strategy, and/or • Are inconsistent with Council strategy in their current form, however, could be evolved in consultation with the proponent into a proposed amendment which could be supported in the future. This process would not be dissimilar to stand-alone site-specific PP processes.

*This is discussed in more detail in the 'Heritage' section, below.

28. With regards to the submissions that have merit for further investigation (Decision Pathway 3), the suite of issues to be considered and their grouping will ultimately depend on the outcome of further analysis. Importantly, they will be grouped in a way that minimises resourcing, the logic being that too many individual planning proposals are not an efficient use of staff resources and Council monies and at the same time, a single planning proposal is not likely to be suitable as it could delay resolution of less complex issues.
29. **Attachment 1** to this report provides a schedule of the recommendations, noting that they fall under Decision Pathways 1, 2 or 3. These are changes recommended and able to be progressed at this time (refer to **Table 1** of **Attachment 1**), changes that are not supported (refer to **Table 2** of **Attachment 1**), and other changes that could be investigated during a later stage of work and progressed through separate PP amendment processes (refer to **Table 3** of **Attachment 1**). The reasons for the Decision Pathways recommended by Council officers are provided in the Community Engagement Report at Attachments 10-15 of the LPP Report contained within **Attachment 2** to this report.
30. With regards to the issues that 'have merit for further investigation', **Attachment 1** to this report includes a suggested grouping of these issues. This will however be subject to resourcing and prioritisation, including an assessment by Council officers on the ability to deliver the short, mid and long term actions in the Local Strategic Planning Statement (LSPS) as well as on the proposed sequencing of LEP amendments in the Local Housing Strategy (LHS). This will ensure there are appropriate resources and budget before each individual project is allocated a timeframe. This is discussed further in this report at Paragraph 125-126.
31. **Attachment 1** to this report also includes a note about 'Planning Investigation Areas Currently Endorsed for Further Investigation', reiterating that Council will investigate the 'Planning Investigation Areas' shown in Figure 3 (below) for amended planning controls to be progressed through separate planning strategy/Planning Proposal amendment processes at a later stage. This is consistent with the *Parramatta CBD Planning Strategy*, endorsed by Council on 27 April 2015, and also amendments as endorsed by Council on 25 November 2019. This is discussed further in this report at Paragraphs 115-117 and 127.

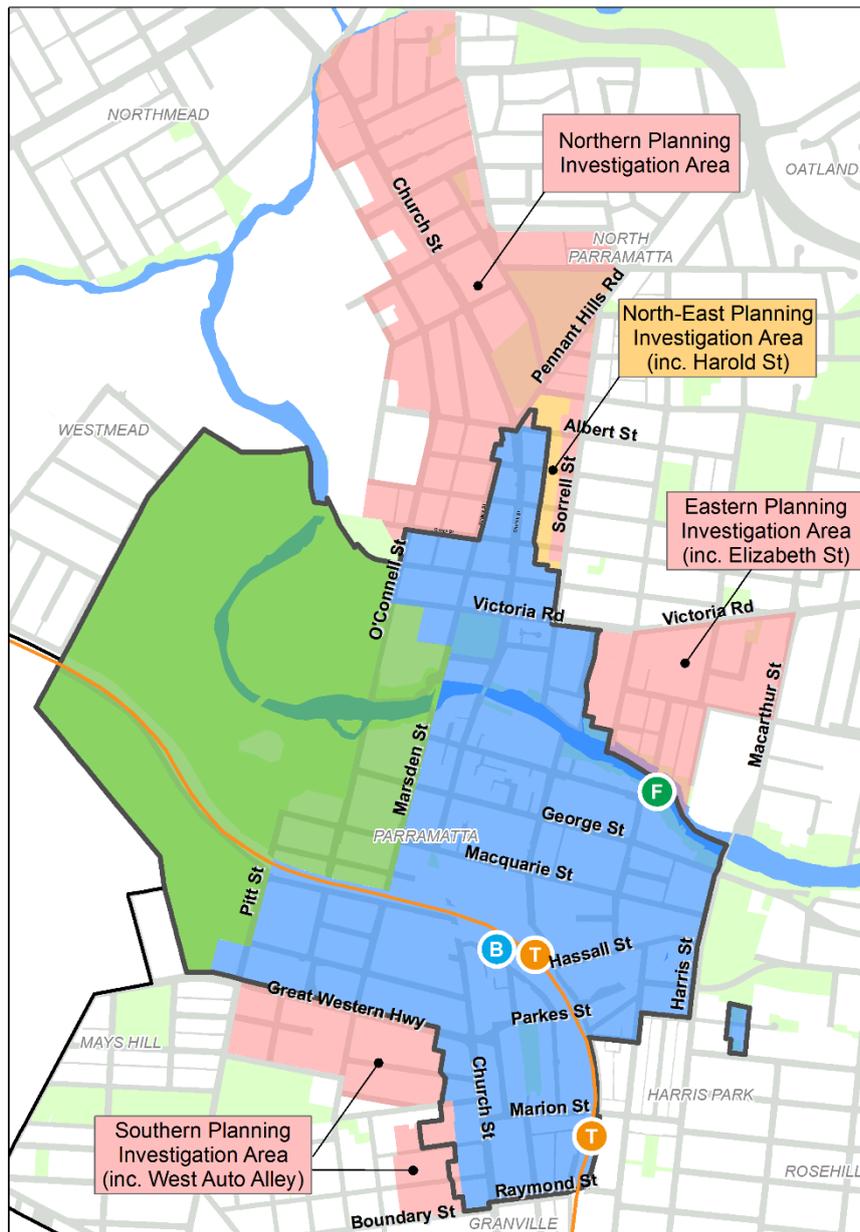
Submissions from Residents and Individuals

32. A total of 234 submissions were received in this category. A detailed summary of the submissions in this category is contained at Attachment 12 of the LPP Report contained within **Attachment 2** to this report.

Feedback received

33. The predominant issues raised by submitters in the submissions from residents and individuals can be broadly summarised into three groups as follows:
 - a) Request for inclusion of areas in the CBD PP boundary, specifically, West Auto Alley, Elizabeth Street and Harold Street (see Figure 3 for a map of these areas noting West Auto Alley is part of the 'Southern PIA', Elizabeth Street is part of the 'Eastern PIA' and Harold Street is part of the 'North-East PIA').

Figure 3 – Planning Investigation Areas



- b) Request for exclusion of ‘North Parramatta’ from the CBD PP, being land that is generally north of the Parramatta River.
- c) Objection or concern raised about specific issues, being,
 - i. Heritage:
 - concerned that the CBD PP does not adequately consider Parramatta’s unique heritage, favouring financial gain and high-density development;
 - that the proposed increase to FSR and height controls will have a detrimental effect on heritage items, and the quality of the area;
 - need for additional heritage protection including increased setbacks;
 - request for the deferral of North Paramatta (north of the Victoria Road) from the CBD PP and a precinct plan be

prepared, rather than extending the CBD into North Parramatta.

ii. Overdevelopment (high density):

- concerned about the proposed height of buildings and floor space ratios, and impacts on heritage, lack of supporting infrastructure, open space, schools and car parking;
- adverse impact on amenity, including solar access and wind tunnels;
- concerns about the quality of current development, and numerous small apartments.

iii. COVID 19:

- concern that high density development does not promote social distancing to reduce the spread of COVID 19, with increased parking required because of reduced public transport usage;
- the rate of population increase, as previously projected prior to COVID 19, will not occur due to international travel restrictions, limited migration, stagnant wage growth and the instability of future COVID 19 outbreaks; and therefore there is a decreased need for residential dwellings and commercial floorspace (due to increased working from home arrangements).

iv. Environment:

- concern about the current lack of open space, and request for additional green open space to support the proposal;
- request for an increased focus on green buildings, setting a benchmark for environmental design and livability.

v. Parking:

- concern about the lower car parking rates proposed in the CBD PP, which will discourage visitors.

Conclusion

34. Responses to the issues raised by submitters in the Resident and Individuals category are detailed. Most of the issues raised are not supported for the reasons outlined in Table 2 and detailed at Attachment 12 of the LPP Report contained within **Attachment 2** to this report. While it is acknowledged there are concerns about the removal of some land from the CBD PP boundary, introducing these areas now would be a substantial change to the version of the CBD PP as exhibited and would trigger the need for the re-exhibition of the CBD PP. Further work on these removed areas will occur at a later stage as a part of the previously endorsed Planning Investigation Areas. Progressing the CBD PP as soon as possible will establish Council's policy direction and enable landowners currently within the CBD PP area to progress investment decisions and pursue approval processes in accordance with Council's strategy.
35. The proposed controls have regard to both the existing character and heritage and the need to evolve the city in a way that will achieve a range of objectives

and actions. Council has prepared various studies related to urban design and heritage to seek to put in place controls to guide the future character of all parts of the proposed CBD and protect heritage, amenity and address environmental impacts and issues.

36. A number of submissions raise issues and make suggestions in relation to various matters that Council officers address in responses at Attachment 12 of the LPP Report contained within **Attachment 2** to this report as being generally consistent with the approach taken in the CBD PP, for example, high performing building measures.

Submissions from Institutions, Organisations and Interest Groups

37. A total of 13 submissions were received in this category. A detailed summary of the submissions contained in this category is contained at Attachment 13 of the LPP Report contained within **Attachment 2** to this report.

Feedback received

38. The predominant issues raised by submitters in the Institutions, Organisations and Interest Groups category can be broadly summarised as follows:
- a. Need for clarification around the proposed development contributions framework and highlight the significance of the implementation of the Provision of Community Infrastructure clause and the Infrastructure Needs List.
 - b. Concerns with the proposed planning controls including heritage protections and potential impact on heritage items/places, including Heritage Conservation Areas and Heritage Interface Areas (these being areas located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas).
 - c. Concerns with site specific PPs around St John's Cathedral on the basis that these would compromise the historic setting.
 - d. Concerns with the lack of clarity around timing of the areas on the edge of the city centre being deferred for future Planning Investigation Area work.
 - e. Some submitters raise concerns with the assessment and approval of site specific PPs outside of the CBD PP process.
 - f. CBD car parking rates considered to be too low.
 - g. Objection to the extension of the CBD Planning Proposal boundary, across the river into North Parramatta and up to Pennant Hills Road.
 - h. Objection to the prohibition of *serviced apartments* in the B3 Commercial Core.
 - i. Objection to proposed heights along the Parramatta River foreshore.
 - j. Need to encourage a flood and climate change resilient CBD and recommend the inclusion of objectives that support 'green infrastructure' and environmental measures.
 - k. Identification of opportunities to enable more diverse economic outcomes for the Parramatta CBD, by way of Council's Night City Framework 2020-2024 and a creative sector presence.
 - l. Suggested that amendments may need to be made to the CBD PP and PLEP 2011 in light of the COVID 19 pandemic.

- m. The FSR planning controls are considered multi-layered and complex.
- n. Third-party advertising/signage (as opposed to building identification signage) be given further consideration for inclusion as a permitted use in the land use zones in the Parramatta CBD.
- o. Concern with the 1,800 sqm minimum site area requirement that affects various clauses (e.g. FSR Sliding Scale, High Performing Building and Minimum Commercial Provision).
- p. Recommendation that Council should apply higher BASIX standards without providing an incentive (FSR bonus).

Conclusion

- 39. Council Officers recommend that the following item be investigated as part of an alternative PP process (Decision Pathway 3):
 - a. permissibility of 'water recycling facilitates' and 'water supply systems' in the B3 Commercial Core (Note: 'Water recycling facilities' are already a permissible use in the B4 Mixed Use zone).
- 40. Some of the other issues raised in these submissions are supported by Council Officers and will be dealt with as part of work that is currently underway as detailed in Attachment 13 and Attachment 16 of the LPP Report contained within **Attachment 2** to this report:
 - a. CBD Development Control Plan (DCP).
 - b. CBD Development Contributions Plan (as a part of the review of the Infrastructure Funding Framework).
 - c. The mesoscopic modeling and the Integrated Transport Plan (ITP) for the Parramatta CBD.
 - d. Civic Link DCP amendments.
 - e. Phillip Street Block Study - see further discussion under the heading 'Other Parramatta CBD-related policy matters'.
- 41. Issues raised relating to land within a previously endorsed Planning Investigation Area will be considered later. These areas, if integrated now, would trigger re-exhibition of the CBD PP.
- 42. The remaining issues raised in the submissions received were not supported and did not warrant changes to the CBD PP for the following reasons (Decision Pathway 2) as detailed in Attachment 13 and Attachment 16 of the LPP Report contained within **Attachment 2** to this report:
 - a. The issues have previously been dealt with via an endorsed technical study that informed the CBD PP and therefore there is no technical justification for the changes to be supported.
 - b. The issues have previously been addressed via conditions of the Gateway Determination and Alteration to the Gateway Determination that have already been addressed to the DPIE's satisfaction.
 - c. The issues are beyond the scope of the CBD PP.
 - d. The issues are relevant to a DA assessment process not a Planning Proposal process.

Submissions from Developers, Major Landowners and/or their Consultants

43. At total of 51 submissions were received in this category. In some cases, multiple landowners are represented. Of the 51 submissions received, approximately 10 submissions were from landowners who had a site-specific PP process underway with Council. A detailed summary of each submission received in the Developers, Major Landowners and Consultants category is contained at Attachment 14 of the LPP Report contained within **Attachment 2** to this report.
44. The technical analysis of submissions in this category varied in quality and standard. However, the provision of a supporting technical study on an issue, of itself, does not justify Council Officer support for a submitter's proposed policy change because broader considerations are required for support of the reasons described in Table 2 – Decision Pathways, above.

Feedback received

45. The predominant issues raised by submitters in the Developers, Major Landowners and Consultants category can be broadly summarised as follows:
- a. Increase sought to the height and FSR controls that were exhibited for their site.
 - b. Exemption sought from the FSR sliding scale and/or challenging the definition of an 'isolated site' or the 1,800 sqm site area requirement to access incentives, including the high performing building bonus and additional commercial FSR.
 - c. Request to have their site identified as an Opportunity Site which enables an additional 3:1 FSR on top of the incentive FSR; and/or identified on the Additional Local Provisions Map in order to benefit from additional commercial FSR floorspace above a minimum 1:1 FSR in certain parts of the B4 Mixed Use zone on top of incentive FSR.
 - d. Variation to planning controls sought that would in most cases allow for the eventual demolition or significant alteration of a heritage item and/or its curtilage.
 - e. Concerns raised about implications of a land reservation acquisition notation over a site or request removal of a notation.
 - f. Issues raised that are outside the scope of the CBD PP. The predominant request being from owners of sites that are situated outside the CBD PP area seeking to have their land incorporated into the CBD PP. Those sites that are within a previously endorsed Planning Investigation Area will be dealt with as part of the future Planning Investigation Area work at a later stage.
 - g. Request for a change to a land use zone (without changes to the height or density controls).
 - h. Request to amend the wording of a draft clause or subclause to address a technical issue.
 - i. Some submitters had, at the time of lodging their submission, a site-specific PP in train. Of those:
 - i. Some submitters identified a potential issue in the wording of a clause and subsequent impact on their site-specific PP; and
 - ii. Some submitters' site-specific PPs were close to notification stage and were seeking confirmation that the Draft PLEP 2011

Amendment instrument and supporting maps aligned with the controls in their site specific PPs. (Note: many of these site-specific PPs have now been notified and the issue is now redundant).

Conclusion

46. Most of the issues raised by submitters in the Developers, Major Landowners and Consultants category are not supported and are not considered to warrant changes to the CBD PP (Decision Pathway 2) for the reasons detailed at Table 2 above, and are summarised as follows:
 - a. The issues are inconsistent with Council policy and or recent statutory process; and/or
 - b. The change requested is substantial and would trigger re-exhibition of the CBD PP.
47. Some issues raised by submitters which are supported by Council Officers as having merit for further investigation as part of a separate PP process (Decision Pathway 3) as detailed in Attachment 14 and Attachment 16 of the LPP Report contained within **Attachment 2** to this report are:
 - a. Consistent with Council's policy framework for the CBD but are more significant changes, and if integrated would require re-exhibition of the CBD PP such as some of those submissions requesting additional height that meet overshadowing requirements, and some submissions requesting that their land be added to the Additional Local Provisions Map as an Minimum Commercial Provision; and/or
 - b. Require further investigation to confirm whether they are consistent with the strategy, or, are inconsistent with Council strategy in their current form, however, could be evolved in consultation with the proponent into a proposed amendment which could be supported in the future. This process would not be dissimilar to stand-alone site-specific PP processes.
48. Some issues raised by submitters which are supported by Council Officers for inclusion in the CBD PP documentation to be forwarded to DPIE for finalisation (Decision Pathway 1) as detailed in Attachments 14 and 16 of the LPP Report contained within **Attachment 2** to this report are:
 - a. Roxy Theatre, 69 George Street, Parramatta (Submission No.161)
 - b. 75 George Street, Parramatta (Submission No. 167)
 - c. Westfield landholdings (Submission Nos. 182 and 299)
 - d. Walker Corporation landholdings (Submission No. 281)
 - e. 14-20 Parkes Street, Harris Park (Submission No. 284)
49. These amendments are consistent with Council's policy framework for the Parramatta CBD including supporting technical studies, Gateway determination and Alteration Gateway determination; and a State Authority or Service Provider submission comment where supported by Council officers; or are of relatively minor impact that do not warrant re-exhibition of the CBD PP.
50. Some issues raised by submitters relate to a site or area that is within a previously endorsed Planning Investigation Area and will be considered later as detailed in Attachment 14 and Attachment 16 of the LPP Report contained

within **Attachment 2** to this report. These sites, if integrated now, would trigger re-exhibition of the CBD PP.

Submissions from Public Authorities, Organisations and Service Providers

51. A total of 12 submissions were received in this category. The consultation of the Public Authorities, Organisations and Service Providers was in accordance with Condition 4 of the Gateway determination. A copy of the summary of the submissions and the Council officers' response to the Public Authorities and Service Providers can be found at Attachment 15 of the LPP Report contained within **Attachment 2** to this report. It is noted that the DPIE may consider some issues not supported by Council officers to be an unresolved Public Authority objection requiring closer consideration and it may be that the DPIE will make a decision to amend the plan to address the Agencies issue once the plan is forwarded to the DPIE. Where a state agency makes an objection and Council is unable to resolve these matters, they are referred to the DPIE to determine whether the matter(s) should be dealt with differently to the proposal put forward by Council.
52. The State Government Agency known as the Environment, Energy and Science Group (EES Group) made a submission, and Council notes that this Agency was not required to be formally notified under Condition 4 of Gateway Determination.
53. Government Architect NSW and the Department of Infrastructure, Transport, Cities and Regional Development also provided a response that their matters were addressed during the pre-exhibition consultation required by Condition 2 of the Gateway Determination and that they have no further comments. City of Ryde Council provided a response that they will not be making a submission and requested to be kept informed of the progression of the CBD PP.

Feedback received

54. The predominant issues raised by submitters in the Public Authority, Organisations and Service Providers category are broadly summarised as follows in Table 2 below:

Table 2 – Key issues raised by Public Authorities, Organisations and Service Providers

Key Issues	Council Officer Response
<p>Heritage NSW:</p> <ul style="list-style-type: none"> - Raises concerns about impacts on all heritage items/places requesting no incentive height and FSR be applied in these areas, - Requests transition guidelines be developed - Requests the existing controls be maintained for land to north and west of St Johns Cemetery; and - Considers the Park Edge lands should be removed from the CBD PP boundary. 	<ul style="list-style-type: none"> - Extensive heritage studies* have been undertaken to support the amendments and demonstrate consistency with Ministerial Direction 9.1, Direction 2.3 (Heritage) of the EPA Act 1979. - A new provision - Clause 7.6K Managing Heritage Impacts is proposed as well as future heritage DCP controls. - Urbis Heritage Study (prepared for Council in 2015) recommended low building heights to reduce the impact on the St Johns Cemetery and maintain landscape connection with Parramatta Park. The CBD PP has consistently reflected these recommendations and the proposed 20m height control was imposed on land north and west of the cemetery in the exhibited DCP.

	<ul style="list-style-type: none"> - The Park Edge lands are required to be included in the CBD PP to maintain the application of the existing controls in PLEP 2011 to this area. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP; however, the Department of Planning, Industry and Environment (DPIE) may consider some of the matters raised to be an unresolved Public Authority objection requiring closer consideration by the Department.</i> <p>*Heritage studies prepared to inform the CBD PP:</p> <ul style="list-style-type: none"> • Parramatta CBD Heritage Study, prepared by consultants Urbis, October 2015. • Heritage Study of Interface Areas, prepared by consultants Hector Abraham Architects (HAA); with Council's Response to the HAA Heritage Study of Interface Areas, 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. • 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); and Supplement (April 2021) June 2019, updated November 2019, August 2020 and April 2021.
<p>School Infrastructure, part of Department of Education:</p> <ul style="list-style-type: none"> - Requests DAs not be approved if they adversely overshadow government schools and that the CBD PP ensure compliance with sun access and overshadowing controls contained in DoE policies, including no overshadowing of rooftop solar panels. - Requests heritage listing only reflect heritage elements on the site. 	<ul style="list-style-type: none"> - Council Officers tested the current and proposed planning controls on the four government schools nominated by School Infrastructure. Existing controls of 120m in PLEP 2011 immediately north of Arthur Phillip High School would cause overshadowing to both Arthur Phillip and Parramatta Public schools on 21 June for most of the day in any event. - Consistent policy position of the CBD PP has been to not make changes to the heritage listing of items. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP; however, DPIE may consider some of the matters raised to be an unresolved Public Authority objection requiring closer consideration by the Department.</i>
<p>Property and Development NSW and the Department of Education:</p> <ul style="list-style-type: none"> - Requests the CBD PP make clear overshadowing is expected and maintenance of solar amenity may be difficult to achieve in some circumstances. 	<ul style="list-style-type: none"> - Draft solar access protection clause makes clear the parameters and land to be protected from overshadowing, with need for compliance with relevant State requirements identified. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>

<p>Environment, Energy and Science Group (a State Government Agency):</p> <ul style="list-style-type: none"> - Highlights that all matters regarding flood evacuation, community education and awareness of the need to shelter in place are the primary responsibility of the NSW SES and its endorsement is considered essential. - Requests the riparian corridor along the Parramatta River be rezoned from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone. 	<ul style="list-style-type: none"> - The State Emergency Services (SES) have not made any formal submissions to date despite contact being made via the statutory requirements of the Gateway determination Conditions 2 and 4 to invite a submission. - Should the SES provide a submission after the CBD PP is endorsed by Council, Council will rely on the DPIE to address any matters arising from a late submission. - The proposed E2 zone is inappropriate for high use public open space devoid of native vegetation as it is highly restrictive and prohibits development other than for environmental or flood mitigation purposes. - Council officers suggest that additional RE1 zone objectives related to protection and enhancement of ecological values, and facilitate public enjoyment of these areas could be investigated as part of a future PP process. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Transport for NSW (TfNSW)</p> <ul style="list-style-type: none"> - Sees the Integrated Transport Plan (ITP) and Special Infrastructure Contribution (SIC) as critical items that directly inform the CBD PP. - Generally supports the CBD PP controls and sees potential opportunities to enhance existing LEP or DCP controls to address specific traffic, transport and land use matters including Local Reservation Acquisition's, active frontages, footpath widths and car parking. 	<ul style="list-style-type: none"> - Council will continue to liaise with TfNSW to ensure there are no delays with the finalisation of the CBD PP, consistent with the Condition 6 in the second alteration to the Gateway determination dated April 2021. - In relation to the SIC, Council has included in the CBD PP a new clause which requires satisfactory arrangements to be made for the provision of 'designated State public infrastructure' consistent with Gateway determination, and awaits any further direction from the State Government on this issue. - In relation to active frontages and footpath widths, these are matters appropriate for the CBD DCP, and Council will invite comments from TfNSW when this goes on public exhibition. - In relation to the Local Reservation Acquisition's, Council notes TfNSW advice that this agency is not in a position to comment on the proposed road widenings identified on the LRA Map. The LRAs and car parking rates are part of the ITP which was endorsed by Council for public exhibition on 26 April 2021. Any amendments to the LRAs and car parking rates arising from the ITP will be considered as part of a future planning proposal.
<p>National Trust (NSW Branch) **</p> <ul style="list-style-type: none"> - Objection to the extension of the CBD along Church Street north of the River, and also the incentive planning controls. Requests that the maximum height be 24 metres. - Requests that 68-96 Phillip Street not be identified as an Opportunity Site - Concern raised about the loss of the Heritage setting around St 	<ul style="list-style-type: none"> - Land north of Parramatta River either side of Church Street up to Pennant Hills Road has been part of the 'Parramatta City Centre' at least since Parramatta LEP 2007 came into force. The exhibited planning controls for this area generally reflect the recommendations from the HAA Heritage Study of Interface Areas. The new planning controls will support the introduction of light rail to this area. - The site at 68-96 Phillip Street is within the "Phillip Street Block Study Area" that is recommended to be deferred from the CBD PP. Until Council is able to resolve its position and make an

<p>John's Cathedral, which will be exacerbated by SSPPs.</p> <ul style="list-style-type: none"> - Solar Access protected period for Prince Alfred Square should not be limited to 12pm and 2pm. - Requests solar access protection for Experiment Farm be increased beyond 10am to 2pm, to between 10am and 4pm. <p>** Not a Public Authority, however included by DPIE in Condition 4 of Gateway Determination.</p>	<p>amendment to the controls in this precinct via a separate Planning Proposal the existing planning controls under PLEP 2011 will apply.</p> <ul style="list-style-type: none"> - SSPPs including a SSPP currently being considered for the St John's Cathedral site are subject to a separate process and assessment. The CBD PP does not propose any changes to the listing of heritage items within any part of the CBD and proposes to retain the existing controls for sites in vicinity of the Cathedral. Changes to the controls immediately surrounding the Cathedral will be dealt with via the SSPP. - The introduction of a Sun Access Protection Clause recognises the significance of the Prince Alfred Square, and identifying the key period of 12 noon to 2pm to protect part of Prince Alfred Square recognises its role as a place for residents and workers. The protected period is also consistent with other parks and civic areas throughout the CBD (i.e. Parramatta River Foreshore, Parramatta Square, Jubilee Park). - Any benefits of extending the protection period from 2pm to 4pm for Experiment Farm are already compromised by existing development and development under construction. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>National Trust (Parramatta Branch) **</p> <ul style="list-style-type: none"> - Objects to the extension of the CBD along Church Street north of the River, and also incentive planning controls. - Concern raised about the loss of the Heritage setting around St Johns Cathedral, which will be exacerbated by SSPPs. - Requests the Roxy theatre site be rezoned to SP1 Special Activities, and supports the proposed 18m height limit. <p>** Not a Public Authority, however included by DPIE in Condition 4 of Gateway Determination.</p>	<ul style="list-style-type: none"> - Responses to the first two points are addressed in the submission above from the National Trust NSW Branch) - Rezoning a site to SP1 Special Activities requires the nominated public authority to acquire the site if a submission is made by the owner under the relevant statutory requirements. Acquisition by Council of the Roxy theatre site has not been considered previously, with the financial impost on Council and community to acquire the site arising from the application of the SP1 zone and consequential reservation of the land likely to be significant. The existing Solar Access Plane (SAP) in PLEP 2011 is recommended to be reinstated as a temporary control until the review of the Civic Link DCP and also master planning for the block being undertaken by Sydney Metro for the new metro station is complete. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Commonwealth Department of Agriculture, Water and the Environment</p> <p>—It notes that Council, the Commonwealth and State Governments have all entered into an agreement to protect the area of Special Significance related to the Old Government House and its domain and notes the CBD PP is consistent with this agreement. It</p>	<ul style="list-style-type: none"> - Noted - <i>Concluding comment: The issues raised do not require amendments to the</i> - <i>CBD PP.</i>

<p>does not identify any other concerns with the PP.</p>	
<p>Environment Protection Agency</p> <ul style="list-style-type: none"> - Acknowledges the CBD PP has many positive features for promoting sustainability; however, considers design elements have not considered the effects of wind or canyoning. The CBD PP should also include air quality protection principles for certain developments near busy roads; planning controls to manage noise-based land use conflict issues; the concept of a circular economy; protection of waterways; and recognise the <i>NSW Government's 20 Year Waste Strategy</i>. - Suggests appropriate assessment of contamination is undertaken, including preparation of DCP controls for key sites. - Notes that water management measures are not included in the supporting Infrastructure Funding Model Study; and recommends consultation with NSW Health about dual water pipes and consultation with Sydney Water. 	<ul style="list-style-type: none"> - The effects of wind and canyoning, air quality and noise, protection of waterways are matters appropriate for a DCP and are often design excellence objectives for Architectural Design Competitions. - Contamination assessment by Council for the entire CBD included a review of zoning changes and identification of certain development types that could potentially have contamination issues. Based on this analysis, Auto Alley was identified as a potential issue and consequentially Council commissioned the 2016 Preliminary Site Investigation Study. This Study demonstrated it was appropriate to rezone these properties given the change in zoning to permit residential and more intensive employment uses. - SEPP 55 Contaminated Land will still require the contamination issue to be considered before any development consent is granted. - The recommendations of this study have been incorporated into the CBD PP framework and in essence it requires consideration of this issue as part of the development application process for site in Auto Alley. - The CBD PP document has been updated to recognise the <i>NSW Government's 20 Year Waste Strategy</i>, the updating does not introduce any policy changes and this Strategy including the concept of a circular economy will be addressed in the DCP. - Water management measures will be considered as part of the new s.7.12 development contributions plan which will now be progressed in place of the Community Infrastructure Framework exhibited with the Planning Proposal. Refer to the discussion in this report under the heading 'Infrastructure Funding Review. - In relation to dual piping, Sydney Water provided a submission to the CBD PP which supports the inclusion of the dual piping requirements. - NSW Health were invited to provide comment on the CBD PP however, no formal submission was received during the exhibition period.
<p>The Hills Shire Council</p> <ul style="list-style-type: none"> - This submission raises concern with the reduced car parking rates for the CBD and public transport options between the Hills and Parramatta. 	<ul style="list-style-type: none"> - The CBD PP replaces the majority of the existing car parking provision in clause 7.3 in the PLEP 2011 with a new car parking provision based on similar provisions in Sydney LEP 2012 (which apply to the Sydney CBD). This was based on sustainable transport policies to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development. More broadly, the forthcoming Parramatta CBD ITP is a strategic plan to address the transport challenges through the development of a clear framework for the future planning and development of the transport system to better connect Parramatta CBD as the metropolitan

	<p>centre of the Central River City to all parts of Sydney including The Hills Shire.</p> <p>- <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i></p>
<p>Service Providers - Endeavour Energy and Sydney Water</p> <p>- Two submissions were received from individual Service Providers, one submission from Endeavour Energy and the second submission from Sydney Water.</p>	<p>- Sydney Water provided a submission to the CBD PP which supports the inclusion of the dual piping requirements.</p> <p>- Endeavour Energy did not raise any issues with the CBD PP.</p> <p>- <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i></p>

55. These submissions are further detailed at Attachment 15 of the LPP Report contained within **Attachment 2** to this report.

Conclusion

56. Council has received 309 submissions and many of these request changes to the exhibited CBD PP that are significant. Where these significant changes can be supported, they would require re-exhibition of the CBD PP. Council officers consider it is important to progress the CBD PP as soon as possible to establish Council's policy direction and continue with other work that supports the CBD PP. This includes progressing the CBD DCP and new CBD Development Contributions Plan, and deal with any further LEP amendments in a group of separate new draft Planning Proposals at a later stage (ie. through Decision Pathway 3). Many submissions also raised issues that relate to the Planning Investigation Areas (PIAs), however work on these will occur separately outside of the CBD PP process in accordance with the previously endorsed position of Council in relation to these PIAs.

CHANGES TO THE PLANNING PROPOSAL, DRAFT PLEP 2011 AMENDMENT INSTRUMENT AND DRAFT PLEP 2011 AMENDMENT MAPS

57. As a result of the feedback received during the exhibition of the CBD PP documentation, the CBD PP, Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps have all been amended for the purposes of submission to the DPIE for finalisation.
58. The changes to the CBD PP documentation have been informed by:
- Minor drafting errors / technical changes.
 - Changes arising from new State Government policy introduced since the commencement of the exhibition period namely the "Planning Agreements – Practice Note" (February 2021).
 - Submissions received during the exhibition period.
 - Changes from Site Specific PPs that have been finalised since the commencement of the CBD PP exhibition period.
59. Details of the proposed changes to the CBD PP, Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps are contained in Attachment 9 of the LPP Report contained within **Attachment 2** to this report; with a broad summary provided in the sub-sections below.

Minor drafting errors / technical changes

60. The following changes are proposed to the planning proposal documentation on account of minor drafting errors or other technical changes:
 - a. Amend Clause 7.6A High performing buildings by including brief explanatory notes and title references to assist with implementation.
 - b. Amend the ‘Miscellaneous Amendments’ section of the CBD PP instrument so that all site-specific clauses notified as part of a SSPP continue to apply as per the existing situation in the case where the site-specific clause does not exactly reflect the CBD PP endorsed clause for finalisation.
 - c. Technical changes to terminology in Clause 7.4 Sun access protection, Clause 7.10 Design Excellence, 7.6G Arrangements for contributions to designated State public infrastructure and Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas.
 - d. Amend the Sun Access Protection Map to show the ‘compensatory publicly accessible area’ that forms the balance of the Parramatta Square public domain area outside the already ‘Protected Area’ as shown in Figure 4 below and described in the associated exhibited Clause 7.4. Further amend terminology in Clause 7.4 to change the word ‘Areas to ‘Blocks with an associated update to the Solar Access Plane Map.

61. These changes are detailed in Table 1 in Attachment 9 of the LPP Report contained within **Attachment 2** to this report (which forms Appendix 4 to the revised CBD PP).

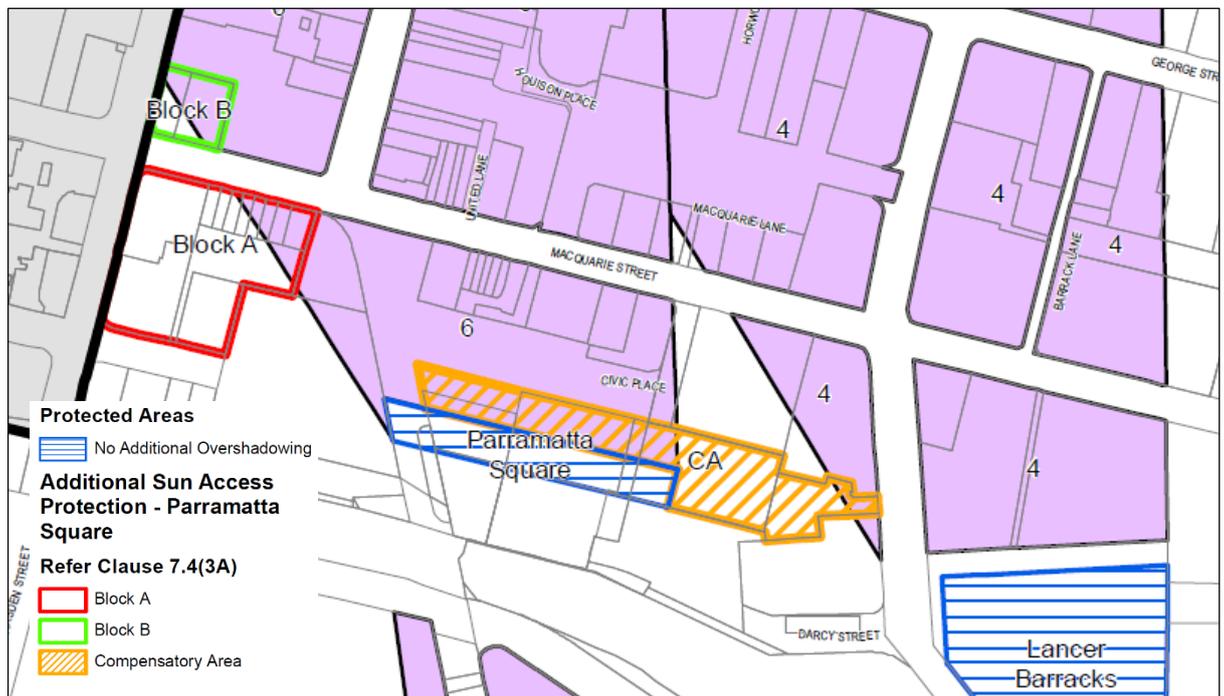


Figure 4 – Extract from the Solar Access Protection Map showing the ‘Protected Area’ and ‘Compensatory Area’ that together form the ‘Parramatta Square public domain area’.

State Government policy

62. The following changes are proposed to the planning proposal documentation on account of State Government policy:

- a) Amend Clause 7.6H Community Infrastructure to address the Planning Agreements Practice Note to now require compliance with community infrastructure principles, rather than the provision of community infrastructure on site, and on account of this change, consequential amendments are necessary to four other clauses (refer to the “Infrastructure Funding Review” section of this report for more information).
63. These changes are detailed in Table 2 in Attachment 9 of the LPP Report contained within **Attachment 2** to this report (which forms Appendix 4 to the revised CBD PP).

Submissions on the CBD Planning Proposal

64. The following changes are proposed to the planning proposal documentation on account of submissions received during the exhibition period:
- a) Reinstate the height control (Solar Access Plane) in PLEP 2011 for 69 George Street (Roxy Theatre) until the outcomes of the Civic Link DCP amendments and master planning for the block being undertaken by Sydney Metro for the new metro station in this block are completed.
 - b) Remove notations on the Incentive Height of Buildings map and Incentive FSR map to show uncoloured the land bound by Phillip Street, Charles Street, Paramatta River and Smith Street, and also remove notations for the same land from the Opportunity Site and Minimum Commercial provision map until the outcomes of the “Phillip Street Block Study” are known and have been reported Council.
 - c) Reinstate the B4 Mixed Use zone in PLEP 2011 for the Westfield landholdings until the second phase of changes to the CBD Precinct are completed (as per Decision Pathway 3).
65. These changes are detailed in Table 3 in Attachment 9 of the LPP Report contained within **Attachment 2** to this report (which forms Appendix 4 to the revised CBD PP).

Site specific planning proposals (SSPPs)

66. The following consequential changes are proposed to the CBD PP documentation to ensure that Council’s previous decisions on these SSPPs are retained when the new CBD PP is finalised. In particular the existing provisions, and the existing and proposed maps where relevant will be inserted into the CBD PP, given that these SSPPs have been finalised after the commencement of the exhibition period:
- a) 87 Church Street and 6 Great Western Highway, Parramatta (Amendments 30 and 58)
 - b) 189 Macquarie Street, Parramatta (Amendment 51)
 - c) 55 Aird Street, Parramatta (Amendment 55)
 - d) 142-154 Macquarie Street, Parramatta (Amendment 48)
 - e) 87 Church Street and 6 Great Western Highway, Parramatta (Amendment 58)
 - f) 470 Church Street, Parramatta (Amendment 47)
 - g) 33-43 Marion Street, Parramatta (Amendment 57)

h) 5 Aird Street, 12 Hassall Street and 20 Macquarie Street, Parramatta (Amendment 54)

67. These changes are detailed in Table 4 in Attachment 9 of the LPP Report contained within **Attachment 2** to this report (which forms Appendix 4 to the revised CBD PP).

OTHER RELATED POLICY ISSUES

Introduction

68. Several policy issues have arisen that have implications for the CBD PP since the CBD PP was placed on exhibition and these are discussed as follows.

Infrastructure Funding Review

69. In February 2021, the DPIE finalised and released its new “Planning Agreements – Practice Note”. The Practice Note has been made for the purposes of clause 25B of the Environmental Planning and Assessment Regulation 2000 to assist parties (including Councils) in the preparation of planning agreements. The new Practice Note does not support the use of Planning Agreements for the purposes of value capture. Relevant extracts of the Practice Note have been copied below for reference:

“2.1 Fundamental principles

Planning authorities and developers that are parties to planning agreements should adhere to the following fundamental principles.

- *Planning agreements should not be used as a means of general revenue raising or to overcome revenue shortfalls.*
- *Value capture should not be the primary purpose of a planning agreement.*

2.3 Value capture

The term value capture is widely used and covers several different practices. This practice note does not attempt to define or discuss them all. In general, the use of planning agreements for the primary purpose of value capture is not supported as it leads to the perception that planning decisions can be bought and sold and that planning authorities may leverage their bargaining position based on their statutory powers.

Planning agreements should not be used explicitly for value capture in connection with the making of planning decisions. For example, they should not be used to capture land value uplift resulting from rezoning or variations to planning controls. Such agreements often express value capture as a monetary contribution per square metre of increased floor area or as a percentage of the increased value of the land. Usually the planning agreement would only commence operation as a result of the rezoning proposal or increased development potential being applied.”

70. One of the key elements of the exhibited CBD PP is that access to Incentive FSR and Opportunity Site FSR was through the inclusion of community infrastructure on site. The process for provision of the community infrastructure was intended to be stipulated through a separate Development Guideline, which would have included “value capture” monetary contribution rates to calculate the quantum of community infrastructure required, the contribution of which would be formalised through a planning agreement.

71. Inclusion of these rates was to ensure fairness, transparency and equity in the planning agreements process, and also to improve efficiencies in making planning agreements between applicants and Council. However, given the effect of the new Practice Note for planning agreements, this approach is no longer possible, and a review of the planning proposal was required in the post-exhibition phase to remove this requirement and establish an alternative approach.
72. In its approval of the CBD PP in July 2020 to go on public exhibition, the DPIE allowed these community infrastructure provisions to be retained for the purposes of exhibition, but noted that *“further resolution of this matter will be required at the finalisation of the planning proposal”*. This was because the DPIE noted that the *“draft planning agreements policy framework released by the DPIE in April 2020 provides a point of tension in applying Council’s intended approach”*. It is noted that the planning agreements practice note was only a draft at that time but has since been finalised by the DPIE.
73. In considering a way forward, Council officers referred back to the original Gateway determination for the CBD PP, which included the following condition 1(m)iv.:
- “(m) in relation to infrastructure funding:*
- ...
- 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.”*
74. In lieu of providing a community infrastructure provision system “in-built” within the CBD PP (as exhibited), it is proposed instead to prepare a new s.7.12 contributions plan with an increased levy that will sit alongside the new PLEP 2011 Amendment. A critical part of these considerations is to ensure that a new contributions plan would provide at a minimum the same amount of income as would have been anticipated in community infrastructure provision as envisaged under the exhibited CBD PP, in effect a “break even” approach.
75. The current s7.12 levy for the Parramatta CBD is 3%. The highest s7.12 levy rate that has ever been approved for a NSW Council is at Burwood, which is at 4%. It is noted that recently Liverpool and Penrith Councils proposed a draft s.7.12 levy of 6.5% for the Western City “Aerotropolis”, however at the time of writing this report neither Liverpool or Penrith had received the required DPIE approval for these rates to be legally able to be applied.
76. Preliminary analysis has been undertaken by Council officers to assess what the increased levy rate would need to be in order to “break even” with the proposed “value sharing” approach, and further what the rates would need to be to fully fund the cost of works program that could reasonably be apportioned to new development, being \$1.188 billion, as shown in Table 3 below.

Table 3 – Preliminary Infrastructure Costs and Apportionment

Priority	Original Cost Estimate	Less Amount already funded by existing funding arrangements (i.e. VPA/	Residual to be funded	Apportioned Cost

		Grants/ Committed Council funds)		
Growth and Transport	\$ 191,629,050	\$ 32,900,000	\$ 158,729,050	\$ 116,437,430
Green Spaces and Environment	\$ 266,632,795	\$ 89,440,000	\$ 177,192,795	\$ 106,075,677
Recreation and Leisure	\$ 245,275,000	\$ 75,900,000	\$ 169,375,000	\$ 162,055,000
Strong economy and City Centre	\$ 575,885,190	\$ 20,580,010	\$ 555,305,180	\$ 435,687,508
Community Focus	\$ 208,455,000	\$ 140,100,000	\$ 68,355,000	\$ 51,501,000
Arts and Culture	\$ 527,539,915	\$ -	\$ 527,539,915	\$ 316,523,949
TOTAL ESTIMATE	\$ 2,015,416,950	\$ 358,920,010	\$ 1,656,496,940	\$ 1,188,280,564

77. To determine the “break even” amount, the analysis assumes that whilst the section 7.12 levy would remain at 3%, the cost of development increases over time (noting that the levy is based on the cost of development) and also that the current value sharing rates of \$150/sqm (Phase 1) and \$375/sqm (Phase 2) escalate at 3% p.a. over a 40 year period, ending at \$326/sqm (Phase 1) and \$814/sqm (Phase 2). This results in a “break even” amount of \$869.58 million, calculated as follows:

Table 4 – Calculation of the “break even” amount using the current approach

Income Source	Estimated Income
S.7.12 Levy @ 3%	\$ 664.49M
● Phase 1 Value Sharing	● \$ 144.22M
● Phase 2 Value Sharing	● \$ 60.87M
Total Value Sharing	\$ 205.09M
Total “break even” amount	\$ 869.58M

78. A number of preliminary options were tested by Council officers in undertaking the review to determine theoretical contribution rates needed in various scenarios. The following four options are presented to Council below:

- Option 1 – ‘Break even’ option, where the proposed increased contribution rate would apply to all development and bring in the same amount of income as that anticipated with the ‘value sharing’ approach (being \$869.58 million highlighted in Table 4 above).
- Option 2 – As per Option 1, but where the rate for commercial development stays at 3% and only residential development is subject to an increased levy.
- Option 3 – Increased levy to all development so as to fully fund the amount of the works program that could reasonably be apportioned to new development (ie. the \$1.188 billion highlighted in Table 3 above).

- Option 4 – As per Option 3, but retaining the levy for commercial development at 3% and only increasing the levy for residential development.

79. The results from this analysis are summarised in Table 5 below:

Table 5 – Options testing for proposed new s.7.12 levy rates

Options	S.7.12 Rates
<i>“Break even” result:</i>	
Option 1 – Increased s7.12 levy to all development	S.7.12 rate needed to “break even”: <ul style="list-style-type: none"> • All Development — 4%
Option 2 – Increased s7.12 levy to residential development only	Variable S.7.12 rates needed to “break even”: <ul style="list-style-type: none"> • Commercial — 3% • Residential — 4.5%
<i>Full funding of apportioned costs:</i>	
Option 3 – Increased s7.12 levy to all development	S.7.12 rates needed to fully fund the <i>apportioned</i> component of Works Program: <ul style="list-style-type: none"> • All Development — 5%
Option 4 – Increased s7.12 levy to residential development only	Variable s.7.12 rates needed to fully fund the <i>apportioned</i> component of Works Program: <ul style="list-style-type: none"> • Commercial — 3% • Residential — 8.5%

80. Council officers have commissioned a development feasibility study from economic consultants to provide advice to Council on high contribution rates could increase to before adversely impacting on development feasibility. This will also consider the impact of the proposed Special Infrastructure Contribution (SIC) by the State Government, which has long been a mooted proposal of the State Government, but has never been formally exhibited.
81. Once the development feasibility study has been completed, this together with a new draft contributions plan will be reported to Council seeking a resolution to place on public exhibition and also to begin the process of seeking formal approval from the DPIE for the higher s7.12 levy rate (noting that an amendment to clause 25K of the Environmental Planning and Assessment Regulation 2000 will be required).
82. Notwithstanding this further report, it is recommended now that as a part of the resolution in finalising the CBD PP, Council also resolves to prepare a new s.7.12 contributions plan with a higher levy, so as to send a clear message to the market and community that whilst the ‘value sharing’ system (through the provision of community infrastructure) is being removed, infrastructure funding will still be pursued through this alternate funding pathway.
83. So as to preserve the original intent of the exhibited CBD PP, officers also recommend that rather than completely removing the original community infrastructure clause and base and incentive FSR maps, the clause instead be amended to include compliance with key community infrastructure principles in order to access the incentive FSR. The proposed key community infrastructure principles are listed below:

- (a) *Public access to the community infrastructure network has been maximised in the design of the development.*
 - (b) *There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.*
 - (c) *The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.*
84. These changes are detailed in Table 3b in Attachment 9 of the LPP Report contained within **Attachment 2** to this report (which forms Appendix 4 to the revised CBD PP) and explained in the revised CBD PP document and Appendix 2A – Potential Draft Local Environmental Plan (LEP) Provisions at Attachment 4 of the LPP Report contained within **Attachment 2** to this report.

Housing Diversity SEPP

85. On 12 February 2021, the NSW Government amended the State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental Housing SEPP) and other related legislation to introduce Build-To-Rent housing (BTR) into the NSW Planning Framework. This amendment is part of a suite of reforms which are being implemented in phases with the ultimate goal being the introduction of a single Housing SEPP which would consolidate three current SEPPs.
86. The provisions with the most potential to impact on the Parramatta CBD are the build-to-rent provisions (BTR). BTR housing is large-scale, purpose-built rental housing that is held in single ownership and professionally managed. Its aim is to provide more rental housing choice with secure tenure arrangements and supports changes to the taxation settings for this form of development that were introduced in July 2020.
87. The BTR Housing SEPP amendment:
- Allows for the development of BTR housing (subject to consent) in any zone that residential flat buildings are permitted, as well as the B3 Commercial Core and B4 Mixed Use zones;
 - Applies Council FSR and Height standards and Minimum Commercial Provisions;
 - Prevents residential subdivision for 15 years except in the B3 Commercial Core zone where it is prohibited in perpetuity;
 - Makes BTR Housing State Significant Development where the cost of development is greater than \$100 million.
88. Of most concern, is the permissibility of BTR Housing within the B3 Commercial Core zone which has the potential to erode the integrity of the commercial, business and employment focus of the commercial core. It is noted that BTR Housing will be an attractive option for large-scale investors due partly to the 50% discount on land tax applied to this type of development. As such, there is a significant risk that BTR Housing may displace commercial development in the B3 Commercial Core. It is considered that the NSW Government's planning framework for BTR Housing therefore has the potential to undermine the vision for employment growth established in the Parramatta CBD Planning Strategy 2015 and the CBD PP.

89. Included in the recommendation to Council within this report, is a recommendation that the Lord Mayor write to the Minister for Planning and request that an exemption be given to the B3 Commercial core zone within the Parramatta CBD from the BTR Housing provisions. This is considered important because it would undermine the employment and business focus of the commercial core and also noting that there is plenty of land zoned B4 Mixed Use in the Parramatta CBD that would allow for apartments. This is consistent with Council's submission to DPIE on the new Housing Diversity SEPP in 2020.

Draft Design and Place SEPP

90. The DPIE is currently conducting a broad review of several SEPPs with the aim of consolidating and simplifying the delivery of good design in NSW. Part of this review will include a new Design and Place SEPP which will be a consideration for all scales of development including precincts, significant developments, buildings, infrastructure and public space.
91. The draft SEPP will replace SEPP 65 – Design Quality of Residential Apartment Development 2002 and the SEPP - Building Sustainability Index (BASIX) 2004. Also included will be a revision to the Apartment Design Guide, improvements to the BASIX tool, and the development of a new Public Space and Urban Design Guide. The intent of the new SEPP is to create one comprehensive design policy to inform future development of the City.
92. An Expression of Intended Effect (EIE) relating to the SEPP has recently been exhibited; with a final draft of the SEPP expected to be exhibited later in 2021.
93. At this point, no changes are required to the CBD PP and Council Officers will undertake a detailed review of the amendments when exhibited to understand implications (if any) for the CBD PP.

COVID 19

94. The CBD PP provides capacity for new commercial and residential development in the Parramatta CBD that will last for a period of approximately 40 years.
95. It is anticipated that the economic effects of the COVID 19 pandemic may impact on development and subsequent rates of worker and resident population increases in the short term. However, in the long term, it is expected that the pandemic will have limited impact on the forecast population for the Parramatta CBD. This is because development is seen as a key contributor in the post pandemic economic recovery effort, the NSW Government's investment in city-shaping infrastructure, including Sydney Metro West and Parramatta Light Rail, and the Parramatta CBD's strategic location in the heart of the Greater Sydney region.

ISSUES REQUIRING FURTHER DISCUSSION

Heritage

96. A consistent principle of the CBD PP has been to retain the listing of all heritage items. This is supported by a new heritage provision (draft clause

7.6K 'Managing heritage impacts' in the Draft PLEP 2011 amendment instrument) to apply to the entire CBD to ensure the relationships between heritage items and development sites is conserved and managed. As a result, the CBD Planning Proposal does not propose to amend the PLEP 2011 Heritage map or Schedule 5 Environmental heritage by delisting any heritage items (Local or State).

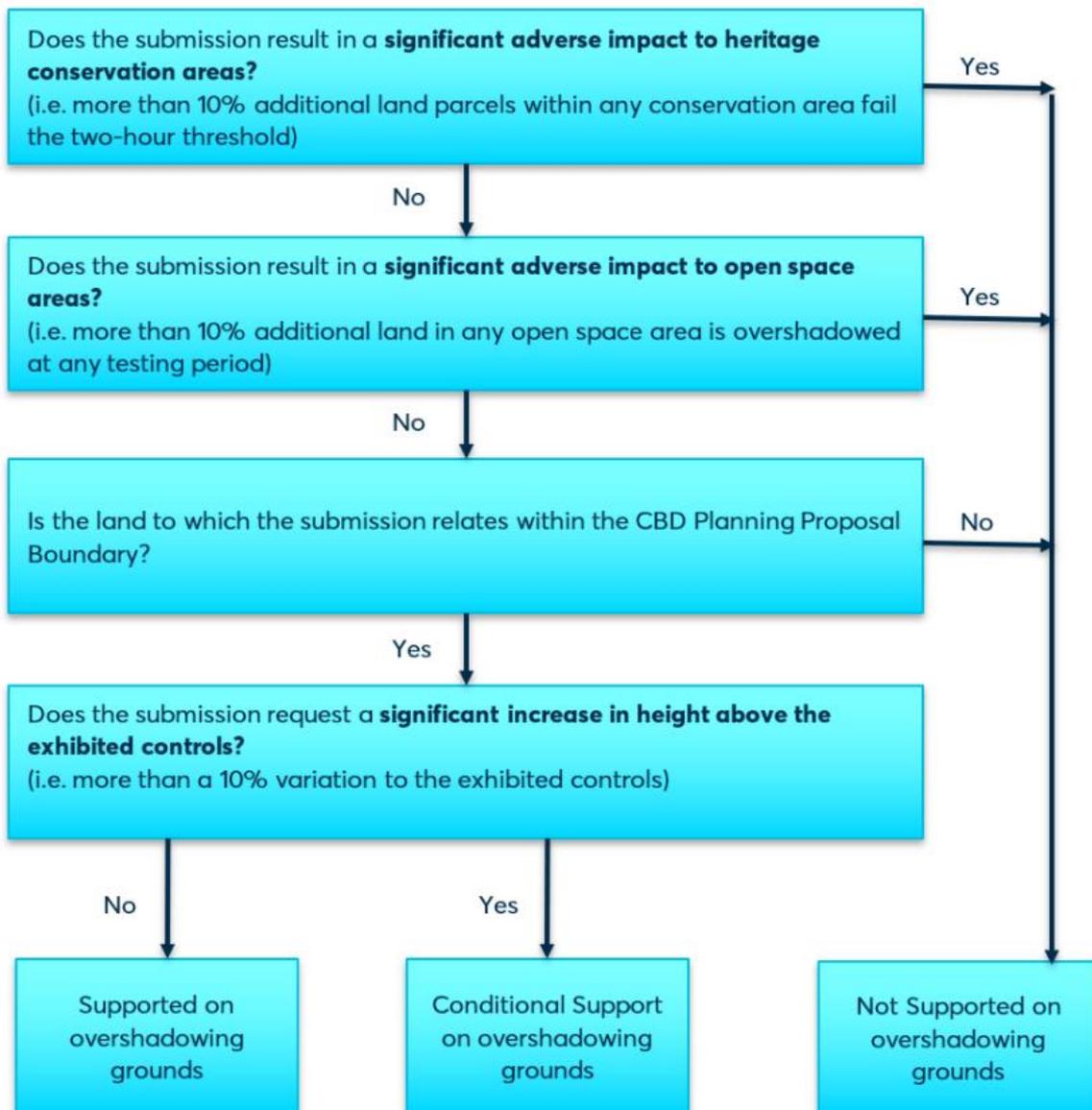
97. A number of submissions received during the exhibition of the CBD PP also sought a process that would allow for the eventual demolition or significant alteration of a heritage item and/or its curtilage affecting the following addresses:
- a. 41 Hunter Street;
 - b. 83 Macquarie Street;
 - c. 11 Marion Street;
 - d. 27 Elizabeth Street;
 - e. 29 and 31 Marion Street.
98. Council Officers are concerned that an ad hoc approach to considering changes to provisions related to listed items occurring on a site-by-site basis does not align with a strategic planning approach. Council officers are not recommending the de-listing of any heritage items as a result of any submissions received at this time, given this would be inconsistent with the policy approach taken towards this matter since the CBD PP was first endorsed by Council back in 2016, and for this reason comment about individual requests were not assessed in detail by Council's Heritage Officer. Should Council wish to undertake a broad strategic review of heritage listings in the CBD, this would require significant budget and resource allocation to undertake the required heritage study, which is not available at the current time. Owners do have the option of lodging a site-specific PP; however, as noted above this is unlikely to be supported by Council Officers given it is not a strategic planning approach.

Overshadowing

99. In order to address five (5) conditions of the Gateway Determination issued on 13 December 2018 and subsequent Alteration of the Gateway Determination issued on 27 July 2020, analysis of the cumulative overshadowing impacts caused by the proposed planning controls in the CBD PP was undertaken. This work involved a 3D assessment of planning controls using Council's Geographic Information System (GIS) application. The GIS analysis considered the following:
- a. Cumulative impacts to four heritage conservation areas located to the south of the CBD – being South Parramatta, Tottenham Street, Harris Park West and Experiment Farm on 21 June between 9am and 3pm.
 - b. Cumulative impacts to ten nominated open space areas located to the west, south and east of the CBD – being Noller Park, Parramatta Park, Mays Hill Reserve, Ollie Webb Reserve, Jones Park, Robin Thomas Reserve, James Ruse Reserve, Experiment Farm Reserve, Hambledon Cottage Reserve and Rosella Park on 21 June between 9am and 3pm.

- c. Impacts of overshadowing to the Parramatta Square Protected Area, as well as implications to extend protection from 12 noon to 2pm on 21 June to include the Autumn and Spring Equinoxes at 21 March and 23 September, respectively.
100. The methodology, testing and findings of this analysis was publicly exhibited in a Technical Paper as an Appendix to the CBD PP – refer to Appendix 10A, as exhibited. First round modelling involved simple extrusions of the height control applied to the entire land parcel. This was followed by detailed built-form testing using 3D models of existing and proposed buildings for certain parts of the CBD to obtain a finer-grained assessment. This assessment then informed the draft Height of Buildings and Incentive Height of Buildings Map controls, which were then publicly exhibited as a part of the CBD PP.
101. In response to submissions received to the exhibited CBD PP where additional height was sought, a further iteration of testing was undertaken to identify any additional cumulative impacts from overshadowing to the nominated heritage conservation areas and open space areas. A total of 14 submissions applying to 17 sites were subject to detailed testing. A further seven (7) submissions had overshadowing implications considered but not tested as they did not impact the nominated heritage conservation areas or open space areas. The findings of this further work are contained in the Overshadowing Technical Paper Supplement (April 2021) at Appendix 3B to the revised CBD PP. Of the submissions received, five (5) related to properties outside the CBD PP boundary at the time of exhibition.
102. Assessment of the cumulative overshadowing impacts from the submissions followed the methodology described in the Figure 5 below:

Figure 5 – Methodology to assess cumulative overshadowing impacts from submissions



103. When applying the evaluation criteria set out in the diagram above, a recommendation in the Supplement to the Overshadowing Technical Paper to support-in-principle a submission is not indicative of Council Officers’ support of the submission in its entirety. The shadow analysis only addresses the cumulative overshadowing impacts; other site-based or cumulative considerations such as urban design, heritage impacts, flooding, etc., were not taken into account as part of the overshadowing analysis. A copy of the Overshadowing Technical Paper Supplement (April 2021) – which forms Appendix 3B to the revised CBD PP is provided at Attachment 7 of the LPP Report contained within **Attachment 2** to this report.
104. The submissions requesting additional height that are recommended for conditional support based on the overshadowing analysis as detailed in the diagram above, are considered to have merit for further investigation and recommended to be considered as a group as part of an alternate planning proposal (Decision Pathway 3).
105. Grouping these requests enables the additional height sought to be tested and considered holistically and cumulatively against the original vision set out in the Planning Strategy. The Vision of the CBD PP 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.

Site Specific Planning Proposals within the Parramatta CBD

106. A number of site-specific planning proposals (SSPPs) have been finalised in the Parramatta CBD since the commencement of the broader CBD PP process. These SSPPs have introduced new controls, including site-specific clauses and amendments to relevant maps. In finalising the CBD PP, officers recommend that these individual site-specific clauses and map amendments remain, as these have been tailored and customised to meet individual site circumstances and specific development proposals, for example in relation to car parking, high performing buildings and flood controls.
107. In many cases, these site-specific clauses introduced through SSPPs have attempted to emulate the draft controls in the CBD PP ahead of time. However, these have been amended through various site-specific planning processes to respond to technical drafting issues raised by the NSW Parliamentary Counsel's Office or have been tailored to meet individual site circumstances and a particular development proposal. The CBD PP, as exhibited, proposed to remove some of these provisions where it was considered that these site-specific provisions would in effect "double up" on new provisions coming in via the CBD PP. This was proposed at the time in response to Condition 1(a) of the Gateway Determination for the CBD PP, which reads as follows:
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;*
108. However, upon further consideration by Council officers, given that these controls have been tailored and customised to meet individual site and development circumstances, concern was raised that any changes to remove these provisions could potentially inadvertently change intended development outcomes for these sites. The amendment now recommended will see clauses and maps reconciled to ensure that the controls meet the original intentions of the SSPPs to avoid inadvertently impacting on the development process for these sites by changing the controls in a way that could have unintended consequences at Development Approval stage. Only minor technical edits will be progressed, for example in relation to clause numbering and referencing.

OTHER PARRAMATTA CBD-RELATED POLICY MATTERS

109. The CBD PP forms a key part of the planning framework for the Parramatta CBD, supported by infrastructure planning, building design controls, transport planning and flood management. Updates on the supporting policy work and a discussion about future work on the Planning Investigation Areas follows.

Parramatta CBD Development Control Plan

110. A critical supporting piece of work to the CBD PP is the CBD Development Control Plan (DCP). Council Officers have been working for some time on a draft DCP for the Parramatta CBD. Council's City Planning team have been working closely with the City Design team in drafting the detailed design controls. Further internal consultation is required with other key internal teams (e.g. City Significant Development, Catchment and Development Engineers from City Planning and Design).
111. When the revised CBD PP documentation has been forwarded to the DPIE, Council Officers can recommence the preparation of the draft DCP controls to support the CBD PP planning controls, with an envisaged program being to have a finalised version in place prior to the amendments to PLEP 2011 for the CBD PP being finalised by the DPIE.

Parramatta CBD Section 7.12 Development Contributions Plan

112. As detailed above under the heading 'Infrastructure Funding Review', it is recommended that as a part of the resolution in finalising the CBD PP, that Council also resolve to prepare a new s.7.12 development contributions plan with a higher flat levy than the current 3% levy.
113. When the revised CBD PP documentation has been forwarded to the DPIE, Council Officers can recommence the preparation of the draft S7.12 Development Contributions Plan to support the CBD PP, with an envisaged program being to have a finalised version in place prior to the amendments to the PLEP 2011 for the CBD PP being finalised by the DPIE.

Parramatta CBD Integrated Transport Plan

114. Further work on the Integrated Transport Plan (ITP) has progressed in partnership with Transport for NSW and was recently endorsed by Council for public exhibition on 26 April 2021. The Draft ITP is anticipated to have recommendations that may have consequential amendments to CBD planning controls at a later stage. These include revisions to the Land Reservation Acquisition Map for local road widening acquisitions, and refinements to off-street car parking rates. It is anticipated that the Draft ITP will be finalised before the CBD PP, consistent with Gateway Condition 1(l).

Planning Investigation Areas

115. A number of Planning Investigation Areas ('PIAs') on the fringes of the Parramatta CBD were first identified in the *Parramatta CBD Planning Strategy*, which was endorsed by Council on 27 April 2015. Four (4) more areas were added to the PIAs by Council resolution on 25 November 2019. Submissions to the exhibition of the CBD PP were received requesting inclusion of land within a PIA into the CBD PP boundary.
116. These requests are considered to be seeking substantial policy changes from those publicly exhibited and would trigger the need for the re-exhibition of the CBD PP. The reasons for not incorporating these changes and progressing the CBD PP as soon as possible are outlined elsewhere in this report. The Parramatta CBD Planning Framework already identifies consideration of PIAs, with next steps being to report a workplan to Council that officers (at this stage) recommend split the PIAs into separate projects – the Northern PIA, Southern PIA (includes West Auto Alley) and Eastern PIA (includes Elizabeth Street) – see Figure 3 above.
117. Consistent with the Council resolution from 9 November 2020, the draft Planning Strategy for the North-East PIA (refer Figure 3) was recently placed

on public exhibition. Council officers will review the feedback received and will prepare a report for Councillors to consider in the coming months.

Phillip Street Block Study

118. Additional work by Council Officers is recommended to be undertaken for the land parcels between Smith Street and Charles Street on the northern side of Phillip Street, known as the 'Phillip Street Block Study'. This need for further analysis responds to issues raised in submissions, including those from the National Trust (Parramatta Branch) and Parramatta Heritage Advisory Committee (see Attachments 13 and 15 of the LPP Report contained within **Attachment 2** to this report) and preliminary urban design work that identified potential unsatisfactory outcomes from building heights along the River, and discussion is also contained in Attachment 14 of the LPP Report contained within **Attachment 2** to this report in relation to a submission on behalf of the owner for 60 Phillip Street.
119. Any recommended amendments to the planning controls for land within the Phillip Street Block Study area as a result of the analysis is proposed to be considered as part of a secondary alternative pathway to the CBD PP at a later stage. This recommendation, if adopted by Council, would mean that any proposed height and density controls for the land under the CBD PP within the Phillip Street Block (including height of building, FSR, Opportunity Sites and Minimum Commercial Provision draft planning controls) will not be progressed until the study is finalised; and until then, the existing planning controls under PLEP 2011 would continue to apply.

PARRAMATTA LOCAL PLANNING PANEL

120. Council resolved on 14 May 2018 to refer Planning Proposals to the Local Planning Panel where a submission has been received during the public exhibition process, which requests that the Planning Proposal be amended. The Panel provides advice to Council on whether the Planning Proposal should be amended and whether or not to forward it to the Department of Planning, Industry and Environment for finalisation.
121. The Local Planning Panel considered this matter at its meeting on 11 May 2021. The advice of the Panel and minutes of the meeting were reported to Council on 24 May 2021. In summary, the Local Planning Panel supported the Council officer recommendations in their entirety, and added an additional recommendation in relation to undertaking further investigations (under *Decision Pathway 3 – Orange*) into 'car share' controls, as follows:
- (d)(iv) *Give consideration to an additional subclause which should be included in Clause 7.3 (parking), requiring the provision of parking spaces for car share vehicles in each new development (via Decision Pathway 3 - Orange).*

In considering the advice of the Local Planning Panel meeting at the Council meeting of 24 May 2021, Council resolved as follows:

- (b) **That** Council approve consideration of the additional recommendation of the Local Planning Panel (LPP) with respect to car share controls, that:

“an additional subclause be included in Clause 7.3 (parking), requiring the provision of parking spaces for car share vehicles in each new development (via Decision Pathway 3 – Orange) in Table 3 of Attachment 16 of the LPP Report (‘Changes that have merit for further investigation (via Decision Pathway 3 – Orange)’).”

Accordingly, this matter has been added to the recommendations of this report, acknowledging both the advice of the Local Planning Panel and the resolution of Council on 24 May 2021.

CONCLUSION

122. Given that the public exhibition of the CBD PP is now complete, submissions have been considered and minor updates have been made to the CBD PP, Council is now in a position to finalise the CBD PP and forward it to the DPIE to make the PLEP 2011 Amendment. After many years of work, this is a significant milestone for Council and will set the foundation for the Parramatta CBD to achieve its potential as the “Central City” for the Greater Sydney Metropolitan Area.
123. In forwarding the CBD PP to the DPIE, Council should request that the PLEP 2011 Amendment not be made until the new CBD Development Contributions Plan is finalised with a higher rate (which will also require DPIE approval). This will ensure an infrastructure funding framework is in place in lieu of the original “community infrastructure provision framework” (which was based on the principle of “value sharing”), which has been required to be removed due to new State Government policy in relation to planning agreements.
124. Further, in accordance with the Gateway determination, the PLEP 2011 Amendment under the CBD PP will not be able to be made until the Integrated Transport Plan (ITP) and associated mesoscopic model have been finalised. Council should continue to work in partnership with Transport for NSW to urgently complete this work.

WORK REQUIRING FURTHER INVESTIGATION

125. As detailed elsewhere in this report, following a resolution from Council to finalise the CBD PP, the immediate priority for Council officers over the coming months will be to finalise the PLEP 2011 amendment documentation in consultation with DPIE, and also to prepare and exhibit a supporting DCP amendment and a new Section 7.12 Development Contributions Plan for the CBD.
126. Noting the above mentioned priorities associated with the finalisation of the CBD PP, Council officers will prepare a detailed workplan for:
- the proposed changes that have merit for further investigation as set out in Table 3 in Attachment 16 of the LPP Report contained within **Attachment 2** to this report (under Decision Pathway 3).

- b. the Northern PIA, Southern PIA (including West Auto Alley) and Eastern PIA (including Elizabeth Street).
127. It is noted that the North-East PIA is currently underway (as the first PIA) and that a post-exhibition report is also due to be separately reported to Council in the coming months.

NEXT STEPS AND TIMING

128. Should Council endorse the recommendation to finalise the CBD PP, it will be updated with any further changes as resolved by Council, and then it will be forwarded to the DPIE with a request that it be finalised and that the PLEP 2011 Amendment be made in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979. This will include legal drafting of the amending PLEP 2011 instrument by the NSW Parliamentary Counsel's Office and technical reformatting of maps to relevant map tile sheets to fit the PLEP 2011. Council will be notified once the PLEP 2011 Amendment has been made by the DPIE.
129. During the period of finalisation of the CBD PP by the DPIE, Council officers will also report to Council two other pieces of strategic work needed to support the planning proposal, being the proposed Draft CBD DCP amendment and also the proposed Draft CBD Development Contributions Plan (refer to previous sections of this report for further details on these matters). Both of these projects need to be endorsed for exhibition, exhibited and then finalised prior to the CBD PP coming into effect so as to support the new controls.
130. Further, Council is also progressing the mesoscopic model and Integrated Transport Plan (ITP), which are also required to be finalised prior to finalisation of the CBD PP. The ITP was recently endorsed by Council for public exhibition on 26 April 2021. Any proposed changes arising from these matters, that differ from those exhibited in the CBD PP, for example in relation to refinements to parking controls or amendments to road widenings in the Land Reservation Acquisition Map, would be subject to a separate alternate PP process.
131. Work on the previously endorsed Planning Investigation Areas (refer to Figure 3) will also continue as team resources allow, with the first PIA, being the North-East PIA, anticipated to be reported back to Council for consideration in the final quarter of 2021 detailing the outcomes of the recent public exhibition process for that PIA.

CONSULTATION

Stakeholder Consultation

132. As noted above, the exhibition process developed for the CBD PP is outlined in the Community Engagement Report at Attachment 10 of the LPP Report contained within **Attachment 2** to this report and summarised under the heading 'Communication Plan' at Paragraphs 17 to 18.
133. The following stakeholder consultation for the CBD PP has been undertaken:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
During the exhibition from	Residents and individuals	See comments previously provided in	See comments previously provided in	City Planning

21 September 2020 to 2 November 2020		the report at Paragraphs 32 and 33; and Attachment 12 of the LPP Report contained within Attachment 2 to this report	the report at Paragraphs 34, 35 and 36; and Attachment 12 of the LPP Report contained within Attachment 2 to this report	
During the exhibition from 21 September 2020 to 2 November 2020	Organisations, Institutions and Interest Groups	See comments previously provided in the report at Paragraphs 37 and 38; and Attachment 13 of the LPP Report contained within Attachment 2 to this report	See comments previously provided in the report at Paragraphs 39, 40, 41 and 42; and Attachment 13 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition from 21 September 2020 to 2 November 2020	Developers, Major Landowners and/ or their Consultants	See comments previously provided in the report at Paragraphs 43 and 44, and Attachment 14 of the LPP Report contained within Attachment 2 to this report	See comments previously provided in the report at Paragraphs 45, 46, 47, 48, 49 and 50; and Attachment 14 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition from 21 September 2020 to 2 November 2020	Public Authorities and Service Providers	See comments previously provided in the report at Paragraphs 51, 52 and 53; and Attachment 15 of the LPP Report contained within Attachment 2 to this report	See comments previously provided in the report at Paragraphs 54 and 55; and Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition – various dates	Phone-a-Planner sessions	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition on 1 October 2020	Online Industry Forum	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition on 1 October 2020	Heritage Advisory Committee	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition on 14 October 2020	Parramatta Chamber of Commerce	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition on 14 October 2020	Committee for Sydney	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning
During the exhibition on 22 October 2020	External Industry Seminar	See Attachment 15 of the LPP Report contained within	See Attachment 15 of the LPP Report contained within	City Planning

		Attachment 2 to this report	Attachment 2 to this report	
17 November 2020	Flood Committee Presentation	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	See Attachment 15 of the LPP Report contained within Attachment 2 to this report	City Planning

134. The following Councillor Consultation was undertaken in relation to the CBD PP in the post exhibition period:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
24 March 2021	Councillor Workshop	Preferred direction provided in relation to specific matters where submissions had been received for an amendment to the exhibited planning controls.	Consideration by Council officers as part of review	City Planning
14 April 2021	Councillor Workshop	Councillors asked a series of questions about the CBD PP, submissions received and process matters.	Responses provided by Council officers during the workshop.	City Planning
19 May 2021	Councillor Workshop	Councillors raised concerns about deferring the Phillip Street Block and reinstating the exhibited draft height control for the Roxy Theatre.	Refer to Paragraph 135 below.	City Planning

135. At the Councillor workshop held on 19 May 2021, some Councillors raised concerns about the Council officer recommendation to defer the Phillip Street Block. Some Councillors requested an alternate option be drafted which would retain the draft exhibited controls in the final version of the CBD PP to be sent to the DPIE.

136. Some Councillors raised concerns at the workshop about the officer recommendation to revert back to the existing PLEP 2011 controls for the Roxy Theatre, and requested an alternate option be drafted which would retain the draft exhibited control of 18m for the site, with the option that this may potentially be increased in future to respond to strategic planning work for Civic Link and Sydney Metro and to allow for the possibility of a larger modern theatre venue (including a 'fly tower').

137. Councillors are advised that, while noting that these matters do not form part of the officer recommendation, if Councillors are of the view to address these matters in the resolution on the CBD PP the following additional part (b2) could be resolved,:

(b2) *Despite parts (b) and (d) of this resolution, that Council approve the following amendments to **Tables 1, 2 and 3** to **Attachment 1** and changes to the CBD PP to be submitted to DPIE accordingly:*

(i) *Not progress with the proposed "Phillip Street Block Street Study" and instead reinstate the draft controls for this block as*

per the exhibition version of the CBD PP when sending to the DPIE for finalisation (and make necessary updates to the CBD PP documentation accordingly).

- (ii) *For 60 Phillip Street, undertake further urban design investigations under Decision Pathway 3 – Orange to determine if additional bonus FSR (under the high performing buildings, unlimited commercial floor space and Opportunity Sites clauses) can potentially be achieved within the height established under the exhibition version of the CBD PP, despite its size of approximately 1,580sqm (ie. less than the 1,800sqm normally required to meet these FSR bonuses), given this site's unique circumstances as an isolated site bound by three public roads and the river foreshore.*
- (iii) *Reinstate the exhibited draft height control for the Roxy Theatre (69 George Street) of 18m when sending the CBD PP to DPIE for finalisation and undertake further investigations at a later stage (under Decision Pathway 3 – Orange), including heritage investigations, to determine if this height could potentially be increased to respond to strategic planning work for Civic Link and Sydney Metro, and also to allow possible transition of the building to a larger, modern theatre venue.*

138. Furthermore, Councillor Briefing Notes were sent to Councillors at key milestones during the exhibition/post-exhibition process, as follows:
- a. On 15 September 2020 a Councillor Briefing Note advised of the arrangements for the public exhibition of the CBD PP. The exhibition commenced on Monday 21 September 2020 and concluded on Monday 2 November 2020 (a period of 6 weeks).
 - b. On 18 December 2020 a Councillor Briefing Note provided a summary of the submissions received during the exhibition period and outlined the next steps.
 - c. On 30 April 2021 a Councillor Briefing Note advised that the feedback received during public exhibition on the CBD PP, along with a recommendation for its endorsement for finalization, was being reported to the Local Planning Panel (LPP) on 11 May 2021 (for advice) and to Council on 24 May 2021 (for decision), with the report to the LPP being publicly released on 30 April 2021.

CONSISTENCY WITH LOCAL STRATEGIC PLANNING STATEMENT

139. The City of Parramatta's *Local Strategic Planning Statement (LSPS) "City Plan 2036"* came into effect on 31 March 2020. The LSPS sets out the 20-year land use planning vision for the City of Parramatta local government area (LGA) and responds to broader priorities identified in the Central City District Plan and Council's Community Strategic Plan. The planning priorities are supported by policy directions and actions to guide future changes to the City's land use planning controls.
140. For the CBD PP, the LSPS priorities and actions are:
- Planning Priority 1 - Expand Parramatta's economic role as the Central City of Greater Sydney.

- Action A5 - Progress the finalisation of the Parramatta CBD Planning Proposal in the short-term (0-2 years)
 - Planning Priority 4 - Focus housing and employment growth in the GOP and Strategic Centres; as well as stage housing release consistent with the Parramatta Local Housing Strategy
 - Action A22 - Progress the Parramatta CBD Planning Proposal to significantly increase commercial and housing opportunities in Parramatta CBD in the short-term (0-2 years).
141. The LSPS sets a target for the Parramatta CBD to grow by 7,200 additional dwellings and 33,900 additional jobs between 2016 and 2036 and provides greater weight to strategic planning in the broader plan making process. The CBD PP will facilitate the delivery of an extra 46,000 jobs and 14,000 dwellings within the Parramatta CBD over the next 40 years. In doing so the CBD Planning Framework also delivers on key economic, social and cultural objectives for Western Sydney which is home to over half of Sydney's population and is therefore consistent with the LSPS. The endorsement of the CBD PP for finalisation will enable Council to progress Actions A5 and A22 in the LSPS.

LEGAL IMPLICATIONS FOR COUNCIL

142. There are no immediate legal implications as a direct consequence of the public exhibition and consideration of the CBD PP for finalisation.
143. The CBD PP has been prepared and exhibited in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW DPIE's *A Guide to Preparing Planning Proposals* and considers State and local planning strategies.

FINANCIAL IMPLICATIONS FOR COUNCIL

144. In relation to the CBD PP finalisation:
- a. The costs associated with the post exhibition review and finalisation of the CBD PP, including the requested changes supported by Council officers, are funded from the existing City Planning budget.
 - b. Should additional changes be made to the CBD PP (via Council resolution) that trigger a re-exhibition, depending on the nature and amount of changes, this would cost at least \$50,000, which has not been included in the 2021/22 budget.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs	Nil	Nil	Nil	Nil
Internal Costs				
Depreciation				
Other				
Total Operating Result	Nil	Nil	Nil	Nil
Funding Source	N/A	N/A	N/A	N/A
CAPEX				
CAPEX				
External				

Internal				
Other				
Total CAPEX	Nil	Nil	Nil	Nil
Funding Source	N/A	N/A	N/A	N/A

145. The financial implications of the changes to the CBD PP that have ‘Merit for Further Investigation’ (under Decision Pathway 3 - Orange), which are to be progressed through separate planning proposal processes at a later stage, will be detailed in a separate report to Council to consider in September/October 2021 (see Paragraph 126). Should changes be made (via Council resolution) which increase the scope of works that fall under Decision Pathway 3, this may also have future budget implications with an expanded work program.
146. In relation to the new Section 7.12 development contributions plan to support the CBD PP:
- a. The financial implications for Council associated with the preparation of a new Section 7.12 development contributions plan and supporting feasibility testing are funded from the existing City Planning budget. Council has secured additional DPIE funding for some of this supporting work.
 - b. If a “break even” approach is supported (at a minimum) through an increased levy rate there should be no additional impact on Council’s long-term financial plan, compared to the original “value sharing” approach. See Paragraphs 69 to 84.
 - c. Further detailed financial implications for Council associated with adopting a new Section 7.12 development contribution plan, including a new contributions levy rate set higher than the current 3% rate, will be outlined in a separate report for Council to consider in the coming months (when that new draft plan is reported to Council).
147. In relation to the Planning Investigation Areas (PIAs) already endorsed by Council, the financial implications for Council associated with amending the planning controls in the PIAs consistent with Council’s previous resolutions from 27 April 2015 and 25 November 2019 will be outlined in a separate report for Council to consider in the final quarter of 2021 as detailed at Paragraph 127.

Jacky Wilkes
Snr Project Officer Land Use

Roy Laria
Land Use Planning Manager

Robert Cologna
Acting Group Manager, City Planning

David Birds
Acting Executive Director, City Planning & Design

Brett Newman

Chief Executive Officer

ATTACHMENTS:

- | | | |
|-------------------|--|-----------|
| 1 | Summary of Council Officer recommendations | 6 Pages |
| 2 | Local Planning Panel Report (and attachments) of 11 May 2021 | 628 Pages |

REFERENCE MATERIAL

Attachment 1 to Council report on the exhibition of the Parramatta CBD Planning Proposal

ATTACHMENT 1 – SUMMARY OF COUNCIL OFFICER RECOMMENDATIONS

This document outlines in Tables 1, 2 and 3 below the schedule of changes recommended to be either **supported** (via 'Decision Pathway 1') and able to be progressed with the Parramatta CBD Planning Proposal (CBD PP) at this time; changes that are **not supported** (via 'Decision Pathway 2'), or changes that are considered to **have merit for further investigation** during a later stage of work and progressed through separate Planning Proposal amendment processes (via 'Decision Pathway 3').

The schedule of changes detailed in Tables 1, 2 and 3 are subject to Council endorsement; and the reasons for any of the Decision Pathways (1, 2 or 3) recommended by Council officers are provided in the **Community Engagement Report** (at Attachments 12-15 of the Local Planning Panel (LPP) Report at **Attachment 2** to the Council Report), with further information also available in the LPP and Council reports.

Table 1 below comprises the changes to the Draft LEP Instrument or Draft LEP Maps that are **'supported'** (via Decision Pathway 1). These changes are included in the updated Parramatta CBD Planning Proposal documentation (at Attachments 1 to 9 of the LPP Report at **Attachment 2** of the Council Report) recommended to be forwarded to the Department of Planning, Industry and Environment (DPIE) for finalisation, subject to Council endorsement.

● Table 1 – Changes that are supported (via Decision Pathway 1 - Green)

#	Supported changes (Decision Pathway 1)	Submission No.
1.	For 69 George Street (the Roxy theatre site) , amend the Height of Building Heights Map to replace the exhibited 18m height, and revert back to the Sun Access Protection surface (via Clause 7.4) to the land; and amend the Incentive Height of Buildings Map to apply the Sun Access Protection surface (via Clause 7.4) to the land. The Planning Proposal document is also amended to explain that some submissions have resulted in changes to the planning proposal documentation, and that for 69 George Street the proposed mapping changes do not mean that Council supports a tower element over the site, which is contrary to the Land and Environment Court case outcomes for this site. Rather this is a reversion back to current controls given separate strategic planning work that is underway for this street block due to the Civic Link and Sydney Metro. See also Table 3, Row 1 , which describes Decision Pathway No. 3 that also applies to this site.	Submission No. 161
2.	For 75 George Street , amend the Local Road Reservation (LRA) Map notation as it applies to this site from 7 metres to 4 metres.	Submission No. 167
3.	For the Westfield landholdings , amend the Land Zoning Map to replace the proposed B3 Commercial Core zone (as exhibited) with the existing B4 Mixed Use zone; and make consequential amendments to retain existing controls for this land, as follows: amend the Height of Buildings Map to show existing heights of part 36m / part "Area 2" (Sun access protection surface); amend the Incentive Height of Buildings Map to remove all proposed controls for this land; and amend the Floor Space Ratio Map to show the existing FSR of part 4.2:1 / part 6:1. Note: these consequential map changes only apply to that part of the Westfields land that was proposed to be rezoned to B3 under the CBD PP. The Planning Proposal document is also amended to explain that some submissions have resulted in changes to the planning proposal documentation, and that for the Westfield landholdings the proposed mapping changes will be further investigated at a later stage. See also Table 3, Row 4 below which describes Decision Pathway No. 3 that also applies to this site.	Submission Nos. 182 and 299
4.	Amend Clause 7.4 Sun Access Protection and the Solar Access Plane (SAP) Map to show the Compensatory Publicly Accessible Area as it relates to the overshadowing of Parramatta Square , Blocks A and B.	Submission No. 243
5.	For the Walker Corporation landholdings at Parramatta Square, amend subclauses 7.6C(3) and 7.10(8)(b) to replace the words, "wholly of commercial premises", with the words, "wholly of non-residential development" as they are consistent with the policy intent of the CBD PP in relation to this matter.	Submission No. 281
6.	For 14-20 Parkes Street, Harris Park , amend the Incentive Height of Building Map to increase the mapped height from 122m to 134m.	Submission No. 284
7.	For the block bound by Smith Street, the River, Charles Street and Phillip Street, referred to as the " Phillip Street Block ", remove this block from key changes in the planning proposal by amending the following maps:	Submission No. 244 and Submission No. O-2

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Attachment 1 to Council report on the exhibition of the Parramatta CBD Planning Proposal

	<p>a. Amend the Incentive Height of Building Map to remove the 211m (RL) height notation;</p> <p>b. Amend the Incentive FSR Map to remove the 10:1 FSR notation;</p> <p>c. Amend the Opportunity Site Map to remove the Opportunity Site notation;</p> <p>d. Amend the Additional Local Provisions Map to remove the Minimum Commercial Provision (MCP) notation</p> <p>The Phillip Street Block will be subject to further investigation and analysis in the "Phillip Street Block Study" – refer to Row 14 in Table 3 below under Decision Pathway 3.</p>	
8.	Update Part 2 Section 2.2 of the planning proposal to clarify that the development standards cannot always be achieved.	Submission No. 288
9.	For 87 Church Street and 6 Greater Western Highway, Parramatta amend the base Height of Building and FSR map to reflect controls consistent with the notified SSPP for this site; and amend the incentive Height of Building Map and incentive FSR Map to show no incentive height or FSR (ie. that they be uncoloured) and amend the Special Provisions Area Map (SPA) to show "Area 10".	Submission No. 190

Table 2 below comprises the changes to the Planning Proposal, Draft LEP Instrument or Draft LEP Maps that are '**not supported**' by Council officers (via **Decision Pathway 2**).

● **Table 2 – Changes that are not supported (via Decision Pathway 2 - Red)**

Part A – List of matters not supported from Appendix B – Residents, Appendix C – Institutions, Organisations and Interest Groups and Appendix E – Public Authorities and Service Providers

#	Submission Request	Append. Ref.	Submission No.
1.	Extend CBD PP land application area south close to the M4 and Westconnex around Church Street "Auto Alley".	B	6
2.	Extend solar access protection from 12pm – 2pm midwinter as proposed in the CBD PP to 10am – 2pm.	B	113
3.	Defer all land north of the Parramatta River from the CBD PP to allow the proposed controls for this area to be reconsidered and a new plan prepared.	B, C, E	134, 140, 141, 142, 145, 147, 150, 151, 155, 156, 157, 159, 163, 170, 172, 189, 197, 211, 213, 217, 222, 225, 228, 233, 239, 240, 241, 246, 249, 251, 253, 259, 272, 279, 280, 287, 289, 290, 293, 294, 296, O-1, O-2
4.	Extend the CBD PP boundary to include all of Wigram Street.	B	175
5.	Enable more height for the land adjacent to and including 65 Ross Street, North Paramatta to accommodate 5 or 6 storey units or mixed use dwellings.	B	297
6.	Allow 'Out of Home' (OOH) advertising signage in the CBD in appropriate land use zones, including B3, B4, RE1 and SP1 and SP2.	C	166
7.	Identify Lancer Barracks as an area of potential for public recreation.	C	195
8.	Make 'Heritage Interpretation Plans' mandatory for every building in the CBD.	C	244
9.	Introduce a Transfer Development Rights Scheme for heritage buildings.	C	254
10.	Review the FSR sliding scale that limits the development of sites under 1,800m ² .	C	260
11.	Review the minimum 1:1 FSR commercial floorspace requirement in certain parts of the B4 Mixed Use zone, particularly for large sites away from the CBD core.	C	260
12.	Increase the proposed car parking controls, as they are considered to be too low.	C, E	260, P-8

Attachment 1 to Council report on the exhibition of the Parramatta CBD Planning Proposal

13.	Increase the size of the CBD PP boundary (as exhibited) as it fails to fully capitalise on both the existing Western (heavy) rail line, the Sydney Metro West line, and the light rail.	C	260
14.	Permit serviced apartments in the B3 Commercial core zone.	C	288
15.	Remove the World Heritage listed Parramatta Park, Old Government House and the Government Domain from the CBD PP.	E	P-2
16.	Remove the Incentive Height and FSR from state and national heritage items/places, local heritage items and HCAs in the B4 zone.	E	P-2
17.	Maintain existing height and FSR controls for significant State Heritage Register items and adjoining sites.	E	P-2
18.	Introduce overshadowing controls for Centenary Square.	E	P-2
19.	Maintain solar access to State and National Heritage items/places.	E	P-2
20.	Maintain solar access to Government schools in the CBD.	E	P-7
21.	Update heritage listings and mapping to only reflect the elements of Government schools that have heritage significance, rather than identifying the entire site.	E	P-7
22.	Protect the entire foreshore area of Parramatta River from overshadowing, not just the southern bank.	E	P-9
23.	Rezone the riparian corridor along the Parramatta River from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone.	E	P-9
24.	Increase the width of the riparian corridor along the river and amend the Natural Resources Biodiversity Map in Parramatta LEP 2011 to map riparian land as 'Biodiversity' and/or amend the Natural Resources Riparian Land and Waterways Map to include riparian land in the CBD area.	E	P-9
25.	Maintain solar access to the whole of Prince Alfred Square, not just the southern half.	E	O-2
26.	Lower heights and FSRs around Centenary Square.	E	O-2
27.	Extend solar access protection for Experiment Farm from 10am – 2pm midwinter (21 June) (as exhibited) by 2 hours to 10am – 4pm.	E	O-2

Part B – List of matters not supported from Appendix D – Developers, Major Land Owners and Planning Consultants

Submission No.	Address	Summary of request
73	83 Macquarie Street, Parramatta	Seeks to delist a heritage item and increase height from 12m to 24m and FSR from 3:1 to 3.5:1
100	382 Church Street, Parramatta	Seeks exemption to sliding scale provisions to allow maximum FSR on site less than 1800m ²
160	14, 16 and 18 Pitt Street	Seeks to allow increased FSR from 1.5:1 to a maximum of 4.5:1 and increase in height from 20m to 26m on sites adjoining St Johns Cemetery
169	67 Marion Street, Harris Park	Site is located outside CBD PP boundary and is not located in a Council endorsed Planning Investigation Area
176	18-40 Anderson Street, Parramatta	Seeks to have controls related to minimum commercial floor space applied to the site
191	142 Macquarie Street, Parramatta	Increase in FSR from 7:1 to 10:1 and height from between 0m and 156m to 211m across the whole site
192	63 and 83 Church & 44 Early Streets, Parramatta	Seek to increase FSR from part 6.4:1 and part 7.2:1 to 10:1 plus and opportunity site bonus allowing an additional 3:1 and heights increases on parts of these sites from 36m and 90m to 100m

Attachment 1 to Council report on the exhibition of the Parramatta CBD Planning Proposal

199	440-458 Church Street, Parramatta	Seek to increase the maximum FSR from 6:1 to 10:1 but retain existing height of 80m
202	Block comprising O'Connell, Hunter, Marsden & Macquarie Streets, Parramatta	Council allocate funds and provide a timetable for the review of planning controls in this block within "Park Edge Sensitive Area"
206	25-31 Marion Street, Parramatta (No. 206)	Delist heritage items at 29 and 31 Marion Street and increase FSR from 2:1 to 6:1 and height 20m to 80m
208	190 George Street, Parramatta	Seeks exemption to sliding scale provisions to allow maximum FSR on site less than 1800m ² plus to allow these smaller sites to benefit from opportunity site, high performing building and commercial floor space bonuses that are proposed not to apply to sites below 1800m ²
209	1-25 Argyle Street and 6-12 Pitt Street	Increase FSR from 1.5:1 to 6:1 (6.9:1 with design excellence) and height from 20m to 80m (92m with design excellence)
247	26-30 Parkes Street, Harris Park	Seeking to be permitted to overshadow part of the Experiment Farm protected area
265	7 & 11 Great Western Highway, Parramatta	Seeking an exemption from sliding scale and changes to maximum FSR from 6:1 to 6.5:1 and height controls from 80m to 100m
267	179 and 181 Church Street, Parramatta	Increase the permissible FSR from 3:1 to 10:1 and increase in height from 28m to part 36m and part 120m
298A and 298B	179 Church Street, Parramatta	Seeks increase in height from 28 to 200m

Table 3 below comprises the changes to the Draft LEP Instrument and/or Draft LEP Maps that **'have merit for further investigation'** (via [Decision Pathway 3](#)). These changes are recommended to be investigated during a later stage of work and progressed through separate Planning Proposal amendment processes, subject to Council endorsement. They have also been categorised into proposed groupings, so as to improve efficiencies in delivering these next stages of work.

With regards to Table 3 below, the proposed groupings (see last column) are as follows:

- Group 1 – Dealing with policy matters raised by State agencies and/or have been flagged in supporting policy (e.g. the Integrated Transport Plan).
- Group 2 – Affecting commercial uses and public domain
- Group 3 – Affecting long-term matters
- Group 4 – Potential additional height/FSR, which requires further detailed technical analysis
- Group 5 – Undertake further work in the "Phillip Street Block Study".

● **Table 3 – Changes that have merit for further investigation (via [Decision Pathway 3 - Orange](#))**

#	Submission No. and Requested change (Decision Pathway 3)	Submission Nos.	Proposed Grouping
1.	For 69 George Street (the Roxy theatre site) , investigate an amendment to the Height of Building Map following the completion of the Civic Link DCP and master planning work by Sydney Metro for the new metro station, and also that considers the Land and Environment Court case outcomes. See also Table 1, Row 1 , that details a change recommended to be supported for 69 George Street and is included within the updated CBD PP documentation recommended to be forwarded to the DPIE for finalisation. This is in effect a reversion back to existing height controls for this site.	Submission No. 161	Group 2
2.	Investigate the mapping of 57 Macquarie Street, 41-43 Hunter Street, 45 Hunter Street and 87 Marsden Street on the Additional Local Provisions Map with the Minimum Commercial Provision notation.	Submission Nos. 180, 200 and 243.	Group 2
3.	For 64 High Street , investigate the realignment of the east-west laneway between High Street and Church Street shown on the Height of Building Map and Incentive Height of Building Map with a 0 metre height notation, to the southern boundary of 64 High Street. This investigation is to occur in	Submission No. 181	Group 3

Attachment 1 to Council report on the exhibition of the Parramatta CBD Planning Proposal

	consultation with other affected landowners(s) to the east along the route of the laneway where it intersects with Church Street.		
4.	<p>For the Westfield landholdings, investigate rezoning the land from B4 Mixed Use to B3 Commercial Core (as exhibited) with a potential Additional Permitted Use (APU) for a residential tower, consistent with the Urbis A-Grade Office Space Study recommendations (given the large size of this site that could accommodate both residential and commercial towers) and also further urban design analysis to determine the appropriate size of the residential tower (which would be referenced accordingly in an APU notation).</p> <p>See also Table 1, Row 3, that details a change recommended to be supported for the Westfield landholdings and is included within the updated CBD PP documentation recommended to be forwarded to the DPIE for finalisation.</p>	Submission No. 182 and 299	Group 2
5.	<p>For 60 Phillip Street, resolve the planning controls as part of further investigative work on the "Phillip Street Block" comprising the block bound by Smith Street, the River, Charles Street and Phillip Street on account of urban design work being undertaken in the Phillip Street Block Study (as detailed in Row 14 below).</p> <p>See also Table 1, Row 7, that details changes recommended to be supported for this site on account of work to be undertaken in the Phillip Street Block Study.</p>	Submission No.198	Group 5
6.	Investigate potential increased height and FSR controls for the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.	Submission Nos. 207, 266 and 270	Group 4
7.	Undertake further investigation of the FSR only of the B4 Mixed Use zoned land bound by Fitzwilliam Street, Parkes Street, Church Street and Wentworth Street at a later stage as a part of a separate piece of strategic work.	Submission No. 203	Group 4
8.	For 328 Church Street ('El Phoenician site') , investigate the financial implications for Council regarding the Land Reservation Acquisition notation as it currently applies to this land in relation to a proposed laneway.	Submission No. 261	Group 2
9.	Investigate potential increased height and FSR controls for 12A Parkes Street , at a later stage as a part of a separate piece of strategic work.	Submission No. 263	Group 4
10.	Investigate potential refinements to the car parking rates and any amendments to the Local Road Reservations following the public exhibition of the Integrated Transport Plan and endorsement by Council of any amendments as part of an alternative planning pathway.	Submission Nos. 276A, 276B and 288 and Transport for NSW	Group 1
11.	For Walker Corporation landholdings at Parramatta Square , investigate rezoning the land from B4 Mixed Use (as exhibited) to B3 Commercial Core.	Submission No. 281	Group 2
12.	Investigate potential increased height control for 56 Station Street East, Harris Park at a later stage as a part of a separate piece of strategic work.	Submission No. 286	Group 4
13.	Investigate the inclusion of 'water recycling facilities' as a permissible use within the B3 Commercial Core; and investigate the inclusion of 'water supply systems' within the B3 Commercial Core and B4 Mixed Use Zone, to provide for maximum flexibility for water supply systems.	Submission No. 292	Group 1
14.	<p>Investigate the 'Phillip Street Block Study' area for amended planning controls to be progressed through a separate Planning Proposal process, with the Phillip Street Block consisting of the block bound by Smith Street, the River, Charles Street and Phillip Street.</p> <p>See also Table 1, Row 7, that details changes recommended to be supported for this block on account of work to be undertaken in the Phillip Street Block Study.</p>	Submission No. 244 and Submission No. O-2	Group 5

Attachment 1 to Council report on the exhibition of the Parramatta CBD Planning Proposal

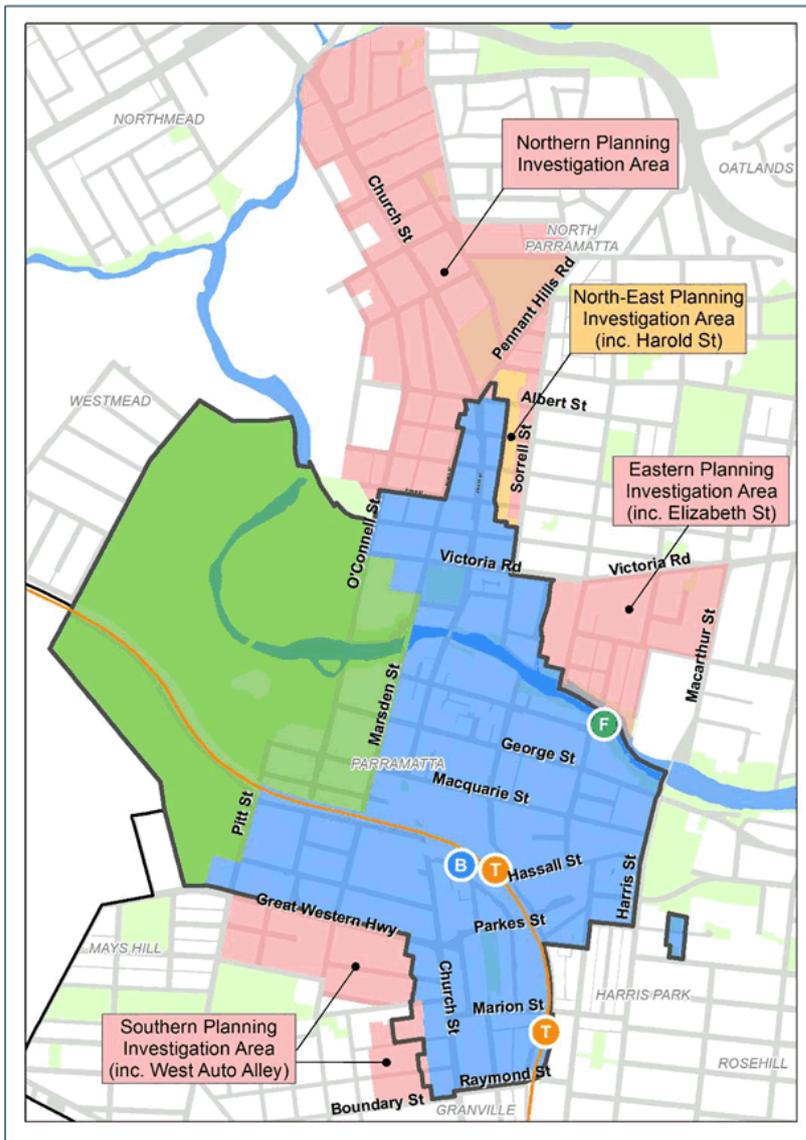
<p>15. Investigate inserting new objectives for the RE1 (Public Recreation) zone related to protection and enhancement of ecological values, e.g. to preserve and enhance tree canopy, wildlife corridors and natural habitat, including waterways and riparian vegetation.</p>	<p>Submission No. P-9</p>	<p>Group 1</p>
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Note - Planning Investigation Areas Currently Endorsed for Further Investigation

Consistent with the *Parramatta CBD Planning Strategy*, which was endorsed by Council on 27 April 2015, and also amendments as endorsed by Council on 25 November 2019, Council will investigate the ‘**Planning Investigation Areas**’ shown pink (see **Figure 1**, below) for amended planning controls to be progressed through separate planning strategy/Planning Proposal amendment processes, as follows:

- Northern PIA;
- North-East PIA (which includes part of Harold Street);
- Eastern PIA (which includes Elizabeth Street, south of Victoria Road); and
- Southern PIA (which includes the area referred to as the ‘West Auto Alley Precinct’).

Figure 1 – Planning Investigation Areas



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INNOVATIVE

ITEM NUMBER	5.1
SUBJECT	PUBLIC MEETING: Finalisation of the Parramatta CBD Planning Proposal following consideration of submissions received during the public exhibition period
REFERENCE	F2020/02047 -
APPLICANT/S	City of Parramatta
OWNERS	N/A
REPORT OF	Snr Project Officer Land Use

RECOMMENDATION

The Local Planning Panel recommend to Council:

- (a) **That** Council note the submissions made in response to the public exhibition of the *Parramatta CBD Planning Proposal (CBD PP)*, as summarised at **Attachments 12 to 15**, including the Council officer responses.
- (b) **That** Council approve the revised CBD PP (in **Attachments 1 to 9**) and note the CBD PP seeks to amend *Parramatta Local Environmental Plan 2011 (PLEP 2011)*.
- (c) **That** Council approve forwarding the CBP PP to the Department of Planning, Industry and Environment (**DPIE**) for finalisation, with a request that the PLEP 2011 amendment be made in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- (d) **That** Council:
 - (i) Approve the requested changes to the CBD PP set out in Table 1 of **Attachment 16** (identified as '*Changes that are supported (via Decision Pathway 1 - Green)*');
 - (ii) Note the requested changes to the CBD PP summarised in Table 2 of **Attachment 16**, which are recommended not to be supported (identified as '*Changes that are not supported (via Decision Pathway 2 - Red)*');
 - (iii) Approve further investigation of the requested changes to the CBD PP set out in Table 3 of **Attachment 16** (identified as '*Changes that have merit for further investigation (via Decision Pathway 3 - Orange)*').
- (e) **That** Council note that on 27 April 2015 when endorsing the *Parramatta CBD Planning Strategy* (and as amended on 25 November 2019) Council approved further investigation on a number of "Planning Investigation Areas" (**PIAs**) to consider amendment of the planning controls in those areas and known respectively as the Northern, North – East, Eastern and Southern PIAs (see Figure 3) located outside of the CBD PP area and that no change is required to this in response to requested changes to these areas at this stage.
- (f) **That** Council writes to the Secretary of DPIE seeking an exemption from the *State Environmental Planning Policy Amendment (Build-to-rent Housing) 2021* in the B3 Commercial Core zone as this is inconsistent with the employment

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objectives of the commercial core in the Parramatta CBD and also noting that there is adequate B4 Mixed Use zoned land in the Parramatta CBD to allow for build-to-rent housing and subdividable residential mixed use development.

- (g) **That** Council approve the preparation of a new Section 7.12 development contributions plan for the Parramatta CBD to be approved by Council within 12 months, including a new contributions levy rate set higher than the current 3% rate, to be determined after completion of feasibility testing as part of preparation of the plan.
- (h) **Further, that** Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan amendment process relating to the Parramatta CBD Planning Proposal (and supporting documentation), Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps.

PLANNING PROPOSAL TIMELINE

Planning Proposal Timeline



SUMMARY

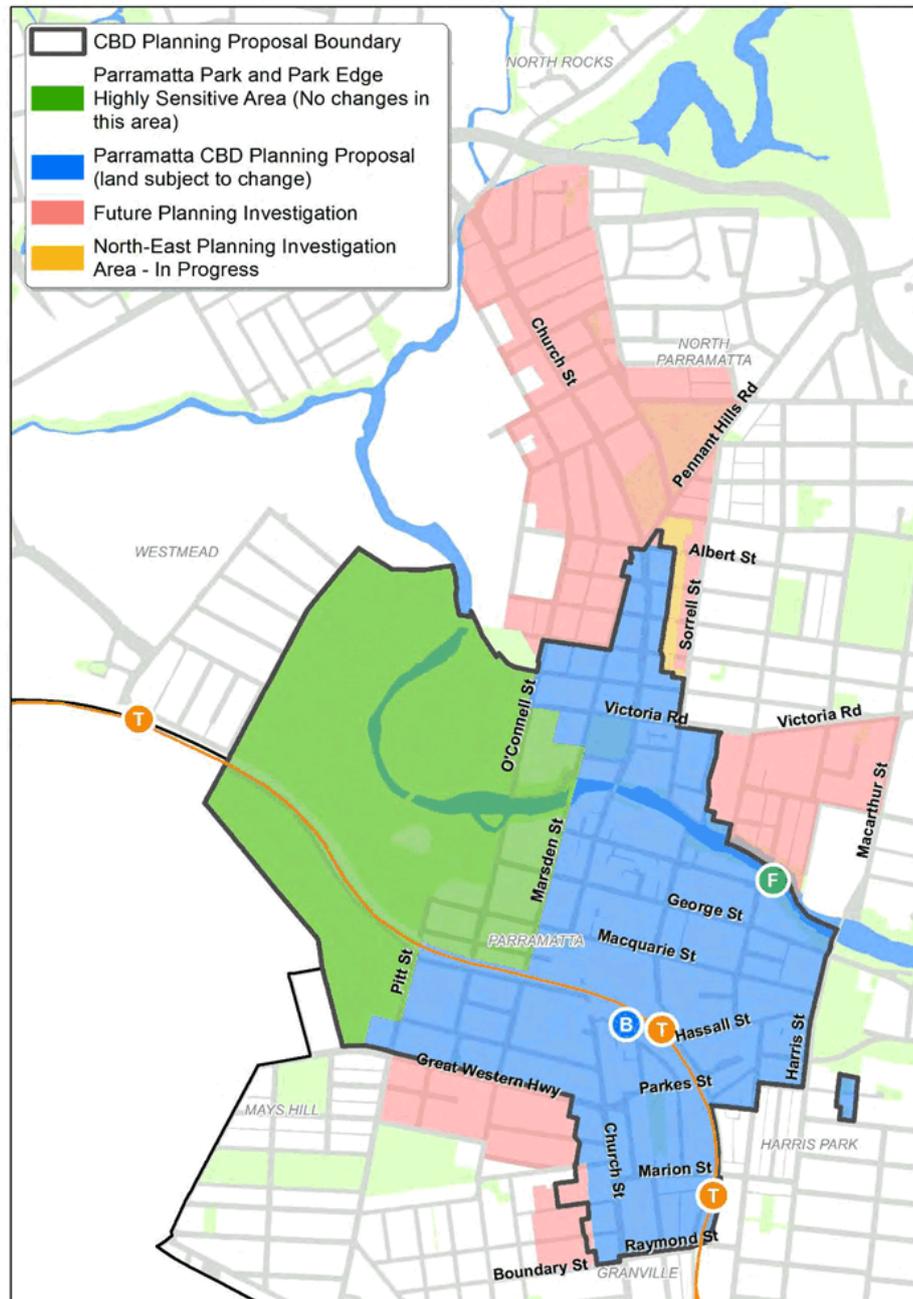
1. This report details the outcomes from the public exhibition of the Parramatta CBD Planning Proposal (CBD PP) and seeks Council endorsement of a revised planning proposal amending Parramatta Local Environmental Plan 2011 (PLEP 2011) for forwarding to the Department of Planning, Industry and Environment (DPIE) for finalisation because the proposed changes are considered minor. A map showing the CBD PP boundary and other areas mentioned in this report is at Figure 1.
2. In response to the exhibition of the CBD PP documentation, a total of 309 submissions were received from the community representing:

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- a. Residents and individuals (235 submissions)
 - b. Organisations, Institutions and Interest Groups (12 submissions)
 - c. Developers, Major Landowners and/ or their Consultants (51 submissions)
 - d. Public Authorities and Service Providers (12 submissions)
3. To progress the CBD PP as soon as possible and establish Council's policy direction, it is proposed to progress the current CBD PP with minor amendments, and deal with the more significant amendments arising in a group of separate new draft Planning Proposals. This includes the future Planning Investigation Areas.
 4. One of the key elements of the exhibited CBD PP was the accessing of Incentive FSR and Opportunity Site FSR through the inclusion of community infrastructure on site, to be formalised through a planning agreement. Since the CBD PP was exhibited, the DPIE finalised and released its new "Planning Agreements – Practice Note". This Practice Note does not support the use of Planning Agreements for the purposes of value capture.
 5. To address this, an alternative approach is recommended that preserves the original intent of the exhibited planning proposal by requiring compliance with key community infrastructure principles in order to access the Incentive FSR. A value sharing contribution will no longer apply and instead a new Section 7.12 development contributions plan will be prepared with a higher rate. In this way, infrastructure funding will still be assured through this alternate funding pathway (if endorsed by both Council and the DPIE).
 6. This review of infrastructure funding for the CBD PP will lead to a new Section 7.12 Development Contributions Plan (with higher rate) to be reported to Council separately, as will the other supporting elements of the CBD PP being:
 - a. the Parramatta CBD Integrated Transport Plan;
 - b. amendments to the Parramatta Development Control Plan and;
 - c. updated Floodplain Risk Management Plan.
 7. It is intended that these plans will be in place prior to the DPIE finalising the Council endorsed CBD PP.
 8. The CBD PP seeks to evolve the character of the Parramatta CBD so that it can properly play the important role of the metropolitan centre for western Sydney and to ensure integration of land use with the significant investment in transport and other infrastructure being put in place by the State Government and Council.
 9. The CBD PP document as exhibited includes the detailed analysis of all the studies and policies to justify the strategies and actions contained within it. The CBD PP is also consistent with relevant State Government and Council policies. In instances where there may have been some inconsistency between State Government and Council objectives, those matters have been considered and resolved in a manner that supports the over-arching objective of progressing the role of Parramatta as the metropolitan centre for western Sydney.
 10. The time frame for completing the PLEP 2011 Amendment is by 30 September 2021. Council is required to submit the planning proposal to the Department for finalisation by 1 July 2021 consistent with Condition 6 of the Alteration to the Gateway Determination issued on 21 April 2021.

Figure 1 - Map showing the CBD PP boundary and other areas mentioned in this report.



BACKGROUND

11. Since 2013 Council has been engaged in a process to deliver a new planning framework to facilitate and strengthen the Parramatta CBD’s position as one of Sydney’s three metropolitan CBDs. The recently exhibited CBD PP is one of the main elements of the Parramatta CBD Planning Framework (see Figure 2). The CBD Planning Framework proposes planning controls that facilitate the

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delivery of an extra 46,000 jobs and 14,000 dwellings within the Parramatta CBD over the next 40 years. In doing so the CBD Planning Framework also delivers on key economic, social and cultural objectives for Western Sydney which is home to over half of Sydney's population.

Figure 2 – Parramatta CBD Framework Review illustrating the four main elements of the framework.



12. The table below details the major milestones to progress the CBD PP.

Table 1: major milestones to progress the CBD PP

April 2015	The principles and actions that guided the preparation of the new planning framework together with the research and technical studies to be undertaken were endorsed by Council in the 'Parramatta CBD Planning Strategy'.
April 2016	Additional work undertaken to prepare the draft CBD PP to amend the planning controls for the Parramatta CBD. The draft CBD PP was endorsed by Council and forwarded to DPIE requesting a Gateway determination.
March 2017 – September 2017	Additional research and technical studies completed to support refinements to the CBD PP.
December 2018	The DPIE issued a conditional Gateway determination allowing the CBD PP to proceed subject to thirty-four conditions.
March 2019 and June 2019	Resolutions of Council provided the strategic framework and policy direction for Council officers to respond to the matters resulting from the Gateway determination.
November 2019	Council endorsed an updated CBD PP to enable public authority (pre-exhibition) consultation in line with Condition 2 of the DPIE's Gateway determination.
December 2019 – February 2020	Consultation with the required public authorities occurred with four submissions being received at that time. In response, minor, non-policy changes were made to the CBD PP. A Councillor Briefing note dated 17 April 2020 advised of these changes. The revised document was then sent to the DPIE with a request to proceed to the wider public exhibition process required under Conditions 3 and 4 of the Gateway determination.

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July 2020	The DPIE responded by way of correspondence dated 27 July 2020. In doing so the DPIE confirmed that notification that the CBD PP could proceed to public exhibition, subject to further amendments as outlined in the accompanying Alteration to the Gateway Determination.
April 2021	On 21 April 2021, the DPIE provided Council with a letter and Alteration of the Gateway Determination with a revised timeframe to complete the PLEP 2011 Amendment for the CBD PP. The Alteration makes an amendment to Condition 6 of the Gateway Determination, with Council now required to submit the Planning Proposal to the Department for finalisation by 1 July 2021 and complete the PLEP 2011 Amendment by 30 September 2021. Previously, the Department set a timeframe to finalise the PLEP 2011 Amendment within 24 months of the Gateway Determination (ie. by December 2020).

PRE-EXHIBITION PROCESSES

Informal submissions

13. Seven (7) informal submissions were received between December 2019 and August 2020. This was prior to the commencement of the formal exhibition period of the CBD PP and thus sit outside the requirements for community participation in the *EP&A Act 1979*. These informal submissions broadly covered matters relating to West Auto Alley, North Parramatta, heritage, land in the vicinity of Elizabeth Street and land zoning. It is noted five (5) submitters lodged a formal submission during the exhibition process.
14. For further details of this informal feedback, refer to Section 3.1 of the Community Engagement Report at **Attachment 10** to this report.

Process for CBD landowners seeking policy change prior to the CBD PP's exhibition

15. Since early 2020, the CBD PP progressed towards its formal exhibition phase, some Parramatta CBD landowners expressed a wish to commence a site-specific Planning Proposal (PP) for their respective site/s. However, landowners were advised:
 - a) If the site specific PP was **consistent** with the CBD PP, then it would not be assessed or processed even if it was lodged, until the CBD PP exhibition outcome is reported to Council, so Council Officer resources could be directed to the CBD PP as a priority and because it was anticipated that any Planning Proposal consistent with the CBD PP would take longer to finalise than the CBD PP.
 - b) If the site-specific PP was **inconsistent** with the CBD PP, then it would be accepted, but that the assessment was likely to be impacted by the assessment of submissions received in response to the exhibition of the CBD PP, and therefore these site-specific PPs would not be progressed until a decision had been made on the CBD PP.

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16. As a result of the above advice to landowners, submissions were received from both groups during the exhibition of the CBD PP.

COMMUNICATION PLAN FOR THE EXHIBITION OF THE CBD PP

17. In early September 2020, a Communication Plan outlining how Council would consult with the community during the exhibition period was prepared in partnership with Council's City Engagement team to ensure the plan was fit for purpose, adequately resourced and aligned with Council's *Community Engagement Strategy* (December 2019). The purpose of the Communication Plan was to go 'above and beyond' what was required from a statutory perspective under the *EP&A Act 1979* for planning proposals.
18. The CBD PP was exhibited for six (6) weeks commencing on Monday, 21 September 2020 and concluding on Monday, 2 November 2020. A broad list of the communication mechanisms utilised (as per the Communication Plan) follows:
- a. Addressed notification letters and emails
 - b. Frequently asked questions (FAQs) and Community Summary Sheet
 - c. Media Release and public notices
 - d. Social Media
 - e. ePulse (e-newsletter)
 - f. Project email address and email databases (4 databases in total)
 - g. Webpages (Participate Parramatta and City of Parramatta websites and NSW Planning Portal's e-planning portal)
 - h. Direct consultations:
 - i. 'Phone a Planner' sessions
 - ii. Online Industry Forum
 - iii. Online Community Q&A Session
 - i. Online submission portal and formal submission process
 - j. Presentations to external groups and committees (e.g. Committee of Sydney, Ethos Urban Seminar and the Parramatta Chamber of Commerce as well as Council's Heritage and Flooding Committees).
19. These mechanisms are detailed in the Community Engagement Report which is contained at **Attachment 10** to this report.

SUBMISSION REVIEW

Introduction

20. In response to the exhibition of the CBD PP documentation, a total of 309 submissions were received from the community representing: residents; organisations and institutions; developers, major landowners and planning consultants; and public authorities and service providers.
21. Submissions have been categorised as follows:
- a) Residents and individuals (234 submissions)
 - b) Organisations, Institutions and Interest Groups (12 submissions)

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- c) Developers, Major Landowners and/ or their Consultants (51 submissions)
 - d) Public Authorities and Service Providers (12 submissions)
22. A broad summary of the submissions received in each category are provided in the subsections below.

Council Officer responses – Decision Pathways

23. In reviewing the submissions across the categories, and as described in Table 2 below, Council Officers either:
- a. Support a proposed change (Decision Pathway 1 – green);
 - b. Do not support a proposed change (Decision Pathway 2 – red);
 - c. See merit in further investigating a proposed change (Decision Pathway 3 – orange).

In responding to all submissions, Council Officers provide points of clarification and or explanation and note where the matter raised is considered to be consistent with the CBD PP or a separate endorsed process and no further decisions are required.

24. When considering whether or not to support a submitter's request to seek a change to the exhibited planning controls, Council officers took into account general practice for considering variations to development standards pursuant to Clause 4.6 of the *Parramatta Local Environmental Plan 2011* (PLEP 2011). While it is noted that Clause 4.6 of PLEP 2011 limits variations to height and FSR changes to 5% within the CBD (per Clause 4.6(8)(ca)), officers also considered Planning Circular PS 20-002 prepared by the DPIE, which specifies that in respect of a Clause 4.6 Variation, the Secretary's assumed concurrence "may not be assumed by a delegate of council if: the development contravenes a numerical standard by greater than 10% or if the development contravenes a non-numerical development standard".
25. Consequently, when considering numerical requests from submitters to increase height or floor space ratio controls (FSR), for example, officers have adopted a 10% maximum exceedance to determine whether a request was substantive or not. Substantive requests to change planning controls from those publicly exhibited in a planning proposal would have the risk of adversely affecting adjoining property owners. Making substantive changes to the planning controls as a Council decision post-exhibition prevents the community from having a fair and reasonable opportunity to review and comment on such changes. If substantive changes were to be approved, then the relevant planning controls would warrant re-exhibition.
26. A decision to make substantive changes to the planning proposal, and, subsequently, choose not to re-exhibit the planning proposal has an inherent risk to the instrument's validity. This was tested in the case of *Friends of Turrumurra Inc vs Minister for Planning* before the Land and Environment Court ([2011] NSW LEC 128) where a draft LEP was declared invalid by the Court because of substantive changes made to the instrument post-exhibition without a re-exhibition process.
27. The table below explains the factors considered by Council Officers for each of the three "Decision Pathways" (support; not support; or merit for further investigation). This approach is consistent with the principles of evidence based strategic planning.

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Table 2 –Decision Pathways

Decision Pathway type	Supporting Factors
<p>1. Supporting a proposed change (green) – issues that have strategic planning merit</p> <p>Note: this <i>involves amending</i> the CBD PP and Draft PLEP 2011 Amendment instrument and/or Draft PLEP 2011 Amendment Maps to be forwarded to DPIE for finalisation.</p>	<p>These requested policy changes are generally:</p> <ul style="list-style-type: none"> • Consistent with Council's policy framework for the Parramatta CBD including supporting technical studies, Gateway determination and Alteration Gateway submission comment where supported by Council officers; and/or • Of relatively minor impact that do not warrant re-exhibition of the CBD PP.
<p>2. Not supporting a proposed change (red) – issues that do not have strategic planning merit</p> <p>Note: this <i>does not involve any amendment</i> to the CBD PP and Draft PLEP 2011 Amendment instrument and/or Draft PLEP 2011 Amendment Maps to be forwarded to DPIE for finalisation.</p>	<p>These requested policy changes are generally:</p> <ul style="list-style-type: none"> • Inconsistent with Council's Policy framework for the CBD PP (Council's Local Strategic Planning Statement and Local Housing Strategy) including supporting technical studies, Gateway determination and Alteration Gateway determination; and/or • Located within the Parramatta Park and the Park Edge Highly Sensitive Area; and/or • Resulting in the demolition of a listed heritage item or significantly amending planning controls related to listed heritage items that will impact on their significance*; and/or • Inadequately justified by a submitter's supporting technical analysis; and/or • Undermining statutory processes (e.g. a recently notified Site Specific PP or design excellence award process or a supporting voluntary planning agreement); and/or • Result in a substantial change in the case of a numerical provision, greater than 10 per cent; and/or • Likely to establish a precedent which may encourage other landowners in a similar scenario to pursue an increase in their own height and density controls. <p>In summary, no amendments to the CBD PP documentation for finalisation are proposed in response.</p>
<p>3. Has merit for further investigation at a later stage as part of a separate process (orange) – issues that have merit for further exploration, but may not necessarily result in a policy change</p> <p>Note: this <i>does not involve any amendment</i> to the CBD PP and Draft PLEP 2011 Amendment instrument and/or Draft PLEP 2011 Amendment Maps to be forwarded to DPIE for finalisation.</p>	<p>Requested policy changes that generally:</p> <ul style="list-style-type: none"> • Are consistent with Council's policy framework for the CBD but are more significant changes, and if integrated would require re-exhibition of the CBD PP; and/or • Require further investigation to confirm whether they are consistent with the strategy, and/or • Are inconsistent with Council strategy in their current form, however, could be evolved in consultation with the proponent into a proposed amendment which could be supported in the future. This process would not be dissimilar to stand-alone site-specific PP processes.

*This is discussed in more detail in the 'Heritage' section, below.

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28. With regards to the submissions that have merit for further investigation (Decision Pathway 3), the suite of issues to be considered and their grouping will ultimately depend on the outcome of further analysis. Importantly, they will be grouped in a way that minimises resourcing, the logic being that too many individual planning proposals are not an efficient use of staff resources and Council monies and at the same time, a single planning proposal is not likely to be suitable as it could delay resolution of less complex issues.
29. **Attachment 16** to this report provides a schedule of recommended changes that fall under Decision Pathways 1, 2 or 3, that is, changes recommended and able to be progressed with the CBD PP at this time (refer to Table 1 of **Attachment 16**), changes that are not supported (refer to Table 2 of **Attachment 16**), and other changes that could be investigated during a later stage of work and progressed through separate PP amendment processes (refer to Table 3 of **Attachment 16**). The reasons for the Decision Pathways recommended by Council officers are provided in the Community Engagement Report at **Attachments 10-15**.
30. With regards to the issues that 'have merit for further investigation', **Attachment 16** includes a suggested grouping of these issues. This will however be subject to resourcing and prioritisation, including an assessment by Council officers on the ability to deliver the short, mid and long term actions in the Local Strategic Planning Statement (LSPS) as well as on the proposed sequencing of LEP amendments in the Local Housing Strategy (LHS). This will ensure there are appropriate resources and budget before each individual project is allocated a timeframe.
31. **Attachment 16** also includes a note about 'Planning Investigation Areas Currently Endorsed for Further Investigation', reiterating that Council will investigate the 'Planning Investigation Areas' shown in Figure 3 (below) for amended planning controls to be progressed through separate planning strategy/Planning Proposal amendment processes at a later stage. This is consistent with the *Parramatta CBD Planning Strategy*, endorsed by Council on 27 April 2015, and also amendments as endorsed by Council on 25 November 2019. This is discussed further in this report under the heading 'Planning Investigation Areas'.

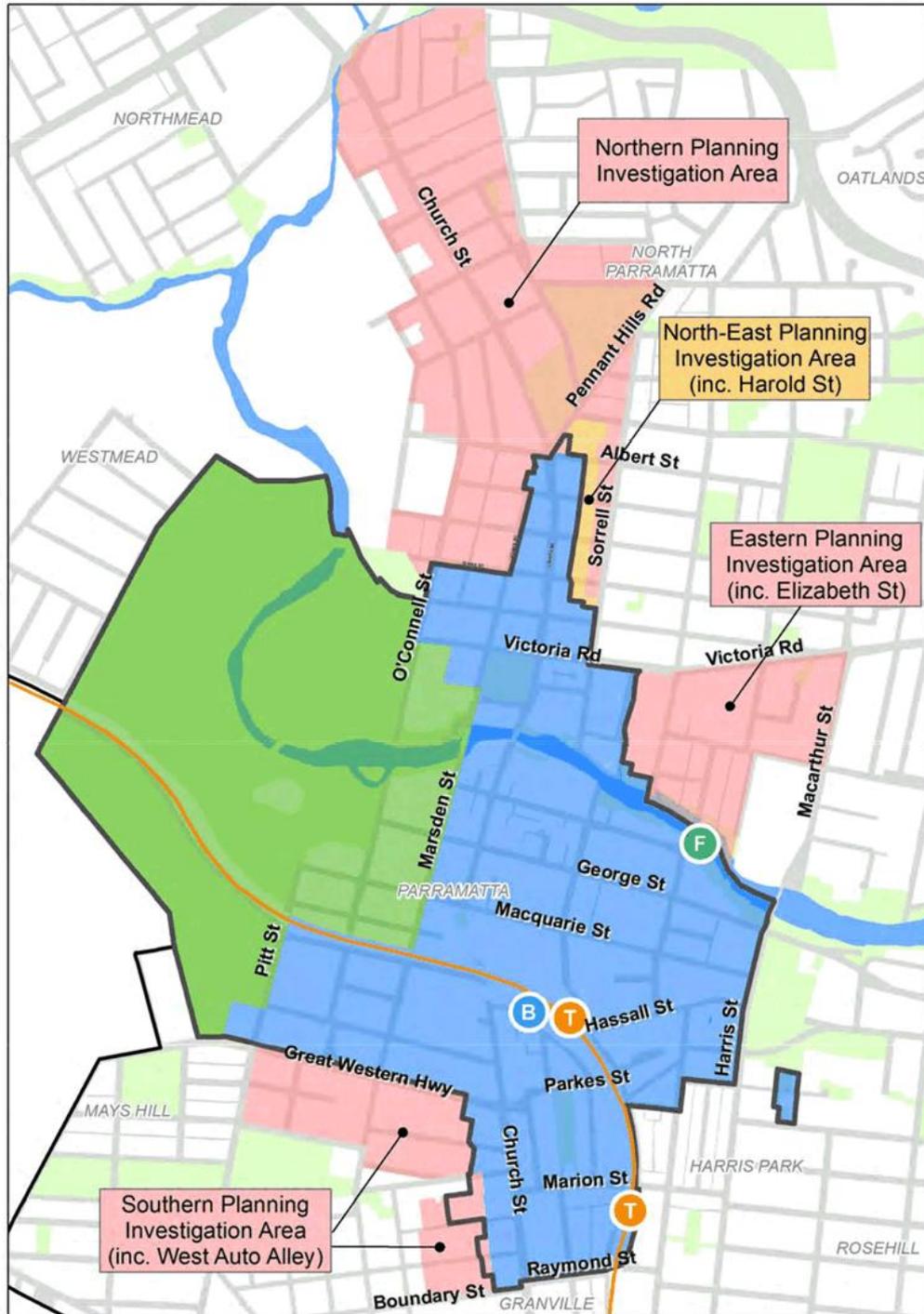
Submissions from Residents and Individuals

32. A total of 234 submissions were received in this category. A detailed summary of the submissions in this category is contained at **Attachment 12** to this report.

Feedback received

33. The predominant issues raised by submitters in the submissions from residents and individuals can be broadly summarised into three groups as follows:
- a) Request for inclusion of areas in the CBD PP boundary, specifically, West Auto Alley, Elizabeth Street and Harold Street (see Figure 3 for a map of these areas noting West Auto Alley is part of the 'Southern PIA', Elizabeth Street is part of the 'Eastern PIA' and Harold Street is part of the North-east PIA).

Figure 3 – Planning Investigation Areas



- b) Request for exclusion of 'North Parramatta' from the CBD PP, being land that is generally north of the Parramatta River.
- c) Objection or concern raised about specific issues, being,
 - i. Heritage:

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- concerned that the CBD PP does not adequately consider Parramatta's unique heritage, favouring financial gain and high-density development;
 - that the proposed increase to FSR and height controls will have a detrimental effect on heritage items, and the quality of the area;
 - need for additional heritage protection including increased setbacks;
 - request for the deferral of North Paramatta (north of the Victoria Road) from the CBD PP and a precinct plan be prepared, rather than extending the CBD into North Paramatta.
- ii. Overdevelopment (high density):
- concerned about the proposed height of buildings and floor space ratios, and impacts on heritage, lack of supporting infrastructure, open space, schools and car parking;
 - adverse impact on amenity, including solar access and wind tunnels;
 - concerns about the quality of current development, and numerous small apartments.
- iii. COVID 19:
- concern that high density development does not promote social distancing to reduce the spread of COVID 19, with increased parking required because of reduced public transport usage;
 - the rate of population increase, as previously projected prior to COVID 19, will not occur due to international travel restrictions, limited migration, stagnant wage growth and the instability of future COVID 19 outbreaks; and therefore there is a decreased need for residential dwellings and commercial floorspace (due to increased working from home arrangements).
- iv. Environment:
- concern about the current lack of open space, and request for additional green open space to support the proposal;
 - request for an increased focus on green buildings, setting a benchmark for environmental design and livability.
- v. Parking:
- concern about the lower car parking rates proposed in the CBD PP, which will discourage visitors.

Conclusion

34. Responses to the issues raised by submitters in the Resident and Individuals category are detailed. Most of the issues raised are not supported for the reasons outlined in Table 2 and detailed at **Attachment 12** to this report. While it is acknowledged there are concerns about the removal of some land from the CBD PP boundary, introducing these areas now would be a

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substantial change to the version of the CBD PP as exhibited and would trigger the need for the re-exhibition of the CBD PP. Further work on these removed areas will occur at a later stage as a part of the previously endorsed Planning Investigation Areas. Progressing the CBD PP as soon as possible will establish Council's policy direction and enable landowners currently within the CBD PP area to progress investment decisions and pursue approval processes in accordance with Council's strategy.

35. The proposed controls have regard to both the existing character and heritage and the need to evolve the city in a way that will achieve a range of objectives and actions. Council has prepared various studies related to urban design and heritage to seek to put in place controls to guide the future character of all parts of the proposed CBD and protect heritage, amenity and address environmental impacts and issues.
36. A number of submissions raise issues and make suggestions in relation to various matters that Council officers address in responses at **Attachment 12** as being generally consistent with the approach taken in the CBD PP, for example, high performing building measures.

Submissions from Institutions, Organisations and Interest Groups

37. A total of 13 submissions were received in this category. A detailed summary of the submissions contained in this category is contained at **Attachment 13** to this report.

Feedback received

38. The predominant issues raised by submitters in the Institutions, Organisations and Interest Groups category can be broadly summarised as follows:
 - a. Need for clarification around the proposed development contributions framework and highlight the significance of the implementation of the Provision of Community Infrastructure clause and the Infrastructure Needs List.
 - b. Concerns with the proposed planning controls including heritage protections and potential impact on heritage items/places, including Heritage Conservation Areas and Heritage Interface Areas (these being areas located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas).
 - c. Concerns with site specific PPs around St John's Cathedral on the basis that these would compromise the historic setting.
 - d. Concerns with the lack of clarity around timing of the areas on the edge of the city centre being deferred for future Planning Investigation Area work.
 - e. Some submitters raise concerns with the assessment and approval of site specific PPs outside of the CBD PP process.
 - f. CBD car parking rates considered to be too low.
 - g. Objection to the extension of the CBD Planning Proposal boundary, across the river into North Parramatta and up to Pennant Hills Road.
 - h. Objection to the prohibition of *serviced apartments* in the B3 Commercial Core.
 - i. Objection to proposed heights along the Parramatta River foreshore.

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- j. Need to encourage a flood and climate change resilient CBD and recommend the inclusion of objectives that support 'green infrastructure' and environmental measures.
- k. Identification of opportunities to enable more diverse economic outcomes for the Parramatta CBD, by way of Council's Night City Framework 2020-2024 and a creative sector presence.
- l. Suggested that amendments may need to be made to the CBD PP and PLEP 2011 in light of the COVID 19 pandemic.
- m. The FSR planning controls are considered multi-layered and complex.
- n. Third-party advertising/signage (as opposed to building identification signage) be given further consideration for inclusion as a permitted use in the land use zones in the Parramatta CBD.
- o. Concern with the 1,800 sqm minimum site area requirement that affects various clauses (e.g. FSR Sliding Scale, High Performing Building and Minimum Commercial Provision).
- p. Recommendation that Council should apply higher BASIX standards without providing an incentive (FSR bonus).

Conclusion

- 39. Council Officers recommend that the following item be investigated as part of an alternative PP process (Decision Pathway 3):
 - a. permissibility of 'water recycling facilitates' and 'water supply systems' in the B3 Commercial Core (Note: 'Water recycling facilities' are already a permissible use in the B4 Mixed Use zone).
- 40. Some of the other issues raised in these submissions are supported by Council Officers and will be dealt with as part of work that is currently underway as detailed in **Attachment 13 and Attachment 16**:
 - a. CBD Development Control Plan (DCP).
 - b. CBD Development Contributions Plan (as a part of the review of the Infrastructure Funding Framework).
 - c. The mesoscopic modeling and the Integrated Transport Plan (ITP) for the Parramatta CBD.
 - d. Civic Link DCP amendments.
 - e. Phillip Street Block Study - see further discussion under the heading 'Other Parramatta CBD-related policy matters'.
- 41. Issues raised relating to land within a previously endorsed Planning Investigation Area will be considered later. These areas, if integrated now, would trigger re-exhibition of the CBD PP.
- 42. The remaining issues raised in the submissions received were not supported and did not warrant changes to the CBD PP for the following reasons (Decision Pathway 2) as detailed in **Attachment 13 and Attachment 16**:
 - a. The issues have previously been dealt with via an endorsed technical study that informed the CBD PP and therefore there is no technical justification for the changes to be supported.
 - b. The issues have previously been addressed via conditions of the Gateway Determination and Alteration to the Gateway Determination that have already been addressed to the DPIE's satisfaction.

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- c. The issues are beyond the scope of the CBD PP.
- d. The issues are relevant to a DA assessment process not a Planning Proposal process.

Submissions from Developers, Major Landowners and/or their Consultants

- 43. A total of 51 submissions were received in this category. In some cases, multiple landowners are represented. Of the 51 submissions received, approximately 10 submissions were from landowners who had a site-specific PP process underway with Council. A detailed summary of each submission received in the Developers, Major Landowners and Consultants category is contained at **Attachment 14** to this report.
- 44. The technical analysis of submissions in this category varied in quality and standard. However, the provision of a supporting technical study on an issue, of itself, does not justify Council Officer support for a submitter's proposed policy change because broader considerations are required for support of the reasons described in Table 2 – Decision Pathways, above.

Feedback received

- 45. The predominant issues raised by submitters in the Developers, Major Landowners and Consultants category can be broadly summarised as follows:
 - a. Increase sought to the height and FSR controls that were exhibited for their site.
Exemption sought from the FSR sliding scale and/or challenging the definition of an 'isolated site' or the 1,800 sqm site area requirement to access incentives, including the high performing building bonus and additional commercial FSR.
 - b. Request to have their site identified as an Opportunity Site which enables an additional 3:1 FSR on top of the incentive FSR; and/or identified on the Additional Local Provisions Map in order to benefit from additional commercial FSR floorspace above a minimum 1:1 FSR in certain parts of the B4 Mixed Use zone on top of incentive FSR.
 - c. Variation to planning controls sought that would in most cases allow for the eventual demolition or significant alteration of a heritage item and/or its curtilage.
 - d. Concerns raised about implications of a land reservation acquisition notation over a site or request removal of a notation.
 - e. Issues raised that are outside the scope of the CBD PP. The predominant request being from owners of sites that are situated outside the CBD PP area seeking to have their land incorporated into the CBD PP. Those sites that are within a previously endorsed Planning Investigation Area will be dealt with as part of the future Planning Investigation Area work at a later stage.
 - f. Request for a change to a land use zone (without changes to the height or density controls).
 - g. Request to amend the wording of a draft clause or subclause to address a technical issue.
 - h. Some submitters had, at the time of lodging their submission, a site-specific PP in train. Of those:

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- i. Some submitters identified a potential issue in the wording of a clause and subsequent impact on their site-specific PP; and
- ii. Some submitters' site-specific PPs were close to notification stage and were seeking confirmation that the Draft PLEP 2011 Amendment instrument and supporting maps aligned with the controls in their site specific PPs. (Note: many of these site-specific PPs have now been notified and the issue is now redundant).

Conclusion

46. Most of the issues raised by submitters in the Developers, Major Landowners and Consultants category are not supported and are not considered to warrant changes to the CBD PP (Decision Pathway 2) for the reasons detailed at Table 2 above, and are summarised as follows:
- a. The issues are inconsistent with Council policy and or recent statutory process; and/or
 - b. The change requested is substantial and would trigger re-exhibition of the CBD PP.
47. Some issues raised by submitters which are supported by Council Officers as having merit for further investigation as part of a separate PP process (Decision Pathway 3) as detailed in **Attachment 16** are:
- a. Consistent with Council's policy framework for the CBD but are more significant changes, and if integrated would require re-exhibition of the CBD PP such as some of those submissions requesting additional height that meet overshadowing requirements, and some submissions requesting that their land be added to the Additional Local Provisions Map as an Minimum Commercial Provision; and/or
 - b. Require further investigation to confirm whether they are consistent with the strategy, or, are inconsistent with Council strategy in their current form, however, could be evolved in consultation with the proponent into a proposed amendment which could be supported in the future. This process would not be dissimilar to stand-alone site-specific PP processes.
48. Some issues raised by submitters which are supported by Council Officers for inclusion in the CBD PP documentation to be forwarded to DPIE for finalisation (Decision Pathway 1) are:
- a. Roxy Theatre, 69 George Street, Parramatta (Submission No.161)
 - b. 75 George Street, Parramatta (Submission No. 167)
 - c. Westfield landholdings (Submission Nos. 182 and 299)
 - d. Walker Corporation landholdings (Submission No. 281)
 - e. 14-20 Parkes Street, Harris Park (Submission No. 284)
49. These amendments are consistent with Council's policy framework for the Parramatta CBD including supporting technical studies, Gateway determination and Alteration Gateway determination; and a State Authority or Service Provider submission comment where supported by Council officers; or are of relatively minor impact that do not warrant re-exhibition of the CBD PP.

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50. Some issues raised by submitters relate to a site or area that is within a previously endorsed Planning Investigation Area and will be considered later. These sites, if integrated now, would trigger re-exhibition of the CBD PP.

Submissions from Public Authorities, Organisations and Service Providers

51. A total of 12 submissions were received in this category. The consultation of the Public Authorities, Organisations and Service Providers was in accordance with Condition 4 of the Gateway determination. A copy of the summary of the submissions and the Council officers' response to the Public Authorities and Service Providers can be found at **Attachment 15**. It is noted that the DPIE may consider some issues not supported by Council officers to be an unresolved Public Authority objection requiring closer consideration and it may be that the DPIE will make a decision to amend the plan to address the Agencies issue once the plan is forwarded to the DPIE. Where a state agency makes an objection and Council is unable to resolve these matters, they are referred to the DPIE to determine whether the matter(s) should be dealt with differently to the proposal put forward by Council.
52. The State Government Agency known as the Environment, Energy and Science Group (EES Group) made a submission, and Council notes that this Agency was not required to be formally notified under Condition 4 of Gateway Determination.
53. Government Architect NSW and the Department of Infrastructure, Transport, Cities and Regional Development also provided a response that their matters were addressed during the pre-exhibition consultation required by Condition 2 of the Gateway Determination and that they have no further comments. City of Ryde Council provided a response that they will not be making a submission and requested to be kept informed of the progression of the CBD PP.

Feedback received

54. The predominant issues raised by submitters in the Public Authority, Organisations and Service Providers category are broadly summarised as follows in Table 2 below:

Table 2 – Key issues raised by Public Authorities, Organisations and Service Providers

Key Issues	Council Officer Response
<p>Heritage NSW:</p> <ul style="list-style-type: none"> - Raises concerns about impacts on all heritage items/places requesting no incentive height and FSR be applied in these areas, - Requests transition guidelines be developed - Requests the existing controls be maintained for land to north and west of St Johns Cemetery; and - Considers the Park Edge lands should be removed from the CBD PP boundary. 	<ul style="list-style-type: none"> - Extensive heritage studies* have been undertaken to support the amendments and demonstrate consistency with Ministerial Direction 9.1, Direction 2.3 (Heritage) of the EPA Act 1979. - A new provision - Clause 7.6K Managing Heritage Impacts is proposed as well as future heritage DCP controls. - Urbis Heritage Study (prepared for Council in 2015) recommended low building heights to reduce the impact on the St Johns Cemetery and maintain landscape connection with Parramatta Park. The CBD PP has consistently reflected these recommendations and the proposed 20m height control was imposed on land north and west of the cemetery in the exhibited DCP. - The Park Edge lands are required to be included in the CBD PP to maintain the application of the existing controls in PLEP 2011 to this area. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP; however, the Department of Planning, Industry and Environment</i>

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	<p><i>(DPIE) may consider some of the matters raised to be an unresolved Public Authority objection requiring closer consideration by the Department.</i></p> <p>* Heritage studies prepared to inform the CBD PP:</p> <ul style="list-style-type: none"> • Parramatta CBD Heritage Study, prepared by consultants Urbis, October 2015. • Heritage Study of Interface Areas, prepared by consultants Hector Abraham Architects (HAA); with Council's Response to the HAA Heritage Study of Interface Areas, 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. • 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); and Supplement (April 2021) June 2019, updated November 2019, August 2020 and April 2021.
<p>School Infrastructure, part of Department of Education:</p> <ul style="list-style-type: none"> - Requests DAs not be approved if they adversely overshadow government schools and that the CBD PP ensure compliance with sun access and overshadowing controls contained in DoE policies, including no overshadowing of rooftop solar panels. - Requests heritage listing only reflect heritage elements on the site. 	<ul style="list-style-type: none"> - Council Officers tested the current and proposed planning controls on the four government schools nominated by School Infrastructure. Existing controls of 120m in PLEP 2011 immediately north of Arthur Phillip High School would cause overshadowing to both Arthur Phillip and Parramatta Public schools on 21 June for most of the day in any event. - Consistent policy position of the CBD PP has been to not make changes to the heritage listing of items. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP; however, DPIE may consider some of the matters raised to be an unresolved Public Authority objection requiring closer consideration by the Department.</i>
<p>Property and Development NSW and the Department of Education:</p> <ul style="list-style-type: none"> - Requests the CBD PP make clear overshadowing is expected and maintenance of solar amenity may be difficult to achieve in some circumstances. 	<ul style="list-style-type: none"> - Draft solar access protection clause makes clear the parameters and land to be protected from overshadowing, with need for compliance with relevant State requirements identified. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Environment, Energy and Science Group (a State Government Agency):</p> <ul style="list-style-type: none"> - Highlights that all matters regarding flood evacuation, community education and awareness of the need to shelter in place are the primary responsibility of the NSW SES and its endorsement is considered essential. - Requests the riparian corridor along the Parramatta River be rezoned from RE1 (Public 	<ul style="list-style-type: none"> - The State Emergency Services (SES) have not made any formal submissions to date despite contact being made via the statutory requirements of the Gateway determination Conditions 2 and 4 to invite a submission. - Should the SES provide a submission after the CBD PP is endorsed by Council, Council will rely on the DPIE to address any matters arising from a late submission. - The proposed E2 zone is inappropriate for high use public open space devoid of native vegetation as it is highly restrictive and prohibits development other than for environmental or flood mitigation purposes.

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<p>Recreation) zone to E2 (Environmental Conservation) zone.</p>	<ul style="list-style-type: none"> - Council officers suggest that additional RE1 zone objectives related to protection and enhancement of ecological values, and facilitate public enjoyment of these areas could be investigated as part of a future PP process. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Transport for NSW (TfNSW)</p> <ul style="list-style-type: none"> - Sees the Integrated Transport Plan (ITP) and Special Infrastructure Contribution (SIC) as critical items that directly inform the CBD PP. - Generally supports the CBD PP controls and sees potential opportunities to enhance existing LEP or DCP controls to address specific traffic, transport and land use matters including Local Reservation Acquisition's, active frontages, footpath widths and car parking. 	<ul style="list-style-type: none"> - Council will continue to liaise with TfNSW to ensure there are no delays with the finalisation of the CBD PP, consistent with the Condition 6 in the second alteration to the Gateway determination dated April 2021. - In relation to the SIC, Council has included in the CBD PP a new clause which requires satisfactory arrangements to be made for the provision of 'designated State public infrastructure' consistent with Gateway determination, and awaits any further direction from the State Government on this issue. - In relation to active frontages and footpath widths, these are matters appropriate for the CBD DCP, and Council will invite comments from TfNSW when this goes on public exhibition. - In relation to the Local Reservation Acquisition's, Council notes TfNSW advice that this agency is not in a position to comment on the proposed road widenings identified on the LRA Map. The LRAs and car parking rates are part of the ITP which was endorsed by Council for public exhibition on 26 April 2021. Any amendments to the LRAs and car parking rates arising from the ITP will be considered as part of a future planning proposal.
<p>National Trust (NSW Branch) *</p> <ul style="list-style-type: none"> - Objection to the extension of the CBD along Church Street north of the River, and also the incentive planning controls. Requests that the maximum height be 24 metres. - Requests that 68-96 Phillip Street not be identified as an Opportunity Site - Concern raised about the loss of the Heritage setting around St John's Cathedral, which will be exacerbated by SSPPs. - Solar Access protected period for Prince Alfred Square should not be limited to 12pm and 2pm. - Requests solar access protection for Experiment Farm be increased beyond 10am to 2pm, to between 10am and 4pm. <p>** Not a Public Authority, however included by DPIE in Condition 4 of Gateway Determination.</p>	<ul style="list-style-type: none"> - Land north of Parramatta River either side of Church Street up to Pennant Hills Road has been part of the 'Parramatta City Centre' at least since Parramatta LEP 2007 came into force. The exhibited planning controls for this area generally reflect the recommendations from the HAA Heritage Study of Interface Areas. The new planning controls will support the introduction of light rail to this area. - The site at 68-96 Phillip Street is within the "Phillip Street Block Study Area" that is recommended to be deferred from the CBD PP. Until Council is able to resolve its position and make an amendment to the controls in this precinct via a separate Planning Proposal the existing planning controls under PLEP 2011 will apply. - SSPPs including a SSPP currently being considered for the St John's Cathedral site are subject to a separate process and assessment. The CBD PP does not propose any changes to the listing of heritage items within any part of the CBD and proposes to retain the existing controls for sites in vicinity of the Cathedral. Changes to the controls immediately surrounding the Cathedral will be dealt with via the SSPP. - The introduction of a Sun Access Protection Clause recognises the significance of the Prince Alfred Square, and identifying the key period of 12 noon to 2pm to protect part of Prince Alfred Square recognises its role as a place for residents and workers. The protected period is also consistent with other parks and civic areas throughout the

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	<p>CBD (i.e. Parramatta River Foreshore, Parramatta Square, Jubilee Park).</p> <ul style="list-style-type: none"> - Any benefits of extending the protection period from 2pm to 4pm for Experiment Farm are already compromised by existing development and development under construction. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>National Trust (Parramatta Branch) *</p> <ul style="list-style-type: none"> - Objects to the extension of the CBD along Church Street north of the River, and also incentive planning controls. - Concern raised about the loss of the Heritage setting around St Johns Cathedral, which will be exacerbated by SSPPs. - Requests the Roxy theatre site be rezoned to SP1 Special Activities, and supports the proposed 18m height limit. <p>** Not a Public Authority, however included by DPIE in Condition 4 of Gateway Determination.</p>	<ul style="list-style-type: none"> - Responses to the first two points are addressed in the submission above from the National Trust NSW Branch) - Rezoning a site to SP1 Special Activities requires the nominated public authority to acquire the site if a submission is made by the owner under the relevant statutory requirements. Acquisition by Council of the Roxy theatre site has not been considered previously, with the financial impost on Council and community to acquire the site arising from the application of the SP1 zone and consequential reservation of the land likely to be significant. The existing Solar Access Plane (SAP) in PLEP 2011 is recommended to be reinstated as a temporary control until the review of the Civic Link DCP and also master planning for the block being undertaken by Sydney Metro for the new metro station is complete. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Commonwealth Department of Agriculture, Water and the Environment</p> <ul style="list-style-type: none"> - It notes that Council, the Commonwealth and State Governments have all entered into an agreement to protect the area of Special Significance related to the Old Government House and its domain and notes the CBD PP is consistent with this agreement. It does not identify any other concerns with the PP. 	<ul style="list-style-type: none"> - Noted - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Environment Protection Agency</p> <ul style="list-style-type: none"> - Acknowledges the CBD PP has many positive features for promoting sustainability; however, considers design elements have not considered the effects of wind or canyoning. The CBD PP should also include air quality protection principles for certain developments near busy roads; planning controls to manage noise-based land use conflict issues; the concept of a circular economy; protection of waterways; and recognise the <i>NSW Government's 20 Year Waste Strategy</i>. - Suggests appropriate assessment of contamination is undertaken, including preparation of DCP controls for key sites. 	<ul style="list-style-type: none"> - The effects of wind and canyoning, air quality and noise, protection of waterways are matters appropriate for a DCP and are often design excellence objectives for Architectural Design Competitions. - Contamination assessment by Council for the entire CBD included a review of zoning changes and identification of certain development types that could potentially have contamination issues. Based on this analysis, Auto Alley was identified as a potential issue and consequentially Council commissioned the 2016 Preliminary Site Investigation Study. This Study demonstrated it was appropriate to rezone these properties given the change in zoning to permit residential and more intensive employment uses. - SEPP 55 Contaminated Land will still require the contamination issue to be considered before any development consent is granted. - The recommendations of this study have been incorporated into the CBD PP framework and in

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<ul style="list-style-type: none"> - Notes that water management measures are not included in the supporting Infrastructure Funding Model Study; and recommends consultation with NSW Health about dual water pipes and consultation with Sydney Water. 	<p>essence it requires consideration of this issue as part of the development application process for site in Auto Alley.</p> <ul style="list-style-type: none"> - The CBD PP document has been updated to recognise the <i>NSW Government's 20 Year Waste Strategy</i>, the updating does not introduce any policy changes and this Strategy including the concept of a circular economy will be addressed in the DCP. - Water management measures will be considered as part of the new s.7.12 development contributions plan which will now be progressed in place of the Community Infrastructure Framework exhibited with the Planning Proposal. Refer to the discussion in this report under the heading 'Infrastructure Funding Review. - In relation to dual piping, Sydney Water provided a submission to the CBD PP which supports the inclusion of the dual piping requirements. - NSW Health were invited to provide comment on the CBD PP however, no formal submission was received during the exhibition period.
<p>The Hills Shire Council</p> <ul style="list-style-type: none"> - This submission raises concern with the reduced car parking rates for the CBD and public transport options between the Hills and Parramatta. 	<ul style="list-style-type: none"> - The CBD PP replaces the majority of the existing car parking provision in clause 7.3 in the PLEP 2011 with a new car parking provision based on similar provisions in Sydney LEP 2012 (which apply to the Sydney CBD). This was based on sustainable transport policies to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development. More broadly, the forthcoming Parramatta CBD ITP is a strategic plan to address the transport challenges through the development of a clear framework for the future planning and development of the transport system to better connect Parramatta CBD as the metropolitan centre of the Central River City to all parts of Sydney including The Hills Shire. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>
<p>Service Providers - Endeavour Energy and Sydney Water</p> <ul style="list-style-type: none"> - Two submissions were received from individual Service Providers, one submission from Endeavour Energy and the second submission from Sydney Water. 	<ul style="list-style-type: none"> - Sydney Water provided a submission to the CBD PP which supports the inclusion of the dual piping requirements. - Endeavour Energy did not raise any issues with the CBD PP. - <i>Concluding comment: The issues raised do not require amendments to the CBD PP.</i>

55. These submissions are further detailed at **Attachment 15** to this report.

Conclusion

56. Council has received 309 submissions and many of these request changes to the exhibited CBD PP that are significant. Where these significant changes can be supported they would require re-exhibition of the CBD PP. Council officers consider it is important to progress the CBD PP as soon as possible to establish Council's policy direction and continue with other work that supports the CBD PP. This includes progressing the CBD DCP and new CBD Development Contributions Plan, and deal with any further LEP amendments in a group of separate new draft Planning Proposals at a later stage (ie. through Decision Pathway 3). Many submissions also raised issues that relate

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to the Planning Investigation Areas (PIAs), however work on these will occur separately outside of the CBD PP process in accordance with the previously endorsed position of Council in relation to these PIAs.

CHANGES TO THE PLANNING PROPOSAL, DRAFT PLEP 2011 AMENDMENT INSTRUMENT AND DRAFT PLEP 2011 AMENDMENT MAPS

57. As a result of the feedback received during the exhibition of the CBD PP documentation, the CBD PP, Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps have all been amended for the purposes of submission to the DPIE for finalisation.
58. The changes to the CBD PP documentation have been informed by:
 - a. Minor drafting errors / technical changes.
 - b. Changes arising from new State Government policy introduced since the commencement of the exhibition period namely the "Planning Agreements – Practice Note" (February 2021).
 - c. Submissions received during the exhibition period.
 - d. Changes from Site Specific PPs that have been finalised since the commencement of the CBD PP exhibition period.
59. Details of the proposed changes to the CBD PP, Draft PLEP 2011 Amendment Instrument and Draft PLEP 2011 Amendment Maps are contained in **Attachment 9** to this report; with a broad summary provided in the sub-sections below.

Minor drafting errors / technical changes

60. The following changes are proposed to the planning proposal documentation on account of minor drafting errors or other technical changes:
 - a. Amend Clause 7.6A High performing buildings by including brief explanatory notes and title references to assist with implementation.
 - b. Amend the 'Miscellaneous Amendments' section of the CBD PP instrument so that all site-specific clauses notified as part of a SSPP continue to apply as per the existing situation in the case where the site-specific clause does not exactly reflect the CBD PP endorsed clause for finalisation.
 - c. Technical changes to terminology in Clause 7.4 Sun access protection, Clause 7.10 Design Excellence, 7.6G Arrangements for contributions to designated State public infrastructure and Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas.
 - d. Amend the Sun Access Protection Map to show the 'compensatory publicly accessible area' that forms the balance of the Parramatta Square public domain area outside the already 'Protected Area' as shown in Figure 4 below and described in the associated exhibited Clause 7.4. Further amend terminology in Clause 7.4 to change the word 'Areas' to 'Blocks' with an associated update to the Solar Access Plane Map.
61. These changes are detailed in Table 1 in **Attachment 9** to this report (which forms Appendix 4 to the revised CBD PP).

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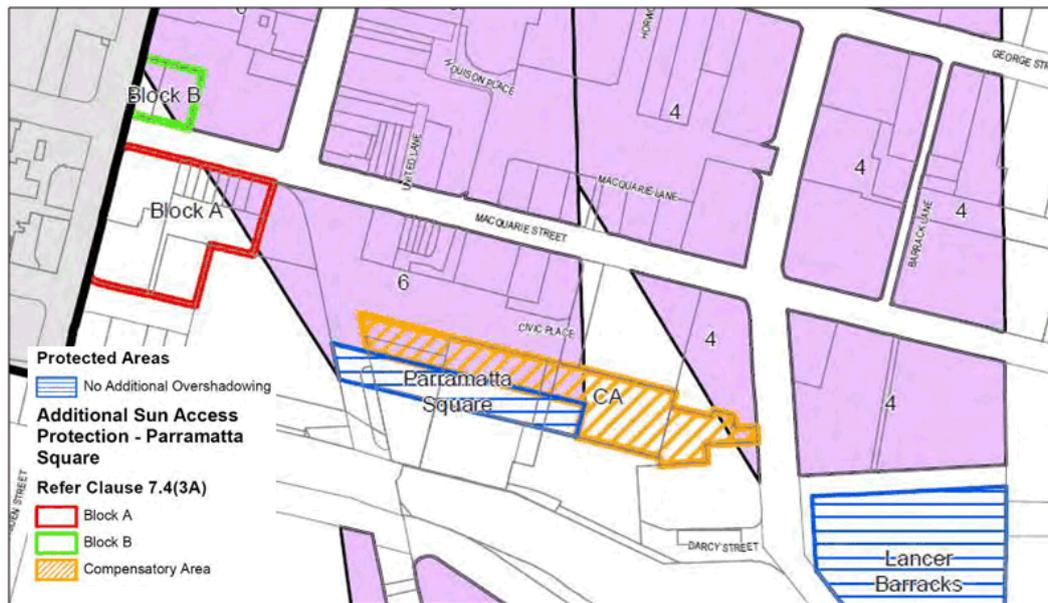


Figure 4 – Extract from the Solar Access Protection Map showing the 'Protected Area' and 'Compensatory Area' that together form the 'Parramatta Square public domain area'.

