

# NOTICE OF COUNCIL MEETING

## PUBLIC AGENDA

An Ordinary Meeting of City of Parramatta Council will be held in PHIVE (COUNCIL CHAMBER) COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA on Monday, 22 July 2024 at 6.30PM.

Gail Connolly PSM  
CHIEF EXECUTIVE OFFICER

# EMERGENCY EVACUATION DIAGRAM

Level 4 East

2 Civic Place, Parramatta NSW 2150

## Evacuation Procedures

### IN CASE OF FIRE

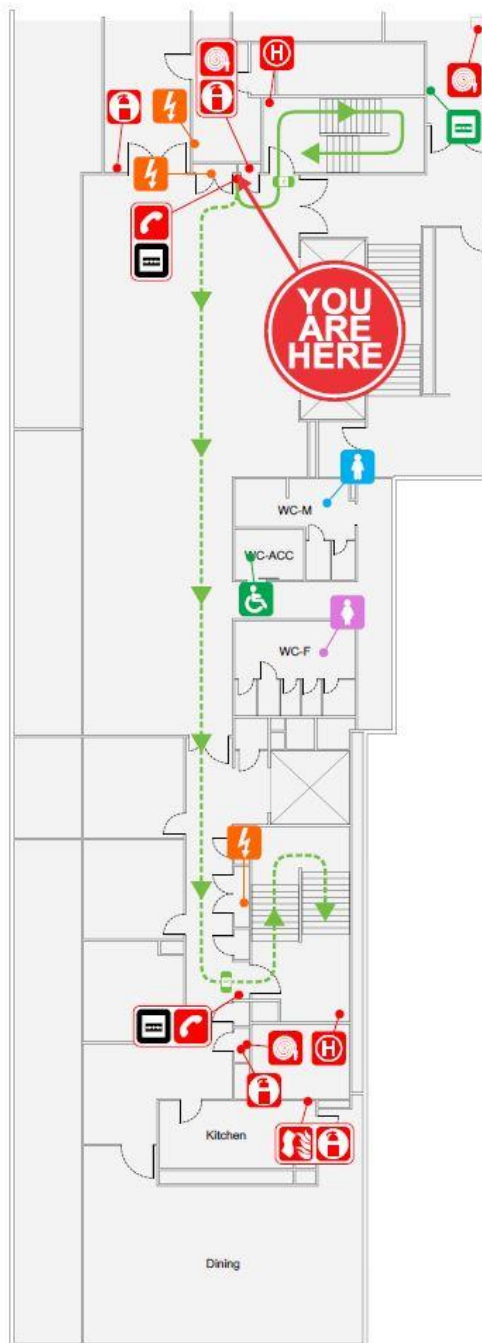
- (R)** REMOVE people from immediate danger
- (A)** ALERT people nearby and raise an alarm (Dial 000)
- (C)** CONFINE fire and smoke (Close doors behind you if safe to do so)
- (E)** EVACUATE via the nearest emergency exit

## Legend

 Amenities Disabled	 Amenities Female	 Amenities Male
 Emergency Door Release	 Emergency Call Point	 Dry Chemical Powder
 Fire Blanket	 Hose Reel	 Hydrant
 Switchboard	 Warden Intercommunication Point	 Exit
 Alternate Evacuation Path	 Evacuation Path	 Assembly Area

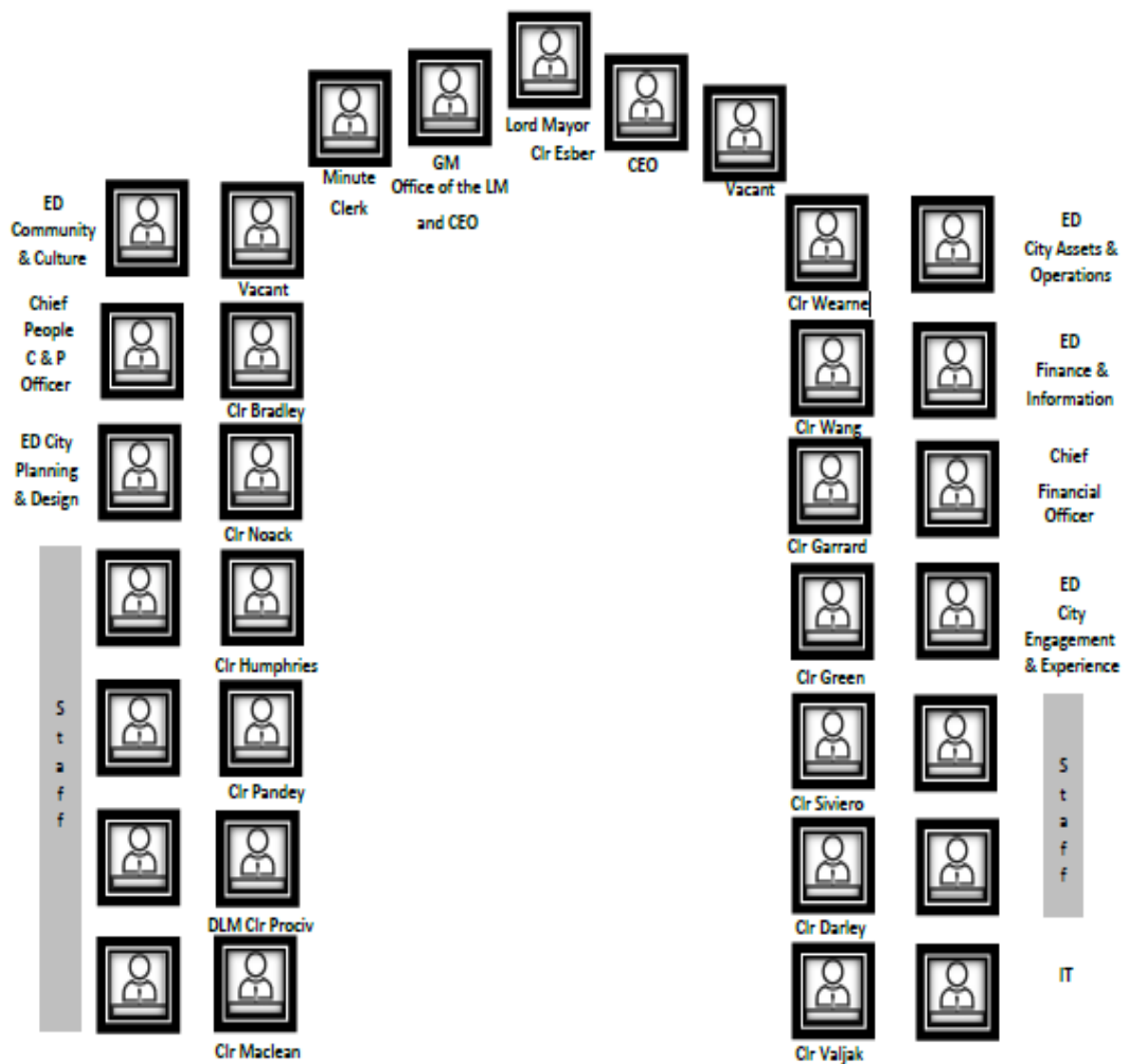
## Site Plan

Parramatta PHIVE



**Chubb**





PUBLIC & PRESS GALLERY

## STATEMENT OF ETHICAL OBLIGATIONS:

In accordance with clause 3.23 of the Model Code of Meeting Practice, Council is obligated to remind Councillors of the oath or affirmation of office made under section 233A of the Local Government Act 1993, and of their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest – the ethical obligations of which are outlined below:

Obligations	
<b>Oath [Affirmation] of Office by Councillors</b>	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of Councillor in the best interests of the people of the City of Parramatta Council and the City of Parramatta Council that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.
Code of Conduct Conflict of Interests	
<b>Pecuniary Interests</b>	<p>A Councillor who has a <b>pecuniary interest</b> in any matter with which the Council is concerned, and who is present at a meeting of the Council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ol style="list-style-type: none"> <li>At any time during which the matter is being considered or discussed, or</li> <li>At any time during which the Council is voting on any question in relation to the matter.</li> </ol>
<b>Non-Pecuniary Conflict of Interests</b>	A Councillor who has a <b>non-pecuniary conflict of interest</b> in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
<b>Significant Non-Pecuniary Conflict of Interests</b>	A Councillor who has a <b>significant</b> non-pecuniary conflict of interest in relation to a matter under consideration at a Council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
<b>Non-Significant Non-Pecuniary Interests</b>	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is <b>not significant</b> and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
<b>1</b>	<b>OPENING MEETING</b>	
<b>2</b>	<b>ACKNOWLEDGMENT OF TRADITIONAL OWNERS OF LAND</b>	
<b>3</b>	<b>WEBCASTING ANNOUNCEMENT</b>	
<b>4</b>	<b>GENERAL RECORDING OF MEETING ANNOUNCEMENT</b>	
<b>5</b>	<b>APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS</b>	
<b>6</b>	<b>CONFIRMATIONS OF MINUTES</b>	
	<i>Council - 8 July 2024 .....</i>	<i>7</i>
<b>7</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>8</b>	<b>MINUTES OF THE LORD MAYOR</b>	
<b>9</b>	<b>PUBLIC FORUM</b>	
<b>10</b>	<b>PETITIONS</b>	
<b>11</b>	<b>RESCISSION MOTIONS</b>	
11.1	Matter of Urgency - Hambledon Cottage To Be Included In Nomination for National and Commonwealth Heritage List.....	32
11.2	OCM 8 July 2024 - Item 14.6 Recent Petitions from the Harris Park Business Community - Mobile Food Vendors .....	33
<b>12</b>	<b>REPORTS TO COUNCIL - FOR NOTATION</b>	
12.1	PHIVE - Results of Public Holiday Opening Trial .....	38
<b>13</b>	<b>REPORTS TO COUNCIL - FOR COUNCIL DECISION</b>	
13.1	Adoption of Sportsground Allocation Policy 2024 .....	42
13.2	Approval of Wilderline to Duck River Pedestrian and Cyclist Paths in Granville and Clyde (Scope of Works) .....	67
13.3	Adoption of Church Street North Precinct Development Control Plan (DCP) .....	97
13.4	Adoption of Planning Proposal, Planning Agreement and Site-Specific Development Control Plan at 263-281 Pennant Hills Road, Carlingford .....	250
13.5	Public Exhibition: Draft Site-Specific Development Control Plan for land at 171 & 173, 181-185, 187 Parramatta Road, and 58, 60 & 64 Victoria Street, Granville .....	589
13.6	Gateway Request: Planning Proposal for Land at 31 O'Connell Street and 9 Albert Street, North Parramatta.....	627
13.7	Newington Reserve Upgrade .....	724
<b>14</b>	<b>NOTICES OF MOTION</b>	
14.1	Jacaranda Trees in Oatlands and Council's Street Tree Masterplan .....	744

---

14.2	Proposed Harris Park/Little India Community Consultative Group.....	746
14.3	Customer Service - Ease of Doing Business with Council .....	748
14.4	Promotion of Private Car Parking for Public Use in the Parramatta CBD.....	749
<b>15</b>	<b>QUESTIONS WITH NOTICE</b>	
15.1	Disposal of Council Technology Assets .....	752
15.2	Update on Parramatta Aquatic Centre (PAC) and PHIVE.....	753
15.3	Questions Taken on Notice at 8 July 2024, Council Meeting.....	754
<b>16</b>	<b>CONFIDENTIAL MATTERS</b>	
16.1	Commercial Partnership Agreement - Parramatta NRL Club Pty Limited and City of Parramatta Council <i>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.</i>	
16.2	Code of Conduct Investigation Report - Councillor Kellie Darley <i>This report is confidential in accordance with section 10A (2) (i) of the Local Government Act 1993 as the report contains alleged contraventions of any code of conduct requirements applicable under section 440.</i>	
<b>17</b>	<b>PUBLIC ANNOUNCEMENT</b>	
<b>18</b>	<b>CONCLUSION OF MEETING</b>	



# CITY OF PARRAMATTA

## MINUTES

---

**Ordinary Council Meeting**  
**Monday, 8 July 2024**  
**6.30pm**

**Council Chamber**  
**Level 4, PHIVE**  
**Parramatta Square, Parramatta**



## **PRESENT - COUNCILLORS**

The Lord Mayor, Councillor Pierre Esber, Deputy Lord Mayor, Councillor Patricia Prociv and Councillors Phil Bradley, Michelle Garrard, Henry Green, Ange Humphries, Cameron MacLean, Paul Noack, Sameer Pandey, Georgina Valjak, Donna Wang and Loraine Wearne.

## **PRESENT – STAFF**

Chief Executive Officer - Gail Connolly, Executive Director City Engagement and Experience - Angela Jones-Blayney, Executive Director City Assets & Operations - George Bounassif, Executive Director Finance and Information - John Angilley, Acting Executive Director City Planning and Design - Robert Cologne, Acting Executive Director Community and Culture - David Moutou, Group Manager Office of the Lord Mayor and CEO - Roxanne Thornton, Chief People, Culture and Performance Officer - Brendan Clifton, Chief Financial Officer - Amit Sharma, Chief Information Officer and Acting Chief Governance and Risk Officer - John Crawford, Group Manager Regulatory Services - Adrian Mihaila, Group Manager Infrastructure Planning and Design – Anthony Newland, Senior Policy & Advocacy Adviser - Renee Attard, Strategy Manager - Ashlee Gardner, ICT Service and Delivery Manager - Ian Vong, ICT Service Desk Officer, Ankit Pokharel, Secretariat Support Officer - Adrianna Hokin, Business Manager - Michelle Samuel.

### **1. OPENING MEETING**

The Lord Mayor, Councillor Esber, opened the meeting at 6.32PM.

### **2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND**

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

### **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. GENERAL 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. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS**

**RESOLVED:** Councillor MacLean and Councillor Noack

That an apology be accepted on behalf of Councillor Darley and a leave of absence be granted.

**Record of Voting:**  
**CARRIED**

## **6. CONFIRMATION OF MINUTES**

**Minutes of the Council Meeting held on 24 June 2024**

**RESOLVED:** Councillor Noack and Councillor Bradley

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

**Record of Voting:**  
**CARRIED**

## **7. DECLARATIONS OF INTEREST**

The Acting Executive Director City Planning and Design, Mr Robert Cologna, declared a Non-Pecuniary, Non-Significant interest in relation to Item 14.1 (On Street Parking Issues for Residents in Newington) for the reason that he owns property in Newington.

## **PROCEDURAL MOTION SUSPENSION OF STANDING ORDERS**

### **DEALING WITH MATTERS BY EXCEPTION**

**RESOLVED:** Lord Mayor, Councillor Esber and Councillor Noack

That in accordance with Section 13 of Council's Code of Meeting Practice, Council resolve to adopt the following items in accordance with the recommendations as printed, without debate;

- Item 8.1: Condolence Motion: Vale Bill McNamara OAM
- Item 8.2: Australian Institute of Architects' NSW Architecture Awards
- Item 8.3: 2024 National General Assembly of Local Government
- Item 8.4: Commemorative Memorials across the City of Parramatta

**Record of Voting:**  
**CARRIED**

## **8. MINUTES OF THE LORD MAYOR**

### **8.1 Condolence Motion: Vale Bill McNamara OAM**

(Lord Mayor, Councillor Pierre Esber)

**RESOLVED:** Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council acknowledge the death of Mr William (Bill) McNamara OAM, a Western Sydney construction pioneer and community leader, on 29 June 2024.
- (b) That Council express its sincere condolences to Mr Bill McNamara OAM's family and friends at this sad time by writing to his son-in-law, Mr Jim Taggart OAM.
- (c) That Council observe one minute of silence in honour of Mr Bill McNamara OAM.

**Record of Voting:**

**CARRIED**

### **8.2 Australian Institute of Architects' NSW Architecture Awards**

(Lord Mayor, Councillor Pierre Esber)

**RESOLVED:** Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council commend City of Parramatta's award-winning public infrastructure, Parramatta Aquatic Centre, Charles Street Square and Parramatta Town Hall, as recognised by the Australian Institute of Architects' NSW Architecture Awards.
- (b) That Council congratulate City of Parramatta staff as well as the following parties on their outstanding efforts in delivering world-class public infrastructure, including:
  - i. Parramatta Aquatic Centre (PAC) – Grimshaw and Andrew Burges Architects and McGregor Coxall won the Sulman Medal for Public Infrastructure and the Award for Urban Design.
  - ii. Charles Street Square – Lahznimmo Architects with SMM won the 2024 Urban Design Award.
  - iii. Parramatta Town Hall – Design Inc Sydney, Lacoste and Stevenson, Manuelle Gautrand Architecture and TKD Architects won the 2024 Commendation for Heritage Conservation.

**Record of Voting:**

**CARRIED**

**8.3 2024 National General Assembly of Local Government**

(Lord Mayor, Councillor Pierre Esber)

**RESOLVED:** Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council notes the Lord Mayor, Councillors and Council officers represented the City of Parramatta at the 2024 National General Assembly (NGA), held in Canberra from 02-04 July.
- (b) That Council notes the NGA explored the theme of “building community trust” with a focus on housing and community infrastructure, disaster resilience and recovery, energy, roads and transport.
- (c) That Council notes the conference summary included in this Lord Mayoral Minute.

**Record of Voting:**  
**CARRIED**

**8.4 Celebrating the Significant Contribution of Our Civic Leaders Through Commemorative Works**

(Lord Mayor, Councillor Pierre Esber)

**RESOLVED:** Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council endorse the the locations of a number of commemorative plaques across the LGA in honour of key civic leaders who have made a significant contribution to the history and evolution of the City of Parramatta, including:
  - Mr John Books, former Councillor and Lord Mayor
  - The Hon, John Brown AO, former Federal Member for Parramatta
  - Paul Barber, former Lord Mayor; and
  - Ray and Shirley Wehbe, local community advocates and fundraisers.
- (b) That Council note the indicative dates for ceremonies to be held at each location.

**Record of Voting:**  
**CARRIED**

Note: In recognition of Item 8.1 (Condolence Motion: Vale Bill McNamara OAM), a minute’s silence was observed by all present in the Chamber.

## 9. PUBLIC FORUM

	Speaker	Item No.	Report Title
1.	Dr Yadhu Singh	14.6	Recent Petitions from the Harris Park Business Community - Mobile Food Vendors
2.	Sanjay Deshwal	14.6	Recent Petitions from the Harris Park Business Community - Mobile Food Vendors
3.	Prabir Maitra	14.5	Synthetic Sports Fields in the City of Parramatta
4.	Mouhamed Dehan	14.4	Proposed Planning Agreement for 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point (AKA Block H)

**Note:** All Councillors were provided with a copy of the Public Forum submissions prior to the Council Meeting.

## 10. PETITIONS

### 1. Little India Harris Park Business Association

Councillor Noack tabled a petition on behalf of Little India Harris Park Business Association, relating to changing the operating hours from 7.00pm to 10.00pm and a freeze in fines as small business cannot afford fines of \$3,000-\$6,000.

**Note:** A copy of the Petition is ON FILE.

### 2. A House on Alfred Street, Granville

Deputy Lord Mayor, Councillor Prociv tabled a petition on behalf of residents from Alfred Street in Granville and the surrounding streets on the deplorable state of a house on Alfred Street. There is overgrown greenery and rubbish accumulation and it has been in this state in excess of five years and has become a serious fire hazard, it also harbours over 20 cats and other infestation and poses a significant health hazard.

The signatories are requesting Council to inform the owner that they are endangering the wellbeing of their neighbours, request that they immediately clean their address and other addresses around the M4 and remove the cats and place them in proper care.

**Note:** A copy of the Petition is ON FILE.



## **PROCEDURAL MOTION SUSPENSION OF STANDING ORDERS**

### **ORDER OF BUSINESS**

**RESOLVED:** Councillor Noack and Councillor Pandey

That in accordance with Section 8 of Council's Code of Meeting Practice, Council resolve to amend the order of business to allow consideration of the below listed items ahead of any other business on the agenda;

- Item 14.1: On-Street Parking Issues for Residents in Newington
- Item 14.2: Advocacy for the Western Sydney Community Forum Transport Development
- Item 14.3: Traffic Impacts of Windsor Road and James Ruse Drive Intersection
- Item 14.4: Proposed Planning Agreement for 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point (AKA Block H)
- Item 14.5: Synthetic Sports Fields in the City of Parramatta
- Item 14.6: Recent Petitions from the Harris Park Business Community - Mobile Food Vendors

**Record of Voting:**  
**CARRIED**

### **14. NOTICES OF MOTION**

#### **14.1 On-Street Parking Issues for Residents in Newington**

(Deputy Lord Mayor Cllr Patricia Prociv)

**RESOLVED:** Deputy Lord Mayor, Councillor Prociv and Councillor Noack

That the CEO provide a report to Council in late 2024 or early 2025 that:

- (a) Investigates options to introduce the Newington rollback kerb parking proposal; and
- (b) Includes the results of the previous surveys, an approximate timeline for any suburb wide surveys, the financial implications of undertaking letterbox surveys of residents, social media, and pop-up consultations; and any relevant amendments that may become necessary to the Parking Enforcement Policy.

**Record of Voting:**  
**CARRIED**

**14.2 Advocacy for the Western Sydney Community Forum Transport Development**

(Clr Phil Bradley)

**RESOLVED:** Councillor Bradley and Councillor MacLean

That Council:

- (a) Note that Western Sydney continues to suffer from disproportionately lower levels of public and other transport access and service. This is while also having a population with higher proportions of people experiencing vulnerability and disadvantage than other areas of Sydney.
- (b) Make representations to the Western Sydney Regional Organisation of Councils, the State Member for Parramatta, Ms Donna Davis MP and the Minister for Transport, the Hon Jo Haylen MP to seek the immediate reinstatement of Transport for NSW's ongoing funding of Western Sydney Community Forum (WSCF) for continued transport support and advocacy on behalf of the communities of Western Sydney. This would be consistent with Minister Haylen's commitment in October 2021 that "Western Sydney's transport needs must be a priority."

**Record of Voting:**  
**CARRIED**

**14.3 Traffic Impacts of Windsor Rd and James Ruse Drive Intersection**

(Clr Georgina Valjak)

**RESOLVED:** Councillor Valjak and Councillor Humphries

That Council urgently writes to the Secretary of Transport for NSW and the Minister for Transport, the Hon Jo Haylen MP, seeking a review of the James Ruse Drive intersection in North Parramatta and suggesting consideration be given to a Diverging Diamond Intersection treatment to address congestion which is adversely impacting surrounding communities who are experiencing gridlock conditions in their suburbs.

**Record of Voting:**  
**CARRIED**

**14.4 Proposed Planning Agreement for 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point (AKA Block H)**

(Clr Paul Noack)

**RESOLVED:** Councillor Noack and Councillor Garrard

- (a) That Council note the Department of Planning Housing and Infrastructure (DPHI) has advised that it is unlikely to finalise its assessment of the proposed amendments to the Homebush Bay West Development Control Plan 2004 (DCP) for the Block H site to enable exhibition of the Planning Agreement before the commencement of the 2024 caretaker period for local government elections.
- (b) That Council note it has previously authorised the CEO secure the delivery of the community infrastructure (valued at \$70 million) associated with the proposed DCP amendment by negotiating the Planning Agreement, publicly exhibiting the draft Planning Agreement for a minimum period of 28 days and reporting to Council the outcomes of the public exhibition.
- (c) That having regard to the above advice from DPHI, and to avoid any risk to Council of not securing the \$70 million worth of community benefit in the Planning Agreement, the CEO be delegated authority to execute the Planning Agreement following the public exhibition period subject to there being no substantial amendments to the Agreement arising from the public exhibition, including the total value or the value/nature of the various components therein. Should there be substantial amendments required to the Planning Agreement, the matter be reported back to Council.

**Record of Voting:**

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Garrard, Green, Humphries, Noack, Pandey, Valjak, Wang and Wearne.

Against the Motion: Councillor Bradley and Councillor MacLean (abstained).

On being Put to the Meeting, voting on this Motion was ten (10) votes FOR and two (2) votes AGAINST. The Motion was CARRIED.

**14.5 Synthetic Sports Fields in the City of Parramatta**

(Clr Georgina Valjak)

**MOTION:** Councillor Valjak and Councillor Wang

- (a) That the CEO investigate opportunities to transform existing natural turf sports fields into synthetic fields within the North Rocks, Parramatta and Dundas Wards.

- (b) That the CEO prepare a report on the findings of the investigation, including potential sites, potential return on investment and high level costings, for consideration by Councillors as part of the 2025/26 DPOP budget process.

**AMENDMENT:** Councillor Bradley and Deputy Lord Mayor, Councillor Prociv

- (a) That the CEO investigate if there are any opportunities to transform existing natural turf sports fields into synthetic fields within the North Rocks, Parramatta and Dundas Wards.
- (b) That the CEO prepare a report on the findings of the investigation including: potential sites; ecological, environmental, social and life cycle impacts of synthetics; potential return on investment; and high level costings; for consideration by Councillors as part of the 2025/26 DPOP budget process.

**Record of Voting:**

For the Amendment: Deputy Lord Mayor, Councillor Prociv and Councillor Bradley.

Against the Amendment: Lord Mayor, Councillor Esber and Councillors Garrard, Green, Humphries, MacLean, Noack, Pandey, Valjak, Wang, and Wearne.

On being Put to the Meeting, voting on the Amendment was two (2) votes FOR and ten (10) votes AGAINST. The Amendment was LOST.

**RESOLVED:** Councillor Valjak and Councillor Wang

- (a) That the CEO investigate opportunities to transform existing natural turf sports fields into synthetic fields within the North Rocks, Parramatta and Dundas Wards.
- (b) That the CEO prepare a report on the findings of the investigation, including potential sites, potential return on investment and high level costings, for consideration by Councillors as part of the 2025/26 DPOP budget process.

**Record of Voting:**

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Garrard, Green Humphries, MacLean, Noack, Pandey, Valjak, Wang and Wearne.

Against the Motion: Councillor Bradley.

On being Put to the Meeting, voting on the Motion was eleven (11) votes FOR and one (1) vote AGAINST. The Motion was CARRIED.

Question Taken on Notice on Item 14.5 Synthetic Sports Fields in the City of Parramatta by Councillor Pandey:

- What other sports can be played on synthetic surfaces?

**14.6 Recent Petitions from the Harris Park Business Community - Mobile Food Vendors**

(Clr Paul Noack)

**RESOLVED:** Councillor Noack and Councillor Valjak

- (a) That Council notes the recent petitions from Harris Park businesses regarding local enforcement activity and fines issued to local businesses.
- (b) That Council notes that officers have been working with mobile food vendors and residents in the Harris Park area to raise awareness of their operating obligations, including running drop-in education sessions and providing a three-month enforcement amnesty between December 2023 and March 2024 to allow time for vendors to comply with the legislation.
- (c) That Council write to the Minister for Planning and Public Spaces, the Hon Paul Scully MP and the State Member for Parramatta, Donna Davis MP to request an amendment to the legislation (SEPP) to allow mobile food trucks and food stalls to be operational until 10pm in residential zones of Wigram Street, Station Street East and Marion Street, Harris Park (excluding Albion Street).
- (d) That the CEO organise another community information drop-in session at the Harris Park Community Centre for residents and businesses, to provide expert guidance from Building Compliance, Environmental Health Compliance and Planning, including advice on the required approvals, activities that do not require development consent, food safety, advice on investigatory procedures and current legislative obligations for mobile food vendors.
- (e) That the CEO hold a Councillor Workshop on this matter to address the concerns raised by Councillors during the consideration of this matter.

**Record of Voting:  
CARRIED**



## **SUSPENSION OF STANDING ORDERS MATTER OF URGENCY**

Deputy Lord Mayor, Councillor Prociv requested a suspension of standing orders to allow the consideration of a matter of urgency regarding Hambledon Cottage.

In accordance with Section 9.3(b) of Council's Code of Meeting Practice, the Lord Mayor ruled that the matter was urgent.

Note: Councillor Noack left the meeting at 8.29pm.

The Lord Mayor put to the Chamber the suspension of standing orders to consider the urgent matter.

### **Record of Voting:**

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Bradley Humphries, MacLean and Pandey.

Against the Motion: Councillors Garrard, Green, Valjak, Wang and Wearne.

On being Put to the Meeting, voting on the Motion was six (6) votes FOR and five (5) votes AGAINST. The Motion was CARRIED.

Note: Councillor Noack returned to the meeting at 8.33pm.

## **MATTER OF URGENCY - HAMBLEDON COTTAGE**

### **URGENT MOTION – HAMBLEDON COTTAGE**

(Deputy Lord Mayor, Cllr Prociv)

**MOTION:** Deputy Lord Mayor, Councillor Prociv and Councillor MacLean

That the Council grants Landowners' Consent for Hambledon Cottage to be included in a collective nomination for National and Commonwealth Heritage Lists, of Hambledon Cottage, Elizabeth Farm and Experiment Farm and Clay Cliff Creek, to achieve inscription on Australia's National Heritage List.

**AMENDMENT:** Councillor Garrard and Councillor Wearne

That the CEO provide a report to a Councillor Workshop regarding potential National Heritage Listing for Hambledon Cottage.

### **Record of Voting:**

For the Amendment: Councillors Garrard, Green, Wang, Wearne and Valjak.

Against the Amendment: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Bradley, Humphries, MacLean, Noack and Pandey.

On being Put to the Meeting, voting on the Amendment was five (5) votes FOR and seven (7) votes AGAINST. The Amendment was LOST.

**RESOLVED:** Deputy Lord Mayor, Councillor Prociv and Councillor MacLean

That the Council grants Landowners' Consent for Hambledon Cottage to be included in a collective nomination for National and Commonwealth Heritage Lists, of Hambledon Cottage, Elizabeth Farm and Experiment Farm and Clay Cliff Creek, to achieve inscription on Australia's National Heritage List.

**Record of Voting:**

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Bradley, Humphries, MacLean, Noack and Pandey.

Against the Motion: Councillors Garrard, Green, Wang, Wearne and Valjak.

On being Put to the Meeting, voting on the Motion was seven (7) votes FOR and five (5) votes AGAINST. The Motion was CARRIED.

Question Taken on Notice on the Matter of Urgency – Hambledon Cottage by Councillor Garrard:

- Is there any development (current or future) at Hambledon Cottage that I don't know about?

## ADJOURNMENT OF MEETING

At 8.57pm, the Lord Mayor, Councillor Esber adjourned the meeting for 10 minutes.

At the time of the adjournment, the following Councillors were present:

- Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors, MacLean, Pandey, Humphries, Noack, Bradley, Wearne, Garrard, Wang, Green and Valjak.

## **RECONVENED MEETING**

At 9.12pm, the Lord Mayor, Councillor Esber reconvened the meeting.

When the meeting reconvened, the following Councillors were present:

- Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociw and Councillors, Bradley, Garrard, Green, Humphries, MacLean, Noack and Valjak.

When the meeting reconvened, the following Councillors were not present:

- Councillors Pandey, Wang and Wearne.

## **PROCEDURAL MOTION SUSPENSION OF STANDING ORDERS**

## **DEALING WITH ITEMS BY EXCEPTION**

**RESOLVED:** Councillor MacLean and Councillor Noack

That in accordance with Section 13 of Council's Code of Meeting Practice, Council resolve to adopt the following items in accordance with the recommendations as printed, without debate;

- 13.2: Adoption of Affordable Rental Housing Policy 2024
- 13.3: Adoption of the Smart City and Innovation Strategy 2024-2033
- 13.4: Approval of Toongabbie to Westmead Pedestrian and Cyclist Corridor (Final Scope of Works)
- 15.1: Question with Notice - Verge Maintenance in City of Parramatta
- 15.2: Questions taken on Notice at the 24 June 2024 Council Meeting
- 16.1: Peninsula Park, Wentworth Point - Legal Options for Council

**Record of Voting:  
CARRIED**

Note: Councillors Wang and Wearne rejoined the meeting at 9:14pm.

**13.2 Adoption of Affordable Rental Housing Policy 2024**

(Report by Project Team Leader)

**RESOLVED:** Councillor MacLean and Councillor Noack

- (a) That Council notes the submissions received during public exhibition of the draft Affordable Rental Housing Policy 2024.
- (b) That Council adopts the Affordable Rental Housing Policy 2024 at Attachment 1.
- (c) That Council delegate authority to the Chief Executive Officer to make any administrative and/or non-policy amendments to the Affordable Rental Housing Policy 2024 during finalisation.

**Record of Voting:**

**CARRIED**

**13.3 Adoption of the Smart City and Innovation Strategy 2024-2033**

(Report by Acting Strategy Manager)

**RESOLVED:** Councillor MacLean and Councillor Noack

- (a) That Council notes the updates to the Smart City and Innovation Strategy 2024- 2033 following public exhibition.
- (b) That Council adopts the Smart City and Innovation Strategy 2024-2033 at Attachment 1.
- (c) That Council delegate authority to the Chief Executive Officer to make any final administrative and/or non-policy amendments to the Smart City and Innovation Strategy 2024-2033.

**Record of Voting:**

**CARRIED**

**13.4 Approval of Toongabbie to Westmead Pedestrian and Cyclist Corridor (Final Scope of Works)**

(Senior Project Officer Transport Planning)

**RESOLVED:** Councillor MacLean and Councillor Noack

- (a) That Council note the feedback from the community consultation documented at Attachments 2, 3 and 4.
- (b) That Council approve the scope of works to support walking and cycling along the Main Western Line between Toongabbie and Westmead, as set out below for submission to the Parramatta Local Traffic Committee for consideration:

- i. Install a pedestrian and cyclist shared underpass of Wentworth Avenue between Premier Street and Toongabbie Station, Toongabbie,
  - ii. Build a widened shared path along Girraween Creek between Premier Street and Portico Parade,
  - iii. Install a pedestrian and cyclist overbridge of the Cumberland Highway at the Main Western Line at Wentworthville,
  - iv. Convert Wentworth Avenue between Reid Avenue and Bridge Road to one way traffic westbound,
  - v. Convert the pedestrian crossings in Station Road at McCoy Street, and in Wentworth Avenue at Railway Street to raised pedestrian and cyclist crossings,
  - vi. Install a new raised pedestrian and cyclist crossings on Wentworth Avenue at Finlaysons Creek, and Bridge Road south of Byrne Street, Wentworthville,
  - vii. Build a separated cyclist path on Wentworth Avenue between Toongabbie Station, Pendle Hill Station, Wentworthville Station and Bridge Road, with short sections of shared path at all the stations.
  - viii. Install a raised shared environment intersection at Station Road and Premier Street,
  - ix. Install a shared path on Station Road between McCoy Street and Premier Street, Burrabogee Road between Wentworth Avenue and Pendle Creek, Park Parade on the Parramatta Park frontage between Bailey Street and the Parramatta Aquatic Centre, and Bridge Road between Byrne Street and the Main Western Line.
- (c) That the CEO continue to pursue external funding (grants, etc) to fund future design and construction of the project.

**Record of Voting:**  
**CARRIED**





## 15. QUESTIONS WITH NOTICE

### 15.1 **Verge Maintenance in City of Parramatta**

(Clr Kellie Darley)

#### **QUESTIONS WITH NOTICE:**

1. How many reports/complaints of overgrown street verges in the LGA have been received annually for the last few years?

#### **Executive Director City Assets and Operations Response:**

Since June 2023, Council has received 1,270 requests for verge maintenance.

2. What is the percentage break down by resolution type (i.e. owner/resident maintained after Council request, Council maintained or left as is)?

#### **Executive Director City Assets and Operations Response:**

Council staff actioned approximately 54% of the total requests received. A breakdown of the details of each request and the method of resolution would require a detailed report back to Council.

3. What is the budget for carrying out verge maintenance as per the Verge Maintenance Policy?

#### **Executive Director City Assets and Operations Response:**

The 2023/24 budget provides \$40,000 for maintenance of nature strips adjacent to private properties and \$200,000 for Council owned properties.

### 15.2 **Questions taken on Notice at the 24 June 2024 Council Meeting**

(Council Secretariat and Policy Officer)

#### **QUESTIONS TAKEN ON NOTICE:**

**Deputy Lord Mayor, Councillor Prociv** asked a question in relation to Item 12.3 Status Update – CBD Footpaths Audit and Pavement Replacement Program (Peer Review);

- Having the program is great. How do we stop Sydney Water and other like services from digging up the newly laid footpaths or paving?

#### **Executive Director City Assets and Operations Response:**

Unfortunately, Council has no power to prevent utilities from digging up newly laid footpaths.

Utilities have legal rights to access their underground infrastructure even though it will result in damage to Council's infrastructure such as footpaths and drains. However, Council has the right to seek monetary reimbursement for the damage to our infrastructure which is then used to restore the infrastructure to its original condition.

**Councillor Pandey** asked two (2) question in relation to Item 12.3 Status Update – CBD Footpaths Audit and Pavement Replacement Program (Peer Review);

- There was a previous resolution of Council for the City of Parramatta to be a member of the (I think) NSW Streets Opening Coordination Council (SOCC) iWORCS System. Where councils put their Capital Delivery Program, etc and on that program and organisations like Sydney Water put in theirs. In the last term of Council, I also had a Motion asking if Council can advocate to organisations like Telstra to participate in the program. Has this happened?
- If not, can we revisit that and see if Council is a member of the NSW Streets Opening Coordination Council (SOCC) iWORCS System Program?

**Executive Director City Assets and Operations Response:**

Council is a member of the Institute of Public Works Engineering Australasia (IPWEA) which has recently signed an updated MOU with the Streets Opening Coordination Council. Telstra (Telstra InfraCo), Ausgrid, Sydney Water and other utilities are members of the Council.

Council staff are exploring the benefits of the new MOU and whether future access to iWORCS II will require a new or enhanced membership in addition to the IPWEA membership.

---

**Councillor Valjak** asked two questions in relation to Item 14.1 - Emergency Accommodation and Womens' Shelters in Parramatta:

- Is the link to 'Home Service' that is listed on our website available 24 hours 7 days a week?

**Acting Executive Director Community and Culture Response:**

Link2home is the NSW government's (Department of Communities and Justice) state-wide homelessness information and referral telephone service. It is available 24 hours a day, 7 days a week, every day of the year. The phone number for Link2Home is 1800 152 152.

From 9am to 10pm daily, Link2home provides callers with information, assessments and referrals to homelessness support and accommodation services across NSW. Between the hours of

10 at night and 9 in the morning, Link2home provides information and assessment only and will refer people to emergency services if required. Referral to accommodation and support services is not possible during these hours.

- Can we explore a 24 hour service as part of this resolution?

**Acting Executive Director Community and Culture Response:**  
Council could write to the NSW government and request that it expand the existing service between 10pm and 9am each day. However, it is anticipated that the operational reasons for Link2Home not being able to make referrals after 10pm at night until 9am would not be able to be addressed without additional funding/resourcing from the NSW government funding. (Council is not in a position to separately provide this service as we do not have access to emergency and crisis accommodation).

## 16. CONFIDENTIAL MATTERS

### 16.1 Peninsula Park, Wentworth Point - Legal Options for Council

(Councillor Noack)

#### QUESTION WITH NOTICE:

1. Could Council staff please advise what the \$5 million previously paid to Landcom regarding Peninsula Park was used for?

#### Executive Director City Planning and Design response:

Response has been provided under separate Confidential cover.

2. Given the recent Sydney Central Planning Panel decision (opposed by Council's Planners) to approve the 'modification' application by Landcom for Peninsula Park, Wentworth Point can you urgently advise the legal options available to Council in relation to the existing covenants and the 2014 Precinct Support Peninsula Park Funding Agreement?

#### Executive Director Finance and Information response:

Response has been provided under separate Confidential cover.

3. As the park will effectively be reduced to 3.1 hectares in size, what are our options for upholding the covenants and/or pursuing:
  - i. Specific performance of the terms of the Agreement; and
  - ii. Claiming compensatory damages from Landcom for a fundamental breach of the Agreement?

#### Executive Director Finance and Information response:

Response has been provided under separate Confidential cover.

## 13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

### 13.1 DEFERRED FROM OCM ON 24 JUNE 2024 - Smoke Free Parramatta Square Report

(Health & Building Services Manager)

**RESOLVED:** Councillor MacLean and Councillor Noack

- (a) That Council approves the introduction of signage to be installed in Parramatta Square under the provisions of the Smoke-Free Environment Act 2000 (the Act).
- (b) That Council, for consistency, approves the introduction of signage to be installed in the adjoining area of 'Centenary Square' under the Act.
- (c) That Council notes that a specific No Smoking Policy is not necessary or required as the Act and its Regulations are specific and prescriptive to manage smoking in public spaces whether signposted or not.

**Record of Voting:**  
**CARRIED**

### 13.5 Gateway Request: Planning Proposal for Land at 90-94 Phillip Street, Parramatta

(Group Manager, Major Projects and Precincts)

**RESOLVED:** Councillor Garrard and Councillor Green

- (a) That Council approve, for the purpose of seeking a Gateway determination from the Department of Planning, Housing and Infrastructure (DPHI), the Planning Proposal for land at 90-94 Phillip Street, Parramatta (Attachment 1), which seeks to amend the Parramatta Local Environmental Plan 2023 (Parramatta LEP 2023) in relation to the subject site by:
  - i. Increasing the maximum Height of Buildings control on the map from 80 metres (105 metres when including all bonuses) to part 133 metres (153 metres when including all bonuses) and part 0 metres;
  - ii. Increasing the Floor Space Ratio (FSR) control on the map from 6:1 (9.7:1 when including all bonuses) to 12.8:1 (15.36:1 when including all bonuses); and
  - iii. Amending Clause 7.28A so that it no longer provides a site-specific FSR and height bonus for the subject site.
- (b) That the Gateway request referred to above in recommendation (a) be submitted to the DPHI after the Applicant's Flood Report has been updated to reflect the Parramatta River Flood Study 2024.

- (c) That Council request the DPHI to provide Council with the authorisation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council authorise the CEO:
  - i. To amend the Parramatta Development Control Plan 2023 (PDCP 2023) in relation to the subject site as described in this report; Council 8 July 2024 Item 13.5 - 216 –
  - ii. To draft a Planning Agreement subject to the details within the submitted Letter of Offer provided at Attachment 2 which addresses the matters described in this report; and
  - iii. If a Gateway Determination is issued by the DPHI, the draft Planning Agreement and draft amendment to the PDCP 2023 are placed on public exhibition concurrently with the Planning Proposal.
- (e) That Council note the Local Planning Panel's advice to Council is in support of the Planning Proposal (refer to Attachment 3), which is consistent with the Council Officer's recommendation in the report.
- (f) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan-making process of the documents.

**Record of Voting:**

For the Motion: Lord Mayor Councillor Esber, and Councillors Garrard, Green, Humphries, Noack, Pandey, Valjak, Wang and Wearne.

Against the Motion: Deputy Lord Mayor Councillor Prociv and Councillor Bradley and MacLean.

On being Put to the Meeting, voting on this Motion was nine (9) votes FOR and three (3) votes AGAINST. The Motion was CARRIED.

Note: Councillor Pandey rejoined the meeting at 9.22pm

**13.6 Approval of Updated Façade Improvement Grant Program (Scope of Works and Activation)**

(Project Officer - Local Business Liaison)

**RESOLVED:** Councillor MacLean and Deputy Lord Mayor, Councillor Prociv

- (a) That Council approve the updated scope of the Façade Improvement Grant Program to support vibrancy projects such as wall-art murals, creative lighting, and façade restorations of both heritage and non-heritage properties in the Local Government Area.
- (b) That eligible projects be entitled to up to 100% of project funding under the Grant Program.

- (c) That the Façade Improvement Grant Program be rebranded as Vibrant Parramatta Grant Program to reflect its objectives

**Record of Voting**  
**CARRIED**

**13.7 Canopy Plan - Targets and Interim Action Plan**

(Group Manager, Strategic Land Use Planning)

**RESOLVED:** Councillor MacLean and Councillor Pandey

- (a) That Council note the work undertaken to date in assessing Council's tree canopy cover, the historical challenges in consistency of canopy data and the recommendations on how Council can support improved canopy cover across the local government area (LGA).
- (b) That Council approve an LGA-wide canopy cover target of 30% as the revised target and scenario, for use by Council officers during the preparation of the draft Canopy Plan.
- (c) That Council endorse the Tree Canopy Interim Action Plan 2024 at (Table 4), setting critical first steps towards improving organisational capacity in tree delivery and management.
- (d) That a draft Canopy Plan be prepared for community consultation, including funding options for Council's consideration in 2025.
- (e) That a report comes back to Council before end March 2025 that investigates the potential for all major centres and local centres to have stand alone canopy targets appropriate for each individual centre.
- (f) That an annual status update be reported to Council on the progress of Council's Canopy Plan targets.

**Record of Voting**

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor, Councillor Prociv and Councillors Bradley, Green, Humphries, MacLean, Noack, Pandey, Wang.

Against the Motion: Councillors Garrard, Valjak and Wearne (abstained)

On being Put to the Meeting, voting on the Motion was nine (9) votes FOR and three (3) votes AGAINST. The Motion was CARRIED.

Questions Taken on Notice on Item 13.7 Canopy Plan - Targets and Interim Action Plan Councillor Pandey:

- What is our tree canopy target (percentage) in the Parramatta CBD?
- How much did we receive from State Grants in the last financial year 2023/24 towards tree plantation?
- How many trees did we plant in the last financial year?

## **11. RESCISSION MOTIONS**

There were no rescission motion at this meeting.

## **12. REPORTS TO COUNCIL - FOR NOTATION**

There were no reports for notation at this meeting.

## **17. CONCLUSION OF MEETING**

The meeting concluded at 10.00pm.

This page and the preceding 22 pages are the Minutes of the Ordinary Council Meeting held on Monday, 8 July 2024 and confirmed on Monday, 22 July 2024.

---

Chairperson

**This page is left intentionally blank.**



## **RESCISSION MOTIONS**

### **22 JULY 2024**

11.1	Matter of Urgency - Hambledon Cottage To Be Included In Nomination for National and Commonwealth Heritage List .....	32
11.2	OCM 8 July 2024 - Item 14.6 Recent Petitions from the Harris Park Business Community - Mobile Food Vendors.....	33

**RESCISSION MOTION**

---

<b>ITEM NUMBER</b>	11.1
<b>SUBJECT</b>	Matter of Urgency - Hambledon Cottage To Be Included In Nomination for National and Commonwealth Heritage List
<b>REFERENCE</b>	F2024/00282 - D09518212
<b>REPORT OF</b>	Councillor; Councillor; Councillor Georgina Valjak

Rescission Motion form signed by Councillors Wearne, Wang and Valjak and submitted on 8 July 2024 after the close of the meeting.

**RECOMMENDATION**

That the resolution of the Council held on 8 July 2024 in relation to the Matter of Urgency – Hambledon Cottage, namely:

*That the Council grants Landowners' Consent for Hambleden Cottage to be included in a collective nomination for National and Commonwealth Heritage Lists, of Hambleden Cottage, Elizabeth Farm and Experiment Farm and Clay Cliff Creek, to achieve inscription on Australia's National Heritage List.*

be and is hereby rescinded.

In the event that the rescission motion is successful, the following motion is proposed:

**RECOMMENDATION**

That this matter be deferred to a Councillor Workshop.

**ATTACHMENTS:**

There are no attachments for this report.

## RESCISSION MOTION

---

<b>ITEM NUMBER</b>	11.2
<b>SUBJECT</b>	OCM 8 July 2024 - Item 14.6 Recent Petitions from the Harris Park Business Community - Mobile Food Vendors
<b>REFERENCE</b>	F2024/00282 - D09518213
<b>REPORT OF</b>	Deputy Lord Mayor Cllr Dr Patricia Prociv

Rescission Motion form signed by Deputy Lord Mayor Councillor Prociv and Councillors Bradley and MacLean and submitted on 10 July 2024.

## RECOMMENDATION

That the resolution of Council dated 8 July 2024 in relation to OCM 8 July 2024 - Item 14.6 Recent Petitions from the Harris Park Business Community - Mobile Food Vendors namely:

- (a) *That Council notes the recent petitions from Harris Park businesses regarding local enforcement activity and fines issued to local businesses.*
- (b) *That Council notes that officers have been working with mobile food vendors and residents in the Harris Park area to raise awareness of their operating obligations, including running drop-in education sessions and providing a three-month enforcement amnesty between December 2023 and March 2024 to allow time for vendors to comply with the legislation.*
- (c) *That Council write to the Minister for Planning and Public Spaces, the Hon Paul Scully MP and the State Member for Parramatta, Donna Davis MP to request an amendment to the legislation (SEPP) to allow mobile food trucks and food stalls to be operational until 10pm in residential zones of Wigram Street, Station Street East and Marion Street, Harris Park (excluding Albion Street).*
- (d) *That the CEO organise another community information drop-in session at the Harris Park Community Centre for residents and businesses, to provide expert guidance from Building Compliance, Environmental Health Compliance and Planning, including advice on the required approvals, activities that do not require development consent, food safety, advice on investigatory procedures and current legislative obligations for mobile food vendors.*
- (e) *That the CEO hold a Councillor Workshop on this matter to address the concerns raised by Councillors during the consideration of this matter.*

be and is hereby rescinded.

## ATTACHMENTS:

- 1  8 July 2024 Council Meeting Report - Item 14.6 Recent Petitions from the Harris Park Business Community - Mobile Food Vendors

---

**NOTICE OF MOTION**

---

**ITEM NUMBER** 14.6  
**SUBJECT** Recent Petitions from the Harris Park Business Community -  
Mobile Food Vendors  
**REFERENCE** F2024/00282 - D09512185  
**FROM** Councillor

**MOTION:**

- (a) That Council notes the recent petitions from Harris Park businesses regarding local enforcement activity and fines issued to local businesses.
- (b) That Council notes that officers have been working with mobile food vendors and residents in the Harris Park area to raise awareness of their operating obligations, including running drop-in education sessions and providing a three-month enforcement amnesty between December 2023 and March 2024 to allow time for vendors to comply with the legislation.
- (c) That Council write to the Minister for Planning and Public Spaces, the Hon Paul Scully MP and the State Member for Parramatta, Donna Davis MP to request an amendment to the legislation (SEPP) to allow mobile food trucks and food stalls to be operational until 10pm in residential zones.
- (d) That the CEO organise another community information drop-in session at the Harris Park Community Centre for residents and businesses, to provide expert guidance from Building Compliance, Environmental Health Compliance and Planning, including advice on the required approvals, activities that do not require development consent, food safety, advice on investigatory procedures and current legislative obligations for mobile food vendors.

**BACKGROUND**

- 1. The City of Parramatta is proud of its diverse food scene and encourages activities like food trucks that add to our lively street culture. However, businesses must operate within the law.
- 2. Mobile food vendors on Wigram Street are currently operating under NSW government legislation (SEPP) which restricts the operating hours of food trucks in residential areas to 7pm.
- 3. Council has no power to change this legislation or the operating hours for food trucks and carts under the legislation.
- 4. The petitions calling for Council to allow businesses to continue trading until 10pm require a change to the SEPP and/or the rezoning of the relevant residential areas in the Heritage Conservation Area of Harris Park.

**STAFF RESPONSE**

- 5. In 2023, Council responded to an increasing number of community complaints relating to the adverse impacts on residential amenity caused by the quantity of mobile food trucks/carts and their trading hours in the residential Heritage

Conservation Area of Harris Park. Concerns were also raised in relation to excess rubbish, hooning by vehicles, frequent traffic and pedestrian congestion and unsafe work practices. Some of these concerns were raised by the local Police and also by members of the Local Traffic Committee.

6. A significant number of vendors and businesses were found to potentially be in breach of the NSW legislation (SEPP) that permits mobile food trucks to trade without the need to obtain a development consent.
7. Additionally, a significant number were found to have breached Council's LEP, as they had undertaken unauthorised alterations and additions to heritage items or properties within the Heritage Conservation Area without lodging a development application or obtaining the necessary consent.
8. Due to the widespread nature of the unauthorised activity, the CEO directed staff to undertake some community information sessions in the Harris Park Community Centre to educate local residents and businesses on their rights and obligations.
9. Several sessions were run to provide expert guidance from Building Compliance, Environmental Health Compliance and Planning perspectives. Advice given included what activities and uses required approval, whether certain activity was authorised without development consent, as well as advice on investigatory procedures and timeframes.
10. These sessions attracted attendance from a significant number of residents and businesses, which was an encouraging sign that efforts were being made to become compliant. In a continued effort to work with local businesses, the CEO implemented an amnesty whereby no enforcement action was taken for a 3 month period between December 2023 and March 2024, to afford property and business owners additional time to lodge relevant applications and/or bring their premises into compliance.
11. However, following the amnesty period, Council continued to receive complaints from the Harris Park community regarding activity that contravened the legislation in terms of trading hours, intensification of use (i.e. extension of cooking facilities beyond what was approved, increased dining areas) and extension/alteration of buildings and structures in heritage areas or on heritage items without appropriate approvals.
12. Council commenced compliance action by means of carrying out inspections over several weeks and issuing warnings in the first instance when a breach was identified. Penalty infringements were issued for breaches observed on subsequent occasions. The majority of businesses were noted to comply following a warning or after being issued with a penalty infringement notice. However, several businesses were noted to continue breaching the legislation beyond the issuance of several infringement notices.
13. Complaints from the community continue to be received due to ongoing lack of compliance in the area. Council officers have made multiple efforts over a significant period of time to work with businesses to obtain compliance, however Council is legally obliged to undertake regulatory action to address non-

compliances of unauthorised activity, especially when it can be demonstrated that non-compliance with legislation is causing negative impacts on the amenity of the local community.

### **Petitions**

14. Council officers have reviewed the petitions and note that a significant number of the petitioners are currently the subject of enforcement action including the issue of Stop Use Orders, Orders to Demolish unauthorised works, warnings and fines.
15. Should property owners and local businesses wish to pursue a rezoning of the area from a residential to a business zoning, they are required to lodge a formal Planning Proposal with Council, prepared by a qualified Planning consultant.
16. However, it should be noted that Council's DPOP includes the commencement of a Heritage Review (which will be spread over 5 years) in 2024/25. This review will include an assessment of the Harris Park Heritage Conservation Area.
17. Officers would not recommend proceeding with any planning proposal to rezone properties within the Heritage Conservation Area of Harris Park until such time as the heritage review has been completed.
18. In this instance it is recommended that interested property owners advocate directly to the Minister for Planning and Public Spaces to request an amendment to the SEPP to permit trading until 10pm in residential areas.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

19. If Council resolves this Motion, the financial impacts on the budget (cost of the community information session, hall hire, etc) will be covered by the 2024/25 operating budgets of the City Planning and Design, City Assets and Operations and City Engagement and Experience Directorates.

Paul Noack  
**Councillor**

George Bounassif  
**Executive Director City Assets and Operations**

Robert Cologna  
**A/Executive Director City Planning and Design**

Gail Connolly  
**Chief Executive Officer**

**ATTACHMENTS:** There are no attachments for this report.

## **REPORTS TO COUNCIL - FOR NOTATION**

**22 JULY 2024**

12.1	PHIVE - Results of Public Holiday Opening Trial .....	38
------	---	----

## REPORTS TO COUNCIL - FOR NOTATION

<b>ITEM NUMBER</b>	12.1
<b>SUBJECT</b>	PHIVE - Results of Public Holiday Opening Trial
<b>REFERENCE</b>	F2024/00282 - D09471098
<b>REPORT OF</b>	Group Manager Community Hubs and PHIVE

**CSP THEME** Welcoming

**WORKSHOP/BRIEFING DATE:** Nil

### PURPOSE:

To provide Councillors with the results of the PHIVE public holiday opening trial.

### RECOMMENDATION

That Council receive and note the report.

### BACKGROUND

1. At the meeting on 24 July 2023 Council resolved:
  - a. *That Council undertake a 12-month trial and extend PHIVE's opening hours to include two select NSW public holidays being Labour Day 2023 (Monday 2 October 2023) and the King's Birthday 2024 (Monday 10 June 2024) and gauge the community response.*
  - b. *That Council note the estimated additional cost for the 12-month trial is \$54,921 inclusive of staffing (at public holiday rates), building operations (security, cleaning, and utilities), and activation program.*
  - c. *Further, that Council prepares a post-trial report on the outcomes of the trial and the community response to inform Council's consideration of any ongoing changes to PHIVE opening hours in 2024/25 to include select public holidays.*
2. The public holiday opening trial was delivered on Monday 2 October 2023 and Monday 10 June 2024 with PHIVE Ground Floor and Parramatta Library at PHIVE (Levels 1 and 2) open from 9am to 5pm on each of the two public holidays.
3. The visitation results of the trial and comparison with PHIVE average daily visitation is detailed in the table below:

<b>Public Holiday</b>	<b>Actual Visitation</b>	<b>Average Daily Visitation (FY 23/24)</b>	<b>% of Daily Visitation</b>
Monday 2 October 2023	1,004	2,332	43%
Monday 10 June 2024	1,696	2,332	73%
Average visitation			58%



4. The PHIVE public holiday offering included free family-friendly programming on both days with the delivery of a library children's story time session on both days.
5. Additionally, a 'Mad About Science' workshop was offered on 2 October 2023.
6. A Chinese dumpling-making workshop was offered on 10 June 2024 to align with the celebrations as part of the annual Dragonboat Festival.
7. Story time sessions averaged 30 participants per session and workshop attendance averaged 50 participants per workshop.
8. A dedicated marketing and communications program was developed to build awareness of the public opening trial days with messaging across Council's website platforms, dedicated social media posts, and on-site signage in the lead up to each public holiday opening.
9. The delivery costs (staffing, programming, and related operational costs) for the two approved public holidays within the trial totaled \$35,117. These costs excluded in-house marketing and communications costs and was lower than anticipated due to lower public attendance at story time and workshop sessions.

## **ISSUES/OPTIONS/CONSEQUENCES**

10. Average visitation across both public holidays within the trial period equated to 58% of PHIVE daily visitation compared to the daily average visitation during FY 2023/24.
11. It is noted that the 2 October 2023 public holiday opening fell within the September/October school holiday period and may have contributed to lower visitation on that day.
12. Other contributing factors to lower visitation may include the fact that all food and beverage operators within the square are closed on public holidays resulting in a limited offering in the precinct with only PHIVE open on public holidays.
13. The opening of PHIVE and Parramatta Library at PHIVE on select public holidays is not included in the FY 24/25 PHIVE or Parramatta Library at PHIVE forward program and is not included in the approved operational and staffing budget for FY 24/25 for Community Hubs or Library Services
14. The requirement to work on public holidays is not included within the employment agreement for permanent staff. Therefore, opening on public holidays required permanent staff to volunteer to work and was also supplemented by casual staff when required.
15. Dependent on the number of casual staff required to cover the minimum complement of staff for each public holiday, costs associated with casual staffing will further increase the delivery costs for each public holiday opening.

## **LEGAL IMPLICATIONS FOR COUNCIL**

16. There are no legal implications for Council associated with this report.

## **FINANCIAL IMPLICATIONS FOR COUNCIL**

17. If Council resolves to receive and note this report, there are no unbudgeted financial implications for Council's budget.
18. Should Council resolve to open PHIVE and Parramatta Library at PHIVE on future select public holidays the additional cost is estimated at \$18 - \$20,000 per public holiday opening to cover staffing, programming, and operational costs, exclusive of marketing and communications. These costs are not funded and are not included in the FY 24/25 approved budget for PHIVE.

Christopher Snelling  
**Group Manager Community Hubs and PHIVE**

John Angilley  
**Executive Director Finance & Information**

David Moutou  
**Acting Executive Director Community Services**

Gail Connolly  
**Chief Executive Officer**

### **ATTACHMENTS:**

There are no attachments for this report.

## **REFERENCE MATERIAL**

## **REPORTS TO COUNCIL - FOR COUNCIL DECISION**

**22 JULY 2024**

13.1	Adoption of Sportsground Allocation Policy 2024.....	42
13.2	Approval of Wilderline to Duck River Pedestrian and Cyclist Paths in Granville and Clyde (Scope of Works) .....	67
13.3	Adoption of Church Street North Precinct Development Control Plan (DCP) .....	97
13.4	Adoption of Planning Proposal, Planning Agreement and Site-Specific Development Control Plan at 263-281 Pennant Hills Road, Carlingford.....	250
13.5	Public Exhibition: Draft Site-Specific Development Control Plan for land at 171 & 173, 181-185, 187 Parramatta Road, and 58, 60 & 64 Victoria Street, Granville.....	589
13.6	Gateway Request: Planning Proposal for Land at 31 O'Connell Street and 9 Albert Street, North Parramatta.....	627
13.7	Newington Reserve Upgrade .....	724

## REPORTS TO COUNCIL - FOR COUNCIL DECISION

**ITEM NUMBER** 13.1  
**SUBJECT** Adoption of Sportsground Allocation Policy 2024  
**REFERENCE** F2024/00282 - D09390118  
**REPORT OF** Policy Officer

**CSP THEME:** Fair

**WORKSHOP/BRIEFING DATE:** Policy Review Committee – 14 March 2024

### PURPOSE:

To seek Council's adoption of the Sportsground Allocation Policy 2024.

### RECOMMENDATION

That Council adopt the Sportsground Allocation Policy 2024, at Attachment 1 to this report.

### BACKGROUND

- On 22 April 2024, Council resolved to place the draft Sportsground Allocation Policy on public exhibition for a period of 28 days.
- The draft Policy was placed on public exhibition from 29 April – 27 May 2024. Submissions on the draft Policy were invited from members of the public by contacting Council's Governance Team directly or by using Council's Participate Parramatta portal. Printed copies of exhibition materials were also made available for viewing at Council's library branches and Customer Service Centre.

### ISSUES/OPTIONS/CONSEQUENCES

- As a result of the public submissions, Council officers recommended minor amendments to clauses 3.2 and 3.2.1 to improve clarity and ensure fair application of the allocation season dates.
- The proposed changes align with current hire season date durations for sporting user groups. The proposed amendments post-exhibition are presented in markup at Attachment 2, and in the below table with the changes noted in red:

Version for public exhibition:	Amended final draft:
3.2 To promote fair and shared access to Council Sportsgrounds for hire, Council will generally arrange Allocations for hire of its Sportsgrounds on a non-exclusive, seasonal basis, for a single, specified period, as follows:	3.2 To promote fair and shared access to Council Sportsgrounds for hire, Council will generally arrange Allocations for hire of its Sportsgrounds on a non-exclusive, seasonal basis, for a single, specified period, as follows:
(a) Winter Season: second weekend of April to first weekend of September.	(a) Winter Season: <b>from first</b> weekend of April, <b>for a minimum 21 weeks</b> .
	(b) Summer Season: <b>from</b> third weekend of September, <b>for a</b>

<p>(b) Summer Season: third weekend of September to last weekend of March.</p> <p>(c) Winter Pre-Season: 1st of March to the start of Winter Season.</p> <p>(d) Summer Pre-Season: 1st of August to the start of Summer Season.</p> <p>(e) Off-Season: Maximum of 6 weeks between 1 November to 31 December and maximum of 6 weeks between 1 May to 30 June.</p> <p>3.2.1 Seasonal dates are subject to the requirement for a minimum one weekend rest period between seasons to allow for a change in sporting field configuration.</p>	<p>minimum 26 weeks (inclusive of Christmas holiday period).</p> <p>(c) Winter Pre-Season: 1st of March to the start of Winter Season.</p> <p>(d) Summer Pre-Season: 1st of August to the start of Summer Season.</p> <p>(e) Off-Season: Maximum of 6 weeks between 1 November to 31 December and maximum of 6 weeks between 1 May to 30 June.</p> <p>3.2.1 Seasonal dates are subject to the requirement for a minimum two-week rest period between seasons to allow for a change in sporting field configuration.</p>
--	---

5. The final Sportsground Allocations Policy recommended for adoption is provided at Attachment 1.

## CONSULTATION & TIMING

6. During the public exhibition period, the Participate Parramatta received a total of 1463 views. 23 submissions were received, generally in support of the draft Policy.

### Stakeholder Consultation

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

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
29 April – 27 May 2024	Public Exhibition	23 submissions received, generally in support.	Noted and actioned. Key submission themes are summarised below.	Governance + Parks & Open Spaces
June-July 2024	Follow-up consultation with Public Exhibition submissions, and Sporting Clubs and Associations	Provided further feedback regarding season date requirements for specific sports. Supported minor amendments to season dates	Minor amendments applied to clauses 3.2 and 3.2.1, as shown above.	Parks & Open Spaces + Recreation Facilities and Programs

		as set out in clause 3.2.		
--	--	---------------------------	--	--

8. To promote the public exhibition period, Council officers invited feedback from the following list of identified stakeholders:
- Sporting Clubs and Associations who are current hirers of Council sportsground facilities, including approximately 100 contacts across 44 Clubs and Associations;
  - Peak sporting organisations, including Football NSW and Cricket NSW; and
  - Other stakeholders, including schools, park committees, and groups who have previously enquired with Council about hiring a facility, such as football academies and businesses.
9. Of the 23 public exhibition submissions received, 18 submissions provided their support for the draft Policy. Two submissions were not in support of the draft Policy, and three submissions did not specify a position.
10. Key themes raised by the public exhibition submissions were as follows:

Policy Section	Theme	Staff Response to theme/ submission
<b><i>Supportive of draft Policy</i></b>		
General Policy	<ul style="list-style-type: none"> <li>• Supportive of the draft Policy, as an efficient and fair framework for engaging with Council to hire sportsgrounds.</li> <li>• Highlighted support to prioritise Allocations for grassroots clubs over corporate business hire</li> <li>• Support for draft Policy's objective criteria for assigning Allocations; focus on community and multi-use purposes; assurance for clubs by providing full season hire; promotion of diverse participant groups; and comprehensive operational framework.</li> <li>• Highlighted support for draft Policy's focus on fairness and equity in assigning Allocations.</li> </ul>	Noted.
<b><i>Supportive of draft Policy, with additional feedback</i></b>		
3.2 and 3.2.1	Requested clarification and consideration of season dates, as well as impacts for when they may be shortened due to public holidays.	Policy wording amended to ensure that winter hirers receive a minimum of 21 weeks and summer hirers a minimum of 26 weeks which is consistent with what is currently provided. This change also provides the ability to accommodate any public

		holiday or month changes that may impact on season dates.
3.2 and 3.2.2	Raised concern with limitations on casual hire, and pre-season hire of facilities outside of the Allocation period for pre-season activities.	Clarified that clause 3.2 establishes the opportunity to apply for a pre-season Allocation period of 4-5 weeks, in addition to the casual hire provision in 3.8.1, subject to field condition and maintenance requirements.
3.7.2	Seeking upgrades to a Council facility when applying for an Allocation, and how the consideration of regional sportsgrounds/ higher levels of competition are provided for.	Advised that 3.7.2 is designed to clarify that the Policy's hire framework is not the appropriate channel for pursuing facility upgrades. Provided resources regarding Council's other strategies which set direction for facility upgrades and facilities of a higher standard, and which invite community engagement with strategic planning.
3.11	Recommended prioritisation of allocations to specific groups over others, for example not-for-profits, or groups based on the boundaries of Local Government Areas.	Clarified that clause 3.11.2 of the Policy outlines how Council will prioritise applicants in the event of a contested booking, specifically, prioritising those organisations that demonstrate community benefit to the City of Parramatta.
3.9	Recommended to specify dollar amount to define "significant financial investment", to clarify expectations.	Clarified that 3.9 provides that any lease or license arrangements for Sportsgrounds where a commitment to financial investment may be made will be subject to Council's Lease & License Policy.
<b><i>Not supportive of draft Policy</i></b>		
3.2	Raised concern regarding ensuring equitable season duration for summer and winter sports, and limited facility availability for pre-season activities and transition to winter sports.	Clarified that clause 3.2 establishes the opportunity to apply for a pre-season Allocation period of 4-5 weeks, in addition to the casual hire provision in 3.8.1, subject to field condition and maintenance requirements.
3.7.2	Raised concern with clause 3.7.2, regarding limitations to seek upgrades to a Council facility when applying for an Allocation.	Clarified that 3.7.2 is designed to clarify that the Policy's hire framework is not the appropriate channel for pursuing facility upgrades. Provided resources regarding Council's other strategies which set direction for facility upgrades, and which invite community engagement with strategic planning.
<b><i>Position on draft Policy not specified</i></b>		
2	Raised feedback requesting the Policy ensures a fair opportunity to hire fields.	Clarified that Section 2 of the Policy outlines the Purpose of the Policy, which includes setting out a consistent and transparent method for informing Council's decision making regarding a range of key

		Sportsground access and management issues.
3.11.2	<p>Provided the following recommendations:</p> <p>a. Provide priority hire for clubs registered under the Parramatta Association.</p> <p>b. Ensure clubs with large community membership are proportionately accommodated.</p> <p>c. Ensure operational measures are in place for clubs to be accountable for maintaining facilities.</p> <p>d. Promote shared usage through implementing and enforcing time slot Allocations, with multiple bookings per day.</p> <p>e. Ensure hiring clubs can demonstrate responsible field usage and community engagement.</p> <p>f. Implement a hire bond requirement, to deter facility misuse.</p>	<p>Provided clarification as follows -</p> <p>a, b, e: The draft Policy has been developed in accordance with the values established by the Sportsground Strategy. Accordingly, the proposed prioritisation framework for Allocations was designed to consider additional strategic factors, such as opportunities to foster equality, and contribute to community health and wellbeing. These strategic criteria are set out in clause 3.11.2.</p> <p>c, d, f: The draft Policy serves to set out how sportsgrounds are allocated for hire among interested users. Operational measures for ensuring appropriate usage and maintenance would be more-suitably addressed as part of the Terms and Conditions of Hire, and Council's suite of property management policies.</p>
General Policy	<p>Provided the following recommendations:</p> <p>a. Recommended to limit organisations to a maximum of casual 2 hire days Monday to Thursday, outside of Allocation season, to provide sufficient availability for more user groups.</p> <p>b. Recommended to ensure organisations' not-for-profit status is verified by Council.</p> <p>c. Recommended to provide storage access for all facility hirers.</p> <p>d. Recommended to open the application period 4 months before the season start, and to confirm Allocations 2 months prior.</p>	<p>Provide clarifications as follows –</p> <p>a: Clause 3.2 provides the opportunity for organisations to access pre-season allocations and clause 3.11.2 determines how Council will prioritise competing requests for allocation</p> <p>b: Clause 5.3 provides what information is required to be submitted by Hirers as part of the Allocation process</p> <p>c: Clause 3.7.2 is designed to clarify that the Policy's hire framework is not the appropriate channel for pursuing facility upgrades.</p> <p>d: Clause 5.2 Details the procedure for allocation in which calls for applications will be approximately 2 months prior and are due 6 weeks prior.</p>

11. Following officers response to the submissions and clarification, no further concerns or comments were raised with Council officers.



Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
14 March 2024	Policy Review Committee	<p>Councillors considered the proposed new policy. The following questions were taken on notice in regards to developing the policy:</p> <p>a. Provide Councillors with further information regarding Council's portfolio of sportsgrounds and current hire allocations.</p> <p>b. Further discuss with Cllr Pandey how the proposed policy could assist new or emerging community grounds with securing an allocation.</p> <p>No amendments to the draft were proposed.</p>	Requested additional information was provided following the meeting.	Parks & Open Spaces + Recreation Facilities & Programs

**LEGAL IMPLICATIONS FOR COUNCIL**

13. The draft policy was reviewed by Council's Legal Services Unit, and the Sportsground Allocation Policy recommended to be adopted does not present any legal concerns.

**FINANCIAL IMPLICATIONS FOR COUNCIL**

14. If Council resolves to approve this report in accordance with the officer's recommendation, there are no unbudgeted financial implications for Council.



Melissa McIsaac  
**Policy Officer**

Terry Johnson  
**Group Manager Parks & Open Space**

George Bounassif  
**Executive Director City Assets and Operations**

Gail Connolly  
**Chief Executive Officer**

**ATTACHMENTS:**

<b>1</b> 	For Adoption - Sportsground Allocation Policy 2024	9
<b>2</b> 	For Information - Sportsground Allocation Policy 2024 - Markup of Amendments Post-Exhibition	9
		Pages

**REFERENCE MATERIAL**



## Sportsground Allocation Policy

### Contents

1. Scope .....	1
2. Purpose .....	2
3. Policy .....	2
4. Delegation .....	7
5. Procedure .....	7
6. Definitions .....	8

### 1. Scope

- 1.1 This Policy applies to all Sportsgrounds owned or managed by City of Parramatta Council (Council).
- 1.2 This Policy applies to all proponents seeking to hire a Council Sportsground for the purpose of ongoing, organised, Grassroots Sport, including, but not limited to Sporting Clubs, Sporting Associations, schools, other community groups, and private and commercial organisations.
- 1.3 This Policy does not apply to special event hire of Council Sportsgrounds, or use of a Council Sportsground for personal and group fitness training, the conditions for which are established by Council's Community Facilities Hiring Policy and applicable Terms & Conditions of Hire.
- 1.4 This Policy does not apply to Sportsgrounds which are the subject of an existing long-term (greater than one season) lease or license, until such time as the existing lease or license expires. Sportsgrounds occupied under a long-term lease or license agreement will be considered in accordance with the principles of this Policy upon re-negotiation of existing agreements, however long-term Sportsground lease or license agreements will be established pursuant to Council's Lease & License Policy.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 1 of 9



## 2. Purpose

- 2.1 This Policy aims to ensure that Council will allocate the use of its Sportsgrounds in a systematic approach which aligns with Council's broader Sportsground Strategy and values, including to actively contribute to the health, wellbeing, equality, and inclusion of the whole community.
- 2.2 This Policy establishes a framework for Council to manage competing public interest for using its Sportsgrounds. This Policy sets out a consistent and transparent method for informing Council's decision making regarding a range of key Sportsground access and management issues.

## 3. Policy

- 3.1 The following guiding principles will inform Council decision making regarding allocating public use of its Sportsgrounds:
- 3.1.1 Provide a responsible, consistent, transparent, and equitable process for the use and management of Council Sportsgrounds and associated facilities.
- 3.1.2 Ensure Council's Sportsground facilities are safe, sustainable to operate, and shared by users.
- 3.1.3 Ensure that Sportsgrounds are utilised by well-governed sporting and community organisations with documented policies, and which provide safe, inclusive, and sustainable initiatives to support volunteers, participants, and underrepresented groups.
- 3.1.4 Increase participation and health outcomes across all demographics in the City of Parramatta local government area (LGA), by ensuring the behaviour and culture of facility users is aligned with Council's values.
- 3.1.5 Provide diverse opportunities for the community to participate in Grassroots Sport, recreation, and physical activity.
- 3.1.6 Respond to the needs and expectations of both our current and future communities by maximising the practical capacity of Council's Sportsground network.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 2 of 9



- 3.2 To promote fair and shared access to Council Sportsgrounds for hire, Council will generally arrange Allocations for hire of its Sportsgrounds on a non-exclusive, seasonal basis, for a single, specified period, as follows:
- (a) Winter Season: from first weekend of April, for a minimum 21 weeks.
  - (b) Summer Season: from third weekend of September, for a minimum 26 weeks (inclusive of Christmas holiday period).
  - (c) Winter Pre-Season: 1<sup>st</sup> of March to the start of Winter Season.
  - (d) Summer Pre-Season: 1<sup>st</sup> of August to the start of Summer Season.
  - (e) Off-Season: Maximum of 6 weeks between 1 November to 31 December and maximum of 6 weeks between 1 May to 30 June.
- 3.2.1 Seasonal dates are subject to the requirement for a minimum two-week rest period between seasons to allow for a change in sporting field configuration.
- 3.2.2 Pre-Season and Off-Season Allocations are subject to the practical capacity of the sportsground network and with consideration of Council's maintenance activities, infrastructure requirements, condition of field, and Sportsground availability.
- 3.2.3 School groups may, by exception, apply for an extended Allocation for Terms 1 to 4
- 3.2.4 Where availability and practical capacity permits, seasonal Allocations may be issued to more than one user group at a facility. Council will aim to ensure in scheduling any shared facility Allocations, that concurrent use will not disrupt the intended usage of the Hirers.
- 3.3 Council recognises the impact of bookings on turf Sportsgrounds and the need to maintain playing surfaces. Sportsgrounds will be rested for one (1) full weekday per week.
- 3.4 Where a facility upgrade to a synthetic or alternative surface allows for extended usage hours, additional hire hours will not be automatically allocated to the existing hirer. Additional available hours will be allocated through an Expression of Interest (EOI) process.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 3 of 9



- 3.5 Season Draws must be provided to Council once confirmed, to allow for Council to re-allocate any unused Sportsgrounds. Blanket bookings are not permitted, and Hirers must ensure every effort is made to notify Council of any unused dates in advance.
- 3.6 Allocations will generally include non-exclusive access to available Assets Within Sportsgrounds. From time to time, and subject to confirmation by Council, access to these Assets Within Sportsgrounds may be provided beyond the approved Allocation, such as to allow for use of a storage room between seasons. Where a Hirer's Allocation does not continue into the subsequent season, the Hirer will no longer have access to those Assets Within Sportsgrounds.
- 3.6.1 Where Assets Within Sportsgrounds are added or upgraded, Hirer access as part of an Allocation will not be automatic, and will be considered in accordance with the principles of this Policy, and other applicable Policies or Council requirements for facility hire.
- 3.6.2 Requests for exclusive hire of Assets Within Sportsgrounds are subject to Council's Lease & License Policy.
- 3.7 To be eligible to be considered for an Allocation, applicants must:
- (a) maintain current public liability insurance, with a minimum amount of \$20,000,000 payable for any individual claim that may be made against that policy;
  - (b) be registered as a legal entity (e.g. as an Incorporated Association);
  - (c) not have any outstanding debts to Council; and
  - (d) accept Council's Terms & Conditions of Hire.
- 3.7.1 Hirers that do not comply with this Policy or Council's Terms & Conditions of Hire during the term of their Allocation may not be considered for future Allocations.
- 3.7.2 To be assigned an Allocation, Professional or Representative Sporting use applicants must demonstrate that the existing Council facility meets the sport's requirements, and is not dependent on the pursuit of upgrades or embellishments.
- 3.8 Casual or temporary hire of Council Sportsgrounds may be granted to individuals and groups for an agreed period of time, during daylight hours outside the times assigned

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 4 of 9





to users with an Allocation, in accordance with Council's Community Facilities Hiring Policy.

3.8.1 To ensure fair shared use of Council's facilities, three casual bookings per season are permitted outside of the season of hire for groups with an Allocation, and ten bookings per calendar year for casual Hirers without an Allocation.

3.8.2 Re-occurring weekly casual hire of Sportsgrounds is not available for weekends.

3.9 To ensure fair and shared access of Sportsgrounds, Council will generally facilitate Sportsground hire on a Seasonal Allocation or casual basis, where available. Council may however, consider long-term lease and license arrangements for exclusive use of a Sportsground where:

- (a) a commitment to significant financial investment in the facility can be demonstrated by the applicant to align with Council's strategic direction; and
- (b) it can be demonstrated that this arrangement provides a greater benefit to the community, in line with the guiding principles of this policy, outlined in Section 3.1.

3.9.1 Requests for a multiple-season hire, or long-term lease or license agreement, for use of Sportsground, as an exception to this Policy, must be submitted to Executive Director Community and Culture for consideration, before applying for the lease or license agreement.

3.9.2 Lease or license arrangements for Sportsgrounds are subject to Council's Lease & License Policy.

#### Prioritisation for Assigning Allocations

3.10 Council will utilise a prioritisation system to ensure that the hire of Sportsgrounds is equitable and aligned with Council's broader Sportsground Strategy and Action Plan and values, including to actively contribute to the health, wellbeing, equality, and inclusion of the whole community. Prioritisation for Allocations may apply to both the Sportsground and season assigned to the application for hire.

3.11 To prioritise Allocation requests, Council will assign a priority tier to all applications, based on the type of hire group, as follows:

Priority Tier	Type of Hirer groups		
Sportsground Allocation Policy			
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning		POL No:
Date of Commencement:	Approval Authority: Council		Date Approved:
Amendment: 1	Date of Next Review:		Review: 4

Page 5 of 9



Primary Priority	<ul style="list-style-type: none"> <li>Community-led, participative Sporting Clubs and organisations</li> <li>Community-led, participative Sporting Clubs and organisations (non-affiliated)</li> <li>Government School groups located within the LGA</li> </ul>
Secondary Priority	<ul style="list-style-type: none"> <li>Not-for-profit and community-based organisations and Programs</li> <li>Commercial organisations that provide community-based Programs</li> <li>Independent School groups located within the LGA</li> <li>Government School groups located outside of the LGA</li> </ul>
Tertiary Priority	<ul style="list-style-type: none"> <li>Independent School groups located outside the LGA</li> <li>Professional or Representative Sporting use</li> <li>Commercial and other hirers</li> </ul>

3.11.1 All eligible Primary Priority Hirers will be allocated a principal facility (i.e. a home ground) as a priority before Primary Priority Hirers are allocated a second facility.

3.11.2 Where it is necessary for Council to determine contested Allocation requests, it will prioritise the applicant(s) which will best deliver programming to meet the community's needs and Council's values, with consideration given to the following criteria:

- (a) proportion of participant membership residing within the LGA;
- (b) provides ongoing Programs or initiatives that cater for Grassroots Sports;
- (c) provides ongoing Programs or initiatives that consider Gender Equality;
- (d) provides ongoing Programs or initiatives that cater for underrepresented groups;
- (e) membership is open to all and reflective of junior teams/sides; female teams/sides; registered development Programs; and female representation on club committee;
- (f) membership and Programs are inclusive of all participants regardless of skill;
- (g) strong affiliation or history with the facility;
- (h) provides initiatives that promote healthy lifestyles;
- (i) ability to optimise usage of facilities, while keeping the facilities to a good standard;
- (j) demonstrated strong ties to the local community;
- (k) new or emerging sport, where the applicant can demonstrate a plan for ongoing success

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 6 of 9





- (l) for school groups, availability of Sportsgrounds within the school; and
- (m) for school groups, prioritised use for competitive sporting activities and programs over general recreation (e.g. physical education lessons, recess sessions).

#### 4. Delegation

- 4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

#### 5. Procedure

- 5.1 This Policy must be read in conjunction with Council's Community Facilities Hiring Policy and accepted Terms & Conditions of Hire, which set out the applicable obligations for facility use which Hirers with an approved Allocation must follow.
- 5.2 Allocations will be made by Council through the following process:
- 5.2.1 Council will call for applications for Allocations approximately two months prior to season commencement (e.g. February for the Winter Season, and July for the Summer Season).
  - 5.2.2 Applications for Allocations are due six (6) weeks prior to the official season commencement date, which will be advised by Council. Late applications will not be considered.
  - 5.2.3 Council will assess all received applications in accordance with this Policy, and liaise with applicants as required.
  - 5.2.4 Council staff will notify applicants regarding assigned Allocations, and issue invoices for hire fees in accordance with Council's Schedule of Fees and Charges.
  - 5.2.5 Any changes to the Allocation requested by the applicant (e.g. as a result of increased or decreased registrations) may be accommodated by Council subject to availability, and will be considered in accordance with this Policy.
  - 5.2.6 Where facilities may become available outside of the standard Allocation assignment cycle, such as through a vacancy, upgrade, or new development, Council will advertise for interested parties to submit an EOI application.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 7 of 9



Applications will be assessed by Council in accordance with this Policy. The successful EOI applicant(s) will be invited to complete an application for a seasonal hire Allocation.

- 5.3 Council may request for Hirers and applicants to provide Council with supporting documentation of operational information, which Council may seek to verify, including, but not limited to:
- (a) an official membership list, confirming members' residential suburb;
  - (b) the number of teams and participants in each team;
  - (c) a detailed schedule for use of the requested facility;
  - (d) information regarding the organisation's governance structure; and
  - (e) a copy of the organisation's annual report, including financial report;
  - (f) previous tenure at other sporting facilities; and
  - (g) evidence of registration under the *Associations Incorporation Act 2009* (NSW), or other similar related registration that may apply to a sporting organisation.
- 5.4 If an applicant wishes to appeal the Allocation decision, they may appeal in writing to the Executive Director Community and Culture. The Executive Director Community and Culture or their delegate, will consider the appeal and notify all relevant applicants of the outcome.

## 6. Definitions

Allocation	A confirmed seasonal hire agreement for a Council Sportsground and/or sporting facility.
Assets Within Sportsgrounds	Council managed assets that facilitate the activity and support the use of the sporting field and may include items like cricket nets, floodlights, and pavilions.
Gender Equality	Refers to the attainment of equal rights, responsibilities, and opportunities for women, men, trans, and gender diverse people.
Grassroots Sport	Refers to organised sport practiced by amateur sportspeople, in the lowest available level of local competition.
Hirer	An organisation (e.g. Sporting Club, Sporting Association, state sporting organisation, community-based group, school, or tertiary organisation) whose application for hired use of a Council Sportsground has been approved, and who has accepted the Terms & Conditions of Hire.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 8 of 9



Not-for-Profit	An organisation that provides services to the community and does not operate to make a profit for its members or shareholders.  All profits must go back into the services the organisation provides and must not be distributed to members.
Off-Season	A period outside of a main sporting season, which may be used by a sporting group for an out of season competition, Program, or grading.
Pre-Season	A period prior to the commencement of a main sporting season, which may be used by a sporting group for training, coaching activities, trials, and gradings.
Program	Refers to activities which aim to promote and increase community participation in sport or recreation.
Professional or Representative Sporting	Organised sport participated in at a higher level of competition than is readily available at the Grassroots Sport level.
Season Draws	Official competition draws provided by the relevant governing Sporting Association for that particular sport
Sporting Association	An umbrella organisation bringing together the affiliated Sporting Clubs and licensed players, with the aim of organising a sport, primarily through competition-based participation.
Sporting Club	A registered organisation that exists to promote and develop participation in a particular sport or physical activity.
Sportsground	Refers to land or a facility that is used primarily for formal sporting activities, involving organised sports or the playing of outdoor games.

REFERENCES	<i>Associations Incorporation Act 2009 (NSW)</i>
ASSOCIATED POLICIES and STRATEGIES	Community Facilities Hiring Policy Complaints Handling Policy Lease & License Policy Sportsground Strategy and Action Plan Terms & Conditions of Hire
ATTACHMENTS	Nil

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4



## Sportsground Allocation Policy

### Contents

1. Scope .....	1
2. Purpose .....	2
3. Policy .....	2
4. Delegation .....	7
5. Procedure .....	7
6. Definitions .....	8

### 1. Scope

- 1.1 This Policy applies to all Sportsgrounds owned or managed by City of Parramatta Council (Council).
- 1.2 This Policy applies to all proponents seeking to hire a Council Sportsground for the purpose of ongoing, organised, Grassroots Sport, including, but not limited to Sporting Clubs, Sporting Associations, schools, other community groups, and private and commercial organisations.
- 1.3 This Policy does not apply to special event hire of Council Sportsgrounds, or use of a Council Sportsground for personal and group fitness training, the conditions for which are established by Council's Community Facilities Hiring Policy and applicable Terms & Conditions of Hire.
- 1.4 This Policy does not apply to Sportsgrounds which are the subject of an existing long-term (greater than one season) lease or license, until such time as the existing lease or license expires. Sportsgrounds occupied under a long-term lease or license agreement will be considered in accordance with the principles of this Policy upon re-negotiation of existing agreements, however long-term Sportsground lease or license agreements will be established pursuant to Council's Lease & License Policy.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 1 of 9



## 2. Purpose

- 2.1 This Policy aims to ensure that Council will allocate the use of its Sportsgrounds in a systematic approach which aligns with Council's broader Sportsground Strategy and values, including to actively contribute to the health, wellbeing, equality, and inclusion of the whole community.
- 2.2 This Policy establishes a framework for Council to manage competing public interest for using its Sportsgrounds. This Policy sets out a consistent and transparent method for informing Council's decision making regarding a range of key Sportsground access and management issues.

## 3. Policy

- 3.1 The following guiding principles will inform Council decision making regarding allocating public use of its Sportsgrounds:
- 3.1.1 Provide a responsible, consistent, transparent, and equitable process for the use and management of Council Sportsgrounds and associated facilities.
- 3.1.2 Ensure Council's Sportsground facilities are safe, sustainable to operate, and shared by users.
- 3.1.3 Ensure that Sportsgrounds are utilised by well-governed sporting and community organisations with documented policies, and which provide safe, inclusive, and sustainable initiatives to support volunteers, participants, and underrepresented groups.
- 3.1.4 Increase participation and health outcomes across all demographics in the City of Parramatta local government area (LGA), by ensuring the behaviour and culture of facility users is aligned with Council's values.
- 3.1.5 Provide diverse opportunities for the community to participate in Grassroots Sport, recreation, and physical activity.
- 3.1.6 Respond to the needs and expectations of both our current and future communities by maximising the practical capacity of Council's Sportsground network.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4





3.2 To promote fair and shared access to Council Sportsgrounds for hire, Council will generally arrange Allocations for hire of its Sportsgrounds on a non-exclusive, seasonal basis, for a single, specified period, as follows:

- (a) Winter Season: ~~from second~~<sup>first</sup> weekend of April, ~~to first weekend of September~~<sup>for a minimum 21 weeks</sup>.
- (b) Summer Season: ~~from~~ third weekend of September, ~~to last weekend of March~~<sup>for a minimum 26 weeks (inclusive of Christmas holiday period)</sup>.
- (c) Winter Pre-Season: 1<sup>st</sup> of March to the start of Winter Season.
- (d) Summer Pre-Season: 1<sup>st</sup> of August to the start of Summer Season.
- (e) Off-Season: Maximum of 6 weeks between 1 November to 31 December and maximum of 6 weeks between 1 May to 30 June.

3.2.1 Seasonal dates are subject to the requirement for a minimum ~~one weekend~~<sup>two-week</sup> rest period between seasons to allow for a change in sporting field configuration.

3.2.2 Pre-Season and Off-Season Allocations are subject to the practical capacity of the sportsground network and with consideration of Council's maintenance activities, infrastructure requirements, condition of field, and Sportsground availability.

3.2.3 School groups may, by exception, apply for an extended Allocation for Terms 1 to 4

3.2.4 Where availability and practical capacity permits, seasonal Allocations may be issued to more than one user group at a facility. Council will aim to ensure in scheduling any shared facility Allocations, that concurrent use will not disrupt the intended usage of the Hirers.

3.3 Council recognises the impact of bookings on turf Sportsgrounds and the need to maintain playing surfaces. Sportsgrounds will be rested for one (1) full weekday per week.

3.4 Where a facility upgrade to a synthetic or alternative surface allows for extended usage hours, additional hire hours will not be automatically allocated to the existing hirer. Additional available hours will be allocated through an Expression of Interest (EOI) process.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4



- 3.5 Season Draws must be provided to Council once confirmed, to allow for Council to re-allocate any unused Sportsgrounds. Blanket bookings are not permitted, and Hirers must ensure every effort is made to notify Council of any unused dates in advance.
- 3.6 Allocations will generally include non-exclusive access to available Assets Within Sportsgrounds. From time to time, and subject to confirmation by Council, access to these Assets Within Sportsgrounds may be provided beyond the approved Allocation, such as to allow for use of a storage room between seasons. Where a Hirer's Allocation does not continue into the subsequent season, the Hirer will no longer have access to those Assets Within Sportsgrounds.
- 3.6.1 Where Assets Within Sportsgrounds are added or upgraded, Hirer access as part of an Allocation will not be automatic, and will be considered in accordance with the principles of this Policy, and other applicable Policies or Council requirements for facility hire.
- 3.6.2 Requests for exclusive hire of Assets Within Sportsgrounds are subject to Council's Lease & License Policy.
- 3.7 To be eligible to be considered for an Allocation, applicants must:
- (a) maintain current public liability insurance, with a minimum amount of \$20,000,000 payable for any individual claim that may be made against that policy;
  - (b) be registered as a legal entity (e.g. as an Incorporated Association);
  - (c) not have any outstanding debts to Council; and
  - (d) accept Council's Terms & Conditions of Hire.
- 3.7.1 Hirers that do not comply with this Policy or Council's Terms & Conditions of Hire during the term of their Allocation may not be considered for future Allocations.
- 3.7.2 To be assigned an Allocation, Professional or Representative Sporting use applicants must demonstrate that the existing Council facility meets the sport's requirements, and is not dependent on the pursuit of upgrades or embellishments.
- 3.8 Casual or temporary hire of Council Sportsgrounds may be granted to individuals and groups for an agreed period of time, during daylight hours outside the times assigned

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 4 of 9



to users with an Allocation, in accordance with Council's Community Facilities Hiring Policy.

3.8.1 To ensure fair shared use of Council's facilities, three casual bookings per season are permitted outside of the season of hire for groups with an Allocation, and ten bookings per calendar year for casual Hirers without an Allocation.

3.8.2 Re-occurring weekly casual hire of Sportsgrounds is not available for weekends.

3.9 To ensure fair and shared access of Sportsgrounds, Council will generally facilitate Sportsground hire on a Seasonal Allocation or casual basis, where available. Council may however, consider long-term lease and license arrangements for exclusive use of a Sportsground where:

- (a) a commitment to significant financial investment in the facility can be demonstrated by the applicant to align with Council's strategic direction; and
- (b) it can be demonstrated that this arrangement provides a greater benefit to the community, in line with the guiding principles of this policy, outlined in Section 3.1.

3.9.1 Requests for a multiple-season hire, or long-term lease or license agreement, for use of Sportsground, as an exception to this Policy, must be submitted to Executive Director Community and Culture for consideration, before applying for the lease or license agreement.

3.9.2 Lease or license arrangements for Sportsgrounds are subject to Council's Lease & License Policy.

#### Prioritisation for Assigning Allocations

3.10 Council will utilise a prioritisation system to ensure that the hire of Sportsgrounds is equitable and aligned with Council's broader Sportsground Strategy and Action Plan and values, including to actively contribute to the health, wellbeing, equality, and inclusion of the whole community. Prioritisation for Allocations may apply to both the Sportsground and season assigned to the application for hire.

3.11 To prioritise Allocation requests, Council will assign a priority tier to all applications, based on the type of hire group, as follows:

Priority Tier	Type of Hirer groups	
Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 5 of 9





Primary Priority	<ul style="list-style-type: none"> <li>Community-led, participative Sporting Clubs and organisations</li> <li>Community-led, participative Sporting Clubs and organisations (non-affiliated)</li> <li>Government School groups located within the LGA</li> </ul>
Secondary Priority	<ul style="list-style-type: none"> <li>Not-for-profit and community-based organisations and Programs</li> <li>Commercial organisations that provide community-based Programs</li> <li>Independent School groups located within the LGA</li> <li>Government School groups located outside of the LGA</li> </ul>
Tertiary Priority	<ul style="list-style-type: none"> <li>Independent School groups located outside the LGA</li> <li>Professional or Representative Sporting use</li> <li>Commercial and other hirers</li> </ul>

3.11.1 All eligible Primary Priority Hirers will be allocated a principal facility (i.e. a home ground) as a priority before Primary Priority Hirers are allocated a second facility.

3.11.2 Where it is necessary for Council to determine contested Allocation requests, it will prioritise the applicant(s) which will best deliver programming to meet the community's needs and Council's values, with consideration given to the following criteria:

- (a) proportion of participant membership residing within the LGA;
- (b) provides ongoing Programs or initiatives that cater for Grassroots Sports;
- (c) provides ongoing Programs or initiatives that consider Gender Equality;
- (d) provides ongoing Programs or initiatives that cater for underrepresented groups;
- (e) membership is open to all and reflective of junior teams/sides; female teams/sides; registered development Programs; and female representation on club committee;
- (f) membership and Programs are inclusive of all participants regardless of skill;
- (g) strong affiliation or history with the facility;
- (h) provides initiatives that promote healthy lifestyles;
- (i) ability to optimise usage of facilities, while keeping the facilities to a good standard;
- (j) demonstrated strong ties to the local community;
- (k) new or emerging sport, where the applicant can demonstrate a plan for ongoing success

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 6 of 9



- (l) for school groups, availability of Sportsgrounds within the school; and
- (m) for school groups, prioritised use for competitive sporting activities and programs over general recreation (e.g. physical education lessons, recess sessions).

#### 4. Delegation

- 4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

#### 5. Procedure

- 5.1 This Policy must be read in conjunction with Council's Community Facilities Hiring Policy and accepted Terms & Conditions of Hire, which set out the applicable obligations for facility use which Hirers with an approved Allocation must follow.
- 5.2 Allocations will be made by Council through the following process:
- 5.2.1 Council will call for applications for Allocations approximately two months prior to season commencement (e.g. February for the Winter Season, and July for the Summer Season).
  - 5.2.2 Applications for Allocations are due six (6) weeks prior to the official season commencement date, which will be advised by Council. Late applications will not be considered.
  - 5.2.3 Council will assess all received applications in accordance with this Policy, and liaise with applicants as required.
  - 5.2.4 Council staff will notify applicants regarding assigned Allocations, and issue invoices for hire fees in accordance with Council's Schedule of Fees and Charges.
  - 5.2.5 Any changes to the Allocation requested by the applicant (e.g. as a result of increased or decreased registrations) may be accommodated by Council subject to availability, and will be considered in accordance with this Policy.
  - 5.2.6 Where facilities may become available outside of the standard Allocation assignment cycle, such as through a vacancy, upgrade, or new development, Council will advertise for interested parties to submit an EOI application.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

Page 7 of 9



Applications will be assessed by Council in accordance with this Policy. The successful EOI applicant(s) will be invited to complete an application for a seasonal hire Allocation.

- 5.3 Council may request for Hirers and applicants to provide Council with supporting documentation of operational information, which Council may seek to verify, including, but not limited to:
- (a) an official membership list, confirming members' residential suburb;
  - (b) the number of teams and participants in each team;
  - (c) a detailed schedule for use of the requested facility;
  - (d) information regarding the organisation's governance structure; and
  - (e) a copy of the organisation's annual report, including financial report;
  - (f) previous tenure at other sporting facilities; and
  - (g) evidence of registration under the *Associations Incorporation Act 2009* (NSW), or other similar related registration that may apply to a sporting organisation.
- 5.4 If an applicant wishes to appeal the Allocation decision, they may appeal in writing to the Executive Director Community and Culture. The Executive Director Community and Culture or their delegate, will consider the appeal and notify all relevant applicants of the outcome.

## 6. Definitions

Allocation	A confirmed seasonal hire agreement for a Council Sportsground and/or sporting facility.
Assets Within Sportsgrounds	Council managed assets that facilitate the activity and support the use of the sporting field and may include items like cricket nets, floodlights, and pavilions.
Gender Equality	Refers to the attainment of equal rights, responsibilities, and opportunities for women, men, trans, and gender diverse people.
Grassroots Sport	Refers to organised sport practiced by amateur sportspeople, in the lowest available level of local competition.
Hirer	An organisation (e.g. Sporting Club, Sporting Association, state sporting organisation, community-based group, school, or tertiary organisation) whose application for hired use of a Council Sportsground has been approved, and who has accepted the Terms & Conditions of Hire.

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4



Not-for-Profit	An organisation that provides services to the community and does not operate to make a profit for its members or shareholders.  All profits must go back into the services the organisation provides and must not be distributed to members.
Off-Season	A period outside of a main sporting season, which may be used by a sporting group for an out of season competition, Program, or grading.
Pre-Season	A period prior to the commencement of a main sporting season, which may be used by a sporting group for training, coaching activities, trials, and gradings.
Program	Refers to activities which aim to promote and increase community participation in sport or recreation.
Professional or Representative Sporting	Organised sport participated in at a higher level of competition than is readily available at the Grassroots Sport level.
Season Draws	Official competition draws provided by the relevant governing Sporting Association for that particular sport
Sporting Association	An umbrella organisation bringing together the affiliated Sporting Clubs and licensed players, with the aim of organising a sport, primarily through competition-based participation.
Sporting Club	A registered organisation that exists to promote and develop participation in a particular sport or physical activity.
Sportsground	Refers to land or a facility that is used primarily for formal sporting activities, involving organised sports or the playing of outdoor games.

REFERENCES	<i>Associations Incorporation Act 2009 (NSW)</i>
ASSOCIATED POLICIES and STRATEGIES	Community Facilities Hiring Policy Complaints Handling Policy Lease & License Policy Sportsground Strategy and Action Plan Terms & Conditions of Hire
ATTACHMENTS	Nil

Sportsground Allocation Policy		
Owner: Manager Parks & Open Spaces	Area: Parks & Open Space Planning	POL No:
Date of Commencement:	Approval Authority: Council	Date Approved:
Amendment: 1	Date of Next Review:	Review: 4

## REPORTS TO COUNCIL - FOR COUNCIL DECISION

---

<b>ITEM NUMBER</b>	13.2
<b>SUBJECT</b>	Approval of Wilderline to Duck River Pedestrian and Cyclist Paths in Granville and Clyde (Scope of Works)
<b>REFERENCE</b>	F2024/00282 - D09394442
<b>REPORT OF</b>	Project Officer Transport; Senior Project Officer Transport Planning
<b>CSP THEME:</b>	Accessible

**WORKSHOP/BRIEFING DATE:** Nil

### PURPOSE:

To seek Council's approval of the scope of works for the Wilderline to Duck River pedestrian and cyclist paths in Granville and Clyde.

### RECOMMENDATION

- (a) That Council approve the scope of works to support walking and cycling from the proposed Wilderline Shared Path on the former T6 rail corridor in Rosehill to Clyde Train Station to enable connection to the Duck River Shared Path, as set out below for submission to the Parramatta Local Traffic Committee for consideration:
- i. Install raised pedestrian and cyclist crossings of Arthur Street at the M4 Shared Path in Granville, and Sutherland Street at Berry Street in Clyde,
  - ii. Install a separated bike path in Arthur Street between the M4 Shared Path and Hamilton Street,
  - iii. Install a bike path with separate footpath along Hamilton Street on the north verge,
  - iv. Install a shared pedestrian and cyclist path from the east end of Hamilton Street to Parramatta Road along the former T6 rail corridor,
  - v. Install a shared path on the south verge of Parramatta Road between George Street and Berry Street, Clyde,
  - vi. Install a part shared path, part separated pedestrian and cyclist paths on the west verge of Berry Street, Clyde,
  - vii. Conversion of Berry Street between Sutherland Street to the entry of Clyde Train Station to a shared zone.
- (b) That subject to approval by the Parramatta Traffic Committee, an application be made to external grant bodies to fund design and construction of the project.

### BACKGROUND

1. On 11 March 2024, Council considered draft plans for the *Wilderline to Duck River Pedestrian and Cyclist Paths*. The location of the proposed works are detailed in **Figure 1** below and a detailed description of the works can be viewed in the previous report considered by Council using this [link](#). The previous report



also includes the community information package which was central to the exhibition of this proposal.

2. On 11 March 2024, Council resolved:

- (a) *That Council approve the draft Wilderline to Duck River Path at Attachment 1 for the purposes of public exhibition.*
- (b) *That the draft plans be placed on exhibition for a minimum period of 28 days.*
- (c) *Further, that the outcomes of public exhibition of the plans be reported to Parramatta Traffic Committee and Council.*



**Figure 1:** Wilderline to Duck River Paths - Concept Design

3. In line with Council's resolution, 300 letters were hand delivered to residents and businesses on 10 April 2024 inviting submissions on the proposal. The consultation area is shown in **Figure 2**. On 2 April 2024, the proposal was advertised in the local newspaper in accordance with the Roads Act 1993 and on Council's website. Two community drop-in sessions were staffed by Council officers on 10 April and 27 April 2024, as well as corflute signs placed at key locations throughout the consultation area (see **Figure 3** below).



**Figure 2:** Wilderline to Duck River Paths notification area within Rosehill Ward



**Figure 3:** Example on-site signage

## ISSUES/OPTIONS/CONSEQUENCES

4. Should the Council endorse the project as recommended, it would be reported to the next available Parramatta Traffic Committee for their review and consideration. The key themes and issues raised by the community in the public exhibition are discussed in the following section.

## CONSULTATION

### Public Consultation

5. A total of 78,000 opportunities to give feedback were provided to the community through targeted emails, newspaper ads, digital advertising, social media, in-person popups and surface mail. This resulted in 3,239 views of the Participate Parramatta project page and 88 points of engagement (35 survey, 46 quick polls and 7 email submissions, with 2 of the email submitters also contacted by phone and 4 submitting a survey). The quick poll only required a user to nominate whether they supported the project or not, whereas the survey required more detailed demographic data from the user, as well as more detailed written feedback on the project. See **Attachment 1 – Engagement Evaluation** for more detail.
6. A total of 39 survey responses were received from the community with thirty-three (33) in support, four (4) against and two (2) unsure. This feedback is provided in detail in **Attachments 2 and 3**, including Council Officer responses. A breakdown of responses by type and location is provided below:

**Table 1:** Wilderline to Duck River Path - Summary of Respondents (survey, phone & email)

Respondent Type	Number	Supportive		
		Y	N	Maybe
Local Business	2	0	1	1
Ward Residents	17	14	2	1
Other Residents within LGA	11	10	1	0
Outside of LGA	5	5	0	0
Cycling organisations	3	3	0	0
Walking organisations	1	1	0	0
<b>Total</b>	<b>39</b>	<b>33</b>	<b>4</b>	<b>2</b>

7. The quick poll results from 46 responses were 38 yes (83%), 5 yes to an extent (11%), 1 unsure (2%) and 2 against (4%).
8. Key themes from all consultation are summarised below in **Table 2**.

**Table 2:** Key Consultation Themes

Count	Comment / Theme	Officer Response
19	General Support	Noted
7	Why not use the rail corridor (former T6 Line) south of Parramatta Road to connect to Clyde Train Station.	Using the T6 was the initial preferred option, however during the feasibility there were three major obstacles preventing use of that alignment: <ol style="list-style-type: none"> <li>a. Even if the path were reduced to 2.5m at the southern end, a reduced clearance concession from Sydney Trains would be required to construct alongside operational track - this could not be guaranteed.</li> <li>b. Insufficient space at the corner of Sutherland St and Marsh St for a B-Double truck to turn.</li> <li>c. It would require major changes to Sutherland Street, with either the removal</li> </ol>



		of all parking on the southern side or making it one way westbound between Berry Street and Marsh Street. Both options would be significantly disruptive to the existing businesses.
8	Shared paths, including on Parramatta Road, are not preferred.	The Wilderline proposes a 6m wide shared path which will provide adequate space for pedestrians and cyclists to share, however visual separation (separate areas for walkers and cyclists marked by paint) will be quick and cost-effective to retrofit should it be required in the future. While shared paths along Parramatta Road are not an ideal solution, they are the full width of the verge and provide an essential connection where there are not other alternatives.
5	Berry Street is not the best alignment.	Berry Street provides the best compromise between user legibility, separation between pedestrians and cyclists, opportunities for increased canopy cover, least impact to on street parking as well as offering the least impact to existing businesses.
5	Granville Station is a more popular destination than Clyde Station.	Users can connect to Granville Station via the existing shared path on Parramatta Road, either at Good Street or Rowell Street. This proposed link is to improve connections down to Duck River, and the closest connection available is via the ramps at Clyde Station.
1	The path needs to be more than concrete.	Significant re-wilding is proposed on the T6 line and opportunities to provide additional planting along the route have been identified, along with supporting directional signage.

9. There were a limited number of objections to the project, specifically:

- a) One submitter indicated that cyclists should be licensed.

*Officer response: Licensing cyclists is not a prescribed role of Council.*

- b) Three submitters raised that parking is too important in Clyde to be removed.

*Officer response: The preferred route was identified based upon least impact to parking.*

- c) Two submitters suggested that overparking in Clyde is an issue.

*Officer response: An offer was made to the customer to report the over parking - but this was not taken up.*

Stakeholder Consultation

10. No additional stakeholder consultation has been undertaken in relation to this matter beyond the consultation identified in the Council report endorsing public exhibition, available using this [link](#):

Councillor Consultation

11. In addition to pre-exhibition Councillor consultation detailed in the previous report, which can be accessed with this [link](#), the following consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
21/6/2024 (update email)	Rosehill Ward Cllrs	n/a	n/a	n/a

**LEGAL IMPLICATIONS FOR COUNCIL**

12. There are no legal implications in considering this report.

**FINANCIAL IMPLICATIONS FOR COUNCIL**

13. If Council resolves to approve this report in accordance with the report recommendation, there are no unbudgeted financial implications.
14. Any funding for future stages of detail design would be subject to Parramatta Traffic Committee approval, future Council budget processes and external grant applications.




Michael Kolos  
**Project Officer Transport**

Jennifer Concato  
**Executive Director City Planning and Design**

John Angilley  
**Executive Director Finance & Information**

Gail Connolly  
**Chief Executive Officer**

**ATTACHMENTS:**

- |   |  |          |
|---|--|----------|
| 1  | Wilderline to Duck River Engagement Evaluation Report        | 13 Pages |
| 2  | Wilderline to Duck River Paths - Long Form Submissions       | 8 Pages  |
| 3  | Wilderline to Duck Survey Data and Council Officer Responses | 3 Pages  |



# WILDERLINE TO DUCK RIVER PEDESTRIAN AND CYCLIST PATHS

Engagement Evaluation  
May 2024

[cityofparramatta.nsw.gov.au](http://cityofparramatta.nsw.gov.au)



# CONTENTS

1. INTRODUCTION.....	1
2. ENGAGEMENT EVALUATION.....	2
3. RECOMMENDATIONS.....	10

# 1. INTRODUCTION

The Duck River Tributary flows from Bankstown north to the Parramatta River. The floodplain is occupied by large amounts of open space and provides sporting facilities for neighbouring communities.

A path has been proposed which connects the Wilderline (T6) to the M4 Shared Path (Duck River North) and Duck River South (Cumberland). It aims to build on the existing open space assets along the Duck River to establish the corridor as a regional destination with improved recreational open space, ecological enhancement, and stormwater treatment.

The path will create a continuous walking and cycling link north-south connecting Parramatta, Camellia and Olympic Park to Granville, Clyde, Carlingford, Telopea and Rydalmere. Future links south of Clyde Station will be subject to delivery by Cumberland Council.

Two sets of key messages were developed to align with two campaigns – a broader active transport campaign (made up of 3 projects all live concurrently) and a project specific campaign.

This report focuses on the engagement campaign for exhibition of the Wilderline to Duck River Pedestrian and Cyclist Paths. The community feedback received will be reported on by the project team in the finalisation of the pathway.

## 2. ENGAGEMENT EVALUATION

The consultation ran from 28 March to 7 May 2024, with the opportunity to share feedback presented on 78,355<sup>1</sup> occasions, culminating in 3,239 views of the project page and 88 engagements (survey, quick polls and email submissions combined).

The community had a good engagement rate of 6.4% on Participate Parramatta, indicating the project was of interest to the audience.

Organic and paid promotions were engaging and eye-catching, as seen by the positive engagement rate across all three campaigns.

### 2.1. Resources

- Organic and targeted paid social media campaign
- Community Connective, Active Parramatta, Your City News and Participate Parramatta e-newsletters
- Participate Parramatta project page
- Notification letter
- On-site signage (corflutes) with QR codes
- Postcards (to support pop-ups)
- Parra Newspaper – ¼ page spread

### 2.2. Social Media Campaign

Paid campaign results:


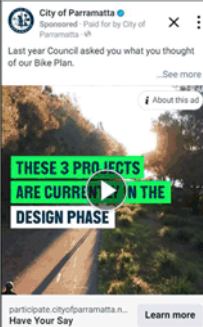

Paid Advertisements		Benchmarks
Total spend	\$249.15	n/a
Impressions	23,209	n/a
Reach	9,136	n/a
Link clicks	353	n/a
Frequency (no. times seen)	2.54	2-3
Cost per click	\$0.71	\$0.50-\$1
CTR (click through rate)	1.52%	More than 1%
Post engagements	1,516	n/a
Engagement rate (ER)	6.5%	More than 2%

<sup>1</sup> Combined total reach of Paid Advertisements, Facebook and Instagram, Participate and Your City News newsletters, Participate website, Pop-ups, QR codes and letterbox drops

### Summary

- Good results for the campaign. All three cycling projects hit most CoP benchmarks, only a few had a touch higher CPC than we prefer.
- One reason for a high CPC could be that the audience didn't find the content overly engaging, and therefore weren't interested in clicking the link.
- Another thing to note is that during the three campaigns, Council had a lot of other campaigns running simultaneously with a similar audience, resulting in us competing against ourselves. This could have resulted in the CPC being higher for two campaigns.
- Creative was engaging and eye-catching, as seen by the engagement rate across all three campaigns.

### Top performing ads:

 <p>City of Parramatta Sponsored · Paid for by City of Parramatta · 15</p> <p>Council is proposing to build a bridge at Bennelong Parkway.</p> <p>...See more</p> <p>About this ad</p> <p>participate.cityofparramatta.n... Bennelong Parkway Bridge Engagement Hub Platform</p> <p>Learn more</p>	 <p>City of Parramatta Sponsored · Paid for by City of Parramatta · 15</p> <p>Last year Council asked you what you thought of our Bike Plan.</p> <p>...See more</p> <p>About this ad</p> <p>participate.cityofparramatta.n... Have Your Say</p> <p>Learn more</p>	 <p>City of Parramatta Sponsored · Paid for by City of Parramatta · 15</p> <p>Help us create a greener and more connected Parramatta!</p> <p>...See more</p> <p>About this ad</p> <p>participate.cityofparramatta.n... Have Your Say Engagement Hub Platform</p> <p>Learn more</p>
<b>Bennelong Parkway</b>	<b>Active Transport Corridor</b>	<b>T6 Carlingford Line</b>

### Organic campaign results:

Participate Facebook		Benchmarks
Posts	1	n/a
Followers	6.9K	n/a
Reach	28	n/a
Post Engagements	3	n/a
Engagement rate	10.7%	2-3%

Participate Instagram		Benchmarks
Posts	1	n/a
Followers	566	n/a
Reach	26	n/a
Post Engagements	0	n/a
Engagement rate	0%	2-3%



### Electronic Direct Notification

Channel	Emails sent	Open rate	Clicks
Participate Parramatta – 10 April 2024	17,518	43%	130
Your City News – 2 April 2024*	30,361	29%	292
Your City News – April (re-mail) 2024*	19,248	14%	68
<b>TOTAL</b>	<b>67,127</b>	<b>n/a</b>	<b>490</b>

\*Listed as a combined cycling story, not as 3 separate projects

### 2.3. PARTICIPATE Parramatta

Promotion of the engagement directed community members to the Participate Parramatta website. The project page was viewed 3,239 times and generated 81 contributions (35 x surveys and 46 x quick polls).

Project Page Events	
Views	3,239
Visitors	1,271
Visits where at least 1 contribution was made	78
<b>Total contributions*</b>	<b>81</b>

\*Survey and the quick poll combined.

Engagement highlights:

- The engagement rate was approx. 6.4% (average range is 3-5%) indicating the project was of interest to the audience

### 2.4. Email submissions

Interested stakeholders:

- Bicycle NSW made a submission in support
- Bike North made a submission in support
- Camwest in support
- The Walking Volunteers in support
- 1 x submission against
- 2 x submissions neither for nor against (1 x resident, 1 x business)

### 2.5. Letterbox drop

300 letters were delivered in total. All owners and occupiers in the vicinity were notified via a letterbox drop in the following locations (shown in red):



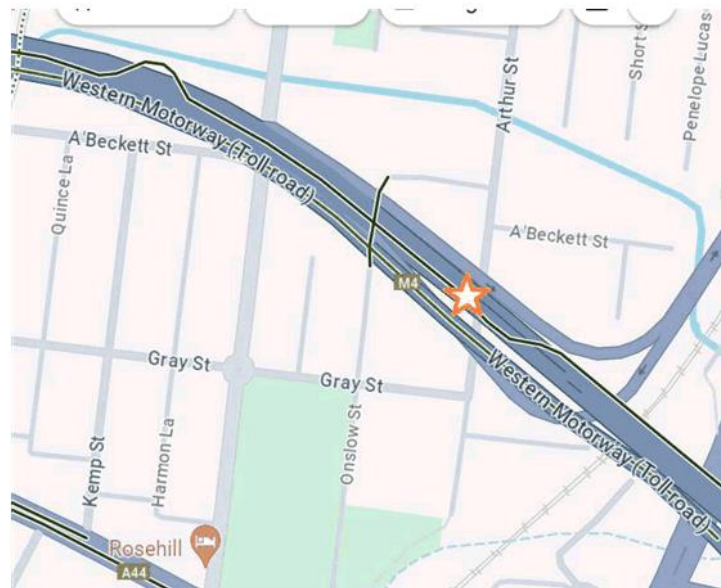
## 2.6. On-site signage (corflutes) with QR codes

QR Code results: 26 scans

On site signage was put up the below locations, shown in red:



Signage was also put up on the M4 Shared Path near Arthur Street, shown on the map below with a yellow star:



Examples of signage used:









## 2.7. Pop-ups and postcards

2 x Pop-ups were held on the following dates:

1. **7-10am on Wednesday 10 April 2024, Clyde Train Station**  
250 postcards and 11kgs of bananas were given out, with the project team holding conversations with approximately 12 people and 6 cyclists
2. **8-11:15am on Saturday 27 April 2024, M4 Shared Path at Arthur Street crossing, Granville**  
100 postcards and 2kg bananas were given out, with the project team holding conversations with approximately 8 people and 20 cyclists

## 2.8. Parra Newspaper

A half page spread was published in the Parra News on 2 April 2024. Please see below screenshot for reference:



## HAVE YOUR SAY!

## Improve Active Transport in Parramatta

City of Parramatta is proposing to install Pedestrian and Cyclists facilities to improve walking and cycling safety and amenity in Wentworth Point, Granville, Clyde, Toongabbie, Pendle Hill, Wentworthville and Westmead as detailed below:

**Bennelong Parkway between Hill Road and Wentworth Common, Wentworth Point**

- A pedestrian and cyclist bridge over Haslams Creek,
- Raised pedestrian and cyclist priority crossings of Bennelong Parkway at Wentworth Common and the Archery Car park,
- Separated pedestrian and cyclist paths, and short sections of shared path on the northern side of Bennelong Parkway between Hill Road and Wentworth Common,
- The 50km/h speed limit on Bennelong Parkway extended east to 100m beyond the proposed raised priority crossing at Wentworth Common,
- Cyclist priority crossing over The Piazza at Bennelong Parkway,
- Re-built roundabout that meets current guidelines at the intersection of The Piazza and Bennelong Parkway.

**Arthur Street and Hamilton Street, Granville, as well as Parramatta Road and Berry Street, Clyde**

- Raised pedestrian and cyclist priority crossings of Arthur Street at the M4 path and Berry Street at Sutherland Street, Clyde,
- Raised shared environment intersection in Hamilton Street at Arthur Street,
- Separated pedestrian and cyclist paths in Arthur Street and Hamilton Street, Granville, and Berry Street, Clyde

- Shared paths in the former T6 corridor at Granville, and Parramatta Road between George Street and Berry Street, Clyde,

- Raised shared zone in Berry Street between Clyde Station and Sutherland Street.

**Station Road and Premier Street, Toongabbie, the length of Wentworth Avenue in Toongabbie, Pendle Hill and Wentworthville, as well as Park Parade in Westmead**

- A pedestrian and cyclist shared underpass of Wentworth Avenue between Premier Street and Toongabbie Station, Toongabbie,
- Widened shared path along Girraween Creek between Premier Street and Portico Parade,
- A pedestrian and cyclist overbridge of the Cumberland Highway at the Main Western Line at Wentworthville,
- Conversion of Wentworth Avenue between Reid Avenue and Bridge Road to one way westbound,
- Converting the pedestrian crossings in Station Road at McCoy Street, and in Wentworth Avenue at Railway Street to raised pedestrian and cyclist crossings,
- New raised pedestrian and cyclist crossings of Wentworth Avenue at Finlaysons Creek, and Bridge Road south of Byrne Street, Wentworthville,
- Separated cyclist path on Wentworth Avenue between Toongabbie Station, Pendle Hill Station, Wentworthville Station and Bridge Road, with short sections of shared path at all the stations.
- Separated pedestrian and cyclist paths on the southern side of Station Road between McCoy Street and Premier Street,

- A raised shared environment intersection at Station Road and Premier Street.

- A shared path on Burrabogee Road between Wentworth Avenue and Pendle Creek, Park Parade on the Parramatta Park frontage between Bailey Street and the Parramatta Aquatic Centre, Bridge Road between Byrne Street and the Main Western Line.

Should any of these projects be approved and supported, they would likely be delivered in stages over a number of years pending detail design and funding. A copy of all the detailed plans is available online at [participate.cityofparramatta.nsw.gov.au](https://participate.cityofparramatta.nsw.gov.au)

Submissions are welcome on all the proposals until 5pm, Tuesday 30 April 2024 via:

- Online: [participate.cityofparramatta.nsw.gov.au](https://participate.cityofparramatta.nsw.gov.au) and complete the online submission form on the respective pages

- Post: Attn: Transport Planning Team  
City of Parramatta Council  
PO Box 32, Parramatta NSW 2124

- Email: [transportplanning@cityofparramatta.nsw.gov.au](mailto:transportplanning@cityofparramatta.nsw.gov.au)
- Any concerns and comments regarding the proposal will be closely considered and amendments made to the design as appropriate. The outcomes of consultation and a recommendation will be reported to the Parramatta Traffic Committee and then the following Council meeting.

If you have any comments or enquires regarding the proposal, please email the address above or contact Council's Transport Planning Section on 9806 5632.

Figure 1 - Paid advertisement for Cycling Projects in Parra News (online edition)

### 3. RECOMMENDATIONS

This report presents and analyses the engagement evaluation results from the recent consultation for the Wilderline to Duck River Pedestrian and Cyclist Paths.

Careful consideration should be given to all the feedback and data received before a decision is made.

Council should respond to each concern and suggestion raised.