State Government policy

62. The following changes are proposed to the planning proposal documentation on account of State Government policy:
- a) Amend Clause 7.6H Community Infrastructure to address the Planning Agreements Practice Note to now require compliance with community infrastructure principles, rather than the provision of community infrastructure on site, and on account of this change, consequential amendments are necessary to four other clauses (refer to the "Infrastructure Funding Review" section of this report for more information).
63. These changes are detailed in Table 2 in **Attachment 9** to this report (which forms Appendix 4 to the revised CBD PP).

Submissions on the CBD Planning Proposal

64. The following changes are proposed to the planning proposal documentation on account of submissions received during the exhibition period:
- a) Reinstate the height control (Solar Access Plane) in PLEP 2011 for 69 George Street (Roxy Theatre) until the outcomes of the Civic Link DCP amendments and master planning for the block being undertaken by Sydney Metro for the new metro station in this block are completed.
 - b) Remove notations on the Incentive Height of buildings map and Incentive FSR map to show uncoloured the land bound by Phillip Street, Charles Street, Paramatta River and Smith Street, and also remove notations for the same land from the Opportunity Site and Minimum Commercial provision map until the outcomes of the "Phillip Street Block Study" are known and have been reported Council.
 - c) Reinstate the B4 Mixed Use zone in PLEP 2011 for the Westfield landholdings until the second phase of changes to the CBD Precinct are completed (as per Decision Pathway 3).

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65. These changes are detailed in Table 3 in **Attachment 9** to this report (which forms Appendix 4 to the revised CBD PP).

Site specific planning proposals (SSPPs)

66. The following consequential changes are proposed to the CBD PP documentation to ensure that Council's previous decisions on these SSPPs are retained when the new CBD PP is finalised. In particular the existing provisions, and the existing and proposed maps where relevant will be inserted into the CBD PP, given that these SSPPs have been finalised after the commencement of the exhibition period:
- a) 87 Church Street and 6 Great Western Highway, Parramatta (Amendments 30 and 58)
 - b) 189 Macquarie Street, Parramatta (Amendment 51)
 - c) 55 Aird Street, Parramatta (Amendment 55)
 - d) 142-154 Macquarie Street, Parramatta (Amendment 48)
 - e) 87 Church Street and 6 Great Western Highway, Parramatta (Amendment 58)
 - f) 470 Church Street, Parramatta (Amendment 47)
 - g) 33-43 Marion Street, Parramatta (Amendment 57)
 - h) 5 Aird Street, 12 Hassall Street and 20 Macquarie Street, Parramatta (Amendment 54)
67. These changes are detailed in Table 4 in **Attachment 9** to this report (which forms Appendix 4 to the revised CBD PP).

OTHER RELATED POLICY ISSUES

Introduction

68. Several policy issues have arisen that have implications for the CBD PP since the CBD PP was placed on exhibition and these are discussed as follows.

Infrastructure Funding Review

69. In February 2021, the DPIE finalised and released its new "Planning Agreements – Practice Note". The Practice Note has been made for the purposes of clause 25B of the Environmental Planning and Assessment Regulation 2000 to assist parties (including Councils) in the preparation of planning agreements. The new Practice Note does not support the use of Planning Agreements for the purposes of value capture. Relevant extracts of the Practice Note have been copied below for reference:

"2.1 Fundamental principles

Planning authorities and developers that are parties to planning agreements should adhere to the following fundamental principles.

- *Planning agreements should not be used as a means of general revenue raising or to overcome revenue shortfalls.*
- *Value capture should not be the primary purpose of a planning agreement.*

2.3 Value capture

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The term value capture is widely used and covers several different practices. This practice note does not attempt to define or discuss them all. In general, the use of planning agreements for the primary purpose of value capture is not supported as it leads to the perception that planning decisions can be bought and sold and that planning authorities may leverage their bargaining position based on their statutory powers.

Planning agreements should not be used explicitly for value capture in connection with the making of planning decisions. For example, they should not be used to capture land value uplift resulting from rezoning or variations to planning controls. Such agreements often express value capture as a monetary contribution per square metre of increased floor area or as a percentage of the increased value of the land. Usually the planning agreement would only commence operation as a result of the rezoning proposal or increased development potential being applied."

70. One of the key elements of the exhibited CBD PP is that access to Incentive FSR and Opportunity Site FSR was through the inclusion of community infrastructure on site. The process for provision of the community infrastructure was intended to be stipulated through a separate Development Guideline, which would have included "value capture" monetary contribution rates to calculate the quantum of community infrastructure required, the contribution of which would be formalised through a planning agreement.
71. Inclusion of these rates was to ensure fairness, transparency and equity in the planning agreements process, and also to improve efficiencies in making planning agreements between applicants and Council. However, given the effect of the new Practice Note for planning agreements, this approach is no longer possible, and a review of the planning proposal was required in the post-exhibition phase to remove this requirement and establish an alternative approach.
72. In its approval of the CBD PP in July 2020 to go on public exhibition, the DPIE allowed these community infrastructure provisions to be retained for the purposes of exhibition, but noted that "*further resolution of this matter will be required at the finalisation of the planning proposal*". This was because the DPIE noted that the "*draft planning agreements policy framework released by the DPIE in April 2020 provides a point of tension in applying Council's intended approach*". It is noted that the planning agreements practice note was only a draft at that time but has since been finalised by the DPIE.
73. In considering a way forward, Council officers referred back to the original Gateway determination for the CBD PP, which included the following condition 1(m)iv.:
- "(m) in relation to infrastructure funding:*
- ...
- 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."*
74. In lieu of providing a community infrastructure provision system "in-built" within the CBD PP (as exhibited), it is proposed instead to prepare a new s.7.12 contributions plan with an increased levy that will sit alongside the new PLEP 2011 Amendment. A critical part of these considerations is to ensure that a new contributions plan would provide at a minimum the same amount of

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income as would have been anticipated in community infrastructure provision as envisaged under the exhibited CBD PP, in effect a “break even” approach.

75. The current s7.12 levy for the Parramatta CBD is 3%. The highest s7.12 levy rate that has ever been approved for a NSW Council is at Burwood, which is at 4%. It is noted that recently Liverpool and Penrith Councils proposed a draft s.7.12 levy of 6.5% for the Western City “Aerotropolis”, however at the time of writing this report neither Liverpool or Penrith had received the required DPIE approval for these rates to be legally able to be applied.
76. Preliminary analysis has been undertaken by Council officers to assess what the increased levy rate would need to be in order to “break even” with the proposed “value sharing” approach, and further what the rates would need to be to fully fund the cost of works program that could reasonably be apportioned to new development, being \$1.188 billion, as shown in Table 3 below.

Table 3 – Preliminary Infrastructure Costs and Apportionment

Priority	Original Cost Estimate	Less Amount already funded by existing funding arrangements (i.e. VPA/ Grants/ Committed Council funds)	Residual to be funded	Apportioned Cost
Growth and Transport	\$ 191,629,050	\$ 32,900,000	\$ 158,729,050	\$ 116,437,430
Green Spaces and Environment	\$ 266,632,795	\$ 89,440,000	\$ 177,192,795	\$ 106,075,677
Recreation and Leisure	\$ 245,275,000	\$ 75,900,000	\$ 169,375,000	\$ 162,055,000
Strong economy and City Centre	\$ 575,885,190	\$ 20,580,010	\$ 555,305,180	\$ 435,687,508
Community Focus	\$ 208,455,000	\$ 140,100,000	\$ 68,355,000	\$ 51,501,000
Arts and Culture	\$ 527,539,915	\$ -	\$ 527,539,915	\$ 316,523,949
TOTAL ESTIMATE	\$ 2,015,416,950	\$ 358,920,010	\$ 1,656,496,940	\$ 1,188,280,564

77. To determine the “break even” amount, the analysis assumes that whilst the section 7.12 levy would remain at 3%, the cost of development increases over time (noting that the levy is based on the cost of development) and also that the current value sharing rates of \$150/sqm (Phase 1) and \$375/sqm (Phase 2) escalate at 3% p.a. over a 40 year period, ending at \$326/sqm (Phase 1) and \$814/sqm (Phase 2). This results in a “break even” amount of \$869.58 million, calculated as follows:

Table 4 – Calculation of the “break even” amount using the current approach

Income Source	Estimated Income
S.7.12 Levy @ 3%	\$ 664.49M
● Phase 1 Value Sharing	● \$ 144.22M
● Phase 2 Value Sharing	● \$ 60.87M

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Total Value Sharing	\$ 205.09M
Total “break even” amount	\$ 869.58M

78. A number of preliminary options were tested by Council officers in undertaking the review to determine theoretical contribution rates needed in various scenarios. The following four options are presented to Council below:

- Option 1 – ‘Break even’ option, where the proposed increased contribution rate would apply to all development and bring in the same amount of income as that anticipated with the ‘value sharing’ approach (being \$869.58 million highlighted in Table 4 above).
- Option 2 – As per Option 1, but where the rate for commercial development stays at 3% and only residential development is subject to an increased levy.
- Option 3 – Increased levy to all development so as to fully fund the amount of the works program that could reasonably be apportioned to new development (ie. the \$1.188 billion highlighted in Table 3 above).
- Option 4 – As per Option 3, but retaining the levy for commercial development at 3% and only increasing the levy for residential development.

79. The results from this analysis are summarised in Table 5 below:

Table 5 – Options testing for proposed new s.7.12 levy rates

Options	S.7.12 Rates
<i>“Break even” result:</i>	
Option 1 – Increased s7.12 levy to all development	S.7.12 rate needed to “break even”: <ul style="list-style-type: none"> • All Development — 4%
Option 2 – Increased s7.12 levy to residential development only	Variable S.7.12 rates needed to “break even”: <ul style="list-style-type: none"> • Commercial — 3% • Residential — 4.5%
<i>Full funding of apportioned costs:</i>	
Option 3 – Increased s7.12 levy to all development	S.7.12 rates needed to fully fund the <i>apportioned</i> component of Works Program: <ul style="list-style-type: none"> • All Development — 5%
Option 4 – Increased s7.12 levy to residential development only	Variable s.7.12 rates needed to fully fund the <i>apportioned</i> component of Works Program: <ul style="list-style-type: none"> • Commercial — 3% • Residential — 8.5%

80. Council officers have commissioned a development feasibility study from economic consultants to provide advice to Council on high contribution rates could increase to before adversely impacting on development feasibility. This will also consider the impact of the proposed Special Infrastructure Contribution (SIC) by the State Government, which has long been a mooted proposal of the State Government, but has never been formally exhibited.
81. Once the development feasibility study has been completed, this together with a new draft contributions plan will be reported to Council seeking a resolution to place on public exhibition and also to begin the process of seeking formal

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approval from the DPIE for the higher s7.12 levy rate (noting that an amendment to clause 25K of the Environmental Planning and Assessment Regulation 2000 will be required).

82. Notwithstanding this further report, it is recommended now that as a part of the resolution in finalising the CBD PP, Council also resolves to prepare a new s.7.12 contributions plan with a higher levy, so as to send a clear message to the market and community that whilst the 'value sharing' system (through the provision of community infrastructure) is being removed, infrastructure funding will still be pursued through this alternate funding pathway.
83. So as to preserve the original intent of the exhibited CBD PP, officers also recommend that rather than completely removing the original community infrastructure clause and base and incentive FSR maps, the clause instead be amended to include compliance with key community infrastructure principles in order to access the incentive FSR. The proposed key community infrastructure principles are listed below:
- (a) *Public access to the community infrastructure network has been maximised in the design of the development.*
 - (b) *There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.*
 - (c) *The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.*
84. These changes are detailed in Table 3b in **Attachment 9** to this report (which forms Appendix 4 to the revised CBD PP) and explained in the revised CBD PP document and Appendix 2A – Potential Draft Local Environmental Plan (LEP) Provisions at **Attachment 4**.

Housing Diversity SEPP

85. On 12 February 2021, the NSW Government amended the State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental Housing SEPP) and other related legislation to introduce Build-To-Rent housing (BTR) into the NSW Planning Framework. This amendment is part of a suite of reforms which are being implemented in phases with the ultimate goal being the introduction of a single Housing SEPP which would consolidate three current SEPPs.
86. The provisions with the most potential to impact on the Parramatta CBD are the build-to-rent provisions (BTR). BTR housing is large-scale, purpose-built rental housing that is held in single ownership and professionally managed. Its aim is to provide more rental housing choice with secure tenure arrangements and supports changes to the taxation settings for this form of development that were introduced in July 2020.
87. The BTR Housing SEPP amendment:
- Allows for the development of BTR housing (subject to consent) in any zone that residential flat buildings are permitted, as well as the B3 Commercial Core and B4 Mixed Use zones;
 - Applies Council FSR and Height standards and Minimum Commercial Provisions;

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- Prevents residential subdivision for 15 years except in the B3 Commercial Core zone where it is prohibited in perpetuity;
 - Makes BTR Housing State Significant Development where the cost of development is greater than \$100 million.
88. Of most concern, is the permissibility of BTR Housing within the B3 Commercial Core zone which has the potential to erode the integrity of the commercial, business and employment focus of the commercial core. It is noted that BTR Housing will be an attractive option for large-scale investors due partly to the 50% discount on land tax applied to this type of development. As such, there is a significant risk that BTR Housing may displace commercial development in the B3 Commercial Core. It is considered that the NSW Government's planning framework for BTR Housing therefore has the potential to undermine the vision for employment growth established in the Parramatta CBD Planning Strategy 2015 and the CBD PP.
89. Included in the recommendation to Council within this report, is a recommendation that the Lord Mayor write to the Minister for Planning and request that an exemption be given to the B3 Commercial core zone within the Parramatta CBD from the BTR Housing provisions. This is considered important because it would undermine the employment and business focus of the commercial core and also noting that there is plenty of land zoned B4 Mixed Use in the Parramatta CBD that would allow for apartments. This is consistent with Council's submission to DPIE on the new Housing Diversity SEPP in 2020.

Draft Design and Place SEPP

90. The DPIE is currently conducting a broad review of several SEPPs with the aim of consolidating and simplifying the delivery of good design in NSW. Part of this review will include a new Design and Place SEPP which will be a consideration for all scales of development including precincts, significant developments, buildings, infrastructure and public space.
91. The draft SEPP will replace SEPP 65 – Design Quality of Residential Apartment Development 2002 and the SEPP - Building Sustainability Index (BASIX) 2004. Also included will be a revision to the Apartment Design Guide, improvements to the BASIX tool, and the development of a new Public Space and Urban Design Guide. The intent of the new SEPP is to create one comprehensive design policy to inform future development of the City.
92. An Expression of Intended Effect (EIE) relating to the SEPP has recently been exhibited; with a final draft of the SEPP expected to be exhibited later in 2021.
93. At this point, no changes are required to the CBD PP and Council Officers will undertake a detailed review of the amendments when exhibited to understand implications (if any) for the CBD PP.

COVID 19

94. The CBD PP provides capacity for new commercial and residential development in the Parramatta CBD that will last for a period of approximately 40 years.
95. It is anticipated that the economic effects of the COVID 19 pandemic may impact on development and subsequent rates of worker and resident population increases in the short term. However, in the long term, it is expected that the pandemic will have limited impact on the forecast population for the Parramatta CBD. This is because development is seen as a key

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contributor in the post pandemic economic recovery effort, the NSW Government's investment in city-shaping infrastructure, including Sydney Metro West and Parramatta Light Rail, and the Parramatta CBD's strategic location in the heart of the Greater Sydney region.

ISSUES REQUIRING FURTHER DISCUSSION

Heritage

96. A consistent principle of the CBD PP has been to retain the listing of all heritage items. This is supported by a new heritage provision (draft clause 7.6K 'Managing heritage impacts' in the Draft PLEP 2011 amendment instrument) to apply to the entire CBD to ensure the relationships between heritage items and development sites is conserved and managed. As a result, the CBD Planning Proposal does not propose to amend the PLEP 2011 Heritage map or Schedule 5 Environmental heritage by delisting any heritage items (Local or State).
97. A number of submissions received during the exhibition of the CBD PP also sought a process that would allow for the eventual demolition or significant alteration of a heritage item and/or its curtilage affecting the following addresses:
 - a. 41 Hunter Street;
 - b. 83 Macquarie Street;
 - c. 11 Marion Street;
 - d. 27 Elizabeth Street;
 - e. 29 and 31 Marion Street.
98. Council Officers are concerned that an ad hoc approach to considering changes to provisions related to listed items occurring on a site-by-site basis does not align with a strategic planning approach. Council officers are not recommending the de-listing of any heritage items as a result of any submissions received at this time, given this would be inconsistent with the policy approach taken towards this matter since the CBD PP was first endorsed by Council back in 2016, and for this reason comment about individual requests were not assessed in detail by Council's Heritage Officer. Should Council wish to undertake a broad strategic review of heritage listings in the CBD, this would require significant budget and resource allocation to undertake the required heritage study, which is not available at the current time. Owners do have the option of lodging a site-specific PP; however, as noted above this is unlikely to be supported by Council Officers given it is not a strategic planning approach.

Overshadowing

99. In order to address five (5) conditions of the Gateway Determination issued on 13 December 2018 and subsequent Alteration of the Gateway Determination issued on 27 July 2020, analysis of the cumulative overshadowing impacts caused by the proposed planning controls in the CBD PP was undertaken. This work involved a 3D assessment of planning controls using Council's Geographic Information System (GIS) application. The GIS analysis considered the following:

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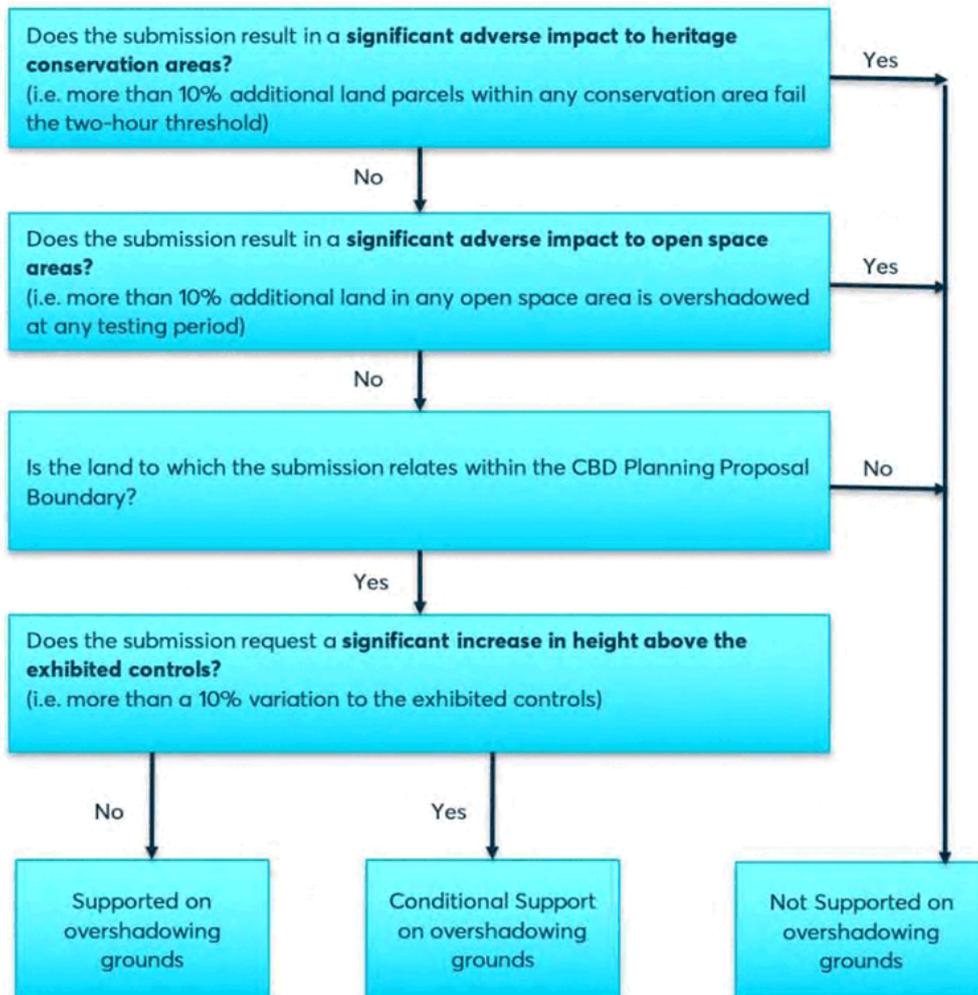
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- a. Cumulative impacts to four heritage conservation areas located to the south of the CBD – being South Parramatta, Tottenham Street, Harris Park West and Experiment Farm on 21 June between 9am and 3pm.
 - b. Cumulative impacts to ten nominated open space areas located to the west, south and east of the CBD – being Noller Park, Parramatta Park, Mays Hill Reserve, Ollie Webb Reserve, Jones Park, Robin Thomas Reserve, James Ruse Reserve, Experiment Farm Reserve, Hambledon Cottage Reserve and Rosella Park on 21 June between 9am and 3pm.
 - c. Impacts of overshadowing to the Parramatta Square Protected Area, as well as implications to extend protection from 12 noon to 2pm on 21 June to include the Autumn and Spring Equinoxes at 21 March and 23 September, respectively.
100. The methodology, testing and findings of this analysis was publicly exhibited in a Technical Paper as an Appendix to the CBD PP – refer to Appendix 10A, as exhibited. First round modelling involved simple extrusions of the height control applied to the entire land parcel. This was followed by detailed built-form testing using 3D models of existing and proposed buildings for certain parts of the CBD to obtain a finer-grained assessment. This assessment then informed the draft Height of Buildings and Incentive Height of Buildings Map controls, which were then publicly exhibited as a part of the CBD PP.
101. In response to submissions received to the exhibited CBD PP where additional height was sought, a further iteration of testing was undertaken to identify any additional cumulative impacts from overshadowing to the nominated heritage conservation areas and open space areas. A total of 14 submissions applying to 17 sites were subject to detailed testing. A further seven (7) submissions had overshadowing implications considered but not tested as they did not impact the nominated heritage conservation areas or open space areas. The findings of this further work are contained in the Overshadowing Technical Paper Supplement (April 2021) at Appendix 3B to the revised CBD PP. Of the submissions received, five (5) related to properties outside the CBD PP boundary at the time of exhibition.
102. Assessment of the cumulative overshadowing impacts from the submissions followed the methodology described in the Figure 5 below:

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Figure 5 – Methodology to assess cumulative overshadowing impacts from submissions



103. When applying the evaluation criteria set out in the diagram above, a recommendation in the Supplement to the Overshadowing Technical Paper to support-in-principle a submission is not indicative of Council Officers' support of the submission in its entirety. The shadow analysis only addresses the cumulative overshadowing impacts; other site-based or cumulative considerations such as urban design, heritage impacts, flooding, etc. were not taken into account as part of the overshadowing analysis. A copy of the Overshadowing Technical Paper Supplement (April 2021) – which forms Appendix 3B to the revised CBD PP is provided at **Attachment 7** to this report.
104. The submissions requesting additional height that are recommended for conditional support based on the overshadowing analysis as detailed in the diagram above, are considered to have merit for further investigation and recommended to be considered as a group as part of an alternate planning proposal (Decision Pathway 3).
105. Grouping these requests enables the additional height sought to be tested and considered holistically and cumulatively against the original vision set out

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in the Planning Strategy. The Vision of the CBD PP 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.

Site Specific Planning Proposals within the Parramatta CBD

106. A number of site-specific planning proposals (SSPPs) have been finalised in the Parramatta CBD since the commencement of the broader CBD PP process. These SSPPs have introduced new controls, including site-specific clauses and amendments to relevant maps. In finalising the CBD PP, officers recommend that these individual site-specific clauses and map amendments remain, as these have been tailored and customised to meet individual site circumstances and specific development proposals, for example in relation to car parking, high performing buildings and flood controls.
107. In many cases, these site-specific clauses introduced through SSPPs have attempted to emulate the draft controls in the CBD PP ahead of time. However, these have been amended through various site-specific planning processes to respond to technical drafting issues raised by the NSW Parliamentary Counsel's Office or have been tailored to meet individual site circumstances and a particular development proposal. The CBD PP, as exhibited, proposed to remove some of these provisions where it was considered that these site-specific provisions would in effect "double up" on new provisions coming in via the CBD PP. This was proposed at the time in response to Condition 1(a) of the Gateway Determination for the CBD PP, which reads as follows:
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;*
108. However, upon further consideration by Council officers, given that these controls have been tailored and customised to meet individual site and development circumstances, concern was raised that any changes to remove these provisions could potentially inadvertently change intended development outcomes for these sites. The amendment now recommended will see clauses and maps reconciled to ensure that the controls meet the original intentions of the SSPPs to avoid inadvertently impacting on the development process for these sites by changing the controls in a way that could have unintended consequences at Development Approval stage. Only minor technical edits will be progressed, for example in relation to clause numbering and referencing.

OTHER PARRAMATTA CBD-RELATED POLICY MATTERS

109. The CBD PP forms a key part of the planning framework for the Parramatta CBD, supported by infrastructure planning, building design controls, transport planning and flood management. Updates on the supporting policy work and a discussion about future work on the Planning Investigation Areas follows.

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Parramatta CBD Development Control Plan

110. A critical supporting piece of work to the CBD PP is the CBD Development Control Plan (DCP). Council Officers have been working for some time on a draft DCP for the Parramatta CBD. Council's City Planning team have been working closely with the City Design team in drafting the detailed design controls. Further internal consultation is required with other key internal teams (e.g. City Significant Development, Catchment and Development Engineers from City Planning and Design).
111. When the revised CBD PP documentation has been forwarded to the DPIE, Council Officers can recommence the preparation of the draft DCP controls to support the CBD PP planning controls, with an envisaged program being to have a finalised version in place prior to the amendments to PLEP 2011 for the CBD PP being finalised by the DPIE.

Parramatta CBD Section 7.12 Development Contributions Plan

112. As detailed above under the heading 'Infrastructure Funding Review', it is recommended that as a part of the resolution in finalising the CBD PP, that Council also resolve to prepare a new s.7.12 development contributions plan with a higher flat levy than the current 3% levy.
113. When the revised CBD PP documentation has been forwarded to the DPIE, Council Officers can recommence the preparation of the draft S7.12 Development Contributions Plan to support the CBD PP, with an envisaged program being to have a finalised version in place prior to the amendments to the PLEP 2011 for the CBD PP being finalised by the DPIE.

Parramatta CBD Integrated Transport Plan

114. Further work on the Integrated Transport Plan (ITP) has progressed in partnership with Transport for NSW and was recently endorsed by Council for public exhibition on 26 April 2021. The Draft ITP is anticipated to have recommendations that may have consequential amendments to CBD planning controls at a later stage. These include revisions to the Land Reservation Acquisition Map for local road widening acquisitions, and refinements to off-street car parking rates. It is anticipated that the Draft ITP will be finalised before the CBD PP, consistent with Gateway Condition 1(l).

Planning Investigation Areas

115. A number of Planning Investigation Areas ('PIAs') on the fringes of the Parramatta CBD were first identified in the *Parramatta CBD Planning Strategy*, which was endorsed by Council on 27 April 2015. Four (4) more areas were added to the PIAs by Council resolution on 25 November 2019. Submissions to the exhibition of the CBD PP were received requesting inclusion of land within a PIA into the CBD PP boundary.
116. These requests are considered to be seeking substantial policy changes from those publicly exhibited and would trigger the need for the re-exhibition of the CBD PP. The reasons for not incorporating these changes and progressing the CBD PP as soon as possible are outlined elsewhere in this report. The Parramatta CBD Planning Framework already identifies consideration of PIAs, with next steps being to report a workplan to Council that officers (at this stage) recommend split the PIAs into separate projects – the Northern PIA, Southern PIA (includes West Auto Alley) and Eastern PIA (includes Elizabeth Street) – see Figure 3 above.

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117. Consistent with the Council resolution from 9 November 2020, the draft Planning Strategy for the North-East PIA (refer Figure 3) was recently placed on public exhibition. Council officers will review the feedback received and will prepare a report for Councillors to consider in the later part of 2021.

Phillip Street Block Study

118. Additional work by Council Officers is recommended to be undertaken for the land parcels between Smith Street and Charles Street on the northern side of Phillip Street, known as the 'Phillip Street Block Study'. This need for further analysis responds to issues raised in submissions, including those from the National Trust (Parramatta Branch) and Parramatta Heritage Advisory Committee (see **Attachments 13 and 15**) and preliminary urban design work that identified potential unsatisfactory outcomes from building heights along the River, and discussion is also contained in **Attachment 14** in relation to a submission on behalf of the owner for 60 Phillip Street.
119. Any recommended amendments to the planning controls for land within the Phillip Street Block Study area as a result of the analysis is proposed to be considered as part of a secondary alternative pathway to the CBD PP at a later stage. This recommendation, if adopted by Council, would mean that any proposed height and density controls for the land under the CBD PP within the Phillip Street Block (including height of building, FSR, Opportunity Sites and Minimum Commercial Provision draft planning controls) will not be progressed until the study is finalised; and until then, the existing planning controls under PLEP 2011 would continue to apply.

CONCLUSION

120. Given that the public exhibition of the CBD PP is now complete, submissions have been considered and minor updates have been made to the CBD PP, Council is now in a position to finalise the CBD PP and forward it to the DPIE to make the PLEP 2011 Amendment. After many years of work, this is a significant milestone for Council and will set the foundation for the Parramatta CBD to achieve its potential as the "Central City" for the Greater Sydney Metropolitan Area.
121. In forwarding the CBD PP to the DPIE, Council should request that the PLEP 2011 Amendment not be made until the new CBD Development Contributions Plan is finalised with a higher rate (which will also require DPIE approval). This will ensure an infrastructure funding framework is in place in lieu of the original "community infrastructure provision framework" (which was based on the principle of "value sharing"), which has been required to be removed due to new State Government policy in relation to planning agreements.
122. Further, in accordance with the Gateway determination, the PLEP 2011 Amendment under the CBD PP will not be able to be made until the Integrated Transport Plan (ITP) and associated mesoscopic model have been finalised. Council should continue to work in partnership with Transport for NSW to urgently complete this work.

NEXT STEPS AND TIMING

123. Should Council endorse the recommendation to finalise the CBD PP, it will be updated with any further changes as resolved by Council, and then it will be forwarded to the DPIE with a request that it be finalised and that the PLEP

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- 2011 Amendment be made in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979. This will include legal drafting of the amending PLEP 2011 instrument by the NSW Parliamentary Counsel's Office and technical reformatting of maps to relevant map tile sheets to fit the PLEP 2011. Council will be notified once the PLEP 2011 Amendment has been made by the DPIE.
124. During the period of finalisation of the CBD PP by the DPIE, Council officers will also report to Council two other pieces of strategic work needed to support the planning proposal, being the proposed Draft CBD DCP amendment and also the proposed Draft CBD Development Contributions Plan (refer to previous sections of this report for further details on these matters). Both of these projects need to be endorsed for exhibition, exhibited and then finalised prior to the CBD PP coming into effect so as to support the new controls.
125. Further, Council is also progressing the mesoscopic model and Integrated Transport Plan (ITP), which are also required to be finalised prior to finalisation of the CBD PP. The ITP was recently endorsed by Council for public exhibition on 26 April 2021. Any proposed changes arising from these matters, that differ from those exhibited in the CBD PP, for example in relation to refinements to parking controls or amendments to road widenings in the Land Reservation Acquisition Map, would be subject to a separate alternate PP process.
126. Work on the previously endorsed Planning Investigation Areas (refer to Figure 3) will also continue as team resources allow, with the first PIA, being the North-East PIA, anticipated to be reported back to Council for consideration later in 2021 detailing the outcomes of the recent public exhibition process for that PIA.

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ATTACHMENTS:

1	PLANNING PROPOSAL (Excluding Appendices)	127 Pages
2	PLANNING PROPOSAL - APPENDIX 1A - Extract of Relevant PLEP 2011 Clauses	72 Pages
3	PLANNING PROPOSAL - APPENDIX 1B - Extract of Relevant PLEP 2011 Maps	7 Pages

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4 PLANNING PROPOSAL - APPENDIX 2A - Revised Potential Draft Local Environmental Plan (LEP) Provisions	23 Pages
5 PLANNING PROPOSAL - APPENDIX 2B - Revised Proposed Draft PLEP 2011 Amendment Maps	15 Pages
6 PLANNING PROPOSAL - APPENDIX 3A - Links to Supporting Studies, Gateway Determination and Alteration Gateway Determination	4 Pages
7 PLANNING PROPOSAL - APPENDIX 3B - Overshadowing in the Parramatta CBD Technical Paper Supplement (April 2021)	47 Pages
8 PLANNING PROPOSAL - APPENDIX 3C - Alteration Gateway Determination (April 2021)	2 Pages
9 PLANNING PROPOSAL - APPENDIX 4 - Summary of Changes to the PP Documentation	8 Pages
10 COMMUNITY ENGAGEMENT REPORT (Excluding Attachments)	21 Pages
11 COMMUNITY ENGAGEMENT REPORT - APPENDIX A - Examples of Consultation Mechanisms	6 Pages
12 COMMUNITY ENGAGEMENT REPORT - APPENDIX B - Residents Submission Summaries	93 Pages
13 COMMUNITY ENGAGEMENT REPORT - APPENDIX C - Institutions, Organisations and Interest Group Submission Summaries	33 Pages
14 COMMUNITY ENGAGEMENT REPORT - APPENDIX D - Developers, Major Landowner and Planning Consultant Submissions Summaries	89 Pages
15 COMMUNITY ENGAGEMENT REPORT - APPENDIX E - Public Authorities and Service Providers Submission Summaries	36 Pages
16 SUMMARY OF COUNCIL OFFICER RECOMMENDATIONS	6 Pages

REFERENCE MATERIAL



PLANNING PROPOSAL

Parramatta CBD

AMENDMENT TO PARRAMATTA LEP 2011

April 2021

cityofparramatta.nsw.gov.au

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PLANNING PROPOSAL – Parramatta CBD

Planning Proposal drafts

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	12 November 2019 – Amendments following Gateway Determination and Council meetings on 28 October 2019 and 11 November 2019
6.	City of Parramatta Council	6 December 2019 – Amendments following Council meeting on 25 November 2019
7.	City of Parramatta Council	4 March 2020 – Amendments following pre-exhibition consultation with public authorities under Condition 2 of the Gateway determination.
8.	City of Parramatta Council	14 August 2020 – Amendments following DPIE endorsement for public exhibition under Condition 3 of the Gateway Determination dated 27 July 2020 and Alteration to the Gateway Determination dated 27 July 2020
9.	City of Parramatta Council	11 May 2021 – Seeking LPP endorsement for forwarding to Council to endorse for finalisation 24 May 2021 – Seeking Council endorsement for forwarding to DPIE for finalisation

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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 section 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;
- 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, Parramatta Stadium, certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and certain land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road;
- some additions to Schedule 1 – Additional Permitted Uses;
- a new clause to require active frontages to certain streets and public spaces;

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PLANNING PROPOSAL – Parramatta CBD

- a new heritage clause to require a higher standard of development that affects heritage;
- new clauses for the Marion Street precinct;
- a new floodplain risk management clause
- amendments to the following maps in the Parramatta LEP 2011:
 - Land Application Map
 - 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 at a later date 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 planning 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.

Similarly, this Planning Proposal does not make any changes to the planning controls that apply to two areas on the fringe of the Parramatta City Centre, being certain land zoned B5 Business Development west of Church Street (behind Auto Alley); and land zoned B4 Mixed Use at the intersection of Church Street and Pennant Hills Road. These areas are also marked 'Area A' on the Parramatta CBD Planning Proposal - Special Provisions Map. The inclusion of these areas within the Planning Proposal reflects the Council resolution of 25 November 2019 to remove land proposed to be zoned R4 High Density Residential from the Planning Proposal to enable further heritage analysis to be undertaken. However, like the 'Park Edge (Highly Sensitive)' area, these areas are within the Parramatta City Centre boundary and subject to planning controls in Part 7 of Parramatta Local Environmental Plan 2011. Therefore, some provisions are necessary in the Planning Proposal to make it clear that only the existing planning controls currently in place for these areas will apply, instead of the new controls proposed in the Planning Proposal.

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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 1a – Existing Relevant LEP Provisions** and **Appendix 1b - Existing Relevant LEP Maps** and a full copy of the controls in real time 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**. **Section 4 – Mapping** and **Section 5 – Community Consultation** in this document briefly summarise the changes that have been made to the CBD Planning Proposal documentation (ie. the Planning Proposal, the Draft LEP Instrument and the Draft LEP Maps) with further detailed provided in **Appendix 4**.

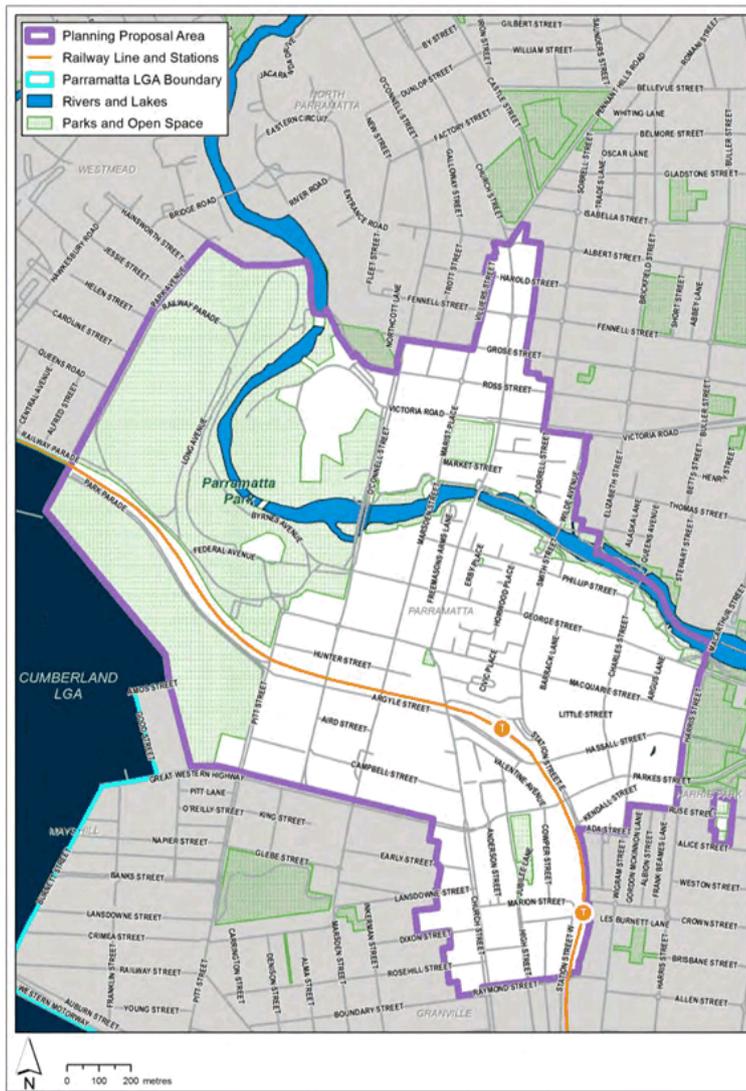


Figure 1 – Parramatta CBD Planning Proposal area

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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 **available via a link provided in 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/2016/04/RC_11042016_AGN_AT.PDF (pp. 360 -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 - Council minutes.

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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 (which constituted Appendix 4a in the exhibited CBD PP) along with a summary of the work undertaken to address each condition (which constituted Appendix 4b in the exhibited CDB PP) are available via a link provided in Appendix 3 to this document.

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

The time frame for completing the LEP is by 30 September 2021. Council is required to submit the planning proposal to the Department for finalisation by 1 July 2021. This timeframe is consistent with the Alteration of the Gateway Determination issued by DPIE in April 2021. 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 as 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 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

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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 of December 2018 are listed in **Table 1 and detailed further below. Furthermore, the Overshadowing Technical Analysis was updated (April 2021) in response to submissions received during the exhibition period.**

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 Council's Response to the HAA Heritage Study of Interface Areas.	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
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); and Supplement (April 2021)	June 2019, updated November 2019, August 2020 and April 2021
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 (2016), prepared by consultants JSB&G and updated with an addendum (2019)	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	
Infrastructure Funding Models Study, prepared by consultants GLN	May 2016

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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	
Letter regarding "Parramatta CBD LEP Community Infrastructure Provisions" prepared by consultants GLN Planning	October 2019
Transport	
Parramatta CBD Strategic Transport Study, prepared by consultants Aecom	April 2017
Technical Paper 1 – CBD Benchmarking, prepared by AECOM - supplement to the CBD Strategic Transport Study	March 2017
Technical Paper 2 – Strategic Traffic and Transport Analysis, prepared by AECOM - supplement to the CBD Strategic Transport Study	March 2017
Technical Paper 3 – Parking Review, prepared by AECOM - supplement to the CBD Strategic Transport Study	March 2017

Parramatta CBD Planning Proposal – Public Authority Consultation

Following Council's endorsement of the updated Planning Proposal on 25 November 2019 that addressed Condition 1 of the Gateway Determination, Council undertook pre-exhibition consultation between 19 December 2019 and 10 February 2020 with the public authorities listed in Condition 2 of the Gateway determination. This resulted in minor non-policy changes to both the Planning Proposal document and **the draft instrument and maps**.

The Planning Proposal was then submitted to the Department on 17 March 2020 seeking approval to proceed to public exhibition; and also a Gateway determination alteration to reflect Council's resolution from 25 November 2019 to remove certain areas from the Planning Proposal boundary; and amend condition 1(l) of the Gateway determination to allow the Mesoscopic Model and Integrated Transport Plan to be finalised prior to gazettal of the Planning Proposal.

The 25 November 2019 Council report (Item 9.1) can be accessed via:

- o https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-12/council_report_updated.pdf - pages 1 to 2
- o https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-11/attachment_1.pdf - pages 1 to 7
- o https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-12/council_minutes_-_25_november_2019_-_item_9.1.pdf - Council Minute

As part of satisfying Conditions 2 and 4 of the Gateway Determination, Council had to consult with relevant State Authorities and Service Providers. Feedback from satisfying both Conditions is detailed in section 3.4.2.

Parramatta CBD Planning Proposal – Alteration to the Gateway Determination

Notification that the Planning Proposal could proceed to public exhibition subject to further amendments was outlined in the Department's letter to Council dated 27 July 2020 and accompanying Alteration to the Gateway Determination.

The matters the Department required Council to address by way of amendments to the Planning Proposal prior to public exhibition relate to the high performing buildings clause; overshadowing of Parramatta Square; and community infrastructure. This resulted in minor, non-policy changes to the Planning Proposal document, Overshadowing Technical Paper, Proposed LEP Amending Instrument and the Proposed LEP Maps. These amendments are discussed elsewhere in this Planning Proposal. The Department's letter also included a new condition in the Alteration to the Gateway determination to allow the

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finalisation of the Integrated Transport Plan and Mesoscopic Model prior to finalisation of the Planning Proposal (instead of being required during the exhibition).

A copy of the letter from the Department and Alteration Gateway determination **along with the summary of the work undertaken to address each condition in the Alteration to the Gateway determination are each available via a link provided in Appendix 3.**

Parramatta CBD Planning Proposal – Public Exhibition

Following the making of minor amendments to the Planning Proposal as required by the Department in their letter to Council dated 27 July 2020, and accompanying Alteration to the Gateway Determination, the Planning Proposal was publicly exhibited between 21 September 2020 and 2 November 2020. Public authorities listed in Conditions 2 and 4 of the Gateway determination were also notified of the exhibition and invited to comment. This resulted in minor changes to the Planning Proposal document, Appendix 2a – Proposed LEP Amending Instrument and Appendix 2b – Proposed LEP Maps. These amendments are discussed in detail later in this Planning Proposal.

A summary of the post exhibition amendments to the Planning Proposal is at **Appendix 4.**

Parramatta CBD Planning Proposal – Alteration to the Gateway Determination.

On 21 April 2021, the DPIE issued a letter and an accompanying Alteration to the Gateway Determination (dated 13 December 2018) that provides Council with a revised timeframe to complete the LEP for the Parramatta CBD Planning Proposal. The Alteration is an amendment to Condition 6 of the Gateway Determination and requires Council to submit the Planning Proposal to the Department for finalisation by 1 July 2021 and complete the LEP by 30 September 2021. A copy of the letter from the Department and Alteration Gateway Determination is provided at **Appendix 3c.**

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

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 Parramatta 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.

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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 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, studies and Council resolutions 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), and 'the Marion Street Precinct'.
4. Separate heritage studies commissioned to investigate the heritage impacts of amended draft FSRs and HOBs controls for certain 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. 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.
8. 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 were subsequently undertaken at that time which applied 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.
9. Council endorsed an amendment on 25 November 2019 to remove areas proposed to be zoned R4 High Density Residential from the CBD PP boundary to enable further heritage analysis and consideration of future planning controls to be incorporated into the work investigating the 'Planning Investigation Areas' identified in the *Parramatta CBD Planning Strategy (2015)* and to be undertaken in a separate planning proposal. The areas removed are West Auto Alley Precinct; the block east of Elizabeth Street; and land within and adjacent to the Sorrell Street Heritage Conservation Area.

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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 two precinct plans (Marion Street and Church Street) and the 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).

Council will also further address heritage issues by way of appropriate heritage provisions in a new development control plan (DCP) for the CBD, which is anticipated to be finalised before the CBD PP.

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) for all sites including heritage items except for:

- 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;
- 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

Notes:

- The exhibited base building height control of 18 metres with no incentive height for the Roxy Theatre site (69 George Street) was based on the outcomes of a recent court case and the evidence tabled during the hearing including from the Office of Environment and Heritage. However, this proposed change will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 height control which relies on the Solar Access Plane will be applied as a temporary arrangement because of the review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block. Refer to Part 3 and Appendix 4 for additional discussion, and the updated map at Appendix 2b.
- The St Johns Anglican Cathedral site and surrounding land owned by the Church (65-79 Macquarie Street 38 and 45 Hunter Street) is the subject of a separate site-specific planning proposal to increase the FSR and height of building control.

A copy of the 2015 Urbis Heritage Study is [available at via a link at Appendix 3](#).

Heritage Study of Interface Areas (2017) prepared by Hector Abraham Architects

The Council endorsed LEP recommendations from this study include:

- FSRs of 6:1 (including design excellence bonus) for most sites zoned B4 Mixed Use within the 'North Parramatta Interface Area' including heritage items, except for the following:
 - The Catholic Institutional Area 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.
- Retain the Incentive FSR of 10:1 (including design excellence bonus) 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.

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- 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 for all sites zoned B4 Mixed Use within the South West Parramatta Interface Area.
- 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 **as well as** Council's response report **(which were exhibited as Appendices 6a and 6b, respectively) are available at weblinks provided in Appendix 3.**

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 located between the South Parramatta HCA and Auto Alley (Church Street) and 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 part of the West Auto Alley Precinct that is outside the current Parramatta City Centre boundary has been removed from the CBD PP boundary, as per the resolution from the Council meeting held on 25 November 2019 to remove areas zoned R4 High Density Residential from the CBD PP boundary to enable further heritage analysis to be undertaken.

The part of the West Auto Precinct that is within the current Parramatta City Centre boundary will be retained within the CBD PP boundary; however, no change is proposed to the existing planning controls being B5 Business Development, FSR 2:1 and Height 12m. Consideration of future planning controls for the West Auto Alley Precinct including the part within the Parramatta City Centre boundary will be incorporated into the work investigating the 'Planning Investigation Areas' identified in the Parramatta CBD Planning Strategy (2015) and will be undertaken in a separate planning proposal.

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Marion Street Precinct

The Marion Street Precinct is located 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 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 metres) 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 end 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.*

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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 B".
- Including a new clause in the LEP provisions requiring development that is seeking incentive FSR and height to comply with key community infrastructure principles and apply to the whole of the area marked "Area B".
- Amending the Active Frontages Map to identify additional sites subject to this LEP clause.

A copy of the Marion Street Precinct Plan (which formed Appendix 8 in the exhibited CBD PP) is available via a link provided in Appendix 3.

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'.

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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.

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

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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”);
- 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.

For a copy of the Urban Design and Feasibility Study prepared by Council and the Heritage Study prepared by consultants City Plan Heritage (which formed Appendices 9a and 9b, respectively, in the exhibited CBD PP) go to the link provided in Appendix 3.

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:

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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
10:1	6:1	(6+4X):1	10:1

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(2A)):

- (2A) *Despite subclauses (1) and (2), the consent authority may grant consent to development seeking to achieve the maximum floor space ratio shown on the Incentive Floor Space Ratio Map, but only where:*
- the development is on a site greater than 1,000 square metres and up to 1,800 square metres, and*
 - the site is an isolated site, and*
 - the development has been subject to a competitive design process and exhibits design excellence as provided in clause 7.10; and*
 - if the development includes residential accommodation, the development also complies with the key community infrastructure principles specified in clause 7.6H(3).*

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(2B)):

isolated site means a site:

- where amalgamation with adjoining sites is not physically possible; or*
- where amalgamation with adjoining sites is not reasonably feasible due to the nature of surrounding development; or*

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- (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 **non-residential development*** 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 comply with the key community infrastructure principles. 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.

*Note: This was changed from "commercial premises" to "non-residential development" in response to issues raised during the exhibition, in particular the limited scope of the "commercial premises" definition. The change is considered to be consistent with the policy intent of the planning proposal, which is to incentivise employment generating development.

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

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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* along with the Market and Feasibility Analysis undertaken by JLL (which formed Appendix 10a and 10b, respectively, in the exhibited CBD PP) are available via link in Appendix 3.

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)
- 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.

Gateway Condition 1(j)(v) states: *the Planning Proposal [is] to be updated to address the proposed permissibility of minor intrusions into the protected area of Parramatta Square, the intended outcomes and an analysis of potential impacts.*

To address this condition, Council officers prepared a further subclause to allow for a merit-based assessment of “minor intrusions” of additional overshadowing to the Parramatta Square Protected Area. These “minor intrusions” are limited to building or public domain elements that are considered to likely have minimal additional adverse impacts to the amenity of Parramatta Square – such as flagpoles, spires, architectural roof features, sculptures and public art, fenestrations associated with the restoration or conservation of a heritage item, ground-level street furniture, awnings, shelters, or play equipment.

An assessment of the potential impacts to additional overshadowing by development considered under this clause would be minor due to the physical nature of the elements considered and the potential low-scale or localised overshadowing created by these

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elements. Accordingly, the potential impacts from development considered under this subclause would be reasonable in the circumstances.

Following the consultation with public authorities as required by Condition 2 of the Gateway Determination, the Department during their consideration of whether to allow exhibition of the Planning Proposal, requested further Council modelling of shadow impacts at the equinoxes. The additional modelling presented to the Department and detailed in the updated Overshadowing Technical Paper indicated that:

- extending the solar access protection of the Protected Area of Parramatta Square through the year to the equinoxes between 1.00pm and 2:00pm would result in additional lots being impacted, primarily to the west, reducing potential development capacity. There are no overshadowing impacts between 12:00pm and 1:00pm, other than some impacts from the existing development.
- during the same period (at the equinoxes between 1.00pm and 2:00pm) an equivalent area of the eastern end of Parramatta Square (outside of the Protected Area) is in sun which provides compensatory solar access.

The Department accepted Council's overshadowing analysis and determined that exhibition of the Planning Proposal could proceed subject to providing compensatory solar access protection to the eastern end of Parramatta Square between 1.00pm and 2:00pm at the Spring and Autumn Equinoxes. This is reflected in the Alteration to the Gateway Determination (dated 27 July 2020) condition 1(o): *ensure protection of compensatory area of solar access at the eastern end of Parramatta Square at the Spring and Autumn equinox.*

To address this condition, the Planning Proposal has been updated as follows:

- clause 7.4 (2) is amended to reference two blocks (to be known as 'Blocks A and B' and shown on the Sun Access Protection Map) that are required to comply with new subclause (3A), as it is only these two blocks that would be impacted by extending the solar access protection of the protected area through the year to the equinoxes between 1:00pm and 2:00pm.
- **clause 7.4 includes a new subclause (3A) requiring development consent not to be granted on any land in Blocks A and B that results in overshadowing to the protected area of Parramatta Square between 1pm and 2pm on 21 March and 23 September (being the Autumn and Spring equinoxes) in any year, unless there is a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to the protected area of Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square. It is noted that the extent of the compensatory area was not identified on the Sun Access Protection Map when the Planning Proposal was publicly exhibited, but the intent is that it coincides with the balance of the Parramatta Square public domain area outside the already identified Protected Area. .**
- the Sun Access Protection (SAP) map is amended to show Blocks A and B.

In response to the public exhibition of the Planning Proposal, the following amendments are made:

- the Sun Access Protection (SAP) map is amended to show the compensatory solar access protection area within the Parramatta Square public domain area.
- Clause 7.4 is amended as follows:
 - Amend the clause to omit "Areas A or B" and replace with "Blocks A or B" wherever they occur in the clause; and
 - Amend subclause (3A) to describe the "compensatory area" as being the area identified on the Sun Access Protection Map with distinctive (orange) hatching.

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- In relation to the compensatory area, delete the words describing its location given the location has now been shown on the SAP map.

Detailed analysis on this issue is covered in Section 5 of the Technical Paper.

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* (see link to the paper in **Appendix 3**).

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.

In response to the public exhibition of the Planning Proposal, the following amendments are made:

- Amend the Incentive Height of Buildings Map for land at 14-20 Parkes Street to increase the mapped height from 122m to 134m.

Detailed analysis on this issue is provided at Sections 6 and 8 in the *Technical Paper* (see link to the paper in **Appendix 3**) and the Supplement prepared to address matters raised by submissions in respect of overshadowing at Appendix 3B.

Overshadowing of public open space surrounding the Parramatta CBD

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).

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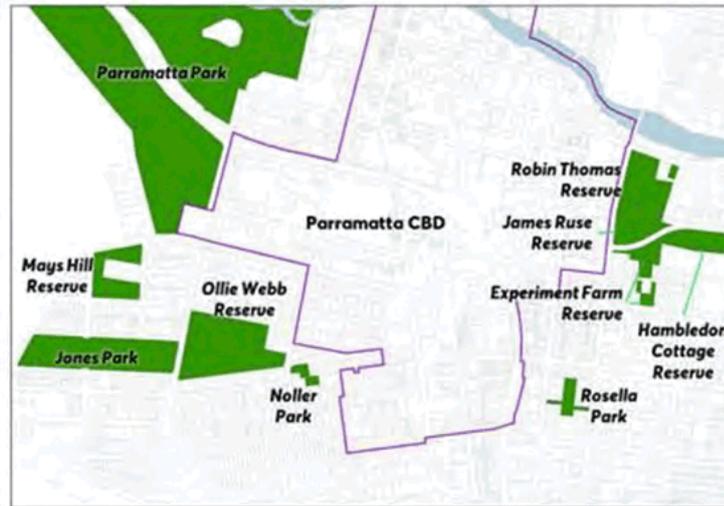


Figure 2: The ten (10) open space areas selected for testing

Detailed analysis of the overshadowing impacts on each of the ten open spaces is provided in Section 7 of the *Overshadowing Technical Paper* (see link to the paper in [Appendix 3](#)).

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 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).

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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 (as exhibited) 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* (see link to the paper in **Appendix 3**) and the Supplement prepared to address matters raised by submissions in respect of overshadowing at Appendix 3B.

Opportunity Site FSR

Two (2) Gateway conditions related to Opportunity Sites which required the submission of additional information to support the planning proposal in order 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 the development complies with key community infrastructure principles. 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’ (which formed Appendix 11a in the exhibited CBD PP) and commissioned a supporting Heritage Study (which formed Appendix 11b in the exhibited CBD PP) to investigate the impacts of additional FSR on surrounding localities and areas of heritage significance. Links to both studies are available in **Appendix 3**.

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

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conditions, two additional solar access planes are included in this planning proposal being Parramatta Square and Experiment Farm.

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:
 - To protect solar access to HCAs consistent with recommendations in Council's Overshadowing Technical Paper (refer to [link in Appendix 3](#))
 - To provide blue sky background to Lancer Barracks
 - Due to inadequate site depth
 - To provide blue sky background to St Georges Terraces
 - To protect historic streetscape
 - 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 – [Parramatta City Centre](#); 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:

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- 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 (refer to a link to the report at [Appendix 3](#)).
- 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:*
 - *40 metres by 35 metres, where the site is a corner site with at least two street frontages; or*
 - *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*

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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**.

EMPLOYMENT AND DWELLING PROJECTIONS

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.

The assumption of 24sqm per job, originally cited by SGS, has been reviewed against the latest Floor Space and Employment Survey (2017) published by the City of Sydney. When considering a range of office, food and beverage, and retail development types in the Sydney CBD consistent with the development typology in the Parramatta CBD; and the detailed census undertaken by City of Sydney, the rate of 24sqm per job is still an appropriate benchmark to use in the absence of industry-standard benchmarking for workplace occupancy/density rates. It is also noted that workplace densities and occupancy rate expectations have changed significantly since the advent of the COVID 19 pandemic in early 2020; and the long-term implications of lower-density occupancy rates in commercial floor space may result in fewer jobs being accommodated in the equivalent commercial floor space supply.

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*	46,120	jobs*
	1,188,312	sqm ²	972,000	sqm [^]	1,026,040	sqm	1,660,320	sqm
Dwellings	4,769	dwgs ³	7,500	dwgs	4,410	dwgs*	14,110	dwgs*
	476,900	sqm ⁴	1,125,000	sqm [^]	662,100	sqm	2,117,440	sqm
Total floor space	1,665,212	sqm	2,097,000	sqm	1,688,140	sqm	3,777,760	sqm

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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 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 the targets in its Strategy. Refer to Table 3. 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.

The Central City District Plan provides a higher jobs target of 151,500 jobs for “Greater Parramatta” to 2036. Under the District Plan, “Greater Parramatta” includes the Parramatta CBD, Westmead, WSU Rydalmere and North Parramatta. In order to achieve this target, Council’s draft Local Strategic Planning Statement requires the Parramatta CBD to grow by 34,500 additional jobs to 2036. The additional capacity under existing controls is only 28,500 jobs (refer to Table 3), which will not achieve this target. Increases to capacity for jobs under this planning proposal would allow for **46,120** additional jobs (refer to Table 3), which will assist Council in meeting this jobs target for the Parramatta CBD.

Council’s Local Strategic Planning Statement provides for 7,180 additional dwellings in the Parramatta CBD to 2036 to assist Council in meeting its housing targets under the District Plan. Under current controls, there is capacity for only 4,410 additional dwellings (refer to Table 3), which is insufficient. Under the proposed controls in this planning proposal, the capacity for additional housing increases to **14,110** additional dwellings (refer to Table 3), which will provide sufficient capacity for the Parramatta CBD to contribute to the City of Parramatta LGA’s overall housing target, as articulated in the Local Strategic Planning Statement (and supported by the Local Housing Strategy).

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.*

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- 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.

Note:

The exhibited change to the proposed zoning from B4 Mixed Use to B3 Commercial Core for the Westfield Shopping Centre landholdings was based the recommendation in the Economic Review - *Achieving A-Grade Office Space in the Parramatta CBD* study prepared by Urbis (2015 and updated in 2019). This proposed change however will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 B4 Mixed Use zone will be reinstated and the proposed B3 zone (with an Additional Permitted Use) subject to further investigation via a second phase of changes to the CBD Precinct. Further, given that the existing B4 zone is being reinstated, the site will also revert back to its existing height and FSR controls (for the part of the site that was subject to the proposed rezoning). Refer to Appendix D for additional discussion, and the updated map at Appendix 2b.

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 1(i)(v)), this study was reviewed and updated in September 2019 to:

- take account of the time elapsed since the original study was prepared in 2015 and changes to market conditions over that time; and
- 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 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

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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 available via a link in **Appendix 3**, and a discussion of the land use provisions in the draft planning proposal is provided in Part 2.

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 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.

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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.

A copy of the *Parramatta CBD Strategic Transport Study* is (which formed Appendix 13a in the exhibited CBD PP) is available via a link provided in **Appendix 3**.

Integrated Transport Plan

Further work on the Integrated Transport Plan (ITP) has progressed in partnership with Transport for NSW. At the time of updating this Planning Proposal following public exhibition, the Draft ITP had been endorsed by Council on 26 April 2021 for public exhibition. The Draft ITP is anticipated to have recommendations that may have consequential amendments to CBD planning controls at a later stage, such as revisions to the Land Reservation Acquisition Map for local road widening acquisitions, and refinements to off-street car parking rates. It is anticipated that the Draft ITP will be finalised before the CBD PP, consistent with Gateway Condition 1(I).

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

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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

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.

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- 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 lift 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 2021, 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, and the Evacuation Study and the Horizontal Evacuation Study (which formed Appendices 14a, 14b and 14c in the exhibited CBD PP) are available via a link in Appendix 3. Furthermore, a discussion of the flood provisions in the planning proposal is provided in Part 2 of this document.

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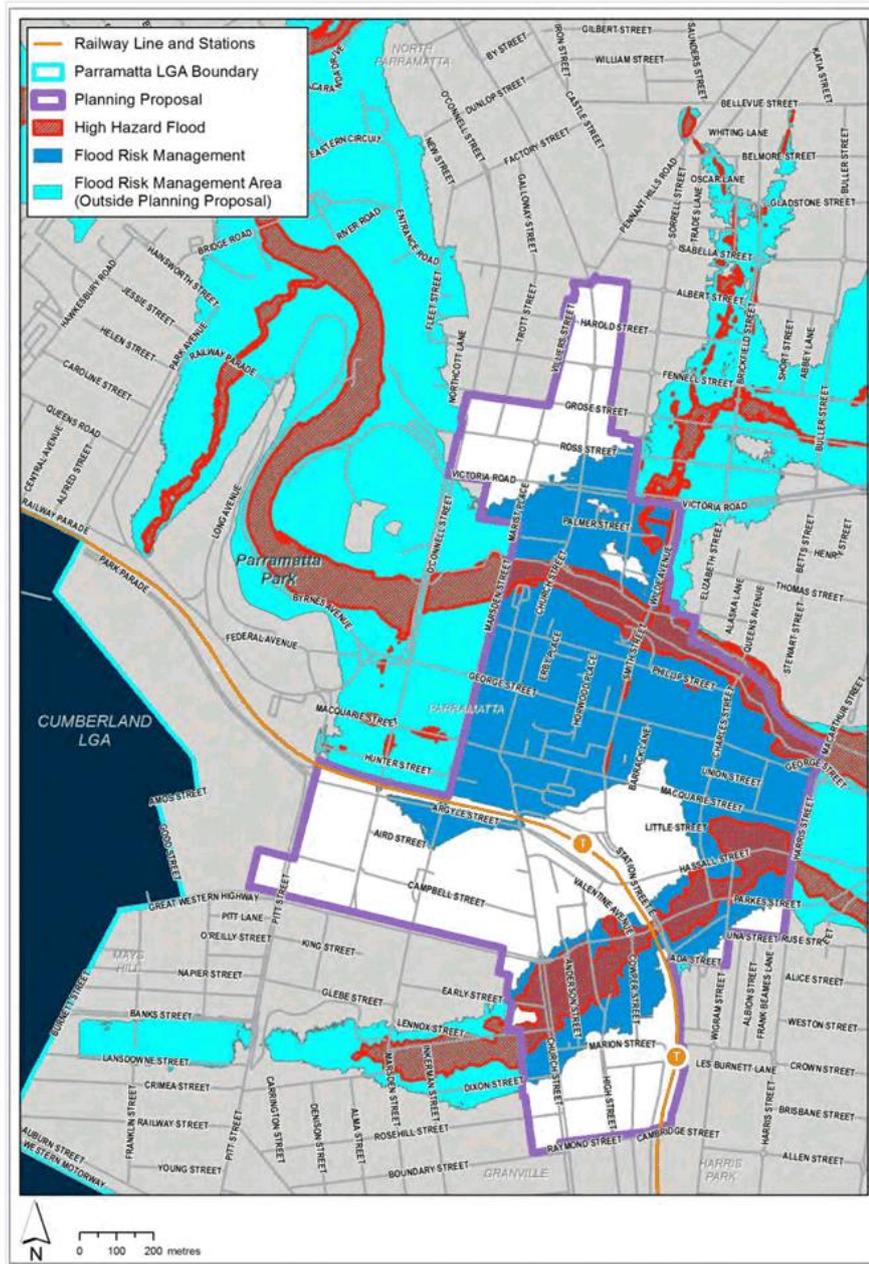


Figure 3 – Flood Risk Management Area - Probable Maximum Flood and the CBD Planning Proposal area

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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 PDCCP 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 below. A copy of the 2016 [Preliminary Site Investigation Study \(which formed Appendix 15a in the exhibited CBD PP\)](#) is available via link in [Appendix 3](#).

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. [This update which formed Appendix 15b in the exhibited CBD PP](#) is available via link in [Appendix 3](#).

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&Gs' reports (dated February 2016 and May 2019) as a relevant matter for relevant properties.

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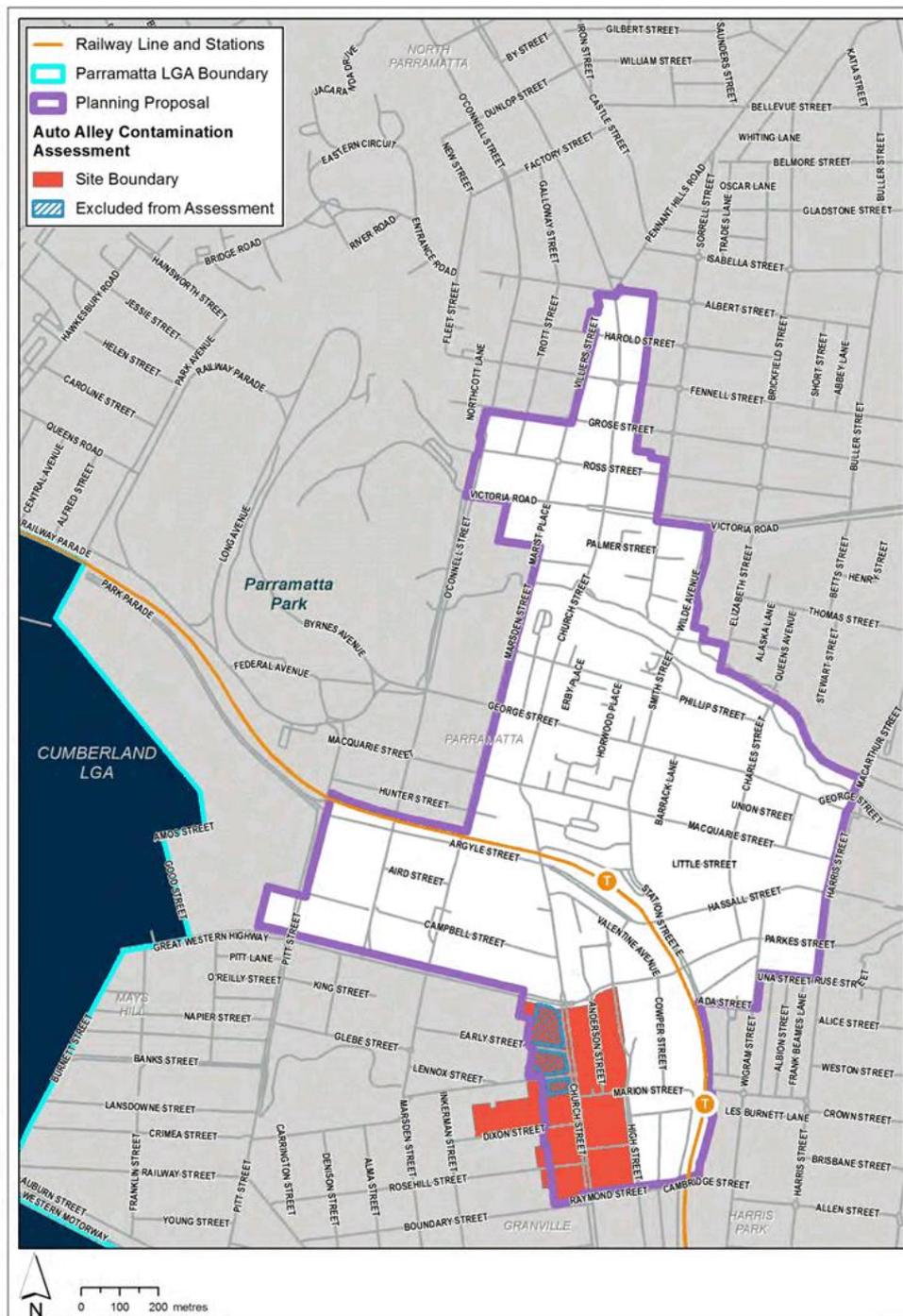


Figure 4 – Area of contamination assessment and the CBD Planning Proposal area

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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:

- 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).

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- 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 the National Australian Built Environment Rating System (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.

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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 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 JV a 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, the planning proposal was amended to include 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

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metropolitan region, benchmarked on an net water demand (l/sqm) basis at the time of application.

The rationale for this approach was:

- 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 Palao, etc.
- 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.

Following the pre-exhibition consultation with public authorities as required under Condition 2 of the Gateway determination and the making of minor amendments, the Planning Proposed was referred back to the Department in March 2020 seeking endorsement to proceed to public exhibition. On 27 July 2020, the Department issued Council with a letter of conditional support to proceed to public exhibition, together with an Alteration to the Gateway Determination with a new condition 1(n) being *remove proposed drafting for high performing building clause and reflect the intent of proposed clause only*.

The Department's letter acknowledges the need identified by Council for the Central City to be sustainable and for this to occur, a shift in 'business as usual' is needed. However, the Department has concerns about the subjectivity of the best-in-market approach and how it would be measured at the development application stage. The Department's letter advises as follows:

"The intent of this provision is supported but the Department has reservations regarding the subjectivity of current drafting and how it would be measured at the development application stage. To allow exhibition to proceed, I seek that only the intent of this provision be identified in the planning proposal."

To address the Department's concerns and to only include the 'intent' of the provision within the clause, and also to make a minor edit to make clear that the intent of the application to 'mixed use development' means 'mixed use development' that contains 'residential accommodation', this Planning Proposal does the following:

- inserts a new objective being clause 7.6A (1)(d) to enable high performing building measures to improve over time to reflect new technologies and commercial viability (as this reflects the intent of the original clause as drafted).
- amends clause 7.6A (3)(a) to insert a table specifying maximum energy emissions and water usage requirements. These requirements were extracted from the

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Federal Government's NABERS registry on 26 February 2020 and represent the top 15th percentile of the market on the registry of current ratings.

- retains clause 7.6A(3)(a)(iii) which requires a report be prepared by a qualified consultant to the satisfaction of Council to demonstrate compliance with the water and energy requirements in subclause (a) above.
- makes a minor edit to clause 7.6A(2)(d) to make clear the intent that the application to 'mixed use development' here means 'mixed use development' that contains 'residential accommodation'.

In summary, this planning proposal includes high performing building provisions consistent with the recommendations in the updated *High Performing Buildings Study* and the Department's requirements 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: maximum energy emissions and water usage requirements as extracted from the Federal Government's NABERS registry on 26 February 2020 that represent the top 15th percentile of the market on the registry of current ratings.

In response to the public exhibition of the Planning Proposal, the following amendments are made:

- A minor drafting errors / technical changes to amend the High Performing Buildings clause 7.6A through including brief explanatory notes and title references to assist with implementation.

A copy of the Department's letter and Alteration to Gateway Determination are provided via a link in **Appendix 3** with a copy of the *Sustainability and Infrastructure Study (2015 and 2019)* and the *High Performing Buildings Study (2019)* (which formed **Appendices 16a and 16b in the exhibited CBD PP**) are available via links provided at **Appendix 3**. A discussion of the high performing building planning provisions in the 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

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

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appropriate mechanism to fund and / or deliver new community infrastructure to meet the demands of anticipated growth in the Parramatta CBD.

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 consultants 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.

Council officers are in the process of reviewing the findings of this study and undertaking further analysis of various infrastructure funding options, including a more detailed consideration of financial implications and impacts on development feasibility. However, it is also noted that since this study was completed, the Department exhibited in April 2020 draft changes to its policy framework for planning agreements and development contributions. These draft changes propose significant changes to the infrastructure funding framework, and depending on the final position adopted by Government in relation to these matters, would need to be considered further by Council in its review of the infrastructure funding framework for the Parramatta CBD.

In the Department's approval letter dated 27 July 2020, which allowed the planning proposal to proceed to public exhibition, the following advice was provided by the Department:

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"I acknowledge the substantial work undertaken by Council to understand and plan for community infrastructure to support the growing Central City. Council has amended the planning proposal to reflect the intent to incentivise delivery of infrastructure on development sites through the provision of additional floor space. This approach would require the negotiation of a planning agreement at the development application stage and I understand work is still underway to develop a policy to guide this process.

The draft planning agreements policy framework released by the Department in April 2020 provides a point of tension in applying Council's intended approach. The framework seeks to provide certainty of development outcomes while ensuring that development is supported by infrastructure through good strategic planning. The framework discourages the use of planning agreements for value capture.

I have determined to allow public exhibition of this component to occur in acknowledgement of Council's work and the history of developing this planning proposal. I understand that Council is still investigating other contribution mechanisms which will support the planned growth. I note further resolution of this matter will be required at the finalisation of the planning proposal.

I encourage Council to continue this work to ensure a transparent contributions framework is developed which delivers public benefit to support growth. Any resulting framework should also acknowledge that future development will likely need to contribute towards State infrastructure. This will need to be considered in any feasibility modelling of contributions. In this respect, the Department looks forward to working with the City of Parramatta in delivering a contributions framework that will support the growing City."

In accordance with the above advice from the Department, Council will continue with its review of infrastructure funding options to support the significant growth anticipated under this planning proposal. This review will be completed prior to finalisation of the planning proposal, so as to ensure an appropriate infrastructure funding framework is in place. The review will also consider the final position adopted by Government in relation to its recent review of the planning agreements and development contributions policy framework. This approach is also consistent with condition 1(m) iv of the Gateway determination, which reads as follows:

"(m) in relation to infrastructure funding:

...

- 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."*

For the purpose of supporting the exhibition of the CBD PP and addressing Condition 1(m)iii. of the Gateway determination, the consultant who prepared the *Parramatta CBD Community Infrastructure Funding Study* 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 Analysis* could, **in theory**, be provided on development sites. To enable this infrastructure to be delivered on site, the consultant recommended 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, the exhibition version of the CBD PP included '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 Additional Local Provisions Map. This clause was based on the Penrith LEP 2010 Clause 8.7 as per the consultant's recommendation.

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A copy of the consultant's letter on the *Parramatta CBD Community Infrastructure Funding Study* (which formed Appendix 17f in the exhibited CBD PP) is available via link at **Appendix 3**.

Commencement by DPIE of the revised Practice Note for Planning Agreements in February 2021 discourages the use of Planning Agreements "explicitly for of value capture in connection with the making of planning decisions", such as rezoning or changes to planning controls. As the proposed Provision of Community Infrastructure Clause in the CBD PP was predicated on using "value sharing" or "value capture" as the method to determine the quantum of community infrastructure (via a separate Development Guideline), the commencement of this Practice Note, which must be considered pursuant to Clause 25B of the Regulation, makes this approach no longer possible.

Consequently, the community infrastructure provision clause has been amended to maintain the *intent* of the clause as exhibited, but adopt a "principles-based" approach to address provision of community infrastructure as a prerequisite to enabling a development to take up the Incentive Height of Buildings or Incentive Floor Space controls.

The community infrastructure principles are as follows:

- (a) *Public access to the community infrastructure network has been maximised in the design of the development.*
- (b) *There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.*
- (c) *The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.*

The community infrastructure clause will be supported by a new development contributions plan and associated Schedule of Works (to be prepared and reported to Council separately). It is anticipated that this new s.712 Development Contributions Plan will have a higher levy than the current 3% levy, as per condition 1(m)iv. of the Gateway determination. The contributions plan may still enable applicants to settle the liability through provision of works in-kind, which would be formalised by a planning agreement under Section 7.4 of the Act.

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

- Infrastructure Funding Models Study 2016 (formerly Appendix 17a in the exhibited CBD PP) a copy is available via link at **Appendix 3**;
- Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017 (formerly Appendix 17b in the exhibited CBD PP) a copy is available via link at **Appendix 3**;
- Draft Infrastructure Needs Analysis 2017 (formerly Appendix 17c in the exhibited CBD PP) a copy is available via link at **Appendix 3**;
- Independent Peer Review of Council's past work on community infrastructure prepared by Aurecon 2017 (formerly Appendix 17d in the exhibited CBD PP) a copy is available via link at **Appendix 3**; and
- Letter regarding "Proposed Parramatta CBD LEP Community Infrastructure Provisions" addressing condition 1(m)iii. of the Gateway determination (formerly Appendix 17c in the exhibited CBD PP) a copy is available via link at **Appendix 3**.

As discussed above, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal. This will be in the form of a new s.7.12 development contributions plan with a flat rate levy higher than the current 3% levy.

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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 described in the sections below.

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 included within the expanded boundary are:

- south of Grose Street and east of O'Connell Street, Parramatta;
- area bound by Ada, Kendall and Wigram Streets, Harris Park;
- Experiment Farm.

The planning controls that apply in the 'Park Edge Highly Sensitive' area on the western edge of the Parramatta 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. Similarly, the planning controls that apply to the following areas that are within the Parramatta City Centre boundary are not being changed: certain land zoned B5 Business Development within the part of the West Auto Alley Precinct; and the land parcels zoned B4 Mixed Use at 34 Albert Street and 2-6 Pennant Hills Road, North Parramatta. 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. Other areas to be removed from the original proposed CBD PP boundary sites proposed to be zoned R4 High Density Residential from the CBD PP boundary to enable further heritage analysis and consideration of future planning controls to be incorporated into the work investigating the 'Planning Investigation Areas' identified in the *Parramatta CBD Planning Strategy* (2015) and to be undertaken in a separate planning proposal. The areas removed are West Auto Alley Precinct; the block east of Elizabeth Street; and land within and adjacent to the Sorrell Street Heritage Conservation Area.

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 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

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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.

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.
- 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), the Great Western Highway and Lansdowne Street. It is noted 'vehicle repair stations' are permissible with development consent on land zoned B4 Mixed Use.
- 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.

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 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 and B4 Mixed Use.
 - b. Is identified on the 'Floor Space Ratio Map'

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- 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).
 - 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.
 - 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 **complies with key** community infrastructure **principles**.
 - 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 **complies with key** community infrastructure **principles**.
 - 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:
- a. Opportunity Sites bonus FSR:
 - i. Is an FSR bonus up to a maximum of 3:1.
 - ii. Is in addition to the 10:1 Incentive FSR.
 - iii. Applies to some land zoned B4 Mixed Use within the City Core area subject to certain conditions including site dimensions.
 - iv. Can be achieved provided the development **complies with key** community infrastructure **principles**.

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- v. Can be achieved if a site specific DCP (or a Concept DA) is submitted.
 - vi. Must undertake a competitive design process and exhibit design excellence.
 - vii. Must achieve the water and energy targets under the high performing buildings clause.
- b. High Performing Buildings bonus FSR:
- i. 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.
 - ii. 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 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 and B4 Mixed Use,
 - 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) reflects uses required 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,
 - 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 **complies with key** community infrastructure principles,

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- 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. 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.
 - h. Can be achieved provided the development **complies with key** community infrastructure **principles** in conjunction with the IFSR.
 - i. Applies to some land zoned B4 Mixed Use
 - j. May not be achieved on some sites due to the sun access protection control and the airspace operations control detailed below.
 - k. 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. Any future development located on 'sun access areas' must not result in additional overshadowing between 12 midday and 2 pm in mid-winter to the Protected Area of Parramatta Square.
 - d. For future development on land marked **Block A** and **B** on the Sun Access Protection Map that results in overshadowing to Parramatta Square between 1:00pm to 2:00pm on 21 March and 23 September (ie. Equinoxes) in any year, there must be a compensatory publicly accessible area, **within the area shown with orange hatching on the Sun Access Protection Map**, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time.
 - e. 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. The height of all buildings within the CBD PP is limited by either a sun access surface, the base height of building control or the incentive height of building control. In the case of the base and incentive height of building controls, the maximum permitted height is 243 m RL (which includes any bonus height achieved through Design Excellence).
 - c. 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. Any development that includes a building or structure exceeding 156m (RL) requires compliance with Clause 7.6 'Airspace Operations' of the Parramatta Local Environmental Plan 2011 and is subject to a 'Controlled Activity' assessment.

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

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Design Excellence – Parramatta City Centre

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.

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.
7. For those sites that do not have a height control on the IHOB Map, but Incentive FSR has been utilised, the 15% design excellence incentive is calculated using the corresponding control applying to the land on the HOB Map.

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;

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- b. Some sites adjoining state heritage items within a significant landscape setting, including St Johns 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 height control **determined by the Solar Access Plane control as currently gazetted and shown on the maps for PLEP 2011.**
4. Within the Northern Interface Area, for most sites zoned B4 Mixed Use FSRs of 6:1 (plus design excellence and HPB bonus) and 80m height limit including heritage items, except for the following:
- a. The Catholic Institutional Area 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.
5. Within the South- Eastern Area, for sites zoned B4 Mixed Use 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, for most sites zoned B4 Mixed Use and B3 Commercial Core 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.

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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.

Provision of Community Infrastructure

This planning proposal allows for increased heights and FSRs for certain sites where development **complies with key** community infrastructure **principles**. To achieve this:

1. Higher density development is permitted on certain land in the Parramatta City Centre where the development **complies with key** community infrastructure **principles** (excluding Area A on the Special Provisions Area Map).
2. Mixed use or residential development up to the maximum incentive height and incentive FSR control can be achieved, where **a proposed development complies with the following key community infrastructure principles**:
 - a) *Public access to the community infrastructure network has been maximised in the design of the development.*
 - b) *There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.*
 - c) *The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.*
3. 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).
4. 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).

Note: As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

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 (that includes residential accommodation), 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 part of

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any building used for the purposes in Column 1 of the table, does not exceed the energy emission in Column 2 of the table and the water usage in Column 3 of the table:

Column 1	Column 2 (Energy Target)	Column 3 (Water Target)
Retail premises (including as part of a mixed use development) – common areas only	< 52.8 kgCO ₂ /m ² /annum <i>Note. This is the equivalent of a 4.5 star NABERS Energy Rating (Shopping Centre rating*).</i>	< 1.1 kl/m ² /annum <i>Note. This is the equivalent of a 3.5 star NABERS Water Rating (whole building*).</i>
Office premises	< 63.8 kgCO ₂ /m ² /annum <i>Note. This is the equivalent of a 5.5 star NABERS Energy Rating (base building*).</i>	< 0.5 kl/m ² /annum <i>Note. This is the equivalent of a 4.5 star NABERS Water Rating (whole building*).</i>
Hotel or motel accommodation or serviced apartments	< 5,220 kgCO ₂ /guest room/annum <i>Note. This is the equivalent of a 4.5 star NABERS Energy Rating (whole building*).</i>	< 76.1 kl/guest room/annum <i>Note. This is the equivalent of a 4.5 star NABERS Water Rating (whole building*).</i>

*This denotes the Federal Government's National Australian Built Environment Rating System (NABERS) terminology regarding ratings scope. Applicants should refer to NABERS for further information.

- 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 that includes residential accommodation with a maximum incentive FSR of at least 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 greater, up to, but not including, 14:1	Points above minimum BASIX standard for development 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

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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.

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 (2017) 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 various 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.

Further work on the Integrated Transport Plan (ITP) has progressed in partnership with Transport for NSW. At the time of updating this Planning Proposal following public exhibition, the Draft ITP had been endorsed by Council on 26 April 2021 for public exhibition. The Draft ITP is anticipated to have recommendations that may have consequential amendments to CBD planning controls at a later stage, such as revisions to the Land Reservation Acquisition Map for local road widening acquisitions, and refinements to off-street car parking rates. It is anticipated that the Draft ITP will be finalised before the CBD PP, consistent with Gateway Condition 1(l).

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

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- 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.

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*.

RE1 Public Recreation zone

This planning proposal provides for the retention of all land currently zoned RE1 Public Recreation under Parramatta LEP 2011 within the Parramatta CBD area, with the exception of a small parcel of land adjacent to Parramatta River and Barry Wilde Bridge. The affected land is shown in the figure below and is legally described as part of 30B Phillip Street, Parramatta (Lot 1 DP 1247122) and part of 46 Phillip Street, Parramatta (Lot 3 DP 1247122). The land predominantly serves as the vehicular exit to the adjoining Riverbank Car Park. The intent of the rezoning of this land is to rationalise and align the land zones in this area, so as to provide a consistent alignment along the foreshore. This matter is discussed further below in Table 17 – Consistency of planning proposal with relevant Section 9.1 Directions to address Ministerial Direction 6.2 Reserving Land for Public Purposes, clause (4).

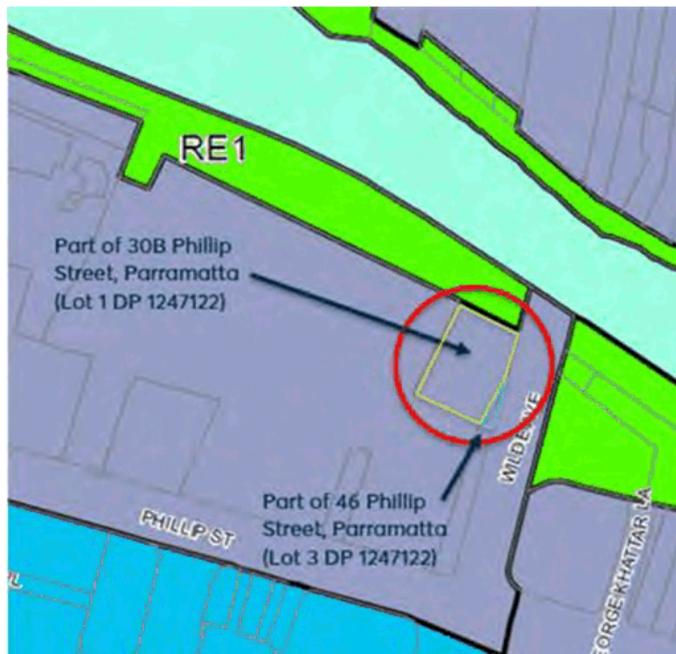


Figure 5 – Area proposed to rezoned from RE1 Public Recreation to B4 Mixed Use

Appendices

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

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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 areas, heritage interface areas, 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 (**Powerhouse Museum**), the Civic Link, Parramatta Square and the River foreshore.

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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:

2.1 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.

2.2 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 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' (for 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.

In addition, the maximum FSR and height of building control as mapped may not always be achieved because sites are subject to other planning controls and urban design considerations including, but not limited to, solar access planes as notated on the SAP Map, and also, context and site frontage and width. In relation to context, site constraints such as the existing subdivision pattern, land ownership, amalgamation pattern, development unlikely to change (such as strata and recent development), as well as orientation, determine if the maximum yield may be achieved on a site. The site frontage and width are a product of the subdivision pattern and land ownership, and achieving the maximum yield is dependent on building setbacks to allow well separated tall slender towers as outlined in the vision for the CBD.

Within the 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, 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 (during exhibition), 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). It should be noted that the proposed lower height for the Roxy was reverted back

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to existing LEP 2011 controls in the post-exhibition period given current separate strategic work underway – refer to note below.

Note:

- The exhibited base draft building height control of 18 metres with no incentive height for the Roxy Theatre site (69 George Street) was based on the outcomes of a recent court case and the evidence tabled during the hearing including from the Office of Environment and Heritage. However, this proposed change will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 height control which relies on the Solar Access Plane will be applied as a temporary arrangement because of the review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block. Refer to Part 3 and Appendix 4 for additional discussion, and the updated map at Appendix 2b.
- The St Johns Anglican Cathedral site and surrounding land owned by the Church (65-79 Macquarie Street 38 and 45 Hunter Street) is the subject of a separate site-specific planning proposal to increase the FSR and height of building control.

2.3 Community Infrastructure

The purpose of a 'base' and 'incentive' height and FSR control is to enable development to access additional yield, subject to compliance with key community infrastructure principles. This Planning Proposal seeks to include a new control in PLEP 2011 allowing a development to be consistent with the incentive height and incentive FSR control where a mixed use or residential development complies with key community infrastructure principles. This applies only to land within the Parramatta City Centre (excluding Area A on the Special Provisions Area map), that have an incentive height and incentive FSR allocated on the incentive height and incentive FSR maps.

The community infrastructure principles are as follows:

- (a) *Public access to the community infrastructure network has been maximised in the design of the development.*
- (b) *There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.*
- (c) *The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.*

Council will separately prepare a new development contributions plan with an associated works program to facilitate the delivery of local community infrastructure in the first instance. The development contributions plan could still consider opportunities for applicants to settle the contributions liability by, for example, providing infrastructure on the development site where appropriate, which will be formalised by a Voluntary Planning Agreement under Section 7.4 of the Act.

There are also site-specific requirements for certain sites to achieve the Incentive Height and Incentive FSR in addition to complying with the key community infrastructure principles – refer to discussion under 'Site-Specific Provisions' below.

Note 1: As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

Note 2: The exhibited version of the community infrastructure provision has been amended in light of the inconsistency with DPIE's Practice Note for Planning Agreements, which was released

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recently. The previous requirement for a development to include community infrastructure to access the incentive controls, has been replaced instead with a requirement to comply with key community principles (as described above). Further to this, Council will prepare a new S.7.12 development contributions plan with a rate higher than the current 3% levy rate.

2.4 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 = (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, sites with a mapped Incentive FSR of 3:1 and sites with mapped Incentive FSRs of 4.2:1 and 5.2:1).

Table 6 – Proposed new FSR sliding scale

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

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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.

2.5 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, 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.

2.6 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.

The clause also ensures that development consent must not be granted to development on any land in **Blocks A or B** on the Sun Access Protection Map that results in any part of a building causing additional overshadowing to the 'Protected Area' of Parramatta Square between 1:00pm and 2:00pm on 21 March and 23 September in any year, unless there is a compensatory publicly accessible area, **within the area shown with orange hatching on the Sun Access Protection Map**, at least equivalent in size to the area of overshadowing to the 'Protected Area', that is unaffected by overshadowing at that time. This has been added to address condition 1(o) of the Gateway alteration.

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.

2.7 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.

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 or 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.

2.8 Office and Commercial Premises in the B4 and B3 Zones

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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 **non-residential** 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 **comply with key** community infrastructure **principles**. 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.

2.9 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. 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 **compliance with** community infrastructure **principles is demonstrated**.

2.10 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:

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- 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.

Further work on the Integrated Transport Plan (ITP) has progressed in partnership with Transport for NSW. At the time of updating this Planning Proposal following public exhibition, the Draft ITP had been endorsed by Council on 26 April 2021 for public exhibition. The Draft ITP is anticipated to have recommendations that may have consequential amendments to CBD planning controls at a later stage, such as revisions to the Land Reservation Acquisition Map for local road widening acquisitions, and refinements to off-street car parking rates. It is anticipated that the Draft ITP will be finalised before the CBD PP, consistent with Gateway Condition 1(l).

2.11 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.

2.12 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 (that contains residential accommodation) 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 meet maximum energy emissions and water usage based on the Federal Government's NABERS registry as taken on 26 February 2020 that represents the top 15th percentile of the market on the registry of current ratings. This clarification of the intent of this clause was made in response to condition 1(n) of the Gateway alteration.

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

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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.

2.13 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.

2.14 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, heavy or metro rail infrastructure*.

*Note: heavy and metro rail were added to this list in the post-exhibition period, in acknowledgement that this State public infrastructure is either already located in Parramatta or is coming to Parramatta. Given this clause is a matter for the State Government, the final list will be a matter for them to determine during the finalisation stage of the CBD PP.

2.15 Floodplain Risk Management

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.

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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.

2.16 Site Specific Provisions

This Planning Proposal also proposes four (4) 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. Development for the purpose of retail premises on the remaining B5 zoned land has also been retained.

The second 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 (Area B). 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 **complies with key** community infrastructure principles.

The third 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 fourth 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.

2.17 Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas

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The planning proposal includes a clause to preserve the built form controls for Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre (defined as 'Area A' on the Special Provisions Area Map). The planning proposal is not proposing to change controls in this area. 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.

An amendment to the table in Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas, subclause (7) is made to the CBD PP Draft LEP Instrument to add a parking control for 'Residential flat buildings' to reflect a housekeeping LEP amendment to PLEP 2011 and therefore reflects a change that already exists. It is noted that there is no change to the maximum number of car parking spaces rate, rather it is simply reflecting the existing control.

2.18 Miscellaneous Amendments

A reconciliation between the site-specific amended clauses within PLEP2011 and the proposed clauses in this planning proposal revealed minor changes between the CBD planning proposal clause as currently intended for drafting compared to the clause for the already-notified site-specific PP. The clauses for the already-notified site-specific planning proposals reflected the direction of the CBD planning proposal at a particular point in time – a position that has, and continues to evolve.

Until the CBD planning proposal clauses have been formally adopted and legally drafted, any attempt to amend already-notified clauses to reflect the draft provisions will have unintended consequences. Accordingly, the CBD instrument is amended to remove proposed deletions of certain site-specific clauses in the Miscellaneous Amendments section (so these site-specific clauses would continue to apply as per the existing situation).

Any future reconciliation of the site-specific clauses is expected to occur when the CBD planning proposal clauses have legal status.

2.19 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.

2.20 Maps

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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.
- **Amend the Heritage Map**

2.21 Draft Provisions

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

2.22 Other relevant matters

2.22.1 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 planning proposal. This will be drafted separately and reported to Council to allow them to resolve to exhibit the Draft DCP amendment at the appropriate time.

2.22.2 Development Contributions Plan — Section 7.12

A new Development Contributions Plan (under Section 7.12) will be prepared, the works program of which will be informed by the *Infrastructure Needs Analysis* for the Parramatta CBD.*

*Note: As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

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

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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's recently adopted Community Infrastructure Strategy (July 2020) 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	To support the CBD PP, Council is also reviewing the infrastructure funding framework and will prepare a new s7.12 Development Contributions Plan. 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 and Sydney Metro West. All of projects are critical to the success of the Parramatta CBD as the City's growth significantly increases over the next 20 years.
	O3: Infrastructure adapts to meet future need	The PP also includes a satisfactory arrangements clause for state infrastructure, as per the gateway determination condition.
	O4: Infrastructure use is optimised	

Liveability

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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 endorsed 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	State Government investment in Bankwest Stadium and the Museum of Applied Arts and Sciences (MAAS) and redevelopment of the Riverside Theatres will support Parramatta CBD as an active, innovative and creative hub as will local investment such as the Civic Link and Parramatta Square redevelopment
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: Greater housing supply	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. It is estimated that the planning proposal will accommodate approximately 14,110 additional new dwellings.
	O11: Housing is more diverse and affordable	The Planning Proposal is also consistent with the planning priorities and actions of the Local Strategic Planning Statement (LSPS) and the 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. 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

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		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). 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 and the expansion of Sydney’s Global Economic Corridor.
	O15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	The planning proposal is consistent with the GPOP 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 46,120 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

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		the expansion of Sydney’s Global Economic Corridor.
	O21: Internationally competitive health, education, research and innovation precincts	<p>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 compliments the proposed Sydney University campus at North Parramatta and future UNSW Innovation Hub in Parramatta CBD.</p> <p>The development of the Museum of Applied Arts and Sciences (MAAS) will further enhance Parramatta’s role as a research and innovation precinct.</p> <p>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.</p>
	O22: Investment and business activity in centres	The retention of the commercial core for non-residential uses, and the expansion of the commercial core 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	<p>The planning proposal complements the planning work being undertaken for the City’s Strategic Metropolitan Employment Lands and Local Urban Service Hubs as espoused in the Local Strategic Planning Statement (and its accompanying Employment Lands Review and Update (July 2020).</p> <p>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).</p>
	O24: Economic sectors are targeted for success	

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	<p>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.</p> <p>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.</p>
	O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced	
	O28: Scenic and cultural landscapes are protected	<p>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.</p>
	O30: Urban tree canopy cover is increased	

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		<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.</p>
	<p>O31: Public open space is accessible, protected and enhanced</p>	<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 Environmental Sustainability Strategy 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>. No changes are proposed to existing land zoned RE1 Public Recreation, except for a marginal reduction (see discussion in ‘Introduction – Key Elements of the Planning Proposal - RE1 Public Recreation zone’).</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 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 in mid-winter between 12 midday and 2pm. This clause also requires future development on land marked Blocks A and B on the Sun Access Protection Map that results in overshadowing to Parramatta Square between 1:00pm to 2:00pm on 21 March and 23 September (ie. Equinoxes) in any year, that there must be a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square as mapped.</p> <p>This clause is underpinned by the <i>Overshadowing Analysis</i> (June 2019, revised in November 2019, August 2020 and April 2021).</p>
	<p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<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>
<p>An efficient city</p>	<p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p>	<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 by way of the Review of High Performing Buildings Study 2019 provides the planning evidence for these proposed controls.</p>

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	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 assessment of a design against sustainability performance measures.</p>
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>

PLANNING PROPOSAL – Parramatta CBD

Central City District Plan

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
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <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 	<p>Refer to the responses against the GSRP above, at O1 to O4, in Table 6.</p>

Liveability

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

PLANNING PROPOSAL – Parramatta CBD

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

Liveability Direction	Planning Priority/Action	Comment
<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>Community Infrastructure Strategy 2020</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> <p>See also responses against the GSRP above, at O7 to O9, in Table 7.</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 [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>The planning proposal increases the housing opportunities within the B4 Mixed Use by increasing FSRs.</p> <p>The planning proposal is consistent with the priorities and actions outlined in the Council endorsed Local Strategic Planning Statement (March 2020) and the Local Housing Strategy (July 2020).</p> <p>See also the discussion in Section 3.2.2 also in the 'Employment and Dwelling Projections' section.</p>

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<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 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>
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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
<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 link to the former Appendix 13 in Appendix 3).</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, GOP and Western Economic Corridors are better</p>	<p>PP C8: Delivering a more connected and competitive GOP 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 GOP Economic Corridor • A30: Prioritise transport investments that enhance 	<p>The planning proposal is consistent with the GOP vision as it aims to strengthen Parramatta CBD's role in the GOP 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>

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connected and more competitive	access to the GPOP between centres within GPOP	The planning proposal also relies on the State Government delivering critical transport infrastructure such as the Parramatta Light Rail (Stages 1) and the Sydney Metro West projects. Refer also to responses against the GSRP above, at O15 in Table 8. See also the discussion in the 'Employment and Dwelling projections' section.
O14: A Metropolis Of Three Cities – integrated land use and transport creates walkable and 30-minute cities.	PP C9: Delivering integrated land use and transport planning and a 30-minute city <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 by (a-d) 	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 CBD new streets, lanes, and open spaces. 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 link to the former Appendix 13 in Appendix 3). Additionally, the planning proposal relies on State Government investment in infrastructure as noted above. Refer also to responses against the GSRP above, at O14 in Table 8.
O22: Investment and business activity in centres.	PP C10: Growing investment, business opportunities and jobs in strategic centres <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 	The Planning Proposal aims to strengthen the economic function of Parramatta as Greater Sydney's Central City. 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. Furthermore, the Parramatta CBD Planning Proposal has identified areas that can accommodate additional retail floor space which will encourage investment into the CBD. Refer also to responses against the GSRP above, at O23 in Table 8.
O23: Industrial and urban services land is planned, retained and managed	PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land <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 	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 (2016) and its update, the Employment Lands Review and Update (2020). See responses against the GSRP above in O22 and O23 in Table 8.

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	use activities (a-e) and transport operations (f-g) [abridged]	
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 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 	<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 Local Strategic Planning Statement 2020.</p> <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 the Sydney Metro West.</p> <p>Refer also to responses against the GSRP at O24 in Table 8.</p>

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. No changes are proposed to existing land zoned RE1 Public Recreation, except for a marginal reduction (see discussion in 'Introduction – Key Elements of the Planning Proposal - RE1 Public Recreation zone').</p> <p>See responses against the GSRP above in O25, O27, O28, O30 and O31 in Table 10.</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 	<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</p>

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	<ul style="list-style-type: none"> • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>Parramatta's <i>Disability Inclusion Action Plan</i> and <i>Environmental Sustainability Strategy</i>. No changes are proposed to existing land zoned RE1 Public Recreation, except for a marginal reduction (see discussion in 'Introduction – Key Elements of the Planning Proposal - RE1 Public Recreation zone').</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 also requires future development on land marked Blocks A and B on the Sun Access Protection Map that results in overshadowing to Parramatta Square between 1:00pm to 2:00pm on 21 March and 23 September (ie. Equinoxes) in any year, that there must be a compensatory publicly accessible area, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time, and which immediately adjoins and is contiguous with the eastern end of Parramatta Square, as mapped.</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</p>

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		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.
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 	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.

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	when planning for growth in Parramatta CBD	
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“A City Supported by Infrastructure” – A Place-based Infrastructure Compact (PIC) Pilot

The Greater Sydney Commission (GSC) has prepared the “A City Supported by Infrastructure” – A Place-based Infrastructure Compact (PIC) Pilot for the Greater Parramatta and Olympic Peninsula (GPOP) area (“the Draft GPOP PIC”). The GPOP PIC was exhibited by the GSC from 7 November to 18 December 2019 who then released their final recommendations on the GPOP PIC to the NSW Government.

The GPOP PIC is a strategic planning model that seeks to better align growth of jobs and housing with the provision of infrastructure and services centred around 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.

The GPOP area is at the core of the Central City, and the centre of Greater Sydney. The GPOP PIC outlines GPOP’s role as a major generator of new jobs and housing and identifies the requirement for sequencing of growth and supporting infrastructure projects in a logical way to ensure that the area becomes more liveable, productive and sustainable as it grows.

The Planning Proposal is consistent with the GPOP PIC vision as it aims to strengthen Parramatta CBD’s role in the GPOP corridor as a connected and competitive CBD for Greater Sydney. The Planning Proposal encourages employment growth and enhances the availability and vibrancy of retail and service jobs, consistent with the GPOP PIC, by requiring a minimum 1:1 FSR for commercial uses in parts of the B4 zone near the B3 zone. Additionally, the Parramatta CBD Planning Proposal is proposing to expand the B3 Commercial Core zone and increase floor space ratio planning controls to support the targets for increased job opportunities and generate economic benefits for Sydney, consistent with the GPOP PIC.

The Planning Proposal also establishes key **community infrastructure principles which must be complied with to access** incentive FSR. Furthermore, consistent with the GPOP PIC vision for the alignment of growth with the timely provision of infrastructure, both local community infrastructure and State Government infrastructure investment will play a critical role in supporting the growth of jobs and dwellings in the Parramatta CBD. The growth envisaged under the Planning Proposal is supported by a range of regional infrastructure projects currently in the planning, design, construction and completion phases including: the Bankwest Stadium, Parramatta Aquatic and Leisure Centre, Museum of Applied Arts and Sciences (MAAS), Western Sydney Airport, Parramatta Light Rail (PLR) Stage 1 and the Sydney Metro West project.

At the time of writing, the GSC recommendations on the GPOP PIC had been considered by Government who are now moving into the next phase of implementation for GPOP being a Strategic Plan. The Strategic Plan for GPOP replaces the Greater Parramatta Interim Land Use and Implementation Plan (LUIIP), which is currently supported and given strategic weight through a Ministerial 9.1 Direction. Information on the NSW Government website indicates that work on the Strategic Plan for GPOP is expected to start in 2021 in close collaboration with City of Parramatta and other councils within the GPOP area and will be publicly exhibited to encourage community input into the future vision for GPOP.

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This is discussed further in Section 3.2.4 in Direction 7.5 and a link to information on the GPOP PIC and Strategic Plan for GPOP is available on the NSW Government website here:

<https://www.planning.nsw.gov.au/gpop#:~:text=In%20November%202019%2C%20the%20Greater%20Sydney%20Commission%20%28GSC%29,final%20recommendations%20on%20the%20GPOP%20PIC%20to%20Government>

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 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 publicly 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.

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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 requirement to comply with key community infrastructure principles for development wanting to access incentive controls (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 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 requirement for development wanting to access incentive controls to comply with key community infrastructure principles (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

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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/councilkey-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.
- 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/city-river-foreshore-transformation>

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

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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 46,120 additional jobs over 40 years – 2016-2056). The proposed height and FSR controls enable a significant increase in housing (approximately 14,110 additional dwellings 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 Local Housing Strategy (LHS) that was endorsed by Council in July 2020 following public exhibition. Developed in accordance with the liveability, productivity and sustainability strategic priorities of the Central District Plan, the LHS provides direction at the local level about when and where future housing growth will be located and actions for implementation and delivery. The LHS has identified that Council is meeting its 2021 dwelling targets, but will also exceed its 2036 dwelling targets. The 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>.

Local Housing Strategy

The City has prepared its Local Housing Strategy (LHS) approved by Council on 13 July 2020 to support and inform the Local Strategic Planning Statement (LSPS).

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 LHS, required to implement the LSPS and meet its key objectives. In this regard, the CBD PP is considered to be generally consistent with the LHS as it will facilitate future housing growth in the Parramatta CBD, 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 LHS as endorsed by Council in July 2020 can be accessed via <https://www.cityofparramatta.nsw.gov.au/local-housing-strategy>.

Local Strategic Planning Statement

The City of Parramatta's Local Strategic Planning Statement (LSPS) "City Plan 2036" came into effect on 31 March 2020.

One of the key roles of the LSPS is to provide strategic direction on where housing and jobs should be concentrated within the City of Parramatta. With regards to housing, the LSPS (and its supporting LHS) directs high density housing within the City's existing

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growth precincts because growth precincts are serviced by major infrastructure or have major transport infrastructure being planned or rolled out. The 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 (14,110 and 46,120 respectively) the planning proposal is consistent with the LSPS. A copy of the LSPS as endorsed by Council and assured by the GSC in March 2020 can be accessed via <https://www.cityofparramatta.nsw.gov.au/lspis>.

Community Infrastructure Strategy

The City of Parramatta's *Community Infrastructure Strategy* (CIS) was approved by Council on 13 July 2020. The CIS outlines the City's long term direction for community infrastructure provision across the City of 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

The CBD Planning Proposal is generally consistent with the guiding principles of the *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.

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. As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal.

A copy of the CIS can be accessed via <https://www.cityofparramatta.nsw.gov.au/cis>.

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 area which is subject to the planning proposal.

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	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs.

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<p>SEPP No 22 Shops and Commercial Premises</p> <p>SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)</p> <p>SEPP No 33 Hazardous and Offensive Development</p>		
<p>SEPP No 55 Remediation of Land</p>	✓	<p>Consistent.</p> <p>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 in 2016 (refer to link to the former Appendix 15a in a link in Appendix 3), that recommended that a detailed site investigation be undertaken at the development application stage of the redevelopment of any land within the CBD.</p> <p>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>. An addendum to the 2016 was prepared in 2019 as a review of the 2016 Study for currency (refer to link to the former Appendix 15b in Appendix 3).</p>
<p>SEPP No 64 Advertising and Signage</p>	✓	<p>Consistent.</p> <p>This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP.</p>
<p>SEPP No 65 Design Quality of Residential Flat Development</p>	✓	<p>Consistent.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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, Church Street Precinct, Opportunity Sites and some areas north of heritage conservation areas. The urban design testing considered SEPP 65 and ADG compliance.</p>

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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 With regards to the SEPP Amendment (Build-to-rent Housing) 2021, see below.
SEPP Amendment (Build-to-rent Housing) 2021 to SEPP No 70 Affordable Housing (Revised Schemes)		Justifiably Inconsistent. The Build-to-Rent (BTR) amendments to SEPP 70 pose a risk to the objectives of the B3 Commercial Core in Parramatta CBD where the outcome sought is to provide employment-generating development and increase the supply of high quality office space, to support the Parramatta CBD to be the metropolitan centre for western Sydney. Provision of residential development within the Commercial Core, even if such development cannot be subdivided, erodes the function of the Commercial Core as a location for corporate office space development and jobs. The B3 Commercial Core of the Parramatta CBD is surrounded by a large B4 Mixed Use land area, which will provide ample opportunities for BTR type development without eroding the integrity of the B3 Commercial Core for employment-generating development.
State Regional Environment Plans (REPs) – Deemed SEPPs		Comment
Sydney REP (Sydney Harbour Catchment) 2005	✓	Consistent. The City of 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 section 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

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- 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		
<p>Direction 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 strategic centres. 	<p>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.</p> <p>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 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 exclusively for employment uses from 21ha to 30ha. The planning proposal, as exhibited, increased the B3 Commercial Core to 38ha. This was reduced back to 30ha in response to a submission from the owners of Westfield Parramatta. 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 excluding commercial floorspace above a minimum 1:1 FSR in the B4 Mixed Use zone from being counted towards the FSR control; 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 DITRDC approves penetration of the OLS (at 156m RL).</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 Appendix 2a.</p>	Consistent
2. Environment and Heritage		
<p>Direction 2.3 - Heritage Conservation</p> <p>The objective of this direction is to conserve items, areas,</p>	<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</p>	Justifiable non-compliance

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<p>objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>to conserve the environmental heritage of Parramatta.</p> <p>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, 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"> • 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</p>	
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	<p>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>Furthermore, the CBD DCP which is anticipated for exhibition in the second half of 2021 will contain heritage provisions to ensure new development is sympathetic to heritage protection.</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 new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environment and resource lands. 	<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 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>	Justifiable non-compliance
<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> <ol style="list-style-type: none"> improving access increasing transport choice reducing travel demand supporting the efficient operation of public transport services providing for the efficient movement of freight. 	<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 	Consistent.

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	<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>The planning proposal is also consistent with the metropolitan strategy for Sydney as it intensifies development within Parramatta, Sydney's Central City.</p> <p>Consultation with TfNSW to satisfy Gateway conditions 2 and 4 did not raise issues of non-compliance of the CBD PP with these conditions.</p>	
<p>Direction 3.5 – Development Near Regulated Airports and Defence Airfields</p> <p>The [abridged] objectives of this direction are:</p> <ul style="list-style-type: none"> a) to ensure the effective, safe operation of aerodromes b) to ensure development does not obstruct, create a hazard or potential hazard to aircraft 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>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 the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications.</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 DITRDC has occurred.</i></p> <p>The DPIE recommend that <i>CASA and DITRDC be consulted prior to community consultation.</i></p> <p>This consultation has now been carried out as part of the pre-exhibition consultation process with relevant public authorities required in Condition 2 of the Gateway determination. DITRDC has issued their approval for the proposal to go to public exhibition and therefore Council is of the view that this Planning Proposal is now consistent with this direction. No further comments were provided by DITRDC regarding non-compliance with this direction as part of the consultation required with State Authorities and Service Providers to satisfy Condition 4 of the Gateway determination.</p>	<p>Consistent.</p>
<p>4. Hazard and Risk</p>		
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the</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</i></p>	<p>Inconsistency with minor significance</p>

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<p>use of land that has a probability of containing acid sulfate soils.</p>	<p><i>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 the inconsistency is minor and no further consideration of this issue is warranted at the planning proposal stage.</p> <p>The DPIE recommend that the Secretary's delegate agree that the inconsistency with this Direction is of 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 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>).</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>No comments were provided by State Emergency Services (SES) regarding non-compliance with this direction as part of the consultation required with State Authorities and Service Providers to satisfy Condition 2 or 4 of the Gateway determination.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>
<p>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</p>	<p>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.</p> <p>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.</p> <p>Also, see also sub-sections below.</p>	<p>Consistent.</p>

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<p>4.3 (6) A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> 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. 	<p>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.</p> <p>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></p> <p><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></p> <p><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></p> <p>Also, see also sub-sections below.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>
<p>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-General (or an officer of the Department nominated by the Director General).</p>	<p>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 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.</p> <p>Also, see also sub-sections below.</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>
<p>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</p>	<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</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

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<p>the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>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 of the flood study, or as part of a subsequent floodplain risk management study. <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 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</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</p>	<p>Exceptional circumstances to enable consultation prior to exhibition</p>

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<p>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>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> It is noted that only the SES and OEH were required to be consulted under the conditions of the Gateway determination (December 2018).</p> <p>No comments were provided by the NSW SES and also Department of Premier and Cabinet (who absorbed the OEH functions) regarding non-compliance with this direction as part of the consultation required with State Authorities and Service Providers to satisfy Condition 4 of the Gateway determination.</p>	
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>	<p>This planning proposal introduces does not propose to change any existing approval and referral requirements.</p>	<p>Consistent</p>
<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>b) to facilitate the removal of reservations of land for public purposes where required.</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 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 draft Land Zoning Map within the planning proposal is proposed to be amended to reflect a proposed change in zoning from RE1 Public Recreation to B4 Mixed Use for an area of land approximately 1065 sqm in size and adjacent to the Barry Wilde Bridge and Parramatta River. The land</p>	<p>Consistent. Approval needs to be obtained to reduce the RE1 zone as proposed.</p>

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	<p>includes part of 30B Phillip Street, Parramatta (Lot 1 DP 1247122) owned by the NSW Government and part of 46 Phillip Street, Parramatta (Lot 3 DP 1247122) owned by the City of Parramatta Council. The intent of the rezoning of this land is to rationalise and align the land zones in this area, so as to provide a consistent alignment along the foreshore. Prior to finalisation of the Planning Proposal, Council will seek approval from the relevant public authority and DPIE, in accordance with clause (4) of this Ministerial direction to make this proposed zoning change.</p>	
<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> <p><i>A reconciliation between the site-specific amended clauses within PLEP2011 and the proposed clauses in this planning proposal revealed minor changes between the CBD planning proposal clause as currently intended for drafting compared to the clause for the already-notified site-specific PP. The clauses for the already-notified site-specific planning proposals reflected the direction of the CBD planning proposal at a particular point in time – a position that has, and continues to evolve.</i></p> <p><i>Until the CBD planning proposal clauses have been formally adopted and legally drafted, any attempt to amend already-notified clauses to reflect the draft provisions will have unintended consequences.</i></p> <p><i>Accordingly, this Direction can be addressed in a more timely manner when the CBD planning proposal clauses have legal status and a further reconciliation is undertaken via a Housekeeping style LEP amendment.</i></p>	<p>Justifiably Inconsistent</p>
<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 	<p>The planning proposal contains four (4) site specific planning controls which are detailed below.</p> <p>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>Justifiably inconsistent</p>

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<p>instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>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>	<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>. Further to the above, development for the purposes of retail premises on the remaining B5 zoned land has also been retained under this Planning Proposal.</p> <p>This site specific amendment is therefore considered to be consistent with Direction 6.3 (4).</p> <p>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 B” 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>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>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>	
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	Also, see also sub-sections below.	
6.3 (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	The four 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 (3-4) 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 46,120 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	Consistent

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	<p>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 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 that is consistent with key community infrastructure principles.</p> <p>The planning proposal is consistent with this direction.</p> <p>[As discussed in Section 3.2.1, it is understood that the GOP LUIIP is being replaced with a 'Strategic Plan for GOP', which at the time of writing had not been publicly exhibited. Council awaits any advice from the Department about this issue in relation to the CBD PP].</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

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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.

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.

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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 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 comply with **key** community infrastructure **principles** to provide for tall, slender towers.

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 granted Council exceptional circumstances for purpose of consultation with State agencies.

SES have not made any formal submissions to date despite contact being made as part of Gateway Conditions 2 and 4 consultation. Should the SES provide a submission to Council after the CBD PP is endorsed by Council and forwarded to the DPIE, Council will rely on the Department to address any matters raised arising from a late submission.

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 (**refer to link to the former Appendix 15a in Appendix 3**). 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 *Preliminary Site Investigation Study for the Auto Alley area*, the report suggests that the PSI is considered in Development applications within the Auto Alley Area (**refer to link to the former Appendix 15b in Appendix 3**). 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

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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 creates capacity for an additional 46,120 jobs and 14,110 dwellings, which would allow for residents to 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

To address the social effects of this growth, certain development seeking higher development yields will be required to **comply with key** community infrastructure **principles**. This is to ensure that the additional demands on the infrastructure network generated by the new development are adequately addressed.

As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal. The review will also consider and update the infrastructure needs analysis for the Parramatta CBD.

Major regional infrastructure projects (such as Parramatta Light Rail, Parramatta Schools Project, Museum of Applied Arts and Sciences and 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. **Funding for this infrastructure will be sought through a new Development Contributions Plan, which will be prepared separately.** 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. It is also noted that the Greater Sydney Commission has prepared the “A City Supported by Infrastructure” – A Place-based Infrastructure Compact (PIC) Pilot for the Greater Parramatta and Olympic Peninsula (GPOP) area, which outlines a strategic plan for regional infrastructure that is currently **being reviewed by the NSW Government.**

Further, the recently finalised Community Infrastructure Strategy also 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 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 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 on Community Infrastructure is **available via a link in Appendix 3.**

Economic effects

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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.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The draft changes to the planning controls will permit a significant increase in development potential across the City Centre. The uplift of the FSR controls in terms of yield has been quantified and is outlined in Table 3 earlier in 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

Also note Council's response to the 'A City Supported by Infrastructure' – A Place-based Infrastructure Compact Pilot for the Greater Parramatta and Olympic Peninsula – or GOPP PIC - in section 3.2.1.

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

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Source: Kinesis, 2016.

Endeavour Energy and Sydney Water have indicated to Council that their existing systems and networks across Parramatta are well-equipped to support the increased population proposed for the Parramatta CBD. Further management to assure supply security will be managed during the DA application process by applicants and the Service Providers.

The City of Parramatta LGA has two existing recycled water networks (Rose Hill and SOPA), and the Greater Parramatta and Olympic Peninsula Place-based Infrastructure Compact identifies a recycled water network for the region as an action. Requiring new development to be recycled water ready through the provision of dual piping is critical for the adoption and expansion of recycled water use throughout the LGA, which will greatly reduce potable water use and increase water resilience.

The Planning Proposal recognises the NSW Government's *20 Year Waste Strategy*, which is currently being developed. The 20-Year Waste Strategy works towards a circular economy for NSW and is set to include policies that support a sustainable, reliable and affordable Waste Strategy. In relation to the inclusion of a circular economy for Parramatta CBD, this will be considered as part of the DCP together with the principles relating to waste management.

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 Sydney Metro line planned by the NSW Government. However, as a consequence of the anticipated 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. Council has prepared a Strategic Transport Study with accompanying **three** Technical Papers (which formed Appendices 13a to 13d in the exhibited CBD PP) with links available to each technical paper in **Appendix 3**). The purpose of that study was to identify the transport task generated by the future Parramatta CBD, and develop an understanding of the scale and type of transport interventions required to support proposed planning control changes under the planning proposal. Further work is also being undertaken in the preparation of a mesoscopic model and Integrated Transport Plan, both of which are required to be completed prior to finalisation of the planning proposal.

Any upgrades required to the road network will be identified through the mesoscopic model and Integrated Transport Plan work. It is also noted that Council is proposing a number of new road widenings through this planning proposal – refer to the proposed Land Reservation Acquisition Map.

Council will continue to engage with Transport for NSW and the Roads and Maritime Service regarding the preparation of the mesoscopic model and Integrated Transport Plan, including the provision of any upgrades and new services for roads and public transport.

Essential Services

A Metropolis of Three Cities – the Greater Sydney Region Plan 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

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The Parramatta CBD Planning Proposal includes an LEP clause that requires **compliance with key** community infrastructure **principles** where an uplift in development on a site is sought. As discussed previously in this planning proposal, Council will complete a review of the infrastructure funding framework for the Parramatta CBD prior to the finalisation of this planning proposal, so as to ensure an appropriate framework is in place to support the significant growth anticipated under this planning proposal. **This will be the preparation of a new Development Contributions Plan for the CBD.** Council will engage with relevant state agencies as required should any issues arise in the provision of community infrastructure and how this relates to the delivery of regional infrastructure.

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?

Early 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 in 2015:

- 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;*
- *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, Transport, Regional Development and Communications.*

To that end, pre-exhibition consultation with the above listed public authorities occurred **was undertaken** between 19 December 2019 and 10 February 2020 following Council's endorsement of the Planning Proposal in November 2019. During this consultation, Council sought comment on the updated Planning Proposal from the public authorities in

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Condition 2 of the Gateway Determination (listed above) and received four (4) submissions from:

- Department of Infrastructure, Transport, Regional Development and Communications,
- Civil Aviation Safety Authority,
- Airservices Australia, and
- Government Architect NSW.
- Office of Environment and Heritage*

Note: NSW Office of Environment and Heritage and the NSW Heritage Office no longer exist as independent entities. Department of Premier and Cabinet (DPC) – Customer Strategies, Heritage NSW has absorbed the heritage functions.

The public authorities that did not provide a submission during the pre-exhibition consultation period were advised that they would receive a further opportunity to make a submission on the Planning Proposal during the formal public exhibition with the community and other public authorities as required by Condition 4 of the Gateway Determination.

The issues raised in the four submissions received resulted in minor, non-policy changes to the Planning Proposal document and 'Appendix 2b – Proposed LEP Maps' in response to the submissions from the Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) and the Government Architect NSW (GANSW).

The submission from DITRDC requested the Planning Proposal be updated to reinforce the referral process required to DITRDC for development that exceeds the Obstacle Limitation Surface (OLS) of 156 metres AHD and is considered a 'controlled activity'. To address this, it was agreed that changes be made to the Height of Building Map (base and incentive) in 'Appendix 2b – Proposed LEP Maps' of the Planning Proposal to add in an explanatory note. Minor additions reiterating the need for referral to DITRDC when development or a structure penetrates the OLS was also made in the Planning Proposal for consistency.

The submission from the GANSW raised a number of urban design matters broadly relating to active street frontages, DCP considerations, design excellence and solar access. The GANSW requested that the active frontages controls be reviewed, particularly where full activation is unsuitable such as new schools and Lancer Barracks. To address this, it was agreed that changes be made to the Active Frontages Map in 'Appendix 2b – Proposed LEP Maps' of the Planning Proposal to remove sites where active street frontages are not viable due to their special infrastructure uses and historical significance specifically:

- Lancer Barracks given its significant heritage status (which is the approach taken with the St Johns Cathedral Church); and
- The school sites at Arthur Phillip High School and Parramatta Public School, which have been recently redeveloped and have not provided active frontages given their status as educational facilities.

The other matters raised by GANSW did not warrant changes to the Planning Proposal.

It is also noted that a late submission was received from Heritage NSW on 16 June 2020. Given that the Planning Proposal was already submitted with the Department for review at that time, Heritage NSW and the Department were both advised that the late Heritage NSW submission would be considered by Council as part of the formal public exhibition

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process. This was acknowledged in the Department's approval letter dated 27 July 2020, which allowed the Planning Proposal to proceed to public exhibition. This Department letter notes that "Council will consider this submission following public exhibition of the proposal." It is noted that no formal submission was received from Transport for NSW and Roads and Maritime Services during the pre-exhibition consultation process. Notwithstanding this, as part of the preparation of the Mesoscopic Model and Integrated Transport Plan that support the Planning Proposal, there is ongoing consultation with Transport for NSW, Roads and Maritime Services, Parramatta Light Rail and Sydney Metro West.

Following the pre-exhibition consultation process with public agencies (as described above), and as required under Condition 1 of the Gateway Determination, Council referred the Planning Proposal to the Department on 17 March 2020 seeking approval to proceed to public exhibition. The referral also included a request to amend condition 1(l) of the Gateway determination to allow the updated Planning Proposal to progress to exhibition without further delay caused by the current incomplete status of the Mesoscopic Model and Integrated Transport Plan (which are currently being prepared).

On 27 July 2020, notification that the Planning Proposal could proceed to public exhibition subject to further amendments was outlined in the Department's letter to Council dated 27 July 2020 and accompanying Alteration to the Gateway Determination. A copy of the Letter from the Department and the Alteration to the Gateway Determination **along with** a summary of the work undertaken to address each condition in the Alteration to the Gateway Determination (**which formed Appendices 4c and 4d in the exhibited CBD PP**) **are available via link provided in Appendix 3.**

The matters the Department raise in their approval letter required Council to address by way of amendments to the Planning Proposal prior to public exhibition related to the high performing buildings clause, overshadowing of Parramatta Square and community infrastructure. This version of the Planning Proposal incorporates the required amendments and are explained elsewhere in this Planning Proposal. The altered Gateway Determination condition about completion of the Integrated Transport Plan and Mesoscopic Model prior to finalisation of the Planning Proposal responds to Council's request in March 2020 for this amendment to the conditions of the Gateway Determination issued in December 2018.

Note: a late submission was received from NSW Heritage which could not be considered because it was received well after Council Officers had completed its review of the revised Planning Proposal and submission to DPIE. However, this submission was considered as part of the Condition 4 consultation process discussed below.

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;

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- Deerubbin Aboriginal Land Council;
- 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.

Consultation with the above listed Public Authorities/Organisations and Service Providers occurred between 23 September 2020 and 2 November 2020. During the public exhibition period, Council received 15 responses, 12 of which are considered formal submissions to the Condition 4 consultation. The 12 submissions were received from:

- Department of Agriculture, Water and the Environment
- Heritage NSW
- Property and Development NSW and the Department of Education (prepared by Ethos Urban)
- National Trust of Australia (Parramatta Branch)
- National Trust of Australia (NSW Branch)
- NSW Environment Protection Authority
- Endeavour Energy
- Sydney Water
- Schools Infrastructure NSW as part of the Department of Education
- The Hills Shire Council
- Environment, Energy and Science Group
- Transport for NSW

In addition to the listed authorities and service providers, Council officers also notified additional authorities, institutions and interest groups considered relevant and/or had requested to be notified of the exhibition process.

Council also notified the **Greater Sydney Planning Unit** at DPIE in relation to Parramatta's Aboriginal cultural heritage as requested by Heritage NSW, however no response was received.

SES have not made any formal submissions to date despite contact being made as part of Gateway Conditions 2 and 4 consultation. Should the SES provide a submission to Council after the CBD PP is endorsed by Council and forwarded to the DPIE, Council will rely on the Department to address any matters raised arising from a late submission.

GANSW and the **Department of Infrastructure, Transport, Cities and Regional Development** each provided a response that their matters were addressed during the Condition 2 pre-exhibition consultation and that they have no further comments. **City of Ryde Council** provided a response that they will not be making a submission and requested be kept informed of the progression of the CBD PP.

Some of the matters raised in the 12 submissions received in response to the Condition 4 consultation resulted in minor, non-policy changes to the Planning Proposal document; or require further consideration through an alternative planning proposal pathway at a later stage; or are being considered as a matter appropriate for the DCP. There were also matters raised in the submissions that did not warrant changes to the planning proposal.

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A copy of the summary of the submissions and the council officers' response to the Public Authorities/Organisations and Service Providers can be found at Appendix E of the Community Engagement Report, with a brief summary provided below. It is noted that DPIE may consider some of the matters raised to be an unresolved Public Authority objection requiring closer consideration.

Department of Agriculture, Water and the Environment

This Department provided a statement that they consider the proposed controls have taken into account the key areas of interest to the Department such that the Conservation Agreement will not be impacted. This includes the World Heritage listed Old Government House and Domain and the 'Conservation Agreement for the protection and conservation of the World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta'.

Response: The issues raised in this submission did not require any amendments to the Planning Proposal.

Heritage NSW

Consistent with the Department's approval letter dated 27 July 2020, which allowed the Planning Proposal to proceed to public exhibition, the submission from Heritage NSW dated 15 June 2020 was considered by Council as part of the Condition 4 public exhibition process.

In their submission received on 30 October 2020, Heritage NSW requested that their issues raised in their submission dated 15 June 2020 be formally considered as part of the public exhibition process. Detailed responses to the matters raised by Heritage NSW are at Appendix E of the Community Engagement Report, with key issues addressed as follows:

- Heritage NSW recognised that one of the stated objectives of the planning proposal (Objective 9) is to protect and manage the values of Parramatta's Local, State, National and World Significant European and Aboriginal heritage items, HCAs, places and views; however, recommended the World Heritage listed Parramatta Park, Old Government House and the Government Domain be excised from the Planning Proposal.

Response: Council notes that the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre is included on the maps and within the boundary of the CBD PP to enable the existing controls in PLEP 2011 to be maintained and therefore, this recommendation does not warrant any changes to the Planning Proposal.

- Heritage NSW raised concerns with regards to intensification of development in the vicinity of State and National Heritage items/places and Council's Local heritage items and Heritage Conservation Areas and Heritage Interface Areas. In their submission, these areas are described as vulnerable to new, large-scale development and recommend that Council introduce measures to mitigate heritage impacts through the detailed design processes and development application assessment.

Response: Extensive heritage studies have been undertaken to support the amendments to the planning controls and have been required to demonstrate consistency with Ministerial Direction 9.1, Direction 2.3 (Heritage) of the EPA Act 1979. Furthermore, a new provision - Clause 7.6K Managing Heritage Impacts is proposed that requires any new development to provide a heritage impact statement or a conservation management plan, where applicable, to demonstrate an appropriate relationship to heritage items and heritage conservation areas that

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responds positively to heritage fabric, the street, and the wider area. The CBD PP will also be supported by new DCP controls, including heritage controls and the mitigation measures identified by Heritage NSW will be considered in the drafting of the heritage section of the CBD DCP.

Property and Development NSW and the Department of Education

Ethos Urban made a submission on behalf of Property and Development NSW and the Department of Education. The matters raised in their submission related to overshadowing and solar amenity with Property and Development NSW and the Department of Education requesting that the CBD PP makes it clear that overshadowing is expected and that the maintenance of solar amenity may be difficult to achieve in some circumstances.

Response: Draft Clause 7.4 Sun Access Protection makes clear the parameters and land to be protected from overshadowing and maps the protected spaces on the Sun Access Protection Map consistent with Condition 1(j)(ii), (j)(iii), (j)(iv), 1(k)(ii) and Condition 1(o) of the Gateway determination for the CBD PP. Further, the need for compliance with SEPP 65 and the associated Apartment Design Guide, which includes specific solar access controls for apartments are clearly outlined in the respective guidelines. Otherwise the CBD PP implicitly recognises that overshadowing from future development will have impacts on other development across the CBD and, except for those areas explicitly nominated for protection, accepts that overshadowing will occur. The CBD PP will also be supported by new DCP controls. In summary, the issues raised in this submission did not require any amendments to the Planning Proposal.

National Trust of Australia

Two separate submissions were received from the National Trust of Australia, one from the Parramatta Branch and the second submission from the NSW Branch. The matters raised in their submissions are as follows:

- Both the Parramatta Branch and NSW Branch supported the exhibited 18 metre height limit for the Roxy Theatre (69 George Street), with the Parramatta Branch further requesting support from Council to rezone the site to SP1 Special Activities.

Response: The exhibited base building height control of 18 metres with no incentive height for the Roxy Theatre site (69 George Street) was based on the outcomes of a recent court case and the evidence tabled during the hearing including from the Office of Environment and Heritage. However, this proposed change will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 height control which relies on the Solar Access Plane will be applied as a temporary arrangement because of the review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block. Therefore, this recommendation does not warrant any changes to the Planning Proposal.

In relation to the rezoning of the site to SP1 Special Activities, acquisition of the site by Council has not been considered previously and would place a significant financial impost on Council and the community to acquire the site arising from the application of the SP1 zone and consequential reservation of the land on the Land Reservation Acquisition Map pursuant to Sections 3.14(1)(c) and 3.15 of the Act.

In summary, the request to retain the 18m building height and rezone the Roxy theatre site to SP1 is not supported and therefore the issues raised in this submission did not require any amendments to the Planning Proposal.

- Both the Parramatta Branch and NSW Branch raised concerns with the loss of the heritage setting around St Johns Anglican Cathedral, exacerbated by site-specific planning proposals.

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Response: With regards to the heritage setting, the heights and FSRs in this vicinity have been principally informed by the heritage items within the precinct and the relationship with the bulk and scale of surrounding buildings as recommended in the Urbis Heritage Study (2015), the Church Street Precinct study (2019) and the Review of Opportunity Sites Report (including the Heritage Review by LSJ) (2019). Further, the resolution of Council on 25 November 2019 endorsing the 12 metre height limit and 12 metre tower setback with lower heights to maintain the blue sky view through Centenary Square, has effectively been vetted by DPIE through the Department's issuing of their Alteration Gateway determination in July 2020 endorsing the revised planning proposal – inclusive of the lower building height - for exhibition purposes.

SSPPs are subject to a separate planning assessment process and the CBD PP does not propose any changes to the listing of heritage items. In summary, the issues raised in this submission did not require any amendments to the Planning Proposal.

- The Parramatta Branch also raised concern about heritage impacts from the proposed planning controls and included recommendations to provide clear development requirements for heritage items and nearby properties that adjoin heritage items or conservation areas.

Response: Council is currently preparing supporting DCP amendments that will include heritage controls and outline development requirements for heritage items and nearby properties that adjoin heritage items or conservation areas. Further, Council has proposed a new heritage clause 7.6K in this planning proposal that operates in addition to the standard heritage clause 5.10.

NSW Environment Protection Authority (NSW EPA)

- The NSW Environment Protection Authority (NSW EPA) provided comments in relation to air quality guidelines, noise management controls, high performing buildings, provision of dual water pipes, waste management strategy and contamination.

Response: In relation to the inclusion of a circular economy, this will be considered as part of the DCP together with the principles relating to waste management.

- In their submission, the NSW EPA suggested the Planning Proposal would benefit recognising the *NSW Government's 20 Year Waste Strategy*, which is currently being developed.

Response: Support the request to address the *NSW Government's 20 Year Waste Strategy*. As a consequence, 3.4 Section D – State and Commonwealth Interest – waste management of this planning proposal has been updated.

- The NSW EPA also recommended including references to the concept of a "circular economy" into the LEP and supporting controls with new definitions for "Circular Economy Infrastructure" and "Circular Economy Design".

Response: The addition of new definitions to the Dictionary cannot be undertaken by Council unilaterally. However, Council recommends that the EPA consult with the Department to request inclusion of these terms in the Standard Instrument Order so they can be applicable to all local planning instruments across the State.

School Infrastructure as part of the Department of Education

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The submission from School Infrastructure as part of the Department of Education raised matters related to overshadowing and future development contributions plan and infrastructure needs as follows.

- Compliance requested with sun access and overshadowing controls contained in the DoE School Site Selection and Development Guide and Educational Facilities Standards and Guidelines including that at least 70% of school spaces receive direct sunlight between 9am and 3pm.

Response: These requirements are not a condition of the Gateway Determination; however, Council officers liaised with School Infrastructure to confirm the sites and criteria for overshadowing analysis with a response received on 9 December 2020. The findings of the testing are listed below:

- Parramatta High School and Bayanami Public School can achieve the Department's target of sunlight access to at least 70% of the school space for 2 hours or more between 9am and 3pm on 21 June based on the controls proposed within the Parramatta CBD Planning Proposal.
- Arthur Phillip High School and Parramatta Public School cannot achieve this 2 hour target due to proposed height controls of up to 211m(RL) (or 243m(RL) including design excellence) located to the north, northeast and northwest of these schools.

Despite the above results, the existing controls of 120m in PLEP 2011 to the immediate north of Arthur Phillip High School would cause overshadowing to both Arthur Phillip and Parramatta Public schools on 21 June for most of the day in any event.

Based on the findings, the requirements outlined in the Guidelines cannot be included as part of the PP or LEP controls. Therefore, this issue did not require any amendments to the Planning Proposal.

- The submission from School Infrastructure NSW also contained recommendations in relation to the future development contributions plan and identified further infrastructure needs that may be required around Government schools, i.e. Provide new and upgraded widened footpaths and through-paths supported with lighting, way-finding and mature trees, particularly around schools.

Response: Some of the initiatives and infrastructure identified by School Infrastructure NSW will be addressed in the proposed DCP amendments, with the others addressed in separate policies such as the Integrated Transport plan (ITP), Council's Public Domain Guidelines and Cycling Strategy; or will be implemented via separate processes such as a DA, VPA or local infrastructure project. There are also many matters that are outside Council's capability to directly provide. Therefore, a number of these matters will be addressed in a new Development Contributions Plan for the CBD.

The Hills Shire Council

This submission raises concern with the reduced car parking rates for the CBD and public transport options between the Hills and Parramatta.

Response: This planning proposal replaces the majority of the existing car parking provision in clause 7.3 in the Parramatta LEP 2011 with new car parking provisions based on similar provisions in Sydney LEP 2012. This was based on sustainable transport policies to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development. Therefore, no changes are required to the PP or LEP controls to address this submission.

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Environment, Energy and Science Group

Environment, Energy and Science Group (EES Group) are part of the NSW Department of Planning, Industry and Environment. Condition 4 of the Gateway determination did not identify the EES Group to be formally notified of the public exhibition; however, the EES Group made contact with Council about their intention to lodge a submission. The submission from the EES Group addressed matters in relation to the Floodplain Risk Management Package, biodiversity values of the River foreshore and associated mapping, as outlined below.

- Highlighted that all flood matters are the primary responsibility of the NSW SES and its endorsement is considered essential. The EES recommend that future development should be designed to account for any climate change impacts and that the Clause 6.3 in PLEP may need to be revised following finalisation of the draft Flood Prone Land Package.

Response: The SES have not made any formal submissions to date; however, Council will be guided by DPIE on this matter. Council notes that the draft Flood Prone Land Package was exhibited in June 2020; and is currently under consideration by the Department. Council awaits any advice from the Department about this issue in relation to the CBD PP. The CBD PP is not amending Clause 6.3, but is including the additional clause 7.6L to address the intrinsic characteristics of flash flooding in the Parramatta CBD. Council is also undertaking additional flood modelling of the City of Parramatta LGA, including the Parramatta CBD. The outcomes of this new modelling will further refine development guidelines and Flood Planning at a later stage. Therefore, no changes are required to the planning proposal address this matter of the submission.

- Identified opportunities in the PP to include environmental protection measures. This included a request to rezone the riparian corridor along the Parramatta River from RE1 to E2 zone, increasing the width of the riparian corridor along the river and amending the Natural Resources Biodiversity Map in PLEP 2011.

Response: These recommendations are not supported for the reasons detailed in Appendix E; however, to address these issues, Council considers that the inclusion of additional RE1 zone objectives be investigated as part of an alternative PP pathway at a later stage.

- EES recommended that to further support greenery in the CBD and improve local biodiversity and mitigate the urban heat island effect, the LEP controls should be amended to include provisions that require the use of local native provenance species (for example, in Clause 7.6J Opportunity Sites (8)(c)(xv)).

Response: Specification of individual plant species within the CBD PP is beyond the scope of the LEP instrument to reasonably address. Such detail is more appropriately located within a Development Control Plan or other policy of Council. To ensure that this matter is considered, the comment will be forwarded to relevant sections of Council that deal with plant selection.

Transport for NSW

The submission from Transport for NSW raised matters relating to the ITP, SIC, LRAs and bus infrastructure as outlined below.

- Considers there are a number of critical items to resolve prior to finalisation of the PP, specifically the ITP and the SIC; and requires the ITP to be completed to the

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satisfaction of TfNSW prior to the finalisation of the PP. In the absence of a SIC, TfNSW is concerned that satisfactory arrangements would require contributions to be made on a case-by-case basis as DAs are assessed which results in transport impacts of development being considered in isolation without consideration of the cumulative impacts of all growth potential across the Parramatta CBD.

Response: Council will continue to work with TfNSW to ensure the post-exhibition version of the ITP is signed-off by TfNSW to progress the finalisation of the CBD PP. This is consistent with the Gateway Determination. In relation to the SIC, this is a State Government matter, and 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. Council awaits further advice from the State Government about the SIC.

- Advises TfNSW is not in a position to comment on the proposed road widenings identified on the Land Reservation Acquisition Map and encourages Council to work with them on future amendments to the Parramatta DCP 2011.

Response: The DCP is not an appropriate document to incorporate LRAs within the CBD for any modes outside of pedestrians (that often only require a ground floor setback). Any Reservations required to support future transport aspirations that have not already been identified should follow a separate planning process. Council will continue to liaise with TfNSW to ensure the planning controls reflect the outcomes of the ITP and mesoscopic modelling and supports input from TfNSW on any future LRA amendments if applicable.

- Suggestions provided for future bus infrastructure and bus bay requirements for Smith Street between George Street and Macquarie Street. This includes amendments to the relevant LEP or DCP to include design provisions for Macquarie Lane to enable a footpath width of at least four metres.

Response: Council understands TfNSW is currently preparing a study into bus infrastructure requirements for Smith Street and that any amendments to the planning controls as a result this work will be the subject of a separate planning process, and not part of the CBD PP. Council notes that the footpath requirements for Macquarie Lane are being considered in the Civic Link Block 2 study currently underway and is a matter considered appropriate for a DCP. Further, work is being undertaken in this block by Sydney Metro who are masterplanning for a new metro station in this location. Based on the above, there are no changes required to the PP or LEP to address this submission.

Service Providers - Endeavour Energy and Sydney Water

Two submissions were received from individual Service Providers, one submission from Endeavour Energy and the second submission from Sydney Water. These submissions did not raise any issues with the CBD PP.

Detailed responses to the matters raised by the public authorities/organisations and service providers are at **Appendix E** of the Community Engagement Report.

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PART 4 – MAPPING

This planning proposal is supported by the following maps which are being amended or being introduced as new maps:

1. Land Application Map*
2. Amend Land Zoning Map
3. Amend Height of Buildings Map
4. Create new Incentive Height of Buildings Map
5. Amend Floor Space Ratio Map
6. Create new Incentive Floor Space Ratio Map
7. Create new Sun Access Protection Map
8. Create new Opportunity Sites Map
9. Amend Additional Local Provisions Map
10. Amend Special Provisions Map
11. Create new Active Frontages Map
12. Amend Additional Permitted Uses Map
13. Create new Floodplain Risk Management Map

*Note: the purpose of the Land Application Map is to illustrate the area affected by the Parramatta CBD Planning Proposal and is utilised only during the planning proposal process. As such, it is not being amended.

Appendix 1b contains the existing *PLEP 2011* maps which apply to the CBD Planning Proposal area whilst Appendix 2b contains the proposed maps subject to this planning proposal.

Site specific planning proposals

As a result of numerous site-specific planning proposals coming into effect after the commencement of the exhibition of the CBD PP documentation, consequential changes to the Height of Buildings Map, Floor Space Ratio Map, Heritage Map and Special Provisions Area Map. These amendments are detailed in Table 4 in Appendix 4.

Other SSPPs affecting CBD sites that are in train are likely to come into effect in the time between the CBD PP being finalised for reporting to Council and before its notification. To ensure any SSPP caught in this scenario is dealt with, the CEO is proposed to be given delegated authority to enable to work with DPIE and Parliamentary Counsel so as to incorporate these amendments. This will ensure that no SSPP is undone when the CBD PP is notified.

Minor drafting error and technical changes

Council Officers some other minor technical changes. These are detailed in Table 1 of Appendix 4.

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PART 5 – COMMUNITY CONSULTATION

Consistent with Section 3.34(2)(c) and Schedule 1 (Clause 4) of the *EP&A Act, 1979* as well as a Communication Plan and Council's *Community Engagement Strategy* (December 2019), the CBD Planning Proposal was exhibited for a six (6) week period commencing on Monday, 21 September 2020 and concluding on Monday, 2 November 2020.

A broad list of the communication mechanisms utilised (as per the Communication Plan) is provided below:

- Addressed notification letters and emails
- Frequently asked questions (FAQs) and Community Summary Sheet
- Media Release and public notices
- Social Media
- ePulse (e-newsletter)
- Project email address and email databases (4 databases in total)
- Webpages (Participate Parramatta and City of Parramatta websites and NSW Planning Portal's e-planning portal)
- Video presentation (available for down load on the website)
- 'Phone a Planner' sessions
- Online Industry Forum
- Online Community Q&A Session
- Online submission portal and formal submission process
- Presentations to external groups and committees (e.g. Committee of Sydney, Ethos Urban Seminar and the Parramatta Chamber of Commerce as well as Council's Heritage and Flooding Committees).

Community Engagement Report

A Community Engagement Report (CER) summarises the process and feedback from the exhibition period of the Parramatta CBD Planning Proposal resulting in a total of 310 submissions being received by Council. The submissions have been categorised into the following:

- Residents and Individuals: 234 Submissions,
- Institutions, Organisations and Other Interest Groups: 12 Submissions,
- Developers, Major Landowners, and Planning Consultants: 51 Submissions,
- Public Authorities and Service Providers: 12 Submissions.

The feedback received is detailed in the CER, and corresponding appendices, detailing submissions in each category along with the corresponding Council Officer response. The CER forms an attachment to the reports to the Local Planning Panel meeting scheduled for 11 May 2021 and the follow up Council meeting scheduled for 24 May 2021.

Changes to the CBD Planning Proposal documentation

Feedback received during the exhibition period has resulted in changes to this CBD Planning Proposal document as well as the draft LEP Instrument (Appendix 2a) and the Draft LEP Maps (Appendix 2b). These changes are detailed in Appendix 4.

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PART 6 – PROJECT TIMELINE

Previously, the DPIE set a timeframe to finalise the amendments to the LEP within 24 months of the Gateway Determination (ie. by December 2020). On 21 April 2021, the DPIE provided Council with a letter and Alteration of the Gateway Determination with a revised timeframe to complete the LEP for the Parramatta CBD Planning Proposal. The Alteration makes an amendment to Condition 6 of the Gateway Determination, with Council now required to submit the Planning Proposal to the Department for finalisation by 1 July 2021 and complete the LEP by 30 September 2021. The Minister may take action under section 3.32 (2)(d) of the Act if the timeframes outlined in the determinations is not met.

The envisaged project timeline (Table 18) has been prepared based on the requirements of the Gateway Determination, including the recent revised timeframes. The project timeline below includes progressing 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	EXACT / ANTICIPATED TIMEFRAME
Exhibition Period	21 September 2020 to 2 November 2020
Consideration of submissions received during the exhibition period	November 2020 to April 2021
Report to Local Planning Panel on post-exhibition outcomes and seek advice on adoption of final planning proposal.	11 May 2021
Report to Council on post-exhibition outcomes and seek resolution to finalise and submit to DPIE for finalisation.	24 May 2021
Submit to DPIE for finalisation (consistent with Condition 6 of the Alteration of the Gateway Determination). Parliamentary Counsel prepares LEP (legal drafting).	1 July 2021
DPIE finalisation and sign-off by Minister (or delegate) (consistent with Condition 6 of the Alteration of the Gateway Determination).	30 September 2021

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Appendix 1a – Extract of relevant PLEP 2011 clauses

[Provided under separate cover – D07943796]

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Appendix 1b – Extract of relevant PLEP 2011 Maps

[Provided under separate cover – D07949126]

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Appendix 2a – Revised Proposed LEP Instrument

[Provided under separate cover – D07880056]

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Appendix 2b – Revised Proposed LEP Maps

[Provided under separate cover – D07949128]

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Appendix 3a – Links to supporting studies, Gateway Determination & Alteration Determination

[Provided under separate cover - D07943637]

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Appendix 3b – Overshadowing in the Parramatta CBD Technical Paper Supplement (April 2021)

[Provided under separate cover - D07989249]

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Appendix 3c – Letter from DPIE and Alteration to Gateway Determination

[Provided under separate cover - D08013746]

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Appendix 4 – Summary of changes to the planning proposal documentation

[Provided under separate cover - D07940272]

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APPENDIX 1A – EXTRACT OF RELEVANT CLAUSES FROM PLEP 2011 AFFECTING PARRAMATTA CBD

The following extract of the clauses from Parramatta Local Environmental Plan (LEP) 2011 specifically relate to the proposed amendments affecting Parramatta CBD and as described in the draft Parramatta CBD Planning Proposal as at 15 April 2021. A complete version of PLEP 2011 can be viewed on the NSW Legislation website <https://www.legislation.nsw.gov.au/>

Part 2 Permitted or prohibited development – Land Use Table

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To 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.
- To allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Hostels; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Tank-based aquaculture; Water recycling facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To 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.
- To allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods.

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2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Home-based child care; Home businesses; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water recycling facilities

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Zone R4 High Density Residential**1 Objectives of zone**

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide opportunity for high density residential development close to major transport nodes, services and employment opportunities.
- To 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.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Home-based child care; Home businesses; Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Water recycling facilities

4 Prohibited

Pond-based aquaculture; Tank-based aquaculture; Any other development not specified in item 2 or 3

Zone B1 Neighbourhood Centre**1 Objectives of zone**

- To 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.

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2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Health consulting rooms; Hostels; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Respite day care centres; Roads; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Garden centres; Hardware and building supplies; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Landscaping material supplies; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Plant nurseries; Pond-based aquaculture Port facilities; Pubs; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Rural supplies; Sewerage systems; Sex services premises; Signage; Specialised retail premises; Storage premises; Timber yards; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone B3 Commercial Core**1 Objectives of zone**

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.
- To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.
- To provide for the retention and creation of view corridors.
- To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.
- To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Business premises; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hospitals; Hotel

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or motel accommodation; Information and education facilities; Medical centres; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Tank-based aquaculture; Tourist and visitor accommodation

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

Zone B4 Mixed Use**1 Objectives of zone**

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

2 Permitted without consent

Home occupations

3 Permitted with consent

Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home industries; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture Port facilities; Recreation facilities (major); Research stations; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

Zone B5 Business Development

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1 Objectives of zone

- To 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.
- To maintain the economic strength of centres by limiting retailing activity.
- To enable land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To encourage a range of tourism, recreation, function and entertainment uses in proximity to the Rosehill Racecourse, the Parramatta River and the Western Sydney University.
- To provide for automotive businesses, trades and services to reinforce the existing functions of land within the zone.
- To 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.

2 Permitted without consent

Nil

3 Permitted with consent

Building identification signs; Business identification signs; Centre-based child care facilities; Food and drink premises; Garden centres; Hardware and building supplies; Kiosks; Landscaping material supplies; Markets; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Plant nurseries; Respite day care centres; Roads; Self-storage units; Specialised retail premises; Tank-based aquaculture; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Funeral homes; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Pond-based aquaculture Port facilities; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

Zone SP1 Special Activities**1 Objectives of zone**

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

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2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2 Infrastructure**1 Objectives of zone**

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Aquaculture; Environmental protection works; Flood mitigation works; Recreation areas; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1 Public Recreation**1 Objectives of zone**

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To conserve, enhance and promote the natural assets and cultural heritage significance of Parramatta Park.
- To create a riverfront recreational opportunity that enables a high quality relationship between the built and natural environment.

2 Permitted without consent

Environmental protection works; Flood mitigation works

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Community facilities; Environmental facilities; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas, Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Restaurants or cafes; Roads; Take away food and drink premises; Water recreation structures; Water recycling facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone RE2 Private Recreation**1 Objectives of zone**

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.

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- To protect and enhance the natural environment for recreational purposes.
- To 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.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Charter and tourism boating facilities; Centre-based child care facilities; Community facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Information and education facilities; Jetties; Kiosks; Markets; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restaurants or cafes; Roads; Take away food and drink premises; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities

4 Prohibited

Any other development not specified in item 2 or 3

Zone W1 Natural Waterways**1 Objectives of zone**

- To protect the ecological and scenic values of natural waterways.
- To prevent development that would have an adverse effect on the natural values of waterways in this zone.
- To provide for sustainable fishing industries and recreational fishing.
- To provide for cultural and scientific study of natural waterways.
- To enable works associated with the rehabilitation of land towards its natural state.

2 Permitted without consent

Environmental protection works; Flood mitigation works

3 Permitted with consent

Aquaculture; Environmental facilities; Roads

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone W2 Recreational Waterways**1 Objectives of zone**

- To protect the ecological, scenic and recreation values of recreational waterways.
- To allow for water-based recreation and related uses.
- To provide for sustainable fishing industries and recreational fishing.
- To enable works associated with the rehabilitation of land towards its natural state.

2 Permitted without consent

Environmental protection works; Flood mitigation works

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3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Community facilities; Environmental facilities; Information and education facilities; Jetties; Kiosks; Marinas; Mooring pens; Moorings; Passenger transport facilities; Port facilities; Recreation areas; Research stations; Roads; Water recreation structures; Wharf or boating facilities

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Seniors housing; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Part 4 Principal development standards

4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows—
 - (a) to ensure that new subdivisions reflect characteristic lot sizes and patterns of the area.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (4) This clause does not apply in relation to the subdivision of any land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or
 - (b) by any kind of subdivision under the *Community Land Development Act 1989*.
- (4A) Despite subclause (3)—
 - (a) the size of any battleaxe lot, or other lot with an access handle, must not be less than 670 square metres, and
 - (b) if a lot is a battleaxe lot, or other lot with an access handle, the area of the access handle is not to be included when calculating the size of the lot for the purposes of this clause.
- (4B) Subclause (3) does not apply to the subdivision of a lot in any of the following zones if there is a dual occupancy on the lot and one dwelling will be situated on each lot resulting from the subdivision—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential.

4.3 Height of buildings

- (1) The objectives of this clause are as follows—
 - (a) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan,
 - (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development,
 - (c) to require the height of future buildings to have regard to heritage sites and their settings,
 - (d) to ensure the preservation of historic views,
 - (e) to reinforce and respect the existing character and scale of low density residential areas,

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- (f) to 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.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.
- (2A) Despite subclause (2), any development on land identified with a thick blue line and labelled “Area 1” on the Height of Buildings Map is not to exceed the height determined in accordance with the Table to this clause.

Site area	Maximum height
≤ 950 square metres	15 metres
> 950 ≤ 2,100 square metres	21 metres
> 2,100 ≤ 3,200 square metres	39 metres
> 3,200 square metres	52 metres

4.4 Floor space ratio

- (1) The objectives of this clause are as follows—
 - (a) to regulate density of development and generation of vehicular and pedestrian traffic,
 - (b) to provide a transition in built form and land use intensity within the area covered by this Plan,
 - (c) to require the bulk and scale of future buildings to have regard to heritage sites and their settings,
 - (d) to reinforce and respect the existing character and scale of low density residential areas.
- (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.
- (2A) Despite subclause (2), land identified with a thick blue line and labelled “Area 1” on the Floor Space Ratio Map is not to exceed the relevant floor space ratio determined in accordance with the Table to this clause.

Site area	Maximum floor space ratio
≤ 950 square metres	1.5:1
> 950 ≤ 2,100 square metres	3.5:1
> 2,100 ≤ 3,200 square metres	4.5:1
> 3,200 square metres	6:1

4.5 Calculation of floor space ratio and site area

- (1) **Objectives** The objectives of this clause are as follows—
 - (a) to define floor space ratio,
 - (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to—

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- (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
 - (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and
 - (iii) require community land and public places to be dealt with separately.
- (2) **Definition of “floor space ratio”** The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.
- (3) **Site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be—
- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
 - (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.
- In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.
- (4) **Exclusions from site area** The following land must be excluded from the site area—
- (a) land on which the proposed development is prohibited, whether under this Plan or any other law,
 - (b) community land or a public place (except as provided by subclause (7)).
- (5) **Strata subdivisions** The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.
- (6) **Only significant development to be included** The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.
- (7) **Certain public land to be separately considered** For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.
- (8) **Existing buildings** The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.
- (9) **Covenants to prevent “double dipping”** When consent is granted to development on a site comprised of 2 or more lots, a condition of the development consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.
- (10) **Covenants affect consolidated sites** If—
- (a) a covenant of the kind referred to in subclause (9) applies to any land (affected land), and
 - (b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

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the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

- (11) **Definition** In this clause, public place has the same meaning as it has in the *Local Government Act 1993*.

4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows—
- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless—
- (a) the consent authority is satisfied that—
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Planning Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Planning Secretary must consider—
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if—
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

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- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following—
- (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,
 - (c) clause 5.4,
 - (ca) 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)) by more than 5%,
 - (cb) clause 8.1, 8.1A or 8.2.

Part 5 Miscellaneous provisions**5.1 Relevant acquisition authority**

- (1) The objective of this clause is to identify, for the purposes of section 3.15 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991* (the owner-initiated acquisition provisions).

Note—

If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the *Land Acquisition (Just Terms Compensation) Act 1991* requires the authority to acquire the land.

- (2) The authority of the State that will be the relevant authority to acquire land, if the land is required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

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 2.5 of the Act
Zone SP2 Infrastructure and marked "Classified road"	Roads and Maritime Services
Zone E1 National Parks and Nature Reserves and marked "National Park"	Minister administering the <i>National Parks and Wildlife Act 1974</i>
Zone R2 Low Density Residential marked "Local road widening"	Council
Zone B1 Neighbourhood Centre marked "Local road widening"	Council

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Zone B2 Local Centre marked “Local road widening”	Council
Zone B3 Commercial Core and marked “Local road widening”	Council
Zone B4 Mixed Use marked “Local road widening”	Council
Zone B6 Enterprise Corridor marked “Local road widening”	Council
Zone SP2 Infrastructure and marked “Strategic bus corridor”	Roads and Maritime Services
Zone E2 Environmental Conservation and marked “Local environmental conservation”	Council

(3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

5.1A Development on land intended to be acquired for public purposes

- (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.
- (2) This clause applies 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.
- (3) Development consent must not be granted to any development on land to which this clause applies other than development for a purpose specified opposite that land in Column 2 of that 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 SP2 Infrastructure and marked “Strategic bus 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

5.2 Classification and reclassification of public land

- (1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*.

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Note—

Under the *Local Government Act 1993*, “public land” is generally land vested in or under the control of a council (other than roads and certain Crown land). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the *Local Government Act 1993*. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.

- (2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the *Local Government Act 1993*.
- (3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the *Local Government Act 1993*.
- (4) The public land described in Part 1 of Schedule 4—
 - (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
 - (b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions or covenants that affected the land before its classification, or reclassification, as operational land.
- (5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve, ceases to be a public reserve when the description of the land is inserted into that Part and is discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants affecting the land or any part of the land, except—
 - (a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and
 - (b) any reservations that except land out of the Crown grant relating to the land, and
 - (c) reservations of minerals (within the meaning of the *Crown Land Management Act 2016*).

Note—

In accordance with section 30(2) of the *Local Government Act 1993*, the approval of the Governor to subclause (5) applying to the public land concerned is required before the description of the land is inserted in Part 2 of Schedule 4

5.3 Development near zone boundaries

- (1) The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.
- (2) This clause applies to land that is within 1 metre of any zone boundary.
- (3) This clause does not apply to—
 - (a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or
 - (b) land within the coastal zone, or
 - (c) land proposed to be developed for the purpose of sex services or restricted premises.
- (4) Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that—
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.

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- (5) This clause does not prescribe a development standard that may be varied under this Plan.

5.10 Heritage conservation

Note—

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

- (1) **Objectives** The objectives of this clause are as follows—
- (a) to conserve the environmental heritage of Parramatta,
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
 - (c) to conserve archaeological sites,
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.
- (2) **Requirement for consent** Development consent is required for any of the following—
- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (d) disturbing or excavating an Aboriginal place of heritage significance,
 - (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
 - (f) subdividing land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) **When consent not required** However, development consent under this clause is not required if—
- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

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- (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
 - (b) the development is in a cemetery or burial ground and the proposed development—
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.
- (4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) **Heritage assessment** The consent authority may, before granting consent to any development—
- (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies)—
- (a) notify the Heritage Council of its intention to grant consent, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
 - (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

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- (9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—
 - (a) notify the Heritage Council about the application, and
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—
 - (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
 - (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
 - (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
 - (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
 - (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Part 6 Additional local provisions—generally**6.3 Flood planning**

- (1) The objectives of this clause are as follows—
 - (a) to minimise the flood risk to life and property associated with the use of land,
 - (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
 - (c) to avoid significant adverse impacts on flood behaviour and the environment.
- (2) This clause applies to land at or below the flood planning level.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—
 - (a) is compatible with the flood hazard of the land, and
 - (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) incorporates appropriate measures to manage risk to life from flood, and
 - (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
- (4) 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, unless it is otherwise defined in this clause.
- (5) In this clause—

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flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.

6.12 Design excellence

- (1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Parramatta.
- (2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as "Parramatta North Urban Renewal Area" and "Telopea Precinct" on the Key Sites Map or as "B" on the Design Excellence Map.
- (3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development 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 development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors,
 - (d) whether the development detrimentally impacts on any land protected by solar access controls established in the Parramatta Development Control Plan,
 - (e) the requirements of the Parramatta Development Control Plan,
 - (f) how the development addresses the following matters—
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (x) the impact on, and any proposed improvements to, the public domain.
- (5) Development consent must not be granted to the following development to which this clause applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development—
 - (a) development in respect of a building that is, or will be, higher than 55 metres above ground level (existing),
 - (b) development having a capital value of more than \$100,000,000,
 - (c) development for which the applicant has chosen to have such a competition.
- (6) Subclause (5) does not apply if the Council certifies in writing that the development is one for which an architectural design competition is not required.

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(7) In deciding whether to grant development consent to the development application, the consent authority is to take into account the results of the architectural design competition.

(8) In this clause—

Parramatta Development Control Plan means the Parramatta Development Control Plan, as in force at the commencement of *State Environmental Planning Policy Amendment (Telopea Precinct) 2018*.

6.13 Design excellence—generally

(1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Parramatta.

(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “A” on the Design Excellence Map.

(3) 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,
 - (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.

(4) Development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.

(5) Development consent must not be granted to the following development to which this clause applies unless an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the proposed development—

- (a) development in respect of a building that is, or will be, higher than 55 metres above ground level (existing),

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- (b) development having a capital value of more than \$100,000,000,
- (c) development for which the applicant has chosen to have such a competition.
- (6) Subclause (5) does not apply if the Council certifies in writing that the development is one for which an architectural design competition is not required.
- (7) In deciding whether to grant development consent to the development application, the consent authority is to take into account the results of the architectural design competition.

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” or “Area 11” 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	Column 2
Proposed use	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
Residential flat buildings	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.

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- (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 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", "Area 7", "Area 10", "Area 12", "Area 16" or "Area 17" on the Special Provisions Area Map.

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- (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—
- (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.

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- (2) Despite clauses 4.3, 4.4 and 7.10(8), 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 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 167 metres above natural ground level, and
 - (e) the development does not result in a building with a gross floor area that exceeds 60,000 square metres, excluding any floor space used only for enclosed communal areas and enclosed private balconies, 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 enclosed communal areas and enclosed private balconies.
- (2A) Despite clause 7.3, 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.
- (2B) Despite clause 7.3, if a building on land to which this clause applies has a floor space ratio less than or equal to 3.5:1, the maximum number of car parking spaces for commercial premises in the building is as follows—
- (a) for office premises or business premises—1 space for every 175 square metres of gross floor area used for those purposes,
 - (b) for retail premises—1 space for every 90 square metres of gross floor area used for that purpose.
- (2C) Despite clause 7.3, if a building on land to which this clause applies has a floor space ratio greater than 3.5:1, the maximum number of car parking spaces for commercial premises in the building 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.
 - G is the gross floor area of all 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.
- (3) In this clause—
- enclosed communal area means an area for the purpose of recreation for use by building tenants, including gymnasiums, common rooms and enclosed communal gardens.
 - enclosed private balcony means an enclosed balcony, deck, terrace or winter garden 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.

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- (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,
 - (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,

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- (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—
- (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

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- (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—
 - (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.

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- (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—
- 0.1 space per studio apartment,
 - 0.3 space per 1 bedroom apartment,
 - 0.7 space per 2 bedroom apartment,
 - 1 space per 3 bedroom apartment.
- (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 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.

7.14 Car parking for certain land in Parramatta City Centre

- (1) This clause applies to the following land—
- Lot 1, DP 1041242, 220 Church Street, Parramatta,
 - Lot 1, DP 702291, 230 Church Street, Parramatta,
 - Lot B, DP 394050, 48 Macquarie Street, Parramatta,
 - Lot 11, DP 1115358, Lot 30, DP 1115365 and Lot 20, DP 1115360, 184–188 George Street, Parramatta,
 - Lot 10, DP 789520, 128 Marsden Street, Parramatta,
 - Lot 2, DP 1119257, 10 Valentine Avenue, Parramatta,
 - Lot 10, DP 128882, Lots 13 and 14, DP 1077402 and Lot 2, DP 128524, 14–20 Parkes Street, Harris Park,
 - Lot 1, DP 1009227 and Lot 100, DP 632636, 87 Church Street and 6 Great Western Highway, Parramatta, respectively,
 - Lot 4, DP 310151, 55 Aird Street, Parramatta,
 - Lot 11, DP 790287, 142–154 Macquarie Street, Parramatta,
 - Lot 1, DP 785930, 470 Church Street, Parramatta.
 - SP 20716, 5 Aird Street, Parramatta,
 - Lot 156, DP 1240854, 12 Hassall Street, Parramatta,

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- (n) Lot 1, DP 501663 and Lot 1, DP 503651, 20 Macquarie 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—
- 0.1 space per studio apartment,
 - 0.3 space per 1 bedroom apartment,
 - 0.7 space per 2 bedroom apartment,
 - 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, 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.
- (4) This clause applies despite clause 7.3.
- (5) In subclause (3), a reference to non-residential premises is taken to be a reference to the following land uses—
- for land at 5 Aird Street and 20 Macquarie Street, Parramatta—commercial premises,
 - for land at 12 Hassall Street, Parramatta—commercial premises and community facilities.

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

- (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, 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.
- (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—
- the building complies with the following standards (but only if the building has a gross floor area that exceeds 10,000 square metres)—
 - the energy target is a maximum 140 kg/m² per year,

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- (ii) the water target is a maximum 0.65 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).
- (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, 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.
- (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.

7.17 Development on land at 10 Valentine Avenue, Parramatta

- (1) This clause applies to land marked "Area 9" on the Special Provisions Area Map.

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- (2) Despite clauses 4.4 and 7.2, development consent may be granted 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 or any other applicable amount under clause 7.2, but only if the consent authority is satisfied that the additional floor area will be used only for the purposes of office premises.
- (3) Development consent must not be granted for the strata subdivision of any part of a building on land to which this clause applies that is above ground level and used for the purposes of car parks.

7.18 Development on land at 14–20 Parkes Street, Harris Park

- (1) This clause applies to land marked "Area 13" 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) 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.

7.19 Development on land at 87 Church Street and 6 Great Western Highway, Parramatta

- (1) This clause applies to land marked "Area 10" on the Special Provisions Area Map.
- (2) The consent authority must not grant consent to the erection of a building on land to which this clause applies unless the consent authority is satisfied that—
 - (a) part of the building will be used for commercial premises, tourist and visitor accommodation, centre-based child care facilities or serviced apartments, and
 - (b) that part of the building will have a gross floor area that equates to a floor space ratio of at least 1:1.
- (3) Despite clauses 4.4 and 7.2, the consent authority may grant consent to the erection of a building on land to which this clause applies that has a floor space ratio greater than the maximum floor space ratio for the land, but only if the consent authority is satisfied that the gross floor area of that part of the building used for the purposes of residential accommodation will equate to a floor space ratio of no more than—
 - (a) 9:1, or
 - (b) in the case of a building that exhibits design excellence—10.5:1.

7.20 Development on land at 55 Aird Street, Parramatta

- (1) This clause applies to land marked "Area 14" on the Special Provisions Area Map.
- (2) The consent authority must not grant consent to the erection of a building on land to which this clause applies unless the consent authority is satisfied that—
 - (a) part of the building will be used for non-residential purposes, and
 - (b) that part of the building will have a gross floor area that equates to a floor space ratio of at least 1:1.

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- (3) Clause 7.10(8)(b) does not apply to development on land to which this clause applies.

7.21 Development on land at 142–154 Macquarie Street, Parramatta

- (1) This clause applies to land marked “Area 12” on the Special Provisions Area Map.
- (2) 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 at least 21,000 square metres of floor space on the land will be used for purposes other than residential accommodation.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has obtained the concurrence of Transport for NSW.
- (4) In deciding whether to grant concurrence, Transport for NSW must take into consideration the potential effects of the development on proposed future road and public transport infrastructure in the locality.

7.22 Development on land at 33–43 Marion Street, Parramatta

- (1) The objectives of this clause are as follows—
 - (a) to encourage high performing building design, namely built form, services and layout of residential flat buildings and mixed use development in the Parramatta City Centre that minimises the consumption of energy and water,
 - (b) to provide increased amenity to occupants over the long term,
 - (c) to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height and amenity,
 - (d) to ensure high performing building measures reflect new technologies and commercial viability.
- (2) This clause applies to the erection of a new building to be used for the purposes of a residential flat building or mixed use development on land identified as “Area 15” on the Key Sites Map if—
 - (a) the lot on which the building will be sited is at least 24 metres wide at the front building line, and
 - (b) the site area of the development is at least 1,800 square metres.
- (3) Despite clause 4.4, development consent may be granted for development to which this clause applies if the building exceeds the maximum permissible floor space ratio by up to 5% of the maximum permissible floor space ratio, but only if the consent authority is satisfied that—
 - (a) the additional floor space will be used for the purposes of residential accommodation, and
 - (b) the development will not adversely impact on neighbouring land in terms of visual bulk or overshadowing.
- (4) Development consent must not be granted under this clause unless the consent authority is satisfied that—
 - (a) the part of a building that is a dwelling, whether or not as part of a residential flat building or mixed use development, exceeds the BASIX water target score for the building by a minimum 15-point increase, and
 - (b) the part of a building that is a dwelling, whether or not as part of a residential flat building or mixed use development, exceeds the BASIX energy target score for the building by at least the amount specified in the Table to this subclause for a building of that kind.

Table Minimum increase in BASIX energy target score

Height of building, expressed as number of storeys	Building with FSR of at least 6:1, but less than 14:1	Building with FSR of at least 14:1
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5–15 storeys	25	15
16–30 storeys	20	10
31–40 storeys	10	10
41 or more storeys	10	10

- (5) In this clause—

BASIX energy target score means the energy target score set out in a BASIX certificate, within the meaning of the *Environmental Planning and Assessment Regulation 2000*.

BASIX water target score means the water target score set out in a BASIX certificate, within the meaning of the *Environmental Planning and Assessment Regulation 2000*.

maximum permissible floor space ratio means the maximum floor space ratio permitted for the building as a result of the floor space ratio shown for the land on the Floor Space Ratio Map.

mixed use development means a building or place comprising commercial premises and dwellings.

7.23 Car parking on land at 33–43 Marion Street, Parramatta

- (1) The objectives of this clause are as follows—
- to identify the maximum number of car parking spaces that may be provided to service particular uses of land,
 - to minimise the amount of vehicular traffic generated because of proposed development.
- (2) This clause applies to land identified as “Area 15” on the Key Sites Map.
- (3) Despite clause 7.3, development consent must not be granted to development on land to which this clause applies that includes car parking spaces in connection with a proposed use of land if the total number of car parking spaces, including existing car parking spaces, provided on the site would be greater than the maximum set out in this clause.
- (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) If the maximum number of car parking spaces under this clause is not a whole number, the number is to be rounded to the nearest whole number.
- (6) More than one provision of this clause may apply in the case of a mixed use development and in such a case—
- the maximum number of car parking spaces is the sum of the number of spaces permitted under each of those provisions, and
 - a reference in those provisions to a building is taken to be a reference to the parts of the building in which the relevant use occurs.
- (7) **Business premises and office premises** The maximum number of car parking spaces for a building used for the purposes of business premises or office premises is as follows—
- if the building has a floor space ratio of no more than 3.5:1—1 space for each 175 square metres of gross floor area of the building used for those purposes,
 - if the building has a floor space ratio greater than 3.5:1, the following formula is to be used—

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

where—

M is the maximum number of parking spaces, and

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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.

- (8) **Centre-based child care facilities** The maximum number of car parking spaces for a building used for the purposes of a centre-based child care facility is 1 space plus 1 space for every 100 square metres of the gross floor area of the building used for those purposes.
- (9) **Dwelling houses, attached dwellings and semi-detached dwellings** The maximum number of car parking spaces for dwelling houses, attached dwellings and semi-detached dwellings is 1 space for each dwelling.
- (10) **Health consulting rooms and medical centres** The maximum number of car parking spaces for a building used for the purposes of health consulting rooms or medical centres is 2 spaces for every consulting room.
- (11) **Hotel or motel accommodation and serviced apartments** The maximum number of car parking spaces for a building used for the purposes of hotel or motel accommodation or serviced apartments is—
- if the building contains up to 100 bedrooms—1 space for every 4 bedrooms, and
 - if the building contains more than 100 bedrooms—1 space for every 5 bedrooms.
- (12) **Information and education facilities** The maximum number of car parking spaces for a building used for the purposes of information and education facilities is 1 space for every 200 square metres of the gross floor area of the building used for those purposes.
- (13) **Light industries** The maximum number of car parking spaces for a building used for the purposes of light industries is 1 space for every 150 square metres of the gross floor area of the building used for those purposes.
- (14) **Places of public worship and entertainment facilities** The maximum number of car parking spaces for a building used for the purposes of a place of public worship or an entertainment facility is whichever of the following provides the greater number of spaces—
- 1 space for every 10 seats, or
 - 1 space for every 30 square metres of the gross floor area of the building used for those purposes.
- (15) **Residential flat buildings, dual occupancies and multi dwelling housing** The maximum number of car parking spaces for residential flat buildings, dual occupancies and multi dwelling housing is as follows—
- for each studio dwelling—0.1 spaces,
 - for each 1 bedroom dwelling—0.3 spaces,
 - for each 2 bedroom dwelling—0.7 spaces,
 - for each 3 or more bedroom dwelling—1 space.
- (16) **Retail premises** The maximum number of car parking spaces for a building used for the purposes of retail premises is as follows—
- if the building has a floor space ratio of no more than 3.5:1—1 space for each 90 square metres of gross floor area of the building used for those purposes,
 - if the building has a floor space ratio greater than 3.5:1, the following formula is to be used—

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

where—

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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.

(17) In this clause—

car parking space means a space intended to be used for the parking of cars that is ancillary to another land use on the site, but does not include the following—

- (a) a place primarily used for the purpose of washing vehicles,
- (b) a place primarily used for the purpose of loading or unloading of goods,
- (c) a place primarily used for the purpose of storing bicycles or motorcycles,
- (d) a car parking space in a car park,
- (e) a car parking space for the exclusive use of vehicles belonging to a car share scheme.

car share scheme means a scheme in which a body corporate, an unincorporated body or a public authority owns or manages and maintains vehicles for shared or communal use and hires those vehicles exclusively to members of the scheme for occasional use for short periods of time, on demand and on a pay-as-you go basis.

7.24 Development on land at 5 Aird Street and 12 Hassall Street, Parramatta

(1) The objectives of this clause are as follows—

- (a) to encourage high performing building design, namely built form and layout of mixed use development in the Parramatta City Centre that minimises the consumption of energy and water,
- (b) to provide increased amenity to occupants over the long term,
- (c) to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height and amenity,
- (d) to ensure high performing building measures reflect new technologies and commercial viability.

(2) This clause applies to land identified as “Area 16” or “Area 17” on the Key Sites Map.

(3) Development consent must not be granted for the erection of a building on land to which this clause applies unless the consent authority is satisfied that—

- (a) the building will appropriately transition to neighbouring heritage items and heritage conservation areas, and
- (b) a gross floor area that equates to a floor space ratio of at least 1:1 will be used only for the purpose of commercial premises, and
- (c) the part of the building used for the purpose of commercial premises complies with the following standards—
 - (i) the energy target is a maximum 140 kg/m² per year,
 - (ii) the water target is a maximum 0.65 kL/m² per year, and
- (d) if at least 5,000 square metres of the gross floor area of the building will be used for the purpose of retail premises—that part of the building complies with the following standards—
 - (i) the energy target is a maximum 100 kg/m² per year,
 - (ii) the water target is a maximum 0.95 kL/m² per year.

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- (4) Despite clauses 4.4 and 7.2, development consent may be granted under this clause for the erection of a building with a floor space ratio, in addition to the floor space ratio permitted under clause 4.4 or 7.2 (the additional floor space ratio), of up to—
- (a) 0.5:1 if the consent authority is satisfied that—
- (i) the building comprises commercial premises and dwellings, and
 - (ii) the part of the building that is a dwelling exceeds the BASIX water target score and the BASIX energy target score for the building by at least 10 points, and
- (b) for land identified as “Area 16” on the Key Sites Map—1.2:1 if the consent authority is satisfied that the gross floor area that equates to the additional floor space ratio will be used only for the purpose of commercial premises, and
- (c) for land identified as “Area 17” on the Key Sites Map—1:1 if the consent authority is satisfied that the gross floor area that equates to the additional floor space ratio will be used only for the purpose of non-residential premises.
- (5) Clause 7.10(8) does not apply to a building on land to which this clause applies.
- (6) In this clause—

BASIX certificate has the same meaning as in the *Environmental Planning and Assessment Regulation 2000*.

BASIX energy target score means the energy target score set out in a BASIX certificate.

BASIX water target score means the water target score set out in a BASIX certificate.

7.25 Development on land at 20 Macquarie Street, Parramatta

- (1) This clause applies to land identified as “Area 18” on the Special Provisions Area Map.
- (2) Despite clauses 4.4 and 7.2, development consent may be granted for the erection of a building on land to which this clause applies if—
- (a) the building does not exceed a floor space ratio of 10:1, and
 - (b) the gross floor area that equates to the amount by which the floor space ratio exceeds the floor space ratio permitted for the building under clause 7.2 (the **additional floor space**) will be used only for the purposes of hotel or motel accommodation.
- (3) Development consent must not be granted for the use of a building permitted to be erected under subclause (2) unless the consent authority is satisfied that the additional floor space will not be used for the purpose of residential accommodation or serviced apartments.

Schedule 1 Additional Permitted Uses

7 Use of certain land at North Parramatta

- (1) This clause applies to land in Zone R2 Low Density Residential bounded by Albert Street, O’Connell Street, Ross Street and Villiers Street, North Parramatta.
- (2) Development for the purposes of restaurants or cafes and office premises is permitted with development consent.

8 Use of certain land at Argyle Street, Parramatta

- (1) This clause applies to land known as Parramatta Transport Interchange, Argyle Street, Parramatta, being Lots 204 and 205, DP 1095620.
- (2) Development for the purpose of a residential flat building is permitted with development consent, but only if—
- (a) no more than 40% of the gross floor area of the building is used for the purposes of residential accommodation, and

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- (b) at least 40% of the gross floor area of the building is used for the purposes of retail premises and business premises.

9 Use of certain land at Church Street, Parramatta

- (1) This clause applies to land at Church Street, Parramatta, being the land shown coloured pink, edged heavy black and identified as "2" on the Additional Permitted Uses Map.
- (2) Development for the purpose of retail premises is permitted with development consent.

10 Use of certain land at 163–165 George Street, Parramatta

- (1) This clause applies to land at 163–165 George Street, Parramatta, being Lot 1, DP 78716, Lot 1, DP 113513, Lot 1, DP 650704 and Lot 3, DP 10735.
- (2) Development for the purposes of centre-based child care facilities, community facilities, function centres, office premises and restaurants or cafes is permitted with development consent.

14 Use of certain land at Ermington, Harris Park, Northmead and Rydalmere

- (1) This clause applies to the following land—
- (a) 12 Bartlett Street, Ermington, being Lot W, DP 36847,
- (b) Jubilee Lane, Harris Park being Lots 1–4, DP 210964, Lots 1 and 3, DP 214558, Lots 1, 5 and 6, DP 219646, Lots 2 and 3, DP 363574, Lot 1, DP 381062, Lots X, Y and Z, 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, and Lot 7047, DP 1060682,
- (c) Arthur Phillip Park, Redbank Road, Northmead, being Lot 53, DP 128577,
- (d) 89–91 Park Road, Rydalmere, being Lot 972, DP 726684.
- (2) Development for the purpose of centre-based child care facilities is permitted with development consent.

Schedule 5 Environmental heritage**Part 2 Heritage conservation areas**

Description	Identification on Heritage Map	Significance
Blaxcell Estate Conservation Area	As shown in red hatching on the Heritage Map and marked "Blaxcell Estate Conservation Area"	Local
Boronia Avenue Conservation Area	As shown in red hatching on the Heritage Map and marked "Boronia Avenue Conservation Area"	Local
Elizabeth Farm Conservation Area	As shown in red hatching on the Heritage Map and marked "Elizabeth Farm Conservation Area"	Local
Epping/Eastwood Conservation Area	As shown in red hatching on the Heritage Map and marked "Epping/Eastwood Conservation Area"	Local
Experiment Farm Conservation Area	As shown in red hatching on the Heritage Map and marked "Experiment Farm Conservation Area"	Local
Granville Conservation Area—Civic Precinct	As shown in red hatching on the Heritage Map and marked "Granville Conservation Area—Civic Precinct"	Local

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Granville Conservation Area—Residential Precinct	As shown in red hatching on the Heritage Map and marked “Granville Conservation Area—Residential Precinct”	Local
Harris Park West Conservation Area	As shown in red hatching on the Heritage Map and marked “Harris Park West Conservation Area”	Local
North Parramatta Conservation Area	As shown in red hatching on the Heritage Map and marked “North Parramatta Conservation Area”	Local
Sorrell Street Conservation Area	As shown in red hatching on the Heritage Map and marked “Sorrell Street Conservation Area”	Local
South Parramatta Conservation Area	As shown in red hatching on the Heritage Map and marked “South Parramatta Conservation Area”	Local
Wyralla Avenue Conservation Area	As shown in red hatching on the Heritage Map and marked “Wyralla Avenue Conservation Area”	Local

Dictionary**Note—**

The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Plan.

Aboriginal object means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Aboriginal place of heritage significance means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is—

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

Note—

The term may include (but is not limited to) places that are declared under section 84 of the *National Parks and Wildlife Act 1974* to be Aboriginal places for the purposes of that Act.

acid sulfate soils means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

Acid Sulfate Soils Manual means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

Acid Sulfate Soils Map means the Parramatta Local Environmental Plan 2011 Acid Sulfate Soils Map.

Additional Local Provisions Map means the Parramatta Local Environmental Plan 2011 Additional Local Provisions Map.

Additional Permitted Uses Map means the Parramatta Local Environmental Plan 2011 Additional Permitted Uses Map.

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advertisement has the same meaning as in the Act.

Note—

The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

advertising structure has the same meaning as in the Act.

Note—

The term is defined as a structure used or to be used principally for the display of an advertisement.

Advertising structures are a type of signage—see the definition of that term in this Dictionary.

affordable housing has the same meaning as in the Act.

Note—

The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

Note—

Agricultural produce industries are a type of **rural industry**—see the definition of that term in this Dictionary.

agriculture means any of the following—

- (a) aquaculture,
- (b) extensive agriculture,
- (c) intensive livestock agriculture,
- (d) intensive plant agriculture.

Note—

Part 6 of the *Plantations and Reafforestation Act 1999* provides that exempt farm forestry within the meaning of that Act is not subject to the *Environmental Planning and Assessment Act 1979*.

air transport facility means an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures.

airport means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

Note—

Airports are a type of **air transport facility**—see the definition of that term in this Dictionary.

airstrip means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.

amusement centre means a building or place (not being part of a pub or registered club) used principally for playing—

- (a) billiards, pool or other like games, or
- (b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like.

animal boarding or training establishment means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

aquaculture has the same meaning as in the *Fisheries Management Act 1994*. It includes oyster aquaculture, pond-based aquaculture and tank-based aquaculture.

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Note—

Aquaculture is a type of **agriculture**—see the definition of that term in this Dictionary.

archaeological site means a place that contains one or more relics.

architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Note—

See clause 5.4 for controls in industrial or rural zones relating to the retail floor area of an artisan food and drink industry.

Artisan food and drink industries are a type of **light industry**—see the definition of that term in this Dictionary.

attached dwelling means a building containing 3 or more dwellings, where—

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

Note—

Attached dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

backpackers' accommodation means a building or place that—

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).

Note—

Backpackers' accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where—

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note—

See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

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bee keeping means a building or place used for the keeping and breeding of bees for commercial purposes.

Note—

Bee keeping is a type of **extensive agriculture**—see the definition of that term in this Dictionary.

biodiversity or biological diversity means the variety of living animal and plant life from all sources, and includes diversity within and between species and diversity of ecosystems.

biosolids treatment facility means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

Note—

Biosolids treatment facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

boarding house means a building that—

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note—

Boarding houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

boat building and repair facility means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

boat launching ramp means a structure designed primarily for the launching of trailer borne recreational vessels, and includes associated car parking facilities.

boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

brothel has the same meaning as in the Act.

Note—

This definition is relevant to the definitions of **home occupation (sex services)** and **sex services premises** in this Dictionary.

building has the same meaning as in the Act.

Note—

The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

building height (or height of building) means—

- (a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
- (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

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Note—

Building identification signs are a type of **signage**—see the definition of that term in this Dictionary.

building line or setback means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and—

- (a) a building wall, or
 - (b) the outside face of any balcony, deck or the like, or
 - (c) the supporting posts of a carport or verandah roof,
- whichever distance is the shortest.

bush fire hazard reduction work has the same meaning as in the *Rural Fires Act 1997*.

Note—

The term is defined as follows—

bush fire hazard reduction work means—

- (a) the establishment or maintenance of fire breaks on land, and
- (b) the controlled application of appropriate fire regimes or other means for the reduction or modification of available fuels within a predetermined area to mitigate against the spread of a bush fire,

but does not include construction of a track, trail or road.

bush fire prone land has the same meaning as in the Act.

Note—

The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 10.3(2) of the Act.

bush fire risk management plan means a plan prepared under Division 4 of Part 3 of the *Rural Fires Act 1997* for the purpose referred to in section 54 of that Act.

business identification sign means a sign—

- (a) that indicates—
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note—

Business identification signs are a type of **signage**—see the definition of that term in this Dictionary.

business premises means a building or place at or on which—

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
 - (b) a service is provided directly to members of the public on a regular basis,
- and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note—

Business premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

camping ground means an area of land that has access to communal amenities and on which

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campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

canal estate development means development that incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement (not being works of drainage, or for the supply or treatment of water, that are constructed by or with the authority of a person or body responsible for those functions and that are limited to the minimal reasonable size and capacity to meet a demonstrated need for the works), and that either—

- (a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to—
 - (i) dwellings that are permitted on rural land, and
 - (ii) dwellings that are used for caretaker or staff purposes, or
- (b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

catchment action plan has the same meaning as in the *Catchment Management Authorities Act 2003*.

Note—

The term is defined as a catchment action plan of an authority that has been approved by the Minister under Part 4 of the *Catchment Management Authorities Act 2003*.

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

Note—

Cellar door premises are a type of **retail premises**—see the definition of that term in this Dictionary.

cemetery means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.

centre-based child care facility means—

- (a) a building or place used for the education and care of children that provides any one or more of the following—
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the *Children (Education and Care Services) National Law (NSW)*),

Note—

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) is provided.

but does not include—

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the *Children (Education and Care Services) National Law (NSW)*), or

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- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

charter and tourism boating facility means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

classified road has the same meaning as in the *Roads Act 1993*.

Note—

The term is defined as follows—

classified road means any of the following—

- (a) a main road,
- (b) a highway,
- (c) a freeway,
- (d) a controlled access road,
- (e) a secondary road,
- (f) a tourist road,
- (g) a tollway,
- (h) a transitway,
- (i) a State work.

(See *Roads Act 1993* for meanings of these terms.)

clearing native vegetation has the same meaning as in Part 5A of the *Local Land Services Act 2013*.

clearing vegetation has the same meaning as in *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

coastal hazard has the same meaning as in the *Coastal Management Act 2016*.

coastal lake means a body of water identified in Schedule 1 to *State Environmental Planning Policy (Coastal Management) 2018*.

coastal protection works has the same meaning as in the *Coastal Management Act 2016*.

coastal waters of the State—see section 58 of the *Interpretation Act 1987*.

coastal zone has the same meaning as in the *Coastal Management Act 2016*.

commercial premises means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

community facility means a building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

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but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

community land has the same meaning as in the *Local Government Act 1993*.

correctional centre means—

- (a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the *Crimes (Administration of Sentences) Act 1999*, including any juvenile correctional centre or periodic detention centre, and
- (b) any premises declared to be a detention centre by an order in force under section 5(1) of the *Children (Detention Centres) Act 1987*,

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

Council means the Parramatta City Council.

crematorium means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

curtilage, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

dairy (pasture-based) means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle generally feed by grazing on living grasses and other plants on the land and are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

Note—

Dairies (pasture-based) are a type of **extensive agriculture**—see the definition of that term in this Dictionary.

dairy (restricted) means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

Note—

Dairies (restricted) are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

demolish, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

Design Excellence Guidelines means the Design Excellence Guidelines issued by the Secretary, as amended from time to time.

Design Excellence Map means the Parramatta Local Environmental Plan 2011 Design Excellence Map.

drainage means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

dual occupancy means a dual occupancy (attached) or a dual occupancy (detached).

Note—

Dual occupancies are a type of **residential accommodation**—see the definition of that term in this Dictionary.

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dual occupancy (attached) means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

Note—

Dual occupancies (attached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

Note—

Dual occupancies (detached) are a type of **dual occupancy**—see the definition of that term in this Dictionary.

Dual Occupancy Prohibition Map means the Parramatta Local Environmental Plan 2011 Dual Occupancy Prohibition Map.

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

Note—

Dwelling houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

early education and care facility means a building or place used for the education and care of children, and includes any of the following—

- (a) a centre-based child care facility,
- (b) home-based child care,
- (c) school-based child care.

earthworks means excavation or filling.

ecologically sustainable development has the same meaning as in the Act.

eco-tourist facility means a building or place that—

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

Note—

See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

educational establishment means a building or place used for education (including teaching), being—

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

electricity generating works means a building or place used for the purpose of—

- (a) making or generating electricity, or
- (b) electricity storage.

emergency services facility means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

emergency services organisation means any of the following—

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- (a) Ambulance Service of New South Wales,
- (b) Fire and Rescue NSW,
- (c) NSW Rural Fire Service,
- (d) NSW Police Force,
- (e) State Emergency Service,
- (f) New South Wales Volunteer Rescue Association Incorporated,
- (g) New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*,
- (h) an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

entertainment facility means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

environmental protection works means works associated with the rehabilitation of land towards its natural state or any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

estuary has the same meaning as in the *Water Management Act 2000*.

Note—

The term is defined as follows—

estuary means—

- (a) any part of a river whose level is periodically or intermittently affected by coastal tides, or
- (b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or
- (c) anything declared by the regulations (under the *Water Management Act 2000*) to be an estuary,

but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

exhibition home means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

exhibition village means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

extensive agriculture means any of the following—

- (a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,
- (b) the grazing of livestock (other than pigs and poultry) for commercial purposes on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping, tagging or similar husbandry purposes, of the livestock,
- (c) bee keeping,
- (d) a dairy (pasture-based) where the animals generally feed by grazing on living grasses and other plants on the land as their primary source of dietary requirements, and any supplementary or emergency feeding, or temporary agistment or housing for weaning, dipping,

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tagging or similar husbandry purposes, of the animals.

Note—

Extensive agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

Note—

Extractive industries are not a type of **industry**—see the definition of that term in this Dictionary.

extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

Note—

See clause 5.4 for controls relating to the number of bedrooms.

Farm stay accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

feedlot means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, but does not include a poultry farm, dairy or pig farm.

Note—

Feedlots are a type of **intensive livestock agriculture**. Intensive livestock agriculture does not include **extensive agriculture**. See the definitions of those terms in this Dictionary.

fill means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include—

- (a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or
- (b) the use of land as a waste disposal facility.

filming means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include—

- (a) still photography, or
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- (c) recording images as a visitor or tourist for non-commercial purposes, or
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

fish has the same meaning as in the *Fisheries Management Act 1994*.

Note—

The term is defined as follows—

Definition of “fish”

(1)

Fish means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).

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(2)

Fish includes—

- (a) oysters and other aquatic molluscs, and
- (b) crustaceans, and
- (c) echinoderms, and
- (d) beachworms and other aquatic polychaetes.

(3)

Fish also includes any part of a fish.

(4)

However, **fish** does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the *Fisheries Management Act 1994*.

flood mitigation work means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

floor space ratio—see clause 4.5.

Floor Space Ratio Map means the Parramatta Local Environmental Plan 2011 Floor Space Ratio Map.

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note—

Food and drink premises are a type of **retail premises**—see the definition of that term in this Dictionary.

foreshore area means the land between the foreshore building line and the mean high water mark of the nearest bay or river, shown as “Land below foreshore building line” on the Foreshore Building Line Map.

foreshore building line means the line shown as the “Foreshore Building Line” on the Foreshore Building Line Map.

Foreshore Building Line Map means the Parramatta Local Environmental Plan 2011 Foreshore Building Line Map.

forestry means forestry operations within the meaning of the *Forestry Act 2012* or Part 5B of the *Local Land Services Act 2013*.

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

funeral home means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

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Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may include a restaurant or cafe and the sale of any of the following—

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

Note—

Garden centres are a type of **retail premises**—see the definition of that term in this Dictionary.

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note—

General industries are a type of **industry**—see the definition of that term in this Dictionary.

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and
 - (b) habitable rooms in a basement or an attic, and
 - (c) any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes—
- (d) any area for common vertical circulation, such as lifts and stairs, and
 - (e) any basement—
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
 - (h) any space used for the loading or unloading of goods (including access to it), and
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and
 - (j) voids above a floor at the level of a storey or storey above.

ground level (existing) means the existing level of a site at any point.

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

ground level (mean) means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.

group home means a permanent group home or a transitional group home.

Note—

Group homes are a type of **residential accommodation**—see the definition of that term in this Dictionary.

group home (permanent) or **permanent group home** means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and

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- whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

Note—

Permanent group homes are a type of **group home**—see the definition of that term in this Dictionary.

group home (transitional) or transitional group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

Note—

Transitional group homes are a type of **group home**—see the definition of that term in this Dictionary.

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

Note—

Hardware and building supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

hazardous industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), pose a significant risk in the locality—

- (a) to human health, life or property, or
- (b) to the biophysical environment.

Note—

Hazardous industries are a type of **heavy industry**—see the definition of that term in this Dictionary.

hazardous storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), pose a significant risk in the locality—

- (a) to human health, life or property, or
- (b) to the biophysical environment.

Note—

Hazardous storage establishments are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

headland includes a promontory extending from the general line of the coastline into a large body of water, such as a sea, coastal lake or bay.

health care professional means any person registered under an Act for the purpose of providing health care.

health consulting rooms means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

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Note—

Health consulting rooms are a type of **health services facility**—see the definition of that term in this Dictionary.

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following—

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

heavy industrial storage establishment means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following—

- (a) a hazardous storage establishment,
- (b) a liquid fuel depot,
- (c) an offensive storage establishment.

heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes—

- (a) hazardous industry, or
- (b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

Note—

Heavy industries are a type of **industry**—see the definition of that term in this Dictionary.

Height of Buildings Map means the Parramatta Local Environmental Plan 2011 Height of Buildings Map.

helipad means a place not open to the public used for the taking off and landing of helicopters.

heliport means a place open to the public that is used for the taking off and landing of helicopters, whether or not it includes—

- (a) a terminal building, or
- (b) facilities for the parking, storage or repair of helicopters.

Note—

Heliports are a type of **air transport facility**—see the definition of that term in this Dictionary.

heritage conservation area means an area of land of heritage significance—

- (a) shown on the Heritage Map as a heritage conservation area, and
- (b) the location and nature of which is described in Schedule 5,

and includes any heritage items situated on or within that area.

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Public Service agency responsible to the Minister administering the *Heritage Act 1977* that documents the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

heritage impact statement means a document consisting of—

- (a) a statement demonstrating the heritage significance of a heritage item or heritage conservation

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area, and

- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

heritage item means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5.

Note—

An inventory of heritage items is also available at the office of the Council.

heritage management document means—

- (a) a heritage conservation management plan, or
- (b) a heritage impact statement, or
- (c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Heritage Map means the Parramatta Local Environmental Plan 2011 Heritage Map.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

high technology industry means a building or place predominantly used to carry out an industrial activity that involves any of the following—

- (a) electronic or micro-electronic systems, goods or components,
- (b) information technology (such as computer software or hardware),
- (c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
- (d) biological, pharmaceutical, medical or paramedical systems, goods or components,
- (e) film, television or multi-media technologies, including any post production systems, goods or components,
- (f) telecommunications systems, goods or components,
- (g) sustainable energy technologies,
- (h) any other goods, systems or components intended for use in a science or technology related field,

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

Note—

High technology industries are a type of **light industry**—see the definition of that term in this Dictionary.

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following—

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) service stations and facilities for emergency vehicle towing and repairs,
- (d) parking for vehicles,
- (e) rest areas and public amenities.

home-based child care means a family day care residence (within the meaning of the *Children (Education and Care Services) National Law (NSW)*) at which the education and care service is provided at any one time to no more than 7 children (including any child of the person providing the service) all of whom are under the age of 13 years and no more than 4 of whom are children who do not ordinarily attend school.

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Note—

A family day care residence is a residence at which a family day care educator educates and cares for children as part of a family day care service—see the *Children (Education and Care Services) National Law (NSW)*.

home business means a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Note—

See clause 5.4 for controls relating to the floor area used for a home business.

home industry means an industrial activity, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—

- (a) the employment of more than 2 persons other than the residents,
- (b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,
- (d) the exhibition of signage, other than a business identification sign,
- (e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,

but does not include bed and breakfast accommodation or sex services premises.

Note—

See clause 5.4 for controls relating to the floor area used for a home industry.

Home industries are a type of **light industry**—see the definition of that term in this Dictionary.

home occupation means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve—

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or
- (c) the display of goods, whether in a window or otherwise, or
- (d) the exhibition of any signage (other than a business identification sign), or
- (e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

home occupation (sex services) means the provision of sex services in a dwelling that is a brothel,

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or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve—

- (a) the employment of persons other than those residents, or
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or
- (c) the exhibition of any signage, or
- (d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

horticulture means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

Note—

Horticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

hospital means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following—

- (a) day surgery, day procedures or health consulting rooms,
- (b) accommodation for nurses or other health care workers,
- (c) accommodation for persons receiving health care or for their visitors,
- (d) shops, kiosks, restaurants or cafes or take away food and drink premises,
- (e) patient transport facilities, including helipads, ambulance facilities and car parking,
- (f) educational purposes or any other health-related use,
- (g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
- (h) chapels,
- (i) hospices,
- (j) mortuaries.

Note—

Hospitals are a type of **health services facility**—see the definition of that term in this Dictionary.

hostel means premises that are generally staffed by social workers or support providers and at which—

- (a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
- (b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

Note—

Hostels are a type of **residential accommodation**—see the definition of that term in this Dictionary.

hotel or motel accommodation means a building or place (whether or not licensed premises under the *Liquor Act 2007*) that provides temporary or short-term accommodation on a commercial basis and that—

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,

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but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note—

Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

industrial retail outlet means a building or place that—

- (a) is used in conjunction with an industry (other than an artisan food and drink industry) or rural industry, and
- (b) is situated on the land on which the industry or rural industry is located, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

Note—

See clause 5.4 for controls relating to the retail floor area of an industrial retail outlet.

industrial training facility means a building or place used in connection with vocational training in an activity (such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive industry or mining, but does not include an educational establishment, business premises or retail premises.

industry means any of the following—

- (a) general industry,
- (b) heavy industry,
- (c) light industry,

but does not include—

- (d) rural industry, or
- (e) extractive industry, or
- (f) mining.

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

intensive livestock agriculture means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs, goats, horses, sheep or other livestock, and includes any of the following—

- (a) dairies (restricted),
- (b) feedlots,
- (c) pig farms,
- (d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar emergency relief.

Note—

Intensive livestock agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

intensive plant agriculture means any of the following—

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- (a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),
- (b) horticulture,
- (c) turf farming,
- (d) viticulture.

Note—

Intensive plant agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

jetty means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

Key Sites Map means the Parramatta Local Environmental Plan 2011 Key Sites Map.

kiosk means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note—

See clause 5.4 for controls relating to the gross floor area of a kiosk.

Kiosks are a type of **retail premises**—see the definition of that term in this Dictionary.

Land Application Map means the Parramatta Local Environmental Plan 2011 Land Application Map.

Land Reclassification (Part Lots) Map means the Parramatta Local Environmental Plan 2011 Land Reclassification (Part Lots) Map.

Land Reservation Acquisition Map means the Parramatta Local Environmental Plan 2011 Land Reservation Acquisition Map.

Land Zoning Map means the Parramatta Local Environmental Plan 2011 Land Zoning Map.

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

landscaping material supplies means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

Note—

Landscaping material supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry.

Note—

Light industries are a type of **industry**—see the definition of that term in this Dictionary.

liquid fuel depot means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.

Note—

Liquid fuel depots are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals and includes abattoirs, knackereries, tanneries, woolscours and rendering plants.

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Livestock processing industries are a type of **rural industry**—see the definition of that term in this Dictionary.

local distribution premises means a building or place used for the storage or handling of items (whether goods or materials) pending their delivery to people and businesses in the local area, but from which no retail sales are made.

Note—

Local distribution premises are a type of **warehouse or distribution centre**—see the definition of that term in this Dictionary.

Lot Size Map means the Parramatta Local Environmental Plan 2011 Lot Size Map.

maintenance, in relation to a heritage item, Aboriginal object or Aboriginal place of heritage significance, or a building, work, archaeological site, tree or place within a heritage conservation area, means ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

marina means a permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities—

- (a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,
- (b) any facility for providing fuelling, sewage pump-out or other services for boats,
- (c) any facility for launching or landing boats, such as slipways or hoists,
- (d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,
- (e) any berthing or mooring facilities.

market means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

Note—

Markets are a type of **retail premises**—see the definition of that term in this Dictionary.

mean high water mark means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

Note—

Medical centres are a type of **health services facility**—see the definition of that term in this Dictionary.

mezzanine means an intermediate floor within a room.

mine means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

mine subsidence district means a mine subsidence district proclaimed under section 15 of the *Mine Subsidence Compensation Act 1961*.

mining means mining carried out under the *Mining Act 1992* or the recovery of minerals under the *Offshore Minerals Act 1999*, and includes—

- (a) the construction, operation and decommissioning of associated works, and
- (b) the rehabilitation of land affected by mining.

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Mining is not a type of **industry**—see the definition of that term in this Dictionary.

mixed use development means a building or place comprising 2 or more different land uses.

mooring means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.

mooring pen means an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

moveable dwelling has the same meaning as in the *Local Government Act 1993*.

Note—

The term is defined as follows—

moveable dwelling means—

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the *Local Government Act 1993*) for the purposes of this definition.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note—

Multi dwelling housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

native fauna means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate (including fish) or invertebrate and in any stage of biological development, but does not include humans.

native flora means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi and lichens, and marine vegetation within the meaning of Part 7A of the *Fisheries Management Act 1994*.

native vegetation has the same meaning as in Part 5A of the *Local Land Services Act 2013*.

Natural Resources—Biodiversity Map means the Parramatta Local Environmental Plan 2011 Natural Resources—Biodiversity Map.

Natural Resources—Landslide Risk Map means the Parramatta Local Environmental Plan 2011 Natural Resources—Landslide Risk Map.

Natural Resources—Riparian Land and Waterways Map means the Parramatta Local Environmental Plan 2011 Natural Resources—Riparian Land and Waterways Map.

navigable waterway means any waterway that is from time to time capable of navigation and is open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include neighbourhood supermarkets or restricted premises.

Note—

See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.

Neighbourhood shops are a type of **shop**—see the definition of that term in this Dictionary.

neighbourhood supermarket means premises the principal purpose of which is the sale of groceries and foodstuffs to provide for the needs of people who live or work in the local area.

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See clause 5.4 for controls relating to the gross floor area of neighbourhood supermarkets.

Neighbourhood supermarkets are a type of **shop**—see the definition of that term in this Dictionary.

nominated State heritage item means a heritage item that—

- (a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and
- (b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

non-potable water means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

offensive industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note—

Offensive industries are a type of **heavy industry**—see the definition of that term in this Dictionary.

offensive storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note—

Offensive storage establishments are a type of **heavy industrial storage establishment**—see the definition of that term in this Dictionary.

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Note—

Office premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

open cut mining means mining carried out on, and by excavating, the earth's surface, but does not include underground mining.

operational land has the same meaning as in the *Local Government Act 1993*.

oyster aquaculture means the cultivation of any species of edible oyster for a commercial purpose.

Note—

Oyster aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary.

parking space means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park.

Parramatta Development Control Plan means the Parramatta Development Control Plan 2011, as in force on the commencement of *Parramatta Local Environmental Plan 2011 (Amendment No 10)*.

passenger transport facility means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

people who are socially disadvantaged means—

- (a) people who are disadvantaged because of their alcohol or drug dependence, extreme poverty, psychological disorder or other similar disadvantage, or

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(b) people who require protection because of domestic violence or upheaval.

people with a disability means people of any age who, as a result of having an intellectual, psychiatric, sensory, physical or similar impairment, or a combination of such impairments, either permanently or for an extended period, have substantially limited opportunities to enjoy full and active lives.

pig farm means land that is used to keep or breed pigs for animal production, whether an indoor, outdoor, free-range or other type of operation.

Note—

Pig farms are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

Note—

Plant nurseries are a type of **retail premises**—see the definition of that term in this Dictionary.

pond-based aquaculture means aquaculture undertaken predominantly in ponds, raceways or dams (including any part of the aquaculture undertaken in tanks such as during the hatchery or depuration phases), but not including natural water-based aquaculture.

Note—

Pond-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical pond-based aquaculture is the pond culture of prawns, yabbies or silver perch.

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the *Ports and Maritime Administration Act 1995*—

- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

potable water means water that meets the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

poultry farm means land that is used to keep or breed poultry for animal production, whether for meat or egg production (or both) and whether an indoor, outdoor, free-range or other type of operation.

Note—

Poultry farms are a type of **intensive livestock agriculture**—see the definition of that term in this Dictionary.

private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

property vegetation plan mean a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* before the repeal of that Act (as continued in force by the regulations under the *Biodiversity Conservation Act 2016*).

pub means licensed premises under the *Liquor Act 2007* the principal purpose of which is the retail

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sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Note—

Pubs are a type of **food and drink premises**—see the definition of that term in this Dictionary.

public administration building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

public authority has the same meaning as in the Act.

public land has the same meaning as in the *Local Government Act 1993*.

public reserve has the same meaning as in the *Local Government Act 1993*.

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Public Service agency or under the authority of or in pursuance of any Commonwealth or State Act—

- (a) railway, road transport, water transport, air transport, wharf or river undertakings,
- (b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Public Service agency, corporation, firm or authority carrying on the undertaking.

rainwater tank means a tank designed for the storage of rainwater gathered on the land on which the tank is situated.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

- (a) a children's playground, or
- (b) an area used for community sporting activities, or
- (c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

Reduced Level (RL) means height above the Australian Height Datum, being the datum surface approximating mean sea level that was adopted by the National Mapping Council of Australia in May 1971.

registered club means a club that holds a club licence under the *Liquor Act 2007*.

relic has the same meaning as in the *Heritage Act 1977*.

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The term is defined as follows—

relic means any deposit, artefact, object or material evidence that—

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

research station means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following—

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

residential care facility means accommodation for seniors or people with a disability that includes—

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

Note—

Residential care facilities are a type of **seniors housing**—see the definition of that term in this Dictionary.

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Note—

Residential flat buildings are a type of **residential accommodation**— see the definition of that term in this Dictionary.

resource recovery facility means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

Note—

Resource recovery facilities are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

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respite day care centre means a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre.

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Note—

Restaurants or cafes are a type of **food and drink premises**—see the definition of that term in this Dictionary.

restricted premises means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

restriction facilities means facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following—

- (a) (Repealed)
- (b) cellar door premises,
- (c) food and drink premises,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) shops,
- (la) specialised retail premises,
- (m) timber yards,
- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note—

Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

road means a public road or a private road within the meaning of the *Roads Act 1993*, and includes a classified road.

roadside stall means a place or temporary structure used for the retail sale of agricultural produce or hand crafted goods (or both) produced from the property on which the stall is situated or from an adjacent property.

Note—

See clause 5.4 for controls relating to the gross floor area of roadside stalls.

Roadside stalls are a type of **retail premises**—see the definition of that term in this Dictionary.

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rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following—

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note—

Rural industries are not a type of **industry**—see the definition of that term in this Dictionary.

rural supplies means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

Note—

Rural supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

rural worker's dwelling means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Note—

Rural workers' dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

Note—

Sawmill or log processing works are a type of **rural industry**—see the definition of that term in this Dictionary.

school means a government school or non-government school within the meaning of the *Education Act 1990*.

Note—

Schools are a type of **educational establishment**—see the definition of that term in this Dictionary.

school-based child care means a building or place within a school that is used to provide out-of-school-hours care (including vacation care) for school children only.

Note—

Accordingly, a building or place within a school that is used to provide out-of-school-hours care for both school children and pre-school children is not school-based child care.

secondary dwelling means a self-contained dwelling that—

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

Note—

See clause 5.4 for controls relating to the total floor area of secondary dwellings.

Secondary dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

self-storage units means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

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Note—

Self-storage units are a type of **storage premises**—see the definition of that term in this Dictionary.

semi-detached dwelling means a dwelling that is on its own lot of land and is attached to only one other dwelling.

Note—

Semi-detached dwellings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

seniors housing means a building or place that is—

- (a) a residential care facility, or
- (b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or
- (c) a group of self-contained dwellings, or
- (d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),
and that is, or is intended to be, used permanently for—
- (e) seniors or people who have a disability, or
- (f) people who live in the same household with seniors or people who have a disability, or
- (g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

Note—

Seniors housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Note—

Serviced apartments are a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

sewage reticulation system means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated—

- (a) pipelines and tunnels, and
- (b) pumping stations, and
- (c) dosing facilities, and
- (d) odour control works, and
- (e) sewage overflow structures, and
- (f) vent stacks.

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Note—

Sewage reticulation systems are a type of **sewerage system**—see the definition of that term in this Dictionary.

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

Note—

Sewage treatment plants are a type of **sewerage system**—see the definition of that term in this Dictionary.

sewerage system means any of the following—

- (a) biosolids treatment facility,
- (b) sewage reticulation system,
- (c) sewage treatment plant,
- (d) water recycling facility,
- (e) a building or place that is a combination of any of the things referred to in paragraphs (a)–(d).

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop and neighbourhood supermarket, but does not include food and drink premises or restricted premises.

Note—

Shops are a type of **retail premises**—see the definition of that term in this Dictionary.

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

Note—

Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

site area means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.

Note—

The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

site coverage means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage—

- (a) any basement,
- (b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
- (c) any eaves,

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(d) unenclosed balconies, decks, pergolas and the like.

small bar means a small bar within the meaning of the *Liquor Act 2007*.

Note—

Small bars are a type of **food and drink premises**—see the definition of that term in this Dictionary.

spa pool has the same meaning as in the *Swimming Pools Act 1992*.

Note—

The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

Special Provisions Area Map means the Parramatta Local Environmental Plan 2011 Special Provisions Area Map.

specialised retail premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity, that requires—

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale, hire or display of other goods referred to in this definition.

Note—

Examples of goods that may be sold at specialised retail premises include automotive parts and accessories, household appliances and fittings, furniture, homewares, office equipment, outdoor and recreation equipment, pet supplies and party supplies.

Specialised retail premises are a type of **retail premises**—see the definition of that term in this Dictionary.

stock and sale yard means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

Note—

Stock and sale yards are a type of **rural industry**—see the definition of that term in this Dictionary.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include—

- (a) a space that contains only a lift shaft, stairway or meter room, or
- (b) a mezzanine, or
- (c) an attic.

Sun Access Protection Map means the Parramatta Local Environmental Plan 2011 Sun Access Protection Map.

swimming pool has the same meaning as in the *Swimming Pools Act 1992*.

Note—

The term is defined as follows—

swimming pool means an excavation, structure or vessel—

- (a) that is capable of being filled with water to a depth of 300 millimetres or more, and
- (b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

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and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the *Swimming Pools Act 1992* not to be a swimming pool for the purposes of that Act.

take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

Note—

Take away food and drink premises are a type of **food and drink premises**—see the definition of that term in this Dictionary.

tank-based aquaculture means aquaculture undertaken exclusively in tanks, but not including natural water-based aquaculture.

Note—

Tank-based aquaculture is a type of **aquaculture**—see the definition of that term in this Dictionary. Typical tank-based aquaculture is the tank culture of barramundi or abalone.

telecommunications facility means—

- (a) any part of the infrastructure of a telecommunications network, or
- (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or
- (c) any other thing used in or in connection with a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note—

The term is defined as follows—

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

the Act means the *Environmental Planning and Assessment Act 1979*.

timber yard means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

Note—

Timber yards are a type of **retail premises**—see the definition of that term in this Dictionary.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) hotel or motel accommodation,
- (e) serviced apartments,

but does not include—

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

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transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

turf farming means the commercial cultivation of turf for sale and the removal of turf for that purpose.

Note—

Turf farming is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

underground mining means—

- (a) mining carried out beneath the earth's surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and
- (b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth's surface),

but does not include open cut mining.

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

vehicle repair station means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

vehicle sales or hire premises means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

Note—

Vehicle sales or hire premises are a type of **retail premises**—see the definition of that term in this Dictionary.

veterinary hospital means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

viticulture means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

Note—

Viticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises.

waste disposal facility means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to generate a void for disposal of waste or to cover waste after its disposal.

Note—

Waste disposal facilities are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

waste or resource management facility means any of the following—

- (a) a resource recovery facility,
- (b) a waste disposal facility,
- (c) a waste or resource transfer station,

CBD Planning Proposal – Attachment 1A

(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note—

Waste or resource transfer stations are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated—

- (a) retention structures, and
- (b) treatment works, and
- (c) irrigation schemes.

Note—

Water recycling facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure and dosing facilities.

Note—

Water reticulation systems are a type of **water supply system**—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note—

Water storage facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

water supply system means any of the following—

- (a) a water reticulation system,
- (b) a water storage facility,
- (c) a water treatment facility,
- (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

water treatment facility means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

Note—

Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

waterbody means a waterbody (artificial) or waterbody (natural).

waterbody (artificial) or **artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

waterbody (natural) or **natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or

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diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

watercourse means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

waterway means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

wetland means—

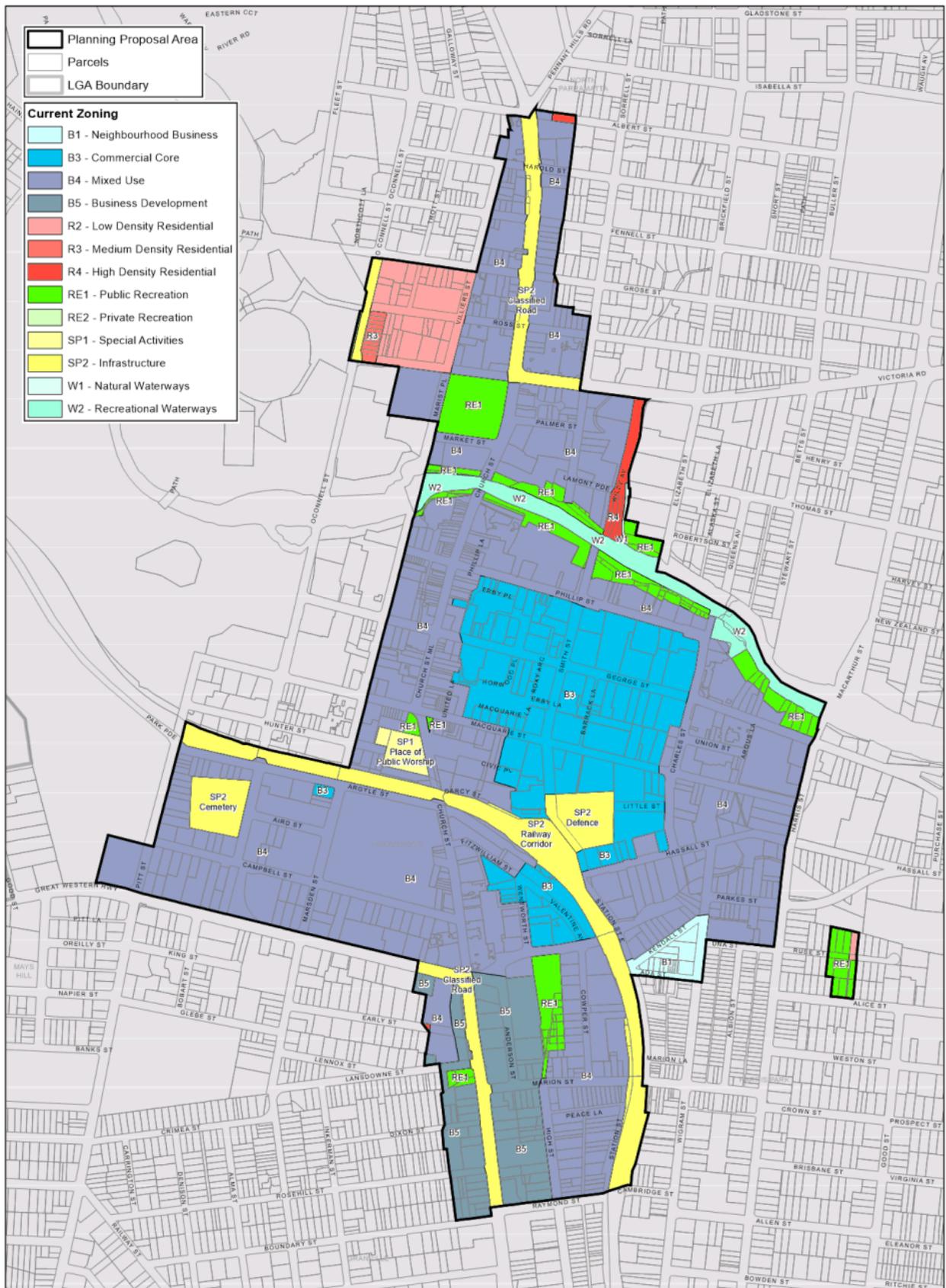
- (a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgeland, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgeland or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

wharf or boating facilities means a wharf or any of the following facilities associated with a wharf or boating that are not port facilities—

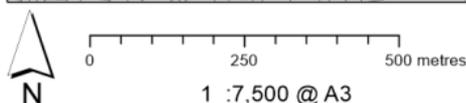
- (a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,
- (b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,
- (c) wharves for commercial fishing operations,
- (d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,
- (e) sea walls or training walls,
- (f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

wholesale supplies means a building or place used for the display, sale or hire of goods or materials by wholesale only to businesses that have an Australian Business Number registered under the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth.

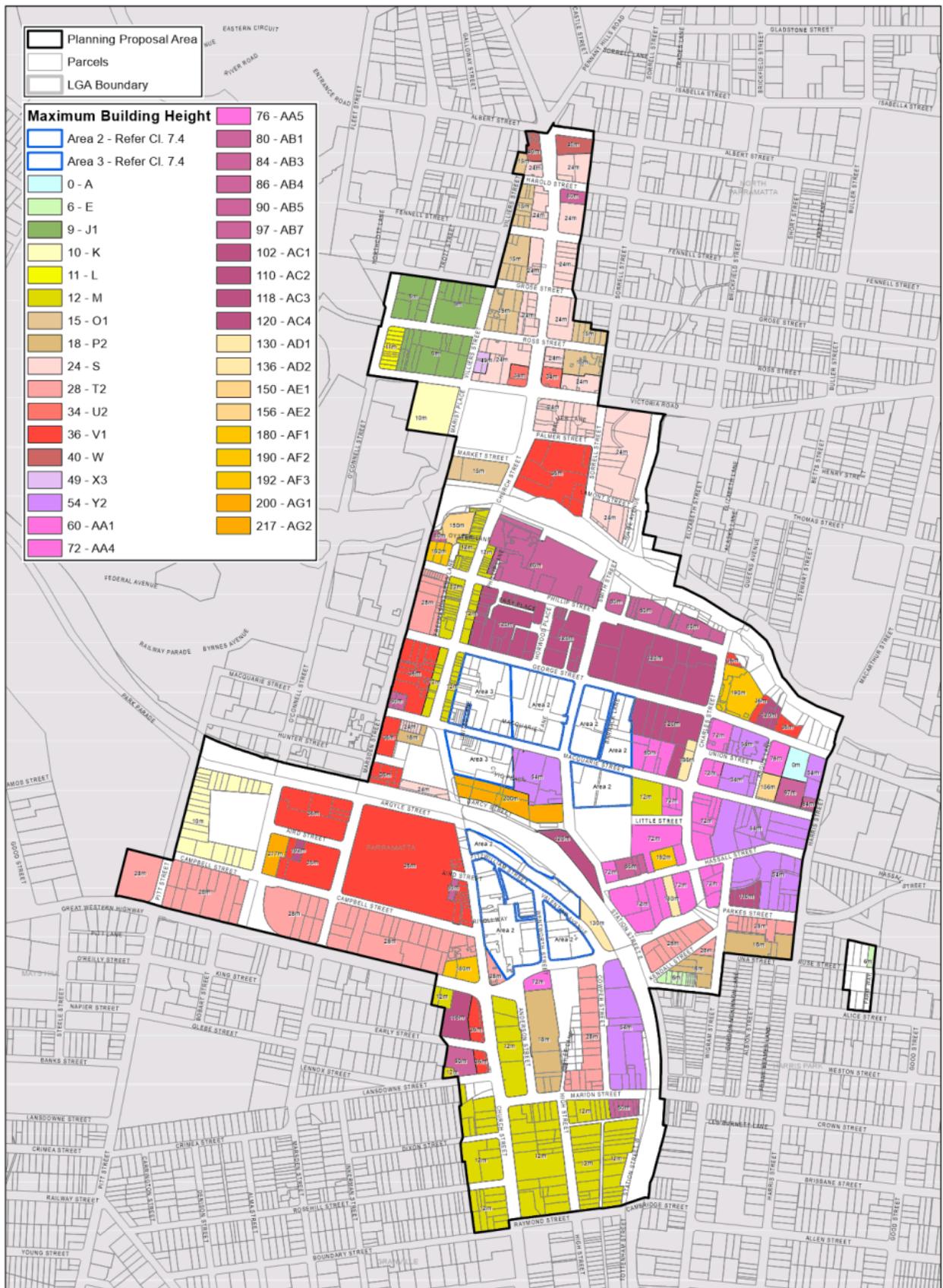
Parramatta CBD Planning Proposal — Current Zoning - Parramatta LEP 2011



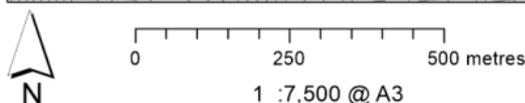
Data Version: 09/04/2021



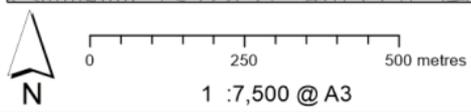
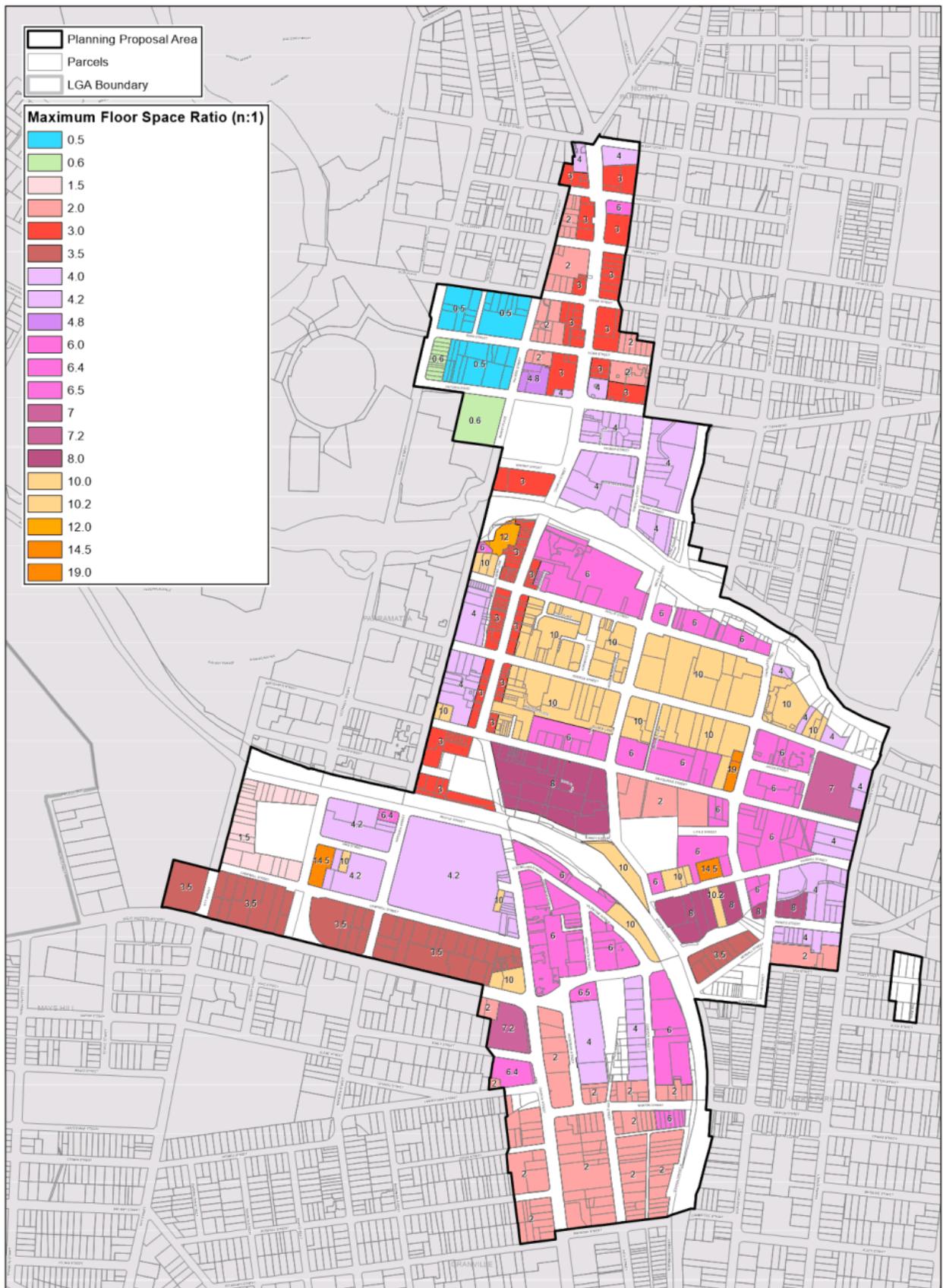
Parramatta CBD Planning Proposal — Current Height of Buildings - Parramatta LEP 2011



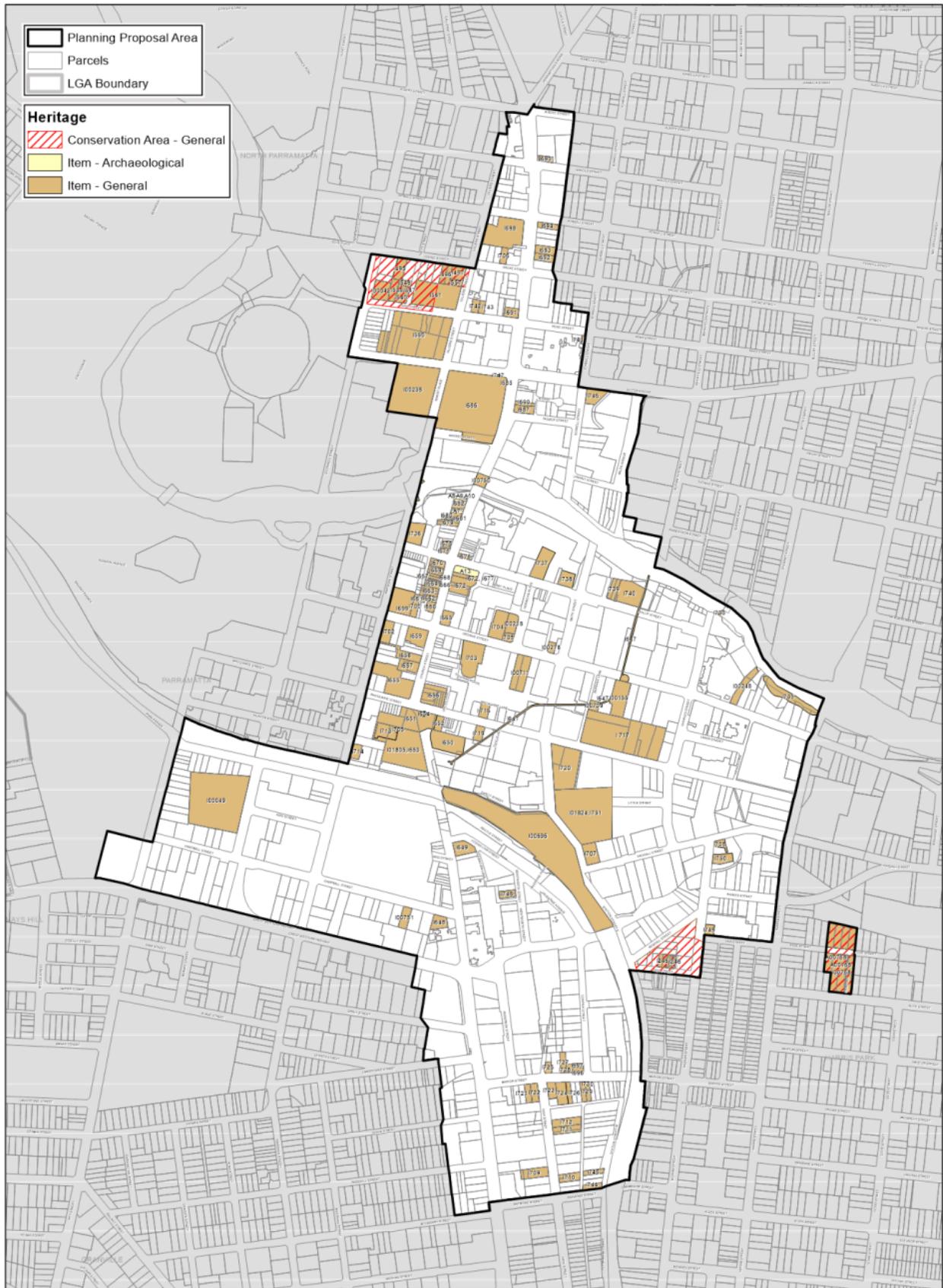
Data Version: 09/04/2021



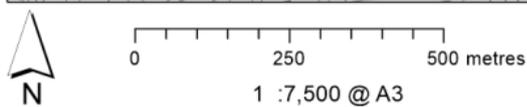
Parramatta CBD Planning Proposal — Current Floor Space Ratio - Parramatta LEP 2011



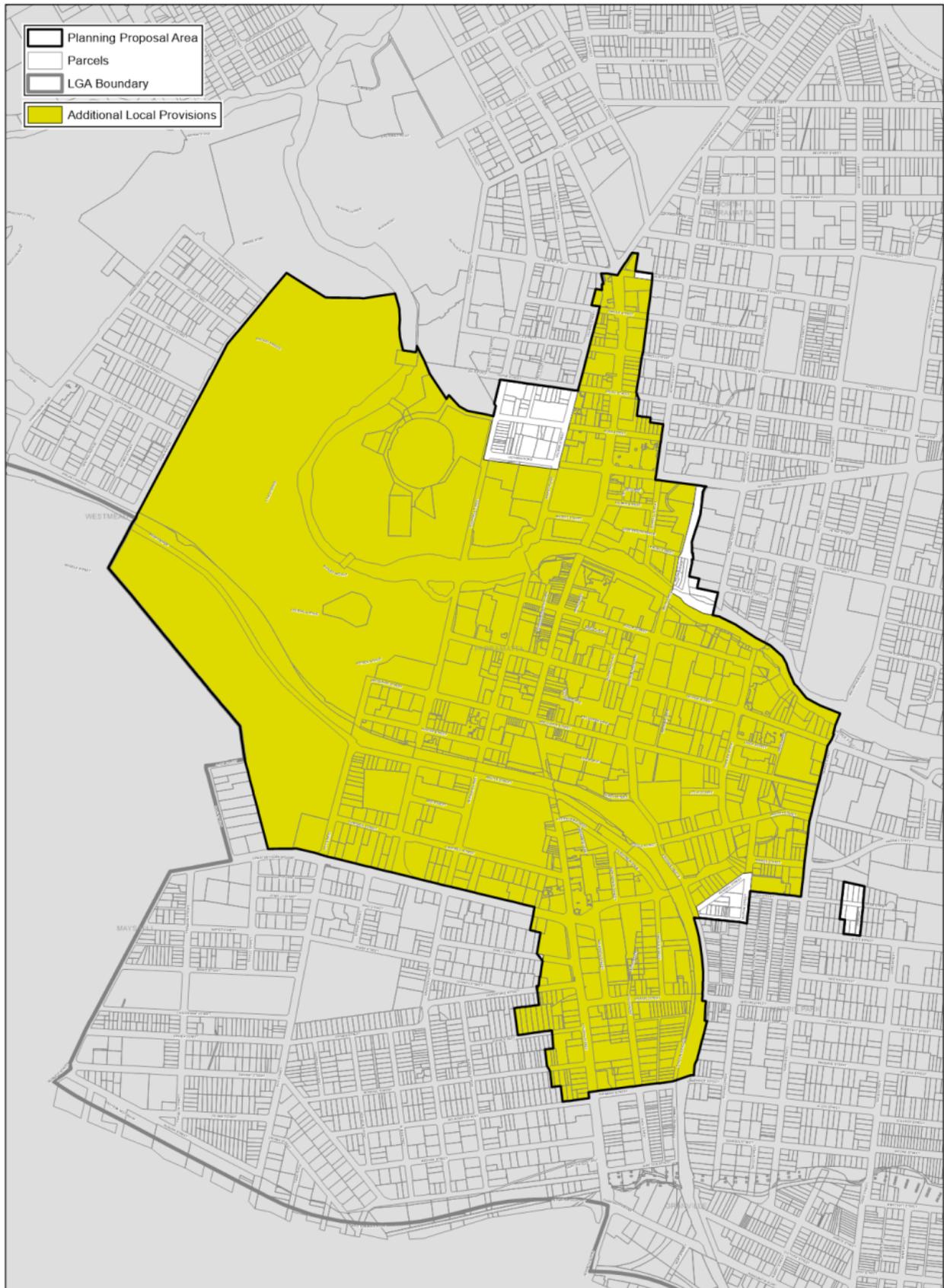
Parramatta CBD Planning Proposal — Current Heritage Map - Parramatta LEP 2011

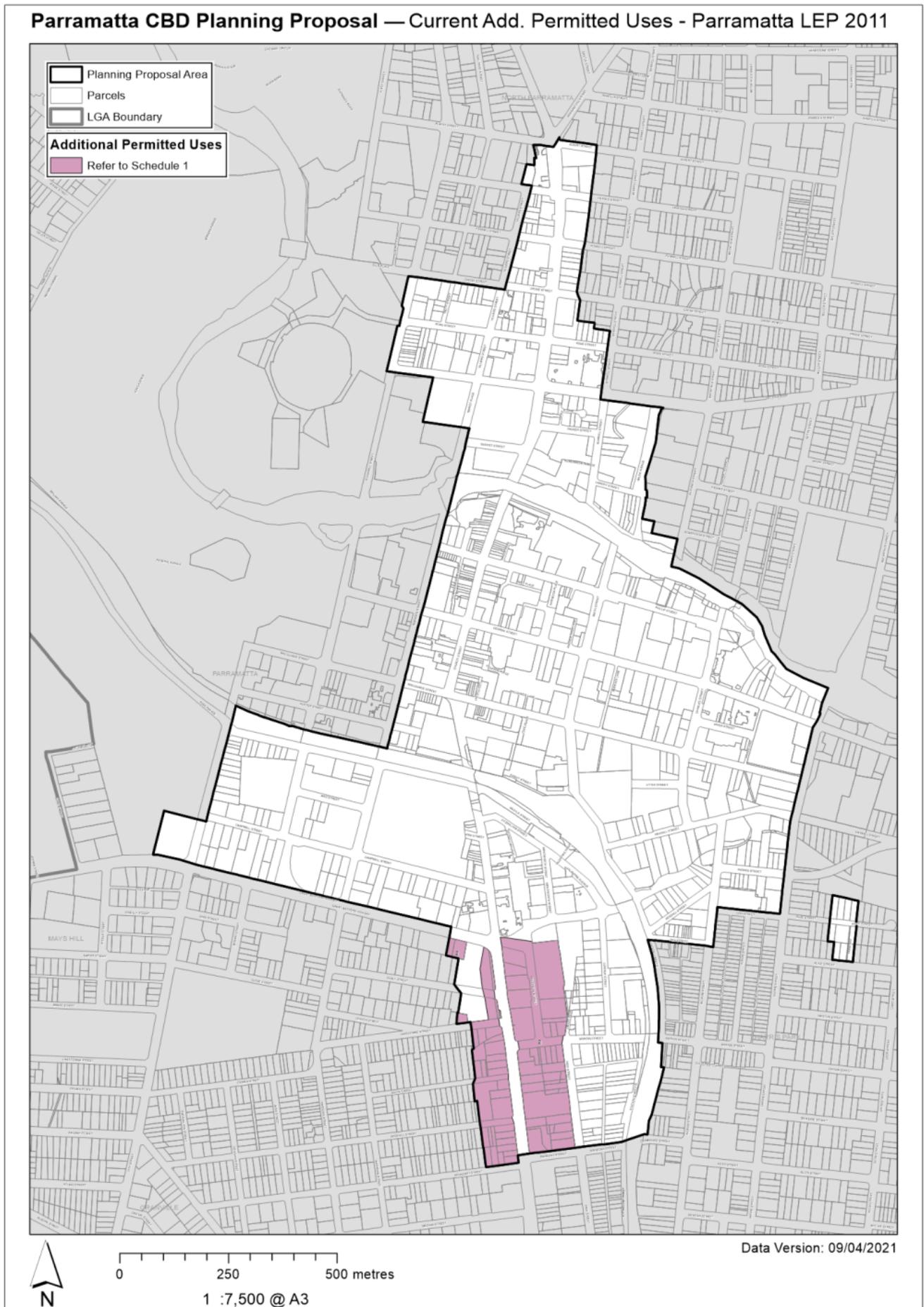


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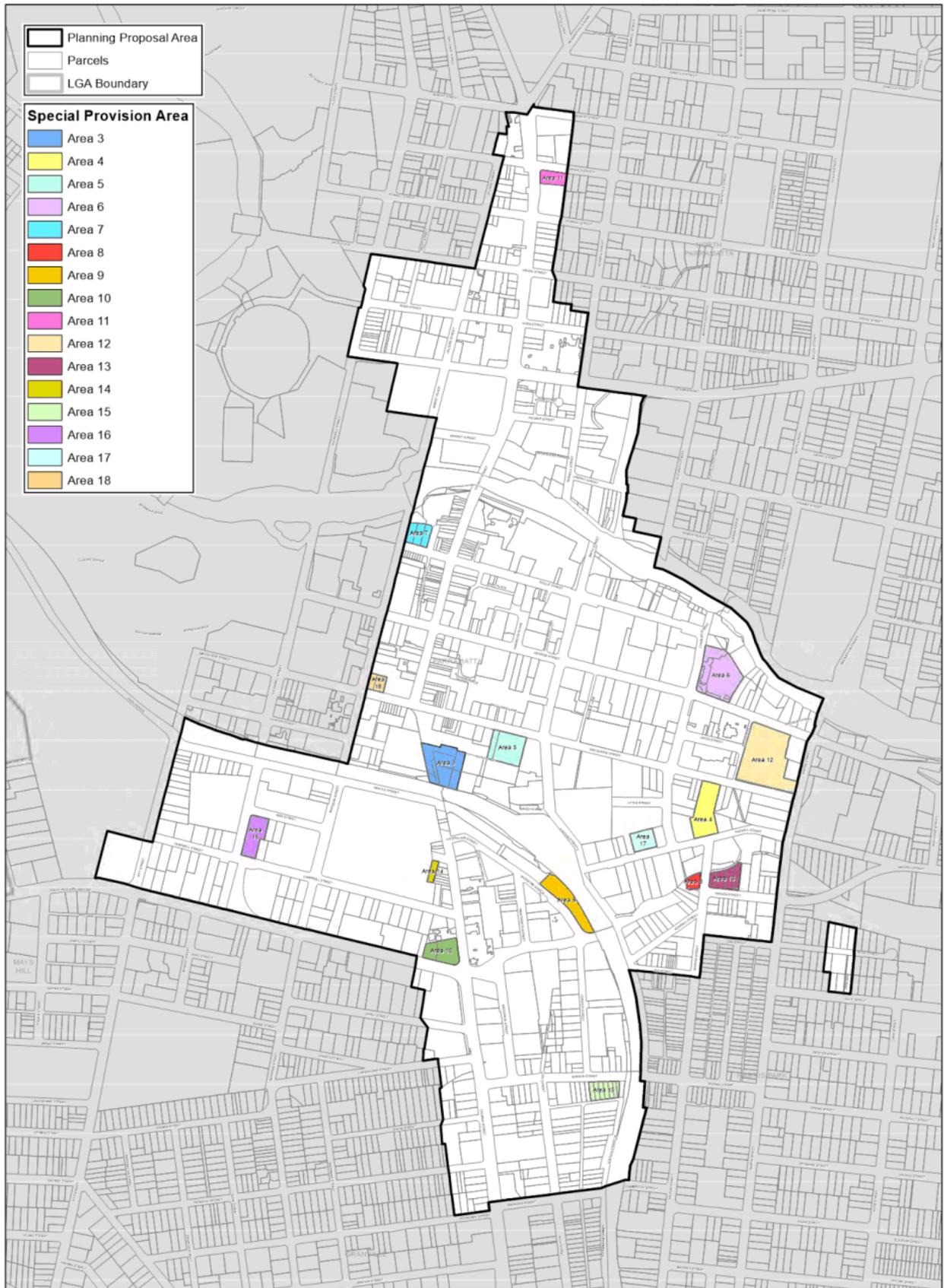


Parramatta CBD Planning Proposal — Current Add. Local Provisions - Parramatta LEP 2011





Parramatta CBD Planning Proposal — Current Special Provisions Map - Parramatta LEP 2011



0 250 500 metres
1 :7,500 @ A3

Data Version: 09/04/2021

Potential Draft LEP Provisions – Guide Only

Parramatta CBD Planning Proposal

Potential Draft Local Environmental Plan (LEP) Provisions

N.B. These potential draft LEP provisions have been prepared by Council as a **guide only** to assist the public in understanding the possible implications of the Parramatta CBD Planning Proposal. The final LEP provisions, which will be drafted by the NSW Parliamentary Counsel's Office, may appear different to those in this document.

| **Version ~~42~~** - Updated ~~April 2021~~[December 2019](#).

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POTENTIAL DRAFT LOCAL ENVIRONMENTAL PLAN PROVISIONS

Draft Parramatta Local Environmental Plan 2011 (Amendment No X)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Parramatta Local Environmental Plan 2011 (Amendment No X)*.

2 Commencement

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

3 Land to which Plan applies

This Plan applies to certain land to which *Parramatta Local Environmental Plan 2011* applies as shown on the Parramatta Local Environmental Plan 2011 (Amendment No X) Land Application Map.

4 Maps

The maps adopted by *Parramatta Local Environmental Plan 2011* are introduced, amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Note. This plan amends the Additional Local Provisions Map, Additional Permitted Uses Map, Floor Space Ratio Map, Height of Buildings Map, Land Zoning Map, Land Reservation Acquisition Map and the Special Provisions Area Map. Further, this plan introduces an Active Frontages Map, Floodplain Risk Management Map, Incentive Floor Space Ratio Map, Incentive Height of Buildings Map, Opportunity Sites Map and a Sun Access Protection Map.

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Schedule 1 Amendment of Parramatta Local Environmental Plan 2011

[1] Land Use Table (Zone B3 Commercial Core)

Omit “; Tourist and visitor accommodation” in item 3. Insert instead “Backpackers’ accommodation;” and “Bed and breakfast accommodation;” in alphabetical order in item 3.

[2] Clause 4.3 Height of buildings

Insert after clause (2A):

(2B) Despite subclause (2), any development on land identified with a thick orange line and labelled “Area 2” on the Height of Buildings Map is not to exceed the height determined in accordance with clause 7.4 (Sun Access Protection).

[3] Clause 7.2 Floor space ratio

Omit subclauses 7.2 (1) and (2). Insert instead:

- (1) Despite clauses 7.6C (3) and 7.6H, the maximum floor space ratio for buildings on land for which the maximum floor space ratio shown on the Incentive 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
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

- (2) For the purposes of Column 3 of the Table to subclause (1):

$$X = (\text{the site area in square metres} - 1000) / 800$$

- (2A) Despite subclauses (1) and (2), the consent authority may grant consent to development seeking to achieve the maximum floor space ratio shown on the Incentive Floor Space Ratio Map, but only where:
- (a) the development is on a site greater than 1,000 square metres and up to 1,800 square metres, and
 - (b) the site is an isolated site, and
 - (c) the development has been subject to a competitive design process and exhibits design excellence as provided in clause 7.10; and

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- (d) if the development includes residential accommodation, the development also ~~includes-complies with the key~~ community infrastructure principles specified in clause 7.6H(3).

(2B) In this clause:

community infrastructure has the same meaning as in clause 7.6H.

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.

[4] Clause 7.3 Car parking

Omit clause 7.3. Insert instead:

7.3 Car parking

(1) Objectives

The objectives of this clause are:

- (a) to identify the maximum number of car parking spaces that may be provided to service particular uses of land; and
- (b) to minimise the amount of vehicular traffic generated because of proposed development.

(2) Application

- (a) This clause applies to development for any purpose if car parking spaces are to be provided in relation to that purpose, but does not apply to development for the purposes of a car park.
- (b) Nothing in this clause requires a reduction in the number of car parking spaces provided within an existing building.

(3) Interpretation

- (a) For the purposes of this clause:

car parking space means a space intended to be used for the parking of cars that is ancillary to another land use on the site, but does not include any of the following:

- (i) a place primarily used for the purpose of washing vehicles,
- (ii) a place primarily used for the purpose of loading or unloading of goods,
- (iii) a place primarily used for the purpose of storing bicycles or motorcycles,
- (iv) a car parking space in a car park,
- (v) a car parking space reserved for the exclusive use of vehicles belonging to a car share scheme.

car share scheme means a scheme in which a body corporate, an unincorporated body or a public authority owns or manages and maintains vehicles for shared or communal use and hires those vehicles exclusively to

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members of the scheme for occasional use for short periods of time, on demand, and on a pay-as-you-go basis.

- (b) More than one provision of this clause may apply in the case of a mixed use development, and in such a case:
- (i) the maximum number of car parking spaces is the sum of the number of spaces permitted under each of those provisions, and
 - (ii) a reference in those provisions to a building, is taken to be a reference to those parts of the building in which the relevant use occurs.
- (4) **Car Parking spaces not to exceed the maximum set out in this clause**
- (a) Development consent must not be granted to development that includes car parking spaces in connection with a proposed use of land if the total number of car parking spaces (including existing car parking spaces) provided on the site would be greater than the maximum set out in this clause.
 - (b) If the maximum number of car parking spaces under this clause is not a whole number, the number is to be rounded to the nearest whole number.
- (5) **Maximum parking rates**
- 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
Business premises and office premises	<p>(a) A maximum of 1 car parking space to be provided for every 175 square metres of gross floor area where the building is on land which has a floor space ratio of no more than 3.5:1, or</p> <p>(b) For buildings on land where the floor space ratio is greater than 3.5:1, the following formula is to be used:</p> $M = (G \times A) \div (50 \times T)$ <p>where: M is the maximum number of car parking spaces, and G is the gross floor area of all business premises and office 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.</p>
Centre-based child care facilities	A maximum of 1 car parking space plus 1 space per 100 square metres of gross floor area.
Dwelling houses, attached dwellings and semi-detached dwellings	A maximum of 1 car parking space for each dwelling.
Health consulting rooms and medical centres	A maximum of 2 car parking spaces to be provided per consulting room.

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Hotel or motel accommodation and serviced apartments	A maximum of: (a) 1 car parking space for every 4 bedrooms up to 100 bedrooms, and (b) 1 car parking space for every 5 bedrooms above 100 bedrooms.
Information and education facilities	A maximum of 1 car parking space for every 200 square metres of gross floor area.
Light industries	A maximum of 1 parking space to be provided for every 150 square metres of gross floor area.
Places of public worship and entertainment facilities	A maximum of: (a) 1 space for every 10 seats, or (b) 1 space for every 30 square metres of the gross floor area, whichever is the greater.
Residential flat buildings, dual occupancies and multi dwelling housing	A maximum of: (a) 0.1 car parking spaces for each studio dwelling, and (b) 0.3 car parking spaces for each 1 bedroom dwelling, and (c) 0.7 car parking spaces for each 2 bedroom dwelling, and (d) 1 car parking space for 3 or more bedroom dwelling.
Retail premises	In the case of a building that has less than 2000 square of retail premises: (a) A maximum of 1 car parking space to be provided for every 90 square metres of gross floor area where the building is on land which has a floor space ratio of no more than 3.5:1, or (b) For buildings on land where the floor space ratio is greater than 3.5:1, the following formula is to be used: $M = (G \times A) \div (50 \times T)$ where: <i>M</i> is the maximum number of car parking spaces, and <i>G</i> is the gross floor area of all retail premises in the building in square metres, and <i>A</i> is the site area in square metres, and <i>T</i> is the total gross floor area of all buildings on the site in square metres.

Note. For any land uses that are not specified in the table above, a Parking and Access Report is to be supplied in accordance with the requirements in the Parramatta Development Control Plan.

(6) **Use of excess car parking spaces in an existing building**

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.

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[5] Clause 7.4 Sun access protection

Omit subclause 7.4. Insert instead:

7.4 Sun access protection

- (1) The objective of this clause is to protect the following land from overshadowing:
 - (a) public open space in Parramatta Square, Prince Alfred Square, the Parramatta River Foreshore and Jubilee Park; and
 - (b) heritage items and curtilage at the Lancer Barracks site and Experiment Farm.
- (2) This clause applies to land identified on the Sun Access Protection Map (as shown coloured purple or as marked as Blocks Areas A or B).
- (3) Development consent must not be granted to development on land to which this clause applies that results in any part of a building causing additional overshadowing, on 21 June in any year, on any of the following locations (as shown with blue hatching on the Sun Access Protection Map) during the times specified in relation to those locations:
 - (a) Prince Alfred Square—between 12.00 and 14.00,
 - (b) Parramatta River Foreshore—between 12.00 and 14.00,
 - (c) Lancer Barracks site—between 12.00 and 14.00,
 - (d) Jubilee Park—between and 12.00 and 14.00,
 - (e) Parramatta Square—between 12.00 and 14.00,
 - (f) Experiment Farm—between 10.00 and 14.00.
- (3A) Despite subclause (3), development consent must not be granted to development on any land in Blocks Areas A or B on the Sun Access Protection Map that results in any part of a building causing additional overshadowing to Parramatta Square (as shown with blue hatching on the Sun Access Protection Map) between 13.00 and 14.00 on 21 March ~~to~~ and 23 September in any year, unless there is a compensatory publicly accessible area within the area shown with orange hatching on the Sun Access Protection Map, at least equivalent in size to the area of overshadowing to Parramatta Square, that is unaffected by overshadowing at that time, ~~and which immediately adjoins and is contiguous with the eastern end of Parramatta Square.~~
- (4) Development results in a building causing additional overshadowing if the total overshadowing of the relevant location during the specified times would be greater after the development is carried out than the overshadowing of that location during the specified times caused by buildings existing on the commencement of this Plan.
- (5) Despite subclauses (3), (3A) and (4), some minor additional overshadowing may be permitted on Parramatta Square by the following parts of a building, provided those parts have been designed to minimise any overshadowing:
 - (a) non-useable parts, including structural elements (such as columns and pillars), spires, flag poles, public art, a sculpture or artwork, a community notice or public information sign, and architectural roof features (as defined in clause 5.6, but excluding equipment for servicing the building, such as plant, lift motor rooms, fire stairs and the like);
 - (b) heritage parts, being those parts of the building which are directly part of the restoration of a heritage item on a site (should one exist); and

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- (c) amenity parts, being those parts that directly provide for pedestrian amenity at ground level, including shelters, playground equipment, shade structures, awnings and street furniture.

[6] Clause 7.6 Airspace operations

Omit subclause 7.6 (2).

Omit “to which this clause applies” from subclause 7.6 (3). Insert instead “within the Parramatta City Centre”.

[7] Clause 7.10 Design Excellence – Parramatta City Centre

Omit subclauses 7.10 (5) (a) and (b). Insert instead:

- (a) development in respect of a building that has, or will have, a height above ground level (existing) greater than 40 metres (or 55 metres in the case of “Area A” on the Special Provisions Area Map – refer to clause 7.6M),
- (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 Incentive Floor Space Ratio Map in accordance with the requirements of clause 7.2(2A),
- (b1) development involving or directly adjoining a heritage item seeking to achieve a floor space ratio of 3:1 or greater,

Omit subclause 7.10 (8). Insert instead:

- (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:
- (a) 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%, if the development ~~is not proposed to be carried out does not include community infrastructure~~ in accordance with clause 7.6H; or
- (b) a building height that exceeds the maximum height shown for the land on the Incentive Height of Buildings Map or an amount of floor space that exceeds the maximum floor space ratio shown for the land on the Incentive Floor Space Ratio Map (or both) by up to 15%, if the development ~~is proposed to be carried out includes community infrastructure~~ in accordance with clause 7.6H or consists wholly of ~~non-residential development commercial premises~~ in accordance with clause 7.6C (3).

[8] Clauses 7.6A, 7.6B, 7.6C, 7.6D, 7.6E, 7.6F, 7.6G, 7.6H, 7.6I, 7.6J, 7.6K, 7.6L and 7.6M.

Insert after clause 7.6:

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7.6A High performing buildings

- (1) The objectives of this clause are as follows:
 - (a) to encourage high performing building design (namely the built form, layout and services) of office premises, large-scale retail premises, hotel or motel accommodation, serviced apartments, residential flat buildings and mixed use development in the Parramatta City Centre that minimises the consumption of energy and water, and
 - (b) to provide increased amenity to occupants over the long term, and
 - (c) to ensure the increase in gross floor area is compatible with surrounding buildings in terms of bulk, height and amenity.
 - (d) to ensure high performing building measures improve over time to reflect new technologies and commercial viability.

- (2) This clause applies to:
 - (a) development for the purposes of office premises with a gross floor area of 1,250 square metres or greater; or
 - (b) development for the purposes of retail premises with a gross floor area of 5,000 square metres or greater; or
 - (c) development for the purposes of serviced apartments or hotel or motel accommodation; or
 - (d) development for the purposes of residential flat buildings and mixed use development that includes residential accommodation, but only where:
 - (i) the lot on which the development will be sited is at least 24 metres wide at the front building line and has a minimum site area of at least 1,800 square metres, and
 - (ii) the lot on which the development will be sited has a maximum floor space ratio of at least 6:1, as shown on either the Floor Space Ratio Map or Incentive Floor Space Ratio Map (as applicable to the development), and
 - (iii) the applicant for the development has chosen to develop their building utilising this clause; or
 - (e) significant alterations and additions (that have a capital value of more than \$5 million) to existing retail premises (with a gross floor area of 5,000 square metres or greater), office premises, hotel or motel accommodation or serviced apartments.

- (3) Before granting development consent to development under this clause, the consent authority must be satisfied that:
 - (a) the part of any building used for the purposes in Column 1 of the table, does not exceed the energy emission in Column 2 of the table and the water usage in Column 3 of the table:

Column 1	Column 2 (<u>Energy Target</u>)	Column 3 (<u>Water Target</u>)
Retail premises (including as part of a mixed use development) – common areas only	< 52.8 kgCO ₂ /m ² /annum <small>Note. This is the equivalent of a 4.5 star NABERS Energy Rating (Shopping Centre rating*).</small>	< 1.1 kl/m ² /annum <small>Note. This is the equivalent of a 3.5 star NABERS Water Rating (whole building*).</small>
Office premises	< 63.8 kgCO ₂ /m ² /annum	< 0.5 kl/m ² /annum

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(base building)	<u>Note. This is the equivalent of a 5.5 star NABERS Energy Rating (base building*).</u>	<u>Note. This is the equivalent of a 4.5 star NABERS Water Rating (whole building*).</u>
Hotel or motel accommodation or serviced apartments (whole building)	< 5,220 kgCO ² /guest room/annum <u>Note. This is the equivalent of a 4.5 star NABERS Energy Rating (whole building*).</u>	< 76.1 kl/guest room/annum <u>Note. This is the equivalent of a 4.5 star NABERS Water Rating (whole building*).</u>

*This denotes the Federal Government's National Australian Built Environment Rating System (NABERS) terminology regarding ratings scope. Applicants should refer to NABERS for further information.

Note.: The energy and water requirements in Columns 2 and 3 were extracted from the Federal Government's *National Australian Built Environment Rating System (NABERS)* registry on 26 February 2020 and represent the 15th percentile of best performance of similar existing buildings of a similar usage type in the Sydney metropolitan region. These requirements will be regularly reviewed by Council to ensure high performing building measures improve over time to reflect new technologies and commercial viability.

- (b) a report prepared by a qualified consultant to the satisfaction of the Council verifies that:
 - a. the necessary annual emissions intensity and water performance targets to meet the requirements under this subclause at the time of application have been established and confirmed, and
 - b. the building will meet the annual energy and annual water performance targets established under this subclause, has adequate allowance (including budget) in the design of the building and its services to meet these targets, and is committed to a post occupancy verification against the targets.

Note. The requirements specified in clause 3(a) could also be verified through the provision of a signed National Australian Built Environment Rating System (NABERS) Commitment Agreement.

- (4) The part of any building that is a dwelling, including as a part of a residential flat building or mixed use development, complies with the following higher BASIX Energy and BASIX Water standards (shown Column 2) than the minimum standards as provided in *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*, which correspond to the height of the building (shown in Column 1) and its floor space ratio (also shown in Column 2), as indicated in the table to this subclause.

Column 1 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 greater, up to, but not including, 14:1	Points above minimum BASIX standard for development with a floor space ratio of 14:1 or greater
5-15 storeys	Energy	+25	+15
	Water	+15	+15

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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

Note. These higher BASIX standards may be subject to review following changes to the *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* by the NSW Government.

- (5) A residential flat building or a mixed use development (that contains dwellings) which complies with this clause is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which exceeds the floor space ratio as shown on the Floor Space Ratio Map or Incentive Floor Ratio Map (as applicable to that development) by up to 5%, subject to the consent authority being satisfied that this additional residential floor space does not adversely impact on neighbouring and adjoining land in terms of visual bulk and overshadowing.
- (6) This clause does not apply to land on which development to which clause 13 of *State Environmental Planning Policy (Affordable Rental Housing) 2009* applies is to be carried out.
- (7) In this clause:

BASIX means a rating under *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

mixed use development means a building or place comprising two or more different land uses, where at least one of these land uses is dwellings.

7.6B Dual water systems

- (1) The objective of this clause is to future proof the security of water supply in the Parramatta City Centre.
- (2) This clause applies to the Parramatta City Centre, but not including “Area A” on the Special Provisions Area Map.
- (3) The consent authority must not grant consent to development involving the construction of a new building or significant alterations to an existing building unless that building contains both potable water pipes and recycled water pipes for the purposes of all available internal and external water uses.

7.6C Commercial premises in Zone B4 Mixed Use

- (1) The objective of this clause is to facilitate commercial premises in Zone B4 Mixed Use.
- (2) This clause applies to Zone B4 Mixed Use, but not including “Area A” on the Special Provisions Area Map.

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- (3) Despite clauses 4.3, 4.4 and 7.6H, the consent authority may grant development consent to development comprising wholly of ~~non-residential development~~~~commercial 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 without the need for that development to ~~comply with the key~~~~include~~ community infrastructure principles specified in clause 7.6H(3).
- (4) This subclause applies only to Zone B4 Mixed Use land as identified on the Additional Local Provisions Area Map, as follows:
- The minimum floor space ratio for any commercial premises floor space of any development on land to which this subclause applies is 1:1.
 - Any additional commercial premises floor space provided in excess of the minimum specified in subclause 4 (a) will be exempt from the overall maximum floor space ratio specified in clauses 4.4, 7.2 or 7.6H (~~where development includes community infrastructure~~), but only where the site has a minimum area of 1,800 square metres.
 - The maximum height permitted for development under this subclause is that shown on the Incentive Height of Building Map.
 - Conversion of any commercial premises floor space approved under subclause (4) (b) to residential accommodation floor space is prohibited under this Plan.
- (5) In this clause, *community infrastructure* has the same meaning as in clause 7.6H.

7.6D Office premises in Zone B3 Commercial Core

- The objective of this clause is to facilitate office premises in Zone B3 Commercial Core.
- Development for the purposes of office premises in Zone B3 Commercial Core is not subject to the floor space ratios specified under clauses 4.4, 7.2 or 7.6H, but only where the site has a minimum area of 1,800 square metres.

7.6E End of journey facilities

- The objective of this clause is to facilitate pedestrian and cycling access to commercial premises.
- This clause applies to the Parramatta City Centre, but not including “Area A” on the Special Provisions Area Map.
- This clause applies to the following development:
 - a building which consists entirely of commercial premises, and
 - mixed use development, but only where more than 600 square metres of commercial premises is provided.
- The consent authority must not grant consent to development to which this clause applies involving the construction of a new building or significant alterations to an existing building unless that building provides for all of the following facilities together in one area of the building:

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- (a) showers,
- (b) change rooms,
- (c) lockers,
- (d) bicycle storage areas.

7.6F Active frontages

- (1) The objective of this clause is 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.
- (2) This clause applies to:
 - (a) land identified as an “Active Frontage” on the Active Frontages Map, or
 - (b) land identified as “Civic Link” on the Active Frontages Map.
- (3) Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active frontage after its erection or change of use.
- (4) Despite subclause (3) and subject to the consent authority being satisfied, an active frontage is not required for any part of a building that is used for any of the following:
 - (a) entrances and lobbies (including as part of mixed use development),
 - (b) access for fire services,
 - (c) electrical services,
 - (d) vehicular access.
- (5) In this clause, 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.

7.6G Arrangements for contributions to designated State public infrastructure

- (1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the development of land wholly or partly for residential or commercial purposes, to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.
- (2) This clause applies to development for the purposes of residential accommodation (whether as part of a mixed use development or otherwise) and commercial premises (including by way of subdivision) in the Parramatta City Centre, but not including “Area A” on the Special Provisions Area Map.
- (3) Despite all other provisions of this Plan, development consent must not be granted for development to which this clause applies unless the Secretary 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.
- (4) This clause does not apply to the granting of development consent if:

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- (a) the development will not result in an increase in the floor space for residential accommodation and commercial premises, or
 - (b) the whole or any part of the land on which the development is to be carried out is in a special contributions area (as defined by section 7.1 of the Act).
- (5) In this clause, *designated State public infrastructure* means 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 any financial or in-kind contribution by the State) of the following kinds—
- (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, heavy or metro rail infrastructure.

7.6H Community Infrastructure

- (1) The objectives of this clause are:
- (a) to allow higher density development on certain land in the Parramatta City Centre where the development complies with key~~includes~~ *community infrastructure principles*, and
 - (b) to ensure that the greater densities reflect the desired character of the Parramatta City Centre in which they are allowed, and
 - (c) to ensure that the greater densities minimise adverse impacts on the Parramatta City Centre, including its heritage items and public spaces, and
 - (d) to ensure that the greater densities minimise adverse impacts on areas which surround the Parramatta City Centre, including conservation areas, parks, heritage items and low-density residential neighbourhoods.
- (2) This clause applies to the Parramatta City Centre, but not including “Area A” on the Special Provisions Area Map.
- (3) Despite clauses 4.3 and 4.4, the consent authority may consent to development on land to which this clause applies (including the erection of a new building or external alteration to an existing building) that exceeds the maximum height shown for the land on the Height of Buildings Map or the floor space ratio for the land shown on the Floor Space Ratio Map, or both, if the proposed development complies with the following key ~~includes~~ *community infrastructure principles*:-
- (a) Public access to the community infrastructure network has been maximised in the design of the development.
 - (b) There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.
 - (c) The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.

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~~(3)~~(4) The consent authority must not consent to the erection of a building on land to which this clause applies if the floor space ratio and height for the building exceeds the following:

- (a) The floor space ratio as specified on the Incentive Floor Space Ratio Map, and
- (b) The height of building as specified on the Incentive Height of Building Map.

~~(4)~~(5) In deciding whether to grant development consent under this clause, the consent authority must have regard to the following:

- (a) the objectives of this clause,
- (b) whether the development exhibits design excellence,
- (c) whether the development is able to demonstrate an appropriate transition to any heritage items or conservation areas in the immediate vicinity of the development; and
- (d) ~~how the development complies with the nature and value of the key community infrastructure principles as set out in subclause (3) to the Parramatta City Centre.~~

~~(5)~~(6) In this clause, *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).

~~(6)~~(7) Despite subclause (4) (b), any development on land identified with a thick orange line and labelled “Area 21” on the Incentive Height of Buildings Map is not to exceed the height determined in accordance with clause 7.4 (Sun Access Protection).

7.6I Community Infrastructure—Site-Specific Requirements

- (1) The objective of this clause is to specify further requirements (in addition to those in clause 7.6H), for certain sites to achieve the floor space ratio shown on the Incentive Floor Space Ratio Map and height of building shown on the Incentive Height of Building Map for development that ~~complies with the key~~ ~~includes community infrastructure~~ *principles specified in clause 7.6H(3)*.
- (2) This clause applies to land marked “Area B” on the Special Provisions Area Map.
- (3) In addition to the requirements specified in clause 7.6H, the consent authority may only grant consent to development that ~~complies with the key~~ ~~includes community infrastructure~~ *principles specified in clause 7.6H(3)* on land to which this clause applies if the development relates to the whole of “Area B”.

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(4) In this clause *community infrastructure* has the same meaning as in clause 7.6H.

7.6J Opportunity Sites

(1) The objectives of this clause are:

- (a) to provide opportunities for tall, slender towers;
- (b) to encourage opportunities to improve the quality of the public domain;
- ~~(c) to facilitate opportunities to deliver additional community infrastructure;~~
- ~~(d)(c)~~ to encourage site amalgamation so to avoid adjacent sites becoming isolated sites;
- ~~(e)(d)~~ to ensure historic streetscapes are not adversely impacted;
- ~~(f)(e)~~ to ensure heritage items and conservation areas are not adversely impacted;
- ~~(g)(f)~~ to ensure the amenity of surrounding low-density residential areas near the Parramatta City Centre are not adversely impacted; and
- ~~(h)(g)~~ to ensure sites have sufficient dimensions and area to accommodate a large tower form.

(2) This clause applies to:

- (a) land identified as an “Opportunity Site” on the Opportunity Sites Map; or
- (b) land identified as “Area 1” or “Area 2” on the Opportunity Sites Map, provided the consent authority is satisfied that the development relates to the whole of “Area 1” or “Area 2” respectively.

(3) A building on land to which this clause applies is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which may be achieved by applying a floor space ratio of up to 3:1 to that part of the land to which the development is situated that meets the minimum site dimension requirements specified in subclause (4) (a) (ii) below.

(4) The consent authority may grant consent to development involving the construction of a new building or alterations to an existing building on land to which this clause applies that incorporates the additional floor space as specified in subclause (3) above, but only if:

- (a) The land to which the development is situated:
 - (i) has an area of at least 1,800 square metres; and
 - (ii) contains a regular shaped area with minimum dimensions of:
 - a. 40 metres by 35 metres, where the site is a corner site with at least two street frontages; or
 - b. 40 metres by 40 metres, for all other sites;
- (b) the development demonstrates an appropriate transition to any heritage items or conservation areas;
- (c) the development does not adversely impact on the historic streetscapes of Church Street and George Street;
- (d) the development does not result in a neighbouring site becoming an isolated site which has an area less than 1,000 square metres;

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- (e) the development ~~includes community infrastructure~~ complies with the key community infrastructure principles specified in clause 7.6H(3); and
 - (f) the development responds appropriately to the objectives of this clause.
- (5) Development consent must not be granted to development under this clause unless:
- (a) the development first includes:
 - (i) the additional height ~~and~~, floor space ratio ~~and community infrastructure~~ as provided under clause 7.6H through complying with the key community infrastructure principles specified in clause 7.6H(3); and
 - (ii) the 15% bonus floor space ratio and height for achieving design excellence under clause 7.10; and
 - (iii) the 5% bonus floor space ratio for high performing buildings under clause 7.6A; and
 - ~~(b) the development includes additional community infrastructure under this clause above that provided under clause 7.6H; and~~
 - ~~(c)~~ (b) where the development site contains a heritage item, the repair, restoration and reconstruction of the heritage item forms part of the development proposal.
- (6) A building on land identified as “Area 2” on the Opportunity Sites Map is eligible for an amount of additional height of 52 metres (above that already permitted elsewhere under this Plan), provided the consent authority is satisfied that the development relates to the whole of “Area 2”.
- (7) Development consent must not be granted to development to which this clause applies unless a development control plan that provides for the matters in subclause ~~(8.7)~~ below has been prepared for the development site.
- (8) The development control plan must provide for all of the following:
- (a) requirements as to the form and external appearance of the proposed development so as to improve the quality and amenity of the public domain,
 - (b) requirements to minimise the detrimental impact of the proposed development on view corridors,
 - (c) 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 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,
 - (iv) the impact on any conservation area, including additional overshadowing,
 - (v) compliance with the key ~~the inclusion of~~ community infrastructure principles specified in clause 7.6H(3),
 - (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

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- 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,
 - (ix) street frontage heights,
 - (x) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,
 - (xi) the achievement of the principles of ecologically sustainable development,
 - (xii) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,
 - (xiii) the impact on, and any proposed improvements to, the public domain,
 - (xiv) achieving appropriate interface at ground level between the building and the public domain,
 - (xv) the excellence and integration of landscape design,
 - (xvi) the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access.

Note. Section 4.23 of the *Environmental Planning and Assessment Act 1979* provides that if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a concept development application in respect of that land.

(9) In this clause:

community infrastructure has the same meaning as in clause 7.6H.

isolated site has the same meaning as in clause 7.2.

Opportunity Site means land identified in accordance with clause 7.6J (2) as shown on the Opportunity Sites Map.

7.6K Managing heritage impacts

- (1) **Objective**
To ensure that development in the Parramatta City Centre demonstrates an appropriate relationship to heritage items and heritage conservation areas that responds positively to heritage fabric, the street and the wider area.
- (2) **Land to which this clause applies**
 - (a) This clause applies to any development on land in the Parramatta City Centre, which includes or is directly adjacent to a heritage item or heritage conservation area, but does not apply to land shown as “Area A” on the Special Provisions Area Map.
 - (b) This clause applies in addition to the requirements specified under clause 5.10 (Heritage conservation).
- (3) **Heads of consideration – impact on heritage**
 - (a) Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority has considered the impact of the development on heritage items or heritage conservation areas.

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- (b) In considering what constitutes an impact on a heritage item or heritage conservation area, the following heads of consideration must be considered in the assessment of any development application on land to which this clause applies:
 - (i) Immediate relationship – The impact upon the built fabric or within or adjacent to the lot of that heritage item, or impact upon a property located with a heritage conservation area, must be considered.
 - (ii) Street relationship – Where development is visible from the street elevation, the impact upon the street must be considered, and in the case of a corner site (or a site that is adjacent to a corner), then the impact upon both streets must be considered.
 - (iii) Area relationship – Where a development is of a certain height and is adjacent to a heritage conservation area or cluster of individually listed heritage items, then the impact of that development upon the significance of the heritage conservation area or heritage items must be considered.

- (4) **Heritage assessment**
 - (a) Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority has considered:
 - (i) a heritage impact statement; and
 - (ii) in the case of any development involving a lot amalgamation including or adjacent to a heritage item, a conservation management plan.
 - (b) The heritage impact statement should address the following:
 - (i) the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned;
 - (ii) an area of context of heritage items and heritage conservation areas that is large enough to capture all potential impacts; and
 - (iii) important heritage relationships, as identified in the heads of consideration in clause (3).
 - (c) Where a conservation management plan is required in accordance with clause 4(a)(ii), it should include conservation policies and management mechanisms that address the following:
 - (i) whether further lot amalgamation is required before a development may become appropriate in heritage terms; and
 - (ii) whether heritage conservation considerations have been prioritised in assessing developments that amalgamate heritage sites.

7.6L Floodplain risk management

- (1) The objective of this clause is to enable occupants of buildings in identified areas that have particular evacuation or emergency response issues to:
 - (a) shelter within a building above the probable maximum flood level; or
 - (b) evacuate safely to land located above the probable maximum flood level.
- (2) This clause applies to land identified on the Floodplain Risk Management Map (as shown coloured blue).
- (3) The consent authority must not grant consent to the erection of a new building or significant alterations and additions to existing buildings on land to which this

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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 either:
 - (i) an area that is:
 - a. located above the probable maximum flood level, and
 - b. connected to an emergency electricity and water supply, and
 - c. of sufficient size to provide refuge for all occupants of the building (including residents, workers and visitors), or
 - (ii) flood free pedestrian access is available between the building and land that is above the probable maximum flood level; 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.
- (4) 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.

Note. The probable maximum flood is the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation.

7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas

- (1) The objective of this clause is to preserve built form controls for Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre.
- (2) This clause applies to land shown as “Area A” on the Special Provisions Area Map.
- (3) Despite clause 4.4, the maximum floor space ratio for buildings on land to which this clause applies 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

- (4) For the purposes of Column 3 of the table to subclause (3):

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

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- (5) Despite clause 7.10, development consent must not be granted to the following development on land to which this clause applies unless a competitive design process has been held in relation to the proposed development and the development exhibits design excellence (as provided in clause 7.10):
- development in respect of a building that has, or will have, a height above ground level (existing) greater than 55 metres,
 - 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.
- (6) Despite clause 7.10, if the design of a new building, or an external alteration to an existing building on land to which this clause applies, is the winner of a competitive design process and the consent authority is satisfied that the building or alteration exhibits design excellence (as provided in clause 7.10), it may grant development consent to the erection of the new building, or the alteration to the existing building, with:
- 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
 - 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%.
- (7) 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	Column 2
Proposed use	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
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

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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
<u>Residential flat buildings</u>	<u>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</u>
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

- (8) The number of car parking spaces to be provided under subclause (7) is to be calculated by including any existing car parking spaces.
- (9) The consent authority may approve additional car parking spaces in excess of the number of car parking spaces calculated under subclause (8), 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).
- (10) 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.
- (11) Subclause (9) does not apply to a public car parking station owned by the Council.
- (12) Clause 7.6A (High performing buildings), clause 7.6B (Dual water systems), clause 7.6C (Commercial premises in Zone B4 Mixed Use), clause 7.6E (End of journey facilities), clause 7.6G (Arrangements for contributions to designated State public infrastructure), clause 7.6H (Community Infrastructure) and clause 7.6K (Managing heritage impacts) do not apply to land to which this clause applies.

[9] **Miscellaneous Amendments**

- ~~Omit subclauses 7.12 (3) and (4).~~
- ~~Omit subclauses 7.13 (5), (6) and (7).~~
- ~~Omit clause 7.14.~~

Potential Draft LEP Provisions – Guide Only

Omit subclause 7.15 (4). Insert instead:

- (4) This clause applies despite clauses 7.3, 7.6A and 7.6B.

~~Omit subclauses 7.16 (3), (4) and (5).~~

[10] Schedule 1 Additional Permitted Uses

Omit “Ross Street” in subclause 7 (1). Insert instead “Grose Street”.

Insert after clause 8 (2):

- (3) The consent authority must not grant consent to the erection of a new building under this clause where the maximum floor space ratio exceeds 6:1.

Omit subclause 9 (2). Insert instead:

- (2) Development for the purposes of retail premises (on land within Zone B5 Business Development) and vehicle repair stations (on land within Zone B3 Commercial Core) is permitted with development consent.

[11] Dictionary

Omit the definition of Parramatta Development Control Plan.

Insert in alphabetical order:

Active Frontages Map means the Parramatta Local Environmental Plan 2011 Active Frontages Map.

Floodplain Risk Management Map means the Parramatta Local Environmental Plan 2011 Floodplain Risk Management Map.

Incentive Floor Space Ratio Map means the Parramatta Local Environmental Plan 2011 Incentive Floor Space Ratio Map.

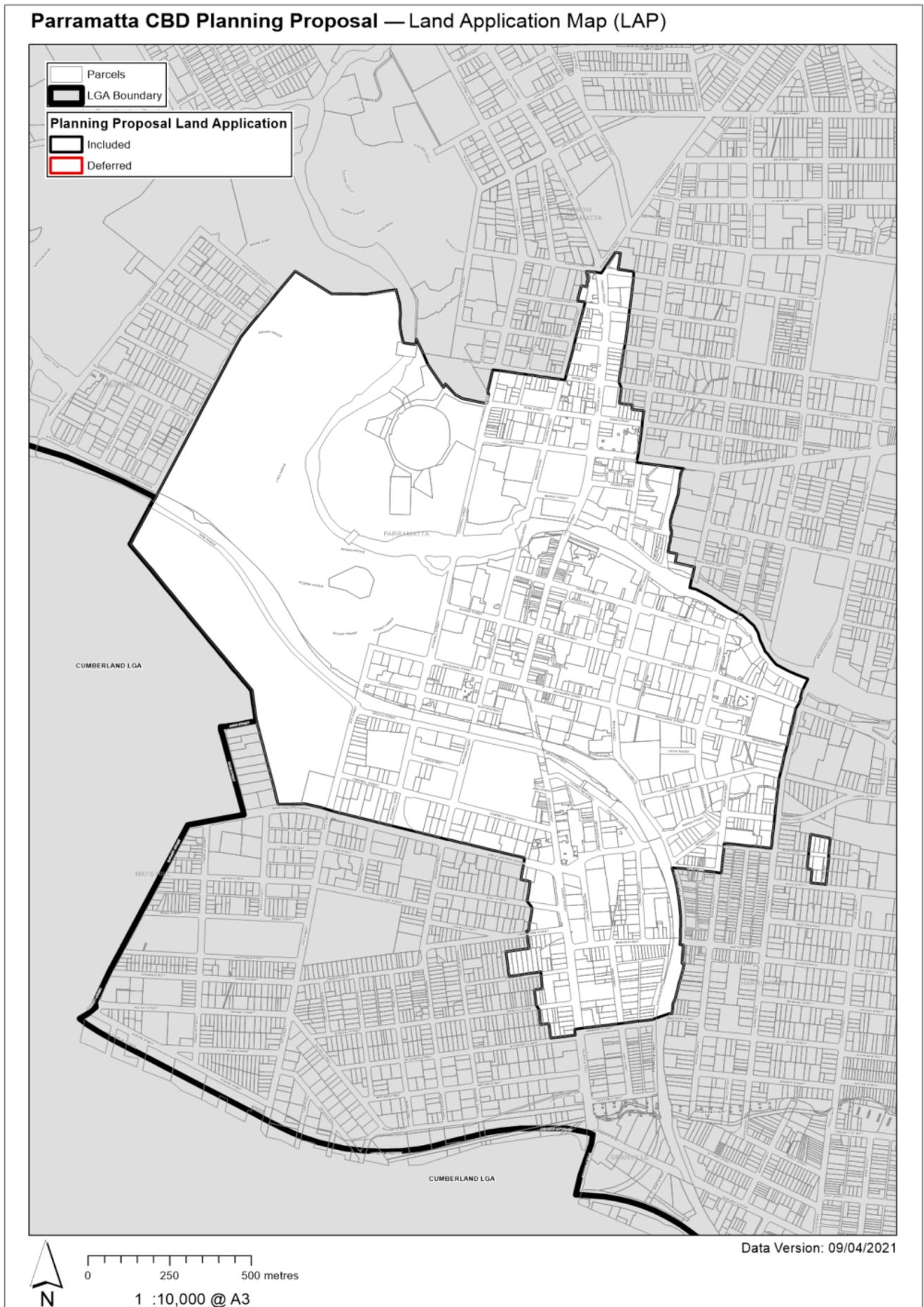
Incentive Height of Buildings Map means the Parramatta Local Environmental Plan 2011 Incentive Height of Buildings Map.

Opportunity Sites Map means the Parramatta Local Environmental Plan 2011 Opportunity Sites Map.

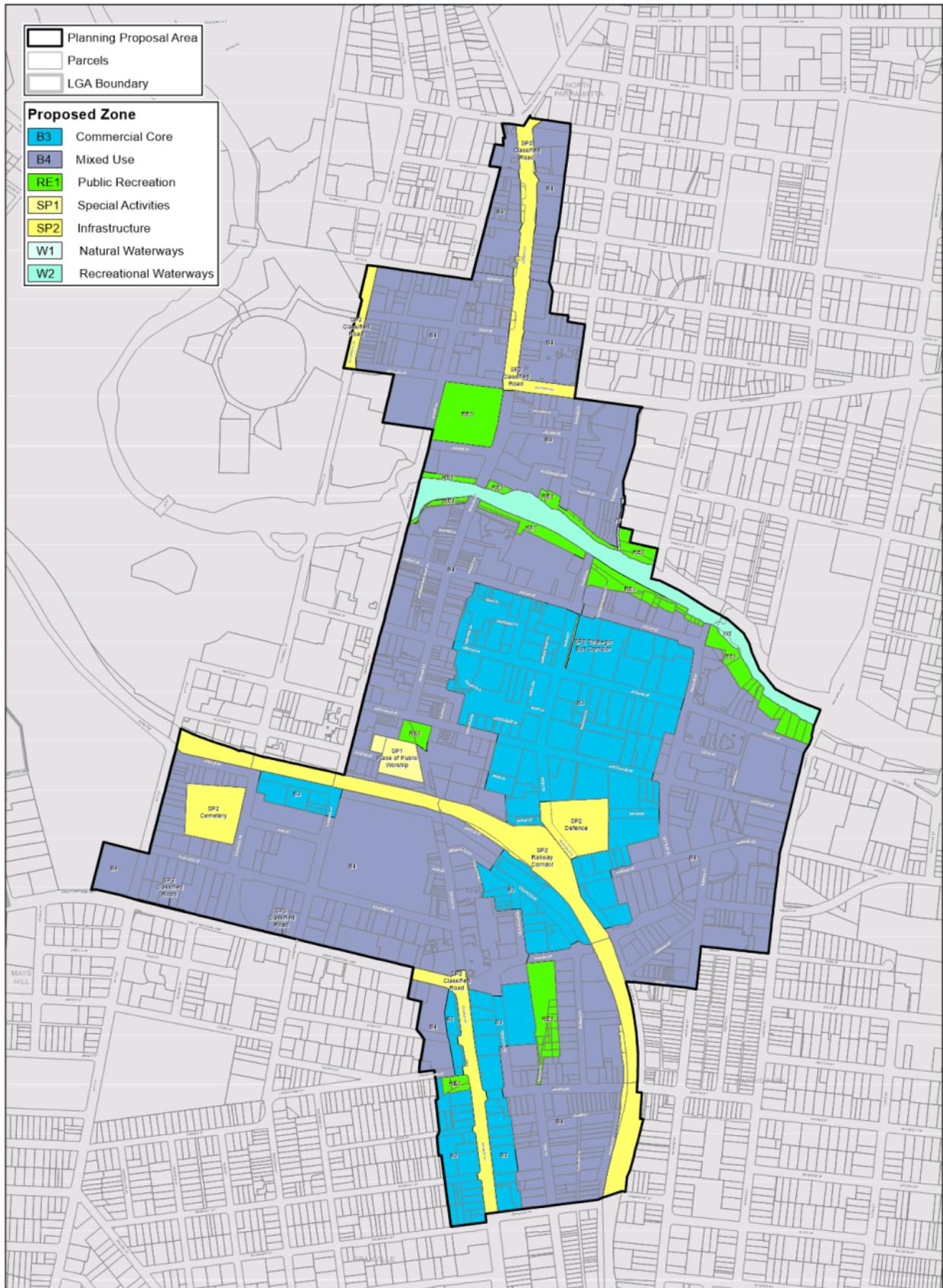
Parramatta City Centre means the area identified as “Parramatta City Centre” on the Additional Local Provisions Map.

Parramatta Development Control Plan means the Parramatta Development Control Plan 2011, as in force on the commencement of Parramatta Local Environmental Plan 2011 (Amendment No X).

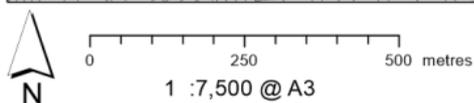
Sun Access Protection Map means the Parramatta Local Environmental Plan 2011 Sun Access Protection Map.



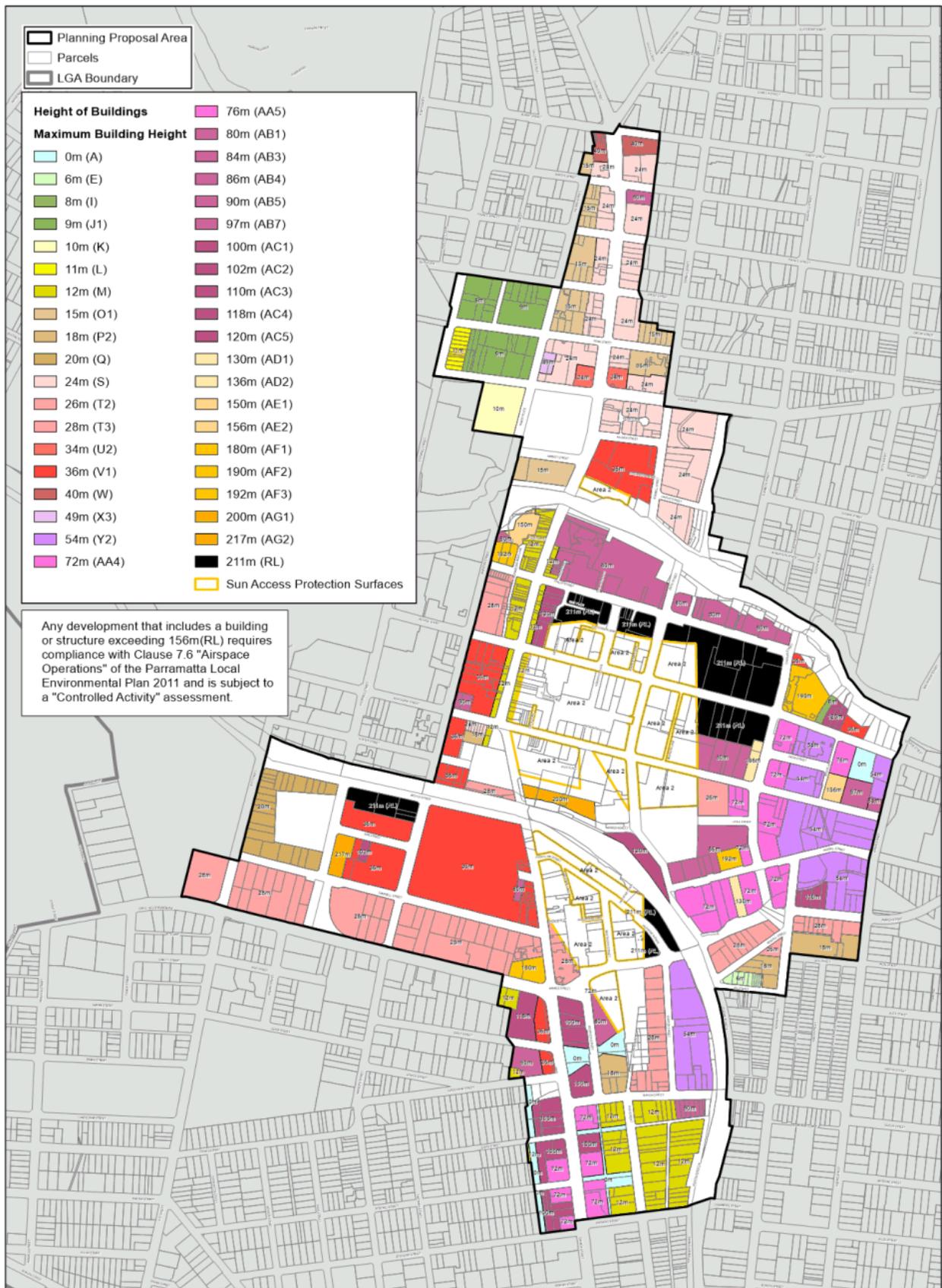
Parramatta CBD Planning Proposal — Proposed Land Zoning Map



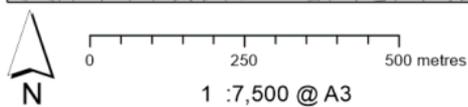
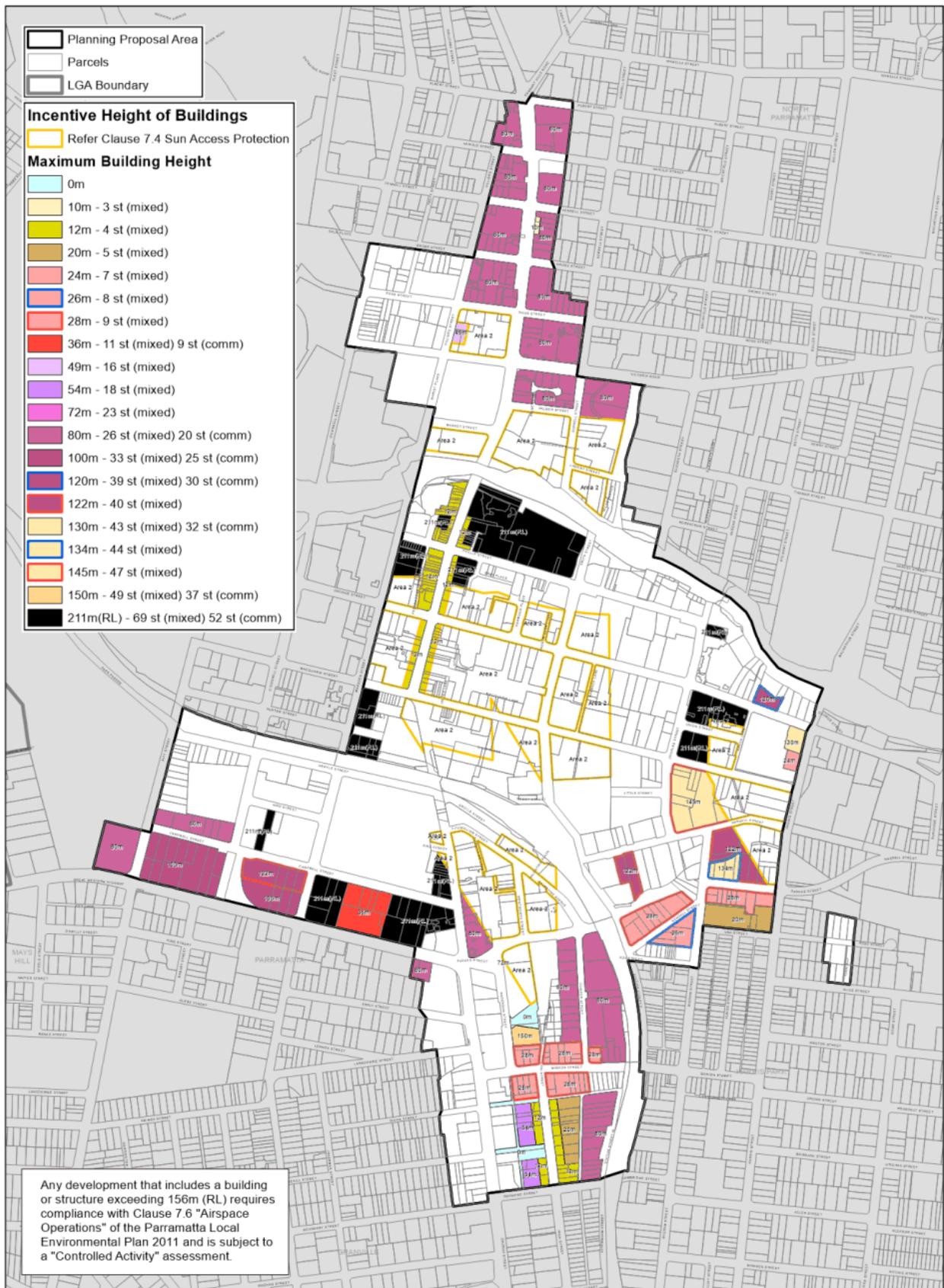
Data Version: 09/04/2021



Parramatta CBD Planning Proposal — Proposed Height of Buildings Map (HOB)

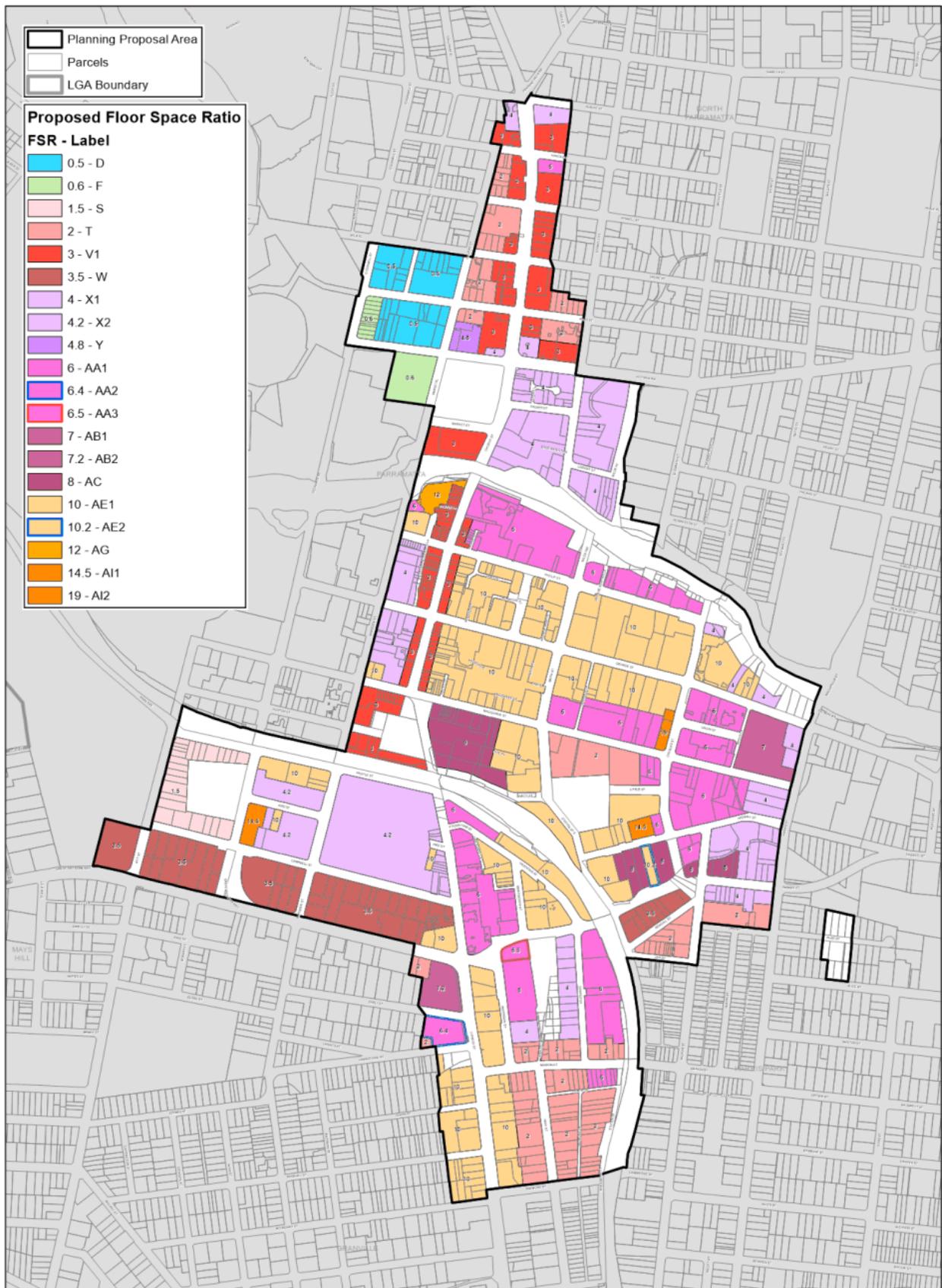


Parramatta CBD Planning Proposal — Incentive Height of Buildings Map (IHB)

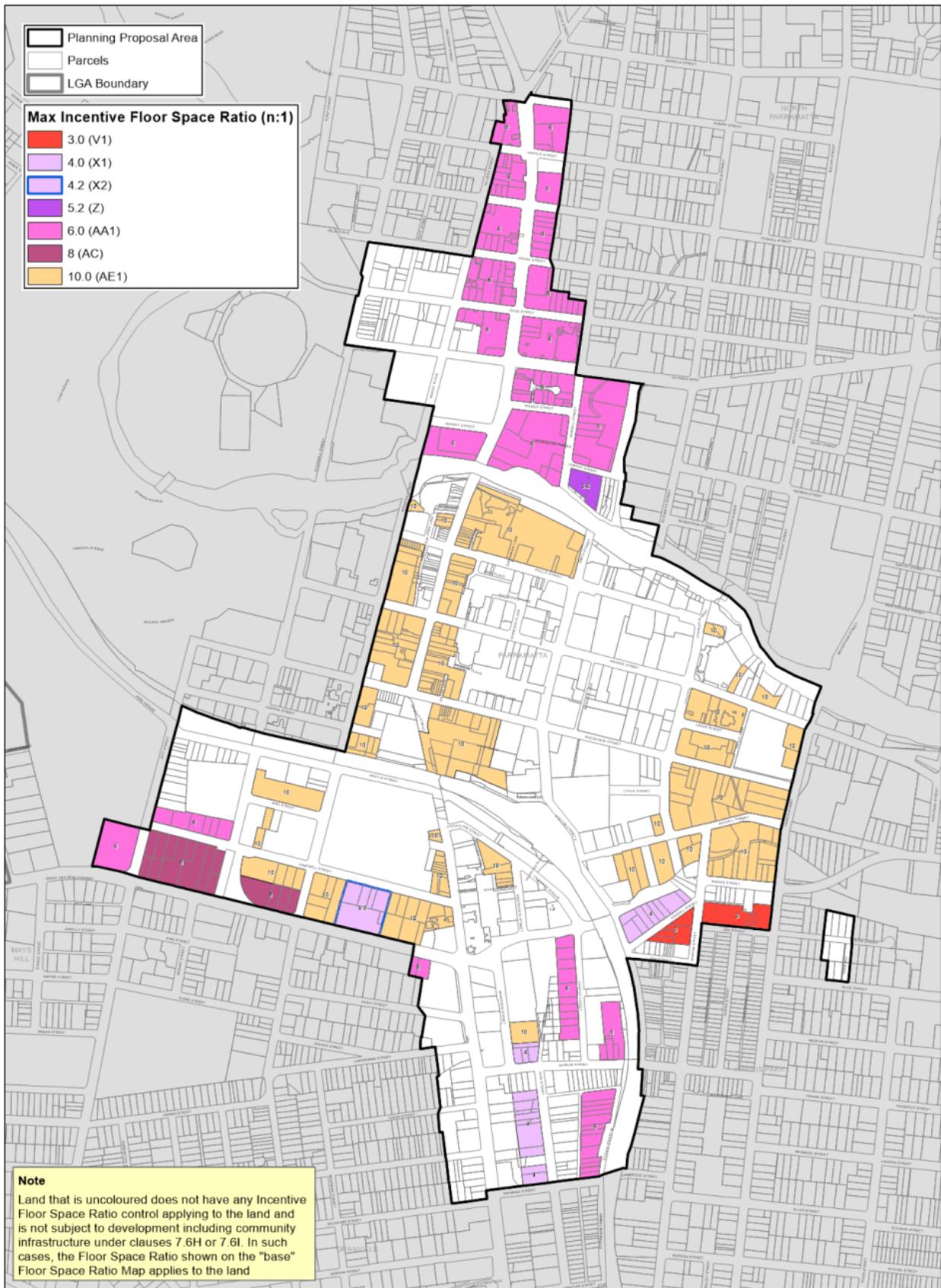


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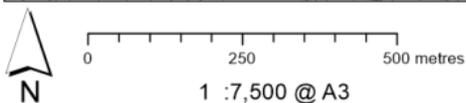
Parramatta CBD Planning Proposal — Floor Space Ratio Map (FSR)



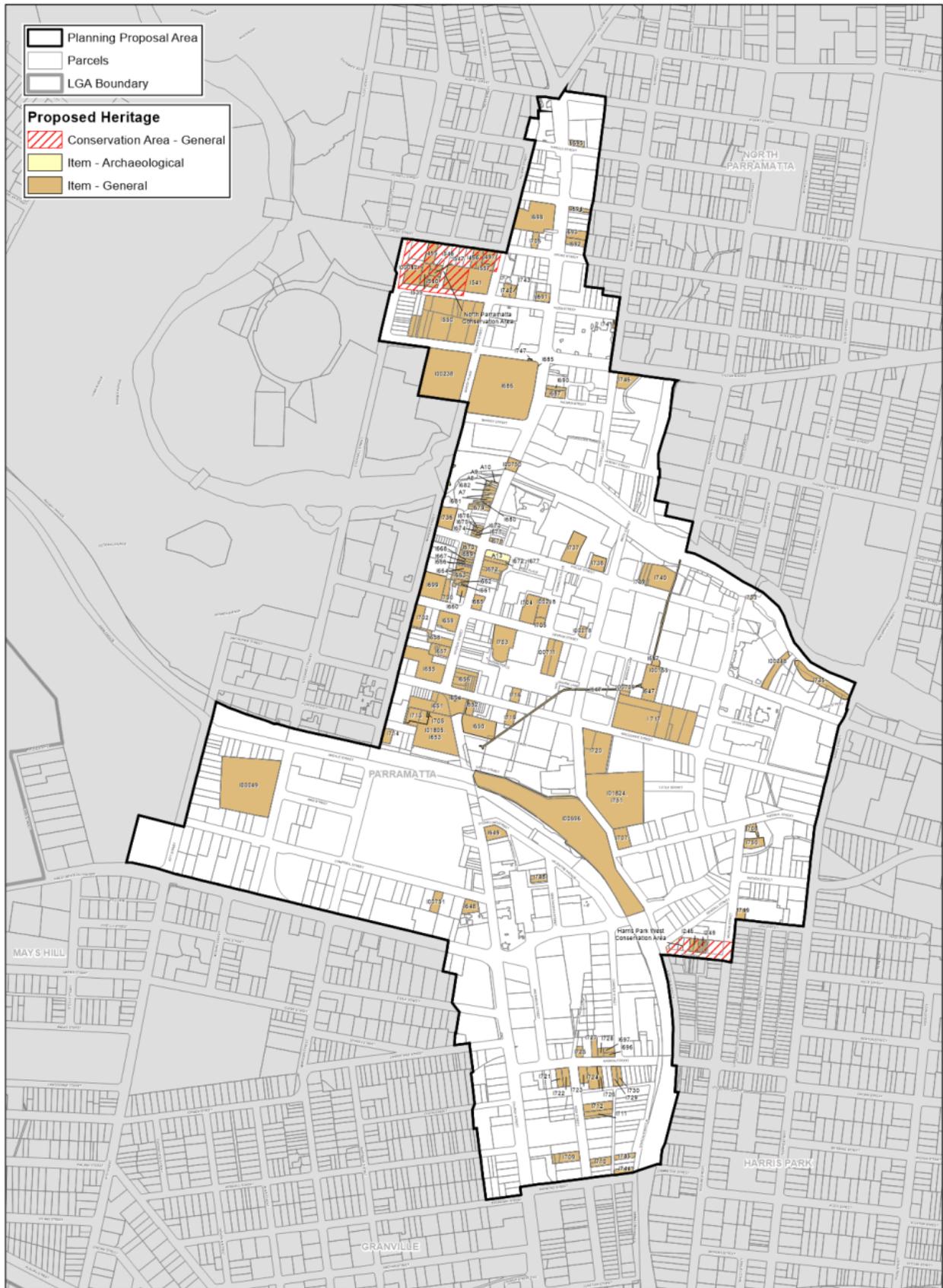
Parramatta CBD Planning Proposal — Incentive Floor Space Ratio Map (IFS)



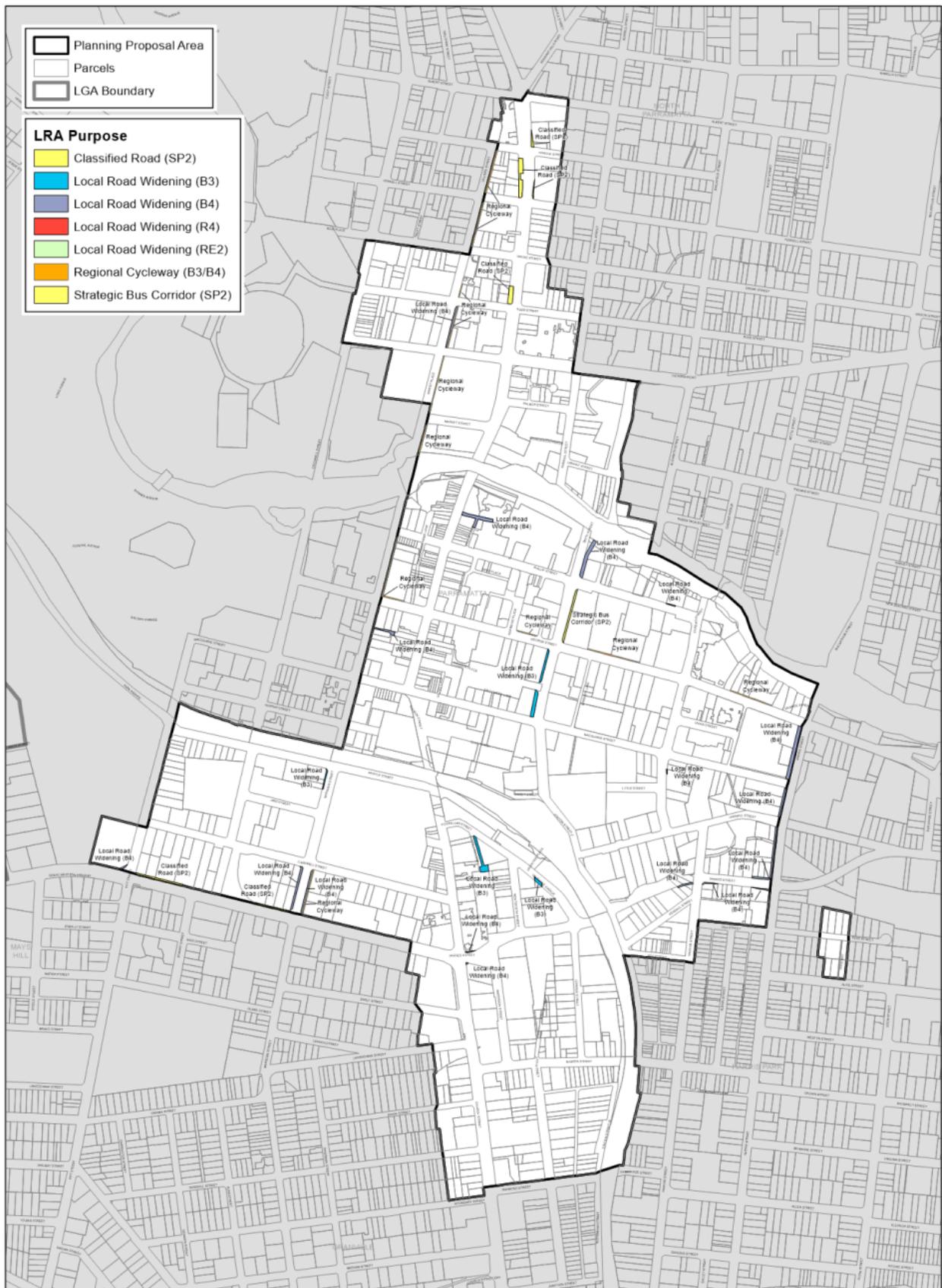
Data Version: 09/04/2021



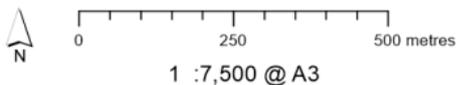
Parramatta CBD Planning Proposal — Proposed Heritage Map (HER)



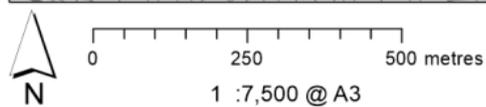
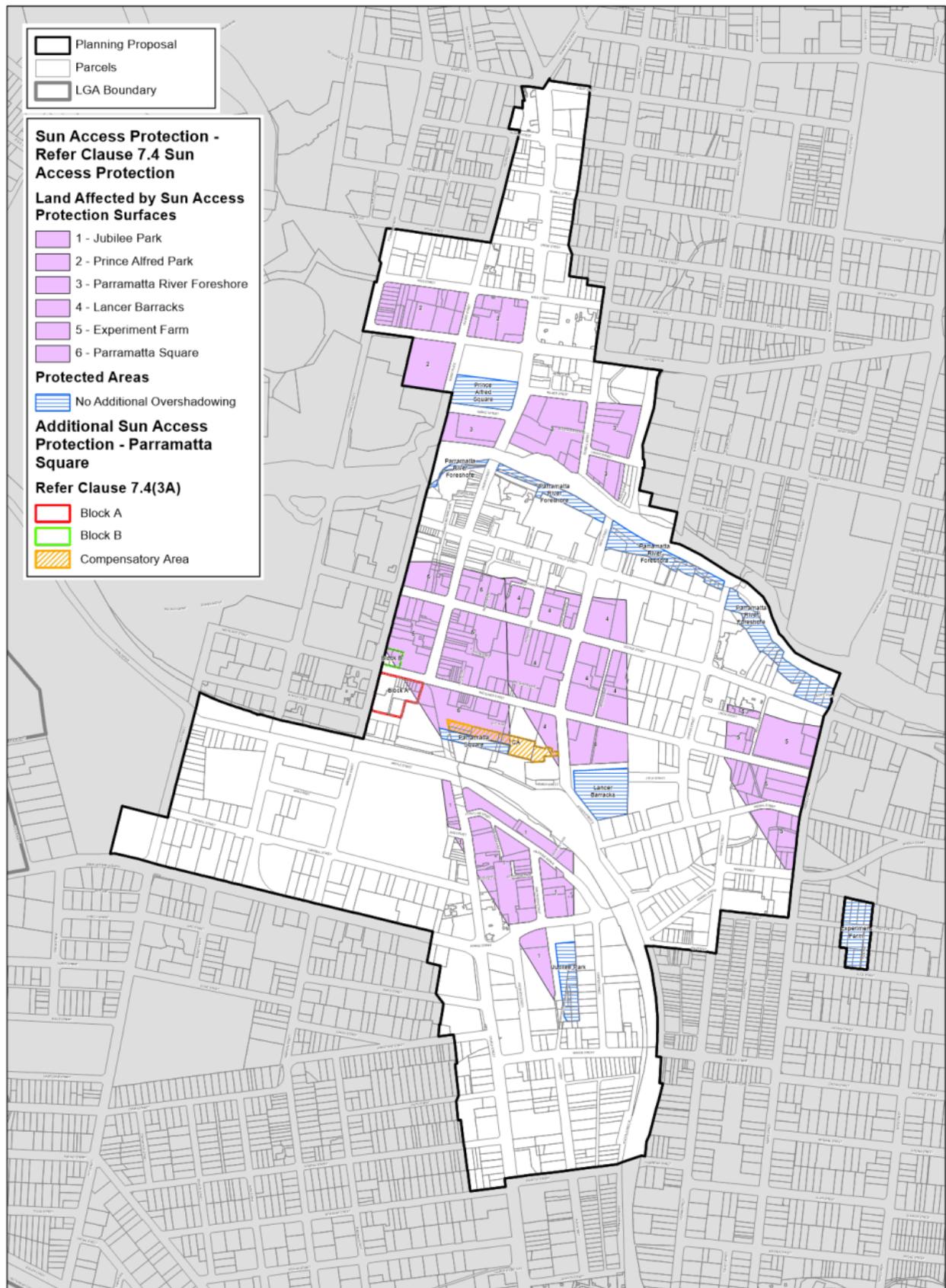
Parramatta CBD Planning Proposal — Land Res. Acq. Map (LRA)



Data Version: 09/04/2021

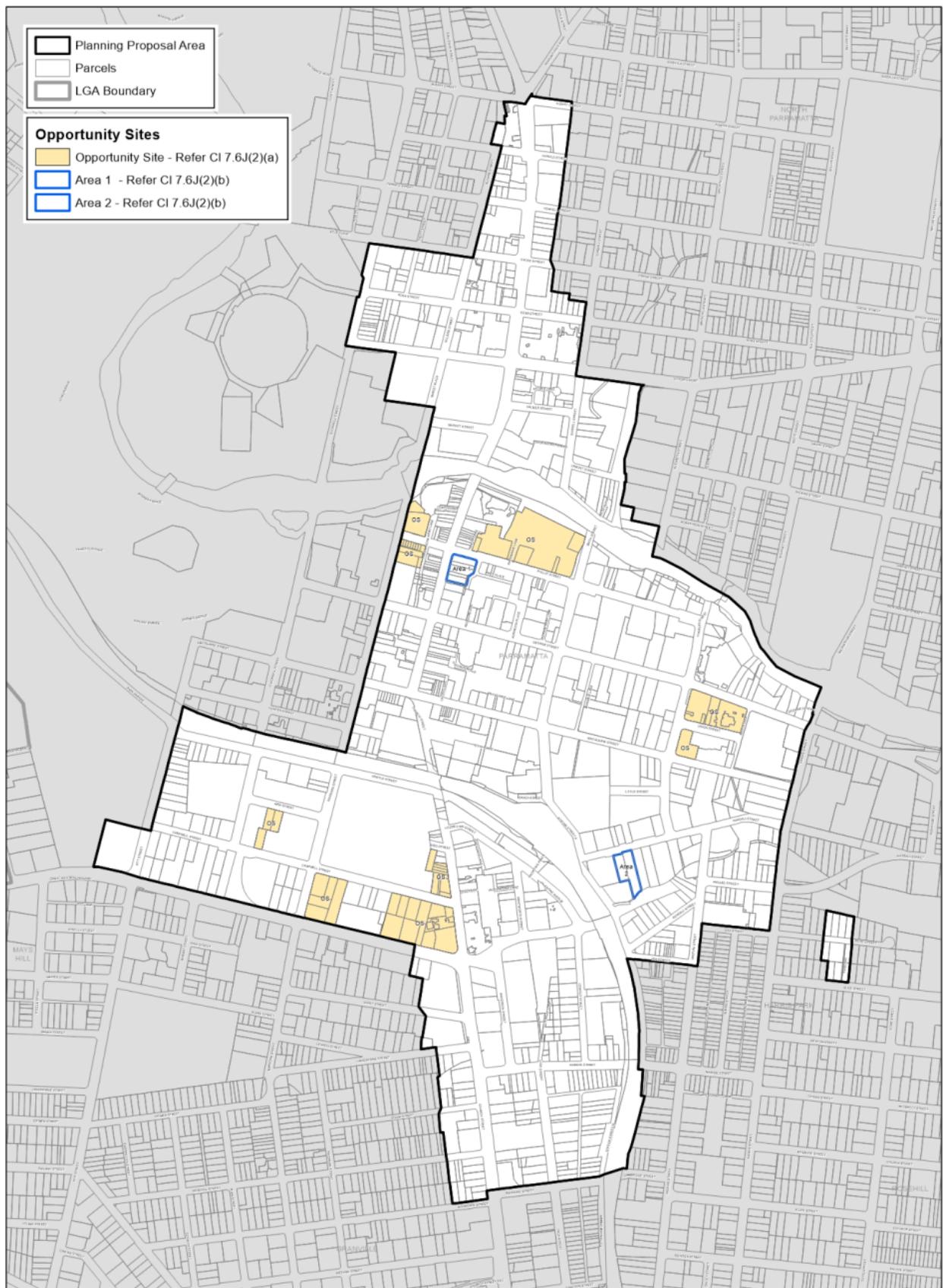


Parramatta CBD Planning Proposal — Sun Access Protection Map (SAP)