**A summary of findings should also be reported back to the community (when appropriate but in a timely manner), highlighting how community feedback has influenced the project. The final decision and reasons why should be made public and reported back to those who provided feedback.**

These recommendations are in line with Council's engagement principles and commitments outlined in the Community Engagement Strategy and Community and Stakeholder Engagement Policy.

***"We make our decisions in an open and transparent way and provide feedback to our stakeholders in order to explain our decisions and let them know how their input has been considered".***



6th May 2024

## Wilderline to Duck River Plan Feedback

Thank you for the opportunity to comment on the Wilderline to Duck River Pedestrian and Cyclist Paths Draft Plan (*The Plan*).<sup>[1]</sup>

These comments have been prepared on behalf of CAMWEST, a Bicycle NSW affiliated Bicycle User Group with a focus on advocating for and encouraging cycling in Western Sydney.

Overall CAMWEST is very supportive of *The Plan* as outlined. It will provide improved connectivity between the M4 shared path at Authur St and Clyde Railway Station overbridge (and onto Factory St and the Duck River Parklands within the Cumberland LGA). The amenity will of course be increased when the Wilderline can be extended north from Hamilton St, but *The Plan* provides quite a usable and welcome first stage.

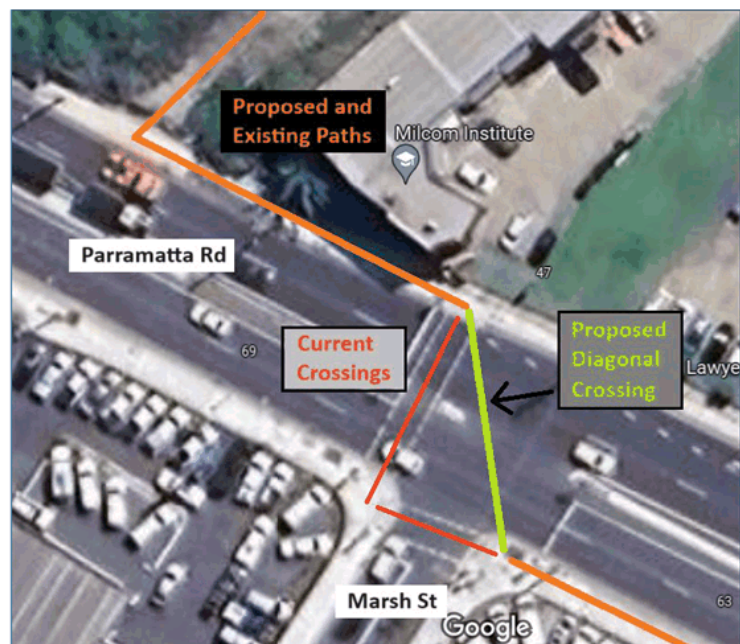
We have one main suggestion that if able to be implemented may reduce frustration for riders and pedestrians. There are also several other queries and points that we'd like noted – and answered where appropriate.

### ➤ Main Suggestion:

The main suggestion is to provide the ability to cross diagonally at the Marsh St and Parramatta Rd intersection as well as straight across. This would require traffic to be stopped on both Parramatta Rd and Marsh St. Ideally traffic could be stopped at relatively short notice, without the normal lengthy delays until the next traffic signal change.

We imagine this would be a TfNSW decision.

We feel this would be a practical implementation of the Road User Hierarchy<sup>[2]</sup>, where other road (corridor) users can temporarily take priority over motorised vehicles instead of always having to fit around the predefined traffic light cycles and vehicle movement priorities.



Marked-up Google Satellite view of the Marsh St and Parramatta Rd intersection with the proposed diagonal crossing.



## ➤ Other Queries and Points:

### 1. George St Crossing

Would making the George St crossing a raised priority cyclist and pedestrian crossing be an option? There's already a left turn lane off Parramatta Rd into George St, so vehicles turning should already be out of the main carriageway flow.



Example of a raised priority crossing.<sup>[3]</sup>

### 2. Separated Path Width

The recommendation in the Cycleway Design Toolbox<sup>[4]</sup> is for separated paths to be at least 3.0m wide where possible.

*"In constrained areas where insufficient usable space is available, a narrower bicycle path can be considered. As a minimum, the bicycle path of 2.4m may be suitable for specific locations".*

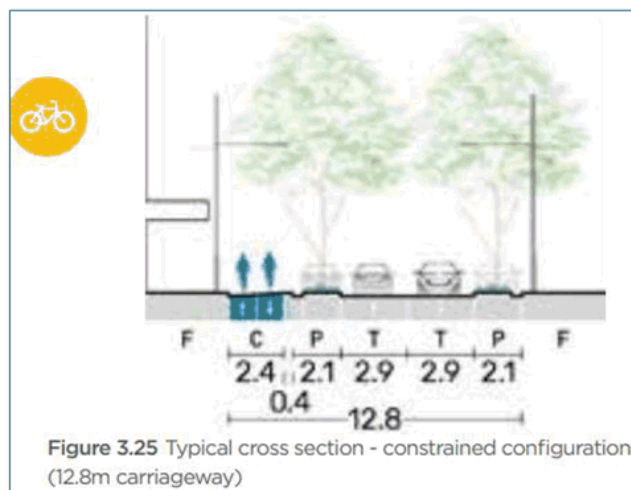


Figure 3.25 Typical cross section - constrained configuration (12.8m carriageway)

Taken from the Cycleway Design Toolbox<sup>[4]</sup>

The Guide for Road Design Part 6A – Paths for Walking and Cycling<sup>[5]</sup> has the following table:

**Table 5.4: Separated two-way path widths**

	Suggested path width (m)		
	Bicycle path	Pedestrian path	Total
Desirable minimum width	2.5	2.0	4.5
Minimum width – typical maximum	2.0– 3.0	≥ 1.5	≥ 4.5

We note there are a several stretches of pathway that are specified as being 2.4m wide. Our main concern is Berry St, but this appears to be quite a constrained corridor with both a separated path and a footpath with a median strip in between. We ask that wherever feasible that this width be increased.

Does part of the width calculations of the separated paths on Arthur St and Hamilton St include the road gutter? As a gutter is a place where road debris tends to gravitate and is generally the wettest place during and immediately after rain events, we believe they should be excluded from any path width calculations and riders should be discouraged from riding in them.

If gutters do have to form part of a separated path, great care and regular monitoring need to take place to ensure the concrete gutter and road bitumen are at the same level. This minimises the risk of riders catching their tyres and falling when longitudinally transitioning between the two surfaces.

### 3. Clyde Railway Station Overbridge

We note in the supplied documentation that the Clyde Railway Station Overbridge is described as an '*Existing shared path connection across Railway*'. Although we understand representations have been made to the relevant State authorities for this to become a shared path, we haven't heard of this being granted yet. Last time we used the overbridge there were offset barriers in place that would make riding challenging and signs asking riders to dismount.

We ask that both Parramatta and Cumberland Councils maintain active communications with the State Government entities to try to make the above statement a reality.

### 4. Wayfinding Signage and Path markings:

Please provide adequate wayfinding signage to guide path users and path markings to indicate where riders and pedestrians should be. There are numerous paths around Western Sydney that don't have any markings on what we think should be shared paths. These paths may be marked on some maps while not on others. Signage and markings provide clarity for all users.

## ➤ Closing Comments:

- We look forward to the additional amenity and safety the additions outlined in *The Plan* will facilitate for Active Transport in the area.
- We're happy to clarify any of the points outlined in this document or assist in any other way that we can.
- This feedback was prepared by Rob Kemp with input from Mark Robson on behalf of CAMWEST Bicycle User Group Inc.

## References:

1. <https://participate.cityofparramatta.nsw.gov.au/wilderline-to-duck-river-pedestrian-and-cyclist-paths>
2. <https://www.movementandplace.nsw.gov.au/place-and-network/guides/network-planning-precincts-guide/network-planning-and-design-approach/road-user-space-allocation-policy-and-procedure-modal-considerations-and-trade-offs>
3. From numbered page 1 of <https://www.tmr.qld.gov.au/-/media/busind/techstdpubs/Cycling/technical-guideline-priority-crossing.pdf>
4. <https://www.transport.nsw.gov.au/system/files/media/documents/2023/Cycleway-Design-Toolbox-Web.pdf>
5. <https://austroads.com.au/publications/road-design/agrd06a>



Transport Planning Team  
City of Parramatta Council  
PO Box 32  
PARRAMATTA NSW 2124

6<sup>th</sup> May 2024

[transportplanning@cityofparramatta.nsw.gov.au](mailto:transportplanning@cityofparramatta.nsw.gov.au)

Dear Mark and the Transport Planning Team,

**Re: Wilderline to Duck River Pedestrian and Cyclist Paths**

Thank you for the opportunity to comment on the proposal to construct new walking and cycling paths to connect the M4 shared path at Arthur St with the Clyde Station overbridge.

**Bicycle NSW strongly supports the draft concept design which will greatly improve the access between Parramatta and the Duck River open space corridor.** This is an important Strategic Cycleway Corridor, and the new paths will contribute to the Duck River Green Grid corridor.

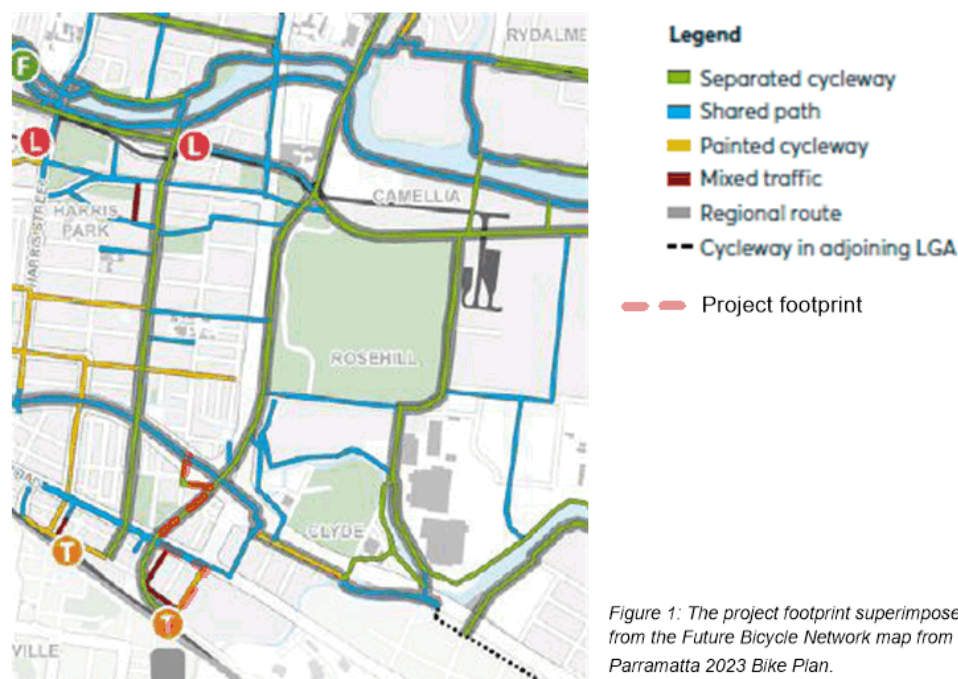


Figure 1: The project footprint superimposed on an extract from the Future Bicycle Network map from the City of Parramatta 2023 Bike Plan.

We work closely with Bicycle User Group CAMWEST. Bicycle NSW aligns with CAMWEST's [submission](#) which draws on local knowledge and expertise to make detailed comments on elements of the proposal.

(02) 9704 0800 | [info@bicyclensw.org.au](mailto:info@bicyclensw.org.au) | [www.bicyclensw.org.au](http://www.bicyclensw.org.au)  
Gadigal Country, Level 9, 66 Goulburn St, Sydney NSW 2000  
ABN 26 511 801 801

### Comments and recommendations for the 3 sections:

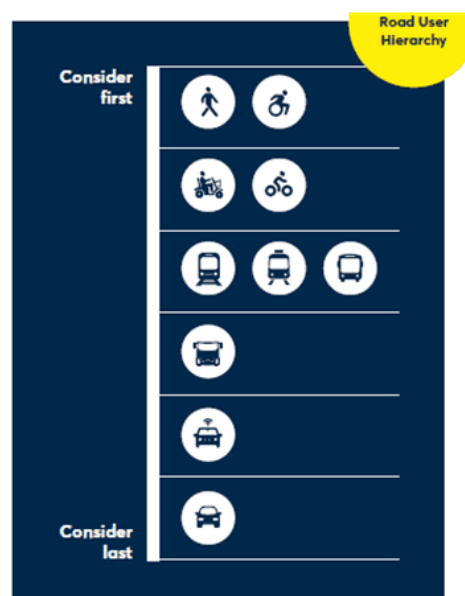
#### T6 (Wilderline) to Parramatta Road

- The conversion of a 300m section of the disused T6 is the first step of a very exciting project to deliver the Wilderline active transport corridor. The section to the north of Hamilton Street will be delivered by Sydney Metro West in due course.
- City of Parramatta is to be commended for taking the lead on the development of the Wilderline. We urge Council to use this opportunity to set the tone for the quality of the future facility. Aim for generous and separated paths, extensive landscaping, thick tree canopy, lighting that allows safe 24-hour access, and attractive places to rest.
- Note that the design drawings show this section as a 6m wide *shared path*. We suggest pushing for separated walking and cycling paths to future-proof the facility from the outset, with a clear expectation that separation will be continued further north by Sydney Metro. The newly separated paths on the Parramatta Valley Cycleway are providing much more comfort to people walking and cycling but retrofitting separation is not always easy or cost-effective.

#### Wilderline to M4 Shared Path

- It is great to see separated walking and cycling paths proposed for Hamilton and Arthur Street
- Aim for 3.0m wide bicycle paths wherever possible, in line with optimal configuration shown in the Transport for NSW Cycleway Design Toolbox.
- We are impressed by City of Parramatta's approach to analysing parking demand. With clear data showing that only 43 out of 77 spaces on Arthur Street are being used at peak times, the community is more likely to support the loss of 29 spaces to allow the installation of best-practice active transport infrastructure.
- Removing parking spaces to create space for walking and cycling infrastructure aligns with the Transport for NSW Road User Space Allocation Policy which prioritises people walking, then riding. Private vehicles should be considered last. The parking of private vehicles must no longer be the priority when allocating road space to different users. A Road User Hierarchy is now embedded in Parramatta's Bike Plan 2023 (Figure 2). Council has committed to apply the hierarchy in road space allocation and transport investment decisions.

Figure 2:  
City of Parramatta's Road User  
Hierarchy (Source: Parramatta Bike Plan  
2023)





**Parramatta Road to Clyde Station**

- We recognise that a detailed feasibility study has informed the route selection and we support the decision to use Marsh Street.
- It is excellent that bike riders will be largely separated from pedestrian on Marsh St. This is an improvement on the painted cycleway treatment indicated on the on the 2023 Bike Plan network (Figure 1).
- The crossing of George Street at Parramatta road is not ideal and provided no protection for vulnerable road users. We suggest adding another raised pedestrian and cyclist wombat crossing here to enable people of all ages and abilities to cross safely. Vehicles will then need to slow to a very low speed to turn into George Street, and this is facilitated by the existing left turn lane on Parramatta Rd.
- If a raised crossing is not possible, we recommend setting the crossing point in a car length (around 6m) to improve sightlines and safety. In addition, kerb extensions would create more space for the share path and reduce the crossing width.
- We like CAMWEST's suggestion of a diagonal crossing at Marsh Street to reduce wait times for bike riders and pedestrians. Bike and foot traffic will not be continuous or high volume so lights should change quickly once a green phase is requested. We will support your advocacy to TfNSW for changes to the signal that reflect the Road User Hierarchy.
- The footbridge over the rail tracks at Clyde Station is a very rideable width. However, it is not currently a shared path and barriers force riders to dismount. We will continue to amplify Cumberland and Parramatta Councils' request that Transport for NSW allows shared use of the bridge.
- Ultimately, the curved section of abandoned T6 train tracks should be repurposed as an active transport link between Clyde Station and Parramatta Road. The path could be reached directly from the Clyde Station overbridge by constructing a new ramp from the existing landing where the north ramp switches direction.

Please do not hesitate to contact Bicycle NSW if we can help further to move this project forward. We look forward to riding on this first stage of the Wilderline very soon!

Yours sincerely,



Sarah Bickford

Active Transport Planner  
Bicycle NSW



Peter McLean

Chief Executive Officer  
Bicycle NSW

*Bicycle NSW has been the peak bicycle advocacy group in NSW for over forty-eight years, and has more than 30 affiliated local Bicycle User Groups. Our mission is to 'create a better environment for all bicycle riders', and we support improvements to facilities for pedestrians and cyclists. Bike riding provides a healthy, congestion-reducing, low-carbon form of travel that is quiet, efficient and attractive for all ages with the correct infrastructure design.*

(02) 9704 0800 | [info@bicyclensw.org.au](mailto:info@bicyclensw.org.au) | [www.bicyclensw.org.au](http://www.bicyclensw.org.au)  
Gadigal Country, Level 9, 66 Goulburn St, Sydney NSW 2000  
ABN 26 511 801 801



## Response to Wilderline to Duck River Pedestrian & Cycle Paths

### General

The biggest problem for walkers on this proposed route is the length of walking along Great Western Highway from the Wilderline Link to Berry Street. While it is only 200 metres it is extremely noisy, has no street trees for shade and has high levels of exhaust pollution. If the suggested route in 4-2 below is not feasible, most walkers will continue to use the existing path under the M4 from Arthur Street to Kendall Street and down Kendall Street to Berry Street. Once again, the emphasis for walkers is lots of shade trees and separated paths for walkers and cyclists wherever possible

### Drawing 001 M4 to Grey Street

1. We strongly support separated walker and cyclist paths along Arthur Street.
2. We suggest that the garden bed in Arthur Street at its junction with Grey Street have tree plantings, if practical

### Drawing 2 Grey Street to Wilderline Link

1. We strongly support separated walker and cyclist paths along Hamilton Street
2. We strongly support the tree planting on the northern side of Hamilton Street between the footpath and front fences as it provides good shade for walkers.
3. We strongly support the tree plantings on both sides of the Wilderline Link.
4. We suggest that the Wilder Line Link have separate pedestrian and cyclist lanes with the pedestrian lane on the western side of the link.

### Drawing 3 Wilderline Link to Great Western Highway

1. We strongly support the tree plantings on both sides of the Wilderline Link.
2. We suggest that the Wilder Line Link have separate pedestrian and cyclist lanes with the pedestrian lane on the western side of the link'

### Drawing 4 Great Western Highway to Berry Street

1. This route is appalling, especially for walkers as the noise and pollution on Parramatta Road is exacerbated by the traffic lights on Marsh Street and James Ruse Drive.
2. We note from Google Maps that there appears to be 6-8 metres between the railway lines adjacent to Sydney Trains Maintenance Services Centre and the buildings on Marsh Street. Would it be possible to put a fenced 2 metre shared path along this corridor through the old railway underpass on Parramatta

The Walking Volunteers Inc.  
111 Craighend Street  
Leura NSW 2780

Road to the junction of Marsh Street and Sutherland Street for walkers? They could then use the footpath along Sutherland Street to re-join the cycle path at Berry Street.

### Drawing 5 Berry Street to Clyde Station

1. We are not sure why you have chosen Berry Street. One of our current walking routes (Duck River to Parramatta Station) runs along Berry Street and our Track Notes mention "*Whilst the walk along Factory Street was relatively pleasant, Berry Street is an industrial nightmare with cars in various stages of disrepair littered across the footpath, noise from the panel beaters located there, weed-infested footpaths and no trace of a street tree! Fortunately, it is only 260 metres along the eastern footpath to Parramatta Road where the traffic noise adds to the cacophony.* The only reason our route runs along Berry Street is that we needed to access the M4 shared path at the northern end of Kendall Street and the only crossing of Parramatta Road was at the northern end of Berry Street. Of all the streets we proof-walked at that time, George Street was the best but it took us away from Kendall Street and there was no traffic lights at the junction of George Street and Parramatta Road
2. Given the current disregard for the laws against parking or dumping rubbish on footpaths it is hard to believe that a shared path on Berry Street will be treated any differently.
3. We strongly support the tree plantings along this road but we will be surprised if any trees planted survive.
4. We suggest that the best route is down George Street and along Sutherland Street with only a short section along Berry Street. This reduces the time along Parramatta Road and avoids the worst section of Berry Street.

The Walking Volunteers Inc.  
111 Craighend Street  
Leura NSW 2780

Wilderline to Duck River - Community Feedback Summary with detailed Officer Responses			
ID	Support	**Note** Minor corrections to spelling and grammar have been made to submissions. Detailed Feedback	Council Officer Response
		The path has been proposed on the wrong side of Berry Street. The current design forces pedestrians/cyclists to cross two extra streets (Sutherland St and then Berry St) to get to the crossing of Parramatta Road. The remaining streets in the area need footpaths as currently everyone walks on the road. There should also be an easier connection for pedestrians between Granville Station and Clyde Station. Council should also look into the amount of cars parked (long term) in the area without number plates preventing safe travel on council strips etc.	The eastern side of Berry Street was considered, however the eastern property boundaries are incredibly varied, power poles preclude planting of trees, and the traffic lights at Berry Street would have to be upgraded, a lengthy and expensive exercise. Therefore the western side of Berry Street is the preferred alignment. A priority crossing over Sutherland Street will be provided. A priority crossing at George Street may be provided in the future should the number of users warrant such a treatment. A better walking connection between Clyde and Granville is desirable, unfortunately with the combination of Duck River and the Rail line it would be very difficult to deliver. There is a planned connection on the western side of Duck River to connect Parramatta Road, Cowper and East Street, but that is subject to the development of individual sites and the timing therefore for the delivery of this connection is beyond the control of Council. The issue of the cars without numberplates has been referred to Council's regulatory team for review and action.
	1 No		Noted. No additional comment was provided.
	2 Yes		
		GAMWest provided a detailed response to the project (see Attachment 2). A summary of the key points is provided below: 1. Can a diagonal crossing be provided at Parramatta Road / Marsh Street? 2. Can George Street have a raised priority crossing? 3. Can path widths be increased? 4. Clyde Ramps and Bridge appear to prohibit cycling 5. Please ensure wayfinding and signage are provided as part of the project.	A diagonal / scatter crossing at Marsh Street is very unlikely to be supported as that style of crossing would require signal reprogramming and may impact coordination with other signals and traffic capacity on Parramatta Road. Regarding George Street, narrowing of kerbs can be investigated during detail design. Should it meet the crossing warrants (minimum 20 users per hour), it may in future be an ideal candidate for a raised crossing. The project will seek to maximise both pedestrian and cyclist path widths should it be funded and approved. Council officers are aware of signage indicating riding bicycles is restricted on the overbridge. Council will consult with Transport for NSW regarding this restriction. Council would welcome CAMWest's advocacy to TNSW to improve accessibility at the bottom of the ramps and formalise cycling access. Wayfinding will be addressed by the project should it be approved.
	3 Yes		The Wilderline proposes a 6m wide shared path which will provide adequate space for pedestrians and cyclists to share, however visual separation (painted lines) will be quick and cost-effective to retrofit should it be required in the future. Street tree planting would be provided in appropriate locations and where there is sufficient land. Council officers are aware of the drawbacks of using Parramatta Road for walking and cycling. However, no other suitable solution has been identified. Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: a. A concession from Sydney Trains (even with a path only 2.5m wide) would be required at the southern end which would be difficult to achieve as the eastern railway track is still used. b. There is very little room at the corner of Marsh / Sutherland and a path may impact the ability for B-Doubles to make the turn and exit the Clyde Precinct. c. On Sutherland, it would be necessary to either remove all the parking on the southern side, or make Sutherland one-way westbound to accommodate a path. Pedestrians will be able to use George Street, however there is not enough space for cyclists. Berry Street would get footpaths each side. Council's rangers are aware of the issue of overparking.
	4 Yes to extent	The Walking Volunteers provided a detailed response to the project (see Attachment 2) and a summary of the key points is provided below: 1. Separated pedestrian and cyclist paths are preferred 2. More tree planting 3. Parramatta Road is appalling to walk on, can the T6 line south of Parramatta Road be used? 4. Why is Berry Street preferred?	
		I attended a pop up presentation which had a preferred design that went from Berry St to Sutherland St then along the rail corridor which would be more appealing safer and reducing impact to local businesses. You could also have a secondary exit from the T6 line crossing in front of the NSW Transport depot on Fleet St to gain accessibility to north bound travel along James Ruse Dr. As an introduction to the future proposed wilder line path once Sydney Metro works are completed.	Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: a. A concession from Sydney Trains (even with a path only 2.5m wide) would be required at the southern end which would be difficult to achieve as the eastern track is still used. b. There is very little room at the corner of Marsh / Sutherland and a path may impact the ability for B-Doubles to make the turn and exit the Clyde Precinct. c. On Sutherland, it would be necessary to either remove all the parking on the southern side, or make Sutherland one-way westbound to accommodate a path. The plan is to complete the Wilderline all the way to Camelia as it is a condition of consent for Sydney Metro West. This connection will be undertaken as part of Sydney metro project development.
	5 No		Noted.
	6 Yes	No additional comment was provided.	Noted.
	7 Yes	No additional comment was provided.	Noted.
	8 Yes	Great initiative. There needs to be safe places for people to walk jog and cycle and it will also improve the amenity of the area	Noted.
	9 Yes	No additional comment was provided.	Noted.
	10 Yes	Sounds great but please ensure there is adequate green coverage for shade periodic pruning of the greenery and rubbish bin distribution.	These considerations will be addressed during detail design should the project be approved and funded.
		OBVIOUSLY YOU HAVE NOT DONE YOUR HOMEWORK IN REGARDS TO THE BUSINESS THAT WOULD BE AFFECTED BY THE TRAFFIC FLOW AND THE PARKING. PARKING IN BERRY SUTHERLAND GEORGE AND MARSH STREET AT THE MOMENT IS A PREMIUM. HOW DO YOU EXPECT THIS TO WORK? WHY DONT YOU TRY AND CLEAN UP THE STREETS AND THE AREA BEFORE YOU PROPOSE ANOTHER PLAN. HAVE YOU EVER LOOKED ON THE OTHER SIDE OF THE RAILWAY BRIDGE AT CLYDE WHEN ITS RAINING? - ITS A HEALTH HAZARD AND A DANGER WITH THE FLOODING THAT OCCURS. HOPELESS!	Council staff did look at all the route options, and even though it was not ideal from a pedestrian and cyclist perspective, the preferred route (Berry Street) was chosen as it had the least impact to businesses in Clyde, particularly street parking. Any other routes would have required making Sutherland Street one way or removing one side of the parking. Concerns about flooding will be communicated to Cumberland Council, as the southern side of the railway bridge is in that local government area.
	11 No		Noted.
	12 Yes	Please Split up path to connect to proposed metro on other side of rd.	Noted.
		Wherever possible have clearly marked separate cycling and walking lanes. Sadly pedestrians are unaware of their surroundings due to their mobile phones and cars buds.	Noted.
	13 Yes		Noted.
		I think this is great overall. A few things I'd add: 1. A connection to Granville station is far more useful than Clyde for those catching the train. 2. Going under Parramatta Road (next to the creek) to avoid the road crossing would be so much better. 3. Using the train line south of Parramatta road (or running parallel to it) and then joining at Sutherland St would also be so much better. 4. To be concerned about all the car mechanics/workshops etc blocking the path along Berry St.	Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: a. A concession from Sydney Trains (even with a path only 2.5m wide) would be required at the southern end which would be difficult to achieve as the eastern track is still used. b. There is very little room at the corner of Marsh / Sutherland and a path may impact the ability for B-Doubles to make the turn and exit the Clyde Precinct. c. On Sutherland, it would be necessary to either remove all the parking on the southern side, or make Sutherland one-way westbound to accommodate a path. Following Duck Creek under Parramatta Road would be desirable, but that route is not feasible due to land ownership constraints, space under Parramatta Road and flooding constraints. This project is about connecting down to Duck River (on the other side of Clyde Station), but users can ride on the shared paths either side of Parramatta Road to get access to Granville Station.
	14 Yes		Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: a. A concession from Sydney Trains (even with a path only 2.5m wide) would be required at the southern end which would be difficult to achieve as the eastern track is still used. b. There is very little room at the corner of Marsh / Sutherland and a path may impact the ability for B-Doubles to make the turn and exit the Clyde Precinct. c. On Sutherland, it would be necessary to either remove all the parking on the southern side, or make Sutherland one-way westbound to accommodate a path. Of the three issues, the last has a much greater impact to businesses than the Berry Street proposal and was therefore not preferred.
		Why not continue to use part of the rail corridor from Parramatta Rd along to Clyde Station. The corridor is only used by the track inspection rail car and there is plenty of room. Instead of [upsetting] multiple business owners and disrupting their businesses utilise existing government land and stop removing carparks that are already in short supply.	Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: a. A concession from Sydney Trains (even with a path only 2.5m wide) would be required at the southern end which would be difficult to achieve as the eastern track is still used. b. There is very little room at the corner of Marsh / Sutherland and a path may impact the ability for B-Doubles to make the turn and exit the Clyde Precinct. c. On Sutherland, it would be necessary to either remove all the parking on the southern side, or make Sutherland one-way westbound to accommodate a path. Of the three issues, the last has a much greater impact to businesses than the Berry Street proposal and was therefore not preferred.
	15 Yes to extent		



		I agree with keeping cycles off roads but it is dangerous to pedestrians for cycles to share paths with those on foot. This is increasingly the case as cycles become larger more powered and faster. Cyclists do not have licences registration or insurance and pedestrians are constantly at risk on shared paths. Council may get more people cycling but at the expense of fewer people undertaking walking exercise. Separate paths please.	The Wilderline proposes a 6m wide shared path which will provide adequate space for pedestrians and cyclists to share, however visual separation (line markings) will be quick and cost-effective to retrofit should it be required in the future.
16	No		Noted.
17	Yes	It is a costly but worthwhile project for the long term.	Noted.
18	Yes	Looks very good. We need more cycleways	Noted.
19	Yes to extent	More off road (i.e. no need to share space with cars) is preferable. Also path needs to be clearly sign posted	The only location where pedestrians and cyclists are sharing space in general traffic is at the cut-de-sac on Berry Street at Clyde Station. Vehicle volumes and speed will be low, and Council is proposing a shared zone that will require all vehicles to give way to pedestrians and apply a 10km/h speed limit (subject to the approval of TfNSW). Signage and wayfinding would be delivered as part of the project.
20	Yes	The "Wilderline" looks like an amazing opportunity for a natural garden oasis right in the middle of a busy area. It will really enhance the environment being created at FS Garside Park. I suggest considering an underpass for Great Western Highway. Sure it'll flood occasionally but most of the time would be a good way to avoid GWH traffic. An overpass would probably sacrifice too much space on either side.	The area under Parramatta Road is very constrained and it is not proposed to consider an underpass at this stage given the Marsh Street signals provide safe access in close proximity
21	Yes	No	Noted. No additional comment was provided.
22	Yes	Love this idea there aren't a lot of tracks around the Granville area so this would create a lot of traction	Noted.
23	Yes	It looks good. I wonder if the garden bed should perhaps be on the other side (the road side) on Arthur Street & on Berry Street - I am not familiar with the areas in question or with how shade will/won't be provided by the proposed trees. Additionally consider if it makes sense to split up the 6m shared Wilderline link path to avoid conflict between pedestrians and those riding bikes	The Wilderline proposes a 6m wide shared path which will provide adequate space for pedestrians and cyclists to share, however visual separation (line marking) will be quick and cost-effective to retrofit should it be required in the future. Landscaping is proposed where vegetation will be clear of power lines and where it is not overshadowed by the M4 Motorway.
24	Yes to extent	As a resident of Granville who cycles into Parramatta for work I strongly approve of the improved connection. The design for the entire Northern Section especially the priority crossing on Arthur St is excellent. I do have concerns about the preferred Berry St option. - Parramatta Rd is a very busy and fast moving road and you're going to be exposed to a lot of noise and air pollution riding along it especially with a lack of barriers between the road and the shared path. It can feel at a bit unsafe if a vehicle were to veer off you'd have no protection. - The lack of trees along the path (excluding the two planned) will expose users to the elements. Main roads can get quite hot due to all the asphalt and the lack of green infrastructure. This will likely be the worst at the Marsh St intersection where you'll have to wait a while for two traffic light cycles to cross the path (at least in one direction). - The George St crossing is also concerning drivers unfortunately often do not pay much attention to shared path crossings queuing across them or even forgetting to check for pedestrians/cyclists before turning! If this option has to proceed I'd strongly encourage marking signage and infrastructure improvements to make the shared path crossing abundantly clear. Due to these concerns I would greatly prefer the Rail line option identified to be further pursued to minimise the routing alongside Parramatta Road.	The exhibited community information package summarised the results of feasibility investigations into routes that avoided or minimised use of Parramatta Road. The alternate routes were not suitable due to impacts to local parking and/or truck access. Local parking and circulation are important to local business in the precinct. The shared path along 160m of Parramatta Road has been designed with the best safety and amenity possible. It is expected to be used by cyclists and pedestrians because it will connect desirable regional path networks. Regarding George Street, during detail design we will investigate if the kerbs can be narrowed, and should it meet the crossing warrants in the future would be an ideal candidate for a raised crossing. There are a number of services and overhead powerlines that limit sites for trees.
25	Yes to extent	The width of the shared path on Parramatta Road and Berry Street is unclear. It is unclear what pedestrian and cycling crossing will be installed on Parramatta Road.	The width of the shared path in Parramatta Road varies between 3.5-4.0m. This path width is expected to be maintained as the path turns the corner into Berry Street. The Berry St path would split into a 2.4m two-way cycleway and 1.5m wide footpath. All widths will be confirmed through detail design. The crossing of Parramatta Road is at Marsh Street has already been constructed
26	Yes	No additional comment was provided beyond support.	Noted.
27	Yes to extent	Could the former rail line to Rosehill be utilised?	The balance of the Wilderline roughly between A'Becketts Creek and the existing path in Rosehill is a condition of consent for Sydney Metro West that must be completed as part of that project.
28	Yes	Excellent connection the Wilderline will be a beautiful addition to the local area. Why not connect from the Parramatta Road shared path directly to Granville Station (instead of Clyde Station) which is more well serviced by the rail network?	Users can connect to Granville Station via the existing shared path on Parramatta Road, either at Good Street or Rowell Street. This proposed link is to improve connections down to Duck River, and the closest connection available is via the ramps at Clyde Station.
29	Yes	Strongly support increasing access for people who walk and ride. Badly needed! Most who use this will not be able to comment listen to positive comments more than negative. Great work. Is it possible to go under Parramatta rd. and follow the mostly disused rail line (able to leave plenty of room for the remaining rail maintenance vehicles) and connect with Sutherland street? Similar to what is happening with the greenway in the inner west right now? It would reduce the need to do a pretty gross shared path along Parramatta rd. Alternatively there is room for a bridge too? I think also with these connections it would be great to show how the connection fits with the broader network rather than just immediate connections to show the benefit more broadly.	Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: a. A concession from Sydney Trains (even with a path only 2.5m wide) would be required at the southern end which would be difficult to achieve as the eastern track is still used. b. There is very little room at the corner of Marsh / Sutherland and a path may impact the ability for B-Doubles to make the turn and exit the Clyde Precinct. c. On Sutherland, it would be necessary to either remove the all the parking on the southern side, or make Sutherland one-way westbound to accommodate a path. The Community Information Package showed the regional connection to Wilderline in Camellia which is a condition of consent for the Sydney Metro West project. Regarding a bridge, there is insufficient space for a bridge, including landings and ramps, this would be less desirable for pedestrians than an at-grade crossing, as it would have to be elevated well above the roadway.
30	Yes	Great concept - don't spend years talking about it - just do it!	Noted. If the project is approved, it will be delivered pending funding and resourcing priorities.
31	Yes to an extent	Expecting people to ride on a shared path along Parramatta Rd is just not realistically going to help women and children and other less confident users in the area. The rest of the path seems ok especially with the inclusion of safe separated lanes for bicycles but this connectivity requiring people to cross over Parramatta Road is going to deter a lot of people. Even as an experienced male rider I would not be keen to ride along the shared path on Parramatta Road and I know you'll never include it in your promotional material because it's obviously ugly and unsafe. I would not take my family on that path riding close alongside fast-moving trucks and cars on the busy narrow road with the driveways of the businesses also being there. That Parramatta Road section won't be popular and it'll be just like the other "shared paths" along O'Connell St and Argyle St which are not used as much as they should be even though they're in busy areas because they're clunky and people feel unsafe. I'm not expecting you to take a lane out of P-Road to allocate to bikes but it definitely needs a rethink. I support removal of on-street car parking to reduce the amount of cars in the area. A better use of space to encourage more people to walk and cycle to get to work and school. Likewise the raised crossing at Arthur St is very needed and would love to see more.	The exhibited community information package summarised the results of feasibility investigations into routes that avoided or minimised use of Parramatta Road. The alternate routes were not suitable due to impacts to local parking and/or truck access. Local parking and circulation are important to businesses in the precinct. The shared path along 160m of Parramatta Road has been designed to allow safe access safety and proposes street trees where possible. It does have limited amenity, however it is a necessary connection as there are no other feasible alternatives.
32	Yes	I lived in Parramatta for 3 years commuting by bike for most of that and it was an extremely stressful and dangerous endeavour. I didn't own a car and bus transport was sometimes patchy at best so this was my option. Parts of Parramatta and Westmead are highly connected and a pleasure to ride in like Parramatta Park but it quickly ended getting to Parramatta CBD. These project proposals are going to be transformative and will save road users of all types thousands in long-term taxation (maintaining roads) rego and long-term health outcomes. The councils from Granville onwards out west have not previously made a vested effort in creating a comprehensive cycling network and I cannot wait to see just how successful this will be I hoped for this so much when I lived in Parramatta and now I will get the joy of using it when I'm commuting. I'm impressed with these plans and hope they are fast tracked because it will be such a benefit.	Noted.
33	Yes	No additional comment was provided.	Noted.
34	Yes to extent	Yes why connect to Clyde when the majority of people reside in Granville. There is no use for people to cycle to Clyde. The path should be connected to Granville where there are more population. Access should be provided from Cowper sat or East St. Furthermore the cycling path should also be connected to F.S Garside Park as it will be used more frequently and become a safe passage.	Users can connect to Granville Station via the existing shared path on Parramatta Road, either at Good Street or Rowell Street, similarly FS Garside can be accessed from a shared path on the northern side of Parramatta Road. This proposed link is to improve connections down to Duck River, and the closest connection available is via the ramps at Clyde Station.

		<p>Bicycle NSW provided a detailed response to the project (see attachment 2). A summary of the key points is provided below:</p> <ol style="list-style-type: none"> <li>1. Suggest separated paths for walking and cycling along the Wilderline.</li> <li>2. Can path widths be increased?</li> <li>3. Recommend George Street have a raised priority crossing.</li> <li>4. Recommend a diagonal crossing at Parramatta Road / Marsh Street.</li> <li>5. Clyde Ramps and Bridge should allow cycle access.</li> </ol>	<p>The Wilderline proposes a 6m wide shared path which will provide adequate space for pedestrians and cyclists to share, however visual separation (line marking) will be quick and cost-effective to retrofit should it be required in the future.</p> <p>The project will definitely seek to maximise both pedestrian and cyclist path widths should it be funded and approved.</p> <p>Regarding George Street, narrowing of kerbs can be investigated during detail design. Should it meet the crossing warrants (minimum 20 users per hour), it may in future be an ideal candidate for a raised crossing.</p> <p>A diagonal / scatter crossing at Marsh Street is very unlikely to be supported as that style of crossing would require signal reprogramming and may impact coordination with other signals and traffic capacity on Parramatta Road.</p> <p>Council officers are aware of signage indicating riding bicycles is restricted on the overbridge. Council will consult with Transport for NSW regarding this restriction. Council would welcome advocacy to TfNSW to improve accessibility at the bottom of the ramps and formalise cycling access.</p>
Email 2	Yes		
Phone Call 1	Unsure	The path runs next to my house, please do not plant large trees to block my sunlight, at the back it is fine	Should the project proceed, this concern will be addressed through detail design.
		<ol style="list-style-type: none"> <li>1. Will the shared zone affect delivery of containers by truck?</li> <li>2. Why Clyde station?</li> <li>3. Why not use T6?</li> <li>4. Is Council re-zoning the area?</li> <li>5. Is closing Clyde Station being closed?</li> </ol>	<ol style="list-style-type: none"> <li>1. No, existing access remains the same</li> <li>2. Clyde station is one of the few locations that allow step free access over the Rail Line, it is also the closest crossing point to Duck River.</li> <li>3. Using the T6 was the preferred option at first, but three major challenges were identified through the feasibility study: <ol style="list-style-type: none"> <li>a. Down the southern end we would require a concession from Sydney Trains (even with a path only 2.5m wide) that they would not necessarily grant.</li> <li>b. There is very little room at the corner of Marsh / Sutherland and we may have impacted the ability for B-Doubles to make the turn and exit the Clyde Precinct.</li> <li>c. On Sutherland, we would have had to either remove the all the parking on the southern side, or made Sutherland one way westbound to get a path in.</li> </ol> </li> <li>4. Council has no plans to re-zone the area.</li> <li>5. Council has no plans to close Clyde station, just improve access from the north</li> </ol>
Phone Call 2	Unsure		
		<p>On behalf of Bike North, I have viewed the three cycleway proposals and would like to offer Bike North's strong endorsement. These proposals will address key links in our current cycleway network and make cycling as a transport method more attractive and effective. Our thanks to Parramatta Council for continuing to look for ways to improve cycling and walking facilities.</p> <p>We would also offer the following input on some of the detail of the projects:</p> <ul style="list-style-type: none"> <li>From examining the draft plan of the Wilderline proposal it is not clear how cyclists are to cross Parramatta Road to get to Clyde Station. Would you be able to provide clarification on this point.</li> <li>Further on the Wilderline project there is a dual crossing, of Parramatta Rd at Marsh St then crossing Marsh St itself. It would've been good to cross Parramatta Rd on the opposite side of Marsh St so only one crossing required.</li> </ul>	<p>Support is noted.</p> <p>There is a recently installed signalised crossing of Parramatta Road at Marsh Street.</p> <p>A signalised crossing on the eastern side of the intersection cannot be added because, given the volume of traffic on Parramatta Road, there would be too great an impact to vehicles exiting Marsh Street.</p>
Email 3	Yes	<p>I want to keep Duck River indigenous, overgrown and wild.</p> <p>I do not want it sanitised.</p> <p>I want to prevent dumping and pollution without fencing it off.</p> <p>I do not want snakes goannas frogs and funnel webs killed. There are a lot of snakes.</p> <p>There are a lot of feral cats around Arthur St and I like feral cats humanely removed from the environment as there are galahs and cockatoos.</p> <p>More trees are good and this is an excuse to clear up the extraordinary art dumping that goes on around Berry St.</p>	<p>The project aims to retain the natural amenity and ecological benefit of Duck Creek, but also adds a path and lighting so people have the chance to experience it.</p> <p>The project proposes to re-wild the T6 corridor with more plants to encourage more flora and fauna into the old rail corridor. It does not propose new paths along Duck River, but rather a connection to the existing paths south of Clyde Station.</p>
Email 4	No		

## REPORTS TO COUNCIL - FOR COUNCIL DECISION

---

<b>ITEM NUMBER</b>	13.3
<b>SUBJECT</b>	Adoption of Church Street North Precinct Development Control Plan (DCP)
<b>REFERENCE</b>	F2024/00282 - D09393868
<b>REPORT OF</b>	Senior Project Officer Land Use
<b>PREVIOUS ITEMS</b>	13.3 - Public Exhibition of Draft Church Street North Development Control Plan (DCP) - Council - 22 Apr 2024 6.30PM

**CSP THEME:** Innovative

**WORKSHOP/BRIEFING DATE:** 17 July 2024

### PURPOSE:

To recommend that Council adopt the Church Street North Precinct DCP controls (including minor amendments) and incorporate these changes into Parramatta DCP 2023.

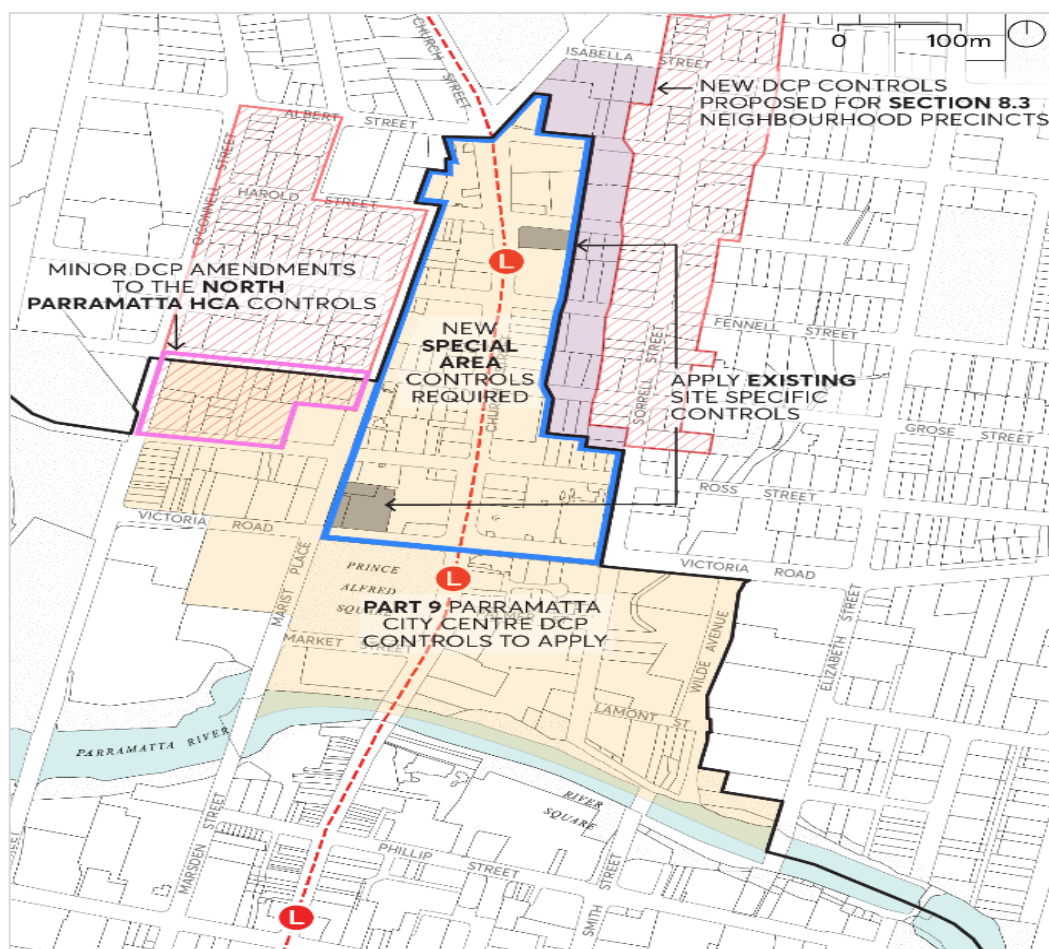
### RECOMMENDATION

- (a) That Council notes the submissions received in response to the exhibition of the Draft DCP controls for the Church Street North Precinct as summarised in Attachment 1.
- (b) That Council adopt the DCP controls for the Church Street North Precinct (including the minor amendments as illustrated at Attachment 2) and incorporate these controls into Parramatta DCP 2023 to take effect within 28 days of Council's decision as determined by a public notice published on Council's website.
- (c) 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 finalisation process relating to the DCP controls.

### BACKGROUND

1. Council at its meeting of [22 April 2024](#) considered a report on the Draft DCP amendments for the Church Street North (CSN) Precinct (Item 13.3). The report explained that the State Government's [SEPP \(Church Street North Precinct\) 2023](#) ("SEPP") had been published in December 2023 to take effect on 1 July 2024.
2. In response, Council Officers had prepared supporting DCP controls to ensure matters raised in the State Government's [Church Street North Precinct Finalisation Report](#) and its supporting [Church Street North Urban Design Study](#) were addressed, and to also bring in the existing Parramatta City Centre DCP controls to the area originally intended as part of the CBD Planning Proposal. At the meeting, [Council resolved](#) to support the exhibition of the draft DCP controls. Figure 1 below shows the extent of the CSN Precinct.

3. The Draft DCP amendments required for the CSN Precinct affect the following sections of Parramatta DCP 2023, with further details in **Attachments 2 and 3**:
  - a. Section 7.10.1 relating to the North Parramatta Heritage Conservation Area (HCA) in **Part 7 – Heritage and Archaeology**.
  - b. Various sections in **Part 9 – Parramatta City Centre** including inserting a new Special Area for the CSN Precinct as Section 9.5.11.
  - c. **Part 9B – Deferred Area A** by deleting redundant content on account of point 3.b. above.
4. As explained in the Council report of [22 April 2024](#) the Special Area controls in Section 9.5.11 were prepared simultaneously with the North East Planning Investigation Area (NEPIA) LEP and DCP controls to ensure appropriate transition from the CSN Special Area to the Sorrell Street HCA. Despite this, the CSN Special Area controls operate independently of the NEPIA controls and therefore, can progress ahead of the NEPIA work. At the time of this report, the Planning Proposal for the NEPIA was with the Department for Gateway consideration consistent with the [Council resolution of 27 May 2024](#) (Item 13.9).
5. Figure 1 shows the spatial relationship between the two areas (CSN and NEPIA) and also outlines how the DCP changes described in paragraph 3 will be applied.



**Figure 1** – Spatial relationship between the Church Street North Precinct (shown in cream) and the North East Planning Investigation Area (shown in purple); and identification of the sections of Parramatta DCP 2023 to be amended within the CSN Precinct. (Note: with regards to changes to the HCAs, only minor changes are required to the North Parramatta HCA as noted in paragraph 3, above).

## ENGAGEMENT APPROACH AND EXHIBITION PERIOD

6. The Draft DCP controls and supporting information for the CSN Precinct were exhibited for 28 days from Monday, 29 April to Monday, 27 May 2024 consistent with Council's Engagement Strategy 2022-2024, the *Environmental Planning and Assessment Act 1979* and *Environmental Planning Regulations 2021*.
7. The engagement approach involved a public notice in *Parra News* and posts on social media; [Project Webpage at Participate Parramatta](#); letters to 1,345 landowners within the precinct; notification email to approximately 450 identified stakeholders; and consultation with Council's Heritage Advisory Committee.
8. A summary of the feedback received during the exhibition period is provided below.

### Submissions

9. A total of 12 submissions were received during the exhibition period. These were made via Council's online portal on the Participate Parramatta project webpage or sent via email. The submissions are categorised as follows:
  - a. 5 submissions were received from **residents and individuals**,
  - b. 2 submissions were received from **planning consultants** on behalf of landowners of Nos. 440-444 & 452-458 Church Street and 30-32 Grose Street.
  - c. 2 submissions were received from **organisations** including the Female Factory Friends, and the North Parramatta Resident Action Group.
  - d. 3 submissions were received from **public authorities and service providers** including Heritage NSW, Transport for NSW and Endeavour Energy.
10. The key issues raised in the submissions are summarised as follows:
  - a. Most submitters were generally supportive of the proposed DCP amendments and recognised the need for the controls in light of the CSN SEPP changes that take effect on 1 July 2024.
  - b. Specific comments provided on the Church Street North Special Area controls in Section 9.5.11 including lot consolidation, street setbacks, and building separation. These specific issues are addressed further in this report.
  - c. Concern regarding the impact on heritage, and an acknowledgment that the DCP controls seek to minimise the impact upon heritage items.
11. These issues are discussed in more detail below, and a detailed address of each submission is provided in the Feedback Summary Report at **Attachment 1**.

## Enquiries

12. A total of seven phone enquiries were received during the exhibition period. This is a significant number given only 12 submissions were received. All phone enquiries are summarised in Section 4 at **Attachment 1**.
13. The predominant issue raised with officers via the phone enquiries was to seek clarification on the intent of the State Government's *SEPP (Church Street North Precinct) 2023* and how this differed from the intent of the proposed Church Street North Precinct DCP amendments.

## KEY ISSUES RAISED IN SUBMISSIONS AND OTHER MATTERS

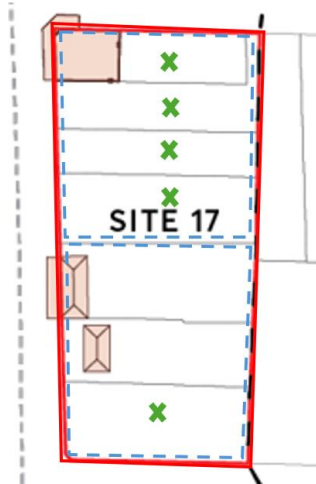
### Heritage

14. Several submissions raised the potential impacts upon heritage within the Church Street North Precinct. These are outlined below.
15. The submission of the NSW Heritage Office supports the draft DCP controls, '*... due to the emphasis on the conservation of heritage that has been included in the draft objectives. The detailed approach to the draft objectives is of a high quality and evidences a real concern for the protection of heritage values across the area covered by the draft DCP. The protection of local heritage items within the DCP area is supported.*' The submission also noted that the draft DCP area does not affect any state listed heritage items. Other issues raised in this submission relating to aboriginal heritage and archeology do not relate to the draft DCP and are captured by other legislation.
16. One submission raised concerns about impacts upon the Parramatta Female Factory due to building heights and interruptions to sight lines to and from the Female Factory. The submission suggests lower heights closer to Fleet Street through a sliding scale. The building heights within the CSN Precinct were implemented by the State Government through the CSN SEPP and amend Parramatta LEP 2023 as of 1 July 2024. The DCP is unable to override the SEPP or the resultant LEP controls.
17. The draft DCP controls were also presented to Council's Heritage Advisory Committee (HAC) meeting held on 13 June 2024. The Committee's feedback sought to ensure an appropriate transition to the adjoining Sorrell Street Heritage Conservation Area, and also raised the risk of continued attrition of heritage buildings. Committee Members noted the abundance and complexity of heritage in North Parramatta, which the proposed DCP controls reasonably address, but protections could be further strengthened. It is noted that further heritage protections are outlined within Parramatta LEP 2023 and other legislation. These would be required to be considered in more detail in any future development application process.

### Lot Consolidation

18. Two submissions on behalf of landowners at 440 - 458 Church Street and 30-32 Grose Street raised concern regarding the lot consolidation plan proposed at Figure 9.5.11.2. Submitters sought variations to the consolidation plan to match current land ownership. Refer to Figures 2 and 3 below (red boundaries denoting

the consolidation plan, blue dash boundaries denoting submitter's preferences and green crosses denoting submitters' land ownership). The lot consolidation plan is based on Council officer testing which ensures the heights and FSRs in the forthcoming SEPP can be achieved, noting that in most cases some form of lot consolidation within the CSN Precinct (and more broadly at this level of density) is required.



**Figure 2:** DCP Site 17 - 440 – 458 Church Street



**Figure 3:** DCP Site 04 and 05 - 30-32 Grose Street

19. In respect of 440 - 458 Church Street, the benefits of developing the site as a single proposal will enable future development to take advantage of the 10% FSR and height bonus enabled under the CSN SEPP, given it meets the 2,400sqm minimum site area requirement, and provided that existing heritage buildings in the site to be repaired, restored or reconstructed. A single development site will also enable the east-west accessway to be delivered in one go (rather than across two or more separate developments). The controls (including the SEPP's bonus clause) promote amalgamation and represent Council's preferred outcome for the block based on sound heritage and urban design principles.
20. In respect of Nos. 30-32 Grose Street, post exhibition analysis by Council officers tested the request for No. 32 Grose Street to be amalgamated within Site 04 (along with Nos. 26-30 Grose Street). The results indicate that the development would not be able to achieve the prescribed FSR and as such the lot consolidation diagram has not been amended. It is noted that the applicant's request for a variation to the preferred lot consolidation diagram could be addressed as part of any future development application process.
21. See **Attachment 1** (Table 2) for further detail and for an extract of the 'Required Setbacks and Built Form' figure which is consistent with the 'Site Consolidation Plan' figure as it affects these sites.
22. A further submission stated that Council should outline how site consolidation will be managed and mandated in accordance with the DCP. While Council cannot force certain amalgamations to occur, the DCP provides a guide for best practice outcomes. Furthermore, the NSW Land & Environment Court Planning Principle in [Karavellas v Sutherland Shire Council](#) provides for questions to be answered when dealing with amalgamation of sites or when a site may be



isolated through redevelopment. These questions include, firstly, whether the amalgamation of the sites is feasible, and secondly, whether the orderly and economic use and development of the separate sites can be achieved if amalgamation is not feasible. Further information would need to be considered on a case by case basis as part of any future development application. As well, Council's design testing demonstrates that the submitters' proposed changes cannot comply with certain DCP (and possibly ADG) requirements without amalgamation and/or development may need to be of a lower or scale, especially on smaller sites.

### **Building Separation and Front Building Setbacks**

23. One submission makes two requests with regards to land at 440 to 458 Church Street being,
- Request #1: the proposed east-west tower setback controls requiring a 24 metre separation be reduced to an 18 metre separation (which applies to the City Centre, south of the river); and
  - Request #2: the proposed front setback to Church Street be amended from 14m to 10m, which the submitter claims is consistent with the relevant SEPP height; and that the curtilage to individual heritage items be determined on a case by case basis.

#### Response to Request #1: Reducing building separation

24. The CSN Special Area is largely confined to urban blocks along the axis of Church Street (see Figure 1 above), and there is a need to provide a transition in use and form to the surrounding low scale, largely residential setting of North Parramatta. On the eastern side of the precinct, transition to the Sorrell Street HCA is achieved across blocks as building forms step up from a lower scale along Sorrell Street to towers along Church Street. East west view corridors between towers, mid-block tree planting, and street setbacks aligned to heritage buildings contribute to the achievement of transition.
25. By reducing the tower separation from 24m to 18m, the view corridor between the towers would be reduced by 25%, significantly affecting the sky view, which is an important transition principle. As such, a change to the draft controls is not supported. This matter is demonstrated and discussed further in Table 2 (Row 1) at **Attachment 1**.

#### Response to Request #2: Reducing the Church Street front building setback

26. With regard to the 14m front setback to Church Street, the purpose of the additional 4m (i.e. from 10m to 14m) is to provide sufficient curtilage for the three existing heritage buildings on this block. This setback and alignment are crucial for maintaining the setting and backdrop of the heritage items across all three sites. Additionally, the 14m setback creates a continuous upper-level (tower) setback aligning the potential future towers above the podiums. This is consistent with the Department's Finalisation Report (Section 4.3 Development Control Plan recommendations) which calls for appropriate controls that address building typology, protect heritage view corridors and vistas and consider increased podium or street wall heights to allow for articulation on corners.

27. It is noted that the proposed 14m tower setback does not effect the site's ability to achieve the maximum permissible FSR for the site within the proposed height limit and setbacks controls. As such, a change to the draft controls is not supported.

### Other Matters

28. A number of other matters were raised in the submissions that are outside of the scope of the draft DCP amendment. This included comments in relation to other sections of the Parramatta DCP that are not proposed to be changed as part of this DCP amendment. Other comments made relate to procedural matters of Council and information sharing. These also fall outside the scope of this DCP amendment. An address of all submission points is provided in more detail in **Attachment 1**.

### Marsden Street Cycleway

29. The exhibited draft DCP controls for the Church Street North Precinct included the land reservations required for the Marsden Street regional cycleway identified in the State Government's *Greater Sydney Strategic Cycleways Corridors Plan 2023*.
30. Consistent with Council's [resolution on 11 June 2024 \(Item 13.1\)](#) in relation to the Parramatta Bike Plan and the forthcoming direction from the State Government in relation to the Marsden Street Cycleway, any required amendments to the DCP controls will be brought back to Council at a future date. Therefore, these controls should remain in the DCP until the issue of the road widening is resolved with the NSW government. Should the NSW government be amenable to removal of the road widening in the LEP and DCP, amendments will be undertaken at that time.

### RECOMMENDED CHANGES RESULTING FROM EXHIBITION

31. As a result of the submissions received during the exhibition period and their follow up assessment, no significant changes are considered necessary to the exhibited DCP amendments aside from including a reference to the Community Infrastructure Strategy in the introduction of Section 9.5.11 to provide the justification for the civic space. However, minor (non-policy) changes are recommended to Section 9.5.11 Church Street North Special Area controls to correct minor errors or references.
32. Council Officers also identified an error in Figure 9.4.4.1 'Existing and Required Lanes in the City Centre' which shows the incorrect application of the 'Future pedestrian link to be delivered' notation (denoted by a red-dashed line). This is considered a mapping error, not a policy error, and this report seeks to correct the error.
33. The above proposed changes are shown in light blue font/annotations in the attached Draft DCP amendment document at **Attachment 2** to this report. As well, all post exhibition changes to the CSN DCP Controls are described at **Attachment 3**. These amendments do not constitute policy changes, therefore, it is recommended that Council endorse the attached DCP changes for approval and finalisation.

## CONSULTATION & TIMING

### Stakeholder Consultation

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

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
29 April to 27 May 2023	Statutory public exhibition	Broadly discussed above with more detail provided at Attachment 1.	Broadly discussed above with more detail provided at Attachment 1.	Strategic Land Use Planning, CP&D
13 June 2024	Heritage Advisory Committee	Broadly discussed above with more detail provided in this report under the heading 'Heritage'.	Broadly discussed above with more detail provided in this report under the heading 'Heritage'.	Strategic Land Use Planning, CP&D

### Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
18 March 2024	Workshop	General discussion matters only.	N/A	Group Manager – City Strategic Planning, CP&D
17 July 2024	Workshop	This report was finalised prior to the meeting.	This report was finalised prior to the meeting.	Group Manager – City Strategic Planning, CP&D

## LEGAL IMPLICATIONS FOR COUNCIL

36. The State Government's SEPP took effect from 1 July 2024. It is important that Council has appropriate corresponding DCP controls that support the State Government's SEPP as soon as possible. Council Officers are aware that there is a Pre-Lodgment application awaiting the controls to take effect.

## FINANCIAL IMPLICATIONS FOR COUNCIL

37. If Council resolves to approve this report in accordance with the recommendation, there are no unbudgeted financial implications.

Jacky Wilkes  
**Senior Project Officer Land Use**

Jennifer Concato  
**Executive Director City Planning and Design**






John Angilley

**Executive Director Finance & Information**

Gail Connolly

**Chief Executive Officer**

**ATTACHMENTS:**

- |  |   |        |
|--|---|--------|
| <b>1</b>  | Attachment 1 - FEEDBACK SUMMARY DOCUMENT - Church     | 28     |
| <b>2</b>  | Street North Precinct DCP                             | Pages  |
| <b>2</b>  | Attachment 2 - Church Street North Precinct DCP       | 115    |
| <b>3</b>  | Attachment 3 - SUMMARY OF CHANGES TO SECTION 9.5.11 - | Pages  |
| <b>3</b>  | Church Street North Precinct DCP                      | 1 Page |

**REFERENCE MATERIAL**

## Attachment 1 - Feedback from exhibition of Draft Church Street North Precinct DCP Amendments from Participate Parramatta, Submissions and Enquiries

### TABLE OF CONTENTS

1. Introduction .....	2
2. Participate Parramatta Project web page .....	2
3. Submissions.....	2
Table 1 – Submissions from Residents and Individuals .....	3
Table 2 – Submissions from Planning Consultants, Major Landowners and Developers .....	5
Table 3 – Submissions from Organisations .....	12
Table 4 – Submissions from Public Authorities & Service Providers .....	23
4. General enquiries.....	26

#### ACRONYMS

CSN = Church Street North

DCP = Development control plan

EP&A Act = *Environmental Planning and Assessment Act 1979*

DoP = Department of Planning, Housing & Infrastructure (DPHI)

NEPIA = North East Planning Investigation Area

Part 9 = Part 9 City Centre controls (housed in PDCP 2023)

PDCP 2023 = Parramatta Development Control Plan 2023

PLEP 2023 = *Parramatta Local Environmental Plan 2023*

PPs = Planning proposals

SSDCP = Site specific development control plan

SEPP = State Environmental Planning Policy

SHR = State Heritage Register (NSW)

## 1. Introduction

This document summarises the feedback received during the exhibition from the following engagement tools that were relied on:

- Participate Parramatta project web page data including the number of hits, unique visitors and online survey. Refer to Section 2.
- Submissions received via the project web page (link below) and via email and mail. Refer to Section 3.
- Phone enquiries. Refer to Section 4.

## 2. Participate Parramatta Project web page

A [Church Street North Precinct webpage](#) set up on Participate Parramatta. This contained:

- FAQs
- Online submission portal (6 submissions were received via this method)
- The following documents which could be downloaded:
  - Draft DCP controls (as a single pdf document);
  - Council report from the 22 July 2024 Council meeting (Item 13.3) recommending Council endorse the proposed Draft DCP controls for exhibition; and
  - Council minutes of Council's decision at the 22 July 2024 Council meeting (Item 13.3) to approve the exhibition of the proposed Draft DCP controls.

During the exhibition period, the site received 3,218 page views involving 1,491 unique visitors which means many visitors returned to the webpage. There were also 556 document downloads (264 unique visitors). (Note: this data was supplied by Council's City Engagement Team).

## 3. Submissions

This document summarises the submissions received during the statutory exhibition period for the Draft Church Street North Precinct DCP Amendment. A total of **12 submissions** were received from the following groups:

- Residents and Individuals (**5 submissions**). Refer to Table 1.
- Planning Consultants, Major Landowners and Developers (**2 submissions**). Refer to Table 2.
- Organisations (**2 submission**). Refer to Table 3.

- Public Authorities and Service Providers (3 submissions). Refer to Table 4.

Of the above, 6 submissions were received via the online portal on the Project webpage (provided in Section 2, above) with the remaining 6 submissions received via email at [council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au)

Each submission is summarised into its main points the tables below with the Council Officer response provided beside each comment. Where a comment recommends a change to the proposed DCP controls, a 'Recommended outcome' response is also provided.

Of the 12 submissions received, three (3) were received late, outside the exhibition period, as indicated in the relevant table.

**Table 1 – Submissions from Residents and Individuals**

The table below summarises the five (5) submissions received from residents and individuals. All submissions being received via the online portal established on the [Church Street North Precinct webpage](#) during the exhibition period.

Row	Submitter type/ Submission No.	Summary of Submission	Council Officer Response
1.	Local resident (29/04/2024) Online submission No. 1	Submitter indicates support for the DCP amendment	Support for the DCP amendment is noted.
		Submitter contends that there should be no <i>free kicks for developers they must pay the same fees and levies as other developers</i> .	This matter is outside the scope of the Church Street North Precinct (CSN) DCP Amendments.  Developers are required pay fees via the relevant application process or via the development contributions determined in the relevant Contributions Plan. In this instance, developers are required to pay contributions via the <a href="#">Parramatta City Centre Local Infrastructure Development Contributions Plan</a> .
		Submitters says that over-development is a <i>blight on the community</i> .	The submitter does not provide any examples. However, in the context of the Church Street North Precinct, the proposed DCP controls – particularly Section 9.5.11 - seek to ensure that new development responds appropriately to the surrounding heritage context.
		Submitter states that unlimited growth is a <i>myth fostered by Developers</i> . Pushes for <i>sustainable developments only</i> .	This is noted given no specific example/s are provided.

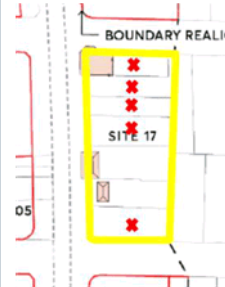


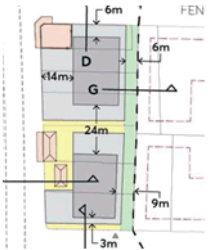
Row	Submitter type/ Submission No.	Summary of Submission	Council Officer Response
		Submitter notes <i>we are deep in a Climate Crisis record temperatures 2023 and every month this year Coral Reefs permanently bleached.</i>	This is noted given no specific example/s are provided.
2.	Visitor (03/05/2024) Online submission No. 2	Submitter supports the DCP amendment.	Support for the DCP amendment is noted.
3.	Local resident (15/05/2024) Online submission No. 3	Submitter supports the DCP amendment to an extent.	Limited support for the DCP amendment is noted.
		Submitter is of the view that pedestrians and cyclists should be separated given that <i>bike riders do not adhere to speed recommendations (specifically the exercise bike riders)</i> nor Council's large "Dismount" stickers (specifically the delivery bike riders).	Cyclists' use of footpaths and the speed at which they travel at is beyond the scope of this CSN DCP Amendment as this matter an enforcement issue. Regardless, the State Government provides <a href="#">Road rules for bicycle riders</a> in NSW on consistent with the <a href="#">Road Rules 2014</a> .
		States that delivery bike <i>access the food businesses along this area must be considered.</i>	Delivery bike access to food businesses is an enforcement matter of the <a href="#">Road Rules 2014</a> , not a DCP matter. See also above Road rules link.
		Submitter notes that the DCP must consider how bike riders use the Church Street area as a thoroughfare.	
4.	Ratepayer (15/05/2024) Online submission No. 4	Submitter supports the DCP amendment to an extent.	Part support for the DCP amendment is noted.
		Submitter notes that along the western side of Sorrell St, there are a numerous 1960 residential flat buildings <i>that are very unattractive and give the area no historical character.</i>	Noted. Sorrell Street is situated outside the Church Street North Precinct. The planning controls affecting Sorrell Street situated between Isabella and Ross Streets is subject to a separate LEP and DCP process. Refer to this link: <a href="#">Draft Planning Strategy for the North-East Planning Investigation Area</a>
5.	Visitor (21/05/2024) Online submission No. 5	Submitter supports the DCP amendment.	Noted.
		Submitter wonders if the DCP controls <i>will affect traffic flow along the section of Church Street between Victoria Road and Pennant Hills Road, which in the initial plans allowed for right turn lanes and expectations of through traffic?</i>	Traffic impacts associated with new planning controls were required to be considered as part of Council's City Centre LEP process that came into effect in October 2022. This involved consultation with TfNSW. Because of this, the proposed DCP amendments are not required to consider traffic flow. Firstly, the

Row	Submitter type/ Submission No.	Summary of Submission	Council Officer Response
			<a href="#">SEPP (Church Street North Precinct) 2023</a> which takes effect from 1 July 2024 'switches on' clause 7.17 Car parking – general in <i>Parramatta LEP 2023</i> which establishes maximum parking rates. Secondly, the DCP amendment also proposes to 'switch on' the City Centre DCP controls in Section 9.9 Vehicular access, parking and servicing which support the density envisaged by the SEPP.

**Table 2 – Submissions from Planning Consultants, Major Landowners and Developers**

The table below summarises the submissions received from consultants representing proponents or landowners. All submissions received in this category were provided via email to [council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au) as recommended on exhibition material.

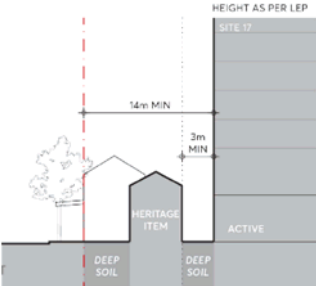
Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
1.	Think Planners acting for landowner  Emailed submission No. 2	Submission prepared by Think Planners on behalf of the landowner of 440-444, 452, 454, 456, 458 Church Street, Parramatta.  Comments in the submission relate to the 9 properties in the block between Fennell and Grose Streets.	<p>The 9 properties in the block between Fennell and Grose Streets occupy a total area of approximately 4,500sqm. Think Planners represents the landowner of 5 of the properties as shown marked with a red cross below:</p>  <p>The remaining two properties at No.s 446 and 448 are owned separately.</p> <p>There are three local heritage items in this block (items I503, I504 &amp; I505) from Schedule 5 of <i>PLEP 2023</i>. The proposed DCP</p>

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
			controls support retaining these items. As well, the soon-to be-in-effect Church Street North Precinct clause in <a href="#">SEPP (Church Street North Precinct) 2023</a> provides for a 10% floorspace bonus if, among other criteria, heritage items are repaired, restored or reconstructed. That clause along with the 10m and 57m building heights and 4.5:1 FSR controls for the block come into force on 1 July 2024. These controls were developed to respond to the block's challenges as spelled out in the DoP's <a href="#">Finalisation Report</a> .
		<p><b>Lot consolidation and envelope controls C.01, C.02 and C.04 and control figures 9.5.11.1, 9.5.11.2 and 9.5.11.4:</b></p> <p>Submitter requests that the lot consolidation controls in Control C.01 and corresponding <i>Figure 9.5.11.2 – Church Street North Special Area Public Domain and Consolidation Plan</i> which identifies the block as a single development block (Site 17) be split into two separate development sites <i>to be consistent</i> with the other lot consolidation controls in Section 9.5.11.</p>	<p>This block is unique within the Special Area in that it is very narrow and contains three heritage items, making it one of the most constrained, as explained in the DoP's <a href="#">Finalisation Report</a> (p. 21).</p> <p>There is no statutory requirement for lot consolidation controls in DCPs to be consistent across a defined area. Their purpose is to respond to a block's unique characteristics, address relationships with adjacent land and to realise the objectives (O.01 to O.12) of the CSN Special Area, as required by control C.01.</p> <p>Control C.01 and corresponding Consolidation Plan at Figure 9.5.11.2 work with Control C.04 and its corresponding Required Setbacks and Built Form diagram at Figure 9.5.11.4. These controls see two separate towers with an east-west accessway in-between as shown in diagram below.</p>  <p>The benefits of developing the site as a single development means it can take advantage of the 10% FSR and height bonus (referenced above) given it meets the 2,400sqm minimum site</p>

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
			<p>area requirement and it would also enable the east-west accessway to be delivered across one development site rather than in a piecemeal fashion if delivered across two separate development proposals.</p> <p>The context at the introduction to Section 9.5.11 recognises the unique features of the special area: <i>A number of buildings of heritage significance are located along Church Street and are contributing to the streetscape and human scale of the area. These buildings are of 1-2 storeys and have varied settings that require a bespoke design response. Some items contribute to an aligned street wall edge, while others are set back from the street and sit in space.</i> Furthermore, any amendment to the controls would also require significant amendments to the Special Area objectives at objectives at O.01 to O.12.</p> <p>As stated, the proponent owns five of the seven sites in the block and is thus well positioned to negotiate with the remaining two landowners to enable a single development proposal. That said, the controls (including the SEPP's bonus clause) promote amalgamation and represents Council's preferred outcome for the block based on sound heritage and urban design principles.</p> <p>Should site amalgamation not be achievable based on negotiations between relevant land owners, then the NSW Land and Environment Court Planning Principle relating to amalgamation and site isolation will need to be considered. This Planning Principle in <a href="#">Karavellas v Sutherland Shire Council</a> provides for questions to be answered when dealing with amalgamation of sites or when a site may be isolated through redevelopment. These questions include, firstly, whether the amalgamation of the sites is feasible, and secondly, whether the orderly and economic use and development of the separate sites can be achieved if amalgamation is not feasible. Further information would need to be considered on a case by case basis as part of any future development application.</p> <p><b>Recommended outcome:</b> no changes required to objectives O.1 to O.12 or to control C.04 or its corresponding Consolidation Plan at Figure 9.5.11.2.</p>


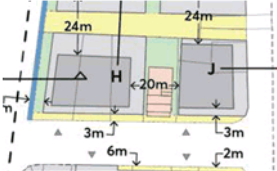
Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
		<p><b>Street wall setback, Controls C.04 and C.05 and control diagram 9.5.11.4:</b></p> <p>Submitter notes the <i>SEPP (Church Street North Precinct) 2023</i> which was published on 15 December 2023 and takes effect on 1 July 2024 provides a 10m (street wall) building height and 57 metre (tower) building height.</p> <p>The Submitter refers to a diagram (Map E) in the supporting Hassall Study (p. 73) as follows to support this view:</p> <p>...along with the following supporting text:</p> <p><i>Where street frontages are lined with heritage listed buildings a height limit of 10m is recommended, for 10m from the front lot boundary. That is to protect the street setting of the heritage items, and avoid isolating or cantilevering over heritage items (Map E).</i></p> <p>The Submitter notes the 14m width of the street wall setback exceeds the existing 12m width for land fronting Church Street south of the river and sees <i>no valid reason</i> for the 4 metre exceedance and objects to the following wording in control C.04: <i>Development on these sites must provide a building set back of 14 metres from the street boundary to create curtilage around the heritage items.</i></p>	<p>A 10m street wall building height and the corresponding 57m tower building height is shown here as outline in CSN SEPP that will amend Parramatta LEP 2023:</p> <p>The Hassall Study diagram (Map E) suggests the 10m street wall height is setback up to 10 metres. This has carried through to the above height map.</p> <p>The Submitter is correct in saying that control C.04 and its corresponding Required Setbacks and Built Form diagram at Figure 9.5.11.4 require a 14m setback of the podium exceeding the SEPP height setback by 4m, as shown here:</p> <p>...with the relevant snip from control diagram C.05 i) (Figure 9.5.11.13) shown here:</p>



Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
		<p><i>This set back must be open to sky and no part of the building may overhang heritage.</i></p> <p>The Submitter therefore proposes changes to Control C.05 i) as follows (proposed changes shown in red font):</p> <p>i) Setbacks and street wall heights for any part of development at 440-444 to 458 Church Street must comply with <b>Figure 9.5.11.13</b> (Section I). Development on these sites must provide a building set back <b>above the street wall of 14 10 metres</b> from the street boundary <b>to create curtilage around the heritage items. This set back must be open to sky and no part of the building may overhang heritage.</b> Development on the western side of Church Street must be built to the street boundary with towers set back a minimum of 6 metres from the street wall.</p> <p>The Submitter also requests the control diagram at <i>Figure 9.5.11.13</i> be updated to show a 10m setback above the street wall to be consistent with the <i>Hassall Urban Design Report</i> and <i>SEPP</i> building height.</p> <p>The Submitter also suggests an appropriate curtilage can be established at DA stage.</p>	 <p>The purpose of the additional 4m is to provide sufficient curtilage for the three heritage buildings on this block. This setback and alignment are crucial for maintaining the setting and backdrop of the heritage items across all three sites containing a heritage item. Additionally, the 14m setback creates a continuous upper-level setback, aligning the potential future towers above the podiums on these sites.</p> <p>It is also noted that the proposed 14m tower setback does not affect the maximum achievable floor space ratio for the site and the development on this site could achieve the maximum floor space within the proposed height limit and setbacks. Noting the DCP is a guidance document, it reflects Council's preferred outcome based on sound heritage and urban design principles contained in the objectives. Objective O.02 says:</p> <p><i>Integrate heritage buildings as part of an overall site development strategy that achieves pedestrian connectivity and site permeability around the heritage buildings, resulting in a fine network of intimate streets and through site links in the area</i></p> <p>Furthermore, any amendment to the controls as requested would also require significant amendments to the Special Area objectives, controls and control diagrams. As well, the request would constitute a policy change and require re-exhibition of the</p>

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
			Draft CSN DCP Amendments as well as direct consultation with all affected landowners, delaying the DCP's finalisation. <b>Recommended outcome:</b> the amendment is not supported.
		<p><b>Building (tower) separation, control C.04 and corresponding control diagram Figure 9.5.11.4.</b></p> <p>Submitter acknowledges the <i>long-standing practical application of building separation between towers of 18m on the north south axis and 24m on the east west axis</i> to achieve blue sky view between towers but is of the opinion that the view from an 18 metre separation or 24 metre separation <i>is not going to be significantly different</i>, and therefore, the 18 metre distance should be applied.</p> <p>The Submitter therefore recommends that <i>the DCP be amended to apply an 18m tower separation for blue sky views</i>.</p>	<p>Control C.04 and corresponding control figure 9.5.11.4 require a 24m tower separation on the east west axis. The introduction to Section 9.5.11 explains why this is necessary:</p> <p><i>As the area is largely confined to urban blocks along the axis of Church Street, there is a need to provide a transition in use and form to the surrounding low scale, largely residential setting of North Parramatta. On the eastern side of the precinct, transition to the Sorrell Street HCA is achieved across blocks as building forms step up from a lower scale along Sorrell Street to towers along Church Street. East west view corridors between towers, mid-block tree planting, and street setbacks aligned to heritage buildings contribute to the transition.</i></p> <p>Unlike the submission view, a reduction of 6 metres in the separation distance between the towers, which represents a 25% reduction of the proposed view corridor will significantly affect the sky view and reduce the view corridor. Furthermore, variations in tower separation could be a matter of discussion at the DA stage or during the planning proposal process.</p> <p>Furthermore, any amendment to the controls as requested would also require significant amendments to the Special Area objectives, controls and control diagrams. As well, the request would constitute a policy change and require re-exhibition of the Draft CSN DCP Amendments as well as direct consultation with all affected landowners, delaying the DCP's finalisation.</p> <p><b>Recommended outcome:</b> the amendments are not supported.</p>
2.	Caladines Town Planning for landowner	Submission prepared by Caladines Town Planning on behalf of the landowner of 30 & 32 Grose Street, Parramatta	The properties at 30 & 32 Grose Street adjoin each other and sit in the middle of the block between Villiers and Church Street as shown marked with a red cross here:



Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
	Emailed submission No. 6 <b>(Late submission)</b>	<p>Submitter notes that 30 Grose Street has a site area of 484m<sup>2</sup> while 32 Grose Street has a site area of 467m<sup>2</sup>.</p> <p><b>Control C.01 and corresponding Consolidation Plan at Figure 9.5.11.2:</b></p> <p>Submitter recognises that each of the landowner's sites sit within different development sites on the Consolidation Plan (control Figure 9.5.11.2) and requests that both sites be incorporated in Site 04 to be amalgamated with 3 Villiers Street (4 storey RFB) and 26 &amp; 28 Grose Street (2 storey commercial building) as it would be <i>far more likely to be developed</i>. The Submitter is of the view that a more optimum design outcome would be achieved. It is noted however that this is not supported by any evidence of urban design testing.</p> <p>The Submitter is also of the view that the above request is reflected in control C.04 and building envelope Figure 9.5.11.4 in any case and adds that Site 05 would be difficult to realise because of several constraints on the site.</p>	 <p>The property at 32 Grose St contains a heritage item (Item I560 in Schedule 5 of <i>PLEP 2023</i>) as shown in the above figure.</p> <p>The property at 30 Grose Street sits within development Site 04 whilst 32 Grose Street sits within Site 05 (as shown in the above figure). Control C.01 and its corresponding Consolidation Plan at Figure 9.5.11.2 work in conjunction with Control C.04 and its corresponding Required Setbacks and Built Form diagram at Figure 9.5.11.4 as shown here:</p>  <p>As stated in Table 2, Row 1, there is no statutory requirement for lot consolidation controls in DCPs to be consistent across a defined area. The purpose of lot consolidation controls is to respond to a block's unique characteristics (e.g. heritage, etc) and address relationships with adjacent land and to realise the objectives (O.01 to O.12) of the Church Street North Special Area, as required by control C.01.</p> <p>The context at the introduction to Section 9.5.11 recognises the unique features of the special area: <i>A number of buildings of heritage significance are located along Church Street and are contributing to the streetscape and human scale of the area. These buildings are of 1-2 storeys and have varied settings that require a bespoke design response. Some items contribute to an</i></p>

Row	Address / Submission No.	Submission author / Summary of Submission	Council Officer Response
			<p>aligned street wall edge, while others are set back from the street and sit in space.</p> <p>Furthermore, the applicant's request (i.e. the proposed amalgamation pattern for Site 04 to include No.s 26, 28, 30 &amp; 32 Grose Street) was tested by Council's City Design Team and the results indicate that the development will not be able to achieve the forthcoming prescribed FSR. This is the reasoning behind the proposed amalgamation pattern. However, as mentioned earlier, the amalgamation pattern is not a statutory requirement, and the applicant is not obligated to follow it. As well, the request would constitute a policy change and require re-exhibition of the Draft CSN DCP Amendments as well as direct consultation with all affected landowners, delaying the DCP's finalisation.</p> <p><b>Recommended Outcome:</b> the amendments are not supported.</p>

**Table 3 – Submissions from Organisations**

The table below summarises submissions received from organisations. These represent a local resident action group and heritage group and were received via the online portal or via email to [council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au).

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
1.	Gay Hendriksen President, Parramatta Female Factory Friends (22/05/2024) Online submission No. 6	<p>Does not support the DCP amendment.</p> <p>Submitter raises matters relating to building height, as follows:</p> <ul style="list-style-type: none"> <li>is concerned at the proposed additional 15% of uplift in height and FSR – in addition to the new building heights and FSRs being brought in via the <a href="#">SEPP (Church Street North Precinct) 2023</a> because of the nearby heritage areas including the Sorrell Street HCA and North East Planning Investigation Area.</li> </ul>	<p>Noted.</p> <p>It is assumed that the submitter is referring to the application of clause 7.15 Design Excellence in PLEP 2023 which is being 'switched on' for the CSN Precinct via the State Government's SEPP. This clause enables a 15% uplift provided certain requirements are met.</p> <p>Transition is a key principle of Council's planning work for CSN Precinct and the Special Area controls contained in Section 9.5.11. There are both 'building height transition' and 'other methods of transition' such as setting back buildings at the street level so the small scale heritage items remain visible and requiring generous setbacks between towers so more of the sky is visible. This will ensure future development responds to the</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<ul style="list-style-type: none"> <li>is concerned that building height may impact on the Parramatta Female Factory and Institutions Precinct (FFIP) and also impact on sight lines and suggests there are other locations within the LGA that could take the increase in density from the forthcoming State Government reforms.</li> </ul>	<p>heritage sensitivities of the area, and also the direction set by the State Government.</p> <p>The heritage study prepared by the State Government that supports the <a href="#">SEPP (CSN Precinct) 2023</a> did not raise issues with regard to impact on the heritage significance of the Female Factory &amp; Institutions Precinct (FFIP) or other heritage items or heritage conservation areas in the area. In addition, the height matter itself is a SEPP issue, not an issue for the CSN DCP process.</p> <p>From a statutory perspective, the issue of building heights is an LEP matter, not a DCP matter, and therefore a matter for the DoP given it managed the <a href="#">SEPP (CSN Precinct) 2023</a>. The height and FSRs for the CSN Precinct are determined and take effect from 1 July 2024.</p> <p>As well, the FFIP is contained within the Park Edge Highly Sensitive Area (PEHSA) which is covered by a Conservation Agreement with the Federal Government (i.e. Department of Agriculture, Water and the Environment, or DAWE). Since the CSN Precinct is not situated inside the PEHSA, from a statutory perspective, there is no statutory requirement for Council's draft DCP controls (or the DoP's SEPP, for that matter) to be referred to the Federal Government. That said, DAWE were consulted as part of the City Centre DCP exhibition in 2021 and DAWE sought clarification of some statements in the introduction to Section 9.5.10 Park Edge Highly Sensitive Area which was done at that time, but these did not relate to building height.</p> <p>On the issue of transition to the western side of the CSN Precinct, the introduction in Section 9.5.11 CSN Special Area says: <i>On the western side of the precinct, Villiers Street separates future development from the North Parramatta HCA. Additional transition is achieved with a step in building height from Villiers Street to Church Street and with a generous street setback along Villiers Street with canopy tree planting forming a direct visual interface to the heritage area.</i></p>
2.	Phil Russo, President, North Parramatta	Submitter is generally supportive of the DCP amendment.	Support is noted. (Note: the review of this submission has involved the consolidation of issues where they overlap. Therefore, issues may appear out of sequence to that put in the submission).

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
	Resident Action Group (NPRAG) (29/05/2024) Emailed submission No.4 <b>(Late submission)</b>	<p>Submitter is <i>aware that these are statutory LEP controls</i> and are <i>fundamental determinants of project feasibility</i> and sees that the Draft DCP is an expression of urban design excellence in the public interest however, is of the view that Council is not obliged to approve any DA within the CSN Precinct to the prescribed building heights and FSRs controls – for an outcome that is under the prescribed controls – where Council sees there is good public interest for doing so.</p> <p>Submitter says despite wishing for a <i>uniform skyline</i> they recommend that <i>when pre-DA discussions are taking place about built form, height and skyline, the Council should negotiate to seek applicants' agreements to design modifications for sound urban design reasons (e.g. to achieve a more attractive skyline, or more sensitive built form).</i></p> <p><b>Progressive implementation of Required Setbacks, Control C.03 and Figure 9.5.11.3</b> Submitter states that achievement of the proposed building setbacks <i>will involve negotiations and consistent decisions over a long period. Accordingly, it will be vital that Council files and records are kept up to date and that staff changes (for example) do not harm the Council's memory bank.</i></p>	<p>The subject of the exhibition was the Church Street <b>DCP controls</b> not LEP controls. IT is acknowledged that developers predominantly rely on building height and FSR controls contained in a Council's LEP to determine project feasibility.</p> <p>The proposed Special Area DCP controls contain special building envelope controls, through site links and public domain areas that correspond with the building height and FSR controls in the DoP's <a href="#">SEPP (CSN Precinct) 2023</a> which take effect from 1 July. They, correctly, enable landowners to achieve the prescribed building height and FSR controls in the SEPP.</p> <p>Essentially, the skyline is predominantly determined by the building height and FSR controls which are contained in the <a href="#">SEPP (CSN Precinct) 2023</a>. So this DCP amendment process has little to no impact on how DAs are negotiated. That said, the proposed DCP tower separation controls in Section 9.5.11 will impact, particularly when the skyline is viewed from the east or west. The NSW statutory framework affecting DCP controls means that DCP controls cannot be enforced by a Council so any agreement with a developer would contradict the provisions of the <i>EP&amp;A Act 1979 and Regulations 2021</i>.</p> <p>Council's City Design team have carefully and expertly drafted appropriate DCP provisions in Section 9.5.11 of the DCP proposes controls to improve the impact of new development on the skyline including tower separation control of 24m which is 6m more than the tower separation (18m) required in the City Centre south of the river.</p> <p>NSW Councils' records and document keeping systems must comply with the <i>NSW State Records Act 1998</i>. Furthermore, project managers of policy projects (such as DCP documents and correspondence as well as DA application documentation throughout the assessment of a DA) must be appropriately filed on project folders. Thus, this information is ready at hand for any new replacement staff at Council.</p> <p>Furthermore, both Council and the State Government's Planning Portal houses a significant volume of key application documents for staff (and the public) to view. In other words, there is no risk of loss of historical information.</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		The Submitter supports the urban design intentions set out in Control C.04 and corresponding control Figure 9.5.11.4.	Noted. The responses in the above rows also address this comment.
		<p><b>Control C.04 and corresponding Required Setbacks and Built Form and control figure 9.5.11.4</b></p> <p>NPRAG states it <i>commits to working with the Council</i> to ensure the intent of the DCP is delivered including on the <i>key public interest elements</i> including the proposed civic square.</p>	Noted.
		<p><b>Public domain and ground plane areas, Figure 9.5.11.1</b></p> <p>The Submitter generally supports Figure 9.5.11.1 and supporting control C.02. As well, the submitter seeks assurance that the assessment process will not lead to <i>unacceptable design compromises, or reductions in the through-site linkages or areas designated as "connected ground plane"</i>.</p>	<p>The introduction section to the CSN Special Area controls in Section 9.5.11 explains Council's justification for the proposed public accessways, civic space and building envelopes. As well, the rationale for the proposed civic space Site 14 in control Figure 9.5.11.1 and illustrated in control Figure 9.5.11.4 is justified in Council's Community Infrastructure Strategy. However, this was not referenced in this introductory text.</p> <p><b>Recommended outcome:</b> strengthen the rationale for the proposed civic space by including a reference to Council's <a href="#">Community Infrastructure Strategy</a> (p. 612).</p>
		<p><b>Specific envelope controls on control C.04 to C.14:</b></p> <p>The Submitter is <i>generally supportive of the DCP controls set out in controls C.05-C14</i>.</p> <p>The Submitter wants applicants to be across the required controls to <i>negotiate improved design outcomes for Church Street properties in particular, given their actual or potential civic importance and proximity to heritage items</i>.</p>	Noted. Council encourages proponents within the Parramatta City Centre to pursue the <a href="#">Pre-Lodgement process</a> so applicants can receive early feedback on initial design concepts and technical requirements. Early feedback can also reduce delays in the processing of any DA that can often occur because of inadequate information being submitted or a lack of understanding about the local development controls.
		<b>Spaces between towers to enable views to sky, Control C.07 and corresponding control Figure 9.5.11.15:</b>	Noted. See also response immediately above relating Council's Pre-Lodgement process.




Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<p>The Submitter supports these provisions and <i>urges the Council to negotiate increased set-backs ...to improve skyline and reduce overshadowing and adverse heritage impacts including at preliminary design stage.</i> The submitter also requests a new provision that makes pre-DA consultations obligatory.</p>	<p>With regards to the request for an additional control that makes pre-lodgements mandatory, any enforcement of a Pre-Lodgement process on DAs would contravene the <i>EP&amp;A Act 1979</i> and <i>EP&amp;A Act Regulations 2021</i>.</p> <p><b>Recommended Outcome:</b> proposed amendment not supported.</p>
		<p>Submitter generally supports the proposed minor changes to the DCP <b>provisions Section 7.10.1 North Parramatta Sorell Street Heritage Conservation areas</b> (HCAs).</p> <p>Submitter states that <i>the DCP should not inhibit or restrict investment in the maintenance or use of private properties for residential and small-scale commercial/business/cultural across both HCAs as both contribute to North Parramatta's valued environmental qualities and must be seen as making valued contributions to the overall vitality of the City Centre.</i> The Submitter concludes that <i>this implies an absolute and continuing restriction on multi-story developments exceeding 5-6 storeys (for example) and on-site amalgamations designed to generate and accommodate large buildings which would degrade the existing 'fine grain' values of these two unique areas.</i></p>	<p>To clarify, the minor amendments to section 7.10.1 only affect the North Parramatta HCA. The proposed changes do not affect the Sorrell Street HCA, only the Parramatta North HCA as the Sorell Street area is not located within the Church Street North Precinct. The minor amendments are required to allow for the commercial use being introduced by the rezoning of a southern portion of the North Parramatta HCA from R2 zone to the MU1 zone via the <a href="#">SEPP (CSN Precinct) 2023</a> which takes effect on 1 July 2024. The SEPP does not propose to change the building height or the FSR. That said, the applicable building height and FSR controls are outside the scope of the Church Street North Precinct DCP amendments.</p> <p>The applicable building height and FSR that apply to the North Parramatta HCA – which are currently contained in <i>PLEP 2023</i> and are not subject to change by the SEPP – are 9m and 0.5:1. This limits the building heights to 2 storey, small scale development.</p>
		<p>The Submitter lists some 11 or so Plans and Strategies which are either prepared by the State Government or by Council. Some plans are precinct based while others are LGA wide. As well, some of the plans do not apply to the CSN Precinct area (e.g. the Westmead Place Strategy) while others do. The Submitter says that these layers of Strategies and Plans is confusing ATTTThe Submitter requests the <i>release a public statement explaining why – after some 20 years of plan-</i></p>	<p><b>Multiple plans</b></p> <p>Council Officers appreciate there is much complexity to understanding the planning work that has been undertaken in and around the Church Street North Precinct area. However, this complexity is not unique to the CNS area as other precincts across the LGA have a similar complex framework (e.g. Camellia Precinct, Westmead Precinct, Southern Planning Investigation Area). The NSW planning system can be complex to navigate especially when both the State Government and Council are planning for the same area. Unfortunately, there is very little Council can do to simplify these overlapping issues.</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<p><i>making at both state and council levels – there has never been a single comprehensive plan for North Parramatta.</i></p>	<p><b>Request for a single comprehensive plan</b></p> <p>The Submitter's request for a <i>single comprehensive plan for North Parramatta</i> has not been articulated with a description or supporting map of the area it refers to as 'North Parramatta'. Council acknowledges that multiple pieces of work have been undertaken within the North Parramatta area over recent years, and that the State Government's <a href="#">Church Street North Precinct SEPP 2023</a> has finalised a major portion of this work, along with the adjoining North East Planning Investigation Area work currently being completed by Council. This work is consistent with Council's work program and project priorities contain in its <a href="#">Delivery Plan and Operational Plan</a>.</p>
		<p>The Submitter states the Draft DCP controls are lacking specific content and requests the following matters are addressed in the final DCP version:</p> <ol style="list-style-type: none"> <li>1. <i>Provision of public car parking spaces in future development proposals across the Precinct given the forecast increase in the population from recent state government housing reforms and requests:</i> <ul style="list-style-type: none"> <li>o <i>Council confirm its intention to retain (in perpetuity) all the Council-owned land bounded by Harold, Fennell, Church, and Villiers streets for community uses including parking to satisfy local demand.</i></li> <li>o <i>developers (in all new and redevelopment projects) be required to provide the maximum number of parking spaces for each residential unit in the particular project.</i></li> <li>o <i>additional on-site parking for residential developments be constructed below street level; and</i></li> </ul> </li> </ol>	<p>-</p> <p>This request falls outside the DCP framework as follows:</p> <ul style="list-style-type: none"> <li>• Car parking rates for the Parramatta City Centre are provided in Part 7, Division 4 of <i>PLEP 2023</i>, via clause 7.17 (2) with other requirements also contained in this Division. These will be 'switched on' for the CSN Precinct via <a href="#">SEPP (CSN Precinct) 2023</a> which takes effect on 1 July 2024. All developers must comply with these parking rates.</li> <li>• The block bounded by Harold, Fennell, Church, and Villiers Streets is part owned by DoP and part owned by Transport for NSW (TfNSW). The delivery of the civic space would have to be negotiated with TfNSW. This would include determining how many public car parking spaces are provided.</li> </ul> <p>As the Council report (Item 13.3) for the 22 April 2024 meeting stated:</p> <p><i>This block is in Council and State Government ownership and may be delivered alongside community floorspace. The Parramatta <a href="#">Community Infrastructure Strategy</a> identifies the need for 1,500sqm of multi-purpose community space in this locality and notes an open space deficit proportionate to the anticipated population growth for this area. This civic space</i></p>



Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<ul style="list-style-type: none"> <li>all units be provided with dedicated on-site parking.</li> </ul> <p>2. The need to maximise setbacks above podium level especially along Villers Street (east) and Sorrell Street (west).</p> <p>3. The need to encourage maximum tree cover on both public and private lands.</p> <p>4. Provision of community facilities and amenities by way of conditions on approved development applications.</p> <p>5. Stormwater management and run-off especially in Church Street following completion of light rail hardstand areas – to include rainwater harvesting arrangements and possible use of water in civic art installations downstream.</p> <p>6. Mandatory requirement for awnings or equivalent above pathways on both sides of Church Street.</p>	<p>does not hinder the achievement of the forthcoming FSR control on either landholding.</p> <p>DCP provisions are not able to secure on-site parking for this block, in any case.</p> <p>The requests are beyond the scope of this Draft DCP amendment process.</p> <p>Control C.04 and corresponding control figure 9.5.11.4 provides the <b>Required Setbacks and Built Form</b> which includes podium setbacks and respond to any existing or forthcoming LRA notation and issues identified in the DoP's <a href="#">Finalisation Report</a>. They are also required to correlate with new building height and FSR controls being brought by <a href="#">SEPP (CSN Precinct) 2023</a> which takes effect on 1 July 2024.</p> <p>The introduction, together with Objective O.04 and Control C.05(f) in Section 9.5.11 seek to maximise tree cover. These controls are also supported by <b>Section 9.4.2 Awnings and Trees on Streets</b> will be 'switched on' as part of this DCP amendment process (further detailed in point 6, below).</p> <p>Applicants within the CSN Precinct will be subject to <a href="#">Parramatta City Centre Local Infrastructure Development Contributions Plan</a> which enables contributions to be made to deliver infrastructure. This is secured at the DA stage by way of a corresponding condition of consent.</p> <p>This proposed amendment is beyond the scope of the CSN Precinct DCP controls.</p> <p>As part of the CSN DCP Amendment process, <b>Section 9.7 Flood Risk Management</b> in PDCP 2023 will be 'switched on' to apply to the Precinct. This section <i>provides the guidance for early consideration of integrated built form solutions that address flood risk, flood safety and good design</i>. Furthermore, drainage design matters that are part of the PLR project have been dealt with as part of the detailed design process by TfNSW.</p> <p>Existing DCP controls address this request. As part of the CSN DCP Amendment process, <b>Section 9.4.2 Awnings and Trees on Streets</b> will be 'switched on'. The introduction to this section says:</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<p>7. Amend the Draft CSN DCP controls to include provisions that incorporate references to First Nations cultural traditions in new buildings and which enable consultation with First Nations before concept design stage.</p> <p>8. The need for in-principle urban design plans to be in place for public review before</p>	<ul style="list-style-type: none"> <li>Awnings encourage pedestrian activity along streets by providing comfortable conditions at footpath level and...contribute to the vitality of the streets. Awnings are the favoured means to provide shelter and weather protection for pedestrians.</li> <li>Trees are essential for their contribution to the amenity and character of the City Centre.</li> </ul> <p>The controls for the delivery of awnings are supported by Figure 9.4.2.1.1 (orange notation, below) and the controls for street trees are supported by Figure 9.4.2.2.1 (green notation, below), as snipped here (extracts only):</p>  <p>One of the objectives of the Draft CSN Precinct DCP amendments is to 'switch on' the City Centre controls in Part 9 of PDCP 2023 that apply to the City Centre south of the river, as originally intended when the City Centre DCP controls (then known as Part 6) were endorsed by Council and subsequently exhibited in late 2021, including <b>Section 9.6 Heritage</b> which provides controls to address heritage protection. As well, <b>Part 7 – Heritage and Archaeology</b> including <b>Section 7.8</b> which addresses Aboriginal cultural heritage also applies to the CSN Precinct.</p> <p><b>Recommend outcome:</b> this request is beyond the scope of the CSN Precinct DCP amendment.</p> <p>This request does not require an amendment to the Draft DCP controls as this is about process. As the accessways are negotiated with</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<p>implementation of the proposed through-site links and civic spaces which are strongly supported.</p> <p>9. External materials and finishes in major alterations and new development proposals <i>should be consistent with heritage criteria.</i></p>	<p>applicants via the DA process, these will be included in any DA plan and be publicly accessible when they are publicly notified. Council's <a href="#">Development Tracker webpage</a> enables the community to view any formally lodged DA proposal including proposed plans and accompanying assessment report as well as final stamped plans and Council's determination. The notification of a DA enables the community to comment on any corresponding plan.</p> <p>This request does not require an amendment to the Draft DCP controls because there are existing controls in Part 9.6 Heritage will apply, as follows:</p> <p><b>Section 9.6.3 Heritage relationships</b> contains two development controls that address materials and finishes:</p> <ul style="list-style-type: none"> <li>• <i>Control C.06 relating to character C.06</i></li> <li>• <i>Control C.16 relating to Materials, finishes and colours.</i></li> </ul> <p>As well, <b>Section 9.6.6 Development to Benefit a Heritage Item</b> contains Control C.06 relating to materials in the case of heritage alternations:</p> <p>The above controls are being 'switched on' so they apply to the CSN Precinct as originally intended when the City Centre DCP controls (then known as Part 6) were endorsed by Council and subsequently exhibited in late 2021. Therefore, any DA would be required to comply with the above controls.</p>
		<p>The Submitter states that as the determining authority for future development delivered under the <i>PLEP 2023</i> and the proposed Draft CSN DCP controls, Council should:</p> <p>1. <i>Give priority to the public interest rather than the private interests of proponents.</i> The Submitter raises this issue in relation to:</p> <ul style="list-style-type: none"> <li>• the delivery of the proposed civic space or public accessways as proposed in Section 9.5.11 as the proposed consolidation plan</li> </ul>	<p>-</p> <p>This request does not require an amendment to the Draft DCP controls. Instead, it's about process.</p> <p>Council Officers agree assessing DAs that are consistent with Council-endorsed DCP controls is in the public interest.</p> <p>The proposed Special Area controls in Section 9.5.11 contain building envelope controls, through-site links and public domain areas that</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<p>when negotiation with applicants at Pre-Lodgement and/or DA stages; and</p> <ul style="list-style-type: none"> <li>determining whether the prescribed building height and FSR in <i>PLEP 2023</i> need to be achieved.</li> </ul> <p>2. <i>Publish a statement setting out how the DCP is to be implemented and how negotiations with developers will be conducted in the process.</i></p> <p>and</p> <p>3. <i>Amend the Draft DCP by keeping a cumulative record of all decisions made under the DCP controls to assist in monitoring the progressive implementation of the instrument.</i></p> <p>4. <i>Amend the Draft DCP to enable an agreement with developers for design changes which bring public benefits (eg height, FSR, land use mix) where these matters are negotiable.</i></p> <p>5. <i>Amend the Draft DCP by publishing street elevations of Church Street – east and west – to assist public understanding of the intent of the Draft DCP Special Area controls in Section 9.5.11 for these important civic facades.</i></p>	<p>correspond with the building height and FSR controls in the DoP's <a href="#">SEPP (CSN Precinct) 2023</a> which take effect from 1 July and still enable landowners to achieve the prescribed building height and FSR controls.</p> <p>The DA process enshrined in the <i>EP&amp;A Act 1979</i> and <i>EP&amp;A Regulations 2021</i> means development proposals are dealt with on an individual basis, as proposals are lodged with council. Each application process is unique. It is a Council Officers' obligation to seek to deliver the intention of any DCP provision. However, the <i>EP&amp;A Act</i> ensures Council Officers cannot mandate a DCP control.</p> <p>The matter of whether a DA should fall under the prescribed height or FSR control is outside the NSW DCP framework.</p> <p>This request does not require an amendment to the Draft DCP controls. Instead, this is about process.</p> <p>The Draft CSN DCP amendment together with the DA process established by the <i>EP&amp;A Act</i> and <i>EP&amp;A Regulations</i> and Council's <a href="#">Development Tracker webpage</a> already enables transparency. Establishing this process unique for the CSN Special Area controls would establish an irregular precedent and raise expectations that this should be done for other sections within Part 9, as well as other parts of the PDCP 2023.</p> <p>This request is outside the statutory framework for DCPs. Instead, it is dealt with via Voluntary Planning Agreements that accompany a planning proposal.</p> <p>This request does not require an amendment to the Draft DCP controls. Instead, it relates to process.</p> <p>The primary purpose of the elevation diagrams at Figures <b>9.5.11.5 to 9.5.11.14</b> is to assist applicants with their development proposals. These have been drawn in the same way as the elevation drawings across other sub-sections within Section 9.5 as well as in site specific DCP controls in Section 9.10. So, while the section may assist the wider community in their understanding of certain controls, this is not the key function of these sections. Should any member of the public require further</p>

Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		<p>6. Amend the Draft DCP by publishing a <i>'design guide'</i> to assist architects and designers towards a clear understanding of the Draft DCP's key urban design objectives for the CSN Precinct.</p> <p>7. Amend the Draft DCP to include a provision requiring developers to attend mandatory consultations on the DCP before design commences.</p> <p>8. Amend the Draft DCP to include an addendum which lists all DCP-related plans, policies, and schedules - together with a map showing the areas covered by each.</p>	<p>information they are able to speak with Council's Duty Planner and have the controls explained to them, if desired.</p> <p>This request does not require an amendment to the Draft DCP controls. Instead, it relates to process.</p> <p>The introduction to <b>Section 9.5.11</b> provides the clear design vision and intent of the CSN controls which include building envelope and tower separation objectives and controls and a consolidation plan. As well, the controls contained in <b>Section 9 Heritage</b> which establish clear heritage intent will also apply as this section, along with others in Part 9 as these will be 'switched on' so they apply to the CSN Precinct, as originally intended when the City Centre DCP controls (then known as Part 6) were endorsed by Council and subsequently exhibited in late 2021. With these robust urban design and heritage controls in place for the area, as well as other urban design controls in Sections 9.1 to 9.4 also applying, the design and heritage requirements must be clearly addressed in any DA and the determining authority ensures this is done compliant with the <i>EP&amp;A Act</i> and <i>EP&amp;A Regulations</i>. As well, Council's Pre-DA process enables applicants to discuss the application of the controls in relation to their site with relevant Council staff from DTSU and City Design Teams.</p> <p>Finally, Council's <a href="#">Development Tracker webpage</a> enables the community to view any DA process including the assessment report.</p> <p>Council's <a href="#">Community Engagement Strategy</a> (2022-2024) establishes the requirements for community engagements regarding DCPs (p. 39), consistent with the IAP2 framework (engagement levels). Furthermore, this is not a requirement in any other part of the PDCP 2023.</p> <p><b>Recommended outcome:</b> the amendment is not supported.</p> <p>The DA process requires applicants to consider the relevant controls in all applicable LEP, DCP, SEPPs and any other relevant policy in its application and this is evaluated as part of the assessment process. As well, plans and policies at the local and state levels are constantly updated, amended, subsumed, or repealed which means any list in a DCP as proposed would require a formal DCP amendment each time there is a change to ensure the addendum is kept up to date. This</p>



Row	Organisation / Submission No.	Summary of Submission	Council Officer Response
		9. Provide the community with a report (each 12 months) on the progress of DCP implementation	request would also establish an irregular precedent and would also require significant staff resources to maintain.  <b>Recommended outcome:</b> the amendment not supported.  This request does not require an amendment to the Draft DCP controls. Instead, it relates to process.  The requested annual report is not a statutory requirement under the <i>EP&amp;A Act</i> and <i>EP&amp;A Regulations</i> . As well, the requested report is not undertaken for any other special area / precinct section contained within PDCP 2023. Establishing this process for the CSN Special Area controls would establish a precedent.
	Phil Russo, President, North Parramatta Resident Action Group (NPRAG) (14/02/2024)	Letter addressed to the Mayor is dated 3 months prior to the commencement of the CSN DCP Controls which raises a number of matters relating to the DoP's <a href="#">SEPP (CSN Precinct) 2023</a> .	This letter raises a number of matters that relate specifically to the DoP's <a href="#">SEPP (CSN Precinct) 2023</a> including the SEPP process. Further, the topics raised in this letter are similar to those raised in the NPRAG submission (summarised above), such as the planning process for the area, impacts on heritage items and adjoining heritage areas and these have been addressed above.

Table 4 – Submissions from Public Authorities &amp; Service Providers

Row	Public Authority / Submission No.	Summary of Submission	Council Officer Response
1.	Endeavour Energy (30/04/2024) Email submission No. 1	The submission from Endeavour Energy comprises of two attachments: <ul style="list-style-type: none"> <li>WorkCover's <i>Work near overhead power lines – Code of Practice</i> (2006); and</li> <li>NSW Government's <i>Work near underground Assets – Guide</i> (2007).</li> </ul>	Noted. The requirements of Endeavour Energy's Code of Practice and Asset Guide can be delivered without any reference in the proposed CSN DCP controls. These guides are relied on further down the development pipeline, not at DA assessment stage.
2.	Andrew Popoff, TfNSW (27/05/2024)	Submitter supports <b>Control C.13 in Section 9.5.11 – Church Street North</b> which does not permit new driveways on Church and Villiers Street, however raises a concern for sites which may be land locked and requests <i>an additional</i>	The Submitter's support for Control C.13 in Section 9.5.11 is noted. The control should be read in conjunction with the proposed Control C.01 and supporting Consolidation Plan at control Figure 9.5.11.2 as well as control C.04 and supporting



Row	Public Authority / Submission No.	Summary of Submission	Council Officer Response
	Email submission No. 3	<p><i>Objective / Control which requires these developments to have access points via side streets NOT Church Street noting that this may include working with neighbouring properties to provide an access point.</i></p> <p>Submitter raises several matters relating to existing DCP controls in Part 9 Parramatta City Centre but specifically to areas that are outside the CSN Precinct including:</p> <ul style="list-style-type: none"> <li>• <b>Figure 9.4.4.1 – Existing and Required Lanes</b> in relation to Auto Alley.</li> <li>• <b>Figure 9.4.6.1 – No Additional Vehicle Entry Permitted</b> which applies to the entire City Centre.</li> <li>• <b>Figure 9.4.2.1.2 Continuous Awnings</b> in relation to the Auto Alley Special Area.</li> <li>• <b>Section 9.4.6 – Vehicle Footpath Crossings</b> with regards to the entire City Centre.</li> <li>• <b>Section 9.4.4</b> in terms of terminology with a TfNSW toolbox.</li> <li>• References to key TfNSW documents</li> <li>• wider footpaths via increased street setbacks across the City Centre.</li> <li>• An objective and control <i>to ensure all loading and servicing is provided on-site via a loading dock across the City Centre.</i></li> </ul>	<p>Figure 9.5.11.4 Required Setbacks &amp; Built Form which ensure sites are not isolated. Furthermore, specific vehicle access proposals can be resolved at the DA stage or during the planning proposal process.</p> <p>These matters are beyond the scope of the CSN Precinct DCP process which only addresses the controls as they apply to the Church Street North Precinct. However, they have been forwarded to Council's Transport Policy and City Design Teams for consideration and to determine if there is any merit in any future changes to these controls.</p>
3.	Heritage NSW (31/05/2024) Email submission No. 5 (Late submission)	<p><b>Potential Direct impact on State Heritage Register (SHR) listed items</b></p> <p>Submitter notes there are no SHR items located within the area covered by the draft DCP but that the CSN Area adjoins the following two SHR items:</p> <ul style="list-style-type: none"> <li>• The 'Prince Alfred Square and potential archaeological site' located at 353 Church Street, Parramatta (SHR Item number 01997).</li> </ul>	<p>Support is noted. One of the objectives of the Draft CSN Precinct DCP amendments is to 'switch on' the City Centre controls in Part 9 of PDCP 2023 that apply to the City Centre south of the river as was originally intended when the City Centre DCP controls (then known as Part 6) were endorsed by Council and subsequently exhibited in late 2021. This includes <b>Section 9.6 Heritage</b>. In it, control C.02 in <b>Section 9.6.2 Understanding the place</b> requires the following:</p>

Row	Public Authority / Submission No.	Summary of Submission	Council Officer Response
		<ul style="list-style-type: none"> <li>St Patricks Roman Catholic Cemetery on the north side located at Pennant Hills Road, North Parramatta (SHR item number 01880).</li> </ul> <p>The Submitter supports the controls contained in <b>Section 9.5.11 Church Street North Special Area</b> controls because of the emphasis on the conservation of heritage.</p>	<p><i>The heritage significance of places listed on the NSW State Heritage Register must be conserved and enhanced. Work must be guided by the policies of a conservation management plan (or similar) which is preferably no more than 5 years old, and in accordance with its State Heritage Register listing</i></p>
		<p>The Submitter also notes that with regards to historic archaeology, <i>if the proponent has not already undertaken their own investigation to assess the likelihood of 'relics' and any subsequent management required under the <a href="#">Heritage Act 1977</a>, they should do so.</i></p>	<p>Further to the above comment, the objectives and controls in <b>Section 9.6.2 Understanding the place</b> requires an applicant to understand the heritage significance of a place and its relationship to its context to direct the nature of change that would be appropriate for a heritage place and its setting. As the introduction to this section states: <i>An informed design response relies on first understanding these heritage values and then addressing opportunities and constraints that arise from these.</i></p>
		<p>With regards to Aboriginal cultural heritage considerations under the <i>National Parks and Wildlife Act 1974</i>, the Submitter states that <i>Ministerial Direction 2.3, Heritage Conservation, requires planning proposals to address the conservation of Aboriginal objects. Heritage NSW recommends that a comprehensive Aboriginal cultural heritage assessment report is needed and should inform this planning proposal.</i></p>	<p>The proposed CSN Precinct DCP controls constitute a DCP amendment process, not a planning proposal process (LEP amendment). This means that compliance with Ministerial Direction 2.3 Heritage Conservation is not required. However, as stated above, one of the objectives of the Draft CSN Precinct DCP amendments is to 'switch on' the City Centre controls in Part 9 of PDCP 2023 that apply to the City Centre south of the river, as originally intended when the City Centre DCP controls (then known as Part 6) were endorsed by Council and subsequently exhibited in late 2021. This includes <b>Section 9.6 Heritage</b>. As well, <b>Part 7 – Heritage and Archaeology</b> including <b>Section 7.8</b> which addresses Aboriginal cultural heritage also applies to the CSN Precinct.</p>
		<p>Submitter suggests that prior to finalisation of any development proposal, Council should be satisfied that all necessary heritage assessments have been undertaken and that any impacts have been sufficiently addressed including the SHR and Aboriginal Heritage Information Management System.</p>	<p>Noted. See above responses relating to <b>Section 9.6 Understanding the place</b> in Part 9 of PDCP 2023. As well, the <i>EP&amp;A Act</i> and <i>EPA Regulations</i> and <i>Heritage Act</i> require all relevant heritage matters to be addressed at the DA stage. However, this matter is outside the scope of the proposed Draft CSN DCP controls.</p>

#### 4. General enquiries

A total of seven (7) phone enquiries were received during the exhibition period one of which relied on the 'Phone a Planner' option that was available during the exhibition period. All enquiries are summarised below along with a summary of the Council Officer's response.

Row	Address / Date of enquiry	Submission author / Summary of Submission	Council Officer Response
1.	General enquiry Part owner of 36 Grose Street, Parramatta 29/4/24	Landowner sought clarification on whether this site was contained within the proposed 'Church Street North Special Area' in Section 9.5.11.	This site is immediately outside the CSN Precinct but the enquirer was advised their site was located within the North East Planning Investigation Area. The Enquirer was also advised their contact email was already contained in the NEPIA Project Contact List and would therefore receive notification emails at key milestones.
2.	General enquiry Part owner of 5 Sorrell Street, Parramatta 1/5/24	Landowner sought clarification on what the new controls mean. Also said the site's buildings were in need of maintenance and asked if a developer would be interested in the site.	The enquirer was walked through the forthcoming SEPP as well as the purpose of the new supporting DCP controls. Regarding the matter of whether a developer would be interested in the site, it was noted that this was not a matter for Council and instead it was a matter for the Body Corporate.
3.	General Enquiry (no details) 1/5/24	Enquirer sought details of the proposed civic space identified as Sites 01 and 02 which is bounded by Church, Harold, Villiers and Fennell Streets in Figure 9.5.11.4.	It was explained to the enquirer that the sites were mostly owned by the Council and by the State Government giving the delivery of the proposal more certainty. Council's <a href="#">Community Infrastructure Strategy</a> (p. 612) also identifies the need for a civic space in North Parramatta. As well, other benefits of the civic space were explained including: (1) its co-location with the light rail stop; (2) it provided much needed open space; (3) it's an opportunity for supporting multi-purpose community facilities that serves the local community; and (4) the proposed pedestrian through site links aim to provide improved permeability.  <b>Recommended outcome:</b> strengthen the rationale for the proposed civic space by including a reference to Council's <a href="#">Community Infrastructure Strategy</a> (p. 612).
4.	General enquiry from part owner of 13-17 Victoria	Enquirer is a landowner and sits on the Body Corporate that manages his site. He noted the residential flat buildings on the site are over 45	It was explained to the enquirer that the controls and their corresponding processes are as follows:

Row	Address / Date of enquiry	Submission author / Summary of Submission	Council Officer Response
	Road, Parramatta  (via Phone a Planner) 3/5/24	years old and in disrepair and, to address this, a special levy is being raised.  Enquirer sought clarification on the difference between the forthcoming SEPP controls and the proposed DCP controls and the process underway for the North East Planning Investigation Area (NEPIA) controls.	<ul style="list-style-type: none"> <li>The <i>SEPP (Church Street North Precinct) 2023</i> is a State Government policy that was published on 14 December 2023 and takes effect on 1 July 2024.</li> <li>The CSN Precinct DCP amendment is Council led with the aim the proposed controls take affect as soon as possible so as to support the above SEPP.</li> <li>The NEPIA controls involve the preparation of both an LEP and DCP and, as at mid June, the planning proposal which delivers new LEP controls was shortly to be sent to the DoP for a Gateway determination.</li> </ul> <p>It was also clarified that this site is within the SEPP (CSN), it is not within the NEPIA area so the proposed LEP and DCP for the NEPIA area will not apply to the site.</p>
5.	General enquiry with intention to draft a submission 8/5/24	Enquirer is preparing a submission on the CSN Precinct DCP and had a few questions on the proposed DCP controls. Also sought clarity on the relationship between the forthcoming <i>SEPP (Church Street Precinct) 2023</i> and the proposed DCP controls including the proposed Special Area controls in Section 9.5.11.	<p>The enquirer referred to the area being covered by the NEPIA DCP controls. Clarification was provided to a reference in Figure 9.5.11.1 to Section 8.3.10 alongside building outline notations; that this is intended to illustrate transition between the NEPIA and the CSN Precinct.</p> <p>Explanation was also provided that the SEPP establishes the building heights and FSRs while the proposed CSN Precinct DCP controls (Section 9.5.11) deal with transition towards the NEPIA and to the western side Church Street. As well, Council was seeking feedback only on the CSN DCP controls, not the SEPP as the SEPP is a DoP matter.</p>
6.	General Enquiry Part landowner, 5-7 Ross Street, Parramatta 15/5/24	Enquirer sought an understanding of the CSN Special Area controls in Section 9.5.11, specifically, the site consolidation control diagram at Figure 9.5.11.2 and the Building Envelope controls contained in at Figure 9.5.11.4 that affect his site.	<p>The following clarification was provided:</p> <ul style="list-style-type: none"> <li>the forthcoming height control applicable on the site via the <a href="#">SEPP (CSN Precinct) 2023</a>.</li> <li>an estimate of the total area of the consolidate site as identified in Figure 9.5.11.2 and an estimate of the area subject to the LRA notation front Villiers Street.</li> <li>whether residential uses were possible on the ground floor.</li> <li>the location of the applicable car parking controls.</li> </ul>
7.	General Enquiry	Enquirer sought details of the height and FSR controls for his site at 5 Victoria Road with an	It was clarified that the forthcoming height and FSR controls are part of the State Government's <i>SEPP (Church Street Precinct) 2023</i> which takes effect from 1 July 2024 and explained that the proposed DCP controls on exhibition

Row	Address / Date of enquiry	Submission author / Summary of Submission	Council Officer Response
	Landowner, 5 Victoria Road, Parramatta 16/5/24	explanation on how the proposed DCP controls work.	provide: (1) detailed controls on building envelopes, setbacks, site consolidation, accessways, public domain, etc; (2) address heritage land use issues; and (3) either 'switch on' controls that were always intended to apply to the City Centre north of the river.