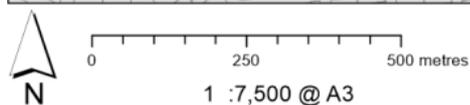


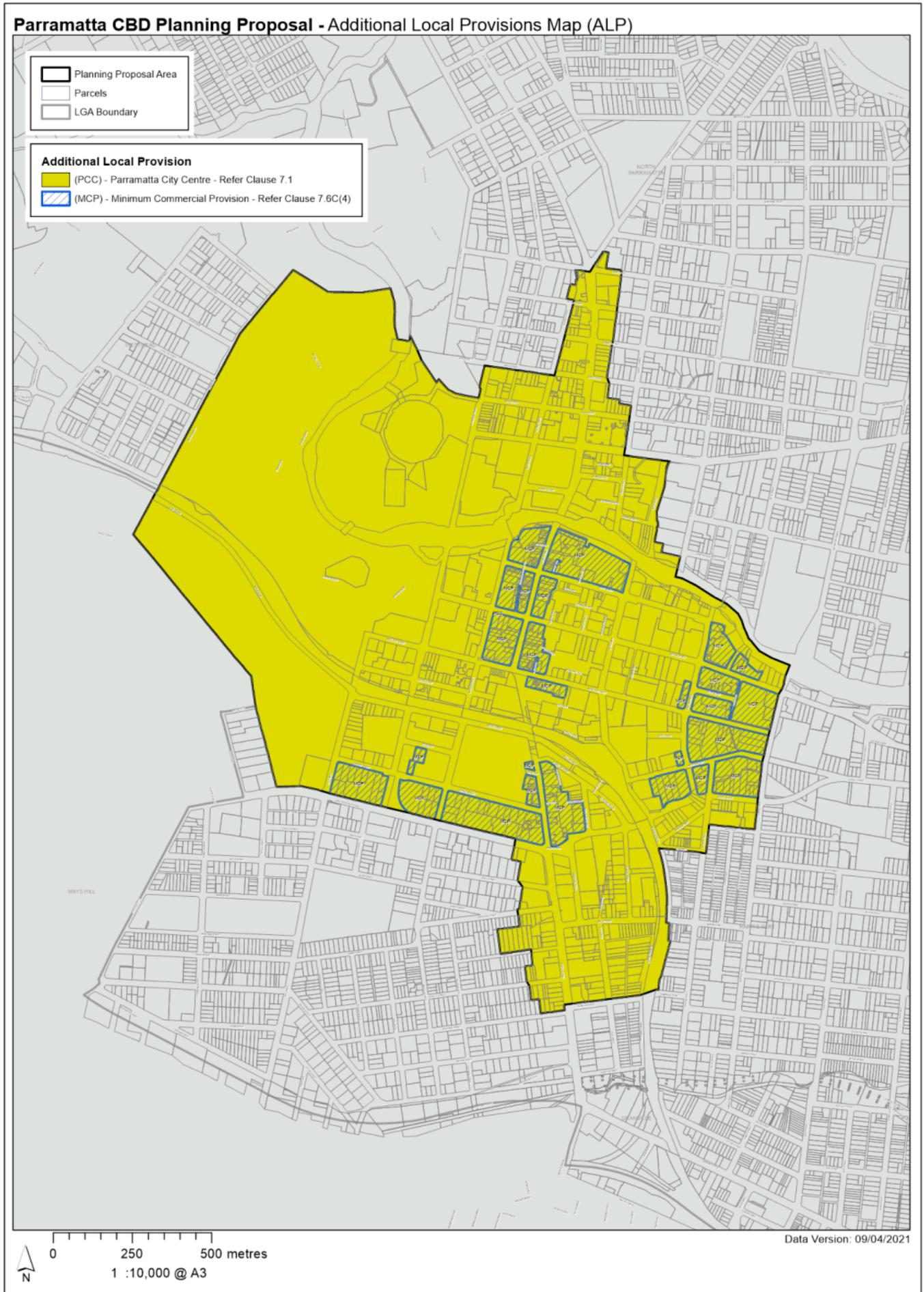
Data Version: 09/04/2021

Parramatta CBD Planning Proposal — Opportunity Sites Map (OPS)

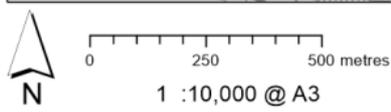
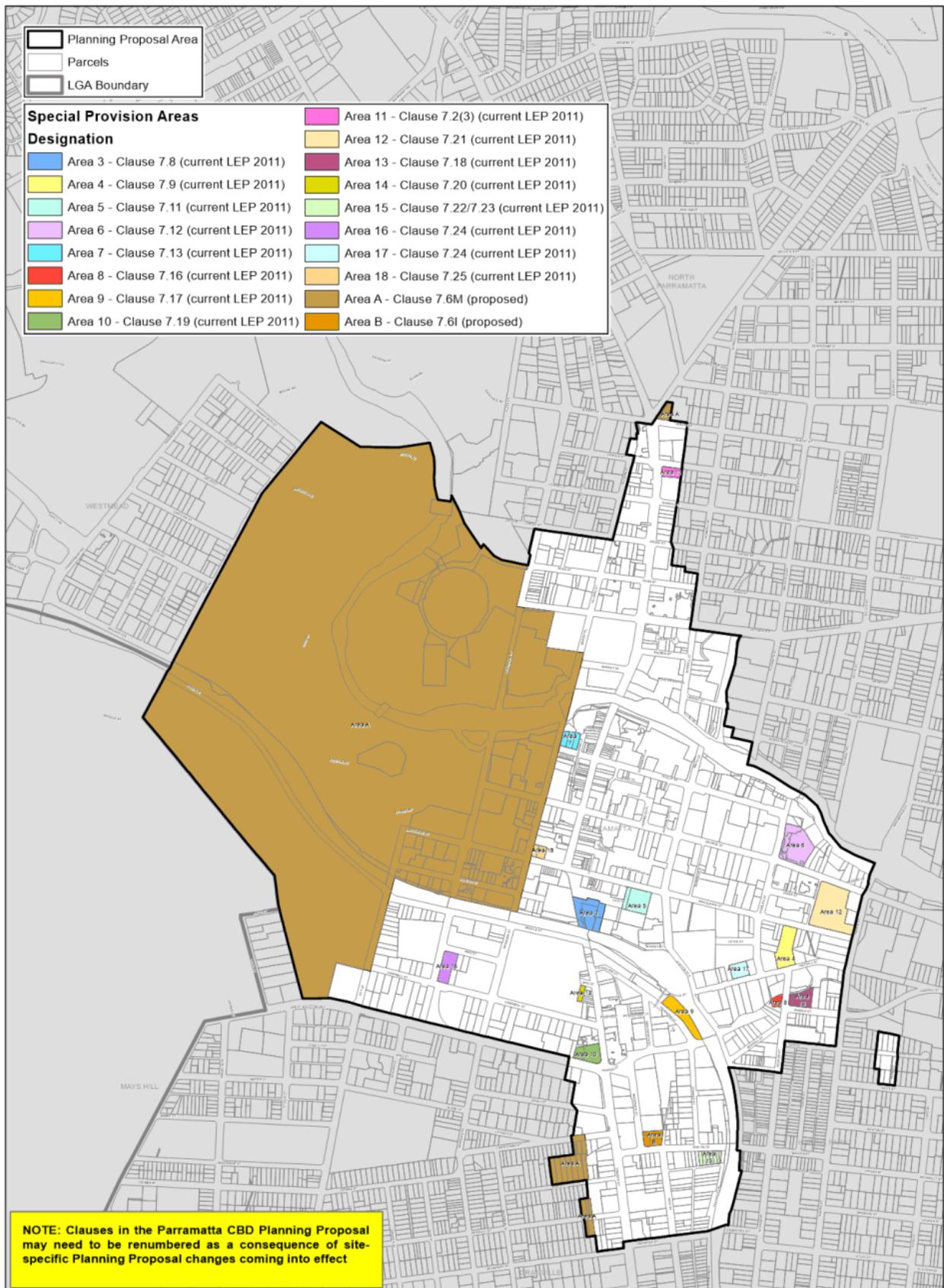


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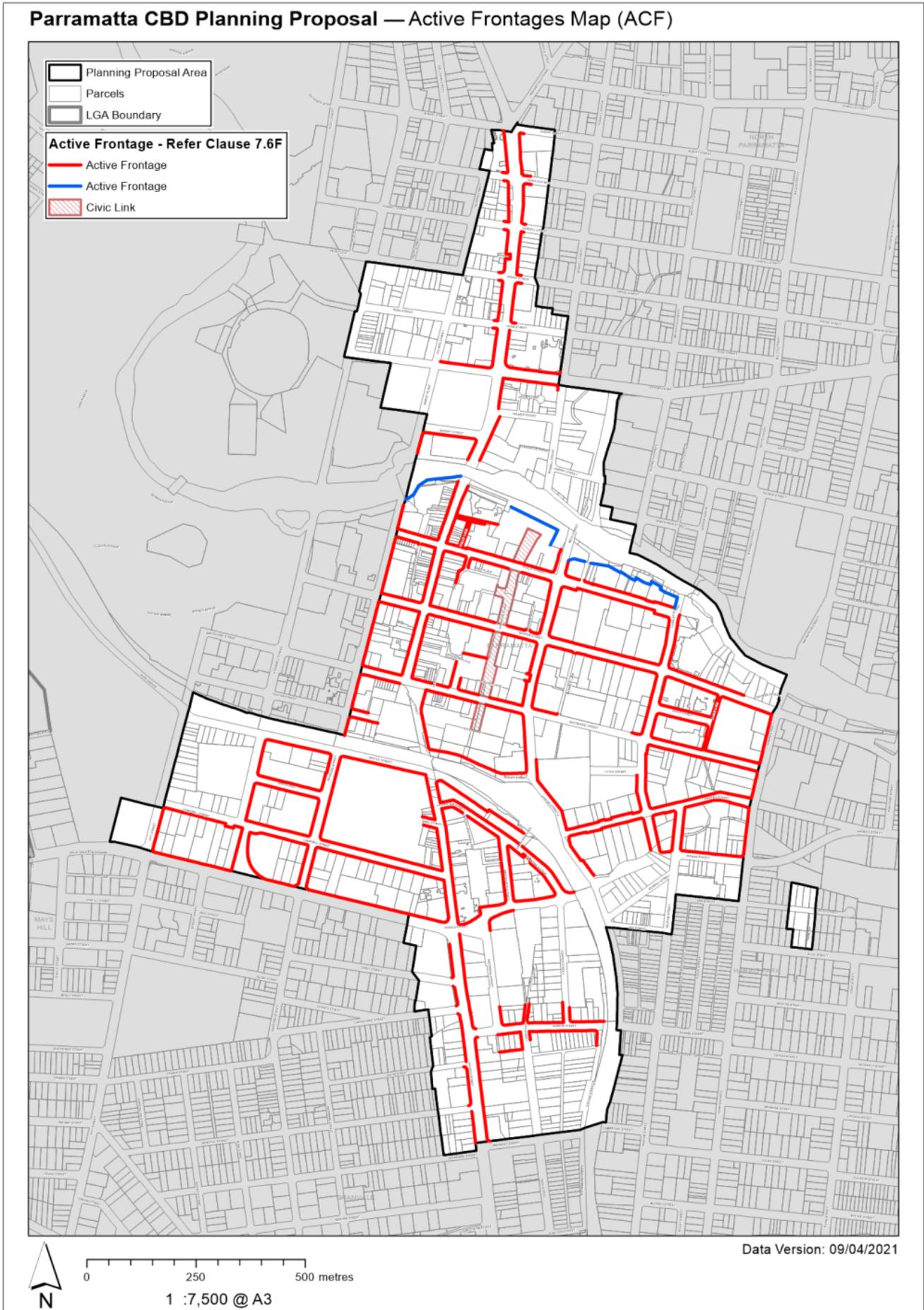




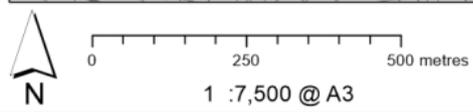
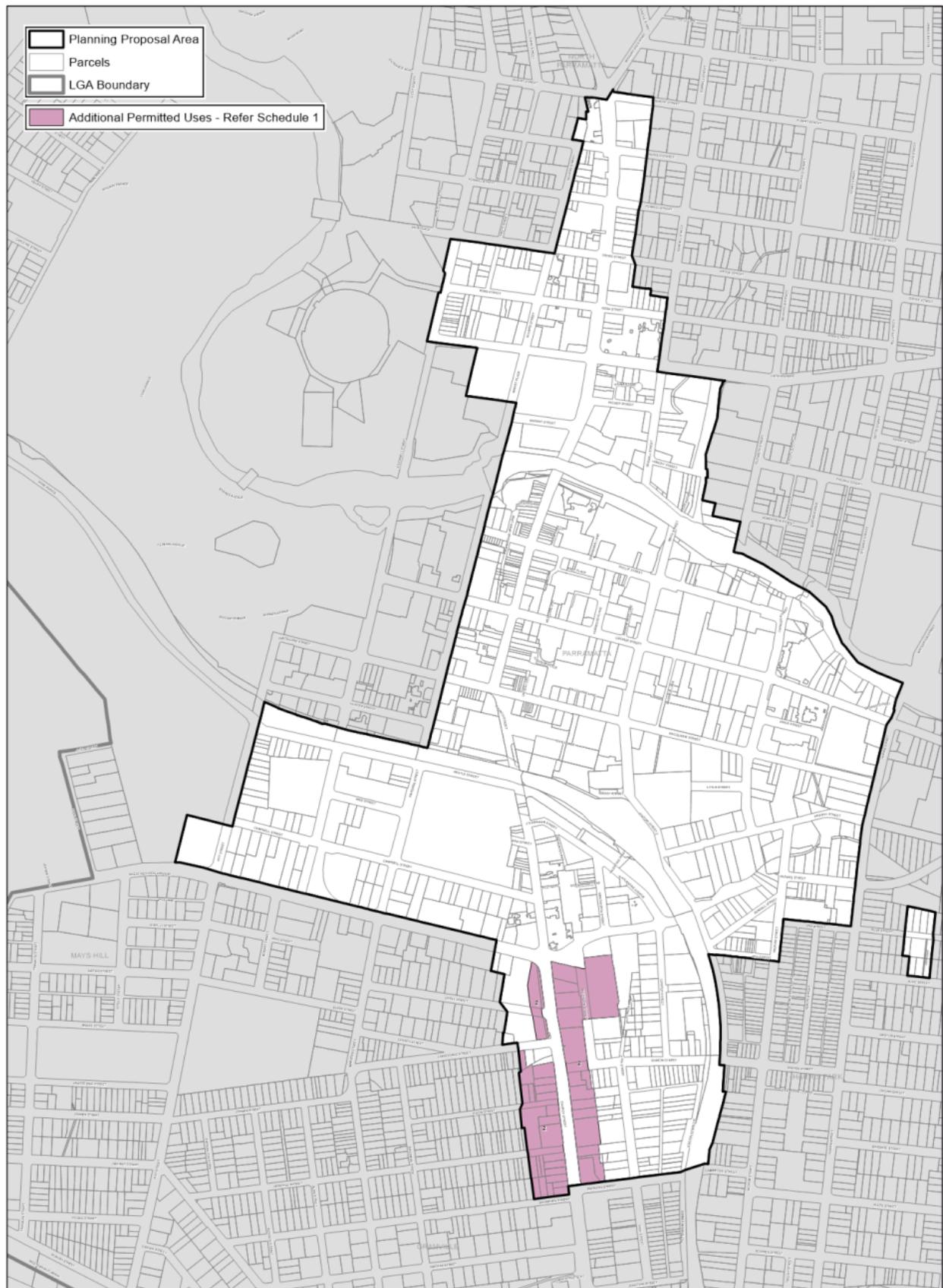
Parramatta CBD Planning Proposal — Special Provisions Area Map (SPA)



Data Version: 09/04/2021

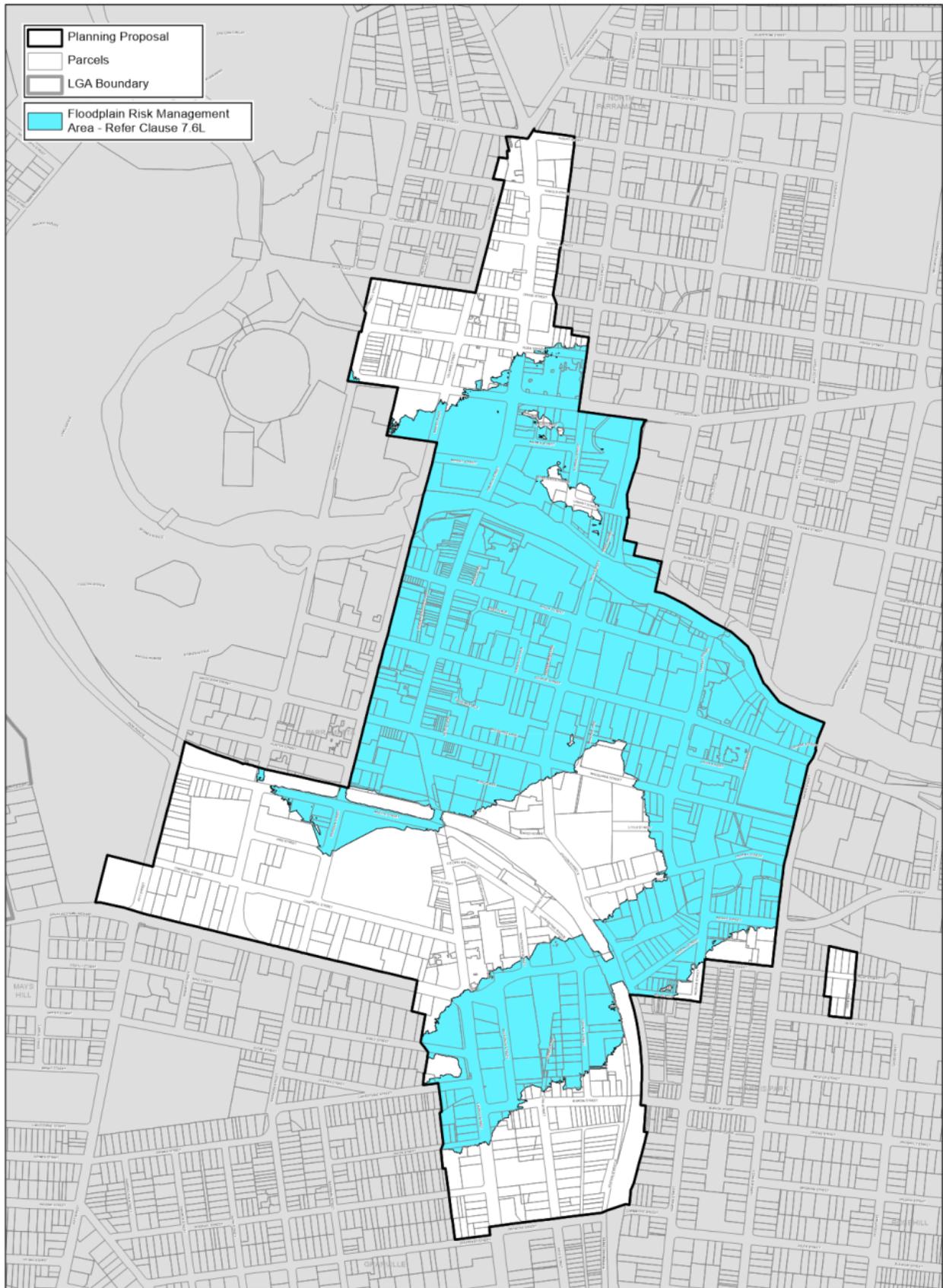


Parramatta CBD Planning Proposal — Add. Permitted Uses Map (APU)



Data Version: 09/04/2021

Parramatta CBD Planning Proposal — Floodplain Risk Management Map (FRM)



CBD Planning Proposal – Attachment 3a

APPENDIX 3a – LINKS TO SUPPORTING STUDIES, GATEWAY DETERMINATION AND ALTERATION GATEWAY DETERMINATION

- **CBD Planning Strategy (by Council)** – exhibited as Appendix 3:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/2416/0005/4041/03_Appendix_3_-_Parramatta_CBD_Planning_Strategy_2015.pdf
- **Gateway determination (issued by DPIE)** – exhibited as Appendix 4a:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/8216/0005/4086/04_Appendix_4a_-_Gateway_determination_for_the_Parramatta_CBD_Planning_Proposal_2018.pdf
- **Satisfying the Gateway conditions (by Council)** – exhibited as Appendix 4b:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/7416/0005/4122/04_Appendix_4b_-_Satisfying_the_Gateway_conditions.pdf
- **DPIE approval letter and Alteration to the Gateway determination (issued by DPIE)** – exhibited as Appendix 4c:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/7716/0005/4165/04_Appendix_4c_-_Departments_Approval_Letter_and_Gateway_Alteration_determination_2020.pdf
- **Satisfying the Altered Gateway conditions (by Council)** – exhibited as Appendix 4d:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/1016/0005/4205/04_Appendix_4d_-_Satisfying_the_altered_Gateway_conditions.pdf
- **Heritage Study 2015 (by Urbis)** – exhibited as Appendix 5:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/6016/0005/4287/05_Appendix_5_-_Heritage_Study_Urbis_2015.pdf
- **Heritage Study of Interface Areas 2017 by (Hector Abraham Architects)** - exhibited as Appendix 6a and **Response to Hector Abraham Architects report (by Council)** - exhibited as Appendix 6b:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/1716/0005/4392/06_Appendix_6a_and_Appendix_6b_-_Heritage_Study_of_Interface_Areas_Hector_Abraham_Architects_2017_and_Councils_response_to_Hector_Abraham_Architects_report-compressed.pdf

CBD Planning Proposal – Attachment 3a

- **Marion Street Precinct Plan 2019 (by SJB)** – exhibited as Appendix 8
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/1416/0005/4486/08_Appendix_8 - Marion Street Precinct Plan-compressed.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/1416/0005/4486/08_Appendix_8_-_Marion_Street_Precinct_Plan-compressed.pdf)

- **Urban Design & Feasibility Study – Church Street Precinct (Council) June 2019** – exhibited as Appendix 9a and the **Heritage Study - Church Street Precinct (City Plan) June 2019** - exhibited as Appendix 9b:
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/2216/0005/4598/09_Appendix_9a and Appendix 9b - Urban Design Feasibility Study - Church Street Precinct Council June 2019 and Heritage Study - Church Street Precinct City Plan June 2019.pdf.](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/2216/0005/4598/09_Appendix_9a_and_Appendix_9b_-_Urban_Design_Feasibility_Study_-_Church_Street_Precinct_Council_June_2019_and_Heritage_Study_-_Church_Street_Precinct_City_Plan_June_2019.pdf)

- **Overshadowing Technical Paper, November 2019, updated August 2020 (by Council)** - exhibited as Appendix 10a:
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/9316/0005/4692/010_Appendix_10a - Overshadowing Technical Paper compressed.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/9316/0005/4692/010_Appendix_10a_-_Overshadowing_Technical_Paper_compressed.pdf)
 Also see supplement paper (April 2021) at Appendix 3b.

- **Market and Feasibility Analysis, October 2019 (JLL)** - exhibited as Appendix 10b:
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/5716/0005/4751/010_Appendix_10b - Market and Feasibility Analysis October 2019.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/5716/0005/4751/010_Appendix_10b_-_Market_and_Feasibility_Analysis_October_2019.pdf)

- **Opportunity Sites Report, October 2019** – exhibited as Appendix 11a and **Parramatta CBD Opportunity Sites – Heritage Review, October 2019 (LSJ)** – exhibited as Appendix 11b:
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/6416/0005/4835/011_Appendix_11a_Appendix_11b - Opportunity Sites Report October 2019 Parramatta CBD Opportunity Sites - Heritage Review by LSJ compressed.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/6416/0005/4835/011_Appendix_11a_Appendix_11b_-_Opportunity_Sites_Report_October_2019_Parramatta_CBD_Opportunity_Sites_-_Heritage_Review_by_LSJ_compressed.pdf)

- **Economic Review – Achieving A-Grade Office (by Urbis)** – exhibited as Appendix 12:
[https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/5116/0005/4895/012_Appendix_12 - Economic Review - Achieving A-Grade Office.pdf](https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/5116/0005/4895/012_Appendix_12_-_Economic_Review_-_Achieving_A-Grade_Office.pdf)

- **Parramatta CBD Strategic Transport Study 2017 (by AECOM)** – exhibited as Appendix 13a:

CBD Planning Proposal – Attachment 3a

https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/3816/0005/4959/013_Appendix_13a_-_Strategic_Transport_Study_2017.pdf

- **Technical Paper 1 CBD Benchmarking (by AECOM)** – exhibited as Appendix 13b:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/7616/0005/5022/013_Appendix_13b_Technical_Paper_001_-_CBD_Benchmarking_-_AECOM_-_FINAL.PDF
- **Technical Paper 2 Strategic Traffic and Transport Analysis 2017 (by AECOM)** – exhibited as Appendix 13c:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/6416/0005/5127/013_Appendix_13c_Technical_Paper_002_-_Strategic_Traffic_and_Transport_Analysis_-_AECOM_-_FINAL.PDF
- **Technical Paper 3 Parking Review 2017 (by AECOM)** – exhibited as Appendix 13d
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/2716/0005/5183/013_Appendix_13d_Technical_Paper_003_-_Parking_Review_-_AECOM_-_FINAL.PDF
- **Updated Flood Risk Management Plans 2019 (by Molino Stewart)** – exhibited as Appendix 14a, **Flood Evacuation Assessment (2019)** – exhibited as Appendix 14b and **Parramatta CBD Horizontal Evacuation Pilot Study 2017 (SJB)** – exhibited as Appendix 14c:
https://participate.cityofparramatta.nsw.gov.au/download_file/605/507
- **Preliminary Site Investigation Study for the Auto Alley area 2016 (by JBS&G)** – exhibited as Appendix 15a:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/5116/0005/5325/015_Appendix_15a_-_Preliminary_Site_Investigation_Study_for_the_Auto_Alley_area_2016.pdf
- **Addendum to Preliminary Site Investigation Study 2019 (by JBS&G)** – exhibited as Appendix 15b:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/8616/0005/5377/015_Appendix_15b_-_Addendum_to_Preliminary_Site_Investigation_Study_2019.pdf
- **Sustainability and Infrastructure Study, 2015 and updated 2019 (by Kinesis)** – exhibited as Appendix 16a:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/4716/0005/5440/016_Appendix_16a_-_Sustainability_and_Infrastructure_Study_2015_2019.pdf

CBD Planning Proposal – Attachment 3a

- **Review of High Performing Buildings Study (2019)** – exhibited as Appendix 16b:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/6916/0005/5478/016_Appendix_16b_-_Review_of_High_Performing_Buildings_Study_2019.pdf
- **Infrastructure Funding Models Study 2016 (by GLN)** – exhibited as Appendix 17a, and **Discussion Paper on Infrastructure Planning and Funding in the Parramatta CBD 2017 (by Council)** – exhibited as Appendix 17b, and **Draft Infrastructure Needs Analysis 2017 (by Aurecon)** – exhibited as Appendix 17c, and **Independent Peer Review of Council's past work on community infrastructure 2017 (Aurecon)** – exhibited as Appendix 17d, and **Letter regarding "Parramatta CBD LEP Community Infrastructure Provisions 2019 (GLN)** – exhibited as Appendix 17e:
https://s3.ap-southeast-2.amazonaws.com/hdp.au.prod.app.pcc-participate.files/8116/0005/5529/017_Appendix_17a_17b_17c_17d_17e_-_Infrastructure_Funding.pdf

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Overshadowing in the Parramatta CBD

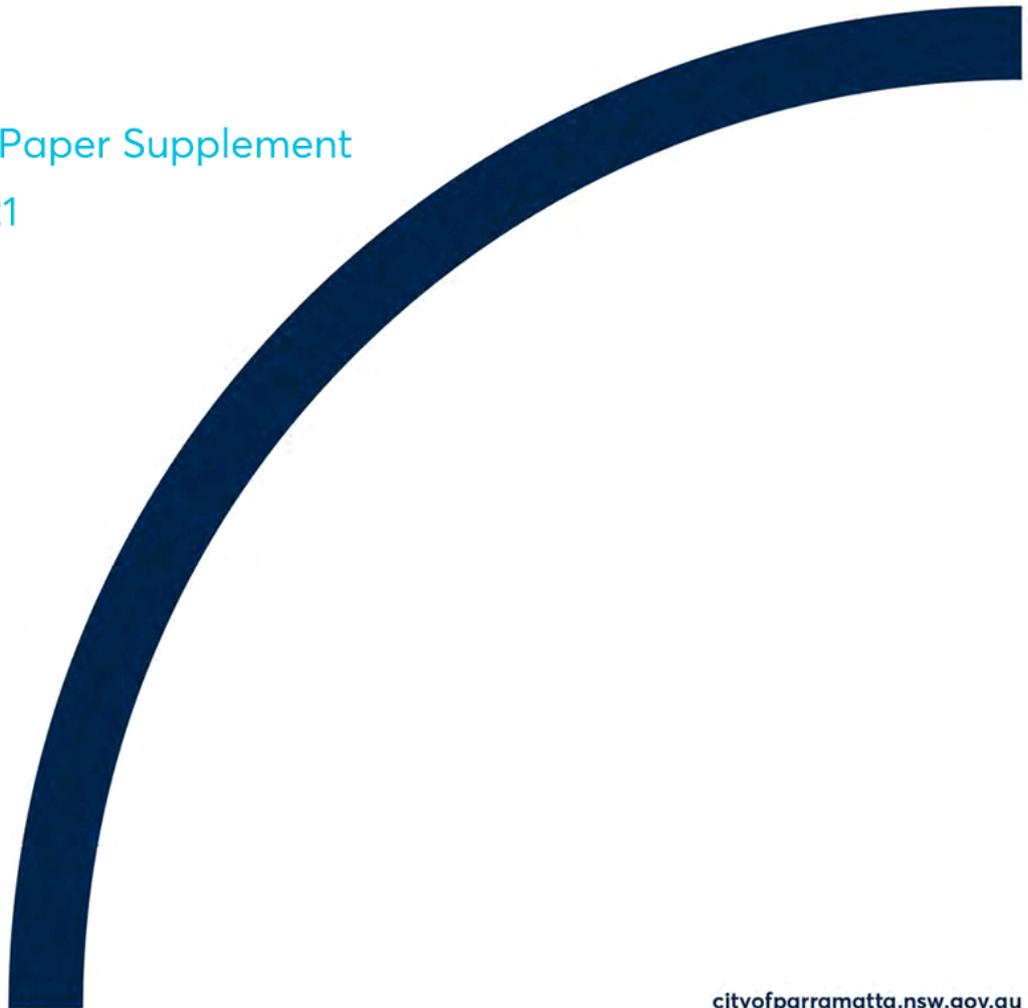
Technical Paper Supplement
7 April 2021

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Overshadowing in the Parramatta CBD

Technical Paper Supplement
7 April 2021



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Version Control			
Version	Date	Remarks	Doc Ref
1	06 June 2019	Original Paper	D06845248
2	11 November 2019	Revised for additional testing of detailed block forms and height revisions	D07109087
3	12 August 2020	Revised for additional testing of solar access to Parramatta Square (Exhibited Version)	D07582610
3A	7 April 2021 (this supplement)	Supplementary Paper to Version 3, above, documenting additional testing undertaken in response to submissions lodged to the public exhibition	D07991569

1. Executive Summary

This Supplement to the Overshadowing in the Parramatta CBD Technical Paper sets out the findings of additional analysis undertaken in response to submissions lodged to the public exhibition of the Parramatta CBD Planning Proposal. This Supplement focuses solely on an assessment of overshadowing impacts from major landholder and consultant submissions; and does not consider other matters pertinent to the submissions – such as urban design or built form, heritage, flooding, etc.

Readers are to refer to the original Technical Paper at Appendix 10A of the publicly exhibited Parramatta CBD Planning Proposal, which, at the time of writing, is available on Council's website. The original Technical Paper details the assumptions on the overshadowing model; as well as the evolution of the modelling that informed the exhibited controls.

The public exhibition for the Parramatta CBD Planning Proposal ran from 21 September to 2 November 2020.

- Twenty (20) submissions are considered in this Supplement where changes to the height controls were requested.
- Five (5) of these submissions related to properties that were entirely outside the Parramatta CBD Planning Proposal boundary as exhibited. As there was no height control exhibited for these properties there was no benchmark for comparison. Despite this, the heights requested were tested and considered for impacts to nominated open space areas and heritage conservation areas consistent with the original body of work. This was to ensure that the outcomes being sought by the submitters were considered fully and consistently with sites located within the CBD Planning Proposal boundary. Notwithstanding the results of the testing undertaken for overshadowing impacts, any submission from a site located outside the CBD Planning Proposal boundary as exhibited could not be supported as the CBD Planning Proposal does not apply to the land.
- Height testing applied limitations imposed by prescribed airspace – mainly the Radar Terrain Clearance Chart (RTCC) for Sydney Airport. Where a submitter sought a height greater than the prescribed RTCC height, the RTCC height was tested for the site as development cannot exceed or penetrate the RTCC surfaces.
- Benchmarks for impacts to open space areas and heritage conservation areas were adopted as per the original body of work, namely:
 - Nominated open space areas must achieve sunlight access to no less than 50% of the open space's area for 4 hours or more (non-contiguous) between 9am and 3pm on 21 June; and
 - A land parcel within a heritage conservation area must achieve sunlight access to the entire parcel for 2 hours or more (non-contiguous) between 9am and 3pm on 21 June.
- Testing was based on extruded 3D volumes applying to the entire site to which the submissions related. This is considered the most appropriate form of testing as any height controls apply to the entire site, unless mapped otherwise, to assess fully the potential impacts of overshadowing. Provision of concept designs may assist for more detailed testing and refinement of the initial results; but a concept design is exactly that, a *conceptual visualisation* of a *potential* built form which may be subject to change at or beyond the final DA stage.

Submissions were also considered in relation to the magnitude of the change requested compared to the exhibited controls. For the purposes of this supplement, where the height requested exceeded the

exhibited controls by more than 10%, the magnitude of the change was deemed to be substantial. Endorsing substantive changes to the CBD Planning Proposal would, consequently, necessitate re-exhibition of the planning proposal to enable the community to review and lodge further submissions on the changes. This, in turn, would delay the finalisation of the planning proposal.

Of the submissions received and considered solely in respect of cumulative overshadowing impacts in this supplement:

- One (1) was recommended for support.
- Eleven (11) were recommended for conditional support.
- Three (3) were recommended for not supporting because of significant cumulative overshadowing impacts.
- Five (5) were recommended for not supporting because the submission related to land outside the CBD Planning Proposal Boundary as exhibited.

It is to be understood that a recommendation for support or conditional support **because of overshadowing impacts** considered in this Supplement **does not indicate endorsement or support of the submission in its entirety** as other issues, such as urban design, heritage impacts, flooding, etc. are not considered as part of the analysis in this Supplement.

2. Height Controls as Exhibited

The Parramatta CBD Planning Proposal exhibited two height maps – the “base” Height of Buildings Map and the Incentive Height of Buildings Map.

The “base” Height of Buildings Map (Figure 1) generally reflects current planning controls contained in *Parramatta Local Environmental Plan 2011*. The exception to this applied for land zoned B3 Commercial Core being assigned by default a maximum building height of 211m(RL), or 243m(RL) including incentives for Design Excellence unless the land was located under a Sun Access Protection Surface. Land affected by a Sun Access Protection Surface is shown on this map uncoloured and edged in orange with the annotation “Area 2”, which calls up Clause 7.4 of the LEP.

The Incentive Height of Buildings Map (Figure 2) provides additional height, subject to providing community infrastructure. Draft Clause 7.6H is the primary enabling clause that applies height controls from the Incentive Height of Buildings Map. Other clauses, such as Clause 7.6C, also reference the Incentive Height of Buildings Map for certain development types. Land subject to the Sun Access Protection Surfaces is shown on this map uncoloured and edged in orange with the annotation “Area 1”.

Where land is shown uncoloured on the Incentive Height of Buildings Map *and* is not subject to the Sun Access Protection surfaces, the land is not subject to an Incentive Height of Buildings control; and the controls on the “base” Height of Buildings Map apply.

Additionally, the “base” Height of Buildings Map reflected current controls as of August 2020. Changes to this map have occurred with the notification of finalised site-specific planning proposals in the CBD since that date. The maps will be reconciled against these changes before finalisation of the CBD Planning Proposal to ensure the amendments from finalised site-specific planning proposals are not undone.

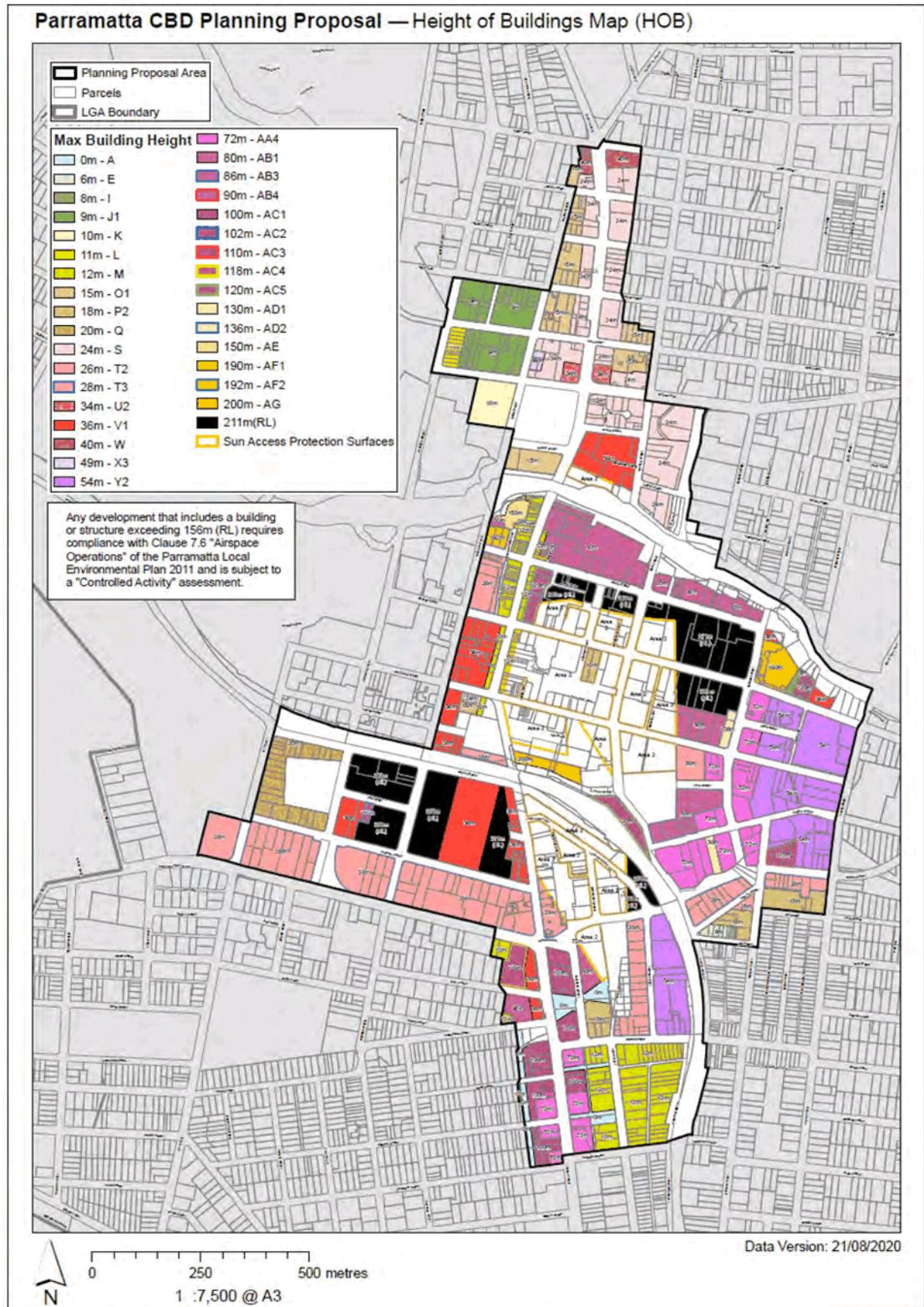


Figure 1 - "Base" Height of Buildings Map (as exhibited)

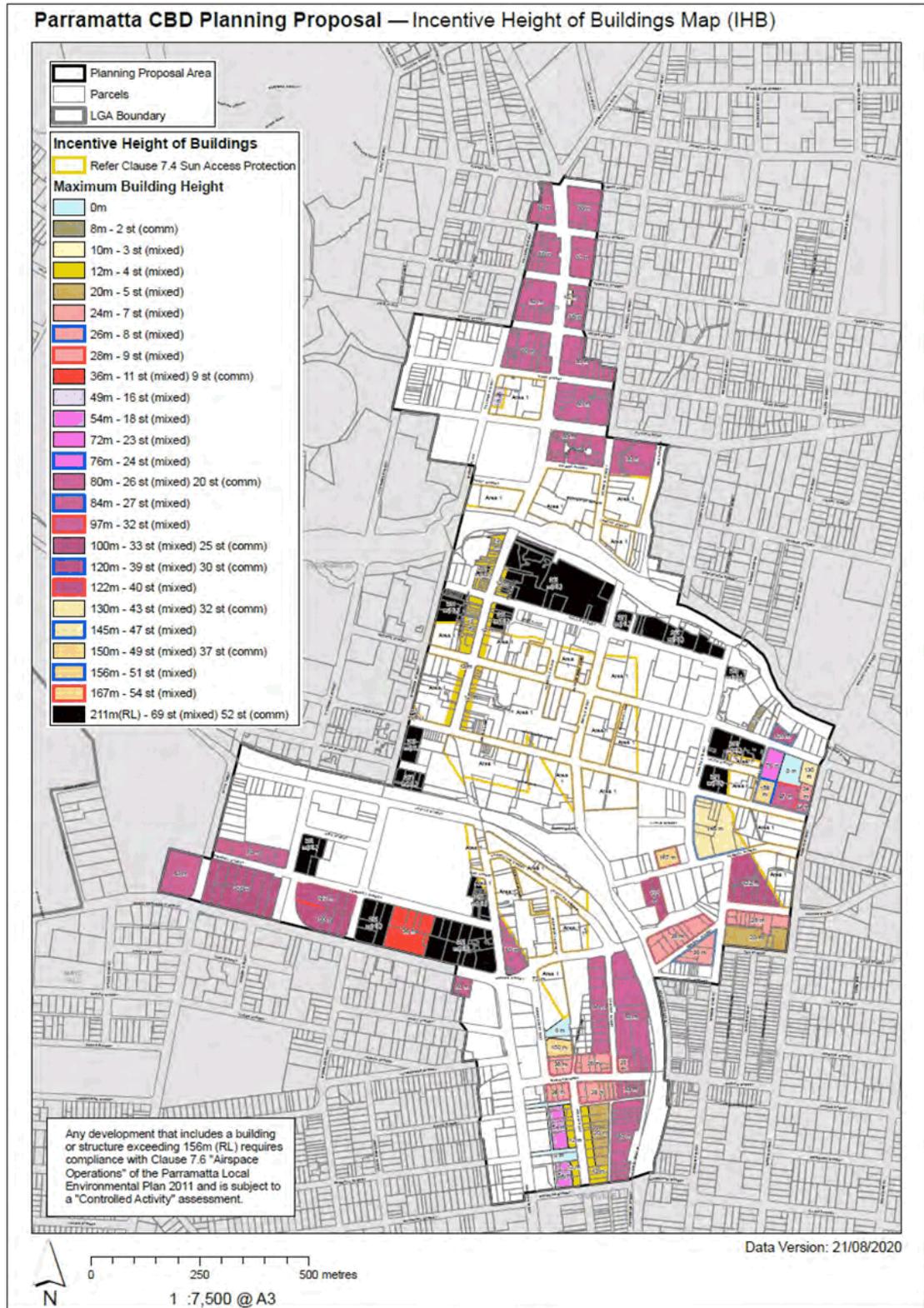


Figure 2 - Incentive Height of Buildings Map (as exhibited)

3. Submissions Received

3.1. Submissions received and tested in the 3D model

Fourteen (14) submissions, covering 17 sites, were identified for overshadowing testing based on likely impacts to the four heritage conservation areas and ten open space areas that were subject to testing in the original technical paper. The location of the tested sites in relation to the heritage conservation areas and open space areas as well as the heights tested is shown in Figure 3 and set out in Table 1, below. Where relevant the heights tested applied an additional 15% to the height requested by the submitter to take account of incentives that could be awarded under the Design Excellence controls. This, in turn, reflects the maximum possible height for a development site.

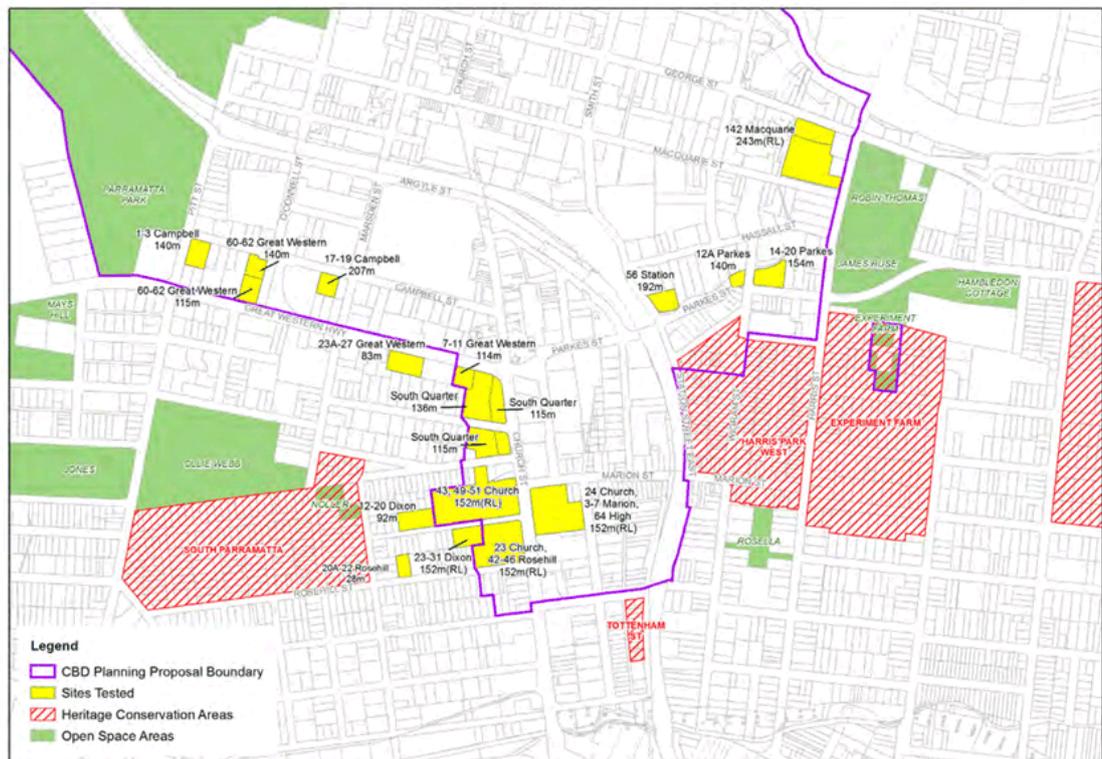


Figure 3 - Sites tested for overshadowing

Table 1 - Sites tested for overshadowing

Site Tested	Heights as Exhibited (Note 1)	Height Requested (exc. Design Excellence)	Height Tested (inc. Design Excellence)
1-3 Campbell St	100m (IHB)	122m	140m
60-62 Great Western Hwy	100m (IHB)	100/122m	115/140m
17-19 Campbell St	122m (IHB)	180m	207m
23A-27 Great Western Hwy (Note 2)	NIL	72m	83m
7-11 Great Western Hwy	80m (IHB)	114m (inc DEx)	114m
63 and 83 Church St (South Quarter)	36/90/118m	100/118m	115/136m
12-20 Dixon St (Note 2)	NIL	80m	92m
23-31 Dixon St (Note 2)	NIL	No Limit	152m(RL) (Note 3)
43, 49-51 Church St (Note 2) 23 Church St, 42-46 Rosehill St 24 Church St, 3-7 Marion St, 64 High St	0/100m/NIL 0/72/100m 0/12/72/100m	180m	152m(RL) (Note 3)
20A-22 Rosehill St (Note 2)	NIL	24m	28m
56 Station St East	72m	122m (exc DEx) /192m (inc DEx)	192m
12A Parkes St	72m	122m	140m
14-20 Parkes St	122m (IHB)	134m	154m
142 Macquarie St	0/76/97/156m	211m(RL)	243m(RL)

Note 1: The exhibited heights in this column are based on:

- The "base" Height of Buildings Map; or
- The Incentive Height of Buildings Map where the incentive height is greater than the base. This is annotated with (IHB) in the column; or
- "NIL" where no "base" Height of Buildings control applies to the land as it is outside the CBD Planning Proposal boundary at the time of exhibition.

Note 2: These sites, or parts thereof in the case of 43 Church St, are outside the CBD Planning Proposal Boundary as exhibited. Despite this, the heights requested in the submissions for these sites were tested for impacts to conservation areas and open space areas to ensure the matters raised in the submission were considered fully.

Note 3: Where a submission requested a height greater than prescribed airspace limits for airports, testing used the maximum heights for the prescribed airspace in lieu of the requested height. For example, the Rhaeto submission for the sites at 43, 49-51 Church St; 23 Church St, 42-46 Rosehill St; and 24 Church St, 3-7 Marion St, and 64 High St requested a height of 180m. The Radar Terrain Clearance Chart for Sydney Airport limits heights for development for land in that area to 152m(RL), as shown in the excerpt from the map in Figure 4. A full version of the map can be viewed and downloaded at the Sydney Airport website.

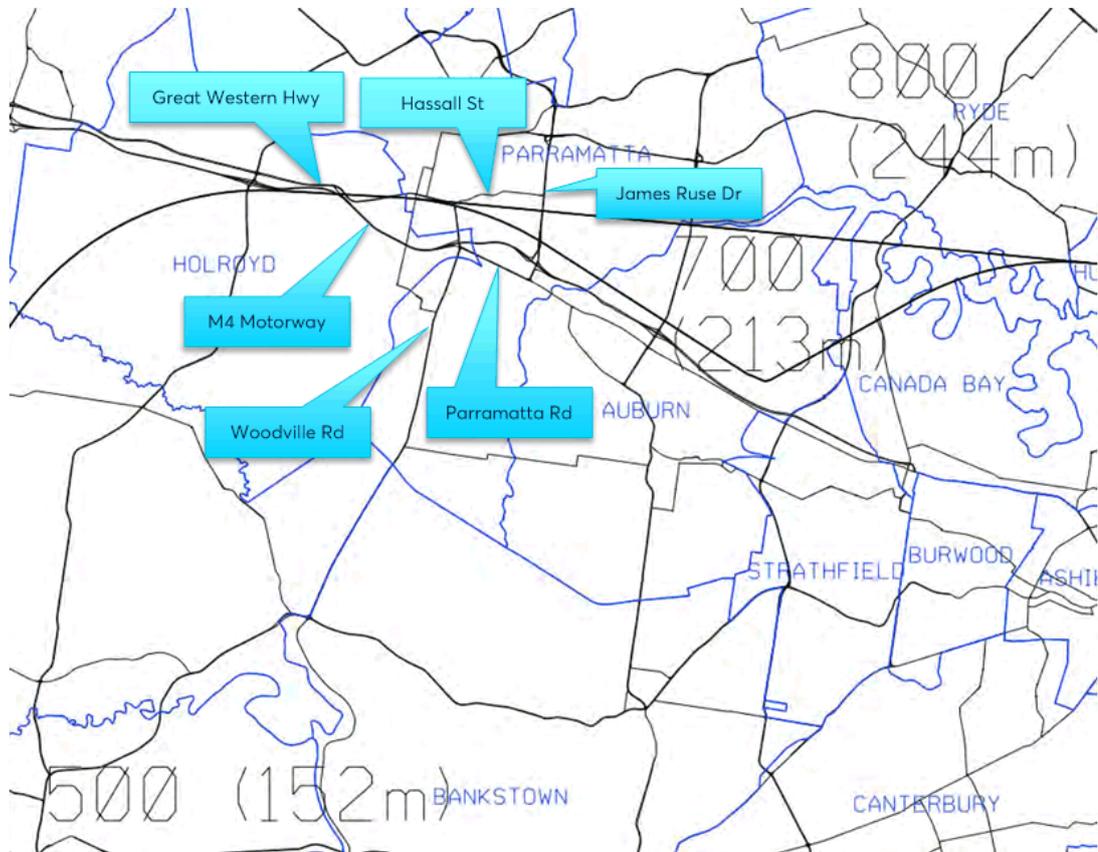


Figure 4 - Extract from the Radar Terrain Clearance Chart (RTCC) for Sydney Airport - Prescribed Airspace declared on 20 March 2015.

3.2. Submissions received and not tested in the 3D model

A further six (6) submissions also sought changes to height controls. These were not subject to detailed testing in the 3D model as their location did not impact the four heritage conservation areas and ten open space areas. The details of those requests are set out in Table 2, below. Consideration of these submissions is provided at Section 6.5.

Table 2 - Sites not modelled for overshadowing

Site Tested	Heights as Exhibited (Note 1)	Height Requested (exc. Design Excellence)
179-181 Church St	28m	36m/120m
27-31 Marion St	28m (IHB)	80m
1-25 Argyle St, 6-12 Pitt St	20m (IHB)	80m
27 Elizabeth St (Note 2)	NIL	157m
14-18 Pitt St	20m	26m
83 Macquarie St	12m	24m

Note 1: The exhibited heights in this column are based on:

- The "base" Height of Buildings Map; or
- The Incentive Height of Buildings Map where the incentive height is greater than the base. This is annotated with (IHB) in the column; or
- "NIL" where no "base" Height of Buildings control applies to the land as it is outside the CBD Planning Proposal boundary at the time of exhibition.

Note 2: This site is outside the CBD Planning Proposal Boundary as exhibited.

3.3. Results of cumulative additional overshadowing testing

Using the tested heights from Table 1, a further iteration of overshadowing testing was undertaken. For the purposes of this additional analysis, extruded 3D volumes were used based on the full extent of the site to which the submission related. The main reason for this approach was to ensure consistency with the original work, which adopted extrusion-based analysis before detailed testing based on actual or conceptual built forms was undertaken for certain areas in the CBD.

The inherent advantage of extrusion-based testing is that the results are not predicated on an assumed concept design – which may or may not be the final design when development consent is issued. The extrusion method applies the modelled height to the entire site, consistent with the planning controls on the Height of Buildings or Incentive Height of Buildings maps as well as the first three iterations of the overshadowing work – see Section 8.1, Table 20 of the exhibited Technical Paper. It is noted that some submitters indicated a concept design for their site, while others did not. Consequently, the extrusion-based approach of the additional height requested by submitters was therefore applied to all sites in the testing to ensure consistent consideration of the submissions and the cumulative impacts to the heritage conservation areas and open space areas.

The amount of additional overshadowing from the tested sites, expressed as a proportion of the total overshadowing extent for the entire CBD, is comparatively minor — ranging between a low of 0.43% at 9am and a high of 3.36% at 2pm. This is shown for each tested period between 9am and 3pm in Table 3, below. Maps showing the extent of additional overshadowing are provided at Appendix 2.

Table 3 – Amount of additional overshadowing compared to the total area of shadow across the CBD

Time of day 21 June	Area of overshadowing as exhibited (sqm)	Amount of additional overshadowing (sqm)	Percentage change
9am	2,173,175	9,330	+0.43%
9:30am	2,006,147	9,909	+0.49%
10am	1,870,848	10,345	+0.55%
10:30am	1,750,989	10,700	+0.61%
11am	1,628,628	9,416	+0.58%
11:30am	1,611,077	11,099	+0.69%
12 noon	1,597,173	27,911	+1.75%
12:30pm	1,609,482	38,994	+2.42%
1pm	1,651,328	45,571	+2.76%
1:30pm	1,703,825	55,671	+3.27%
2pm	1,790,327	60,169	+3.36%
2:30pm	1,913,780	60,677	+3.17%
3pm	2,099,915	70,305	+3.35%

Based on these results, the larger amounts of additional overshadowing occur in the afternoon, impacting parts of the Tottenham Street, Harris Park West and Experiment Farm Heritage Conservation Areas; as well as open space at Robin Thomas, James Ruse, Experiment Farm and Hambledon Cottage reserves. The implications of these results are discussed as they apply to the Heritage Conservation Areas and open space areas in Sections 4 and 5 of this Supplement.

4. Impacts to Heritage Conservation Areas

Based on the extrusion modelling of additional heights requested in Table 1, the impacts to the four heritage conservation areas were tested again. The benchmark of a land parcel not being overshadowed for at least two hours (non-contiguous) between 9am and 3pm on 21 June was adopted for consistency with the previous testing.

All the conservation areas experienced additional overshadowing compared to the exhibited controls. Consistent with the aggregate results from Table 3, the additional impacts of overshadowing to the conservation areas predominantly occurred in the afternoon. This is set out in Table 4, below.

Table 4 – Heritage Conservation Areas experiencing additional overshadowing from heights requested in submissions compared to the exhibited controls

Time of day 21 June	South Parramatta	Tottenham St	Harris Park West	Experiment Farm
9am	Yes		Yes	
9:30am			Yes	
10am			Yes	
10:30am			Yes	
11am			Yes	
11:30am			Yes	
12 noon	Yes		Yes	Yes
12:30pm			Yes	Yes
1pm			Yes	Yes
1:30pm		Yes	Yes	Yes
2pm		Yes	Yes	Yes
2:30pm		Yes	Yes	Yes
3pm			Yes	Yes

Despite the additional overshadowing to the conservation areas from the additional heights requested by submitters, the South Parramatta and Experiment Farm Heritage Conservation Areas did not increase the number of land parcels failing the two-hour benchmark as the additional overshadowing still enabled the same number of land parcels in these areas to achieve at least two hours of sunlight access between 9am and 3pm when compared with the proposed exhibited controls. Tottenham St had one additional land parcel that failed the benchmark; while Harris Park West had four additional land parcels that failed the benchmark. This is summarised in Table 5, below, and is illustrated by maps in Appendix 3.

Table 5 - Changes in overshadowing in Heritage Conservation Areas - number of land parcels failing or achieving the minimum two hour benchmark

Heritage Conservation Area	Total No of Parcels	No of parcels below 2 hours sunlight access (as exhibited)	No of parcels getting more than 2 hours sunlight access (as exhibited)	No of parcels below 2 hours sunlight access (revised March 2021)	No of parcels getting more than 2 hours sunlight access (revised March 2021)	Change
South Parramatta	166	4 (2.4%)	162 (97.6%)	4 (2.4%)	162 (97.6%)	NIL
Tottenham St	14	2 (14.3%)	12 (85.7%)	3 (21.4%)	11 (78.6%)	+1
Harris Park West	184	47 (25.5%)	137 (74.5%)	51 (27.7%)	133 (72.3%)	+4
Experiment Farm	121	0	121 (100%)	0	121 (100%)	NIL

When considering whether the additional overshadowing from the additional heights requested constitutes a significant cumulative impact to the conservation area in its entirety, the total number of land parcels within a conservation area failing the established benchmark of two-hours of sunlight access between 9am and 3pm on 21 June must not be increased by more than 10%. This means, for example, that of the 166 parcels in the South Parramatta Conservation Area no more than 16.6 additional land parcels can fail the two-hour benchmark for this test to fail. The threshold is truncated to the whole parcel, i.e. 16.6 additional parcels to strictly meet the 10% threshold of 166 parcels for the South Parramatta Conservation Area is truncated to 16. It is to be noted that the size, geometry and number of parcels within the conservation area has a substantial role in determining the number of additional parcels needed for the test to fail. A small conservation area – such as Tottenham Street with 14 parcels – can fail the test more readily than the other larger conservation areas. The results of the impact benchmarking are set out in Table 6, below.

Table 6 – Impact test benchmarking – number of additional land parcels within a conservation area to be overshadowed to constitute a significant impact

Heritage Conservation Area	Total No of Parcels	No of additional parcels to be overshadowed to meet the 10% threshold	No of parcels below 2 hours sunlight access (as exhibited)	No of parcels below 2 hours sunlight access (revised March 2021)	No of additional parcels failing the 2-hour benchmark	Test Pass or Fail
South Parramatta	166	16	4 (2.4%)	4 (2.4%)	NIL	Pass
Tottenham St	14	1	2 (14.3%)	3 (21.4%)	+1	Fail
Harris Park West	184	18	47 (25.5%)	51 (27.7%)	+4	Pass
Experiment Farm	121	12	0	0	NIL	Pass

Additional overshadowing to the South Parramatta HCA is attributable to the additional height requested at 19 Campbell Street. This partly affects two parcels at 9am and four at 12 noon. Otherwise, there is no additional impact to the South Parramatta HCA across the remainder of the day.

The additional overshadowing to the Tottenham St HCA is predominantly attributable to the additional height requested for the site at 24 Church Street, 3-7 Marion Street, and 64 High Street. As this site is located north-northwest of the Tottenham Street HCA, the additional overshadowing for the tested periods of 1:30pm, 2pm and 2:30pm from this site result in additional overshadowing to the conservation area.

The additional overshadowing to the Harris Park West conservation area is predominantly attributable to the additional heights requested at 56 Station Street East, 12A Parkes Street and 14-20 Parkes Street. With both 12A Parkes Street and 14-20 Parkes Street located directly to the north of the conservation area, the impacts from the additional heights requested for both of these sites results in successive overshadowing to the conservation area across the entire day – where a parcel that may be overshadowed by 14-20 Parkes Street is subsequently overshadowed by 12A Parkes Street in quick succession. The impact of the successive overshadowing from 14-20 Parkes Street followed quickly by 12A Parkes Street resulted in the four additional parcels in the Harris Park West conservation area falling below the two-hour benchmark. Overshadowing from 56 Station Street East begins to have an impact from 12:30pm and continues for the remainder of the afternoon.

Additional overshadowing to the Experiment Farm conservation area begins at 12 noon from the 142 Macquarie Street site. Additional overshadowing from 14-20 Parkes Street begins to have an impact from 1:30pm; and 12A Parkes Street has an impact from 2:30pm. 56 Station Street East only begins to have an impact at 3pm.

The extent and impact of the overshadowing to the conservation areas in relation to the remarks above is illustrated by the maps in Appendices 2 and 3. The consideration of these impacts in respect of the submissions received will be discussed further in Section 6 of this Supplement.

5. Impacts to open space areas

Using the tested heights from Table 1, a further iteration of overshadowing testing was undertaken. For the purposes of this analysis, extruded 3D volumes were used based on the full extent of the site to which the submission related. The main reason for this approach was to ensure consistency with the original work, which adopted extrusion-based analysis before detailed built form testing was undertaken for certain areas in the CBD. The benchmark of an open space area achieving at least four hours of sunlight access to at least 50% of the open space area in the overall testing period between 9am and 3pm on 21 June was also applied, consistent with previous testing.

Not all the nominated open space areas received additional overshadowing arising from the additional heights requested. The impact of additional overshadowing to the open space areas is summarised in Table 7, where the highest percentage change in any testing period set out in Table 8 resulted in the open space's allocation to each category below. The total proportion of overshadowing for the open space area is then set out in Table 9. Maps illustrating the impact of additional overshadowing to open space areas can be seen in Appendix 2.

Table 7 – Summary of additional overshadowing to open space areas from additional heights requested by submissions

Type of additional impact	Open Space Areas affected
None	Parramatta Park Noller Park Mays Hill Reserve Rosella Park Jones Park
Negligible – no more than 5% additional overshadowing in any tested period between 9am and 3pm	Ollie Webb Reserve
Minor – no more than 10% additional overshadowing in any tested period between 9am and 3pm	Robin Thomas Reserve
Moderate – no more than 20% additional overshadowing in any tested period between 9am and 3pm	Hambledon Cottage Reserve
Significant – no more than 30% additional overshadowing in any tested period between 9am and 3pm	None
Major – more than 30% additional overshadowing in any tested period between 9am and 3pm	James Ruse Reserve Experiment Farm Reserve

Table 8 - Change in the proportion of open space area overshadowed at each testing period as a percentage (percentages have been rounded to the nearest whole percentage value)

Extent of Change (delta) (v8-v7)	9am	9:30am	10am	10:30am	11am	11:30am	12 noon	12:30pm	1pm	1:30pm	2pm	2:30pm	3pm
Noller Park													
Ollie Webb Reserve	+3	+5	+4	+4									
Parramatta Park													
Mays Hill Reserve													
Jones Park													
Robin Thomas Reserve								+1	+5	+6	+2		
James Ruse Reserve							+10	+31	+34	+24	+7		
Experiment Farm Reserve							+2	+10	+54	+49	+12	+4	
Hambledon Cottage Reserve									+2	+12	+12	+8	+1
Rosella Park													

Table 9 - Proportion of the open space area overshadowed at each testing period expressed as a percentage (percentages have been rounded to the nearest whole percentage value)

Parks - Revised Controls (v8)	9am	9:30am	10am	10:30am	11am	11:30am	12 noon	12:30pm	1pm	1:30pm	2pm	2:30pm	3pm
Noller Park	100	100	81	21	38	28	0	0	0	0	0	0	0
Ollie Webb Reserve	100	83	45	21	3	0	0	0	0	0	0	0	0
Parramatta Park	1	0	0	0	0	0	0	0	0	0	0	0	0
Mays Hill Reserve	23	2	0	0	0	0	0	0	0	0	0	0	0
Jones Park	18	0	0	0	0	0	0	0	0	0	0	0	0
Robin Thomas Reserve	0	0	0	0	0	0	5	15	27	41	56	72	95
James Ruse Reserve	0	0	0	0	0	1	31	62	91	98	100	100	100
Experiment Farm Reserve	0	0	0	0	0	0	2	10	57	71	67	95	100
Hambledon Cottage Reserve	0	0	0	0	0	0	0	0	2	21	37	60	89
Rosella Park	0	0	0	0	0	0	0	0	0	0	1	33	27

Note 1: Cells filled in light red indicate where more than 50% of the land area of the open space is overshadowed during the testing period. Cells filled in green have less than 50% of the open space area overshadowed. Cells filled in dark red with white text indicate a testing period where more than 50% of the open space area is overshadowed (i.e. fails the benchmark) as a result of increased heights requested.

Note 2: Numbers displayed in **bold italic** type indicate a change to the proportion of the open space area overshadowed resulting from increased heights requested.

Additional overshadowing to Ollie Webb Reserve is attributable to additional height requested by the submission for 17-19 Campbell Street between 9am and 11am. The additional impact is considered negligible with not more than 5% additional overshadowing occurring to Ollie Webb between 9am and 11am. There is no additional impact after 11am.

Additional overshadowing to Robin Thomas Reserve, James Ruse Reserve, Experiment Farm Reserve and Hambledon Cottage Reserve is primarily attributable to additional height requested by the submission for 142 Macquarie Street. The submitter sought the increased height of 211m(RL) (tested at 243m(RL) to include an assumed 15% bonus design excellence) across the entire site which resulted in major additional overshadowing to both James Ruse and Experiment Farm Reserves as well as moderate additional overshadowing to Hambledon Cottage Reserve. Additional overshadowing to Robin Thomas Reserve was minor and filled in an inter-building gap.

The implications for additional overshadowing to James Ruse Reserve and Experiment Farm Reserve from 142 Macquarie Street also resulted in a reduction of 30 minutes of sunlight access to at least 50% of James Ruse Reserve – falling from 3.5 hours to 3 hours (i.e. passing the benchmark between 9am and 12 noon, but failing from 12:30pm onwards). Experiment Farm Reserve had a reduction of 60 minutes of sunlight access to at least 50% of the reserve's land area – decreasing from 5 hours to 4 hours – and just meeting the 4-hour benchmark threshold for sunlight access (i.e. passing the benchmark between 9am and 12:30pm, but failing the benchmark from 1pm onwards).

The test of an impact of significance – i.e. a moderate, significant or major impact, as set out in Table 7 – is met where the *cumulative additional* overshadowing to an open space area exceeds 10% in any single testing period. While the impact of additional height from an individual submission request may, of itself, be less than 10%, the testing is considering the *cumulative impacts* of overshadowing from all requests. This cumulative impact testing is consistent with Gateway Conditions 1(j)(ii) and 1(j)(iii) and previous work from the original overshadowing Technical Paper. Application of this impact test to submissions is set out in Section 6 of this Supplement.

6. Consideration of submissions

This section sets out the consideration of the overshadowing matters raised in submissions identified in Table 1 and Table 2. It must be noted that overshadowing impacts is but one matter of consideration while other matters are considered separately. The comprehensive consideration of the submission, including any overshadowing matters, and Council's recommended response is contained in the Community Engagement Report – Appendix D. This section summarises the results of the testing from Sections 3, 4, and 5 and applies the results to consideration of the tested submissions, as set out in Table 10.

6.1. Consideration of submissions subject to 3D modelling

When interpreting the result in the final column, the following assessment criteria were used **to consider overshadowing matters only**. The result **is not to be taken as an endorsement of the submission in its entirety**, as other matters pertaining to urban design, heritage, flooding, etc. which are not addressed in this Supplement have not been considered; and the results from this analysis will be one of several inputs into the final recommendation for Council's response to a submission. A process flow chart for this consideration is set out in Appendix 4. In summary:

- If the submission had an impact to Heritage Conservation Areas *and* Open Space Areas deemed to be minor *and* requested a variation in height of up to 10% of exhibited controls, the submission was given support on the basis of overshadowing impacts, and the increase was considered to be minor so it could be accommodated as a post-exhibition amendment.
- If the submission had an impact to Heritage Conservation Areas *and* Open Space Areas deemed to be minor *and* requested a variation in height of more than 10% of exhibited controls, the submission was given conditional support on the basis of overshadowing impacts, but the increase was considered substantial enough that it could not be accommodated as a post-exhibition amendment.
- If the submission failed either of the two previous criteria or was located outside the CBD Planning Proposal boundary, it was not supported on overshadowing impact grounds or the CBD Planning Proposal does not apply to the land.

Table 10 - Sites tested for overshadowing – results of testing and recommendation on the basis of overshadowing impacts

Site Tested	Impact to Heritage Conservation Areas	Impact to Open Space Areas	Extent of Variation to exhibited controls	Result
1-3 Campbell St	Nil	Nil	up to 22%	Conditional Support
60-62 Great Western Hwy	Nil	Nil	up to 22%	Conditional Support
17-19 Campbell St	Nil	Negligible	up to 48%	Conditional Support
23A-27 Great Western Hwy ‡	Nil	Nil	N/A	Do not Support

Site Tested	Impact to Heritage Conservation Areas	Impact to Open Space Areas	Extent of Variation to exhibited controls	Result
7-11 Great Western Hwy	Nil	Nil	up to 43%	Conditional Support
63 and 83 Church St (South Quarter)	Nil	Nil	up to 177%	Conditional Support
12-20 Dixon St ‡	Nil	Nil	N/A	Do not Support
23-31 Dixon St ‡	Nil	Nil	N/A	Do not Support
43, 49-51 Church St 23 Church St, 42-46 Rosehill St 24 Church St, 3-7 Marion St, 64 High St	<i>See Note 1</i>	Nil	up to 80% up to 150% up to 1400%	Do not Support
20A-22 Rosehill St ‡	Nil	Nil	N/A	Do not Support
56 Station St East	<i>See Note 2</i>	Nil	up to 166%	Conditional Support
12A Parkes St	<i>See Note 2</i>	Nil	up to 69%	Conditional Support
14-20 Parkes St	<i>See Note 2</i>	Negligible	up to 10%	Support
142 Macquarie St	<i>See Note 3</i>	<i>See Note 3</i>	up to 177%	Do not Support

‡ This site is located outside the CBD Planning Proposal Boundary

Note 1: The additional overshadowing from the 24 Church St, 3-7 Marion St, 64 High St site had significant impacts to the Tottenham St Heritage Conservation Area, with between 50% and 100% of the HCA being in additional overshadowing between 1pm and 2:30pm based on testing with a 152m(RL) height, consistent with the Radar Terrain Clearance Chart (RTCC). The other two sites did not impact the Tottenham St HCA during the testing period. The cumulative impact of the additional overshadowing in the afternoon resulted in one additional land parcel in the HCA failing the two-hour benchmark, which was deemed a significant adverse impact per the discussion in Section 4. In addition, the requested height of 180m exceeds prescribed airspace controls for Sydney Airport, which establishes a maximum height of 152m(RL) under the RTCC as shown in Figure 4.

Note 2: The additional overshadowing from 56 Station St East, 12A Parkes St and 14-20 Parkes St, *when evaluated separately*, did not of themselves result in any additional land parcels in the Harris Park West Heritage Conservation Area failing the two-hour benchmark. However, the cumulative impacts of the overshadowing – particularly the overshadowing cast by 12A Parkes St and 14-20 Parkes St in quick succession, followed by 56 Station Street East in the later afternoon contributed to four additional land parcels in the Harris Park West failing the two-hour benchmark. The additional overshadowing of four land parcels, however, constituted less than a 10% increase to overshadowing in the HCA and is considered a less-than-significant impact. Consequently, on the basis of cumulative overshadowing impacts alone, 56 Station Street East and 12A Parkes St were identified for conditional support because the change in height requested is greater than 10% of the exhibited control; while the height change for 14-20 Parkes Street is a 10% variation and may, in principle, be supported as a post-exhibition change.

Note 3: The additional overshadowing from 142 Macquarie Street has minor additional impacts in terms of overshadowing to the Experiment Farm Heritage Conservation Area with overshadowing to some parcels along both sides of Ruse Street, starting between 11:30am and 12 noon and finishing between 2:30pm and 3pm. This additional overshadowing does not result in any land parcels in the HCA falling below the 2-hour minimum threshold for sunlight access and, therefore, considered minor. However, the additional height has major impacts on open space areas at James Ruse Reserve, causing additional overshadowing to that reserve ranging between 7% and 34% in the afternoon. It also causes additional overshadowing to Experiment Farm Reserve ranging between 3% and 54% in the afternoon. The greatest additional impact to these reserves occurs between 12:30pm and 1:30pm testing periods. In addition, the height requested penetrates the Sun Access Protection surface for Experiment Farm, potentially compromising the heritage significance of the Experiment Farm cottage and curtilage. It also represents up to a 177% variation on exhibited controls. Consequently, this request is not supported on impacts for overshadowing grounds alone.

6.2. Variations requested to height controls

Of the submissions received, only one requested a minor increase to the height (i.e. up to 10% variation). All other submissions requested what were deemed significant variations to the exhibited controls – ranging between 22% and 1400%, as set out in Table 10, above. Four of the sites tested were not in the CBD Planning Proposal boundary as exhibited, so there was no basis for comparison with exhibited controls to begin with. Those submissions, despite not having impacts to heritage conservation areas or open space areas, cannot be supported because they are outside the CBD Planning Proposal boundary.

6.3. Impacts to Heritage Conservation Areas

Except as discussed for specific sites in Notes 1 to 3, above, the heights requested by submitters had no additional adverse impact to the four heritage conservation areas. Consequently, most submissions passed the impact test to the heritage conservation areas except for the site at 24 Church St, 3-7 Marion St and 64 High St.

6.4. Impacts to Open Space Areas

Most sites, except for 142 Macquarie St – as discussed in Note 3 – had no or negligible impact in respect of additional overshadowing to open space areas. The additional overshadowing from 17-19 Campbell St created less than 5% additional overshadowing to Ollie Webb Reserve between 9am and 11am, which did not cause the park to exceed overshadowing to 50% of the land area unless it was already overshadowed above that threshold to begin with. For example, at 10am, 17-19 Campbell created an additional 4% of overshadowing to Ollie Webb Reserve; and increasing the proportion of land overshadowed at that testing period from 41% to 45% (see Table 9). This increase did not tip over the 50% threshold, so the additional overshadowing is deemed minor.

Similarly, 14-20 Parkes St created approximately 4% of additional overshadowing to Experiment Farm Reserve at 2:30pm. This is considered negligible additional overshadowing as the reserve was already 91% overshadowed from other sites at 2:30pm, and the additional overshadowing increased that to 95%.

6.5. Consideration of submissions not subject to 3D modelling

A further six submissions were not subject to 3D overshadowing testing as they were considered to not have an adverse impact on the four heritage conservation areas or ten nominated open space areas. These are summarised in Table 11, below, with additional remarks following. Like the submissions considered in Section 6.1 and Table 10, above, the result in Table 11 **is not to be taken as an endorsement of the submission in its entirety**, as other matters pertaining to urban design, heritage, flooding, etc. which are not addressed in this Supplement have not been considered; and the results from this analysis will be one of several inputs into the final recommendation for Council's response to a submission.

Table 11 - Consideration of Submissions that were not subject to 3D modelling

Site Tested	Impact to Heritage Conservation Areas	Impact to Open Space Areas	Extent of Variation to exhibited controls	Result
179-181 Church St	Nil	Nil	+228%	Conditional Support
27-31 Marion St	Nil	Nil	+185%	Conditional Support
1-25 Argyle St, 6-12 Pitt St	Nil	Nil	+300%	Do Not Support
27 Elizabeth St ‡	Nil	Nil	N/A	Do Not Support
14-18 Pitt St	Nil	Nil	+30%	Conditional Support
83 Macquarie St	Nil	Nil	+100%	Conditional Support

‡ This site is located outside the CBD Planning Proposal Boundary

- 179-181 Church St** requested an increase in height from the exhibited 28m to in part 36m and in part 120m. The location of the subject site is to the southwest of the Parramatta Square Protected Area. Consequently, the height requested had no additional adverse impact to Parramatta Square. However, the additional height requested is a substantial variation to the exhibited controls and fails that test. Additionally, the context of the height requested would need to be considered on urban design grounds in relation to the newly established viewshed or "blue sky" corridor extending along Church St between Macquarie St and the river. Consequently, the request has been identified for conditional support in the overshadowing analysis as it creates no adverse impacts on overshadowing grounds but seeks a significant variation to the height control as exhibited.
- 27-31 Marion St** requested an increase in from the exhibited 28m to 80m (92m including design excellence bonus). The location of the site is to the north of the Tottenham St Heritage Conservation area. Heights of 92m were tested for the property in the original Technical Paper before a reduction to that area was undertaken on urban design and heritage grounds – see the Marion St Precinct Plan (Appendix 8 to the exhibited CBD Planning Proposal content). The original testing indicated no adverse impact to the Tottenham St conservation area with a 92m height limit (i.e. 80m plus 15% Design Excellence incentive). However, the additional height requested is a substantial variation to the exhibited controls and fails that test. Additionally, the context of the height requested would need to be considered on urban design grounds in relation to exhibited Marion St Precinct Plan. Consequently, the request has been identified for conditional support in the overshadowing analysis as it creates no adverse impacts on overshadowing grounds but seeks a significant variation to the height control as exhibited.
- 1-25 Argyle St, 6-12 Pitt St** requested an increase from the exhibited 20m to 80m (92m including design excellence bonus). The location of these sites is immediately to the north of St Johns Cemetery, a listed heritage item of State significance. While the height requested will not impact overshadowing to the heritage conservation areas or nominated open space areas, it will cause overshadowing across the entire day to the majority or entirety of the cemetery. The cemetery itself, like most heritage items in the CBD (except for Experiment Farm), does not have specific solar access protection controls applying to the land. The submitter's contention that the overshadowing from the

concept will have no adverse impacts is disputed. When reviewing the submitter's overshadowing diagrams provided in the Heritage Significance report (page 7) and the submission itself (page 12), it is noted that the overshadowing is not reflective of the mid-winter diagrams provided by the submitter's architect at page 23 of the feasibility study. A 92m building height would cast shadow lengths ranging between 268m at 9am to 142m at 12 noon to 278m at 3pm. These shadow lengths would extend over most of the cemetery throughout the day. Consequently, the additional height requested is not supported because of significant overshadowing impacts to the cemetery.

- **27 Elizabeth St** requested a height of 157m. The land is located outside the CBD Planning Proposal boundary as exhibited. Consequently, there are no exhibited controls applying to the site for comparison, despite the location of the site not having adverse impacts to the nominated heritage conservation areas or open space areas. The request is not supported on the basis of its location outside of the CBD PP boundary.
- **14-18 Pitt St** requested an increase from the exhibited 20m to 26m. The land is located to the west of St Johns Cemetery, a listed heritage item of State significance. While the height requested will not impact overshadowing to the heritage conservation areas or nominated open space areas, it will cause overshadowing across the afternoon to the cemetery. The additional impact is considered minor with the computed shadow length increasing from 31m to 40m at 12 noon (an increase of 9m compared to the exhibited controls); and increasing from 60m to 78m at 3pm (an increase of 18m compared to the exhibited controls); and increasing from 60m to 78m at 3pm (an increase of 18m compared to the exhibited controls) on 21 June. However, the requested variation in height is considered more than minor – being an increase of 30% above the exhibited controls. Consequently, the request has been identified for conditional support in the overshadowing analysis as it creates negligible adverse impacts on overshadowing grounds but seeks a significant variation to the height control as exhibited.
- **83 Macquarie St** requested an increase in height from the exhibited 12m to 24m. The land is located to the northwest of the Parramatta Square Protected Area and is located under the Parramatta Square Sun Access Protection Surface. The height requested is lower than the Sun Access Protection surface, so the additional height would not adversely impact overshadowing to the Parramatta Square Protected Area. The additional height, however, is inconsistent with an established 12m height limit applying to the first 12m setback of buildings along Church St. While the request will not have adverse impacts in terms of overshadowing, further consideration needs to be given in respect of established setbacks and urban design impacts to Church St. Additionally, the requested height represents a significant change from the exhibited controls – an increase of 100%. Consequently, the request has been identified for conditional support in the overshadowing analysis as it creates no adverse impacts on overshadowing grounds but seeks a significant variation to the height control as exhibited.

Appendix 1: Overshadowing comparison – as exhibited and submissions received

This appendix shows the extent of overshadowing cast by the increased heights sought by the submissions tested, as shown in Figure 3. The grey area is the modelled overshadowing extent from the technical paper and the blue areas are the modelled shadow extent cast by the heights requested in the submissions.

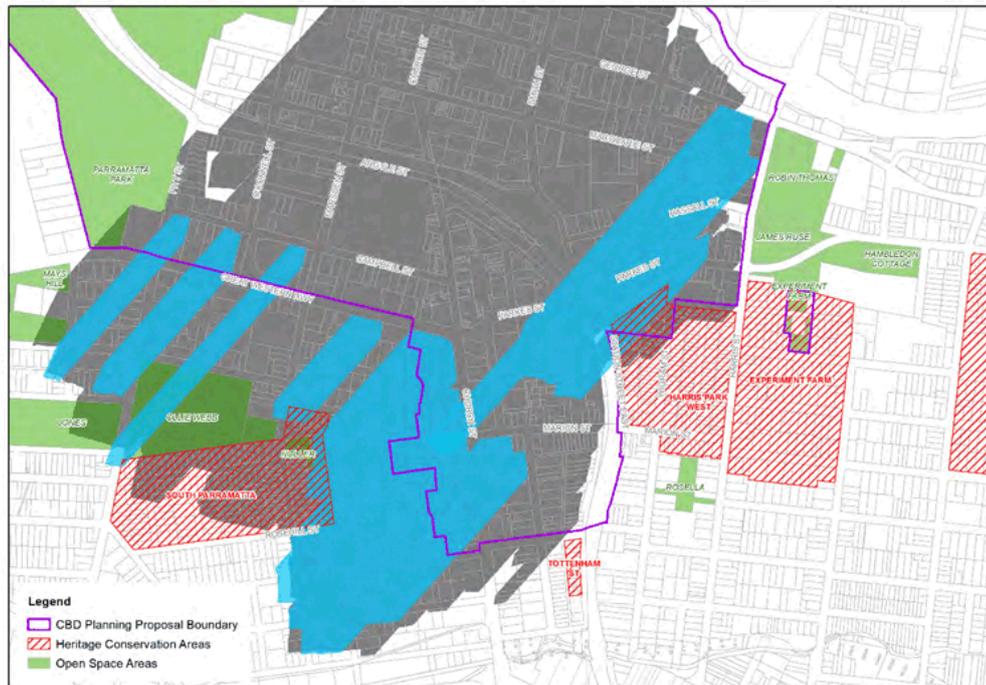


Figure 5 – Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 9am

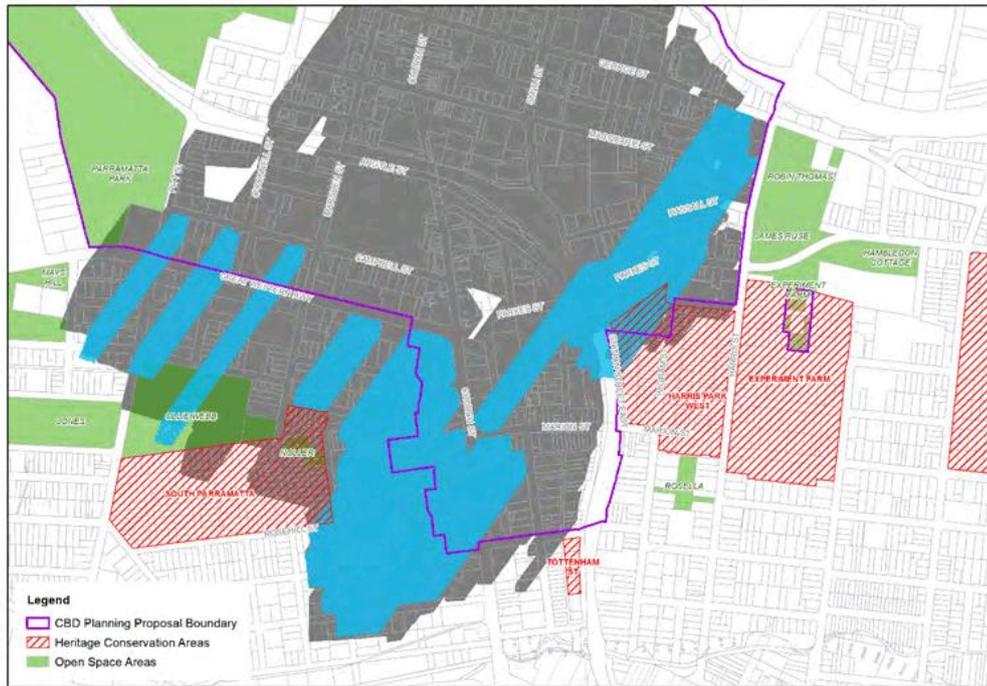


Figure 6 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 9:30am

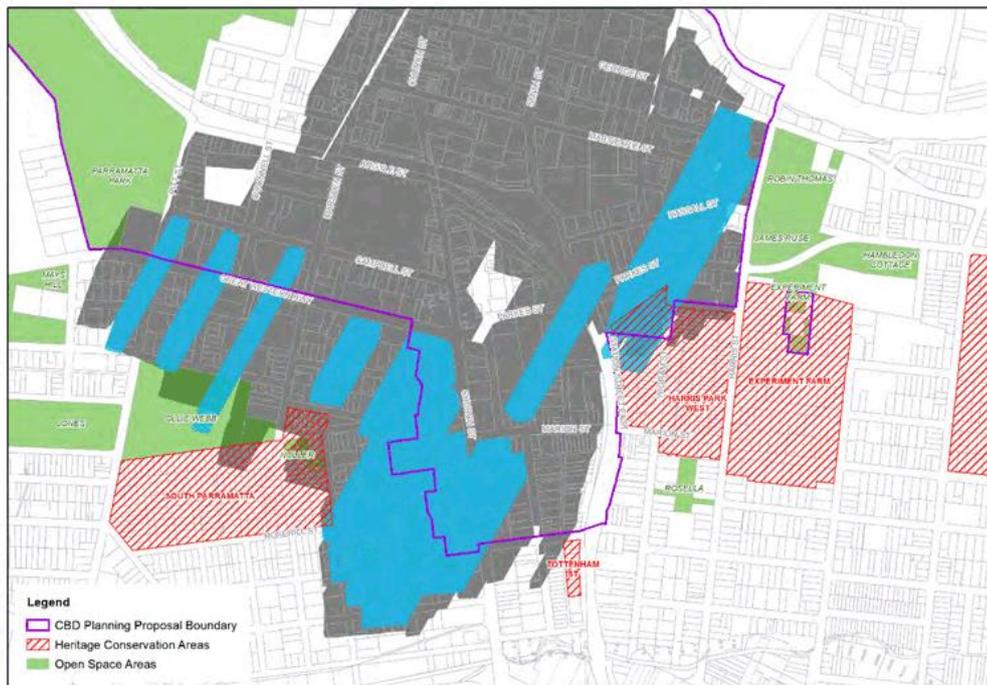


Figure 7 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 10am

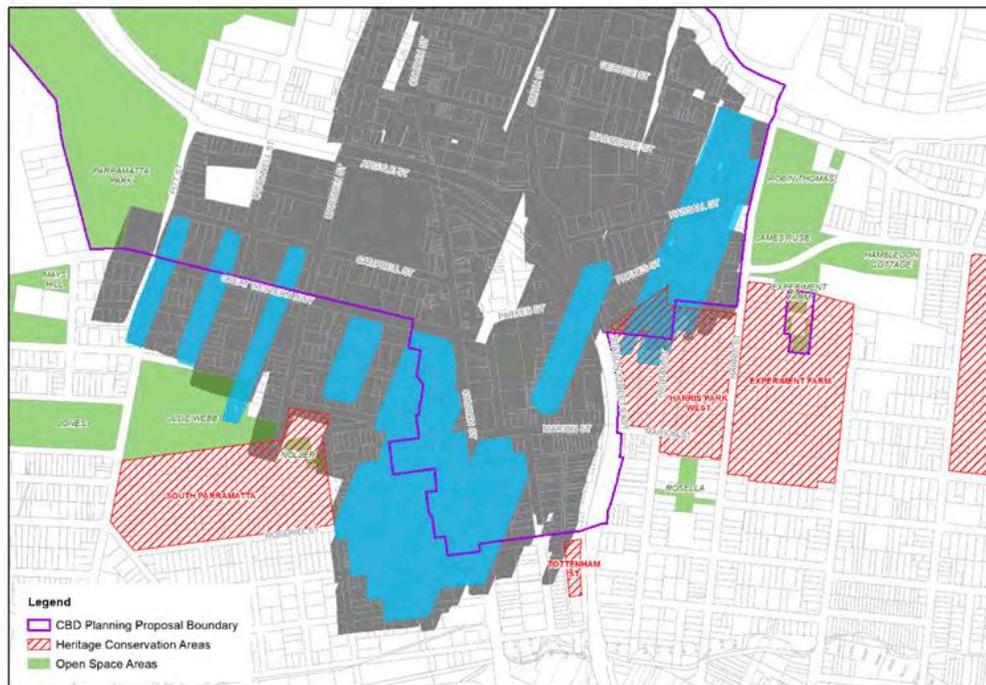


Figure 8 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 10:30am



Figure 9 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 11am



Figure 10 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 11:30am



Figure 11 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 12 noon



Figure 12 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 12:30pm



Figure 13 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 1pm



Figure 14 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 1:30pm

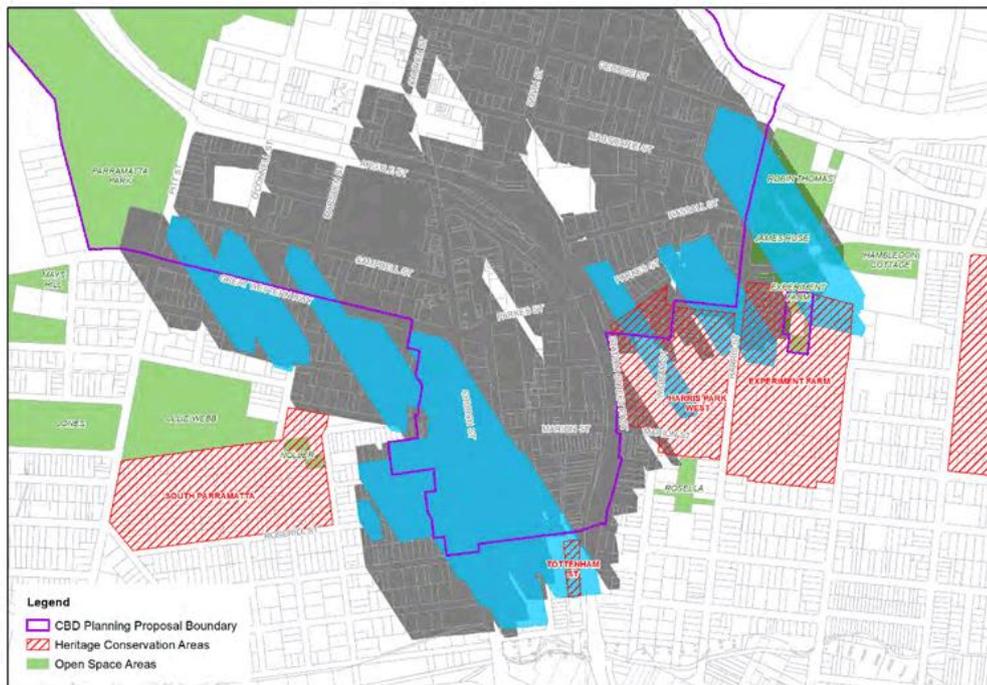


Figure 15 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 2pm

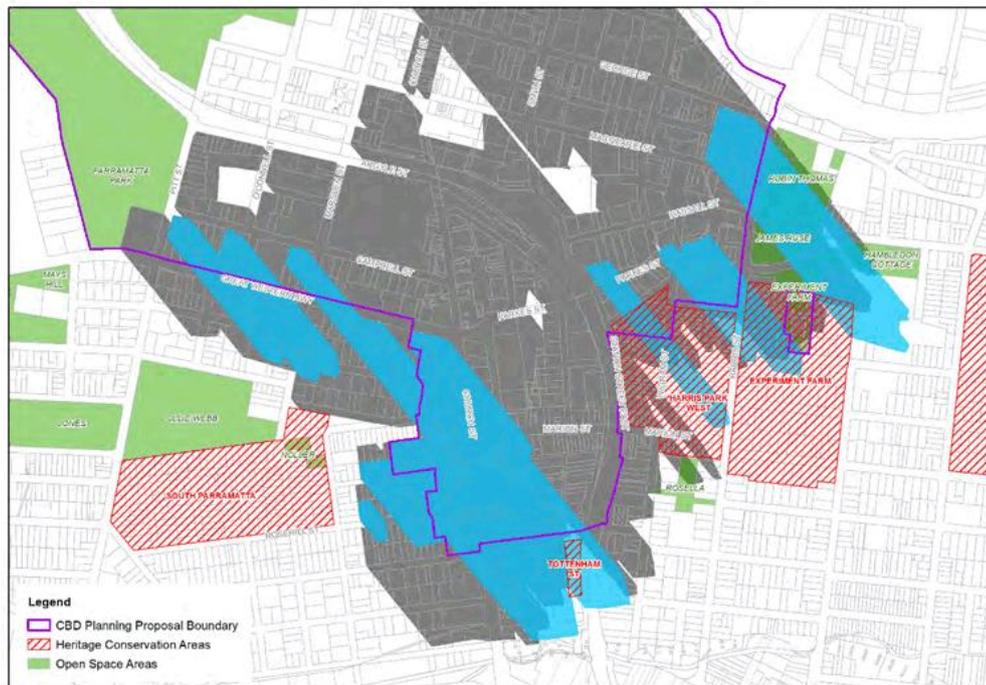


Figure 16 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 2:30pm

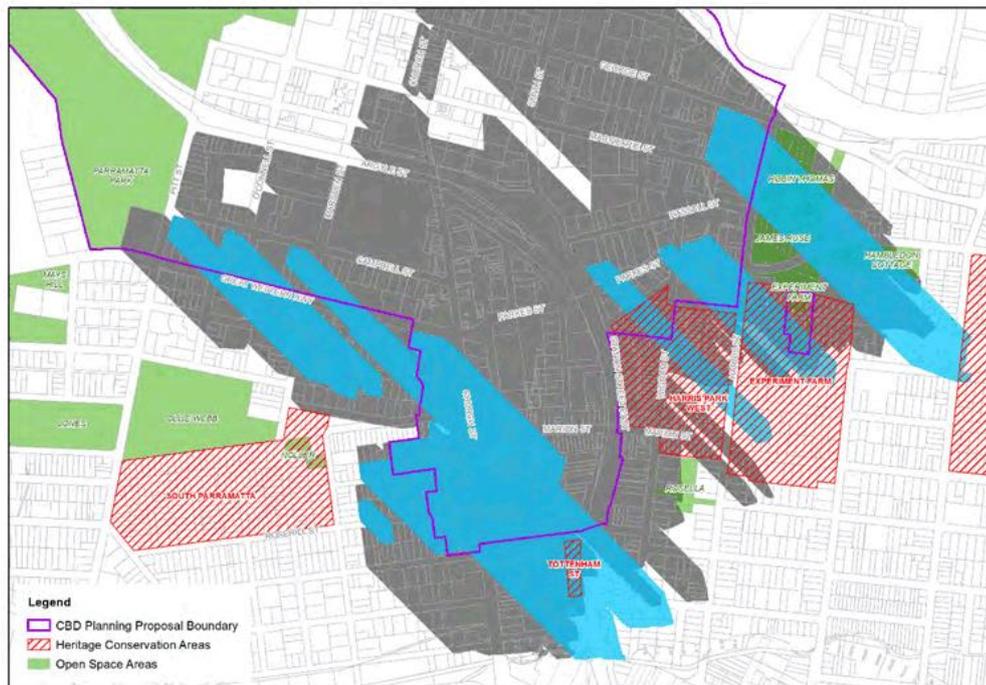


Figure 17 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 3pm

Appendix 2: Overshadowing comparison – extent of additional overshadowing

This appendix shows the extent of *additional* overshadowing cast by the increased heights sought by the submissions tested, as shown in Figure 3. The grey area is the modelled overshadowing extent from the technical paper and the blue areas are the additional shadow extent cast by the heights requested in the submissions.

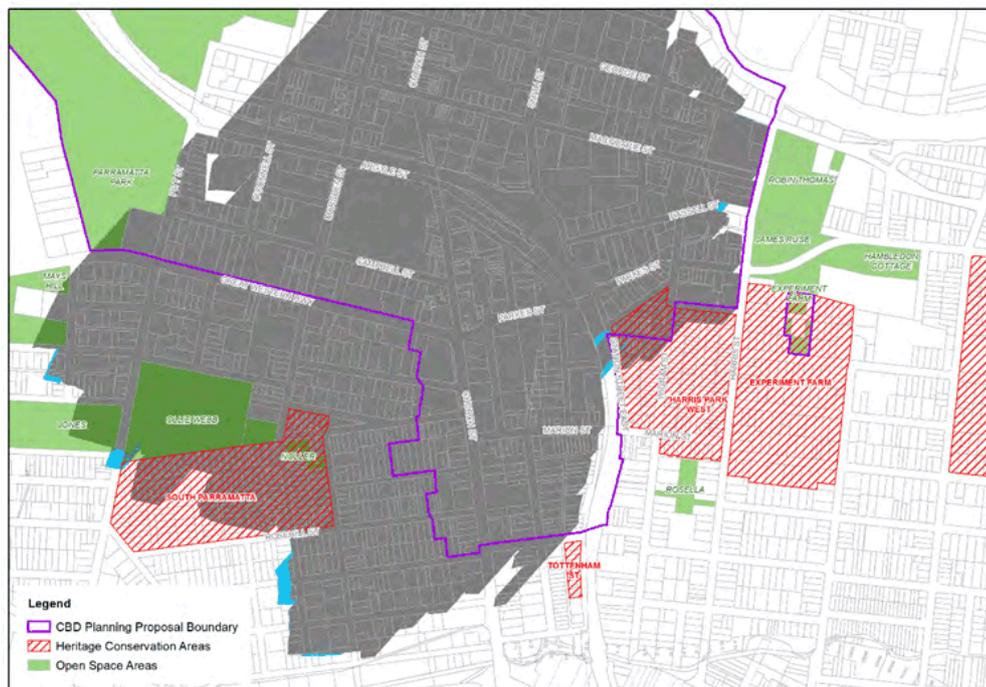


Figure 18 – Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 9am

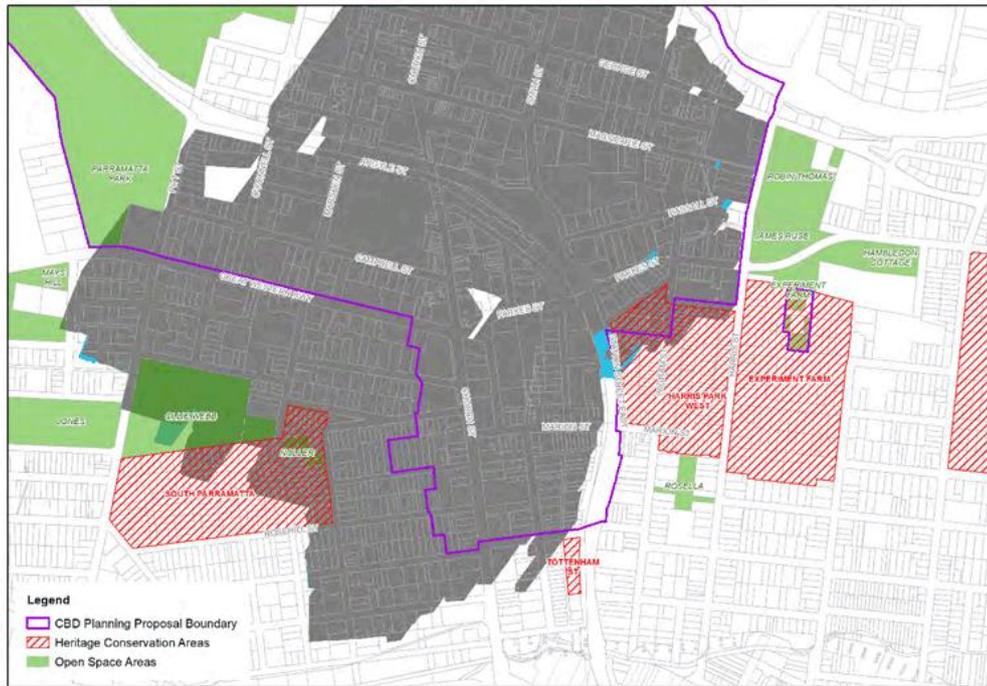


Figure 19 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 9:30am

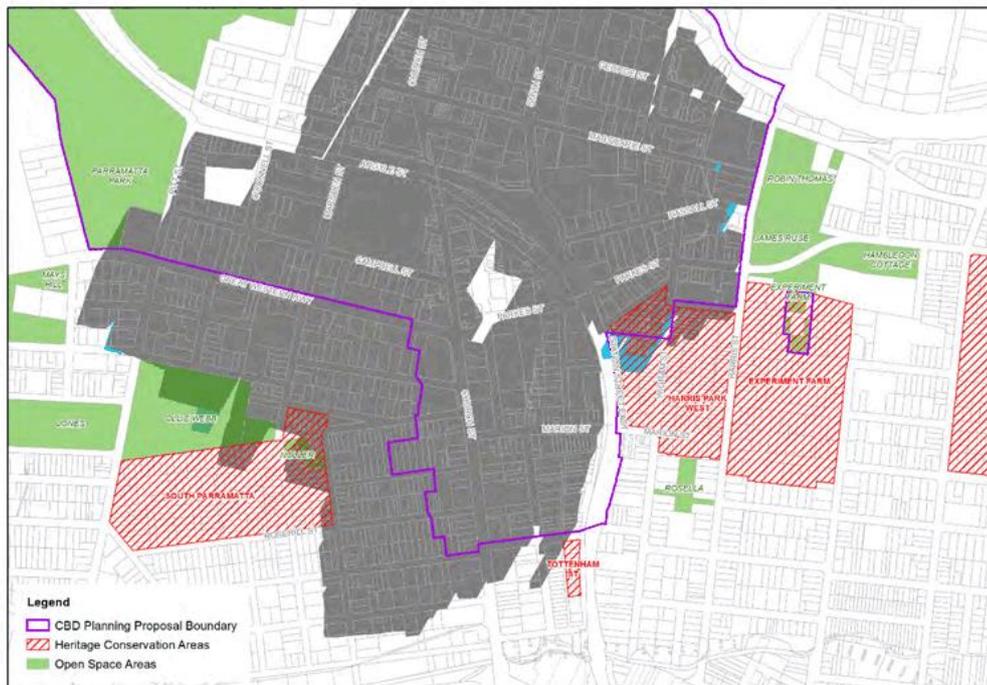


Figure 20 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 10am

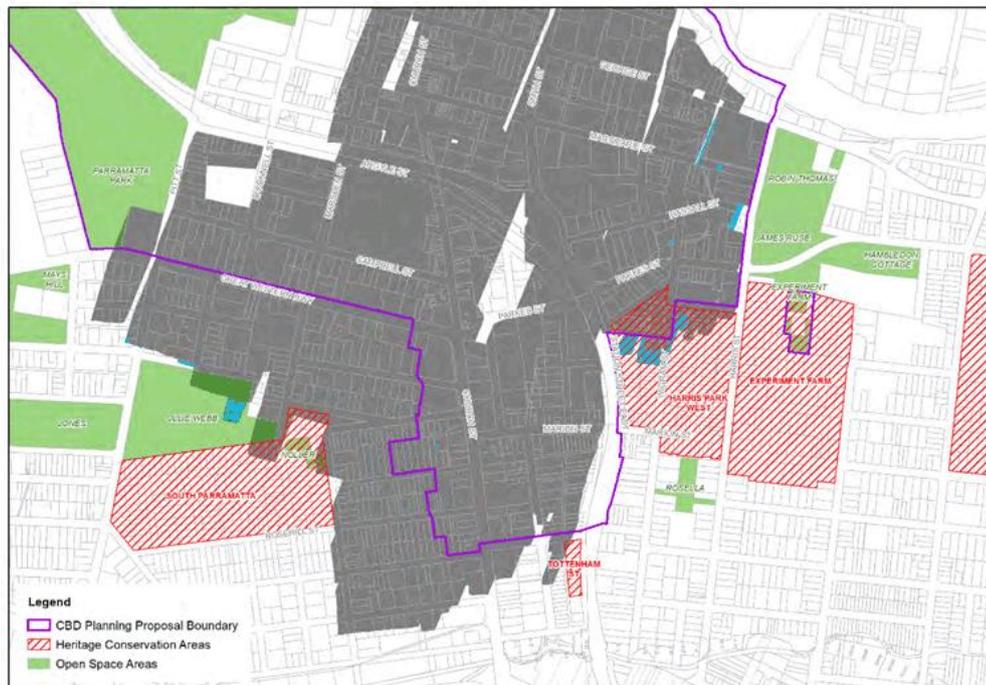


Figure 21 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 10:30am



Figure 22 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 11am



Figure 23 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 11:30am

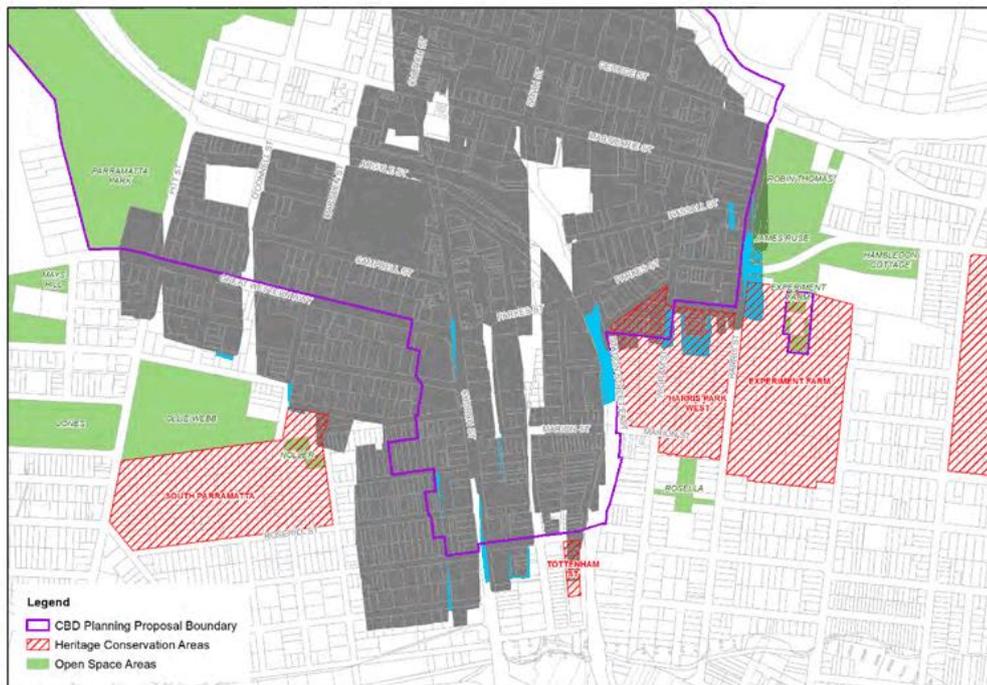


Figure 24 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 12 noon



Figure 25 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 12:30pm



Figure 26 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 1pm



Figure 27 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 1:30pm

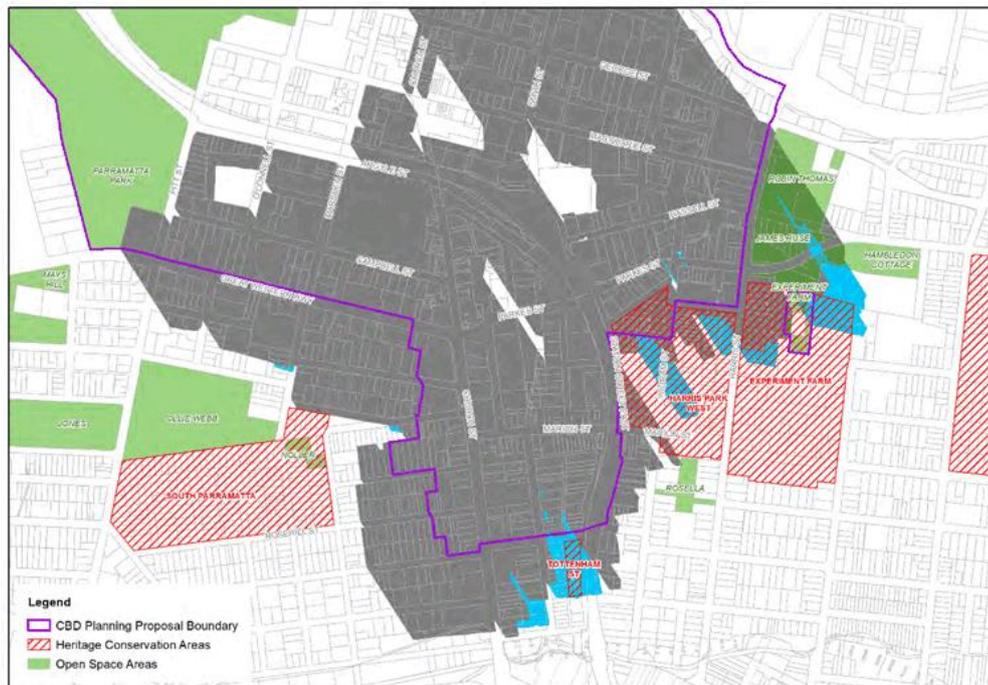


Figure 28 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 2pm

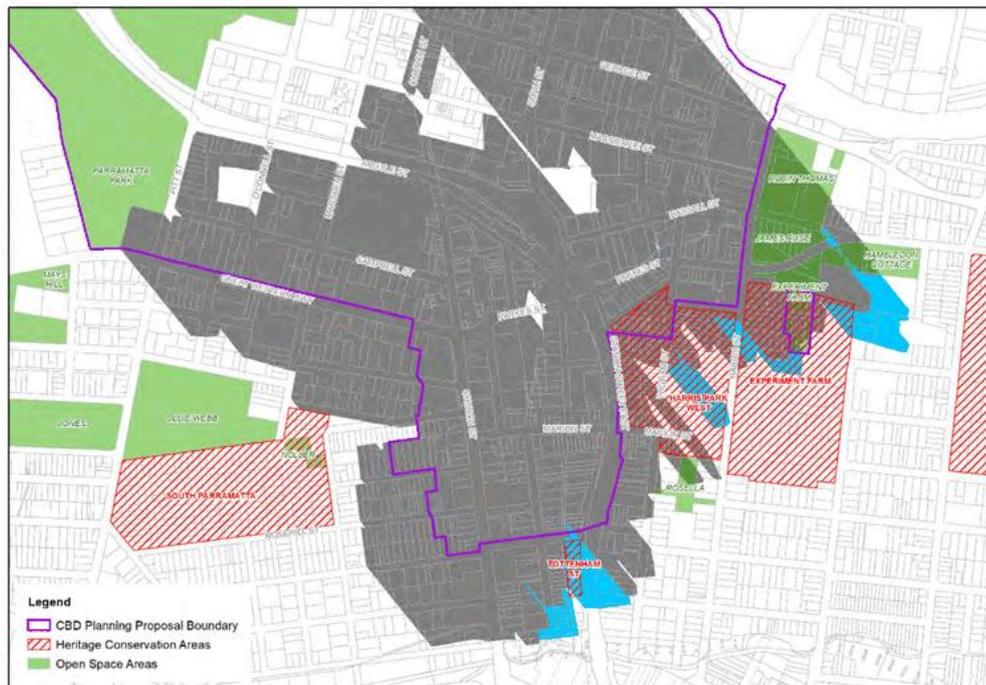


Figure 29 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 2:30pm

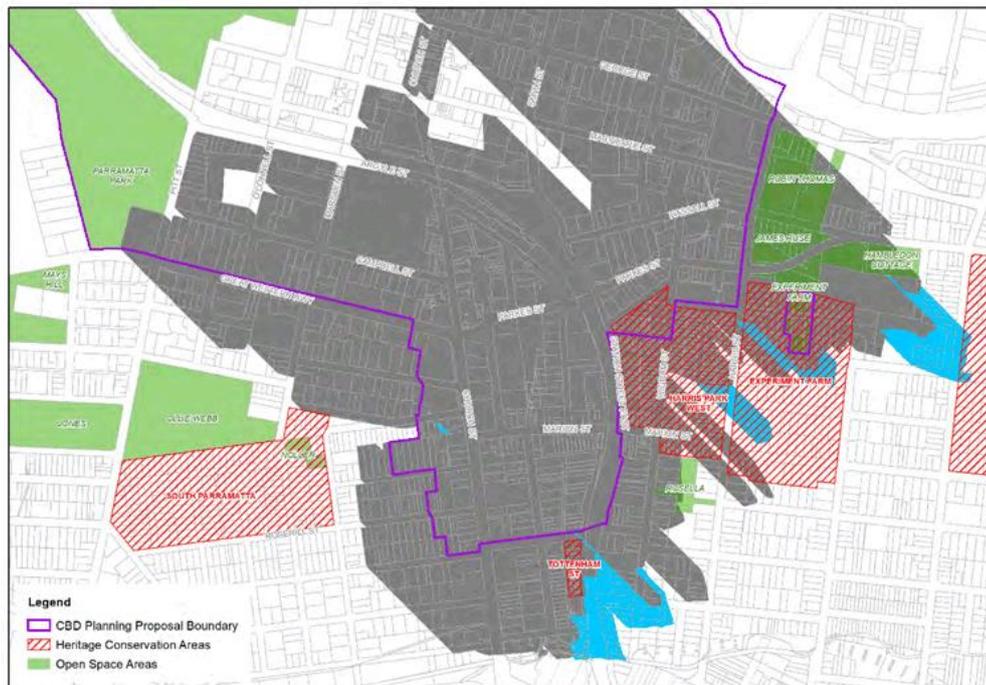


Figure 30 - Overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requested by submitters – 21 June – 3pm

Appendix 3: Parcel-based Assessment of Overshadowing of Heritage Conservation Areas

This appendix shows the shadow analysis for the four Heritage Conservation Areas to the south of Parramatta CBD and the impacts of additional overshadowing requested by submissions to the exhibited planning proposal. The grey area is the modelled overshadowing extent from the technical paper and the blue areas are the additional shadow extent cast by the heights requested in the submissions. Land parcels coloured green are not overshadowed for the tested period, while land parcels coloured red are overshadowed for the tested period.

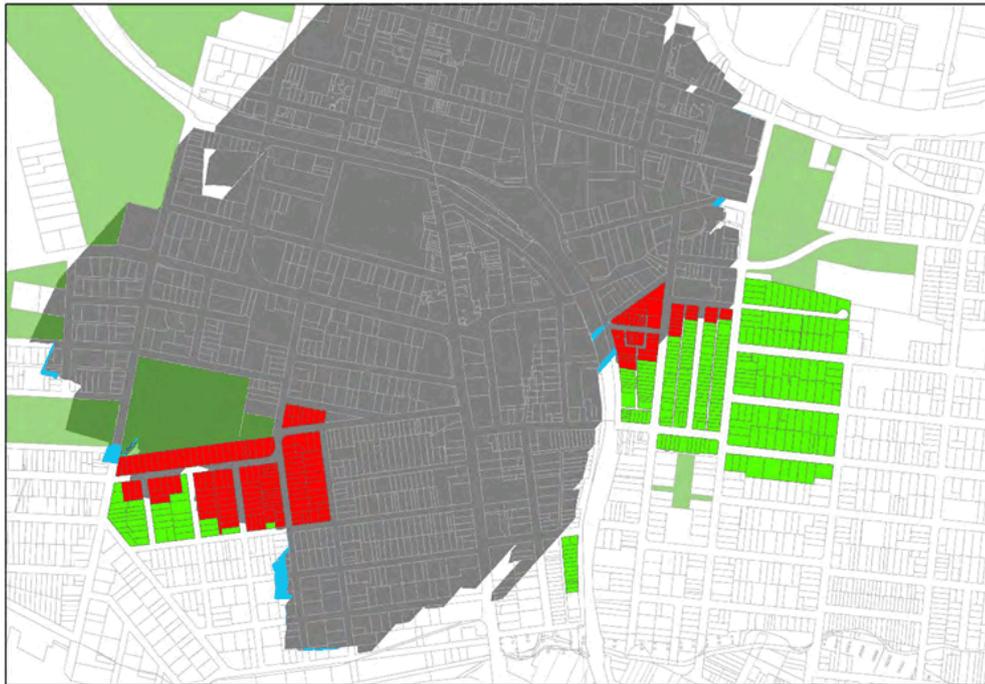


Figure 31 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 9am



Figure 32 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 9:30am

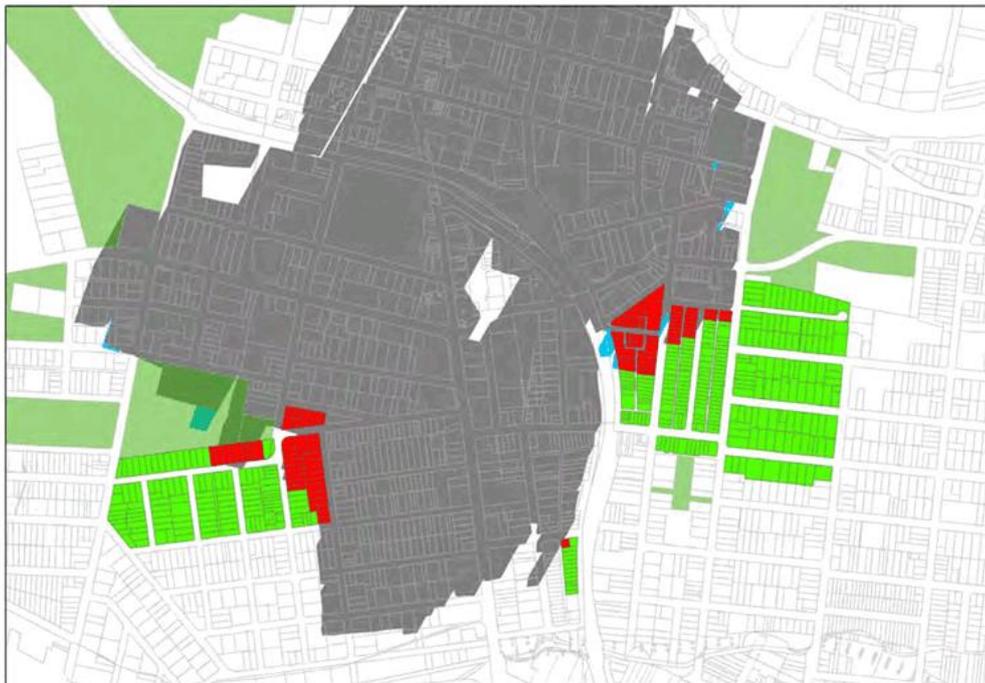


Figure 33 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 10am



Figure 34 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 10:30am



Figure 35 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 11am



Figure 36 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 11:30am



Figure 37 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 12 noon



Figure 38 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 12:30pm



Figure 39 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 1pm



Figure 40 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 1:30pm



Figure 41 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 2pm



Figure 42 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 2:30pm



Figure 43 - Impact to land parcels within Heritage Conservation Areas from overshadowing cast by revised Incentive Height of Buildings controls (iteration 7) and the additional height requests by submitters – 21 June – 3pm

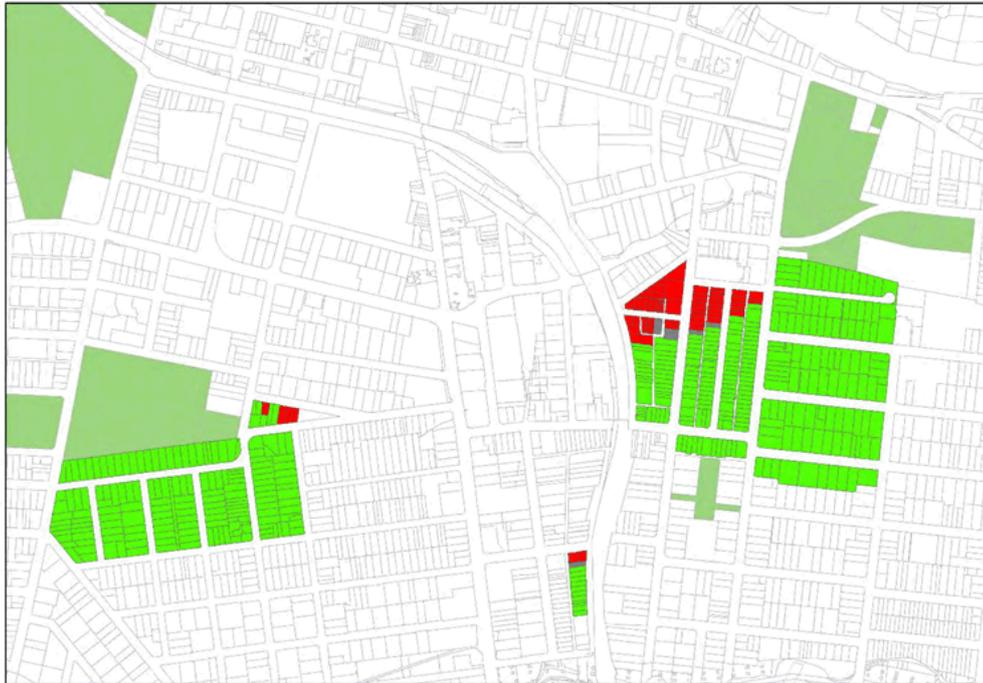
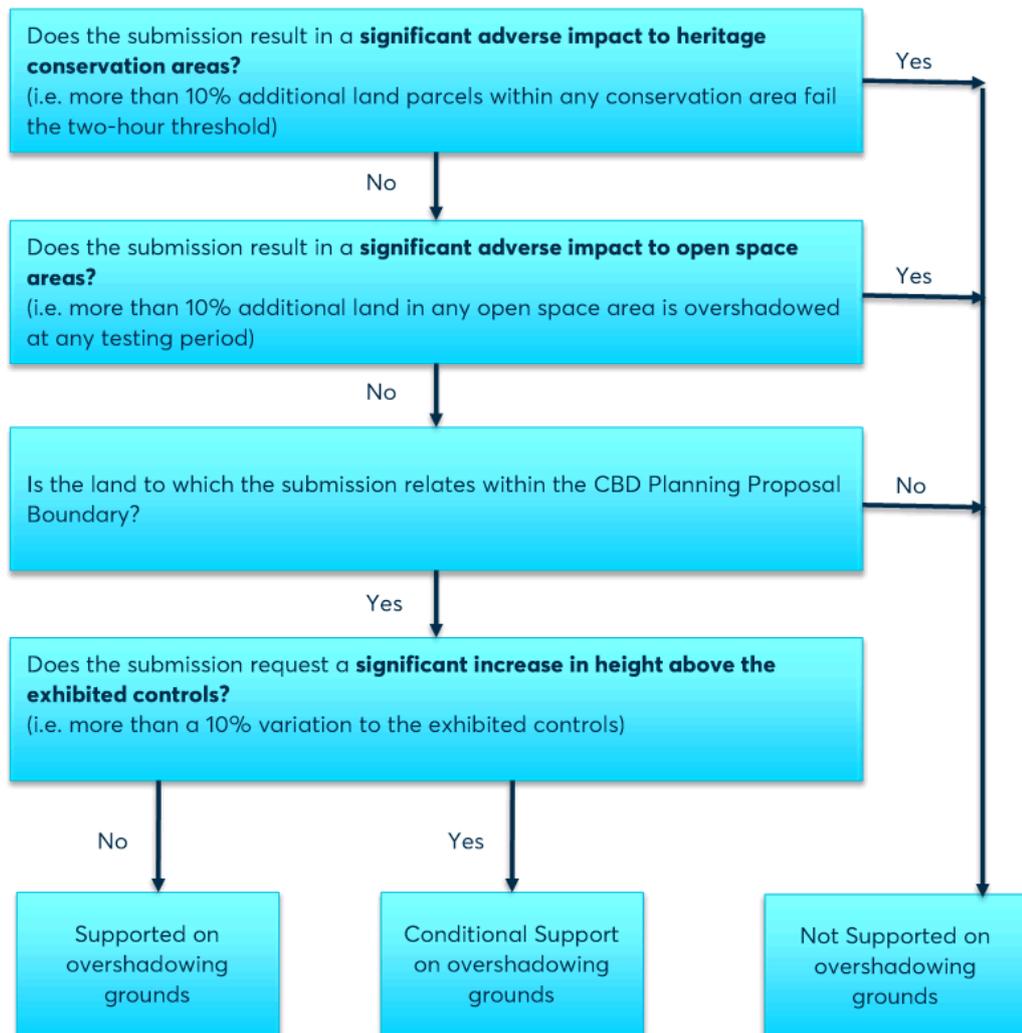


Figure 44 – Summary of overshadowing to land parcels within the Heritage Conservation Areas achieving or not achieving two hours of sunlight access on 21 June between 9am and 3pm.

Figure 44, above, shows the location of land parcels within the Heritage Conservation areas that are able to achieve two hours or more of sunlight access between 9am and 3pm on 21 June (coloured green); land parcels that could not achieve two hours of sunlight access (coloured red); and *additional* land parcels that could not achieve two hours of sunlight access as a result of heights requested by submitters (coloured grey).

Appendix 4: Process flowchart for impact assessment

This appendix sets out the process flowchart used to consider submissions in terms of additional overshadowing impacts to the nominated heritage conservation areas and open space areas originally tested in the Technical Paper as exhibited.





IRF21/1457

Mr Brett Newman
Chief Executive Officer
City of Parramatta Council
PO Box 32
PARRAMATTA NSW 2154

Dear Mr Newman

Planning proposal PP_2017_COPAR_002_01 – Alteration of Gateway Determination

I refer to your request seeking an extension of time to complete planning proposal PP_2017_COPAR_002_01.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 13 December 2018 for PP_2017_COPAR_002_01 (since altered). The Alteration of Gateway determination is enclosed.

While the timeframe to make the LEP has been extended until 30 September 2021, the amended condition requires the planning proposal to be submitted to the Department for finalisation by 1 July 2021, which is consistent with the updated program provided by Council.

If you have any questions in relation to this matter, I have arranged for Ms Jazmin van Veen to assist you. Ms van Veen can be contacted on 9373 2877.

Yours sincerely

A handwritten signature in blue ink that reads 'C Gough'.

21 April 2021

Christine Gough
Director, Central (GPOP)
Central River City and Western Parkland City

Encl: Alteration of Gateway Determination



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2017_COPAR_002_02)

I, Director, Central (GPOP), at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 13 December 2018 (since altered) for the proposed amendment to the Parramatta Local Environmental Plan 2011 as follows:

1. Delete:

“condition 6”

and replace with:

a new condition 6: “The time frame for completing the LEP is by 30 September 2021. Council is required to submit the planning proposal to the Department for finalisation by 1 July 2021.”

Dated 21st day of April 2021.

A handwritten signature in blue ink that reads 'C Gough'.

Christine Gough
Director, Central (GPOP)
Central River City and Western
Parkland City
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces

PP_2017_COPAR_002_02 (IRF21/1457)

CBD Planning Proposal – Appendix 4

APPENDIX 4 - POST EXHIBITION CHANGES TO THE PARRAMATTA CBD PLANNING PROPOSAL, DRAFT LEP INSTRUMENT AND DRAFT MAPS

Tables 1 to 3c below explain the **minor policy and technical changes** to the planning proposal, draft LEP instrument and draft maps as a result of the exhibition period, including responses from State Agencies. These changes are as the result of minor drafting errors; Council officer updates, State government policy changes; and submissions received during the exhibition period.

Table 4 lists the consequential changes to the planning proposal arising from site specific planning proposals which have come into effect since the commencement of the exhibition period and which need to be reflected accordingly in the CBD PP documentation.

Table 1 – Changes from minor drafting and technical changes

Relevant clause or map	Summary of consequential changes required
Clause 7.6A High performing buildings	<p>Planning Proposal:</p> <p>Brief discussion in 'Introduction' – Sustainability and Infrastructure, and High Performing Buildings and inserted new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping.</p> <p>Instrument changes (Appendix 2A):</p> <p>Amend the High Performing Buildings clause through including brief explanatory notes and title references to assist with implementation.</p>
Miscellaneous Amendments clause	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping.</p> <p>Instrument changes (Appendix 2A):</p> <p>Amend the 'Miscellaneous Amendments' section of the CBD PP instrument by removing all clauses referenced under this heading except for the reference to subclause 7.15(4).</p>
Clause 7.4 Sun Access protection	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping.</p> <p>Brief discussion in 'Introduction' – Solar Access, Explanation of provisions, and inserted new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping.</p> <p>Instrument changes (Appendix 2A):</p> <p>Amend the Sun access protection clause as follows:</p> <ul style="list-style-type: none"> Amend the clause to omit "Areas A or B" and replace with "Blocks A or B" wherever they occur in the clause. Amend subclause (3A) to describe the "compensatory area" as being the area identified on the Sun Access Protection Map with distinctive (orange) hatching. In relation to the compensatory area, delete the words describing its location given the location has now been shown on the SAP map. <p>Map changes (Appendix 2B):</p> <p>Amend the Sun Access Protection Map as follow:</p> <ul style="list-style-type: none"> Remove "Area A" and "Area B" from the map and replace with "Block A" and "Block B" respectively. show the "compensatory area" within the Paramatta Square public domain area with orange hatching.

CBD Planning Proposal – Appendix 4

Relevant clause or map	Summary of consequential changes required
Clause 7.6G Arrangements for contributions to designated State public infrastructure	<p>Planning Proposal:</p> <p>Inserted new 'Transport for NSW' section under 3.4.2 which details the Condition 4 State Agency and Service Provider submission comments.</p> <p>Instrument change (Appendix 2A):</p> <p>Amend subclause (5)(e) in 7.6G Arrangements for contributions to State public infrastructure to include 'heavy or metro' before 'rail infrastructure'.</p>
Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas	<p>Planning Proposal:</p> <p>Brief discussion in Part 2 – Explanation of Provisions, Section 2.17 and inserted new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping. This change is to reflect a housekeeping amendment to PLEP 2011 and therefore reflects a change that already exists. It is noted that there is no change to the maximum number of car parking spaces rate.</p> <p>Instrument changes (Appendix 2A):</p> <p>Amend table supporting subclause (7) to include a new parking rate for 'Residential Flat Buildings' (as per existing controls).</p>
Clause 7.10 Design Excellence – Parramatta City Centre	<p>Planning Proposal:</p> <p>Update the Planning Proposal throughout to amend the title of clause 7.10 'Design Excellence' to say instead 7.10 'Design Excellence – Parramatta City Centre'.</p> <p>Instrument changes (Appendix 2A):</p> <p>Amend the title of clause 7.10 'Design Excellence' to say instead 7.10 'Design Excellence – Parramatta City Centre'.</p>
Clause 7.6J Opportunity Sites	<p>Planning Proposal:</p> <p>Brief discussion in new sub-section 'Minor drafting errors and technical changes' in Part 4 – Mapping.</p> <p>Instrument changes (Appendix 2A):</p> <p>Amend subclause 7.6J(7) by correcting the reference of "(7)" to (8)".</p>
Clause 7.6H Community Infrastructure and Incentive Height of Buildings Map	<p>Instrument changes (Appendix 2A) and Map changes (Appendix 2B):</p> <p>Amend subclause 7.6H(7) to change the reference to 'Area 2' from 'Area 1' on the Incentive Height of Building Map. Change map accordingly.</p>

Table 2 – Changes arising from **State government policy** introduced by the NSW Government which impacts on the CBD Planning Proposal

Relevant clause and policy issue	Summary of consequential changes required
Clause 7.6H Community Infrastructure	<p>Planning Proposal:</p> <p>Brief discussion in 'Introduction' – Provision of Community Infrastructure under 'Site specific planning proposals'. Other consequential changes to the planning proposal have also been made throughout the document.</p> <p>Instrument changes (Appendix 2A):</p> <ul style="list-style-type: none"> • Amend subclause 7.6H(1)(a) to reference key <i>community infrastructure principles</i>. • Amend subclause 7.6H(3) to include the following key <i>community infrastructure principles</i>: <ul style="list-style-type: none"> a) Public access to the community infrastructure network has been maximised in the design of the development.

CBD Planning Proposal – Appendix 4

Relevant clause and policy issue	Summary of consequential changes required
	<p>b) There is appropriate community infrastructure in place or planned to meet the needs of the proposed development acknowledging the additional density permissible under this clause.</p> <p>c) The development includes community infrastructure where the size of the site, the location of the site, and the nature of the development will allow for the provision of that community infrastructure.</p> <ul style="list-style-type: none"> • Amend subclause 7.6H(5)(d) to reference the key <i>community infrastructure principles</i>. • On account of the above changes, the consequential amendments are necessary, as follows: <ul style="list-style-type: none"> ○ With regards to clause 7.2 Floor space ratio, amend subclause 7.2(2A)(d); ○ With regards to clause 7.6C Commercial Premises in the B4 Mixed Use zone, amend subclauses 7.6C(3) and (4)(b); ○ With regards to clause 7.6I Community Infrastructure – Site Specific Requirements, amend subclauses (1) and (3). ○ With regards to clause 7.6J Opportunity Sites, delete subclauses (1)(c) and (5)(b) and amend subclauses 4(e), (5)(a)(i) and (8)(c)(v). ○ With regards to clause 7.10 Design Excellence – Parramatta City Centre, amend subclauses (8)(a) and (b).

Table 3a – Changes resulting from **submissions** received during the exhibition period from Consultants and Major Landowners

Detailed justification for the amendments is provided in Appendix D to the Community Engagement Report relying on the submission numbers provided below.

Affected site and submission No.	Summary of consequential changes required
<p>Roxy Theatre, 69 George Street, Parramatta (Submission No. 161)</p> <p>Note: For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p>Planning Proposal: Inserted new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> • Amend the Height of Building Heights Map to remove the exhibited draft 18m height and replace with the Sun Access Protection control (Clause 7.4) to the land. • Amend the Incentive Height of Buildings Map to apply the Sun Access Protection control (Clause 7.4) to the land.
<p>Mirvac site at 75 George Street, Parramatta (Submission No. 167)</p> <p>Note: For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p>Planning Proposal: Inserted new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Map changes (Appendix 2B): Amend the Land Reservation Acquisition Map by reducing the width of the 'Local Road Widening (B3)' from 7 metres to 4 metres.</p>
<p>Westfield landholdings (Submission No. 182 and 299)</p>	<p>Planning Proposal: Brief discussion in 'Introduction' – Employment and Dwelling Projections and Section 3.2.4 Consistency with Ministerial Directions, and inserted new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation as well as relevant sections that refer to the jobs and dwelling yields referenced throughout the document.</p>

CBD Planning Proposal – Appendix 4

Affected site and submission No.	Summary of consequential changes required
<p>Note: For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> • Amend the Land Zoning Map to apply the B4 Mixed Use zone to the land. • Amend the Height of Buildings Map to show existing heights of part 36m / part "Area 2" (Sun access protection surface)*. • Amend the Incentive Height of Buildings Map to remove all proposed controls for this land*. • Amend the Floor Space Ratio Map to show the existing FSR of part 4.2:1 / part 6:1*. <p>*Note: These consequential map changes only apply to that part of the Westfields land that was proposed to be rezoned to B3 under the CBD PP.</p>
<p>60 Phillip Street, Parramatta** (Submission No. 198)</p> <p>Note: For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation as well as relevant sections that refer to the jobs and dwelling yields referenced throughout the document.</p> <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> • Remove the 211m(RL) control from the Incentive Height of Buildings Map; and show no building height (i.e. as uncoloured). • Remove the 10:1 FSR control from the Incentive Floor Space Ratio Map; and show no incentive floor space ratio (i.e. as uncoloured). • Remove the Minimum Commercial Provision notation from the Additional Local Provisions Map. • Remove the Opportunity Site notation from the Opportunity Sites Map.
<p>**Phillip Street block comprising sites fronting the northern side of Phillip Street between Smith Street and Charles Street</p>	<p><i>The above amendments (for 60 Phillip Street) will be applied to this whole block until further urban design work – entitled the "Phillip Street Block Study" can be completed and reported to Council.</i></p> <p><i>Refer to the above amendments.</i></p>
<p>Walker Corporation landholdings (Submission No. 281)</p> <p>Note: For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p>Planning Proposal:</p> <p>Brief discussion in 'Introduction' – Employment and Dwelling Projections and Section 3.2.4 Consistency with Ministerial Directions, and inserted new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Instrument changes (Appendix 2A):</p> <ul style="list-style-type: none"> • Amend subclause 7.6C(3) in 7.6C Commercial premises in Zone B4 Mixed use to replace "wholly of commercial premises" to "wholly of non-residential development". • Amend subclause 7.10(8)(b) in 7.10 Design Excellence – Parramatta City Centre to replace "wholly of commercial premises" to "wholly of non-residential development".
<p>14-20 Parkes Street, Harris Park (Submission No. 284)</p> <p>Note: For details of this submission review, refer to Appendix D to the Community Engagement Report.</p>	<p>Planning Proposal:</p> <p>Brief discussion in 'Introduction' – Solar Access and inserted new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Map changes (Appendix 2B):</p> <p>Amend the Incentive Height of Buildings Map to increase the mapped height from 122m to 134m.</p>

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Table 3b – Changes resulting from **submissions** received during the exhibition period from State Agencies and Services Providers via Condition 4 of the Gateway determination

Detailed justification for the amendments is provided in Appendix E to the Community Engagement Report relying on the submission numbers provided below.

Agency & relevant clause or Map proposed to be amended	Summary of consequential changes required
NSW Environment Protection Agency (EPA) (Submission No. P-4) Note: For details of this submission review, refer to Appendix E to the Community Engagement Report.	Planning Proposal: Inserted new sub-section in Section D - State and Commonwealth Interest with a subsection devoted to the EPA's main submission points, including a subsequent amendment elsewhere in the planning proposal referencing the <i>NSW Government's 20 Year Waste Strategy</i> .

Table 3c – Changes resulting from **submissions** received during the exhibition period from Institutions and Organisations.

Detailed justification for the amendments is provided in Appendix C to the Community Engagement Report relying on the submission numbers provided below.

Agency & relevant clause or Map proposed to be amended	Summary of consequential changes required
Property Council of Australia (Submission No. 288) Note: For details of this submission review, refer to Appendix E to the Community Engagement Report.	Planning Proposal: Updated Part 2 Section 2.2 to clarify that the development standards cannot always be achieved.

Table 4 – Consequential changes from **site-specific planning proposals** which were notified (i.e. finalised) after the commencement of the exhibition period and must be reflected in the Draft LEP and Maps and explained in the planning proposal for finalisation purposes*

Affected site & Amendment No.	Summary of consequential changes required
87 Church Street and 6 Great Western Highway Parramatta (Amendment 30) Notification date – 4 September 2020	Planning Proposal: Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation. Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A): <ul style="list-style-type: none"> Amend subclause 7.6(2) in Airspace Operations. Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. Insert new clause 7.19 Development on land at 87 Church Street and 6 Great Western Highway, Parramatta Map changes (Appendix 2B): <ul style="list-style-type: none"> Amend the Height of Buildings Map to indicate 180m on the land Amend the Floor Space Ratio Map to indicate a 10:1 Floor Space Ratio Amend the Special Provisions Area Map to indicate "Area 10" Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
189 Macquarie Street, Parramatta (Amendment 51)	Planning Proposal:

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Affected site & Amendment No.	Summary of consequential changes required
Notification date – 4 September 2020	<p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> • Amend clause 7.9 Development on land at 189 Macquarie Street, Parramatta specifically subclauses 7.9(2)(d), 7.9(2)(e) and 7.9(2)(f). • Amend subclauses 7.9(2) by adding afterwards new subclauses (2A)–(2C) in Development on land at 189 Macquarie Street, Parramatta. • Amend subclause 7.9(3) in Development on land at 189 Macquarie Street, Parramatta <p>Map changes (Appendix 1B):</p> <p>No map changes required.</p>
55 Aird Street, Parramatta (Amendment 55) Notification date – 2 October 2020	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> • Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Insert new clause 7.20 Development on land at 55 Aird Street, Parramatta. <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> • Amend Height of Buildings Map to show a height of 80m and remove the Incentive Height of Building control • Amend Floor Space Ratio Map to show a FSR of 10:1 and remove the Incentive Floor Space Ratio control • Amend the Special Provisions Area Map to indicate "Area 14" • Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
142-154 Macquarie Street, Parramatta (Amendment 48) Notification date – 27 November 2020	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> • Amend subclause 7.6(2) in Airspace Operations. • Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Insert new clause 7.21 Development on land at 142–154 Macquarie Street, Parramatta <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> • Amend Height of Buildings Map to show heights of 0m, 76m, 84m, 97m, and 156m • Amend Floor Space Ratio Map to show a FSR of 7:1 • Amend the Special Provisions Area Map to indicate "Area 12" • Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.

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Affected site & Amendment No.	Summary of consequential changes required
87 Church Street and 6 Great Western Highway Parramatta (Amendment 58) Notification date – 11 December 2020	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> Amend subclause 7.19(1) Development on land at 87 Church Street and 6 Great Western Highway, Parramatta <p>Map changes (Appendix 1B):</p> <ul style="list-style-type: none"> No Map change required
470 Church Street, Parramatta (Amendment 47) Notification date – 19 February 2021	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> Amend subclause 7.2(3) in Floor space ratio Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> Amend Height of Buildings Map to show a height of 80m Amend Floor Space Ratio Map to show a FSR of 6:1 Amend Special Provisions Areas Map to indicate "Area 11" Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
33-43 Marion Street, Parramatta (Amendment 57) Notification date – 26 February 2021	<p>Planning Proposal:</p> <p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> Insert new clause 7.22 Development on land at 33–43 Marion Street, Parramatta Insert new clause 7.23 Car parking on land at 33–43 Marion Street, Parramatta Delete heritage item I731 from Part 1 from Schedule 5 Environmental heritage <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> Amend Height of Buildings Map to show a height of 80m Amend Floor Space Ratio Map to show a FSR of 6:1 Amend Heritage Map to delete local heritage item I731 over No. 37 Marion Street Amend the Special Provisions Area Map to indicate "Area 15" Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land.
5 Aird Street, 12 Hassall Street & 20 Macquarie Street, Parramatta	<p>Planning Proposal:</p>

CBD Planning Proposal – Appendix 4

Affected site & Amendment No.	Summary of consequential changes required
(Amendment 54) Notification date – 1 April 2021	<p>Inserted new sub-section 'Site specific planning proposals' in Part 4 – Mapping and new sub-section 'Changes to the CBD Planning Proposal documentation' in Part 5 – Community Consultation.</p> <p>Update of the exhibited extract of Parramatta Local Environment Plan 2011 instrument: (Appendix 1A):</p> <ul style="list-style-type: none"> • Amend subclause 7.6(2) in Airspace Operations. • Amend subclause 7.14(1) in Car Parking for certain land in Parramatta City Centre. • Insert new subclause 7.24(5) in Car Parking for certain land in Parramatta City Centre • Insert new clause 7.24 Development on land at 5 Aird Street and 12 Hassall Street, Parramatta • Insert new clause 7.25 Development on land at 20 Macquarie Street, Parramatta <p>Map changes (Appendix 2B):</p> <ul style="list-style-type: none"> • Amend Height of Buildings Map to show: <ul style="list-style-type: none"> ○ A Height of 217m at 5 Aird Street; ○ A Height of 192m at 12 Hassall Street; and ○ A Height of 90m at 20 Macquarie Street • Amend Floor Space Ratio Map to show: <ul style="list-style-type: none"> ○ A FSR of 14.5:1 at 5 Aird Street and 12 Hassall Street; and ○ A FSR of 10:1 at 20 Macquarie Street • Amend the Special Provisions Area Map to indicate: <ul style="list-style-type: none"> ○ "Area 16" at 5 Aird Street; ○ "Area 17" at 12 Hassall Street; and ○ "Area 18" at 20 Macquarie Street • Amend the Incentive Height of Buildings and Incentive Floor Space Ratio Maps to remove controls applying to this land. • Amend the Additional Local Provisions Map to remove the Minimum Commercial Provision (MCP) requirement from 5 Aird Street and 12 Hassall Street. • Amend the Opportunity Sites Map to remove the sites at 5 Aird Street and 12 Hassall Street.

Note: Other SSPPs affecting CBD sites that are in train are likely to come into effect in the time between the CBD PP being finalised for reporting to Council and before its notification. To ensure any SSPP caught in this scenario is dealt with, the CEO is proposed to be given delegated authority to enable to work with DPIE and Parliamentary Counsel so as to incorporate these amendments. This will ensure that no SSPP is undone when the CBD PP is notified.



Community Engagement Report

Parramatta CBD Planning Proposal
April 2021



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Document control:

No.	Author	Version
1.	City of Parramatta Council	11 May 2021 – Seeking LPP endorsement for forwarding to Council to endorse for finalisation 24 May 2021 – Seeking Council endorsement at for forwarding to DPIE for finalisation

1. Introduction

1.1. Background

This Community Engagement Report forms an attachment to both a Local Planning Panel and Council report, each of which report on the feedback from the exhibition of the Parramatta CBD Planning Proposal.

1.2. Communication Plan

A Communication Plan was prepared as an internal tool to determine the appropriate type of engagement tools to ensure statutory compliance with the *Environmental Planning and Assessment Act 1979* as well as the *Environmental Planning and Assessment Regulation 2000*. Accordingly, The Communication Plan detailed an appropriate engagement strategy responding to the evolving COVID-19 pandemic. The Communication Plan was signed off internally by the Executive Director on 21 August 2020.

The Communication Plan was also prepared to ensure consistency with the consultation requirements in Council's Community Engagement Strategy (September 2019) - available at: https://www.cityofparramatta.nsw.gov.au/sites/council/files/2019-12/final_community_engagement_strategy_0.pdf. This Strategy ensures Council has established protocols for exhibiting its range of policies, plans and strategies to satisfy section 2.2.3 of the *Environmental Planning and Assessment Act 1979*.

The Communication Plan proposed a range of engagement mechanisms to ensure compliance with the above legislation and Strategy. Furthermore, Council's City Planning Team worked closely with Council's City Engagement Team to deliver the consultation mechanisms in the Plan. These mechanisms are discussed in the following section.

2. Community Engagement

2.1. Who is the community?

The term 'community' includes (but is not limited to) residents, landowners, businesses, workers, visitors, interest groups, non-government organisations, non-for-profit organisations, the development industry and planning proposal applicants, other industry sectors and stakeholders, including peak industry groups and State public authorities.

2.2. Engagement principles

Council's Community Engagement Strategy includes eight key principles to guide engagement: building relationships, right to be involved, clarity of purpose, accessible and inclusive, timely and coordinated, tailored, transparent, and learning from practice. These key principles have been based on the Community Participation principles outlined in the *Environmental Planning and Assessment Act 1979*. These principles were used to inform the processes and engagement mechanisms undertaken during the exhibition period.

2.3. Engagement timeframe

The exhibition period commenced on Monday, 21 September 2020 and finished on Monday, 2 November 2020 running for a six (6) week period.

2.4. Engagement mechanisms

As noted, an internal Communication Plan outlined a number of mechanisms to promote the public exhibition and provide the opportunity for feedback on the Parramatta CBD Planning Proposal (CBD PP). In light of COVID-19, the engagement tools recommended addressing social distancing requirements and any relevant statutory requirement.

The engagement tools implemented are listed below with a short description of each:

1. Notification letters:

Formal notification letters were sent out:

- a. To landowners and occupiers located both inside and adjacent to CBD PP area; and
- b. To public authorities and service providers to satisfy Condition 4 of the Gateway determination.

This resulted in a total of 32,300 letters being distributed via post or email.

2. Notification emails

In accordance with Condition 3 and 4 of the Gateway Determination issued December 2018, a suite of customised notification emails was prepared. In addition to consulting with the required authorities listed under Condition 4, the series of notification emails relied on an internal stakeholder list prepared to identify relevant contacts to be advised of the public exhibition. The internal stakeholder list was formulated from previous submissions and enquires regarding the CBD PP and/or relevant projects. A series of emails were delivered to relevant stakeholders as detailed below:

- Public Authorities and Service Providers in accordance with Condition 4 of the Gateway Determination; and other Public Authorities and Agencies as deemed relevant.
- Industry Developers identified in the stakeholder list; applicants of Site-Specific Planning Proposals (SSPP); and other industry consultants as deemed relevant.
- Individual community members and local community groups identified in the stakeholder list; and individuals that had previously sent pre-exhibition submissions prior to the formal commencement of the exhibition period.

3. Frequently Asked Questions (FAQs)

Frequently Asked Questions were provided on Council's Participate Parramatta webpage, providing answers to commonly asked questions relating to the 'who, what, where' of the Parramatta CBD Planning Proposal. Providing Frequently Asked Questions was important due to the complexity of the Planning Proposal, new planning initiatives being proposed, and volume and size of exhibition material.

4. Community Summary Sheet

A Community Summary Sheet was developed to assist community members and stakeholders to easily understand the Planning Proposal. In addition to an English version (downloaded 337 times), the Community Summary Sheet was also translated into the four main language groups in the Parramatta LGA (Arabic – downloaded 24 times, Hindi – downloaded 30 times, Korean – downloaded 23 times, and Chinese – downloaded 47 times).

5. Media Release

A media release was prepared by Council's Media Team and was issued on Monday 21 September 2020 to local media outlets. The media release was viewed 600 times on Council's website during the consultation period. A link is provided here:

<https://www.cityofparramatta.nsw.gov.au/about-parramatta/news/media-release/parramatta-cbd-skyline-set-to-soar-under-councils-bold-new-plan>

6. Social Media

The exhibition period for the Parramatta CBD Planning Proposal was promoted across Council's social media channels, including the City of Parramatta Facebook (38,228 followers), Instagram (9,854 followers), Twitter (8,772 followers) and LinkedIn (9,930 followers) accounts, and Participate Parramatta Facebook (6,949 followers) account.

7. ePULSE (e-newsletter)

Information about the exhibition was sent to 56,682 subscribers via the October edition of the City of Parramatta ePULSE magazine on Monday 12 October 2020.

8. Email databases:

a. CBD PP Stakeholder List

Information about the exhibition was sent to stakeholders who had previously registered an interest in the Parramatta CBD Planning Proposal during earlier consultations.

b. Participate Parramatta Online Community Panel email

Information about the exhibition was sent to 9,930 Participate Parramatta Online Community Panel members on Tuesday 22 September 2020 and 9,912 Participate Parramatta Online Community Panel members on Thursday 8 October 2020.

c. Community Connective EDM (Electronic Direct Mail)

Information about the exhibition was sent to 1,684 subscribers of the Community Connective EDM on Tuesday 29 September 2020.

9. Public notices:

Two public notices were published (see evidence in [Appendix A](#)) as follows:

- a. on City of Parramatta corporate 'On exhibition' website.
- b. in *The Sydney Morning Herald* newspaper on Monday 21 September 2020, p. 27.

10. Webpages:

a. Participate Parramatta website:

The CBD Planning Proposal and supporting exhibition material were placed on the Participate Parramatta website for the duration of the exhibition period. This website raised awareness of the Planning Proposal public exhibition, informed the public regarding the purpose of the proposal within broader strategic planning and managing growth objectives, outlined where to view the exhibition material, promoted upcoming community forums and engagement tools/events, and outlined how to provide feedback.

The Parramatta CBD Planning Proposal project page on Participate Parramatta was viewed 12,837 times during the consultation period by 4,224 visitors. In total, there were also 10,154 instances of document downloads on the site over this time. Over this time, 77 contributions were made on the project page by 70 contributors using the online submission option.

A link to the webpage is provided here: <https://participate.cityofparramatta.nsw.gov.au/cbd-planning>

b. **City of Parramatta website:**

The Planning Proposal project page on Participate Parramatta featured on the City of Parramatta Council homepage slider throughout the consultation period. The site attracted 39,891 views over this time, with the associated 'learn more' link clicked 125 times.

The Planning Proposal project page on Participate Parramatta was listed on the City of Parramatta Have Your Say page throughout the consultation period. The page attracted 458 views over this time, with 20 link clicks to the Planning Proposal project page on Participate Parramatta.

A link to the webpage is provided here:

<https://www.cityofparramatta.nsw.gov.au/vision/precinct-planning/parramatta-cbd>

11. **Hard copies of the planning proposal documentation at the Contact Centre and Parramatta CBD library:**

Hard copies of the Parramatta CBD Planning Proposal and supporting information were made available at Council's Customer Contact Centre and Parramatta Library (subject to COVID-19 restrictions) during the exhibition period.

12. **NSW Planning Portal:**

Set up as part of the requirements for the Department of Planning Industry and Environment's (DPIE) e-planning portal, a link is provided here:

<http://leptracking.planning.nsw.gov.au/proposal/details.php?rid=6583>

13. **'Phone a Planner' sessions:**

Phone a Planner sessions were facilitated through an online booking system, calendly.com, offering community members the opportunity to book in a 30-minute out-of-office hours appointment to speak with a Council Planner. Eight community members took up this opportunity.

14. **Recorded presentation:**

To help support and generate interest in the consultation, as well as assist community members in better understanding the CBD PP, Council prepared a short video presentation to outline some of the key aspects of the proposal and the various ways that feedback could be provided.

The video was hosted on the City of Parramatta YouTube channel (1,150 followers) and promoted via social media, email and on Council's engagement platform. The video attracted 1,050 views across the consultation period.

15. **Online Industry Forum**

Council staff presented a live webinar, hosted on Microsoft Teams, on the Parramatta CBD Planning Proposal to relevant industry stakeholders and other peak bodies and interest groups. Hosted by Council's Executive Director, City Planning and City Design, and John Brockhoff, National Policy Manager, Planning Institute of Australia, the Online Industry Forum allowed the discussion of technical content relating to the rationale and application of the controls in a wider forum. Stakeholders were also able to participate in a live Q&A session during the webinar. The Industry Session was held on Thursday 1 October 2020 from 1:00pm to 2:15pm. Nineteen stakeholders participated in the forum.

16. **Online Community Q&A Session**

Hosted on Council's engagement portal, the Online Community Q&A session provided an opportunity for community members to ask questions and receive a response in real time from Council staff. The session was held on Tuesday 13 October 2020 from 6:00pm to 7:30pm. Two community members participated in this opportunity.

17. Submissions:

Submissions on the Parramatta CBD Planning Proposal could be received via letter, email, post, and the online submission portal on the Participate Parramatta webpage. These submissions have been received in accordance with clause 15, Division 3, Schedule 1 of the *EP&A Act 1979* pertaining to Community Participation Requirements.

Submissions received are discussed in Section 4 of this report.

18. Project email address:

A project email address was created for correspondence regarding the Parramatta CBD Planning Proposal: parracbdplanning@cityofparramatta.nsw.gov.au. Notification emails regarding the upcoming exhibition period were sent from the project email address. Encouraging feedback on the Planning Proposal, engagement material including notification letters and the Participate Parramatta website provided a link to the project email address. Submissions received via the online submission portal on the Participate Parramatta webpage were automatically forwarded to the project email address. Furthermore, responding to received submissions and enquiries, personalised acknowledgement emails were sent from the project email address.

Refer to **Appendix A** for examples of some of the communication tools used during the exhibition period.

2.5. Additional engagement mechanisms

Additional consultation mechanisms were undertaken which were not covered in the Communication Plan. These were matters that were later determined to be necessary or were externally organised by other third parties.

Presentations by the Executive Director, City Planning and City Design, to Various Groups**Committee of Sydney**

A presentation was given to a Committee of Sydney workshop held on 14 October 2020. Council's Executive Director, City Planning and City Design presented an overview of the CBD PP including project background, strategic context, benefits, engagement mechanisms, project timeline and next steps.

External Industry Seminar

An external Industry Forum, specifically organised by consultants Ethos Urban, was held on 22 October 2020. Council's Executive Director, City Planning and City Design presented an overview of the CBD PP including project background, strategic context, benefits, engagement mechanisms, project timeline and next steps.

Heritage Committee Presentation/s

A presentation for the City of Parramatta Heritage Advisory Committee was given at their meeting held on 1 October 2020. The purpose of this presentation was to brief the Heritage Advisory Committee on the exhibited version of the CBD PP. The presentation provided an overview of the following: background and strategic context of the Planning Proposal, planning outcomes, heritage outcomes, project timeline and next steps.

Flooding Committee Presentation

A presentation for the City of Parramatta Flood Advisory Committee was given at their meeting held on 17 November 2020. The purpose of this presentation was to brief the Parramatta Flood Advisory Committee on the exhibited version of the CBD PP and the Draft Update of Parramatta Floodplain Risk Management Plans. The presentation provided an overview of the following: background and strategic context of the Planning Proposal, planning outcomes, floodplain controls, project timeline and next steps.

Parramatta Chamber of Commerce

A presentation for the Parramatta Chamber of Commerce was given at a meeting held on 14 October 2020. The purpose of this presentation was to brief the Economic Planning Committee, Parramatta Chamber of Commerce on the exhibited version of the CBD PP. Presented by Council's Executive Director, City Planning and City Design the presentation provided an overview of the following: background and strategic context of the Planning Proposal, planning outcomes, project timeline and next steps.

Media coverage

Daily Telegraph

The Daily Telegraph (average monthly readership of 4,500,000) including its partner publication, the Parramatta Advertiser (average monthly readership of 78,000), covered the Planning Proposal consultation in its 24 September 2020 online and print newspapers.

Channel 7

Channel 7 news covered the Planning Proposal consultation in its 6:00pm news bulletin on Monday 21 September 2020. Viewership peaked at 1,068,000.

3. Pre-exhibition Feedback

3.1. Pre-exhibition submissions

A total of seven (7) informal submissions were received prior to the commencement of the exhibition period of the Parramatta CBD Planning Proposal. These submissions were generally received at the time the approach to the planning investigation areas was being considered by Council – at Council meetings in November 2019 and June 2020.

This feedback sits outside the Community Participation Requirements provisions within the *EP&A Act 1979*.

This informal feedback was received from the community between December 2019 and August 2020 and broadly covered the following issues:

- Support for the preparation of a Precinct Plan for West Auto Alley (which has been subsequently superseded).
- Objection to the removal of land proposed to be zoned R4 High Density from the CBD PP (at the time), particularly, the removal of the North Parramatta proposed R4 zoned land, as the Gateway determination supported the inclusion of these proposed R4 areas.
- Objection to further analysis of the proposed R4 zones as there is already sufficient evidence and support for the proposed R4 zones to be included in the CBD PP. The current planning regime allows for heritage affected developments to be assessed on merit.
- Objection to the exclusion of Elizabeth Street from the CBD PP.
- Supportive of a vision for a new North Parramatta to acknowledge heritage and environmental values, however, there is no heritage justification to remove Elizabeth Street from the Planning Proposal.
- The Urbis Heritage Study made no heritage analysis or recommendations for sites south of the All Saints Church Grounds.
- The focus of both the 2015 Urbis Study and the 2017 Hector Abrahams Study was on the All Saints site itself and the appropriateness of maintaining lower controls for that site. This is because the heritage significance is contained within the large curtilage of the All Saints grounds.
- Elizabeth Street did not form part of the Urbis Heritage Study. Not satisfied that the heritage justifications are enough to exclude Elizabeth Street from the Planning Proposal.
- Objection to further analysis of these areas, sufficient evidence and support for the proposed R4 areas to proceed.
- Given the current COVID19 impact on the real estate and construction industries, it is inappropriate for the whole of North Parramatta's development potential to be halted completely and indefinitely. The State Government has itself introduced the Acceleration Planning Policy in order to maintain the construction industry in support of the economy.
- Objection to rezoning land from B4 Mixed Use to B3 Commercial Core.

Of the seven pre-exhibition submissions received, five submitters lodged a formal submission during the exhibition process.

3.2. Pre-exhibition enquiries

In the build up to the exhibition of the CBD PP, Council received a number of email enquiries between July and September 2020. This feedback broadly covered the following issues:

- Estimated date of approval for the exhibition of the CBD PP issued by DPIE.
- Anticipated duration of the CBD PP exhibition period.
- Approximate timeframes and next steps of the CBD PP process.

- Enquiries regarding the status, progress and next steps of the Integrated Transport Plan.
- Enquiries regarding amendments to the CBD PP High Performing Building clause.
- General interest regarding new developments in Parramatta CBD.
- Requests for hard copy CBD PP exhibition material, including the community summary document and FAQs sheet.
- Enquiries regarding the conditions to be resolved by Council prior to the exhibition of the CBD PP, as outlined by DPIE.
- Enquiries regarding anticipated amendments to the CBD PP, resulting from DPIE's approval to exhibit, subject to a series of conditions.
- Enquiries regarding how the exhibition of the CBD PP will influence SSPPs.
- Request to be added to the CBD PP contact list.
- Enquiries regarding the Planning Investigation Areas, approximate timeframes and anticipated exhibition periods.
- Meeting requests to discuss CBD PP controls.

3.3. Public Authority Gateway Determination Condition 2 feedback

The Gateway determination issued by DPIE on 13 December 2018 required Council to consult with a number of public authorities to further refine the planning proposal in accordance with the Gateway determination which would occur prior to the exhibition period occurring. The public authorities required to be consulted were:

- Transport for NSW.
- Roads and Maritime Services
- Office of Environment and Heritage – Heritage Division
- NSW Heritage Office
- NSW State Emergency Services
- Government Architect NSW
- Civil Aviation Safety Authority
- Federal Department of Infrastructure, Regional Development and Cities.

This pre-exhibition consultation with the above listed public authorities occurred between 19 December 2019 and 10 February 2020. Details of the pre-exhibition consultation is outlined in the Parramatta CBD Planning Proposal in Section 3.4.2 'What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?'

Submissions received from public authorities and service providers to fulfil the requirements of Gateway determination Condition 4 are discussed in Section 4.5 of this report.

4. Feedback from Exhibition Period

4.1. Formal Feedback – Submissions from Community

Formal feedback on the exhibition of the Parramatta CBD Planning Proposal consistent with the community participation requirements established by the *EP&A Act* resulted in a total of 309 submissions being received by Council. Due to the large number of received submissions, the submissions have been categorised into the following:

- **Residents and Individuals:** 234 Submissions (from 232 submitters),
- **Institutions, Organisations and Other Interest Groups:** 12 Submissions,
- **Developers, Major Landowners, and Planning Consultants:** 51 Submissions (from 47 submitters),
- **Public Authorities and Service Providers:** 12 Submissions.

The feedback received from the community during the formal exhibition period is discussed in the sections below. For a detailed summary of submissions in each category along with the corresponding Council Officer response, refer to [Appendices B to E](#) of this report.

4.2. Submissions from Residents and Individuals

Formal submissions

A total of 234 submissions were received in this category. The predominant issues raised by submitters in the submissions from Residents and individuals can be broadly summarised into three groups as follows:

- a) **Request for the inclusion of areas in the CBD PP boundary**, specifically, West Auto Alley (108 submissions), Elizabeth Street (36 submissions) and Harold Street (5 submissions). See Figure 3 in the Council Report for a map of these areas.

Note: Of the responses received on West Auto Alley, some 103 responses comprised one of the two a pro-formas. These are discussed further below.
- b) **Request for the exclusion of North Parramatta from the CBD PP boundary** (35 submitters), generally referred to as land north of Parramatta River.
- c) **Objection or concern raised about specific issues**, being:
 - i. **Heritage:** 55 submitters (over 20% of all resident submissions received) referenced heritage as a concern and consider that the CBD PP does not adequately address Parramatta's unique heritage, favouring financial gain and high-density development. Generally, there is concern that the proposed increase to FSR and height controls will have a detrimental effect on heritage items, and the quality of the area. Submitters addressed need for additional heritage protection including increased setbacks between new development and existing heritage items.

42 submitters referenced the heritage significance of North Parramatta, with 35 submitters requesting for deferral and/or exclusion of North Parramatta (north of Victoria Rd) from the CBD PP and a precinct plan be prepared, rather than extending the CBD into North Parramatta. Additionally, 10 submitters requested site-specific planning proposals, development proposals and spot rezoning's immediately cease until a comprehensive plan of North Parramatta has been undertaken.
 - ii. **High Density and Overdevelopment:** 51 submitters (over 20% of all resident submissions received) raised concern regarding the proposed height of buildings and floor space ratios, and impacts on heritage, lack of supporting infrastructure, open space, schools and car parking. Submitters noted that the overdevelopment of Parramatta would result in the adverse impact on amenity, including solar access and wind tunnels. Furthermore, a number of

submitters raised concerns about the quality of current development, and the numerous small and boxy concrete apartments.

- iii. **COVID19:** 14 submitters raised concern that high density development does not promote social distancing required to reduce the spread of COVID19, and referenced the need for increased parking to support private vehicle use and reduced public transport usage. Submitters consider that the rate of population increase, as previously projected prior to COVID19, will not occur due to international travel restrictions, limited migration, stagnant wage growth and the instability of future COVID19 outbreaks and therefore there is a decreased need for residential dwellings and commercial floorspace (due to increased working from home arrangements). Furthermore, submitters note the current oversupply of residential dwellings and commercial floorspace that has become vacant as a result of COVID19.
- iv. **Environment and Amenity:** 12 submitters raised concern about the current lack of open space, and request for additional green open space to support the proposal. Additionally, submitters request for an increased focus on green buildings, setting a benchmark for environmental design and liveability.
- v. **Parking:** 11 submitters raised concern regarding the lower car parking rates proposed in the CBD PP, which will discourage visitors. As previously addressed, submitters consider there is an increased need to provide car parking to support private vehicle use throughout COVID19.

ProForma submissions

Two types of proforma submissions were received from submitters requesting the inclusion of West Auto Alley in the CBD PP boundary. The issues in both are similar and are summarised as follows:

West Auto Alley ProForma 1:

- Supportive of the overall CBD PP.
- Objection to the exclusion of the West Auto Alley Precinct for the following reasons:
 - A significant amount of Precinct work has been undertaken for the West Auto Alley Precinct.
 - Exclusion of this Area creates non-ordinary development of the area and goes against all planning logic.
 - Inclusion of this area will support social housing and potential for lower prices due to its location from the core of the CBD.
 - Inclusion will support housing diversity.

West Auto Alley ProForma 2:

- Requests Council reinstate the West Auto Alley Precinct into the CBD PP process.
- Objection to the exclusion of the West Auto Alley Precinct for the following reasons:
 - A significant amount of planning and feasibility work has been undertaken for the West Auto Alley Precinct that supports increased planning controls.
 - Exclusion of this area does not follow the orderly consideration of planning controls.
 - Ridiculous that the area will remain under-developed and adjoining it will be 30-storeys towers along Church Street.
 - The area is in a strategically advantageous location to accommodate increased density.
 - Development of South Parramatta supports state government objectives for housing targets and boosting the local economy.

A detailed summary of the submissions received from Residents and Individuals and Council Officer Responses is provided at [Appendix B](#).

4.3. Submissions from Institutions, Organisations and Other Interest Groups

A total of 12 submissions were received in this category. The predominant issues raised by submitters in the Institutions, Organisations and Other Interest Groups category can be broadly summarised as follows:

- a) Need for clarification around the proposed development contributions framework and highlight the significance of the implementation of the Provision of Community Infrastructure Levy and the Infrastructure Needs List.

- b) Concerns with the proposed planning controls including heritage protections and potential impact on heritage items/places, including Heritage Conservation Areas and Heritage Interface Areas (these being areas located generally between the Parramatta CBD core and heritage conservation / lower scale residential areas).
- c) Concerns with site specific PPs around St John's Cathedral on the basis that these would compromise the historic setting.
- d) Concerns with the lack of clarity around timing of the areas on the edge of the city centre being deferred for future planning investigation work.
- e) Some submitters raise concerns with the assessment and approval of site specific PPs outside of the CBD PP process.
- f) CBD car parking rates considered to be too low.
- g) Objection to the extension of the CBD Planning Proposal boundary, across the river into North Parramatta and Pennant Hills Road.
- h) Objection to the prohibition of *serviced apartments* in the B3 Commercial Core.
- i) Objection to proposed heights along the Parramatta River foreshore.
- j) Need to encourage a flood and climate change resilient CBD and recommend the inclusion of objectives that support 'green infrastructure' and environmental measures.
- k) Identification of opportunities to enable more diverse economic outcomes for the Parramatta CBD, by way of Council's Night City Framework 2020-2024 and a creative sector presence.
- l) Suggested that amendments may need to be to the PP and LEP in light of the COVID-19 pandemic.
- m) The FSR Planning controls considered multi-layered and complex.
- n) Third-party advertising/signage (as opposed to building identification signage) be given further consideration for inclusion as a permitted use in the land use zones in the Parramatta CBD.
- o) Concern with the 1,800 sqm minimum site area requirement.
- p) Recommendation that Council should apply higher BASIX standards without providing an incentive (FSR bonus).

A detailed summary of the submissions received from Institutions, Organisations and Other Interest Groups and Council Officer Responses is provided at [Appendix C](#).

4.4. Submissions from Developers, Major Landowners, and/or their Planning Consultants

A total of 51 submissions were received in this category. In some cases, multiple landowners are represented. Of the 51 submissions received, approximately 10 submissions were from landowners which already have a site-specific PP process underway with Council.

The predominant issues raised by submitters in the Developers, Major Landowners and Consultants category can be broadly summarised as follows:

- a) Increase sought to the draft height and FSR controls that were exhibited for their site.
- b) Exemption from the FSR sliding scale and or challenging the definition of an 'isolated site' or the 1,800 sqm site area requirement to access incentives, including high performing building bonus and additional commercial FSR.
- c) Request to have their site identified as an Opportunity Site which enables an additional 3:1 FSR on top of the incentive FSR; and/or identified on the Additional Local Provisions Map in order to benefit from additional commercial FSR floorspace above a minimum 1:1 FSR in certain parts of the B4 Mixed Use zone on top of incentive FSR.
- d) Variation to planning controls sought that would in most cases allow for the eventual demolition or significant alteration of a heritage item and/or its curtilage
- e) Concerns raised about implications of a land reservation/s acquisition notation over a site or request removal of a notation.
- f) Issues raised that are outside the scope of the CBD Planning Proposal. The predominant request was from landowners of sites that are situated outside the CBD Planning Proposal area seeking to

have their land incorporated into the Planning Proposal. Those sites that are within a designated Planning Investigation Area will be dealt with as part of the future Planning Investigation Area work.

- g) Request for a change to a land use zoning change (without changes to the height or density controls).
- h) Request to amend the wording of a clause or subclause to address a technical issue.
- i) Some submitters had, at the time of lodging their submission, a site-specific PP in train. Of those:
 - i. Some submitters identified a potential issue in the wording of a draft clause and subsequent impact on their site-specific PP; and
 - ii. Some submitters' site specific PPs were close to notification stage and were seeking confirmation that the draft LEP instrument and supporting maps aligned with the controls in their site specific PPs. (Note: a good proportion of these site specific PPs have now been notified and the issue is now redundant).

A detailed summary of the submissions received from Developers, Major Landowners, and Planning Consultants and Council Officer Responses is provided at [Appendix D](#).

4.5. Submissions from Public Authorities, Institutions and Service Providers

As previously addressed in Section 3.3 of this report, Condition 2 of the Gateway determination issued by DPIE on 13 December 2018 required Council to consult with a number of public authorities to *further refine the planning proposal in accordance with the Gateway determination*. Those public authorities were:

- Transport for NSW
- Roads and Maritime Services
- Office of Environment and Heritage – Heritage Division
- NSW Heritage Office
- NSW State Emergency Services
- Government Architect NSW
- Civil Aviation Safety Authority
- Federal Department of Infrastructure, Regional Development and Cities.

In order to comply with Condition 4 of the Gateway determination, further consultation with the public authorities listed under Condition 2 (as provided above) was required, in addition to consultation with the following public authorities and 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
- NSW Aboriginal Land Council
- Relevant Services Providers
- Urban Growth NSW.

Prior to inviting comments, Council Officers contact list for the public authorities, institutions and service providers nominated above was reviewed by the DPIE on 31 August 2020.

A total of 12 submissions were received from Public Authorities, Institutions and Service Providers. A detailed summary of the submissions on behalf of Public Authorities, Institutions and Service Providers and the Council Officer Response is provided at [Appendix E](#).

5. Conclusion

The feedback received during the exhibition phase has informed changes to the Parramatta CBD Planning Proposal documentation including the planning proposal, Draft LEP provisions and Draft LEP Maps. These changes are detailed in the Local Planning Panel report for the meeting of 11 May 2021 and follow up Council Report of 24 May 2021 and are detailed in Table 3a in Appendix 4 to the Planning Proposal.

The Participate Parramatta and City of Parramatta websites will be regularly updated to inform the public of reporting processes and next steps of the Parramatta CBD Planning Proposal. Additionally, the Participate Parramatta website will be updated following Council reporting and when the accompanying draft Parramatta CBD Development Control Plan is exhibited.

A project contacts list has been developed to serve as the principle method for future updates on the Parramatta CBD Planning Proposal. Submitters that provided their email address were automatically placed on this mailing list.

Appendix A – Examples of Engagement Tools

[Provided under separate cover - D07949144]

Appendix B – Resident and Individual Submission Summaries

[Provided under separate cover - D07949167]

Appendix C – Institutions, Organisations and Interest Groups Submission Summaries

[Provided under separate cover - D07915258]

Appendix D – Developers, Major Landowners and Planning Consultant Summaries

[Provided under separate cover - D07947747]

Appendix E – Public Authorities and Service Providers Summaries

[Provided under separate cover - D07935034]

Community Engagement Report - Appendix A

APPENDIX A – EXAMPLES OF CONSULTATION MECHANISMS

Parramatta CBD Webpage on the City of Parramatta Website

LIVING & COMMUNITY
RECREATION & ENVIRONMENT
BUSINESS & DEVELOPMENT
COUNCIL
CONTACT US
WHAT'S ON
SUBSCRIBE

Home / Parramatta CBD

YOUR COUNCIL +

CITY OF PARRAMATTA VISION

Charting Our Direction

City River Foreshore Transformation +

City Strategy

Community Data & Demographics

Culture and Our City +

Future City +

Night City +

Parramatta Light Rail +

Parramatta Square +

Precinct Planning -

Camellia

Epping Planning Review

Parramatta CBD -

Parramatta CBD Planning Proposal

Civic Link

Design Parramatta

Parramatta CBD Analysis Maps

Parramatta North

Rydalmere

Westmead

Wentworth Point

WAS THIS PAGE HELPFUL TO YOU?

[Yes](#) [No](#)

Parramatta CBD



Parramatta CBD Planning Framework

Parramatta CBD planning proposal

The significance of the Parramatta CBD has been recognised in the State Government's strategic planning framework for a number of decades. Its current recognition at the heart of the 'Central City' in the *Greater Sydney Region Plan - A Metropolis of three cities* and the *Central City District Plan* continue to strengthen the significant economic function of the Parramatta CBD and its role in providing necessary housing, employment, recreation and cultural opportunities.

To manage the significant growth and changes in the CBD, Council has prepared a Planning Proposal to amend the planning controls for the Parramatta CBD contained in Parramatta Local Environmental Plan 2011 (PLEP 2011). The Planning Proposal broadly seeks changes to the Parramatta CBD boundary, land use mix, primary built form controls, and the mechanisms for infrastructure delivery. This is to achieve the City of Parramatta Council's vision for the growth of the Parramatta CBD as Australia's next great city.

Preparation of the Planning Proposal is specifically acknowledged in the *Greater Sydney Region Plan* under Objective 19 and in the *Central City District Plan* under Planning Priority C7. Changes to the planning framework are needed to stimulate employment and dwelling growth for the Parramatta CBD to fully realise its potential.

Latest news

September 2020

Exhibition of the planning proposal for the Parramatta CBD is underway until Monday, 2 November 2020. Head to [Participate Parramatta](#) for further details including accessing the planning proposal documentation and supporting information and how to lodge a submission.

Enquiries

If you would like to discuss any part of the Parramatta CBD Planning Proposal or need further information, please contact the Land Use Planning team on 02 9806 5050.

Community Engagement Report - Appendix A

Sydney Morning Herald Public Notice, 21 September 2020

MONDAY, SEPTEMBER 21, 2020
THE SYDNEY MORNING HERALD 27

Aged Care Facility Manager

Relational Support Unit
 Reporting to our Managing Director, we are looking for an experienced Aged Care Manager to lead a team of dedicated staff in our 40 bed Memory Support Unit. Passion, communication and innovation are essential as you deliver strategic direction with care to our residents.
 Successful candidates should be based in Wanda - Manlyville.
 Director
 0402 200 373 wendy.smith@cityofparramatta.nsw.gov.au
 Applications close Sunday, 27 September and should be submitted on-line via: <https://www.cityofparramatta.nsw.gov.au/careers>

CITY OF PARRAMATTA

Community Consultation – Public Exhibition of the Parramatta CBD Planning Proposal

The City of Parramatta Council is publicly exhibiting a Planning Proposal for a new draft land use planning framework for the Parramatta CBD. The Planning Proposal amends the existing planning controls to ensure the Parramatta CBD develops as the Central City for Greater Sydney. Council is inviting feedback from the community on this important city-shaping project, which will deliver an extra 50,000 jobs and 14,000 dwellings over the next 40 years within the Parramatta CBD.

The Planning Proposal seeks to amend the planning controls for the Parramatta CBD contained in Parramatta Local Environmental Plan (LEP) 2011 and includes the land shown in the Land Application Map on Council's website (refer to link below). The Planning Proposal seeks changes to the Parramatta CBD boundary, land use mix, primary built form controls and the mechanisms for infrastructure delivery, and is informed by a number of technical specialist studies. A Frequently Asked Questions (FAQ) document and Summary Sheet, which explain the draft planning controls and key elements of the Planning Proposal, have also been prepared and are available for inspection with the exhibition materials.

One of the technical specialist studies being exhibited with the Planning Proposal is an investigation into how to manage flooding risk in the Parramatta CBD through a new Draft Update of Parramatta Floodplain Risk Management Plans prepared in accordance with the principles and guidelines of the NSW Government's Floodplain Development Manual (2005). Council encourages the community to consult the exhibition Summary Sheet on Council's website (refer to link below) in relation to this issue.

Have your say

The Planning Proposal will be on public exhibition from Monday 21 September 2020 to Monday 2 November 2020 (six weeks), and can be viewed at:

- Council's website: partic.parramatta.nsw.gov.au/cbd-planning
- Council's Customer Contact Centre: 126 Church Street, Parramatta, between 9am to 3pm, Monday – Friday
- Parramatta Library: FR William Street, Parramatta (subject to COVID-19 restrictions – please check Council's website for further details)

Written submissions on the Planning Proposal can be made during the exhibition period, via:

- Council's website: partic.parramatta.nsw.gov.au/cbd-planning
- Email: parracbdplanning@cityofparramatta.nsw.gov.au (quote Reference: F2020/02641)
- Post: City of Parramatta Council, Attention: CBD Planning Team (quote Reference: F2020/02641), PO Box 32, Parramatta NSW 2124

Submissions need to be received by 5pm Monday 2 November 2020.

Please note, any personal information provided by you in your submission (such as your name and contact details) will be used by Council to properly consider your submission and communicate with you further about this matter if required. The provision of this information is voluntary. Any personal information collected can be accessed by you and may also be available to third parties in accordance with Council's Access to Information Policy.

The Planning Proposal is being publicly exhibited in accordance with Section 3.342(c) and Schedule 1(Clause 4) of the Environmental Planning and Assessment Act 1979. Delegation for making the LEP amendment has not been issued to Council. At the conclusion of the exhibition period, and after consideration of any submissions received, Council will submit the Planning Proposal to the Department of Planning, Industry & Environment, who will be responsible for finalising the LEP amendment.

Out-of-hours Phone Sessions and Online Community Q&A Session

To provide the community with additional opportunities to ask questions, we are offering dedicated Out-of-hours Phone Sessions. To book a session, visit Council's website using the link above. Further, Council will also be hosting an Online Community Q&A Session where community members will be able to ask live questions of Council staff. The online session will be held on Tuesday 13 October 2020 from 6pm to 7:30pm. For more details on how to participate in the online session, please use the link above.

For further information, please contact the CBD Planning Team on 9806 5050 or via email at parracbdplanning@cityofparramatta.nsw.gov.au

Tributes & Celebrations

www.smh.com.au/tributes

Summary of Death Notices

CROKER, Thelma Jean
 GREER, Dorothy
 HISCOCK, Nola Beryl
 JOYCE, Richard John
 SHUTTLEWORTH, Richard

Deaths and Funerals

CROKER, Thelma Jean
 Passed away peacefully on 6th September 2020, aged nearly 103. Beloved wife of Ernest (deceased); adored mother to Daniel & wife Pamela, Loving Nanna to Tina, Rick & Corinne. Great-Nanna to Kieran & Alannah. Adored Auntie and friend to many. Forever in our hearts. Privately buried at Palmdale, NSW.

JOYCE, Richard John
 11/6/1942 – 12/9/2020
 Loved Son of Shirley and Jack Joyce (decd.). Much Loved husband of Wendy. Father of Russell and Simon and partners with recent addition Silas. Late of Stratford (VIC) after 30 plus years in Warrig as part of the tennis and bowling community there. Hopefully we will celebrate his life in the new year with old friends in NSW! Privately cremated.

BARRY & ANNETTE LEITZ FUNERALS
 03 9143 1232

Memorial Gifts

NeuRA
 - Dementia Support Centre
 Your gift in memory or in your life could help discover, conquer and cure diseases through medical research.
 Dementia Parkinson's Schizophrenia Bipolar disorder
 (02) 9399 1119
neu.ra.edu.au/learn

OFFICIAL LOTTERIES RESULTS

POWERBALL		DRAW 1270		Thursday 17 September 2020		
Prize Winning Numbers		4	11	23	33	
Powerball		6				
Div	Prize Pool	Winners	Prize Value			
1	\$60,000,000.00	1	\$60,000,000.00			
2	\$935,425.46	26	\$35,977.90			
3	\$571,644.00	128	\$4,464.30			
4	\$15,338,281.20	2,808	\$5,370.15			
5	\$779,634.80	5,242	\$1,452.40			
6	\$6,036,979.20	76,504	\$78.00			
7	\$3,960,621.06	106,772	\$37.35			
8	\$2,791,778.45	464,331	\$17.15			
9	\$13,688,352.00	1,207,440	\$10.80			

Division 1: 1.4%
 POWERBALL DRAW 1271 DIVISION ONE IS \$3 MILLION

PROTECT YOUR PRIZES WITH PLAYERS CLUB
 To find out more visit thelot.com/playersclub

Good Food
 Tuesday in the SMH

Money
 Wednesday in the SMH

Community Engagement Report - Appendix A

Parramatta CBD Planning Proposal, Frequently Asked Questions



PUBLIC EXHIBITION

Parramatta CBD Planning Proposal

FREQUENTLY ASKED QUESTIONS

What is a "Planning Proposal"?

A "Planning Proposal" is a document that explains proposed changes to land use planning controls that are found in a Local Environmental Plan (LEP) and sets out the justification for those changes. Controls in an LEP include such things as land use zones, building heights, floor space ratios, parking rates, flood risk management controls and also heritage protections. A Planning Proposal sets out how the controls are proposed to change, for example by increasing building heights or floor space ratios to allow for more development in a particular area.

What is the Parramatta CBD Planning Proposal and what does it do?

The *Parramatta CBD Planning Proposal* seeks to amend the planning controls for the Parramatta CBD as they currently apply in the *Parramatta LEP 2011*. The proposed draft changes will deliver an extra 50,000 jobs and 14,000 dwellings over the next 40 years within the CBD. In order to provide for this growth, the *Parramatta CBD Planning Proposal* seeks to:

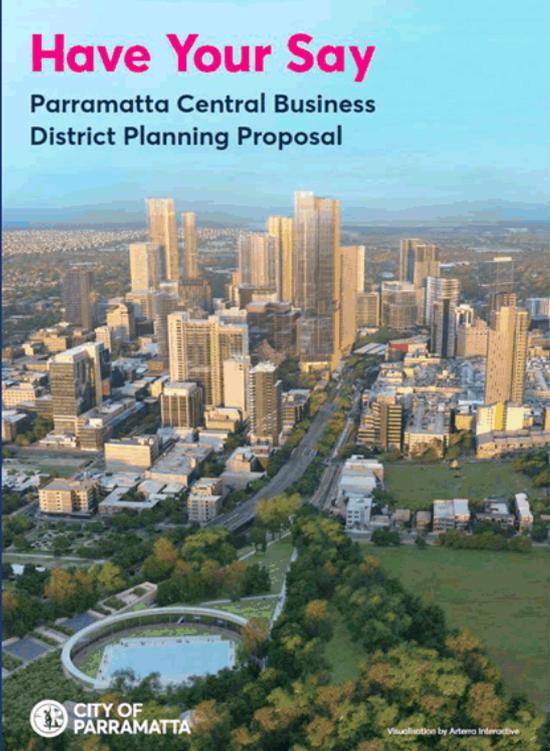
- Expand the Commercial Core to provide for long-term employment opportunities and enable corporate organisations to locate in Parramatta;
- Increase floor space ratios and height controls to provide for high quality office and mixed-use tower development across the CBD, subject to the development providing community infrastructure (in the case of mixed-use tower development) and meeting other design criteria;
- Protect sunlight access to important open spaces and public domain areas in and surrounding the CBD by limiting building heights around these spaces to minimise overshadowing during the colder parts of the year;
- Promote best practice environmental sustainability in new development, including dual piping, water and energy use standards, reducing on-site car parking, and also requiring bicycle parking and end-of-journey facilities (such as showers and change rooms);
- Recognise the importance of Parramatta's heritage and ensure new development demonstrates an appropriate relationship to heritage items and conservation areas in and surrounding the CBD while preserving existing controls to the land within the Park Edge Highly Sensitive Area and Parramatta Park;
- Promote design excellence in new development by offering incentives where an applicant undertakes a competitive design process for the development;
- Manage the risk to property and life through building design to enable people to shelter-in-place and/or safely evacuate from the building in the event of a flood.

FAQs - September 2020

Page 1 of 5

Community Engagement Report - Appendix A

Parramatta CBD Planning Proposal, Community Summary Sheet



Have Your Say
Parramatta Central Business District Planning Proposal

CITY OF PARRAMATTA

Visualisation by Ardeno Interactive

The City of Parramatta Council is inviting feedback on the Parramatta Central Business District Planning Proposal which will deliver an extra 50,000 jobs and 14,000 dwellings over the next 40 years.

This Summary document describes the key elements of the Planning Proposal and guides you to other supporting information.

City of Parramatta Council has been working to plan the long-term future of the Parramatta Central Business District (CBD) and we want to hear what you think about our plans, which will help deliver an extra 50,000 jobs and 14,000 homes to the CBD over the next 40 years.

Our plans are described in the Parramatta CBD Planning Proposal, and several associated reports, which are now on formal public exhibition and all available for reading on Council's website at participate.cityofparramatta.nsw.gov.au/cbd-planning.

The exhibition will be held from Monday 21 September to Monday 2 November 2020, with any comments you may have being due by 5pm on Monday 2 November 2020.

The Parramatta CBD is at the heart of Sydney's Central River City in the NSW State Government's planning framework for Greater Sydney, and the City of Parramatta Council is proactively planning to strengthen the economic function of the Parramatta CBD and increase its capacity for new housing, employment, business, recreation and cultural opportunities.



The Greater Sydney Region Plan, A Metropolis of Three Cities is built on a vision of three cities, where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

Source: www.greatersydney.nsw.gov.au

CBD Planning Proposal - Summary

Participate Parramatta, Parramatta CBD Planning Proposal Webpage



[Home](#) [Our approach](#) [Burramatta portal](#) [All projects](#) [Community Panel](#) [Login](#) [Join](#)



Parramatta CBD Planning Proposal

and Draft Update of Parramatta Floodplain Risk Management Plans

Home / Parramatta CBD Planning Proposal

The Parramatta CBD Planning Proposal ('Planning Proposal') will help deliver an extra 50,000 jobs and 14,000 homes to the Parramatta Central Business District (CBD) over the next 40 years.

The Planning Proposal recommends a new draft land use planning framework for the Parramatta CBD and seeks to amend the planning controls for the Parramatta CBD contained in the *Parramatta Local Environmental Plan (LEP) 2011*. The area covered by the Planning Proposal is shown in the [Land Application Map](#).

The Planning Proposal seeks changes to the Parramatta CBD boundary, land use mix, primary built form controls and the mechanisms for infrastructure delivery, and is informed by a number of technical specialist studies.

To support predicted changes and growth in the Parramatta CBD, a *Draft Update of Parramatta Floodplain Risk*

Timeline

- ✓ **Apr 2016**
Report to Council seeking resolution to endorse CBD Planning Proposal to be sent to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination
- ✓ **Dec 2018**
Gateway determination by DPIE

Community Engagement Report - Appendix A

Parramatta CBD Header on the City of Parramatta Website Landing Page

City of Parramatta Media Release, 21 September 2020

Community Engagement Report - Appendix A

Department of Planning, Industry and Environment, LEP Tracker, CBD Planning Proposal

The screenshot shows the 'Proposal Details' page in the LEPs Online System. At the top, there is a navigation menu with 'Home', 'Current Proposals', 'What is a Local Environmental Plan?', and 'Reasoning Review Applications'. The main content area features a map of Parramatta with a red pin indicating the proposal location. Below the map is a progress bar with stages: 'Proposal Lodged with DP&E', 'Gateway Determination issued', 'Exhibition', 'Post exhibition', 'Finalisation', and 'LEP Decision'. The 'Exhibition' stage is currently active. Below the progress bar is a table with the following details:

Title	Parramatta LEP 2011 - Parramatta CBD Planning Proposal 2017 (14,500 dwellings)
Summary	The proposal seeks extensive changes to the planning controls that apply to the Parramatta CBD to implement Councils Parramatta CBD Planning Strategy.
Stage	On Exhibition
Number	PP_2017_CORAR_002_01
Location	Address: Lot/Section/DP:Parramatta CBD - as per the boundary shown at Figure 1 in the planning proposal
Submission Stage	
Date Review Commenced	19-10-2018
Relevant Planning Authority (PPA)	City of Parramatta Council
Local Government Area Covered	City of Parramatta

Community Engagement Report - Appendix B

APPENDIX B – Residents and Submissions on behalf of Individuals

This document summarises and provides a response to the 234 submissions received from 232 residents and individuals in response to the exhibition of the Parramatta CBD Planning Proposal. Each submission has been allocated a unique number according to the date the submission was received by Council, for example, "Submission Number 1", also sometimes referred to as "Submission 1".

Where a Council Officer response deals with an issue raised by an earlier submission, a statement is provided that acknowledges the submission and provides details of the Submission Number and Row that a response to the same or similar issue can be found. For example, "The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8".

In responding to the submissions in this table, the relevant Decision Pathway is provided to indicate the Council officer’s position with respect to the issues raised. Where a response to a submission references a previous response, the Decision Pathway has not been repeated.

To ensure the privacy of submitters, names and street numbers have been withheld.

Tip: To find a particular submission: search for the **Street Address** (eg "Albert Street, North Parramatta") **or an issue you raised in your submission** (eg "Light Rail", "Auto Alley", "Grose Street" etc) using the Control F function.

Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
1.	Submitter from Castle Street, North Parramatta Submission Number 1	<p>Submitter is concerned about the density proposed in the planning proposal, considers that the CBD will turn into a "ghetto-like area".</p> <p>Sees that future planning for high density development as risky given the COVID-19 pandemic which <i>requires social distancing measures as it encourages the spread of disease.</i></p> <p>Submitter feels <i>powerless to stop the proposal.</i></p>	<p>Council understands there are concerns regarding the additional density that the new planning controls make capacity for and the importance of supporting infrastructure to provide for the current and future needs of the community. The objectives of the proposed amendments to planning controls are to allow for additional density for jobs and dwellings to reinforce Parramatta CBD as one of Sydney’s three metropolitan centres while encouraging high quality buildings, as well as an activated public domain, protection and management of heritage values and future proofing the city through efficient and sustainable energy and resources.</p> <p>To address this, the CBD PP includes detailed planning controls based on technical studies and evidence to address issues such as car parking, building design and amenity within the public domain including open spaces. Example of these controls include requirements for buildings to deliver energy and water savings (clauses 7.6A, 7.6B and 7.6E); exhibit design excellence (clause 7.10) and deliver on community infrastructure principles (Clause 7.6H).</p> <p>The CBD PP is a plan for the City for the next 40 years and is supported by other key elements of the planning framework for the Parramatta CBD including:</p>

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			<ul style="list-style-type: none"> • A new Integrated Transport Plan (ITP) to understand the traffic and transport task required to support the CBD PP and identify future actions (long and short term) for each mode that will be required for the CBD Planning Proposal to be supported. • Future amendments to Parramatta Development Control Plan (DCP) 2011 to support the CBD PP including detailed building form and design controls with a focus on the street, environment controls to address urban heat and energy and water usage, flooding and the like. • A new Development Contributions Plan to facilitate delivery of transformative community infrastructure to support the growth within the Parramatta CBD. <p>These supporting policies will be publicly exhibited for community and public agency feedback later this year guided by Council's Community Engagement Framework and statutory requirements in the Environmental Planning and Assessment (EPA) Act 1979 and the Gateway Determination issued by the Department of Planning, Industry and Environment (DPIE) for the CBD PP.</p> <p>Other opportunities for the community to participate are when a Development Application (DA) is lodged for a development under the new planning controls.</p> <p>Council also sought comment from the community in 2019 as part of the preparation of the Local Strategic Planning Statement City Plan 2036 (LSPS). Council's LSPS came into effect on 31 March 2020 and sets out a 20-year land use planning vision for the Parramatta LGA, including the Parramatta CBD. It includes planning priorities supported by policy directions and actions to guide future changes to the City's land use planning controls. For the Parramatta CBD this includes Actions A5, A22, A40, A57, A67 and A92.</p> <p>It is anticipated that the economic effects of the COVID-19 pandemic may impact on development and subsequent rates of worker and resident population increases in the short term. However, the CBD PP provides capacity for new commercial and residential development in the Parramatta CBD that will last for a period of approximately 40 years; and in the long term, it is expected that the pandemic will have limited impact on the forecast population for the Parramatta CBD,</p>

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			<p>given that development is seen as a key contributor in the post pandemic economic recovery effort, the NSW Government's investment in city-shaping infrastructure, including Sydney Metro West and Parramatta Light Rail, and the Parramatta CBD's strategic location in the heart of the Greater Sydney region.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
2.	No Address Provided Submission Number 2	<p>Submitter questions the plans for the vacant land at the corner of Church Street facing Harold Street following the completion of Parramatta Light Rail (i.e. 431-441 Church Street).</p> <p>Submitter is interested in plans for building height, timing of redevelopment and future purpose as well as any potential noise generation.</p>	<p>The land described in the submission is known as 431-441 Church Street and is currently being used for construction activities associated with the light rail. The exhibited CBD PP included planning controls for the land; however, the specific plans for the future use of this site is beyond the scope of the CBD PP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
3.	Submitter from Fennell Street, Parramatta Submission Number 3	<p>Submitter questions why the Parramatta CBD Planning Proposal boundary does not include all land and buildings within the boundary of Grose, Sorrell, Albert and Church Streets.</p> <p>Submitter is concerned that the Planning Proposal overlooks the benefits of the subject area and its relationship with the Light Rail.</p>	<p>Council understands there are concerns about the removal of some land from the CBD PP boundary. The land parcels within the area described in the submission were originally part of the Parramatta CBD Planning Proposal boundary and were excised following a resolution of Council on 25 November 2019 for future planning consideration as part of the Planning Investigation Area work. This would allow further analysis to be undertaken at a later stage of the potential impacts on heritage items, heritage conservation areas and open space as well as the consideration of broader strategic directions and public transport initiatives such as the light rail.</p> <p>A number of Planning Investigation Areas (PIAs) on the fringes of the Parramatta CBD were first identified in the Parramatta CBD Planning Strategy (2015), with four more areas added to these PIAs by way of the Council resolution in November 2019. The land parcels between Church Street and the Sorrell Street Heritage Conservation Area in Parramatta/North Parramatta are one of the four areas removed, with this particular area now known as the 'North-East Planning Investigation Area (PIA)'.</p> <p>The investigation work in these areas originally was planned to commence following completion of the public exhibition process of the CBD PP in accordance with Council's resolution from 12 September 2016. However, a Council resolution on a site-specific Planning Proposal (SSPP) for 23-27 Harold Street, Parramatta, which is located</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>within the North-East PIA, considered at the Council Meeting on 9 June 2020 has altered the work program. The resolution in relation to this matter included the decision to defer progressing the SSPP for 23-27 Harold Street until Council had adopted a Planning Strategy for the PIA containing the subject site (i.e. the North-East PIA).</p> <p>On 9 November 2020, Council resolved to endorse a Draft Planning Strategy for the purposes of public exhibition to seek feedback from the community and stakeholders on six built form options for the North-East PIA presented in this Strategy. Given the North-East PIA's location between a proposed high rise corridor on Church Street (under the Parramatta CBD Planning Proposal) and low scale built form in the Sorrell Street Heritage Conservation Area (HCA), there are a number of competing strategic priorities which ultimately may influence its future. These competing strategic priorities result in cases that can be made for both higher and lower built forms in this precinct.</p> <p>The public exhibition of the Draft Planning Strategy for the North-East PIA was held from 16 March 2021 to 15 April 2021. Council officers are currently reviewing the feedback received and will prepare a report for Councillors to consider in the later part of 2021.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>
4.	Submitter from Betts Street, Parramatta Submission Number 4	<p>Submitter objects to reduced parking rates.</p> <p>Submitter considers that there is a need for parking spaces, especially following the COVID-19 pandemic.</p> <p>Submitter acknowledges that COVID-19 reduces the need for public transport, instead, increasing reliance for private vehicle use and availability of parking.</p> <p>Considers Parramatta to currently be "parking friendly" unlike the Sydney CBD. States that reducing parking in Parramatta discourages people from visiting Parramatta.</p>	<p>This Planning Proposal adopts the approach put forward by Council's Strategic Transport Study (2017) that encourages sustainable transport policies by reducing parking rates and supporting increased use of public transport, walking and cycling to reduce adverse transport impacts associated with increased development. Council is preparing a mesoscopic model and Integrated Transport Plan (ITP) which will help to refine these parking rates as a part of separate planning proposal process. The ITP will be placed on public exhibition in the coming months following endorsement by Council on 26 April 2021 for public exhibition and the community will be invited to review the documentation and provide comments.</p> <p>Council officers believe the reduced car parking rates are an acceptable outcome given the urban environment and Central River City status of the Parramatta CBD. A Council Officer response to the issue of COVID-19 is addressed at Submission 1, Row 1.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			Decision Pathway – Issues addressed; no further decisions required.
5.	Submitter from Spurway Street, Ermington Submission Number 5	<p>Submitter objects to the Parramatta CBD Planning Proposal including the increased density, and is concerned that there is already limited infrastructure, open space and parking spaces for the general community.</p> <p>Submitter considers that there is a need for parking spaces, especially following the COVID-19 pandemic. Submitter acknowledges that COVID-19 reduces the need for public transport and the increased need for private vehicle use and availability of parking.</p> <p>Submitter recommends that every development should include 'reasonable parking' for tenants.</p> <p>Submitter is concerned that Parramatta will become undesirable under the exhibited controls.</p>	<p>The issues raised by the submitter in relation to density, infrastructure, parking and COVID-19 are noted and addressed in the Council officer responses at Submission 1, Row 1 and Submission 4, Row 4.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
6.	No Address Provided Submission Number 6	<p>Submitter recommends that the Parramatta CBD land application area extend south close to the M4 and Westconnex around Church Street "Auto Alley".</p> <p>Suggests that adjusting the CBD Boundary will take pressure off the historical/recreation area near the river.</p>	<p>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, and in 2015 Council commissioned the Economic Review – Achieving A-Grade Office, with the key findings and recommendations related to Auto Alley being,</p> <ul style="list-style-type: none"> • 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. <p>Consistent with this, and the Gateway Determination issued by DPIE in December 2018, the planning proposal amends the planning controls</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>for the Auto Alley Precinct to provide capacity for longer term employment growth by rezoning some land to B3 Commercial Core and B4 Mixed Use 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; and permitting additional uses for 'vehicle repair stations', with development consent so as to enable these uses to continue in the short-medium term.</p> <p>Further expansion of the CBD boundary further south to the M4 motorway is not envisaged under the CBD PP at this stage. When the CBD PP was first mooted the boundary reflected Council's administrative governance. There may be an argument in the future to consider an extension of the commercial activities south of Raymond Street in line with the long-term economic growth of the CBD along Auto Alley as envisaged under the CBD PP.</p> <p>Decision Pathway – 2: Not supported.</p>
7.	Submitter from Denham Place, Dundas Submission Number 7	Submitter recommends that the Planning Proposal should limit height restrictions by using 'airspace' regulations across the CBD.	<p>The CBD PP seeks to introduce a Height of Building control of 211m RL (plus a 15% Design Excellence Bonus bringing the maximum height to 243m RL) on a number of sites across the Parramatta CBD. This maximum height of 243m RL is consistent with the Radar Terrain Clearance Chart (RTCC) for Sydney airport.</p> <p>The CBD PP seeks to amend the existing LEP clause relating to airspace operations (Clause 7.6 Airspace Operations of the PLEP 2011) to make it apply it to all land within the Parramatta City Centre. This would require all future development in excess of the Obstacle Limitation Surface (OLS) of 156m AHD to be assessed under the regulations of Division 4 of Part 12 of the Airports Act 1996 of the Commonwealth as a 'controlled activity'. This is currently a requirement under Clause 7.6 Airspace Operations in the Parramatta Local Environmental Plan 2011 (PLEP 2011); therefore, the CBD PP would be continuing the current practice of managing development and airspace under the PLEP 2011.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
8.	Submitter from Elizabeth Street, Parramatta Submission Number 8	Submitter objects to exclusion of Elizabeth Street from the CBD Planning Proposal.	Council understands there are concerns about the removal of some land from the CBD PP boundary, including land in Elizabeth Street. The land parcels within the area described in the submission were originally part of the Parramatta CBD Planning Proposal boundary and

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter considers Elizabeth Street to be different from the North and South Parramatta areas.</p> <p>Submitter notes it is unclear why Elizabeth Street was removed from the CBD Planning Proposal, and the heritage justifications.</p> <p>Submitter acknowledges that the area is in need of revitalisation and will not obstruct the view of the All Saints Church.</p>	<p>were excised following a resolution of Council on 25 November 2019 for future planning consideration as part of the Planning Investigation Area work. This would allow further analysis of potential impacts on heritage items, heritage conservation areas and open space to be undertaken at a later stage.</p> <p>The request to reintroduce the land described by the submitter into the CBD PP would raise the expectation that the remaining parts of the PIAs removed in November 2019 should also be re-introduced back into the CBD PP. This change would also be considered substantial and trigger the need for the re-exhibition of the CBD PP, which would then mean the CBD PP is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020, which approved the planning proposal area exclusive of the PIAs.</p> <p>A number of Planning Investigation Areas (PIAs) on the fringes of the Parramatta CBD were first identified in the Parramatta CBD Planning Strategy (2015), with four more areas added to these PIAs by way of the Council resolution in November 2019. The southern end of Elizabeth Street, Parramatta, between Victoria Road and Parramatta River is one of the four areas removed. The investigation work in these areas is planned to commence following completion of the public exhibition process of the CBD PP in accordance with Council's resolution from 12 September 2016.</p> <p>Progressing the CBD PP as soon as possible will establish Council's policy direction and allow the greater majority of landowners to progress investment decisions and pursue approval processes in accordance with Council's strategy. Separating the CBD PP from the PIA work maximises these benefits and enables Council to progress the current CBD PP and deal with the PIAs in logical groups at a later stage once resources are available.</p> <p>Council acknowledges that the planning considerations for the land south of Victoria Road that includes Elizabeth Street are different from the southern and northern PIAs. The next steps for the PIAs is to report a workplan to Council that officers recommend split the PIAs into three separate projects – the Northern PIA, Southern PIA and Eastern PIA, with this later PIA to include the land south of Victoria Road. It will also enable the issues that arose as part of the assessment of the now withdrawn SSPP at 27 Elizabeth Street, Parramatta to be tested in a</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>comprehensive way. This will include the heritage matters and also the strategic location of the area to the River and the CBD.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>
9.	<p>Submitter from Hillside Crescent, Epping Submission Number 9</p>	<p>Submitter encourages the development of Parramatta CBD to focus on green buildings and setting a benchmark for environmental design, liveability and heat load.</p> <p>Recommends that the CBD PP should create a city with <i>environmental credentials that sets a new standard instead of height incentives.</i></p>	<p>The planning proposal is consistent with Council's 2017 Environmental Sustainability Strategy 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 new LEP controls that require certain large-scale office and retail development and mixed use development to minimise energy and water consumption (clause 7.6A High Performing buildings); future proof the security of water supply by requiring new buildings and significant alterations to contain both potable water pipes and recycled water pipes (clause 7.6B Dual water systems); facilitate sustainable transport modes (pedestrian and cycling) to commercial premises by requiring end of journey facilities eg showers (Clause 7.6E End of journey facilities); and reduce car parking rates to encourage mode shift to public transport, walking and cycling (clause 7.3 car parking).</p> <p>FSR bonuses are made available to residential flat buildings or mixed use development where higher BASIX Energy and BASIX Water standards than the minimum standards as provided in State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (clause 7.6A (4) High performing buildings). Council cannot mandate higher BASIX standards, rather it can incentivise voluntary take-up.</p> <p>To support the CBD PP, new DCP controls are being prepared for the Parramatta CBD that will likely include provisions to address the urban heat island effect by green walls and roofs, heat and cooling systems and electric vehicle charging stations.</p> <p>Council officers consider that the new LEP controls to future proof the city through efficient and sustainable use of energy and resources and promotion of active transport and use of public transport will support Parramatta's growth to become sustainable, liveable and productive.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			Decision Pathway – Issues addressed; no further decisions required.
10.	Submitter from Elizabeth Street, Parramatta Submission Number 10	<p>Submitter notes that the collective majority of owners at 17-25 Elizabeth Street, Parramatta, do not support Council's current Parramatta CBD Planning Proposal without the inclusion of Elizabeth Street properties.</p> <p>Submitter supports the CBD Heritage Study of Interface Areas (HAA).</p> <p>Submitter notes that the Urbis Heritage Study made no heritage analysis or recommendations for sites south of All Saints Church. The heritage significance is contained within the large curtilage of All Saints Church. The HAA study refers to maintaining the views of the All Saints Church spire from Victoria Road.</p> <p>Notes the site of 17-25 Elizabeth Street is located 80m distance from All Saints Church.</p> <p>Submitter states that the proposed building height on the corner of Sorrell, Victoria and Wilde Ave sits closer to All Saints Church and contradicts the exclusion of 17-25 Elizabeth Street from the Parramatta CBD Planning Proposal</p> <p>Notes that 17-25 Elizabeth Street is 6,500sqm in area, has two street frontages, and comprises a 3 storey building totalling 53 apartments built in 1981.</p> <p>With the proposed revitalisation of Parramatta River, sees that the site at 17-25 Elizabeth Street is strategically located for a vibrant community hub attracting professionals to live close to Parramatta. The property is located nearby ferry services, Parramatta Westfield and the light rail</p>	<p>This submission requests the land at 17-25 Elizabeth Street be reinstated in the CBD PP boundary. The issues raised in this submission (No. 10) are similar to the issues raised in Submission 3 above, with the exception that Submission No. 3 at Row 3 requests all land within the southern end of Elizabeth Street, Parramatta, between Victoria Road and Parramatta River be reinstated into the CBD PP.</p> <p>The background to the decision to include the land referred to by the submitter at 17-25 Elizabeth Street within a PIA is outlined in the response at Submission No. 3 at Row 3 above and as detailed in this response, Council acknowledges that the planning considerations for the land south of Victoria Road that includes 17-25 Elizabeth Street are different from the southern and northern PIAs.</p> <p>The next steps for the PIAs is to report a workplan to Council that officers recommend split the PIAs into three separate projects – the Northern PIA, Southern PIA and Eastern PIA, with this later PIA to include the land south of Victoria Road. It will also enable the issues that arose as part of the assessment of the now withdrawn SSPP at 27 Elizabeth Street, Parramatta to be tested in a comprehensive way. This will include the heritage matters and also the strategic location of the area to the River and the CBD.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter is of the view that the site at 17-25 Elizabeth Street is classed as City Centre North, and not part of the North Parramatta suburb.</p> <p>Submitter acknowledges the importance of heritage buildings, and for buildings of heritage significance to form the modern city. However, submitter considers there are no heritage grounds for reducing the proposed controls for 17-25 Elizabeth Street. Submission requests for these properties to be included in the current Parramatta CBD Planning Proposal.</p>	
11.	See note in next column	<p><u>NOTE about the Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Precinct</u></p> <p><i>Two types of pro-forma submissions were received from some 103 submitters. Broadly, both proformas are concerned with the exclusion of the West Auto Alley Precinct from the CBD PP. A summary of each proforma is provided below, and a response to the issues raised in the column to the right.</i></p> <p><u>Pro-forma 1</u></p> <p>Supportive of the overall CBD PP.</p> <p>Objection to the exclusion of the West Auto Alley Precinct for the following reasons:</p> <ul style="list-style-type: none"> • A significant amount of Precinct work has been undertaken for the West Auto Alley Precinct. • Exclusion of this Area creates non-ordinary development of the area and goes against all planning logics. • Inclusion of this area will support social housing and potential for lower prices due to its location from the core of the CBD. • Inclusion will support housing diversity. 	<p><u>Council Officer response to the issues raised in Pro-forma 1 and Pro-forma 2</u></p> <p>Council understands there are concerns about the removal of some land from the CBD PP boundary, including the West Auto Alley Precinct. The land parcels within the area described in the submission were originally part of the Parramatta CBD Planning Proposal boundary and were excised following a resolution of Council on 25 November 2019 for future planning consideration as part of the Planning Investigation Area (PIA) work. This would allow further analysis of potential impacts on heritage items, heritage conservation areas and open space to be undertaken at a later stage.</p> <p>The request to reintroduce the land described by the submitter into the CBD PP would raise the expectation that the remaining PIAs removed in November 2019 should also be re-introduced back into the CBD PP. This change would also be considered substantial and trigger the need for the re-exhibition of the CBD PP, which would then mean the CBD PP is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the planning proposal area exclusive of the PIAs.</p> <p>A number of PIAs on the fringes of the Parramatta CBD were first identified in the Parramatta CBD Planning Strategy (2015), with four more areas added to these PIAs by way of the Council resolution in November 2019. The West Auto Alley Precinct is one of the four areas removed. The investigation work in these areas is planned to commence following completion of the public exhibition process of the</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p><u>Pro-forma No. 2</u></p> <p>Requests Council reinstate the West Auto Alley Precinct into the CBD PP process because it objects to its exclusion for the following reasons:</p> <ul style="list-style-type: none"> • A significant amount of planning and feasibility work has been undertaken for the West Auto Alley Precinct that supports increased planning controls. • Exclusion of this Area does not follow the orderly consideration of planning controls. • Ridiculous that the area will remain under-developed and adjoining 30-storeys tower along Church Street. • The area is in a strategically advantageous location to accommodate increased density. • Development of South Parramatta supports state government objectives for housing targets and boosting the local economy. 	<p>CBD PP in accordance with Council's resolution from 12 September 2016.</p> <p>Progressing the CBD PP as soon as possible will establish Council's policy direction and allow the greater majority of landowners to progress investment decisions and pursue approval processes in accordance with Council's strategy. Separating the CBD PP from the PIA work maximises these benefits and enables Council to progress the current CBD PP and deal with the PIAs in logical groups once resources become available.</p> <p>The next steps for the PIAs is to report a workplan to Council that officers recommend split the PIAs into three separate projects – the Northern PIA, Southern PIA and Eastern PIA. The 'Southern PIA' will encompass the area referred to as the West Auto Alley Precinct. A map of the PIAs is included in the Council Report and the Community Engagement Report.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>
11.a	Submitter from Rosehill Street, Parramatta Submission Number 11	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.
12.	Submitter from Elizabeth Street, Parramatta Submission Number 12	Submitter objects to Exclusion of Elizabeth Street from the CBD PP.	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.
13.	Submitter from Elizabeth Street, Parramatta Submission Number 13	<p>Objects to the exclusion of Elizabeth Street from the CBD PP.</p> <p>Sees that area in need of revitalisation and will support the broader CBD Area.</p> <p>Sees that the inclusion of Elizabeth Street will benefit the community, particularly students of WSU (Rydalmere campus).</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
14.	Submitter from Rosehill Street, Parramatta Submission Number 14	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.
15.	Submitter from Elizabeth Street, Parramatta Submission Number 15	<p>Objects to the exclusion of Elizabeth Street from the CBD PP.</p> <p>Notes Elizabeth Street is different from the North and South Parramatta area.</p> <p>Is unclear of the heritage justifications to exclude Elizabeth Street from the CBD PP.</p> <p>Sees there are no heritage grounds for reducing the controls for this area</p> <p>Notes Council's rescission decision associated with this planning investigation area and exclusion from the CBD PP is <i>terribly disappointing for residents</i> – particularly given no incentive for regeneration of my street or area has been laid out.</p> <p>Sees area is in need of revitalisation and will not obstruct view of the All Saints Church.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.
16.	Submitter from Rosehill Street, Parramatta Submission Number 16 Duplicate Submission Provided	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.
17.	Submitter from Rosehill Street, Parramatta Submission Number 17 Duplicate Submission Provided	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
18.	Submitter from Sorrell Street, Parramatta Submission Number 18	Submitter supports all the proposed changes outlined in the Parramatta CBD Planning Proposal.	Submission in support of the CBD Planning Proposal is acknowledged.
19.	Submitter from Elizabeth Street, Parramatta Submission Number 19	<p>Objects to the exclusion of Elizabeth Street from the CBD PP.</p> <p>Acknowledges the Heritage Listing of All Saints Church but believes that these can be considered</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		with additional height limits to accommodate redevelopment of the Elizabeth Street Area.	
20.	Submitter from Cowper Street, Parramatta Submission Number 20	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.
21.	Submitter from Cowper Street, Parramatta Submission Number 21	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
22.	Submitter from Rosehill Street, Parramatta Submission Number 22	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
23.	Submitter from Dixon Street, Parramatta Submission Number 23	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
24.	Submitter from Dixon Street, Parramatta Submission Number 24	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
25.	Submitter from Dixon Street, Parramatta Submission Number 25	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
26.	Submitter from Dixon Street, Parramatta Submission Number 26	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
27.	Submitter from Dixon Street, Parramatta Submission Number 27	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
28.	Submitter from Dixon Street, Parramatta Submission Number 28	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
29.	Submitter from Rosehill Street, Parramatta Submission Number 29	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
30.	Submitter from Rosehill Street, Parramatta Submission Number 30	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
31.	Submitter from Rosehill Street, Parramatta Submission Number 31	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
32.	Submitter from Rosehill Street, Parramatta Submission Number 32	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
33.	Submitter from Rosehill Street, Parramatta Submission Number 33	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
34.	Submitter from Rosehill Street, Parramatta Submission Number 34	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
35.	Submitter from Rosehill Street, Parramatta Submission Number 35	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
36.	Submitter from Rosehill Street, Parramatta Submission Number 36	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
37.	Submitter from Boundary Street, Parramatta Submission Number 37	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
38.	Submitter from Boundary Street, Parramatta Submission Number 38	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
39.	Submitter from Rosehill Street, Parramatta Submission Number 39	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
40.	Submitter from Rosehill Street, Parramatta Submission Number 40	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
41.	Submitter from Boundary Street, Parramatta Submission Number 41	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
42.	Submitter from Boundary Street, Parramatta Submission Number 42	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
43.	Submitter from Rosehill Street, Parramatta Submission Number 43	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
44.	Submitter from Rosehill Street, Parramatta Submission Number 44	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
45.	Submitter from Elizabeth Street, Parramatta Submission Number 45	<p>Objects to exclusion of Elizabeth Street from CBD PP.</p> <p>Notes that the Urbis Study and HAA report make no recommendations for lowering building heights.</p> <p>Sees no heritage grounds to remove Elizabeth Street from the CBD PP land application area.</p> <p>Is concerned that the decision to exclude Elizabeth Street was an oversight and grouped with the North Parramatta recommendation.</p> <p>Notes that 17-25 Elizabeth Street is a large block with an old-aged building that needs to be re-developed.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.</p> <p>In relation to the comment about the Urbis and HAA heritage studies not making recommendations for lower building heights in Elizabeth Street, this is only partly true. The Urbis study recommended the removal of the Incentive FSR from the All Saints Church heritage items, and a maximum FSR of 2:1 for 13-15 and 17-25 Elizabeth Street and 5.2:1 for the sites at 5 and 7 Elizabeth Street. This is consistent with the transition in height to HCAs and heritage items in a landscape setting and in the peripheral areas of the CBD.</p> <p>The HAA study recommended the removal of FSR and height incentives for the All Saints Church heritage items, which it stated is not technically a conservation area, but should be treated as such. For the other sites in Elizabeth Street, the HAA study recommended a reduction to the incentive FSR to 5.2:1 for the site at 5 Elizabeth Street, with the remainder to have an FSR of 6:1 consistent with the recommendations for other land adjacent to heritage conservation areas.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>
46.	Submitter from Elizabeth Street, Parramatta Submission Number 46	<p>Objects to the exclusion of Elizabeth Street from CBD PP.</p> <p>Notes that the Urbis Study and HAA report make no recommendations for lowering building heights.</p> <p>Sees no heritage grounds to remove Elizabeth Street from the CBD PP land application area.</p> <p>Is concerned that the decision to exclude Elizabeth Street was an oversight and grouped with the North Parramatta recommendation.</p> <p>Notes that 17-25 Elizabeth Street is a large block with an old-aged building that needs to be re-developed.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
47.	Submitter from Elizabeth Street, Parramatta Submission Number 47	<p>Objects to the Parramatta CBD PP because it excludes the site at 17-25 Elizabeth Street, Parramatta.</p> <p>Notes that 17-25 Elizabeth Street is 6,500sqm in area, has two street frontages, and comprises a 3 storey building totalling 53 apartments built in 1981.</p> <p>Building is deteriorating; however, the block cannot be developed due to the height restrictions as outlined in the Parramatta CBD Planning Proposal</p> <p>Submission references the revitalisation of Parramatta River precinct occurring close to the property at 17-25 Elizabeth Street, the location of which is suited to the creation of a vibrant community hub to attract professionals wishing to live within walking distance to the Parramatta CBD.</p> <p>Submission notes that whilst 17-25 Elizabeth Street was excluded from the Parramatta CBD Planning Proposal in order to maintain the views of the All Saints Church Spire from Victoria Road, the site at 17-25 Elizabeth Street is located over 80m from the Church Building and development at the site would not result in overshadowing as 17-25 Elizabeth Street is located south of the Church.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10.</p>
48.	Submitter from Harold Street, Parramatta Submission Number 48	<p>Objection on the revised CBD PP Boundary Change.</p> <p>Submission on behalf of 14 owners to reinstate the former CBD Boundary that included Harold Street.</p> <p>Raises concerns that there is <i>no good reason</i> to not include 20-24 Harold Street in the PP boundary as originally planned, prior to 25 November 2019.</p>	<p>The site at 20-24 Harold Street, Parramatta, is contained within the North-East Planning Investigation Area (PIA) which was subject to a separate pathway as outlined in a Council decision of 9 June 2020.</p> <p>As noted at Submission 3 at Row 3 above, the North-East PIA's location between a proposed high rise corridor on Church Street (under the Parramatta CBD Planning Proposal) and low scale built form in the Sorrell Street Heritage Conservation Area (HCA) mean there are a number of competing strategic priorities which ultimately may influence its future. These competing strategic priorities result in cases that can be made for both higher and lower built forms in this precinct.</p> <p>On 9 November 2020, Council resolved to endorse the Draft Planning Strategy for the purposes of public exhibition to seek feedback from the</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>community and stakeholders on six built form options for the North-East PIA presented in this Draft Strategy.</p> <p>Reinstating the North-East PIA for the site at 20-24 Harold Street would be inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the planning proposal area exclusive of the PIAs.</p> <p>The reintroduction of the North-East PIA back into the CBD PP would raise the expectation that the remaining parts of the PIAs that were removed from the CBD PP in November 2019 should also be re-introduced back into the CBD PP – this would delay its finalisation by the DPIE as re-exhibition would be required given this would be considered a substantial change.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>
49.	Submitter from Browne Place, Baulkham Hills Submission Number 49	Supports the proposed changes in the planning proposal.	Submission in support of the CBD Planning Proposal is acknowledged.
50.	Submitter from Elizabeth Street, Parramatta Submission Number 50	<p>Resident of a unit at 17 Elizabeth Street (comprising 53 units).</p> <p>Objects to the exclusion of Elizabeth Street from the CBD PP.</p> <p>Concerned that the current CBD PP is narrowly focused on limited areas within proximity to Parramatta Train Station.</p> <p>Concerned that heritage properties have been delisted or knocked down to curve spaces for new tower buildings.</p> <p>Requests that some historic buildings that need to be protected including Willow Grove and St George Terrace.</p> <p>Note: The Council officer's response summarises both submissions received from this submitter dated 9 October 2020 and 13 October 2020 since the points raised are very similar.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 10, Row 10.</p> <p>In relation to St George's Terraces and Willow Grove, it is noted that the State Government on 11 February 2021 approved the MAAS development, which now retains the St George's Terraces and Willow Grove, as follows:</p> <ul style="list-style-type: none"> The St George's Terraces are being retained, however, there will be some alterations and part demolition at the rear of the terraces to ensure it fits within the context of the MAAS redevelopment. Willow Grove will be deconstructed and relocated to a location which will be determined in consultation with Council, the NSW Heritage Council, the local community as well as and key stakeholders. The approval also requires, that, prior to any works commencing, archival photographic recordings must be undertaken for each building of internal and external components of the building and context photographs of the existing site as viewed from the street

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			and its surroundings. A copy of the final recordings shall be provided to Council.
51.	Submitter from High Street, Parramatta Submission Number 51 Submission Number 248 Submission Number 255	<p>Submitter owns a house in High Street, Parramatta, which is also a local heritage item and lodged 3 separate submissions.</p> <p>Sees that the planning proposal misses the opportunity of better integrating Auto Alley into the CBD area. Sees the proposed B5 zoning is an error given this precinct's proximity to the CBD.</p> <p>Considers the B3 Commercial Core zone as more appropriate for this area with a corresponding building height of 60m and FSR of 10:1 because the area <i>offers large blocks that can be developed for high rises</i>.</p> <p>Believes vehicle sales or hire premises are more appropriately located in the light industrial areas along the Great Western Highway, away from city centres particularly because they employ a low number of staff and occupy large blocks.</p> <p>Sees the large block sizes also appropriate for mixed-use high-rise development because of their proximity to the Parramatta train station, and retail strips.</p>	<p>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, and in 2015 Council commissioned the Economic Review – Achieving A-Grade Office, with the key findings and recommendations related to Auto Alley being:</p> <ul style="list-style-type: none"> • 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. <p>Consistent with this, and the Gateway Determination issued by DPIE in December 2018, the planning proposal amends the planning controls for the Auto Alley Precinct to provide capacity for longer term employment growth by rezoning some land to B3 Commercial Core and B4 Mixed Use that is currently zoned B5 Business Development along Church Street (Auto Alley) to provide for an expanded area of higher order commercial core activities in the future; and permitting additional uses for 'vehicle repair stations', with development consent so as to enable these uses to continue in the short-medium term.</p> <p>Furthermore, the Marion Street Precinct Urban Design and Heritage Study looked at this area which led to the controls being revised as per the exhibited CBD PP taking into consideration the heritage values of this vicinity and identifying appropriate building form. This was also partly necessary to demonstrate consistency with Division 9.1, Direction 2.3 (Heritage) of the <i>EP&A Act</i>. Further, the HAA Heritage Study of Interface Areas also informed controls for High Street.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
52.	Submitter from Boundary Street, Parramatta Submission Number 52	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
53.	Submitter from King St, Parramatta Submission Number 53	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
54.	Submitter from Boundary Street, Parramatta Submission Number 54	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
55.	Submitter from Boundary Street, Parramatta Submission Number 55	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
56.	Submitter from Boundary Street, Parramatta Submission Number 56	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
57.	Submitter from Strathalbyn Drive, Oatlands Submission Number 57 Duplicate Submission Provided	<p>Raises concerns with existing setbacks to heritage buildings.</p> <p>Recommends introducing <i>standard curtilage minimum of 10 metres on a DP should be included to enhance the visual significance of a heritage building</i>. This should apply to Harrisford House and future Metro West development at the rear of Houison Cottage, Macquarie Street.</p> <p>Sees the design excellence incentive should work in reverse, i.e. heights should be restricted further to non-compliant development. When the council takes on these air space negotiations, fees should also increase from 10% to 50% +. Major developments should be encouraged in these negotiations to have heritage and site history display points in house. (i.e. the Phillip Ruddock V Crown site).</p> <p>Sees that the Blue Sky view corridor along Church Street should be increased to 15 metres to enhance the existing heritage strip from Phillip Street to Macquarie Street.</p> <p>Anticipates negative impacts arising from tall towers at the river. Submitter cites the impact of the towers on either side of Harrisford House, George street and the 'tunnelling' effect of the design of the MAAS</p>	<p>An important piece of policy which supports the CBD Planning Proposal will be the Draft CBD Development Control Plan (DCP) which will address issues associated with building interfaces, including those with heritage sites. The Draft DCP amendments are anticipated for exhibition in the latter half of 2021.</p> <p>With regards to blue sky corridor, the Overshadowing Technical Paper and other heritage and urban design studies tested this across various sites. These studies have also been vetted by DPIE in issuing their approval to place the CBD PP on exhibition. No changes to the blue sky corridor are considered necessary in light of the previous work undertaken in these studies.</p> <p>With regards to the 211m building heights along the River at George Street, actual building heights vary up to 120m with some sites having no incentive building height.</p> <p>The comment on the impact of the MAAS approval on Council's Civic Link vision is noted. Council prepared a submission on the draft plans for the MAAS site which included expressing concerns regarding the impact of the draft design on Council's Civic Link concept. It is noted however, that the State Government approved a design that is not consistent with Council's Civic Link vision for that site. The State Government approved the development application for MAAS on 11 February 2021 (see: https://www.planningportal.nsw.gov.au/major-projects/project/26576).</p> <p>Council's Community Infrastructure Strategy and supporting Contributions Plans outline Council's infrastructure priorities and</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>building design conflicts with Council's Civic Link vision for that site.</p> <p>Is of the view that any future development at the Eastern end of Phillip St (i.e. the Colonial first building and the River Canyon Bar & Grill Restaurant 94 Philip St) should be purchased by council and left as public space.</p>	<p>potential for agreed funding mechanisms. It is beyond the scope of the CBD PP to identify new sites for purchase by Council for open space purposes.</p> <p>The controls for the land in the Phillip Street block will be further investigated as part of further internal analysis being undertaken by Council's City Transformation Team in the context of the 'Phillip Street Block Study'.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
58.	Submitter from Banks Street, Mays Hill Submission Number 58	Submitter requests for ample public parking and public toilets.	<p>The issues raised in this submission are outside the scope of the CBD PP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
59.	Submitter from Wandsworth Street, Parramatta Submission Number 59	<p>Is concerned that there is limited infrastructure and schools to serve the additional density.</p> <p>Submitter questions if 14,000 apartments is appropriate within the CBD area.</p> <p>Supports the provision of solar access and additional heritage protection.</p> <p>Is concerned with lower parking rates and the location of future car parking lots.</p>	<p>There are many different types of infrastructure and the submitter does not specify what infrastructure they consider is limited. To support the local infrastructure needs for the residents, workers and visitors to the Parramatta CBD Council is undertaking a review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD.</p> <p>This Framework is part of the infrastructure provision needed to support the city. The planning proposal also relies on the State Government delivering critical transport infrastructure such as the Parramatta Light Rail and the Sydney Metro West projects. More broadly, State agencies will use Council's LSPS, Local Housing Strategy and Employment Lands Strategy Review and Update (and original ELS (2016)) to inform their infrastructure planning and service delivery such as schools, hospitals and transport to support local communities within the City of Parramatta LGA including the Parramatta CBD.</p> <p>A submission was received from School Infrastructure NSW as part of the Department of Education. This submission did not raise the issue of school capacity in relation to the CBD PP.</p> <p>The 14,000 dwellings (as per the exhibited CBD PP) will be situated across the B4 Mixed Use zone of the Parramatta CBD based on density calculations of available capacity.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>Submitter's support for solar access and additional heritage protection provisions in the CBD PP is noted.</p> <p>This Planning Proposal adopts the approach put forward by the Strategic Transport Study (2017) that encourages sustainable transport policies by reducing parking rates and supporting increased use of public transport, walking and cycling to reduce adverse transport impacts associated with increased development. Council is preparing a mesoscopic model and Integrated Transport Plan (ITP) which will help to refine these parking rates as a part of separate planning proposal process. The ITP will be placed in public exhibition in the coming months following endorsement by Council on 26 April 2021 for public exhibition and the community will be invited to review the documentation and provide comments. The policy framework relies on encouraging trips by other modes as the road network can not be expected to cope if all future CBD users accessed the CBD by private motor vehicle.</p> <p>Council officers believe the reduced car parking rates are an acceptable outcome given the urban environment and Central River City status of the Parramatta CBD.</p> <p>Future strategies on the location of car parking station will need to fit in with this new transport framework</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
60.	No Address Provided Submission Number 60	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.
61.	No Address Provided Submission Number 61	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
62.	Submitter from Elizabeth Street, Parramatta Submission Number 62	<p>Submitter does not support the CBD Planning Proposal without the inclusion of 3-25 Elizabeth Street, Parramatta.</p> <p>Supports the CBD Heritage Study of Interface Areas (HAA) 2017.</p> <p>Raises that the Heritage Study (Urbis) 2015 made no heritage analysis or recommendations for sites south of All Saints Church Grounds. Raises that the</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>heritage significance of the site is contained within the large curtilage of All Saints Church.</p> <p>Submission notes that whilst the Heritage Study of Interface Areas (HAA) 2017 recommends maintaining the views of the All Saints Church spire from Victoria Road, development along Elizabeth Street would not impact views.</p> <p>The site of 17-25 Elizabeth Street is located 80m from All Saints Church, with land comprising of 6,500sqm with two street frontages and a 3 storey building totalling 53 apartments mostly built in 1981. Raises that construction at the site has been poor and the building is beginning to deteriorate.</p> <p>Submitter notes that the proposed building height on the corner of Sorrell, Victoria and Wilde Ave is located closer to All Saints Church. Sees that this height contradicts the exclusion of 17-25 Elizabeth Street from the Parramatta CBD Planning Proposal.</p> <p>Situated nearby the proposed revitalisation of Parramatta River, the submitter believes that the site at 17-25 Elizabeth Street is strategically located for the delivery of a vibrant community hub attracting professionals to live close to Parramatta. With the proposed revitalisation of Parramatta River. The property is located nearby to ferry services, Parramatta Light Rail and Parramatta Westfield.</p> <p>Submitter notes that site at 17-25 Elizabeth Street is classed as City Centre North, not North or South Parramatta.</p> <p>Submitter acknowledges the importance of heritage buildings, and for buildings of heritage significance to form the modern city. Submitter raises that are no heritage grounds for reducing the proposed controls for 3-25 Elizabeth Street. Submission</p>	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		requests for these properties to be included in the current Parramatta CBD Planning Proposal.	
63.	Submitter from Elizabeth Street, Parramatta Submission Number 63	<p>Submitter does not support the CBD Planning Proposal without the inclusion of 17-25 Elizabeth Street, Parramatta.</p> <p>Submitter references the site of 17-25 Elizabeth Street, comprising of a 3 storey building totalling 53 apartments mostly built in 1981 and situated on 6,500sqm of land. Raises that construction at the site has been poor and the building is beginning to deteriorate.</p> <p>Situated nearby the proposed revitalisation of Parramatta River, the submitter believes that the site at 17-25 Elizabeth Street is strategically located for the delivery of a vibrant community hub attracting professionals to live within walking distance to Parramatta CBD.</p> <p>Submitter considers that the development at 17-25 Elizabeth Street would not impact views of the All Saints Church spire from Victoria Road, as the site is located over 80m south from the Church building, and would not result in overshadowing.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
64.	Submitter from Grose Street, Parramatta Submission Number 64	<p>Submitter requests for the full block between Church, Ross, Sorrell and Grose Street and the block between Grose, Church, Sorrell and Fennell Street to be included in the CBD Planning Proposal.</p> <p>Submitter references the demolition of the Royal Oak Hotel and proposed demolition of Willow Grove as contradictory to the finding that these blocks have heritage value. Submitter considers that there is no heritage value to these blocks.</p> <p>Submitter is excited for the future development of Parramatta.</p>	<p>The issues raised by the submitter in relation to the identified areas are noted and addressed in the Council Officer response at Submission 3, Row 3; and Submission 48, Row 48.</p> <p>A Council officer response in relation to Willow Grove is provided at Submission 50, Row 50.</p> <p>In relation to the Royal Oak Hotel site, the demolition was undertaken by the State Government as part of approval of the Parramatta Light Rail project. Conditions associated with the approval required the proponent to prepare a Heritage Archival Recording and Salvage Report, including photographic recording of heritage items which have been identified for demolition or modification. The proponent must also salvage material from heritage items as per above. Following archival recording, the Proponent must identify options for sympathetic reuse of salvaged material (including integrated heritage displays) on the project or for other options for repository, reuse and display.</p>
65.	Submitter from Boundary St, Parramatta Submission Number 65	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.
N/A	State Member of Parliament on behalf of Residents Submission Number 67	<p>This letter from Dr Lee MP does not technically constitute a submission. Rather, it forwards resident submissions on behalf of:</p> <ul style="list-style-type: none"> • Submission Number 20 • Submission Number 21 • Submission Number 22 • Submission Number 40 • Submission Number 56 • Submission Number 65 • Submission Number 132 <p>Lodges seven copies of a pro-forma via a range of channels that seeks inclusion of the West Auto Alley Precinct into the CBD planning proposal.</p>	The issues raised by the various submitters in relation to the West Auto Alley Precinct are noted and addressed in the Council Officer response at Submission 11, Row 11.
66.	Submitter from Elizabeth Street, Parramatta Submission Number 68	Submitter does not support the CBD Planning Proposal without the inclusion of 17-25 Elizabeth Street, Parramatta.	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter notes that 17-25 Elizabeth Street Parramatta was removed from the Planning Proposal due to the site's close proximity to the All Saints Church. Submission notes that All Saints Church is over 80m away from the subject site, and any tall buildings would not result in overshadowing, rather, a distant backdrop like many other heritage buildings in Parramatta.</p> <p>Notes that the Urbis Heritage Study 2015 and the Heritage Study of Interface Areas (HAA) 2017 did not recommend reducing building heights at 17-25 Elizabeth Street. Submission suggests that Elizabeth Street was accidentally 'caught up' in the Urbis recommendations for North Parramatta.</p> <p>Sees that raising the height restrictions as proposed in the Parramatta CBD PP limits development potential for the property.</p> <p>Submitter recommends that Council to include Elizabeth Street in the Parramatta CBD PP as there appears to be no recommendations or justification for reduced building heights at the site.</p>	
67.	Submitter from Rosehill Street, Parramatta Submission Number 69	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11 .
68.	Submitter from Clarendon Drive, Stanhope Gardens Submission Number 70	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
69.	Submitter from South Parramatta Submission Number 71	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
70.	Submitter from Glebe Street, Parramatta Submission Number 74	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
71.	Submitter from Marsden Street, Parramatta Submission Number 75	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
72.	Submitter from Carrington Street, Parramatta Submission Number 76	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
73.	Submitter from King Street, Parramatta Submission Number 77	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
74.	Submitter from Carrington Street, Parramatta Submission Number 78	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
75.	Submitter from Lennox Street, Parramatta Submission Number 79	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
76.	Submitter from Rosehill Street, Parramatta Submission Number 80	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
77.	Submitter from King Street, Parramatta Submission Number 81	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
78.	Submitter from Boundary Street, Parramatta Submission Number 82	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
79.	Submitter from Rosehill Street, Parramatta Submission Number 83	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
80.	Submitter from Glebe Street, Parramatta Submission Number 84	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
81.	Submitter from Lansdowne Street and Marion Street, Parramatta Submission Number 85	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
82.	Submitter from Boundary Street, Parramatta Submission Number 86	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
83.	Submitter from Rosehill Street, Parramatta Submission Number 87	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
84.	Submitter from Rosehill Street, Parramatta	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
	Submission Number 88		
85.	Submitter from Cowper Street, Parramatta Submission Number 89	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
86.	Submitter from Boundary Street, Parramatta Submission Number 90	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
87.	Submitter from Rosehill Street and Lansdowne Street, Parramatta Submission Number 91	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
88.	Submitter from Dixon Street, Parramatta Submission Number 92	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
89.	Submitter from Rosehill Street, Parramatta Submission Number 93	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
90.	Submitter from Boundary Street, Parramatta Submission Number 94	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
91.	Submitter from Marsden Street, Parramatta Submission Number 95	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
92.	Submitter from Marsden Street, Parramatta Submission Number 96	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
93.	Submitter from Rosehill Street, Parramatta Submission Number 97	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
94.	Submitter from Rosehill Street, Parramatta Submission Number 98	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
95.	Submitter from Rosehill Street, Parramatta Submission Number 99	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
96.	Submitter from Betts Street, Parramatta Submission Number 101	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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97.	Submitter from Rosehill Street, Parramatta Submission Number 102	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
98.	Submitter from Rosehill Street, Parramatta Submission Number 103	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
99.	Submitter from Hassall Street, Parramatta Submission Number 104	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
100.	Submitter from Rosehill Street, Parramatta Submission Number 105	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
101.	Submitter from Aird Street, Parramatta Submission Number 106	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
102.	Submitter from Rosehill Street, Parramatta Submission Number 107	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
103.	Submitter from Cowper Street, Parramatta Submission Number 108	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
104.	Submitter from Cowper Street, Parramatta Submission Number 109	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
105.	Submitter from Pitt Street, Parramatta Submission Number 110	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
106.	Submitter from Betts Street, Parramatta Submission Number 111	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
107.	Submitter from Early Street, Parramatta Submission Number 112	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
108.	Submitter from North Parramatta Submission Number 113	Submitter recommends for Sun Access Protection should be provided from 10am - 2pm at mid-winter, not 12pm - 2pm as proposed in the Planning Proposal, which would assist in preserving the amenity of Parramatta. Refers to the City of Sydney	Council prepared an Overshadowing Technical Paper 2020 to support the Planning Proposal. This paper provided technical analysis to inform the sun access protection surface for the protected area of Parramatta Square between 12-noon and 2:00pm, consistent with other public spaces also protected under the CBD PP between 12-noon and 2.00pm. This period is considered significant as it encompasses peak

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		controls for Hyde Park and Martin Place which require solar protection from 10am - 2pm.	<p>lunch time hours when residents, workers and visitors are anticipated to use these spaces.</p> <p>The CBD Planning Proposal has incorporated a Solar Access Plane that protects sunlight access to Experiment Farm and the nominated curtilage area from the period from 10am to 2pm on 21 June.</p> <p>Council officers consider that the proposed solar access provisions and surfaces as exhibited in the CBD PP (Cl. 7.4 and SAP Map) will reasonably protect solar access and amenity to the land and spaces as required by the Gateway Determination issued by DPIE. This includes the protected period described above that have been endorsed by DPIE.</p> <p>Based on the above, Council officers do not support the request and there are no recommended changes to the Planning Proposal.</p> <p>Decision Pathway – 2: Not supported.</p>
109.	Submitter from Carlingford Submission Number 114	<p>Submitter references the impacts of COVID on Parramatta's property market and the abundance of apartments in Parramatta CBD that are empty as a result of the pandemic.</p> <p>Submitter opposes development in Parramatta until COVID has ended and the economy has recovered in approximately 2-5 years.</p>	<p>The issue raised by the submitter in relation to COVID-19 is addressed in the Council Officer response at Submission 1, Row 1.</p> <p>The Parramatta CBD Planning Proposal dwelling and job targets are consistent with the current Greater Sydney Region Plan, Central City District Plan and Council's Local Strategic Planning Statement. Further, the Parramatta CBD Planning Proposal contributes to the long-term success of Parramatta CBD.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
110.	Submitter from Baronbali Street, Dundas Submission Number 115	<p>Submitter supports the 18m maximum building height for the Roxy Theatre site as proposed in December 2019.</p> <p>Submitter recommends the restoration and reopening of the Roxy Theatre as a theatre and performance hub to attract visitors to Parramatta CBD.</p> <p>Submitter raises concern regarding the future of this site and the possibility for developers to challenge the maximum permissible height. Notes that in</p>	<p>The exhibited main controls for the Roxy Theatre (69 George Street) were B3 Commercial Core zone, Base building height of 18 metres with no incentive building height (because of B3 zone). This height control was developed on the premise of ensuring the retention of the building's form and fabric and that any redevelopment would not compromise the heritage setting of the item. It was determined considering the outcomes of a Land Environment Court (LEC) judgement (NSWLEC 1292) regarding a development proposal on the site.</p> <p>Notwithstanding this, Council Officers are of the view that the proposed changes (as exhibited) should not be progressed for the purposes of</p>

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		order to retain the integrity of the Roxy Theatre, the height restrictions must be enforced.	<p>finalising the CBD PP. Instead, the existing PLEP 2011 height control (as per the solar access plane (SAP)) should be applied in the planning proposal to be recommended for finalisation. Council Officers reiterate that this is not to be interpreted as a signal that a proposal with a tower form which would require part demolition of the theatre building is an acceptable proposal. Rather, this is a temporary arrangement because of the strategic review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block.</p> <p>The existing height controls under the SAP will continue to apply until the Civic Link DCP work and Sydney Metro master planning process has been resolved. It is the intention of Council Officers to return a building height consistent with the LEC judgment and therefore, Council Officers recommend amending the CBD PP documentation as follows:</p> <ul style="list-style-type: none"> • Draft planning proposal - Amend the PP explaining the reasons for the reversion back to existing controls, but noting that this does not mean that Council supports a tower element over the site which is contrary to the LEC ruling. • Draft LEP Maps - Replace the 18 metre height notation with the existing PLEP 2011 SAP notation on the HOB Map. <p>As the Roxy Theatre is a privately owned site, its ongoing use is a matter for the owner to determine and is beyond the scope of the CBD PP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
111.	Submitter from Villiers Street, Parramatta Submission Number 116	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11 .
112.	Submitter from Villiers Street, Parramatta Submission Number 117	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
113.	Submitter from Dixon Street, Parramatta Submission Number 118	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response	
114.	Submitter from Felton Street, Telopea Submission Number 119	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
115.	Submitter from Felton Street, Telopea Submission Number 120	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
116.	Submitter from Villiers Street, Parramatta Submission Number 121	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
117.	Submitter from Dixon Street, Parramatta Submission Number 122	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
118.	Submitter from Romani Street, North Parramatta Submission Number 123	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
119.	Submitter from Gloucester Avenue, Parramatta Submission Number 124	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
120.	Submitter from Dixon Street, Parramatta Submission Number 125	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
121.	Submitter from Gladstone Street, Parramatta Submission Number 126	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
122.	Submitter from Villiers Street, Parramatta Submission Number 127	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct		
123.	Submitter from Valentine Avenue, Parramatta Submission Number 128	<p>Submitter objects to the proposed increased height and floor space ratio controls at 10 Valentine Avenue.</p> <p>Submitter notes that increased controls at 10 Valentine Avenue will be detrimental to the Mantra Hotel, which is experiencing loss of business as a result of COVID, as the proposed controls will block sunlight and views from the Mantra Apartments</p>		<p>The site at 10 Valentine Avenue was subject to a site-specific Planning Proposal assessment, which included a detailed and robust planning assessment of overshadowing impacts, tower and urban design considerations and car parking rates. The notification of Parramatta Local Environmental Plan 2011 (Amendment No. 44) for 10 Valentine Avenue took effect as of 28 February 2020.</p> <p>The Parramatta CBD Planning Proposal job targets are consistent with the current Greater Sydney Region Plan, Central City District Plan and Council's Local Strategic Planning Statement.</p> <p>Regarding the operation of an additional car park, the Parramatta CBD Planning Proposal adopts the approach put forward by the Strategic</p>

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		<p>Submitter believes that the controls at 10 Valentine Avenue will result in the overdevelopment of a narrow site.</p> <p>Is of the view that building office space should be a low priority due to increased working from home arrangements and travel restrictions.</p> <p>Recommends Council to buy and operate the car park at 10 Valentine Avenue, to be operated as a commuter carpark, providing parking within close proximity to Parramatta Station and to minimise overshadowing impacts for the Mantra Hotel.</p>	<p>Transport Study that encourages sustainable transport policies by reducing parking rates and supporting increased use of public transport, walking and cycling.</p> <p>See the Council Officer response in relation to COVID-19 at Submission 1, Row 1.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
124.	Submitter from Elizabeth Street, Parramatta Submission Number 129	<p>Submitter does not support the current CBD Planning Proposal which excludes 17-25 Elizabeth Street as part of the CBD.</p> <p>Submitter supports the future upgrade of Parramatta as Sydney's second modern Central Business District.</p> <p>Submitter references the site of 17-25 Elizabeth Street, comprising of 3-storey building totalling 53 apartments and situated on 6,500sqm of land. References the strategic location of the site being within walking distance to Parramatta River, Eat Street, Parramatta Stadium, shopping centres and transport hubs.</p> <p>References that All Saints Church is located on the corner of Elizabeth Street and Victoria Road. The submitter supports the protection of historical sites.</p> <p>Submitter considers that as the site at 17-25 Elizabeth Street is located south of All Saints Church, with a fair distance between the Church and residential buildings, developing the site at 17-25 Elizabeth Street would not impact the church.</p> <p>Disappointed that Elizabeth Street has been excluded from the Planning Proposal, as the removal of the original R4 High Density zone has</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10.</p>

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		reduced the opportunity for investors to develop the land.	
125.	Submitter from Elizabeth Street, Parramatta Submission Number 130	<p>Submitter believes that 17-25 Elizabeth Street should be included in the current Parramatta CBD Planning Proposal and not regarded as part of North Parramatta.</p> <p>Submitter references All Saints Church located around 80 metres away from 17-25 Elizabeth Street, noting that developing the site at 17-25 Elizabeth Street would not overshadow the church.</p> <p>References the age of the existing building at 17-25 Elizabeth Street results in high maintenance and repair costs. Notes the advantages of new developments in supporting the elderly and people living with disabilities through providing lifts and accessible design rather than stairs.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10.
126.	Submitter from Carrington Street, Parramatta Submission Number 131	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.
127.	Submitter from Boundary Street, Parramatta Submission Number 132	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
128.	Submitter from Elizabeth Street, Parramatta Submission Number 133	<p>Submitter does not support the CBD Planning Proposal without the inclusion of 17-25 Elizabeth Street, Parramatta.</p> <p>The site of 17-25 Elizabeth Street is located 80m distance from All Saints Church, with land comprising of 6,500sqm, two street frontages and a 3 storey building totalling 53 apartments mostly built in 1981. Raises the issue that apartment blocks along Elizabeth Street are beginning to deteriorate.</p> <p>Submitter considers that the street could be put to better use, allowing additional housing for people that wish to live close to Parramatta CBD. Submitter notes the site forms part of Parramatta CBD, noting</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10; and Submission 45, Row 45.

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		<p>the location of the site within close proximity to Parramatta River and Parramatta's attractions.</p> <p>Recognises the value of Parramatta's heritage, but considers that allowing increased building heights along Elizabeth Street will not impact or overshadow All Saints Church, as the site is located over 80m from the church.</p> <p>Raises that the Urbis Heritage Study 2015 and the Heritage Study of Interface Areas 2017 did not recommend reducing building heights at 17-25 Elizabeth Street.</p> <p>Submitter notes that new development can occur whilst protecting heritage.</p>	
129.	<p>Submitter from Delta Road, Lane Cove and Bevan Street, Northmead Submission Number 134</p>	<p>Note: This submission raised a number of issues and was in excess of 30 pages and for this reason a Council officer response correlates to each major issue.</p> <p>The submitter requests that all land north of the Parramatta River be deferred from the CBD Planning Proposal to allow the controls for this area to be reconsidered.</p>	<p>Overview: The applicant's request for the area to be deferred is not supported for the following reasons:</p> <ul style="list-style-type: none"> • There have been number of different studies which were all exhibited with the Planning Proposal that has considered the future character of the area in question. • Prior to the preparation of the current draft Planning Proposal a pre-statutory consultation process was undertaken in 2014 which looked at development options for the entire Parramatta City Centre area to ensure the community was engaged in the process of identifying the future character. • This area in question is already part of the "Parramatta City Centre", as per the existing controls in the Parramatta LEP 2011. Some intensification of the area is considered appropriate to support the new light rail infrastructure coming into this precinct. • Independent review by the Department of Planning, Industry and Environment (DPIE) of the CBD PP and supporting technical studies resulted in a Gateway Determination being issued means the submission author's claim that the proposal is inconsistent with State and local Planning Policy is not supported. <p>Decision Pathway – 2: Not supported</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter states that if all land north of the Parramatta River is not deferred from the CBD Planning Proposal is not supported, they wish to pursue their rights under Section 3.34 of the EPA Act 1979 to request the Minister to either require a public hearing to be held under section 3.34(2)(e) or request the matter be reviewed by the Independent Planning Commission or relevant district or regional panel.</p>	<p>This is a matter for the Minister for Planning to determine. The Minister has various powers to amend or require independent reviews of any Planning Proposal. Council officers do not support the request for a public hearing to be held in relation to this matter given the extensive technical work that has been undertaken to support the proposed controls in this area.</p> <p>Decision Pathway – 2: Not supported</p>
		<p>Submitter notes that three (3) existing Planning Proposals for sites located in this area should not be progressed until the review above has been completed and that any (unspecified) development applications should also not be determined.</p>	<p>The three site-specific Planning Proposal (SSPP) applications in question and their status is as follows:</p> <ul style="list-style-type: none"> • 470 Church Street – a SSPP was endorsed by Council and finalised by DPIE on 19 February 2021 with FSR of 6:1 and height of building of 80m. These controls are consistent with exhibited CBD Planning Proposal and are now in effect. • 23-27 Harold Street – DPIE recently made a decision to no longer progress this SSPP. Council is separately undertaking strategic planning for the area to which is situated under the Draft Strategy for the North-East Planning Investigation Area, that was recently exhibited. Once Council has resolved its strategic intent for this precinct a future Planning Proposal initiated by either the SSPP applicant or Council would be needed before any of the planning controls for this site will change. • McDonalds site corner of Victoria Road and Church Street [355 and 375 Church Street, Parramatta] - a SSPP proposing an FSR of 6:1 and maximum height of building determined by the Sun Access Plane to Prince Alfred Square has been granted a Gateway determination. The proposed controls are consistent with the exhibited CBD Planning Proposal. It is expected that Council will resolve its position on the CBD Planning Proposal prior to this matter proceeding to exhibition. If Council does make a decision to defer the area north of the river from the CBD Planning Proposal, this is the only active SSPP within that area. Council would need to consider if controls for North Parramatta are to be reviewed and whether ongoing progress of this SSPP is appropriate in the light of any such deferral.

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		<p>The submission describes this area and its physical attributes, character and history which are accepted by Council Officers. It contends that the proposed controls for this part of North Parramatta are not consistent with retaining unique character of this area.</p> <p>It acknowledges that change can be facilitated in this area but that alternate controls for this precinct will better achieve growth in a manner more consistent with maintaining essential elements of the current character and heritage. Hence the submission's request that this area be deferred from the plan to allow for a review to determine alternate more appropriate controls.</p> <p>It suggests that the current strategy is driven by housing targets, uplift, arbitrary height controls and bonuses that propose a vision of high rise tall slender towers, where instead the controls should be guided by retaining as many elements of the existing character as it is possible to retain.</p> <p>Concern is raised that the exhibition material presents only one option. It is the view of the submitter there are deficiencies in the material exhibited around 3-d images and lack of detail exhibited on site specific planning proposals. It also seeks to put forward an argument that there is no satisfactory, well considered robust study that</p>	<p>Development Applications (DAs) must be determined within 40 days or else applicants are able to appeal to the Land and Environment Court as a deemed refusal. DAs are assessed against the existing controls, however given the CBD Planning Proposal has now been exhibited, it is also a matter for consideration in the DA assessment process, although no DAs would be able to be approved under its proposed controls until it was finalised by DPIE.</p> <p>Decision Pathway – 2: Not supported</p> <p>The submission seeks to make the case that the proposed controls will result in an outcome that is inconsistent with current character and history of the site.</p> <p>Council has prepared various studies related to urban design and heritage to seek to put in place controls to guide the future character of all parts of the proposed CBD including the part north of the river. It is acknowledged that the character of the area will change, particularly with the introduction of light rail and the density needed to support that new infrastructure.</p> <p>The Plan is supported by heritage studies that look at the heritage items and precincts within and surrounding the proposed new CBD Boundary and the controls proposed take into consideration those recommendations.</p> <p>As discussed in the overview provided at the beginning of the response on this submission there was a pre-statutory consultation process with the community on the proposal in 2014 on how the character might change.</p> <p>Council Officers submit that issues of changing character and heritage have been considered as part of this plan and therefore there is no reason to delay the implementation of new controls in this precinct that support the integration of land use with new transport infrastructure in a manner consistent with State Government and Council Policy frameworks.</p> <p>Decision Pathway – 2: Not supported</p>

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		<p>underpins the exhibited plan for this part of Parramatta</p> <p>The submission argues that the exhibited proposal is inconsistent with objectives of the Parramatta LEP related to conserving and promoting natural and cultural heritage, prosperity, liveability and social development, as well as the amenity and character of residential areas.</p> <p>The NSW Planning system that promotes a top down approach is in the opinion of the submission author flawed and should be instead more focused on a bottom up place based approach to managing change in a place that is focused on local context.</p> <p>The submission claims that the proposal is inconsistent with elements of the:</p> <ul style="list-style-type: none"> • Greater Sydney Commission GSC) 2018 Independent Panel Advisory Paper • GSC 2018: A Metropolis of Three Cities • Greater Sydney Commission 2018: Our Greater Sydney 2058 – Central City District Plan <p>A number of objectives and actions related to heritage preservation and celebration, support for the arts and creative industries, housing diversity, choice and affordability, protection of cultural landscapes, healthy, socially connected communities are identified from each of the above plans and the submission argues that the model of high rise development being put forward by Council will not achieve these objectives/ actions.</p> <p>The submission acknowledges that despite the issues raised above the GSC has provided written support of the Council LSPS to certify that Council's LSPS is consistent with the strategies above. However it also argues that this support is flawed because the GSC letter did not make reference to</p>	<p>The submission goes into some detail to seek to justify that the proposed controls for North Parramatta are inconsistent with the range of policies prepared by the Greater Sydney Commission, DPIE and Council listed in the column to the left.</p> <p>The basis for most of the arguments put forward in the submission is that these policies have objectives and actions that require the consideration of local character and heritage, open space provision, social and economic issues with a focus on place making and that the proposed controls do not take proper consideration of these issues.</p> <p>As indicated above the Planning Proposal seeks to evolve rather than retain the existing character of the CBD so that it can properly play the role of the metropolitan centre for western Sydney and to ensure integration of land use with the significant investment in transport and other infrastructure being put in place by the State Government and Council. This will help Parramatta achieve its role as the 'Central City' for the Greater Sydney metropolitan area, as envisaged in the State Government strategic planning framework.</p> <p>The proposed controls have regard to both the existing character and heritage and the need to evolve the city in a way that will achieve a range of objectives and actions that have not been referred to in the applicant's submission. Strategies in these documents related to integration of land use and transport, to making most efficient use of new infrastructure by ensuring it is accessible to greater numbers of residents and businesses has to be balanced against the issues of character and heritage the submission author has highlighted in their submission.</p> <p>The CBD Planning Proposal document includes a detailed analysis of all these policies and actions, not just those few related to character and heritage. It is Council officers view the justification that the strategies and actions are consistent with these State and Council policies when all competing objectives are properly considered.</p> <p>The applicant argues that the issuing of a Gateway Determination by the DPIE for the CBD Planning Proposal is flawed because it has not</p>

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		<p>specific localities and therefore did not properly consider the impacts of the strategy on North Parramatta. Nor does it reference the CBD PP or site specific planning proposals. The applicant argues for these reasons the advisory letter supporting the LSPS is not valid given it is generic in nature and does not deal specifically with North Parramatta and the heritage and character issues relevant to it.</p> <p>The submission also undertakes a review of the following Strategies and Plans,</p> <ul style="list-style-type: none"> • City of Parramatta LEP 2011 • New City of Parramatta LEP (Harmonisation) Plan 2020 • City of Parramatta Local Strategic Planning Statement (LSPS) • City of Parramatta – Culture and our city – A cultural Plan for Parramatta’s CBD 2017-2022 <p>The submission author has identified a series of objectives and actions from these plans that seek to pursue or maximise the community benefit associated with:</p> <ul style="list-style-type: none"> • the environmental well-being of the city, • amenity and local character of residential areas, • natural and cultural heritage assets and conservation areas, • precinct based and specialist industries that leverage the character of local precincts • opportunities along the river in CBD high density areas to broaden recreation opportunities, • scenic and cultural landscapes • small business operating environment <p>In relation to the issues raised above the submission argues that North Parramatta has a</p>	<p>focused sufficiently on issues of local character and heritage and local place making. The Department, like Council, has given consideration to a broader range of actions and objectives than just those limited few highlighted by the submission author. It provides an ‘arms length’ assessment of the issues and the claim it is flawed because it has not considered the issues of character and heritage are not accepted for the reasons described above.</p> <p>Council has prepared 6 heritage studies in support of various elements of the CBD Planning Proposal. This is evidence that the heritage character of the CBD and its interface with multiple heritage conservation areas has been a key consideration for Council in preparing these new controls.</p> <p>The CBD PP also proposes a new heritage clause 7.6K which will apply additional heritage protections in addition to the standard heritage clause 5.10. The clause proposes new heads of consideration which must be considered in the assessment of DAs on land that includes or is directly adjacent to a heritage item or heritage conservation area.</p> <p>Decision Pathway – 2: Not supported</p>

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		<p>significant contribution in achieving these outcomes and that the CBD Planning Proposal as exhibited will not achieve a built social and economic environment that will foster these objectives/outcomes being achieved. Hence the need to defer this part of the CBD from the current plan and reconsider the planning controls in order to ensure that they are achieved.</p> <p>The submission suggests that the Gateway Determination which allowed the proposal to be placed on exhibition is flawed because Council has not established consistency with the strategies and policies described above for the reasons outlined above.</p>	
		<p>One of the critical arguments put forward in this submission that the current controls are flawed because they are not based on a <i>place centred</i> approach is supported by reference to NSW Planning Circular PS18001 and Infrastructure Australia – Planning Liveable Cities (2018) which both promote a place based approach to planning.</p> <p>In conclusion the submitter suggests the current controls proposed will see <i>North Parramatta morph into another anonymous mini- Manhattan, its history irretrievably diluted and eventually forgotten</i>. It argues that the area be deferred from the plan to look at more suitable <i>place based approach</i> to North Parramatta.</p>	<p>It is acknowledged that the new controls promote the introduction of tower building forms that are not currently part of the current fabric of the area north of the Parramatta River. The evolving character of this area must balance out many factors. The submission focuses on the changes related to local character and heritage and suggests that a different approach should be taken more focused on retaining more elements of the existing place.</p> <p>Officers contend that the plan takes into consideration a broader range of factors that will lead to an evolution of the character of this area that is consistent with State Government and Council strategies and so deferral of this area is not necessary.</p> <p>Decision Pathway – 2: Not supported</p>
130.	Submitter from Boundary Street, Parramatta Submission Number 135	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.
131.	Submitter from Crimea Street, Parramatta Submission Number 136	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
132.	Submitter from Boundary Street, Parramatta Submission Number 137	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	

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133.	Submitter from Marsden Street, Parramatta Submission Number 138	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
134.	Submitter from Marsden Street, Parramatta Submission Number 139	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
135.	Submitter from North Parramatta Submission Number 140	<p>Expresses concern regarding the high-density development envisaged for North Parramatta via the CBD PP because of the area's heritage buildings and green streetscapes.</p> <p>Sees encroachment of high-density development into the precinct will impact on amenity (solar access and demolished valuable land uses) particularly after suffering road closures from the PLR.</p>	<p>Council acknowledges there are concerns about the impact on heritage values from the proposed amendments to the CBD PP, particularly in relation to area referred to as 'North Parramatta', taken to mean the area within the CBD PP north of the river.</p> <p>Addressing these concerns, the CBD PP has been the subject of a series of heritage studies which have informed the potential 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. To address this, additional studies were undertaken including, the Marion Street Precinct Urban Design and Heritage Study; the Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study; the Review of Opportunity Sites Urban Design and Heritage Study; and the Overshadowing Technical Paper.</p> <p>The findings of these studies have ultimately led to revised planning controls within the updated CBD PP, which have been required to demonstrate consistency with Section 9.1, Direction 2.3 (Heritage) of the Environmental Planning and Assessment Act 1979.</p> <p>The planning proposal aims to protect and manage 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. An additional clause is proposed, Clause 7.6K '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>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			Decision Pathway – Issues addressed; no further decisions required.
136.	Submitter from William Street, North Parramatta Submission Number 141	<p>Expresses concern at the proposed increase in FSR from 0.8:1 to 6:1 in some locations in North Parramatta. Sees it benefitting developers/ landowners but not the community who value the locality.</p> <p>Sees that more detailed analysis of the impacts of this density increase needs to be undertaken and then shared with the community including how high-density development into the precinct will impact on amenity (solar access and demolished valuable land uses) particularly after suffering road closures from the PLR.</p> <p>Sees that all site specific PPs in the locality should be frozen until the CBD PP process is complete.</p>	<p>In relation to the increase in incentive FSR identified by the submitter, for the land parcels north of the River within the CBD PP boundary with an existing FSR of 0.5:1 or 0.6:1, no change is proposed. For the remainder of the sites in this same area, the existing FSRs under PLEP 2011 range from 2:1 to 6:1 are proposed to be increased to 6:1 (with one exception at Lamont Street, which is proposed to go to 5.2:1 for reasons related to solar access to the southern river foreshore) as per the exhibited CBD PP and consistent with the recommendations from the Heritage Study of Interface Areas (2017), Council decision in November 2019 and the Gateway determination issued by DPIE in December 2018 and Alteration to the Gateway determination issued in July 2020.</p> <p>Draft amendments to the Parramatta Development Control Plan 2011 that aim to support the objectives of the CBD PP and new LEP controls are also being prepared together with further work to provide for community infrastructure in a new Development Contributions Plan following a review of the Infrastructure Funding Framework for the Parramatta CBD. The community will be invited later this year to provide feedback on the future DCP amendments and Development Contributions Plan.</p> <p>Division 3.4 of the Environmental Planning and Assessment Act 1979 facilitates a process for planning controls to be amended including by landowners or a third party on behalf of a landowner. This is the site specific planning proposal process (SSPP) and the processing of a SSPP is a separate process outside of the CBD Planning Proposal process.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
137.	Submitter from Factory Street, North Parramatta Submission Number 142	<p>Expresses concern that the CBD PP area includes the North Parramatta area.</p> <p>Concerned at the detrimental affect the proposed increase in the FSR from 0.8:1 to 6:1 will have on the area especially the heritage conservation value.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, FSRs and the other associated issues are noted and addressed in the Council officer responses above at Submission 140, Row 135; and Submission 141, Row 136.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Sees the need to: (1) suspend all DAs until a comprehensive plan has been undertaken and cease all spot rezonings/planning proposals.</p> <p>Sees that all site specific PPs in the locality should be frozen until the CBD PP process is complete.</p> <p>Notes there are over 400 listed heritage items in the area of all types and significance.</p>	
138.	<p>Submitter from Chelmsford Street, Newtown Submission Number 143</p>	<p>Submitter objects to the proposed building heights outlined in the CBD Planning Proposal.</p> <p>Submitter notes the findings of the Urbis Heritage Study 2015, noting the capped height of 28 storeys must be adhered to.</p> <p>Submitter considers that sensitive heritage buildings and parks will face greater negative impacts as a result of increased building heights.</p> <p>Raises that overshadowing, negative wind effects and the overbearing scale of taller buildings must be avoided.</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, 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 including, the Marion Street Precinct Urban Design and Heritage Study; the Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study; the Review of Opportunity Sites Urban Design and Heritage Study; and the Overshadowing Technical Paper.</p> <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 planning proposal aims to protect and manage 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. An additional clause is proposed, Clause 7.6K '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. In addition, Maximum building heights aim to protect solar access to heritage conservation areas, and solar access planes to protect Experiment Farm.</p> <p>Supporting the proposed controls outlined in the Planning Proposal, will be amendments to the Development Control Plan 2011 to be</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>prepared and exhibited at a later date. These will include new heritage controls and also controls for wind mitigation.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
139.	<p>Submitter from Refinery Drive, Pyrmont Submission Number 144</p>	<p>Submitter acknowledges that Parramatta has a rich history. However, submitter considers that the Parramatta CBD Planning Proposal will bury Parramatta's history, with Parramatta becoming a 'cavern of concrete'.</p> <p>Considers that the term job creation is used as an excuse to develop Parramatta, and the Parramatta CBD Planning Proposal has not explained the figures for 50,000 jobs. Submission references the impacts of COVID on the commercial property market as Sydney CBD has become a ghost town.</p> <p>Considers that 14,000 boxy apartments are not required with the current oversupply of apartments as people need to live in communities rather than concrete caverns.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; and Submission 143, Row 138.</p> <p>The Parramatta CBD Planning Proposal dwelling and job targets are consistent with the current Greater Sydney Region Plan, Central City District Plan and Council's Local Strategic Planning Statement. Further, the Parramatta CBD Planning Proposal will contribute to the long-term success of Parramatta CBD.</p> <p>The estimated 50,250 additional jobs within the Parramatta CBD are based on proposed changes to the floor space ratio controls that were exhibited under the CBD Planning Proposal, and is documented in the Planning Proposal as exhibited at pages 26 and 27. These yields, in turn, are used to estimate increases in workforce and residential populations to inform other matters – such as demand for providing local and regional infrastructure, public transport services, education and health services, amongst others. The delivery pipeline of the yield under the CBD Planning Proposal is a long-term proposition – currently estimated at a 40-year supply. The commercial growth is considered necessary to fulfill Parramatta's role as a critical location for employment opportunities and diversity near the geographic centre of metropolitan Sydney, and, consequently, provide opportunities for residents in western Sydney to be located nearer to jobs without reliance on long commutes to the existing Sydney CBD.</p> <p>It should be noted that following changes made in the post-exhibition period, the number of dwellings anticipated in the Parramatta CBD has changed from 14,000 dwellings to 15,000 dwellings, and the number of jobs has changed from 50,000 jobs to 46,000 jobs (this is mainly due to the retention of the current B4 Mixed Use zone on the Westfield site and also not progressing the 'Phillip Street Block' pending further urban design study work).</p> <p>It is anticipated that the economic effects of the COVID-19 pandemic may impact on development and subsequent rates of worker and</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>resident population increases in the short term. However, in the long term, it is expected that the pandemic will have limited impact on the forecast population for the Parramatta CBD, given that development is seen as a key contributor in the post pandemic economic recovery effort, the NSW Government's investment in city-shaping infrastructure, including Sydney Metro West and Parramatta Light Rail, and the Parramatta CBD's strategic location in the heart of the Greater Sydney region.</p> <p>The issue of housing diversity is addressed in Council's LHS adopted by Council on 13 July 2020, and as part of the LHS implementation and monitoring process, Council will monitor its performance against the current (and future targets) set by the GSC's Central City District Plan.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
140.	No Address Provided Submission Number 145	<p>Submitter does not support high rise in the North Parramatta precinct.</p> <p>Considers that the impacts from the Parramatta CBD Planning Proposal will be significant, resulting in overshadowing and buildings looking out of proportion.</p> <p>States that Parramatta is lucky to have over 300 heritage items, therefore, Parramatta's character should not be compromised.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, FSRs and the other associated issues are noted and addressed in the Council officer responses above at Submission 140, Row 135; and Submission 141, Row 136.</p>
141.	No Address Provided Submission Number 146	<p>Submitter considers that it is preposterous to destroy the little heritage Australia has to offer.</p> <p>Submitter references that Willow Grove and Church Street should be maintained.</p> <p>Considers UNESCO and Europe restoring and investing in heritage as good practice. However, Parramatta is destroying the little heritage it has.</p> <p>Considers that job creation to be a 'weak excuse' for the Parramatta CBD Planning Proposal.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 50, Row 50; Submission 143, Row 138; and Submission 144, Row 139.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
142.	Submitter from Avoca Valley Way, Central Coast Submission Number 147	<p>Submitter requests for North Parramatta and the 300 Heritage Listed Buildings to be excluded from any amendments to the Local Environmental Plan that allow for the greater development of Parramatta CBD.</p> <p>Submitter supports the recommendations of the National Trust.</p> <p>Refers to the paradigm shift that has occurred in our economy and urban landscape as a result of COVID, the impacts of which require further studies and investigation.</p> <p>Submitter notes that whilst the creation of jobs is important, it remains to be seen if the version of the CBD planned 4-5 years ago will exist in 2021.</p> <p>Notes that Sydney corridors with high residential and commercial developments are seeing reduced uptake.</p> <p>Considers the Parramatta CBD Planning Proposal to lack vision, as the proposal is simply knocking down the old and existing buildings to build bigger and taller developments.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, FSRs and the other associated issues are noted and addressed in the Council officer responses above at Submission 140, Row 135; and Submission 141, Row 136.</p>
143.	No Address Provided Submission Number 148	<p>Submitter raises concerns regarding Parramatta's heritage, stating that once Parramatta's heritage sites are destroyed, we cannot retrieve them.</p> <p>Submitter acknowledges that following COVID, Parramatta will need to attract and entertain visitors. Considers that the Parramatta CBD Planning Proposal will destroy future money gained from tourism.</p> <p>Considers the wanted destruction of our past and future to be insane.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
144.	Submitter from Graham Avenue, Eastwood Submission Number 149	<p>Submitter strongly objects to the Parramatta CBD Planning Proposal and the destruction of heritage buildings, stating that if Parramatta loses its heritage it will lose its soul and character.</p> <p>Submitter notes they are disappointed that Parramatta Council is prepared to obliterate history and heritage for financial gain from greedy developers.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.
145.	No Address Provided Submission Number 150	<p>Strongly objects to the proposed increased building heights and densities in North Parramatta (submitter does not define the area they refer to).</p> <p>Sees there should be no further development that will detrimentally affect the heritage areas/heritage listed buildings.</p>	The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in the Council officer responses above at Submission 140, Row 135; and Submission 141, Row 136.
146.	Submitter from Sturt St, Telopea Submission Number 151	<p>Is of the view that the North Parramatta Heritage Conservation Area should be excluded from any proposed changes to the planning controls as per the CBD PP. (Submission does not clarify if the submission is referring to the formal North Parramatta HCA or the overall heritage value of the North Parramatta area by way of the HCA and numerous heritage items).</p> <p>Is concerned about the loss of heritage items and character that has been demolished to date. Says it ignores the significance of this heritage for Australians and believes remaining heritage should be protected.</p>	The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in the Council officer responses above at Submission 140, Row 135; and Submission 141, Row 136.
147.	No Address Provided Submission Number 152	<p>Submitter is concerned regarding Parramatta's heritage, noting that the past has been forgotten and sold to the highest bidder.</p> <p>Raises that whilst it is easy to tear down heritage buildings, Council must take the positive route and object to development.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		Considers that photos will become the only memory of heritage places, which do not make up for the loss of heritage.	
148.	Submitter from Rosehill Street, Parramatta Submission Number 153	<p>Submitter strongly objects to the proposed height of 100m towers located between Rosehill Street and Dixon Street along Church Street South Parramatta as outlined in the Parramatta CBD Planning Proposal.</p> <p>Submitter notes that their property overlooks Church Street and is one property from the proposed 100m height limit, developments which will overlook single storey residential dwellings. Considers that these developments will impact the quality of life and amenity of single storey dwellings, resulting in the loss of sunlight, privacy, property value, and street parking which is already an issue on weekdays.</p>	<p>The expansion of the commercial core to Auto Alley (Church Street South) will allow for the 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.</p> <p>The land parcels behind the proposed B3 zoned land on Church street within the area described in the submission were originally part of the Parramatta CBD Planning Proposal boundary and were excised following a resolution of Council on 25 November 2019 for future planning consideration as part of the Planning Investigation Area work.</p> <p>A number of Planning Investigation Areas (PIAs) on the fringes of the Parramatta CBD were first identified in the Parramatta CBD Planning Strategy (2015), with four more areas being added to these PIAs by way of the Council resolution in November 2019. The West Auto Alley Precinct area is one of the four areas removed. The investigation work in these areas is planned to commence following completion of the public exhibition process of the CBD PP in accordance with Council's resolution from 12 September 2016.</p> <p>The next steps for the PIAs is to report a workplan to Council that officers recommend split the PIAs into three separate projects – the Northern PIA, Southern PIA and Eastern PIA. The area that is subject to this submission is situated within the Southern PIA.</p> <p>It is expected that future planning, urban design and heritage analysis for the Southern PIA will consider the interface between the taller development permitted on Church Street and the transition to adjacent lower scale areas, and consultation with the community will be undertaken.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
149.	Submitter from Delaware Road, Ermington Submission Number 154	Submitter objects to the removal of any heritage sites in North Parramatta.	<p>The CBD PP does not propose any changes to listed heritage items in Schedule 5 – Environmental Heritage in the PLEP 2011 consistent with Objective 9 of the CD PP being <i>to protect and manage the heritage values of Parramatta’s local, State, national and world significant European and Aboriginal heritage items, conservation areas, heritage interface areas, places and views.</i></p> <p>The Parramatta CBD Planning Proposal is supported by Heritage and Urban Design Studies to integrate increased building heights and address Parramatta’s rich and unique heritage. The findings of these studies have 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>This includes a new clause to require contextual analysis to inform transition. Clause 7.6K Managing Heritage Impacts requires 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 and will be further supported through an additional level of detail in the forthcoming heritage section of the Draft CBD DCP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
150.	Submitter from Constitution Hill Submission Number 155	<p>Submitter notes that North Parramatta is part of the soul of Parramatta.</p> <p>Notes that heritage must be retained for future generations and respect people who have come before us.</p> <p>Requests for the existing planning controls to be retained in North Parramatta.</p>	The submitter’s concerns are noted and addressed above in the Council officer response to Submission 154, Row 149.
151.	Submitter from Adderton Road, Telopea Submission Number 156	Submitter opposes to building high rise towers in the North Parramatta Heritage Precinct. Considers high rise buildings to be inappropriate for North Parramatta.	The submitter’s concerns are noted and addressed above in the Council officer response to Submission 154, Row 149.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
152.	Submitter from Albert Street, Parramatta Submission Number 157	<p>Submitter objects to the proposed height of buildings located near Pennant Hills Road and Church Street Parramatta, and the number of developments currently proposed for the area.</p> <p>Submitter notes the minimal high-rise towers and numerous heritage buildings in North Parramatta as positive attributes for the general area.</p> <p>Objects to high rise buildings in North Parramatta, as tall buildings will result in overshadowing, wind tunnels, dumping of rubbish and shopping trolleys, and parking issues.</p>	<p>The CBD PP is supported by Heritage and Urban Design Studies to integrate increased building heights and address Parramatta's rich and unique heritage. The findings of these studies have 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 buildings and proposals referred to by the submitter are assumed to be ones approved under existing controls in PLEP 2011. DAs are subject to a rigorous and detailed assessment of the particular built form outcome and considers the unique site conditions and compliance with the relevant instrument.</p> <p>The Planning Proposal document describes the urban design research and technical studies undertaken to inform this CBD PP to address a range of issues including overshadowing and includes a comment about the need for urban intensification and integration of new development to be of an appropriate scale for the site, adjoining development and the wider city. Further, the CBD PP describes that the need for compliance with SEPP 65 and the associated Apartment Design Guideline, which includes specific solar access controls for apartments.</p> <p>To support the CBD PP, a future DCP will be prepared for the Parramatta City Centre which will include controls for site width and built form to achieve standards of amenity in relation to solar access. The suggestions will be considered during the preparation of the DCP. Wind impacts from tall buildings are an important issue and are being considered as part of the future DCP amendments to support the CBD PP.</p> <p>The issues raised about high-rise development leading to dumping of rubbish and shopping trolleys is beyond the scope of the CBD PP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
153.	Submitter from Belmore Street, North Parramatta Submission Number 158	<p>Submitter concerned that the CBD Planning Proposal will result in the loss of blue-sky views and the proposed increase in building heights will negatively impact mental health and general wellbeing.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.</p> <p>In relation to the issue regarding 'blue sky'; Gateway condition (j) ii required further assessment of overshadowing impacts. The CBD PP</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Considers that high rise buildings are not the solution to population increase, instead, often causing additional problems as high rise buildings create wind tunnels, a socially dysfunctional society, and result in increased human waste, dumped rubbish and overshadowing.</p> <p>Considers high rise buildings to profit developers, not local residents.</p>	<p>includes further testing of the proposed controls and reduced height controls to provide blue sky along Church Street and Centenary Square.</p> <p>The issues raised about high-rise development leading to human waste and dumping of rubbish is beyond the scope of the CBD PP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
154.	Submitter from Barney Street, North Parramatta Submission Number 159	<p>Expresses concern regarding the high-density development envisaged for North Parramatta via the CBD PP because of the area's heritage buildings and green streetscapes.</p> <p>Sees that the proposed high density will have a detrimental impact on the "village" feel of the area brought about because of its distance from the Parramatta CBD where the current controls allow for more density.</p> <p>Sees the need to suspend all DAs until a <i>comprehensive plan has been undertaken</i>; and cease all spot rezonings/planning proposals; as the submitter's preference is that the current controls do not undergo any change.</p>	<p>The submitters concerns are noted and addressed above in the Council officer response to Submission 154, Row 149, and Submission 157 at Row 152.</p>
155.	Submitter from Elizabeth Street, North Parramatta Submission Number 162	<p>Submitter notes that Elizabeth Street should not have been removed from the Parramatta CBD Planning Proposal and requests for Elizabeth Street to be included in the Parramatta CBD Planning Proposal.</p> <p>Submitter refers to the Urbis Heritage Study 2015, noting that this study did not recommend lower building heights for the property at 17-25 Elizabeth Street. Submission refers to the All Saints Church located nearby the subject property, however, as the church is situated on a large block of land, development at 17-25 Elizabeth Street would only form a distant backdrop.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Is disappointed that the Parramatta CBD Planning Proposal is preventing development along Elizabeth Street.</p> <p>States that Elizabeth Street is in desperate need for redevelopment, characterised by large blocks of land and a need for additional housing located within close proximity to Parramatta River.</p>	
156.	Submitter from Gloucester Avenue, North Parramatta Submission Number 163	Opposes the proposed increases in heights and densities in North Parramatta as per the exhibited planning proposal.	The submitter's concerns are noted and addressed above in the Council officer response to Submission 154, Row 149, and Submission 157 at Row 152.
157.	Resident from Elizabeth Street, Parramatta Submission Number 165	<p>Objects to the current Parramatta CBD Planning Proposal without the inclusion of 17-25 Elizabeth Street Parramatta.</p> <p>Objects the decision for Elizabeth Street to be included with North Parramatta and requests for Council to reinstate Elizabeth Street in the Parramatta CBD Planning Proposal. Questions why Elizabeth Street requires further investigation and was excluded from the Planning Proposal when the Heritage Study (Urbis) 2015 and CBD Heritage Study of Interface Areas (HAA) 2017 did not recommend reduced building heights along the street.</p> <p>Notes that the property at 17-25 Elizabeth Street is at least 80 m distance from All Saints Church, and is located nearby Parramatta CBD and Parramatta River. States that the street needs developing, as the existing buildings are old and falling apart.</p> <p>Notes that large blocks of land along Elizabeth Street are available for development, including 17-25 Elizabeth Street which is approximately 6500sqm and holds 53 units.</p> <p>States that taller buildings would be better use of the land.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10; and Submission 45, Row 45.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		Acknowledges the need to protect Parramatta's heritage but sees no concerns for All Saints Church and development along Elizabeth Street.	
158.	Submitter from Ludmila Close, Carlingford Submission Number 168	<p>Submitter raises concern regarding the impact increased height of buildings will place on heritage items.</p> <p>Submitter supports the restricted planning controls applied to the Roxy site, however, notes that the massive cold developments proposed surrounding the site would greatly diminish the heritage value of the Roxy site.</p> <p>Submitter notes that there are numerous heritage items that can provide character and warmth to Parramatta. Considers that the proposed heights in the Parramatta CBD Planning Proposal will dominate heritage items and make them effectively vanish.</p> <p>Submitter acknowledges that Parramatta needs to grow and develop, however, past developments have lacked quality, have failed to deliver a sense of community and ability to create a liveable, warm and connected feel.</p> <p>Considers the planning controls outlined in the Parramatta CBD Planning Proposal, including increases to height and the loss of heritage precincts to be of grave concern.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.</p> <p>In relation to the issue about height of the Roxy Theatre site, this is addressed in the Council Officer response at Submission 115, Row 110.</p>
159.	Submitter from Byrnes Street, North Parramatta Submission Number 170	<p>Requests the North Parramatta HCA be excluded from changes proposed by the CBD PP as it forms a heritage gateway into the CBD from the north.</p> <p>Provides an example of the protection of Queen Victoria Building and the conversion of the heritage buildings on Martin Place when it was converted into a pedestrian mall by the then Sydney City Lord Mayor. Says these initiatives enhance the Sydney CBD.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 134, Row 129.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
160.	No Address Provided Submission Number 171	<p>Submitter requests for Council to retain Parramatta's History, save open spaces and prevent crowded developments that result in overshadowing of historic buildings.</p> <p>Notes that Parramatta's heritage is important for not only citizens of Parramatta but also for all Australians.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.</p>
161.	Submitter from Church Street, North Parramatta Submission Number 172	<p>Concerned at the proposed increase in density in Parramatta North.</p> <p>Sees that the area does not have the requisite supporting infrastructure for proposed growth and sees noise and traffic congestion will increase.</p> <p>Sees the proposed densities will also have a negative impact on the sense of community.</p> <p>Believes new housing is not bringing prices down. Instead, it brings high density and higher prices which push out lower income people.</p> <p>Sees the proposed density will reduce the sense of green space and landscaping and destroy the character and at the same time increase the demand for more open space.</p> <p>Is of the view that high density in a pandemic situation increases the risk of populations catching the virus.</p> <p>Proposes town-house/medium density scale as an appropriate form of new development in the right locations instead of high density towers.</p>	<p>A Strategic Transport Study (STS) has been completed for the Parramatta CBD to quantify likely travel demand resulting from the growth envisaged in the Parramatta CBD Planning Proposal. The CBD PP includes new controls to facilitate sustainable transport modes (pedestrian and cycling) to commercial premises by requiring end of journey facilities e.g. showers (Clause 7.6E End of journey facilities); and reduce car parking rates to encourage mode shift to public transport, walking and cycling (clause 7.3 car parking). More detailed transport studies and an infrastructure delivery plan are also being prepared. This includes an Integrated Transport Plan and further work to provide for community infrastructure in the forthcoming Infrastructure Funding Framework for the Parramatta CBD.</p> <p>Council's Local Housing Strategy (2021) provides evidence of sustained increase in property prices over the last 10 years and includes a number of Actions to address affordability.</p> <p>The other issues raised by the submitter are noted and addressed above in the Council officer responses to Submission 1, Row 1; Submission 154, Row 149, and Submission 157 at Row 152.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
162.	Submitter from Elizabeth Street, Parramatta Submission Number 173	<p>Submitter does not support Council's current Parramatta CBD Planning Proposal without the inclusion of 17-25 Elizabeth Street, recommending that the original proposed controls at the site should be rectified.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter objects the decision to remove 17-25 Elizabeth Street from the Planning Proposal and to lump in and apply the same zoning restrictions to Elizabeth Street Parramatta as applies to North Parramatta.</p> <p>Concern regarding the inconsistency of decision making that allows CBD zoning at the corner of Wilde Ave Parramatta and Victoria Road and precluding the same type of development for Elizabeth Street Parramatta, with both areas located North of Parramatta River.</p> <p>Considers the argument that Elizabeth Street Parramatta holds heritage value, therefore, restricting any development to be flawed. Submitter is perplexed as to how All Saints Church has placed brakes on the development at 17-25 Elizabeth Street.</p> <p>Concern regarding the notion that it may be too late for Council to amend the Planning Proposal after the minister has signed off on the Parramatta CBD Planning Proposal.</p> <p>Submitter states that failure to amend the Parramatta CBD Planning Proposal would be a denial of natural justice and a huge loss for the people of Parramatta and wider Sydney.</p> <p>Notes that the area of Elizabeth Street is an optimal area for further commercial and residential development, within close proximity to rail and bus stations, shopping centres, cafes and restaurant precincts, ferry services, primary and high schools, and the new light rail service.</p> <p>Acknowledges that City of Parramatta have worked well to protect the historic and heritage buildings within the city.</p>	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>States that there are a number of historic buildings and churches within close proximity to high rise developments in the centre of Parramatta CBD, and questions why the same methodology cannot be applied for Elizabeth Street.</p> <p>Notes that the land application map identifies Elizabeth Street as part of the Parramatta CBD Planning Proposal.</p>	
163.	Submitter from Elizabeth Street, Parramatta Submission Number 174	<p>Submitter requests for Council to reconsider their decision and include 17-25 Elizabeth Street in the Parramatta CBD Planning Proposal.</p> <p>Submitter acknowledges Parramatta's heritage but does not understand Council's justification to remove Elizabeth Street from the Planning Proposal.</p> <p>Questions how lower or taller buildings at 17-25 Elizabeth Street would impact All Saints Church, as the site is situated a fair distance behind the church and would not obstruct the view of the Church.</p> <p>Notes that Elizabeth Street has large blocks of land with minimal units which would provide required housing in a desired location.</p> <p>States that the Heritage Study (Urbis) 2015 and CBD Heritage Study of Interface Areas (HAA) 2017 did not recommend reduced building heights along Elizabeth Street.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.
164.	Submitter from Charles Street, Parramatta Submission Number 175	Submitter requests for Wigram Street to be included in the Parramatta CBD Planning Proposal as it is close to the CBD, there is significant interest in the area, and increased height of buildings would be beneficial to the overall appearance of the area.	<p>Wigram Street, south of Ada Street, does not form part of Parramatta CBD Planning Proposal, and is outside the scope of this project. Additionally, this area does not form a Planning Investigation Area.</p> <p>Introducing the submitter's land is considered a substantial change and is likely to trigger the need for the re-exhibition of the planning proposal.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			The inclusion of this land in the Planning Proposal would be inconsistent with the current Greater Sydney Region Plan, Central City District Plan and Council's Local Strategic Planning Statement. Decision Pathway – 2: Not supported
165.	Submitter from Pemberton Street, Parramatta Submission Number 178	<p>Submitter raises concerns regarding the Parramatta CBD Planning Proposal, in particular, the city turning into a concrete jungle.</p> <p>Notes that the skyline is being marred by concrete boxes, trees are being cut down and nature strips are losing native birds and habitat for native animals, resulting in increased temperatures and higher power demands.</p> <p>Submitter notes that people are leaving Parramatta as a result of COVID.</p> <p>Considers that the history of Parramatta is being destroyed.</p> <p>Submission questions the number of Council employees that are linked to developers and real estate agents, as Council employees are selling local residents out to their mates.</p> <p>Raises that the North Shore would not allow the controls proposed in the Parramatta CBD Planning Proposal.</p> <p>Believes City of Parramatta Councillors are elected to look after the residents of Parramatta, not sell out to the highest bidder.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.</p> <p>In relation to the environmental matters raised, the CBD PP is consistent with the Environmental Sustainability Strategy 2017 which aims to protect and manage the health of Parramatta's unique natural ecosystem and is supported by the Sustainability and Infrastructure Study 2015. The CBD PP also responds to the key environmental issue to manage increased demand for electricity, gas, water and sewer services from more intense development. Examples of these planning controls are detailed in the Council Officer response for Submission 9, Row 9.</p> <p>The development controls proposed in the Parramatta CBD Planning Proposal ensures that Parramatta can deliver job and dwelling targets consistent with the current Greater Sydney Region Plan, Central City District Plan and Council's Local Strategic Planning Statement.</p> <p>All relevant Council officers are required to declare their pecuniary interests (and other matters) in accordance with the Local Government Act and to comply with the Council's Code of Conduct any evidence of inappropriate staff behaviour should be provided to Council or other relevant investigating authorities.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
166.	Submitter from Elizabeth Street, Parramatta Submission Number 179	Submitter expresses concerns and objection to the Parramatta CBD Planning Proposal, noting that Elizabeth Street should never have been voted out of the uplift in planning controls	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Notes the incorrect decision to <i>lump in</i> and apply the same zoning restrictions to Elizabeth Street as applies to the rest of North Parramatta</p> <p>Submitter raises the inconsistency of decision making that allows CBD zoning at the corner of Wilde Avenue and Victoria Road and precluding the same type of development for Elizabeth Street Parramatta, although both locations are North of Parramatta River</p> <p>Notes there is a flawed argument that somehow Elizabeth Street, Parramatta holds heritage value, therefore restricting any development</p> <p>Elizabeth Street is an optimal area for further commercial and residential development</p> <p>Notes that City of Parramatta Council have worked to protect historic buildings and Parramatta's heritage, however, submission raises confusion as to how All Saints Church may somehow place the breaks on the redevelopment of Elizabeth Street</p> <p>Submitter notes that there are numerous historic buildings located in the centre of Parramatta CBD within close proximity to high rise development, submission questions why the same methodology cannot be applied to North Parramatta</p> <p>Submitter raises that Elizabeth Street is located within close proximity to bus and rail services, shopping centres, cafe and restaurant precincts, ferry services, primary and high schools, and the new light rail services</p> <p>Unit blocks along Elizabeth Street are old, built post 1970 and hold no heritage value.</p> <p>Notes the exhibition map clearly identifies Elizabeth Street as being part of Parramatta and is located on the CBD side of Victoria Road.</p>	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
167.	Submitter from Elizabeth Street, Parramatta Submission Number 183	<p>Objects to the planning proposal without the inclusion of 17-25 Elizabeth Street.</p> <p>States that the site of 17-25 Elizabeth Street would not block or overshadow the All Saints Church.</p> <p>Concerned that City of Parramatta are holding back development in a very sought after location.</p> <p>Notes that the buildings located on Elizabeth Street are old and rundown.</p> <p>Elizabeth Street has the opportunity to provide additional housing and better use of land.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10; and Submission 45, Row 45.</p>
168.	Submitter from Elizabeth Street, Parramatta Submission Number 184	<p>Objects to the Parramatta CBD Planning Proposal without the inclusion of 17-25 Elizabeth Street in the final proposal.</p> <p>Notes that Elizabeth Street is part of Parramatta CBD, with the subject site at 17-25 Elizabeth Street having two street frontages - Wilde Ave and Elizabeth Street.</p> <p>Raises that All Saints Church sits on a large block of land, with the subject site at 17-25 Elizabeth Street situated a fair distance from All Saints Church, therefore any tall buildings would not result in overshadowing of the Church.</p> <p>Submitter questions why Elizabeth Street requires further studies to be undertaken when City of Parramatta already have two reports (Urbis and Hector Abrahams), neither of which recommended the removal of Elizabeth Street from the Planning Proposal.</p> <p>Raises confusion as to why Elizabeth Street was removed from the Planning Proposal and if Elizabeth Street was accidentally included with North Parramatta.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10; and Submission 45, Row 45.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
169.	Submitter from Elizabeth Street, Parramatta Submission Number 185	<p>Objects the proposed zoning of Elizabeth Street.</p> <p>States it is an incorrect decision to 'lump in' the south section of Elizabeth Street with North Parramatta.</p> <p>Inconsistencies of planning controls, allowing large developments (80m high rise) compared to Elizabeth Street, all of which are north of Parramatta River.</p> <p>Elizabeth Street does not have heritage value (with the exception of the church).</p> <p>Elizabeth Street is an optimal area for commercial and residential development.</p> <p>Questions how All Saints Church influences development situated along Church Street.</p> <p>Questions why heritage buildings cannot be mixed and integrated with new development (similar to Parramatta CBD).</p> <p>Notes that Elizabeth Street is still included in the Parramatta CBD Land Application Map.</p> <p>Sees the site is located within close proximity to public transport, commercial, cafes, schools</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.</p>
170.	Submitter from Parramatta CBD Submission Number 186	<p>Submitter objects to the heights proposed in the Parramatta CBD Planning Proposal.</p> <p>Submitter notes it is disappointing to see Parramatta is developing into a concrete jungle.</p> <p>Considers that Parramatta CBD needs to focus on greenery.</p>	<p>The issues raised in relation to the heights of buildings in the CBD PP are address Submission 7, Row 7.</p> <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 and is supported by the Sustainability and Infrastructure Study 2015.</p> <p>Responding to the key environmental issue to manage increased demand for electricity, gas, water and sewer services from more intense development, the Planning Proposal introduces a new clause encouraging high performing buildings throughout Parramatta CBD.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>A response to a Councillor Notice of Motion (NOM) from 26 October 2020 at the time of writing is being prepared to address tree canopies within the Parramatta CBD. The report on the NOM will investigate ways to increase and prioritise tree canopies amongst other matters and measures that can be incorporated in the future DCP amendments that support tree canopies and also green roofs and walls to address urban heat controls.</p> <p>The community will be invited to provide feedback on the amendments to the Parramatta Development Control Plan 2011 that aim to support the objectives of the CBD PP when they go on public exhibition.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
171.	Submitter interested in land South of Great Western Highway, Parramatta Submission Number 187	<p>Submitter requests for the Parramatta CBD Planning Proposal to include the southern side of Great Western Highway between Church Street and Marsden Street.</p> <p>Submitter notes that the land is not flood affected, has minimal heritage and is located within close proximity to the transport and commercial hub of Parramatta CBD.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.
172.	No Address Provided Submission Number 188	<p>Objects to the current Parramatta CBD Planning Proposal and requests for 20-24 Harold Street to be included in the Planning Proposal.</p> <p>Notes it is unfair as the site was previously included in the Planning Proposal and requests for Council to include the property, which would provide for additional residential dwellings.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 48, Row 48.
173.	Submitter from Church Street, North Parramatta Submission Number 189	<p>Submitter objects to the inclusion of North Parramatta in the Parramatta CBD Planning Proposal.</p> <p>Submitter considers that allowing tall buildings along Church Street, North Parramatta would destroy heritage value, conservation areas and is not within the public interest.</p>	The submitter's objection to the inclusion of North Parramatta within the CBD PP is noted, as are the concerns about heritage and high-rise development. These issues are addressed above in the Council officer responses to Submission 154, Row 149; Submission 157, Row 152; and Submission 186, Row 170.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter notes that Council should prioritise planting trees, creating canopied streets, green spaces and community spaces.</p> <p>Submitter considers that high rise developments are not in the public interest.</p>	
174.	<p>Submitter from Rosehill Street, Parramatta Submission Number 194</p>	<p>Objects to the exclusion of the West Auto Alley Precinct from the Parramatta CBD Planning Proposal.</p> <p>Refers to the recommendations of the West Auto Alley Precinct Plan.</p> <p>Requests for Council to include West Auto Alley Precinct into the current Planning Proposal.</p> <p>Notes the strategic location of the site within walking distance to Parramatta CBD and Harris Park.</p> <p>Increased density would accommodate for additional residential and commercial density.</p> <p>Notes that the site is located adjacent to 10:1 FSR and unlimited height.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.</p>
175.	<p>Submitter from Plymouth Avenue, North Rocks Submission Number 196</p>	<p>Submitter objects to the current CBD Planning Proposal and requests for 20 Harold Street to be included in the Planning Proposal</p> <p>Submitter considers that it is unfair as the site was previously included in the Planning Proposal and requests for Council to include the property, which would provide for additional residential dwellings</p> <p>Submitter questions where the 14,000 dwellings, as proposed in the Planning Proposal, will be situated if properties are excluded from the Planning Proposal. Questions where the anticipated 50,000 employees will live if land is excluded from Parramatta CBD.</p>	<p>The submitter's objection to the exclusion of 20 Harold Street from the CBD PP is noted as are the other associated issues raised. A Council Officer Response regarding 20-24 Harold Street and the North-East Planning Investigation Area is provided at Submission 48, Row 48.</p> <p>The 14,000 dwellings (as per the exhibited CBD PP) will be situated across the B4 Mixed Use zone of the Parramatta CBD based on density calculations of available capacity.</p> <p>It is not anticipated that workers who take up the 50,000 new jobs will all live in the Parramatta CBD, and rather that these will come from all over Sydney, in particular Western Sydney, given the regional employment function of the Parramatta CBD.</p> <p>Decision Pathway – 3: Merit for further investigation as a part of a Planning Investigation Area at a later stage.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
176.	No Address Provided Submission Number 197	<p>Submitter objects to the Planning Proposal in relation to the North Parramatta Conservation Area which contains over 200 heritage listed buildings.</p> <p>Submitter notes the impacts of COVID 19 and travel restrictions on the anticipated population increase as projected in the Parramatta CBD Planning Proposal.</p> <p>Submitter notes that the lower birth rate reduces the need for development in Parramatta CBD.</p> <p>Submitter considers that increases in height and floor space ratios will result in the loss of sunlight for single storey buildings and will create wind tunnels, which will impact the existing climate in Parramatta.</p>	<p>The part of the North Parramatta Heritage Conservation Area located within the CBD PP is bounded by Ross Street, O'Connell Street, Villers Street and Grose Street and contains 10 listed heritage items in PLEP 2011. The part of the CBD PP north of Parramatta River includes the suburbs of 'Parramatta' and 'North Parramatta' and contains 28 listed heritage items in PLEP 2011. It is assumed that the submitter's objection relates to the area north of Parramatta River within the boundary of the CBD PP. This issue including the concerns about heritage and high-rise development are addressed above in the Council officer responses to Submission 154, Row 149; Submission 157, Row 152; and Submission 186, Row 170.</p> <p>The issue of population growth is addressed in Council's LHS adopted by Council on 13 July 2020, and as part of the LHS implementation and monitoring process, Council will monitor its performance against the current (and future targets) set by the GSC's Central City District Plan. The CBD PP is consistent with Council LHS Strategy.</p> <p>The issues raised by the submitter in relation to COVID 19 are noted and addressed in the Council Officer response at Submission 1, Row 1.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
177.	Submitter from Forest Grove, Epping Submission Number 210	<p>Submitter considers that the tree canopy requiring improvement needs to be factored into the Parramatta CBD Planning Proposal and notes support for Councillor Pandey's motion presented at the 26 October 2020 Council meeting in relation to tree policies for Parramatta CBD.</p> <p>Submitter notes that the environment needs to be given more consideration, and a more detailed response needs to be included in the Parramatta CBD Planning Proposal regarding how the proposal will increase Parramatta's tree canopy.</p> <p>Submitter notes that the Parramatta CBD Planning Proposal is unacceptable in its lack of support for Heritage preservation, decreasing heritage conservation areas, and fails to provide adequate</p>	<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. Further, the Parramatta CBD Planning Proposal is consistent with Parramatta Ways Walking Strategy. This strategy aims to increase urban tree canopy cover to improve the quality of Parramatta's streetscapes, open space and river corridors.</p> <p>These issues raised about tree canopy and Councillor Pandey's Notice of Motion (NOM) are addressed above in the Council officer responses to Submission 186 at Row 170</p> <p>The issues raised about heritage, overshadowing, character and building design are addressed above in the Council officer Submission 134, Row 129.</p> <p>South Parramatta HCA is not located in the boundary of the CBD PP, with the amendment to the boundary of this HCA finalised in</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>transition between tall buildings and HCAs / Heritage Items.</p> <p>Considers that the Parramatta CBD Planning Proposal will have a negative impact on heritage.</p> <p>Submitter does not support removing part of the South Parramatta HCA.</p> <p>Objects to the removal of Harris Park West Conservation Area and its erosion into the Harris Park Heritage Conservation Area.</p> <p>Objects to allowing tall buildings near Heritage Items and HCAs to the north, with the transition between tall buildings and heritage buildings being non-existent in some locations.</p> <p>Submitter considers that the Parramatta CBD Planning Proposal has little consideration for maintaining solar access to heritage sites.</p> <p>Submitter notes that the Incentive Height of Buildings will be bad for heritage preservation, including the 69-storey tower on 2 O'Connell Street and the 75-storey tower at 8-14 Great Western Highway located nearby the state heritage listed Lennox House.</p> <p>Submitter notes that Council supported the 75-storey tower by following the Urbis report, rather than the more conservative report for transition areas by Hector Abrahams.</p> <p>Submitter recommends the Planning Proposal to be amended to provide better protection for Parramatta's heritage and character.</p>	<p>September 2018 via a process completely separate to the CBD PP. This objection to the boundary of the HCA is beyond the scope of the CBD PP.</p> <p>The reduction to the area of the Harris Park HCA within the CBD PP was recommended in the Heritage Study of Interface Areas (2017) to remove from the listing the demolished area fronting Kendall and Wigram Streets and to include only the properties fronting Ada Street. Council supported the recommendation as did the DPIE Gateway determination (issued in December 2018) and an Alteration determination (in July 2020), the latter effectively endorsing the process to date including Council's decision to remove part of the HCA from the CBD PP. It is also noted that Public Authorities that responded to the exhibition of the CBD PP raised no issue.</p> <p>Division 3.4 of the Environmental Planning and Assessment Act 1979 facilitates a process for planning controls to be amended including by landowners or a third party on behalf of a landowner via a site-specific planning proposal (SSPP) process. Council officers acknowledge the concerns raised by the submitter in relation the SSPP at 2 O'Connell Street and 8-14 Great Western Highway and the perceived impacts on the nearby the state heritage listed Lennox House; however, it is important to highlight these SSPPs, have already been assessed against the principles that underpin this CBD PP and found to be consistent. However, the processing of the SSPP is a separate process outside of the CBD Planning Proposal process.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
178.	Submitter from Naranghi Avenue, Telopea Submission Number 211	Submitter notes that the proposed building height changes in the northern section of Parramatta will not enhance the aesthetic appearance of the areas north of Parramatta river and will have an adverse	The submitters objection to the inclusion of North Parramatta within the CBD PP is noted, as are the concerns about heritage and high-rise development. These issues are addressed above in the Council officer