## Attachment 2 – Proposed DCP Amendments for the Church Street North Precinct seeking Council approval

This attachment comprises the sections of Parramatta DCP 2023 that are proposed to be amended by the Church Street North Precinct DCP process as shown in the table below:

Section of the DCP being amended	New controls or consequential changes?
Section 9.5.11 Church Street North Special Area controls	New controls
Section 9.1 to 9.9 Parramatta City Centre	Consequential changes
Section 7.10.1 Parramatta North Conservation Area	Consequential changes
Sections 9.10.1, 9.10.19 & 9.10.20, Site Specific Controls for 470 Church Street and 8-12 Victoria Road and 2A Villiers Street	Consequential changes
Part 9B Parramatta City Centre Auto Alley (West)	Consequential changes

For the purpose of this Council report attachment please note that in this document:

- Content that formed part of the draft DCP amendments as originally exhibited is shown in **blue** and **red**
- Further changes made to the draft DCP following the exhibition are shown in **dark red** (as track changes).



## PARRAMATTA CITY CENTRE

## 9.1.1 CHURCH STREET NORTH

The Church Street North Special Area as delineated in Figure 9.5.11.1 forms part of the northern extension of the Parramatta City Centre and is located between Victoria Road, Belmore Park and two highly sensitive heritage areas - the North Parramatta Heritage Conservation Area (HCA) to the west and the Sorrell Street HCA to the east. The Parramatta Light Rail runs along Church Street and serves the area with a stop between Harold and Fennell Streets. The future character of the area continues the high street functionality of Church Street to the south of the Parramatta River with street defining buildings and active uses at lower levels (see Section 9.5.4 Church Street).

As the area is largely confined to urban blocks along the axis of Church Street, there is a need to provide a transition in use and form to the surrounding low scale, largely residential setting of North Parramatta. On the eastern side of the precinctSpecial Area, transition to the Sorrell Street HCA is achieved across blocks as building forms step up from a lower scale along Sorrell Street to towers along Church Street. East west view corridors between towers, mid-block tree planting, and street setbacks aligned to heritage buildings contribute to the transition. On the western side of the precinctSpecial Area, Villiers Street separates future development from the North Parramatta HCA. Additional transition is achieved with a step in building height from Villiers Street to Church Street and with a generous street setback along Villiers Street with canopy tree planting forming a direct visual interface to the heritage area.

A number of buildings of heritage significance are located along Church Street and are contributing to the streetscape and human scale of the area. These buildings are of 1-2 storeys and have varied settings that require a bespoke design response. Some items contribute to an aligned street wall edge, while others are set back from the street and sit in space.

To unify development across the precinctSpecial Area and respond to the broader heritage setting, consistent building setbacks along east-west streets are defined by prevailing heritage building frontage alignments. This not only allows heritage items to form a dominant part of the streetscape, but also provide opportunities to extend the vegetated character of North Parramatta by creating additional space for street tree planting within front gardens.

A new civic square, co-located with the light rail stop, provides much needed open space and opportunities for supporting multi-purpose community facilities that can be used for a range of programs and activities to serve the local community as identified in Council's Parramatta Community Infrastructure Strategy. New pedestrian through site links provide improved permeability and fine grain activity that complements Church Street. Communal open spaces within private development complement the public domain with landscaped courtyards and generous tree canopy in deep soil.

Church Street North Special Area controls aim to realise a mixed-use area of the City Centre with retail and commercial spaces at lower levels and predominantly residential uses within street edge podium and tower forms, arranged along green streets and around landscaped courtyards with increased tree canopy.

## CHURCH STREET NORTH DCP

PARRAMATTA CITY CENTRE

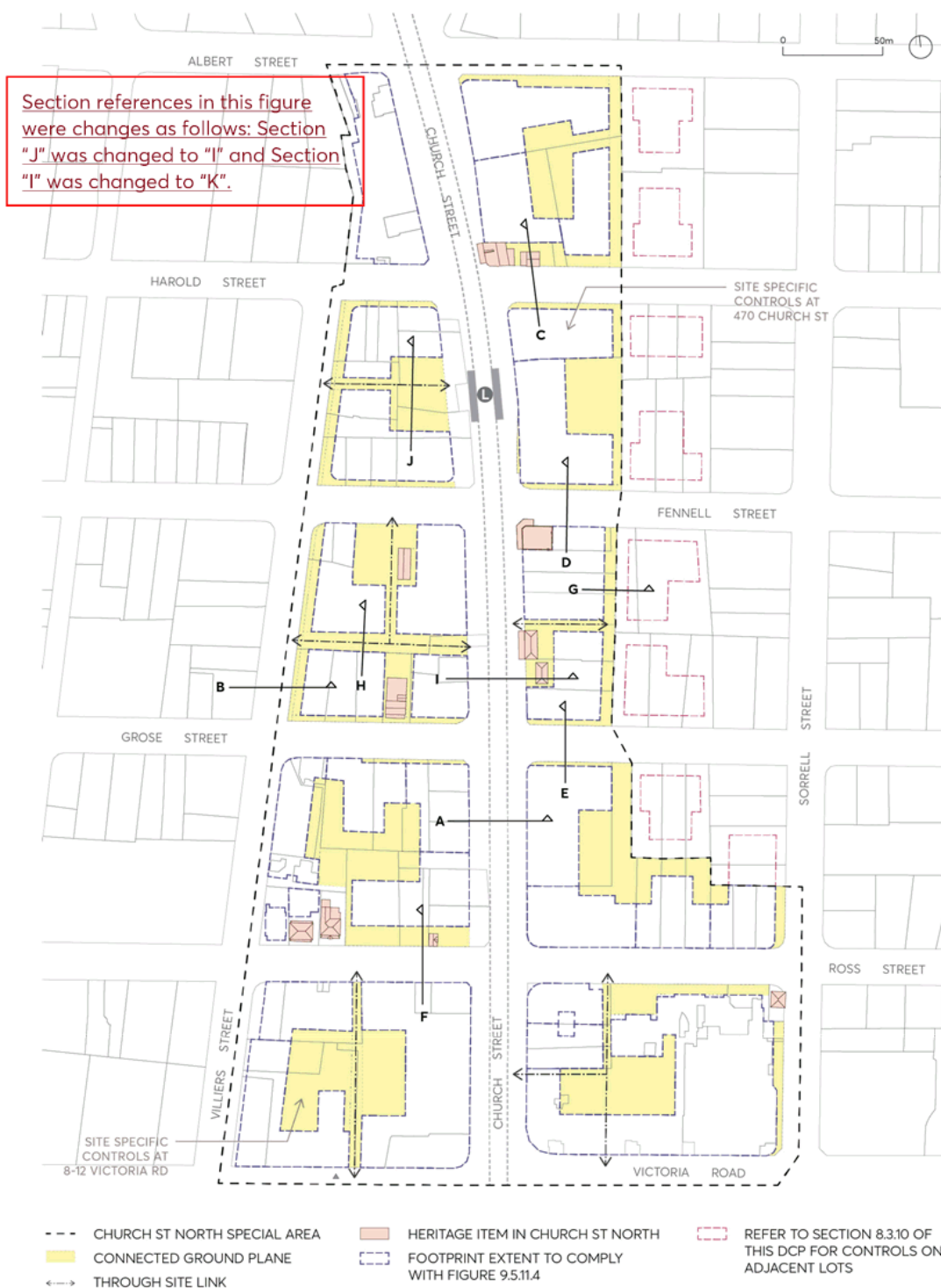


Figure 9.5.11.1 – Church Street North Special Area Framework

CHURCH STREET NORTH DCP

## PARRAMATTA CITY CENTRE

## Objectives

- O.01 Conserve heritage buildings to the highest standard and activate street frontages through both the adaptive reuse of heritage items as well as the provision of active ground floor spaces within and around the heritage buildings in the Church Street North Special Area.
- O.02 Integrate heritage buildings as part of an overall site development strategy that achieves pedestrian connectivity and site permeability around the heritage buildings, resulting in a fine network of intimate streets and through site links in the area.
- O.03 Allow heritage items, including those in the adjacent HCAs, to be the dominant features of the streetscape and create defined view corridors along east-west streets from HCAs up to Church Street and visa versa.
- O.04 Maintain the vegetated character of North Parramatta by enabling large canopy trees in deep soil within the front setbacks, public domain and communal open spaces at ground.
- O.05 Extend the fine-grain high-street character of Church Street from south of the River, northwards towards Belmore Park to create continuity between the north and south of the City Centre.
- O.06 Provide building forms and communal open spaces that are appropriately proportioned for residential uses.
- O.07 Encourage slender tower forms and generous separation between towers to create views to sky between towers when observed from both the North Parramatta ~~Heritage Conservation Area HCA~~ and Sorrell Street ~~Heritage Conservation Area HCA~~'s.
- O.08 Orientate building forms to minimise their impact on ~~Heritage Conservation Areas-HCAs~~ and create consistent spacing between towers that aligns tower development across the block increasing views to sky.
- O.09 Locate towers to protect view corridors of historical and cultural value such as the views along the Church Street axis, views to Prince Alfred Park, and views along east-west streets.
- O.10 Protect solar access to significant public open spaces, the public domain, and adjacent ~~heritage conservation areas~~HCAs.
- O.11 Ensure new publicly accessible spaces, such as through site links and civic squares, are suitable distributed, adequately sized, integrated with the broader public domain network, and designed to Council's standards.
- O.12 Improve legibility, pedestrian connections and enable transition between lots on Church Street, neighbouring lots, and ~~Heritage Conservation Areas-HCAs~~ through a permeable ground plane with visual and/or physical connectivity through the blocks in accordance with **Figure 9.5.11.1 – Church Street North Special Area Framework**.

## CHURCH STREET NORTH DCP

## PARRAMATTA CITY CENTRE

## Controls

Unless modified or specifically excluded below, all controls in **Sections 9.1 to 9.4 and Sections 9.6 to 9.9** of this Part apply to development within the Church Street North Special Area.

- C.01 Site consolidation must comply with **Figure 9.5.11.2 – Church Street North Special Area Public Domain and Consolidation MapPlan** to realise the objectives of the Church Street North Special Area.
- C.02 New through site links and civic square identified in **Figure 9.5.11.1 – Church Street North Special Area Framework** and **Figure 9.5.11.2 – Church Street North Special Area Public Domain and Consolidation MapPlan** must be delivered through development or dedicated to Council for delivery in a coordinated manner.



**Figure 9.5.11.2 – Church Street North Special Area Public Domain & Consolidation Plan**

PARRAMATTA CITY CENTRE

- C.03 Development within the Church Street Special Area must comply with the building setbacks specified in **Figure 9.5.11.3 – Church Street North Special Area Building Setbacks**.

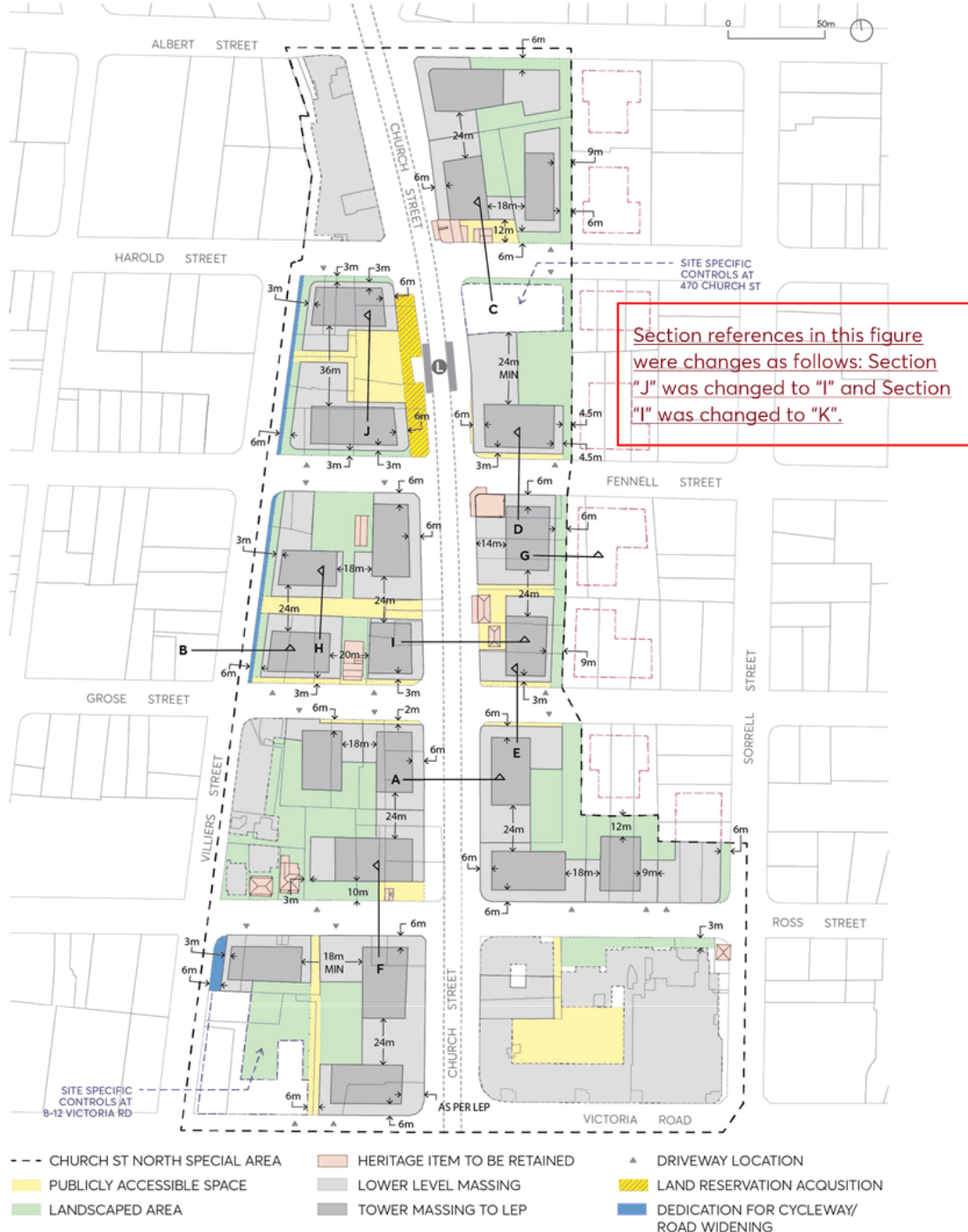


**Figure 9.5.11.3 – Church Street North Special Area Building Setbacks**

CHURCH STREET NORTH DCP

PARRAMATTA CITY CENTRE

- C.04 Development within the **precinctSpecial Area** must comply with the setback and envelope controls specified in **Figure 9.5.11.4 – Church Street North Special Area Required Setbacks and Built Form**.



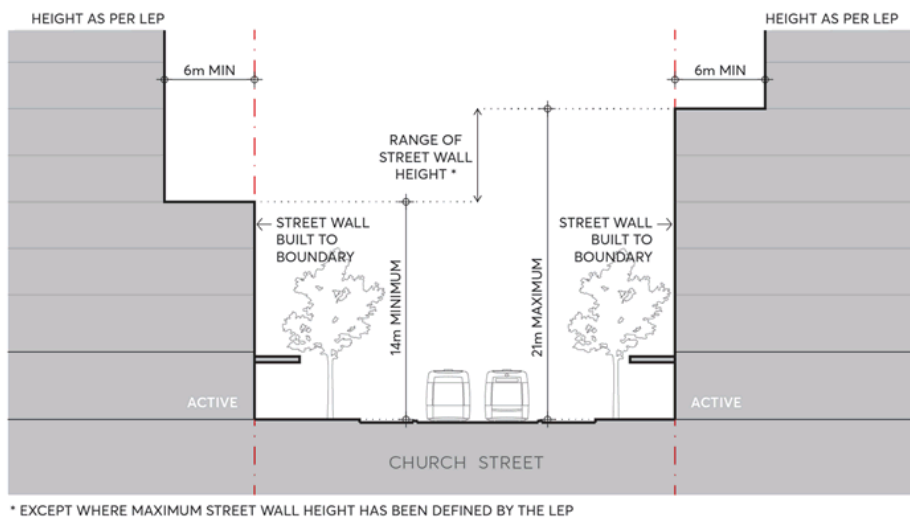
**Figure 9.5.11.4 – Church Street North Special Area Required Setbacks & Built Form**

CHURCH STREET NORTH DCP



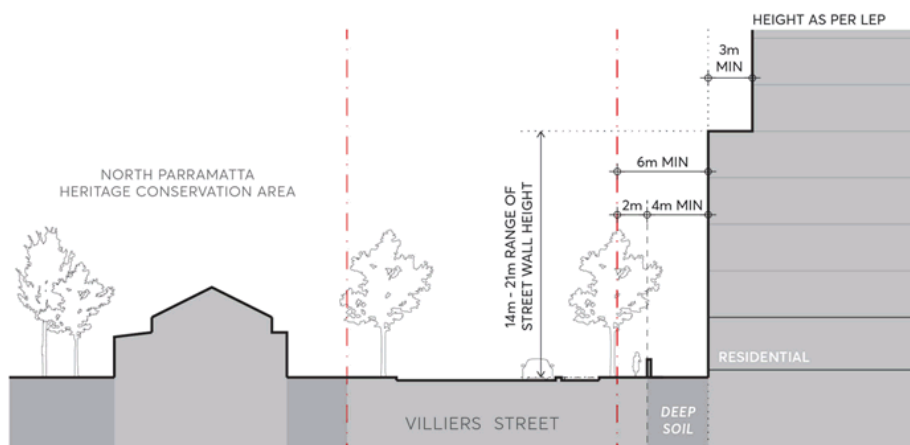
C.05 Development within the ~~precinct~~Special Area must comply with the following specified envelope controls:

- a) On Church Street, the street wall must be built to boundary as per **Figure 9.5.11.5** unless otherwise specified in **Figure 9.5.11.3** and **Figure 9.5.11.4** to provide new civic square or curtilage to heritage items.



**Figure 9.5.11.5 – Typical Setbacks and Street Wall Height on Church Street (Section A)**

- b) On the eastern side of Villiers Street, a minimum 6m street setback must be provided of which 2m is to be dedicated to street widening for the Marsden Street Cycleway project as per **Figure 9.5.11.6**.



**Figure 9.5.11.6 – Typical Setback and Street Wall Height on Villiers Street (Section B)**

- c) Street setbacks and street wall heights on Harold Street must comply with **Figure 9.5.11.7** (Section C). Development on the northern side of Harold Street must provide a 12 metre building setback to provide curtilage to the heritage item at 476 Church Street. The street wall must be set back a minimum 3 metres from the street boundary on the southern side of Harold Street with the tower set back a minimum of 3 metres from the street wall.

PARRAMATTA CITY CENTRE

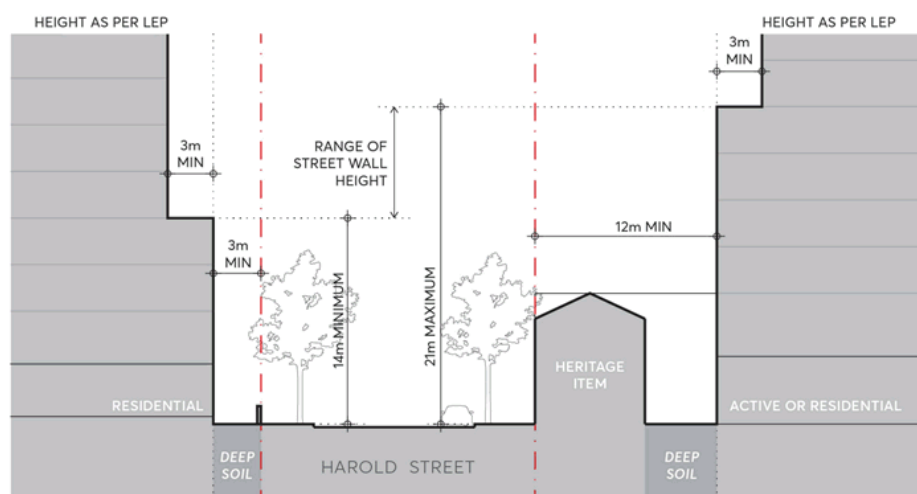
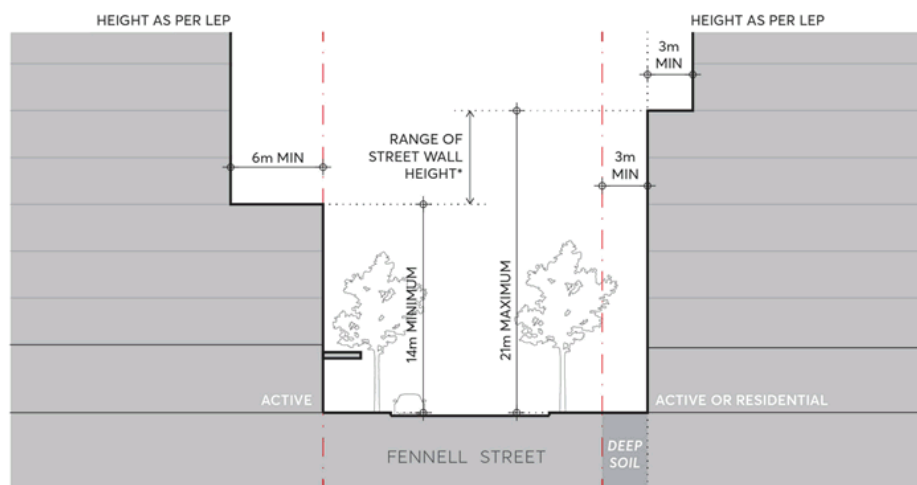


Figure 9.5.11.7 – Typical Setbacks and Street Wall Height on Harold Street (Section C)

- d) Street setbacks and street wall heights on Fennell Street must comply with **Figure 9.5.11.8** (Section D). Development on the northern side of Fennell Street must provide a 3 metre building setback to align with the prevailing setback defined by heritage items on the street, and towers set back a minimum of 3 metres from the street wall. Development on the southern side of Fennell Street may be built to the street boundary with towers set back a minimum of 6 metres from the street wall.



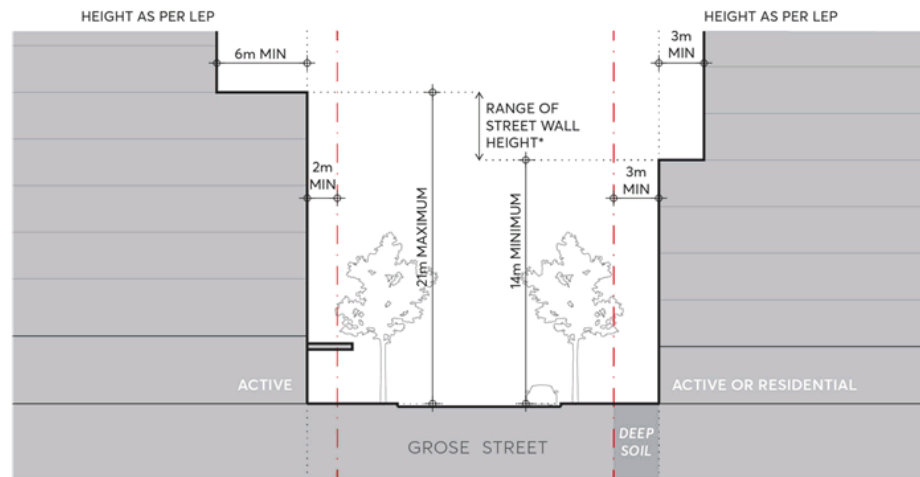
\* EXCEPT WHERE MAXIMUM STREET WALL HEIGHT HAS BEEN DEFINED BY THE LEP

Figure 9.5.11.8 – Typical Setbacks and Street Wall Height on Fennell Street (Section D)

- e) Street setbacks and street wall heights on Grose Street must comply with **Figure 9.5.11.9** (Section E). Development on the northern side of Grose Street must provide a 3 metre building setback to align with the prevailing setback defined by heritage items on the street, and towers set back a minimum of 3 metres from the street wall. Development on the southern side of Grose Street must provide a 2 metre building setback with towers set back a minimum of 6 metres from the street wall.

CHURCH STREET NORTH DCP

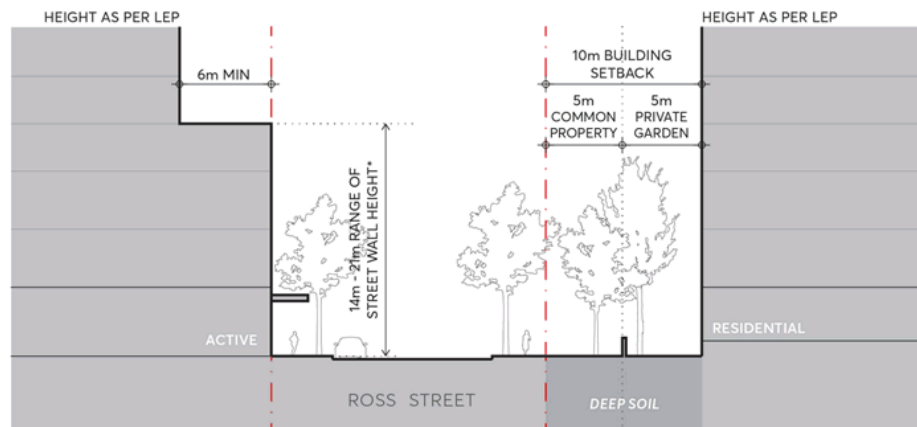
## PARRAMATTA CITY CENTRE



\* EXCEPT WHERE MAXIMUM STREET WALL HEIGHT HAS BEEN DEFINED BY THE LEP

**Figure 9.5.11.9 – Typical Setbacks and Street Wall Height on Grose Street (Section E)**

- f) Street setbacks and street wall heights on Ross Street to the west of Church Street must comply with **Figure 9.5.11.10** (Section F). Development on the northern side of Ross Street must provide a 10 metre building setback to provide curtilage around the heritage item at 387 Church Street. This space is to be provided as deep soil landscape to support large canopy tree planting. Development on the southern side of Ross Street may be built to the street boundary with towers set back a minimum of 6 metres from the street wall.



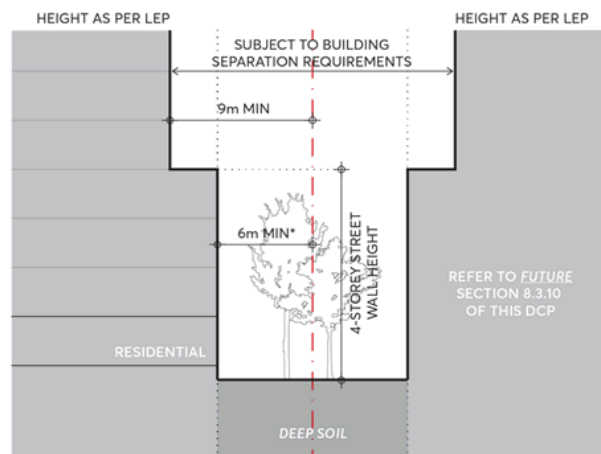
\* EXCEPT WHERE MAXIMUM STREET WALL HEIGHT HAS BEEN DEFINED BY THE LEP

**Figure 9.5.11.10 – Typical Setbacks and Street Wall Height on Ross Street (Section F)**

- g) Buildings must provide a vegetated set back that is a minimum of 6 metres from the common boundary shared with lots to the east of the Church Street North Special Area, and towers set back a minimum of 9 metres from the common boundary as per **Figure 9.5.11.11** (Section G), subject to building separation controls specified in **C.07**.

## CHURCH STREET NORTH DCP

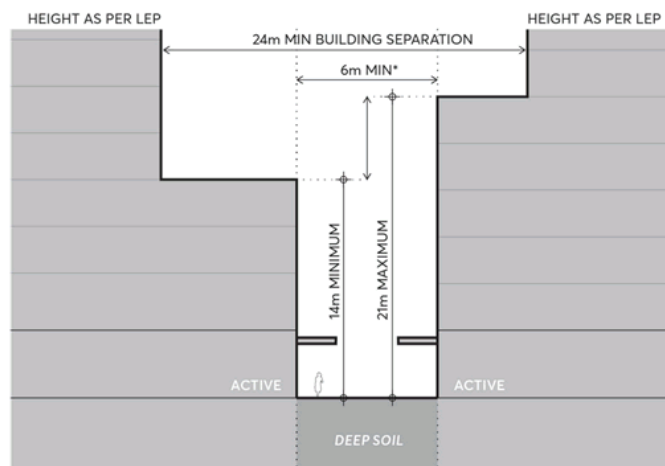
## PARRAMATTA CITY CENTRE



\* UNLESS OTHERWISE SPECIFIED BY FIGURE 9.5.11.4

**Figure 9.5.11.11 – Setbacks and Street Wall Height to boundary shared with mid-block properties to the east (Section G)**

- h) Setbacks and street wall heights on east-west through site links must comply with **Figure 9.5.11.12** (Section H). Development must provide a through site link that is a minimum of 6 metres wide. Tower setbacks are to be determined by building separation requirements.



\* WIDER THROUGH SITE LINK MAY BE REQUIRED SUBJECT TO BUILDING SEPARATION REQUIREMENTS

**Figure 9.5.11.12 – East West (Section H) Through Site Link Setbacks and Street Wall Height**

- i) Setbacks and street wall heights for any part of development at 440-4446 to -458 Church Street must comply with **Figure 9.5.11.13** (Section JI). Development on these sites must provide a building set back of 14 metres from the street boundary to create curtilage around the heritage items. This set back must be open to sky and no part of the building may overhang heritage. Development on the western side of Church Street must be built to the street boundary with towers set back a minimum of 6 metres from the street wall.

## CHURCH STREET NORTH DCP

## PARRAMATTA CITY CENTRE

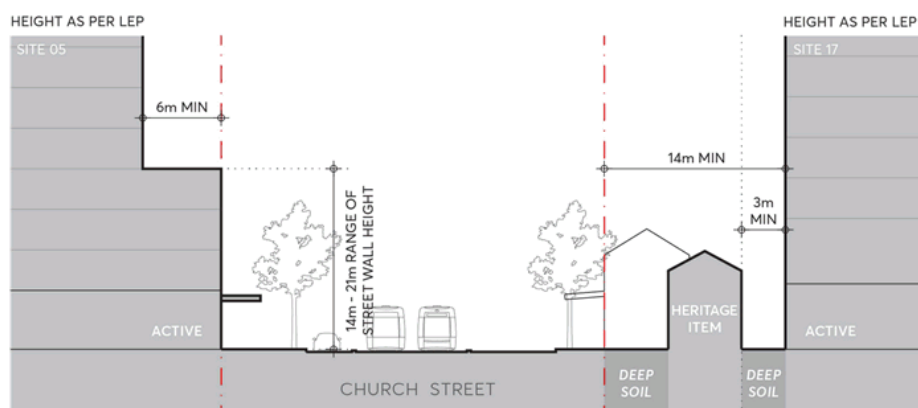


Figure 9.5.11.13 – Site 17 (Section JI) Setbacks and Street Wall Height

- j) Setbacks and street wall heights on the future civic space must comply with **Figure 9.5.11.14** (Section KJ). The civic space must have a minimum dimension of 30 metres in a north-south direction, and 24 metres in an east-west direction. The street wall height may be provided within the range of 14 metres to 21 metres, and towers set back a minimum of 3 metres from the street wall.

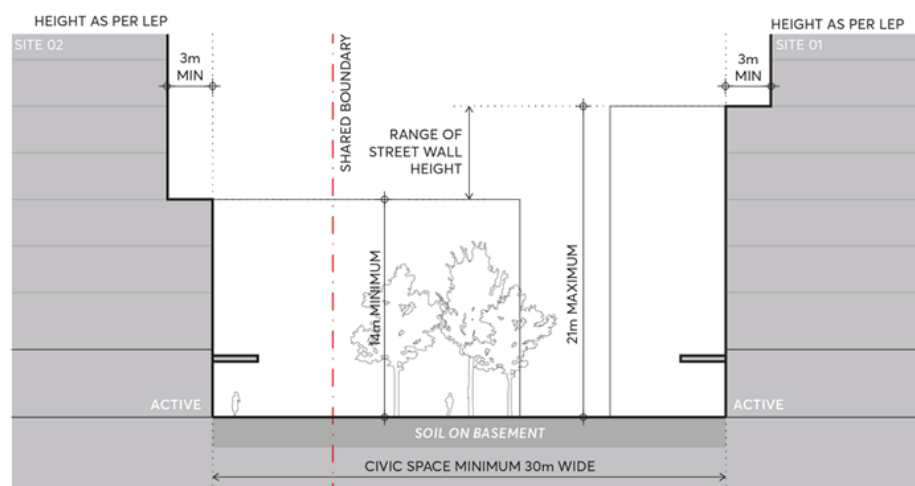


Figure 9.5.11.14 – Civic Space (Section KJ) Setbacks and Street Wall Height

- C.06 Development on the eastern side of Church Street must provide a setback to neighbouring properties within the North-East Parramatta Precinct (refer to **future Section 8.3.10** of this DCP). Side setbacks must comply with **Figure 9.5.11.4 - Church Street North Special Area Required Setbacks and Built Form** and ensure consistency with building separation objectives of the Apartment Design Guide.
- C.07 Where possible, buildings should be designed so that the short edge of towers may be orientated towards the North Parramatta ~~Heritage Conservation Area HCA~~ and Sorrell Street ~~Heritage Conservation Area HCA~~ to minimise their impact on these areas of heritage significance. Where possible, towers should be aligned across the block to create generous views to sky between towers when observed from either HCA, as per **Figure 9.5.11.15**.



Figure 9.5.11.15 – Spaces between towers to enable views to sky

C.08 Towers must have a minimum separation of:

- 18 metres between primarily east-west facing facades as per **Figure 9.5.11.16** and
- 24 metres between primarily north-south facing facades as per **Figure 9.5.11.17**.



## PARRAMATTA CITY CENTRE

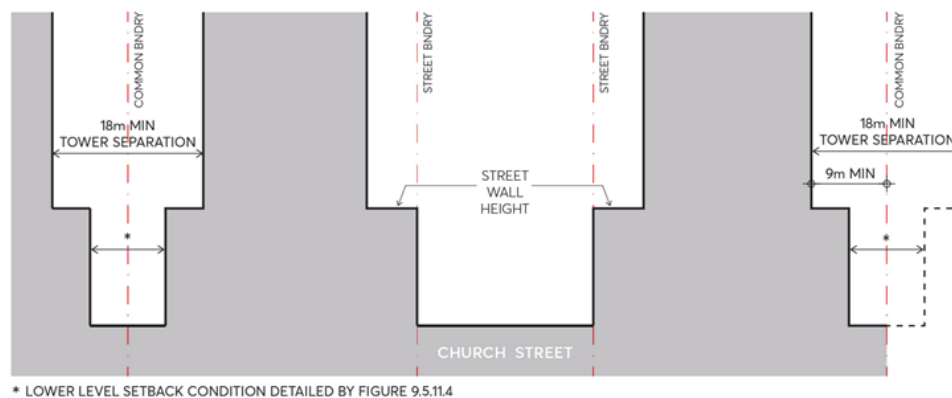


Figure 9.5.11.16 – Tower separation between primarily east-west facing facades

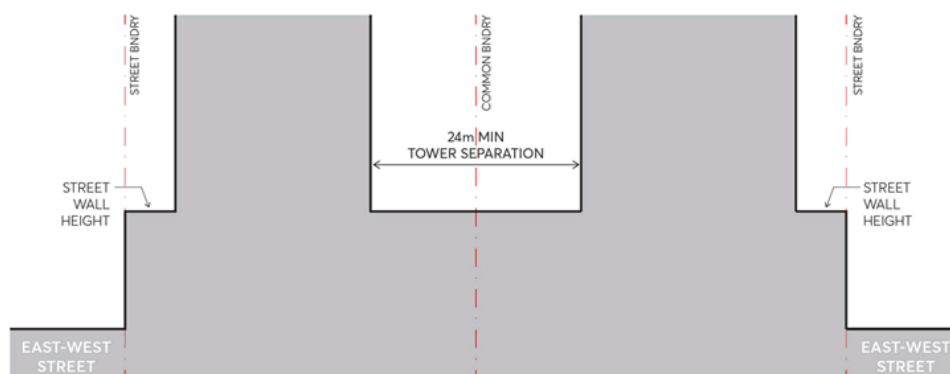


Figure 9.5.11.17 – Tower separation between primarily north-south facing facades

- C.09 All development containing a residential component must provide a minimum deep soil area equal to 7% of the total site area. All deep soil zones must have a minimum dimension of 6 metres x 6 metres.
- C.10 Where green coloured areas are shown in **Figure 9.5.11.4 - Church Street North Special Area Required Setbacks and Built Form** it is desirable that these areas be used as a communal courtyard and/or landscaped area.
- C.11 Deep soil is to be delivered primarily within the street setback zones and mid-block locations where they will be collocated with communal open space at ground.
- C.12 Where the street setback adjoins active uses, the setback zone is to be provided as publicly accessible space and designed as an extension of the footpath. All stairs and ramps on active frontages must be internalised to ensure the public domain and front setback zones are kept relatively level, accessible and uncluttered.
- C.13 Driveways servicing new development are not permitted on Church Street and Villiers Street.
- C.14 Pedestrian and vehicle conflict are to be minimised with limited vehicle crossings to the public domain. Crossings are to be generally in accordance with **Figure 9.5.11.4 - Church Street North Special Area Required Setbacks and Built Form**.

---

PARRAMATTA CITY CENTRE

---

## CONTENTS

9	PARRAMATTA CITY CENTRE.....	1
9B	<b>AUTO ALLEY (WEST)</b> .....	338

**Explanatory note:** Sections which **do not** contain an amendment have been omitted from this version of the DCP only for the purposes of reporting and notification. The sections of this DCP which contain a proposed amendment have been retained and are shown in blue.

---

CHURCH STREET NORTH DCP

---

## PARRAMATTA CITY CENTRE

**Explanatory note:** Sections which **are not** being amended have been omitted from this version of the DCP for the purposes of reporting and notification. Proposed changes are shown in blue text.

## PARRAMATTA CITY CENTRE

9.1	INTRODUCTION.....	1
9.1.1	APPLICATION .....	1
9.2	DESIGN QUALITY .....	2
9.3	BUILT FORM.....	2
9.3.1	GUIDING PRINCIPLES.....	2
9.3.2	MINIMUM SITE FRONTAGE .....	2
9.3.3	THE BUILDING ENVELOPE .....	2
9.3.4	THE STREET WALL.....	2
9.3.5	THE GROUND FLOOR .....	2
9.3.6	ABOVE GROUND PARKING.....	2
9.3.7	RESIDENTIAL APARTMENT DESIGN QUALITY .....	2
9.3.8	WINTERGARDENS .....	2
9.3.9	DWELLING MIX AND FLEXIBLE HOUSING .....	2
9.4	PUBLIC DOMAIN .....	3
9.4.1	SOLAR ACCESS TO SIGNIFICANT PARKS AND SPACES .....	4
9.4.2	AWNINGS AND TREES ON STREETS.....	6
9.4.3	DESIGN OF AWNINGS .....	11
9.4.4	PEDESTRIAN LANES, SHARED ZONES AND SERVICE LANES.....	13
9.4.5	PEDESTRIAN OVERPASSES AND UNDERPASSES .....	16
9.4.6	VEHICLE FOOTPATH CROSSINGS.....	16
9.4.7	VIEWS.....	19
9.5	SPECIAL AREAS .....	22
9.5.1	CITY RIVER.....	23
9.5.2	CIVIC LINK .....	26
9.5.3	GEORGE STREET .....	26
9.5.4	CHURCH STREET.....	26
9.5.5	MARION STREET .....	26
9.5.6	CAMPBELL STREET & GREAT WESTERN HIGHWAY .....	26
9.5.7	AUTO ALLEY .....	26
9.5.8	STATION STREET WEST.....	26
9.5.9	CREEK CORRIDORS .....	26
9.5.10	PARK EDGE HIGHLY SENSITIVE AREA.....	26
	9.5.11 CHURCH STREET NORTH [NEW SECTION] .....	26
9.6	HERITAGE.....	27
9.6.1	GUIDING PRINCIPLES.....	27
9.6.2	UNDERSTANDING THE PLACE.....	27
9.6.3	HERITAGE RELATIONSHIPS.....	27

## PARRAMATTA CITY CENTRE

9.6.4	DEMOLITION .....	27
9.6.5	AMALGAMATION OF LOTS.....	27
9.6.6	DEVELOPMENT TO BENEFIT A HERITAGE ITEM .....	27
9.6.7	INTERPRETATION .....	27
9.7	FLOOD RISK MANAGEMENT .....	28
9.7.1	ASSESSMENT AND MINIMISATION OF FLOOD HAZARDS, RISKS AND POTENTIAL FOR HARM.....	29
9.7.2	LAND USE AND BUILDING LEVELS .....	29
9.7.3	SENSITIVE AND CRITICAL USES .....	29
9.7.4	FLOOD WARNING AND EMERGENCY RESPONSE PLANNING .....	29
9.7.5	DEVELOPMENT IN AND NEAR FLOODWAYS, RIPARIAN ZONES AND NATURALISED CHANNELS .....	29
9.7.6	CONTROLS FOR FLOODWAYS.....	29
9.7.7	CONTROLS FOR PARRAMATTA RIVER BANK AND FORESHORES .....	29
9.7.8	CAR PARK BASEMENTS IN FLOOD PRONE AREAS .....	29
9.8	ENVIRONMENTAL SUSTAINABILITY.....	30
9.8.1	HIGH PERFORMING BUILDINGS.....	30
9.8.2	DUAL WATER SYSTEMS.....	30
9.8.3	ALL ELECTRIC BUILDINGS.....	30
9.8.4	ELECTRIC VEHICLE CHARGING INFRASTRUCTURE .....	30
9.8.5	URBAN COOLING .....	30
9.8.6	SOLAR LIGHT REFLECTIVITY (GLARE).....	30
9.8.7	NATURAL REFRIGERANTS IN AIR CONDITIONING.....	30
9.8.8	BIRD FRIENDLY DESIGN .....	30
9.8.9	WIND MITIGATION .....	30
9.9	VEHICULAR ACCESS, PARKING AND SERVICING .....	31
9.9.1	VEHICLE DRIVEWAYS AND MANOEUVRING.....	31
9.9.2	ON SITE CAR PARKING.....	31
9.9.3	BICYCLE PARKING AND END OF JOURNEY FACILITIES .....	32

## 9.1 INTRODUCTION

### 9.1.1 APPLICATION

The controls in this Part apply to the Parramatta City Centre as shown in the Land Application Map, below. The controls in this Part support the controls contained in Part 7 of Parramatta LEP 2023.

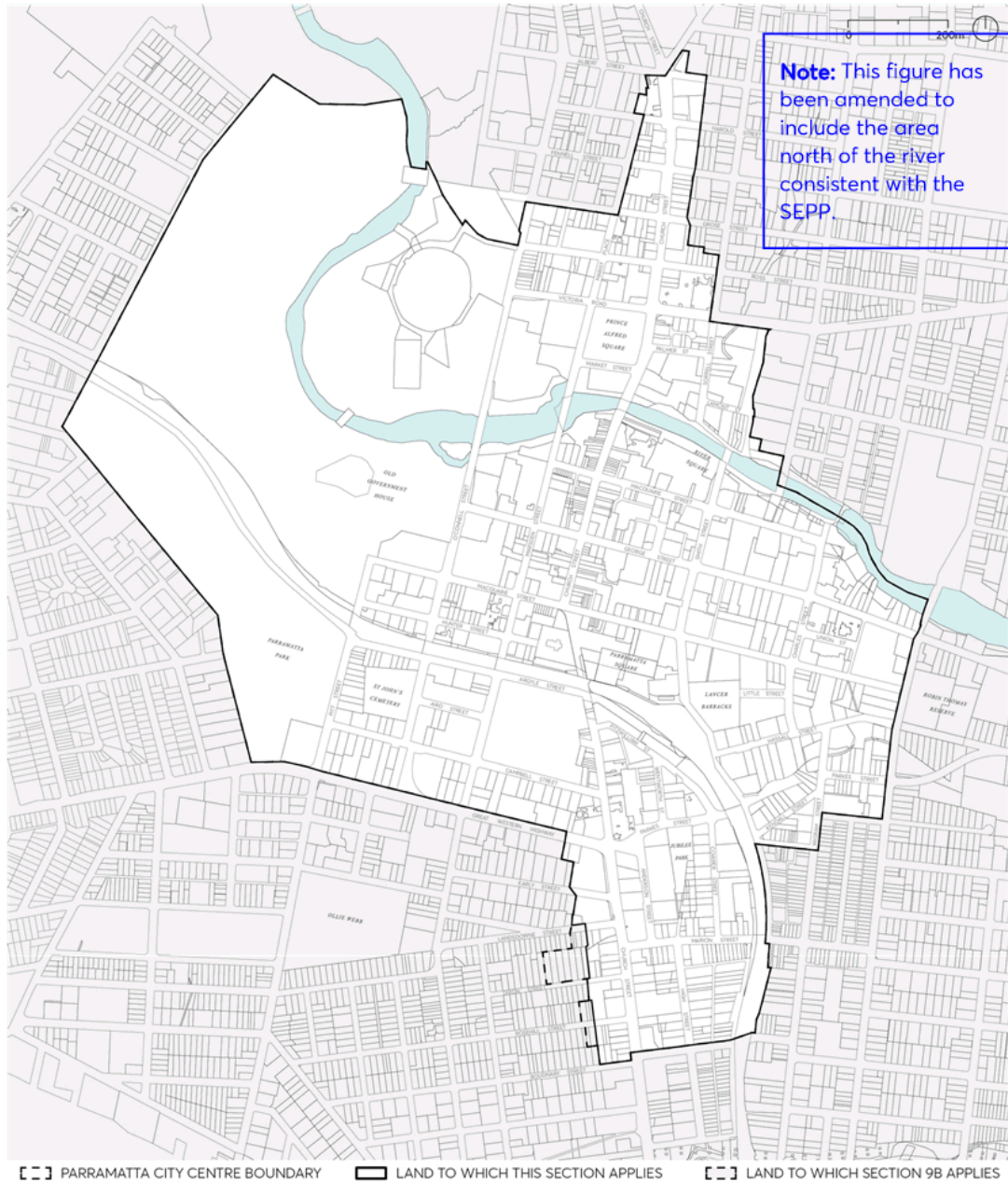


Figure 9.1.1 – Land Application Map – Parramatta City Centre

## 9.2 DESIGN QUALITY

## 9.3 BUILT FORM

**Explanatory note:** No proposed amendments to Sections 9.2 and 9.3.1 - 9.3.4.

## 9.3.1 GUIDING PRINCIPLES

## 9.3.2 MINIMUM SITE FRONTAGE

## 9.3.3 THE BUILDING ENVELOPE

## 9.3.4 THE STREET WALL

## 9.3.5 THE GROUND FLOOR

## 9.3.5.1 FLOOD AFFECTED SITES

Controls for flood affected sites in this section apply to land identified on the [Floodplain Risk Management Map of Figure 9.7.1 Parramatta LEP 2023](#). This section should be read in conjunction with Section 9.7 – Flood Risk Management and follow the site planning and design responses outlined.

Flooding conditions can be a major constraint for any development and must be incorporated in the initial stages of design work. Applicants should contact Council's Flood Engineers at the beginning of the design process to establish the requirements and to avoid abortive work.

Flood affected sites generally require habitable floors to be raised above natural ground level, which may have important implications for ground level relationships with the public domain. In this section a number of possible arrangements at this interface are illustrated. In determining the appropriate layout for each development, the design must take into account and synthesize the flooding parameters, proposed ground level functions, and the context and conditions of the site.

## 9.3.6 ABOVE GROUND PARKING

## 9.3.7 RESIDENTIAL APARTMENT DESIGN QUALITY

## 9.3.8 WINTERGARDENS

## 9.3.9 DWELLING MIX AND FLEXIBLE HOUSING

**Explanatory note:** No proposed amendments to Sections 9.3.6 to 9.3.9.



## 9.4 PUBLIC DOMAIN

Figure 9.4.1 indicates the existing and intended future Public Domain of the Parramatta City Centre together with relevant surrounding places.

Public spaces – streets, squares and parks – are the most enduring spaces of the city, the shared social and cultural domain that make up the organising framework of the City. Their clarity, quality and amenity contribute in a fundamental way to the identity and experience of the city.

This section details aspects of the design of the public domain, and must be read in conjunction with the [Public Domain Guidelines](#), which sets out the process, design guidelines and submission requirements for all new public domain assets in the City of Parramatta.

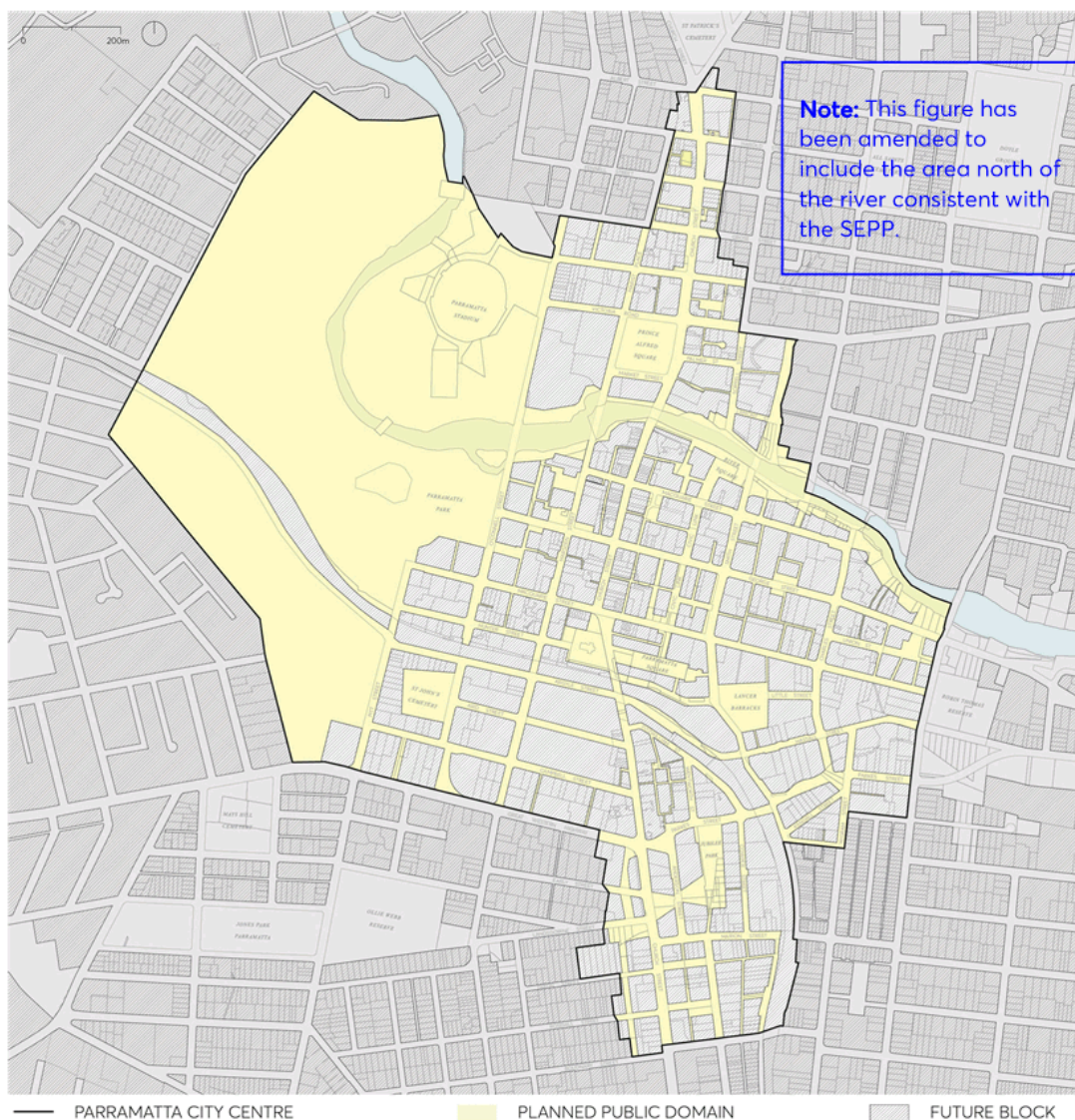


Figure 9.4.1 – The Public Domain

#### 9.4.1 SOLAR ACCESS TO SIGNIFICANT PARKS AND SPACES

Good solar access is an important contributor to the amenity of public spaces. Maintaining sunlight to significant public spaces within and close to the perimeter of the Parramatta City Centre will provide benefit to existing and future residents, workers, and visitors. The provision of solar access throughout the year is essential for a successful public open space. In addition, sunlight is crucial for the establishment and sustained health of tree planting and vegetation which provides attractive and cool environments for people in the City Centre.

The *Parramatta LEP 2023* provides specific solar access controls for Parramatta Square, Lancer Barracks, the River Foreshore and Jubilee Park. Additional parks and spaces within and close to the perimeter of the Parramatta City Centre have been identified in Figure 9.4.1.1 as providing valuable opportunities to maintain and enhance solar access.

##### Objectives

- O.01 Maintain or maximise solar access to the significant parks and spaces in and around the Parramatta City Centre during periods in the day when they are most used throughout the year.
- O.02 Maintain or maximise solar access to spaces which have important recreation values, aesthetic qualities and or heritage significance.
- O.03 Maintain or maximise solar access to existing spaces which may contribute to the open space network in the future.
- O.04 Promote active and passive recreation to public spaces to service existing and planned population of the Parramatta City Centre and surrounds.
- O.05 Ensure the successful growth and survival of trees and vegetation within these parks and spaces.

##### Controls

- C.01 New development, or additions and alterations to existing buildings, must not create any overshadowing to areas marked 'no overshadowing' in all Figures referenced in Column 2 of Table 9.4.1.1, between the nominated times listed in Column 3 of Table 9.4.1.1. Contact Council to source CAD files of areas identified for 'no overshadowing'.
- C.02 Where overshadowing of parks and spaces identified in Figure 9.4.1.1 is likely, a statement with supporting solar access studies must be submitted by a registered architect demonstrating that the proposed development does not overshadow the affected open space consistent with all Figures referenced in Column 2 of Table 9.4.1.1.
- C.03 New development and additions or alterations to existing buildings are to comply with the solar access controls irrespective of the existing height of nearby buildings.
- C.04 Ancillary structures such as columns, pillars, spires, flag poles, public art, and architectural roof features including equipment for servicing the building, such as plant, lift motor rooms, fire stairs and the like, must not be excluded from any overshadowing analysis.



PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

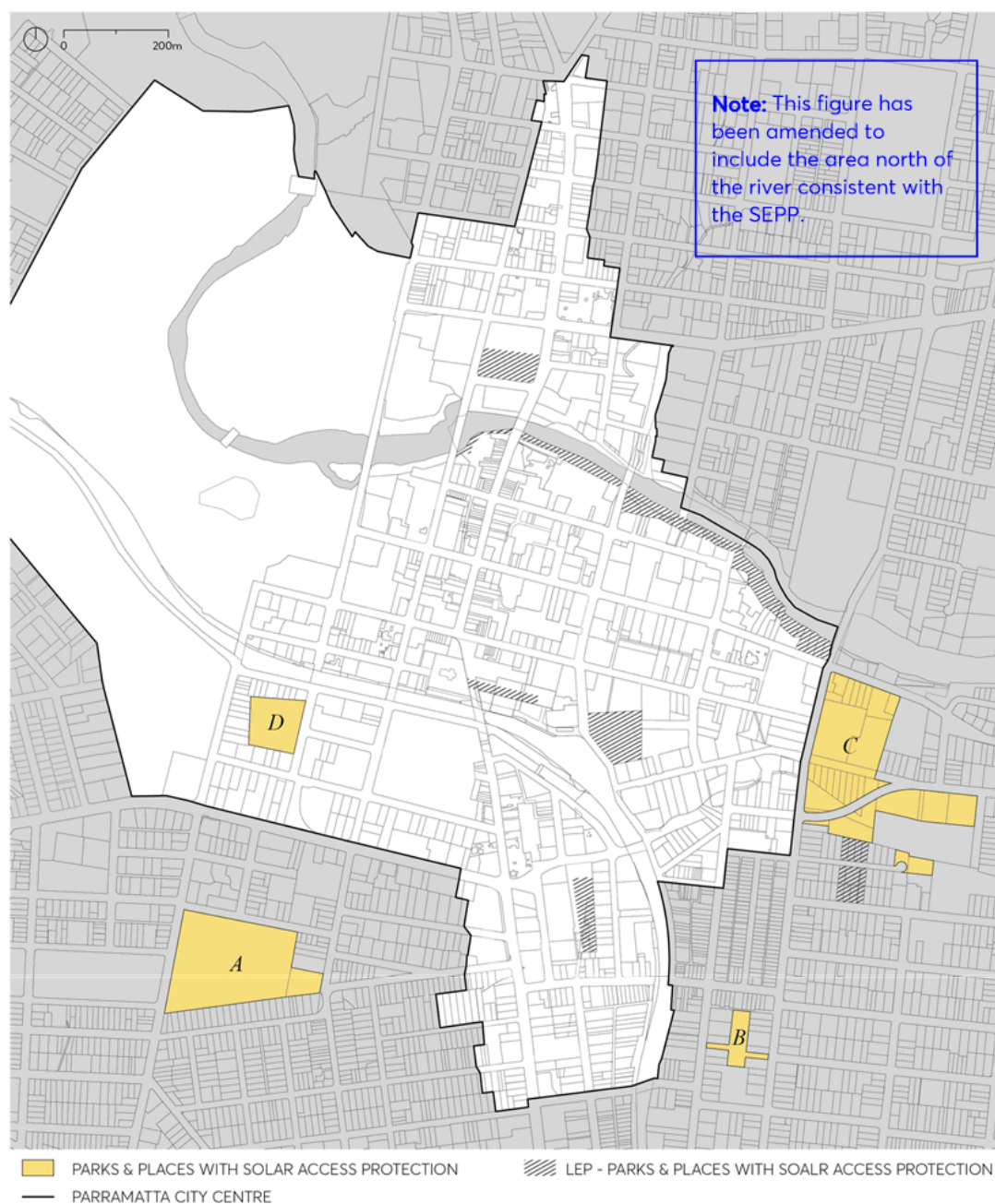


Figure 9.4.1.1 – Parks and Places with Solar Access Protection

#### 9.4.2 AWNINGS AND TREES ON STREETS

Awnings encourage pedestrian activity along streets by providing comfortable conditions at footpath level and, in conjunction with active ground floor frontages, contribute to the vitality of the streets. Awnings are the favoured means to provide shelter and weather protection for pedestrians. Colonnades are generally not supported as they restrict views of the frontage and fragment the public domain.

Trees are essential for their contribution to the amenity and character of the City Centre. When properly selected, located, planted and maintained street trees provide a multitude of benefits to the urban environment.

Ideally, in streets with active ground floor frontages, footpaths in the City Centre would be wide enough for awnings as well as street trees, but public footpath widths are generally 3.6 – 3.9 metres, and mostly insufficient to adequately accommodate both. Consequently, the following sections nominate controls for those streets where awnings have priority, those where trees have priority, and a possible strategy to achieve both awnings and trees where circumstances permit.

##### 9.4.2.1 AWNINGS HAVE PRIORITY

###### Objectives

- O.01 Ensure increased amenity in areas of high pedestrian volume by providing continuous protection from rain, sun and wind down draft.

###### Controls

- C.01 Continuous awnings must be provided along streets where identified in Figure 9.4.2.1.1.
- C.02 Dimensions of awnings must be in accordance with Figure 9.4.2.1.2.

PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

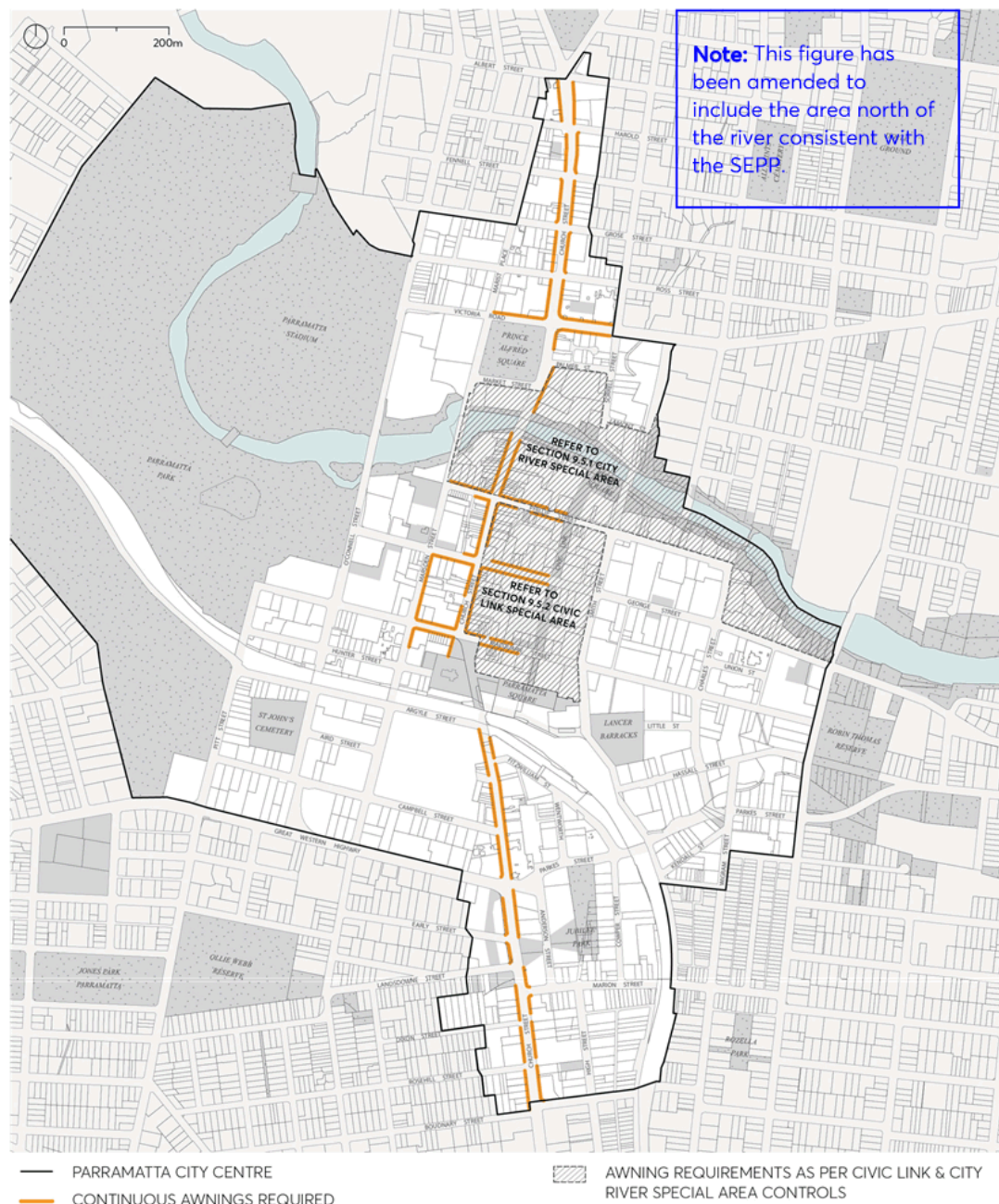


Figure 9.4.2.1.1 – Awnings have priority – Continuous awnings

PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

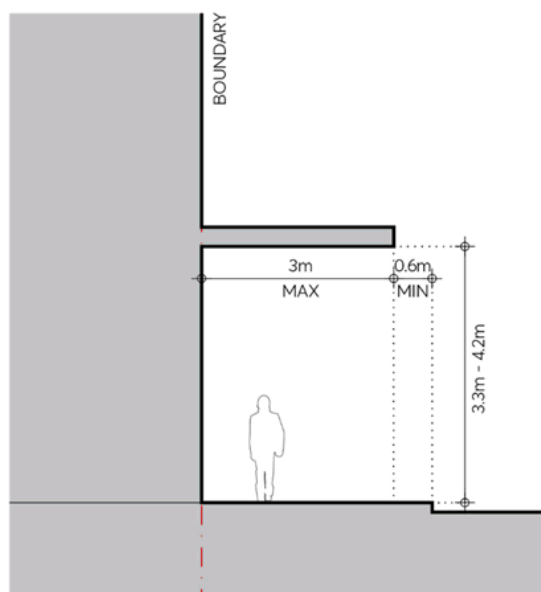


Figure 9.4.2.1.2 – Awnings have priority – Dimensions of awnings

#### 9.4.2.2 STREET TREES HAVE PRIORITY

In those areas where trees have priority, awnings of reduced width may be provided where footpaths are of sufficient width.

[Parramatta Public Domain Guidelines](#) identify the location of street trees and species selection and should be consulted when proposing the delivery of street trees as part of any development.

#### Objectives

- O.01 Maintain existing street trees and plant additional street trees within the public domain.
- O.02 Improve and enhance environmental biodiversity and mitigate temperature at ground level.
- O.03 Ensure maximum street tree crown development and performance.
- O.04 Improve visual amenity of the public domain.
- O.05 Improve quality of view for residents, workers and others overlooking the public domain.

#### Controls

- C.01 Street trees must be provided along those streets identified in Figure 9.4.2.2.1.
- C.02 Where footpath widths are 3.9 metres or greater, narrow width awnings may also be provided in accordance with Figure 9.4.2.2.2.
- C.03 Street tree species and spacing must be as specified in the [Parramatta Public Domain Guidelines](#).



PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

- C.04 Street trees must be installed in accordance with the [Parramatta Public Domain Guidelines](#) and Council Design Standards.
- C.05 A Public Domain Alignment Plan indicating the street tree locations as detailed in the [Parramatta Public Domain Guidelines](#) must be submitted for the Development Application and Construction Certificate Application.

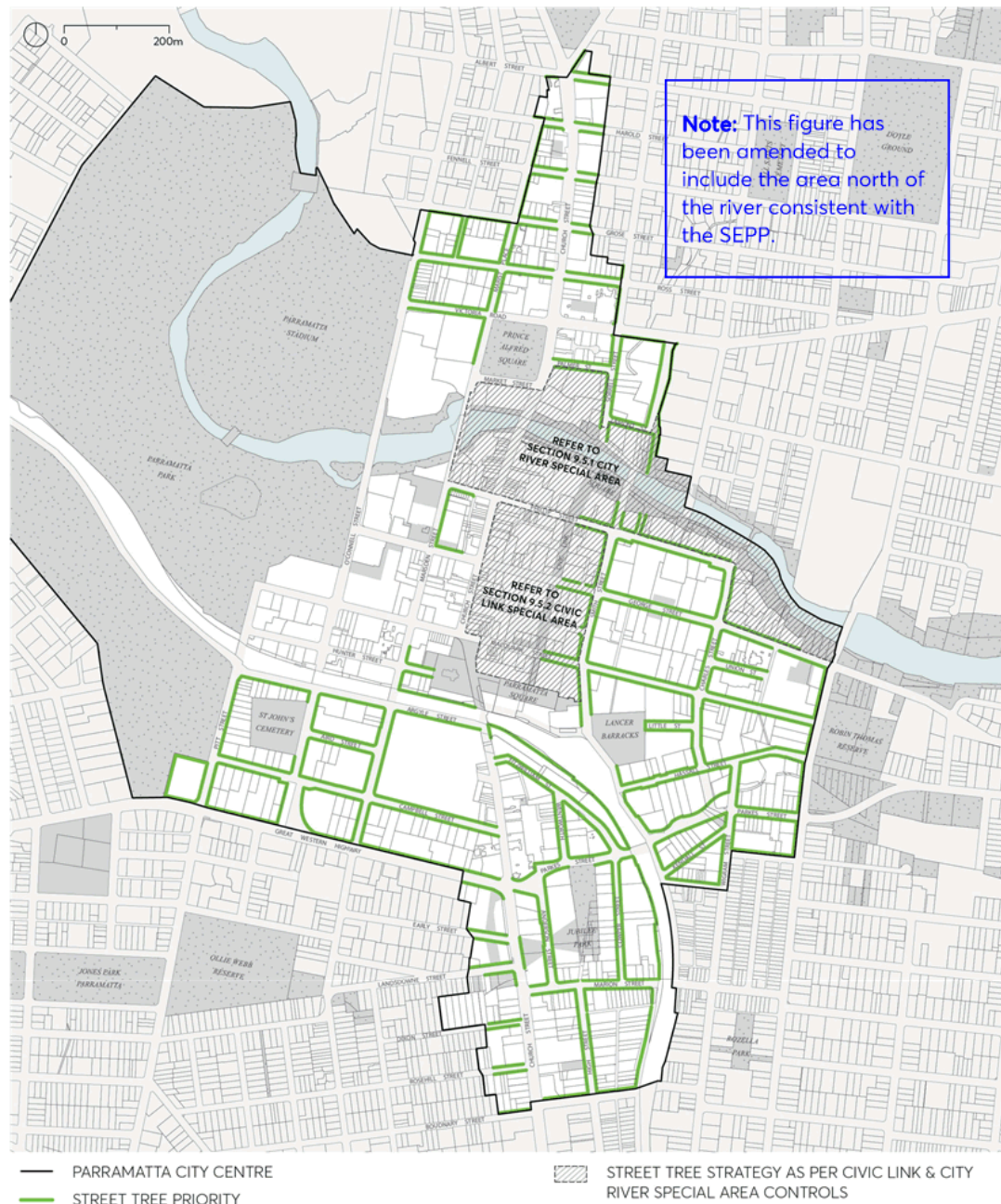


Figure 9.4.2.2.1 – Street trees have priority

PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

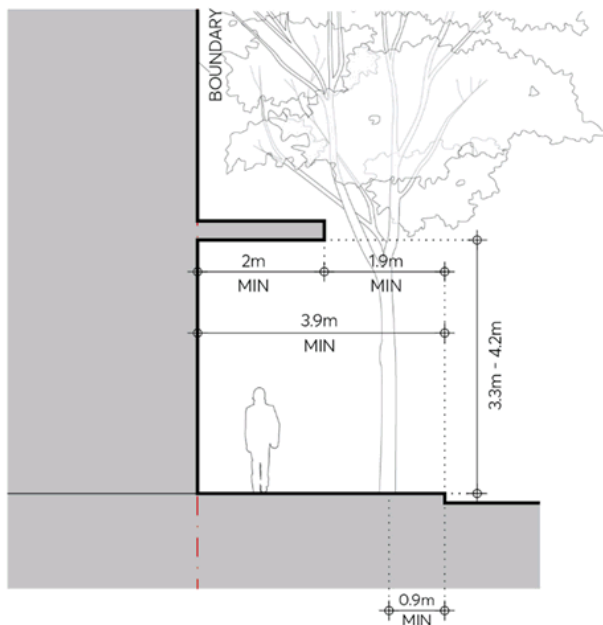


Figure 9.4.2.2.2 – Street Trees have priority, narrow width awnings

#### 9.4.2.3 SEMI-RECESSED AWNINGS

Semi-recessed awnings are an option for consideration either where awnings or street trees have priority. Setting the ground floor frontage back from the boundary and integrating the awning with the building soffit above can provide a generous footpath width, good awning cover as well as the necessary space for street trees.

Existing and possible future adjacent context must be taken into account in determining whether this option is feasible in each situation. Applicants should contact Council at the start of the design process to establish the street and awning profile for the proposal.

#### Objectives

- O.01 Allow for the possibility of generous footpaths, shelter from awnings as well as street trees where circumstances permit.

#### Controls

- C.01 Semi-recessed awnings may be provided in accordance with Figure 9.4.2.3.1.
- C.02 Where a semi-recessed awning is proposed, the following must be incorporated in its design:
- The awning must be integrated with the building soffit above as shown in Figure 9.4.2.3.1.
  - The space under the semi-recessed awning must be free of columns.
  - The frontage must be integrated with the adjacent existing frontage.

- d) A clear path of travel must be provided in the public domain as defined in the [Parramatta Public Domain Guidelines](#).

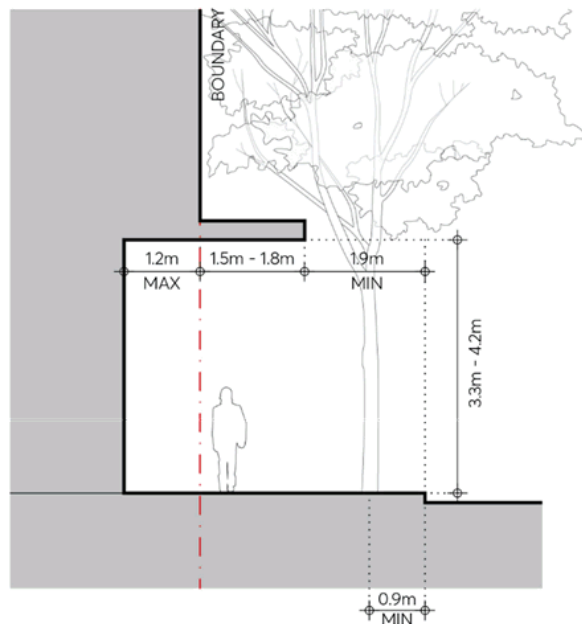


Figure 9.4.2.3.1 – Semi-Recessed Awnings

### 9.4.3 DESIGN OF AWNINGS

Well designed awnings provide a sheltered, humanly scaled space on the footpath that creates an accommodating pedestrian environment for shopping, dining, walking and lingering. They also provide weather protection for the doorways, openings and display areas of the active ground floor frontage of the building.

As an architectural element that is both part of the building as well as the public space of the street, the awning must integrate both with the characteristics of the building as well as existing and possible future adjacent awnings.

#### 9.4.3.1 AWNINGS ON STREETS

##### Objectives

- O.01 Design awnings to provide protection from rain, sun and wind down draft.
- O.02 Maintain complementary architectural detail of awning design.

##### Controls

- C.01 Awning dimensions must be in accordance with Figures 9.4.2.1.2, 9.4.2.2.2 and 9.4.2.3.1.

- C.02 Double height awnings are not permitted.
- C.03 All awnings and shading devices must have non-reflective surfaces.  
**Note** – Non-reflective surfaces is defined in Section 9.8.5 – Urban Cooling.
- C.04 Glazed awnings are not permitted except for minor articulation purposes.
- C.05 New awnings must be designed to take account of adjacent existing awnings.
- C.06 The awning roof must be designed so that all gutters are concealed and downpipes incorporated in the building fabric.
- C.07 Lighting and other fixtures must be recessed and integrated into the design of the soffit.
- C.08 Where street trees are provided, the entire length of the awning must be set back from the kerb as shown on Figures 9.4.2.2.2 and 9.4.2.3.1. Cut outs for trees and light poles in awnings are not permitted.
- C.09 The conversion of awnings to verandahs or balconies is not permitted.
- C.10 Where a proposed building is located on a street corner and an awning is not required on one frontage, the awning must extend around the corner by a minimum of 6m from the boundary corner.

#### 9.4.3.2 AWNINGS ON LANES

##### Objectives

- O.01 Encourage well-designed entrance canopies in order to provide additional shelter in lanes.
- O.02 Ensure that individual entry points are defined and address the lane.

##### Controls

- C.01 Continuous awnings are not permitted in lanes.
- C.02 Entrance canopies must not be supported with posts in order to maintain sight lines and a clear path of travel along the building edge, in accordance with the [Parramatta Public Domain Guidelines](#).
- C.03 Fixed awnings must not obstruct traffic.
- C.04 Retractable awnings must be a folding arm type and that extends into the lane no more than footpath width, in accordance with the [Parramatta Public Domain Guidelines](#).
- C.05 Provide individual awnings at building entries that are visually attractive.



#### 9.4.4 PEDESTRIAN LANES, SHARED ZONES AND SERVICE LANES

Many street blocks within the Parramatta City Centre are long, some being over 250 metres in an east-west direction and over 140 metres in a north-south direction. The benefits of a finer network of lanes are numerous: greater connectivity, increased frontage for entries and business opportunities, and a spatial intimacy and variety in the public domain. Service lanes also assist with activation of primary street frontages by providing back of house vehicular access, thereby reducing the necessity for driveways disrupting major city footpaths.

Pedestrian lanes are non-trafficable and can be narrower in width than those with vehicular access. Shared lanes have pedestrian priority over vehicle movement and typically have a flush surface for the full width of the lane. Service lanes prioritise vehicle movement and separate pedestrian movement by the use of kerbs or barriers. Service lanes should also be preserved from residential encroachment to ensure servicing is maintained or improved.

Council's City Centre Lane Policy and [Parramatta Public Domain Guidelines](#) provide further guidance on the design of pedestrian lanes, service lanes and shared zones.

#### Objectives

- O.01 Retain and increase connectivity in the public domain and variety in the street network.
- O.02 Encourage vehicular entries from shared zones and service lanes and not primary street frontages.
- O.03 Design lanes, shared zones and service lanes to encourage pedestrian amenity and safety.
- O.04 Encourage active frontages along lanes, shared zones, and service lanes without compromising safe pedestrian access and use.
- O.05 Ensure that any proposed privately owned lanes have a fully public nature equivalent to the public domain.

#### Controls

- C.01 A development must fully or partially deliver a pedestrian lane, service lane or shared zone as shown in Figure 9.4.4.1 Existing and Required lanes in the Parramatta City Centre
- C.02 Any development that proposes a new pedestrian lane, shared zone or service lane in addition to those indicated in Figure 9.4.4.1 must demonstrate that it meets the objectives and controls of this section.
- C.03 The minimum width of a pedestrian lane must be 4 metres as measured from the property boundaries.
- C.04 The minimum width of a shared zone or service lane must be 6.5 metres as measured from the property boundaries.
- C.05 The design and finish of pedestrian lanes, shared zones or service lanes must be in accordance with the [Parramatta Public Domain Guidelines](#).
- C.06 All pedestrian lanes, shared zones and service lanes must:
  - a) Be fully open to the sky.

- b) Be accessible to the public at all times.
  - c) Provide direct throughways with direct sightlines.
  - d) Be unencumbered by any basement car parking or any other private infrastructure under.
- C.07 Where a proposed lane or shared zone is not able to be dedicated to Council:
- a) The lane must be designed as part of the public street network, of equivalent status to the public domain, with its fully public nature embedded in the title arrangements.
  - b) The lane must be designed with the same parameters and finishes as required for Council owned lanes outlined in this section.
  - c) The lane must be named and signposted in the same way as for Council owned lanes.
- C.08 Pedestrian lanes must be clear of all obstructions, including columns, stairs, escalators and fixed furniture. A minimum of 50 per cent of lane width is to provide clear pedestrian access.
- C.09 Main building entry points on lanes must be clearly visible and defined as appropriately with canopies, building signage, lighting and high-quality articulation. Steps, handrails, or Tactile Ground Surface Indicators must not protrude into or interfere with the lane.
- C.01 Arcades are a secondary pedestrian option and must not to replace the role or function of a lane, shared zone, or service lane.



PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

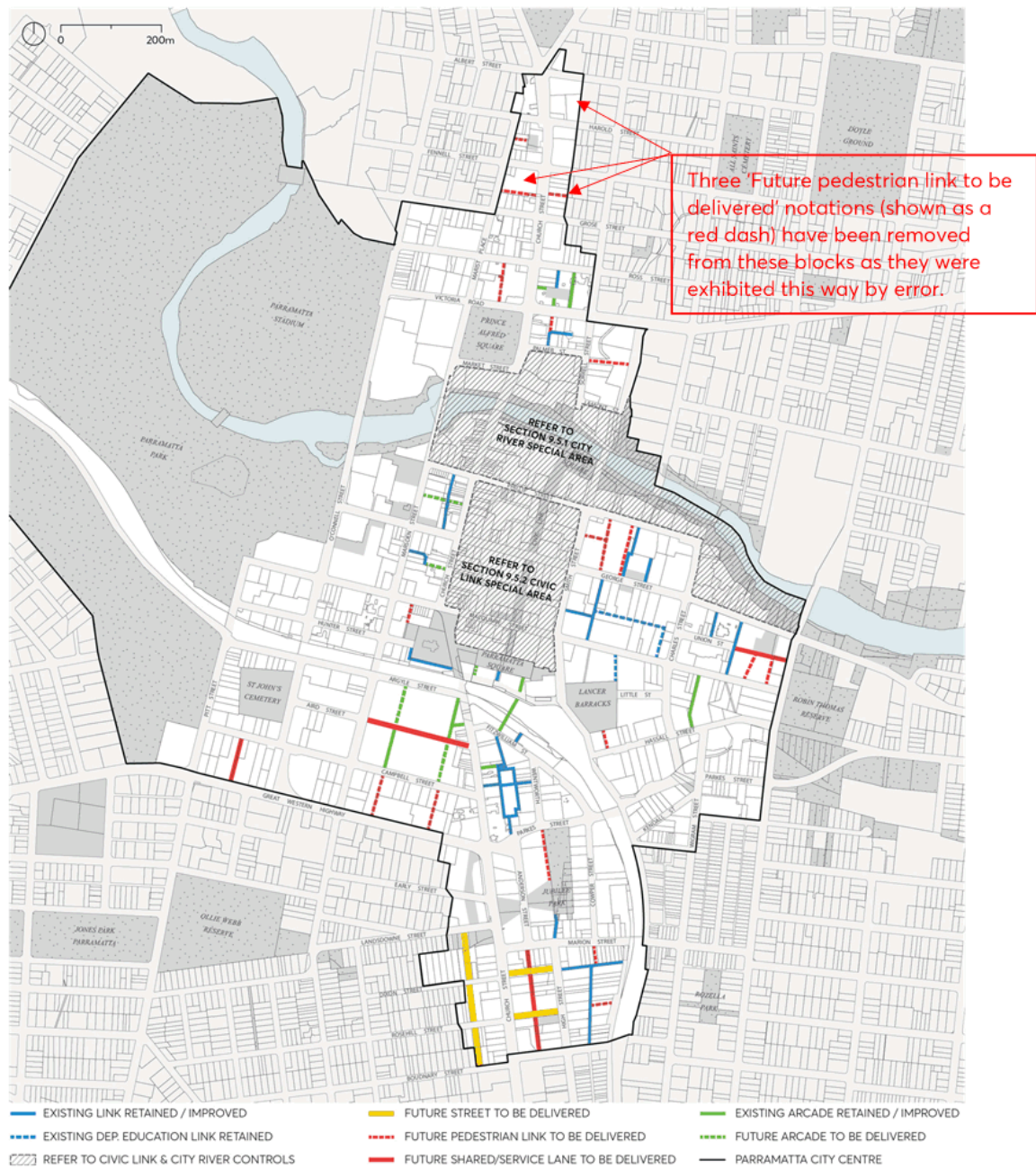


Figure 9.4.4.1 – Existing and Required Lanes in the Parramatta City Centre

#### 9.4.5 PEDESTRIAN OVERPASSES AND UNDERPASSES

**Explanatory note:** No amendments to Section 9.4.5 Pedestrian Overpasses and

#### 9.4.6 VEHICLE FOOTPATH CROSSINGS

The design and location of vehicle access to developments should minimise conflicts between pedestrians and vehicles on footpaths, particularly along primarily pedestrian streets. Vehicle access should also be designed to minimise visual intrusion and disruption of the public domain.

Porte-cocheres are not encouraged as they disrupt pedestrian movement, do not contribute to active street frontage, and provide no public benefit.

##### Objectives

- O.01 Provide a simple, legible, and direct pedestrian footway on all streets.
- O.02 Make vehicle access to buildings more compatible with pedestrian movements and the public domain.
- O.03 Prioritise safe pedestrian movements within the public domain.
- O.04 Ensure vehicle entry points are integrated into the building design and contribute to high quality architecture and streetscapes.
- O.05 Minimise the width of any vehicular footpath crossing.
- O.06 Ensure vehicle access to heritage items is not detrimental to the values, setting or context of that heritage place.

##### Controls

- C.01 No additional vehicle entry points will be permitted into the parking or service areas of development along those streets identified as significant pedestrian circulation routes in Figure 9.4.6.1.
- C.02 In all other areas, one vehicle access point only will generally be permitted, which is to include the access for service vehicles and parking for both residential and non-residential uses within mixed use developments.
- C.03 Where practicable, vehicle access must be from lanes and minor streets rather than primary street fronts or streets with major pedestrian activity.
- C.04 Vehicle slip lanes in public streets for private use are not permitted.
- C.05 Where practicable, adjoining buildings must share or amalgamate vehicular access points, basements and servicing facilities. Internal on-site signal equipment must be used to allow shared access. Wherever appropriate, new buildings must provide vehicle access points that can be shared at a later date.

## PARRAMATTA CITY CENTRE

## PUBLIC DOMAIN

- C.06 Vehicle access ramps must be perpendicular to the street frontage to minimise the width of vehicle entry and exit openings.
- C.07 Vehicle landings (for the length of one vehicle) must be flush with the public domain to maximise visual contact with oncoming pedestrians.
- C.08 The design of vehicle access doors to vehicle access points must be fitted behind the building facade and be of materials that integrate with the design of the building and that contribute positively to the public domain.
- C.09 Vehicle entries visible from the street when doors are open must have a high quality finish to walls and ceilings as well as a high standard of detailing. No service ducts or pipes are to be visible from the street.
- C.10 Porte-cocheres may be permitted in exceptional circumstances for hotels and major tourist venues, subject to high quality urban design, streetscape, heritage and pedestrian safety and amenity considerations.
- C.11 If permitted, a porte-cochere must be internal to the building with one combined vehicle entry and exit point, or one entry and one exit point on two different street fronts of the development. In exceptional circumstances, for buildings with one street frontage only, an indented porte-cochere with separate entry and exit points across the footpath may be permitted.
- C.12 A porte-cochere must be constructed level to the public domain.



PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

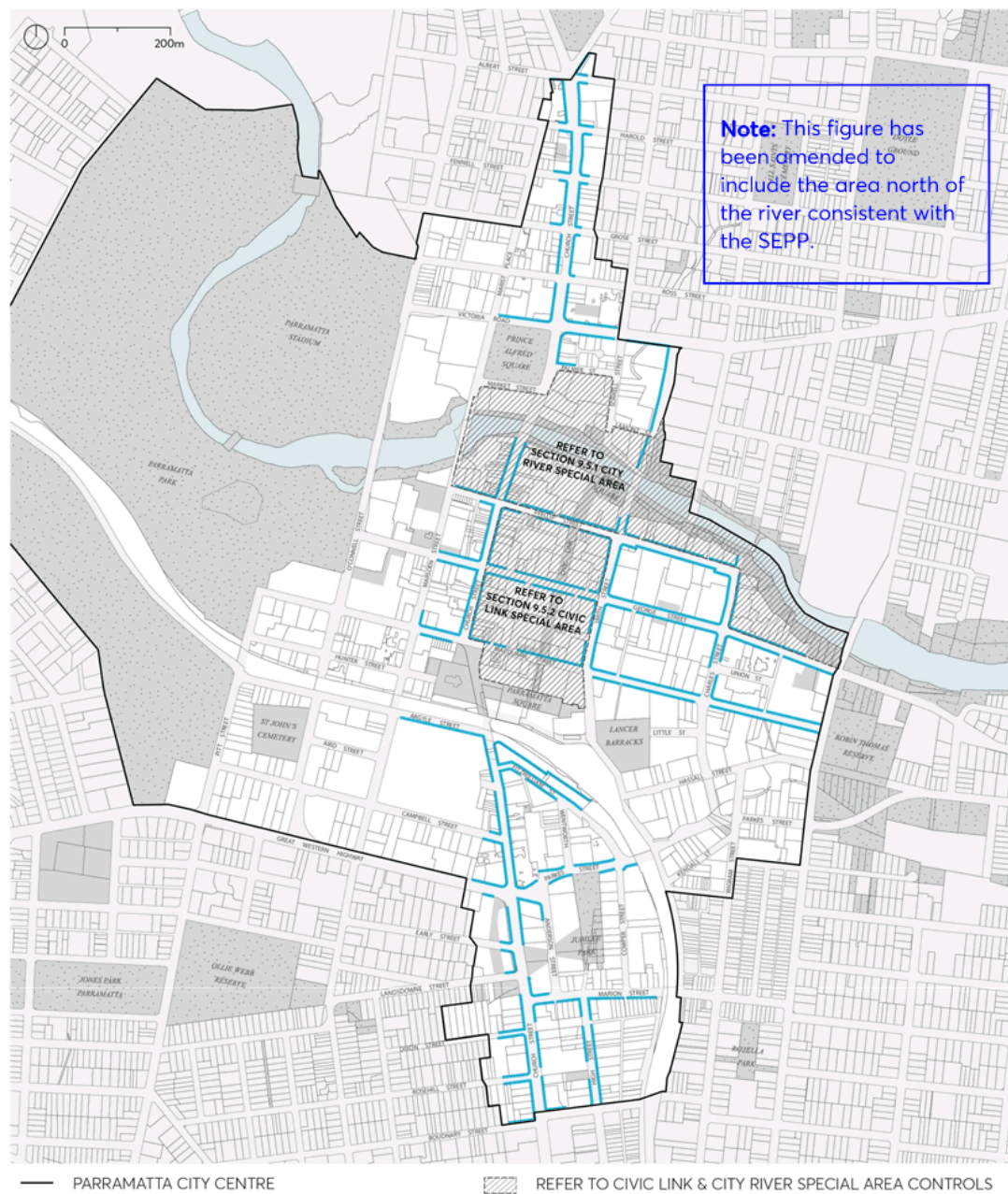


Figure 9.4.6.1 – No Additional Vehicle Entry Permitted

### 9.4.7 VIEWS

Important views contribute to way finding and a sense of place and identity for the city. Views are shaped and informed by their surrounds.

The physical setting of the Parramatta City Centre, generally framed by Parramatta Park, Parramatta River, and the heavy rail corridor makes for special views of the natural setting with significant heritage and cultural elements. It is important that significant views within, into and out of the city are maintained from as many points in the public domain as possible.

Design that acknowledges the value of important views can protect and enhance these views, thereby contributing to the character and quality of the public domain.

**Explanatory note:** These controls in Section 9.4.7 are proposed to apply to the City Centre area situated north of the river.

The controls in this section apply to sites within the City Centre that are affected by view corridors illustrated in Figure 9.4.7.1. ~~This includes sites within the deferred Area A identified on the Special Provisions Area Map in Parramatta LEP 2023.~~

#### Objectives

- O.01 Reinforce the sense of place and way finding in the City Centre.
- O.02 Maintain and enhance views from the City Centre to significant heritage, natural features and significant trees.
- O.03 Maintain and reinforce views along streets and to urban spaces.
- O.04 Maintain views of silhouettes of the tops of major buildings or structures as seen against the sky.
- O.05 Encourage views from Parramatta City Centre to Parramatta River and to Parramatta Park.

#### Controls

- C.01 Where a proposed development is within the corridor of the identified views in Figure 9.4.7.1 and Table 9.4.7.1, an analysis must demonstrate:
  - a) The impact of the proposed development.
  - b) How the view is maintained and reinforced by the proposal.
  - c) How the view informed site planning, architectural form, finish, materials and detailing of the proposal.

PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

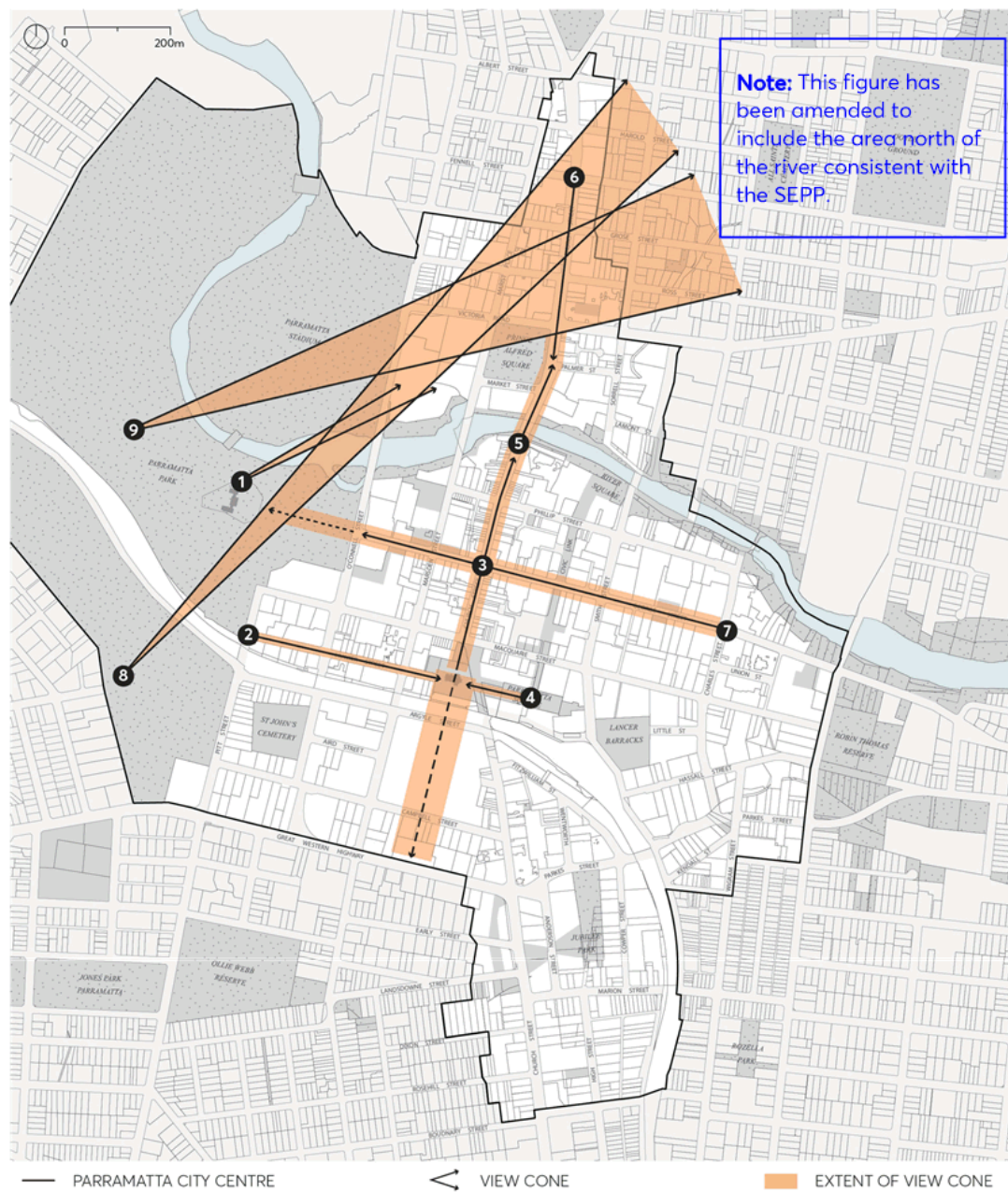


Figure 9.4.7.1 – Historic Views to be protected



PARRAMATTA CITY CENTRE

PUBLIC DOMAIN

Table 9.4.7.1 – Identified Historic Views to be protected

	Identified View	Significance
1.	Old Government House view northeast to the river, Old King's School building and site of former Government farm.	Key historic view demonstrating the relationship between the Governor, early Government farm and major school institution. Setting of both heritage items.
2.	Views east along Hunter Street to St John's Cathedral and spires, available back to Parramatta Regional Park.	Vistas along Hunter Street providing a framed view to St John's Cathedral, across the cathedral grounds towards the Town Hall, and to 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.
3.	Views southwards to and beyond St John's Cathedral and Centenary Square, and northwards along the procession of Church Street.	Historic main street approach to City Centre and St John's Cathedral with other heritage items in view, as well as the procession and views from St John's northwards, up Church Street.  Views from Church Street towards St John's Cathedral must allow the silhouette of the Cathedral spires to be seen against the sky.
4.	Views west along Parramatta Square to St John's Cathedral, past the Town Hall.	Backdrop and setting of church. Views to the Cathedral and spires.
5.	Views north and south along Church Street, including views of the Western Sydney Stadium and heritage buildings, St John's Church spires to the south and St Peter's church.	Historic main street and approach to city, framed by a number of heritage buildings and recurrent views to Parramatta Park.
6.	Approach to Parramatta along Church Street from Fennell Street, and sequential views southward.	Historic main street and approach. Relatively consistent scale and setback of streetscape.
7.	Views along George Street to Parramatta Park / George Street Gatehouse and trees.	Key historic street approach to the park and Old Government House. City edge of park, framing views to George Street Gatehouse, trees, and Old Government House (not now visible), views of streetscape, heritage items.
8.	View from Marys Hill across Parramatta's City Centre to distant hills.	Key historic viewing point from the highest part of the Parramatta Park with best views of the city in the river valley, glimpses to hills behind the city between buildings.
9.	View from The Crescent to the distant hills Key historic viewing point from the ridge of The Crescent.	Key historic viewing point from the ridge of The Crescent to glimpses of distant hills between buildings.

## 9.5 SPECIAL AREAS

**Note:** Figures in Section 9.5.1 City River require consequential changes. Also, a new section 9.5.11 Church Street North is proposed.

Special Areas are defined precincts with distinctive conditions that require specific controls relating to the characteristics of the area. Development within a Special Area must respond to the particular attributes and qualities of that place.

This Special Areas section should be read in conjunction with the other sections of the City Centre controls. Unless modified or specifically excluded in this section, all controls in Sections 9.1 - 9.4 and Sections 9.6 - 9.9 apply to development in Special Areas.

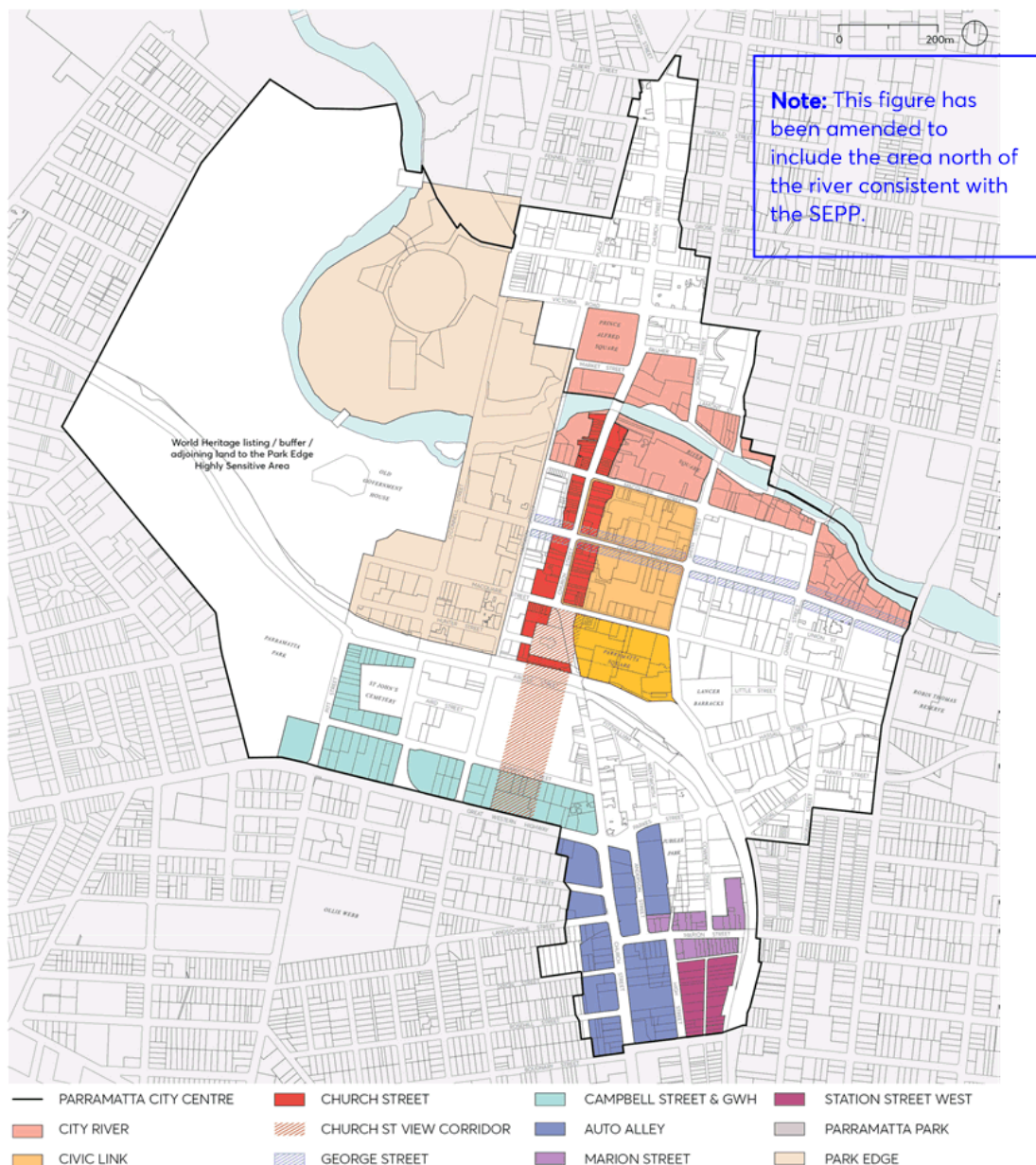


Figure 9.5.1 – Parramatta City Centre Special Areas

## 9.5.1 CITY RIVER

**Explanatory note:** Only Figures 9.5.1, 9.5.1.1.1 and 9.5.1.1.2 are required to be included in this section given consequential changes are required to them. The rest of Section 9.5.1 City River is not included because consequential changes are not proposed.

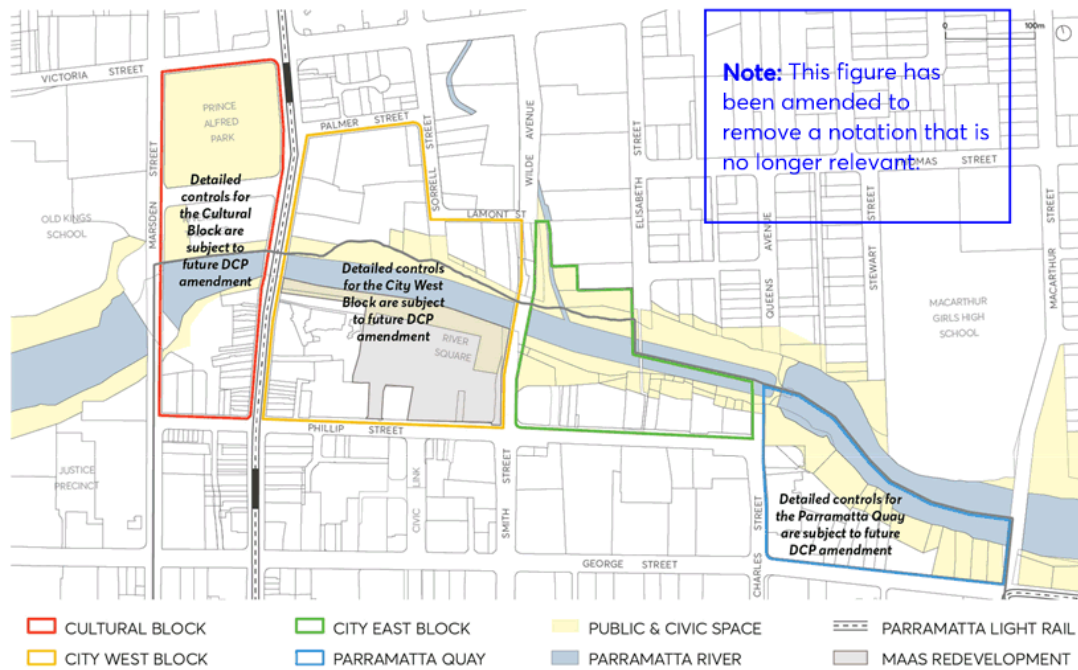


Figure 9.5.1.1 – City River Special Area

PARRAMATTA CITY CENTRE

SPECIAL AREAS

## 9.5.1.1 CITY EAST BLOCK

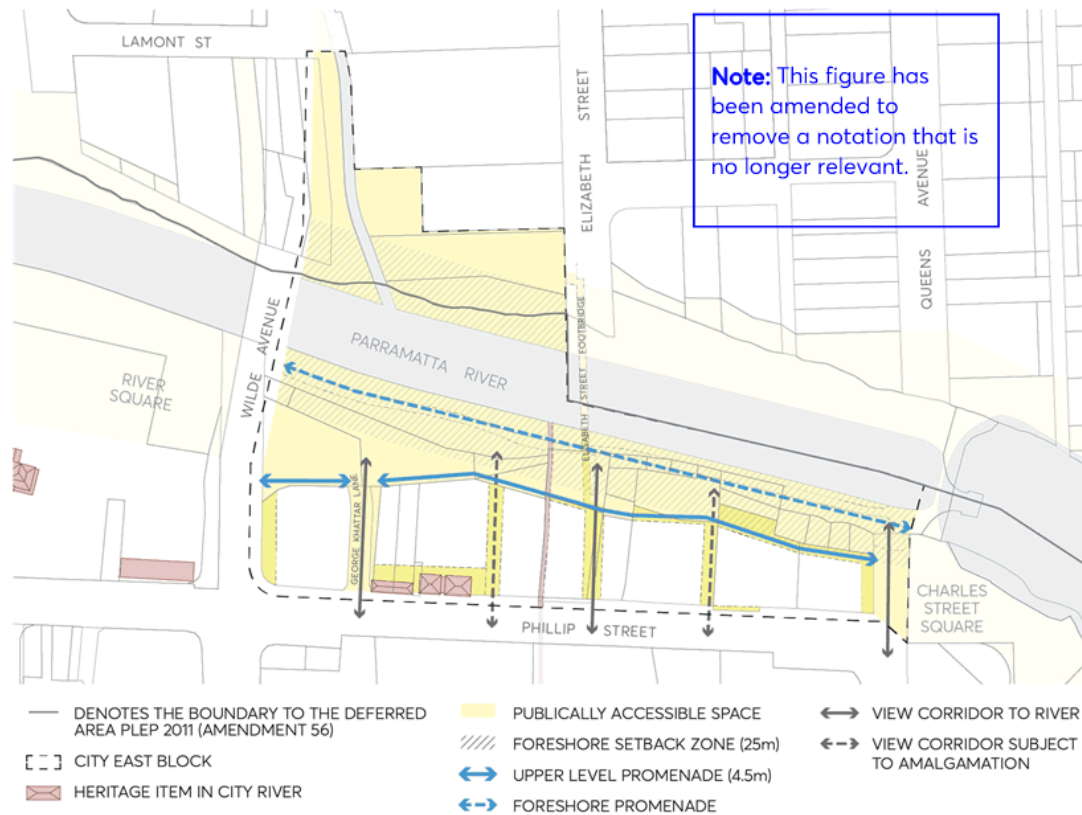


Figure 9.5.1.1.1 – City East Block Framework Plan

PARRAMATTA CITY CENTRE

SPECIAL AREAS

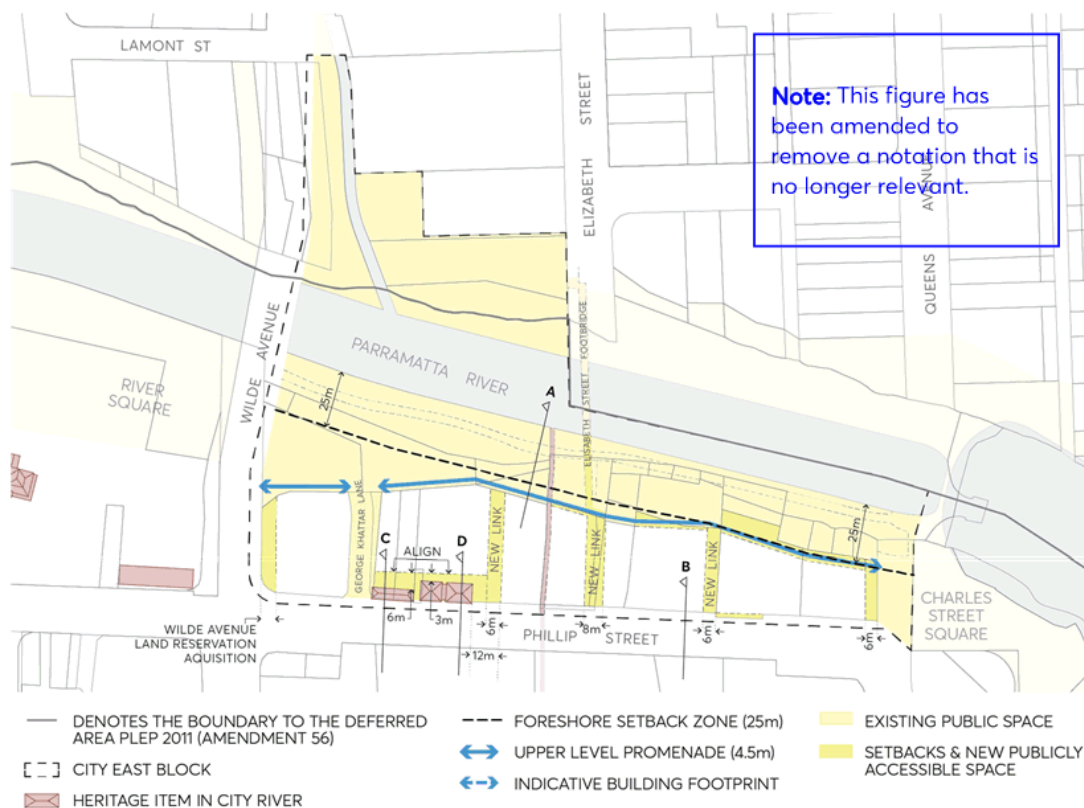


Figure 9.5.1.1.2 – City East Block Public Domain



## PARRAMATTA CITY CENTRE

## SPECIAL AREAS

- 9.5.2 CIVIC LINK
- 9.5.3 GEORGE STREET
- 9.5.4 CHURCH STREET
- 9.5.5 MARION STREET
- 9.5.6 CAMPBELL STREET & GREAT WESTERN HIGHWAY
- 9.5.7 AUTO ALLEY

**Explanatory note:** Sections 9.5.2 to 9.5.6 do not require any changes as these special areas are not located north of the river.

The Auto Alley Special Area has been identified as a long-term growth area for the City. The future form of Auto Alley is proposed to retain the existing large retail tenancies on the street for automotive uses, while also providing an opportunity for commercial redevelopment in the long term. The controls for this precinct ensure a more localised response to the specific character established by the historical usage of south Church Street and the remnant commercial occupancies.

The Auto Alley Special Area must also deliver future open space for the City Centre and improve pedestrian connectivity in the south of the city. Approximately 1 hectare of park and plaza must be delivered alongside the redevelopment of Auto Alley. Several new streets must be provided: a north-south street is provided at the western boundary of the precinct; two east-west streets extend Dixon Street and Rosehill Street from Church Street to High Street; and a north-south lane extends Anderson Street from Marion Street to Raymond Street.

Built form must also consider the potential future development and public domain expected in the adjacent Marion Street Special Area to the north, and in the Station Street Special Area to the east. Specifically, the mixed-use eastern portion of the precinct must be considered as a transition area, as reflected in the lower building heights and FSR requirements in the *Parramatta LEP 2023*.

The controls for Auto Alley (West) which is made up of the land zoned E3 Productivity Support are contained in Part 9B.

**Explanatory note:** The above amendment referencing the E3 zoned land is the only required amendment to section 9.5.7.

- 9.5.8 STATION STREET WEST
- 9.5.9 CREEK CORRIDORS
- 9.5.10 PARK EDGE HIGHLY SENSITIVE AREA

**Explanatory note:** Sections 9.5.8 to 9.5.10 do not require any changes as these sections do not apply to the Church Street North Precinct.

- 9.5.11 CHURCH STREET NORTH [NEW SECTION – TO BE DROPPED IN AT FINALISATION STAGE]

XXX



## 9.6 HERITAGE

**Explanatory note:** Section 9.6 will apply to the Church Street North Precinct where clause 7.22 Managing heritage impacts applies.

This section of the DCP should be read in conjunction with Part 7 – Heritage and Archaeology (including Section 7.8, which addresses Aboriginal cultural heritage, Section 7.10 – Heritage Conservation Areas) and Section 5.3.4 – Tree and Vegetation Preservation in Parramatta DCP 2023.

This section of the DCP outlines Council's integrated approach to protecting and celebrating heritage within a collective urban form that has a strong focus on the pedestrian experience. These controls apply to all land in the Parramatta City Centre, not just sites containing a heritage item or next to a heritage item, because heritage items in the City Centre form a collective network of heritage places that together enliven and enrich the city.

This section must also be read in conjunction with relevant heritage inventory sheets, the [Australia ICOMOS Burra Charter 2013](#), relevant heritage studies, and any heritage guidelines.

### 9.6.1 GUIDING PRINCIPLES

### 9.6.2 UNDERSTANDING THE PLACE

### 9.6.3 HERITAGE RELATIONSHIPS

### 9.6.4 DEMOLITION

### 9.6.5 AMALGAMATION OF LOTS

### 9.6.6 DEVELOPMENT TO BENEFIT A HERITAGE ITEM

### 9.6.7 INTERPRETATION

**Explanatory note:** No proposed amendment to Section 9.6.1 to 9.6.7.

## 9.7 FLOOD RISK MANAGEMENT

**Explanatory note:** Section 9.7 will apply to the Church Street North Precinct where clause 7.11 Floodplain risk management in *Parramatta LEP 2023* applies.

Parramatta City Centre sits in the floodplain of both the Upper and Lower Parramatta River Catchments, Clay Cliff Creek and other tributaries. The City is prone to mainstream (or river) flooding events and local overland flow flooding. All of this is 'flash flooding' with short warning times for building occupants and people in the streets and public spaces.

For many sites, conventional (horizontal) evacuation of a building during a flood event is suitable. For sites where this is not possible, taking refuge within buildings above the Probable Maximum Flood is required. This is termed 'Shelter in Place'. This Section explains how these alternatives are pursued for new and upgrading development.

This section provides the guidance for early consideration of integrated built form solutions that address flood risk, flood safety and good design.

The controls within this section apply to flood prone land in the Parramatta City Centre. This includes land identified as being within the 'Floodplain Risk Management Area' on the Floodplain Risk Management Map in *Parramatta Local Environmental Plan 2023* as well as the deferred Area A as identified on the Special Provisions Area Map in *Parramatta LEP 2023*.

This section should also be read in conjunction with:

- Section 5.1.1 – Flooding and where there is an inconsistency, this section prevails. Refer also to Section 9.3.5.2 – Flood Affected Sites.
- Council's [Floodplain Risk Management Policy and Plan](#) as required by the NSW Flood Policy and NSW Floodplain Development Manual.

**Note –** A word or expression used in this Section has the same meaning as it has in the NSW Government's [Floodplain Development Manual 2005](#) unless it is otherwise defined in this DCP.

### Objectives

- O.01 The flood environment, its risks and consequences are to be understood and responded to accordingly.
- O.02 Levels of flood risk and threats to personal safety and property present for particular developments are to be minimised or significantly reduced with appropriate responses to this environment.
- O.03 Council is to provide direction, guidance and regulation for the safe and sustainable development on all land affected by flooding.
- O.04 Buildings and the uses they contain are to be compatible with the identified flood risk.
- O.05 Early site planning and consideration of flood conditions is essential to achieve an integrated flood response that manages flood risk and provides optimum development design outcomes and interface with the public domain.
- O.06 Adequate, safe flood conveyance and management of floodwaters is to be achieved, while providing for the rehabilitation, conservation and embellishment of floodways and other flood affected lands where appropriate.

**Controls**

- C.01 Flood Hazard Modelling and hazard, risk and safety assessments for all development involving the construction of a new building or significant alterations to an existing building, and or intensification of a use is to address the PMF and floods greater than the 1% Annual Exceedance Probability (AEP) as part of the Development Application (DA), particularly where there is a potential risk to life.
- C.02 Where this information is available, Council requires an Applicant to make a Flood Information Enquiry. The information supplied to an applicant via a Flood Information Enquiry will form the basis of the DA flood assessment.
- C.03 In some cases, Council may require an applicant to prepare an additional flood study, for example for special local conditions, or if the proposed development is of a form or type that requires more site-specific flood modelling. Where Council requires an applicant to submit an additional flood study, the applicant must use parameters provided by Council to prepare the flood study.

- 9.7.2 ASSESSMENT AND MINIMISATION OF FLOOD HAZARDS, RISKS AND POTENTIAL FOR HARM
- 9.7.3 LAND USE AND BUILDING LEVELS
- 9.7.4 SENSITIVE AND CRITICAL USES
- 9.7.5 FLOOD WARNING AND EMERGENCY RESPONSE PLANNING
- 9.7.6 DEVELOPMENT IN AND NEAR FLOODWAYS, RIPARIAN ZONES AND NATURALISED CHANNELS
- 9.7.7 CONTROLS FOR FLOODWAYS
- 9.7.8 CONTROLS FOR PARRAMATTA RIVER BANK AND FORESHORES
- 9.7.9 CAR PARK BASEMENTS IN FLOOD PRONE AREAS

**Explanatory note:** No proposed amendment to Section 9.7.1 to 9.7.8.

## PARRAMATTA CITY CENTRE

## ENVIRONMENTAL SUSTAINABILITY

## 9.8 ENVIRONMENTAL SUSTAINABILITY

**Explanatory note:** No proposed amendment to Section 9.8.

Sustainability and infrastructure studies undertaken for the Parramatta City Centre found that the predicted CBD growth under the development as usual scenario will result in:

- 3 x increase in energy and water demand, and
- 4 x increase in sewer loads.

This will increase greenhouse gas emissions, place increasing pressure on our energy, water and sewer infrastructure, and lock households and businesses in to higher than necessary utility costs.

The temperature increases already experienced in Parramatta, and the densification of the City Centre (less pervious surfaces, vegetation and trees, and increase in built form) mean that urban heat impacts will also increase as our city grows.

To limit the impact of this growth, it's important to design and build environmentally sustainable buildings that reduce energy and water use, greenhouse gas emissions and urban heat.

- 9.8.1 HIGH PERFORMING BUILDINGS
- 9.8.2 DUAL WATER SYSTEMS
- 9.8.3 ALL ELECTRIC BUILDINGS
- 9.8.4 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE
- 9.8.5 URBAN COOLING
- 9.8.6 SOLAR LIGHT REFLECTIVITY (GLARE)
- 9.8.7 NATURAL REFRIGERANTS IN AIR CONDITIONING
- 9.8.8 BIRD FRIENDLY DESIGN
- 9.8.9 WIND MITIGATION

## 9.9 VEHICULAR ACCESS, PARKING AND SERVICING

### 9.9.1 VEHICLE DRIVEWAYS AND MANOEUVRING

**Explanatory note:** No proposed amendment to Section 9.9.1.

### 9.9.2 ON SITE CAR PARKING

On-site parking includes underground (basement) parking, surface (at-grade) parking and above ground parking. It also includes car parking stations.

Underground and semi-underground parking minimises visual impact of car parking as viewed from the public domain. Above ground parking may be appropriate for some sites, especially for sites constrained due to flood levels or archaeology. Above ground parking will only be accepted if it is of high design quality and meets the design controls specified in Section 9.3 – Built Form.

Car parking rates for developments within the Parramatta City Centre are contained in Division 4 of *Parramatta Local Environment Plan 2023*, ~~specifically in clause 7.17 if development is outside the deferred Area A, or Clause 7.19 if included within Deferred Area A.~~ These rates are maximums and are not to be exceeded.

This section should be read in conjunction with Part 6 Traffic and Transport of this DCP in relation to car share and green travel plan controls and Section 9.9.3 – Bicycle Parking and End of Journey Facilities.

Car parking facilities require specific design considerations in flood risk areas in addition to the universal considerations that minimise the visual impact of these structures. A safely designed car park restricts flood water entry while providing failsafe opportunities for emergency egress. This section should be read in conjunction with Section 9.7.8 – Car Park Basements in Flood Prone Areas regarding flood risk management particularly for basement car parking.

#### Objectives

- O.01 Facilitate an appropriate level of on-site parking for development within the Parramatta City Centre to cater for a mix of development types.
- O.02 Minimise the impact of on-site parking on the design quality of the building and the public domain.
- O.03 Provide adequate space for parking and manoeuvring of vehicles, including service vehicles.
- O.04 Recognise the current and existing demand for parking for bicycles and electric vehicles.
- O.05 Design car parking for safe pedestrian and bicycles movements.

#### Controls

- C.01 Basement car parking must be located within the site boundaries and must not encroach on the public domain.