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>effect on the many quality period buildings in the area.</p> <p>Submission requests for all Development Applications and Spot Rezoning to be suspended until a comprehensive plan for future development in this area has been completed.</p> <p>Notes that any plan should maintain the current guidelines of high rise to a maximum of eight - nine storeys in North Parramatta</p> <p>Raises that any plan for North Parramatta should consider community input, cultural, social and heritage features of North Parramatta.</p> <p>Notes that there are over four hundred heritage listed items in North Parramatta of great significance to Parramatta and its development.</p>	<p>responses to Submission 154, Row 149; Submission 157, Row 152; and Submission 186, Row 170.</p>
179.	<p>Submitter from Elizabeth Street, Parramatta Submission Number 212</p>	<p>Submitter owns two units in Elizabeth Street which were purchased due to their proximity to Parramatta City Centre and therefore ease to lease to tenants wishing to live nearby the Parramatta CBD.</p> <p>Submitter notes that the area comprising of Elizabeth Street, Steward Street, Betts Street and Victoria Road should be included in the Parramatta CBD Planning Proposal.</p> <p>Notes that this area has numerous benefits including access to Parramatta River, ferry services, road and rail transport, shops, cafes, restaurants, Parramatta CBD Foreshore Reserve, Parramatta Park and Parramatta Stadium</p> <p>Raises that the subject area is already occupied by buildings of home units with some of the sites particularly in Elizabeth Street being large and easy to develop.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
180.	Submitter from O'Connell Street, North Parramatta Submission Number 213	<p>Is concerned about the proposed controls for North Parramatta as follows:</p> <p>Sees building heights and FSRs as too generous and therefore, does not support the design excellence controls. Sees that design excellence should be a basic requirement if density is increased.</p> <p>Believes that HCAs and other existing dwellings will be dwarfed by nearby very tall buildings as well as be overshadowed by them as per the exhibited controls.</p> <p>Sees very tall buildings are of their nature inhuman in scale, and when grouped together result in ground-level wind tunnel effects; no matter how "activated", unpleasant street level areas will be overshadowed and wind-blown.</p> <p>Anticipates new residents will be looking directly into the apartments of other residents and be discomforted by the reflected glare of sunlight from those towers.</p> <p>Sees it is unrealistic to plan for 14,000 extra dwellings without adequate parking thus does not support the policy to reduce car parking rates.</p> <p>Sees that the proposed controls are too substantial and is of the view that any changes to the controls should be specific to Parramatta north vicinity rather than an extension of the Parramatta CBD.</p>	<p>The submitters objection to the inclusion of North Parramatta within the CBD PP is noted, as are the concerns about heritage, traffic and high-rise development. These issues are addressed above in the Council officer responses to Submission 1, Row 1; Submission 154, Row 149; Submission 157, Row 152; Submission 172, Row 161; and Submission 186, Row 170.</p>
181.	Submitter from Harold Street, Parramatta Submission Number 214	<p>Submitter disappointed that 20-24 Harold Street is no longer included in the Parramatta CBD Planning Proposal.</p> <p>Submitter notes that developers have approached Council to re-develop the site, however, the updated Planning Proposal site boundary excludes 20-24 Harold Street from the Planning Proposal.</p>	<p>The submitter's objection to the exclusion of 20-24 Harold Street from the CBD PP is noted as are the other associated issues raised. A Council Officer Response regarding 20-24 Harold Street and the North-East Planning Investigation Area is provided at Submission 48, Row 48.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter requests for Council to reinstate the subject property into the Planning Proposal as it was initially listed.</p> <p>Notes that whilst areas of Sorrell Street need to be protected from overdevelopment, the property at 20-24 Harold Street is situated nearby Church Street, where development is occurring.</p> <p>Raises that the existing building at the subject site was built in 1970 and is rundown.</p>	
182.	Submitter from Elizabeth Street, North Parramatta Submission Number 215	<p>Submitter requests the inclusion of Elizabeth Street in the Parramatta CBD Planning Proposal.</p> <p>Notes that the street is within close proximity to Parramatta CBD, is a suitable location for commercial and residential development, has access to road and pedestrian bridges, is within walking distance to bus, rail and ferry services (including the future light rail and metro services), and is within walking distance to Eat Street and local primary / high schools.</p> <p>Notes that the Planning Proposal is inconsistent considering that many high-rise developments will be permitted along Wilde Ave but not Elizabeth Street.</p> <p>Elizabeth Street has similar blocks to Wilde Street, being 3-5 stories and build in or around 1970, with little to no development or improvement over recent years.</p> <p>States that other than All Saints Church, the unit buildings do not hold any heritage value.</p> <p>Notes that developments can be designed to incorporate, protect and preserve heritage values - historic buildings should not be seen as a barrier for development.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; Submission 10, Row 10; and Submission 45, Row 45.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		States that the Exhibition Map delineates Elizabeth Street as being part of the CBD Planning Proposal.	
183.	Submitter from Harold Street, North Parramatta Submission Number 216	<p>Proposes extending the planning proposal boundary to add two adjoining sites at 17 Albert Street and 20 Harold Street which have a double frontage to enable residential uses. Submitter resides in an apartment on one of the blocks.</p> <p>Sees the inclusion will contribute to Council's vision for PLR and the principle of living or working close to the CBD where jobs, education and health facilities, services, community spaces and amenities are concentrated, consistent with the 30-minute city.</p> <p>Notes that a pre-exhibition version of the planning proposal originally included their site, but now excluded their property - there seems little reason for it now to be excluded.</p> <p>As a long-term resident in the area and says older family has roots in Parramatta since turn of 19th Century.</p> <p>Is concerned that having the boundary where currently proposed will <i>make the length of Church Street into North Parramatta look like a movie set with a clear divide.</i></p> <p>Believes the proposal in this submission will not compromise nearby heritage attributes.</p>	The submitter's objection to the exclusion of 20-24 Harold Street and 17 Albert Street from the CBD PP is noted as are the other associated issues raised. A Council Officer Response regarding 20-24 Harold Street and the North-East Planning Investigation Area is provided at Submission 48, Row 48.
184.	Submitter from Romani Street, North Parramatta Submission Number 217	<p>Objects to the planning proposal's proposed controls as they affect North Parramatta for the following reasons:</p> <p>Notes there are a significant number of heritage items and a heritage conservation area that seek to protect the local heritage. The proposed high towers will undermine this heritage context as they</p>	The issues raised by the submitter in relation to North Parramatta, heritage, building design, parking and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>are incompatible with the surrounding heritage fabric.</p> <p>Is of the view the population increase resulting from the proposed heights and FSRs will have a significant impact on the amenity of the residents that will reside on sites that do not redevelop as the impacts will be on street parking and there will be reduced tree canopy, increased noise from increased traffic and higher number of people on the street. Says the historical uniqueness of North Parramatta should celebrate this aspect, not destroy it with CBD type densities.</p>	
185.	No Address Provided Submission Number 218	<p>Submitter considers that Parramatta's history is being erased with the removal of heritage buildings.</p> <p>Submitter considers the historic character of Parramatta is being dramatically altered and the stories associated with Parramatta are being lost.</p> <p>Submitter requests for the Powerhouse museum to remain in Ultimo and for the new museum to be located within Willow Grove and the Fleet Street heritage buildings.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139</p> <p>In relation to the Powerhouse Museum, the State Government on 11 February 2021 approved the MAAS development which now retains the St George's Terraces and Willow Grove. Further details regarding the heritage items are addressed in the Council Officer response for Submission 50, Row 50.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
186.	No Address Provided Submission Number 219	<p>Objection to unprecedented building heights that will alter Parramatta's historic and heritage landscape, streetscape and skyline.</p> <p>Rezoning threatens historic vistas and sight lines. With the proposed expansion of the CBD to conservation areas of Sorrell Street and North Parramatta, there is an existential threat to the National Heritage Parramatta Female Factory and Institutions Precinct site. An expanded CBD from 22 hectares to 38 hectares and the proposed increase from a base height of 24 metres to 80 metres in conservation areas, is greatly concerning.</p> <p>It is imperative that Council ensure strengthened protections and heritage sightlines impact</p>	<p>The issues raised by the submitter in relation to North Parramatta, heritage, the North Parramatta HCA and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.</p> <p>In relation to the Parramatta Female Factory it is advised that this site is not within the Parramatta CBD Planning Proposal boundary, and is also not within the Northern Planning Investigation Area (PIA). It is also considered that there is sufficient distance between the Parramatta Female Factory site and the proposed high rise corridor focused around Church Street under the CBD PP to minimise any potential heritage impacts.</p> <p>The Implementation Plan map in the Parramatta CBD Planning Strategy 2015 identified the Parramatta Female Factory site as within the Parramatta North Urban Renewal Area. Since this time, the land at</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		assessments are in place to meet a key objective of the Proposal which states: Recognise the importance of Parramatta's heritage and ensure new development demonstrates an appropriate relationship to heritage items and conservation areas.	<p>Parramatta North, which includes the Female Factory Precinct was rezoned by the State Government on 20 November 2015. Following this, the Parramatta North Historic Sites Consolidated Conservation Management Plan (the PNHS CMP) was endorsed by the Heritage Council of NSW on 7 April 2017 and the precinct-specific DCP for the Parramatta North Urban Transformation (PNUT) Precinct came into effect on 10 August 2017.</p> <p>The Implementation Plan in the Parramatta CBD Planning Strategy (2015) identified an expanded boundary to include parts of the Sorrell Street, North Parramatta and Harris Park West HCAs, with urban design analysis to refine planning controls for these areas along with a heritage study for the whole area.</p> <p>Council officers advise that the 2020 exhibited height controls for the part of the North Parramatta HCA within the CBD PP boundary is 9 metres and for the part of the Harris Park West HCA within the CBD PP boundary is part 6 and part 18 metres, with both reflecting the existing height control in PLEP 2011. The part of the Sorrell Street HCA that was originally within the CBD PP boundary, was removed by Council and also does <i>not</i> form part of the separate piece of work being undertaken for the North-East Planning Investigation Area.</p> <p>There are no changes to heights and FSRs for land within heritage conservation areas.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
187.	Submitter from Mons Street, South Granville Submission Number 220	Submission supports the Parramatta CBD Planning Proposal.	Submission in support of the CBD Planning Proposal is acknowledged.
N/A	Submitter from Stapleton Street, Pendle Hill Submission Number 221 Empty Submission	Submission just included the word 'yes'.	Undiscernible submission.
188.	No Address Provided Submission Number 222	<p>Submitter objects to the Parramatta CBD Planning Proposal.</p> <p>Notes that there are already too many unit blocks in North Parramatta and the area is congested with traffic.</p>	The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Considers that only some benefit from development in North Parramatta.</p> <p>Submitter raises that the character and community of North Parramatta is slowly being destroyed, and heritage areas are not considered.</p>	
189.	Submitter from Elizabeth Street, Parramatta Submission Number 223	<p>Submission requests the inclusion of Elizabeth Street West in the Parramatta CBD Planning Proposal.</p> <p>Notes that the site is located directly opposite of the planned MAAS Museum.</p> <p>Recommends Council to reconsider their decision, and to include the western side of Elizabeth Street (adjacent to Wilde Ave) into the current Parramatta CBD Planning Proposal.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.
190.	Submitter from Aubrey Street, (no suburb provided) Submission Number 224	<p>Submitter notes that historic sites should not be destroyed for profit.</p> <p>Submitter raises that as a result of COVID, there are numerous vacant positions where developments can be located.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.
191.	No Address Provided Submission Number 225	<p>Submitter raises concerns regarding the heights of buildings north of Victoria Road as outlined in the Parramatta CBD Planning Proposal.</p> <p>Submitter requests for Council to suspend Development Application approvals and Spot Rezoning until a comprehensive plan has been undertaken.</p> <p>Submitter notes that Council should maintain the existing guidelines of low rise developments in North Parramatta.</p> <p>Submitter requests for Council to support in preserving the significant heritage, cultural</p>	The issues raised by the submitter in relation to North Parramatta, heritage and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		importance and the associated social features of North Parramatta.	
192.	Submitter from Darcy Road, Wentworthville Submission Number 226	Submitter supports the mission, vision and goals outlined in the Parramatta CBD Planning Proposal.	Submission in support of the CBD Planning Proposal is acknowledged.
193.	Submitter from Darcy Road, Wentworthville Submission Number 227	Submitter supports Council's plan for improving the areas surrounding Westmead Medical Centre and the healthcare services Westmead provides.	Westmead is not part of the CBD Planning Proposal area, however the support is noted.
194.	Submitter from Immarna Place, Oatlands Submission Number 228	<p>Submitter objects to the Parramatta CBD Planning Proposal, in particular, the proposed increased heights and the impact these developments will have on heritage buildings.</p> <p>Submitter notes that the heritage buildings in Parramatta should not be overwhelmed with development.</p> <p>Submitter acknowledges that high rise developments can be located within the vicinity of heritage buildings with careful planning and design.</p> <p>Proposes a maximum 9 stories for developments in North Parramatta.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 1, Row 1; Submission 143, Row 138; and Submission 144, Row 139.</p> <p>The issues raised by the submitter in relation to North Parramatta are addressed in the Council Officer response at Submission 140, Row 135.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
195.	Submitter from Elizabeth Street, Parramatta Submission Number 229	<p>Request to reconsider the re-zoning of Elizabeth Street to form part of the Parramatta CBD Planning Proposal.</p> <p>Elizabeth Street has great potential for further commercial and residential development.</p> <p>Sees the site is located within close proximity to commercial and government offices, employment opportunities, public transport, shopping centres, cafes and a range of primary and high schools.</p> <p>Submitter notes that the Parramatta CBD Planning Proposal currently includes the corner of Wilde Ave and Victoria Road but excludes Elizabeth Street, which will create an awful and contrasting view of old and new development sites.</p> <p>Raises that the majority of developments along Elizabeth Street were built in 1970, are outdated, rundown and do not hold any heritage value.</p> <p>Notes that whilst All Saints Church should be protected and preserved, the recent development in Parramatta has successfully integrated high rise buildings with heritage buildings.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 10, Row 10.</p>
196.	No Address Provided Submission Number 230	<p>Sees that the consultation material does not adequately explain key information to local residents and the wider community; specifically, the changes to height (and FSR) are not well understood.</p> <p>Sees that Parramatta Park and surrounds should not be excluded from the CBD PP in terms of providing new controls for the Parramatta CBD.</p> <p>In terms of flood management and risk, the submitter notes that the changes to height and density controls rely on major changes to the way flood management risk is assessed and how evacuation strategies are managed. Notes the supporting report is in draft form, has not been</p>	<p>The CBD PP is supported by Heritage and Urban Design Studies that assessed overshadowing impacts to integrate increased building heights and address Parramatta's rich and unique heritage.</p> <p>The Parramatta CBD Planning Proposal was exhibited in accordance with the conditions outlined in the Gateway Determination, and the Community Engagement Report outlines the robust engagement mechanisms implemented to consult with the community. A Community Summary document and FAQs sheet included a plain English explanation of the changes to the planning controls, and Council officers were available during the exhibition for the community to telephone or email specific questions to assist all stakeholder with understanding all the controls.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>completed and relies on information that is now more than fifteen years old, and needs review, particularly in light of the frequency and duration of large weather events and the impact on the floodplain.</p> <p>Sees that the report should be completed and exhibited prior to any planning decision.</p> <p>Sees that the impact on heritage areas from overshadowing and changes to the streetscape have not been adequately assessed and sees the need for further consultation with these communities.</p>	<p>The inclusion of Parramatta Park and the Park Edge Highly Sensitive Area in the CBD PP is technically necessary to preserve the existing planning controls. The new provision (clause 7.6M) makes it clear that only the existing planning controls currently in place for Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre apply to the precinct as indicated in "Area A" on the Special Provisions Area Map and therefore the request to excise this land from the CBD PP is not supported. As described in the Planning Proposal, Council has an existing Conservation Agreement with the Commonwealth and State Governments regarding development in the Parramatta Park and the Park Edge Highly Sensitive Area and for this reason further review of the planning controls for this precinct is not warranted.</p> <p>Council is currently undertaking additional flood modelling of City of Parramatta LGA including the Parramatta CBD that considers the likely impact of climate change due to sea level rises. The outcomes of this modelling will further refine development guidelines and Flood Planning for the Parramatta CBD.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
197.	Submitter from Elizabeth Street, Parramatta Submission Number 231	<p>Objection to exclusion of Elizabeth Street from CBD PP.</p> <p>Notes that the Urbis Study and HAA report make no recommendations for lower building heights.</p> <p>Sees no Heritage grounds to remove Elizabeth Street.</p> <p>Is concerned that the decision to exclude Elizabeth Street was an oversight and grouped with the North Parramatta recommendation.</p> <p>Sees their respective large block of land with an old-aged building needs to be re-developed.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; and Submission 45, Row 45.</p>
198.	No Address Provided Submission Number 232	<p>Objects to development vision within the CBD PP for the area in the northern part of Parramatta.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Sees a need for the heritage and future development of the area to have a detailed plan to realise the impact the high rise will have on adjoining heritage in Sorrell Street.</p> <p>Sees that residents in nearby streets will suffer from the overwhelming high rise in Church Street.</p>	<p>the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.</p>
199.	<p>No Address Provided Submission Number 233 Duplicate Submission Provided</p>	<p>Submitter provided two duplicate submissions.</p> <p>Submitter objects to three site specific planning proposals:</p> <ul style="list-style-type: none"> • 470 Church Street • 23-27 Harold Street • McDonald's Site Corner Church Street <p>Submitter justifies that there will be a significant impact on the heritage buildings and environment of North Parramatta. Further, the submitter considers that these proposals will contribute to overcrowding in the area which will affect quality of life and will place increased pressure on public infrastructure and services.</p> <p>Submitter notes they have been a resident of North Parramatta since 2007 and works in the vicinity at the Western Sydney Local Health District at Cumberland Hospital East Campus. Therefore, is very familiar with the historical and cultural qualities of the North Parramatta area.</p> <p>Sees the need for preserving the historical character of the area and public spaces for current and future generations.</p> <p>Sees that there is already significant redevelopment of residential towers underway in the CBD delivering thousands of units which will place pressure on open space and community facilities (existing and planned).</p>	<p>The issues raised by the submitter in relation to the three site specific planning proposals and also North Parramatta, heritage and character are noted and addressed in the Council officer response to Submission 134, Row 129. The submitter's request to hold a public meeting to discuss these separate site-specific proposals are outside of the CBD Planning Proposal process and therefore not supported.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		Requests a public meeting with concerned residents to discuss these proposals. Submitter intends to raise the matter with the State Parliament and relevant Ministers.	
200.	No Address Provided Submission Number 234	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitters are noted and addressed in the Council Officer response at Submission 11, Row 11.
201.	No Address Provided Submission Number 235	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
202.	Submitter from Inkerman Street, Parramatta Submission Number 236	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
203.	Submitter from Boundary Street, Parramatta Submission Number 237	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
204.	No Address Provided Submission Number 238	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	
205.	Submitter from Moree Avenue, Westmead Submission Number 239	Objection to development of North Parramatta. Concerned that the increase over the existing FSR will be out of character and lead to shadowing problems for heritage buildings and public spaces. Questions how more than 300 heritage items can possibly be protected or respected in this <i>high-rise onslaught</i> . Is of the view that Council must suspend all DA approvals in the North Parramatta area until a comprehensive plan has been undertaken. The plan should maintain current guidelines of low high rise on Church St, 8-9 stories with consideration of the Heritage areas, cultural and social features, conducted with community input from the start. Requests that Council must stop all spot rezoning and development proposals.	The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		Sees that Parramatta's Heritage is Australia's Heritage and must be preserved for the sake of promoting and capitalising on Parramatta's importance in the history of this nation.	
206.	Submitter from North Parramatta Submission Number 240	<p>Submitter is concerned regarding the changes to North Parramatta as proposed in the CBD PP.</p> <p>Submitter is horrified regarding the proposal. Notes they have lived in the area for over 30 years and cannot believe this has been planned with no consultation with the residents of North Parramatta.</p> <p>Submitter is terrified of being overrun with high-rise developments and raises concern regarding how developments will turn the peaceful area of North Parramatta into a monstrosity.</p> <p>Notes that Parramatta is full of heritage, which should not be wiped out.</p> <p>Considers that it is bad enough to destroy Phillip Street, and requests Council not to destroy North Parramatta.</p>	The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.
207.	Submitter from William Street, North Parramatta Submission Number 241	<p>Submitter raises that the current developments in Parramatta have not considered proper planning and result in loss of privacy, outlook and parking spaces for existing adjoining buildings.</p> <p>Submitter raises concern regarding the development occurring in Parramatta.</p> <p>Submitter requests Council to prepare a detailed urban design plan for North Parramatta (and future projects) to ensure places are designed to have proper regard for heritage, orientation, overshadowing and the public domain.</p> <p>Requests that Council exclude North Parramatta until a comprehensive plan is undertaken.</p>	The issues raised by the submitter in relation to North Paramatta, heritage, heritage items and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; Submission 157, Row 152; and Submission 249, Row 209.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Requests that the future plan for North Parramatta maintains the existing guidelines with consideration for heritage areas, cultural and social features.</p> <p>Submission requests for Council to stop spot rezoning and development proposals.</p> <p>Requests for Council to acknowledge the 400 heritage listed items in the vicinity of Parramatta.</p>	
208.	Submitter from Castle Hill Submission Number 246	<p>Submitter objects to the demolition of heritage buildings in Parramatta, North Parramatta and the surrounding area.</p> <p>Submitter objects to the proposed increased building heights outlined in the Parramatta CBD Planning Proposal.</p> <p>Notes that Parramatta contains numerous heritage buildings that need to be protected for current and future generations.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152.</p>
209.	Submitter from Bellevue Street, North Parramatta Submission Number 249	<p>Submitter objects to the proposal to extend Parramatta CBD across Victoria Road and Parramatta River into North Parramatta.</p> <p>Objects to the proposed controls for North Parramatta as there are many recognised heritage items and conservation areas within the North Parramatta area, sees that any development realised by the proposed controls will have a detrimental effect by <i>dwarfing and diminishing these into insignificance</i>.</p> <p>Submitter is concerned regarding the progression of the two residential towers at the McDonalds site opposite Prince Alfred Park, a 26-storey residential tower at 470 Church Street and at least two towers at 23-27 Harold Street.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, traffic and the other associated issues are noted and addressed in the Council officer response to Submission 1, Row 1; Submission 154, Row 149; Submission 157, Row 152; and Submission 172, Row 161.</p> <p>In relation to the SSPPs identified by the submitter, Division 3.4 of the Environmental Planning and Assessment Act 1979 facilitates a process for planning controls to be amended including by landowners or a third party on behalf of a landowner through the lodgement of a site-specific planning proposal (SSPP). Council officers acknowledge the concerns raised by the submitter however, however, it is important to highlight these SSPPs, have already been assessed against the principles that underpin this CBD PP and found to be consistent. However, the processing of the SSPP is a separate process outside of the CBD Planning Proposal process.</p> <p>In relation to the increase in incentive FSR identified by the submitter, for the land parcels north of the River within the CBD PP boundary with an existing FSR of 0.5:1 or 0.6:1, no change is proposed. For the remainder of the sites in this same area, the existing FSRs under</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter raises concern regarding the proposed FSR increase (incentive), equating to an increase from 0.8:1 to 6:1 – an increase <i>by a factor of 7.5</i>.</p> <p>Submitter is of the view that any development realised via the proposed controls in the exhibited planning proposal or nearby spot rezonings benefits developers and are not in the public interest because they do not protect the heritage nature of North Parramatta for future generations.</p> <p>Submitter is concerned at the potential increased traffic load that new development under the proposed scheme will bring placing <i>extra stress on our already congested roads and crowded public transport</i>.</p> <p>Requests that an appropriate planning process be undertaken for the North Parramatta area that more deeply assesses the impacts on heritage so that <i>proper consideration be given regarding the negative impact these proposed developments will have on the general amenity of the area and specifically, the numerous heritage items</i>.</p> <p>Submitter additionally requests that Council suspends all DA approvals and spot rezonings / planning proposals in the North Parramatta area until a comprehensive plan has been determined.</p> <p>Also requests there is no change to the existing planning controls (ie. that Council retains the current controls) but <i>with consideration of the heritage areas, cultural and social features - this to be conducted with community input from the beginning</i>.</p>	<p>PLEP 2011 range from 2:1 to 6:1 are proposed to be increased to 6:1 (with one exception at Lamont Street, which is proposed to go to 5.2:1) as per the exhibited CBD PP and consistent with the recommendations from the Heritage Study of Interface Areas (2017), Council decision in November 2019 and the Gateway determination issued by DPIE in December 2018 and Alteration to the Gateway determination issued in July 2020.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
210.	Submitter from Sorrell Street, Parramatta Submission Number 251	Submitter objects to the Parramatta CBD Planning Proposal and has great concern regarding the many changes that have occurred in North Parramatta.	The issues raised by the submitter in relation to North Parramatta, heritage, and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; and Submission 157, Row 152

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Objection to the extension of the boundary of the Parramatta Central Business District (CBD) across the river into North Parramatta.</p> <p>It is unacceptable that Church Street (in this part) becoming an extension to a high-density, high-rise CBD corridor with future buildings on both sides rising as high as 31 storeys.</p> <p>Notes that the example of the buildings being developed in North Parramatta, fail the criteria of being designed to be compatible and of merit regarding the local heritage facilities.</p> <p>Is concerned with the lack of valuing quality urban design, local heritage and a sensible public domain strategy is exemplified by the progression of current DA applications for 23-27 Harold Street and 470 Church Street, being spot rezonings against the current standards but progressed in anticipation of the changes enunciated within the CBD PP being approved.</p> <p>Sees the CBD PP does not provide for any new local public open spaces or community facilities within the proposed high-density rezoning area north of the river or adjacent.</p> <p>Sees the CBD PP does not consider North Parramatta as a place-specific area whereas it has been identified as an important area through its heritage listings of over 300 items ranging from local to national classification.</p> <p>Notes that Council papers refer to the FSR in Parramatta north being increased up to 6:1 and sees this as <i>a very large increase without the provision of new infrastructure and community benefits such as additional parking, school facilities or play areas.</i></p>	<p>The issues raised by the submitter in relation to acknowledgement of heritage items, SSPPs and increase in FSRs are noted and addressed in the Council officer response to Submission 241, Row 207; and Submission 249, Row 209.</p> <p>In relation to infrastructure, the Council Officer response to Submission 1, Row 1 addresses this issue raised by the submitter.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Recommends that Parramatta north area needs a comprehensive review that would reinforce the area as the heritage and cultural gateway to Parramatta. In the interim all development applications are to be suspended (including Church St, Harold St and the McDonald's site).</p> <p>The future vision for the Parramatta CBD and surrounding localities could be more vibrant, dynamic, and complex rather than a simplistic strategy offered at the present time in the CBD PP which fails to consider all the various attributes in the area.</p>	
211.	<p>Submitter from Elizabeth Street, Parramatta Submission Number 257</p>	<p>Submitter objects to the Parramatta CBD Planning Proposal and considers that Elizabeth Street and the proposed FSR of 6:1 should never have been removed from the Planning Proposal.</p> <p>Sees that the planning proposal map <i>clearly identifies Elizabeth Street as part of Parramatta CBD</i>, and is separated from the unique areas of North and South Parramatta as Elizabeth Street is located on the CBD side of Victoria Road</p> <p>Notes that the areas of inconsistencies in the Parramatta CBD Planning Proposal could potentially limit Parramatta's ability and agility to adapt, implement and execute the forward-looking strategy and the delivery of outcomes to the community.</p> <p>Submitter requests for Council to consider the Parramatta CBD Planning Proposal to include Elizabeth Street (South of Victoria Road).</p> <p>Suggests it was an incorrect decision to "lump in" Elizabeth Street with North Parramatta and apply the same zoning restrictions</p> <p>Notes the inconsistency of decision making, with the Parramatta CBD Planning Proposal allowing</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; Submission 10, Row 10; and Submission 45, Row 45.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>80m developments on the corner Wilde Ave and Victoria Road (west of All Saints Church) and precluding the same development for Elizabeth Street Parramatta, although both areas are north of Parramatta River</p> <p>Notes there is a flawed argument that Elizabeth Street holds heritage value therefore restricting development (with the exception of All Saints Church).</p> <p>Elizabeth Street is an optimal area for further commercial and residential development.</p> <p>Acknowledges that City of Parramatta Council have worked well to protect the historic and heritage buildings within Parramatta CBD, however, the submitter is perplexed as to how All Saints Church influences the zoning of Elizabeth Street.</p> <p>Questions why historic buildings cannot be situated nearby high rise buildings in Elizabeth Street, similar to areas in Parramatta CBD.</p> <p>Sees Elizabeth Street is within close proximity to rail, bus and ferry services, cafes, restaurants, primary and high schools, and also light rail services.</p> <p>Sees the unit blocks situated in Elizabeth Street were built in 1970 and hold no heritage value.</p>	
212.	Submitter from Parramatta Submission Number 259	<p>Submitter objects to the Parramatta CBD Planning Proposal.</p> <p>The Parramatta north area which includes the Heritage Conservation Areas 1 block east and west of Church St, north of the river between Victoria Rd and the junction with Pennant Hills Rd currently bares no features of a CBD.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, COVID-19, population increase and the other associated issues are noted and addressed in the Council officer response to Submission 1, Row 1; Submission 154, Row 149; Submission 157, Row 152; and Submission 197, Row 176.</p> <p>The issue raised by the submitter in relation to bonus FSR for higher BASIX standards reflects the requirements of State Environmental Planning Policy BASIX. For residential development, Council cannot</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Considers Parramatta CBD PP to have a range of consequences, intended and unintended, that are physical, cultural, economic and environmental.</p> <p>Considers the CBD PP to be an imposed set of boundaries when the current CBD south of the river is still being developed with the capacity to absorb the population increase over time.</p> <p>Sees that people who live in local heritage listed properties and neighbourhoods in the conservation areas of North Parramatta and Parramatta within 1-2 blocks of the proposed excessive building height controls along Church St will be adversely affected by the extension of the CBD, including buildings as tall as 80 metres.</p> <p>Submitter considers that nothing in the current proposals resoundingly protects the surrounding neighbourhoods or has regard for the loss of light through the day, the destruction of views/vistas, loss of privacy, the risks of the low rise conservation areas being captured in between this and another high rise strip in future developments along O'Connell St or ensures accommodating height transitions in a way that can/will be truly implemented.</p> <p>Would prefer if the planned regulations appear to be designed to over time to isolate individual heritage listed properties/blocks potentially making them 'orphaned' from their environment and to quieten objections.</p> <p>Sees that high density will reduce solar access. Says <i>two hours of sunlight per day out of 10 hours of daylight in winter is a clear sign of no respect.</i></p> <p>Says <i>enabling a strip of tall buildings on the northern stretch of Church Street, will affect people who live and work in the areas regardless of its</i></p>	<p>mandate higher BASIX standards, however it can incentivise this on a voluntary basis via bonus FSR.</p> <p>Council's Clause 7.6A High performing buildings sets out the requirements to incentivise developments that provide for higher BASIX standards, with this approach informed by the Kinesis Sustainability and Infrastructure Study (2015), and the High Performing Buildings Study (2017). These studies found that the level of BASIX achievable depends on building heights and that the cost of achieving higher BASIX scores increases with floorspace; and analysed the feasibility of a policy which linked high performance building standards to a 5% FSR floor space bonus. DPIE has endorsed Council's approach to encourage higher BASIX standards through the application of Clause 7.6A.</p> <p>The issue raised by the submitter in relation to the minimum 2 hours of sunlight access is addressed in the Council Officer response at Submission 113, Row 108.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>heritage status and it will <i>destroy vistas and the total amount of blue sky is at stake.</i></p> <p>The impact of the proposed densities and heights in the PP will result in a <i>deep windy gully along the Church Street</i> with no direct light for long periods.</p> <p>Sees that the CBD PP which looks to <i>award developers/builders higher FSR and building height but only for a marginal 'greening' of a building gauged by water or sewerage reticulation seems a perverse incentive.</i> Submitter considers that these should not be the norm.</p> <p>Sees that high density development is not automatically beautiful and is of the view that no examples within Parramatta so far are genuinely innovative or exciting.</p> <p>Questions <i>why lose the opportunity to enhance the whole of the northern side of river in Parramatta and keep its amenable human-scale features in control plans?</i></p> <p>Sees there is a growing disregard for local heritage, including <i>the intertwined aboriginal cultural heritage, sidelined by dense development is gradually being outstripped by proliferating acknowledgement of the value of heritage.</i></p> <p>Considers that the rate of population increase, as projected, will not occur due to a range of factors, including years of stagnant wage growth, rapid increases in vacancy rates, thousands of empty units and officers, continuing instability and recurring waves of COVID 19, continued closure of businesses along the light rail track and lack of international travel.</p> <p>Considers the notion that the plans are justified because of job creation to be a circular (and flawed)</p>	

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		argument. Acknowledges that COVID 19 has altered the employment landscape indefinitely.	
213.	Submitter from Elizabeth Street, Parramatta Submission Number 262	<p>Requests the inclusion of Elizabeth Street in the Parramatta CBD Planning Proposal, including 9 signatures of residents from the 7-11 Elizabeth Street unit complex.</p> <p>Questions why Council allowed CBD zoning at the corner of Wilde Avenue Parramatta and Victoria Road (area west of the All Saints Church that allows 80m high rise) and precluded the same type of development for Elizabeth Street, Parramatta (located on the south side of Victoria Road).</p> <p>Questions that apart from the All Saints Church, what historic value does Council believe that Elizabeth Street, Parramatta (south of Victoria Road) holds that prevents it being rezoned to CBD? What are the buildings that Council believe are of heritage value?</p> <p>Note: this submission constitutes a petition of sorts as it contains some 9 signatures to it.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; Submission 10, Row 10; and Submission 45, Row 45.</p> <p>Notes:</p> <ul style="list-style-type: none"> The property is formally known as 11 Elizabeth Street and comprises a total of 38 apartments. Of the 9 signatures to this petition, three of these belong to individuals that have also lodged their own individual submission on the CBD PP.
214.	Submitter from Parramatta Submission Number 268	<p>Council should consider including all the properties bounded by east of Church St and west of Sorrell Street to form part of the CBD Planning Proposal as it makes no sense to increase height only along Church Street, it should transition down to Sorrell Street.</p> <p>These additional densities will support the success of the light rail.</p>	The submitter's objection to the exclusion of all the properties bounded by east of Church St and west of Sorrell Street from the CBD PP are noted and a Council Officer Response is provided at Submission 48, Row 48.
215.	Submitter from Tennyson Street, Parramatta Submission Number 272	Submitter objects to the inclusion of North Parramatta in the Parramatta CBD Planning Proposal, as there are over 300 heritage items directly north of Parramatta River.	The issues raised by the submitter in relation to North Parramatta, heritage, COVID-19, population increase and the other associated issues are noted and addressed in the Council officer response to Submission 1, Row 1; Submission 154, Row 149; Submission 157, Row 152; and Submission 197, Row 176.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Submitter considers that high-rise developments should not be in the vicinity of heritage items.</p> <p>Submitter considers that Parramatta CBD is already overdeveloped and does not have the infrastructure to support existing development.</p> <p>Acknowledges Church Street, North Parramatta as the heritage gateway to Parramatta, however, high-rise towers will negatively impact the appearance of heritage sites.</p> <p>Notes that current development controls need to be maintained and community input needs to be considered when developing a new plan for North Parramatta.</p> <p>Submitter questions why Council is increasing population and density following the impacts on COVID including reduced immigration.</p>	
216.	<p>Submitter from Pengilly Street, Riverview Submission Number 273</p>	<p>Objection to the exclusion of 'Elizabeth Street' (south of Victoria Road) and argues that the area is unique when compared to other deferred areas (North Parramatta and South Parramatta).</p> <p>The inconsistency of decision making that allows CBD zoning at the corner of Wilde Avenue Parramatta and Victoria Road (area west of the All Saints Church that allows 80m high-rise) and precluding the same type of development for Elizabeth St Parramatta (south of Victoria Road). Both areas are north of the Parramatta river.</p> <p>The flawed argument that somehow Elizabeth Street Parramatta holds heritage value (apart from Church Street) therefore restricting any CBD development.</p> <p>The City of Parramatta Council has worked well to protect the historic and heritage buildings within the city - but concerned that the All Saints Church (corner Elizabeth Street and Victoria Road) may</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; Submission 10, Row 10; and Submission 45, Row 45.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		somehow place the brakes on the correct zoning of buildings in Elizabeth Street (south of Victoria Road).	
217.	Submitter from Elizabeth Street, Parramatta Submission Number 275	<p>Objection to the exclusion of Elizabeth Street as part of the CBD PP.</p> <p>Submitter <i>strongly disagrees</i> with the proposed exclusion of 17-25 Elizabeth Street Parramatta as part of its future CBD development plans.</p> <p>Support for maintaining and nurturing the heritage elements of the area, including buildings such as the All Saint's Church property.</p> <p>Supportive of the recommendations by the CBD Heritage Study of Interface Areas (21 June 2017) by Hector Abrahams Architects, which was to maintain the heritage and visual aspects of the Church area, nor impose any overshadowing on it.</p> <p>17-25 Elizabeth Street is on the South side of the Church grounds, and at least 80m apart, plays no visual interference, impedance nor overshadowing if there was to be any development on the block of 17-25 Elizabeth Street. In contrast to this are the tall buildings bounded by Wilde Avenue, Sorrell Street and Victoria Road that are closer to the church grounds.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; Submission 10, Row 10; and Submission 45, Row 45.
218.	Submitter from Elizabeth Street, Parramatta Submission Number 277	<p>Submitter requests for the inclusion of Elizabeth Street west in the current Parramatta CBD Planning Proposal.</p> <p>Submitter raises that all heritage studies undertaken for the Planning Proposal did not list Elizabeth Street as a heritage site.</p> <p>Submitter considers the exclusion of Elizabeth Street from the Planning Proposal to be unfair and</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8; Submission 10, Row 10; and Submission 45, Row 45.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>was not in the interest of Parramatta becoming the next CBD.</p> <p>States that Elizabeth Street needs to be reinstated in the Planning Proposal as the buildings north of Parramatta River are over 50 years old and need to be urgently replaced with modern and environmentally friendly buildings.</p>	
219.	<p>Submitter from Elizabeth Street, Parramatta Submission Number 278</p>	<p>Submitter objects to the Parramatta CBD Planning Proposal without the inclusion of Elizabeth Street, Parramatta and considers the exclusion of Elizabeth Street to be unfair.</p> <p>Submitter requests for Council to consider the development of both sides of Parramatta River equally.</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 8, Row 8.</p>
220.	<p>Submitter from Sorrell Street and Gladstone Street, Parramatta Submission Number 279</p>	<p>Submitter is concerned regarding the increased floor space ratios proposed for North Parramatta. Acknowledges the importance of increasing densities along rail corridors, however, considers that the proposed heights for North Parramatta are significant, particularly regarding the impact of proposed increased building heights on the existing heritage precinct.</p> <p>Submitter considers that developments resulting from the Parramatta CBD Planning Proposal will set a precedent in North Parramatta and will become the benchmark for the corridor.</p> <p>Submitter supports the North Parramatta Residents Action Group and requests for a proper plan of management for North Parramatta.</p> <p>Submitter acknowledges that the previous development of unit blocks in the area was limited, however, the proposed high-density corridor will directly counter existing protection.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, COVID-19, population increase and the other associated issues are noted and addressed in the Council officer response to Submission 1, Row 1; Submission 154, Row 149; Submission 157, Row 152; Submission 197, Row 176; and Submission 249, Row 209.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		Notes that whilst heritage and development can exist, it needs to be managed properly.	
221.	Submitter from Bellevue Street, Parramatta Submission Number 280	<p>Submitter objects to the Parramatta CBD Planning Proposal and the inclusion of North Parramatta in the Planning Proposal.</p> <p>Submitter notes the lack of communication from Council regarding the exhibition of the Parramatta CBD Planning Proposal. The resident was notified through the North Parramatta Resident Action Group.</p> <p>Objects to the inclusion of North Parramatta as there is no detailed urban design plan for North Parramatta, the proposed building heights are out of character with the North Parramatta area (including 400 heritage listed buildings), the proposed building heights will result in overshadowing of smaller buildings and open spaces, additional density will result in increased traffic and will place significant demand on existing infrastructure, property values of existing units will devalue existing units, current high-rise buildings in Parramatta lack design quality and are highly reflective at different times throughout the day.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, population increase and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; Submission 157, Row 152; and Submission 197, Row 176.</p> <p>The Parramatta CBD Planning Proposal was exhibited in accordance with the conditions outlined in the Gateway Determination. The Community Engagement Report outlines the robust engagement mechanisms implemented to effectively consult with the community, including a mailout to 32,300 residents.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
222.	Submitter from Elizabeth Street, Parramatta Submission Number 282	<p>The submitter requests for the inclusion of Apartment 30, 17-25 Elizabeth Street into the Parramatta CBD Planning Proposal.</p> <p>Submitter notes that the property at 17-25 Elizabeth Street is over 50 years old.</p> <p>Considers that the proposed low-rise developments do not represent the potential land value of the property.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 10, Row 10.
223.	Submitter from Inkerman Street, Parramatta Submission Number 285	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
224.	Submitter from North Parramatta Submission Number 287	<p>The submitter expresses concern for several high-rise buildings planned for the North Parramatta Area following the rezoning of Parramatta CBD as proposed in the CBD PP.</p> <p>The submitter objects to development in the North Parramatta area, considering the proposed development to be an eye sore that will ruin the character of the area with excessive traffic and people.</p> <p>Increased development will result in parking and traffic issues, noise impacts and the loss of heritage, parks, and recreation.</p> <p>Submitter considers there to be a lack of infrastructure in the North Parramatta area to support future development.</p> <p>Submitter questions the general development plans for North Parramatta.</p> <p>Submitter provides an enquiry regarding what proper diligence (and planning) is being followed regarding heights (and supporting planning controls), that will subsequently ruin the neighbourhood of North Parramatta in general?</p> <p>Considers corporate greed is making it difficult to live in North Parramatta.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, traffic, infrastructure and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; Submission 157, Row 152; and Submission 197, Row 176.</p> <p>In relation to infrastructure and traffic, the Council Officer response to Submission 1, Row 1 and Submission 172, Row 161 addresses these issues raised by the submitter.</p>
225.	Submitter from Fennell Street, North Parramatta Submission Number 289	<p>Objection to development of North Parramatta.</p> <p>Suspend DA approvals in the North Parramatta area until a comprehensive plan has been developed and consulted and accepted by the community.</p> <p>Maintain the current guidelines (of low high rise on Church Street) with high regard and consideration of the heritage areas, cultural and social features.</p>	<p>The issues raised by the submitter in relation to North Paramatta and heritage and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; Submission 157, Row 152; and Submission 197, Row 176.</p> <p>In relation to infrastructure and traffic and consultation, the Council Officer response to Submission 1, Row 1; Submission 172, Row 161; and Submission 296, Row 231 addresses these issues raised by the submitter.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Communicate with the community, not just the developers.</p> <p>Stop all rezoning and development proposals for the area.</p> <p>Improvements are needed in the area including the quality of footpaths, hide the electric cables, line the streets with trees, encourage small business and sports, improve the traffic system.</p> <p>There are over 400 listed heritage items in this area, save this area which is of importance not only locally but nationally.</p>	
226.	Submitter from North Parramatta Submission Number 290	<p>Objects to the proposed density in the northern part of the Parramatta CBD.</p> <p>Is disappointed in plans of the 26-storey tower at Church Street, the 25-storey apartment building on Harold Street and the 30 storey building on the corner of Church Street.</p> <p>Is of the view there are no more parks and spots for families to enjoy, another city full of cars parked, more units and completely congested.</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, car parking, infrastructure and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; Submission 157, Row 152; and Submission 197, Row 176.</p> <p>In relation to the developments identified by the submitter, the Council Officer response to Submission 3, Row 3 and Submission 249, Row 209 addresses these issues raised.</p>
227.	Submitter from Dixon Street, Parramatta Submission Number 291	<p>West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct</p>	<p>The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.</p>
228.	Submitter from North Parramatta Submission Number 293	<p>Has concerns and objects to the planned development of North Parramatta.</p> <p>Has concerns with proposed rezoning of land to the Fleet Street Heritage Precinct of North Parramatta.</p> <p>Strongly opposes the proposal of high-rise commercial and residential unit buildings north of Parramatta River.</p> <p>Considered the research from the 'Culture and Our City - 2017 to 2022'. Covers a desire to retain heritage, display it, promote it and enjoy it, and the</p>	<p>The issues raised by the submitter in relation to North Paramatta, heritage, infrastructure and the other associated issues are noted and addressed in the Council officer response to Submission 154, Row 149; Submission 157, Row 152; Submission 197, Row 176; and Submission 296, Row 231.</p> <p>The land referred to be the submitter as the Fleet Street Heritage Precinct of North Parramatta is not located within the CBD PP boundary. It is considered that there is sufficient distance between the Fleet Street Heritage Precinct and the proposed high rise corridor focused around Church Street under the CBD PP to minimise any potential heritage impacts.</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>research says the people of Parramatta (not the developers) are asking for their heritage to be saved – not destroyed.</p> <p>Requests that the Council and the NSW Government treat this area (North of the River) <i>with the great reverence that it deserves</i>. Including the repurpose of the sandstone buildings, restoring the landscaping and the plantings.</p> <p>Is of the view the Light Rail will allow visitors to enjoy this historic space without towers.</p>	Decision Pathway – Issues addressed; no further decisions required.
229.	Submitter from Victoria Street, Tunbridge Submission Number 294	<p>Sees that Parramatta has almost <i>lost its chance to become a great and beautiful historic city</i>.</p> <p>Sees that enabling proposals to erect buildings as high as 80 metres or 211 metres will be highly detrimental to the Heritage Conservation Area north of Ross Street. Apart from the reduction in light and sunshine, the unattractive visual impact and the traffic pressure will be highly detrimental.</p> <p>Is of the view that heritage precincts should be protected from such impacts. If not, future generations <i>will look back on this era with anger and sorrow</i>.</p>	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 296, Row 231
230.	Submitter from Lansdowne Street, Parramatta Submission Number 295	West Auto Alley Pro-forma - issues with exclusion of the West Auto Alley Area Precinct	The issues raised by the submitter are noted and addressed in the Council Officer response at Submission 11, Row 11.
231.	Submitter from North Parramatta Submission Number 296	<p>Has concerns and objects to the planned development of North Parramatta.</p> <p>Notes this is heritage-listed area and high-rise developments would not be in keeping with the surroundings. Sorrell and Villiers Street properties are heritage listed and high-rise buildings would detract from their appearance if they are built in the neighbouring streets.</p>	<p>Objective 9 of the CBD PP is to protect and manage the heritage values of Parramatta's local, State, national and world significant European and Aboriginal heritage items, conservation areas, heritage interface areas, places and views. The draft amendments to the planning controls for the CBD PP were informed by heritage studies and included a statement about the consistency with Ministerial Direction 9.1 – 2.3 Heritage and Conservation.</p> <p>The issue raised in relation to the change to the postcode is beyond the scope of the CBD PP. In relation to the issue about rezoning without consultation, it is advised that the purpose of the public</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
		<p>Says the change of zoning and the postcode were merged into 2150 without consultation by property owners resulting in <i>devaluing of properties</i>.</p> <p>Notes Epping as an bad example of a high rise location where there is inadequate planning for getting traffic in and out of Epping.</p> <p>States that not everyone would like to live in a high-rise tower, and some people want to the live in low-rise close to a great city like Parramatta.</p> <p>Raises concerns around high density development and the lack of parks creating ghettos.</p> <p>Requests that the full consequences on the area be considered and that 25-storey towers not occur in Parramatta north vicinity because there are already high-rise areas and these should be more limited than those in the CBD core.</p>	<p>exhibition of the proposed amendments to the planning controls for the Parramatta CBD is to seek feedback from the community before reporting the results from the consultation to Council for their consideration as part of the broader consideration of the draft planning controls. The planning controls remain a draft until they are finalised by the State Government following any endorsement by Council to request the Department do this.</p> <p>The specific issues raised in relation to high rise towers and traffic in Epping are beyond the scope of the CBD PP. Notwithstanding this, a central part of the work reviewing the planning controls for the Parramatta CBD has included traffic and transport studies. This Planning Proposal adopts the approach put forward by Council's Strategic Transport Study (2017) that encourages sustainable transport policies by reducing parking rates and supporting increased use of public transport, walking and cycling to reduce adverse transport impacts associated with increased development. Council is preparing a mesoscopic model and Integrated Transport Plan (ITP) which will help to refine these parking rates as a part of separate planning proposal process. The ITP will be placed in public exhibition in the coming months following endorsement by Council on 26 April 2021 for public exhibition and the community will be invited to review the documentation and provide comments. Council officers believe the reduced car parking rates are an acceptable outcome given the urban environment and Central River City status of the Parramatta CBD.</p> <p>In relation to the issue about housing choice, high-rise and the benefits of living close to a major centre, the CBD PP 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. The increased opportunities for mixed use residential development in the Parramatta CBD is consistent with the direction in the Central City District Plan to connect residents within 30 minutes to jobs, education and health facilities, services and recreation.</p> <p>Draft amendments to the Parramatta Development Control Plan 2011 that aim to support the objectives of the CBD PP and new LEP controls are also being prepared together with further work to provide for community infrastructure in a new Development Contributions Plan</p>

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Row No.	Submitter Address Submission Number	Summary of Submission	Council Officer Response
			<p>following a review of the Infrastructure Funding Framework for the Parramatta CBD. The community will be invited later this year to provide feedback on the future DCP amendments and Development Contributions Plan.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
232.	<p>Submitter from Ross Street, Parramatta Submission Number 297</p>	<p>Requests that the planning controls enable more height for the land adjacent to and including No. 65 Ross Street, North Paramatta to accommodate 5 or 6 storey units or mixed use dwellings.</p> <p>Old-aged building in need of repair and redevelopment, subject to increased planning controls.</p>	<p>The land referred to by the submitter is not located with the CBD PP boundary and is not within a PIA. The matter is beyond the scope of the CBD PP.</p> <p>Decision Pathway – 2: Not supported.</p>

Community Engagement Report - Appendix C

APPENDIX C – INSTITUTIONS, ORGANISATIONS AND INTEREST GROUP SUBMISSIONS

This document summarises the submissions received from **Institutions, Organisations and Interest Groups** during the exhibition of the CBD PP. A total of **12** submissions were received in this category and they are summarised below with each having a corresponding Council Officer response.

No.	Respondent / submission number	Summary of submission	Council Officers' response
1.	Western Sydney Regional Organisation of Councils (Submission No.72)	<p>Supports the Parramatta CBD Planning Proposal.</p> <p>Acknowledges Parramatta's contribution to the local jobs challenge as Western Sydney continues to grow.</p> <p>Describes that the City of Parramatta is seen as a leader in the local government sector by aspiring to achieve improved sustainability outcomes through planning, that benefits not only Parramatta but the Western Sydney region.</p> <p>Specifically supports the following:</p> <ul style="list-style-type: none"> - the High Performing Building (HPB) clause (clause 7.6A) that ensures development performs above minimum standards for energy and water efficiency for commercial and residential development. - the approach taken by Council to include targets that improve with technology and the market over time, utilizing industry accepted performance ratings databases. - the clear and measured investigations that demonstrate the need for stronger energy and water sustainability targets. <p>Councils should be able to apply higher BASIX standards without having to give an incentive (i.e. floor space bonus).</p>	<p>Submitters supportive comments are noted.</p> <p>Council officers also support WSROC's suggestion, however BASIX in its current form in 2021, applies standard compliance targets for apartments that Councils cannot mandate be increased. This is why compliance with this provision is optional and uses bonus FSR to incentivise take-up of these controls.</p> <p>Councils Clause 7.6A <i>High performing buildings</i> sets out the requirements to incentivise developments that provide for higher BASIX standards.</p> <p>Council's approach to apply a HPB bonus to incentivise higher BASIX standards has been informed by the Sustainability and Infrastructure Study (2015), and the High Performing Buildings Study (2017). The studies found that the level of BASIX achievable depends on building heights and that the cost of achieving higher BASIX scores increase with floorspace.</p> <ul style="list-style-type: none"> - The High Performance Building Study (26 February 2016) analysed the feasibility of a policy which linked high performance building standards to a 0.5 FSR floor space bonus. - The State Environmental Planning Policy BASIX allows for incentives for the adoption of measures beyond those required by BASIX. - DPIE has endorsed Council's approach to encourage higher BASIX standards through the application of Clause 7.6A. <p>Decision Pathway – Issues addressed; no further decisions required.</p>
2.	The Salvation Army (Submission No.164)	<p>The submission provides supporting comments and acknowledges the work Council has undertaken to date and considers that this planning will create the framework for the growth and health of the community, with investment in infrastructure, housing, creation of jobs and community services.</p>	<p>Supporting comments on the Planning Proposal and its intended outcomes are noted.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Identifies that the Salvation Army owns a property at 426 Church Street, North Parramatta.</p> <p>Supports the planning proposal objectives, intended outcomes and controls.</p> <p>Considers the implementation of community infrastructure to support the community will be key to the success of the proposal.</p> <p>Highlights that it is critical that a broad definition and analysis is undertaken to resolve the community infrastructure that is both wanted but also needed.</p> <p>Requests that the future Development Guideline reflect the community infrastructure needed by the community and offers to assist and collaborate with Council with drafting of the Guideline (DCP) and the CBD Community Infrastructure Plan.</p>	<p>Objective 4 of the CBD PP is to facilitate the provision of community infrastructure to service the growing city. Draft <i>Clause 7.6H Community Infrastructure</i> includes a broad definition of community infrastructure and describes the types of community infrastructure needed within the CBD. This includes development for the purposes of community facilities, information and education facilities, recreation areas and other facilities that support the growth of the CBD.</p> <p>Council is currently preparing a draft CBD Contributions Plan to deliver community infrastructure and welcomes any additional feedback during the exhibition period for that document.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
3.	<p>Outdoor Media Association 13/10/2020 and 30/10/2020 (Submission No.166)</p>	<p>Submission 1</p> <p>Outlines the benefits of 'Out of Home' (OOH) advertising as one of the most trusted channels to broadcast government and community awareness messages, including road safety, public health and community service campaigns.</p> <p>Concerned that under the existing PLEP, signage is not allowed anywhere in the Local Government Area, specifically, 'Out of Home' (OOH) advertising.</p> <p>Acknowledges that Council wishes to ensure that Parramatta remains without visual clutter and advises that visual clutter can be managed through the approval process.</p> <p>Requests that Council consider allowing signage 'out of home' advertising in the CBD in appropriate land use zones. OMA have recommended that signage should be allowed in the following zones; B3, B4, RE1 and SP1 and SP2.</p>	<p>The benefits provided by the submitter have been noted.</p> <p>The planning proposal does not introduce any changes to the existing provisions Parramatta LEP and the Parramatta DCP that enable some form of signage. Consideration of the permissibility of signage is beyond the scope of this planning proposal.</p> <p>Under the Parramatta LEP 2011, 'Signage' is explicitly prohibited in a B3, B4, RE1, SP1 and SP2 Zone however, there is a clear distinction between signage for advertising and signage for business and building identification. All advertising structures are managed through the DA approval process and are informed by the DCP.</p> <p>Under the Parramatta LEP 2011, the following is permissible:</p> <ul style="list-style-type: none"> - B3 zones – permitted with consent building identification signs, business identification signs. - B4 zones – permitted with consent building identification signs, business identification signs.

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No.	Respondent / submission number	Summary of submission	Council Officers' response
			<p>Section 5.5 Signage in the Parramatta DCP provides development guidelines on signage that allow for advertisements and advertising structures where permissible. The DCP also identifies types of advertising and signs that are discouraged to protect the visual quality of the City. This includes general advertising signs that do not relate to a use. Section 5.5.1 of the DCP also provides guidelines on the development of signs on heritage buildings and conservation areas.</p> <p>The planning proposal does not contain provisions that contradict or would hinder the application of SEPP No 64 Advertising and Signage.</p> <p>For the above reasons, the submitter's proposed changes are not supported at this time.</p> <p>Decision Pathway – 2: Not supported.</p>
		<p>Submission 2</p> <p>Given the importance of digitally connected cities and Parramatta' role as one of three CBDs in Sydney, the submitter explains it is hard to understand why such an important asset is being precluded from being built.</p> <p>Advises that permissibility of OOH advertising could benefit the CBD and the wider Parramatta area.</p> <p>Describes that there are economic benefits of OOH advertising and that the effect of OOH as a passive income stream at this time (COVID-19 pandemic) cannot be understated.</p> <p>Requests that Council amend the LEP, to allow for third-party signage within the following zones:</p> <ul style="list-style-type: none"> - B3 Commercial Core - B4 Mixed Use - RE1 Public Recreation - SP1 Special Activities - SP2 Infrastructure <p>Provides additional information in relation to the advertising industry being willing to respond to community standards and the appropriateness of signage. This includes the OMA</p>	<p>Noted. As above – not supported.</p> <p>Decision Pathway – 2: Not supported.</p> <p>As above – not supported.</p> <p>Decision Pathway – 2: Not supported.</p> <p>Noted.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		Placement Policy that restricts advertising for alcohol, gaming, wagering and sexual products and services from being placed within 150m of a primary or secondary school.	
4.	Western Sydney University (Submission No.195)	<p>The submitter commends Council on establishing a strategic framework to support the growth of the Parramatta CBD.</p> <p>Supports the CBD planning proposal's objectives around: protecting commercial activities within the B3 zone; providing community infrastructure; and advocating for regionally significant transport.</p> <p>Supports the proposed road widening at Smith Street between the road intersection of Macquarie Street and Wilde Avenue.</p> <p>Requests that Lancer Barracks is identified as an area of potential for public recreation with opportunity for public access and pedestrian connectivity between the CBD and Parramatta Square as well as a north/south link from Arthur Philip High School and into the new Engineering Innovation Hub.</p> <p>Requests that the provision of new community infrastructure, delivered as part of the Planning Proposal, is consistent with the current Parramatta strategic planning framework including the Parramatta CBD Infrastructure Needs Analysis 2017 and the Draft Community Infrastructure Strategy.</p> <p>The provision of a new regional cycleway along George Street, Villers Street and Marist Place to support sustainable mode of transport is also encouraged.</p>	<p>Supporting comments are noted.</p> <p>This is beyond the scope of the CBD PP. The critical issue in this instance is not planning controls that apply to the site. The trigger will be a change of approach by the relevant Federal Government Agency to how they manage access to and through the subject site.</p> <p>Decision Pathway – 2: Not supported.</p> <p>Council's Community Infrastructure Strategy 2020 was adopted by Council on 13 July 2020. Council's approach to funding the infrastructure has been informed by multiple technical studies prepared for the purpose of the CBD PP. Recent State government reforms on development contributions have impacted on what approach Council can take to fund infrastructure.</p> <p>These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD.</p> <p>Villers Street and Marist Place form part of the Marsden Street regional cycleway that was identified in the 2017 Parramatta Bike Plan and is being further investigated as part of the ITP work.</p> <p>The LRA map in the CBD PP identified regional cycle routes and these were tested and further refined through the ITP. The ITP is was endorsed by Council on 26 April 2021 for public exhibition and Western Sydney University will be invited to comment.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
			Decision Pathway – Issues addressed; no further decisions required.
5.	Parramatta Female Factory Friends (Submission No.219)	<p>The submission is an objection to the Planning Proposal and describes the unprecedented building heights will alter Parramatta's historic and heritage landscape, streetscape and skyline.</p> <p>Concerned that the proposed expansion of the CBD to conservation areas of Sorrell Street and North Parramatta, there is an existential threat to the National Heritage Parramatta Female Factory and Institutions Precinct site.</p> <p>The proposed increase from a base height of 24 metres to 80 metres in conservation areas is greatly concerning.</p>	<p>Council officers acknowledge the concerns noted in the submission from the Parramatta Female Factory Friends about the impact on heritage values from the proposed amendments to the CBD PP.</p> <p>To confirm, the Parramatta Female Factory site is not within the Parramatta CBD Planning Proposal boundary and is also not within the Northern Planning Investigation Area (PIA). The Implementation Plan map in the Parramatta CBD Planning Strategy 2015 identified the site as within the Parramatta North Urban Renewal Area. Since this time, the land at Parramatta North, which includes the Female Factory Precinct was rezoned by the State Government on 20 November 2015. Following this, the Parramatta North Historic Sites Consolidated Conservation Management Plan (the PNHS CMP) was endorsed by the Heritage Council of NSW on 7 April 2017 and the precinct-specific DCP for the Parramatta North Urban Transformation (PNUT) Precinct came into effect on 10 August 2017.</p> <p>The Implementation Plan in the Parramatta CBD Planning Strategy (2015) identified an expanded boundary to include parts of the Sorrell Street, North Parramatta and Harris Park West HCAs, with urban design analysis to refine planning controls for these areas along with a heritage study for the whole area.</p> <p>Council officers advise that the 2020 exhibited height controls for the part of the North Parramatta HCA within the CBD PP boundary is 9 metres and for the part of the Harris Park West HCA within the CBD PP boundary is part 6 and part 18 metres, with both reflecting the existing height control in PLEP 2011. The part of the Sorrell Street HCA that was originally within the CBD PP boundary, was removed by Council and also does not form part of the separate piece of work being undertaken for the North-East Planning Investigation Area.</p> <p>There are no changes to heights and FSRs for land within heritage conservation areas.</p> <p>For the above reasons, no changes are proposed to the planning proposal and the argument that an existential threat to</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Concerned that rezoning threatens historic vistas and sight lines. The submitter makes reference to the St John's Cathedral, which is already compromised by a 45-storey tower and would be further compromised under the CBD PP which would allow a 69 storey tower.</p> <p>Highlights the benefit of historic vistas and describes that historic vistas give an understanding of place that cannot be found in other contexts. The submitter emphasises that these threads in Parramatta are threatened by future planning that does not include heritage as a key planning tool.</p>	<p>the Female Factory and the broader heritage precinct it sits within cannot be sustained. Council's response to the issue raised about heritage impacts is addressed in the point below. Decision Pathway – Issues addressed; no further decisions required.</p> <p>The intent of the Planning Proposal is to encourage growth of the CBD whilst protecting and managing the heritage values of Parramatta's of heritage items and conservation areas which requires a balancing of heritage protection and growth objectives. Council has undertaken a number of Heritage Studies to ensure the proposed controls consider heritage matters; with one of significant outcomes being the elevation of Heritage as a key planning tool to guide future development within the Parramatta CBD. For example, Clause 7.6K is a new heritage clause that will operate in addition to the standard heritage clause at clause 5.10, which will provide additional protections for our heritage.</p> <p>The 2015 Urbis Heritage Study identified significant views, heritage items, precincts and the six heritage conservation areas within and outside the study area (CBD PP boundary) as part of their scope of works to develop a Heritage Study to assist with the review of the Planning Controls in the Parramatta CBD. The stated aim of the study was to support Parramatta City Council's vision for the growth of the Parramatta CBD through a clear and innovative planning framework to enable growth whilst respecting its heritage.</p> <p>In relation to views and vistas, the Urbis Heritage Study identified view corridors and vistas across the CBD. These include Macquarie, Church, George and Hunter Streets, as well as views from within Parramatta Park and from Old Government House to significant elements, and views to significant buildings within the park edge.</p> <p>Further consideration of the HCAs was also undertaken as part of HAA Heritage Study of Interface Areas in 2017, and in response to Gateway Condition 1. (k) ii – Heritage Conservation Areas (HCAs), with the testing of solar access to land parcels within the HCAs. Copies of the heritage studies can be found at Appendix 5, 6a and 6b, 9a and 9b, 11a and 11b of the CBD PP.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>In relation to St John's Cathedral, any site-specific Planning Proposal (SSPP) including the SSPP for the St John's Cathedral site (195 Church Street 65-79 Macquarie Street 38 and 41-45 Hunter Street) is subject a separate planning assessment process and determined outside of the Parramatta CBD PP process. A Gateway determination for this SSPP was issued in September 2020 with public exhibition expected to occur in the coming months.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>	<p>Describes that it is imperative that Council ensure strengthened protections and heritage sightlines impact assessments are in place to meet a key objective of the Proposal which states: <i>Recognise the importance of Parramatta's heritage and ensure new development demonstrates an appropriate relationship to heritage items and conservation areas.</i></p> <p>Concludes that Parramatta is nought as a potential Global City without its heritage and, appropriate and enforced heritage protections.</p>
6.	Parramatta Heritage Advisory Committee (Submission No.244)	<p>States that heritage values are very important to the City and should guide decision-making of every building and investment within the City.</p> <p>'Heritage Interpretation Plans' should be made mandatory for every building in the City.</p>	<p>Noted.</p> <p>This is beyond the scope of the CBD PP, and is relevant for a DCP control or DA condition.</p> <p>Decision Pathway – 2: Not supported.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>The Committee is concerned that the CBD Planning Proposal:</p> <ul style="list-style-type: none"> - contains no statement about the richness of Parramatta's heritage; - contains no acknowledgement of the rich heritage behind the physical location and layouts of buildings within the City; - only focuses on some Heritage Conservation Areas, but not on all; - Strongly disagree with the provisions that provide for a maximum building height of 72 storeys (280m) along Parramatta River which will result in the separation and exclusion of the river from the Parramatta CBD. <p>Considers that the CBD Planning Proposal should emphasise:</p> <ul style="list-style-type: none"> - the importance of Parramatta's rich and diverse heritage (Aboriginal, non-Aboriginal and shared) and architectural development over time. - a built heritage that reflects this rich and diverse history and architectural styles, not just concerns with the current trends in commercial and residential high-rise architecture; - a major stepping down provision for areas surrounding individual heritage items as well as conservation areas to give the heritage items room for space, setting, context and connection to/with other heritage items (e.g. 10 m Perth House, blocks on western side of Sorrell Street); - opening up vistas/sightlines to and from Civic Place and nearby landmarks by increasing setbacks closest to Civic Place e.g. corners of Church, Macquarie, Hunter Street e.g. 15 m setback. - providing sufficient setbacks to all major historic landmarks, not only in Church Street; - heritage considerations should be a key principle, incorporating design excellence, the heritage of Parramatta and its architectural history, and its city landscape as key values. 	<p>The reference to 280 metres along Parramatta River is incorrect. The maximum building height mapped on the exhibited Incentive HOB Map for the buildings on the southern side of the River foreshore is 211m(RL) equivalent approximately to 69 storeys (mixed use) or 52 storeys (commercial). This would increase to 243m(RL) with a Design Excellence bonus.</p> <p>The need for further urban design analysis for the land parcels on the northern side of Phillip Street fronting the River between Smith Street and the Charles Street Ferry is supported and recommended to be considered as part of the 'Phillip Street Block Study'. Any recommended amendments to the planning controls as a result of further analysis would be part of an alternative planning proposal pathway to the CBD PP in 2021/2022.</p> <p>Until the further analysis is completed the existing planning controls under PLEP 2011 would continue to apply to the land within the Phillip Street Block.</p> <p>This recommendation, if adopted by Council, would mean that any proposed height and density controls for the land under the CBD PP within the Phillip Street Block (including HOB, FSR, Opportunity Sites and MCP) will not be progressed until the study is finalised, and until then the existing planning controls under PLEP 2011 will continue to apply.</p> <p>The land west of Smith Street fronting the River is not recommended to be included in this review of planning controls. The land includes the future Powerhouse Museum site and the recently completed 80 metre residential tower on the corner of Church Street (the Meriton tower). Approved plans for the future Powerhouse Museum shows a maximum 80 metre building which is consistent with the existing height limit for the site under the existing PLEP 2011.</p> <p>For further discussion about the Powerhouse Museum site and the Philip Street Block, see Submissions 198 and 261 at Appendix D.</p> <p>One of the features of the CBD the PP is seeking to protect and manage is its heritage. Council has undertaken a number of Heritage Studies to ensure the proposed controls consider heritage matters including heritage items, areas of significance</p>

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			<p>and heritage conservation areas. This includes acknowledgement of the layouts across the CBD, specifically those with rich heritage elements. For example, one of the heritage Principles considered in the Urbis Heritage Study (2015); <i>Retention and respect of significant vistas and heritage items particularly to reinforce/conserv form layout of the Georgian town plan</i>. Council officers disagree that the Planning Proposal does not contain statements about the richness of Parramatta's heritage. The introductory text in the Planning Proposal (page 4) includes a statement about the new framework for the Parramatta CBD being about 'intensifying activities and supporting higher densities in buildings that are tall and slender and define streets and public spaces ... with the heritage significance of heritage items and conservation areas respected and managed within the city form and buildings perform to high environmental standards'.</p> <p>The objectives of the CBD PP in Part 1 on page 55 of the Planning Proposal reinforce this statement and in particular objective 9 being, <i>To protect and manage the heritage values of Parramatta's local, State, national and world significant European and Aboriginal heritage items, conservation areas, heritage interface areas, places and views</i>.</p> <p>Council officers disagree that the CBD PP only focuses on some HCAs. The 2015 Urbis Heritage Study considered identified significant views, heritage items, precincts and the six heritage conservation areas within and outside the study area (CBD PP boundary) as part of their scope of works to develop a Heritage Study to assist with the review of the Planning Controls in the Parramatta CBD. The stated aim of the study was <i>to support Parramatta City Council's vision for the growth of the Parramatta CBD as Australia's next great city through a clear and innovative planning framework to enable growth whilst respecting its heritage</i>.</p> <p>Further consideration of the HCAs was undertaken as part of HAA Heritage Study of Interface Areas in 2017, and in response to Gateway Condition 1. (k) ii – Heritage Conservation Areas with the testing of solar access to land parcels within the HCAs. This included additional overshadowing analysis that introduced</p>

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		<p>Supports a reduction of the Harris Park West Conservation Area, i.e the removal of the lots facing Kendall Street, if there is a reduction in the FSR, and the height of buildings in Parkes and Hassall Streets which are creating massive overshadowing of the northern end of the Conservation Area.</p>	<p>the provision of solar access to Tottenham Street HCA and South Parramatta HCA.</p> <p>In relation to setbacks to heritage items, historic landmarks and street corners, this is more appropriate for a DCP controls. To further guide development, an additional level of detail will be considered within the heritage section of the Draft CBD DCP to address this issue. Council officers will notify the Committee when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>Based on the above, Council officers do not support the concerns of the Committee and with exception to the Phillip Street block being deferred for further analysis, there are no changes to the Planning Proposal.</p> <p>Decision Pathway – 1: Support for reconsideration of controls in the Phillip Street Block along the river, with the proposed controls to not progress until further study is undertaken.</p> <p>Decision Pathway – 3: Merit for further investigation of the Phillip Street block.</p> <p>All other matters raised: Decision Pathway – Issues addressed; no further decisions required.</p> <p>Testing to the Harris Park West Heritage Conservation Area (HCA) was undertaken in response to the Gateway Determination condition. One of the measurement criteria was to ensure properties in the HCA were able to achieve at least 2 hours of sunlight access between 9am and 3pm (non-contiguous) on 21 June. The controls, as exhibited, resulted in about 75% of the parcels in the HCA achieving this benchmark. This was deemed to be an acceptable degree of overshadowing bearing in mind those properties that could not achieve the targets were located to the north of the HCA, often opposite mid-rise developments and closer to the existing high-rise developments located along Hassall Street.</p> <p>Council's current Development Application requirements include solar modelling (overshadowing testing) where an increase in building height is proposed.</p> <p>Council officers consider that the proposed solar access provisions and surfaces as exhibited in the CBD PP (Cl. 7.4 and</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
			<p>SAP Map) will reasonably protect solar access to the land and spaces identified by Heritage NSW.</p> <p>Based on the above, Council officers do not support the concerns of the Committee, there are no recommended changes to the Planning Proposal.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
7.	Committee for Sydney (Submission No.250)	<p>Supports the proposed changes and the vision of the Parramatta CBD PP. Supporting comments include that <i>the changes to and use and built form controls proactively plan to strengthen the economic function of the Parramatta CBD.</i></p> <p>Supports the update of floodplain risk management in the CBD – as outlined in the Central City District Plan, the Parramatta CBD is the most flash-flood affected major CBD in Australia. The adoption of a 'shelter in place' evacuation method is a practical intervention that takes urban morphology into account.</p> <p>Identifies that COVID-19 has reinforced the importance of quality public space in densely populated centres, and suggests that this should be prioritised as restrictions are eased.</p> <p>Recommends that Council should set an objective of creating safer, greener streets in Parramatta and reclaiming Parramatta's high streets from congestion and clutter through widening footpaths, planting trees and removing clearways.</p>	<p>Supporting comments are noted.</p> <p>Noted.</p> <p>The CBD PP contains several objectives that deal with public spaces including streets. These include objective 3 which encourages a high quality and activated public domain with good solar access; objective 4 which facilitates the provision of community infrastructure to service the growing city; and objective 10 which promote active transport and use of public transport. Council officers consider that the new planning clauses deliver on these objectives including clause 7.3 car parking with reduced rates to encourage mode shift supported by requirements for end of journey facilities (clause 7.6E) and an active frontage requirement (clause 7.6F) to promote uses that attract pedestrian traffic and clause 7.6H community infrastructure which requires certain development that takes up incentive floorspace to comply with key community infrastructure principles.</p> <p>These provisions in the CBD are consistent with the City's <i>Parramatta Ways – implementing Sydney's Green Grid</i>. The</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Encourages a climate change resilient CBD and provides the following recommendations:</p> <ul style="list-style-type: none"> - The Planning Proposal should prioritise urban greening and tree canopy for active frontages on streetscapes and public spaces. Council to consult with DPIE around tree canopy and green innovation opportunities. - Council to approach Resilience NSW, NSW Circular and Resilient Sydney to help set the conditions for a climate resilient CBD. - Climate resilience and sustainability should be a feature of the design review process with adequate expertise engaged through panels and by proponents. <p>Commends Council for incentivising greater commercial/retail in the B3 zone and outlines that there are additional opportunities to consider more diverse economic outcomes for Parramatta – supported by Council’s Night City Framework 2020-2024.</p> <p>Rather than a blanket restriction on outdoor media, as outlined in the CBD Planning Proposal, Council should consider well-placed and well-designed advertising for its visual appeal, wayfinding, and provision of public Wi-Fi.</p> <p>Recommendations to enable more diverse economic outcomes include:</p> <ul style="list-style-type: none"> - Build on the Night City Framework 2020-2024 to include greater provisions for outdoor dining and extending trading hour for businesses. - Look to create opportunities in the CBD by encouraging expansion of creative industries and space for start-ups. Remove regulatory and cost barriers to temporary installations that can bring 	<p>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.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Council officers consider the planning proposal contains a number of provisions that support a resilient CBD including clause 7.6L floodplain risk management which requires buildings to include appropriate measures to respond to the Probable Maximum Flood levels; clause 7.6B which requires dual water systems to reduce use of potable water; and clause 7.6A High Performing Buildings which requires building to reduce energy and water usage.</p> <p>Council officers will continue to engage with relevant authorities to achieve a climate resilient CBD including as part of the preparation of new DCP controls to support the CBD PP.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Supporting comments noted.</p> <p>The planning proposal does not introduce any changes to the existing provisions in Parramatta LEP and the Parramatta DCP that enable some form of signage; and the planning proposal does not contain provisions that contradict or would hinder the application of SEPP No 64 Advertising and Signage.</p> <p>The Night City Framework is a separate piece of work, however, it supports the objectives of the PP. Council Officers will continue to work with the relevant team to support the synergies and delivery of economic outcomes from the CBD PP and Council’s Night City Framework 2020-2024. This includes providing input into the Draft Night Time Economy DCP.</p> <p>The planning proposal adequately deals with creating innovative and attractive built form through the design excellence review process and will be supported by a new CBD DCP.</p> <p>Recommendations to relax podium heights and setbacks are not supported.</p>

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		<p>vibrancy and spectacle into the CBD and encourage creative sector presence.</p> <p>Support development that uses the design competition approach to create innovative and attractive built form. This may involve relaxation on prescriptive podium heights and setbacks.</p>	<p>For the above reasons, the submitter's proposed changes are not supported. Council officers recommend that no further action is required to address this submission.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
		<p>Highlights that housing affordability is a big challenge in Parramatta and encourages the State Government to invest in social and affordable housing for residents.</p> <p>Describes that the widespread shift to working from home, catalysed by COVID-19 social distancing requirements, has the potential to change dwelling preferences. Council should be cognisant of market trends when considering what is appropriate development.</p> <p>Suggests potential adjustments to residential zoning to take consideration of changing housing stock preferences as a result of COVID-19.</p>	<p>The CBD PP allows for a significant proportion of the Parramatta CBD to provide for new dwellings in the B4 Mixed Use zone. Detailed design controls for these dwellings, including apartment mix and facilitating potential home-based working, could be considered in the future DCP for the Parramatta CBD, based on the long term effects of the pandemic on work practices (which are still to be determined).</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
		<p>Recommends continued advocacy for regionally significant transport infrastructure that can support a 30-minute city vision.</p>	<p>Noted and to be addressed as part of the future implementation of the Integrated Transport Plan recommendations (see comment immediately below).</p>
		<p>Describes that planning controls may require more than one parking space. Aggregating and reducing parking into central garages or multi-utility hubs potentially means that street space can be used for wider footpaths or cycle lanes.</p> <p>Recommends Council reduce off-street parking in the CBD and reduce off-street parking requirements across the CBD.</p>	<p>The Integrated Transport Plan is currently underway. All transport matters including the finalisation of the relevant parking rates, across the CBD are subject to the outcomes of this study. Notwithstanding the outcomes of the Integrated Transport Plan, the CBD PP does propose to significantly reduce parking rates.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
		<p>Supports the provision of community infrastructure as drafted in the new Clause 7.6I.</p> <p>Acknowledges that Council's LSPS outlines Council will collaborate with the State government to incorporate appropriate community infrastructure funding provisions.</p> <p>Recommends Council prioritise community infrastructure that supports major public projects with regional benefit; and encourages First Nations place names and wayfinding for community infrastructure.</p>	<p>Noted. A schedule of community infrastructure will be prepared as a part of a new Draft Development Contributions Plan for the CBD, which is separate to the planning proposal.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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8.	<p>North Parramatta Residents Action Group (Submission No.253)</p>	<p>Describes that the impact of the CBD PP Strategy will dramatically alter the historic character of North Parramatta and further erode the examples of the city's important role.</p> <p>Believes that Council has not comprehensively looked at the impact upon the portion of the proposal in North Parramatta.</p> <p>Concerned that the proposal does not consider North Parramatta as a place-specific area whereas it has been identified as an important area through its heritage listings from local to national classification.</p> <p>Requests Council remove Parramatta and North Parramatta from the proposal from Victoria Road to Pennant Hills Road.</p> <p>Does not support 30-storey towers within a short walk of these historic areas</p>	<p>The submission seeks to make the case that the proposed controls will result in an outcome that is inconsistent with current character and history of the site.</p> <p>Council has prepared various studies related to urban design and heritage to seek to put in place controls to guide the future character of all parts of the proposed CBD including the part north of the river. It is acknowledged that the character of the area will change, particularly with the introduction of light rail. It is also noted that the Current CBD PP boundary already extends into this area.</p> <p>The Plan is supported by heritage studies that look at the heritage items and precincts within and surrounding the proposed new CBD Boundary and the controls proposed take into consideration those recommendations. Council Officers submit that issues of changing character and heritage have been considered as part of this plan and therefore there is no reason to delay the implementation of new controls in this precinct that support the integration of land use with new transport infrastructure in a manner consistent with State Government and Council Policy frameworks.</p> <p>In addition, the DPIE has endorsed the boundary via its Gateway determination and Alteration Gateway determination allowing the CBD PP – inclusive of its application area – to be exhibited.</p> <p>Part of the area described by the submitter is referred to as the Northern Planning Investigation Area and the North East Planning Investigation Area. Planning Investigation Areas are subject to further analysis through a separate process, with the draft Planning Strategy for the North East Planning Investigation Area exhibited between 16 March and 15 April 2021.</p> <p>Decision Pathway – 2: Not supported (in relation to the suggested removal of the area north of Victoria Road from the planning proposal).</p>
		<p>Need to identify and highlight indigenous history from the meeting places in what is referred to as the Cumberland</p>	<p>Noted. Council's Stretch Reconciliation Action Plan July 2017- July 2020 (RAP) provides the principles and framework to foster engagement and expression of Aboriginal culture and heritage.</p>

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		<p>precinct to the event known as "The Battle of Parramatta" involving Pemulwuy.</p> <p>Believe that the commercial possibilities for Parramatta to take advantage of heritage areas as a form of tourism and historical visitors have not been comprehensively considered. Requests Council seek a report on the commercial impact and possibilities available to tourism and visitors with or without the proposal.</p> <p>Objects to the extension of the boundary of the Parramatta Central Business District (CBD) across the river into North Parramatta as far as Pennant Hills Road. Objects to Church Street in this part of the city becoming a high-density, high-rise CBD corridor with future buildings on both sides possibly rising as high as 31 storeys</p> <p>Concerned about and objects to the following:</p> <ul style="list-style-type: none"> - That Council is already supporting proposals for four multi-storey towers in this part of the city. Two are located on the McDonald's site near Prince Alfred Park; and two more are up the hill in Harold Street and Church Street. If fully developed they will bring about 630 units to the area – maybe more. 	<p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>This is beyond the scope of the CBD PP. Council's Destination Management Plan 2019-2024 is a five-year plan for the destination and visitor economy at an area-wide view of the LGA, including the Parramatta CBD. The Plan envisages Parramatta, as the 'cradle of colonial government' in Australia, is a significant cultural heritage tourism destination and identifies the 'City Centre CBD' as one of the visitor precincts. For further information please visit: https://www.cityofparramatta.nsw.gov.au/sites/council/files/inline-files/destination-management-plan.pdf</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>While it is acknowledged that the planning controls have changed to allow greater density under the CBD PP, the land north of Parramatta River on either side of Church Street up to Pennant Hills Road has been part of the 'Parramatta City Centre' at least since Parramatta LEP 2007 came into force. The exhibited planning controls generally reflect the recommendations from the HAA Heritage Study of Interface Areas commissioned in 2017. The proposed density in this area will also support the Government's investment in light rail, which is currently under construction. Based on the above, the request to exclude incentive height and FSR controls for along Church Street north of the River is not supported.</p> <p>Decision Pathway – 2: Not supported.</p> <p>The site-specific Planning Proposal applications in question and their status are as follows:</p> <ul style="list-style-type: none"> - McDonalds site corner of Victoria Road and Church Street (355 and 375 Church Street) - a Planning Proposal proposing an FSR of 6:1 and maximum height of building determined by the Sun Access Plane has been granted a gateway determination. The proposed controls are consistent with the exhibited Draft CBD Planning Proposal. It

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		<ul style="list-style-type: none"> - These buildings are described as being 'tall and slender'. This is, in our opinion, is inaccurate or misleading and not "in consideration" of adjacent Heritage Conservation Areas in Sorrell (east) and Villiers Streets (west). "The quality of urban design and the public domain will be "improved", and heritage and the natural environment will be "celebrated", however, attached maps relating to heritage do not acknowledge the adjacent heritage conservation areas. This is exemplified by the current DA applications for 23-27 Harold Street and 470 Church Street. - These DA applications were received, assessed and debated and although not meeting current conditions were deferred pending the subject CBD expansion proposal raising concerns that an outcome of the proposal had already been determined. <p>CBD expansion plans say nothing about the Female Factory (Cumberland Precinct) or the other heritage sites in that area. This lack of consideration demonstrates the need for a place specific plan that will complement all aspects of the unique area that is North Parramatta.</p>	<p>is expected that Council will resolve its position on the CBD Planning Proposal prior to this matter proceeding to exhibition. If Council does make a decision to defer the area north of the river from the Draft CBD Planning Proposal this is the only active Site-Specific Planning Proposal within that area. Council would need to consider if controls for North Parramatta are to be reviewed and whether progress of this Site-Specific Planning Proposal is appropriate.</p> <ul style="list-style-type: none"> - 470 Church Street – a Planning Proposal was endorsed by Council and finalised by DPIE on 19 February 2021 with FSR of 6:1 and height of building of 80m. These controls, which are now already in effect, are consistent with exhibited CBD Planning Proposal. - 23-37 Harold Street – the Department recently decided to not progress this planning proposal. The future planning controls that will apply to this site will be determined as part of the North-East Planning Investigation Area Strategy work that is currently being exhibited. Once Council has resolved its strategic intent through an endorsed strategy for this precinct, any future planning proposals will be guided by this strategy. <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>The Parramatta Female Factory site is not within the Parramatta CBD Planning Proposal boundary, and is also not within the Northern Planning Investigation Area (PIA). The Implementation Plan map in the Parramatta CBD Planning Strategy 2015 identified the site as within the Parramatta North Urban Renewal Area. Since this time, the land at Parramatta North, which includes the Female Factory Precinct was rezoned by the State Government on 20 November 2015. Following this, the Parramatta North Historic Sites Consolidated Conservation Management Plan (the PNHS CMP) was endorsed by the Heritage Council of NSW on 7 April 2017 and the precinct-specific DCP for the Parramatta North Urban Transformation (PNUT) Precinct came into effect on 10 August 2017. Council undertook the HAA Heritage Study of Interface Areas which considered the interface between HCAs and the CBD in</p>

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			this area. These recommendations have been carried forward in the CBD PP. The Female Factory (Cumberland Precinct) is considered to be a significant distance from the CBD Boundary. Decision Pathway – Issues addressed; no further decisions required.
		The current CBD Planning Proposal points to a very large increase in the population of the new zones in North Parramatta. However, the proposal does not provide for any new local public open spaces or community facilities within the proposed high-density rezoning area or adjacent.	These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD. Decision Pathway – Issues addressed; no further decisions required.
		The sale of Fennell Street car park and no additional parking to accommodate the number of expansions of commercial and residential properties would indicate a cash grab by the council at the community's expense.	This matter is beyond the scope of the CBD PP.
		<p>With a view that North Parramatta is the "Gateway to Parramatta" similar to Botanical Gardens, Centennial Park and The Rocks, Council should:</p> <ul style="list-style-type: none"> - Exclude North Parramatta/Parramatta north of the Parramatta River from the CBD PP. - A full and comprehensive review be conducted with community consultation and input to be urgently undertaken, so that an alternative vision can be developed that will have long term benefit to the commercial viability of Parramatta. The take it or leave-it approach of one model allows for variation but not a separate vision which should have been explored. - COVID-19 has shown that commercial and retail properties may not be the future and that people want public open space or even housing that provides outdoor areas. - In the interim all development applications are to be suspended (including Church St, Harold St and the McDonald's site). - It is therefore strongly submitted that with regard only to North Parramatta, the exhibited Planning Proposal – 	<p>The request for the area to be excluded is not supported for the following reasons:</p> <ul style="list-style-type: none"> - There have been number of different studies which were all exhibited with the Planning Proposal that has considered the future character of the area in question. - Prior to the preparation of the current draft Planning Proposal a consultation process was undertaken in 2014 which looked at development options for the entire Parramatta City Centre area to ensure the community was engaged in the process of identifying the future character. - Independent review by the Department of Planning, Industry and Environment (DPIE) of this work resulted in a Gateway Determination being issued means the submission authors claim that the proposal is inconsistent with State and local Planning Policy is not supported. - The CBD PP provides capacity for new commercial and residential development in the Parramatta CBD that will last for a period of approximately 40 years. It is anticipated that the economic effects of the COVID 19 pandemic may impact on development and subsequent rates of worker and resident population increases in the short term. However, in

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		<p>supported by the Department's Gateway Determination - works against the achievement of Aims (2) (c) and (h) of its own Local Environmental Plan. What appears to be disinterest in developing a place-specific future of this unique precinct is regrettable and unacceptable from a public interest viewpoint.</p>	<p>the long term, it is expected that the pandemic will have limited impact on the forecast population for the Parramatta CBD, given that development is seen as a key contributor in the post pandemic economic recovery effort, the NSW Government's investment in city-shaping infrastructure, including Sydney Metro West and Parramatta Light Rail, and the Parramatta CBD's strategic location in the heart of the Greater Sydney region.</p> <ul style="list-style-type: none"> - In relation to any site-specific Planning Proposal (SSPP) and/or Development applications, these are subject to a separate planning assessment process and determined outside of the Parramatta CBD PP process. <p>Decision Pathway – 2: Not support the exclusion of North Parramatta/Parramatta north of the Parramatta River.</p>
		<p>Believe that as far as North Parramatta is concerned the exhibited plan for the CBD expansion across the river lacks integrity as a robust and well considered instrument. <i>It fails a fundamentally important test: context has been ignored, over-ridden by questionable projections of commercial and residential growth.</i></p>	<p>The submission suggests that in preparing the proposed controls, that 'context' has been ignored and "over-ridden by questionable projections of commercial and residential growth, will result in an outcome that is inconsistent with current character and history of the site".</p> <p>Council has prepared various studies related to urban design and heritage to seek to put in place controls to guide the future character of all parts of the proposed CBD including the part north of the river. The Plan is supported by heritage studies that look at the heritage items and precincts within and surrounding the proposed new CBD Boundary and the controls proposed take into consideration those recommendations.</p> <p>The Parramatta CBD Planning Proposal dwelling and job targets are consistent with the current Greater Sydney Region Plan, Central City District Plan and Council's Local Strategic Planning Statement. Further, the Parramatta CBD Planning Proposal will contribute to the long-term success of Parramatta CBD.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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		<p>Highlights that the points above relevant to the North Parramatta Precinct can be equally applied to the other Heritage precincts in South Parramatta, Harris Park and the significant items (Roxy theatre, Willow Grove and others) still remaining within the CBD business area.</p>	<p>As noted above, Council has prepared various studies related to urban design and heritage to seek to put in place controls to guide the future character of all parts of the proposed CBD including areas adjacent to South Parramatta, Harris Park and significant heritage items.</p> <p>In relation to the Roxy Theatre site, the exhibited height control for the Roxy Theatre (69 George Street) was proposed at 18 metres with no incentive building height (because of B3 Commercial Core zone). This draft height control was developed on the premise of ensuring the retention of the building's form and fabric and that any redevelopment would not compromise the heritage setting of the item, based on the outcomes of a court case involving the site.</p> <p>Notwithstanding this, Council Officers are of the view that the proposed changes (as exhibited) will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 height control will be applied in the planning proposal to be recommended for finalisation. Council Officers reiterate that this is not to be interpreted as a signal that a proposal with a tower form which would require part demolition of the theatre building is an acceptable proposal. Rather, this is a temporary arrangement because of the review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block.</p> <p>In relation to Willow Grove, the State Government on 11 February 2021 approved the MAAS development which now retains the St George's Terraces and seeks to relocate Willow Grove, as follows:</p> <ul style="list-style-type: none"> - The St George's Terraces are being retained, however, there will be some alterations and part demolition at the rear of the terraces to ensure it fits within the context of the MAAS redevelopment. - Willow Grove will be deconstructed and relocated to a location which will be determined in consultation with Council, the NSW Heritage Council, the local community as well as and key stakeholders. The recently exhibited

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			Westmead Place Strategy identified Parramatta North as a potential location for relocation of Willow Grove. - The approval also requires, that, prior to any works commencing, archival photographic recordings must be undertaken for each building of internal and external components of the building and context photographs of the existing site as viewed from the street and its surroundings. A copy of the final recordings shall be provided to Council. Decision Pathway – Issues addressed; no further decisions required.
9.	Western Sydney Business Chamber (Submission No.254)	Not-for-profit business organisation representing more than 110 of Western Sydney's business, government and community organisations. Submission on behalf of members of the organisation. Supportive of the goals and intentions of the Planning Proposal. Supportive of the expansion of FSR and building height controls in the city centre. Design competitions are a positive way improve the quality of the built form in Parramatta and encourage world class design similar to developments in the City of Sydney. Concerned about the implementation of a Community Infrastructure Levy without detailed analysis on the impact it may have on the viability of projects. Emphasises the need to consider the Community Infrastructure Levy with other levies such as SIC and existing contributions i.e. s7.11 and affordable housing target requirements. Believe that there needs to be an agreement between governments on the total cost of development levies and an independent economic assessment made to determine whether these costs will stifle economic development and job creation in Parramatta. Recommends that the City of Parramatta introduce a Transfer Development Rights Scheme for heritage buildings such as the Roxy Theatre.	Noted. Noted. These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD. It is also noted that the exhibited community infrastructure clause has been amended in light of the new practice guideline for VPAs issued by the Department. Decision Pathway – Issues addressed; no further decisions required. The Urbis Heritage Study (2015) investigated the merits of a potential transferable development rights scheme for heritage FSR. This included a review of the scheme experienced by the City of Sydney that identified limitations with the scheme and

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		<p>Strongly believe that Parramatta needs a system that can encourage conservation and restoration of heritage buildings. Recommends that Council should adopt a version of the successful transferable rights scheme that has been implemented by the City of Sydney. Such a system would allow the periodic sale of unusable development rights above heritage buildings to less constrained sites and provide the opportunity to fund the creative reuse of these buildings to the benefit of our communities in Parramatta.</p>	<p>nominal benefits. The Study concluded that a transferable development rights scheme for heritage items as an alternative to transfer of FSRs through site amalgamation is not recommended.</p> <p>The CBD PP includes provisions that encourage site amalgamations, presenting opportunities for transferring floor space within development sites involving heritage items. This is able to be further complimented by a design excellence process to achieve both conservation outcomes and additional FSR within the study area.</p> <p>For the above reasons, the submitters proposed changes are not supported and no changes are recommended to the Planning Proposal.</p> <p>Decision Pathway – 2: Not supported.</p>
		<p>Concerned that several areas on the edge of the city centre, including North and South Parramatta, have been deferred indefinitely by Council.</p> <p>Recommend that Council adopts a pathway forward which provides a clear timetable and project milestones to complete the review of these precincts and drafting of LEP planning controls for public exhibition.</p>	<p>On 25 November 2019, Council considered a report on the Parramatta CBD Planning Proposal and resolved to defer a number of areas for future planning consideration as part of the Planning Investigation Area work identified in the Parramatta CBD Planning Strategy (2015).</p> <p>These areas are no longer part of the principle CBD PP process and therefore, are subject to future planning analysis.</p> <p>Planning Investigation Area (PIA) work for the area known as the North-East Planning Investigation Area is subject to a separate process that is currently underway. The indicative timeframe for this PIA is outlined in the <i>Draft Planning Strategy for the North-East PIA (2021)</i>.</p> <p>Council officers will prepare a work plan report be prepared that will detail the work required, timing, priorities and budget. This work plan report is expected to be considered by Council once the CBD PP has been forwarded to DPIE for finalisation and a new Development Contributions Plan has been reported to Council for endorsement for public exhibition.</p> <p>For the above reasons, the submitters request does not relate to the principle CBD PP process and therefore, no changes to the CBD PP are recommended.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area</p>

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		Believes that there is an opportunity in Sorrell Street North Parramatta, to create a mixed-use retail street that preserves the scale and heritage listed properties on Sorrell Street, similar to Marion Street, Harris Park.	This area forms part of the North-East Planning Investigation Area and is subject to the outcomes of the Draft Planning Strategy for the North-East PIA (2021) as described above, which is a separate process. Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area
10.	Urban Taskforce (Submission No.260)	<p>This submission has been prepared on behalf of Urban Taskforce, a group representing property developers and equity financiers.</p> <p>Provides the following comments in relation to the proposed FSR controls:</p> <ul style="list-style-type: none"> - Objects to the complexity and the multi-layered FSR controls. Says members are of the view is that it limits the site that can deliver feasible development by limiting development of sites under 1,800m² and over 3,000m². - Sees that smaller and larger sites have the capacity to contribute to State Government jobs and housing targets and thus sees that FSR and building height controls should facilitate the revitalisation of all available sites within the CBD. - Considers the non-residential minimum FSR requirement in the B4 Mixed Use zone as excessive particularly for large sites away from the CBD core. On such sites, the control will require the provision of up to 2:1 of above-ground commercial/office space. In reality, most B4 sites cannot compete with other properties/sites in the B3 Commercial Core in attracting commercial tenants or owners. For Parramatta to build on its status as the heart of Sydney's 'Central River City' and build on its economic role and significance, a less prescriptive approach to planning is required to facilitate market responsive development and investment <p>The submitter provides the following comments in relation to the proposed car parking controls:</p> <ul style="list-style-type: none"> - Says members developing in the Parramatta CBD are of the view that residents require at least one or two car parking spaces. Sees the proposed car parking controls 	<p>Noted.</p> <p>The minimum 1,800 sqm requirement used in a number of the proposed controls in the CBD PP is based on urban design and economic analysis undertaken by Council. Based on this work, this is the minimum site size needed to accommodate larger scale development and achieve an acceptable urban design outcome. The CBD PP still facilitates development on smaller sites, but at lower FSRs so as to minimise any urban design impacts and also to facilitate amalgamation.</p> <p>The minimum 1:1 commercial requirement in certain parts of the B4 Mixed Use zone adjacent to the B3 Commercial Core zone is to encourage more business and employment generating development in the Parramatta CBD. It is acknowledged that these spaces will not normally provide A Grade office space to compete with major office towers in the Commercial Core, but rather provide important B and C grade space, which is important for business start-ups, services and retail opportunities.</p> <p>For the above reasons, the submitter's proposed changes are not supported and no changes are recommended to the Planning Proposal.</p> <p>Decision Pathway – 2: Not supported.</p> <p>The intentions of the reduced parking rates in the CBD PP (as exhibited) is to create significant mode shift from private vehicle use to public transport, cycling and walking.</p> <p>This planning proposal replaces the majority of the existing car parking provision in clause 7.3 in the Parramatta LEP 2011 with</p>

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		<p>as excessively low and fail to consider local consumer preferences.</p> <ul style="list-style-type: none"> - Sees that on account of flooding issues, Council should promote above-ground parking, where possible, to avoid deep basements that are subject to flooding and could allow alternative uses into the future if car dependency was to reduce. - Recommends that a straightforward FSR and height control - the re-development capacity of sites be determined by site specific, merit-based impact assessment. <p>The submitter provides the following comments in relation to the extent and accuracy of the CBD Boundary:</p> <ul style="list-style-type: none"> - Notes that the proposed zoning, building FSR control boundaries do not align with the actual cadastral boundaries of land and development sites within the CBD and that the CBD PP (as exhibited) does not reflect recently approved development on various blocks within the CBD (but does not give any specific examples). Says land zoned B3 Commercial Core does not follow a logical alignment for some sites in the CBD. Recommends that 	<p>a new car parking provision based on similar provisions in Sydney LEP 2012. This was based on sustainable transport policies to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development. Council officers worked with TfNSW and the RMS to deliver the Strategic Transport Study (STS) and this partnership continues through the forthcoming delivery of the mesoscopic model and Integrated Transport Plan (ITP) which was endorsed by Council for exhibition at its meeting held on 26 April 2021.</p> <p>Council officers believe the reduced car parking rates are an acceptable outcome given the urban environment and Central River City status of the Parramatta CBD, and agree that opportunities to improve public transport capability and connect residents within 30 minutes to jobs, education etc. is critical.</p> <p>The CBD PP implements a system of base FSRs and heights, together with incentive FSRs and heights, which are only achievable when development is able to comply with key community infrastructure principles. This is to ensure additional development yield is linked to a consideration of infrastructure needs. Further FSR bonuses are also available under the CBD PP, for example in relation to design excellence and high performing buildings. The system of FSR allocation effectively incentivises good planning practice.</p> <p>For the above reasons, the submitter's proposed changes are not supported and no changes are recommended to the Planning Proposal.</p> <p>Decision Pathway – 2: Not supported.</p> <p>The proposed zoning and floor space ratio boundaries in the CBD generally reflect existing zoning and floor space ratio controls, which, in turn, were reflective of a historic cadastre and built form – particularly in the case of Parramatta Square, or the riverfront where zone boundaries occur that are not aligned to a cadastral boundary.</p> <p>Inevitably when properties are subdivided, consolidated or boundaries are otherwise adjusted, the planning controls applying to the resulting land do not (and cannot) move in synchronisation to the boundary movements unless a</p>

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D07915258		<p>the CBD PP should align the controls with the cadastral outline of properties and development sites (including DA approval), so that when future DAs for development are lodged there are sensible and clear controls for each site.</p> <ul style="list-style-type: none"> - Opposes the CBD PP boundary (as exhibited) as it fails to fully capitalise on both the existing Western (heavy) rail line, the Sydney Metro West line, and the light rail currently under construction to service the CBD. 	<p>corresponding amendment to the LEP is undertaken. In these situations, the zoning controls and other relevant controls can be updated where necessary to reflect contemporary cadastral boundaries through a "housekeeping" amendment to the LEP.</p> <p>It is noted that the submitter does not cite specific examples of this occurrence. In the case of Parramatta Square, for example, an update to the zoning to align to contemporary cadastral boundaries resulting from the development undertaken there is entirely reasonable and can be accommodated in a future "housekeeping" update to the LEP should the owner of the relevant site be amenable to request such a change.</p> <p>In relation to the objection to the CBD PP boundary, the following comments are provided:</p> <ul style="list-style-type: none"> - The Implementation Plan in the Parramatta CBD Planning Strategy 2015 and the CBD PP do not propose changes to the planning controls applying to an area identify as 'Park Edge (Highly Sensitive)' area, identified as Area A on the Special Provisions Area Map - and supported by Clause 7.6M 'Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas' - because of an existing Conservation Agreement with the Commonwealth and State Governments regarding development in this area and for this reason, further review of the controls is not warranted. - The HCAs have undergone significant assessment throughout the CBD PP planning process to date. The CBD PP recognises the importance of protecting these sensitive areas which is consistent with the objective of the heritage clauses in PLEP 2011, the proposed new heritage clause in the CPD PP (as exhibited) as well as the Heritage Act. - DPIE has endorsed the boundary via its Gateway determination and Alteration Gateway determination allowing the CBD PP – inclusive of its application area – to be exhibited. <p>For the above reasons, the submitters proposed changes are not supported and no changes are recommended to the Planning Proposal.</p> <p>Decision Pathway – 2: Not supported.</p>

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		<p>Recommends Council commits to a timeframe and budget to consider the deferred areas.</p>	<p>Council officers will prepare a work plan report be prepared that will detail the work required, timing, priorities and budget to progress the Planning Investigation Areas. This work plan report is expected to be considered by Council once the CBD PP has been forwarded to DPIE for finalisation.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area.</p>
		<p>With regards to the CBD PP excluding some areas on the basis of impacts to nearby heritage conservation areas, the submitter states there are many good examples of sensitive and appropriate new development in and adjacent to heritage areas and therefore recommends Council consider heritage conservation areas as not a constraint on development but rather how it is done.</p> <p>Recommends that sites outside the boundary of a HCA but are within close proximity of a railway station or light rail stop be included for development uplift with development control consistent with the adjacent CBD sites.</p>	<p>Agree that HCAs should not be perceived as a constraint and should be celebrated in a way to allow for appropriate and sensitive development in and adjacent to heritage areas. On this basis, Council has drafted Clause 7.6K to manage heritage impacts and mitigate any potential for site isolation.</p> <p>Areas identified for increased planning controls are subject to the outcome of the principle CBD PP process. With regard to areas that are identified as a PIA which are generally within Heritage Interface Areas, the potential for any development uplift is subject to a separate process and future work.</p> <p>The CBD PP adopts many of the recommendations of the HAA Heritage Study of Interface Areas, which relate to areas in the vicinity of the HCAs. These recommendations allow for suitable development opportunities.</p> <p>Further work on the Planning Investigation Areas will be undertaken at a later stage as a separate piece of work.</p> <p>Decision Pathway: No further decision required, as part of an existing endorsed Planning Investigation Area</p>
		<p>The submitter provides the following comments in relation to the proposed development contributions framework:</p> <p>The planning proposal sets out that the CBD will be subject to at least three layers of potential contributions, yet no details are as yet provided on the cost of these. While the Urban Taskforce supports proponents making contributions towards the cost of providing essential infrastructure to service new development, it's critical that the cumulative cost of levies is reasonable so as to not stifle investment and the delivery of important jobs and housing.</p> <p>The contributions strategy must be clear and rational. Council and the State Government must be accountable for monies</p>	<p>These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD. It is also noted that the exhibited community infrastructure clause has been amended in light of the new practice guideline for VPAs issued by the Department. Implementation of the satisfactory arrangements clause for state and regional infrastructure is a matter for the State Government.</p>

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		<p>collected and clearly demonstrate how the contributions are to be managed. If there is a need for VPAs, the process must be standardised, efficient and be as quick as the DA process with any contributions payable at the end of the project where the projects are in a far better cash-flow position.</p> <p>Recommends that both Council and State Government consider the cumulative impact of all proposed development contributions.</p> <p>Recommends that local and state infrastructure contributions are finalised in consultation with the development industry.</p>	<p>The new Development Contributions Plan would be subject to separate public exhibition process, which would include consultation with the development industry.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
11.	Property Council of Australia (Submission No.288)	<p>Broadly supports the Council's policy intent set out in the Parramatta CBD Planning Proposal.</p> <p>Describes that the PP implements the aims and objectives of the District and City's strategic planning framework.</p> <p>Acknowledges that Council has invested considerable time and resources on the PP.</p> <p>Supportive of Council's proposed sun access planes and agrees that it is important that all reasonable steps are taken to protect the useability of these spaces.</p> <p>Consider reviewing and updating the 2015 CBD Planning Strategy at regular intervals to align with the Central Sydney District Plan and Council's Local Strategic Planning Statements.</p> <p>The submitter objects to the prohibition of serviced apartments in the B3 Commercial core zone.</p> <p>Should Council proceed to prohibit Serviced Apartments, it should satisfy itself that there is sufficient land zoned for tourist and business traveller accommodation in other parts of the CBD to ensure future demand for this use can be met.</p>	<p>Supporting comments noted.</p> <p>Noted.</p> <p>The CBD Planning Proposal is only intending to prohibit serviced apartments in the B3 Commercial Core zone. The B3 Commercial Core zone accounts for about 379,580sqm within the CBD (about 26% of the CBD's area); and the B4 Mixed Use zone accounts for about 844,730sqm (about 57% of the CBD's area). Serviced apartments are still permissible in the significant area of the B4 Mixed Use zone surrounding the smaller B3 Commercial Core zone. Hotel and Motel accommodation will continue to be permissible in the B3 Commercial Core zone, as will other types of tourist and visitor accommodation, including backpackers' accommodation and bed and breakfast accommodation.</p> <p>On the land area allocation alone, Council is satisfied that there are sufficient opportunities in the significant B4 Mixed Use zoned</p>

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			<p>area to provide for serviced apartments; while noting that larger employment yielding tourist and visitor accommodation facilities, such as hotel and motel accommodation, will remain permissible in the B3 Commercial Core zone.</p> <p>An inherent issue with serviced apartments is the prevalence of these developments to be strata subdivided. This, in turn, creates a problem in future development cycles when a site to be redeveloped needs to obtain the concurrence of multiple owners (sometimes hundreds, depending on the size of the facility) to extinguish a strata plan before a site can be redeveloped. Consequently, any strata titled development can "lock up" land within the B3 Commercial Core zone, which then prevents that land being put towards employment-generating development in the future.</p> <p>For the above reasons, the submitter's proposed changes are not supported and no changes are recommended to the Planning Proposal.</p> <p>Decision Pathway – 2: Not supported.</p>
		<p>Ensure that the amendments made to the LEP clearly inform landowners and proponents that the maximum density and building heights will not always be achieved due to factors such as sun access protection, airspace operation and site frontage requirements.</p>	<p>Agree, there needs to be qualifications that maximum density and building heights will not always be achieved due to factors such as sun access protection, airspace operation and site frontage requirements; however, this is generally detailed in the DCP and or Design Excellence Brief. This recommendation can also be considered as part of the draft CBD DCP work. The Planning Proposal document is also amended to address this issue in 'Part 2 – Explanation of the Provisions'.</p> <p>Decision Pathway – 1: Supported – planning proposal updated to include brief explanation.</p>
		<p>Indicate in the Development Guideline for Community Infrastructure, the arrangements for the future ownership and responsibility for management and maintenance of items of community infrastructure.</p>	<p>These matters will be considered in the forthcoming review of Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD. It is also noted that the exhibited community infrastructure clause has been amended in light of the new practice guideline for VPAs issued by the Department.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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		<p>Provide clear information regarding the requirements to be satisfied in order to gain access to the High-Performance Buildings bonus floor space.</p>	<p>The PP provides information on the application of the bonus that has been informed by the <i>Sustainability and Infrastructure Study</i> (2015) and the <i>High Performing Buildings Study</i> (2016).</p> <p>The proposed LEP Clause 7.6A High Performing Buildings set out the objectives and requirements to be satisfied in order to obtain the bonus floor space ratio. As described in sub-clause (5) of this Clause, <i>A residential flat building or a mixed use development (that contains dwellings) which complies with this clause is eligible for an amount of additional residential floor space (above that already permitted elsewhere under this Plan) equivalent to that which exceeds the floor space ratio as shown on the Floor Space Ratio Map or Incentive Floor Ratio Map (as applicable to that development) by up to 5%, subject to the consent authority being satisfied that this additional residential floor space does not adversely impact on neighbouring and adjoining land in terms of visual bulk and overshadowing.</i></p> <p>More plainly, the High Performing Buildings clause is available to mixed use towers that include apartments. In the case of certain residential uses, the clause permits an FSR bonus of 5% on sites with an FSR of 6:1 or greater if they are of a certain size and achieve higher environmental performance above BASIX. Refer to the planning proposal for further details.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
		<p>Undertake further targeted consultation regarding the reduced carparking rates once they have been refined during the post-exhibition process.</p>	<p>Opportunities to provide feedback on any potential refinements to the car parking rates will be subject to the ITP and mesoscopic modelling process when they go on public exhibition, and the outcomes to be investigated as part of an alternative planning pathway at a later stage.</p> <p>Decision Pathway – 3: Merit for further investigation as a part of a later stage of work.</p>
		<p>Provide for off-street loading, waste collection and car sharing vehicles in its DCP parking controls.</p>	<p>Supported. These matters will be considered during the preparation of the DCP amendments to support the planning proposal.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Use the DCP to provide examples of how the developments can achieve the required flood protection standards, being shelter in place and emergency egress about the 1% AEP.</p> <p>Liaise with DPIE regarding the proposed Satisfactory Arrangements Clause to achieve a more transparent approach to funding regional infrastructure.</p> <p>Expressed interest in reviewing the mesoscopic model and Integrated Transport Plan prior to finalisation of the PP.</p>	<p>Supported. Examples to achieve the required flood protection standards, will be considered to form part of DCP amendments to support the planning proposal.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Council will continue to liaise with DPIE on this matter, however it is noted that implementation of this clause is a matter for the State Government.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Both the mesoscopic modelling and ITP will be publicly exhibited prior to the finalisation of the PP. The submitter will have an opportunity to review the material and make a submission at the appropriate time.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
12.	Parramatta River Catchment Group (Submission No. 292)	<p>This focuses on the outcomes of the Planning Proposal alongside the Parramatta River Masterplan. In particular, Step 4 of the 10 Steps to 'A Living River', which calls for a consistent policy approach to best practice management of our waterway through development controls, with an aim to reduce (step 5) and improve water quality outcomes.</p>	<p>Agree. As described in the planning proposal, the planning proposal aims to manage the anticipated demand for electricity, gas, water and sewer services by introducing new controls to reduce water and energy requirements and future-proof buildings to accommodate dual piping. These controls have been informed by the <i>Sustainability and Infrastructure Study (2015)</i> and the <i>High Performing Buildings Study (2016)</i>.</p> <p>The planning proposal also 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.</p> <p>Both of the above approaches assist in achieving the aims of Council's vision for the river foreshore. The planning proposal is also consistent with the Parramatta City River Strategy with future DCP amendments and a review of the Infrastructure Funding Framework to further support the overall vision.</p> <p>Best practice management of our waterway will be further considered as part of the DCP amendments to further support the Parramatta River Masterplan.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Acknowledges that the CBD PP proposes "beyond BASIX" incentivisation using floor space bonuses (which is not an assured outcome) and a requirement for dual piping for new development however, there is a lack of commitment to Water Sensitive Urban Design and to reduce the urban heat island effect in the Planning Proposal, particularly with respect to infrastructure funding and indicated dedication of works, and improvement of public land.</p> <p>Identifies that there is a critical opportunity presented for water sensitive outcomes to be more readily pursued as the CBD develops, as the Planning Proposal will reshape a significant amount of growth for the entire catchment. This must be capitalised upon to ensure a Central River City moving forward.</p> <p>Requests that additional clarity be given in the Planning Proposal on specifically how the Proposal is addressing the impacts of stormwater on the health of the river in its objectives assessment for local and state policies, given its immediate proximity with the river itself running through the precinct.</p> <p>Parramatta River Catchment Group notes that there is an error in the PP document listing standard BASIX targets as 'beyond BASIX' but this error is not reflected in the proposed LEP changes.</p>	<p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Consistent with the <i>Sustainability and Infrastructure Study</i> (2015), opportunities to support the reduction of urban heat including reflectivity of building roofs, podiums and facades; and heat rejection source will be part of future DCP amendments.</p> <p>Resilient infrastructure and public domain opportunities will also be part of future DCP amendments to support the planning proposal.</p> <p>The matters related to infrastructure funding will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>The planning proposal addresses stormwater and flood risk management as a key issue that is being managed through the Floodplain Risk Management Plans. It is concurrently being considered in the new flood study which covers the Upper and Lower Parramatta River floodplains within the LGA. This will further guide how to address the impacts of stormwater on the health of Parramatta River. Further matters associated with Water Sensitive Urban Design (WSUD) will be addressed in forthcoming DCP amendments.</p> <p>The planning proposal is consistent with the Civic Link Framework Plan. Parramatta's Civic Link will support sustainability in the CBD, creating an open green corridor for cooling, stormwater management and infrastructure needs.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Council officers clarify that the statement in the CBD PP referred to by the submitter is in relation to the BASIX targets before DPIE amended the BASIX targets in July 2017. The amended targets are then discussed relative to the proposed LEP controls, being Clause 7.6A(4) High Performing Buildings.</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Dual piping requirements within the B3 Commercial core zone are supported.</p> <p>Concerned that there is a lack of clarity surrounding the end purpose of dual piping and whether all new development is to be connected to some form of regional water recycling scheme or through any existing schemes.</p> <p>Indicates that it is their understating that it will be delivered through the GOPP Place Infrastructure Compact and LUIMP, however, further steps should be outlined.</p>	<p>Decision Pathway – Issues addressed; no further decisions required.</p> <p>Noted.</p> <p>The objective of Clause 7.6B <i>Dual Water systems</i> is to future proof the security of water supply in the CBD, further details regarding dual piping requirements will be included in the CBD DCP.</p> <p>The City of Parramatta LGA has two existing recycled water networks (Rose Hill and SOPA), and the Greater Parramatta and Olympic Peninsula Place-based Infrastructure Compact identifies a recycled water network for the region as an action. Requiring new development to be recycled water ready through the provision of dual piping is critical for the adoption and expansion of recycled water use throughout the LGA, which will greatly reduce potable water use and increase water resilience.</p> <p>In relation to dual piping, Sydney Water provided a submission to the CBD PP which supports the inclusion of dual piping requirements.</p> <p>Sydney Water also noted in their submission regarding the issue of water recycling, the following, “<i>Sydney Water is currently developing an integrated water management plan for the Greater Parramatta and the Olympic Peninsula (GOPP) growth area, in response to the Greater Sydney Commission’s Place-based Infrastructure Compact (PIC) proposals</i>”.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
		<p>Requests that the permissibility of ‘<i>water recycling facilities</i>’ be added to the B3 Commercial Core zone within the CBD. This could be achieved as part of an additional permitted use to the land use table, under the Parramatta LEP 2011. This would complement the current permissibility available for B4 mixed use development for water recycling facilities. This could be achieved through changing the B3 Commercial Core zone (as it lies wholly in the CBD) or an additional local provision, excluding special provision Area A which does require dual piping.</p>	<p><i>Water supply systems</i> are exclusively prohibited in the B4 Mixed Use zone; however, <i>water recycling facilities</i> are permissible in the B4 Mixed Use zone, under existing controls in the Parramatta LEP 2011.</p> <p>Both <i>Water supply systems</i> and <i>Water recycling facilities</i> are prohibited uses in the B3 Commercial Core zone, under existing controls in the Parramatta LEP 2011.</p> <p>To address the issue raised by the Parramatta River Catchment Group with respect to permissibility of certain uses in the B3 and</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Recommends allowing permissibility for <i>water supply systems</i> in the B3 Commercial Core and B4 Mixed Use Zones, to provide for maximum flexibility for water supply systems. This change could be achieved through a local additional provisions clause that exclude Area A of the Special Provisions Map.</p> <p>Supports the requirement for design excellence and using it as a mechanism to incentivise infrastructure investment in the proposed LEP changes.</p> <p>Emphasises that WSUD and Green Infrastructure should be given primacy in the LEP and not the DCP exclusively.</p> <p>Recommends that there should be a more in depth requirement for assessing against environmental quality of design under these requirements, particularly to promote a healthier Parramatta River.</p> <p>Based on the above, proposes that the design excellence clause have a separate subsection that engages with environmental considerations in more detail, to assure consistency with the Greater Sydney Region Plan, District Plans, the Parramatta River Masterplans, which call for healthier waterways.</p> <p>Requests that Water Sensitive Urban Design be included in clause 7.10 Design Excellence, 4 (d) of the Parramatta LEP: with the drafted text,</p> <p><i>(xiv) – how the proposed development affects the following matters... Management of natural resources on site, including energy and water, and associated considerations for Water Sensitive Urban Design and Urban Cooling.</i></p>	<p>B4 zones, Council officers recommend this issue be investigated as part of an alternative planning pathway at a later stage.</p> <p>Decision Pathway – 3: Merit for further investigation</p> <p>Supporting comments noted.</p> <p>Agree, there needs to be an assessment of environmental criteria during the design process; however, this is generally detailed in the DCP and or Design Excellence Brief. This recommendation can be considered as part of the draft CBD DCP work.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>
		<p>Identifies that there is an opportunity to promote WSUD infrastructure through the proposed community infrastructure as a means of getting higher development yields under the Design Excellence competition process as posed in the proposed clause 7.10 (8) of the LEP amendments.</p> <p>Recommends Clause 7.6H '<i>Community Infrastructure</i>' should be broadened out to include an incentive for more specified Water Sensitive Urban Design Infrastructure as well as more traditional community infrastructure as an incentive basis.</p>	<p>These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD.</p> <p>The planning proposal addresses stormwater and flood risk management as a key issue that is being managed through the Floodplain Risk Management Plans. It is concurrently being considered in the new flood study which covers the Upper and Lower Parramatta River floodplains within the LGA. This will</p>

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No.	Respondent / submission number	Summary of submission	Council Officers' response
		<p>Identifies that the infrastructure list itself, outlined, there is a distinct lack of commitment to 'green' or 'blue' infrastructure in the infrastructure funding report and 'sustainability and infrastructure report' provided. In addition, there is a lack of infrastructure proposed within the documents that minimises the impact of stormwater. This is not consistent with the 'healthier waterways' objective outlined in the District Plan and Planning Proposal documentation.</p> <p>Proposes an expansion to the scoping of infrastructure that ensures that environmental infrastructure is considered and funded through proposed contributions moving forward.</p> <p>Proponents should be adequately guided to pursue best possible infrastructure outcomes for the river as a priority in addition to other means of providing for public infrastructure.</p>	<p>further guide how to address the impacts of stormwater on the health of Parramatta River.</p> <p>Decision Pathway – Issues addressed; no further decisions required.</p>

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APPENDIX D – SUBMISSIONS FROM DEVELOPERS, MAJOR LANDOWNERS AND PLANNING CONSULTANTS

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ACRONYMS	
ACF – Active Frontages Map	LRA – Land Reservation Acquisition
ALP – Additional Local Provisions	LSPS – Local Strategic Planning Statement
APU – Additional Permitted Uses	MCP – Minimum Commercial Provision
CBD – Central Business District	OPS – Opportunity Sites
CBD PP – Parramatta CBD Planning Proposal	PLEP 2011 – Parramatta Local Environmental Plan 2011
DPIE – Department of Planning, Industry and Environment	PIA – Planning Investigation Area
FSR – Floor space ratio	SAP – Sun Access Protection
HIS – Heritage Impact Study	SPA – Special Provisions Area
LHS – Local Housing Strategy	SSPP – Site specific planning proposal
	TfNSW – Transport for NSW

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1. Land at 12-20 Dixon Street, Parramatta (Nos. 66 and 204)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary:

- Two submissions were received affecting property comprising five (5) land parcels known as 12, 14, 16, 18 and 20 Dixon Street. These parcels have a total site area of approximately 5,712sqm. Two separate owners fall across the five land parcels.
- The first submission received (mid October 2020) was prepared by Urbis acting for the Raindera Group who are owners of No.s 12, 14, 16 Dixon Street. Despite this, the submission notes it applies to all five parcels. A follow up submission received (early November 2020) was prepared by Think Planners also applicable to all five parcels.
- The land falls outside of the Parramatta CBD Planning Proposal boundary and will be subject to further investigations when the Southern Planning Investigation Area (PIA) is progressed in the future.
- The submission from Urbis makes the following points:
 - the land is within 500m radius of Harris Park Station to the east, and 600 metres south-west of the Parramatta CBD.
 - objects to the removal of the R4 zoned areas (including the West Auto Alley Precinct) from the CBD PP as identification as 'Planning Investigation Areas'.
 - the submitter is of the view that Council has not followed due process under Section 3.33, Division 3.4 of the *EP&A Act 1979* in explaining the removal of the deferred areas from the CBD PP and sees the removal of these areas has put at risk the vision for these areas including Council's ability to demonstrate consistency with the Central City District Plan.
 - seeks a 'call to action' by DPIE and Council to reinstate West Auto Alley as part of the CBD PP; and if this is not adopted by Council or DPIE, that DPIE ensure any future planning proposal endorsed by DPIE must prioritise the R4 High Density Residential precincts.
 - also seeks DPIE support to implement the Parramatta CBD PP Strategy in a holistic and coordinated way, *rather than a staged and piecemeal way*.
- The submission from Think Planners which is supported by an Urban Design Report inclusive of overshadowing analysis, makes the following requests:
 - that the site be included in CBD PP boundary.
 - that an FSR of 3:1 and 80 metre building height consistent with the West Auto Alley Study.
 - that a clear timeline and project milestones be adopted to complete the review of the precinct and drafting of LEP planning controls for public exhibition.

Council officer's Response

- The land is contained within the Southern Planning Investigation Area (PIA) which is subject to a separate pathway as outlined in a Council decision of 11 November 2019 (Item 9.1). Re-introducing this area into the CBD PP is inconsistent with this decision of Council and would be a significant policy change requiring re-exhibition.
- Like any planning proposal process, the CBD PP process is vetted by the DPIE at key statutory milestones. In the case of the CBD PP, both a Gateway determination (issued in December 2018) and an Alteration determination (in July 2020) have been issued by DPIE, the latter effectively endorsing the process to date including Council's decision to remove the

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PIAs from the CBD PP because DPIE did not raise any non-compliance matters with the EP&A Act.

- Reintroducing the West Auto Alley area (as a part of the Southern PIA) back into the CBD PP would raise the expectation that the remaining PIAs also removed, should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.
- The submitter's proposed inclusion of this area into the CBD PP post exhibition is substantial and considered too significant as it would require re-exhibition of the CBD PP.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the planning proposal area exclusive of the PIAs.
- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes by re-introducing this area back into the CBD PP are not needed for consistency with the Central City District Plan.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.
- **Action:** No decision is required.

2. Land at 83 Macquarie Street, Parramatta (No. 73)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) proposes: B4 Mixed Use Zone; a base height of 12 metres* and no incentive height, a base FSR of 3:1 and no incentive FSR; and retains the heritage item notation (for item I651) on the Heritage Map.

*This height is based on a part Council resolution on 11 November 2019, which resolved to:

(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.

Submission Summary:

- This submission has been prepared by Ethos Urban on behalf of the landowner of 83 Macquarie Street situated at the intersection of Macquarie Street and Centenary Square, consisting of a listed heritage item. The site is a small site with an area of approximately 259 square metres.
- The existing (*PLEP 2011*) controls on the site are: B4 Mixed use zone; 18m building height; and a FSR of 3:1. As well, the site forms part of a larger heritage listing, being the "Bicentennial Square and adjoining buildings" as per Schedule 5 (Item No. I651).
- The submission is supported by a Heritage Impact Statement (HIS) and Urban Design Analysis, the latter inclusive of a view impact analysis.
- The submitter seeks the following amendments to the CBD PP as exhibited:
 - an increase of the base building height to 24 metres; and
 - an increase of the base FSR to 3.5:1.

The submitter's proposal also requires demolition of the local heritage item.
- The submitter argues the changes to the height and FSR are required because:
 - the proposed 12 metre building height as resolved by Council in November 2019 *will result in a significant lost opportunity to deliver full development potential.*
 - increasing the building height limit to 24 metres will have no impact on the view of St John's Cathedral and its setting.

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- the submitter's concept design demonstrates *how a small increase in height can create flexibility to achieve the highest standard of architectural and urban design.*
 - the submitter's HIS has found the site is not a historically significant building and the scale (24 metres) is compatible with surrounding heritage.
- The submitter's Urban Design Analysis assesses three options for the site:
 - Option 1 - as proposed by the CBD PP (12 metre building height and 3:1 FSR) as exhibited;
 - Option 2 - as per the current *PLEP 2011 controls* (18 metre building height and 3:1 FSR); and
 - Option 3 – as per (24 metre building height and FSR 3.5:1) the preferred outcome of the submitter.
- The submitter's envelope analysis demonstrates that a reduced building height of 18m to 12m will not achieve FSR of 3:1 on the site.
- The submitter is of the view that Council's resolution to reduce the height from 18 to 12 metres to protect heritage significant views to St John's Church (looking south) is not supported by any technical study. The submitter sees that because the site is not located on Church Street and as such not addressed in the Church Street Precinct Study, Council's position is not justified. The submitter also argues that the site's frontage and contribution is principally to Macquarie Street and Centenary Square and therefore is of the view that the controls should be considered primarily in that context.
- The submitter's view impact analysis contained within its Urban Design Analysis tests a number of view corridors to St John's Cathedral as well as views along Macquarie Street, Church Street and from the Parramatta River and demonstrates that the proposed 24 metre building *height will have no impact on view corridors to St John's Cathedral and does not detract from the blue sky contributing to the context of the Cathedral.* As well, it says that when the proposed building is viewed *from many viewpoints*, it is *hardly visible.*
- The submitter also argues that because the design of the new building aligns with the Church Street (western) streetscape frontage, the St John's Cathedral's spires are visible from Church Street and due to this alignment, the proposed 24 metre high building has no further impact on views towards the Square.
- The submitter's HIS argues that:
 - the existing building has no heritage significance and does not uphold heritage value in its built form fabric. It also posits that redevelopment of Parramatta Square and land surrounding St John's Cathedral will completely alter the appearance and scale of locally listed heritage buildings and the surrounding square.
 - the scale of the proposed height is compatible in its context and supports the visual impact analysis' finding that a 24 metre structure as proposed by the submitter *will enhance the Church Street arrival to Centenary Square and will not cause any significant impact to the heritage significance of nearby heritage items.* As well, it has found that *no significant view corridors to or from St John's Cathedral will be blocked, impeded or unreasonably disrupted.*

Council officer's response:

- Centenary Square is a significant place in the Parramatta CBD and a vibrant place for passive recreation. The Square is surrounded by important spatial relationships between St John's Cathedral and grounds, Parramatta Square, the Church Street alignment, and Church Street view corridor. Past studies presented to Council, as well as protection of views to St John's Cathedral, have informed this position on the Church Street view corridor and organisation of height around civic space.
- Centenary Square is afforded a degree of sunlight access by being located under the Sun Access Protection (SAP) surface for Parramatta Square and also because of its location on the southern end of the Church Street corridor, which has north-south orientation. The SAP

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limits building heights to the north, northeast and northwest of the Square, thereby reducing the impacts of overshadowing from surrounding development.

- With regards to the Church Street View Corridor as related to the spatial dimensions of Centenary Square & the grounds of St John's Cathedral, Council's City Design Team note that:

The view corridor widens south of Macquarie Street to capture the spatial scale of Centenary Square and the grounds to St John's Cathedral. The most enduring and arguably important civic space in Parramatta City Centre, the built elements that provide curtilage to this space must provide a sense of enclosure that is appropriately scaled.

- With regards to state historically significant views and vistas, Council's City Design Team note the NSW Heritage Register:

Surviving views and vistas of St John's Cathedral have state historical significance. These include: east along Hunter Street to the Cathedral towers; east from Hunter Street across the northern Cathedral grounds towards the Town Hall and the site of the Governor's annual 'feast' with Aboriginal clans (instituted by Governor Macquarie) that took place at the rear (eastern end) of the Cathedral, and views from Church Street towards St John's Cathedral.

The twin spires of St John's have long been an important element of the civic identity and landscape of Parramatta. They dominate the town in almost every nineteenth century view of Parramatta. (Excerpts from NSW State Heritage Register for St John's Anglican Cathedral).

With regards to this issue, the Council's City Design Team also note:

The purpose of the Church Street view corridor created by the controls in the CBD PP and DCP is to elevate the spatial significance of Church St as the north/south spine of the city as well as to preserve Church Street views to St John's Cathedral and beyond. It follows that a consistent maximum building height along the entire axis up to the Cathedral is necessary.

The view of the Cathedral spires looking south on Church St would be intruded upon and compromised by a building height any greater than 12m on 83 Macquarie Street. The 12m height limit extending into Centenary Square also considers the procession and views from St John's northwards, up Church Street.

It is also essential that the Cathedral spires are not seen with building directly behind them, but with views to the sky.

- From a statutory perspective, the resolution of Council on 11 November 2019 which reduced the building height from 18 metres to 12 metres has effectively been vetted by DPIE through the Department's issuing of their Alteration Gateway determination in July 2020 endorsing the revised CBD PP – inclusive of the lower building height - for exhibition purposes.
- With regards to the heritage value and view corridors, Council's Technical Studies provide the following statements:
 - the Urbis Heritage Study (2015) highlighted the significance of views and vistas being an essential part of Parramatta's cultural landscape and contribute to the quality of the environment.
 - the Church Street Precinct study (2019) highlighted that the part of the Church Street spine between Macquarie Street and the Parramatta River is an important feature of the City Centre. Church Street also serves as a key view corridor within the City Centre, with a historic view from the Parramatta River to St John's Cathedral.
 - the Review of Opportunity Sites Report (including the Heritage Review by LSJ) identified view corridors of St John's Cathedral from Church Street through to the Great Western Highway. In addition, the LSJ study found that some individual heritage items benefit from a blue sky background and or open air above and behind heritage items including St John's Cathedral

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- The submitter's proposal establishes a pathway for the removal of a local heritage item identified as part of a suite of buildings comprising the "Bicentennial Square and adjoining buildings" which make up Item No. I651 in Schedule 5 in *PLEP 2011*. However, the removal of a heritage item is inconsistent with the following:
 - aim (2)(c) in Section 1.2 of *PLEP 2011* as well as objective 9 of the CBD PP both of which promote heritage protection and conservation.
 - the objective which supports proposed heritage clause 7.6K in the CBD PP (as exhibited) which seeks to ensure new development *demonstrates an appropriate relationship to heritage items and heritage conservation areas...*
 - Direction 2.3 Heritage Conservation within the *Section 9.1(2) Ministerial Directions*.
 - Draft clause 7.6K Managing Heritage impacts as the applicant has not considered the heritage impacts associated with the demolition of the heritage item that the development concept relies on.

Furthermore, this submission is one of a number of submissions proposing the demolition of a heritage item and the cumulative impacts of such proposals would be significant.

- The building is identified in a group of heritage items known as "Bicentennial Square and adjoining buildings" as per Schedule 5 of *PLEP 2011* (Item No. I651). Immediately to the south of the subject site is St John's Building (known as 38 Hunter Street) which is also part of this heritage group listing. The two buildings are similar in scale and contribute to the heritage character in this vicinity of the Square.

Whilst the site-specific planning proposal affecting the Anglican Church landholdings proposes to demolish the rear of the St John's Building, the front half of the building will remain enabling some of the heritage fabric to be maintained because of the short distance (approximately 3 metres) between the two heritage items.

Furthermore, this submission is one of a number of submissions proposing the demolition of a heritage building listed in Schedule 5 of the *PLEP 2011* (in a building group) and the cumulative impacts of such proposals would be significant. Regardless, Council Officers are of the view that, based on an external assessment, the heritage item is worth retaining.

- The submission from the Heritage NSW Office received in response to Gateway condition 4 states the following:
 - *Height and FSR controls should remain consistent with the existing controls in Council's LEP for significant SHR items, such as St John's Anglican Cathedral, the Catholic Institutional Area in North Parramatta, sites adjoining Lancer Barracks and sites to the north and west of St John's Cemetery.*
 - *It is recommended that solar access be maintained to State and National Heritage items/place, including Prince Alfred Square, Centenary Square and St John's Church, Hambleton Cottage, Elizabeth Farm and Experiment Farm Cottage.*
- Whilst it is acknowledged that the recently approved high-rise development at some sites adjoining Centenary Square, along with the substantial progression of the planning proposal affecting 195 Church Street sites, will alter the scale and relationship to other heritage items, such justifications alone should not permit more extensive changes to heritage items within Centenary Square that would have a more severe, cumulative impact.
- Council Officers have undertaken internal overshadowing analysis and tested the submitter's proposed 24 metre building height and this confirms that this height will not penetrate the Parramatta Square SAP at that location and therefore has no additional impact on Parramatta Square Protected Area.
- Council has made a significant investment towards the public domain outside this building on Centennial Square with permanent umbrellas and tree plantings which are well located and scaled with the current building. These provide an important role during major civic events including the weekly Farmers Market. Whilst temporarily removed as part of the PLR project, this public domain infrastructure will be reinstated.

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- Whilst it is agreed that the Church Street Precinct study did not include any recommendations in relation to the subject site, the site does fall within a historic view corridor (Parramatta River to St John's Cathedral), and the Review of Opportunity Sites Report also identified view corridors of St John's Cathedral from Church Street through to the Great Western Highway.
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed, nor have they been tested in terms of infrastructure demand. In other words, the Parramatta CBD will well meet its commercial and dwelling targets contained within the Central City District Plan and therefore does there is no need to accommodate additional height and FSR on the site.
- The submitter's proposed changes to the exhibited building height of 12 metres represents a change greater than 10 per cent and is therefore likely to trigger the need for the re-exhibition of the planning proposal if incorporated.
- In conclusion, the submitters proposed changes are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

3. Land at 382 Church Street Parramatta (No.100)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) proposes: B4 Mixed Use Zone; a base height of 24 metres and an incentive height of 80 metres*; a base FSR of 4:1* and an incentive FSR of 6:1*.

Submission Summary:

- Submission has been prepared on behalf of D.C. Baxter & Co. Pty Ltd landowner of 382 Church Street, Parramatta. The site is positioned on the corner with Victoria Road and is approximately 610 square metres. (*Note: Because the site falls under the minimum requirement of 1,000 square metres, it means the site is unable to utilise the incentive height and FSR controls without amalgamation with adjoining sites. Instead, the FSR control for the site is 3:1 as per subclause 7.2 (1)).
- The existing (*PLEP 2011*) major controls on the subject site are: B4 Mixed use zone; building height of 24 metres; and an FSR of 4:1.
- The Submitter is of the view that the remaining steps of the PP process should be hastened on account of the number of years it has taken the CBD PP to the exhibition phase.
- The submitter supports:
 - the main changes outlined in the CBD PP, including the content that addresses the issues of urban design and civic improvements.
 - the expansion of the CBD boundary (by way of the commercial zoning) north of the river and along the Church Street corridor.
- The submitter is of the view that redeveloping smaller sites can make a positive contribution to the streetscape and finer grain controls *should be encouraged in the LEP and not be left to the DCP*. To that end, the submitter recommends Council reconsider potential FSR for sites smaller than 1000 sqm. Taking such an approach will be more in line with the City of Sydney controls which apply only to sites of less than 500 sqm.

Council officer's response:

- The purpose of the FSR sliding scale as exhibited in sub-clauses 7.2 (1), (2), (2A) and (2B) is to promote site amalgamation and to prevent overdevelopment and inappropriate built forms on small sites. The FSR sliding scale control aims to balance equity of development potential with the physical capacity of the site. Further, the control ensures value to smaller sites is delivered, while incentivising the consolidation of sites.

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The suggested FSR sliding scale exemption is not supported by a technical study which would properly assess the impact of a sliding scale change. However, it would also have to assess the impact of introducing this exemption across all sites to test the cumulative impact because the amendment could not be incorporated as a single case without a more comprehensive and consistent approach across the entire CBD PP area.

- The submitters proposed changes are also inconsistent with Gateway condition 1(i) which requires the *proposed FSR controls and incentives... to reflect the Gateway conditions* and Gateway condition 1 (ii) which requires the FSR sliding scale *reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative threshold would be appropriate.*
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed, nor have they been tested in terms of infrastructure demand.
- If the submitters changes were incorporated into the CBD PP recommended for finalisation, this would:
 - delay progression of the CBD PP because the change is considered significant enough to potentially trigger the need for re-exhibition; and
 - establish a precedent and therefore, raise expectations from landowners experiencing a similar scenario that they can utilise the same changes over their respective sites.
- In conclusion, the submitters proposed changes are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

4. Land holdings at 14, 16 and 18 Pitt Street (No.160)

Council Officer recommendation: Decision Pathway 2 – Not support

The major CBD PP controls for this land, as exhibited: retain the existing B4 Mixed Use zone; increases the building height to 20 metres; and retains the existing 1.5:1 FSR.

Submission Summary:

- This submission has been prepared by Ingham Planning on behalf of the nine (9) landowners of three adjoining properties situated at 14, 16 and 18 Pitt Street, Parramatta. In total, the land has an area of 1,886 sqm.
- The existing major controls in *PLEP 2011* affecting the land are: B4 zone, 10 metres building height (the submitter states 15 metres in error) and 1.5:1 FSR. As well, the land abuts the St John's Anglican Cemetery comprising State Heritage Item No.100049 and sits opposite Parramatta Park and Old Government House heritage site, comprising State Heritage Item No.1000596).
- The submitter proposes an alternative FSR sliding scale in clause 7.2 to incentivise site amalgamations on the Pitt Street facing sites located between Campbell and Argyle Streets, as follows:
 - Sites less than 1,200sqm = a base FSR of 1.5:1 with no FSR bonus equating to a maximum FSR of 1.5:1.
 - Sites of 1,200-1,800sqm = a base FSR of 1.5:1 with a bonus FSR of 0.5:1 equating to a maximum FSR of 2:1.
 - Sites greater than 1,800sqm = a base FSR of 1.5:1 with a bonus FSR of 1:1 equating to a maximum FSR of 2.5:1.

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The submitter notes these FSRs can be contained within the 20 metre building height as exhibited but this is not supported by any supporting study inclusive of 2-dimensional building illustrations showing building bulk and form.

- The submitter also proposes an alternative FSR sliding scale in clause 7.6C to incentivise commercial uses on the Pitt Street facing sites located land between Campbell and Argyle Streets, as follows:
 - Sites less than 1,200sqm = a base FSR of 1.5:1 with no FSR bonus of nil for a maximum FSR of 1.5:1 and maintain exhibited height of 20 metres.
 - Sites of 1,200-1,800sqm = a base FSR of 1.5:1 with a bonus FSR of 2:1 equating to a maximum of 3.5:1 and maintain the exhibited height of 20 metres.
 - Sites greater than 1,800sqm = a base FSR of 1.5:1 with a bonus FSR of 3:1 equating to a maximum of 4.5:1, with a 6 metre height bonus allowing a maximum height of 26m.

Again, the submitter does not provide any supporting study inclusive of two-dimensional building illustrations showing building bulk and form and the impact of the 6 metre increase in building height.

- The submitter argues these amendments would provide *sufficient incentive to encourage commercial or mixed-use developments, rather than wholly residential development.*

Officer's response:

- The CBD PP as exhibited retains the current zone and FSR and increases the height from to 20 metres with no incentive height control. The purpose of the increase is to facilitate narrower buildings and increase the 'blue sky' space between buildings and the cemetery to allow improved solar access to the cemetery. The exhibited height and FSR controls which are lower than their central CBD location respond to the sensitive positioning of the land abutting St John's Anglican Cemetery and its proximity to Parramatta Park and Old Government House heritage site. A number of studies prepared throughout the CBD PP process, including the Urbis Heritage Study (2015), process have consistently recommended low building heights to reduce the impact on the heritage cemetery and the CBD PP reflects these recommendations.
- Despite the above, and for rigour, Council Officers undertook internal overshadowing testing to assess the submitter's proposed height increase. The analysis (presented in an Appendix to the revised CBD PP) found that the increased height would result in a longer shadow length ranging between 9 metres at 12 noon to 18 metres at 3pm on 21 June. However, whilst this increased shadow will not significantly impact the cemetery in itself, the increase in heights on adjoining sites would have a greater impact.
- The sites which back on to St John's Cemetery to its north, west and south and which front to Argyle, Pitt and Campbell Streets are in a unique setting within the CBD owing to the site's proximity to:
 - Parramatta Park to the west which provides a large-scale open space setting;
 - St John's Cemetery which forms a strong heritage setting;
 - the Park Edge Highly Sensitive Area, north of the railway line; and
 - the railway line which, to some degree, weakens this block's relationship with the commercial core.

These elements and sensitives have required a unique response which the CBD PP has sought to achieve.

- With regards to the St John's Anglican Cemetery which abuts the land to the east:
 - the Urbis Heritage Study (2015) recommends the existing FSR *be maintained on the northern and western boundaries to maintain sun access to the cemetery and to retain visual connections and 'green corridor' to Parramatta Park to the west.*

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- the submission from the Heritage NSW Office received in response to Gateway condition 4 says the height and FSR controls *should remain consistent with the existing controls* in PLEP 2011 for significant SHR items and abutting sites such as...*the sites to the north and west of St John's Cemetery.*
- The submission is not technically supported by a heritage impact study which would properly assess the impact of the proposed density increase on the two State heritage items, nor is the submission supported by an urban design study which would assess the impacts of the resultant building form and overshadowing to the cemetery.
- The submitters proposed changes are also inconsistent with Gateway condition 1(i) which requires the *proposed FSR controls and incentives... to reflect the Gateway conditions* and Gateway condition 1 (ii) which requires the FSR sliding scale *reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative threshold would be appropriate.*
- The submitter's proposed changes which would require amendments to clauses 7.2 and 7.6C. Also, the proposed height increase equates to a 30% variation on the exhibited controls and is therefore substantive. The changes represent a change greater than 10 per cent change and will likely to trigger the need for the re-exhibition of the CBD PP if incorporated.
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed, nor have they been tested in terms of infrastructure demand.
- If incorporated, the changes would establish a precedent and therefore, raise expectations from other landowners experiencing a similar scenario that they can utilise similar changes to their respective controls.
- In conclusion, the submitter's proposed changes are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

5. Roxy Theatre, 69 George Street, Parramatta (No.161)

Council officer recommendation: **Decision Pathway 3 - Merit for further investigation.**

The major CBD PP controls for this land, as exhibited in the CBD PP propose:

- B3 Commercial Core zone.
- A base building height of 18 metres with no incentive building height (because of B3 zone).
- A base FSR of 10:1 with no Incentive FSR.
- A heritage notation reflecting the Roxy Theatre State Heritage Item No. I00711.

Submission Summary:

- This submission has been prepared by Urbis for K Capital, owner of The Roxy Theatre at 69 George Street, Parramatta. The land has an area of 2,350 square metres.
- The current major controls for the site are no different to those exhibited as summarised above.
- The submitter makes the following points to support maintenance of the existing building height policy contained in *PLEP 2011*. These points, the submitter argues, are drawn from matters raised during the LEC case of K Capital Pty Ltd versus City of Parramatta Council in response to a development application (DA/1008/2017) which proposed partial demolition of the theatre building and construction of a 33 storey tower at the rear/on top of the theatre building:
 - a. In 2018, Council attempted to limit the height of the Roxy Theatre site but withdrew that initiative.

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- b. The building height was not a determinative factor in the NSW Land and Environment Court (LEC) dismissal of the recent DA.
 - c. Other proposed development schemes could address the concerns of the LEC which include a substantial tower form.
 - d. The proposed 18 metre building height is *below the maximum height of the existing building and recommendations of OEH*.
 - e. Council has not appropriately taken into account the *strong evidence from Professor Richard Mackay before the court that supported the 2018 DA*.
 - f. Council's proposed 18 metre building height limit is *inconsistent with prior formal heritage advice to council dated 14 June 2018*. Specifically, the submitter quotes advice provided by OEH, which stated:
The success of limiting the height of development on the Roxy site to retain the prominence of the tower and sign is dependant, to some extent, on any development south of the site. Parramatta City Councils PLEP 2011 planning controls anticipate a substantial increase in height and scale in the local area. However, Council have indicated that no development is anticipated south of the Roxy Theatre, particularly in the Horwood Place carpark, tall enough to encumber the tower and sign seen from George Street silhouetted against the sky.
 - g. There has been no independent assessment of the council proposal given that there is a potential conflict of interest because Council owns/manages adjoining streets/property.
 - h. Future planning of the Roxy site precinct has effectively been deferred but proposed height restrictions reduced before this strategic work has been completed.
- The submitter notes that there are no *alternative incentives for the conservation of significant heritage buildings in Parramatta*.
 - Seeks deletion of the proposed 18 metre building height (as exhibited) to reinstate the existing height control and maintain the 10:1 FSR.

Council officer's response:

- Council is cognisant of the sensitivity around and importance of State heritage items and is astutely aware that, in the case of such items, it must act not only for the local Parramatta community, but also for the wider, State based community. Council must defend, protect and retain items of State heritage significance, not just for the current generation, but for future generations, consistent with the intent of the NSW *Heritage Act*.
- The LEC judgement (NSWLEC 1292) in relation to the previous DA centres around the importance of *retaining and conserving* the State heritage item and a summary of the main judgements are provided below:
 - Broadly the redevelopment proposal does not strike a reasonable balance *between developing the site and retaining and conserving the heritage item, because the extent of demolition proposed by the concept proposal will destroy the theatre auditorium space of the Roxy Theatre and in doing so, will have an unacceptable impact on its identified heritage significance as a good and relatively intact representative example of the 'Picture Palaces' of the interwar period, and on its overall form and surviving original fitout and fabric which display the major attributes of this building type* (point 87).
 - The applicant's proposal *does not ensure the retention and conservation of the former theatre space. It proposes the continued isolation of the dress circle as a separate room and calls the dress circle the "auditorium". The former theatre space of the Roxy Theatre is made up of the dress circle, the stalls and the proscenium* (point 88)
 - *The intactness of the volume of the former theatre space is an essential element of the heritage significance of the Roxy Theatre* (point 89).

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- The redevelopment proposal *would not retain the heritage significance of the Roxy Theatre. Instead, it would merely preserve the remnant physical fabric of an element of the theatre* (point 90).
 - There was acceptance and concurrence of the agreed evidence of the heritage experts that part demolition of the Roxy Theatre as proposed by the redevelopment proposal *would have a substantial, adverse heritage impact on the Roxy Theatre* (point 91).
 - The redevelopment proposal does not constitute *adaptive reuse of the Roxy Theatre because adaptive re-use means adapting a place to suit the existing use or a new use* (point 92).
 - The redevelopment proposal focused on the *extant fabric, particularly the intact and more decorative fabric of the building, and not on the conceptual heritage values of the Roxy Theatre* (point 93).
 - Because the Roxy Theatre's footprint *fills the site, it presents a considerable constraint to the future development of the site as it is currently configured* (point 93).
- In the supporting *Heritage Expert Joint Report* submitted to the LEC case, advice from David Logan (Heritage expert) explains the limitations on the arguments put by the landowner with regards to justifying a tower element as part of the site's redevelopment potential, as follows:
 - With regards to precedent set by surrounding tower development or via approvals on nearby sites: *these do not justify the approval of a tower above the Roxy Theatre. These sites do not contain heritage items of State significance. The presence of a highly significant building on the subject site requires that its heritage significance be given priority over development objectives.*
 - With regards to the development potential of the site: *the development opportunities must be regarded as significantly reduced on the site of a State significant building with rare aesthetic values, if those heritage values are to be retained. The objectives of the Heritage Act are, first and foremost, to identify and conserve the State's heritage.*

Appropriate development of the site would ensure the retention of the significant form, fabric and setting of the Roxy Theatre. A small addition at the rear of the site could be acceptable if this facilitated a sympathetic use and was limited to a scale that did not impact on its setting, as viewed from the public domain.
 - With regards to the impacts on the significance and setting of the Roxy Theatre: *the siting of a tall tower directly above it would be unacceptable from a heritage viewpoint. Having regard to the site's characteristics and heritage values...any form of tower building on this site would compromise the heritage significance and setting of the heritage item.*
- Maintaining the existing building height control in *PLEP 2011*, as the submitter requests, does not respond to the LEC case outcomes. In other words, the LEC case outcomes have required Council to revisit the existing *PLEP 2011* building height control in order to prevent a future proposal that relies on the part or whole demolition of the Roxy Theatre. Council Officers interpretation of the impact of the LEC case outcomes is that, the Roxy Theatre must be predominantly retained. This rules-out any kind of tower element on the site.

The exhibited CBD PP proposed a base building height control of 18 metres with no incentive height. This was developed on the premise of ensuring the retention of the building's form and fabric and that any redevelopment would not compromise the heritage setting of the item. It was determined by relying on the sight line in the OEH's Officer's report from the LEC case, specifically where the sight line intersects with *the bottom of the tower parapet* on the front façade which equates to the pitch of the roof over the main building/auditorium. Amending the building height to 18 metres (as exhibited in the CBD PP) aligns with the LEC case outcomes.
- The exhibited 18 metre building height would bring the greatest public benefit because it effectively ensures retainment of the theatre's building fabric and form but provides some room for minor adaptive additions.

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- Council Officers accept that the CBD PP as exhibited did not adequately explain how the proposed building height was (as exhibited) determined.
- Stage 2 of Council's Civic Link Precinct DCP controls are progressing as is the master planning for the block being undertaken by Sydney Metro for the new metro station in this block. Block 2 City Stage Smart Hub which is bounded by Smith, Church, Macquarie and George Streets, as illustrated in the Civic Link DCP controls, comprises the Roxy Theatre site and is inclusive of the adjoining sites to the east at 71, 73 and 75 George Street. This block *includes areas for social and creative gathering places to support cultural events and attractors in adjacent buildings*. A future amendment to these controls is anticipated in late 2021, which will provide detailed controls for this block and will address the public domain immediately adjoining the west and south of the site.
- Despite the above detailed points in relation to the proposed 18 metre building height, Council Officers are of the view that the proposed changes (as exhibited) will not be progressed for the purposes of finalising the CBD PP at this time. Instead, the existing *PLEP 2011* height control will be applied in the CBD PP being recommended for finalisation. Council Officers reiterate that this is not to be interpreted as a signal that a revised proposal inclusive of a tower form that requires part demolition of the theatre building would be considered by Council because the LEC judgment prevents this. Rather, this is a temporary arrangement because of the strategic review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro to allow for the new metro station in this location.
- With regards to the 10:1 FSR (both existing, as per *PLEP 2011*, and as exhibited in the CBD PP) this appears incongruous with the 18 metre building height. However, Council Officers are of the view that this should be retained so as to explore any potential options around the transfer of heritage floorspace as part of the Civic Link DCP.
- There is the potential for Council to have an advocacy role in working with the owner and the State government (Create NSW and the Officer of Environment and Heritage) to deliver a compatible use for this important heritage site.
- In conclusion, Council Officers do not support planning controls that enable a tower element on the site. It is considered that in future recommendation of some sort of height restriction is the most likely outcome. However, there is merit in temporarily reverting back to the existing building height control until **further investigative work** is completed by way of the Civic Link DCP and master planning work by Sydney Metro for the new metro station to determine what that height controls might be and to ensure the controls for the site align with a vision that will allow the site to be actively used and re-used. To that end, the existing *PLEP 2011* building height control, which relies on the SAP, will be temporarily reinstated.
- **Action:** Council Officers will:
 - Amend the CBD PP to broadly explain that some submissions have resulted in changes to the planning proposal documentation. Council Officers stress that proposed mapping changes do not mean that Council officers support a tower element over the site; and
 - Amend the base Height of Building Map by removing the 18 metre base height notation and replace it with the Solar Access Plane.
 - Amend the Incentive Height of Buildings Map accordingly.
 - Review the controls for the site in the future, once strategic planning work under the Civic Link DCP and master plan for the block for Sydney Metro have been completed.

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6. Mirvac site at 75 George Street, Parramatta (No.167)

Council Officer recommendation: Decision Pathway 1 – Support

The major CBD PP controls for this land, as exhibited, propose:

- the B3 Commercial Core zone;
- a building height affected by the Sun Access Protection Surfaces (Lancer Barracks);
- a base FSR of 10:1 with no incentive FSR; and
- 'Local Road Widening (B3)' LRA notation affecting the Smith Street frontage for the purposes of a bus lane.

Submission Summary

- This submission has been prepared by Ethos Urban for Mirvac, owners of land at 75 George Street, Parramatta. The site is approximately 2,660 sqm in area.
- The existing major *PLEP 2011* controls are as follows: B3 Commercial Core zone; building height affected by clause 7.4 (Area 2); and an FSR of 10:1.
- The landowner is supportive of the overall intent of the CBD PP including the *incentivisation of commercial development in the core, where office premises will not be capped by an FSR control on sites greater than 1,800m²*.
- The landowner expresses concern with the land reservations as follows:
 - along Smith Street for 'Local Road Widening (B3)', specifically on the exact extent of the reservation. The owner seeks the specifics of the land reservation (both horizontally and vertically) as well as agreement that Council contain the reservation to the lower levels of the building and to allow Mirvac the air rights above the reservation to enable a cantilever design over the bus laneway.
 - building setbacks identified in the Draft Civic Link DCP (which forms an attachment to the submission), as follows:
 - a 12m tower setback from George Street;
 - a 6m eastern tower setback, and 3m tower setback to the south and west; and
 - a land dedication of 7m from the western boundary (assuming the site amalgamates with 73 George Street*),

as they act as genuine constraints for the site and affect the achievable commercial floor plate size and efficiency to support the viability of the site's future redevelopment, in line with its prominent CBD location and its ability to attract large A-grade tenants and occupants.

(*Note: The Draft Civic Link DCP proposes the site amalgamate with 71 and 73 George Street to deliver a lane between the Roxy Theatre and the amalgamated site).

The submitter also notes the landowner undertook its own consultation with TfNSW before preparing their submission on this matter.

- The landowner acknowledges that the inclusion of the State infrastructure contributions clause 7.6G is a State Government requirement. However, the landowner is concerned that State contributions required by the Clause *at future DA stage in lieu of a formal State Infrastructure Contribution (SIC) rate being published are not readily known or forecastable.*

Council officer's response:

- With regards to the 'Local Road Widening (B3)' notation on the LRA Map, the current width of the LRA notation, as shown on the exhibited LRA Map, equates to 7 metres.

In order to satisfy Condition 4 of the Gateway determination, Council was required to consult Transport for NSW (TfNSW). In their submission, TfNSW advised that the CBD PP should

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provide for a 3.5 metre width bus bay and at least a 6 metre wide footpath to achieve the relevant bus stop standards for both customers and buses as well as allow sufficient footpath width for pedestrians to pass the bus stop. Indented bus bays should only be considered when adjacent to bus lanes or on high speed roads (generally above 60kph).

TfNSW advised that the CBD PP should also include provisions that would enable a vision for the Smith Street bus interchange as a place of high quality passenger facilities including shelter, seating, DDA compliance and an uncluttered public domain complemented by customer shopfront passenger lounges and active frontages.

TfNSW also noted that with regard to future required bus infrastructure:

...it is important...that bus lane infrastructure along key strategic bus routes will be required. This includes Church Street, Argyle Street, Smith Street, Wilde Avenue and Victoria Road to ensure journey speed and reliability are achieved. To sustainably and reliably achieve the Parramatta CBD 30 minute city outcome, it is a priority to ensure buses can access Parramatta CBD quickly and efficiently achieve the necessary speed and journey time reliability. As a result, indented bus bays, when adjacent to bus lanes, must be considered along key bus corridors to allow express / limited services to pass stopped local services. TfNSW will work with Council to identify bus bay infrastructure needs on a case-by-case basis.

Given TfNSW's requirement for an additional lane to cater to buses on Smith Street, this requires that the edge of the carriageway move west to the existing property line of 75 Smith and take the space currently used as footpath. The LRA (as exhibited) was 7 metres and TfNSW need a 6 metre deep pedestrian space to cater to bus and metro rail pedestrian volumes.

Council Officers have had further consultations with TfNSW and met with internal key staff and the landholder at 75 George Street. This has determined that the total footpath width is satisfactory at a lesser width of 6 metres; 4 metres of which is open to sky, clear of basement below and accommodating underground and also contains ground utilities, lighting, traffic controls signals, etc, and street trees; and the remaining 2 metres would form an undercroft to the building which must be clear of columns and have a sufficient ceiling height. It could also provide undercover waiting area for bus users in lieu of shelters interrupting the footpath. Given that 2 metres of the footpath will be private floorspace above and below it, the revised LRA width is reduced to a 4 metre width. An 'easement' for pedestrian access within the property for a depth of 2 metres into the site at 75 George Street will be a necessary mechanism. (Note: this arrangement only applies to the LRA notation at 75 George Street and TfNSW have indicated their satisfaction with this arrangement via negotiations with Council and the landowner. This LRA width reduction does not apply to the property to the south known as 25 Smith Street). Given this arrangement has agreement from TfNSW and the landowner, the impact of this policy change is considered minor and does not trigger the need for re-exhibition of the planning proposal.

- With regards to the vertical alignment, this could potentially be resolved via further consultation with TfNSW and potentially integrated into the Civic Link DCP and/or the CBD DCP. But essentially, it is a detailed design matter and can be addressed at a later stage via the development of DCP controls. With regards to the building setbacks proposed in the Civic Link DCP, Stage 2 of Council's Civic Link Precinct controls are progressing. Block 2 City Stage Smart Hub which is bounded by Smith, Church, Macquarie and George Streets comprises the site as illustrated in the Civic Link DCP controls. This block includes areas for social and creative gathering places to support cultural events and attractors in adjacent buildings. A future amendment to these controls anticipated mid to late 2021 will provide detailed controls for this block and will address the public domain immediately adjoining the west and south of the site.
- The applicant has indicated a desire to pursue a site-specific DCP for their site. Council officers have requested that this process include some level of consultation with landowners to the west (i.e. 71-73 George Street as well as Council as the landowner to the rear of 71-73 George St) because if these sites were not included, there would be resulting site isolation issues. It is Council Officers' expectation that the draft DCP would contain design controls for both amalgamated and unamalgamated scenarios. Furthermore, Council Officers' expectation

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is that the DCP controls would be consistent with objectives of the draft Civic Link DCP, as well as the ongoing work being undertaken by Council officers in preparation for the new draft Parramatta CBD DCP.

- With regards to the development contributions – specifically, proposed clause 7.6G 'Arrangements for contributions to designated State public infrastructure' - DPIE endorsed the clause's inclusion for exhibition purposes when it issued its Alteration Gateway determination in July 2020. The drafting of the clause is based on other existing satisfactory arrangements clauses applying to other areas within the City of Parramatta. Implementation of this clause will be a matter for the State Government.
- Council Officers support the progression of a SSDCP provided:
 - It applies not only to the site at 75 George Street, but to its neighbouring sites 73 and 69 George Street; and
 - is consistent with the Civic Link DCP and draft CBD DCP controls as they progress.
- In conclusion, Council Officers **support** the reduction in the LRA notation from 7 metres to 4 metres.
- **Action:** Council Officers will amend the LRA Map to reflect the reduced the width of the 'Local Road Widening (B3)' from 7 metres to 4 metres.

7. Harris Park Dental site at 67 Marion Street, Harris Park (No.169)

Council officer recommendation: The site is not within the endorsed CBD PP boundary and is not within an endorsed Planning Investigation Area. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary

- This submission has been prepared by Harris Park Dental regarding their landholding at 67 Marion Street, Harris Park which has an approximate site area of 342 square metres.
- For the purpose of this submission review, since the land is not contained within the CBD PP land application area, there is little benefit in summarising the existing (PLEP 2011) controls that are applicable to the land.
- Submitter notes that the area south of Parkes Street and East of Harris Park railway station has been a 'melting pot of cultures' and the *land of opportunity for newly arrived migrants* and sees an opportunity *for this quality to be promoted, protected and further enhanced* through the controls proposed in the CBD PP.
- Submitter is broadly supportive of the goals and intentions of the CBD PP and requests Council commits to the following:
 - Proposes Council undertake a study covering the land between Una, Ada, Harris, Allen and Cambridge Streets with the view to promote additional jobs and affordable housing for newly arriving skilled workers.
 - On the basis that Council rates are based on business rates, introduce a transitional commercial and residential zone that supports the CBD through providing medical, commercial and hospitality services (covering land outlined above).
 - Retains existing heritage listed items, however, does not *schedule lands on either side of Marion and Harris Streets & Wigram to Allen/Cambridge Streets as heritage conservation areas*.

Council officer's response:

- The area east of Harris Park Train Station between Una, Ada, Harris, Allen and Cambridge Streets does not form part of the CBD PP area and is outside the scope of this project. Additionally, this area does not form a Planning Investigation Area.

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- Whilst Council Officers supports the provision of affordable housing, particularly for minority groups, no further planning analysis is proposed within the Harris Park area for residential or commercial growth in the short to mid-term.
- This site is situated within a heritage conservation area and is surrounded by heritage items, and therefore is not considered suitable for upzoning.
- The introduction of this land into the CBD PP would raise the expectation that the Planning Investigation Areas removed in November 2019 should be re-introduced back into the CBD PP, which would trigger a re-exhibition and result in the DPIE not being able to complete the CBD PP as soon as practicable.
- Introducing the submitter's land is considered a substantial change and is likely to trigger the need for the re-exhibition of the CBD PP.
- The inclusion of the proposed area land in the CBD PP would be inconsistent with the Central City District Plan and Council's Local Strategic Planning Statement and Local Housing Strategy. Furthermore, since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed. As well, since the LSPS demonstrates the City will exceed the higher target jobs for 2036 by some 3,000 jobs, the proposed additional commercial floorspace is not required to deliver additional jobs for the City.
- In conclusion, the submitters proposed changes are not supported. The site is not within the endorsed CBD PP boundary and is not within an endorsed Planning Investigation Area.
- **Action:** No decision is required.

8. Holiday Inn site at 18-40 Anderson Street, Parramatta (No.176)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) proposed the following major controls for this land:

- the B3 Commercial Core zone.
- base building heights of part 0 metres and part 80 metres, and incentive heights of part 0 metres and part no height notation, all of which are affected by Sun Access Protection Surfaces (Jubilee Park).
- a base FSR of 6:1 with no incentive FSR control.

Submission Summary

- This submission has been prepared by Mecone for Landream, the owners of the land at 18-40 Anderson Street, Parramatta. Mecone also acts as consultant for the landowner's SSPP process which is progressing separately through the finalisation stage.
- The existing major *PLEP 2011* controls are as follows: B5 Business Development zone; 18 metre building height; and FSR of 4:1.
- The landowner has a SSPP (RZ/4/2018) with Council which was endorsed by Council for progression to finalisation on 26 October 2020. The SSPP seeks to:
 - rezone the B5 Business Development zoned land to the B4 Mixed Use zone;
 - establish a base building height controls of part 0 metres and part 120 metres with no incentive height (see also site specific provisions below);
 - establish a base FSR of 6:1 (see also site specific provisions below);
 - introduce a range of site-specific provisions on: non-residential uses; a 5 per cent FSR bonus for the residential FSR; a dual water system; design excellence; satisfactory arrangements; and reduced car parking rates.
- The submission:

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- seeks confirmation that no changes are, or will, be proposed to the Jubilee Park Solar Access Plane given that the Overshadowing Technical Paper (August 2020) responded to matters raised by DPIE in its Gateway determination.
- seeks confirmation that Clause 7.6C Minimum Commercial provision in Zone B4 Mixed Use, subclause 4, will apply to the site given its proposed B4 zoning and location on the fringe of the Auto Alley precinct; and
- supports the \$150sqm contribution rate for additional height and FSR provided under Clause 7.6C(4) citing the certainty it provides for developers in the CBD.

Council officer's response:

- The applicant's SSPP which was endorsed by Council in October 2020 for forwarding to DPIE for finalisation, is supported by both a SSDCP and VPA and these are also progressing to finalisation stages. All three policy mechanisms are anticipated for finalisation by mid 2021.
- In progressing the CBD PP to notification stage, the process will ensure that it does not undo any SSPP that comes into effect prior to the CBD PP LEP Amendment coming into effect including the submitter's SSPP. Equally, should the CBD PP come into effect before this SSPP, then the SSPP process will carry on as a separate amendment to *PLEP 2011* at the right time. In conclusion, Council Officers have subsequently amended Part 4 – Mapping to include a section entitled 'Site specific planning proposals' which explains.
- With regards to the Jubilee Park Solar Access Plane, the CBD PP does not intend to change the Solar Access Protection Surfaces to Jubilee Park.
- With regards to the application of the clause 7.6C Minimum Commercial Provision notation over the land, the applicant has sought confirmation that the MCP control will apply to the land. As the land was exhibited with a B3 Commercial Core zone, the MCP control was not applied to the subject site, consistent with the application of the control elsewhere. As the CBD Planning Proposal is not intending to rezone the site to B4 Mixed Use, application of the MCP notation to the subject site is not supported as this is inconsistent with the application of the control elsewhere. The appropriate level of commercial floor space for this site has been determined by a site specific assessment and consideration of the application of the MCP control for this site has been superseded by that assessment.
- In principle, officers agree that providing prescribed provision of community infrastructure rates delivers certainty and consistency to developers in the CBD. The infrastructure funding protocols for the CBD are subject to a separate review and must have regard to recent Practice Notes published by DPIE.
- In conclusion, the submitters proposed changes are **not supported**.
- **Action:** No further amendments are required to the CBD PP to be forwarded to DPIE for finalisation.

9. Land at 23, 25 and 27 Harold Street, Parramatta (No. 177)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area being the North-East PIA that is currently being considered. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary

- This submission has been prepared by Knight Frank for Trebel 88 P/L owner of three adjoining parcels at 23, 25 and 27 Harold Street, Parramatta.
- The current major controls on the site (*PLEP 2020*) are: R4 High Density Residential zone; a building height of 11 metres and an FSR of 0.8:1.
- The site was subject to a SSPP process (RZ/27/2015) proposing 70 metre building height and FSR of 6:1. The SSPP has been exhibited and was endorsed by Council for progression to

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DPIE for finalisation in September 2019. However, given the site is situated within the North-East Planning Investigation Area (PIA), finalisation of the SSPP was delayed, pending the outcomes of the Draft Planning Strategy for this area. It noted that on 20 March 2021 the DPIE decided to not progress this SSPP.

- The submitter argues the SSPP's height (70 metres) within the exhibited SSPP, should reflect 80 metre building height available to properties with a Church Street frontage as exhibited in the CBD PP. Therefore, submitter requests:
 - that the *potential for the site for higher density residential development be acknowledged by Council and supported.*
 - that the proposed height and FSR controls for the Church Street corridor within the SSPP of up to 6:1 and 80 metres be adopted, and also adopted for the subject site *noting it forms part of the same Church Street corridor character.*
- The submitter argues that there is sufficient site-specific merit for the site to be included in the CBD PP due to the proximity to future transport nodes, and due to numerous studies already examining the area.

Council officer's response:

- The subject site falls within the North-East PIA, which was excised from the CBD PP in accordance with a Council resolution as part of a suite of proposed R4 High Density zoned areas being removed from the CBD PP and be included as future Planning Investigation Areas. The SSPP has, accordingly was deferred at that time, pending the outcome of the North-East PIA work which will apply further technical rigour to identify an appropriate vision for the North-East PIA vicinity that is thoroughly investigated at a block by block level, not at individual site level where the breadth of investigation is too fine grained.
- The applicant's request for the site's *development potential* to be supported pre-empts the outcomes of the Draft Strategy for the North East PIA.
- Extending the CBD PP area to include this site is considered a significant change and would require re-exhibition of the CBD PP, therefore delaying its progression to finalisation.
- The applicant's request for the proposal to be supported pre-empts the outcomes of the Draft Strategy for the North East PIA. Therefore, Council Officers do not support the applicant's proposed changes as requested by the submitter.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area, being the North-east PIA that is currently being considered.
- **Action:** No decision is required.

10. ICC landholdings at 41 & 43 Hunter Street (No.180)

Council Officer recommendation: Officers **do not support any amendment to the CBD PP as a result of this submission**, however Council should undertake further investigation to determine if this land should be added to the Additional Local Provisions Map as an MCP at a later stage under **Decision Pathway 3 – Merit for further investigation**

The CBD PP as exhibited proposes the following major controls:

- B4 Mixed Use zone
- a base height of 36 metres and incentive height of 211 metres
- a base FSR of 3:1 and incentive FSR of 10:1 equating to 8.4:1 on the FSR sliding scale.
- a Regional Cycleway notation on the Reservation Acquisition (LRA) Map applies to the site at 41 Hunter Street on its Marsden Street frontage.
- retains the heritage item notation (item I714) on the Heritage Map over 41 Hunter Street.

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Submission Summary

- This submission has been prepared by PPD Planning Consultants which is supported by a Massing Study by Gray Puksand and was prepared on behalf of ICC Development Group, the landowner of two adjoining parcels at 41 and 43 Hunter Street. The site at 41 Hunter Street is approximately 620 sqm in area with the site at 43 Hunter Street being approximately 860 sqm in area and combined, they have a total area of approximately 1,480 sqm.
- The current controls affecting both parcels (as per *PLEP 2011*) are:
 - B4 Mixed Use zone,
 - a 36 metre building height
 - a FSR of 3:1
 - a Local Heritage Item (Item No. I714) comprising a two storey Federation House at 41 Hunter Street currently being used for commercial purposes.
- The submitter seeks amendments to the exhibited CBD PP to enable a proposal for a 210 metre (53 storey) tower with a total GFA of 56,715 square metres which equates to an FSR of 38.3:1. To that end, the submitters proposed changes are as follows:
 - amend clause 7.6C Commercial premises in Zone B4 Mixed Use for an additional provision which allows unlimited FSR for **hospital** and **hotel and motel accommodation** uses on land at 41-43 Hunter Street, Parramatta.
 - amend the Additional Local Provisions Map.
- The submitter's proposal requires demolition of the local heritage item.
- The submitter supports the primary objectives of the CBD PP to expand the commercial core *to strengthen and facilitate the role of Parramatta as a dual CBD.*
- The submission also argues the proposed **hospital** and **hotel and motel accommodation** uses in the Parramatta CBD would provide a significant public benefit to Parramatta and western Sydney as, currently, they are not adequately provided for.

Council officer's response:

- Since lodgement of this submission, it is noted that the landowner has submitted a State Significant Development Application for this development proposal (details provided below). Discussions with the adjoining landowner in regard to potential amalgamation have been facilitated by Council.
- Clause 7.6C, subclause 4 (b) cites a minimum site area of 1,800sqm for exemption from the maximum floorspace controls for additional commercial floorspace provided. However, the land ownership pattern results in a land holding of 1,480 sqm, so the site area means the submitter's proposal is not eligible by virtue of its size. Further, this particular clause does not apply to this site as it not identified on the Additional Local Provisions Map.

Whilst the submitter's proposal addresses the primary objective of clause 7.6C which is to facilitate additional commercial premises in Zone B4 Mixed Use, the proposal involves a substantial increase to the FSR. Under the exhibited controls, an FSR of 8.4:1 can be achieved. However, the landowner is seeking a substantial development which equates to an FSR of 38.3:1 for a 53 storey tower which would be 10 storeys greater than the St John's Anglican Church's south tower at 45 Hunter Street. Furthermore, while a supporting visually based Massing Study accompanies the submission, it excludes any technical or detailed urban design discussion and analysis including an appropriate assessment of the visual impacts of this proposal on the sensitive setting occupied by nearby State Heritage and local heritage items, and adjacent Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre shown as "Area A" on the Special Provisions Area Map.

- The proposal indicates a building footprint encroachment onto the proposed Regional Cycleway notation as per the Land Reservation Acquisition (LRA) Map (as exhibited). The proposed regional cycleway is supported by the Parramatta CBD Strategic Transport Study, as well as Council's Bike Plan.

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- The submitter seeks variations to the planning controls that would allow for the eventual demolition of the local heritage item (Item No. I714) comprising a two storey Federation House on 41 Hunter Street from Schedule 5 in *PLEP 2011*. However, this is inconsistent with the following:
 - aim (2)(c) in Section 1.2 of *PLEP 2011* as well as objective 9 of the CBD PP, both of which promote heritage protection and conservation.
 - the objective which supports proposed heritage clause 7.6K in the CBD PP (as exhibited) which seeks to ensure new development *demonstrates an appropriate relationship to heritage items and heritage conservation areas*.
 - Direction 2.3 Heritage Conservation within the *Section 9.1(2) Ministerial Directions*.
 - Draft clause 7.6K Managing Heritage impacts as the applicant has not considered the heritage impacts associated with the demolition of the heritage item that the development concept relies on.

Furthermore, this submission is one of a number of submissions proposing the demolition of a heritage item and the cumulative impacts of such proposals would be significant. The submission is not supported by any Heritage Report justifying the removal of the heritage item. Regardless, Council Officers are of the view that, based on an external visual assessment, the heritage item appears to be in excellent condition.

- The submission from the Heritage NSW Office received in response to Gateway condition 4 which says *Height and FSR controls should remain consistent with the existing controls in Council's LEP for significant SHR items, such as St John's Anglican Cathedral, the Catholic Institutional Area in North Parramatta, sites adjoining Lancer Barracks and sites to the north and west of St John's Cemetery*.
 - The submissions notes that a recent survey of the subject site *identified a number of structural elements to the existing heritage building which are located well within the proposed 6 metre acquisition setback and these elements are critical to the support and viability of the building*. However, this is not supported by an engineering report or any further evidence of these potential structural issues.
 - A reduction to the minimum site area requirement of 1,800sqm to 1,480sqm as proposed by the submitter constitutes a major change to the controls. The existing 1,800sqm benchmark is supported by detailed analysis thus any change to this minimum requirement will establish a precedent and will likely cause landowners in similar scenarios to seek similar amendments. It should be noted that this site would need to amalgamate with 45 Hunter Street (which is subject to a separate SSPP process) in order to access the minimum commercial provision requirement. That said, the site would benefit by this as it would deliver a better urban design outcome that would allow the facility being proposed to be built whilst still protecting the heritage item. Allowing the Minimal Commercial Provisions notation over the site would provide further incentive for amalgamation.
- However, it should also be noted that sites that cannot reach commercial terms with adjoining owners to amalgamate in order to achieve the minimum site area of 1,800sqm does not mean such sites become an isolated site.
- Since the lodgement of this submission, the owner is pursuing a State Significant Development application process (SSD-12462111 – see <https://www.planningportal.nsw.gov.au/major-projects/project/40921>) for a proposal involving a private hospital and 5-star hotel with a total GFA of 16,980m² (8,560 sqm for hospital use, 7,510 sqm for hotel use and 910 sqm for lobbies). This revised proposal equates to an FSR of 11.5:1 and it also relies on demolition of the heritage item.
 - The submitter's requested changes will have the effect of:
 - significantly increasing the building height and density controls to that which were exhibited;
 - an eventual demolition of a local heritage item;
 - undermining the evidence base for determining the 1,800sqm minimum site area; and
 - undermining the delivery of a Regional Cycleway.

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- Council Officers recommend retention of the heritage listing on this site and the LRA notation (bike path road widening) in the CBD PP being progressed to finalisation. The FSR sliding scale amendment is also not supported. Council officers acknowledge however that there may be merit in further investigation of the potential to extend the minimum commercial / bonus commercial provisions over this land (through identification as an MCP on the Additional Local Provisions Map) given its proximity to the commercial core and transport infrastructure, however this requires further work and would require re-exhibition, so would be undertaken at a later stage under Decision Pathway 3.
- In conclusion, the submitter's requests seeking changes to substantially increase the density on the site are **not supported**. However, in relation to applying the Minimum Commercial Provision over this site on the Additional Local Provisions Map, Council Officers recommend this be considered **for further investigation at a later stage**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. However, undertake further investigations at a later stage to determine if the site could be added as an MCP on the Additional Local Provisions Map.

11. Landholdings at 7, 9 Marion and 64 High Street, Parramatta (No.181)

Council Officer recommendation: Council Officers do not support the amendments to the CBD PP proposed however it is recommended that Council undertake further investigations to determine if the proposed laneway could be moved under Decision Pathway 3 – Merit for further investigation

The CBD PP (as exhibited) amends the existing controls as follows:

- Rezones the sites B4 Mixed Use zone.
- Building height:
 - retains the existing height of 12 metres as the base height over the Marion Street properties, and applies a part 12 metre and part 0 metre* height over No. 64 High Street; and
 - introduces an incentive height of 28 metres over the Marion Street properties; and introduces a part 0 metre*, part 12 metres and part 54 metres over 64 High Street.
- Retains the 2:1 FSR as the base FSR and proposes no incentive FSR over the Marion Street properties (including No.s 5 and 11) whilst proposing an incentive FSR of 4:1 over all of 64 High Street site.
- Retains the heritage item notation (for item I721) on the Heritage Map for No. 9 Marion Street.

*Note: the 0m height is for a proposed local road network which affects the northern side of the site at 64 High Street.

Submission Summary

- This submission has been prepared by BBC Consulting Planners on behalf of multiple (10) landowners for land comprising three semi-adjoining properties at 7 and 9 Marion Street and 64 High Street, Parramatta, where there is a common owner across all three parcels. The land has a total area of approximately 2,095 sqm and has a "T" shaped configuration because the site to the west at 5 Marion Street and the site to the east on the corner of Marion and High Streets at 11 Marion Street are not part of the submitter's landholdings. Refer to the figure below.

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Figure – Site boundary comprising 7, 9 Marion and 64 High Streets

- The current major *PLEP 2011* controls affecting the land are: B5 zone; 12 metre building height; 2:1 FSR; as well as 9 Marion Street containing Local Heritage Item No.1721. The site occupying the corner at 11 Marion Street is also a heritage item (Item No.1722) but is not part of the submission author's landholding.
- The submitter proposes amending the CBD PP prior to its progression to finalisation stage as follows:
 - Remove the heritage item notation on the Heritage Map over 9 Marion Street to enable its demolition. The submission is accompanied by a Heritage Assessment Report.
 - Remove the 0 metre height control affecting 64 High Street and the affected properties within the block fronting Church, Marion, High and Raymond Streets and instead proposes that the DCP deliver the laneways. As well, replace the part 12 metre height notation for the sites fronting the western site of High Street – including No. 64 High Street – and replace with the 54 metre height control.
 - Proposes extending the 4:1 incentive FSR over the properties at 5 – 11 Marion Street.
- With regards to the above proposed amendments, the submitter makes the following arguments:
 - that the 0 metre height restriction in the location of a future street network should be removed with any future roads to be a matter for the DCP or resolution through a competitive design excellence process; and the submitter sees that planning logic has not been fully interrogated and the implications of the new streets have not been analysed in any traffic study. The submitter is also of the view that the existing grid pattern is already efficient, TfNSW has not provided support for the new streets, and the 0m height control is unnecessarily inflexible.
 - that the sites should receive an FSR of 4:1 to mirror the sites to the north, the rationale being that if density is to be concentrated on either end of Marion Street, this should apply equally on both north and south sides. It is also argued that heritage items themselves should have the same FSR and height controls as surrounding non-heritage sites, in order to allow for FSR transfer and by extension, site amalgamation. The DCP controls could be implemented to require conservation works of heritage items that are included in a redevelopment lot.
 - that the 12 metre height limit for the first 18 metres along High Street should be removed as it is not appropriately justified in the Hector Abrahams Heritage Study of Interface Areas.

Council officer's response:

- The submitter's requested increases in FSR (to 4:1) and height (to 54 metres) with the removal of the 0 metre height which would deliver a local laneway are not supported by any of the heritage studies commissioned by Council in the preparation of the CBD PP. The existing controls already facilitate high density development on sites with or adjoining heritage items,

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as evidenced by recent developments on Marion Street. Similarly, the existing LEP can be utilised to allow for FSR transfer or other heritage incentives per Clause 5.10(10).

- It is difficult to pre-empt amalgamation patterns when completing any master planning exercise. Council's Urban Design team and any external urban design consultants often assume 'optimal' site amalgamation patterns when completing any urban design analysis of a site or precinct. Irrespective of the amalgamation assumptions, the FSR and heights in this precinct have been principally informed by the heritage items within the precinct and the relationship with the bulk and scale of surrounding buildings. This consideration is mostly separate to the matter of site amalgamation.
- The land ownership pattern through this submission creates a "T" shape configuration and effectively isolates the corner site at No.11 Marion Street. Furthermore, the ownership pattern is not conducive to the CBD PP controls as exhibited because the ideal consolidation pattern would be to include the sites at No.s 5 and 11 Marion Street as part of a single landholding development.
- The proposed local road network is for a local road system. As part of satisfying Condition 4 of the Gateway determination, TfNSW were consulted to determine if they had issues or objections to any aspect of the CBD PP. TfNSW have subsequently responded and this local road system was not an issue identified as a concern.
- The 0 metre incentive height notation over part of 64 High Street and a 4:1 incentive FSR over the entire site means landowners do not have to forego FSR as it encourages dedication of part of the site for the purposes of a laneway. The submitter's proposed changes would require amendments to sub-clauses 7.2(1) and (2), the Incentive HOB map and the Incentive FSR map.
- The CBD PP as exhibited retains the current zone and FSR as base controls but increases the incentive height of 28 metres (over 5 – 11 Marion Street) and part 0 metre, 12 metres and 54 metres over 64 High Street with a 4:1 incentive FSR over 64 High Street), to facilitate the delivery of a local laneway. The controls, as exhibited, are shown in the figures below.



Figure – Height of Building Map for 7, 9 Marion and 64 High Streets

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Figure – Incentive Height of Building Map for 7, 9 Marion and 64 High Streets



Figure – Floor space ratio map for 7, 9 Marion and 64 High Streets



Figure – Incentive Floor Space Ratio Map for 7, 9 Marion and 64 High Streets

The exhibited height and FSR controls which are lower than those in the central CBD location respond to the distance from the CBD core. Furthermore, the *Marion Street Precinct Heritage Study* prepared by SJB (2019) reduced the building height from unlimited building height to 28 metres. This is the primary study for informing proposed controls in this precinct along Marion Street.

- The submitter relies on the *Draft Auto Alley Planning Framework* (2014) however, as noted in the CBD PP, the findings of the heritage analysis and the recommended planning controls in

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SJB's *Marion Street Precinct Heritage Study* supersedes the recommend planning controls within Hector Abraham's *Heritage Study of Interface areas* (2017) in relation to the Marion Street properties, however the Hector Abraham's *Heritage Study* is still relevant for the 64 High Street property. The reason the *Marion Street Precinct Heritage Study* prevails is to address an inconsistency between the HAA heritage study recommendation and a previous Council resolution for this precinct (at the time). This was undertaken to address a Gateway Determination condition. This urban design, planning and heritage study undertook a closer, more in-depth analysis of the precinct. As the CBD PP notes, *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.*

With regards to the properties fronting Marion Street, the submitter relies significantly on section 6.5 of the SJB Study, however Section 9 provides the recommendations for these sites which are consistent with the CBD PP as exhibited including the local road network over 64 High Street.

- The submitter's land is located within a sensitive heritage area with some 17 heritage items located in the immediate vicinity – a fact which is largely ignored in the submission. Agreeing to the submitter's changes creates a variation to the controls that would allow for the demolition of the heritage item at 9 Marion Street and also pre-empt the demolition of the heritage item at 11 Marion Street by proposing uplift be extended to that corner site.
- Demolition of any heritage item in the CBD PP is inconsistent with aim (2)(c) in Section 1.2 of *PLEP 2011* as well as objective 9 of the CBD PP both of which promote heritage protection and conservation. Furthermore, the SJB study recommends the *Heritage buildings are to be adaptively reused* since it contains principles which focus on conserving or retaining existing heritage items and ensuring any new development fits with the heritage items in this area.

Any demolition of a heritage item is also inconsistent with the following:

- the objective supporting heritage clause 7.6K in the CBD PP (as exhibited) which seeks to ensure new development *demonstrates an appropriate relationship to heritage items and heritage conservation areas*;
- the submission from the Heritage NSW Office received in response to Gateway condition 4 which says the height and FSR controls *should remain consistent with the existing controls in PLEP 2011*; and
- the Marion Street Precinct Plan recommends retaining *the current statutory heritage listing of the 11 heritage items within the precinct.*

Furthermore, this submission is one of a number of submissions proposing the demolition of a heritage item and the cumulative impacts of such proposals would be significant.

- The proposed removal of part of the local road network will undermine the fine grain vision for the blocks on the eastern side of Church Street as espoused SJB's *Marion Street Precinct Heritage Study* (2019) as envisaged in the Auto Alley Planning Framework which identified a need for better connections through the large blocks. Notwithstanding this, there may be merit in further exploring the relocation of the east-west laneway from the northern boundary of No. 64 High Street to the southern boundary to reflect landownership patterns and enable a contiguous development area. Consultation with the adjacent landowner to the east (24 Church Street) would be required. This work would be considered as part of a secondary alternative pathway to the CBD PP (through Decision Pathway 3).
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes to the incentive height and FSR controls are not needed for those purposes, nor have they been tested in terms of infrastructure demand.
- The submitter's proposed changes to the incentive height and incentive FSR maps represent a change greater than 10 per cent and are therefore would trigger the need for the re-exhibition of the CBD PP if incorporated.
- The requested changes will have the effect of:

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- providing a variation to the controls that would allow the demolition of a local heritage item (No. 9 Marion Street) and pre-empts the demolition of the heritage item at 11 Marion Street;
 - undermining the delivery of a local laneway network; and
 - requiring re-exhibition of the CBD PP and delay its progression to finalisation.
- In conclusion, the submitter's requests in relation to the height and density increases and a pathway seeking demolition of a heritage item are **not supported**. However, the potential relocation of the laneway, has **merit for further investigation**.
 - **Actions:** Council Officers recommend:
 - The alignment of the laneway between High Street and Church Street be reconsidered for possible relocation to the southern boundary of 64 High Street in consultation with the other affected owner to the east.
 - No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

12. Westfield landholdings (No.182 and 299)**Council Officer recommendation:**

- a. **Decision Pathway 1 – Support** in relation to removal of the proposal Land Reservation and Acquisition (road widening) notation.
- b. **Undertake further investigation to determine suitable terms for an Additional Permitted Use (that would allow some residential with 20,000 sqm of additional commercial being provided) to be exhibited with the proposed B3 zone via a separate process under Decision Pathway 3 – Merit for further investigation. The site will be re-instated with existing zoning, height and FSR controls accordingly until this investigation is completed.**

The CBD PP (as exhibited) proposes the following major controls:

- B3 Commercial core zone.
- Base building heights of 28 metres, 36 metres and 211 metres and one lot subject to a building height affected by clause 7.4 (Area 2). There are no incentive building height controls.
- A predominant base FSR of 10:1 with part of Lot 2 DP 1851525 (cnr Campbell and Marsden Streets) having a 3.5:1 FSR. Incentive FSR controls are only partly applied (either no incentive FSR or a 10:1 incentive FSR).
- Part of both allotments are affected by the Sun Access Protection layer (Area 1).
- A LRA notation for a regional cycle way affects the western side of the site known as 171 Church Street.

Submission Summary

- This submission has been prepared by Mecone for Scentre Group and GIC, co-owners of Westfield Shopping Centre landholdings incorporating two allotments (comprising Lot 2 DP 851525 and Lot 101 DP 1083102) which are positioned across multiple blocks, extending along Argyle Street, Marsden Street and Church Street.
- The current controls affecting the land are:
 - B4 Mixed Use zone across all parcels on both allotments;
 - Predominantly 36m building height with some 28 metre height over an access ramp site at the corner of Marsden and Campbell Streets (Lot 2 DP 1851525) and 'Area 2' (Sun Access Protection Surface) affectation over Lot DP 1083102; and
 - Predominantly 4.2:1 FSR with some 3.5:1 FSR over Lot 2 DP 1851525 and 6:1 FSR over Lot 101 DP1083102.

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- This submission follows a preliminary submission made to Council in June 2020 which provided the owners' initial analysis of the proposed controls prior to the commencement of the exhibited version of the CBD PP.
- The submitter objects to the proposed B3 Commercial Core zone controls in the CBD PP (as exhibited) for the following reasons:
 - The proposed zone lacks strategic merit because the *Economic Review – Achieving A-Grade Office Development* (Urbis, 13 September 2019) which supports the CBD PP demonstrates there is already a sufficient pipeline office floorspace to more than provide for the forecast need for office floorspace to 2036.
 - The job growth and additional floorspace predictions are *no longer robust*, in view of disruption and changing working practices as a result of the COVID 19 pandemic, *plus the evidence of softening take up and increased vacancy rates*.
 - The proposed zone is a more restrictive zoning and risks *sterilising the land and limits development vitality*, reducing the flexibility. This *increases development risk and uncertainty of supportive economic returns to trigger redevelopment of existing uses*. This may impact investment interests.
 - Flexibility in land uses *creates exciting, vibrant, active places throughout the day and night, where people live, work and spend leisure time in close proximity*. Successful places support all three activities – and are best placed to attract investment and occupiers.
 - The proposed zone does not support the *changing nature of shopping centres, the diversification of the uses and activity they support plus, and their growing connection and integral role to the communities they serve*.

Therefore, the submitter requests the retainment of the current B4 Mixed Use zoning, which will allow flexibility for future mixed-use development to occur on the Westfield site, as the proposed B3 Commercial Core zone inhibits uses that the shopping centre relies on for its own commercial operations which are available in the current B4 zone.

- A follow up submission (No. 299) raises an additional concern regarding the proposed changes to the Land Reservation Acquisition Map; specifically, the proposed "Regional Cycleway" along the eastern side of Marsden Street that requires acquisition of a strip of land along the entire length of the Westfield Parramatta site between Argyle Street and Campbell Street.

Council officer's response:

- The Parramatta CBD is envisaged as the Central City for Greater Sydney in the State Government's *A Metropolis of Three Cities - the Greater Sydney Region Plan* and the *Central City District Plan*. Because of this, the State Government is investing in significant infrastructure projects such as Parramatta Light Rail and Sydney Metro West. The CBD PP ensures an additional 46,000 jobs can be delivered to the year 2040.

The *Achieving A-Grade Office Space in the Parramatta CBD* study prepared by Urbis (2015) assessed the requirements for attracting additional A-Grade commercial floorspace within the Parramatta CBD and recommended planning responses.

Given specific conditions contained in the Gateway Determination issued in December 2018, Urbis reviewed their recommendations which resulted in maintaining one of the original recommendations - to expand the commercial core to include the Westfield site, as follows:

Expand the Commercial Core to create a more cohesive commercial precinct and integrate key commercial nodes. Includes connecting the existing core to the Justice Precinct and Westfield Parramatta.

The existing B3 Commercial Core zoned land is generally focused around the Parramatta Train Station and the area directly to the north, and the Westfield land holdings are well positioned and of a suitable size to deliver additional commercial floorspace and jobs.

DPIE's new *State Environmental Planning Policy Amendment (Build-to-Rent Housing) 2021* which amends the *Housing Diversity SEPP* came into effect on 12 February 2021 and allows

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build to rent uses within the commercial core of the Paramatta CBD. The inclusion of this use is inconsistent with the State Government and Council's vision for the CBD which is to provide a significant increase in jobs. Thus, the B3 zone has been compromised because the SEPP allows residential uses when its key objective is to facilitate commercial uses and create a central employment hub for Greater Parramatta. Whilst Council will seek an exemption from the build to rent use being permissible by way of the SEPP (BTR), at this stage, this exemption cannot be guaranteed.

DPIE has not issued any formal policy or statutory advice to Councils to revisit the land uses within their centre strategies in response to the COVID 19 pandemic. Furthermore, any statistics on the direct affect that COVID 19 has had on commercial floorspace demand as well as future demand are yet to be released by formally recognised institutions (e.g. ABS). Notwithstanding this, the CBD PP provides capacity for new commercial and residential development in the Parramatta CBD that will last for a period of approximately 40 years.

It is anticipated that the economic effects of the COVID 19 pandemic may impact on development and subsequent rates of worker and resident population increases in the short term. However, in the long term, it is expected that the pandemic will have limited impact on the forecast population for the Parramatta CBD, given that development is seen as a key contributor in the post pandemic economic recovery effort, the NSW Government's investment in city-shaping infrastructure, including Sydney Metro West and Parramatta Light Rail, and the Parramatta CBD's strategic location in the heart of the Greater Sydney region.

In response to the above points, Council Officers recommend ultimately the B3 Commercial Core zone be implemented and that the residential capacity of the site be dealt with via an Additional Permitted Use (APU) using Schedule 1 in the LEP for residential flat buildings (capped at a suitable FSR based on Urban Design Analysis) and subject to the provision of 20,000 sqm of additional commercial floor space being provided (consistent with the Urbis Study for large sites).

It is not appropriate to make this change by amending the exhibited CBD PP at this time as this would trigger the need for the re-exhibition of the CBD PP as it constitutes a policy change. Given this, it is considered appropriate that this be pursued at a later stage under Decision Pathway 3. Until then the site would revert to existing Planning Controls with regard to zoning, height and FSR as described above.

- With regards to the LRA notation over the site on Marsden Street (between Campbell and Argyle Streets), this is no longer required because Council's transport planners have now clarified that there is adequate space within the existing road reserve in the CBD to fit the cycle path. Given this notation was in exhibited (draft) form, its removal does not result in a policy change because the existing controls (which have no LRA notation over this site) are reverted back to. A high level concept plan for the bike path will be exhibited with the Integrated Transport Plan to support the CBD PP. This will include testing of other LRAs within the CBD. Council Officers note that it would welcome working with Westfield/Scentre Group on further progressing the design along their frontages.
- In conclusion: the submitter's request to retain the B4 Mixed Use zone is **temporarily supported** to allow further analysis to be undertaken and re-exhibition of the proposed B3 Commercial Core zone with a suitable Additional Permitted Use to allow for some residential development on the site (subject to the provision of 20,000 sqm of additional commercial floor space) given its large size, which is consistent with the recommendations of the Urbis Economic Study. This would be undertaken consistent with Decision Pathway 3. In relation to the LRA notation over the site on Marsden Street between Campbell and Argyle Streets, that this request be **supported** as the LRA notation is no longer required consistent with Decision Pathway 1.
- **Action:** Council Officers undertake further analysis to determine appropriate provisions for a suitable Additional Permitted Use (APU) that would allow for some residential development on the site (subject to the provision of 20,000 sqm of additional commercial floor space) given its large size, which is consistent with the recommendations of the Urbis Economic Study, and that this be re-exhibited with the proposed B3 zone as part of a separate process at a later stage (via Decision Pathway 3). Further, at the current time, Council Officers recommend amending:

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- The CBD PP to reference the impact on the jobs and dwelling yields as a result of the changes described below.
- Amend the Draft LEP Maps with regards to the Westfield landholdings as follows:
 - Amend the Land Zoning Map to reflect the existing B4 Mixed Use zone.
 - Amend the Height of Buildings Map to show existing heights of part 36m / part "Area 2" (Sun access protection surface)*.
 - Amend the Incentive Height of Buildings Map to remove all proposed controls for this land*.
 - Amend the Floor Space Ratio Map to show the existing FSR of part 4.2:1 / part 6:1*.

*Note: These consequential map changes only apply to that part of the Westfields land that was proposed to be rezoned to B3 under the CBD PP.

13. Dyldam land at 87 Church Street and 6 Great Western Highway, Parramatta (No.190)

Council Officer recommendation: Decision Pathway 1 – Support the technical changes to ensure the controls reflect the notified SSPP on this site.

The CBD PP (as exhibited) proposed the following major controls for this land:

- B4 Mixed Use Zone.
- a base height of 28 metres and incentive height of 211 metres.
- a base FSR of 3.5:1 and an incentive FSR of 10:1.

Submission Summary

- This submission has been prepared by Knight Frank for Dyldam for a site comprising two adjoining parcels constituting 87 Church Street and 6 Great Western Highway, Parramatta.
- The existing (*PLEP 2011*) controls on the site are: B4 Mixed use zone; a building height of 180 metres; and an FSR of 10:1 which came into effect on 11 December 2020 via a SSPP process (RZ/21/2014) which was notified as *PLEP 2011 (Amendment No. 58)*. The SSPP was assessed to ensure it was consistent with the version of the draft CBD PP in place at the time the SSPP was being considered.
- The submitter seeks changes to the base HOB and FSR Maps as follows:
 - a base building height of 180 metres with no change to the incentive building height; and
 - a base FSR of 10:1 with no change to the incentive FSR.

Council officer's response:

- The applicant's SSPP process was supported by both a SSDCP process and a VPA process both of which came into effect around the time of the SSPP. Furthermore, Dyldam pursued a Design Competition process (DC/17/2016) which resulted in the Competition Jury determining a winning scheme consistent with the SSPP and SSDCP.
- The CBD PP as exhibited did not reflect Dyldam's SSPP because it had not been notified prior to the public exhibition period commencing. Since the CBD PP's exhibition, the SSPP has been notified and the *PLEP 2011* height and FSR maps now reflect the 180m building height and 10:1 FSR.

The only requirement is that the CBD PP base HOB and base FSR Maps in Appendix 2b of CBD PP for progression to DPIE for finalisation be amended. However, since the CBD PP contains incentive height and FSR maps, these must be shown uncoloured so as to reflect the intentions of the SSPP, SSDCP and Design Excellence process.

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- In conclusion, the submitter's request related to the mapping amendments are **supported** which ensures the controls reflect the notified SSPP, consistent with the approach taken with other SSPPs and means the intention of the applicants request will be achieved in the CBD PP document forwarded to the Department for Finalisation.
- **Action:** Council Officers recommend amending:
 - The Draft CBD PP as follows: Amend Appendix 1a – Extract of relevant PLEP 2011 clauses to reflect the notification of PLEP (Amendment No.58) which introduces clause 7.19.
 - Draft LEP Maps as follows: Amend the base HOB and FSR map to reflect controls consistent with the notified SSPP for this site. Amend the incentive HOB Map and incentive FSR Map to show no incentive height or FSR (ie. that they be uncoloured) and amend the Special Provisions Area Map (SPA) to show "Area 10".

14. Dyladam land at 142 Macquarie Street, Parramatta (No.191)

Council Officer recommendation: Decision Pathway 2 – Not support, however technical changes to reflect the notified SSPP on this site will be made. These technical changes will not enable the extra density being sought in this submission

The CBD PP (as exhibited) proposed the following major controls (in part) for this site:

- a base building height of 54 metres, and incentive building heights of 0 metres, 76 metres, 84 metres, 97 metres and 156 metres.
- a base FSR of 4:1 and incentive FSR of 7:1.

Submission Summary

- This submission has been prepared by Knight Frank on behalf of Dyladam for land at 142 Macquarie Street, Parramatta.
- The existing *PLEP 2011* controls on the site are: B4 Mixed Use zone, and building heights of 0m, 76m, 84m, 97m and 156m and FSR of 7:1. These recently came into effect on 27 November 2020 *PLEP 2011 (Amendment No. 48)* owing to the finalisation of a SSPP process (RZ/15/2014), which commenced in 2014 and involved a corresponding site specific development control plan (SSDCP) and voluntary planning agreement (VPA).
- The submitter requests the following amendments to the CBD PP prior to its finalisation:
 - that the exhibited base height of 54 metres be replaced with the exhibited CBD PP incentive building heights of 0 metres, 76 metres, 84 metres, 97 metres and 156 metres, and that the incentive heights be increased to a flat 211 metre (RL) height across the entire site; and
 - that the exhibited base FSR of 4:1 be replaced with the exhibited incentive FSR of 7:1 and that the incentive FSR be revised to a flat 10:1 FSR across the entire site.
- The submitter argues the heights and the FSRs within the exhibited CBD PP do not reflect the heights and FSRs applying to surrounding sites as exhibited in the CBD PP.

Council officer's response:

- The applicant's SSPP process was supported by both a SSDCP process and a VPA process that latter of which delivers community infrastructure, all of which came into effect around the time of the SSPP being finalised. Furthermore, Dyladam pursued a Design Competition process (LA/353/2015) which resulted in the Competition Jury determining a winning scheme consistent with the SSPP and SSDCP. These processes involved rigorous technical analysis; statutory decisions by Council, DPIE and design excellence panel; and consultation with community, statutory authorities and service providers.
- Council Officers acknowledge that the 10:1 FSR sought from the applicant has previously been endorsed by Council. However, the Gateway determination for the CBD PP was subsequently issued requiring Council to undertake further analysis. One aspect was to

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undertake further testing of the impact of heights on nearby open spaces (Gateway condition 1. j. ii.). A second aspect was to review the proposed Opportunity Sites having regard to site depth site isolation and impacts on heritage areas and historic streetscapes and recommended that *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* (Gateway condition 1. (i) vii). The outcome was that the building heights were subsequently lowered.

- Furthermore, the CBD PP as exhibited did not reflect Dyldam's SSPP in terms of the base height and base FSR controls because it had not been notified at the time. Since the CBD PP's exhibition, the LEP amendment brought about by the SSPP has now come into effect and the VPA has been Executed which ensures the delivery of community infrastructure. To ensure the CBD PP captures the intentions of the SSPP and SSDCP and Design Excellence completion along with the intentions of the CBD PP in relation to community infrastructure, technical amendments are required to the CBD PP documentation to be forwarded to DPIE for finalisation, consistent with the approach taken with other notified SSPPs. This includes technical amendments to the base HOB and FSR maps, and also the Incentive HOB and FSR maps, and also to the SPA Map and ensure the proponent is not required to deliver community infrastructure via the CBD PP since this is already being delivered via their VPA.
- Council officers tested the submitter's proposal of 211m (RL) building height, and it was shown to have unacceptable impacts on overshadowing to Robin Thomas, James Ruse, Experiment Farm and Hambleton Cottage Reserves.
- The submitter's requested changes to the base and incentive height and FSR maps will have the effect of:
 - significantly increasing the building height and FSR controls which will change the building form envisaged by the SSPP, the SSDCP processes and the winning scheme awarded by the Competition Jury.
 - further impacting on the overshadowing of Robin Thomas Reserve.
- The submitter's proposed substantial changes are not supported by any technical urban design or overshadowing analyses or studies or other justification for the change.
- The submitter's proposed changes to the incentive height and FSR maps represent a change greater than 10 per cent and is therefore likely to trigger the need for the re-exhibition of the planning proposal if incorporated.
- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** Council Officers recommend amending:
 - CBD PP as follows: Amend Appendix 1a – Extract of relevant PLEP 2011 clauses to reflect the notification of PLEP (Amendment No.48) which amends: clause 7.6 Airspace operations; clause 7.14 Car parking for certain land in Parramatta City Centre; and sub-clause 7.21 Development on land at 142–154 Macquarie Street.
 - Draft LEP Maps as follows: Amend Appendix 2b – Proposed planning controls, as follows:
 - the base HOB Map to reflect the 0 metres, 76 metres, 84 metres, 97 metres and 156 metres heights in the SSPP and the Incentive HOB Map to show no incentive height (i.e. to be uncoloured).
 - the base FSR Map to reflect the 7:1 FSR and the Incentive FSR Map to show no incentive height (i.e. to be uncoloured).
 - the Special Provisions Area Map (SPA) show "Area 12".

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15. Dyldam land at 63 and 83 Church & 44 Early Streets, Parramatta (No.192)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD Planning Proposal (as exhibited) proposed the following major controls (in part) over the sites:

- Land zoning is part B3 Commercial Core and part B4 Mixed Use zones (63 & 83 Church Street) with the RE1 Public Recreation zone (57 Church Street).
- Base building heights of part 36 metres and part 118 metres on 83 Church Street and part 36 metres and 90 metres on 63 Church Street with no incentive building heights on either site as well as no height controls on 57 Church Street.
- Base FSRs of 7.2:1 on 83 Church Street and 6.4:1 on 63 Church Street and no incentive FSRs on either site as well as no FSR controls on 57 Church Street.

Submission Summary

- This submission has been prepared by Knight Frank on behalf of Dyldam for land at 63 and 83 Church & 44 Early Streets, Parramatta. The submitter makes no recommendations for the site at 57 Church Street given its rezoning to RE1 zone in 2014 as part of a SSPP process and corresponding executed VPA.
- The existing (*PLEP 2011*) controls across the two sites are:
 - part B5 Business Development and part B4 Mixed Use zones (63 & 83 Church Street).
 - building heights of part 36 metres and part 118 metres (83 Church Street) and part 36 metres and part 90 metres (63 Church Street).
 - FSRs of 7.2:1 (83 Church Street) and 6.4:1 (63 Church Street) with no FSR over 57 Church Street).

These controls came into effect in September 2014 when *PLEP 2011 (Amendment No.9)* was notified via a SSPP process (RZ/9/2011).

- The submitter requests the following amendments to the CBD PP prior to its finalisation:
 - that the base FSR be increased to a flat 10:1 across both sites.
 - that both sites be identified as an Opportunity Sites which would enable an additional FSR of up to 3:1 over the sites at 83 and 63 Church Street.
 - the base building height of part 118 metres on 83 Church Street be retained (as exhibited) but the remaining part 36 metre height on that site, together with the part 36 metre and part 90 metre building heights over 63 Church Street be increased to a flat 100 metres.

The submitter proposes no changes to the incentive building height or incentive FSR maps.

- Whilst there are no supporting studies on urban design, overshadowing or heritage which support these proposed changes, the submitter argues that the site is a 'Gateway landholding' and sees its proximity to the CBD and Auto Alley in the southern part of Parramatta as justifying the increase in height and density.

Council officer's response:

- The applicant's SSPP process was supported by both a SSDCP process and a VPA process both of which came into effect a few months after the SSPP was notified. As well, Dyldam pursued a Design Competition process (LA/386/2013) which resulted in the Competition Jury determining a winning scheme consistent with the SSPP and SSDCP. As well, a concept approval (DA/706/2014) for seven buildings comprising 39,000 sqm of retail/commercial floorspace and public park on the site zoned RE1 was approved in July 2016.

These processes involved rigorous technical analysis; statutory decisions by Council, DPIE and design excellence panel; and consultation with community, statutory authorities and service providers.

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- Local heritage items are located south of the site at No.s 19, 29, 35, 41 and 49 Lansdowne Street (known as Items I509, I510, I511, and I512 and I715, respectively) and the South Parramatta HCA situated south west of the site.
- The applicant makes reference to adjoining sites along Auto Alley which have an FSR of 10:1 and requests the same FSR be applied. The strategy for Auto alley is that it will be a future extension to the commercial core. The site fronting Church Street are all zoned predominately B3 Commercial.
- The controls on the subject site (predominantly B4 Mixed use with an FSR of part 6.4 and part 7.2:1) were endorsed by Council when the CBD Planning Proposal was commencing and a decision had already been made to zone this site predominately b4 Commercial. Under these controls case the most likely outcome is the site will be predominately developed for residential use. Given this history it is accepted that this site is a historical anomaly and that it is not consistent with the broader strategy for the auto alley sites fronting Church Street.
- Given this it is not appropriate for the applicant to benefit from the higher FSR of 10:1 proposed by the strategy without also accepting that the site should be zoned predominately B3 Commercial. The applicant's proposal to increase the FSR to 10:1 but retain the existing B4 mixed use zoning cannot be supported as it is not consistent with Council auto alley strategy or Council previous decision to exempt the subject site from this strategy.
- Internal overshadowing testing of the submitters request indicates no additional impacts to open spaces or heritage conservation areas as the additional shadow cast by the increased height is retained within the existing shadow profile. The submitter's proposed increase in building height is, for the most part, minor except for the request to increase the 36 metres section fronting Church Street to 100 metres equating to a 178% increase on the exhibited control. Whilst this is, consistent with the HOB controls for adjoining B3-zoned land along Church Street, it, as already noted, undermines the multiple statutory processes undertaken via the SSPP, SSDCP, VPA and Design Competition processes and the request is not substantiated by supporting studies.
- The submitter requests are not supported by any technical analyses or studies.
- The submitter's proposed changes represent a change greater than 10 per cent and will therefore trigger the need for the re-exhibition of the planning proposal if incorporated.
- The requested changes will have the effect of:
 - significantly increasing the building height and FSR controls which will change the building form envisaged by the SSPP, the SSDCP processes, the winning scheme awarded by the Competition Jury, and the approved concept.
 - undermining statutory processes already completed.
 - changing the building form as envisaged by the winning scheme awarded by the Competition Jury and an approved concept.
- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers and commercial floorspace well above what is required for the year 2036, the additional dwelling yield or commercial floorspace that would be realised by the submitter's proposed changes are not needed.
- For the above reasons, the submitters proposed changes are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

16. Landholdings at 23-31 Dixon Street, Parramatta (No.193)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

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Submission Summary

- This submission has been prepared by Knight Frank on behalf of five (5) unique landowners across the five (5) separate adjoining parcels constituting Nos. 23, 25, 27, 29 and 31 Dixon Street, Parramatta.
- The existing (*PLEP 2011*) controls for the land are: R4 High Density Residential zone; a building height of 11 metres and an FSR of 0.8:1; and the South Parramatta HCA is located west of the land on the western side of Inkerman Street.
- The submitter requests two potential pathways:
 - The first pathway is that the West Auto Alley Precinct be reintroduced back into the CBD PP project as this would automatically include the submitter's land and ensure progression of the planning controls for finalisation.
 - The second (alternative) pathway is to incorporate the submitter's land into the CBD PP exclusive to the West Auto Alley Precinct and make the following changes to the planning controls:
 - retaining the R4 zone;
 - increase the 11 metres height to an unlimited height limit; and
 - increase the FSR from 0.8:1 to 6:1.
- The submitter does not provide any supporting studies on urban design, overshadowing, heritage or traffic analysis to support their proposed changes. Rather, the submitter argues that because the land has proximity to the CBD PP land application area (which enjoys substantial heights and FSR controls), is within the Southern PIA area and the land enjoys proximity to the CBD, that these are sufficient reasons for seeking substantial increases in the height and FSR controls.

Council officer's response:

- The land is contained within the Southern Planning Investigation Area (PIA) which is subject to a separate pathway as outlined in a Council decision of 9 November 2019 (Item 7.3). Re-introducing the West Auto Alley Precinct back into the CBD PP is inconsistent with this decision of Council.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which is effectively an endorsement of the CBD PP proceeding without the subject site and the West Auto Alley Precinct.
- Introducing the Southern PIA back into the CBD PP would raise the expectation that the remaining PIAs also removed should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.
- The submitter's proposed inclusion of this large area into the CBD PP post exhibition is substantial and considered too significant as it would require re-exhibition of the PP.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.
- **Action:** No decision is required.

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17. 60 Phillip Street, Parramatta (No.198)

Council officer recommendation: Decision Pathway 3 - Merit for further investigation.

The CBD PP (as exhibited) proposes the following controls: B4 Mixed Use; a base building height of 80 metres; an incentive building height of 211 metres; a base FSR of 6:1; and an incentive FSR of 10:1 (applicable to sites 1,800sqm or greater).

Submission Summary

- This submission has been prepared by Think Planners on behalf of the landowners (Coytown Pty Limited) of 60 Phillip Street, Parramatta. The site has an area of approximately 1,580 sqm.
- The major existing (*PLEP 2011*) controls for the land are: B4 Mixed Use zone; a building height of 80 metres; and whilst the FSR Map provides for an FSR of 6:1, the FSR sliding scale (clause 7.2) sets the base FSR at 5.4:1.
- The submitter argues that *catalytic development* is needed for this site owing to its proximity to the Powerhouse Museum site and river foreshore location.
- The submitter requests the following amendments to the CBD PP clauses and any supporting maps as a broad application across the CBD:
 - Amendments to clause 7.2 Floor space ratio to enable sites smaller than 1,800 sqm in area to enjoy extra density and which includes a proposal to amend the definition of **isolated site** in the clause to capture smaller sites.
 - Amendments to clause 7.6C Commercial premises in Zone B4 Mixed Use to enable sites small than 1,800 sqm to enjoy the extra commercial floorspace.
 - Amendments to clause 7.6J Opportunity Sites and supporting Opportunity Sites Map to enable sites less than 1,800 sqm to access the extra density available to opportunity sites.
 - Amendments to 7.6A High performing buildings to enable sites less than 1,800 sqm in area to enjoy extra density.

The above proposed amendments would enable the development of a very tall, slender tower with an approximate FSR of 15:1.

Council officer's response:

- The site is isolated and physically constrained on account of George Khattar Lane flanking the site's eastern boundary, Smith Street on its western boundary, Phillip Street on its southern boundary and a Council site which forms part of the River foreshore land on the northern boundary.
- The basis of the submission is that a *catalytic* or *city shaping development* outcome is required for the site and assumes this is sufficient justification for the proposed changes that will enable substantial increases to the CBD PP controls as exhibited. The submission is not supported by an urban design analysis which would ideally comprise 3-dimensional modelling, overshadowing testing, and the like.
- The submitter's proposed changes represent a significant change which is likely to trigger the need for re-exhibition of the CBD PP if incorporated.
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed. Similarly, since the LSPS demonstrates the City will exceed the higher target jobs for 2036 by some 3,000 jobs, the proposed additional commercial floorspace is not required to deliver additional jobs for the City.
- The additional dwellings and jobs generated by the proposed uplift sought have not been tested in terms of infrastructure demand.

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- The requested changes will have the effect of:
 - significantly increasing the building height and FSR controls substantially changing the building form envisaged for the River foreshore; and
 - establishing a precedent and therefore, raise expectations from landowners in a similar scenario that they can also pursue an uplift the controls affecting their land; and
 - potentially expanding the number of smaller sites that can enjoy density uplift resulting in untested building forms across the CBD.
- The site is contained in the Phillip Street Block Study – internal analysis being undertaken by Council's City Transformation Team. As such, there may be merit in further exploring some of the submitter's requests as part of a review of the block bounded by Smith Street (west), the River (north), Phillip Street (south) and Charles Street (east). This work would be considered as part of a secondary alternative pathway to the CBD PP in 2021/2022 (under Decision Pathway 3).
- In conclusion, for the above reasons, Council Officers do not support the submitter's request for increases to the incentive FSR and exemption from the FSR sliding scale nor amendment to the 'isolated site' definition for carrying over into the CBD PP for finalisation purposes. Instead, Council Officers recommend that the site be deferred from the CBD PP and **be investigated further** as part of the Phillip Street Block Study.
- **Actions:** Council Officers recommend this site which is situated within the Phillip Street Block be deferred from the CBD PP* and that as part of further investigative work, be reviewed in the context of the 'Phillip Street Block Study', and as a result amend the following Draft LEP Maps as follows:
 - return the 80 metre height and 6:1 FSR to the respective Height of Building Map and FSR Map (ie. consistent with current controls), and
 - remove the Minimum Commercial Provision notation on the Additional Local Provisions Map, and
 - remove the Opportunity Site notation on the Opportunity Site Map.

All other controls as per the exhibited CBD PP will be maintained.

Note: Because the Phillip Street block takes in all sites fronting the northern side of Phillip Street from Smith Street and Charles Street, the above amendments will be applied to this whole block on account of urban design work – entitled the Phillip Street Block Study – being undertaken by Council's City Transformation Team.

18. Land at 440-458 Church Street, Parramatta (No.199)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) proposes the following major controls for this land:

- B4 Mixed Use zone with part SP2 Infrastructure zone at the Church Street edge applying to No.s 440-444, 452, 456 and 458 Church Street;
- A base building height of 24 metres and incentive building height of 80 metres and, in the case of No.s 452, 454 and 456 Church Street, part 10 metre building height at the frontage;
- A base FSR of 3:1 with an incentive FSR of 6:1;
- Active frontage clause along the length of Church Street and on the corners of Fennell and Grose Streets; and
- Retains the heritage item notations (items I692, I693 and I694) on the Heritage Map over 446, 448 and 458 Church Street.

Submission Summary

- This submission has been prepared by Think Planners on behalf of some ten (10) or more landowners of seven (7) adjoining parcels comprising numbers 440-444, 446, 448, 452, 454, 456 and 458 Church Street, Parramatta, which extend from Fennel Street to the north and

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Grose Street to the south with all sites having frontage to Church Street. The land's total area is approximately 4,470 sqm.

- Sites are approximately 45 metres deep and together occupy an approximate 100 metre frontage to Church Street.
- The submitter says the subject site at 440-458 Church Street *has been amalgamated into a single site of 4472m² in area*, but Council's property database shows some 10-plus owners across the seven parcels with different owners owning separate properties. It is possible that one landowner has options or other legal mechanisms to acquire the sites which would not be reflected in Council's property data because no formal sale has occurred and been notified to Council,
- The existing (PLEP 2011) controls for the land are: B4 Mixed Use zone with part SP2 Infrastructure zone (as Classified Road) affecting the frontage of No.s 440-444, 452, 456 and 458 Church Street; building height of 24 metres; FSR of 3:1; and local heritage items at No.s 446, 448 and 458 Church Street as Item No.s 1692, 1693 and 1694, respectively and the Sorrell Street HCA is approximately 43 metres to the east of the land.
- Submitter says the CBD PP as exhibited does not encourage amalgamation of large sites because GFA cannot be realised. Specifically, the submitter says:

...extremely large sites (eg. Cumberland Media) results in a GFA potential so significant that there would be insufficient building area to accommodate the floor space. However, sites like 440-458 Church St of approximately 4000sqm are capable of containing GFA over the incentive FSR of 6:1 within building envelopes (heights and setbacks) sought in the draft controls.

- The submitter states an FSR of 7.2:1 could be achieved if the Design Excellence and High Performing Buildings clauses are relied upon and that there are two nearby sites that have SSPPs before Council that seek higher FSR and height.
- The submitter tests three concepts, all are prepared on the basis that *the setback controls that would prevail for development of the site in the future*. However, any setback controls in a supporting CBD DCP are yet to be publicly exhibited.
- The submitter requests an amendment to clause 7.2 Floor space ratio in the CBD PP by adding a new sub-clause (sub-clause 2(C)) as follows:
 - *Despite subclauses (1), (2) and (2A), the consent authority may grant consent to development seeking to achieve an FSR above the maximum floor space ratio shown on the Incentive Floor Space Ratio Map, but only where:*
 - *the development is on a large amalgamated site of over 4,000m²,*
 - *the development has been subject to a competitive design process and exhibits design excellence as provided in clause 7.10;*
 - *the development complies with the applicable height of building controls; and*
 - *the development makes a significant contribution to the public domain or incorporates clear urban design benefits.*

The submitter objects to the FSR being capped on larger sites as it sees that amalgamation costs will prevent master planned outcomes but does not explicitly ask for an exact FSR. It only states that the sites are capable of containing GFA over the incentive FSR of 6:1 within building envelopes (heights and setbacks) sought in the draft controls.

Council officer's response:

- One of the premises this submission references is an existing site-specific planning proposal concept affecting the site at 355 & 375 Church Street owned by McDonalds which proposes a two tower scheme comprising a building height of 92 metres and an FSR of 6.1:1.

The subject land's Church Street frontage of approximate 100 metres is not comparable to other sites north of the Parramatta River and the land's depth to width ratio makes the site peculiarly shaped (ie. the site is long and shallow).

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The submitter has sought the inclusion a specific clause without any detailed urban design analysis (ie the submitter's analysis only constitutes broad urban design statements and is not sufficiently detailed) nor does the submitter articulate the resultant FSR that would be achieved on the site with the above clause in place. Relying on the submitter's floorplan, the resultant FSR from the inclusion of the above clause equates to 12:1. This is a substantially high FSR equating to double the incentive FSR (6:1) as exhibited in the CBD PP in this locality. This would result in a an entirely different building form which is not intended by the exhibited controls and would not be consistent with the character of the buildings expected to be developed in the precinct under the exhibited controls.

- The *Heritage Study of Interface Areas Study* (2017) prepared by Hector Abraham Architects identifies the site in the 'North Parramatta Interface Area'. This Study resulted in the proposed 6:1 incentive FSR for most sites zoned B4 Mixed Use in this vicinity, including heritage items. It also noted that the sites at 452 – 456 Church Street where the incentive height is replaced with a maximum 10 metre incentive height for the first 10 metres of the site. The Study also sees that *Appropriate measures should be taken in any future amalgamations and the design of developments to return the character and setting to a street and reconnect isolated heritage items with their context.*
- The CBD PP as exhibited already brings a significant increase to the building height controls (from 24 metres to 80 metres) and a doubling of the FSR controls (from 3:1 to 6:1). The redevelopment of the land as a single development site is not the only development option for the site - the landowners are free to consider other redevelopment concepts for this land.
- The submitter's proposed changes to the CBD PP as exhibited are substantial and are considered too significant as they would require re-exhibition of the PP.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

19. Land at 57 Macquarie Street, Parramatta (No. 200)

Council Officer recommendation: The amendments to the CBD PP proposed in the submission **are not supported** however Council should undertake further investigation to determine if this land should be added to the Additional Local Provisions Map as an MCP at a later stage under **Decision Pathway 3 – Merit for further investigation**

The major CBD PP controls for this land, as exhibited in the CBD PP propose:

- the B4 Mixed Use zone;
- a base height of 36m and Incentive height of 211 metres (RL);
- a base FSR of 3:1 and an Incentive height of 10:1; and
- Land Reservation Acquisition: Local Road widening.

Submission Summary:

- This submission has been prepared by Think Planners on behalf of the landowners of 57 Macquarie Street, Paramatta. In total, the land has an area of 1,585 sqm.
- The site is subject to a separate SSPP process (RZ/16/2016) which seeks to amend the building height and floor space ratio controls. This planning proposal is yet to be considered by Council for potential endorsement for forwarding to DPIE for a Gateway Determination.
- The existing major controls in *PLEP 2011* affecting the land are: B4 zone, 36 metre building height and 3:1 FSR. A Regional Cycleway notation on the Reservation Acquisition (LRA) Map applies to the site at 57 Macquarie Street on its Marsden Street frontage.
- The submitter requests the following amendments to the planning controls:
 - The mapping of 57 Macquarie Street (and adjoining lands) as Minimum Commercial Provision (MCP) on the Additional Local Provisions Map.

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- Amendments and additions to the provisions relating to achieving maximum floor space ratio for sites less than 1,800 sqm in area.
- The submitter argues in the absence of these amendments the planning controls are inappropriate having regard to the site's ability to positively contribute to the provision of commercial floor space at the heart of the CBD, and would represent a lost opportunity to deliver commercial floor space where it can contribute to the aspirations of Parramatta as the Central City of the Sydney metropolitan basin.
- The submitter calculates that 57 Macquarie Street with a site area of 1,482 sqm could achieve an FSR of 8.41:1, and with design excellence, an FSR of 9.7:1 due to the FSR Sliding scale. Given the location of the site, the submitter argues a commercial tower is a better outcome on the site, and while the B4 Mixed Use zone allows for this use, the site is not mapped on the Additional Local Provisions Map to allow unlimited commercial uses for sites with an area greater than 1,800sqm, and therefore would not encourage amalgamation.
- The submitter argues that the planning controls should be framed to ensure the development of this site delivers an A Grade Commercial Office Tower and allows for the opportunity for Council to progress a proposal with a *superior urban design and economic outcome*.

To achieve this, the submitter argues the "isolated site" definition in Clause 7.2 (2A) and (2B), which allows the maximum FSR to be achieved on a site where the development meets certain criteria, is inadequate because it does not ensure that urban design analysis and best urban design outcomes are delivered. Submitter recommends amendments to the clause.

Council officer's response:

- The submitter's central request is for site at 57 Macquarie Street with a site area of 1,482 sqm to be able to achieve the amount of density that a site with an area 1,800 sqm or greater can enjoy, to enable a commercial tower.
- The objective of the FSR Sliding Scale control is to regulate density of development relative to the site area and encourage the amalgamation of sites to enable a larger FSR to be achieved. FSR sliding scales are not a new concept for Parramatta. The current PLEP 2011 uses an FSR sliding scale to control the level of development consistent with the size and opportunities and constraints of a site and encourage amalgamation. The FSR sliding scale control is proposed to be retained in the CBD PP with a key amendment, this being the introduction of a new clause to enable 'isolated' sites' to achieve the maximum mapped FSR (although it is noted that the existing clause 7.10(5)(b) of PLEP 2011 operates in a similar way).

It should be noted that this site would need to amalgamate with an adjoining site in order to access the minimum site area requirement. That said, the site could benefit by this as it could deliver a better urban design outcome. Allowing the Minimal Commercial Provisions notation over the site would provide further incentive for amalgamation. However, it should also be noted that sites that cannot reach commercial terms with adjoining owners to amalgamate in order to achieve the minimum site area of 1,800sqm does not mean such sites becomes an isolated site.

- The CBD PP proposes to increase the mapped FSR for this site from 3:1 to 10:1, and critically, now enables the site to achieve additional density where a development can demonstrate consistency with one of the three criteria of an 'isolated site' (Clause 7.2 (2B), and is greater than 1000sqm, has been subject to a competitive design process and exhibits design excellence.
- A reduction to the minimum site area requirement of 1,800sqm to 1,480sqm as proposed by the submitter constitutes a major change to the controls. The existing 1,800sqm benchmark is supported by detailed analysis thus any change to this minimum requirement will establish a precedent and could cause landowners in a similar scenario to seek similar amendments and the potential cumulative impacts of this could be significant.
- Council officers acknowledge however that there may be merit in further investigation of the potential to extend the minimum commercial / bonus commercial provisions over this land (through identification as an MCP on the Additional Local Provisions Map) given its proximity to the commercial core and light and heavy infrastructure, however this requires further work

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and would require re-exhibition, so would be undertaken at a later stage under Decision Pathway 3.

- If incorporated, the requested changes would raise expectations from other landowners experiencing a similar scenario that can enjoy similar changes to their respective controls.
- In conclusion, the submitter's request for an exemption to the sliding scale is **not supported**. With regards to the inadvertent mapping error to the Additional Local Provisions Map that this be dealt with **for further investigation**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. However, undertake further investigations at a later stage to determine if the site could be added as an MCP on the Additional Local Provisions Map.

20. Land at Inkerman Street east, West Auto Alley Precinct area (No.201)

Council officer recommendation: The part of the land that is within an endorsed Planning Investigation Area will be considered at a later stage and no further decision is required. The remainder of the land is not within the CBD PP boundary and no further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary

- This submission has been prepared by Think Planners on behalf of the landowners *who have interest in land in the South Parramatta area, particularly those lands that were deferred in late 2019 from further consideration in the CBD Planning Framework*. The submission delineates an area east of Inkerman Street between Lansdowne Street to the north and Boundary Street to the west and extending to the area where the current CBD PP boundary exists.
- For the purpose of this submission review, since the land is not contained within the CBD PP area, there is no benefit in summarising the existing (*PLEP 2011*) controls that are applicable to the land.
- The submitter **objects** to the deferral of the West Auto Alley area from the CBD PP and calls for the acceleration of this policy review work.
- The submitter requests the following amendments to the CBD PP:
 - fast-tracking of the land deferred from the CBD Framework as well as consideration of all land on the eastern side of Inkerman Street.
 - adoption of a clear timeline and project milestones to complete the review to public exhibition stage.

Council officer's response:

- Since no property addresses or landowner names are provided in the submission, it is not clear how many owners are represented nor can it be assumed by Council Officers that the views expressed in the submission are shared by all of the landowners located within the submitter's identified area.
- The area identified in the submission does not correlate with the West Auto Alley Precinct area which is subject to a separate pathway (ie. as a part of a PIA) as outlined in a Council decision of 11 November 2019 (Item 9.1). Re-introducing the West Auto Alley Precinct area into the CBD PP is inconsistent with this decision of Council.
- Introducing the Southern PIA back into the CBD PP would raise the expectation that the remaining PIAs also removed should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.

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- The submitter's proposed inclusion of this large area into the CBD PP post exhibition is substantial and considered too significant as it would require re-exhibition of the PP.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the CBD PP area exclusive of the PIAs.
- In conclusion, the submitters proposed changes are not supported. The part of the area that is within an endorsed Planning Investigation Area will be considered at a later stage. The remainder of the land is not within the CBD PP boundary and no further decision is required.
- **Action:** No decision is required.

21. Block comprising O'Connell, Hunter, Marsden & Macquarie Streets, Parramatta (No.202)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) does not propose any changes to the controls for the land subject to this submission because it is contained within the 'Park Edge (Highly Sensitive)' area on the western edge of the CBD adjacent to the World Heritage listed Old Government House and Domain.

Submission Summary

- This submission has been prepared by Think Planners on behalf of *clients who have interest in land in the street block bound by Macquarie, Hunter, O'Connell and Marsden Streets.*
- For the purpose of this submission review, since the land is not subject to any change under the CBD PP, there is little benefit in summarising the existing (*PLEP 2011*) controls that are applicable to the land.
- The submitter requests that the Council report, that relays the exhibition feedback, should include a recommendation that:

...a separate recommendation be made to undertake a review of the planning controls in the subject street block, assigning a budget and timeframe for the review, and having regard to the preparation of planning controls that are responsive to the urban context existing and emerging in the Parramatta CBD.

Council officer's response:

- Since no property addresses or landowner names are provided in the submission, it is not clear how many owners are represented nor can it be assumed by Council Officers that the views expressed in the submission are shared by all of the landowners located within the submitter's identified area.
- The area identified by the submitter is situated within the 'Park Edge (Highly Sensitive)' area on the western edge of the CBD adjacent to the World Heritage listed Old Government House and Domain. The CBD PP states:

Consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, the CBD PP does not propose changes to the planning controls applying to this Park Edge. 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...controls...is not warranted.
- Certain provisions within the CBD PP make it clear that only the existing planning controls for the Park Edge (Highly Sensitive) area under *PLEP 2011* apply to this precinct as per Special Provisions Area Map as Area A and its supporting Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas. Inclusion of the area would also require re-exhibition of the CBD PP substantially delaying its progression.
- Proposing that Council progress analysis of the controls of this block could raise the expectation that other blocks in the Park Edge (Highly Sensitive) Area should also be investigated in the short term. Any amendments to planning controls in this Area would

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require the approval of the Federal Government, given the effect of a Conservation Agreement in this Area. Council's work program for the CBD has never envisaged change in this area.

- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed. Similarly, since the LSPS demonstrates the City will exceed the higher target jobs for 2036 by some 3,000 jobs, the proposed additional commercial floorspace is not required to deliver additional jobs for the City.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

22. Land at 27 Elizabeth Street, Parramatta (No. 205)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary:

- This submission has been prepared by Think Planners on behalf of the landowners for 27 Elizabeth Street. The site has an area of 4,772 sqm and fronts Wilde Avenue (to the west) and Elizabeth Street (to the east). The site contains two local heritage items – All Saints Parochial School (I469) and All Saints Hall (I552), and adjoins All Saints Anglican Church (I551), a heritage item of local significance fronting Victoria Road.
- The major existing (PLEP 2011) controls for the land are: B4 Mixed Use zone; a building height of 11 metres and FSR of 0.8:1.
- The site is not within the exhibited boundary of the CBD PP.
- The submitter states the site was in the 2016 early draft version of the CBD PP (which was not exhibited) with an incentive FSR of 6:1.
- The submitter argues that the Urbis *Heritage Study* (2015) and the HAA *Heritage Study of Interface Areas* (2017) both put constraints to development form and scale on the site, with the HAA study assessing at a precinct scale the impacts of draft planning controls on heritage items and HCAs within interface areas.
- The submitter states that a SSPP was lodged in 2018 for the site seeking an amendment to the planning controls of incentive FSR 6:1 and incentive building height 157 metres, and relocation of the heritage listed All Saints Parochial School (I469) to the grounds of the adjoining All Saints Anglican Church. The SSPP was later *withdrawn at the request of Council officers. It was noted at that time that opportunity to debate the planning control for the site would be available during the subsequent exhibition of the CBD Planning Strategy.*
- The submitter notes that the SSPP was supported by a heritage study that also analysed the HAA comments concluding that *a conservative approach has been recommended as the analysis looks at heritage issues on a precinct scale and in order to expediate the CBD PP.* The detailed analysis by the submitter's heritage and urban design experts enabled finer detailed recommendations about the most appropriate planning controls.
- The submitter requests the following:
 - *Acceleration of the consideration of the land deferred from the CBD Framework.*
 - *A site specific review of the relevant heritage provisions relating to the site.*

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- *Adoption of a clear timeline and project milestones to complete the review of the precinct and drafting of LEP planning controls for public exhibition.*
- The submitter states that the removal of the lands zoned R4 High Density by Council decision in November 2019 is 'inexplicable' having regard to the long history of inclusion of the lands and the significant professional analysis of the area over the period 2016 – 2019.

Council officer's response:

- Officers requested the applicant withdraw their SSPP they had lodged as Councils resolution to undertake further analysis of the Planning Investigation Area meant there was no policy framework upon which to assess the application and that the recommendation would be that the Planning Proposal not proceed and that the applicant consider resubmitting a new application when the investigation area work was completed.
- The Implementation Plan in the Parramatta CBD Planning Strategy (2015) identified the need for technical studies to investigate issues associated with the review of the planning controls for the Parramatta CBD, this included a heritage analysis. While a heritage study prepared at the precinct-scale cannot reasonably go into the level of detail that a site-specific heritage study can, as prepared by the Submitter for the site at 27 Elizabeth Street; the *Urbis Heritage Study (2015)* recommended modifications to planning and development controls to address heritage related impacts within the CBD and periphery areas of the Planning Proposal with a focus on changes to FSRs for specific sites, and satisfying Section 9.1 Direction 2.3 Heritage Conservation.
- The Urbis Heritage Study recommended for the All Saints Anglican Church site and 27 Elizabeth Street, an FSR of less than 0.8:1; and the adjoining site to the south, an FSR of 2:1 consistent with the 'stepping down' transition planning controls.
- 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. It is noted that the SSPP for 27 Elizabeth was not one of these sites, having not been lodged at the time this study was commissioned. As noted in relation to the Urbis Study, while a heritage study prepared at the precinct-scale (albeit reduced) could not go into the detail of a site-specific heritage study as prepared by the Submitter for the site at 27 Elizabeth Street; the HAA Heritage Study of Interface Areas (2017) assessed the impact of the proposed controls on heritage items and heritage conservation areas within and adjacent to the Interface Areas.

The HAA Heritage Study of Interface Areas made recommendations to ensure new growth and developments occur in a manner that protects and manages the city's heritage assets and demonstrate consistency with Section 9.1 Direction 2.3 Heritage Conservation. The Study recommended for the All Saints Anglican Church site and 27 Elizabeth Street, an FSR of 0.8:1 and height limit of 11 metres; and the adjoining site to the south, an FSR of 6:1 consistent with the transition planning controls.

- The land bound by Elizabeth Street, Victoria Road, Wilde Avenue and Parramatta River, which includes 27 Elizabeth Street, was originally part of the Parramatta CBD Planning Proposal boundary and later excised following a resolution of Council on 25 November 2019 for future planning consideration as part of the Planning Investigation Area work. This would allow further analysis of potential impacts on heritage items, heritage conservation areas and open space to be undertaken at a later stage.
- A number of Planning Investigation Areas (PIAs) on the fringes of the Parramatta CBD were first identified in the Parramatta CBD Planning Strategy (2015), with four more precincts added to these PIAs by way of the Council resolution in November 2019. The southern end of Elizabeth Street, Parramatta, between Victoria Road and Parramatta River is one of the precincts added (to the Eastern PIA). Work on the Eastern PIA will commence at a later date, once resources are available. Work on the Eastern PIA will enable the issues that arose as part of the assessment of the now withdrawn SSPP at 27 Elizabeth Street, Parramatta to be tested in a comprehensive way. This will include the heritage matters and also the strategic location of the area to the River and the CBD.

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- Reintroducing the Elizabeth Street lands back into the CBD PP would raise the expectation that the remaining removed lands (ie. those lands previously proposed to be rezoned to the R4 High Density), should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.
- The submitter's proposed change will establish a precedent and could cause landowners in a similar scenario to seek a similar amendment. The potential cumulative impacts of this approach from multiple owners could be significant.
- The submitter's proposed inclusion of this area into the CBD PP post exhibition is substantial and considered too significant as it would require re-exhibition of the CBD PP.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the planning proposal area exclusive of the removed R4 lands (as previously proposed). Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes to the incentive height and FSR controls are not needed for those purposes for consistency with the Central City District Plan, nor have they been tested in terms of infrastructure demand.
- Integrating the submitter's substantial changes into the CBD PP document for finalisation will delay its progression to DPIE for finalisation.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.
- **Action:** No decision is required.

23. Land at 25-31 Marion Street, Parramatta (No. 206)

Council Officer recommendation: **Decision Pathway 2 – Not support**

The major CBD PP controls for this land, as exhibited:

- retain the existing B4 Mixed Use zone; increases the building height to 20 metres; and retains the existing 2:1 FSR.
- retains the heritage items notation (items I729 and I730) affecting 29 and 31 Marion Street on the Heritage Map.

Submission Summary:

- This submission has been prepared by Think Planners on behalf of landowners for land comprising three adjoining properties at 27, 29 and 31 Marion Street with a combined site area of 1,750 sqm. In terms of street address, Council Officers confirm the legal addresses are, in fact, 25, 29 and 31 Marion Street. There are two owners, one owner of 29 and 31 Marion Street and one owner of 25 Marion Street. The submission does not confirm if the submission represents the views of both landowners.
- The current major *PLEP 2011* controls affecting the land in are: B4 Mixed Use zone; 12 metre building height; 2:1 FSR only (not Incentive FSR of 8:1 as stated by the submitter); as well as 29 and 31 Marion Street comprising Local Heritage Item Nos. I730 and I729 respectively.
- The submitter proposes amending the CBD PP prior to its progression to finalisation stage as follows:
 - Remove the heritage item notation on the Heritage Map over 29 Marion Street and 31 Marion Street to enable their demolition. The submission is accompanied by a Heritage Assessment Report and Statement of Heritage Impact for each site.
 - Proposes an FSR of 6:1 and height of 80 metres over the 29-31 Marion Street.

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- The submitter argues that there is sufficient heritage analysis to justify the delisting of the heritage items at 29 and 31 Marion Street. The submitter has provided the following heritage reports which were previously considered by Council as part of the assessment of the site-specific Planning Proposal at 33-43 Marion Street, Parramatta:
 - Heritage Assessment for 29 Marion Street
 - Heritage Assessment for 31 Marion Street
 - Statement of Heritage Impact for 29 Marion Street
 - Statement of Heritage Impact for 31 Marion Street

Each of these heritage reports conclude that both heritage items have been substantially altered and are not worthy of being retained.

- The submitter has argued that due to the site's strategic location and future contextual surrounds, the proposed FSR for the site should be increased from 2:1 to 6:1 and that the proposed height should be increased from 28m to 80m. Three reference designs have been provided under three different scenarios (all, none or just 29 Marion Street as heritage listed) which demonstrates that the above controls can be accommodated on site.

The submitter argues that in order to ensure orderly and economic development of the site, height and FSR should not be predetermined by heritage listings, with merit issues to be considered at design excellence and development application stages.

Council Officer's response:

- The basis for the submitter's proposed changes is reliant on the recommended planning controls in the Marion Street Precinct Plan (2019) of 6:1 FSR and 80 metre height limit for the site to the east at 33-43 Marion Street, and approval by the Parramatta Local Planning Panel in 2018 for the demolition of existing buildings including the locally heritage listed dwelling at 37 Marion Street, Parramatta to justify the proposed planning controls for 27 to 31 Marion Street.

This reliance however misinterprets the broader objective of the Marion Street Precinct Plan of retaining existing listed heritage items and to 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.

- The exhibited height and FSR controls for the submitter's site which are lower than those in the central CBD location respond to the Council commissioned detailed urban design and heritage analysis in the Marion Street Precinct Plan (2019) prepared by SJB Urban with specialist input from Paul Davis Heritage Consultants and SJB Planning. This study was prepared to address the Condition 1(k) of the Gateway Determination for the CBD PP.

The submitter's land is located within a sensitive heritage area with some 17 heritage items located in the immediate vicinity. Agreeing to the submitter's changes creates a clear pathway for the demolition of the heritage items at 29 and 31 Marion Street.

One of the key principles of the CBD PP is to not de-list any heritage items, which it has consistently applied since 2016. Objective 9 of the CBD PP promotes heritage protection and conservation. Furthermore, the SJB study recommends the *Heritage buildings are to be adaptively reused* since it contains principles which focus on conserving or retaining existing heritage items and ensuring any new development fits with the heritage items in this area.

Any demolition of a heritage item is also inconsistent with the following:

- the objective supporting heritage clause 7.6K in the CBD PP (as exhibited) which seeks to ensure new development *demonstrates an appropriate relationship to heritage items and heritage conservation areas*.
- the submission from the Heritage NSW Office received in response to Gateway condition 4 which says the height and FSR controls *should remain consistent with the existing controls in PLEP 2011*.

Furthermore, this submission is one of a number of submissions proposing the demolition of a heritage item and the cumulative impacts of such proposals would be significant.

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- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes to the incentive height and FSR controls are not needed for those purposes, nor have they been tested in terms of infrastructure demand.
- The submitter's proposed change will establish a precedent and could cause landowners in a similar scenario to seek a similar amendment. The potential cumulative impacts of this approach from multiple owners could be significant.
- The submitter's proposed changes to the incentive height and incentive FSR maps represent a change greater than 10 per cent and are therefore likely to trigger the need for the re-exhibition of the CBD PP if incorporated and other planning and urban design issues have not been tested.
- The requested changes will have the effect of:
 - Allowing the eventual demolition of two local heritage items; and
 - requiring re-exhibition of the CBD PP and delay its progression to finalisation.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

24. Land at 60, 60A & 62 Great Western Highway, Parramatta (No. 207)

Council Officer recommendation: **Decision Pathway 3 – Undertake further investigations of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.**

Submission Summary:

The CBD PP (as exhibited) proposes the following controls: B4 Mixed Use; a base building height of 28 metres; an incentive building height of 100 metres; a base FSR of 3.5:1; and an incentive FSR of part 8:1 and part 10:1.

- This submission has been prepared by Think Planners on behalf of the landowners of three parcels at 60, 60A and 62 Great Western Highway, Parramatta. The site has an area of approximately 3,909 sqm with three street frontages – Great Western Highway to the south, O'Connell Street to the east and Campbell street to the north.
- In terms of land ownership:
 - The site at No. 60 comprises a strata subdivided apartment building with 19 apartments and with four landowners (one landowner owning 15 apartments).
 - The sites at Nos.60A and 62 comprises two strata subdivided walk-up apartment buildings and associated car park with a total of 24 apartments with 24 unique owners.

The submitter does not mention the landownership pattern nor if the submission represents the views of all landowners across the two parcels.
- The major existing (*PLEP 2011*) controls for the land are: B4 Mixed Use zone; a building height of 28 m and FSR of 3.5:1.
- The submitter requests the following amendments to the CBD PP clauses and maps:
 - Amend the Height of Building Map consistent with the submitter's solar access technical paper which would enable:
 - a tower up to 115 metres, which is equivalent to a height control of 100 metres (plus an additional 15 percent, or 15m, for design excellence) for the southern portion of the site; and

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- A tower up to 140 metres which is equivalent to a height control of 122m (plus an additional 15 percent, or 18m, for design excellence) for the northern portion of the site.
 - Amend the FSR mapping to permit a base FSR of 10:1.
 - Amend the Opportunity Sites map to identify 60-62 Great Western Highway so the site can enjoy an additional 3:1 FSR on the site.
- The submitter argues the additional density on the site will positively complement adjoining development and will *sit comfortably within the emerging hierarchy of buildings and will assist with creating variation in the city skyline*. Further, the additional density will contribute to revitalisation, make the most of the location's proximity to infrastructure and deliver on transit-oriented development.
- The submission includes an assessment of the proposed development against the Opportunity Site clause objectives (as exhibited).
- In relation to Council's overshadowing analysis, the submitter argues that the Technical Paper (as exhibited) states additional height of approximately 25 metres (above the 115 metres recommended inclusive of 15% design excellence) could be supported; and that these changes had no impact on the open spaces or HCA.

The submitter also notes that the Technical Paper concludes that additional height can be supported, quoting, *It is considered likely that further refinements may be made depending on consultation with state agencies and representations made at the public exhibition to the CBD Planning Proposal. Consequently, the overshadowing analysis undertaken at this stage is recommended to be recognised as a snapshot at a particular point in time and could be subject to further refinement following consultation.*

- The submission is supported by shadowing analysis and massing diagrams which the Submitter states confirms the additional height of 115 metres to the south (fronting Campbell Street) and 140 metres to the north (inclusive of DE) and FSR of 14.7:1 will not overshadow Ollie Webb Reserve; while the proposal complies with the Opportunity Site criteria and is compatible with the adjacent site at 2 O'Connell Street.

Council officer's response:

- It is acknowledged that the primary reason heights and FSRs were lowered in the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway was to minimise the effect of overshadowing onto the South Parramatta HCA and public open spaces to the south, as requested by DPIE in their Gateway conditions. This was then supported through the *Review of Opportunity Sites Study*, which was also undertaken as a result of a Gateway condition. It is noted that three submissions (including this one) have been received by landowners in these two street blocks, all of which whose submissions respond to this overshadowing analysis (refer to submission nos. 207, 266 and 270).
- Council has tested the heights proposed in these submissions in its own *Supplement to the Overshadowing Technical Paper* (April 2021), the results of which show minimal impacts in terms of overshadowing that still meet Council's benchmark thresholds for sunlight access to open spaces and the South Parramatta HCA.
- Council officers also acknowledge that given the concentration of older strata subdivided residential flat buildings in these two street blocks, economic considerations are a significant factor in encouraging urban renewal in the medium to long term, with this issue being addressed in the *"Market and Feasibility Analysis – Parramatta"* Memorandum report prepared by JLL (August 2019), which was included with the exhibition material for the CBD PP.
- In light of these considerations, Council officers consider there is merit in undertaking further investigations of these two street blocks, which will enable further urban design testing of the heights and FSRs proposed in these submissions. This testing, which would be undertaken at a street block level, would address such matters as built form (including bulk and scale), setbacks, site size, potential amalgamation patterns, floorplate configuration and public domain interface. This work would be undertaken a later stage as a separate piece of

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strategic work under Decision Pathway 3 – Merit for further investigation. It should be noted that the changes proposed by the submitter are greater than 10% and therefore cannot be made now or else this would trigger a re-exhibition of the CBD PP.

- In conclusion, the submitter's request is **not supported**. However, there is merit in undertaking **further investigations** of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. Undertake further investigations of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.

25. Land at 190 George Street, Parramatta (No. 208)

Council Officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) proposes the following controls: B4 Mixed Use; a base building height of 36 metres; an incentive building height of 120 metres; a base FSR of 4:1; and an incentive FSR of 10:1

Submission Summary:

- This submission has been prepared by Think Planners on behalf of the landowners for 190 George Street, Parramatta. The site has an area of 1688 sqm.
- The major existing (*PLEP 2011*) controls for the land are: B4 Mixed Use zone; a building height of 36 m and FSR of 4:1.
- The submitter requests the following amendments to the CBD PP clauses and any supporting maps as a broad application across the CBD:
 - Amendments to clause 7.2 Floor space ratio to enable sites smaller than 1800 sqm in area to utilise extra density.
 - Amendments to clause 7.6C Commercial premises in Zone B4 Mixed Use to enable sites small than 1,800 sqm to utilise the extra commercial floorspace.
 - Amendments to clause 7.6J Opportunity Sites and supporting Opportunity Sites Map to enable sites less than 1,800 sqm to access the extra density available to opportunity sites.
 - Amendments to 7.6A High performing buildings to enable sites less than 1,800 sqm in area to utilise extra density.
- The submitter argues that the application of the draft planning controls would represent a lost opportunity to deliver mixed use development in a strategic location, make the most of the surrounding infrastructure and contribute to the aspirations of Parramatta as the Central River City of Sydney's Metropolis of Three Cities.
- The submitter calculates that 190 George Street with a site area of 1688 sqm could achieve an FSR of 9.44:1, and with design excellence, an FSR of 10.856:1 due to the FSR Sliding scale. These planning controls, the submitter argues, will not *facilitate catalytic development that is needed to revitalise and activate the river foreshore and other adjoining significant tower developments*. Further, the submitter argues that this for reason the Minimum Commercial Provision Clause and High Performing Building Bonus should also apply.
- The submitter has provided massing diagrams to illustrate the differences between the controls as exhibited and those sought in the submission and argues that the "isolated site" definition in Clause 7.2 (2A) and (2B), which allows the maximum FSR to be achieved on a site where the development meets certain criteria is inadequate because it does not ensure that urban design analysis and best urban design outcomes are delivered. Submitter

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recommends amendments to the clause. Further, additional density on the site is consistent with surrounding development and will not overshadow the river foreshore.

Council officer's response:

- The submitter's central request is for site at 190 George Street with a site area of 1688 sqm to be able to achieve the amount of density that a site with an area 1800 sqm or greater can utilise, and in addition, achieve additional density available under Clauses 7.6 (A), (C) and (J).
- The objective of the FSR Sliding Scale control is to regulate density of development relative to the site area and encourage the amalgamation of smaller sites to enable a larger FSR to be achieved. FSR sliding scales are not a new concept for Parramatta. The current Parramatta LEP 2011 uses an FSR sliding scale to ensure the level of development is consistent with the size, opportunities and constraints of a site, and also to encourage amalgamation. The FSR sliding scale control is proposed to be retained in the CBD PP with a key amendment, this being the introduction of a new clause to enable 'isolated' sites' to achieve the maximum mapped FSR (although it is noted that the existing clause 7.10(5)(b) of PLEP 2011 operates in a similar way).
- It should be noted that this site would need to amalgamate with 184-188 George Street (which is subject to a recently notified SSPP process) in order to access the minimum site area requirement.
- The CBD PP proposes to increase the mapped FSR for this site from 4:1 to 10:1, and critically, now enables the site to achieve additional density where a development can demonstrate consistency with one of the three criteria of an 'isolated site' (Clause 7.2 (2B), and is greater than 1000sqm and has been subject to a competitive design process and exhibits design excellence.
- A reduction to the minimum site area requirement of 1800 sqm to 1688 sqm as proposed by the submitter constitutes a major change to the controls. The existing 1800 sqm is supported by detailed analysis thus any change to this minimum requirement will establish a precedent and will likely cause landowners in similar scenarios to seek the same amendment, that has not been tested.
- Furthermore, the submitter's requested changes will have the effect of undermining the evidence base for determining the 1800sqm minimum site area.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

26. Landholdings at 1-25 Argyle Street and 6-12 Pitt Street (No.209)

Council Officer recommendation: Decision Pathway 2 – Not support

The major CBD PP controls for this land, as exhibited: retain the existing B4 Mixed Use zone; increases the building height to 20 metres; and retains the existing 1.5:1 FSR.

Submission Summary:

- This submission has been prepared by Think Planners on behalf of some of the owners of the land situated at 1-25 Argyle Street and 6-12 Pitt Street, Parramatta. The submission does not detail the owners of the land the submission has been prepared on behalf of.
- The subject site is described in the submission as comprising a series of allotments which equates to approximately 5,650 sqm in area.
- The existing major controls in *PLEP 2011* affecting the land are: B4 zone, 10 metres building height, 1.5:1 FSR. As well, the land abuts the St John's Anglican Cemetery comprising State Heritage Item No.100049 and sits opposite Parramatta Park and Old Government House heritage site, comprising State Heritage Item No.1000596.
- The submitter requests the following amendments to the planning controls:

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- The mapping of 1-25 Argyle and 6-12 Pitt Street, Parramatta with an incentive maximum building height control of 80m and incentive maximum FSR of 6.1.
- Application of design excellence bonus of 15% to obtain a maximum FSR of 6.9:1 and maximum height of building to 92m.
- The submitter argues in the absence of these amendments the sites will be subject to planning controls that are inappropriate having regard to the sites' ability to positively contribute to the provision of development at this important location; and further, will lead to the poor outcome of existing building stock being retained and would provide no incentive to landowners to invest.
- The submitter also argues that the application of the draft planning controls would represent a lost opportunity to deliver mixed use development in a strategic location where it can contribute to the aspirations of Parramatta as the Central River City of Sydney's Metropolis of Three Cities.
- The submitter argues that the requested planning controls are consistent with those for the land on the southern boundary of the cemetery being an incentive FSR of 6:1 and incentive height of 80m.
- Supporting information includes concept drawings and a statement of heritage impact report. The concept drawings show a three-tower configuration that the submitter argues *will result in fast moving narrow shadows, and good solar access is maintained across the site throughout the year*. The Heritage Impact Report includes consideration of the concept proposal concluding that:
 - Overshadowing does not result in any adverse heritage impacts on the four state heritage criterion for which the cemetery has been listed.
 - High density development to the north of the cemetery overshadows the cemetery without any known adverse heritage impacts.
 - As the cemetery is not used in the same way as a parkland there is no imperative to preserve solar access to the site on heritage or amenity grounds.

Council officer's response:

- The CBD PP as exhibited retains the current zone and FSR and increases the height from 10 metres to 20 metres with no incentive height control. The purpose of the increase was to facilitate narrower buildings and increase the 'blue sky' space between buildings and the cemetery and responds to the sensitive positioning of the land abutting St John's Anglican Cemetery and its proximity to Parramatta Park and Old Government House heritage site. The Urbis Heritage Study (2015) recommended low building heights to reduce the impact on the cemetery and the CBD PP has consistently reflected these recommendations.
- The sites which back on to St John's Cemetery to its north, west and south and which front Argyle, Pitt and Campbell Streets are peculiarly positioned by the following surrounding elements:
 - Parramatta Park to the east which provides a large scale open green space;
 - the railway to the north which, in some ways, severs this block's access to the commercial centre; and
 - the strong heritage setting brought about by St John's Cemetery and proximity to Parramatta Park.

These elements have required a unique response to this setting which the CBD PP has sought to achieve.

- With regards to the St John's Anglican Cemetery which abuts the land to the north, the submitter's assumption that there is no issue with *high density development because the planning controls along the southern boundary of St John's cemetery permit 6:1 FSR and 80m height of building control*, is not supported:

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- the Urbis Heritage Study (2015) recommends the existing FSR *be maintained on the northern and western boundaries to maintain sun access to the cemetery and to retain visual connections and 'green corridor' to Parramatta Park to the west.*
 - the submission from the Heritage NSW Office received in response to Gateway condition 4 says the height and FSR controls *should remain consistent with the existing controls in PLEP 2011 for significant SHR items and abutting sites such as...the sites to the north and west of St John's Cemetery.*
- The submitter's assertion that because the Hector Abrahams Architects Heritage Study of Interface Areas (2017) *did not make explicit mention for protection of solar access to St. John's Cemetery, in the same way that protected areas have been established for Experiment Farm, means that there was no adverse heritage impact which would arise from overshadowing at St. John's Cemetery,* is not accurate. Hector Abrahams Architects were commissioned by Council to prepare a heritage study for the 'interface areas', and St John's Cemetery was not located in one of the interface areas.
- For 1-25 Argyle and 6-12 Pitt Street, Council's overshadowing testing of the requested height indicates:
 - Increased height will result in substantial overshadowing to St Johns Cemetery for the entire day. Height controls as exhibited overshadow the cemetery between 9am and 10:30am, with 20-30% of the cemetery in shadow for the balance of the day.
 - Increased heights to 92m (including Design Excellence) would result in a shadow length ranging from 143m at 12 noon to 279m at 3pm. A shadow length of 143m will cause the entire cemetery to be overshadowed at 12 noon, a situation which will not improve at other times of the day.
 - The concept of three towers with separation between the buildings will only let narrow bands of sunlight into the cemetery during mid-winter - as demonstrated on page 42 of the submission (page 23 of the Turner appendix).
 - A visual assessment of the mid-winter analysis in the submission indicates that more than 50% of the cemetery area will be in shadow between 9am and 3pm - a result that fails the corresponding benchmark applied to nominated open space areas surrounding the CBD. The requested height also is a 300% increase on the exhibited controls - and is therefore substantive.
- The changes represent a change greater than 10 per cent and will likely to trigger the need for the re-exhibition of the planning proposal if incorporated and other planning and urban design issues have not been tested.
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver an additional 4,000 dwellings above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed, nor have they been tested in terms of infrastructure demand.
- If incorporated, the changes would raise expectations from other landowners experiencing a similar scenario that can request similar changes to their respective controls.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

27. Anglican Church Property Trust landholdings at Macquarie, Church & Hunter Streets (No. 243)

Council Officer recommendation: **Decision Pathway 3 – Merit for further investigation in relation to commercial floorspace, undertake further investigation to determine if this land should be added to the Additional Local Provisions Map as an MCP at a later stage under**

The CBD PP (as exhibited) proposed the following major controls (in part) over the site:

- Part B4 Mixed Use zone, part SP1 Special Uses.

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- Base building heights of part 36 metres, part 24 metres, part 18 metres and part no height notation;
- Incentive heights of part no incentive height and part 211 metre (RL) incentive height, the latter over 45 Hunter Street.
- Base FSR of part 3:1 and part no FSR notation;
- Incentive FSR of part no incentive FSR and part 10:1 FSR, the latter over 45 Hunter Street.
- Part of 195 Church Street is affected by the SAP notation (Area 6).
- Heritage item notation over the entirety of 195 Church Street denoting the St John's Anglican Cathedral, State heritage item (I101805) and St John's Parish Hall, local heritage item (I713).

Submission Summary:

- This submission has been prepared by Urbis on behalf of the Anglican Church Property Trust for land at 65-75 Macquarie Street, 195 Church Street and 38 & 45 Hunter Street, Parramatta.
- The site is subject to a separate SSPP process (RZ/5/2018) which seeks to rezone the site to part B3 Commercial Core, B4 Mixed Use and SP1 Special Activities (Place of Public Worship) and amend other LEP provisions. The Gateway Determination was issued on 8 September 2020 and is currently at the pre-exhibition with a Draft DCP and VPA to be endorsed by Council before this matter can proceed to exhibition.
- The submitter requests the following amendments to the CBD PP prior to its finalisation:
 - Amend the Additional Local Provisions Area Map under clause 7.6C (4) 'Commercial Premises in Zone B4' to apply the submitter's site at 45 Hunter Street; and
 - Amend clause 7.4 (3A) Sun Access Protection to ensure that it only relates to the overshadowing of Parramatta Square as a result of development on land within Areas A and B, and show the Compensatory Publicly Accessible Area, mentioned in clause 7.4 (3A) on the Sun Access Protection Map.
- The submission raises concern with the wording of the exhibited clause 7.4 (3A) in that it *creates a risk that if adjacent land outside of these areas causes overshadowing during 13:00 to 14:00 on 21 March and 23 September this will diminish the compensatory publicly accessible area*. To resolve this, the submission includes recommendations to further strengthen the subclause *to ensure Areas A and B are the only sites that have opportunity to access the compensatory area during the specified times at the March and September equinoxes*.

Council Officer's response:

- The submitter's proposed amendment to the subclause is consistent with Council's technical paper 'Overshadowing in the CBD' (updated August 2020) as exhibited. The technical paper on overshadowing demonstrates that the controls sought under the CBD PP in this SSPP would result in an acceptable level of overshadowing, but that any increase in controls would result in excessive overshadowing. Any future development not consistent with the technical paper and the sun access protection map cannot be supported.
- Council Officers have already identified the need to illustrate the Compensatory Publicly Access Area on the Sun Access Protection Map and make the necessary amendments to the supporting subclauses. As the submitter has identified, this amendment ensures that the development potential of Areas A and B are not diminished due to other developments in the vicinity, which may overshadow Parramatta Square during 1:00pm to 2:00pm on the equinoxes. These amendments include changing the terminology reference from 'Areas' to 'Blocks'. This is described in Table 1 'Changes from minor drafting and technical changes' in Appendix 4 to the revised Planning Proposal.
- The site at 45 Hunter Street is under 1,000sqm. It should be noted that this site would need to amalgamate with 41 and 43 Hunter Street in order to access the minimum site area requirement. That said, the site would benefit by this as it would deliver a better urban design outcome. Allowing the Minimal Commercial Provisions notation over the site would provide further incentive for amalgamation. However, it should also be noted that sites that cannot

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reach commercial terms with adjoining owners to amalgamate in order to achieve the minimum site area of 1,800sqm does not mean such sites become an isolated site.

- Council officers acknowledge that there may be merit in further investigation of the potential to extend the minimum commercial / bonus commercial provisions over this land (through identification as an MCP on the Additional Local Provisions Map) given its proximity to the commercial core and light and heavy infrastructure, however this requires further work and would require re-exhibition, so would be undertaken at a later stage under Decision Pathway 3.
- In conclusion, the submitter's request in relation to the Sun Access Protection clause have already been made as a minor drafting change. In relation to the corresponding Additional Local Provisions Map notation amendment to include 45 Hunter Street, that this be **further investigated**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. However, undertake further investigations at a later stage to determine if the site could be added as an MCP on the Additional Local Provisions Map.

28. Parramatta Leagues Club land, Parramatta (No.245)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary:

- This submission has been prepared by the Parramatta Leagues Club on behalf of land situated at 1 Eels Place and 17 and 21 O'Connell Street. The site occupying part of 1 Eel Place comprises a car park for the club, the site at 17 O'Connell Street comprises a 5 unit, strata subdivided residential flat building wholly owned by the club and the site at 21 O'Connell Street comprises an 11 unit, strata subdivided residential flat building where all but two units are owned by the club.
- The club requests that the land be incorporated within the CBD PP and be amended as follows:
 - That the controls affecting 17 and 21 O'Connell Street be amended from the R2 Low Density zone, 9 metre building height and 0.5:1 FSR to the B4 Mixed Use zone, 21 metre building height and 2.5:1 FSR; and
 - That the FSR control for the car park site at 1 Eels Place be amended from 0.33:1 to 2.5:1.

The submitter requests these amendments to enable the controls to be *more consistent with adjoining B4 Mixed Use zoned land to the north and west*.

Council Officer's response:

- The submission is not supported by any technical studies including an urban design study that would test the appropriateness of the proposed height and FSR controls.
- The submission proposes the three sites be included with the CBD PP area as the sites do not correlate with the CBD PP land application area. This is because some of the sites are situated within the 'Park Edge (Highly Sensitive)' area on the western edge of the CBD adjacent to the World Heritage listed Old Government House and Domain. The CBD PP states:

Consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, the CBD PP does not propose changes to the planning controls applying to this Park Edge. Council has an existing Conservation Agreement with the Commonwealth and

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State Governments regarding development in this area and for this reason, further review of the...controls...is not warranted.

Certain provisions within the CBD PP make it clear that only the existing planning controls for the Park Edge (Highly Sensitive) area under *PLEP 2011* apply to this precinct as per Special Provisions Area Map as Area A and its supporting Clause 7.6M Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas. Inclusion of the area would also require re-exhibition of the CBD PP substantially delaying its progression.

- The submitter's proposed amendments to the CBD PP post exhibition are substantial and considered too significant as they would require re-exhibition of the CBD PP.
- The subject land is situated within the Northern Planning Investigation Area (PIA), so would be considered in more detail as part of a more precinct-based analysis at a later date.
- Progressing the submitter's proposed changes into the CBD PP to be progressed for finalisation would establish a precedent and raise the expectation that other landowners with sites similarly located outside the CBD PP area should have their own request for changes integrated into the revised CBD PP. The cumulative impacts of this could be significant.
- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed. As well, since the LSPS demonstrates the City will exceed the higher target jobs for 2036 by some 3,000 jobs, the proposed additional commercial floorspace is not required to deliver additional jobs for the City.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.
- **Action:** No decision is required.

29. Land at 26-30 Parkes Street, Harris Park (No. 247)

Council Officer recommendation: **Decision Pathway 2 – Not support**

The CBD PP (as exhibited) proposed the following major controls;

- B4 Mixed Use Zone.
- A base building height of 54 metres and Incentive height of 84 metres.
- A base FSR of 4:1 and an Incentive FSR of 10:1.
- The site is affected by the Sun Access Protection and corresponding clause 7.4 Sun Access Protection.
- The site is affected by the Additional Local Provisions Map and corresponding clause 7.6C (4).
- The site is affected by the Active Frontages Map and corresponding clause 7.6F Active Frontages.

Submission Summary:

- This submission has been prepared by Resico for land at 26-30 Parkes Street, Parramatta. The site is affected by the Sun Access Protection clause which strictly requires no overshadowing to Experiment Farm.
- The submission constitutes Resico internal correspondence (dated June 2019 and August 2019) which has been forwarded to Council as a submission to the CBD PP which reaffirms the submitter's view that there is no reason for the development at 26-30 Parkes Street to be restricted on the grounds of heritage. Both these letters accompanied the submission on the Parramatta CBD PP. Instead of providing a clear building height, the submitter disputes the extent of the SAP.
- The site is subject to a separate SSPP process (RZ/10/2016) which seeks to amend the building height and floor space ratio. This planning proposal is yet to be considered by Council for potential endorsement for forwarding to DPIE for a Gateway Determination.

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- The submitter argues that following a review of solar amenity testing to assess any potential impacts on Experiment Farm's Statement of Significance and Criterion for Listing, the site remains consistent with the objectives of heritage curtilage protection intended by the 'Sun Access Protection' provisions. Specifically, the submitter's supporting Statement of Solar Impact Assessment report found that the proposed development will cast shadows over the Experiment Farm Protected Area as follows:
 - *the proposed development does not strictly comply with the 10:00 AM – 02:00 PM Mid-Winter standard,*
 - *minor numerical non-compliance from 1:47pm – 2:00pm (13 minutes) between the protected time 10:00am-2:00pm.*

The submitter is of the view that this minor non-compliance is not substantial and does not represent an adverse impact upon the overall protection of Experiment Farm and found that an excess of four hours of solar access is enjoyed between 9:00 am to 2:00 pm. The submitter also notes that the areas impacted by the encroachment of shadows are over a neighbouring property and a paved car parking area, neither of which contributes to the overall understanding or significance of the heritage item.

- The submitter concludes that the underlying objectives of solar access protection to Experiment Farm is met by the development at 26-30 Parkes St, Parramatta, notwithstanding the minor numerical non-compliance (of 13 minutes).
- The submitter also reaffirms their position that the heritage guidelines as set out by the NSW Heritage Office makes no inference or direct comment on the adverse impact upon the overshadowing of heritage items and how it affects its significance.

Council officer's response:

- Prior to the exhibition of the CBD PP, Council officers addressed the submitter's concerns raised in the previous letters to Council (dated June and August 2019) that related to 14 Alice Street, being a privately owned non-heritage property. The Overshadowing Technical Paper (as exhibited) addresses the removal of 14 Alice Street from testing as set out at Section 4.5 (starting at page 21).
- The SSPP process will involve more detailed analysis of the applicant's proposed building envelope. This will enable Council Officers to assess the overshadowing impacts to Experiment Farm along with and any other urban design matters. Importantly, as part of this SSPP process Council Officers will not be recommending any change to the parcels that make up the Experiment Farm heritage item. (See also comment below regarding Council's response in relation to submitter's comments on the car park extent of Experiment Farm).
- The submitter has not clearly stated what the proposed development is on the subject site. Instead, the submitter has requested that the submission be read in conjunction with previous Statement of Solar Impact Assessment dated 19 June 2019 and the supplementary letter dated 8 August 2019.
- This submitter is of the view that the car park supporting Experiment Farm at 7 Ruse Street should also be excluded from the Sun Access Protection surface. 7 Ruse Street (Experiment Farm Reserve) is described as including the following lots (Lot 27 DP 10853, Lot 16 DP 10853, Lot 15 DP 10853, Lot 14 DP 10853, Lot 29 DP 10853, Lot 1 DP 115243, Lot A DP 188738, Lot 39 DP 10853, Lot 38 DP 10853, Lot 37 DP 10853). The car park itself is described as Lot 29 DP 10853. The car park is included in both the Archaeological Item (A00768) and the General Heritage Item (I00768) under LEP 2011; and is also included in the property description for the State Heritage Register under the Heritage Act (SHR00768). Refer to the figure below.

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Figure – Extent of Experiment Farm at 7 Ruse Street

The car park site is affected by the Sun Access Protection clause which strictly requires no additional overshadowing to Experiment Farm during the protected time of the day being between 10:00am and 2:00pm on 21 June in any year. Thus, Council officers confirm that the car park site is included in the statutory listing of Experiment Farm as a heritage item both under PLEP 2011 and the State Heritage Register. The omission of 14 Alice Street from the Protected Area reflected the fact that 14 Alice Street is not part of the Experiment Farm heritage listing. Therefore, the revisiting of the area affected by the SAP is not supported on land application grounds.

- Furthermore, the HAA (2017) study prepared for the CBD PP states, *It is vital that new development in the Parramatta CBD does not overshadow this place. It is important to retain a sense of separation from the Parramatta CBD, and any shadow directly as a result of a tower development would compromise this separation from the Parramatta CBD.* Therefore, it is important to continue to recognise and protect the national significance of Experiment Farm as a unique example of a colonial agricultural experiment.
- As well, Heritage NSW's submission on the CBD PP to satisfy Condition 4 on the Gateway determination stresses the importance of maintaining solar access to State and National Heritage items/place including Experiment Farm Cottage.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

30. Dexus landholdings at 130, 140, 150 and 95-101 George Street (No.252)

Council Officer recommendation: That information in this submission is noted. No further action required.

The CBD PP (as exhibited) proposed the following major controls for this land:

- B3 Commercial Core zone.
- A base building height of 211 metres (RL) with no incentive building height control.
- A base FSR of 10:1 with no incentive FSR control.
- Local heritage item bisects the site at 130 George Street (representing the convict drain).

Submission Summary:

- This submission has been prepared by Robinson Urban Planning on behalf of Dexus, landowners of major commercial sites at 130, 140, 150 and 95-101 George Streets, three sites of which (130, 140 and 150 George Street) are contiguous and are generally large in size.

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- In general, the major existing (*PLEP 2011*) controls for all four (4) sites are: B3 Commercial Core zone; 120 metre building height; 10:1 FSR; with the site at No.130 being bisected by a convict drain (Item No.1647) as shown in the Heritage Map.
- The submitter notes that the site at 140 George Street has received consent for an A-Grade office building following a design excellence competition (DA/808/2017).
- The submitter requests further information on the following issues:
 - **State public infrastructure:** The submitter understands that Clause 7.6G 'Arrangements for contributions to designated State public infrastructure' addresses a Gateway Determination condition however, requests more information *on the types of development that would be subject to a State public infrastructure contribution, the contribution rate and the timing for payment.*
 - **Amendments to the land reservation acquisition map:** The CBD PP's Land Reservation Acquisition Map shows a Regional Cycleway along the frontage of George Street which affects all of the Dexus owned properties subject to this submission. The submission notes that *Dexus supports Council's ambitions to improve accessibility and active modes of transport within the Parramatta CBD, however more information is required on whether or not the cycleway is to be developed within the road reserve or on private land, the area of private land affected (if any) and the timing for delivery.*

Council officer's response:

- Clause 7.6G (Arrangements for contributions to designated State public infrastructure) was inserted into the CBD PP on the basis of a Gateway condition required by DPIE. It is based on other similar satisfactory arrangements clauses. Implementation of the clause is a matter for the State Government, with no details having been provided to Council. Council officers have made a minor amendment to this clause to add in heavy and metro rail infrastructure to the list of designated State public infrastructure that applies under the clause. The final wording for the clause will be a matter for the State Government.
- With regards to the question on whether private land is required to be absorbed to deliver the Regional Cycleway as shown on George Street on the LRA Map, Council's ITP was endorsed by Council for exhibition at its meeting held on 26 April 2021. In this report, further details of the land acquisition notations across the CBD is provided.
- Council Officers **note the above comments** and note that the LPP and Council reports will assist with the submitter's queries. Thus, Council Officers recommend that no further action is required in relation to this submission.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

31. Land at 23A & 25-27 Great Western Highway, Parramatta (No.256)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary:

- This submission has been prepared by DMPS/Tony Owen Partners on behalf of Jay May Constructions, owners of two sites at 23A & 25-27 Great Western Highway.
- For the purpose of this submission review, since the land is not contained within the CBD PP land application area, there is little benefit in summarising the existing (*PLEP 2011*) controls that are applicable to the land.

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- The submission is supported by a Master Plan which looks at the street block edged by Great Western Highway and Marsden, Early and Church Streets, but excluding the Church Street properties contained within the CBD PP land application area. It tests two urban design options for this block:
 - Option 1 – 49 metre building height; and
 - Option 2 – part 72 metre, part 49 metre building heights.

The submission does not propose any corresponding FSRs.

- The submitter says this area was removed *without explanation*. However, the CBD PP explains the area's removal, along with the removal of the other PIAs, across a number of sections (pp.12, 14 and 44).
- The submitter requests that the parcels within the above street block that were excluded from the CBD PP be re-integrated back into the PP along with consideration of integrating Options 1 or 2 as tested in the submitter's Urban Design Study.
- Also, the submitter synthesises the previously proposed (pre-exhibition) planning controls within the West Auto Alley Precinct - more specifically the northern portion of this precinct and compares the CBD Planning Strategy, previous Council resolutions and the technical paper on overshadowing. The submitter argues that the sites fronting the Great Western Highway can be awarded a greater height than what was proposed in the technical paper on overshadowing and supports this with a Master Plan which seeks to demonstrate that no greater overshadowing impact is created if the heights along the Great Western Highway are increased to 72 metres as summarised above.

Council officer's response:

- Firstly, it should be clear that the purpose of this submission review is to respond to the request of including part of the street block back into CBD PP for progression to finalisation stage and not to interrogate the merit of the submitter's Master Plan.
- The area identified in the submission is located within the Southern PIA which is subject to a separate pathway as outlined in a Council decision of 11 November 2019 (Item 9.1). This work would be carried out at a later stage via Decision Pathway 3. Re-introducing this area into the CBD PP is inconsistent with this decision of Council.
- Reintroducing parts of the Southern PIA (that were removed by Council) back into the CBD PP would raise the expectation that the remaining PIAs (parts of which were also removed) should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.
- The submitter's proposed inclusion of this large area into the CBD PP post exhibition is substantial and considered too significant as it would require re-exhibition of the PP.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the planning proposal area exclusive of the PIAs.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.
- **Action:** No decision is required.

32. Dyldam land at 20A-22 Rosehill Street, Parramatta (No.258)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

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Submission Summary:

- This submission has been prepared by Knight Frank on behalf of Dlydam, owners of two parcels at 20A-22 Rosehill Street, Parramatta.
- The existing (*PLEP 2011*) controls for the land and vicinity are:
 - R4 High Density Residential zone;
 - a building height of 11 metres;
 - FSR of 0.8:1.

The South Parramatta HCA is located west of the land on the western side of Inkerman Street.
- The submitter requests that the West Auto Alley Precinct be reintroduced back into the CBD PP project and adopt following changes to the planning controls:
 - retain the R4 zone
 - increase the incentive height to 24 metres; and
 - increase the FSR from 0.8:1 to 2:1.
- The submitter does not provide any supporting studies on urban design, overshadowing, heritage or traffic analysis to support their proposed changes. Rather, the submitter argues that because the land has proximity to the CBD PP land application area (which enjoys substantial heights and FSR controls), is within the Southern PIA area and the land enjoys proximity to the CBD, that these are sufficient reasons for seeking substantial increases in the height and FSR controls.

Council officer's response:

- The land is contained within the Southern Planning Investigation Area (PIA) which is subject to a separate pathway as outlined in a Council decision of 11 November 2019 (Item 9.1). This will be undertaken at a later stage via Decision Pathway 3. Re-introducing the West Auto Alley Precinct area into the CBD PP is inconsistent with the previous decision of Council.
- Reintroducing parts of the Southern PIA back into the CBD PP (that were removed by Council) would raise the expectation that the remaining PIAs (parts of which were also removed) should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.
- The submitter's proposed inclusion of this large area into the CBD PP post exhibition is substantial and considered too significant as it would require re-exhibition of the CBD PP.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the CBD PP area exclusive of the PIAs.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.
- **Action:** No decision is required.

33. Land at 328 Church Street, Parramatta ("El Phoenician site") (No.261)

Council Officer recommendation: **The amendment to the CBD PP requested namely the removal of the LRA notation that currently applies to the site is not supported, however Council should undertake further investigations into financial implication and planning opportunities under Decision Pathway 3 – Merit for further investigation**

The CBD Planning Proposal (as exhibited) proposes the following major controls for this site:

- Maintains the existing B4 Mixed Use Zone.
- Maintains the part 12 metre and part 80 metre heights as a base height and introduces an incentive 211 metre RL height over the same area the base 80 metre height applies.

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- Maintains the part 6:1 FSR over the entire site and introduces an incentive 10:1 FSR over the entire site.
- Maintains the existing LRA notation for 'Local Road Widening (B4)' to deliver a 6 metre wide laneway which affects the entire site.

Submission Summary:

- This submission was prepared by Mecone on behalf of the landowner (Two-Dad Pty Ltd) of 328 Church Street, Parramatta. (Note: a second, follow up submission replaced an initial submission). The El Phoenician Restaurant is currently situated on this site.
- The existing major (PLEP 2011) controls for the land are: B4 Mixed Use zone; part 12 metre and part 80 metre building height; 6:1 FSR; and 'Local Road Widening' (B4) notation on the LRA Map (blue notation) affecting the entire site for the purposes of a 6 metre wide laneway. Refer to the area bound red in the figure below.



Figure – 328 Church Street and LRA notation extent

- The landowner requests the removal of the existing 'Local Road Widening (B4)' on the LRA Map affecting the entire site for the laneway to provide certainty for the landowner.
- The submitter notes the landowner has been progressing discussions with several landowners (306-320 Church Street) for a joint commercial or mixed-use development via a future SSPP but the applicant has subsequently advised they do not intend to pursue a SSPP at this point in time.
- The owner objects to the existing LRA notation as follows:
 - The owner sees the east-west link as unviable and would constitute as a high cost for Council.
 - The owner sees the link unnecessary given the *relative short distances to currently walk between Eat Street and the Powerhouse site* and sees its removal will not have *adverse impacts on east-west pedestrian travel* for pedestrians in the vicinity.
 - The owner sees amenity and safety concerns given the location of the access ramp for the Meriton apartments at 330 Church Street.
 - The owner suggests that because Infrastructure NSW is not interested in the acquisition of the laneway, its purpose as a laneway is not required.
- As an alternative, the owner proposes allowing redevelopment of their site which is inclusive of a 3 metre wide connection at existing ground level but redevelopment in the airspace above the link. Suggests the benefits of this are:
 - Preserving the east-west *pedestrian path*
 - Enables the pathway *to be more readily regulated*
 - Will enable activation of the laneway
 - Will enable redevelopment of the site.

Council officer's response:

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- The existing 'Local Road Widening (B4)' notation on the LRA Map has been in place since the 2007 City Centre LEP prepared by DPIE and therefore is an existing potential financial liability for Council.
- Whilst Council Officers do not consider that acquisition of the site is a priority at this point in time, provisions under the *Just Terms Compensation Act* enable owner-initiated acquisition requests in cases of hardship to bring forward an acquisition of a site and the landowner is free to pursue this. At the same time, there is no allocated funding to fully fund the purchase of this laneway. Maintaining the laneway with no confirmed plan for its funding has financial implications for Council, which requires further investigation.
- The purpose of the 'Local Road Widening (B4)' notation is to provide an east-west laneway and access handle to connect with Phillip Lane to the south. The LRA notation is still strategically relevant and its ongoing inclusion into the CBD PP (as exhibited) is informed by multiple Council policies and strategies, including: (1) Parramatta Civic Improvement Plan 2007; (2) Parramatta Development Control Plan 2011; (3) Parramatta Lanes Strategy and Framework Plan 2010; (4) Parramatta Lanes Policy 2011; (5) Parramatta City River Strategy 2015; (6) Parramatta Smart City Master Plan 2015; (7) Parramatta Cultural Strategy – Culture and our City 2017-2022; (8) Parramatta Public Domain Guidelines 2017; and (9) City River Public Domain Guidelines 2020 (Draft).
- The main purpose of the laneway is to provide direct pedestrian access between Eat Street and Parramatta Light Rail to the future Powerhouse Museum. It is also proposed to connect with Phillip Lane to the south. This small pedestrian network would improve pedestrian permeability and create a more fine-grain experience within the CBD. The laneways are proposed to be activated as shown in the Active Frontages Map. As the CBD continues to grow, the strategic need for laneways such as these will be needed to accommodate increased pedestrian activity and improve permeability.
- To satisfy Condition 4 of the Gateway determination, Council was required to consult Transport for NSW (TfNSW) who have not provided any comment on the LRA notation to deliver the future laneway.
- The submitter's proposed 3 metre covered walkway would not be an optimal outcome from an urban design viewpoint and its viability would also depend on the expectations of the landowner on the development potential of the site as the site is only 6m wide and a development greater than 2-3 storeys may be difficult to support from an urban design viewpoint.
- The optimal outcome which would see the current landowner benefit from the maximum FSR whilst still delivering a 6m wide open to sky walkway would be possible if the site were to be redeveloped as an amalgamated parcel together with properties to the south.
- In conclusion, given the LRA notation is an existing notation under PLEP 2011, it cannot be removed at this time as a part of the CBD PP as this would trigger re-exhibition, and therefore is **not supported**. However, because there is a large financial commitment required to fund the purchase of this site, this issue requires closer analysis and so should be subject to **further investigation**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps for finalisation purposes as the existing LRA notation will be retained. Further investigations to be undertaken in relation to financial implications for Council.

34. Land at 12A Parkes Street (No. 263)

Council Officer recommendation: Decision Pathway 3 – for further investigation

The CBD PP (as exhibited) proposed the following major controls (in part) over the site: a base building height of 72 metres and incentive building heights of; and a base FSR of 8:1.

Submission Summary:

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- This submission has been prepared by Mecone for land at 12A Parkes Street, Parramatta (also known as 122 Wigram Street). The site has an area approximately of 900 sqm.
- The existing (*PLEP 2011*) controls on the site are: B4 Mixed Use zone and building heights of 72m and FSR of 8:1. This includes a site-specific clause (Clause 7.16) to achieve:
 - exemption for the site from Clause 7.2 FSR sliding scale,
 - application of a maximum car parking rate in accordance with the CBD Strategic Transport Study, and
 - a requirement that the development address floodplain risk management.
- These controls came into effect on 23 August 2019 *PLEP 2011 (Amendment No. 34)* owing to the finalisation of a SSPP process (RZ/22/2014), which commenced in 2014 and involved a corresponding site specific development control plan (SSDCP) and voluntary planning agreement (VPA).
- The submitter requests the following amendments to the CBD Planning Proposal prior to its finalisation:
 - That the exhibited base height of 72 metres be replaced with a 122 metre height; and
 - That the exhibited base FSR of 8:1 be replaced with a 10:1 FSR.
- The submitter argues that the SSPP originally lodged with 10:1 FSR, was reduced to 8:1 based on Council commissioned study - Harris Park Conservation Area and Robin Thomas Reserve Transition Study W.I.P; and that study was disregarded by Council given FSRs of 10:1 in the immediate area and is not referenced in CBD exhibited documents.
- The submitter argues that *the site does not have an Incentive FSR control or incentive HOB control while surrounding sites have an Incentive FSR of 10:1 and Incentive HOB of 122m and assumes the reason for this is because of the SSPP, which is considered unfair because if the site was not subject to a SSPP it would have got the same planning controls as adjoining sites.*
- The submitter has provided a height increase study to demonstrate a future potential tower at 12A Parkes Street with an FSR of 10:1 plus design excellence and corresponding height of approximately 98.3m, *would be compatible with current and future built form in the area (e.g. 14–20 Parkes Street and 11 Hassall Street) and would cast no additional shadow on Experiment Farm during the worst-case scenario (i.e., mid-winter 2pm), consistent with the proposed clause 7.4 of the CBD PP.*
- The submitter states they are not aware of any technical study suggesting the site should be 8:1, while neighbours have an Incentive FSR of 10:1, and cites the HAA Heritage Study of Interface Areas (2017) that recommended an FSR of 10:1. The submitter contends that Council has made an error in not applying an Incentive FSR of 10:1, and that the only notable restriction to height is overshadowing to Experiment Farm as recommended for protection in the HAA study.

Council officer's response:

- The CBD PP as exhibited reflects the SSPP as it was finalised (notified) prior to Council endorsing the CBD PP for exhibition in November 2019. The applicant's SSPP process was supported by both a SSDCP process and a VPA process both of which came into effect around the time of the SSPP. Furthermore, Mecone pursued a Design Competition process (LA/394/2015) which resulted in the Competition Jury determining a winning scheme consistent with the SSPP and SSDCP. These processes involved rigorous technical analysis; statutory decisions by Council, DPIE and design excellence panel; and consultation with community, statutory authorities and service providers.

Thus, the subject site does not have an incentive FSR or incentive height of building control because it is the subject of a gazetted SSPP. This was a deliberate policy position of the Council and not an error as purported by the submitter, and is described in the CBD PP document on page 56 as follows, "...land that is the subject to a gazetted site specific planning proposal will have one FSR and height control as shown on the Height of Buildings and FSR map".

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This position was taken because the SSPP process to amend planning controls at the scale of an individual site considers the unique site conditions as well as broader strategic planning matters and involves a rigorous and detailed assessment of the particular built form outcome sought via the amended planning controls for a site.

In the case of the subject site, an FSR of 8:1 was considered an appropriate outcome balancing the issues of the small size (approximately 900sqm) with the isolated nature and flood affection and achieving a proportional built form. This is consistent with the provisions of the draft clause 7.2 FSR. In addition, if the site had not been the subject of a SSPP as posed by the submitter, clause 7.2 FSR would also apply and the resulting FSR for the site would be 6:1 given the land area is less than 1000sqm.

The submitter has expressed a preference for the Incentive FSR applied to sites in the proximity of their site and believes their site has been disadvantaged by virtue of the outcome of the earlier site-specific Planning Proposal. While some surrounding sites benefit from a proposed Incentive FSR of 10:1, they also are subject to the FSR sliding scale provisions under draft Clause 7.2(1) of PLEP 2011. Due to the relatively small site area (900 sqm), if 12A Parkes Street was subject to the same provisions as the surrounding sites, the FSR sliding scale would bring the permissible FSR down from 10:1 to 6:1 (6.9:1 when considering Design Excellence). The earlier site-specific PP allowed the site to be subject to rigorous technical analysis; statutory decisions by Council, DPIE and design excellence panel; and consultation with community, statutory authorities and service providers. This gave the site a total FSR of 8:1 which is greater than that which would be permissible under the blanket provisions of the CBD PP.

- The 'Harris Park Conservation Area and Robin Thomas Reserve Transition Study W.I.P' referred to by the submitter was additional analysis Council sought from its consultant (Urbis) preparing the 2015 Heritage Study and referred to in a report to Council on the SSPP for this site in November 2015. The Urbis Heritage Study (2016) recommended an FSR of 8:1 for the subject site and was part of the transition in FSRs down to the adjoining HCAs, as was the position at the time.

Parts of the Urbis study affecting 'interface areas' were later superseded by the HAA Heritage Study of Interface Areas in 2017. This study was prepared to address issues raised by the Heritage Council and the DPIE and assessed at a precinct scale the impact of the draft CBD PP on heritage items and HCAs within and adjacent to the 'Interface Areas'.

The HAA study recommended FSRs of 10:1 in this interface area, which included this site. The Council endorsed LEP recommendations from the Urbis heritage study that were not superseded by other heritage studies are part of the CBD PP, are referenced in the CBD PP documents on exhibition.

- Overshadowing impacts to Experiment Farm as well as potential cumulative impacts on the Harris Park West HCA and Experiment Farm HCA because of increasing the heights was a requirement of the Gateway determination (Condition 1(k)(ii)). This condition required Council to test impacts of overshadowing to HCAs situated to the south of the CBD – including Harris Park West, Experiment Farm, Tottenham St and South Parramatta. This is detailed in Section 6 of the Overshadowing in the Parramatta CBD Technical Paper – revised in 12 August 2020. Additionally, Gateway Condition 1(j)(ii) required Council to further assess overshadowing impacts of proposed controls on public open spaces, which is set out in Section 7 of the Technical Paper.

Testing of the overshadowing impacts associated with the submission for 12A Parkes Street are detailed in a supplement overshadowing technical paper (April 2021) which is attached to the revised CBD PP. In summary, the results of the testing indicate indicates:

- The additional height requested results in 4 additional parcels within the Harris Park HCA falling below the 2 hour of sunlight access minimum threshold (an increase of 2% of the total parcels within the Conservation Area) in combination with additional overshadowing from submissions lodged at 14-20 Parkes Street and 56 Station Street East.

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- The increased height also results in additional overshadowing to the Experiment Farm Heritage Conservation Area but does not cause any parcels in that area to fall below the 2 hour sunlight access minimum threshold.
- The increased height represents a 69% variation from the exhibited controls and is, therefore, substantive.

Furthermore, Council's supplement paper (April 2021) also notes that the additional overshadowing from 56 Station St East, 12A Parkes St and 14-20 Parkes St, *when evaluated separately*, did not of themselves result in any additional land parcels in the Harris Park West Heritage Conservation Area failing the two-hour benchmark. However, the cumulative impacts of the overshadowing – particularly the overshadowing cast by 12A Parkes St and 14-20 Parkes St in quick succession, followed by 56 Station Street East in the later afternoon contributed to four additional land parcels in the Harris Park West failing the two-hour benchmark. The additional overshadowing of four land parcels, however, constituted less than a 10% increase to overshadowing in the HCA and is considered a less-than-significant impact.

- The submitter's proposed changes to the incentive height and FSR maps represent a change greater than 10 per cent and is therefore likely to trigger the need for the re-exhibition of the CBD PP if incorporated and other planning and urban design issues have not been tested. Despite the above, the submitter's site meets the definition of an isolated site as it has road frontages on three sides and Clay Creek Cliff on its fourth frontage. Therefore, any increase in height and FSR would need to be carefully assessed given the flooding constraints experienced by the site.
- In conclusion, Council Officers see there is **merit in further investigation** of the submitter's proposed height and FSR increases at a later stage.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

35. Various non-contiguous landholdings within the North-East PIA area (No.264)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area being the North-East PIA that is currently being considered. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary:

- This submission has been prepared by PTI Architecture on behalf of five (5) landowners, each owning one, with some up to three, individual residential units that sit across seven (7) separate strata-subdivided apartment developments.
- For the purpose of this submission review, since the land is not contained within the CBD PP land application area, there is little benefit in summarising the existing (*PLEP 2011*) controls that are applicable to the land.
- The submitter requests Council reconsiders the status of the planning controls *located east of Church Street and west of Sorrell Street in terms of their planning opportunities*.

Council Officer's response:

- Since the five landowners represented in this submission have an interest in a small proportion of the total land covered by the submission, Council Officers do not assume that the views expressed in this submission are shared by all of the landowners situated within each of these apartment developments.
- The area identified in the submission is located within the North East PIA which is subject to a separate pathway as outlined in a Council decision of 11 November 2019 (Item 9.1) and subsequent Council reports in 2020 and 2021. Re-introducing the North East PIA into the CBD PP is inconsistent with these decisions of Council.

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- The preparation of the Draft Strategy for the North East PIA has been occurring in parallel with the progression of the CBD PP. At the time of preparing this summary, the exhibition of the Strategy commenced on 16 March 2021 and was scheduled for completion on 15 April 2021.
- Reintroducing the North East PIA back into the CBD PP would:
 - raise the expectation that the remaining parts of PIAs which were removed should also be re-introduced back into the CBD PP. All of the PIAs will be progressed once the CBD PP and CBD DCP are close to finalisation stage.
 - require re-exhibition of the CBD PP as submitter's proposed inclusion of the North East PIA back into the CBD PP post exhibition is a substantial change.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the planning proposal area exclusive of the PIAs.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area, being the North-east PIA that is currently being considered.
- **Action:** No decision is required.

36. Land at 7 & 11 Great Western Highway, Parramatta (No. 265)

Council Officer recommendation: **Decision Pathway 2 – Not support**

The CBD PP (as exhibited) proposed the following major controls for the land:

- B4 Mixed Use Zone;
- a base height of 12 metres and an incentive height of 80 metres;
- a base FSR of 2:1 and an incentive FSR of 6:1.

Submission Summary:

- This submission has been prepared by Dickson Rothschild Design on behalf of three landowners of two adjoining sites at 7 and 11 Great Western Highway, Parramatta. The subject land has a total land area of approximately 1,750 square metres.
- The subject land is located within the CBD PP boundary and abuts the Southern Planning Investigation Area.
- The existing (*PLEP 2011*) controls on the subject site are: B4 Mixed use zone; 12m building height; and a FSR of 2:1. The South Parramatta Heritage Conservation Area including heritage items are located to the south.
- The submitter sees the relatively recently notified controls on two major adjoining sites are of relevance to determining the controls on their landowner's site:
 - Dyladam landholdings making up 87 Church Street and 6 Great Western Highway (northern side of the Great Western Highway) which has undergone a SSPP process with accompanying SSDCP and VPA processes and design excellence process. These concurrent processes resulted in the site now having a base building height of 180 metres and a base FSR of 10:1.
 - Dyladam land holdings (known as South Quarter) directly adjoining the submitter's subject site to the east and part south, known as 63, 83 Church Street and 44 Early Street, which has an approval for a development with a height of 118 metres and FSR of 7.2:1 as well as other controls.
- Taking into consideration of the above, the submitter seeks an increase to the incentive height and FSR controls as follows:
 - increase the incentive building height from 80 metres to 100 metres; and

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- increase the incentive FSR from 6:1 to 6.5:1; and
- an exemption from the FSR sliding scale.

The submitter argues that due to the site's proximity to both Dyldam landholdings, a greater FSR and height on the subject site would be more complimentary to these developments.

- The submitter compares the CBD PP controls (as exhibited) as the Baseline Scenario (80 metre incentive height and 6:1 FSR) as well as an alternative scheme as the Alternative Scenario (100 metre incentive height and 6.5:1 FSR). An additional 15% has been included as part of the testing scenarios. In doing so, the submitter provides:
 - elevation diagrams which compare the baseline and alternative schemes in relation to the South Quarter development proposal. An argument is made that the visual impacts are largely similar between the two schemes, with the proposed controls still providing a 'step down' from the South Quarter development.
 - shadow diagrams which demonstrate that the alternative scheme will result in a negligible increase in overshadowing.

The submitter indicates that the subject site is not significantly constrained in a manner that warrants development standards (ie. height and FSR) well below that of the other CBD sites in the immediate vicinity of the subject site.

Based on the context of draft standards and the predominant pattern of proposed building heights for sites south of Great Western Highway, the submitter argues that the site would have more equitable development standards if the building height was in the order of 100 metres and the FSR was approximately 6.5:1 and that the additional height would accommodate a more flexible scheme with suitable setback to the CBD edge while achieving the proposed FSR on the site.

- The submitter's shadow analysis illustrates that the requested height and FSR will cast shadows at the following times:
 - At 9:00am, there is shadowing of a small area (15%) of No.7B Lansdowne Street within the South Parramatta HCA.
 - At 3:00pm, shadows casted over two heritage listed items and a part of Marion Street.

The submission notes that parts of these shadows are within the shadow profile already casted by surrounding sites including the approved development at 83 Church Street (South Quarter DA/738/2016).

- The submitter raises concern with the 'community infrastructure provision' being uncertain as this may impact on redevelopment feasibility as the CBD PP provides very little detail on what may be entailed in the provision of community infrastructure. *With a base FSR of 2:1 and an Incentive FSR of 6:1, the feasibility of redevelopment of the site will be heavily dependent on this clause.* However, the submitter also provides reassurance that the site can comfortably accommodate increase height and FSR as it could better realise the full potential of the site and provide more support for a future Community Infrastructure contribution.

Council officer's response:

- Under the exhibited controls, the landowners already benefit from a substantial increase in density and height when compared to the existing controls. When factoring a 15 per cent increase achievable from the design excellence clause, the net increases to the controls (as exhibited) are as follows:
 - the height increases from 12 metres to 92 metres; and
 - the FSR increases from 2:1 to 5.95:1:1.

The submitter does not argue that the increases are necessary for feasibility purposes nor has the submitter supported their submission with any feasibility analysis.

- The two Dyldam redevelopment sites that have close proximity to the subject site are substantially larger in scale with each having significant frontage to Church Street whilst the

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submitter's site is much smaller in scale and has no frontage to Church Street. Furthermore, each of the Dyldam sites have achieved their respective controls via a rigorous process involving a SSPP, SSDCP, VPA and design excellence processes which had significant input from Council Officers, Council, DPIE as well as State agencies and service providers, and occurring independently of the CBD PP process.

- The submitter's justification for the proposed amendments relies substantially on the subject site's proximity to the Dyldam sites but largely neglects the context of the adjoining sites to the west and south which have substantially lower development standards (ie. height and FSR controls). These sites, summarised below, are also located outside the CBD PP boundary:
 - The site adjoining the western boundary at 13-21 Great Western Highway comprising Monric Gardens is a low rise, three and four storey residential flat building development with 38 apartments. Constructed in the mid-1990s, there is a total of 36 separate landowners within this development.
 - The two sites adjoining the southern boundary are:
 - 38-40 Early Street comprising a four storey walk up residential flat building development comprising 22 apartments owned by the Department of Housing; and
 - 42 Early Street comprising a four-storey walk up residential flat building development comprising 12 apartments with 12 separate landowners.

These sites are situated within the Southern PIA. Any potential changes to the controls affecting these sites (current controls being: R4 High Density Residential zone, building height of 11 metres and an FSR of 0.8:1) will be further explored during the Southern PIA process.

- Council Officers support the submitter's view that the landholding is not within close proximity of a heritage item or heritage conservation area.
- Council Officers largely support the findings from the submitter's overshadowing analysis of both the Base Scenario and Alternative Scenario because further internal testing of the submitter's proposal was undertaken by Council Officers as part of the post-exhibition review. This found that the submitter's proposal does not result in additional overshadowing to the South Parramatta HCA or the Tottenham Street HCA. As well, the proposed amendments do not cause additional overshadowing to open space areas. That said, there are other reasons the density increase is not supported (see below).
- The purpose of the FSR sliding scale as exhibited in sub-clauses 7.2 (1), (2), (2A) and (2B) is to promote site amalgamation and to prevent overdevelopment and inappropriate built forms on small sites. The sliding scale control aims to balance equity of development potential with the physical capacity of the site. Further, the control ensures value to smaller sites is delivered, while incentivising the consolidation of sites. Council Officers are of the view that the site already receives substantial uplift via the exhibited controls.
- Council Officers do not support an FSR sliding scale exemption. The exemption would require the drafting of a special local clause that switches off the FSR sliding scale for the subject site and instead, provides exceptional provisions for this site. This will establish a precedent and trigger interest from other landowners who are likely to seek the same exemptions. The clause already allows for the maximum FSR to be achieved where the criteria for an isolated site can be demonstrated.

Furthermore, Council Officers are not able to justify such an exemption on a single site without undertaking further analysis of sites in a similar scenario. The cumulative impacts (on urban design, traffic, infrastructure, etc) across the CBD would have to be tested and this would delay any progression of the controls for such sites. As well, the additional jobs and dwellings generated by such increases are not required (see comment below regarding the LSPS and LHS). As well, the FSR sliding scale exemption is not supported by a technical study which would properly assess the impact of the proposed change including a comprehensive analysis of other similar sites across the entire CBD PP area. This would delay the progression of the CBD PP.

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- With regards to the role of the site as an interface between the Dylam sites and the land zoned R4 High Density to the west, Council Officers agree the site serves a critical interface role (although it is noted that this land to the west is within the Southern PIA and would be subject to further investigation). Council Officers are of the view that the submitter's own scenario testing illustrates that the Base Scenario is a preferred outcome for interface purposes rather than the Alternative (higher density) Scenario given it does not contrast so substantially with the adjoining R4 zoned land which currently has a building height of 11 metres and FSR of 0.8:1. It is noted that this comment should not be interpreted to mean that Council does not have other issues with the outcome on the site, see discussion below.
- When Council Officers commence work on Southern PIA process, any support for the submitter's proposed increase height and density, and exemption from the FSR sliding scale may raise expectations from landowners of the adjoining R4 High Density zoned land that they could use this outcome as justification for seeking higher heights and densities as part of that process (which is then likely to impact on overshadowing to the South Parramatta HCA and open spaces to the south).
- The increased height requested constitutes more than a 10% variation on the exhibited controls and is, therefore, substantive enough to trigger re-exhibition of the CBD PP.
- The submitter's proposed changes are also inconsistent with Gateway condition 1(i) which requires the *proposed FSR controls and incentives... to reflect the Gateway conditions* and Gateway condition 1 (ii) which requires the FSR sliding scale *reflect option FSR-1 in Council's report of 14 December 2015, unless further evidence is provided to demonstrate that alternative threshold would be appropriate.*
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver above and beyond the number of dwellings and jobs required for the year 2036, the additional dwelling and job yields that would be realised by the submitter's proposed changes are not needed, nor have they been tested in terms of infrastructure demand.
- In conclusion, the submitter's requests are **not supported**.
- **And Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

37. Land at 1-3 Campbell Street, Parramatta (No. 266)

Council Officer recommendation: Decision Pathway 3 – Undertake further investigation of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.

The CBD PP (as exhibited) proposes the following controls: B4 Mixed Use; a base building height of 28 metres; an incentive building height of 100 metres; a base FSR of 3.5:1; and an incentive FSR of 8:1

Submission Summary:

- This submission has been prepared by Willana Urban on behalf of the landowners for two land parcels at 1-3 Campbell Street, Parramatta. The site is located on the corner of Pitt Street and Campbell Street and has an area of 2,422sqm.
- The major existing (*PLEP 2011*) controls for the land are: B4 Mixed Use zone; a building height of 28 m and FSR of 3.5:1.
- The submitter requests the following amendments:
 - Application of an Incentive height of 122 metres (156 AHD with Design Excellence); and
 - Application of an Incentive FSR of 10:1.
- The submission argues that a number of sites along Campbell Street, east of Marsden Street, have incentive heights of 180 metres (211 RL) and using the same criteria of cumulative

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overshadowing impacts detailed in Council's Overshadowing Technical Paper, additional height is appropriate on 1-3 Campbell Street.

- The submitter has also provided height and overshadowing analysis to illustrate that:
 - the requested height of 122m and 10:1 FSR with the High Performing Building bonus (0.5:1) and Design Excellence bonus (1.5:1) will allow 5.5 hours of solar access to 50% of the Ollie Webb Reserve on June 21 between 9am and 3pm, and this exceeds the requirement of 4 hours.
 - the proposed heights cast no additional impact of overshadowing as a result of cumulative overshadowing, on the South Parramatta Heritage Conservation Area on June 21st between the hours of 9am and 3pm.
- The submitter argues that the topography of the land relative to the cumulative shadow cast is the determining factor with the site being 10 metres lower than land fronting the Great Western Highway; and the overshadowing outcomes reinforce the opportunity for additional height and FSR on the subject site.

Council officer's response:

- It is acknowledged that the primary reason heights and FSRs were lowered in the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway was to minimise the effect of overshadowing onto the South Parramatta HCA and public open spaces to the south, as requested by DPIE in their Gateway conditions. This was then supported through the *Review of Opportunity Sites Study*, which was also undertaken as a result of a Gateway condition. It is noted that three submissions (including this one) have been received by landowners in these two street blocks, all of which whose submissions respond to this overshadowing analysis (refer to submission nos. 207, 266 and 270).
- Council has tested the heights proposed in these submissions in its own *Supplement to the Overshadowing Technical Paper* (April 2021), the results of which show minimal impacts in terms of overshadowing that still meet Council's benchmark thresholds for sunlight access to open spaces and the South Parramatta HCA.
- Council officers also acknowledge that given the concentration of older strata subdivided residential flat buildings in these two street blocks, economic considerations are a significant factor in encouraging urban renewal in the medium to long term, with this issue being addressed in the "*Market and Feasibility Analysis – Parramatta*" Memorandum report prepared by JLL (August 2019), which was included with the exhibition material for the CBD PP.
- In light of these considerations, Council officers consider there is merit in undertaking further investigations of these two street blocks, which will enable further urban design testing of the heights and FSRs proposed in these submissions. This testing, which would be undertaken at a street block level, would address such matters as built form (including bulk and scale), setbacks, site size, potential amalgamation patterns, floorplate configuration and public domain interface. This work would be undertaken a later stage as a separate piece of strategic work under Decision Pathway 3 – Merit for further investigation. It should be noted that the changes proposed by the submitter are greater than 10% and therefore cannot be made now or else this would trigger a re-exhibition of the CBD PP.
- In conclusion, the submitter's request is **not supported**. However, there is merit in undertaking **further investigations** of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. Undertake further investigations of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work

38. Land at 179 and 181 Church Street, Parramatta (No. 267)

Council Officer recommendation: **Decision Pathway 2 – Not support**

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The CBD Planning Proposal (as exhibited) proposes the following major controls:

- B4 Mixed Use zone.
- a base building height of 28 metres with no incentive height.
- a base FSR of 3:1 with no incentive FSR.

Submission Summary:

- This submission has been prepared by GS Law Group who represent the Strata Plan owners of 181 Church Street as well as the landowner of the adjoining site at 179 Church Street. Combined, the sites are approximately 1,800sqm in area.
Note: See also submissions at No.s 298A and 298B affecting 179 Church Street.
- The submission is supported by a detailed submission, urban design analysis, and a Preliminary Heritage Analysis of the significance of the property, its setting and the heritage items in the vicinity of the subject site.
- The existing (*PLEP 2011*) controls for the land are: B4 Mixed Use zone; 24 metre building height; and 3:1 FSR.
- The submitter requests the following substantial changes to the building height controls:
 - that the incentive height of buildings may be amended to provide for a height of 36 metres and 120 metres on the subject land; to enable a slender 120 metre tower on the eastern section of the site, fronting Church Street.
 - that the achievement of the 120 metre height would be conditional upon the consolidation of the two properties to achieve a site area more than 1,800sqm and an appropriate tower floor plate size.
- The submitter requests the following substantial changes to the FSR Controls:
 - The base FSR map should increase the FSR applying to the subject site from 3:1 to 6:1. The Incentive Floor Space Ratio Map should provide for a potential FSR of up to 10:1 on the site.
 - Achieving the incentive FSR will be dependent on satisfying the requirements of clause 7.2 of the draft LEP and specifically consolidating properties at No 179 and No 181 Church Street to achieve a site area greater than 1,800sqm.
 - Achieving the incentive FSR would also be reliant on compliance with the recommended height controls of 36m and 120m.
- The submitter argues the recommended amendments to the building height and FSR controls will:
 - establish a building mass that is compatible with likely redevelopment in the immediate vicinity.
 - establish a building mass that will not compromise the immediate visual setting of the historic Saint John's Church/Church Street Mall/Parramatta Town Hall precinct.
 - establish a building mass that will not compromise significant view corridors.
 - facilitate the orderly development of land through site consolidation.
 - stimulate urban renewal.
 - facilitate significant improvements to the visual/aesthetic qualities of the Saint John's Church/Church Street Mall/Parramatta Town Hall precinct.
- The submitter argues that because of the significant change occurring around the site, such as the approved PS6 and PS8 tower buildings, and nearby SSPP over the St John's Cathedral sites, that a more substantial building mass is justified on the site. The submitter also says that the urban design analysis enables a podium and tower design that does not impinge on the view corridor from Westfields to Church Street north.

Council officer's response:

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- It is noted that the submitter's Preliminary Heritage Report appears to contradict part of what the submitter is seeking, as the heritage findings supports the proposed 36 metre height, but not the 120 metre height for the tower element on the site, because the 36 metre height *would create a uniform setting for the St Johns Precinct*. It also notes that *height increases beyond the proposed 36 metre building height are not supportable on heritage grounds*. Furthermore the submission sees that the *historically dense landscape surround to St Johns should be reinstated to recreate an appropriate setting for the church* and concludes that *the 36 metre high enclosure proposed in PLEP 2011 should remain in place and be extended to the property to provide a consistent neutral façade treatment to a proposed dense landscape surround*.
- The submission concludes that the increase of the building height as per the exhibited CBD PP from 28 to 36 metres:
 - *would have negligible impact upon more distant views along Church Street and elsewhere; and*
 - *does not alter the immediate setting of the church in which a backdrop of buildings sitting behind the silhouette of St Johns and its steeples.*
- The submitter's supporting urban design concept drawings are not substantiated by urban design analysis.
- Council's City Design team note that Centenary Square is a significant place in Parramatta and a vibrant place for passive recreation. The Square is surrounded by important spatial relationships between St John's Cathedral and grounds, Parramatta Square, the Church Street alignment, and Church Street view corridor. Past studies presented to Council, as well as protection of views to St John's Cathedral, have informed this position on the Church Street view corridor and organisation of height around civic space.

The purpose of the Church Street view corridor created by the controls in the CBD PP and the forthcoming DCP is to elevate the spatial significance of Church St as the north/south spine of the city as well as to preserve Church Street views to St John's Cathedral and beyond. It follows that a consistent maximum building height along the entire axis up to the Cathedral is necessary. Council officers consider that it is important (from an urban design and heritage perspective) that the Cathedral spires are not seen with a building directly behind them, but with views to the sky. Therefore, it is important to retain the FSR of 3:1 and HOB of 28 metres at 179 and 181 Church Street with all future development along Church Street and surrounding Centenary Square and the grounds of St John's present as a street wall with tower setback.

Furthermore, a tower located at 179 or 181 Church Street would fall wholly within the proposed Church Street View Corridor, and the tower's offset to this axis will be noticeable when viewed from Centenary Square. This would severely disrupt the spatial balance and scale relationships of Centenary Square. Also, it is important to create a consistent urban edge, at the scale of a street wall, to Centenary Square and the grounds St John's Cathedral. A tower to the ground would not be supported in this location as it would offer poor sensitivity to heritage and an inappropriate response to this historically significant public space.

All future development along Church Street and surrounding Centenary Square and the grounds of St John's should present as a street wall with tower setback. It would therefore be unacceptable to consider tower redevelopment on the narrow site at the Queensland Arcade.

- The Urbis Study (2015) recommend that sites such as 179 and 181 Church Street which adjoin State heritage items and are located within a significant landscape setting should not be identified with a 10:1 FSR.
- The submission from the Heritage NSW Office received in response to Gateway condition 4 says:
 - *Height and FSR controls should remain consistent with the existing controls in Council's LEP for significant SHR items, such as St John's Anglican Cathedral, the Catholic Institutional Area in North Parramatta, sites adjoining Lancer Barracks and sites to the north and west of St John's Cemetery.*

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- *It is recommended that solar access be maintained to State and National Heritage items/place, including Prince Alfred Square, Centenary Square and St John's Church, Hambledon Cottage, Elizabeth Farm and Experiment Farm Cottage.*

In relation to this last point, Council Officers undertook internal overshadowing testing of the submitter's proposal which found that there was no impact on the Parramatta Square Protected Area as the submitter's site is located to the southwest. This internal analysis confirmed that the 28 metre height as proposed in the exhibited CBD PP is consistent with the "Blue Sky" corridor extending across Westfield to the south.

- The submitter's supporting heritage and urban design analysis does not include any analysis of the cumulative impacts of their proposal, along with nearby proposals on the St John's Cathedral setting.
- The submitter's proposed height increases are substantive and represent an increase between 28% and 228% of the exhibited controls and therefore, would require re-exhibition of the CBD PP if incorporated.
- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed. As well, since the LSPS demonstrates the City will exceed the higher target jobs for 2036 by some 3,000 jobs, the proposed additional commercial floorspace is not required to deliver additional jobs for the City, nor have they been tested in terms of infrastructure demand.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

39. Land at 129-141 Church Street (No. 269)

No change requested

The CBD PP (as exhibited) proposes: B4 Mixed Use Zone; a base height of 36 metres and incentive height of 211 metres, a base FSR of 4.2:1 and an incentive FSR of 10:1.

Submission Summary:

- This submission has been prepared by PTI Architecture for a site comprising seven adjoining parcels constituting 129-141 Church Street, Parramatta.
- The existing (*PLEP 2011*) controls on the site are: B4 Mixed use zone; 36m building height; and 4.2:1 FSR.
- The submitter supports the proposed planning controls as exhibited and preliminary advice provided by Council in relation to a development on the site.

Planner's response:

- Noted.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation.

40. Land at 17 & 19 Campbell Street, Parramatta (No. 270)

Council Officer recommendation: Decision Pathway 3 – Undertake further investigations of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.

The CBD PP (as exhibited) proposed the following major controls for the land:

- B4 Mixed Use zone.
- a base height of 28 metres and an incentive height 122 metres.

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- a base FSR of 3.5:1 and an incentive FSR of 10:1.

Submission Summary:

- This submission has been prepared by Willana Urban for the owners of two adjoining parcels of land at 17 and 19 Campbell Street, Parramatta. Each parcel is approximately 915 square metres in area providing a total site area of 1,830 square metres. As well, each parcel comprises a strata-subdivided residential flat building with 12 apartments, and when combined, result in a total of 24 separate landowners. No evidence has been provided that all landowners support the positions expressed in the submission.

The site is positioned on the section of the Great Western Highway which serves as the south-western boundary to the CBD PP area, and is immediately north of Ollie Web Reserve and the South Parramatta Heritage Conservation Area.

- Willana's submission is supported by a Cumulative Shadow Analysis as well as a copy of a non-statutory submission sent to Council in July 2019 in response to its *Technical Paper Overshadowing Analysis* (June 2019).
- The existing (*PLEP 2011*) major controls on the subject site are: B4 Mixed Use Zone; a 28 metre building height; and FSR of 3.5:1.
- The submitter seeks an amendment to the CBD PP (as exhibited) by proposing:
 - the incentive building height increase from 122 metres to 180 metres; and
 - the site be identified as an opportunity site on the Opportunity Sites Map to enable an additional 3:1 FSR.
- The submitter's Cumulative Shadow Analysis, previously submitted to Council in response to Council's *Technical Paper Overshadowing Analysis* (June 2019), seeks to demonstrate the overshadowing impacts on the South Parramatta Heritage Conservation Area and cumulative overshadowing to Ollie Webb Reserve of the preferred 180 metre height, which found:
 - *the proposed heights at 17 to 19 Campbell Street cast no additional impact of overshadowing as a result of cumulative overshadowing, on the South Parramatta Heritage Conservation Area on June 21st between the hours of 9am and 3pm.*
 - *the cumulative shadow analysis results in the Ollie Web Reserve maintaining 5.5 hours of sunlight to 50% of Ollie Web Reserve on June 21st between the hours of 9am and 3pm.*
- The submitter is of the view that the site has always met the criteria for an Opportunity Site and should be recognised as an Opportunity Site post exhibition.
- Further, the submitter notes that prior to public exhibition, Council's *Technical Paper* (2019) reinstated significant heights for sites on the eastern side of Marsden Street that allow an incentive height of 180 metres. The submitter is supportive of the increased incentivised height and argues the subject site can achieve the same development outcomes.

Council Officer's response:

- It is acknowledged that the primary reason heights and FSRs were lowered in the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway was to minimise the effect of overshadowing onto the South Parramatta HCA and public open spaces to the south, as requested by DPIE in their Gateway conditions. This was then supported through the *Review of Opportunity Sites Study*, which was also undertaken as a result of a Gateway condition. It is noted that three submissions (including this one) have been received by landowners in these two street blocks, all of which whose submissions respond to this overshadowing analysis (refer to submission nos. 207, 266 and 270).
- Council has tested the heights proposed in these submissions in its own *Supplement to the Overshadowing Technical Paper* (April 2021), the results of which show minimal impacts in terms of overshadowing that still meet Council's benchmark thresholds for sunlight access to open spaces and the South Parramatta HCA.

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- Council officers also acknowledge that given the concentration of older strata subdivided residential flat buildings in these two street blocks, economic considerations are a significant factor in encouraging urban renewal in the medium to long term, with this issue being addressed in the "Market and Feasibility Analysis – Parramatta" Memorandum report prepared by JLL (August 2019), which was included with the exhibition material for the CBD PP.
- In light of these considerations, Council officers consider there is merit in undertaking further investigations of these two street blocks, which will enable further urban design testing of the heights and FSRs proposed in these submissions. This testing, which would be undertaken at a street block level, would address such matters as built form (including bulk and scale), setbacks, site size, potential amalgamation patterns, floorplate configuration and public domain interface. This work would be undertaken a later stage as a separate piece of strategic work under Decision Pathway 3 – Merit for further investigation. It should be noted that the changes proposed by the submitter are greater than 10% and therefore cannot be made now or else this would trigger a re-exhibition of the CBD PP.
- In conclusion, the submitter's request is **not supported**. However, there is merit in undertaking **further investigations** of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.
- **Action:** No amendments are required to the CBD PP, Draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. Undertake further investigations of the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.

41. Rhaeto landholdings at 24, 41 & 43 Church Street, Parramatta (No. 271)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

Part of the site known as 43 Church Street is not within the CBD PP land application area. In the case of the other sites that are within the CBD PP land application area, the CBD PP (as exhibited) proposed the following major controls for the land:

- Part B3 Commercial Core zone with part of 24 Church Street zoned B4 Mixed Use zone;
- A base height of 100 metres and 0 metres (for laneway) with part of 24 Church Street having 12 metres. There are no incentive height controls on 41 and 43 Church Street with only part of 24 Church Street (High Street frontage) having an incentive height of 54 metres.
- A base FSR of 10:1 with part of 24 Church Street (High Street frontage) having a 2:1 FSR. There are no incentive FSR controls on 41 and 43 Church Street with part of 24 Church Street (High Street frontage) having an incentive FSR of 4:1.

Submission Summary:

- This submission has been prepared by Calibre Professional Services on behalf of Rhaeto Pty Ltd, the landowner of three sites known as 24, 41 & 43 Church Street, Parramatta. Part of the site known as 43 Church Street is located outside the CBD PP boundary. These are very large sites which have multiple frontages, with all having a frontage to Church Street.
- The existing (*PLEP 2011*) major controls are: B5 Business Development zone; 12 metre building height across all sites; and 2:1 FSR.
- The submitter proposes the following changes to the exhibited controls:
 - In terms of land use zoning, the submitter proposes three options:
 - Option 1 is to reduce the application of the B3 Commercial Core zone to the frontage.
 - Option 2: a combination of B3 Commercial Core and B4 Mixed Use zone; or

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- Option 3: apply the B4 Mixed Use zone to the submitter's sites and beyond, to the entire precinct.
 - In terms of building heights, seeks up to 180 metres (approximately 60 storey towers) and transition down to 20 metre (six storey) and 11 metre (3 storey) heights in the vicinity of Dixon Street. As well, the submitter seeks an incentive building height of 211 metres (RL).
 - In terms of FSRs, seeks inclusion to obtain an additional 3:1 on their landholdings.
- The submitter supports the proposed land use changes with case study examples.

Council officer's response:

- The basis for the increases in density and height are the resultant building heights and FSRs from nearby sites (one example being the Dyldam site at 87 Church Street and 6 Great Western Highway) which have undertaken their own site-specific PP processes which have typically been supported by both a SSDCP process and a VPA process, both of which came into effect around the time of the SSPP. Furthermore, these applicants have often undergone a Design Competition process resulting in the determination of a winning scheme consistent with the SSPP and SSDCP. All of these processes have involved rigorous technical analysis; statutory decisions by Council, DPIE and design excellence panel; and consultation with community, statutory authorities and service providers.
- The submitter argues their suggested options are a better fit and more viable but does not support their submission with the necessary economic, urban design, overshadowing, heritage and other relevant technical analysis to justify the proposed changes.
- Substantial technical analysis has gone into identifying the appropriate controls for the subject land. As an example, land uses have been informed by the Economic Review – Achieving A-Grade Office development (2019), urban design and heritage matters have been addressed via the Parramatta CBD Heritage Study (2015) and the Marion Street Precinct Heritage Study (2019), and overshadowing by Council's Overshadowing Technical Paper and analysis (2019) and supplement (April 2021). Given DPIE issued its Alteration Gateway determination without requesting revisitation of these supporting studies, and State agencies which have been consulted as part of Conditions 2 and 4 of the Gateway determination, have not raised matters raised in this submission, Council Officers are confident the Draft LEP Instrument and Draft LEP Maps as exhibited and that apply to these sites are strategically justified and founded by an evidence based policy approach. Furthermore, the large sites fronting Church Street in this vicinity which are zoned B3 Commercial Core serve a critical role as future employment sites as they ensure there are sufficient large sites to develop commercial floorspace into the future.
- The inclusion of the western portion of 43 Church Street – which is contained within the Southern PIA – into the CBD PP land application area would raise the expectation that the remaining parts of the other PIAs that were also removed should also be re-introduced back into the CBD PP. Whilst the North-East PIA is progressing ahead of the others, the PIAs are likely to progress more substantially once the CBD PP and CBD DCP and a review of City Planning's Work Program has been undertaken.
- The increased height and density increases constitutes a substantial change - more than a 10% variation on the exhibited controls - and is, therefore, substantive enough to trigger re-exhibition of the CBD PP.
- Since Council's LSPS and Local Housing Strategy demonstrate the City will deliver above and beyond the number of dwellings and jobs required for the year 2036. The additional dwelling and job yields that would be realised by the submitter's proposed changes are not needed, nor have they been tested in terms of infrastructure demand.
- The sites within the CBD PP area already benefit from substantial uplift by way of the exhibited controls. For the land outside the CBD PP area, further work on this land will be undertaken as a part of the Southern PIA, which will occur at a later stage.
- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area so will be considered at a later stage.

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- **Action:** No decision is required.

42. Land at 38 and 40 Grose Street, Parramatta (No. 274)

Council officer recommendation: The site is part of an endorsed Planning Investigation Area so will be considered at a later stage. No further decision is required.

The CBD PP (as exhibited) does not propose any controls for the land subject to this submission because it is not contained within the CBD PP land application area.

Submission Summary:

- This submission has been prepared by Blue Sox representing one of seven (7) landowners of two sites comprising 38 and 40 Grose Street, Parramatta. The sites are located outside the CBD PP boundary.
- For the purpose of this submission review, since the land is not contained within the CBD PP land application area, there is little benefit in summarising the existing (*PLEP 2011*) controls that are applicable to the land.
- The submitter requests that the land, which is situated within the North-East PIA:
 - be reintegrated back into the CBD PP process.
 - be planned in a way that provides a clear timeline and milestones including public exhibition of the North Parramatta precinct.
- The submitter objects to Council's resolution (20 November 2019) which removed the two parcels from the CBD PP boundary when it identified the North-East PIA along with other land proposed to be zoned R4 High Density Residential along with the *absence of timeframes/milestones for the future this future work*.
- The submitter sees there are limitations to a *smooth transition from Business zones fronting Church Street to High Density Residential along Grose Street to low density residential on Sorrell Street*.
- The submitter sees the North-East PIA is well serviced by schools, tertiary institutions, childcare centres, community services, recreational and sporting facilities, with an established commercial centre in line with the Parramatta CBD as a strategic centre for employment and housing.
- The submitter highlights that the removed lands, including the subject site, were subject to numerous reports, studies and Council resources between 2016 to 2019 that supported High-Density Residential land and increased planning controls for this land.

Council officer's response:

- The area identified in the submission is located within the North-East PIA which is subject to a separate pathway as outlined in a Council decision of 11 November 2019 (Item 9.1) and subsequent Council reports in 2020 and 2021. Re-introducing the North East PIA into the CBD PP is inconsistent with these decisions of Council.
- The preparation of the Draft Strategy for the North-East PIA has been occurring in parallel with the progression of the post exhibition phase of the CBD PP. The Draft Strategy was exhibited from 16 March 2021 to 15 April 2021.
- Reintroducing the North-East PIA back into the CBD PP would:
 - raise the expectation that the remaining parts of the PIAs that were also removed should also be re-introduced back into the CBD PP. All of the PIAs will be progressed once the CBD PP and CBD DCP are close to finalisation stage.
 - require re-exhibition of the CBD PP as submitter's proposed inclusion of the North-East PIA back into the CBD PP post exhibition is a substantial change.
- The submitter's request is inconsistent with DPIE's Alteration Gateway Determination issued on 27 July 2020 which approved the CBD PP area exclusive of the PIAs.

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- In conclusion, the submitters proposed changes are not supported. The site is part of an endorsed Planning Investigation Area, being the North-East PIA so will be considered at a later stage.
- **Action:** No decision is required.

43. McDonalds land at 355 & 375 Church Street, Parramatta (No. 276A and 276B)

Council Officer recommendation: **The requested amendment to the CBD PP is not supported however Council is in the process of undertaking further investigations into proposed parking controls as a separate process following the outcomes of the Integrated Transport Plan (ITP) under Decision Pathway 3 – Merit for further investigation**

The CBD PP (as exhibited) proposes the following major controls for this land:

- B4 Mixed Use zone.
 - a base height of part 24 metres and part 34 metres and an incentive height subject to Clause 7.4 Sun Access Protection.
 - a base FSR of part 3:1 and 4:1 and an incentive FSR 6:1.
- Two submissions have been prepared by Stockland for land at 355 & 375 Church Street, Parramatta ("the subject land"), both of which are owned by McDonalds. The subject land has a total site area of approximately 4,825 square metres.
 - The existing major controls (*PLEP 2011*) are: B4 Mixed Use Zone; a building height of part 24 metres and part 34 metres and FSRs of part 3:1 and part 4:1.
 - McDonald's entered a Joint Venture with Stockland and lodged a SSPP (RZ/10/2018) for a *high-quality mixed-use development*. The SSPP was endorsed by Council for a Gateway determination in July 2020. The SSPP seeks:
 - a maximum car parking rate for takeaway food and drink premises (McDonalds) use at 1 space per 30 square metres of gross floor area or 30 spaces (whichever is less); and
 - the following rates for residential accommodation:
 - 0.1 space per studio apartment,
 - 0.3 space per 1 bedroom apartment,
 - 0.7 space per 2 bedroom apartment,
 - 1 space per 3 bedroom apartment.
 - a rate for non-residential premises to be calculated using a stipulated formula.
 - **Stockland's first submission (No.276A)** acknowledges the endorsement of the SSPP for the site and provides comments on Council's proposed parking rates as set by the CBD Strategic Transport Study.
 - The submitter firmly believes that the blanket Category A parking rates that are proposed to apply to the whole of 'Parramatta CBD' will negatively impact land outside the CBD commercial core and land that is at the outer edges of the walking catchment of Parramatta railway station.
 - The submitter seeks changes to the Parramatta CBD parking rates and requests that the CBD PP be amended to better align with the Sydney LEP parking controls it seeks to align with and introduce a tiered parking rate where:
 - Category A rates apply to land within 800 metres of Parramatta railway station; and
 - Category B rates apply to the remainder of the CBD PP area (land outside 800 metres).
 - **Stockland's follow up submission (No.276B)** which is supported by a Parking Rates Analysis raises concerns that the car parking rates in the CBD PP (as exhibited) would result in an outcome that is untenable for McDonald's and discourage any future redevelopment of the site.