## PARRAMATTA CITY CENTRE

## VEHICULAR ACCESS, PARKING AND SERVICING

- C.02 Where car parking is provided in basements and semi basements which involve excavation, development must incorporate the recommended site management procedures set out in the Parramatta Historical Archaeology Landscape Management Study.
- C.03 New access points to all parking (basement or above ground) are to be limited in accordance with Figure 9.4.6.1 (in Section 9.4.6 – Vehicle Footpath Crossings). New access points may be permitted from existing lanes or any new lanes proposed as part of the development.
- C.04 Design car parking which:
- a) Maximises the efficiency of car park design with predominantly orthogonal geometry and related to circulation and car space size.
  - b) Is well-lit and minimises reliance on artificial lighting and ventilation.
  - c) Is well-ventilated and uses natural rather than mechanical ventilation where possible.
  - d) Provides marked safe path so travel for pedestrians and cyclists with clear lines of sight and safe lighting.
  - e) Avoids hidden areas and enclosed areas. Where these are unavoidable use mirrors and similar devices to aid surveillance.
- C.05 Provide readily accessible parking spaces at the rates specified under the National Construction Code which are designed and appropriately signed for use by people with disabilities in accordance with AS 2890.6.
- C.06 Provide a separate parking space for 1 motorcycle for every 50 car spaces, or part thereof. The size of a motorcycle parking space is to be in accordance with AS 2890.1. Motorcycle parking does not contribute to the number of car parking spaces permitted.
- C.07 On-site parking must meet the relevant Australian Standards.
- C.08 For residential flat buildings or the residential component of a mixed use development, stack parking of up to 2 cars is permitted where spaces are attached to the same single dwelling unit.
- C.09 To facilitate adaptation of car parking to other uses in the long term, or to promote de-coupled car parking, consideration will be given to car parking remaining as part of the common property and not part of or attached to individual strata units.

**9.9.3 BICYCLE PARKING AND END OF JOURNEY FACILITIES**

**Explanatory note:** No proposed amendment to Section 9.9.3.



## PARRAMATTA WARD

### 7.10.1 NORTH PARRAMATTA AND SORRELL STREET CONSERVATION AREAS

The location of North Parramatta Conservation Area is depicted in Figure 7.0.1 and the location of Sorrell Street Conservation Area is depicted in Figure 7.0.2.

The southern portion of the North Parramatta Conservation Area situated between Grose and Ross Streets is located within the Parramatta City Centre via SEPP (Church Street North Precinct) 2023 which rezoned this block from the R2 zone to the MU1 zone. Therefore, applicants must also consult section 9.6 Heritage in Part 9 of this DCP as it supports clause 7.22 Managing heritage impacts in Parramatta LEP 2023 which also applies to this portion of the Conservation Area.

#### 7.10.1.1 HISTORY

##### NORTH PARRAMATTA

By 1846, there was little development north of Fennell Street, apart from along Church Street. The only building from this period is Roseneath, built c 1837, but there are likely to be some belowground archaeological deposits. A decade later, when the streets were surveyed to enable them to be officially aligned, more cottages had been erected. Several dwellings remain from the 1860s and 1870s.

The 1880s was the most intensive period of development. The economic confidence of the time encouraged speculative builders and landowners to construct houses. By 1895, when the area was surveyed for the sewerage system, a relatively dense pattern of houses had developed, with only a few pieces of vacant land west of Church Street.

The area retained its character as an area for cottages, with some houses built each decade. From the 1960s onwards, Council approved two and three storey residential flat buildings in North Parramatta, most of which involved the demolition of two or more small old dwellings.

Archaeological investigations in Parramatta have shown that there is a high likelihood of valuable archaeological material below ground that is worthy of investigation and archaeological excavation if and when development occurs.

##### SORRELL STREET

Sorrell Street was one of the early streets developed north of the Parramatta River. Its southern end between Palmer and Grose Streets was shown on a map of 1825, and the Brownrigg Map of 1844 shows the full extent of the street as it is today. At this time there were few buildings, mostly south of Grose Street, none of which remain today. There has been considerable re-subdivision including the creation of allotments to face Sorrell Street, whereas most originally faced north or south to Ross, Grose or Fennell Streets.

Most buildings were constructed before 1895. Development was underway here in the 1840s as land in the centre of Parramatta was occupied. Building continued steadily from the 1860s to the 1880s. By the late nineteenth century, the original houses had been replaced by larger houses, some of

## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

which replaced two smaller houses. New houses were occasionally built in the subdivided grounds of existing houses with several houses built every decade. From the 1960s, Council approved residential flat buildings on the western side of Sorrell Street that required the amalgamation of several properties and the demolition of small houses.

Today the area includes houses in a range of scales and materials, dating from the 1830s to the 1950s, and residential flat buildings dating from the late 1950s to the 1990s. Buildings and grounds vary in scale from Endrim (the oldest house in the street), a two-storey villa with a large garden that occupies most of the land on the eastern side between Albert and Harold Streets, to small cottages built close to the street.

## 7.10.1.2 STATEMENT OF SIGNIFICANCE

## NORTH PARRAMATTA

An area of early government subdivision in Parramatta that retains a considerable number of small dwellings and houses built from the mid-nineteenth century until the early twentieth century. In the nineteenth and early twentieth century this area was popular with the proprietors of businesses in Parramatta and it retains much of its residential character from this period. The predominance of small single storey cottages on their own allotments reflects the character of Parramatta north of the river from the mid nineteenth century until redevelopment for residential flats started in the 1960s. This area contains 46% of the dwellings that existed here in 1895.

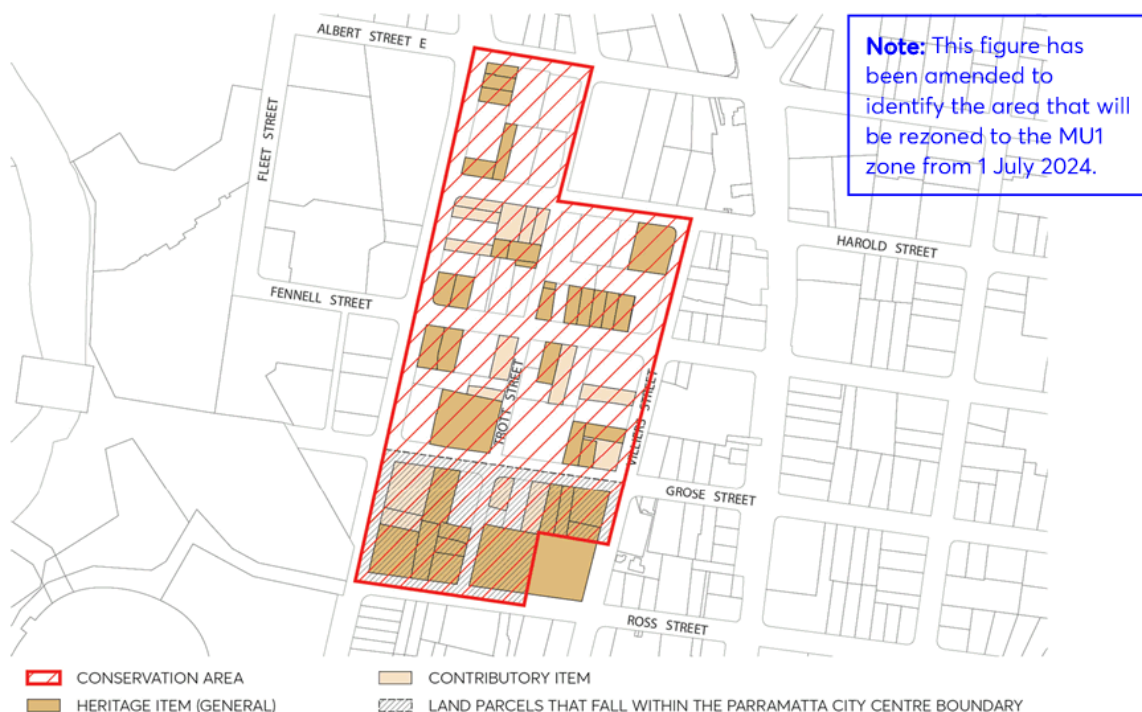


Figure 7.0.1 – North Parramatta Conservation Area

## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

## SORRELL STREET

An important local road in Parramatta north of the river, together with street trees and houses dating from the mid-nineteenth century to the mid-twentieth century. The Sorrell Street area demonstrates the variety of small and large dwellings built in Parramatta, north of the river, in the nineteenth and early twentieth century. The predominance of small single storey cottages on their own allotments reflects the character of Sorrell Street from the mid-nineteenth century until redevelopment for residential flats started in the 1960s. This area contains 63% of the dwellings that existed here in 1895.



Figure 4.3.3.4.1.1.1

Figure 7.0.2 – Sorrell Street Conservation Area

## 7.10.1.3 DISTINCTIVE CHARACTERISTICS

- Gently sloping landform.
- Pattern of development from the nineteenth and early twentieth centuries of mostly small single-storey dwellings on their own allotments, in a variety of forms and styles with front verandahs, sited close to the street, together with a small number of larger houses with gardens.
- Twentieth century houses built on undeveloped land or replacing early small dwellings set further back than earlier houses with small front gardens.
- Gardens/yards at the rear of small dwellings that are likely to retain old wells from the era before the installation of a town water supply.
- Residential flat buildings dating from the 1960s onwards, two to four storeys in scale with driveways and ground level garages: these developments involved the amalgamation of two or more small allotments and the demolition of small dwellings.

## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

- Absence of driveways across footpaths and hence the absence of garages at the front of lots and in the street scene.
- Stone kerbs and gutters and street trees.
- Street pattern from original government subdivision.
- Archaeological evidence of early dwellings constructed in Parramatta before the present buildings.

## 7.10.1.4 PROVISIONS

Development should be in accordance with the general provisions under Section 7.4 of this DCP and the additional specific provisions below:

**Objectives**

The following objectives are applicable to both North Parramatta Conservation Area and Sorrell Street Conservation Area.

- O.01 Reinstatement of residential use in buildings originally constructed as dwellings. [Where a development application affects land zoned MU1 in North Parramatta Conservation Area, non-residential uses must be accommodated within the fabric of the building.](#)
- O.02 Ensure residential development are compatible with the small scale of its significant buildings.
- O.03 Retention of all buildings that contribute to the history of the area as a residential area from the mid-nineteenth century up to 1945.
- O.04 Retention of the existing pattern of allotments of North Parramatta and Sorrell Street Conservation Areas.
- O.05 Continued use for residential purposes and the re-establishment of residential use within buildings originally constructed as dwellings. [Where a development application affects land zoned MU1 in North Parramatta Conservation Area, non-residential uses must be accommodated within the existing building footprint and layout.](#)
- O.06 To avoid disturbance of significant archaeological deposits without investigation in accordance with the provisions of the *Heritage Act 1977*.

**Controls**

The following controls are applicable to both North Parramatta Conservation Area and Sorrell Street Conservation Area.

## Subdivision

- C.01 Maintain the historical pattern of subdivision and re-subdivision to form allotments for small dwellings [including for any development application proposing non-residential development in the MU1 zone in North Parramatta Conservation Area.](#)
- C.02 Allow re-subdivision of lots that have been amalgamated in the past along the north-south line, or along previous boundaries as shown in the 1895 plan.
- C.03 Avoid re-subdivision across the line of subdivision or by amalgamation of rear garden space.

## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

- C.04 Avoid development that involves the amalgamation of allotments and buildings that cross allotment boundaries.

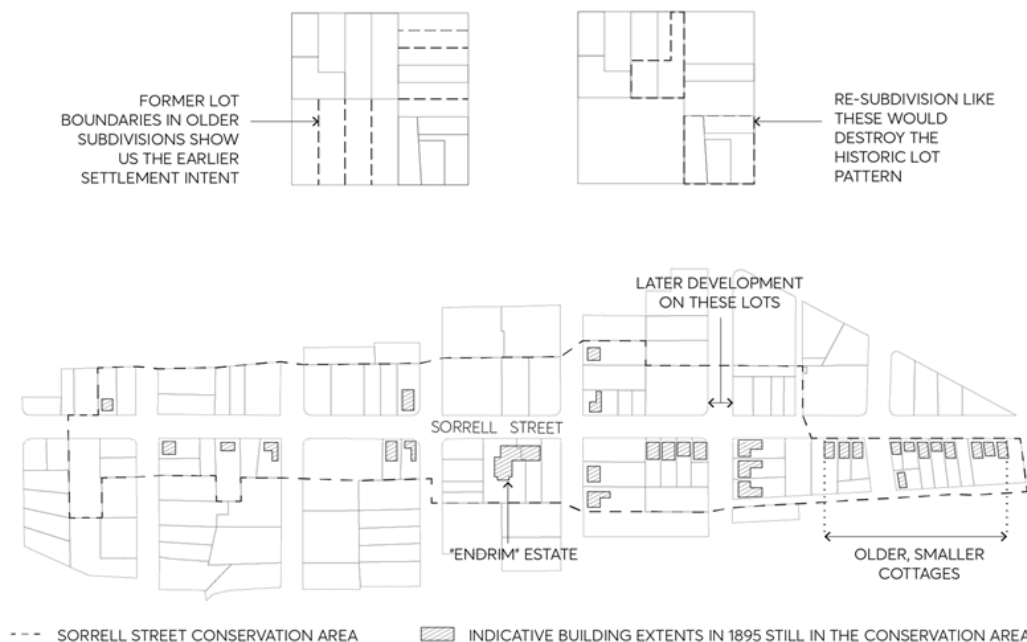


Figure 4.3.3.4.1.1.2

Figure 7.0.3 – Subdivision - Sorrell Street Conservation Area, 1895

## Existing Significant Buildings

- C.05 Consider removal of metal cladding followed by repair or reinstatement of weatherboards or other original cladding for buildings that have been clad in metal weatherboards.
- C.06 Consider reinstatement of residential use in buildings built as dwellings but now in commercial use, [except on land zoned MU1 situated within the North Parramatta Conservation Area](#).
- C.07 Avoid removal of stucco from buildings that were originally constructed with a stucco exterior.
- C.08 Avoid re-skinning of brick walls.
- C.09 Avoid removal of original details, except where they are decayed beyond repair and are to be replaced with an identical detail.
- C.10 Avoid adding new period details for which there is no evidence in the existing fabric or in historical photographs.
- C.11 Avoid covering original timber walls with another building material, such as imitation brickwork or metal cladding.
- C.12 Avoid altering the roof form above the main body of the building, other than to reinstate an original roof form.



## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

- C.13 Avoid adding rooms above the main body of the house which require alterations to the existing roof height or shape. Rooms in the roof may be considered but only where ventilated by flat in-plane skylights at the rear of the roof.

## Siting and Garden Area

- C.14 Maintain the historical pattern of development of detached dwellings with garden space around, with the oldest dwellings close to the front boundary and later dwellings and other buildings with larger setbacks [including on land in the MU1 zone](#).
- C.15 At least 40% of the site must be garden area. Ensure a high level of amenity [for dwellings](#) with garden spaces suitable for outdoor living, clothes drying, children's play, etc.,.
- C.16 Maintain features of heritage value in the garden area.
- C.17 Keep brick paving for paths and driveways.
- C.18 Keep all mature trees.

## Alterations and Additions

- C.19 Additions, limited to one storey, may occur at the rear of heritage buildings to increase the facilities available, provided the original character of the building is retained, the works do not involve demolition of significant parts of the building, and are in scale with the existing buildings. For most cottages, the roof space is too small for rooms to be accommodated without changing the roof scale and form.
- C.20 Keep the existing form of the roof above the main body of the existing building.
- C.21 Avoid additions higher than the ridgeline of the existing building.
- C.22 Additions at the rear are encouraged in linked pavilions or skillions.

## New Dwellings

A new small dwelling may be permissible in the rear garden of an historic building [except where land is zoned MU1](#). Provided substantial land is retained around the existing building, car access can be obtained using an existing driveway, or from a rear lane or right of way from an adjoining property. Rooms in the roof may be permissible in the new dwelling provided the total height of the building does not exceed the height of the ridge of the existing building by more than 1m.

- C.23 New rear buildings should be single storey scale with a wall height not greater than 3.6 metres.
- C.24 Avoid hearted or speckled bricks in light colours.
- C.25 Avoid using brightly-coloured or shiny roof coverings, excepting corrugated iron. The following controls apply to development on properties listed under 'Existing Significant Buildings' at the end of this Section.
- C.26 Avoid placing new buildings closer to the front boundary than the existing adjoining buildings and no closer than 6 metres.
- C.27 New buildings to be set back from the rear of existing buildings by a minimum of 10 metres.
- C.28 Investigate archaeological potential of area where new buildings are sited.
- C.29 Keep and repeat the existing form of the roof above the main body of building.
- C.30 Hipped or gabled pitched roofs should not exceed 35 degrees.



## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

C.31 Materials for new buildings to be rendered brick, common or face bricks, with tiles or corrugated iron roof.

C.32 Keep significant archaeological deposits intact unless excavated in accordance with the provisions of the *Heritage Act 1977*.

The following controls apply to new development on all properties not listed under 'Existing Significant Buildings' at the end of this Section.

C.33 The building should have a residential use, [including on land zoned MU1 situated within the North Parramatta Conservation Area](#).

C.34 Keep and repeat the existing setback from the front boundary (or minimum setback of 6m whichever is the greater).

C.35 Keep and repeat verandahs at the front of buildings.

C.36 Keep and repeat the scale of nearby historic buildings, with no building exceeding 10m in width at the front wall.

C.37 Avoid having rooms in the roof which are larger than 60% of the floor area of the ground floor covered by the same roof.

C.38 Avoid constructing buildings of similar scale to the existing residential flat buildings.

#### Character of Additions and New Dwellings

C.39 New building works should respect the scale of historic buildings but should not copy their style or details (such as by reproducing small panel windows). It is appropriate for the new work to be in a contemporary style.

#### Utilities

C.40 Aerials, antennae, air conditioning units, hot water systems, communication devices, rainwater tanks, roof vents, skylights, solar panels and the like should not be visible from the streetscape or a public place.

#### Garages, carports and other ancillary development

C.41 Garages and carports should not become a prominent part of the streetscape.

C.42 Back garden placement of garages, carports and other utility buildings must be separate from the main building.

C.43 Carports may be sited beside the house but only where they:

- i. are constructed of lightweight frame of timber or metal
- ii. stand at least 1 metres back from the front wall of the building and would not be a feature in the streetscape, and
- iii. are not attached to the building and would not obstruct light and air into the building.

C.44 Avoid creating new vehicular access driveways off Sorrell Street or anywhere in the North Parramatta Conservation Area.

C.45 Avoid integrating garages into the facades of new buildings, except at the rear of allotments with access to two street frontages (eg laneway frontage) or with access to Trott Street.

#### Fences

## HERITAGE AND ARCHAEOLOGY

## HERITAGE CONSERVATION AREAS

- C.46 Use low light-weight fences along the front boundary, such as timber picket fences with square tops, or timber frame fences with wire panels, which are common in the area.
- C.47 Front fences are not to exceed 1.2 metres in height.
- C.48 Open wire or other metal fences are permissible provided shrubs, hedges or vines are planted to cover the fence.

## Public Lands

- C.49 Avoid change to existing stone kerbs and gutters. If repairs are needed, reuse stone for both kerbs and gutters.
- C.50 Avoid planting of shrubs and trees that will obscure the views along the streets for pedestrians.
- C.51 Avoid designs that involve major changes to the street pavement, such as chicanes, wide paved speed bumps or decorative paving.

## 7.10.1.5 EXISTING SIGNIFICANT BUILDINGS

The following buildings together demonstrate the history of the area and contribute to its significance. They must be retained, together with their original features.

## NORTH PARRAMATTA CONSERVATION AREA

- Fennell Street: 2\*, 4\*, 9\*, 11\*, 12\*, 16\*, 17, 18\*, 20\*, 21\*, 23, 22\*, 24\*
- Grose Street: 1\*, 6\*, 8\*, 9, 10\*, 12\*, 13, 15\*, 17\*, 19\*, 20\*, 22\*, 24
- Harold Street: 1, 2, 3, 5
- O'Connell Street: 40-42\*, 44, 46, 48, 56, 60, 62\*, 72\*, 74\*, 76\*
- Trott Street: 1\*, 2\*, 3\*, 3c\*, 5, 9\*
- Villiers Street: 1, 3, 9

## SORRELL STREET CONSERVATION AREA

- Albert Street: 44\*, 54\*
- Gladstone Street: 1, 4
- Grose Street: 44\*, 46\*, 48.
- Isabella Street: 8\*, 10\*, 12A\*, 14\*, 25\*
- Sorrell Street: 31, 33, 36, 40\*, 42, 44\*, 48, 50\*, 51A, 52\*, 53\*, 54\*, 54A (north of Endrim) 56, 60\*, 62\*, 63\*, 64\*, 66\*, 68A\*, 70\*, 72\*, 75\*, 76\*, 77\*, 78\*, 79\*, 80\*, 81\*, 82\*, 86\*, 88\*, 90\*

\* Heritage Item

## 9.10 SITE SPECIFIC CONTROLS

This section contains development controls for specific sites in the City Centre as identified in Figure 9.10. [Site-specific controls for land at 470 Church Street and 8-12 Victoria Road and 2A Villiers Street which is situated in the deferred area are contained in Section 9B.6.](#)

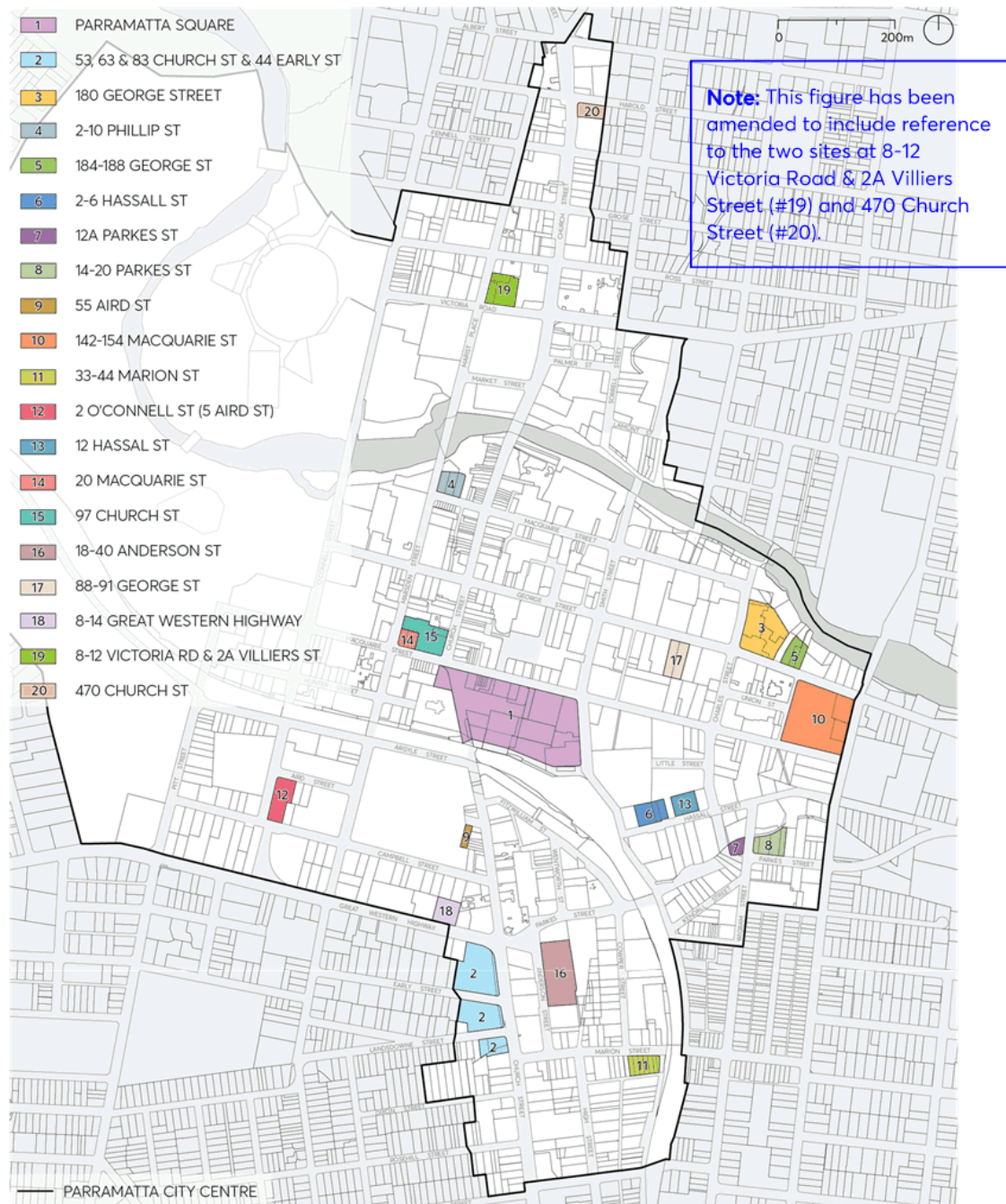


Figure 9.10 – Land parcels with Site Specific Controls

## PARRAMATTA CITY CENTRE - DEFERED AREA A

- 9.10.1 PARRAMATTA SQUARE
- 9.10.2 57, 63 AND 83 CHURCH STREET AND 44 EARLY STREET
- 9.10.3 180 GEORGE STREET
- 9.10.4 2-10 PHILLIP STREET
- 9.10.5 184-188 GEORGE STREET
- 9.10.6 2-6 HASSALL STREET, PARRAMATTA
- 9.10.7 12A PARKES STREET
- 9.10.8 14-20 PARKES STREET, HARRIS PARK
- 9.10.9 55 AIRD STREET
- 9.10.10 142-154 MACQUARIE STREET, 118 HARRIS STREET AND 135 GEORGE STREET
- 9.10.11 33-34 MARION STREET
- 9.10.12 2 O'CONNELL STREET, PARRAMATTA
- 9.10.13 12 HASSALL STREET
- 9.10.14 20 MACQUARIE STREET
- 9.10.15 197 AND 207 CHURCH STREET AND 89 MARSDEN STREET
- 9.10.16 18-40 ANDERSON STREET
- 9.10.17 89-91 GEORGE STREET
- 9.10.18 8-14 GREAT WESTERN HIGHWAY
- 9.10.19 8-12 VICTORIA ROAD AND 2A VILLIERS STREET
- 9.10.20 470 CHURCH STREET, PARRAMATTA

**Explanatory Note:** Sections 9.10.1 to 9.10.18 are not proposed to be amended. Refer overleaf to the re-housed site specific controls for the sites at:

- 8-12 Victoria Road and 2A Villiers Street; and
- 470 Church Street.

PARRAMATTA CITY CENTRE - DEFERRED AREA A

**9.10.19 8-12 VICTORIA ROAD AND 2A VILLIERS STREET**

This Section applies to land at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta, as shown in Figure 9.10.19.

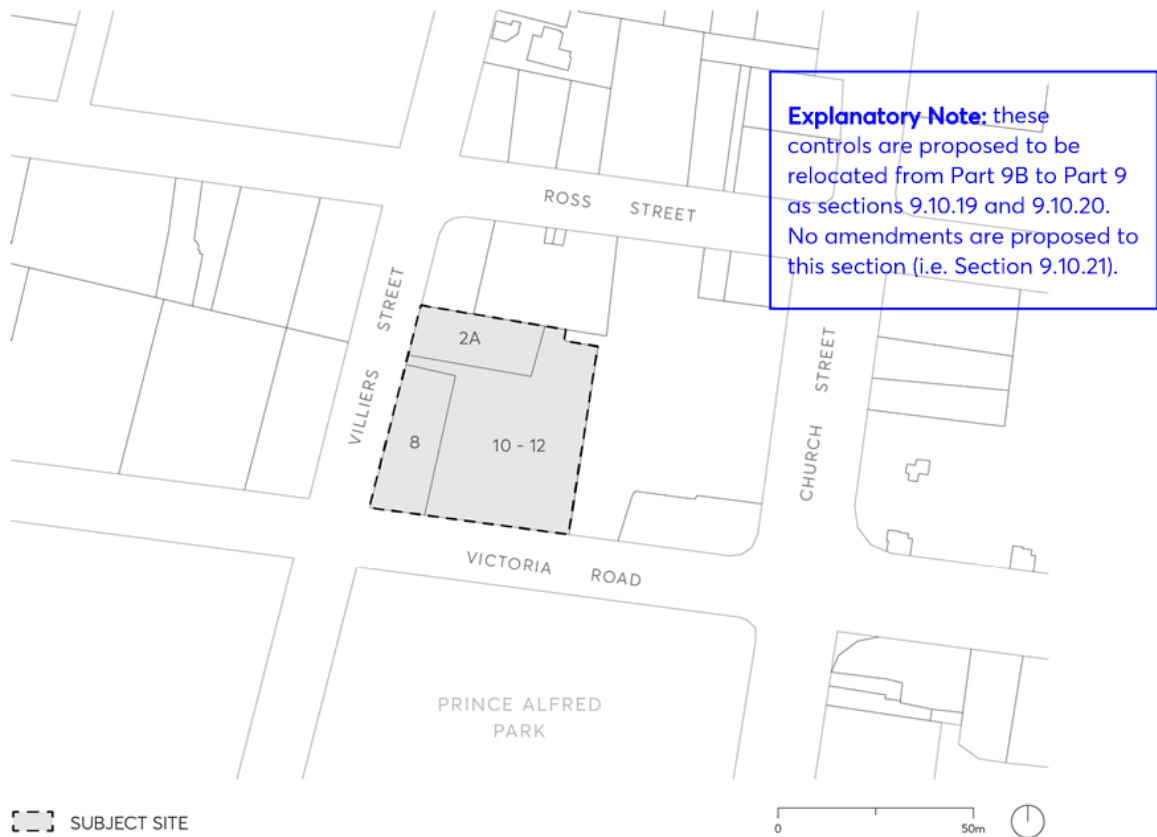


Figure 9.10.19 – Land Application map

**9.10.19.1 DESIRED FUTURE CHARACTER**

The site at 8–12 Victoria Road and 2A Villiers Street, Parramatta is on the northern edge of the Parramatta City Centre—Deferred Area A, which is transitioning from low scale in the north west to high density mixed use development in the east and south. The context of the site includes a number of important heritage items – Prince Alfred Park to the south, Our Lady of Mercy College to the west and St Patrick’s Cathedral diagonally opposite to the south west. The proximity of the site to the Parramatta River and City Centre core supports an intensity of development while respecting the important heritage setting.

Future built form will be designed to achieve a harmonious relationship with neighbouring heritage buildings as well as to provide appropriate heights and setbacks to street frontages. Low building forms will occupy land fronting Victoria Road and a slim tower will be located in the north western corner of the site. As a result, the visual scale of development will be reduced on Victoria Road, providing a suitable frame and backdrop for Prince Alfred Park and minimising overshadowing of

## PARRAMATTA CITY CENTRE - DEFERRED AREA A

this park. Building articulation and modulation of the Victoria Road facade will ensure that the building suitably addresses the road and Prince Alfred Park.

Active uses will be located on the ground floor of buildings fronting Victoria Road and Villiers Street to increase the vibrancy of the site and locality.

The property boundary on Villiers Street will incorporate a setback to allow under width road lanes in Villiers Street to be widened. A setback will be provided on the eastern boundary to allow the formation of a through site link between Victoria Road and Ross Street.

Development must comply with the objectives and controls set out below and any other relevant objectives and controls of this DCP.

### Site Objectives

This Section of this DCP documents the objectives that will determine the future form of development of the subject site. The objectives establish the key parameters that will ensure that future development on the site contributes to achieving the overall desired future character.

- O.01 To provide for development that supports the growth of a vibrant precinct on the northern edge of the Parramatta City Centre-Deferred Area.
- O.02 To encourage high-quality built form outcomes and achieve design excellence.
- O.03 To minimise any adverse impacts on the amenity of adjoining heritage uses and in particular Prince Alfred Park.
- O.04 To improve pedestrian connectivity between Victoria Road and Ross Street.
- O.05 To provide for the establishment of non-residential uses on the Victoria Road and Villiers Street ground floor frontages of the site.
- O.06 To provide for improved traffic flows on Villiers Street.

### 9.10.19.2 BUILDING FORM AND MASSING

#### Objectives

- O.01 To respond sensitively to the scale, proportions and form of the nearby heritage items at Prince Alfred Park, St Patrick's Cathedral and Our Lady of Mercy College.
- O.02 To limit overshadowing impacts on Prince Alfred Park.
- O.03 To ensure that the Victoria Road facade is of a civic scale with strong vertical articulation and fine grain.
- O.04 To ensure that the Victoria Road frontage provides good pedestrian amenity by incorporating elements such as an open colonnade or continuous footpath awnings.
- O.05 To ensure that the built form at the Villiers Street corner complements the form and materials of St Patrick's Cathedral.



PARRAMATTA CITY CENTRE - DEFERED AREA A

---

**Controls**

## Maximum building heights

- C.01 The distribution of building height across the site is to be in accordance with Figure 9.10.19.1, 9.10.19.2, 9.10.19.3.

## Street frontage heights

- C.02 Maximum street wall height of 14m facing Victoria Road and Villiers Street with a setback of 4m to the upper levels as shown in Figure 9.10.19.1, 9.10.19.2, 9.10.19.3.

## Building setbacks

- C.03 Minimum 3m on the eastern boundary to allow for the establishment of a through site link between Victoria Road and Ross Street, as shown in Figure 9.10.19.1.

## Building design

- C.04 Buildings are to be designed with regard to nearby heritage items and to ensure sensitive consideration of colour, materials, and building articulation.

## 9.10.19.3 TRAFFIC AND TRANSPORT

**Site Objectives**

- O.01 To minimise pedestrian and vehicle conflict by limiting vehicle crossings in the public domain.
- O.02 To provide space to widen Villiers Street to accommodate increased traffic and pedestrian volumes as a result of additional development on the site.

**Controls**

- C.01 All vehicular access must only be provided along Villiers Street and be located as far as possible from Victoria Road.
- C.02 A minimum 1m boundary setback is to be provided on Villiers Street, as shown in Figure 9.10.19.1.



Figure 9.10.19.1 – Built Form Design Controls – Heights and Setbacks

PARRAMATTA CITY CENTRE - DEFERED AREA A

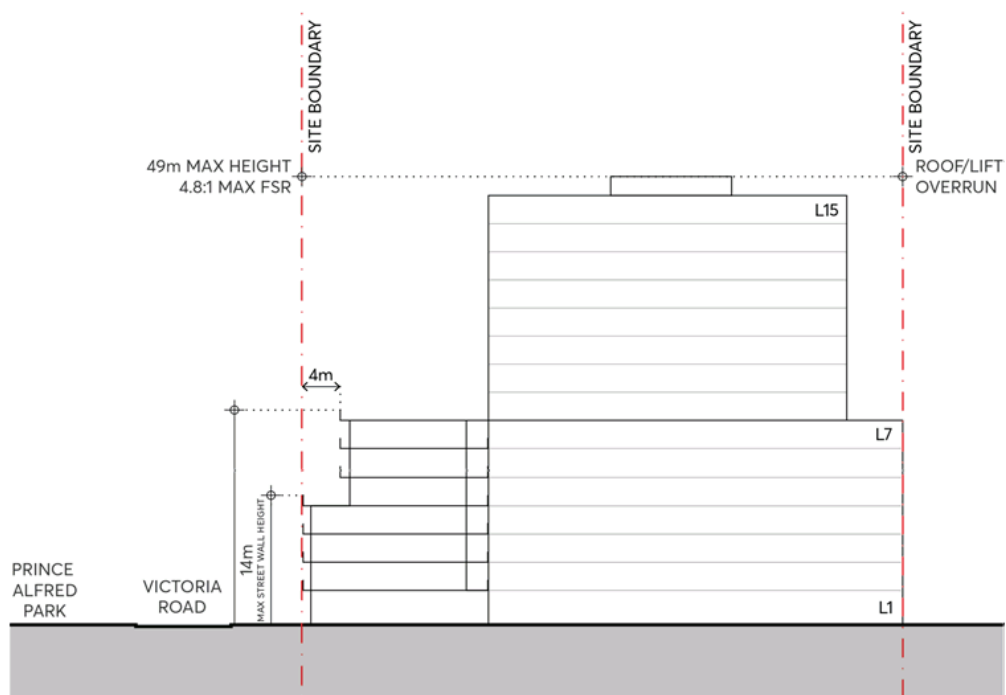


Figure 9.10.19.2 – North - South Section of Site Building Envelope

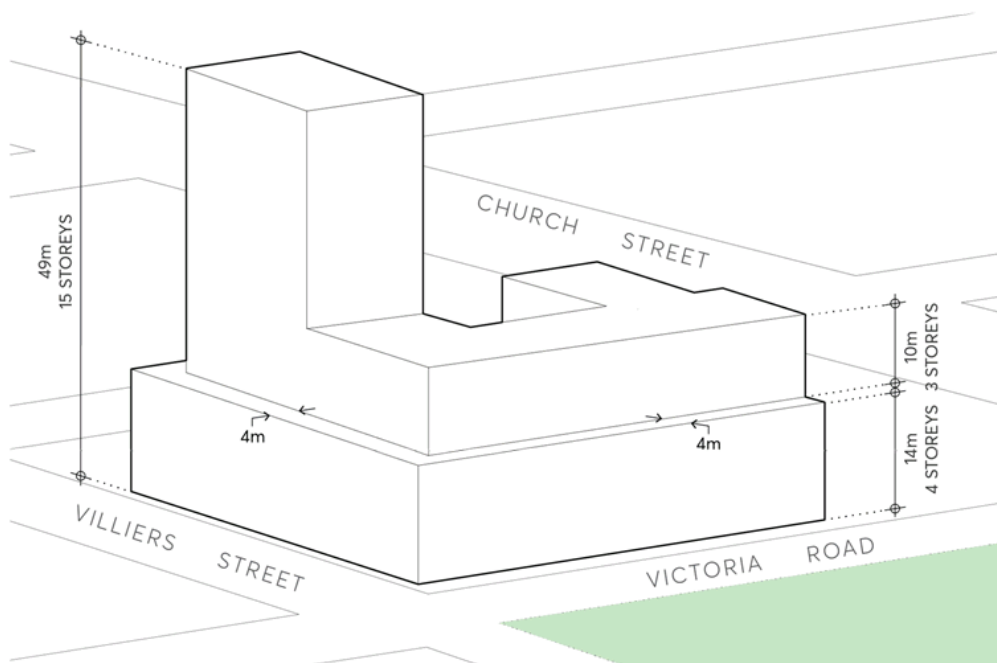


Figure 9.10.19.3 – Indicative Built Form

## PARRAMATTA CITY CENTRE - DEFERRED AREA A

## 9.10.20 470 CHURCH STREET, PARRAMATTA

This Section applies to land at 470 Church Street, Parramatta legally known as Lot 1 DP 785930 within the Parramatta City Centre –Deferred-Area-A as illustrated in Figure 9.10.20 below.

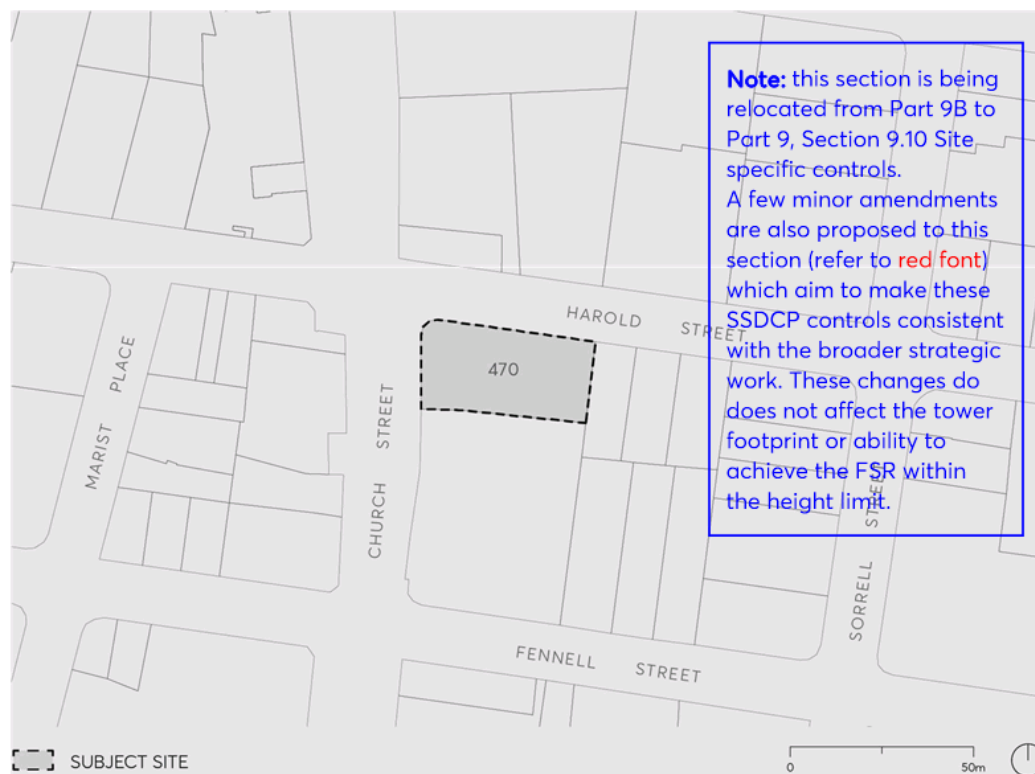


Figure 9.10.20 – Land application map

This Section establishes site specific principles, objectives and controls to be interpreted during preparation and assessment of Development Applications for the site and is to be read in conjunction with other Parts of this DCP Part 9 including Section 9.5.11 Parramatta North Precinct Special Area.

#### DESIRED FUTURE CHARACTER

Future mixed use development proposed at the site is consistent with the State Government policies to facilitate a renewed Parramatta City Centre. The site is located adjacent the Parramatta Light Rail route, that connects the Westmead Precinct (to the west of the site) and the centre of the Parramatta City Centre (to the south of the site).

The mixed use character of development complements the Parramatta City Centre and provides a positive design outcome. The proposed mix of land uses includes retail/commercial uses on the ground floor and level 1 and residential apartments above.

#### Design Principles

The following design principles are to be incorporated into the future design of the building:

Respond to the north facing frontage and generally east-west site with an appropriate built form that maximises solar access.

## PARRAMATTA CITY CENTRE - DEFERED AREA A

Create a podium and presentation to the street of design excellence which contributes to the design quality of space and streets in the City Centre-Deferred Area.

Comprise a podium edge to the streets with recessed tower form. The podium is to be four storeys. The street wall should be designed to provide a well-modulated pedestrian experience at street level. A smaller, more detailed scale should be used in its articulation.

Ground floor façade should be rich in variation and detail. Vertical relief in the façade maximises the walking experience, with awnings included and integrated in the design so as to provide adequate pedestrian shelter.

Development is to comply with the objectives and controls set out below and any other relevant objectives and controls of this DCP-Section.

### Site objectives

- O.01 To provide a mix of uses that support the role of Parramatta City Centre and the Deferred Area.
- O.02 To revitalise Church Street and Harold Street.
- O.03 To encourage high-quality built form outcomes and achieve design excellence.
- O.04 To minimise adverse impacts on the amenity of adjoining uses.

### BUILT FORM, DESIGN AND MASSING

#### Objectives

To ensure that the built form:

- O.05 Responds positively to the site's location in relation to the City Centre, nearby Sorrell Street Heritage Conservation Area and the Deferred Area the streetscape.
- O.06 Has a positive and cohesive relationship with surrounding land and uses.
- O.07 Has adequate separation to minimise visual bulk and to ensure adequate amenity within the site and to neighbouring development.
- O.08 Achieves usable and pleasant street and podium environment in terms of daylight and solar access, scale and wind mitigation.

#### Controls

##### Street Frontage Heights

- C.01 ~~Maximum street wall height of~~ The street wall is to be built to a height of 14m (3-4 storeys) fronting Church and Harold Streets.

##### Building Setbacks

- C.02 The minimum building setbacks are to be in accordance with the table below:

## PARRAMATTA CITY CENTRE - DEFERED AREA A

	Minimum setback (m)
<b>Podium</b>	
Western boundary (Church Street) <del>and northern boundary (Harold Street)</del>	0m
Northern boundary (Harold Street)	3m
Eastern boundary	0m 4.5m
Southern boundary	0m (commercial) 9m 6m (residential levels 2-3)
<b>Tower (upper level)</b>	
Western boundary (Church Street)	6m
Eastern boundary	12m
Northern boundary (Harold Street)	3m 6m (to the property boundary, 3m to the podium)
Southern boundary	9m 6m (to the property boundary)

## Tower Floor Plate

- C.03 The reduced tower setback of ~~3m to Harold Street~~ 6m to the southern boundary will accommodate a tower with a floorplate of approximately 650m<sup>2</sup>.

## Building Design

- C.04 The street wall/podium is to be a separate architectural element, that is distinct and different in character from the tower element.
- C.05 High-quality design and materials are to be used for the security shutters into the car park and loading areas.
- C.06 To ensure landscape courtyard on the podium is usable, take into account solar access and wind mitigation.

## LAND USES

## Objectives

- O.09 To provide for useable and functional commercial floor space that can support the desired use, achieve internal spaces appropriate to their function and support the Parramatta City Centre and the Deferred Area.

## Controls

- O.10 The ground floor street frontage is to be used for active commercial uses.
- O.11 Commercial/retail tenancies are to be of a sufficient size and layout to cater for their desired use and function.



PARRAMATTA CITY CENTRE - DEFERRED AREA A

---

## TRAFFIC AND TRANSPORT

## Objectives

- O.12 To ensure adequate parking is provided on site.
- O.13 To minimise pedestrian and vehicle conflict by locating vehicle access away from the Church Street intersection.
- O.14 To ensure parking design is integrated into the design of the building.

## Controls

- C.01 Vehicle access is to be from Harold Street, at the eastern end of the site.
- C.02 Parking in the podium is discouraged. However, where it is provided it must be well integrated into the overall facade and not be visible from the public domain utilising screening or other appropriate design excellence solution.
- C.03 Car parking is to be provided in accordance with clause 7.18 in *Parramatta LEP 2023* and bicycle parking is to be provided in accordance with ~~the Parramatta City Centre Strategic Transport Study~~ Section 9.9.3 Bicycle Parking and End of Journey Facilities.
- ~~C.04 Investigate options to integrate vehicular access with the adjacent site at 23-27 Harold Street through one access point.~~

PARRAMATTA CITY CENTRE - DEFERED AREA A

## PARRAMATTA CITY CENTRE – AUTO ALLEY (WEST) DEFERRED AREA A

### CONTENTS

9B	PARRAMATTA CITY CENTRE - AUTO ALLEY (WEST).....	348
9B.1	BUILDING FORM.....	1
9B.1.2	MINIMUM BUILDING STREET FRONTAGE.....	1
9B.1.3	BUILDING TO STREET ALIGNMENT AND STREET SETBACKS .....	2
9B.1.4	STREET AND RIVER FRONTAGE HEIGHTS AND UPPER LEVEL SETBACKS .....	4
9B.1.5	BUILDING DEPTH AND BULK.....	7
9B.1.6	BULIDING SEPARATION .....	8
9B.1.7	BUILDING FORM AND WIND MITIGATION .....	10
9B.1.8	BUILDING EXTERIORS.....	11
9B.2	MIXED USE BUILDINGS .....	13
9B.3	PUBLIC DOMAIN AND PEDESTRIAN AMENITY .....	14
9B.3.1	SITE LINKS AND LANES .....	14
9B.3.2	ACTIVE FRONTAGES .....	15
9B.3.3	PEDESTRIAN OVERPASSES AND UNDERPASSES .....	17
9B.3.4	AWNINGS.....	17
9B.3.5	COURTYARDS AND SQUARES .....	20
9B.4	ACCESS AND PARKING .....	21
9B.4.1	VEHICLE FOOTPATH CROSSINGS.....	21
9B.4.2	PEDESTRIAN ACCESS AND MOBILITY .....	24
9B.4.3	VEHICULAR DRIVEWAYS AND MANOEUVRING AREAS.....	24
9B.4.4	ON-SITE PARKING .....	26
9B.4.5	ABOVE GROUND CAR PARKING.....	28
9B.4.6	LEASING OF EXISTING SURPLUS COMMERCIAL CAR PARKING SPACES .....	29
9B.5	ENVIRONMENTAL MANAGEMENT .....	31
9B.5.1	LANDSCAPE DESIGN .....	31
9B.5.2	PLANTING ON STRUCTURES .....	32
9B.5.3	GREEN ROOFS.....	32
9B.5.4	ENERGY AND WATER EFFICIENT DESIGN.....	34
9B.5.5	RECYCLED WATER.....	34
9B.6	SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9] .....	35
9B.6.1	8-12 VICTORIA ROAD AND 2A VILLIERS STREET.....	36
9B.6.2	470 CHURCH STREET, PARRAMATTA.....	41

## 9 PARRAMATTA CITY CENTRE - AUTO ALLEY (WEST)

The controls in this ~~Part Section of this DCP~~ apply to land zoned E3 Productivity Support development within the Parramatta City Centre-Deferred Area A as identified on the Special Provisions Area Map in Parramatta LEP 2023 but exclude the Phillip Street block and the Park Edge Highly Sensitive Area as shown in Figure 9B.1.

The specific objectives and controls for this precinct detailed below are to be applied in conjunction with the general objectives and controls in Part 2, 3, 5, 6 and 7 of this DCP. Where there is any inconsistency with any other part of the DCP, the objectives and controls of this section will prevail.

Refer to Section 9 – Parramatta City Centre for the controls affecting the area shown grey in Figure 9B.1 below and Section 9.5.10 for the Park Edge Highly Sensitive Area controls.

The controls in this Section prevail here there is any inconsistency with Part 9 or other Section of the DCP except in the case of the site-specific controls in Section 9B.6, and in the case of the R2 Low Density Residential-zoned land at 15 Albert Street.

The site known as Lot 5, DP795141 which constitutes part of the property known as 15 Albert Street, North Parramatta is zoned R2 Low Density Residential. The controls affecting this site are contained in Part 3 – Residential Development of this DCP.

### The broad objectives for the Parramatta City Centre – Deferred Area Auto Alley (West Area) are:

- O.01 ~~To support the primacy of the centre as an employment node with a strong commercial core occupied by high order quality commercial buildings in its proximity to the commercial core.~~
- O.02 To support the commercial core with surrounding mixed use development that reinforces and complements the centre's core employment role.
- O.03 To ensure high-quality design of buildings and public areas.
- O.04 ~~To activate the Parramatta River edge and the relationship of the river to the city.~~
- O.05 To provide for the conservation and interpretation of Parramatta's heritage.
- O.06 To improve the natural environment.

## PARRAMATTA CITY CENTRE - DEFERED AREA A

Figure 9B.1 – Land Application Map – [Auto Alley \(West\) Parramatta City Centre Deferred Area](#)

## 9B.1 BUILDING FORM

The provisions in this Section are intended to encourage high-quality design ~~for new buildings in the City Centre Deferred Area A (in part) identified in Figure 9B.1.~~ New development should contribute to an attractive public domain and produce a desirable setting for its intended uses.

**Note:** ~~Refer also to site specific controls in Section 9B.6 – Site Specific Controls which affect sites at 470 Church Street and 8-12 Victoria Road and 2A Villiers Street~~

### Objectives

The following general objectives apply to this Section:

- O.01 To establish appropriate scale, dimensions, form and separation of buildings.
- O.02 Achieve active street frontages with good physical and visual connections between buildings and the street.
- O.03 Define the public street so that it provides spaces that are legible, safe, comfortable, functional and attractive.
- O.04 Ensure building depth, bulk and separation allows for view sharing and protects amenity, daylight penetration and privacy between adjoining developments.
- O.05 Achieve an articulation and finish of building exteriors that contributes to a high-quality and sustainable urban environment.
- O.06 ~~Protect and provide visual connections to the Parramatta River and parkland.~~

## 9B.1.2 MINIMUM BUILDING STREET FRONTAGE

### Objectives

- O.01 To ensure that visually, buildings have an appropriate overall horizontal proportion compared to their vertical proportions.
- O.02 To ensure that vehicular access is reasonably spaced and separated along roads and lanes.
- O.03 To provide appropriate dimensions for the design of car parking levels.

### Controls

- C.01 Development parcels are required to have at least one street frontage of 20m or more ~~on land zoned E2 Commercial Centre, MU1 Mixed Use or E3 Productivity Support.~~
- C.02 Exceptions to the minimum building street frontage will be considered:
  - i. if Council is satisfied that due to the physical constraints of the site or adjoining sites it is not possible for the building to be erected with at least one street frontage of 20m or more, and

- ii. the development meets the objectives of this clause.

### 9B.1.3 BUILDING TO STREET ALIGNMENT AND STREET SETBACKS

Street setbacks and building alignments establish the front building line and reinforce the spatial definition of streets. ~~In all areas of the City Centre Deferred Area~~ Consistent building lines within streets and blocks are desirable and generally buildings should be built to the street alignment to enhance pedestrian amenity and activity at street level. Setbacks should also respond to public spaces, the river foreshore, enhance heritage settings and may also provide for landscape areas and growing areas for street trees.

#### Objectives

- O.01 To provide street edges which reinforce, improve or support the hierarchy and character of specific city streets and lanes.
- O.02 To ensure there are consistent street frontages with buildings having common alignments.
- O.03 To present appropriate design responses to nearby development that complement the streetscape.
- O.04 To create a clear transition between public and private space.
- O.05 To assist in achieving visual privacy to apartments from the street.
- O.06 To allow for street landscape character, where appropriate.

#### Controls

- C.01 Comply with the street building alignment and front setbacks specified in Figures 9B.1.2.1 ~~and 9B.1.2.~~
- C.02 Building alignments and setbacks should also respond to important elements of the nearby context including public spaces and heritage buildings, monuments and landscape elements, in order to complement the streetscape. In some places, this may require greater building setbacks than those specified in Figure 9B.1.2.1.
- C.03 Where the building alignment is set back from the street alignment, balconies are to be generally within the building envelope and may project up to 600mm into front building setbacks.
- C.04 Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible. (See also Section 69B.1.8 – Building Exteriors).



PARRAMATTA CITY CENTRE

BUILDING FORM



Figure 9B.1.2.1 – Building Alignment and Front Setbacks (to streets), public domain and watercourses

### 9B.1.4 STREET AND RIVER FRONTAGE HEIGHTS AND UPPER LEVEL SETBACKS

Street frontage heights refer to the height of the building that is built to the street alignment and therefore directly addresses the public street or lane, or the river. The street section figures contained in this Section of this DCP specify the required street and river frontage heights and the required upper level setbacks above.

The street frontage height is the vertical distance measured at the centre of the street frontage from the average of the street levels at each end of the frontage to the parapet level of the frontage. The parapet level is the horizontal plane in which at least two thirds of the length of the top of the façade is situated.

#### Objectives

- O.01 To strengthen the urban form of the City Centre Deferred Area with consistent street wall heights.
- O.02 To achieve comfortable street and riverfront environments for pedestrians in terms of daylight, scale, sense of enclosure and wind mitigation as well as a healthy environment for street trees.
- O.03 To enhance the distinctive character of streets within Parramatta City Centre Deferred Area.

#### Controls

- C.01 Buildings must comply with the relevant street and river frontage heights and upper level setbacks as shown in Figures 9B.1.12 and 9B.1.64. Podium heights must not exceed both the number of storeys and the height in metres.
- C.02 The street frontage height that applies to a shared lane is the same as that of the closest street frontage height the lane connects to. In instances where the lane connects to two or more streets, the higher street frontage height applies (to a maximum of 26 metres).

Corner sites may be built with no upper level setback to the secondary street edge for the first 45 metres within the same site/amalgamation. This helps to articulate corners, generate feasible floor plates as well as allow corner towers to engage directly with the street and footpath. Refer to Figure 9B.1.64.

The following take precedence in determining the primary and secondary street frontages:

Streets running E-W

Streets running N-S

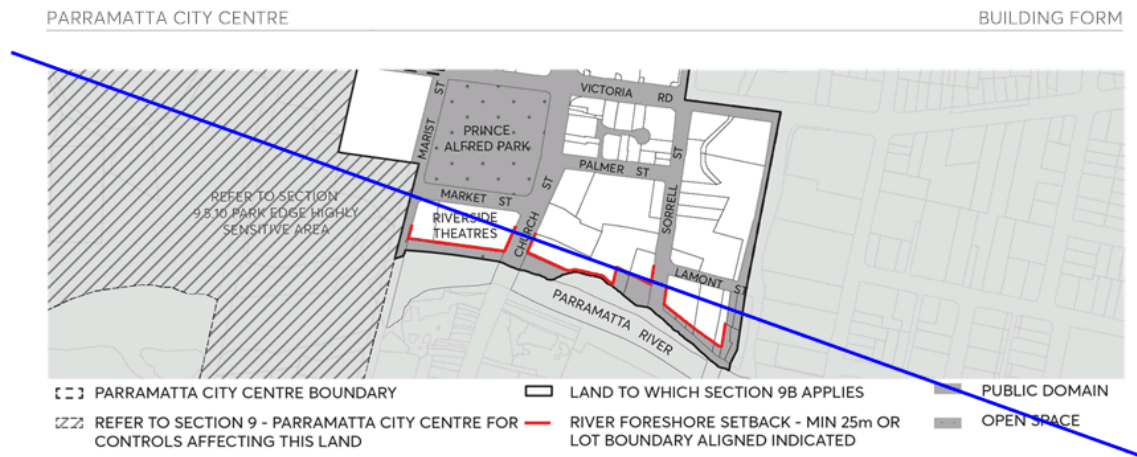


Figure 9B.1.2 – River Foreshore Setbacks in part of the Deferred Area

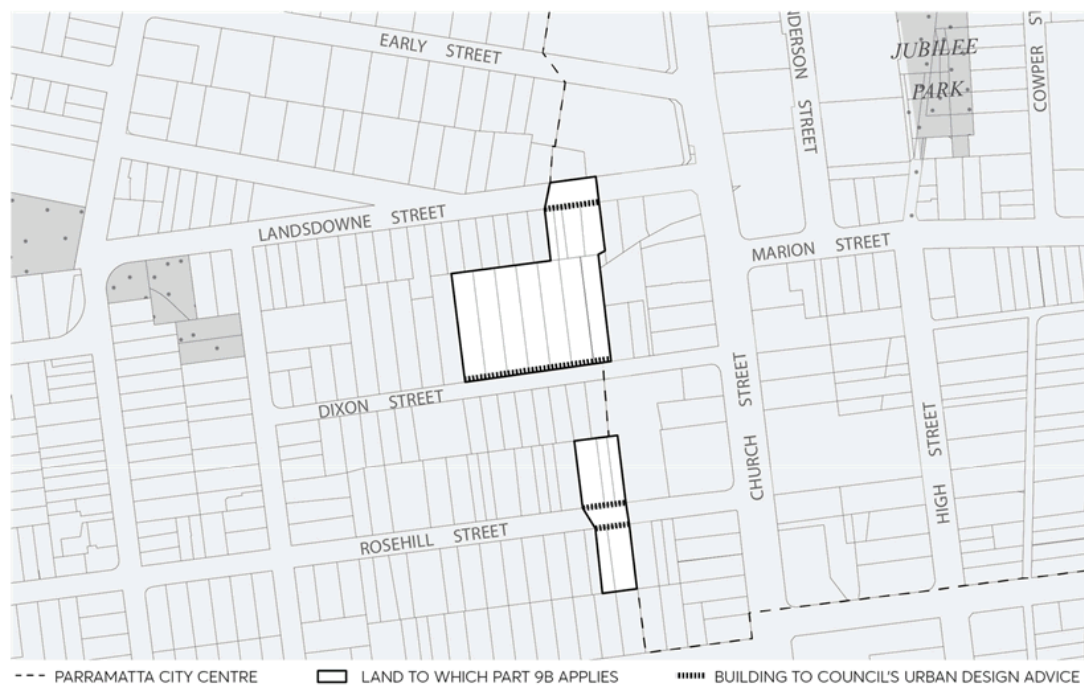


Figure 9B.1.1 – Street / River Frontage Heights – Parramatta City Centre Deferred Area Auto Alley (West)

PARRAMATTA CITY CENTRE

BUILDING FORM

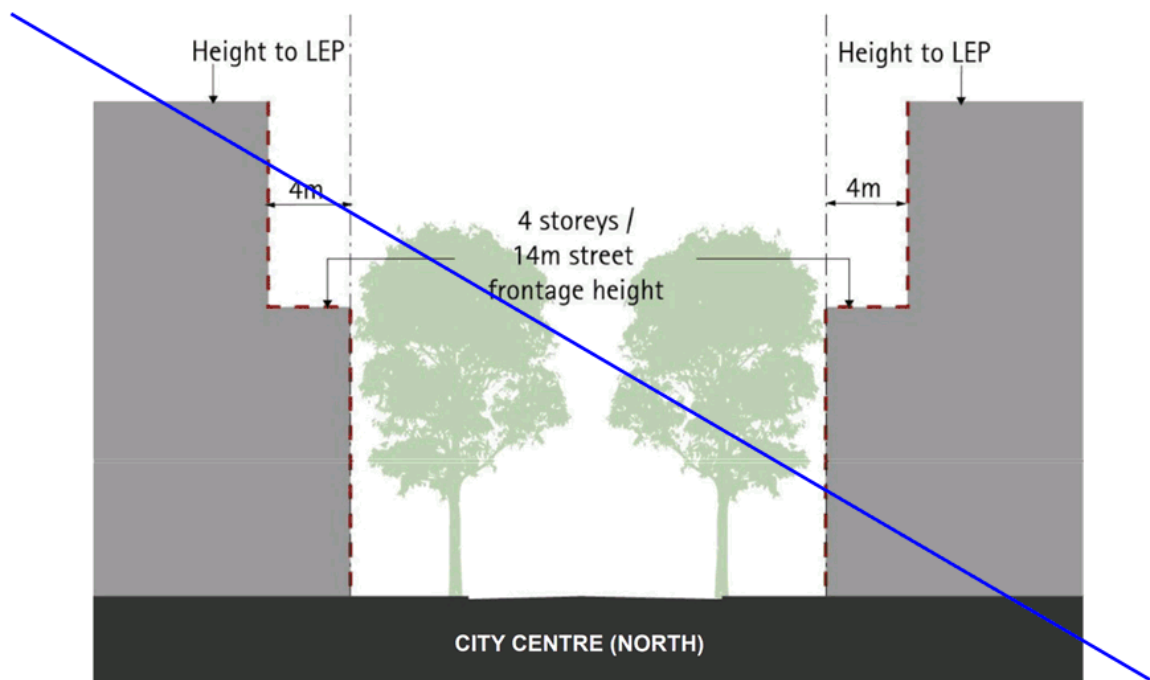


Figure 9B.1.4 – Street Frontage Heights and Upper Level Setbacks City Centre (North)

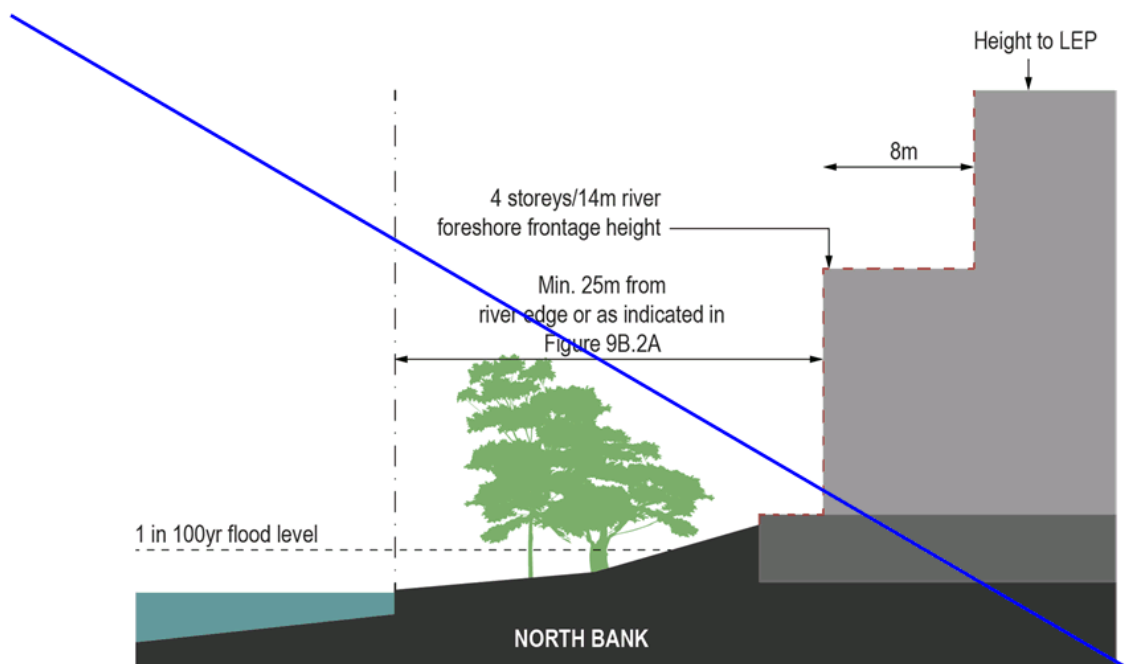


Figure 9B.1.5 – River Frontage Heights and Upper Level Setbacks, River Foreshore

PARRAMATTA CITY CENTRE

BUILDING FORM

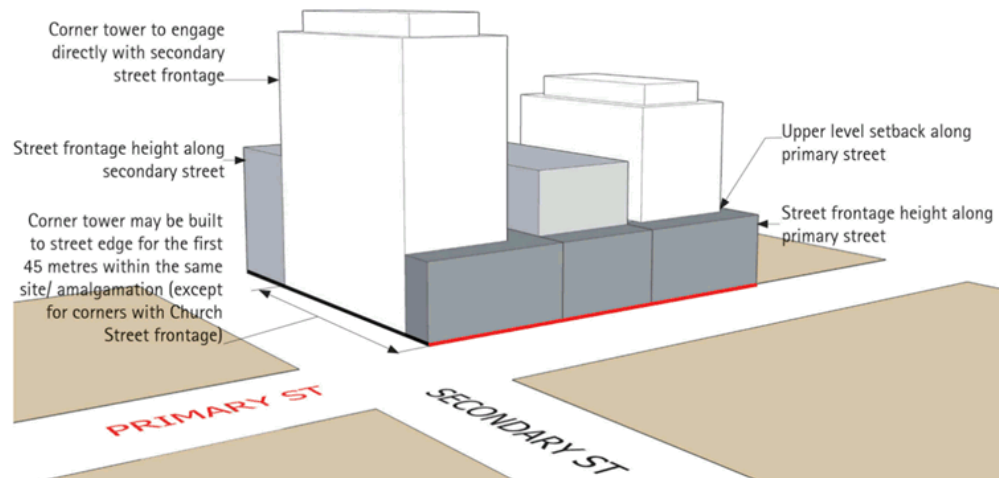


Figure 9B.1.64 – Indicative Corner Condition with different Street Frontage Heights

### 9B.1.5 BUILDING DEPTH AND BULK

Controlling building depth and bulk allows for good internal amenity, access to natural light and ventilation and mitigates potential adverse effects that tall and bulky buildings may have on the public domain.