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- This submission provides additional information to support changes to the parking rates on the site and provides justification that the requested changes will not set a precedent.
- The submitter acknowledges that the specific rates endorsed by Council for the purposes of Take away food and drink premises and non-residential premises on 13 July 2020, provided an appropriate pathway to address the unique situation of McDonald's as the only drive-thru takeaway food and drink premises located on an arterial road within the area covered by the CBD PP.
- The submitter states that setting a rate for this specific land use at this particular site does not set a precedent for reconsidering the parking rates otherwise consistently applied to site-specific Planning Proposals seeking to proceed ahead of the CBD PP.

Council officer's response:

- Both of Stockland's submissions are only concerned with the parking controls that apply to the site (issue 1) or more widely, across the CBD (issue 2).
- McDonalds specific request to have a special car parking rate greater than would be permitted under the Draft CBD PP will be dealt with as part of the separate SSPP already being processed for this site. Council has already indicated support for the rate proposed by McDonald. Council is awaiting confirmation as to whether the department of Planning will support these rates before this matter can be progressed any further. The matter will be dealt with separately and therefore no changes are recommended to the CBD PP.
- The second request to have Council deal with alternative parking rates in the CBD to those exhibited with the CBD PP (the exhibited CBD proposed to implement the rates commonly known as the Category A City of Sydney Parking Rates). Council recently resolved to exhibit an Integrated Transport Plan (ITP) which considers more flexible parking rates for precincts located on the northern and southern edge of the CBD. Given this plan is about to be exhibited it is recommended that the McDonalds request for alternate car parking rates to be applied be considered as part of the ITP process. No changes to the exhibited CBD PP as recommended at this time but future changes may be made to reflect the ultimate outcome of the ITP exhibition process.
- In conclusion, the submitter's requests are **not supported**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. Potential refinements to the parking controls will occur at a later stage, following the outcomes of the ITP process.

44. Walker Corporation landholdings at Parramatta Square (No.281)

Council officer recommendation: In relation to the various aspects of this submission, the recommendations are as follows:

- Proposed rezoning from B4 to B3 – undertake **further investigations** under Decision Pathway 3 given the additional floor space implications.
- Proposed re-wording of clause 7.6D 'Office premises in Zone B3 zone' – this is **not supported under Decision Pathway 2**.
- Proposed amendments to clause 7.6G 'Arrangements for contributions to designated State public infrastructure' – this is **not supported under Decision Pathway 2**.
- Proposed deletion of clause 7.8 'Development on land at 160–182 Church' in PLEP 2011 – this is **not supported under Decision Pathway 2**.
- Proposed re-wording of clause 7.10 'Design Excellence – Parramatta City Centre – amend clauses 7.6C(3) and 7.10(8)(b) to replace the words, "wholly of commercial premises", with the words, "wholly of non-residential development" – these changes are supported under Decision Pathway 1 as they are consistent with the policy intent of the CBD PP in relation to this matter.

The CBD PP (as exhibited) proposes the following major controls across these landholdings:

- B4 Mixed Use Zone

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- A base building height of 200 metres (180 Church Street) along with building heights affected by Area 2 of the Sun Access Protection Map and
- A base FSR of 8:1 and an incentive FSR of 10:1.

Submission Summary:

- This submission has been prepared by City Plan on behalf of Walker Corporation for their landholdings at:
 - 153 Macquarie Street also known as 3 Parramatta Square (3PS), described as Lot 41 DP 1238612.
 - 12 Darcy Street also known as 4 Parramatta Square (4PS), described as Lot 100 DP 1262317, and
 - 10 Darcy Street and 180 Church Street also known as 6 & 8 Parramatta Square (6PS & 8PS), described as Lot 16 DP 1255419, Lot 1 DP 1185643, Lots 6 & 7 DP 1252009.

The above landholdings equate to a total land area of approximately 21,920 square metres.

- The existing major controls under the *PLEP 2011* are as follows: B4 Mixed Use Zone; building heights of 54 metres and 200 metres, with some sites affected by Area 3 of the Sun Access clause; FSR of 8:1. Numerous heritage sites are contained within or adjoin these Walker landholdings (i.e. item No.s I647, I650, I652, I653, I654, I705, I713 and I719).
- The submitter requests the following amendments to the CBD PP before finalisation:
 - Requests the application of the B3 Commercial Core zone over the above landholdings given that the approved commercial development (currently under construction or completed) and is consistent with the B3 zone.
 - Requests alignment of the cadastral boundaries that relate to development and that the proposed amendments support the future/approved uses of the land, thus requests application of the B3 zone across the above sites to match with the approved commercial uses being achieved (constructed) via the relevant DA approvals (ie. DA/76/2017, DA/436/2016 and DA/47/2018). Argues the zone change will: reinforce jobs growth and removes opportunity for residential GFA; is consistent with Council's Employment Lands Study 2020; and is consistent with Section 9.1 Planning Directions – specifically, Direction 1.1 – Business and Industrial Zones.
 - Requests rewording of certain clauses as follows:
 - Clause 7.6D 'Office premises in Zone B3 zone': suggests that this clause be reworded so that the 'no floor space ratio' incentive be for development that is 'predominately' for office premises.
 - Clause 7.6G 'Arrangements for contributions to designated State public infrastructure': expresses a concern that in its drafting, any development to which the clause applies to (*regardless of size, scale, complexity or construction cost*) would trigger the need to obtain certification of the Secretary.
 - Clause 7.8 'Development on land at 160–182 Church' (6 & 8 Parramatta Square) in *PLEP 2011* is now redundant and *results in an unworkable provision since the trigger of 95,000sqm* for the subject site following the approvals is already exceeded.
 - Clause 7.10 'Design Excellence – Parramatta City Centre': sees that the wording of "wholly" within subclause (8)(b) *be reconsidered given the potential for misinterpretation should a development include ancillary development such as cafes, recreation facility (indoor), and the like. It is suggested 'wholly' be replaced with "predominantly" or "principally" or similar.*
- The submitter largely supports Council's endeavours to amend the CBD's planning controls to encourage development intensification of the Parramatta CBD.

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Council officer's Response:

- With regards to the rezoning Walker landholdings known as 3PS, 4PS, 6PS and 8PS (as described above) from the B4 Mixed Use zone to the B3 Commercial Core zone, whilst Council Officers accept that the B3 zone would ensure continuity with the existing uses (or approvals) as well the development typology, Council Officers would need to assess the impacts of the zone change given the sites can enjoy additional commercial floorspace under the B3 zone to that under the B4 zone. This requires further investigation.
- With regards to the cadastral boundaries and the application of the B3 Commercial Core zone, the cadastre shown in the exhibited draft LEP Maps reflected in real time the parcel configurations applicable at that time the mapping was being prepared. Since the commencement of the exhibition of the CBD PP, subdivision applications affecting Walker Corporation landholdings have been approved. As such, the cadastre has been updated. This means the revised Draft LEP Maps will reflect the cadastre boundaries from any approvals since that time.
- With regards to the submitter's proposed re-wording of clause 7.6D 'Office premises in Zone B3 zone', Council Officers disagree – the purpose of the clause is to incentivise office premises – other uses would be constrained by the FSR controls. No change is recommended to this clause.
- With regards to the submitter's comments with clause 7.6G 'Arrangements for contributions to designated State public infrastructure' requiring *certification of the Secretary*, Council Officers **do not support** this amendment. The clause (as exhibited) was based on existing satisfactory arrangement clauses in *PLEP 2011* for Carter Street, Telopea, and Granville. The clause only applies to development that increases floor space for residential accommodation and commercial premises. Furthermore, DPIE effectively endorsed the clause by allowing the CBD PP to be exhibited as it was drafted at the time. Implementation of this clause is a matter for the State Government.
- With regards to the submitter's view that clause 7.8 'Development on land at 160–182 Church' in *PLEP 2011* is now redundant – this could be considered at a later stage once the development at Parramatta Square is completed as a part of a future housekeeping LEP amendment. Making these changes now would trigger a re-exhibition as it would be deleting an existing clause.
- With regards to the submitter's proposed re-wording of clause 7.10 'Design Excellence – Parramatta City Centre' to remove the word "wholly" within subclause (8)(b) and replace 'wholly' with "predominantly" or "principally" - Council Officers acknowledge the technical drafting issues that may arise given the limited breadth of the "commercial premises" definition, in that it only includes office premises, business premises and retail premises. Other non-residential uses such restaurants, cafes and educational establishments may be appropriate in the context of the intent of the drafting of this clause. To address this technical issue, it is suggested that clauses 7.6C(3) and 7.10(8)(b) replace the words, "wholly of commercial premises", with the words, "wholly of non-residential development". This is consistent with the intent of these clauses, which is to incentivise non-residential development in the B4 Mixed Use zone. As this is a minor change that is consistent with the intent of the CBD PP, this is a change that can be made now under Decision Pathway 1 – Support.
- In conclusion Council Officers **support** revisions to clauses 7.6C(3) and 7.10(8)(b), **do not support** the submitter's requested changes to clauses 7.6D, 7.6G and 7.8. With regards to the submitter's proposed amendment zone change (from the B4 zone to the B3 zone), this has merit for **further investigation**.
- **Action:** In regard to the:
 - proposed rezoning from B4 to B3, undertake further investigations under Decision Pathway 3 given the additional floor space implications.
 - proposed re-wording of clause 7.6D 'Office premises in Zone B3 zone', this is **not supported** under Decision Pathway 2.
 - proposed amendments to clause 7.6G 'Arrangements for contributions to designated State public infrastructure', this is **not supported** under Decision Pathway 2.

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- submitter's view that clause 7.8 'Development on land at 160–182 Church' in PLEP 2011 is now redundant, consider this at a later stage as part of a future Housekeeping LEP Amendment once the Parramatta Square development is completed. Deletion of this clause now is **not supported** under Decision Pathway 2.
- proposed re-wording of clause 7.10 'Design Excellence – Parramatta City Centre, amend clauses 7.6C(3) and 7.10(8)(b) replace the words, "wholly of commercial premises", with the words, "wholly of non-residential development". These changes can be made under Decision Pathway 1 – **Support**, as they are consistent with the policy intent of the CBD PP in relation to this matter.

45. Land at 14-20 Parkes Street, Harris Park (No. 284)

Council officer recommendation: Decision Pathway 1 – Support

Submission Summary

The CBD PP (as exhibited) proposes the following major controls:

- B4 Mixed Use zone;
- a base height of 110 metres and an incentive height of 122m
- a base FSR of 8:1 and an incentive FSR 10:1.

- This submission has been prepared by Pacific Planning for land owned by Parkes 88 Pty Ltd comprising four sites made up of 14, 16, 18 and 20 Parkes Street, Harris Park ("the subject site"). The total site area equates to approximately 2,800 square metres.
- The existing (PLEP 2011) major controls on the subject site are: B4 Mixed Use Zone; a building height of 110 metres; and an FSR of 8:1. These controls came about via an SSPP process (RZ/9/2015).
- The submitter seeks an amendment to the CBD PP post exhibition to increase the Incentive Height of Buildings control from the exhibited 122 metres (140 metres with Design Excellence) to 134 metres (or 154 metres with Design Excellence). The submitter does not seek any change to the exhibited FSR or Incentive FSR controls of 8:1 and 10:1 respectively (or 9.2:1 or 11.5:1 when Design Excellence incentives are included).

this submission seeks an amendment to the CBD Planning Proposal, to amend the maximum height for 14-20 Parkes Street, Harris Park from 122 metres to 134 metres, resulting in a maximum height of 154 metres with DE.

- The submitter highlights that despite Council endorsement of 10:1 FSR and 122 (29 storeys) under the CBD PP, the controls that were finally approved by the DPIE in the SSPP under LEP Amendment 46 provided for a lower scheme on the site.
- The submission states:

While the 8:1 scheme complies with the maximum height limit with design excellence of 126 metres (with architectural roof feature and lift overrun), the result of the split tower arrangement has created a height discrepancy with the maximum height identified under the CBD Planning Proposal.

The maximum height contemplated by the CBD PP is 140 metres, but due to the split tower arrangement, the highest point now reaches 153.6 metres (to lift overrun). This allows for additional open space on the roof of level 40 and supports the split tower arrangement for visual variation in the built form. The concept diagram at Figure 10 below illustrates the upper levels of the 10:1 (11.5 with DE) scheme at a height of 153.6 metres. Elevation Plans are also included at Attachment 2.

- The submitter makes reference to Council's Overshadowing Technical Paper (2019) that:

initially recommended a height of 130 metres as acceptable for the subject site at 14-20 Parkes Street (block K), with a further amendment made that supported 140 metres consistent with the height endorsed by the design excellence panel, through the design excellence process. It is also noted that the height endorsed did not

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impact the curtilage of the Experiment Farm State listed heritage item prior to 2pm on 21 June (mid-winter).

- The submission is supported by overshadowing analysis that considers the impact of the requested height on Experiment Farm and Harris Park. The analysis found:
 - Experiment Farm and its curtilage continue to receive 2 hours of direct sunlight between 10am and 2pm at mid-winter.
 - Northern sections of the Experiment Farm HCA and Harris Park [West] HCA continue to receive two hours of direct sunlight between 9am and 3pm at midwinter (21 June).
- The submission is also supported by Elevation Plans and 3D Model to support increased planning controls on the site.

Council officer's response:

The existing controls under PLEP 2011 were recently amended by way of a SSPP process (RZ/9/2015) which concluded with its notification on 18 June 2020 as Amendment 46 to Parramatta LEP 2011. The SSPP was supported by a SSDCP which came into effect on the same day, as well as a VPA which was Executed on 16 June 2020. Furthermore, the subject site also has a corresponding development approval (DA/179/2020) for a 39 storey mixed use development determined in mid December 2020.

- The implications of the additional height requested were assessed in respect of cumulative impacts of overshadowing to the Harris Park West and Experiment Farm HCAs as well as nominated open spaces at James Ruse Reserve and Experiment Farm Reserve. The additional height requested results in 4 additional parcels within the Harris Park West HCA falling below the 2 hour of sunlight access minimum threshold (an increase of 2% of the total parcels within the Conservation Area) when considered in combination with additional overshadowing from additional heights requested by submissions lodged at 12A Parkes Street and 56 Station Street East. The increased height also results in additional overshadowing to the Experiment Farm Heritage Conservation Area but does not cause any parcels in that area to fall below the 2 hour sunlight access minimum threshold. It also results in less than 5% additional overshadowing to the Experiment Farm Reserve between 2:30pm and 3pm. The increased height requested represents a 10% variation from the exhibited controls and is, therefore, not substantive and can be supported.

Furthermore, Council's supplement paper also notes that the additional overshadowing from 56 Station St East, 12A Parkes St and 14-20 Parkes St, when evaluated separately, did not of themselves result in any additional land parcels in the Harris Park West Heritage Conservation Area failing the two-hour benchmark. However, the cumulative impacts of the overshadowing – particularly the overshadowing cast by 12A Parkes St and 14-20 Parkes St in quick succession, followed by 56 Station Street East in the later afternoon contributed to four additional land parcels in the Harris Park West failing the two-hour benchmark. The additional overshadowing of four land parcels, however, constituted less than a 10% increase to overshadowing in the HCA and is considered a less-than-significant impact. Consequently, 56 Station Street East and 12A Parkes St were identified for conditional support because the change in height requested is greater than 10% of the exhibited control; while the height change for 14-20 Parkes Street is a 10% variation and could be supported as a post-exhibition change.

- For the above reasons, the submitters proposed changes are **supported**.
- **Action:** Council Officers recommend that the Incentive Height of Buildings Map be amended to increase the mapped height from 122m to 134m over the site.

46. Land at 56 Station Street East, Harris Park (No. 286)**Council officer recommendation:**

- **Decision Pathway 2 – Not support** for the proposed zone and density (FSR) sought.
- **Decision Pathway 3 – Merit for further investigation** with regards to the proposed height increase sought.

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The CBD PP (as exhibited) proposed the following major controls:

- B3 Commercial Core zone;
- a base height of 72 metres with no incentive height;
- a base FSR of 10:1 with no incentive FSR.

- This submission has been prepared by Pacific Planning for Yangdo Service Pty Ltd, owner of 56 Station Street East, Harris Park which has a site area of approximately 2,200sqm. The subject site comprises an existing 10 storey office tower. The submitter notes the subject site has a 40 metre frontage width to Station Street East and a 45 metre frontage width to Parkes Street.
- The existing major controls (*PLEP 2011*) are: B4 Mixed Use zone; building height of 72 metres; and FSR of 8:1. As well, the active frontage clause applies to the Station Street East frontage.
- The submitter notes the exhibited CBD PP identifies an adjoining site (5-7 Hassall Street) as an opportunity site which enables an additional 3:1 FSR as well as its identification on the Additional Local Provisions Map which provides for additional FSR. It also enjoys an incentive building height control of 122 metres. The major premise of this submission is to test the same benefits on the submitter's site which would result in a mixed use tower which be 192 metres in height and have an FSR of 22.5:1.

To achieve this, the submitter seeks the following amendments to the exhibited CBD PP:

- Replacing the B3 Commercial Core zone with the B4 Mixed use zone;
- Maintaining the base height of 72 metres but creating an incentive height of 122 metres.
- Enabling greater FSR than the base 10:1 FSR by:
 - identifying the site as an Opportunity Site on the Opportunity Site Map which would enable an additional 3:1 FSR, and
 - identifying the site on the Additional Local Provisions Map which enables a further 1:1 and unlimited commercial floorspace.

However, to achieve the 192 metre height and FSR of 22.5:1, the subject site would also have to rely on the high performing building clause and the design excellence clause. The submitter says the rationale for seeking the additional height and density are because they apply to some degree to the site at 5-7 Hassall Street.

- The submitter's Economic Review report considers the impact of COVID-19 pandemic and references aspects of Council's *A-Grade Economic Study* which supports flexible approaches to facilitate opportunities for commercial floorspace in the CBD. The key concern raised by the submitter's Economic Review is that pursuing the B3 Commercial Core zone on the subject site could *ironically adversely impact the ability to supply additional A-grade office floorspace*.
- The submitter's Density and Overshadowing Report demonstrates the shadow impacts from the submitter's proposal on the Harris Park West HCA, the Experiment Farm HCA and the Experiment Farm State listed heritage item curtilage/protection area. In addition, the analysis considered compliance with the solar access guidelines of the Apartment Design Guide. The findings concluded, generally, there was both no overshadowing (Experiment Farm Protected Area or Conservation Area) as well as minor overshadowing. This was undertaken by the submitter to determine compliance, with Gateway Conditions 1(k)(ii) and 1(j)(iii).

The Density and Overshadowing Report concludes that the submitter's proposal meets the requirements of the Gateway condition and that additional overshadowing is minimal, with the shadow cast by the additional height generally falling within the shadow of the incentivised development controls projected in Overshadowing in the Parramatta CBD – Technical Paper.

Council officer's response:

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- The subject property is ideally located in close proximity to Parramatta Railway Station and is of an ideal size (approx. 2200sqm) to support ongoing commercial uses. It is noted that the site currently has a 10 storey office tower situated on it and is also located directly adjacent to the Eclipse Office tower.
- The submitter's Economic Review does not provide evidence of an economic imperative to amend the land uses on the site. No argument expresses that the current commercial uses on the site have become unviable. As well, no evidence has been provided that the landowner is experiencing prolonged vacancy rates. Therefore, the submitter's Economic Review does not support a view that the B3 zone is unviable. It simply articulates that it is less viable, given the softening commercial market. Given that CBD PP is a long term plan, future market cycles which favour office development would make this site ideal for future significant office development.
- Council has tested the height proposed in this submission in its own *Supplement to the Overshadowing Technical Paper* (April 2021), the results of which show minimal impacts in terms of overshadowing that still meet Council's benchmark thresholds for sunlight access to open spaces and the HCAs to the south. Therefore, there may be some merit therefore in supporting additional height for this site.
- Under the terms of the CBD PP, sites zoned B3 Commercial Core have access to unlimited office space FSR, within the height constraints. On this basis, the requests to increase FSR controls or access Opportunity Site FSR are not necessary in this case given its proposed zoning to B3. However, given the results of the overshadowing analysis, there may be merit in further investigating increased height to allow the site to achieve a higher office tower and therefore more jobs in an ideal location.
- Given that the proposed 192m height limit in the submission is greater than a 10% difference to what was exhibited, this is a significant policy change that would require re-exhibition. As a result, investigation of a potential height increase would occur at a later stage as part of a separate planning process (under Decision Pathway 3).
- In conclusion, the submitter's:
 - Zoning change and FSR increase requests are **not supported** - **Decision Pathway 2**.
 - building height request has merit for further investigation - **Decision Pathway 3**.
- **Action:** No amendments are required to the CBD PP, draft LEP instrument and/or Draft LEP Maps to be forwarded to DPIE for finalisation. Undertake further investigations at a later stage into a potential increase to the height control.

47. Land at 179 Church Street, Parramatta (No. 298A and 298B)

Council officer recommendation: Decision Pathway 2 – Not support

The CBD PP (as exhibited) proposes the following major controls:

- B4 Mixed Use zone.
- a base building height of 28 metres with no incentive height.
- a base FSR of 3:1 with no incentive FSR.

Submission Summary:

- These two submissions have been combined as a single submission. Both submissions were prepared by A Plus who represent the landowner of the site at 179 Church Street. The site is approximately 250 sqm in area.
Note: See also submission No. 267 affecting both sites at 179 & 181 Church Street.
- The submission constitutes a visual based 6 page design concept. There is no supporting text that explains the design or planning reasons for the changes.
- The submitter requests a 200 metre building height across the entire site consistent with the 4 Parramatta Square building. No information is provided in relation to any corresponding FSR.

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- The future development scenarios for 181 Church St to be developed by itself would isolate the subject site (179 Church St) resulting in a poor urban outcome. Thus, recommends the inclusion of a minimum site area requirement clause to ensure a consolidated development outcome is achieved rather than isolating the subject site. The minimum site area would include the total area for 181 Church St and subject site (179 Church St), i.e. 2,173 m².

Council officer's response:

- The proposed changes are not adequately justified. They are not substantiated by any technical traffic, access, economic, engineering, or detailed design analysis.
- The Urbis Study (2015) recommend that sites such as 179 and 181 Church Street which adjoin State heritage items and are located within a significant landscape setting should not be identified with a 10:1 FSR.
- The submission from the Heritage NSW Office received in response to Gateway condition 4 says:
 - *Height and FSR controls should remain consistent with the existing controls in Council's LEP for significant SHR items, such as St John's Anglican Cathedral, the Catholic Institutional Area in North Parramatta, sites adjoining Lancer Barracks and sites to the north and west of St John's Cemetery.*
 - *It is recommended that solar access be maintained to State and National Heritage items/place, including Prince Alfred Square, Centenary Square and St John's Church, Hambledon Cottage, Elizabeth Farm and Experiment Farm Cottage.*
- Council's City Design team note that Centenary Square is a significant place in Parramatta and a vibrant place for passive recreation. The Square is surrounded by important spatial relationships between St John's Cathedral and grounds, Parramatta Square, the Church Street alignment, and the Church Street view corridor. Past studies presented to Council, as well as protection of views to St John's Cathedral, have informed this position on the Church Street view corridor and organisation of height around civic space.

The purpose of the Church Street view corridor created by the controls in the CBD PP and the forthcoming DCP is to elevate the spatial significance of Church St as the north/south spine of the city as well as to preserve Church Street views to St John's Cathedral and beyond. It follows that a consistent maximum building height along the entire axis up to the Cathedral is necessary. Council officers consider that it is important the Cathedral spires are not seen with building directly behind them, but with views to the sky. Therefore, it is important to retain the FSR of 3:1 and HOB of 28 metres at 179 and 181 Church Street with all future development along Church Street and surrounding Centenary Square and the grounds of St John's present as a street wall with tower setback.

Furthermore, a tower located at 179 or 181 Church Street would fall wholly within the proposed Church Street View Corridor, and the tower's offset to this axis will be noticeable when viewed from Centenary Square. This would severely disrupt the spatial balance and scale relationships of Centenary Square. Also, it is important to create a consistent urban edge, at the scale of a street wall, to Centenary Square and the grounds St John's Cathedral. A tower to the ground would not be supported in this location as it would offer poor sensitivity to heritage and an inappropriate response to historically significant public space.

All future development along Church Street and surrounding Centenary Square and the grounds of St John's should present as a street wall with tower setback. It would therefore be unacceptable to consider a tower redevelopment of a narrow site at the Queensland Arcade.

- The submitter's proposed amendments into the CBD PP post exhibition are substantial and considered too significant as they would require re-exhibition of the CBD PP.
- Since Council's LSPS and Local Housing Strategy demonstrate the City is delivering dwelling numbers well above what is required for the year 2036, the additional dwelling yield that would be realised by the submitter's proposed changes are not needed. As well, since the LSPS demonstrates the City will exceed the higher target jobs for 2036 by some 3,000 jobs, the proposed additional commercial floorspace is not required to deliver additional jobs for the City.

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In conclusion, the submitter's requests are

No amendments are required to the CBD PP, draft LEP instrument and or Draft LEP Maps to be forwarded to DPIE for finalisation.

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APPENDIX E – PUBLIC AUTHORITY AND SERVICE PROVIDERS SUBMISSIONS

This document summarises the submissions received from **Public Authorities and Service Providers** during the exhibition of the CBD PP, in order to satisfy Condition 4 of the Gateway Determination and the list of agencies to be consulted was vetted by DPIE. A total of **12 submissions** were received in this category and they are summarised below with each having a corresponding Council Officer response. Table 1 summarises the submissions from Public Authorities and Service Providers (Submission No.s P-1 to P-10) and Table 2 summarises the submissions from Condition 4 Organisations (Submission No.s O-1 to O-2).

Table 1 – Condition 4 Public Authorities and Service Providers

Respondent & Submission no.	Summary of submission	Council Officers' response
Commonwealth Department of Agriculture, Water and the Environment (Submission No. P-1)	Considers that the proposed controls have taken into account the key areas of interest to the Department such that the Conservation Agreement will not be impacted. This includes the World Heritage listed Old Government House and Domain and the 'Conservation Agreement for the protection and conservation of the World and National Heritage values of the Australian Convict Sites, Old Government House and Domain, Parramatta'.	Noted.
Heritage NSW (Heritage Council) (Submission No. P-2) 30/10/2020 [original submission dated 15/06/2020]	Heritage NSW, as delegate of the Heritage Council of NSW, requests Council consider the issues raised in the submission dated 15 June 2020 from Heritage NSW on the amendments to the Planning Proposal.	<p>The submission from Heritage NSW dated 15 June 2020 was received in response to the pre-exhibition consultation with public authorities consistent with Condition 2 of the Gateway determination issued by DPIE in December 2018. Council Officers invited comments from public authorities including Heritage NSW between 19 December 2019 and 10 February 2020 on the version of the CBD PP endorsed by Council on 25 November 2019. Following this, Council notified DPIE of amendments to the CBD PP in response to issues raised by the public authorities that had responded during the Condition 2 pre-exhibition consultation phase.</p> <p>As the submission from Heritage NSW dated 15 June 2020 was received outside the required timeframe, Council was not able to consider the submission as part of its revision of the planning proposal at the time because the Planning Proposal was already with the Department for review. Heritage NSW were advised at this time that the matters raised in their submission would be addressed by Council as a part of the formal public exhibition period (Condition 4 of the Gateway determination).</p> <p>Notification that the Planning Proposal could proceed to public exhibition was outlined in the Department's letter to Council dated 27 July 2020 and included a requirement that, "Council will consider this submission (from Heritage NSW) following public exhibition of the proposal."</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
	<p>Recognises that one of the stated objectives of the CBD PP is to protect and manage the values of Parramatta's Local, State, National and World Significant European and Aboriginal heritage items, HCAs, places and views.</p> <p>Council should ensure the requirements of the Conservation Agreement are met and if necessary make changes to the Planning Proposal to address these.</p> <p>Recognises that the CBD PP does not propose changes to the planning controls for the World Heritage listed Parramatta Park, Old Government House and the Government Domain; however, raises concern that this area is within the boundary of the CBD PP and considers it misleading. Recommends the maps are amended to excise the stated area from the CBD PP.</p>	<p>Therefore, as required by the Department and requested by Heritage NSW and consistent with Condition 4 of the Gateway determination, the issues raised in their submission dated 15 June 2020 are addressed in this table as follows.</p> <p>Objective 9 of the CBD PP is to protect and manage the values of Parramatta's Local, State, National and World Significant European and Aboriginal heritage items, HCAs, places and views. Council officers confirm that there are no proposed changes to the World Heritage listed items described in this submission and including land protected by the existing Conversation Agreement.</p> <p>The CBD Planning Proposal maintains consistency with the existing Conservation Agreement by explicitly identifying the Park Edge Highly Sensitive Area (designated as "Area A" on the Special Provisions Map) and ensuring the current controls under Parramatta LEP 2011 will continue to apply to the land.</p> <p>Council officers disagree with Heritage NSW's position that 'Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre' shown as "Area A" on the Special Provisions Area Map should be removed from the CBD PP boundary. The inclusion of this land in the CBD PP is technically necessary to preserve the existing planning controls.</p> <p>The land within Parramatta Park and the Park Edge Highly Sensitive Area cannot be excised from the CBD Planning Proposal as Part 7 of Parramatta LEP 2011, some clauses of which will be amended by the CBD Planning Proposal, already applies to the land. In order to preserve – or "grandfather" – the existing controls, the land is identified as "Area A" on the Special Provisions Map and the new clause 7.6M replicates the existing clauses that would otherwise be amended. The clauses that are proposed to be amended by the CBD Planning Proposal also explicitly exclude their application from land designated "Area A" on the Special Provisions Map, thereby ensuring the terms of the Conservation Agreement are upheld.</p> <p>Based on the above, the recommendation of the Agency to remove Parramatta Park and the Park Edge Highly Sensitive Area and certain land on the fringes of the Parramatta City Centre is not supported and no changes to the Planning Proposal are required.</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
	<p>Raises concern about the proposed incentive FSR and height controls and potential adverse impacts from the intensification of development in the vicinity of State and National Heritage items/places and Council's Local heritage items and HCAs.</p> <p>Recommends Council develop guidelines as to what constitutes an appropriate transition and require new development to demonstrate an appropriate transition to heritage items and HCAs. Heritage NSW provides examples of transition including setbacks at higher levels of buildings, modulation of form and heights to prevent the creation of a continuous wall of development, and buffer areas to National, State and Local heritage items and HCAs.</p> <p>No objection to the uplift of B4 Mixed Use sites; however, raises concern about the potential impacts of increased Heights and FSR on state and national heritage items/places, Local heritage items and HCAs, which could become overwhelmed or isolated by large scale development. As such, the use of incentive Height and FSR is not supported in these areas.</p> <p>Suggests height and FSR controls remain consistent with the existing controls in the Council's LEP for significant SHR items, such as St John's Anglican Cathedral, the Catholic Institutional Area in North Parramatta, sites adjoining Lancer Barracks and sites to the north and west of St John's Cemetery.</p>	<p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p> <p>The CBD PP has been the subject of a series of Council commissioned heritage studies and subsequent draft LEP controls since 2015, including the Parramatta CBD Heritage Study (2015), Heritage study of interface areas (2017). In addition, separate heritage studies have been required by the Gateway Determination and Council resolution of 25 March 2019 including: Marion Street Precinct Urban Design and Heritage Study (2019); Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study (2019); Review of Opportunity Sites Urban Design and Heritage Study (2019); and Overshadowing Technical Paper (2019, updated in 2020 and 2021).</p> <p>The findings of these studies have 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. This includes a new clause to require contextual analysis to inform transition. Clause 7.6k Managing Heritage Impacts requires 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 and will be further supported through an additional level of detail in the forthcoming heritage section of the Draft CBD DCP.</p> <p>Based on the above, the recommendation of the Agency for land zoned B4 in areas where there are state and national heritage items/places, local heritage items and HCAs is not supported and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p> <p>The exhibited maximum FSR and height of building controls have been informed by multiple heritage studies prepared to support the CBD Planning Proposal. In general terms, planning controls applying to land adjoining State Heritage Register-listed items has had regard to the significance of the heritage items – such as maintaining the existing</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
		<p>Sun Access Protection surface and lower heights on sites to the north and east of Lancer Barracks.</p> <p>Council officers disagree however with Heritage NSW's position that proposed planning controls for the land to the north and west of St Johns Cemetery be consistent with the existing planning controls.</p> <p>It is Council Officer's position, supported by the Urbis Heritage Study (2015), that the proposed increase to the height of building control from 10m to 20m for this land while retaining the existing Floor Space Ratio of 1.5:1 is appropriate to facilitate narrower buildings and increase the separation and views to 'blue sky' space between buildings when viewed from within the cemetery.</p> <p>The Urbis Heritage Study (2015) recommended low building heights to reduce the impact on the cemetery and the CBD PP has consistently reflected these recommendations with the proposed 20m height control. Therefore, the request to maintain the existing height control for the land to the north and west of St Johns Cemetery is not supported.</p> <p>Based on the above, the recommendation that height controls remain consistent with the existing controls in the Council's LEP for sites to the north and west of St John's Cemetery is not supported and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>
	<p>Concern raised about potential increased overshadowing on Centenary Square and the State Heritage listed, St John's Anglican Cathedral. Heritage NSW recommend Council consider how to mitigate this to avoid any increase in overshadowing of this square.</p>	<p>Part of the land known as 'Centenary Square' contains two locally significant heritage items listed in Paramatta LEP 2011 (I651 and I654), and the whole of Centenary Square is located under the Sun Access Protection (SAP) surface for Parramatta Square. While the primary objective of the SAP is to ensure sunlight access to Parramatta Square is maintained, Centenary Square will also benefit from lower building heights because of the SAP's application. The application of the SAP surface, theoretically, would reduce the impact of overshadowing to the Square by limiting building heights to prevent additional overshadowing to the Parramatta Square Protected Area.</p> <p>St John's Anglican Cathedral (I01805) is located outside the Parramatta Square Sun Access Protection Surface (SAP). However, the application of height limitations under the SAP for buildings located</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
		<p>directly to the north, northeast and northwest of the cathedral will mitigate the opportunities for significant overshadowing. In addition, Council's policy position to retain existing controls in the Parramatta Park Edge Highly Sensitive Area – designated 'Area A' on the Special Provisions Map – limits building heights to the west of Marsden Street. This Special Provisions Map consequentially, prevents tall buildings above 54m being constructed in the area, thereby mitigating the impact of overshadowing to the cathedral. Having noted that this is the impact from the Draft CBD PP it must be noted that a Site Specific PP for the St Johns Church Site endorsed by Council but yet to be publicly exhibited does have the potential to increase overshadowing of St Johns Square but that issue will be assessed and considered as part of the Site Specific Planning Proposal.</p> <p>Council officers consider that the SAP for Paramatta Square and height limitation for buildings under the SAP and within 'Area A' on the Special Provisions Map will avoid any increase in overshadowing of Centenary Square. Further, the location of the Square on the north-south spine of the Church Street corridor also aids in providing solar access to the Square.</p> <p>Based on the above, the recommendation that Council consider how to mitigate overshadowing of Centenary Square and St Johns Cathedral is not supported because it has been undertaken already and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration.</p>
	<p>Supports the removal of incentives and retention of existing Height and FSR controls at the corner of Villiers Street and Church Street because it avoids overshadowing of Prince Alfred Square and St Patrick's Cathedral, and retains the prominence of the Church Street precinct.</p> <p>Supports the proposed controls for the Church Street Precinct to managing new development in the Church Street Precinct.</p>	<p>Supporting comments noted.</p>
	<p>Considers the amalgamation of sites may have positive impacts as a means of transferring unrealised heritage floor space. Where Local heritage items are amalgamated, the item should be retained and conserved as an independent streetscape element. This includes the retention of historic curtilage, setting and</p>	<p>Council officers support this position and consider that the new planning provision recommended in the HAA Heritage Study of Interface Areas Study in 2017 (Cl. 7.6K Managing heritage impacts) that requires development in the Parramatta City Centre to demonstrate an appropriate relationship to heritage items and heritage</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
	<p>subdivision patterns; while the amalgamation of lots should not result in the isolation of heritage items.</p> <p>Recommends solar access be maintained to State and National Heritage items/places, including Prince Alfred Square, Centenary Square and St John's Church, Hambledon Cottage, Elizabeth Farm and Experiment Farm Cottage.</p> <p>Part of the Harris Park HCA which is bounded by Station Street East and Wigram Street been identified as vulnerable to overshadowing. Recommends appropriate maximum building heights and setbacks to protect solar access to Harris Park HCA and the individual heritage items within it.</p> <p>Recommends further solar modelling for future development applications to minimise overshadowing as a result of tower development in the Parramatta CBD.</p>	<p>conservation areas that responds positively to heritage fabric, the street and the wider area, addresses the issue of heritage items being retained and conserved as independent streetscape elements.</p> <p>The CBD PP protects solar access to nominated protected areas and Sun Access Protection (SAP) surfaces and have been applied to key areas for nominated times as determined on 21 June (mid-winter) (cl. 7.4 Sun Access Protection) being:</p> <ul style="list-style-type: none"> - Part of Prince Alfred Square – between 12 noon and 2pm; - Parramatta River Foreshore (southern bank) – between 12 noon and 2pm; - Parramatta Square – between 12 noon and 2pm; - Lancer Barracks – between 12 noon and 2pm; - Jubilee Park – between 12 noon and 2pm; and - Experiment Farm – between 10am and 2pm. <p>Overshadowing testing revealed that overshadowing impacts to Hambledon Cottage and Elizabeth Farm would only occur in the late afternoon – from 3pm onwards on 21 June. The introduction of the SAP for Experiment Farm limits building heights on the eastern part of the CBD, thereby reducing the potential impact to Hambledon Cottage and Elizabeth Farm.</p> <p>Testing to the Harris Park West Heritage Conservation Area (HCA) was undertaken in response to the Gateway Determination condition 1. (k) ii – Heritage Conservation Areas. One of the measurement criteria was to ensure properties in the HCA were able to achieve at least 2 hours of sunlight access between 9am and 3pm (non-contiguous) on 21 June. The controls, as exhibited, resulted in about 75% of the parcels in the HCA achieving this benchmark. This was deemed to be an acceptable degree of overshadowing bearing in mind those properties that could not achieve the targets were located to the north of the HCA, often opposite mid-rise developments and closer to the existing high-rise developments located along Hassall Street.</p> <p>Council's current Development Application requirements include the need for solar modelling (overshadowing testing) where an increase in building height is proposed.</p> <p>Council officers consider that the proposed solar access provisions and surfaces as exhibited in the CBD PP (Cl. 7.4 and SAP Map) will</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
		<p>reasonably protect solar access to the land and spaces identified by Heritage NSW.</p> <p>Based on the above, the recommendations of the Agency to retain undefined solar access to National and State items and place and also the Harris Park HCA are not supported and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>
	<p>Supports the amendments to the design excellence clause however, notes that a design excellence competition does not necessarily ensure there will be no heritage impacts. Heritage NSW recommend that Council ensure that design competitions respect, enhance and celebrate the heritage of Parramatta.</p>	<p>Council's design excellence competition process contains objectives and processes that address heritage matters.</p> <p>The objectives for Council's Architectural Design Competitions are sourced from PLEP 2011 and in relation to heritage require: that development in the Parramatta City Centre 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>Specific heritage objectives as relevant to the proposal are also detailed in the Design Excellence Competition brief, while technical advisors (including heritage experts) are appointed to the provide technical assistance / advice to the Jury members.</p> <p>Council officers consider that these existing objectives and processes are reasonable to ensure Parramatta's heritage is respected, enhanced and celebrated when part of an Architectural Design Competition.</p>
	<p>Raises concern that the interface areas between the planning proposal and National, State and Local items/places and HCAs are vulnerable to new, large-scale development, which have the potential to adversely impact on heritage items, including overshadowing, deactivation of streets and smaller shopfronts and abrupt transitions in height and scale.</p> <p>Recommends Council introduce measures to reduce the listed impacts and ensure effective management through development application and detailed design processes. This includes the following mitigation measures: modulation of building envelope form to prevent a 'hard wall' effect, as well as human scale design, such as low-scale podiums and setbacks to upper tower levels of</p>	<p>Council officers consider that the interface areas have been appropriately considered in the HAA Heritage Interface Area Study (2017) and are supported by a new heritage clause (Clause 7.6K) to reduce heritage impacts. This includes requirements of any new development to provide a heritage impact statement or a conservation management plan, where applicable.</p> <p>The CBD PP will be supported by new DCP controls, including heritage controls and the mitigation measures identified by Heritage NSW will be considered in the drafting of the heritage section of the CBD DCP. Heritage NSW will also be invited to provide feedback on the new DCP controls when they are on public exhibition.</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
	<p>new development and expression of historic subdivision patterns in new development.</p> <p>Recommends identification and protection of significant view corridors within the Parramatta CBD through the planning proposal including significant views to and from individual heritage items, as well as HCAs.</p> <p>Recommends photomontages demonstrating the relationship between new development and nearby heritage items be provided during the DA process, and proponents identify mitigation strategies to reduce visual impact on heritage items.</p>	<p>The technical studies that informed the CBD PP reviewed identified view corridors and vistas across the CBD. These include Macquarie, Church, George and Hunter Streets, as well as views from within Parramatta Park and from Old Government House to significant elements, and views to significant buildings within the park edge.</p> <p>The Urbis Heritage Study (2015) provides recommendations to mitigate potential impacts to significant view corridors associated with the original town plan and road layout through DCP controls, and height limits in certain areas to preserve blue sky views.</p> <p>The HAA Heritage Interface Area Study (2017) also included a recommendation to compile a Parramatta CBD register of views that must be preserved and views to and from any adjacent heritage must be considered as part of any development.</p> <p>The Church Street Precinct Urban Design, Heritage and Feasibility Analysis Study (2019) and Review of Opportunity Sites Urban Design and Heritage Study (2019) also included recommendations to preserve blue sky views which are reflected in maximum height limits.</p> <p>Council officers support investigation of significant view corridors within the PDCP 2011, including consideration of DA requirements that include photomontages and mitigation strategies to reduce visual impacts on heritage items.</p>
<p>Property and Development NSW and the Department of Education (prepared by Ethos Urban) (Submission No. P-3)</p>	<p>The submission describes that the Minister of Education and Early Childhood Learning is the landowner of the site at 34 Hassall Street, Parramatta, being the former Rowland Hassall School site.</p> <p>Supportive of the proposed planning uplift for the site.</p> <p>Supports robust solar access protection controls to key locations such as parks and civic spaces.</p> <p>Requests the CBD PP make clear that overshadowing is (to at least some extent) expected in a high density area such as the Parramatta CBD.</p> <p>Requests the CBD PP make clear that the maintenance of solar amenity to existing and future residential development in the CBD may be challenging to achieve in some circumstances.</p>	<p>Supporting comments noted.</p> <p>Land ownership noted.</p> <p>Draft Clause 7.4 Sun Access Protection makes clear the parameters and land to be protected from overshadowing and maps the protected spaces on the Sun Access Protection Map consistent with Condition 1(j)(ii), (j)(iii), (j)(iv), 1(k)(ii) and Condition 1(o) of the Gateway determination for the CBD PP.</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
		<p>Gateway condition 1(j)(ii) and 1(k)(ii) also required overshadowing impacts on heritage conservation areas and open spaces outside the CBD PP boundary to be tested and where required, maximum building heights (which includes the Incentive Height of Buildings control and any Design Excellence and/or High Performing Building) to be reduced.</p> <p>The Planning Proposal document describes the urban design research and technical studies undertaken to inform this CBD PP to address a range of issues including overshadowing and includes a comment about the need for urban intensification and integration of new development to be of an appropriate scale for the site, adjoining development and the wider city. Further, the PP describes that the need for compliance with SEPP 65 and the associated Apartment Design Guide, which includes specific solar access controls for apartments.</p> <p>To support the CBD PP, a DCP will be prepared for the Parramatta City Centre which will include controls for site width and built form to achieve standards of amenity in relation to solar access. The suggestions will be considered during the preparation of the DCP. Council officers will notify Property and Development NSW and the Department of Education when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>The matters raised by the submitter are noted. One key outcome of the CBD PP is to facilitate the transformation of the Parramatta CBD into a CBD of metropolitan significance. Except for nominated areas that have been explicitly identified for solar access protection – such as Parramatta Square, Lancer Barracks, Parramatta River Foreshore, Jubilee Park, Prince Alfred Square, and Experiment Farm – the remainder of the CBD is not afforded specific protection from overshadowing. Consequently, the CBD PP implicitly accepts that overshadowing from existing and future development will likely have impacts on other development across the CBD and this is part-and-parcel of a growing and transforming CBD.</p> <p>The CBD PP recognises that future development must, as best as practicable, comply with SEPP 65 and the associated Apartment Design Guide; and adverse impacts on adjoining development are avoided or mitigated. This will be further supported by more detailed</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
		controls in a Development Control Plan to address impacts such as wind, solar access, building separation, amongst other matters.
NSW Environment Protection Authority (Submission No. P-4)	Generally supportive of the CBD PP.	Supporting comments noted.
	<p>The EPA acknowledge that the PP has positive features for promoting and delivering sustainable high performing buildings, however it appears design elements have not considered the effects of wind or issues associated with canyoning.</p> <p>The EPA states that the PP would benefit recognising the air quality protection principles for residential and other sensitive developments near busy roads that are outlined in <i>Development near rail corridors and busy roads – interim guideline</i>.</p>	<p>The effects of wind or issues associated with canyoning are matters considered appropriate for a DCP. These issues are often addressed via design excellence objectives for Architectural Design Competitions. Objectives in the competitions make reference to the existing DCP which require development to appropriately and positively respond to a range of environment impacts including wind. The suggestion to include controls to address the effects of wind or issues of canyoning will be considered during the preparation of the new CBD DCP. Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>Air and noise quality protection principles are beyond the scope of the CBD PP. It is noted that Parramatta DCP 2011 Section 3.3.4 Acoustic Amenity includes controls requiring the 'Development near Rail Corridors and Busy Roads Interim Guideline' to be taken into consideration, to minimise impacts of busy roads and railway corridors on residential and other sensitive development and this will be retained in the future version of the Draft DCP.</p>
	<p>The EPA describe that the management of noise is a key consideration in the planning of key sites across the CBD to deliver amenity outcomes sought in the Planning Proposal. The submission highlights the importance of adequate planning controls to identify and manage noise-based land use conflict issues.</p> <p>The EPA identify that noise control can be managed by applying a hierarchical approach to noise control. Further, careful planning for noise is also needed where night-time economies are being established or activated and mixed-use is being proposed.</p>	<p>Acknowledge the need for appropriate noise mitigation controls across the CBD that balance desired nightlife and activity with the needs and amenity expectations of co-located sensitive development and the community. These controls however are best placed in a DCP.</p> <p>The planning team is providing input into a project being undertaken by Council's City Strategy team to prepare a Night-Time Framework DCP. This team is currently working on controls relating to noise levels across the City of Parramatta LGA, including the Parramatta CBD. Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p>
	<p>The EPA highlight the importance of the Parramatta CBD to support sustainability outcomes in the Central City District Plan and the "Our Living River" initiative for the Parramatta River.</p> <p>The EPA indicate that the Planning Proposal does not include information on how the design of key sites in the CBD will support</p>	<p>Protection of waterways is a matter appropriate for the DCP. Parramatta DCP 2011 Section 3.3.6.1 Stormwater Drainage contains controls to require developments to address Water Sensitive Urban Design; while Section 4.3.3.7 City Centre Special Areas, part (m) Civic Link Precinct includes a specific control for this key area in the CBD to ensure development has positive and innovative impacts on</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
	<p>actions to protect and improve the health and enjoyment of the District's waterways.</p> <p>The EPA encourage integrated water cycle management as this can provide a least cost approach. In this regard, the EPA support the provision of dual water pipes.</p> <p>Recommends consultation with NSW Health about dual water pipes and consultation with Sydney Water to better understand how the Planning Proposal fits with Sydney Water's Master Plans for wastewater servicing across Greater Sydney.</p> <p>It is the EPA's understanding that measures to support ongoing maintenance and monitoring of effective water management have not been considered in the supporting Infrastructure Funding Model Study.</p> <p>Proposed incentive schemes to encourage higher sustainability performance of buildings and places are supported.</p>	<p>environmental outcomes including water quality of the Parramatta River.</p> <p>The recommendation to consult with NSW Health and Sydney Water in relation to dual water pipes is noted. Sydney Water provided a submission to the PP which supports the inclusion of the dual piping requirements.</p> <p>NSW Health were invited to provide comment on the CBD PP however, no formal submission was received during the exhibition period.</p> <p>Supporting comments in relation to higher sustainability performance of buildings and places are noted.</p> <p>The EPA's comments regarding water management measures as part of the Infrastructure Funding Model Study will be considered as part of Council's review work currently underway for the CBD Infrastructure Funding Framework. This work is expected to be reported to Council and then publicly exhibited in the next few months. Council officers will notify the EPA when the draft Infrastructure Funding Framework is on exhibition and invite their feedback at that time.</p>
	<p>The Planning Proposal would benefit recognising the <i>NSW Government's 20 Year Waste Strategy</i>, which is currently being developed. The <i>Strategy</i> will be a roadmap for NSW to transition to a circular economy.</p> <p>To support the <i>Strategy</i>, the PP would also benefit introducing the concept of a circular economy into the LEP and supporting controls to strengthen sustainability directions and includes a suggested definition:</p> <p><i>Circular Economy Infrastructure</i> focuses on facilities that collect used resources, reuse, repurpose or remanufacture materials and goods, to retain their productive value and prevent their disposal to landfill. Examples of circular economy infrastructure includes; reuse and repair facilities, sharing and leasing facilities, reverse vending machines, community recycling centres, collection points for producer responsibility schemes, material reprocessing and remanufacturing, anaerobic digestion, washing or pelletising facilities, reverse logistics facilities.</p>	<p>Support the request to recognise the <i>NSW Government's 20 Year Waste Strategy</i> in the CBD PP by updating 3.4 Section D – State and Commonwealth Interest – waste management.</p> <p>Council officers will investigate the inclusion of the circular economy concept in the DCP together with the principles relating to waste management. Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>The additional definitions proposed by the EPA are not included within the <i>Standard Instrument (Local Environmental Plans) Order 2006</i>. Council cannot include additional definitions within the Dictionary to the LEP, in accordance with the requirements of Practice Note 11-003; but recommends the EPA consult with the Department to request inclusion of these definitions within the Standard Instrument, thereby making them applicable to all local planning instruments across the State.</p>

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Respondent & Submission no.	Summary of submission	Council Officers' response
	<p>To help guide the design of building and urban typologies in relation to delivering a circular economy, the EPA propose the following definition:</p> <p>Circular Economy Design is a set of design principles applied to buildings, infrastructure and public domain precincts that maximise the circularity of the materials used in construction. This includes designing in a way where the materials can be easily identified for future recovery; designing buildings and infrastructure, so they can be disassembled or demolished in a way that will maximise the value of the recovered materials; designing public spaces and precincts to allow for the separation of waste materials in a way that will maximise their value; designing to maximise the inclusion of recovered materials.</p> <p>The EPA also proposed the inclusion of the following key principles:</p> <ul style="list-style-type: none"> - <i>Development is designed for effective waste and resource recovery by allowing for waste services to occur in a safe, seamless and timely manner: and</i> - <i>Systems are designed to maximise waste separation and resource recovery and innovative and best practice waste management collection systems and technologies are supported where appropriate.</i> 	
	<p>Suggests the need to ensure an appropriate assessment of contamination is undertaken, including preparation of a DCP for key sites such as the Auto Alley precinct before the site is occupied/used.</p>	<p>Contamination assessment by Council for the entire CBD included a review of zoning changes and identification of certain development types that could potentially have contamination issues. Based on this analysis, Auto Alley was identified as a potential issue and consequentially Council commissioned the 2016 Preliminary Site Investigation Study. This Study demonstrated it was appropriate to rezone these properties given the change in zoning to permit residential and more intensive employment uses. SEPP 55 Contaminated Land will still require the contamination issue to be considered before any development consent is granted.</p> <p>The recommendations of this study have been incorporated into the CBD PP framework and in essence it requires consideration of this issue as part of the development application process for a site in Auto Alley. Further, Section 10.7(5) certificates issued by Council now</p>

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		<p>contain a notation that describes both JBS&Gs' reports (dated February 2016 and May 2019) as a relevant matter for relevant properties.</p> <p>Council's Development Control Plan and Contaminated Land Policy / Procedure establish the process for managing land contamination within the development assessment framework and it will apply to the entire area covered by the CBD PP not just Auto Alley. Strict adherence to the contaminated land policy and procedure is crucial during the assessment and approval of any development application within the study area to ensure land is suitable for the proposed use.</p> <p>The inclusion of DCP controls regarding a Site Audit for the Auto Alley Precinct will be investigated, and Council officers will notify the EPA when the draft DCP is on exhibition and invite their feedback at that time.</p>
<p>Endeavour Energy (Submission No. P-5)</p>	<p>States that Endeavour Energy urges applicants/customers to contact an electrical consultant prior to submitting DAs.</p> <p>Identifies sites owned by Endeavour Energy (7 Substations) and states that Endeavour Energy intends to ensure its network meets future challenges through integrating traditional network supply arrangements with distributed renewable generation and enabling the provision of energy storage capability to assure supply security.</p> <p>Recognises that Council's planning controls achieve a reduction in CBD peak electricity demand consistent with the strategy described in the point above.</p>	<p>All comments noted, no action required.</p>
<p>Sydney Water (Submission No. P-6)</p>	<p>Generally, supports Council's proposed measures for high performing buildings and dual piping for alternative water sources.</p> <p>Requests early and ongoing engagement with Council on precincts and sub-precincts for intensification of dwellings and jobs.</p>	<p>Noted.</p> <p>Supportive of ongoing engagement with Sydney Water to address appropriate mechanisms to support the increased population.</p>
<p>School Infrastructure NSW as part of the Department of Education</p>	<p>Generally supportive of the overall direction and draft controls, including Clause 7.6G Arrangements for contributions to designated State public infrastructure.</p>	<p>Supporting comments are noted.</p> <p>Noted.</p>

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(Submission No. P-7)	Requests SINSW be consulted on future development to which Clause 7.6G of the draft CBD PP will apply.	
	Identifies that a combination of asset and non-assets improvements across multiple schools may be required to accommodate projected enrolment demand.	Improvements to schools to meet increased enrolment demand are noted, however, are outside of Council's authority or responsibility and certainly beyond the scope of the CBD PP.
	<p>Requests DAs not be approved if they adversely overshadow government schools.</p> <p>Recommends compliance with sun access and overshadowing controls contained in the DoE School Site Selection and Development Guide and Educational Facilities Standards and Guidelines. This includes compliance with sun access and overshadowing controls contained to the School Guide and EFSG, which aim to ensure that:</p> <p>At least 70% of school spaces, including outdoor school play spaces, receive direct sunlight between 9am and 3pm in mid-winter; and</p> <p>Existing PV cells are protected; and</p> <p>Rooftop solar panels should not be overshadowed by surrounding development so they can successfully capture sufficient light to feasibly power the school.</p>	<p>Council officers sought clarification from SI regarding the solar access requirements, with a response provided on 9 December 2020 advising of the 2-hour metric to at least 70% of the school space for 2 hours or more between 9am and 3pm on 21 June.</p> <p>Overshadowing testing by Council officers indicates that:</p> <p>Parramatta High School and Bayanami Public School can achieve the Department's target of 70% sunlight access for at least 2 hours between 9am and 3pm on 21 June based on the controls proposed within the Parramatta CBD Planning Proposal.</p> <p>Arthur Phillip High School and Parramatta Public School cannot achieve this 2-hour target under existing controls in the current LEP (120m) or the new proposed controls up to 211m(RL) (or 243m(RL) including design excellence) located to the north, northeast and northwest of these schools. The increase in height and density proposed in the Draft CBD PP will not change the solar access outcomes for these schools given they would be overshadowed by buildings constructed under existing controls.</p> <p>To reduce the impact to the Arthur Philip and Parramatta Public schools, reductions in height controls of up to 60% of the exhibited heights will be necessary, which will result in a sizeable loss of employment-generating yield in the core of the Parramatta CBD. This, consequently, is inconsistent with the long-standing policy position of the Parramatta CBD Planning Proposal to facilitate employment-generating development and is not supported.</p> <p>Council officers will investigate this issue and notify the School Infrastructure NSW as part of the Department of Education when the draft DCP is on exhibition and invite their feedback at that time. Council officers believe this is an acceptable outcome given the dense urban environment and Central River City status of the Parramatta CBD.</p>

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		<p>Based on the above, the recommendations of the Agency as described below are not supported, and no changes to the Planning Proposal are required:</p> <ul style="list-style-type: none"> - DAs not be approved if they adversely overshadow government schools - Compliance with sun access and overshadowing controls contained in the DoE School Site Selection and Development Guide and Educational Facilities Standards and Guidelines. - Rooftop solar panels not be overshadowed by surrounding development so they can successfully capture sufficient light to feasibly power the school. <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>
	<p>Generally supportive of Clause 7.6H on the basis that future developments that utilise incentivised controls, will not adversely overshadow government schools.</p> <p>To maximise the benefits of the Clause 7.6H, SINSW seeks to work with Council to utilise government schools for future community uses outside of school hours, subject to a Memorandum of Understanding between the parties.</p>	<p>As discussed above in the section relating to overshadowing, the proposed incentive controls cannot avoid overshadowing to Arthur Phillip and Parramatta Public schools without a significant loss to employment-generating capacity within the core of the Parramatta CBD arising from reductions of up to 60% from the Incentive HOB controls.</p> <p>The proposal to facilitate community use of government schools outside school hours is supported in principle as it provides an efficient use of existing resources to the community. This, in turn, will assist in provision of community infrastructure where the capability, design and capacity of the school facilities are compatible with the demands for providing local infrastructure.</p> <p>Based on the above and also the comments in the immediate row above, the recommendation of the Agency for developments to not adversely overshadow government schools is not supported and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>

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	<p>Requests Council consider updating heritage listings and mapping to only reflect the elements of heritage significance, rather than the entire site.</p>	<p>A consistent policy position of the CBD PP has been to not make changes to the heritage listing of items.</p> <p>Based on the above, the recommendation of the Agency for heritage listings be updated and mapping to only reflect the elements of heritage significance, rather than the entire site are not supported and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>
	<p>Infrastructure and initiatives within Parramatta CBD, to support the proposed growth that should be provided by Council includes the following:</p> <ul style="list-style-type: none"> • Provide a permeable, walkable network with safe crossing points, sufficient footpath width and pedestrian signal phasing to meet travel demand. Pedestrian signal phasing should: be automatic for pedestrian signals surrounding schools in the 1 hour before AM and 1 hour after PM bell times; and not have double phasing for pedestrian signals during an operational day. • Provide an updated bus servicing strategy to service projected growth (particularly in relation to large high school catchments). • Provide new and upgraded widened footpaths and through-paths supported with lighting, way-finding and mature trees, particularly around schools. • Provide additional pram ramps, bus shelters, kerb outstands and refuges crossings, particularly around schools. • Provide new and upgraded Shared User Paths and scooter/bicycle parking, particularly around schools. • Provide separated cycleways for George Street and Macquarie Street. • Implement lower vehicle speeds around sensitive land-uses, including schools. • Implement local area traffic calming, particularly around schools. 	<p>Public spaces are the enduring structuring spaces of a city and Objective 3 of the proposed amendments to PLEP 2011 set out in the PP document (Part 1 – Objectives or Intended Outcomes) is: <i>To encourage a high quality and activated public domain with good solar access.</i></p> <p>To achieve this objective, the CBD PP proposes built form controls (height and FSR) to control the building envelope and also requires active street frontage and solar access provisions to be met in specific locations. The DCP amendments being prepared to support the CBD PP will include additional detail to support the LEP controls and will address the interaction of buildings and public spaces.</p> <p>Some of these initiatives identified by School Infrastructure NSW will be addressed in the proposed DCP amendments, with the others addressed in separate policies such as the Integrated Transport plan (ITP), Council's Public Domain Guidelines and Cycling Strategy; or will be implemented via separate processes such as a DA, VPA or local infrastructure projects. There are also many matters that are outside Council's capability to directly provide – e.g. bus servicing strategies – other than as an advocacy role to relevant State Government agencies.</p> <p>Notwithstanding this, the list of infrastructure and initiatives in the submission are beyond the scope of the CBD PP but can be dealt with by other design and public domain management processes. Council officers will provide SINSW's submission to other relevant sections of Council for their consideration and consultation directly with SINSW. A number of these matters will also be addressed in a new Development</p>

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	<ul style="list-style-type: none"> • Improve pedestrian access to bus stops and provide higher bus priority on roads to decrease bus journey times. This includes for school buses. • Provide bus shelters for bus stops, including those adjacent to schools • To assist Council, SINSW can provide Council with depersonalised residential and enrolment boundary data. • SINSW can collaborate with Council to resolve travel demand through the pilot Parramatta Transport Walking Group. <p>Recommends that any future development contribution plan (under Section 7.11 or Section 7.12) considers the following:</p> <ul style="list-style-type: none"> • An exemption for government schools. This request is sought on the basis DoE, in conjunction with SINSW, provides essential social infrastructure for the direct benefit of the local Parramatta CBD community. • Requirements for public domain, transport and other infrastructure works required to support government schools in Parramatta CBD. • The collection of specific contributions from new residential developments surrounding government schools and key residential sites in the Parramatta CBD. This could be used to support, amongst other things, the provision of new public services including social education programs around active transport within the Parramatta CBD. 	<p>Contributions Plan for the CBD, which will be subject to a separate exhibition process.</p> <p>Noted. These matters will be considered in the forthcoming review of the Infrastructure Funding Framework for the Parramatta CBD, which includes a new development contributions plan to facilitate delivery of transformative infrastructure to support the growth within the Parramatta CBD.</p>
The Hills Shire Council (Submission No. P-8)	<p>Supports the objectives of the CBD PP and role of Parramatta as the focal points for jobs in the Central River City.</p> <p>Concern raised about the reduced car parking rates and public transport options between the Hills and Parramatta.</p> <p>Invites Council to discuss the potential for corridor and station options for mass transit from Parramatta to Norwest.</p>	<p>Supporting comments noted.</p> <p>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 sustainable transport policies to minimise car parking in the Parramatta CBD due to adverse transport impacts associated with increased development.</p> <p>Council officers believe the reduced car parking rates are an acceptable outcome given the urban environment and Central River City status of the Parramatta CBD, and agree that opportunities to</p>

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		<p>improve public transport capability and connect residents within 30 minutes to jobs, education etc is critical.</p> <p>Council officers worked with TfNSW and the RMS to deliver the Strategic Transport Study and this partnership continues through the delivery of the mesoscopic model and ITP, and is expected to be placed on public exhibition soon following endorsement by Council on 26 April 2021 for public exhibition.</p> <p>The Parramatta CBD Integrated Transport Plan is a strategic plan to address the transport challenges through the development of a clear framework for the future planning and development of the transport system to better connect Parramatta CBD as the metropolitan centre of the Central River City to all parts of Sydney including The Hills Shire.</p> <p>Council officers welcome the opportunity to discuss corridor and station options for mass transit from Parramatta to Norwest with The Hills Council and will invite The Hills Council to make comments on the ITP when it goes on public exhibition.</p>
<p>Environment, Energy and Science Group (State Government Agency) (Submission No. P-9)</p>	<p>The inclusion of the proposed Floodplain Risk Management Map for the CBD area is noted. This includes the new clause 7.6L – Floodplain risk management.</p> <p>EES considers the amendments and analyses in these reports are reasonable. However, EES highlights that all matters regarding flood evacuation, community education and awareness and sheltering in place are the primary responsibility of the NSW SES and its endorsement is considered essential.</p> <p>EES would welcome an invitation to any meeting between Council and SES.</p> <p>The Flood Planning Clause 6.3 in the PLEP is reasonable and consistent with the typical clause currently used by councils in NSW when no flood maps are included in the LEP. However, this clause may need revision following finalisation of the draft Flood Prone Land Package.</p> <p>EES recommends Council ensures its relevant Flood Studies and Floodplain Risk Management Studies and Plans incorporate the likely impact of climate change due to sea level rise and rainfall intensity.</p>	<p>The State Emergency Services (SES) have not made any formal submissions to date despite contact being made via the statutory requirements of the Gateway determination Conditions 2 and 4 to invite a submission.</p> <p>Should the SES provide a submission after the CBD PP is endorsed by Council, Council will rely on the DPIE to address any matters arising from a late submission.</p> <p>Council has provided to DPIE a copy of all submissions received from Public Authorities to the exhibition of the CBD PP and has specifically mentioned to DPIE the willingness of the EES to be part of any meeting between DPIE, SES and Council.</p> <p>Council officers note the comment in relation to the draft Flood Prone Land Package, and also the comments with regard to Council's Flood Studies and Floodplain Risk Management Studies and Plans. Council is currently undertaking additional flood modelling of Parramatta LGA including the Parramatta CBD that considers the likely impact of climate change due to sea level rises. The outcomes of this modelling will further refine development guidelines and Flood Planning.</p>

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	<p>EES recommends using the 0.5% and 0.2% AEP events as a proxy to the impacts due to increase in rainfall intensities. Future development should be designed to include any climate change increase. The 0.5m freeboard should not be eroded to account for climate change impacts.</p> <p>EES highlights that, if a change in roughness due to re-vegetation occurs the impacts on the flood behaviour should be considered.</p>	<p>In relation to the draft Flood Prone Land Package, this is an initiative of the State Government that was exhibited in June 2020. This policy is currently under consideration by DPIE. Council awaits any advice from the Department about this issue in relation to the CBD PP. The CBD PP does not amend Clause 6.3 but includes the additional Clause 7.6L to address the intrinsic characteristics of flash flooding in the Parramatta CBD.</p> <p>The recommendation of the Agency that the SES endorse the proposed flood provisions in the CBD has not happened because a submission to Council from the SES has not been received and therefore Council will rely on the DPIE to address any matters arising from a late submission.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>
	<p>EES notes that a nationally important Grey-headed Flying-fox camp occurs along the Parramatta River over several tenures, part of which occurs in the area affected by the proposed amendments. Any proposed amendments should not allow an intensification of use in the vicinity of the flying-fox camp or lead to either direct or indirect impacts on flying-fox habitat.</p>	<p>The Grey Headed Fox camp identified by EES is concentrated in 'Area A' on the Special Provisions Map.</p> <p>As the CBD PP notes, consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, the CBD PP does not propose changes to the planning controls applying to the area known as the 'Park Edge (Highly Sensitive)' area, identified as Area A on the Special Provisions Area Map - and supported by Clause 7.6M 'Parramatta Park and Park Edge Highly Sensitive Area and other fringe areas' because of an existing Conservation Agreement with the Commonwealth and State Governments regarding development in this area.</p> <p>As no intensification of the planning controls above that already permitted in PLEP 2011 is permitted via the CBD PP, further review of the controls is not warranted in relation to direct or indirect impacts on the flying-fox habitat.</p>
	<p>Any revitalisation of the Parramatta River foreshore should ensure the river and its riparian corridor are protected and enhanced for its biodiversity value.</p> <p>While the Parramatta River foreshore is currently largely devoid of vegetation, the foreshore area should be protected from</p>	<p>The entire southern bank of the Parramatta River extending from Marsden Street to the west and Harris Street (Gasworks Bridge) to the east is identified as a Protected Area with respect to solar access. This will limit building heights from development north of the river to prevent overshadowing of the southern bank.</p>

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	additional overshadowing to mitigate impacts on the riparian corridor and future revegetation of it.	<p>The recommendation of the Agency that the entire foreshore area should be protected from additional overshadowing to mitigate impacts on the riparian corridor and future revegetation of it beyond that already protected in the CBD PP is not supported and no changes to the Planning Proposal are required.</p> <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>
	<p>EES does not consider hard pavement surfaces in the future to be an appropriate treatment of the riparian corridor as it does not provide for a cool green area to mitigate the urban heat island effect. Such an approach would be inconsistent with the Actions of the District Plan and the Environmental Sustainability Strategy 2017.</p> <p>The Planning Proposal should be amended to also provide opportunities described in the Central City District Plan including; opportunities to improve the necessary health and quality of the District's waterways; conserving cultural heritage; protecting and enhancing flora, fauna and urban bushland; promoting pervious surfaces and recovering and reinstating more natural conditions in highly modified waterways.</p>	<p>This is outside the scope of the CBD PP as foreshore upgrade works are guided by the River City Strategy and are permitted without consent under the Infrastructure SEPP.</p> <p>With regard to opportunities to improve the necessary health and quality of the District's waterways etc, these can be considered as part of the environmental and sustainability controls in the DCP e.g. Protection of Waterways.</p>
	EES in its recent submission of 20 October 2020 on the new Local Environmental Plan for the City of Parramatta Local Government Area (ie the Harmonisation Planning Proposal) advised its preference is for riparian land in the Parramatta LGA to be zoned E2. The E2 zoning should also apply to the section of riparian corridor along the river within the CBD area.	See comment below.
	<p>EES highlight that the Planning Proposal provides a great opportunity to include environmental protection measures for the Parramatta River and riparian corridor, including:</p> <ul style="list-style-type: none"> • rezone the riparian corridor along the Parramatta River from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone • increase the width of the riparian corridor along the river as the proposed higher density development along the river will significantly increase the usage of the corridor and place additional pressure on it in the CBD area 	Council acknowledges the environmental intentions of the EES for the Parramatta River. That said, the current CBD riparian corridor is devoid of native vegetation or other significant habitat and the predominant function is for recreation and events consistent with the current RE1 zoning. The concrete channel currently has minimal ecological value and its predominant function is for recreation and events consistent with the current W2 (Recreational Waterways) zoning.

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	<ul style="list-style-type: none"> • amend the Natural Resources Biodiversity map in Parramatta LEP 2011 to map riparian land as 'Biodiversity' and/or amend the Natural Resources Riparian Land and Waterways map to include riparian land in the CBD area. <p>EES recommends the planning proposal includes environmental protection measures to protect and enhance the river and riparian corridor as:</p> <ul style="list-style-type: none"> • the Parramatta River is identified as having biodiversity values and this includes within the CBD area • the upper Parramatta River including within the CBD area is assigned the ranking of 'High' fauna value in the study Rapid Fauna Habitat Assessment of the Sydney Metropolitan Catchment Management Authority Area (DECC 2008) and there is significant scope to improve the habitat state and connectivity of this area. • a nationally important Grey-headed Flying-fox camp occurs along the Parramatta River at Parramatta. 	<p>Council considers that the E2 (Environmental Conservation) zone is inappropriate for a high use public open space devoid of native vegetation as it is highly restrictive and prohibits development other than for environmental or flood mitigation purposes. Therefore, the request to rezone the riparian corridor along Parramatta River to E2 is not supported.</p> <p>Natural Resources Biodiversity &/or Riparian Land and Waterways Mapping only applies to privately owned land as higher protection already provided under RE1 / W2 zoning applied to CBD river foreshore corridor.</p> <p>Infrastructure SEPP overrides the LEP and permits Council as a public authority to undertake development for various recreational purposes, e.g. playgrounds and amenities, without consent regardless of the zoning or Natural Resources mapping.</p> <p>To address the issue raised by the EEC with respect to objectives, Council officers suggest that additional RE1 zone objectives related to protection and enhancement of ecological values e.g. To preserve and enhance tree canopy, wildlife corridors and natural habitat, including waterways and riparian vegetation, and facilitate public enjoyment of these areas be investigated as part of a future further planning Proposal.</p> <p>The recommendations of the Agency as described below are not supported and no changes to the Planning Proposal are required:</p> <ul style="list-style-type: none"> - rezone the riparian corridor along the Parramatta River from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone - increase the width of the riparian corridor along the river - amend the Natural Resources Biodiversity map in Parramatta LEP 2011 to map riparian land as 'Biodiversity' and/or amend the Natural Resources Riparian Land and Waterways map to include riparian land in the CBD area. <p>Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.</p>

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	EES supports the proposed increase in greenery in the CBD to improve local biodiversity and mitigate the urban heat island effect but recommends the plant species used consist of a mix of local native provenance trees, shrubs and groundcover species from the relevant native vegetation community or communities that occurred in this area.	This issue is beyond the scope of the CBD PP. Council officers will forward the EES's comment to the relevant areas of Council that deal with plant selection.
	EES recommends specific amendments shown in italics to clause 7.6J Opportunity Sites part (8)(c)(xv) as follows, “(xv) the excellence and integration of landscape design. <i>All landscaping shall use a diversity of local native provenance species from the vegetation community that once occurred in the locality of the site</i> ”.	This detail in relation to landscaping requirements would be best dealt with as part of the preparation of a Draft CBD DCP.
Transport for NSW (Submission No. P-10)	Acknowledges the importance of the CBD PP including the Integrated Transport Plan (ITP); and supports the amendments to the planning controls including incentivised commercial FSR, and the transport related objectives and intended outcomes.	Noted.
	Identifies that there are number of critical items to resolve prior to finalisation of the Planning Proposal, specifically the ITP and the Special Infrastructure Contribution (SIC).	Noted. See comments below.
	Acknowledges the ITP is an integral component of the CBD PP and requires that it is completed to the satisfaction of TfNSW prior to the finalisation of the CBD PP. Modifications to the transport system necessary to deliver the vision outlined in the Planning Proposal area must be agreed with TfNSW.	Council will continue to work with TfNSW to ensure the post-exhibition version of the ITP is signed-off by TfNSW to progress the finalisation of the CBD PP. This is consistent with the Gateway Determination.
	In relation to the SIC, states the Greater Sydney Region Plan (GSC, 2018) identifies that a SIC is required to deliver supporting regional transport infrastructure; and Council should not finalise the CBD PP until such time that a SIC applies to the rezoning area. In the absence of a SIC, TfNSW is concerned that satisfactory arrangements would require contributions be made on a case-by-case basis as subsequent Development Applications are assessed. In practice, this results in transport impacts of development being considered in isolation without consideration	The SIC is a State Government matter. 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. Council awaits further advice from the State Government about the SIC. Note: DPIE may consider this issue to be an unresolved Public Authority objection requiring closer consideration once Council has forwarded the Plan to DPIE for finalisation.

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	<p>of the cumulative impacts of all growth potential across the Parramatta CBD.</p> <p>Prefers consideration of a holistic contributions framework across the Parramatta CBD, to equitably distribute development contributions.</p>	
	<p>States that TfNSW is not in a position to comment on the proposed road widenings identified on the Land Reservation Acquisition Map and encourages Council to work with them on future amendments to the Parramatta DCP 2011.</p>	<p>Council notes that any additional analysis that may be required by TfNSW will not be completed prior to finalisation of the Planning Proposal. In the absence of the additional studies being finalised, Council will continue to liaise with TfNSW to ensure there are no delays with the finalisation of the PP.</p> <p>It is considered that the DCP may not be an appropriate control to incorporate LRAs within the CBD for any modes outside of pedestrians (that often only require a ground floor setback).</p> <p>Any Reservations required to support future transport aspirations that have not already been identified should follow a separate planning process.</p> <p>Council will continue to liaise with TfNSW to ensure the planning controls reflect the outcomes of the ITP and mesoscopic modelling and supports input from TfNSW on the future amendments of the CBD DCP.</p> <p>Note: In response to a submission from Mirvac, owners of 75 George Street and on account of further negotiations with the owner and TfNSW since the lodgement of their submission, the LRA Map has been amended to reflect an agreed footpath width on the eastern side of this property. This is detailed in Appendix D to the Community Engagement Report as well as in Table 3a in Appendix 4 to the CBD PP.</p>
	<p>Notes support for the proposed new maximum parking rates within Clause 7.3 (5) of the CBD PP and recognises that the ITP will help to refine these parking rates in the post exhibition phase.</p>	<p>Noted. Aside from the investigation of potential 'Category B' car parking rates to allow more on-site car parking at the northern and southern edges of the CBD, no further investigations are planned. Potential Category B car parking rates will be further evaluated as part of a secondary alternative planning proposal process. Consequently, there are no changes to the Planning Proposal at this time in relation to this recommendation.</p>
	<p>Requests the following amendments to the CBD PP car parking rates which they consider will have environmental and place making benefits:</p>	<p>The CBD PP will be supported by new DCP controls and new parking rates for coach, freight and servicing will be considered in the drafting</p>

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	<ul style="list-style-type: none"> ○ a requirement for the inclusion of passenger pick up and set down areas onsite, including "minimum" parking rates for coaches and point to point transport vehicles for hotels, serviced apartment and community facilities and similar types of development; and ○ inclusion of "minimum" parking rates for off street loading and servicing. 	of the CBD DCP. TfNSW will also be invited to provide feedback on the new DCP controls when they are on public exhibition.
	<p>Recommends proposed vehicle access points be located away the Parramatta Light Rail track, such as on a side street, rear street/lane or shared basement arrangement. Where there is no alternative recommends Council adopt minimal car parking rates (lower than the proposed "maximum" parking rates) and further incentives to ensure the safety and reliability of the Parramatta Light Rail operations is not compromised through vehicles crossing the tracks.</p>	The location of vehicle access points for developments adjacent to the light rail route is a matter for consideration at the DA stage.
	<p>Raises no objections to the proposed height and floor space ratios outlined in the CBD PP and identifies TfNSW owned assets in and around the Parramatta Railway Station.</p> <p>Supports the controls proposed for the Parramatta Station Precinct within the CBD PP, including the rezoning of Site A (located on vacant land between Argyle and Fitzwilliam Streets) to B3 Commercial Core, as it will allow for the economic and orderly development of an underutilised site in a highly accessible location within the Parramatta commercial core.</p> <p>In relation to Sites B and C being land between the Parramatta Railway Station and Station Street and the rail corridor (including Parramatta Station Precinct more broadly), TfNSW will be seeking to engage with Council about the future of these sites to explore how they can better contribute to Council's vision for the CBD whilst continuing to provide important transport services functions.</p>	Noted. Council awaits further advice from TfNSW about Sites B and C and notes that any amendments will not be part of the CBD PP, rather a separate process.
	<p>Supports the objective of the Active Street Frontages clause to attract pedestrian traffic; however, notes that consideration of the Australian Standards for bus interchange areas is required. This includes the bus bay requirements for Smith Street between George Street and Macquarie Street (on both the western and eastern sides), and requests that CBD PP incorporate a 3.5 metre bus bay and minimum 6-metre wide footpath to achieve the</p>	The objective of Clause 7.6F Active Frontages is to promote 'uses' within buildings that attract pedestrian traffic along certain frontages in B3 and B4 zones such as retail and business premises. The clause does not relate to the footpath width, including near bus interchanges and bus stop.

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	relevant bus stop standards for both customers and buses as well as allow sufficient footpath width for pedestrians to pass the bus stop.	<p>The request for bus bay and specific footpath widths in the CBD for Smith Street between George Street and Macquarie Street is unrelated to the Active Frontages Clause and a separate matter. Amendments to the footpath widths are considered at the DA stage when a site redevelops and considers any road reservations identified on the Land Reservation Acquisitions map or are negotiated with the applicant.</p> <p>The TfNSW requested reservation on the eastern side of Smith Street between Marsden Street and George Street is greater than what was exhibited with the Planning Proposal. Therefore, it is recommended that TfNSW conduct a separate process to identify an LRA in this location.</p> <p>Council is part of the discussions between TfNSW and the landowners of the sites on Smith Street between George Street and Macquarie Street in relation to TfNSW preference for space a bus bay.</p> <p>As noted above, Note: In response to a submission from the owners of 75 George Street and on account of further negotiations with the owner and TfNSW, the LRA Map will be amended to reflect an agreed footpath width on the eastern side of this property. This is detailed in Appendix D to the Community Engagement Report as well as in Table 3a in Appendix 4 to the CBD PP.</p>
	<p>Identifies future bus infrastructure is required along key strategic bus routes, including indented bus bays, when adjacent to bus lanes; and advises TfNSW will work with Council to identify bus bay infrastructure needs on a case-by-case basis; however, the CBD PP should also include provisions that would enable a vision for the Smith Street bus interchange as a place of high quality passenger facilities.</p> <p>Suggests that the relevant LEP or DCP include design provisions for Macquarie Lane to enable a footpath width of at least four metres to accommodate the expected large volumes of pedestrians entering and exiting the Sydney Metro Precinct using this connection.</p> <p>Supports in principle the proposed allowable FSR and Building Height on sites located in close proximity to the Sydney Trains rail corridor, Parramatta Railway Station, and Harris Park Railway Station. TfNSW recommends that future potential applicants and</p>	<p>The identified bus infrastructure requirements are noted, and Council welcomes the opportunity to collaborate with TfNSW in relation this issue.</p> <p>Council understand TfNSW are currently preparing a study into bus infrastructure requirements for Smith Street and that any amendments to the planning controls as a result this work will be the subject of a separate planning process, and not part of the CBD PP.</p> <p>Council notes that the footpath requirements for Macquarie Lane are being considered in the Civic Link Block 2 study currently underway and is a matter considered appropriate for a DCP. Council officers will notify TfNSW when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>Noted. Matters raised are relevant at the DA stage and no changes are required to the Planning Proposal.</p>

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	<p>developers approach Sydney Trains early in the design process (as part of pre-DA discussion) to ensure that all relevant Sydney Trains matters of consideration are taken into account and are incorporated in the future design of the development.</p> <p>Notes that TAHE (Transport Asset Holding Entity) of NSW is a State owned Corporation and major landowner within Parramatta CBD, and requests where relevant, Council and developers liaise early with Sydney Trains, and throughout each stage of any development proposal adjacent to the rail corridor.</p>	
	<p>Identifies that O'Connell Street is mapped and zoned as SP2 – 'Classified Road' on the 'Proposed Land Zone Map and requests this is amended to reflect that O'Connell Street is a 'Classified Regional Road'. Similarly, identifies Parkes Street as a Classified Regional Road, however, notes this is not zoned or mapped SP2 – Classified Road.</p> <p>Advises Council that in accordance with Clause 10 of the Environmental Planning and Assessment Regulation 2000, the indicated SP2 – Classified Road zone along O'Connell Street requires TfNSW concurrence for the reservation of the land within an LEP. Further, advises that TfNSW has no records of providing concurrence to the indicated SP2 – Classified Road reservation along O'Connell Street and believe that the Land Zoning Map image is in error and needs to be corrected.</p> <p>Requests that the Authority of the State needs to be changed from "Roads and Maritime Services" to "Transport for NSW", and amendments will be required to Section 5.1 – Relevant Acquisition Authority within Parramatta LEP 2011.</p>	<p>Respectfully, Council officers believe that TfNSW is confusing the 'legal classification' and 'administrative classification' of roads. A 'Regional Road' is a type of 'Administrative Class'.</p> <p>Further information on this can be found by following the link below. https://www.rms.nsw.gov.au/business-industry/partners-suppliers/lgr/arrangements-councils/road-classification.html</p> <p>O'Connell Street is currently zoned 'SP2 Classified Road' and there is no proposal to change that zoning in the CBD PP and therefore a review of the zoning is not warranted.</p> <p>In relation to the requested amendments to Section 5.1 Relevant Acquisition Authority within Parramatta LEP 2011, Council officers note that these changes have already been made to Clause 5.1 of PLEP 2011. Therefore, no further changes are required to the PP documentation to address the request by TfNSW.</p>
	<p>Recommends an additional provision be included in the CBD PP instrument to require provision of a Travel Plan to further encourage mode shift away from private car usage and facilitate sustainable travel to commercial premises. Suggests that the new clause apply to:</p> <ul style="list-style-type: none"> - the Parramatta City Centre area, but not including "Area A" on the Special Provisions Area Map, 	<p>It is recommended the requirement for a travel plan be further evaluated as part of a DCP control.</p>

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	commercial premises, and mixed-use development but only where more than 600sqm of commercial premises is provided.	
	Considers that the land identified as Area A within Clause 7.6M that is not "parkland", is synonymous with the characteristics of the Parramatta CBD, and therefore requests that any new development on this land should have the same "maximum" parking rates as those identified in Clause 7.3 (5) and not those identified in Clause 7.6M (7).	Consistent with the Implementation Plan in the Parramatta CBD Planning Strategy 2015, this Planning Proposal does not make any changes to the planning 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 which includes both the 'parkland' and 'built' areas and for this reason, further review of the planning controls for this precinct is not warranted.

Table 2 – Condition 4 Organisations

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National Trust of Australia (Parramatta Branch) (Submission No. O-1)	<p>Supportive of the approach to the Roxy Theatre that requires a maximum height of 18m.</p> <p>It is the understanding of the Parramatta Branch that the site has limited development potential due to heritage listings, recent decision of the Land and Environment Court and the theatre occupying the whole site. Based on this, the Parramatta Branch are seeking support from Council to rezone the site to SP1 Community Facility.</p> <p>The Parramatta Branch understand that rezoning the site to SP1 will place an obligation on the Council or State to 'ultimately purchase' the site. This will also place an obligation on the owner to negotiate within the framework of the Land Acquisition (Just Terms Compensation) Act 1991 rather than negotiate in a way that does not reflect the proper value.</p>	<p>The exhibited planning controls for the Roxy Theatre (69 George Street) were B3 Commercial Core zone, Base building height of 18 metres with no incentive building height (because of B3 zone), Base FSR of 10:1 with no Incentive FSR, Heritage notation reflecting the Roxy Theatre State Heritage Item No.I00711.</p> <p>The proposed base building height control of 18 metres with no incentive height was developed on the premise of ensuring the retention of the building's form and fabric and that any redevelopment would not compromise the heritage setting of the item. It was determined by relying on the site line in the OEH's Officer's report from the Land Environment Court (LEC) judgement (NSWLEC 1292). In particular, where the site line intersects with the bottom of the tower parapet on the front façade which equates to the pitch of the roof over the main building/auditorium.</p> <p>Notwithstanding this, Council Officers are of the view that the proposed changes (as exhibited) will not be progressed for the purposes of finalising the CBD PP. Instead, the existing PLEP 2011 height control will be applied in the planning proposal to be recommended for finalisation. Council Officers reiterate that this is not to be interpreted as a signal that a proposal with a tower form which would require part demolition of the theatre building is an acceptable proposal. Rather, this</p>

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		<p>is a temporary arrangement because of the review being undertaken by way of the Civic Link DCP work and also master planning for the block being undertaken by Sydney Metro for the new metro station in this block.</p> <p>Stage 2 of Council's Civic Link Precinct controls are progressing. Block 2 City Stage Smart Hub which is bounded by Smith, Church, Macquarie and George Streets comprises the Roxy Theatre site and is inclusive of the adjoining sites to the east at 71, 73 and 75 George Street. This block includes areas for social and creative gathering places to support cultural events and attractors in adjacent buildings. A future amendment to these controls in anticipated in late 2021 will provide detailed controls for this block and will address the public domain immediately adjoining the west and south of the site.</p> <p>The matter of the LEP building height control being deferred, will be applied to the site until the Civic Link DCP work and Sydney Metro master planning process has been resolved. To that end, the existing PLEP 2011 building height control, which relies on the SAP, will apply. It is the intention of Council Officers to return a building height consistent with the LEC judgment and therefore, Council Officers recommend amending the CBD PP documentation as follows:</p> <ul style="list-style-type: none"> - Draft planning proposal - Amend the PP explaining the reasons for the deferral but noting that this does not mean that Council supports a tower element over the site which is contrary to the LEC ruling. - Draft LEP Maps - Replace the 18-metre height notation with the existing PLEP 2011 SAP notation on the HOB Map. <p>In relation to the rezoning of the site to SP1, acquisition of the site by Council has not been considered previously. The rezoning requested by the submitter would place a significant financial impost on Council and the community to acquire the site arising from the application of the SP1 zone and consequential reservation of the land on the Land Reservation Acquisition Map pursuant to Sections 3.14(1)(c) and 3.15 of the Act.</p> <p>Any proposal to acquire the site would require separate Resolution of the Council and comprehensive due diligence consideration (including financial analysis) before progressing. Such a change is considered</p>

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		<p>substantial and this type of request is beyond the scope of the CBD Planning Proposal.</p> <p>Based on the above, the recommendations of the Agency to retain an 18m maximum height limit and rezone the site to SP1 are not supported at this time and no changes to the Planning Proposal are required.</p>
	<p>Concerned about the proposed planning controls and extension of the CBD along Church Street, North Parramatta from Parramatta River to Pennant Hills Road, particularly the impact on existing heritage items and HCAs.</p> <p>Oppose the extension of the CBD and "incentive maximum building heights" along Church Street, North Parramatta from the Parramatta River to Pennant Hills Road.</p>	<p>While it is acknowledged that the planning controls have changed to allow greater density under the CBD PP, the land north of Parramatta River either side of Church Street up to Pennant Hills Road has been part of the 'Parramatta City Centre' at least since Parramatta LEP 2007 came into force.</p> <p>The exhibited planning controls generally reflect the recommendations from the HAA Heritage Study of Interface Areas study commissioned in 2017. The proposed density in this area will also support the Government's investment in light rail, which is currently under construction.</p> <p>Based on the above, the recommendation of the National Trust to exclude incentive height and FSR controls for along Church Street north of the River is not supported and no changes to the Planning Proposal are required.</p>
	<p>Concerns raised about the absence of a detailed DCP that corresponds with CBD PP and includes controls to protect the visual presence, curtilage and setting of heritage items and HCAs.</p>	<p>Noted. The significance of a corresponding DCP with the proposed LEP is not being understated by the CBD PP process. Council is currently working on the draft CBD DCP to ensure that the DCP is exhibited prior to the finalisation of the CBD PP. This will include detailed heritage considerations to guide future development.</p>
	<p>Concerned about mapping heritage items on a separate map, and that height and FSR maps do not distinguish between heritage items and other properties. The Parramatta Branch are of the view that this suggests sites containing heritage items may achieve the height and FSR set out in these maps.</p> <p>Based on the above concern, the Parramatta Branch recommends clear development requirements be prepared for heritage items and nearby properties that adjoin heritage items or conservation areas.</p>	<p>All LEP maps are prepared in accordance with the Standard Technical Requirement for Spatial Datasets and Maps published by the Department of Planning, Industry and Environment. Inclusion of Heritage Items on the Height of Buildings or Floor Space Ratio Maps is inconsistent with these requirements. The only method available to distinguish sites of heritage significance is to deliberately reduce the height and floor space ratio controls, thereby constraining such sites and reducing the capability of those sites to realise future development potential by, for example, amalgamation with adjoining sites and transfer of yield while conserving or preserving the heritage item in situ. The contextual appreciation of heritage within the CBD is already addressed through the proposed Clause 7.6K.</p>

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	<p>The Parramatta Branch question the expected urban form, given the 'conflicting' height and FSR that result from base to incentive controls and are unclear about the application of the height standards and the difference between the base and incentive controls.</p> <p>The Parramatta Branch do not accept the ad-hoc approach to approvals across the CBD and argue that applications should be rejected until the endorsement of the Planning Proposal.</p> <p>Despite maximum building heights, Heritage areas have been comprised, overshadowed and heritage listed buildings have been targeted for demolition.</p> <p>Resolutions that enable demolition of heritage items to "delist" an item is short-sighted and demeans the process that led to the listing.</p> <p>The Parramatta Branch identify that 6 SSPP ("spot rezoning" DAs) endorsed by Council in the past 12 months are inconsistent with the</p>	<p>Council is currently preparing supporting DCP amendments that will include heritage controls and outline development requirements for heritage items and nearby properties that adjoin heritage items or conservation areas.</p> <p>Council acknowledges that base and incentive height and FSR planning controls are a relatively new concept; however, are being applied to the Parramatta CBD via the CBD PP to support delivery of community infrastructure.</p> <p>Land zoned B4 Mixed Use and identified on the 'Incentive FSR Map' have a second FSR (known as the 'Incentive FSR'). 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'. The base and incentive height is applied in the same way.</p> <p>The changing demographic profile and significant anticipated growth in jobs and dwellings will place further demands on Council to provide new or augmented existing infrastructure. To encourage the provision of community infrastructure, this planning proposal allows for increased heights and FSRs for certain sites where development addresses key community infrastructure principles in accordance with the updated clause 7.6H. Sites that do not want to take-up the mapped increase in height or FSR on the incentive maps, and rather develop in accordance with the mapped base FSR or height do not have to address these key community infrastructure principles.</p> <p>Division 3.4 of the Environmental Planning and Assessment Act 1979 facilitates a process for planning controls to be amended through a site-specific planning proposal process, including by landowners or a third party on behalf of a landowner. Council officers acknowledge the concerns raised by the Branch; however, it is important to highlight that site-specific planning proposals, while assessed against the broader strategic framework for an area, are subject to a separate process outside of the CBD Planning Proposal process.</p> <p>The CBD PP does not propose any changes to the listing of heritage items, and DA processes that allow approval to be sought to demolish</p>

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	<p>CBD PP. The SSPP include 470 Church Street, St Johns Cathedral, 8-14 Great Western Highway, 2 O'Connell Street, 33-43 Marion Street and 189 Macquarie Street.</p>	<p>a heritage item are imbedded in the planning system, and are beyond the scope of the CBD PP.</p> <p>The status of the planning proposal's in question are described below and their consistency with the FSR and Height of Building (HOB) controls in CBD PP also noted:</p> <ul style="list-style-type: none"> - 470 Church Street – Mapped FSR and HOB controls notified on 19 Feb 2021 (PLEP Amendment 47) are consistent with the exhibited CBD PP. - 189 Macquarie Street - Mapped FSR and HOB notified on 4 Sept 2020 (PLEP 2011 Amendment 51) are consistent with the exhibited CBD PP. - 33-43 Marion Street – Mapped FSR and HOB notified on 26 Feb 2021 (PLEP 2011 Amendment 57) are consistent with the CBD PP. Note: Delisting of 37 Marion Street from Heritage schedule as part of the SSPP was not consistent with the exhibited CBD PP. - 2 O'Connell Street (aka 5 Aird Street) – Mapped FSR and HOB controls notified on 1 April 2021 (PLEP Amendment 54) are consistent with the exhibited CBD PP. - 8-14 Great Western Highway – Draft FSR and HOB controls endorsed for public exhibition on 7 December 2020 are consistent with the exhibited CBD PP. - St Johns Cathedral site – Draft FSR and HOB controls endorsed in the DPIE's Gateway Determination issued on 8 September 2020 are generally not consistent with the exhibited CBD PP. The SSPP seeks to change the underlying zoning of this site which will reduce the amount of SP1 Special Activities zoned land and replace with a B3 Commercial Core zoning for the part of the site that doesn't contain the cathedral building. <p>With the exception of the SSPP for the St Johns Cathedral site, the other SSPPs identified by the Trust in their submission are consistent with the exhibited FSR and HOB controls in the CBD PP.</p>
	<p>The NSW Branch of the National Trust recognise that the CBD PP will deliver more jobs and dwellings than required by the LSPS. The Branch notes that this is accounted for as the LSPS targets are a 20-</p>	<p>The estimated jobs and dwellings anticipated to be delivered by the CBD Planning Proposal are derived from estimated floor space yields</p>

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<p>National Trust of Australia (NSW Branch) (Submission No. O-2)</p>	<p>year vision of the Greater Sydney Commission, and the PP is Council's own 40-year vision.</p> <p>Raises concern about the conservation of places across the CBD and recommends amendments to the Planning Proposal to better protect heritage items/areas. These areas are: Parramatta River, Church Street, Prince Alfred Square, Roxy Theatre, Centenary Square and Experiment Farm.</p> <p>In relation to Parramatta River, it is considered that the heights of buildings and their setbacks adjacent the river need to acknowledge the cultural significance of this landscape and respect the historic landscape. The NSW Branch also recommends the removal of 68-96 Phillip Street as an Opportunity Site be reinstated.</p> <p>The height and FSR of buildings on Church Street north of the river should be limited to 24m.</p> <p>FSRs and Height of Buildings adjacent to heritage conservation areas should reflect heights and densities that conserve the heritage values and settings of the conservation areas.</p>	<p>based on the planning controls within the planning proposal boundary after taking into account constraints and recent development.</p> <p>When assuming take-up rates of approximately 25,000sqm of commercial floor space (equating to the commercial building at 60 Station St) and 30,000sqm (or approximately 300 dwellings) per year, the additional capacity from the controls in the CBD Planning Proposal yields approximately 40 years of theoretical supply.</p> <p>Importantly, the CBD Planning Proposal predates the requirement to prepare the LSPS, therefore the estimated yields for a 20-year period from the CBD Planning Proposal informed the numbers in the LSPS for Parramatta CBD.</p> <p>The intent of the new heritage clause (Clause 7.6K) is to manage heritage impacts and positively address heritage matters. The CBD PP will be supported by new DCP controls and Council officers will notify the National Trust when the draft DCP is on exhibition and invite their feedback at that time.</p> <p>The need for further urban design analysis for the land parcels on the northern side of Phillip Street fronting the River between Smith Street and the Charles Street Ferry is supported and recommended to be considered as part of the 'Phillip Street Block Study'. This will include the site at 68-96 Phillip Street. Any recommended amendments to the planning controls as a result of further analysis would be part of an alternative planning proposal pathway to the CBD PP in 2021/2022.</p> <p>This further analysis will also consider the appropriateness of identifying sites within the area as Opportunity Sites as well as whether a Minimal Commercial Provision notation so these notations will be removed in the meantime. Until the further analysis is completed the existing planning controls under PLEP 2011 would continue to apply to the land within the Phillip Street Block.</p> <p>The interface areas have been appropriately considered in the HAA Heritage Interface Area Study (2017). Appropriate management of heritage values and conservation areas will be managed through the LEP Clause 7.6K and further supported by detailed DCP controls. A solar access plane applies to land north of the river to provide solar access to the south bank of the river.</p>

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	<p>The NSW Branch raises concern with the redevelopment of the McDonalds site (255-375 Church Street, Parramatta) and overshadowing of Prince Alfred Square.</p> <p>The NSW Branch describe that whilst the planning standards require 'no overshadowing of the southern half of the Park between 12pm and 2pm', the towers cast shadows across the northern portion and into the southern portion of the Park.</p> <p>Applying a protected period fails to respect and acknowledge the cultural significance of Prince Alfred Square. The protected period should not be limited to between 12pm and 2pm.</p> <p>All of Prince Alfred Square, as a place on the State Heritage Register and important public open space, should not be overshadowed.</p> <p>Allowing sunlight is critical to health and through the COVID-19 pandemic we have found that sometimes we need more space than expected.</p>	<p>Based on the above, the recommendation of the NSW Branch that building heights on Church Street north of the River be 24 metres are not supported and no changes to the Planning Proposal are required.</p> <p>Council officers consider that the significance of Prince Alfred Square has not been understated, the area is identified on the Sun Access Protection Map and is not to be overshadowed between 12:00pm and 2:00pm on 21 June. This is consistent with the Gateway Condition issued by the Department of Planning, Industry and Environment.</p> <p>Prince Alfred Square presently is not afforded any protection from overshadowing under Parramatta LEP 2011. The introduction of a Protected Area and associated Sun Access Protection (SAP) surface recognises the significance of the Square. Application of the Protected Area to include the northern portion of the Square would require building heights to be limited to lower than existing controls under PLEP 2011 – a retrograde step is not supported by Council officers. In addition, existing development to the north and northeast of the Square will already overshadow the northern part of the Square during the day – particularly the mid-morning and late afternoon. The Protected Area on the southern half recognises this and intends to provide protection to the remainder of the Square.</p> <p>Identifying the key period of 12 noon to 2pm recognises the role of Prince Alfred Square as a place for residents and workers in the area to enjoy, particularly during the middle of the day. This is consistent with other parks and civic areas throughout the CBD (i.e. Parramatta River Foreshore, Parramatta Square, Jubilee Park) and heritage items (i.e. Lancer Barracks and Experiment Farm). It is also noted that building heights north of Victoria Road are generally lower than other parts of the CBD and, therefore, also mitigate the impact of overshadowing to the Square.</p> <p>Based on the above, the recommendations of the NSW Branch that solar access to the whole of Prince Alfred Square be maintained are not supported and no changes to the Planning Proposal are required.</p>
	<p>The NSW Branch support the retention of the Roxy Theatre as a heritage item and the 18m height limit. The decision recognises that the Roxy is a valued place on the State Heritage Register. It should be</p>	<p>Supporting comments are noted and the Council officer response in relation to the existing height control under PLEP 2011 being maintained at this time for the Roxy site until the Civic Link DCP work and master planning for the new Sydney Metro Stop is completed, is</p>

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	<p>conserved in its entirety and presents an opportunity for a valuable cultural community asset in the future.</p> <p>Centenary Square is a significant place in Parramatta and is a vibrant place for passive recreation.</p> <p>The loss of heritage setting by allowing high towers so close to St John's Cathedral is concerning and will be further exacerbated if the planning proposal for 195 Church Street, 65-79 Macquarie Street and 38 & 41-45 Hunter Street Parramatta is approved.</p> <p>FSRs and height of building limits around Centenary Square and its associated heritage items should reflect and protect the cultural value and sense of place that the square currently possesses and minimise and ameliorate any impacts on amenity such as loss of solar access and the creation of downdrafts.</p>	<p>the same as that outlined in the submission from the National Trust Parramatta Branch above.</p> <p>As such, the recommendations of the NSW Branch to retain an 18m maximum height limit is not supported at this time and no changes to the Planning Proposal are required.</p> <p>Council acknowledges that Centenary Square is a significant place in Parramatta and a vibrant place for passive recreation. The Square is surrounded by important spatial relationships between St John's Cathedral and grounds, Parramatta Square, the Church Street alignment, and Church Street view corridor. Past studies presented to Council, as well as protection orders on views to St John's Cathedral, have informed this position on the Church Street view corridor and organisation of height around civic space.</p> <p>The purpose of the Church Street view corridor created by the controls in the CBD PP and DCP is to elevate the spatial significance of Church St as the north/south spine of the city as well as to preserve Church Street views to St John's Cathedral and beyond. It follows that a consistent maximum building height along the entire axis up to the Cathedral is necessary. Council officers consider that it is important the Cathedral spires are not seen with building directly behind them, but with views to the sky. Therefore, it is important to retain the FSR of 3:1 and HOB of 28 metres at 179 and 181 Church Street with all future development along Church Street and surrounding Centenary Square and the grounds of St John's present as a street wall with tower setback. Council officers also recommend the Branch review officer comments in relation to Submission Nos. 73, 243 and 267 at Appendix D.</p> <p>Centenary Square is afforded sunlight access by being located under the Sun Access Protection (SAP) surface for Parramatta Square. Centenary Square, however, has never been identified as a Protected Area for sun access protection – compared to, for example, Parramatta Square or Lancer Barracks. Consequently, the controls for the CBD Planning Proposal cannot prevent additional overshadowing to Centenary Square. However the SAP surface for Parramatta Square will limit building heights to the north, northeast and northwest of Centenary Square, thereby reducing the potential imposing impact of very tall buildings immediately surrounding and near the Square.</p>

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	<p>HAA recommended extending the solar access protections to all day, not just 10am-2pm on 21 June.</p> <p>The Technical Paper found that extending the protected period to 'all day' would impact 205 parcels and require reduced heights.</p> <p>The NSW Branch have considered the Sun Access Protection Surface for Experiment Farm and have identified that there is an opportunity to expand the period of solar access between 2pm and 4pm. Therefore, the NSW Branch recommends further building shadow analysis be undertaken for Experiment Farm.</p> <p>Supports the following:</p> <ul style="list-style-type: none"> Recommendation by HAA that heritage controls must be included as part of any Design Excellence assessment involving or directly adjoin a heritage item.... 	<p>The heritage setting of St John's Cathedral is noted, and it is also noted that the Diocese itself is the proponent of an active site-specific planning proposal applying to 65-79 Macquarie Street, 38 and 45 Hunter Street, seeking the increases in height and density surrounding the cathedral. The CBD Planning Proposal will not modify the height or floor space ratio controls beyond those exhibited while the site-specific planning proposal is being separately considered. In the event that the site-specific planning proposal proceeds to finalisation and separately amends Parramatta LEP 2011, the CBD Planning Proposal, if not finalised itself, will have to ensure its controls are updated to ensure consistency with any completed site-specific planning proposals.</p> <p>Wind impacts from tall buildings are an important issue and are being considered as part of the DCP amendments to support the CBD PP.</p> <p>The overshadowing analysis undertaken by Council extensively tested solar access to Experiment Farm as required by the Gateway Condition 1. (j) iii.</p> <p>Section 4.3 of the Overshadowing Technical Paper considers extensions of the protection to Experiment Farm beyond 2pm. It noted that a 4pm envelope would extend approximately 1.5km across the entire CBD, finishing in Parramatta Park. It also notes that existing completed development penetrates the 4pm surface – including Sydney Water Headquarters in Smith Street, NSW Police Headquarters in Charles Street, 11 Hassall Street, 14 Hassall Street, 13-15 Hassall Street, 24 Parkes Street, 113-117A Wigram Street, 4 Parramatta Square. In addition, 6-8 Parramatta Square, currently under construction, would penetrate the 4pm surface. Any benefits of extending protection to 4pm are, consequently, already compromised by existing development and development under construction.</p> <p>Based on the above, the recommendation of the NSW Branch to protect solar access to Experiment Farm from 2pm to 4pm is not supported and no changes to the Planning Proposal are required.</p> <p>Supporting comments noted.</p>

Community Engagement Report - Appendix E

Respondent & Submission No.	Summary of submission	Council Officers' response
	<ul style="list-style-type: none"> • Provisions to provide for the protection of historic streetscapes on Church and George Street. • The removal of 182 George Street (State Heritage listed Harrisford) as an Opportunity Site. • LEP amendments to Clause 7.6J Opportunity Sites to include additional heritage considerations. <p>Recommends Council adopt Lucas Stapleton Johnson recommendations to amend the Design Excellence clause to include heritage considerations.</p>	<p>The recommendations are better placed in the DCP and therefore, no changes required to the Planning Proposal.</p>

Attachment 16 to LPP & Council reports on the exhibition of the Parramatta CBD Planning Proposal

ATTACHMENT 16 – SUMMARY OF COUNCIL OFFICER RECOMMENDATIONS

This document outlines in Tables 1, 2 and 3 below the schedule of changes recommended to be either **supported** (via 'Decision Pathway 1') and able to be progressed with the Parramatta CBD Planning Proposal (CBD PP) at this time; changes that are **not supported** (via 'Decision Pathway 2'), or changes that are considered to **have merit for further investigation** during a later stage of work and progressed through separate Planning Proposal amendment processes (via 'Decision Pathway 3').

The schedule of changes detailed in Tables 1, 2 and 3 are subject to Council endorsement; and the reasons for any of the Decision Pathways (1, 2 or 3) recommended by Council officers are provided in the **Community Engagement Report at Appendices B, C, D and E** (Attachments 12-15 of the Council Report), with further information also available in the Local Planning Panel and Council reports.

Table 1 below comprises the changes to the Draft LEP Instrument or Draft LEP Maps that are **'supported'** (via Decision Pathway 1). These changes are included in the updated Parramatta CBD Planning Proposal documentation at **Attachments 1 to 9 of the Council Report** recommended to be forwarded to the Department of Planning, Industry and Environment (DPIE) for finalisation, subject to Council endorsement.

● Table 1 – Changes that are supported (via Decision Pathway 1 - Green)

Row	Supported changes (Decision Pathway 1)	Submission No.
1.	For 69 George Street (the Roxy theatre site) , amend the Height of Building Heights Map to replace the exhibited 18m height, and revert back to the Sun Access Protection surface (via Clause 7.4) to the land; and amend the Incentive Height of Buildings Map to apply the Sun Access Protection surface (via Clause 7.4) to the land. The Planning Proposal document is also amended to explain that some submissions have resulted in changes to the planning proposal documentation, and that for 69 George Street the proposed mapping changes do not mean that Council supports a tower element over the site, which is contrary to the Land and Environment Court case outcomes for this site. Rather this is a reversion back to current controls given separate strategic planning work that is underway for this street block due to the Civic Link and Sydney Metro. See also Table 3, Row 1 , which describes Decision Pathway No. 3 that also applies to this site.	Submission No. 161
2.	For 75 George Street , amend the Local Road Reservation (LRA) Map notation as it applies to this site from 7 metres to 4 metres.	Submission No. 167
3.	For the Westfield landholdings , amend the Land Zoning Map to replace the proposed B3 Commercial Core zone (as exhibited) with the existing B4 Mixed Use zone; and make consequential amendments to retain existing controls for this land, as follows: amend the Height of Buildings Map to show existing heights of part 36m / part "Area 2" (Sun access protection surface); amend the Incentive Height of Buildings Map to remove all proposed controls for this land; and amend the Floor Space Ratio Map to show the existing FSR of part 4.2:1 / part 6:1. Note: these consequential map changes only apply to that part of the Westfields land that was proposed to be rezoned to B3 under the CBD PP. The Planning Proposal document is also amended to explain that some submissions have resulted in changes to the planning proposal documentation, and that for the Westfield landholdings the proposed mapping changes will be further investigated at a later stage. See also Table 3, Row 4 below which describes Decision Pathway No. 3 that also applies to this site.	Submission Nos. 182 and 299
4.	Amend Clause 7.4 Sun Access Protection and the Solar Access Plane (SAP) Map to show the Compensatory Publicly Accessible Area as it relates to the overshadowing of Parramatta Square , Blocks A and B.	Submission No. 243
5.	For the Walker Corporation landholdings at Parramatta Square, amend subclauses 7.6C(3) and 7.10(8)(b) to replace the words, "wholly of commercial premises", with the words, "wholly of non-residential development" as they are consistent with the policy intent of the CBD PP in relation to this matter.	Submission No. 281
6.	For 14-20 Parkes Street, Harris Park , amend the Incentive Height of Building Map to increase the mapped height from 122m to 134m.	Submission No. 284
7.	For the block bound by Smith Street, the River, Charles Street and Phillip Street, referred to as the "Phillip Street Block" , remove this block from key changes in the planning proposal by amending the following maps:	Submission No. 244 and Submission No. O-2

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Attachment 16 to LPP & Council reports on the exhibition of the Parramatta CBD Planning Proposal

Row	Supported changes (Decision Pathway 1)	Submission No.
	a. Amend the Incentive Height of Building Map to remove the 211m (RL) height notation; b. Amend the Incentive FSR Map to remove the 10:1 FSR notation; c. Amend the Opportunity Site Map to remove the Opportunity Site notation; d. Amend the Additional Local Provisions Map to remove the Minimum Commercial Provision (MCP) notation The Phillip Street Block will be subject to further investigation and analysis in the "Phillip Street Block Study" – refer to Row 13 in Table 3 below under Decision Pathway 3.	
8.	Update Part 2 Section 2.2 of the planning proposal to clarify that the development standards cannot always be achieved.	Submission No. 288
9.	For 87 Church Street and 6 Greater Western Highway, Parramatta amend the base Height of Building and FSR map to reflect controls consistent with the notified SSPP for this site; and amend the incentive Height of Building Map and incentive FSR Map to show no incentive height or FSR (ie. that they be uncoloured) and amend the Special Provisions Area Map (SPA) to show "Area 10".	Submission No. 190

Table 2 below comprises the changes to the Planning Proposal, Draft LEP Instrument or Draft LEP Maps that are 'not supported' by Council officers (via **Decision Pathway 2**).

● **Table 2 – Changes that are not supported (via Decision Pathway 2 - Red)**

Part A – List of matters not supported from Appendix B – Residents, Appendix C – Institutions, Organisations and Interest Groups and Appendix E – Public Authorities and Service Providers

Row No.	Submission Request	Append. Ref.	Submission No.
1	Extend CBD PP land application area south close to the M4 and Westconnex around Church Street "Auto Alley".	B	6
2	Extend solar access protection from 12pm – 2pm midwinter as proposed in the CBD PP to 10am – 2pm.	B	113
3	Defer all land north of the Parramatta River from the CBD PP to allow the proposed controls for this area to be reconsidered and a new plan prepared.	B, C, E	134, 140, 141, 142, 145, 147, 150, 151, 155, 156, 157, 159, 163, 170, 172, 189, 197, 211, 213, 217, 222, 225, 228, 233, 239, 240, 241, 246, 249, 251, 253, 259, 272, 279, 280, 287, 289, 290, 293, 294, 296, O-1, O-2
4	Extend the CBD PP boundary to include all of Wigram Street.	B	175
5	Enable more height for the land adjacent to and including 65 Ross Street, North Paramatta to accommodate 5 or 6 storey units or mixed use dwellings.	B	297
6	Allow 'Out of Home' (OOH) advertising signage in the CBD in appropriate land use zones, including B3, B4, RE1 and SP1 and SP2.	C	166
7	Identify Lancer Barracks as an area of potential for public recreation.	C	195
8	Make 'Heritage Interpretation Plans' mandatory for every building in the CBD.	C	244
9	Introduce a Transfer Development Rights Scheme for heritage buildings.	C	254
10	Review the FSR sliding scale that limits the development of sites under 1,800m ² .	C	260
11	Review the minimum 1:1 FSR commercial floorspace requirement in certain parts of the B4 Mixed Use zone, particularly for large sites away from the CBD core.	C	260
12	Increase the proposed car parking controls, as they are considered to be too low.	C, E	260, P-8
13	Increase the size of the CBD PP boundary (as exhibited) as it fails to fully capitalise on both the existing Western (heavy) rail line, the Sydney Metro West line, and the light rail.	C	260

Attachment 16 to LPP & Council reports on the exhibition of the Parramatta CBD Planning Proposal

14	Permit serviced apartments in the B3 Commercial core zone.	C	288
15	Remove the World Heritage listed Parramatta Park, Old Government House and the Government Domain from the CBD PP.	E	P-2
16	Remove the Incentive Height and FSR from state and national heritage items/places, local heritage items and HCAs in the B4 zone.	E	P-2
17	Maintain existing height and FSR controls for significant State Heritage Register items and adjoining sites.	E	P-2
18	Introduce overshadowing controls for Centenary Square.	E	P-2
19	Maintain solar access to State and National Heritage items/places.	E	P-2
20	Maintain solar access to Government schools in the CBD.	E	P-7
21	Update heritage listings and mapping to only reflect the elements of Government schools that have heritage significance, rather than identifying the entire site.	E	P-7
22	Protect the entire foreshore area of Parramatta River from overshadowing, not just the southern bank.	E	P-9
23	Rezone the riparian corridor along the Parramatta River from RE1 (Public Recreation) zone to E2 (Environmental Conservation) zone.	E	P-9
24	Increase the width of the riparian corridor along the river and amend the Natural Resources Biodiversity Map in Parramatta LEP 2011 to map riparian land as 'Biodiversity' and/or amend the Natural Resources Riparian Land and Waterways Map to include riparian land in the CBD area.	E	P-9
25	Maintain solar access to the whole of Prince Alfred Square, not just the southern half.	E	O-2
26	Lower heights and FSRs around Centenary Square.	E	O-2
27	Extend solar access protection for Experiment Farm from 10am – 2pm midwinter (21 June) (as exhibited) by 2 hours to 10am – 4pm.	E	O-2

Part B – List of matters not supported from Appendix D – Developers, Major Land Owners and Planning Consultants

Submission No.	Address	Summary of request
73	83 Macquarie Street, Parramatta	Seeks to delist a heritage item and increase height from 12m to 24m and FSR from 3:1 to 3.5:1
100	382 Church Street, Parramatta	Seeks exemption to sliding scale provisions to allow maximum FSR on site less than 1800m ²
160	14, 16 and 18 Pitt Street	Seeks to allow increased FSR from 1.5:1 to a maximum of 4.5:1 and increase in height from 20m to 26m on sites adjoining St Johns Cemetery
169	67 Marion Street, Harris Park	Site is located outside CBD PP boundary and is not located in a Council endorsed Planning Investigation Area
176	18-40 Anderson Street, Parramatta	Seeks to have controls related to minimum commercial floor space applied to the site
191	142 Macquarie Street, Parramatta	Increase in FSR from 7:1 to 10:1 and height from between 0m and 156m to 211m across the whole site
192	63 and 83 Church & 44 Early Streets, Parramatta	Seek to increase FSR from part 6.4:1 and part 7.2:1 to 10:1 plus and opportunity site bonus allowing an additional 3:1 and heights increases on parts of these sites from 36m and 90m to 100m
199	440-458 Church Street, Parramatta	Seek to increase the maximum FSR from 6:1 to 10:1 but retain existing height of 80m
202	Block comprising O'Connell, Hunter, Marsden & Macquarie Streets, Parramatta	Council allocate funds and provide a timetable for the review of planning controls in this block within "Park Edge Sensitive Area"
206	25-31 Marion Street, Parramatta (No. 206)	Delist heritage items at 29 and 31 Marion Street and increase FSR from 2:1 to 6:1 and height 20m to 80m
208	190 George Street, Parramatta	Seeks exemption to sliding scale provisions to allow maximum FSR on site less than 1800m ² plus to allow these smaller sites to benefit from opportunity site, high performing building and commercial floor space bonuses that are proposed not to apply to sites below 1800m ²
209	1-25 Argyle Street and 6-12 Pitt Street	Increase FSR from 1.5:1 to 6:1 (6.9:1 with design excellence) and height from 20m to 80m (92m with design excellence)
247	26-30 Parkes Street, Harris Park	Seeking to be permitted to overshadow part of the Experiment Farm protected area

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Attachment 16 to LPP & Council reports on the exhibition of the Parramatta CBD Planning Proposal

265	7 & 11 Great Western Highway, Parramatta	Seeking an exemption from sliding scale and changes to maximum FSR from 6:1 to 6.5:1 and height controls from 80m to 100m
267	179 and 181 Church Street, Parramatta	Increase the permissible FSR from 3:1 to 10:1 and increase in height from 28m to part 36m and part 120m
298A and 298B	179 Church Street, Parramatta	Seeks increase in height from 28 to 200m

Table 3 below comprises the changes to the Draft LEP Instrument and/or Draft LEP Maps that **'have merit for further investigation'** (via **Decision Pathway 3**). These changes are recommended to be investigated during a later stage of work and progressed through separate Planning Proposal amendment processes, subject to Council endorsement. They have also been categorised into proposed groupings, so as to improve efficiencies in delivering these next stages of work.

With regards to Table 3 below, the proposed groupings (see last column) are as follows:

- Group 1 – Dealing with policy matters raised by State agencies and/or have been flagged in supporting policy (e.g. the Integrated Transport Plan).
- Group 2 – Affecting commercial uses and public domain
- Group 3 – Affecting long-term matters
- Group 4 – Potential additional height/FSR, which requires further detailed technical analysis
- Group 5 – Undertake further work in the "Phillip Street Block Study".

● **Table 3 – Changes that have merit for further investigation (via Decision Pathway 3 - Orange)**

#	Submission No. and Requested change (Decision Pathway 3)	Submission Nos.	Proposed Grouping
1.	For 69 George Street (the Roxy theatre site) , investigate an amendment to the Height of Building Map following the completion of the Civic Link DCP and master planning work by Sydney Metro for the new metro station, and also that considers the Land and Environment Court case outcomes.. See also Table 1, Row 1 , that details a change recommended to be supported for 69 George Street and is included within the updated CBD PP documentation recommended to be forwarded to the DPIE for finalisation. This is in effect a reversion back to existing height controls for this site.	Submission No. 161	Group 2
2.	Investigate the mapping of 57 Macquarie Street, 41-43 Hunter Street, 45 Hunter Street and 87 Marsden Street on the Additional Local Provisions Map with the Minimum Commercial Provision notation.	Submission Nos. 180, 200 and 243.	Group 2
3.	For 64 High Street , investigate the realignment of the east-west laneway between High Street and Church Street shown on the Height of Building Map and Incentive Height of Building Map with a 0 metre height notation, to the southern boundary of 64 High Street. This investigation is to occur in consultation with other affected landowners(s) to the east along the route of the laneway where it intersects with Church Street.	Submission No. 181	Group 3
4.	For the Westfield landholdings , investigate rezoning the land from B4 Mixed Use to B3 Commercial Core (as exhibited) with a potential Additional Permitted Use (APU) for a residential tower, consistent with the Urbis A-Grade Office Space Study recommendations (given the large size of this site that could accommodate both residential and commercial towers) and also further urban design analysis to determine the appropriate size of the residential tower (which would be referenced accordingly in an APU notation). See also Table 1, Row 3 , that details a change recommended to be supported for the Westfield landholdings and is included within the updated CBD PP documentation recommended to be forwarded to the DPIE for finalisation.	Submission No. 182 and 299	Group 2
5.	For 60 Phillip Street , resolve the planning controls as part of further investigative work on the "Phillip Street Block" comprising the block bound by Smith Street, the River, Charles Street and Phillip Street on account of urban design work being undertaken in the Phillip Street Block Study (as detailed in Row 14 below).	Submission No. 198	Group 5

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Attachment 16 to LPP & Council reports on the exhibition of the Parramatta CBD Planning Proposal

#	Submission No. and Requested change (Decision Pathway 3)	Submission Nos.	Proposed Grouping
	See also Table 1, Row 7 , that details changes recommended to be supported for this site on account of work to be undertaken in the Phillip Street Block Study.		
6.	Investigate potential increased height and FSR controls for the two street blocks bound by Pitt Street, Campbell Street, Marsden Street and the Great Western Highway at a later stage as a part of a separate piece of strategic work.	Submission Nos. 207, 266 and 270	Group 4
7.	For 328 Church Street ('El Phoenician site') , investigate the financial implications for Council regarding the Land Reservation Acquisition notation as it currently applies to this land in relation to a proposed laneway.	Submission No. 261	Group 2
8.	Investigate potential increased height and FSR controls for 12A Parkes Street , at a later stage as a part of a separate piece of strategic work.	Submission No. 263	Group 4
9.	Investigate potential refinements to the car parking rates and any amendments to the Local Road Reservations following the public exhibition of the Integrated Transport Plan and endorsement by Council of any amendments as part of an alternative planning pathway.	Submission Nos. 276A, 276B and 288 and Transport for NSW	Group 1
10.	For Walker Corporation landholdings at Parramatta Square , investigate rezoning the land from B4 Mixed Use (as exhibited) to B3 Commercial Core.	Submission No. 281	Group 2
11.	Investigate potential increased height control for 56 Station Street East, Harris Park at a later stage as a part of a separate piece of strategic work.	Submission No. 286	Group 4
12.	Investigate the inclusion of ' water recycling facilities ' as a permissible use within the B3 Commercial Core; and investigate the inclusion of ' water supply systems ' within the B3 Commercial Core and B4 Mixed Use Zone, to provide for maximum flexibility for water supply systems.	Submission No. 292	Group 1
13.	Investigate the ' Phillip Street Block Study ' area for amended planning controls to be progressed through a separate Planning Proposal process, with the Phillip Street Block consisting of the block bound by Smith Street, the River, Charles Street and Phillip Street. See also Table 1, Row 7 , that details changes recommended to be supported for this block on account of work to be undertaken in the Phillip Street Block Study.	Submission No. 244 and Submission No. O-2	Group 5
14.	Investigate inserting new objectives for the RE1 (Public Recreation) zone related to protection and enhancement of ecological values , e.g. to preserve and enhance tree canopy, wildlife corridors and natural habitat, including waterways and riparian vegetation.	Submission No. P-9	Group 1

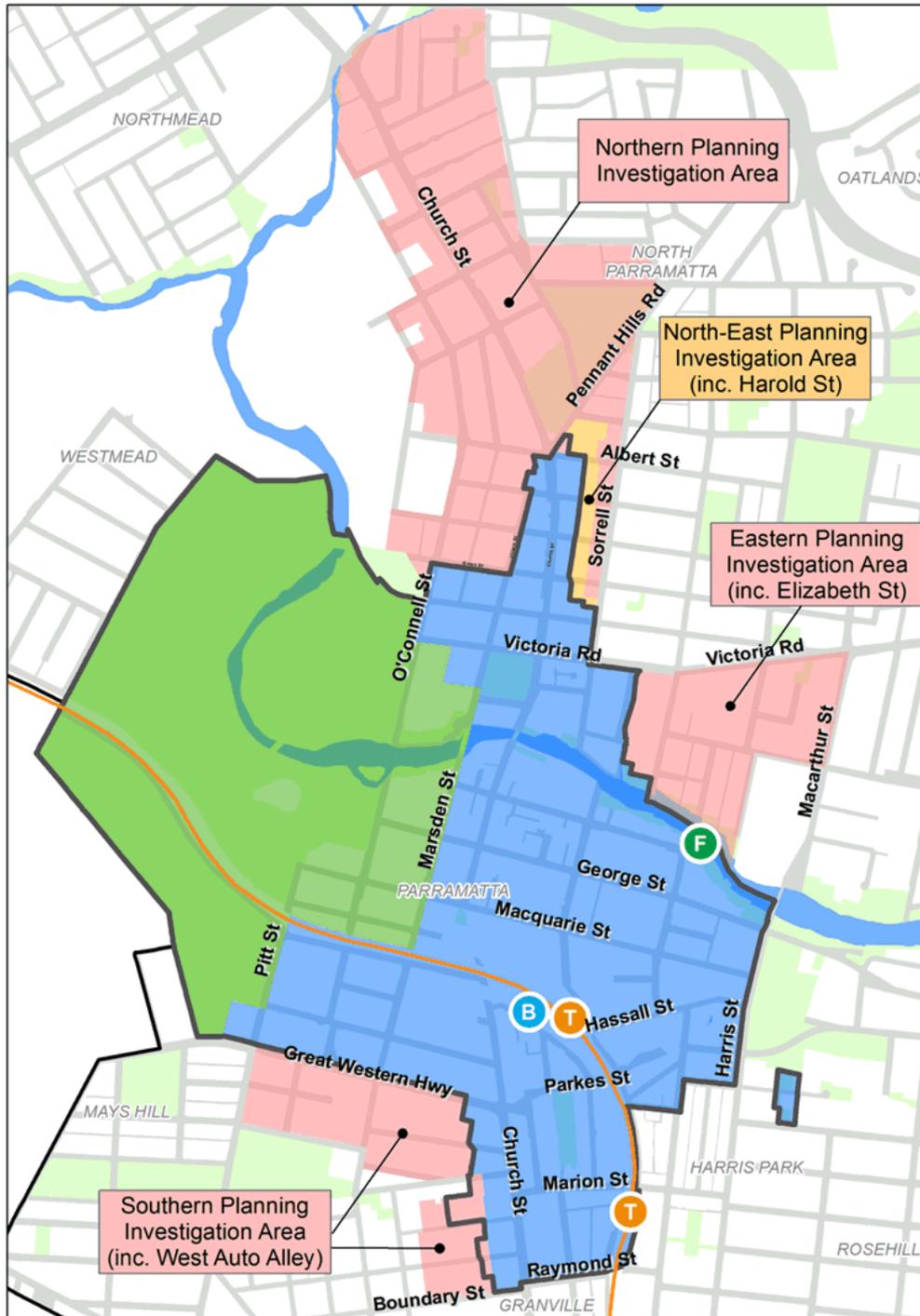
Note - Planning Investigation Areas Currently Endorsed for Further Investigation

Consistent with the *Parramatta CBD Planning Strategy*, which was endorsed by Council on 27 April 2015, and also amendments as endorsed by Council on 25 November 2019, Council will investigate the '**Planning Investigation Areas**' shown pink (see **Figure 1**, below) for amended planning controls to be progressed through separate planning strategy/Planning Proposal amendment processes, as follows:

- Northern PIA;
- North-East PIA (which includes part of Harold Street);
- Eastern PIA (which includes Elizabeth Street, south of Victoria Road); &
- Southern PIA (which includes the area referred to as the 'West Auto Alley Precinct').

Attachment 16 to LPP & Council reports on the exhibition of the Parramatta CBD Planning Proposal

Figure 1 – Planning Investigation Areas



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NOTICES OF MOTION

15 JUNE 2021

- 18.1 NOTICE OF MOTION: Shortage of Dog Parks in Epping Ward..... 1996
- 18.2 NOTICE OF MOTION: Newington Anglican Church 1999
- 18.3 NOTICE OF MOTION: Illegal Dumping..... 2003
- 18.4 NOTICE OF MOTION: Removal of 60 Trees in Parramatta Park for the
Construction of 130 Car Parking Spaces 2006

NOTICE OF MOTION

ITEM NUMBER	18.1
SUBJECT	NOTICE OF MOTION: Shortage of Dog Parks in Epping Ward
REFERENCE	F2021/00521 - D08079939
FROM	Councillor Davis

MOTION

- (a) **That** a report be brought to Council regarding the feasibility of a fenced off-leash dog park on the open lawn at West Epping Park (referred to on the Masterplan as #18).
- (b) **Further, that** this report:
- i. notes that the West Epping Park Masterplan included the potential for a dog off-leash area on the open lawn (referred to as #18) subject to separate approval,
 - ii. acknowledges that the Community Infrastructure Strategy identifies there is a lack of dedicated dog parks in Catchment 3, defined as Epping, Beecroft and Eastwood,
 - iii. identifies potential funding sources for an off-leash dog park at West Epping Park including, but not limited, to planning, community consultation, detailed design and construction,
 - iv. be returned to a Council meeting for consideration in the fourth quarter of 2021.

BACKGROUND

1. Currently there are no dog parks located within the Epping Ward. The closest dog parks are at Cowells Lane Reserve (Ermington), John Wearne Reserve (North Rocks), Don Moore Reserve (North Rocks) and Epping Oval (Hornsby Shire Council).
2. The significant increase in apartment living in Epping has increased the demand for easily accessible dog-friendly parks. Support for the construction of a dog park in the Epping Ward is not limited to those who live in apartments.
3. Dog parks provide a safe environment for residents to take their dogs for recreation. City of Parramatta's *Community Infrastructure Strategy* identifies that there is a lack of dedicated dog parks in Catchment 3, defined as Epping, Beecroft and Eastwood.
4. The master concept plan for West Epping Park included a dog park near the Grant Close entrance to the park (please see #18 on the attached West Epping Park master concept plan) that was not realised in the final plan.
5. Further consideration of a dog park will require broad community consultation using a wide range of consultative methods.
6. This Notice of Motion is seeking a report back to the Chamber in the final quarter of 2021 thus allowing ample time for council officers to compile the relevant information, including funding options.

Donna Davis
Councillor

EXECUTIVE DIRECTOR, CITY ASSETS & OPERATIONS

7. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

8. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source				

Donna Davis
Councillor Davis

Paul Perrett
Chief Financial Officer

Bryan Hynes
Executive Director Property & Place

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- 1 [↓](#) West Epping Park - Landscape Masterplan 1 Page

KEY:

Sports Facilities:

1. Synthetic sportsground surface including 1 senior soccer field 100m x 65m, 1 junior soccer field 70m x 43m, 1 senior cricket oval 100m x 118m & provision for 5-a-side soccer competitions. Sportsfield to include 6 sports floodlight towers to 22m height.
2. 3 x cricket practice nets incorporated into synthetic surface.
3. Existing netball Courts to be retained.
4. Basketball Court (subject to funding).
5. Amenities block, change rooms and canteen (subject to separate approval).

Community Hub:

6. Toddler playground catering for children aged 2-5 years.
7. Ramped access between car park and play area.
8. Swings.
9. Picnic area with BBQ, large double shelter, seats and tables.
10. Outdoor 'Ping-Pong' tables with small shelter, seats and table.
11. Large playground including climbing structures, slides, spinners, mammoth nest swing, seating walls and shade tree planting.
12. Soft-fall embankment with slides, climbing nets, climbing ropes and areas of informal seating.
13. 'Street' style skate area, with ramps, jumps and grind bars on flat open concrete surface.
14. Large shelter with seats and tables overlooking park.
15. Informal open space for children's play including seats and benches and improved pedestrian access to schools and community hall.
16. Grassed spectator embankment.
17. Informal open lawns.
18. Open lawn - potential for dog off-leash area. Off-leash use subject to separate approval.
19. Terraced seating

Vehicle & Parking Management:

20. 133 space car park/ share-way with vehicle connections to Mountain St. and Downing St.
21. Intersection upgrade including new roundabout, traffic calming devices and improved pedestrian footpath connections.
22. Delivery and service vehicle access (only) to pre-school and community hall.
23. 20 Space car park off Grant Close; provision for future car park expansion allowed for at the southern end.
24. Intersection upgrade at Junction of Lilli Pilli & Ward St. and West Epping Park Entry. Parking removed from outside YMCA building. Existing speed humps on Lilli-Pilli St. modified to allow two-way traffic movement.



25. Proposed 2.4m High Lapped and Capped Acoustic Fencing to neighbouring properties in accordance with recommendations outlined in the Noise Impact Assessment Report, Mirach 2015.
26. Upper Bio-Filtration Basin to collect and treat excess storm water run-off from upper community hub area and synthetic

Storm Water System:

LEGEND:

- Existing Trees Retained - Refer Tree Removal & Protection Plan
- Existing Tree Removed - Refer Tree Retention & Removal Plan
- Existing Native Canopy Trees - Refer Indicative Tree Schedule
- Proposed Avenue Trees (Large) - Refer Indicative Tree Schedule
- Proposed Avenue Trees (Large) - Refer Indicative Tree Schedule
- Proposed Deciduous Feature Trees (Medium) - Refer Indicative Tree Schedule
- Open Lawn
- Planting Bed
- Bio-Filtration Planting
- 22m high Sports Floodlights (6no.)
- 4.5m high Pedestrian Lights

INDICATIVE TREE SCHEDULE					
Symbol	Botanic Name	Common Name	Estimated Qty	Container Size	Mature Height & Spread
Axf	Acer x freemanii 'Autumn Blaze'	Maple	30	200ltr	12 x 9m
Cm	Corymbia maculata	Spotted gum	20	75ltr	15 x 8m
Ml	Melaleuca linariifolia	Snow in Summer	15	75ltr	8 x 5m
Up	Ulmus parvifolia 'Allee'	Chinese Elm	24	200ltr	13 x 10m
Zs	Zeikova serrata	Japanese Zeikova	23	200ltr	8 x 6m

DESIGN/DRAWN	PROJECT NUMBER	DRAWING NUMBER	ISSUE
PC	5880/11979	L001	A
APPROVED	SHEET NUMBER	SCALE	DATE
KH	1 of 2	N.T.S	JULY 2015

**WEST EPPING PARK
LANDSCAPE MASTERPLAN
JULY 2015**

NOTICE OF MOTION

ITEM NUMBER 18.2
SUBJECT NOTICE OF MOTION: Newington Anglican Church
REFERENCE F2021/00521 - D08079021
FROM Councillor Issa

MOTION

That a report be brought to a Council Meeting on possible locations for Newington Anglican Church's Sunday services in the Wentworth Point area, until such time as the Church can raise sufficient funds to purchase land in the area to construct a new Church.

BACKGROUND

1. Correspondence has been received from the Newington Anglican Church requesting assistance in finding possible locations in the Wentworth Point area to hold Sunday services until such time as it can raise sufficient funds to purchase land in the area to construct a new Church. A copy of the correspondence from the Newington Anglican Church is attached to this Notice of Motion.

Steven Issa
Councillor

EXECUTIVE DIRECTOR, COMMUNITY SERVICES RESPONSE

2. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

3. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source				

Steven Issa
Councillor Issa

Paul Perrett
Chief Financial Officer

Jon Greig
Executive Director Community Services

Brett Newman
Chief Executive Officer

ATTACHMENTS:

1 [↓](#) Correspondence from Newington Anglican Church 2 Pages



Auburn and Newington Anglican Churches
48 Hall Street
Auburn 2144

May 24, 2021

Councillor Bob Dwyer
Mayor
City of Parramatta Council
PO Box 32
Parramatta NSW 2124

Dear Mayor,

I am the ordained Senior Minister of St Philip's Anglican Church Auburn, and Newington Anglican Church. I am also a registered medical practitioner, working at Wellbank Street Medical Practice on a part time basis.

I lead the Anglican Christian ministry across the suburbs: Auburn, Silverwater, Newington and Wentworth Point. We currently have three congregations meeting - two on our site in Auburn, and one in the Newington Community Centre. We have a regular Sunday attendance of between 200 and 250 people.

Our Newington congregation currently enjoys a regular Sunday afternoon booking in the Newington Community Centre, for which I give you thanks. Our congregation is growing, so that we are now at capacity in that space. We would like to open a new congregation in Wentworth Point: Wentworth Point Anglican Church. I am writhing to request that we be allowed to hire the new Wentworth Point Community Centre for a regular Sunday morning booking, for our community.

I was excited to closely follow the building of the Wentworth Point Library and Community Centre. I was at the top of the list for community organisations to whom the Parramatta City Council was planning to hire space. When the centre opened I was surprised and shocked to hear that they were not taking regular bookings on a weekend. A maximum of 8 bookings was allowed per group, per calendar year. This made it impossible for our community.



tim@newingtonanglican.org

I believe that this cuts across the purpose of a community centre. The City of Parramatta website expresses how the spaces will be made available to residents in 'versatile' way:

'Wentworth Point Community Centre and Library offers a number of spaces that can be hired for events, workshops, birthdays, meetings and much more. Our facility is versatile and will adapt to the needs of residents and businesses, allowing the community to book a space that is most suitable for their needs.

We are a community organisation with a large local multi-ethnic membership. We are looking to start a congregation in Wentworth Point. We have recently commenced a community playgroup in the Wentworth Point Community Centre, which was fully booked before it opened. We are starting an ESL class in Wentworth Point Community Centre in June. We have every reason to believe that a new church in Wentworth Point would fill up very quickly with interested local residents. There is currently no opportunity for our community to meet on a Sunday. You will know that in our religion, Sunday is the day that we like to meet. The prohibition against a regular Sunday booking directly isolates our Christian community from being allowed to meet.

I ask that this current restriction against regular Sunday bookings be waived in our situation, and that we be allowed to hire the Wentworth Point Community Centre regularly, on a Sunday morning, effective immediately.



Reverend Doctor Timothy Cocks
B Med Dip Obs FRACGP B Div (Hons 1)



tim@newingtonanglican.org

NOTICE OF MOTION

ITEM NUMBER	18.3
SUBJECT	NOTICE OF MOTION: Illegal Dumping
REFERENCE	F2021/00521 - D08079611
FROM	Councillor Pandey

MOTION

- (a) **That** Council note:
- Illegal dumping is prevalent in the LGA;
 - Illegal dumping costs the ratepayers thousands of dollars in cleanup.
- (b) **Further, that** Council:
1. Find ways to proactively minimise illegal dumping.
 2. Develop strong enforcement plans to deter and punish illegal dumping.
 3. Develop effective illegal dumping programs including Anti-dumping campaigns to educate and warn residents in illegal dumping hot spots.
 4. Provide recommendations back to Council on how best we can deal with illegal dumping.

BACKGROUND

1. Illegal dumping is untidy, expensive to manage, and negatively impacts local amenity and pride. Residents expect to see 'clean public spaces' and want to see dumpers prosecuted.
2. A study by the NSW EPA found 81% of councils considered illegal dumping to be a moderate or major problem, up from 58% in 2004.
3. Illegal dumping is a rising concern for the community and is becoming a problem across the City of Parramatta LGA. This has impacted on the quality of life for a number of people in the community and with the population growth, this problem is going to grow if strong proactive measures are not implemented.
4. Littering and illegally dumped rubbish is unsightly and disrespectful to the environment and members of our community. Illegal dumping of waste has the potential to cause health and safety risks for both people and the natural environment.
5. Photos of illegal dumping in the Local Government Area is attached to this Notice of Motion.

Sameer Pandey
Councillor

EXECUTIVE DIRECTOR, CITY ASSETS & OPERATIONS RESPONSE

6. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

7. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source				

Sameer Pandey
Councillor Pandey

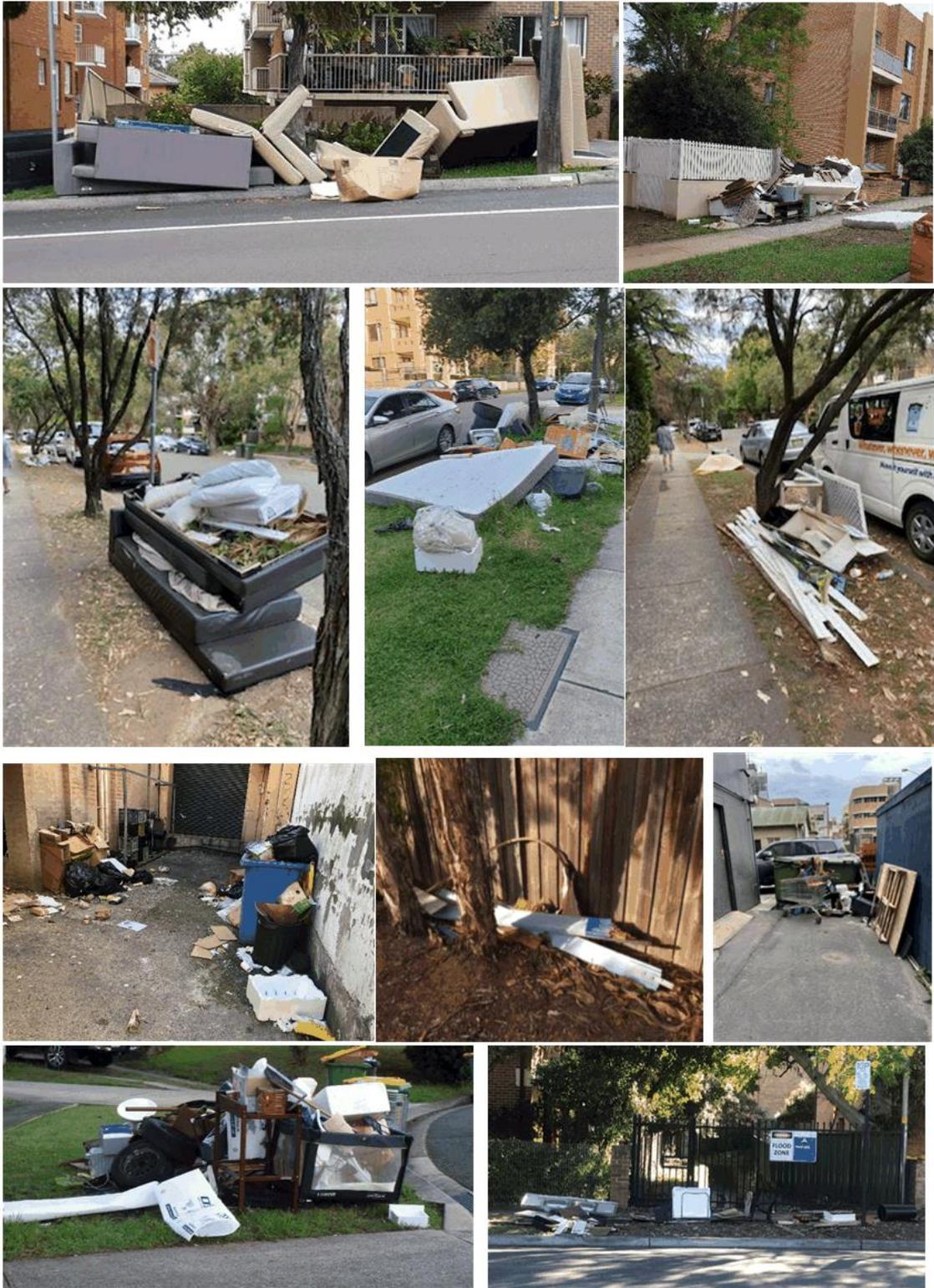
Paul Perrett
Chief Financial Officer

John Warburton
Executive Director, City Assets & Operations

Brett Newman
Chief Executive Officer

ATTACHMENTS:

[1](#) Photos of Illegal Dumping 1 Page



NOTICE OF MOTION

ITEM NUMBER	18.4
SUBJECT	NOTICE OF MOTION: Removal of 60 Trees in Parramatta Park for the Construction of 130 Car Parking Spaces
REFERENCE	F2021/00521 - D08078443
FROM	Councillor Prociv

MOTION

- (a) **That** Council write to the Minister for Planning and Public Spaces reiterating the City of Parramatta's support for National Tree Day.
- (b) **Further, that** Council does not support the removal of 60 trees and loss of passive recreation space by the Parramatta Park Trust to make way for an additional 130 car parking spaces in Parramatta Park.

BACKGROUND

1. In light of the recent announcement by Parramatta Park Trust that 60 trees will be cut down in Parramatta Park to make way for 130 car parking spaces, plus Council's commitment to celebrating National Tree Day and Minister Stokes announcement that the time is ripe to plant more trees in Greater Sydney.

Patricia Prociv
Councillor

EXECUTIVE DIRECTOR, PROPERTY & PLACE RESPONSE

2. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

3. A written staff response will be provided in a supplementary agenda prior to the Council meeting.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source				

Patricia Prociv
Councillor Prociv

Paul Perrett
Chief Financial Officer

Bryan Hynes
Executive Director Property & Place

Brett Newman
Chief Executive Officer

ATTACHMENTS:

- | | | |
|---------------------|--|------------|
| 1 ↓ | Parramatta Park _ The People's Loop - The Paddocks Precinct | 4
Pages |
| 2 ↓ | Time ripe to plant more trees in Greater Sydney _ NSW Dept of Planning, Industry and Environment | 3
Pages |
| 3 ↓ | Councillor Briefing Note - City of Parramatta National Tree Day Community Planting Events June - August 2021 | 5
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The People's Loop - The Paddocks Precinct

Parramatta Park Trust (Trust) is committed to taking care of and celebrating the Park's natural and cultural heritage, increasing community participation in the Park, and managing the Park in a sustainable way.

In consultation with the community, in 2015 we prepared a masterplan for The Paddocks Precinct which proposed a new playground, new picnic and BBQ facilities, amenities buildings, pedestrian paths and bridges, restoration and adaptive reuse of the Queens Road Gatehouse, carparking and landscaping. Many of these new park facilities have been delivered since the masterplan was complete.

At the same time, we prepared a park wide strategy *The People's Loop* which is a long-term vision for Parramatta Park that proposes to remove the majority of vehicles from within the core of the Park, to provide more space for people to safely walk and cycle, and reduce conflict between different modes of transport. This strategy was formed as a response to the Trust's recognition of the growing problem of conflict between different modes of transport used within the park – cars, bicycles and pedestrians.

Feedback from the community consultation and last year's successful two-month 'People's Loop' trial indicate that there is widespread community support for these improvements to the Park, which address the need to upgrade facilities as the population density of the region increases and the Park plays a greater role within the community.

The project will be realised over a number of years as funding becomes available and will provide a better experience for park users of this world heritage significant place.

What is proposed

01/06/2021

Parramatta Park | The People's Loop - The Paddocks Precinct

The proposed People's Loop will remove cars from much of the existing internal road within Parramatta Park. This frees up the internal road for wider pedestrian and bicycle lanes making walking and cycling easier on the loop and reduces the conflict with the different modes. This will mean more people, families and children can cycle or walk safely for fun or fitness.

It is proposed that car parking will be in hubs around the Park to allow access to key destinations. The car parking hubs will reduce conflicts with the various Park users. There will be no net reduction in car parking numbers available in the Park. The People's Loop will also remove the 'rat run' between the Parramatta CBD and Westmead.

The main objective of this proposal is to:

- increase Park safety by minimising conflict between differing modes of transport;
- provide a dedicated and safe, car-free, pedestrian and cycling loop;
- preserve and enhance the heritage and amenity of the Park; and
- accommodate increasing visitation to the Park.

Current works

As the next stage of implementing the Paddocks Masterplan and to support the long-term vision of the removal of vehicles and carparking spaces on the loop road in West Domain in the Park, new carefully considered carparking and associated landscaping is being constructed off Park Avenue.

The scheme has been designed in coordination with our landscape architects and heritage consultants to ensure there is a balance between respecting the site's heritage and landscape setting and upgrading existing and providing new facilities to meet our visitors needed. These works were approved by Heritage NSW in 2016.

Sensitive landscaping will tie the works into the landscape of the Paddocks Precinct and to act as screening in certain locations, such as the southern carpark.

01/06/2021

Parramatta Park | The People's Loop - The Paddocks Precinct

As part of this project we will be carrying out archaeological excavation works to better understand this part of the Park. These excavations will be carried out in consultation with our Aboriginal community and stakeholders.

A total of \$2.5M is being invested into Parramatta Park for the current works, which include:

- Archaeological excavation works
- A new car park accessed off Park Avenue adjacent to the railway line. This carpark is made up of 86 parking spaces and has been sensitively designed into the landscape setting, set back from Park Avenue with a landscape buffer, and retains existing significant trees. The carpark consists of a looped asphalt drive and decomposed granite carparking bays like elsewhere in the Park. The carpark will include a number of connecting paths and new tree.
- New car parking bays for park users accessed from Park Avenue, between Queens Road Gatehouse and Coleman Oval. A total of 44 parking spaces will be located between stands of existing mature trees. The layout will be like the existing council carpark located further south on Park Avenue.
- An upgrade to the Queens Road Gatehouse entry to improve pedestrian and vehicular access into the Park and respond to changes being made to traffic circulation from the Parramatta Light Rail Project.
- New park furniture and signage.
- Improved pedestrian footpaths leading into the Park from Park Avenue.
- The removal of approximately 60 trees. Most existing trees across the site will be retained and protected, preserving the continuous band of trees along Park Avenue and ensuring space is afforded to significant trees such as the Moreton Bay Fig in the southern carpark. All existing trees will be carefully protected during the works and an arborist will be engaged to manage tree protection and advise on ongoing tree management
- Landscape improvements including planting of 60 advanced native trees, installation of new turf areas and establishment of new garden beds at the Queens Road

01/06/2021

Parramatta Park | The People's Loop - The Paddocks Precinct

Gatehouse Entry.

Archaeological excavation works have commenced, and construction works will commence in May and are expected to be completed in late 2021.

Resources

Information and design options, **download our Access and Circulation Community Consultation Boards.**

@PARRAPARK INSTAGRAM

 20  2

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It's not just humans who love picnics in the park,... Slide 1 of 12

01/06/2021

Time ripe to plant more trees in Greater Sydney | NSW Dept of Planning, Industry and Environment

A NSW Government website

Planning,
Industry &
Environment

Time ripe to plant more trees in Greater Sydney

11 March 2021

The 500,000th tree was planted by Minister for Planning and Public Spaces Rob Stokes today at Bungarrabee Park, where the Minister announced the latest \$10 million round of the Greening our City grant program for Sydney's councils to plant trees.

"Our vision is for a city within a park, where people can walk or cycle to world-class public green spaces framed by trees," Mr Stokes said.

"We've brought the latest round of the \$10 million Greening our City grant program forward to take advantage of the better planting conditions as a result of the La Nina weather pattern."

"We know how valuable tree cover is for lowering heat, providing shade and enhancing our neighbourhoods, and by planting the 500,000th tree we are well on our way to meeting our target of one million.

"The Greening our City program has been a great success in delivering greener, safer and cooler urban environments while also progressing innovation projects."

The program advances the Premier's Priority of Greening Our City, announced in June 2019, to increase tree canopy and green cover by planting one million trees in Greater Sydney by 2022. The priority is part of the Five Million Trees Program, which aims to plant five million trees in Greater Sydney by 2030.

Greater Sydney councils can submit grant applications until 14 April. The grant program is being administered by Local Government NSW on behalf of the Department. Successful applicants will be notified in May.

Program details, and previous recipients, are available on the [Greening our City grants](#).

Other news

1 June 2021

<https://www.dpie.nsw.gov.au/news-and-events/articles/2021/time-ripe-to-plant-more-trees-in-greater-sydney>

1/3

01/06/2021

Time ripe to plant more trees in Greater Sydney | NSW Dept of Planning, Industry and Environment

Hume and Hovell Track upgrade progresses

The Hume and Hovell Walking Track is getting a facelift as work on the pedestrian bridge replacement program steams ahead.



29 May 2021

New flood-prone planning to combat disasters

Minister for Planning and Public Spaces Rob Stokes today launched the Flood Prone Land Package saying as natural disasters become more frequent and severe, communities needed to increase their resilience through better planning.



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01/06/2021

Time ripe to plant more trees in Greater Sydney | NSW Dept of Planning, Industry and Environment

Water

NSW Government

Premier's Priorities

I work for NSW

Projects and initiatives

NSW Ministers

We pay respect to the Traditional Custodians and First Peoples of NSW, and acknowledge their continued connection to their country and culture.

Follow us

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COUNCILLORS BRIEFING NOTE FOR INFORMATION

To	Lord Mayor All Councillors	Prepared by	Grace Keenan - Natural Resource Officer - Bushcare
Copies	Executive Team Chief of Staff, Executive Office Policy Advisor, Executive Office Executive Officer Project Officer Councillor Support	Date	19 May 2021
		Subject	City of Parramatta National Tree Day Community Planting Events June- August 2021
Through	James Smallson – Manager Open Space & Natural Resources <i>JS 20/5/21</i>	HPRM	F2005/00080

Purpose

To provide information to Council and staff on the arrangements for Council's participation in this year's National Tree Day event 2021, which will be held at Upjohn Park, 71 Ulm Street in Ermington.

Background

National Tree Day is a day when tens of thousands of Australians get together to plant local native trees, shrubs and grasses to help improve habitat for our native wildlife. Council, together with our local Bushcare Groups and other community groups, have supported National Tree Day activities and attendance has continued to grow over recent years.

Current Status

Council has participated in this annual national event since it commenced in 1996. Last year due to Covid restrictions, Parramatta's National Tree Day was celebrated virtually with members of the public invited to 'adopt-a-tree' and send in an inspirational message which was displayed at the site where contractors installed the plants. This year, we are planning to go ahead with our in-person community planting, by hosting a series of seven smaller National Tree Day planting activities across the months of June, July and August. This has been done to ensure we are providing a Covid-safe event and appropriately managing social distancing. We hope to attract up to 50 volunteers per event and anticipate up to 350 volunteers in total. We are aiming to plant 5,250 native tube stock at this reserve across all seven events.

Key Considerations

The planting project aims to increase biodiversity and improve habitat by planting 5,250 native trees, shrubs and groundcovers along the Ponds Subiaco bushland corridor. This location is part of an Endangered Ecological vegetation community known as Sydney Turpentine Ironbark Forest. Upjohn Park is an important wildlife corridor for our native animals and birds.

Our first event will be held on World Environment Day in an effort to highlight this important green date and celebrate this year's theme of 'Reimagine. Recreate. Restore'. The final event will be held on the official Planet Ark National Tree Day on 1 August 2021.

Registrations to attend this event are essential to ensure we comply with our Covid-Safe plan. Registrations are to be completed via Council's website: <https://www.cityofparramatta.nsw.gov.au/nationaltreeday>

Financial and/or Legal Implications

The costs associated with these tree-planting activities are funded from the existing Open Space and Natural Resources Operational works budget.

Risks

Council's staff will manage supervision of all volunteers. Council will supply all gloves, tools, safety inductions and first aid on the day. A Covid-safe plan has been developed for this event through the NSW Health website, and guests will be asked to scan a NSW Health QR code upon arrival. To comply with social distancing, the number of volunteers at each event will be limited to 50 people per session and it is a ticketed event. Staff will sanitise tools between usages. Hand sanitiser will be made available at several locations on the day, and volunteers will be provided their own gloves, which they will be instructed to wear throughout the duration of the event. The event will be managed in line with the up to date advice provided by NSW Health at the time of the event. In the occurrence of inclement weather conditions that may pose a risk to the public, a decision will be made on the morning of the event and if cancelled, notification signs will be placed up in the reserve.

Media, Communications & Community Engagement

The event will be widely promoted through advertising, Council's website and social media. Promotions have been scaled back this year, in an effort to ensure the numbers per event do not exceed our 50 person maximum. Council has engaged a professional photographer to attend our first planting event on 5 June.

Social Impacts

The event will engage up to 350 City of Parramatta residents. These events aim to increase the wellbeing of our community by getting people outside and enjoying our parks, reserves and natural spaces. As a result of the Covid restrictions, it has become increasingly apparent that there is a growing interest in the community for access to Council's parks and reserves including our natural areas for recreation such as bush walking. Many residents of the local Parramatta community have also expressed an interest in increased opportunities to assist in the recovery of our natural environment.

Environmental Impacts

These events will benefit the Critically Endangered Ecological Community of Sydney Turpentine Ironbark Forest at Upjohn Park Reserve by planting 5,250 native trees, shrubs and groundcovers into the bushland reserve. The event will address the City of Parramatta Environmental Sustainability Strategy by enhancing and increasing our green spaces, protecting and enhancing the health of our ecosystems and helping to increase canopy cover.

Attachments

National Tree Day 2021 Flyer

Author sign off

Signature: *G. Keenan* 19/5/21

Name: Grace Keenan

Position: Natural Resource Officer - Bushcare Date: Insert Date

supported Justin Stefan 28/5/2021

Executive Director sign off

Signature: *J. Warburton*

Name: John Warburton

Position: Executive Director, City Assets and Operations Date: Insert Date 28/05/2021

CEO Sign off required? Yes / No (please check the box). If No, please CC the CEO

CEO Sign off

Signature:

Name:

Position: Chief Executive Officer Date: Insert Date

Additional Comments:
Insert Comments Here



Join Council's National Tree Day celebrations

This year to celebrate National Tree Day, Council will host a series of seven community-planting events, where you are invited to plant native trees, shrubs and groundcovers.

Events will take place at Upjohn Park North - Reserve at 71 Ulm Street in Ermington on the below dates.

- **Saturday 5 June, World Environment Day**
Event 1: 9.30-11am
- **Monday 21 June**
Event 2: 9.30-11am
Event 3: 11.30am-1pm
- **Monday 5 July**
Event 4: 9.30-11am
Event 5: 11.30am-1pm
- **Sunday 1 August, Official National Tree Day**
Event 6: 9.30-11am
Event 7: 11.30am-1pm



**CITY OF
PARRAMATTA**



For more information and to register visit:
cityofparramatta.nsw.gov.au/nationaltreeday