Building depth is typically related to building use and the need for access to light and ventilation to building interiors and the comfort and amenity required for inhabitants. *Generally, commercial buildings have larger rooms and can be deeper than residential buildings. Mixed-use buildings have larger commercial floor plates combined with smaller residential floor plates. The controls in this Section respond to these variables.*

#### Objectives

- O.01 To promote the design and development of sustainable buildings.
- O.02 To achieve living and working environments with good internal amenity and minimise the need for artificial heating, cooling, and lighting.
- O.03 To provide viable and useable commercial floor space.
- O.04 To achieve usable and pleasant streets and public domain at ground level by controlling the size of upper level of buildings.
- O.05 To achieve a city skyline sympathetic to the topography and context.
- O.06 To allow for view sharing and view corridors.
- O.07 To reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with modulation of form.

**Controls**

- C.01 All points on an office floor should be no more than 12m from a source of daylight (e.g. window, atria, or light wells).
- C.02 ~~The preferred maximum floor-plate area of residential or serviced apartment buildings is 1,000 square metres above a street frontage height of 26 metres. The floor-plate area is to be measured to include balconies, external wall thicknesses, internal voids, and atria.~~

**9B.1.6 BUILDING SEPARATION****Objectives**

- O.01 To ensure an appropriate level of amenity for building occupants in terms of daylight, outlook, view sharing, ventilation, wind mitigation, and privacy.
- O.02 To achieve usable and pleasant streets, lanes, parks, and public spaces in terms of wind mitigation, daylight, and solar access.

**Controls**

- C.01 ~~The minimum building setbacks from the side and rear property boundaries are illustrated in Figures 9B.1.7 and 9B.1.8 or to shared lanes in Figure 9B.1.9.~~
- C.02 Where permissible, side and rear boundaries are to be built to zero metres at lower levels of buildings.
- C.03 Where a rear setback/courtyard is proposed at ground level, a minimum dimension of 6 metres must be provided. Ground level setbacks must have daylight and amenity. Deep soil zones/podium landscape should be co-located to the rear to create pockets of landscape/mature trees within the block.
- C.04 ~~Notwithstanding the controls in this Section, for residential development additional setbacks may be necessary to satisfy building separation, solar access and amenity requirements of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development.~~
- C.05 Notwithstanding side setback controls, the podium should be built to the side boundaries (0 metres setback) where fronting the street.
- C.06 If the specified setback distances cannot be achieved when an existing building is being refurbished or converted to another use, appropriate visual privacy levels are to be achieved through other means.
- C.07 The building separation distances between buildings on the same site are not to be less than those required between buildings on adjoining sites, unless it can be demonstrated that reducing the separation distances provides adequate privacy and solar access to the buildings concerned.



PARRAMATTA CITY CENTRE

BUILDING FORM

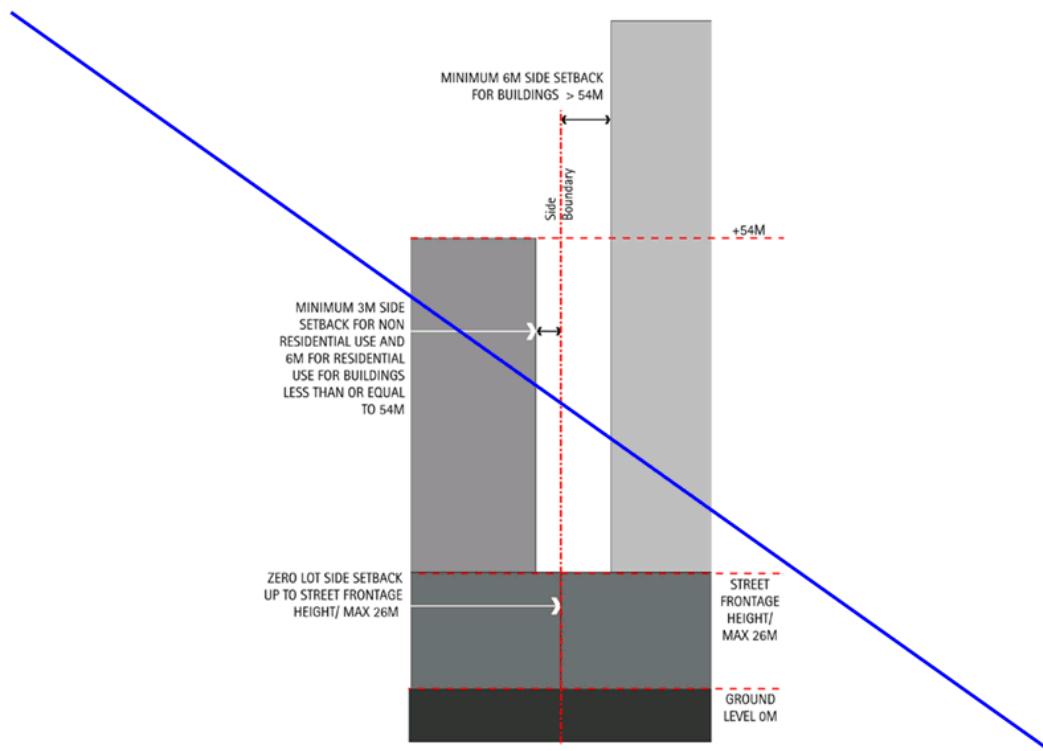


Figure 9B.1.7 – Side Setback

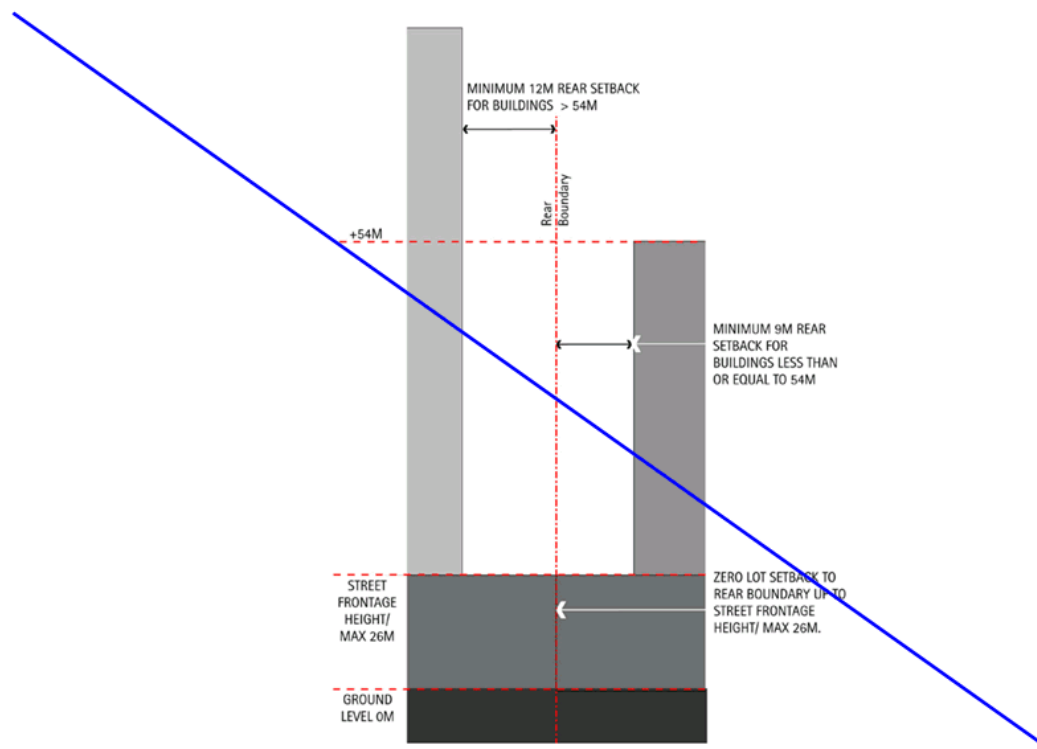
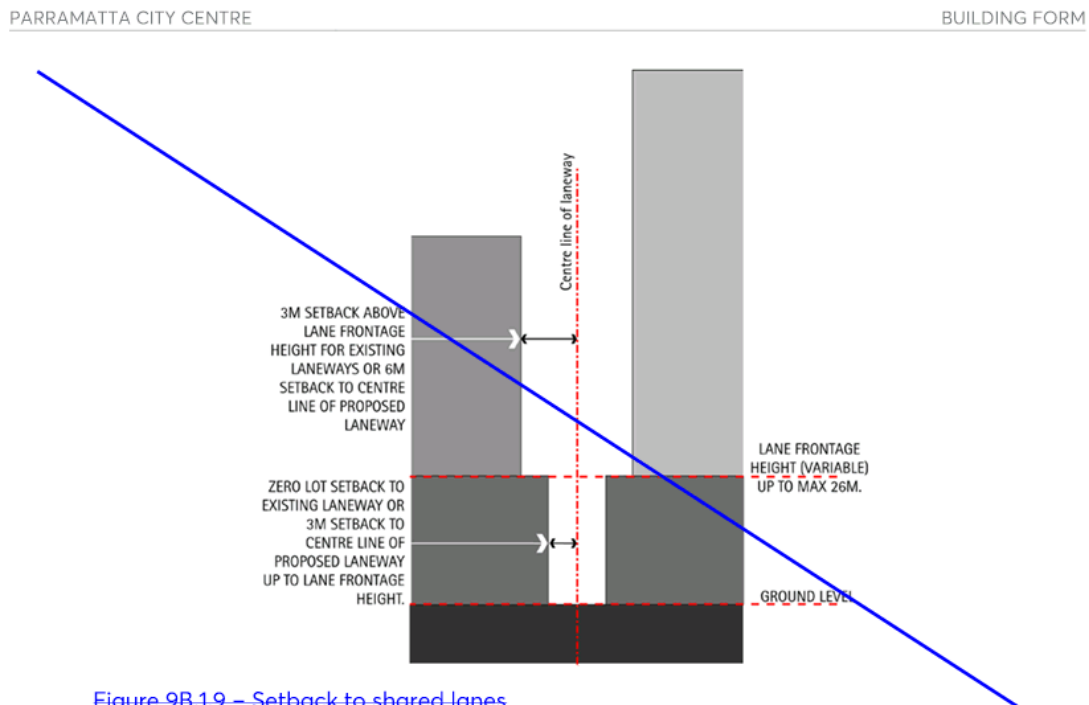


Figure 9B.1.8 – Rear Setback



## 9B.1.7 BUILDING FORM AND WIND MITIGATION

### Objectives

- O.01 To ensure that building form enables the achievement of nominated wind standards to maintain safe and comfortable conditions in the City Centre Deferred Area Auto Alley (West) streets and lanes.

### Controls

- C.01 To ensure public safety and comfort the following maximum wind criteria are to be met by new buildings:
- 10 metres/second in retail streets
  - 13 metres/second along major pedestrian streets, parks and public places
  - 16 metres/second in all other streets
- C.02 Site design for tall buildings (towers) should:
- Set tower buildings back from lower structures built at the street frontage.
  - Protect pedestrians from strong wind downdrafts at the base of the tower.
  - Ensure that tower buildings are well spaced from each other to allow breezes to penetrate City Centre Deferred Area Auto Alley (West).
  - Consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level.

- v. Ensure useability of open terraces and balconies.

C.03 ~~Wind Effects Report is to be submitted with the DA for all buildings greater than 32m in height.~~

C.04 ~~For buildings over 50m in height, results of a wind tunnel test are to be included in the report.~~

### 9B.1.8 BUILDING EXTERIORS

Parramatta's cityscape and public domain is defined by its buildings, streets and public places. The maintenance and improvement of the public domain is dependent on a high-quality approach to the design of new development including the articulation and finish of building exteriors.

#### Objectives

To ensure that buildings ~~in Parramatta City Centre Deferred Area:~~

- O.01 Contribute positively to the streetscape and public domain by means of high-quality architecture and selection of appropriate materials and finishes.
- O.02 Provide richness of detail and architectural interest especially at visually prominent parts of buildings such as lower levels and roof tops.
- O.03 Present appropriate design responses to nearby development that complement the streetscape.
- O.04 Clearly define the adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security.
- O.05 Maintain a pedestrian scale in the articulation and detailing of the lower levels of the building.
- O.06 ~~Contribute to a visually interesting skyline.~~
- O.07 Restrict the reflection of sunlight from buildings to surrounding areas and buildings.

#### Controls

- C.01 Adjoining buildings (particularly heritage buildings) are to be considered in the design of new buildings in terms of:
  - i. datum of main façade and roof elements,
  - ii. appropriate materials and finishes selection, and
  - iii. facade proportions including horizontal or vertical emphasis.
- C.02 Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged.
- C.03 Articulate façades so that they address the street and add visual interest.
- C.04 External walls should be clad with high-quality and durable materials and finishes.
- C.05 Finishes with high maintenance costs, those susceptible to degradation or corrosion that result in unacceptable amenity impacts, such as reflective glass, are to be avoided.
- C.06 To assist articulation and visual interest, avoid large expanses of any single material.

## PARRAMATTA CITY CENTRE

## BUILDING FORM

- C.07 Limit opaque or blank walls for ground floor uses to 30% of the building street frontage.
- C.08 Maximise glazing for ground floor retail uses, but break glazing into sections to avoid large expanses of glass.
- C.09 A materials sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge.
- C.10 Minor projections up to 450mm from building walls in accordance with those permitted by the Building Code of Australia may extend into the public space providing it does not fall within the definition of gross floor area and there is a public benefit, such as:
  - i. expressed cornice lines that assist in enhancing the streetscape, and
  - ii. projections such as entry canopies that add visual interest and amenity.
- C.11 The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building.
- C.12 New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.
- C.13 Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.

## 9B.2 MIXED USE BUILDINGS

~~City-Centre-Deferred-Area~~ Auto Alley (West) buildings provide for a variety of uses and activities that reinforce the character and function of the ~~City-Centre-Deferred-Area~~ Auto Alley (West) and create activity and lively streets. In mixed use buildings, different uses are contained within the same building and are best located to a pattern and layout suitable to the mix of uses.

### Objectives

- O.01 To create active and lively streets with enhanced public safety by increasing activity in the public domain.
- O.02 To minimise potential conflicts and achieve compatibility between different uses.
- O.03 ~~To ensure that the design of mixed-use buildings addresses residential amenity and supports commercial and retail uses.~~
- O.04 To create legible and safe access and circulation in mixed use buildings.
- O.05 To ensure that buildings address the public domain and the street.

### Controls

- C.01 ~~Specialised~~ retail and business activity should be provided at ground level to support street activation ~~and residential uses, requiring privacy and noise mitigation, should be located above street level.~~
- C.02 Ground floor of all mixed-use buildings are to have a minimum floor to ceiling height of 3.6m in order to provide for flexibility of future use. Above ground level, minimum floor to ceiling heights are to be a minimum of 2.7 metres.
- C.03 ~~Separate commercial service requirements, such as loading docks, from residential access, servicing needs and primary outlook.~~ Service entries are to be provided from the rear where possible.
- C.04 ~~Locate clearly demarcated residential entries directly from the public street.~~
- C.05 ~~Clearly separate and distinguish commercial and residential entries and vertical circulation.~~
- C.06 Provide security access controls to all entrances into private areas, including car parks and internal courtyards.
- C.07 Front buildings onto major streets with active uses.
- C.08 Avoid the use of blank building walls at the ground level at street or lane frontages.
- C.09 Facilities for servicing the building, sub-stations, waste collection and the like are to be integrated as part of the building design to minimise the impact on active street frontages.

## 9B.3 PUBLIC DOMAIN AND PEDESTRIAN AMENITY

The public domain includes the publicly accessible shared spaces ~~of the Deferred Area in the City Centre~~, including streets, lanes, squares and parks ~~(refer to Figure 9B.3.1)~~. The public domain is also affected by the private domain - the design quality of adjoining buildings, overshadowing, the design and location of building entrances, setbacks and signage.

The pedestrian network is a key aspect of the public domain. The pedestrian amenity provisions in this Section are intended to achieve a high-quality of urban design, pedestrian comfort and safety in the public spaces of the ~~City Centre Deferred Area Auto Alley (West)~~. ~~Parramatta's streets, lanes, arcades and through site links should form an integrated and legible pedestrian network providing choice of routes at ground level for pedestrians. The design of individual developments will be required to contribute to and integrate with this network.~~

Council has adopted the [Parramatta Public Domain Guidelines](#) which are available on Council's web site. These guidelines need to be referred to for new developments in the ~~City Centre Deferred Area Auto Alley (West)~~ and require the preparation for approval of an Alignments Plan and a Public Domain Plan.

Council's tree mapping in its [Parramatta Public Domain Guidelines](#) has a Street Tree Plan, available on request, which should be consulted when preparing a public domain plan. Species selection for ~~City Centre Deferred Area Auto Alley (West)~~ developments should be appropriate for proposed building heights and ~~City Centre Deferred Area Auto Alley (West)~~ micro-climates to mitigate the urban heat island effect.

### 9.3.1 ~~SITE LINKS AND LANES~~

~~Site links provide access connections between the long sides of street blocks for pedestrian and vehicular access at street level. These links provide an important function in the form of lanes, shared zones, arcades and pedestrian ways.~~

**Note:** ~~Refer also to site specific controls in Section 9B.6 – Site Specific Controls which affect sites at 470 Church Street and 8-12 Victoria Road and 2A Villiers Street.~~

#### Objectives

- ~~O.01 – To improve access in the City Centre Deferred Area Auto Alley (West) by providing new lanes and site links and enhancing existing links as redevelopment occurs.~~
- ~~O.02 – To contribute to the legibility of the pedestrian network.~~
- ~~O.03 – To ensure that site links have active frontages.~~
- ~~O.04 – To provide for pedestrian amenity and safety.~~
- ~~O.05 – To encourage removal of vehicular entries from primary street frontages.~~
- ~~O.06 – To retain and further develop lanes and small spaces as useful and interesting pedestrian connections as well as for service access.~~



O.07 ~~To implement Council's Parramatta City Centre Lanes Policy.~~

### Controls

C.01 ~~Through site links, arcades, shared ways and laneways are to be provided as shown in Figure 9B.1.3 Street / River Frontage Heights (denoted by an orange line).~~

C.02 ~~The design and finish of new site links is to be provided in accordance with Council's Parramatta Public Domain Guidelines.~~

C.03 ~~Site links for pedestrians and shared pedestrian and vehicular lanes are to:~~

- ~~i. have a minimum of 40% of active ground floor frontage;~~
- ~~ii. be legible and direct throughways; and~~
- ~~iii. provide public access at all business trading times when the link is through a development and at all times for lanes.~~

C.04 ~~Pedestrian site links are to have a minimum width of 3 metres non-leasable space clear of all obstructions (including columns, stairs, and escalators).~~

C.05 ~~Internal arcades will not be approved in preference to activation of an existing or required lane or site link.~~

C.06 ~~Building address to lanes and site links shall create visual interest such as landscaping, awnings, paved finishes, and good lighting.~~

C.07 ~~Shared lanes and vehicular lanes are to have a minimum width of 6m clear of all obstructions.~~

C.08 ~~To provide interest in these spaces, public art installations are encouraged in lanes.~~

### 9B.3.2 ACTIVE FRONTAGES

Active frontages provide a visual connection between the public domain and the interiors of buildings. This can be achieved by the design and level of building entries from streets, lanes and other public spaces, window displays, façade modulation and glazing and location of uses such as [shops](#), cafes, restaurants, reception areas and customer service counters at visible frontages to the public domain.

Active frontage uses are defined as one, or a combination of the following at street level, ~~or at the river frontage:~~

- i. Entrance to [specialised](#) retail.
- ~~ii. Shop front.~~
- iii. Glazed entries to lobbies.
- iv. Cafe or restaurant if accompanied by an entry from the street.
- v. Active office uses, such as reception, if visible from the street.
- vi. Public building if accompanied by an entry.

## Objectives

- O.01 To promote pedestrian activity and safety in the public domain.
- O.02 To maximise active street and lane fronts in the [City Centre Deferred Area Auto Alley \(West\)](#).
- O.03 ~~To maximise active frontages to the river foreshore.~~
- O.04 To define areas where active frontages are required.

## Controls

### Active Frontages ~~for non-residential development~~

- C.01 Active frontages are required throughout the [City Centre Deferred Area Auto Alley \(West\)](#) on [primary street frontages](#) for a minimum of 50% of each building front; ~~and on secondary street frontages and lanes for a minimum of 40% of each building front.~~
- C.02 Active ground floor uses are to be at the same level as the footpath and be accessible directly from the street. (Refer to Council's [Parramatta Public Domain Guidelines](#) and the requirement for an Alignments Plan).
- C.03 Provide multiple entrances for large developments [including an entrance on each street frontage](#).
- C.04 Security grilles detract from an active street front, but where they are essential, must be fitted only internally within the shopfront and set back from the line of enclosure. Such grilles are to be fully retractable and at least 50% transparent in their closed state.
- C.05 Extend active frontages above ground floor level with uses and building design, which provide transparency, and visual contact with the public domain.
- C.06 ~~Opportunities for active frontages to parks, public squares and the river foreshore are to be maximised.~~

### Active frontages with street address for residential development

- C.07 ~~Street address for residential development is to include entries, lobbies, and habitable rooms with clear glazing to the street not more than 1.2m above street level and excluding car parking areas.~~
- C.08 ~~Residential developments are to provide a clear street address and direct pedestrian access off the primary street front and allow for apartments to overlook all surrounding streets and lanes.~~
- C.09 ~~Provide multiple entrances for large developments including an entrance on each street frontage.~~
- C.10 ~~Provide direct 'front door' access from ground floor residential units.~~
- C.11 ~~Residential buildings are to provide not less than 65% of the lot width as street address.~~

**9B.3.3 — PEDESTRIAN OVERPASSES AND UNDERPASSES**

Parramatta's climate does not warrant pedestrian isolation from the street and any conflicts between pedestrians and vehicles are to be resolved at the street level.

Pedestrian overpasses are discouraged as they create access issues for the mobility impaired, degrade streetscape quality and block views and vistas along streets. New pedestrian underpasses will only be considered where they would directly connect to major transport nodes such as railway stations and substantially improve pedestrian safety and access.

**Objectives**

- O.01 — To promote ease of access for pedestrians in streets and public places.
- O.02 — To promote 'Safer by Design' and crime prevention principles.
- O.03 — To encourage pedestrian circulation at street level.
- O.04 — To protect views and vistas along streets.

**Controls**

- C.01 — New overpasses over streets will generally not be approved. In exceptional circumstances, new overpasses over service lanes may be considered by the consent authority subject to assessment of impacts on safety and crime prevention, streetscape amenity and activation of the public domain. In such circumstances, overpasses are to be fully glazed, not greater than 6 metres wide or more than one level high.
- C.02 — Underpasses may be considered by the consent authority for direct connection under adjacent streets to railway stations;
  - i. — where they would substantially improve pedestrian safety and accessibility, and
  - ii. — where they incorporate active uses, particularly at entry and exit points.
- C.03 — Access to underpasses should be provided directly from a public footpath at the street alignment (rather than reducing the space of the footpath). This will ensure public access at all times and enhance the use and activities of the public domain.
- C.04 — All underpasses are to have a minimum width of 5 metres clear of all fixed obstructions and a minimum ceiling height of 4 metres.

**9B.3.4 — AWNINGS**

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity along streets and in conjunction with active edges such as retail frontages, support and enhance the vitality of the local area. Awnings, like building entries, provide a public presence and interface within the public domain and contribute to the identity of a development.

**Objectives**

- O.01—~~To increase pedestrian amenity in areas of high pedestrian volume by providing protection from wet weather and sunlight with awnings.~~

**Controls**

- C.01—~~Continuous street frontage awnings are to be provided for all new developments as indicated in Figure 9B.3.1.~~
- C.02—~~New awnings must align with adjacent existing awnings and complement building facades.~~
- C.03—~~Wrap awnings around corners where a building is sited on a street corner.~~
- C.04—~~For streets, awning dimensions should generally be:~~
- ~~i. Minimum soffit height of 3.3 metres.~~
  - ~~ii. Low profile, with slim vertical fascias or eaves (generally not to exceed 300mm height).~~
  - ~~iii. Setback a minimum of 600mm from the face of the kerb.~~
  - ~~iv. Minimum of 3.0 metres deep unless street trees are required.~~
- C.05—~~Where street trees are required the entire length of the awning is to be set back from the kerb by 1.2 metres. Cut outs for trees and light poles in awnings are not acceptable.~~
- C.06—~~For lanes:~~
- ~~i. Well designed awnings and entrance canopies that provide additional shelter at entrances, define particular spaces in lanes and relate in scale to individual ground floor uses addressing the lane are encouraged.~~
  - ~~ii. Awnings and entrance canopies must be cantilevered; no posts are allowed to maintain sight lines and a 1.8m clear path of travel along the building edge.~~
  - ~~iii. The style of awning recommended is the retractable folding arm type.~~

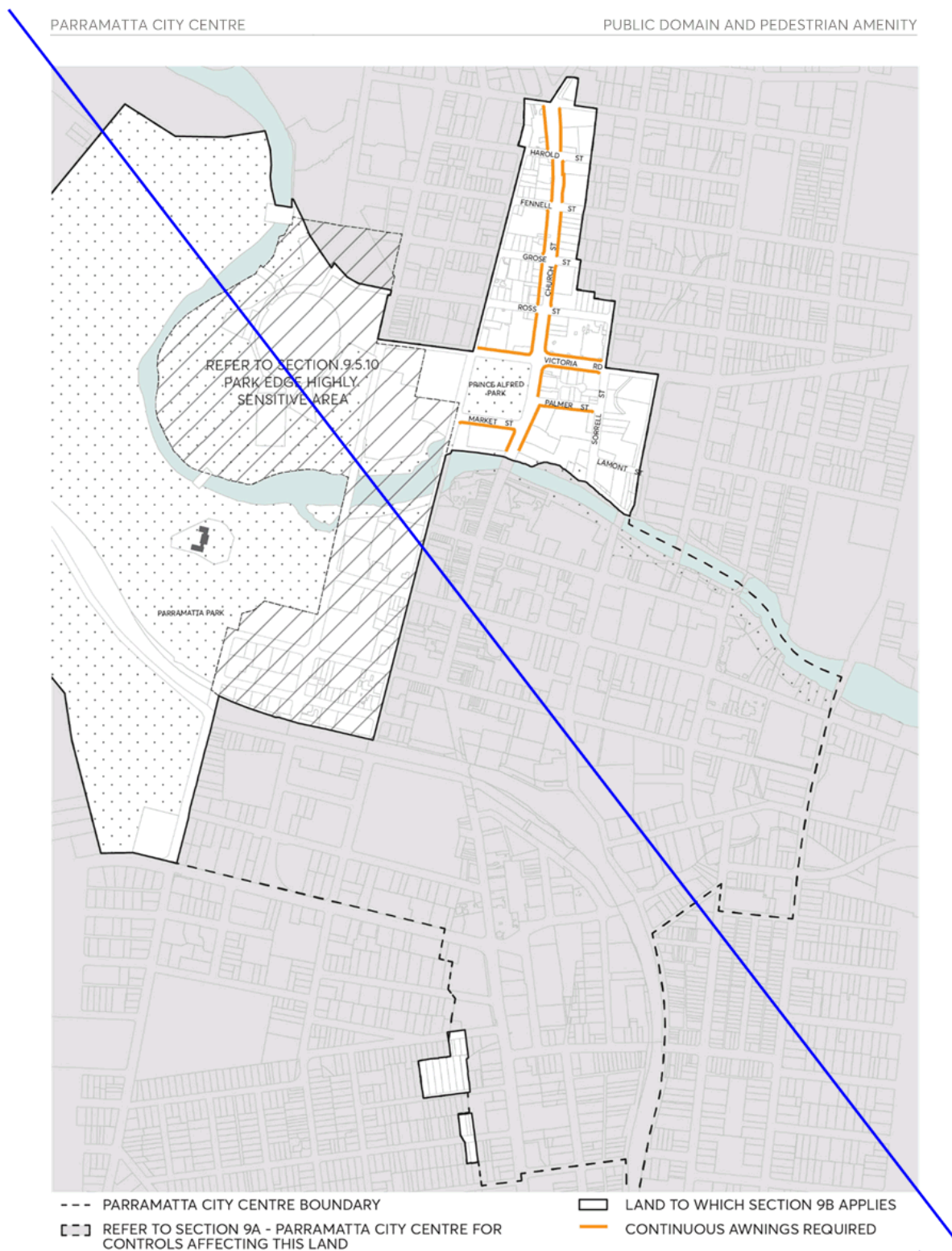


Figure 9B.3.1— Awnings

### 9B.3.5 — COURTYARDS AND SQUARES

#### Objectives

O.01 — To expand and enhance the public domain.

#### Controls

C.01 — Integrate forecourts, squares and courtyards with through block links where appropriate.

C.02 — Design forecourts, squares and courtyards to visually and physically extend the public domain.

C.03 — Forecourts, squares and courtyards should be delightful outdoor rooms, and must be well considered with regard to aspect and height to width, and depth to width proportions.

C.04 — It is preferred that courtyards and squares are the same level as the street to facilitate access and integration with the public domain.

C.05 — Basement car parks should be contained predominantly within building footprints and allow for deep soil beneath forecourts and courtyards for large canopy tree planting.

#### Squares

C.06 — Squares are to be spatially defined with at least three substantially or fully built edges, will not exceed a depth to width ratio of 3:1, and will be not less than 12m wide.



## 9B.4 ACCESS AND PARKING

### 9B.4.1 VEHICLE FOOTPATH CROSSINGS

The design and location of vehicle access to developments should minimise both conflicts between pedestrians and vehicles on footpaths, particularly along pedestrian priority places and visual intrusion and disruption of streetscape continuity.

#### Objectives

- O.01 To make vehicle access to buildings more compatible with pedestrian movements and the public domain.
- O.02 To ensure vehicle entry points are integrated into building design and contribute to high-quality architecture and streetscapes.

#### Controls

##### Location of Vehicle Access

- ~~C.01 No additional vehicle entry points will be permitted into the parking or service areas of development along those streets identified as significant pedestrian circulation routes in Figure 9B.4.1.~~
- C.01 ~~In all other areas,~~ One vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted.
- C.02 Where practicable, vehicle access is to be from lanes and minor streets rather than primary street fronts or streets with major pedestrian activity.
- C.03 Where practicable, adjoining buildings are to share or amalgamate vehicle access points. Internal on-site signal equipment is to be used to allow shared access. Where appropriate, new buildings should provide vehicle access points so that they are capable of shared access at a later date.
- C.04 Vehicle access may not be required or may be denied to some heritage buildings.

##### Design of Vehicle Access

- C.05 Vehicle access ramps parallel to the street frontage will not be permitted.
- C.06 Doors to vehicle access points are to be fitted behind the building façade and to be of materials that integrate with the design of the building and contribute to a positive public domain.
- C.07 Vehicle entries are to have high-quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street.

##### Porte Cocheres

- C.08 Porte cocheres disrupt pedestrian movement and do not contribute to active street frontage. They may only be permitted in exceptional circumstances for hotels and major tourist venues subject to high-quality urban design, streetscape, heritage and pedestrian amenity considerations.

## PARRAMATTA CITY CENTRE

## ACCESS AND PARKING

- C.09 If justified, porte cocheres should preferably be internal to the building with one combined vehicle entry and exit point, or one entry and one exit point on two different street fronts of the development.
- C.10 In exceptional circumstances for buildings with one street frontage only, an indented porte cochere with separate entry and exit points across the footpath may be permitted, as long as:
- i. it is constructed entirely at the footpath level,
  - ii. provides active street frontage uses in addition to any hotel entry or lobby at its perimeter,
  - iii. is of high-quality design and finish, and
  - iv. provides for safe and clear pedestrian movement along the street.

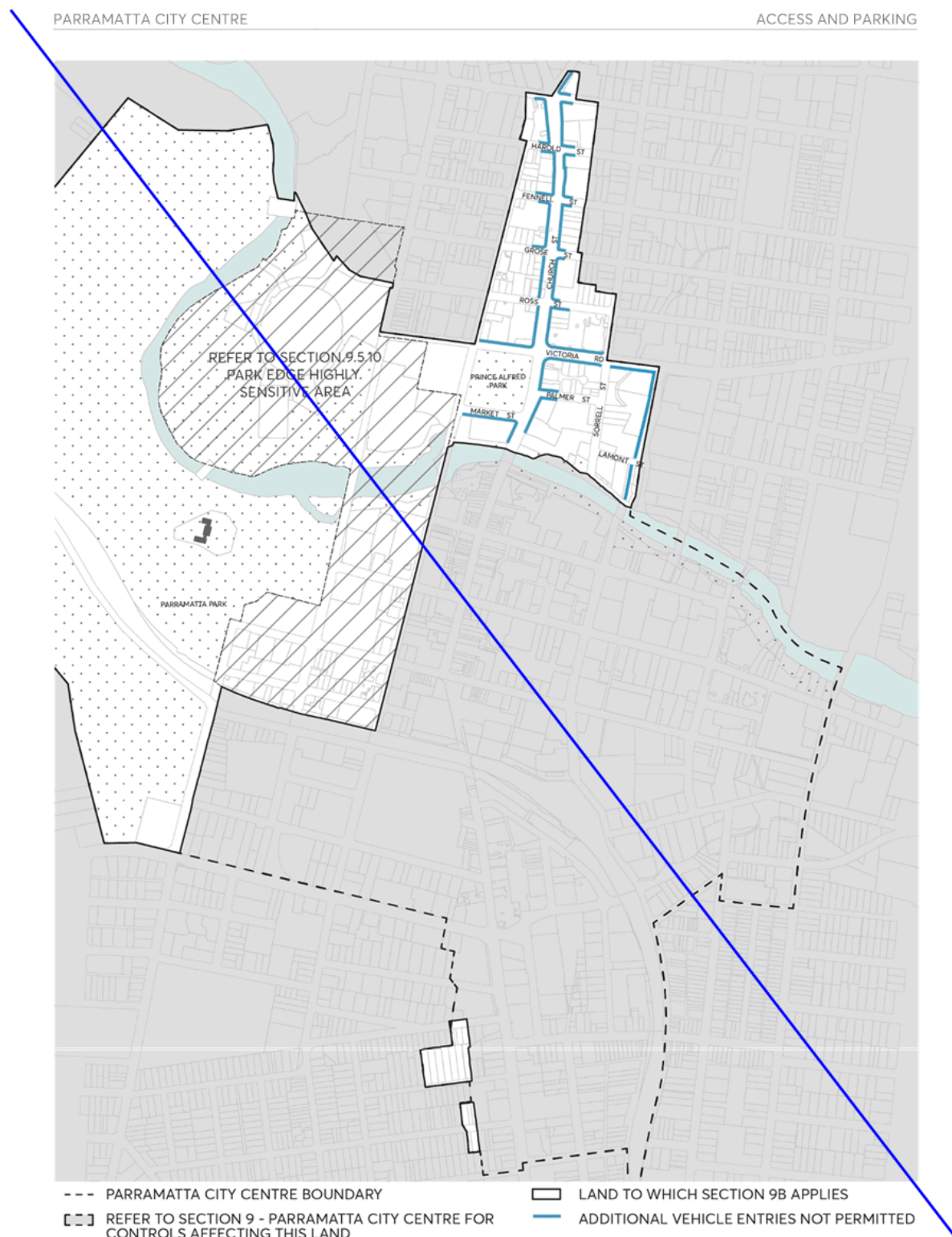


Figure 9B.4.1— Restrictions on Vehicle Entries

## 9B.4.2 PEDESTRIAN ACCESS AND MOBILITY

### Objectives

- O.01 To ensure that all people who live, work, or visit the city are able to access and use all spaces, services and facilities through the creation of a barrier free environment in all public spaces, premises and associated spaces.
- O.02 To provide a safe and easy access to buildings to enable better use and enjoyment by people regardless of age and physical condition, whilst also contributing to the vitality and vibrancy of the public domain.

### Controls

- C.01 Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high-quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity.
- C.02 Access to public areas of buildings and dwellings should be direct and without unnecessary barriers. Avoid obstructions, which cause difficulties including:
  - i. uneven and slippery surfaces;
  - ii. steep stairs and ramps;
  - iii. narrow doorways, paths and corridors; and
  - iv. devices such as door handles which require two hands to operate.
- C.03 The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (AS 1428.1 and AS1438.2, or as amended) and the *Disability Discrimination Act 1992* (as amended).
- C.04 The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor.
- C.05 The development must provide continuous paths of travel from all public roads and spaces as well as unimpeded internal access.
- C.06 Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain (street) with appropriate slip resistant materials, tactile surfaces and contrasting colours.

## 9B.4.3 VEHICULAR DRIVEWAYS AND MANOEUVRING AREAS

### Objectives

- O.01 To minimise the impact of vehicle access points and driveway crossovers on streetscape amenity, pedestrian safety and the quality of the public domain by:
  - a) designing vehicle access to required safety and traffic management standards,

- b) integrating vehicle access with site planning, streetscape requirements, traffic patterns, and
  - c) minimising potential conflict with pedestrians.
- O.02 To minimise the size and quantity of vehicle and service crossings to retain streetscape continuity and reinforce a high-quality public domain.

### Controls

- C.01 Driveways should be:
- i. Provided from lanes and secondary streets rather than the primary street, wherever practical.
  - ii. Located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing or proposed street trees.
  - iii. Located a minimum of 10 metres from the perpendicular of any intersection of any two roads.
  - iv. If adjacent to a residential development, setback a minimum of 1.5m from the relevant side property boundary.
- C.02 Vehicle access is to be designed to:
- i. minimise the visual impact on the street, site layout and the building façade design, and
  - ii. if located off a primary street frontage, integrated into the building design.
- C.03 All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn.
- C.04 Separate and clearly differentiate pedestrian and vehicle access.
- C.05 Locate vehicle access a minimum of 3 metres from pedestrian entrances.
- C.06 Minimise the size and quantity and visual intrusion of vehicle access points.
- C.07 Vehicular access may not ramp along boundary alignments edging the public domain, streets, lanes parks, water frontages and the like.
- C.08 Design of driveway crossings must be in accordance with Council's standard Vehicle Entrance Designs, with any works within the footpath and road reserve subject to a Section 138 *Roads Act* approval.
- C.09 Driveway widths must comply with the relevant Australian Standards.
- C.10 Car space dimensions must comply with the relevant Australian Standards.
- C.11 Driveway grades, vehicular ramp width/grades and passing bays and sight distance for driveways must be in accordance with the relevant Australian Standard, (AS 2890.1).
- C.12 Vehicular ramps less than 20 metres long within developments and parking stations must have a maximum grade of 1 in 5 (20%). Ramp widths must be in accordance with AS 2890.
- C.13 Access ways to underground parking should not be located adjacent to doors of the habitable rooms of any residential development.

- C.14 For residential development, use semi-pervious materials for all uncovered parts of driveways/spaces to provide for some stormwater infiltration.
- C.15 Vehicular access, egress and manoeuvring is to be provided in accordance with the NSW Fire Brigades Code of Practice – Building Construction – NSWFB Vehicle Requirements.
- C.16 Generally, provision must be made for NSW Fire Brigade vehicles to enter and leave the site in a forward direction where:
  - i. NSW Fire Brigade cannot park their vehicles within the road reserve due to the distance of hydrants from the building or restricted vehicular access to hydrants; or
  - ii. the site has an access driveway longer than 15m.

#### 9B.4.4 ON-SITE PARKING

On-site parking includes underground (basement), surface (at-grade) and above ground parking, including parking stations. Underground and semi-underground parking minimises the visual impact of car parks and is an efficient use of the site. Above ground parking may be appropriate for some sites, especially for sites constrained because of flood levels or archaeological conditions. However, above ground car parking will only be accepted if it is of a high design quality and meets the design controls specified in this Section. Car parking rates for the Parramatta City Centre Deferred Area are contained in Clause 7.17 Car Parking of Parramatta LEP 2023. These rates are maximum rates and are not to be exceeded.

##### 9B.4.4.1 CAR PARKING RATES

#### Objectives

- O.01 To facilitate an appropriate level of on-site parking provision in the [Auto Alley \(West\) City Centre Deferred Area](#) to cater for a mix of development types.
- O.02 To minimise the visual impact of on-site parking.
- O.03 To provide adequate space for parking and manoeuvring of vehicles (including service vehicles and bicycles).
- O.04 To recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking.

#### Controls

- C.01 Where car parking is provided in basements, and semi-basements, development which will involve excavation shall incorporate the recommended site management procedures set out in the Parramatta Historical Archaeological Landscape Management Study.
- C.02 Consolidate basement car parking areas under building footprints to maximise the area available for deep soil planting beneath forecourts and courtyards.
- C.03 Maximise the efficiency of car park design with predominantly orthogonal geometry and related to circulation and car space sizes.



## PARRAMATTA CITY CENTRE

## ACCESS AND PARKING

- C.04 Design parking structures which minimise reliance on artificial lighting and car exhaust ventilation.
- C.05 Provide 1-2% readily accessible parking spaces, designed and appropriately signed for use by people with disabilities.
- C.06 Provide separate parking for motorcycles for an area equal to 1 car parking space, as a minimum, for every 50 car parking spaces provided, or part thereof. Motor cycle parking does not contribute to the number of parking spaces for the purpose of complying with the maximum number of parking spaces permitted.
- C.07 On-site parking must meet the relevant Australian Standard (AS 2890.1 2004 – Parking facilities, or as amended).
- C.08 Provide marked pedestrian pathways to car parking areas with clear lines of sight and safe lighting especially at night.

## Bicycle Parking

- C.09 Make provision for secure bicycle parking in all public car parks and every building with onsite parking, in compliance with Part 6 – Traffic and Transport of this DCP.
- C.10 Bicycle parking in public car parks will achieve safe, easy, and convenient access from the building to public streets.
- C.11 For commercial and retail development providing employment for 20 persons or more, provide adequate change and shower facilities for cyclists. Facilities should be conveniently located close to bike storage areas.

## Parking for residential flat buildings

- ~~C.12 On-site parking is to be accommodated underground, or otherwise integrated into the design of the building.~~
- ~~C.13 Stack parking of up to 2 cars is permitted where spaces are attached to the same strata title or lease arrangement comprising a single dwelling unit.~~

## Parking for commercial developments and mixed use developments

- C.12 The impact of any at-grade car parking must be minimised by:
  - i. locating parking on the side or rear of the lot away from the street frontage;
  - ii. provision of fencing or landscaping to screen the view of cars from adjacent streets and buildings; and
  - iii. allowing for safe and direct access to building entry points.
- C.13 Natural ventilation should be provided to underground parking areas where possible, with ventilation grilles and structures;
  - i. integrated into the overall façade and landscape design of the development,
  - ii. not located on the primary street façade, and
  - iii. oriented away from windows of habitable rooms and private open spaces areas.

## 9B.4.5 ABOVE GROUND CAR PARKING

### Objectives

- O.01 To provide car parking in an efficient and cost-effective manner.
- O.02 Ensure the manner in which the car parking is provided maintains and improves the amenity, aesthetic quality and liveability of the public domain.
- O.03 Provide car parking in a manner that would make a reduction in the amount and rate of car parking provision possible as the city economy strengthens and alternative modes of transport are developed to serve the city.
- O.04 Design car parking to be energy efficient, well lit, safe, and attractive.

### Controls

- C.01 The preferred location of car parking in the [Auto Alley \(West\) Parramatta City Centre Deferred Area](#) is in basements. Above ground car parking may be appropriate for some sites, especially where there are constraints such as flood levels and/or archaeological conditions. Above ground car parking will only be permitted where the car parking:
  - i. Is of high-quality design and will not have an adverse impact on the visual and acoustic amenity of neighbouring buildings and public domain.
  - ii. Is located behind other active uses including residential, specialised retail and office when the frontage is to a primary street or public domain as indicated on Figure 9B.4.2. Where activation of above ground levels is required, the active use is to wrap around the corner of the building for a minimum of 15m. Refer to Figure 9B.4.3
  - iii. Is screened from the public domain, including all streets and lanes through the use of screening devices, architectural elements and landscaping that is integrated into the design of the building. Cars are not to be visible from the public domain. Car parking luminaires are not to be visible from the public domain. Refer to Figure 9B.4.3.
  - iv. Has an access that will not have an unacceptable impact on streetscape or the public domain in accordance with Figure 9B.4.1.
  - v. Does not extend higher than the frontage and podium heights permitted on adjoining streets and in the case of different heights the lesser of the two.
  - vi. Is fully enclosed by a suitably designed wall or screen at ground level (on the frontages not required to be sleeved with active uses), with the exception of air supply vents, which should be a minimum of 2.3m above the ground at their lowest point, and designed to ensure the interior of the car park is not visible from the adjoining public domain.
  - vii. Allows for the creation of mid-block connections and laneways as indicated on Figure 9B.4.2.
  - viii. Is set back from the rear boundary of lots by a minimum of 6 metres to allow for natural 'make up air supply' to ensure efficient low energy operation.

- ix. New access points to all parking (above and below ground) are to be limited in accordance Figure 9B.4.2. New access points will be permitted from existing lanes or new lanes, which may be created as part of the development.
  - x. If located on a roof top, is not open to the sky or visible from other buildings.
  - xi. Has a minimum floor to ceiling height, clear of obstruction, of 2.7 metres above ground level and 3.3m on ground level.
- C.02 Car parking areas:
- i. are to be well lit,
  - ii. are to avoid hidden and enclosed areas to allow for casual surveillance where practicable,
  - iii. where hidden and enclosed areas such as staircases and lift lobbies cannot be avoided,
  - iv. are to include mirrors or similar devices to aid surveillance,
  - v. are to be well ventilated, and
  - vi. are to provide natural rather than mechanical ventilation where practicable.
- C.03 To facilitate adaptation of car parking to other uses in the long term, consideration will be given to car parking remaining as part of the common property and not part of, or attached to, individual strata units.

#### 9B.4.6 LEASING OF EXISTING SURPLUS COMMERCIAL CAR PARKING SPACES

##### Objectives

- O.01 To facilitate the efficient use of under-occupied car parking spaces within existing commercial buildings in the [City-Centre-Deferred-Area Auto Alley \(West\)](#).
- O.02 To appropriately regulate and manage the use of [City-Centre-Deferred-Area Auto Alley \(West\)](#) parking spaces in a manner that responds to the changing demand for car parking over time.
- O.03 To encourage greater use of under-utilised car parking so as to increase the availability of short term parking in other locations in the [City-Centre-Deferred-Area Auto Alley \(West\)](#)

##### Controls

Parking spaces within an existing commercial building or commercial component of a mixed use building (but not residential parking) may, subject to development consent, be leased as parking spaces to persons or businesses who do not occupy that building, as provided in Clause 7.17 of *Parramatta LEP 2023*.

**Note:** Commercial buildings may include activities such as specialised retail premises, business premises and office premises, restaurants, and cafes.

The following criteria must be satisfied:

- C.01 The number of surplus spaces in the building must be specified, justified and shown on a site plan submitted with the Development Application. The number of surplus spaces represents

the number of spaces above the maximum number required for the floorspace in the building based on the current car parking rates.

- C.02 There is demand for take up of this car parking by other commercial enterprises within the [City Centre Deferred Area A-Auto Alley \(West\)](#).
- C.03 The car parking layout and circulation routes, both pedestrian and vehicular are safe and suitable.
- C.04 To promote the orderly and efficient use of surplus parking, spaces will only be permitted to be leased for long term parking (a minimum continuous period of one month).

Any consent granted under this Section will apply for 2 years from the time the consent is issued. After that period, a new Development Application will be required.

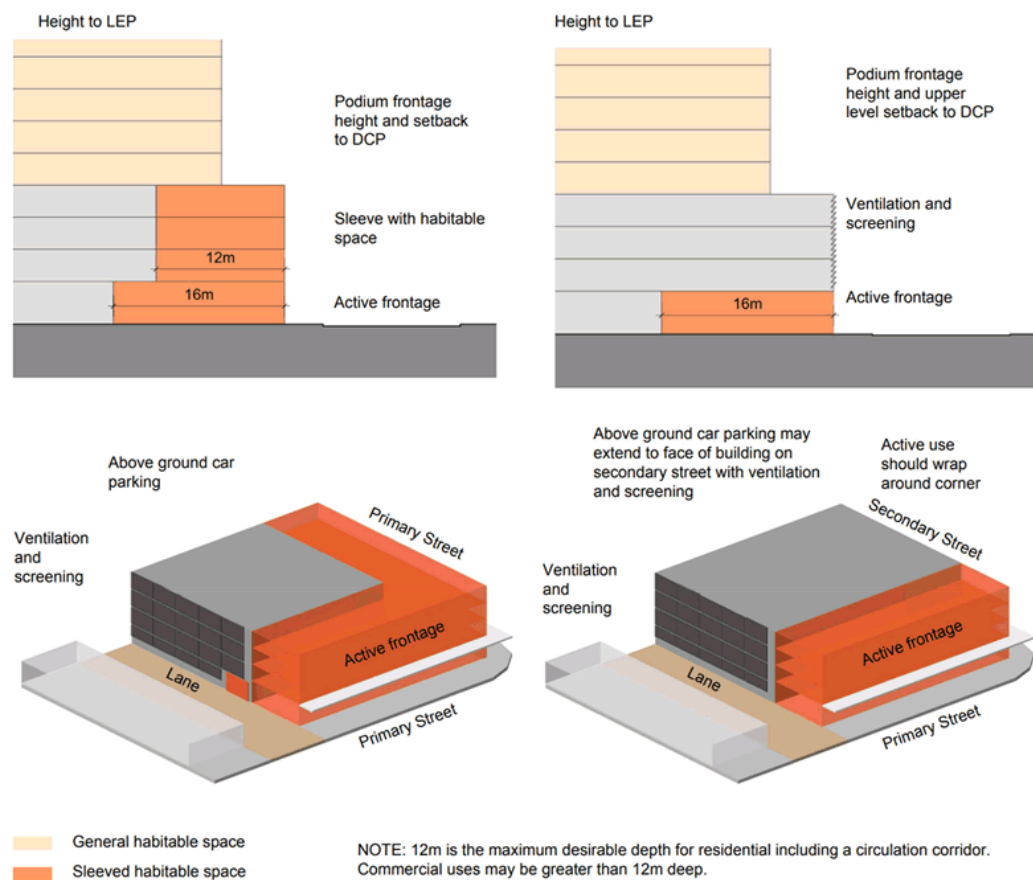


Figure 9B.4.2 – Frontage Treatments for Above Ground Car parking

PARRAMATTA CITY CENTRE

ENVIRONMENTAL MANAGEMENT



Figure 9B.4.3 – Above Ground Carparking Frontage Treatments

## 9B.5 ENVIRONMENTAL MANAGEMENT

### 9B.5.1 LANDSCAPE DESIGN

#### Objectives

- O.01 To ensure landscaping is integrated into the design of development within [City Centre-Deferred Area Auto Alley \(West\)](#).
- O.02 To encourage well designed landscaping that ameliorates heat bank effects in the [City Centre Deferred Area Auto Alley \(West\)](#).

#### Controls

- C.01 Commercial and retail developments are to incorporate planting in accessible outdoor spaces such as courtyards, forecourts, terraces and roofs.
- C.02 A landscape concept plan must be provided for all landscaped areas. The plan must outline how landscaped areas are to be maintained for the life of the development.
- C.03 Street trees are to be provided in the footpath in accordance with the street tree mapping in Council's [Parramatta Public Domain Guidelines](#).
- C.04 Landscaping of city buildings should consider the use of 'green walls' in appropriate locations.
- C.05 Basement car parks should be contained predominantly within building footprints to allow for deep soil beneath forecourts and courtyards for canopy tree planting.

### 9B.5.2 PLANTING ON STRUCTURES

Constraints on the location of car parking structures due to water table conditions may mean that landscaping might need to be provided over parking structures, on roof tops or on walls. The following controls apply in these conditions.

#### Objectives

- O.01 To contribute to the landscape quality and amenity of buildings within the [City-Centre-Deferred Area Auto Alley \(West\)](#)
- O.02 To encourage the establishment and healthy growth of landscaping in urban areas within the [City-Centre-Deferred Area Auto Alley \(West\)](#).

#### Controls

- C.01 Design for optimum conditions for plant growth by:
  - i. providing soil depth, soil volume, and soil area appropriate to the size of the plants to be established,
  - ii. providing appropriate soil conditions including irrigation (where possible using recycled water) and suitable drainage.
- C.02 Design planters to support the appropriate soil depth and plant selection by:
  - i. ensuring planter proportions accommodate the largest volume of soil possible and soil depths to ensure tree growth, and
  - ii. providing square or rectangular planting areas rather than narrow linear areas.
- C.03 Provide sufficient soil depth and area to allow for plant establishment and growth. The following minimum standards are recommended:

Table 9B.5.2.1 – Minimum soil depth for plant establishment

Plant type	Min soil depth	Min soil volume
Large trees (over 8m high)	1.3m	150m <sup>3</sup>
Medium trees (2m to 8m high)	1.0m	35m <sup>3</sup>
Small trees (up to 2m high)	800mm	9m <sup>3</sup>
Shrubs and ground cover	500mm	N/A

### 9B.5.3 GREEN ROOFS

A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. Container gardens on roofs, where plants are maintained in pots, are not considered to be green roofs.



**Objectives**

- O.01 To promote the use of green roofs to assist with reduction of energy use, improve stormwater management, enhance environmental biodiversity and reduce urban heat island effects.

**Controls**

- C.01 Buildings are encouraged to include a green roof component on the roof space.

#### 9B.5.4 ENERGY AND WATER EFFICIENT DESIGN

In addition to the objectives and principles in Section 5.4 – Environmental Performance the following objectives also apply to [the City Centre Deferred Area Auto Alley \(West\)](#).

- O.01 ~~Residential developments with 4 or more floors should be built with energy and water saving technologies equivalent to a 5 Green Star Office Design.~~
- O.02 Non-residential developments should be designed to meet a minimum rating of 5 Green Star Office Design.
- O.03 Any building refurbishment with a value greater than \$500,000 should result in a refurbished building with an estimate minimum 3.5 NABERS star rating.

#### 9B.5.5 RECYCLED WATER

New developments should be connected to a source of recycled or reuse water wherever possible. Recycled/reuse water means treating and using water, such as sewage, stormwater, industrial wastewater or greywater, for non-drinking purposes such as for industry, toilets, cooling towers and irrigation of gardens, lawns, parks, and crops.

##### Objectives

- O.01 To increase the resilience of the City to interruptions in supply and during droughts by providing an alternative water supply to City buildings in [the Deferred Area Auto Alley \(West\)](#).
- O.02 To defer the need to invest in new potable water supply infrastructure to supply future demand in the City.
- O.03 To support the recycled water targets of the State Government's 'Metropolitan Water Plan'.

##### Controls

- C.01 Dual reticulation (dual pipe) systems should be installed in new commercial, industrial and mixed use buildings, with the dual reticulation system being of sufficient size to supply all non-potable water uses of the building.
- C.02 Use of building or precinct level water harvesting/treatment systems to reduce or eliminate non-potable water demand is encouraged.

PARRAMATTA CITY CENTRE

SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9]

**9B.6 — SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9]**

This Section includes objectives and controls for sites within the Parramatta City Centre – Deferred Area A as identified in Figure 9B.6.1. These supplementary controls reinforce the desired qualities and patterns of built form for these sites.

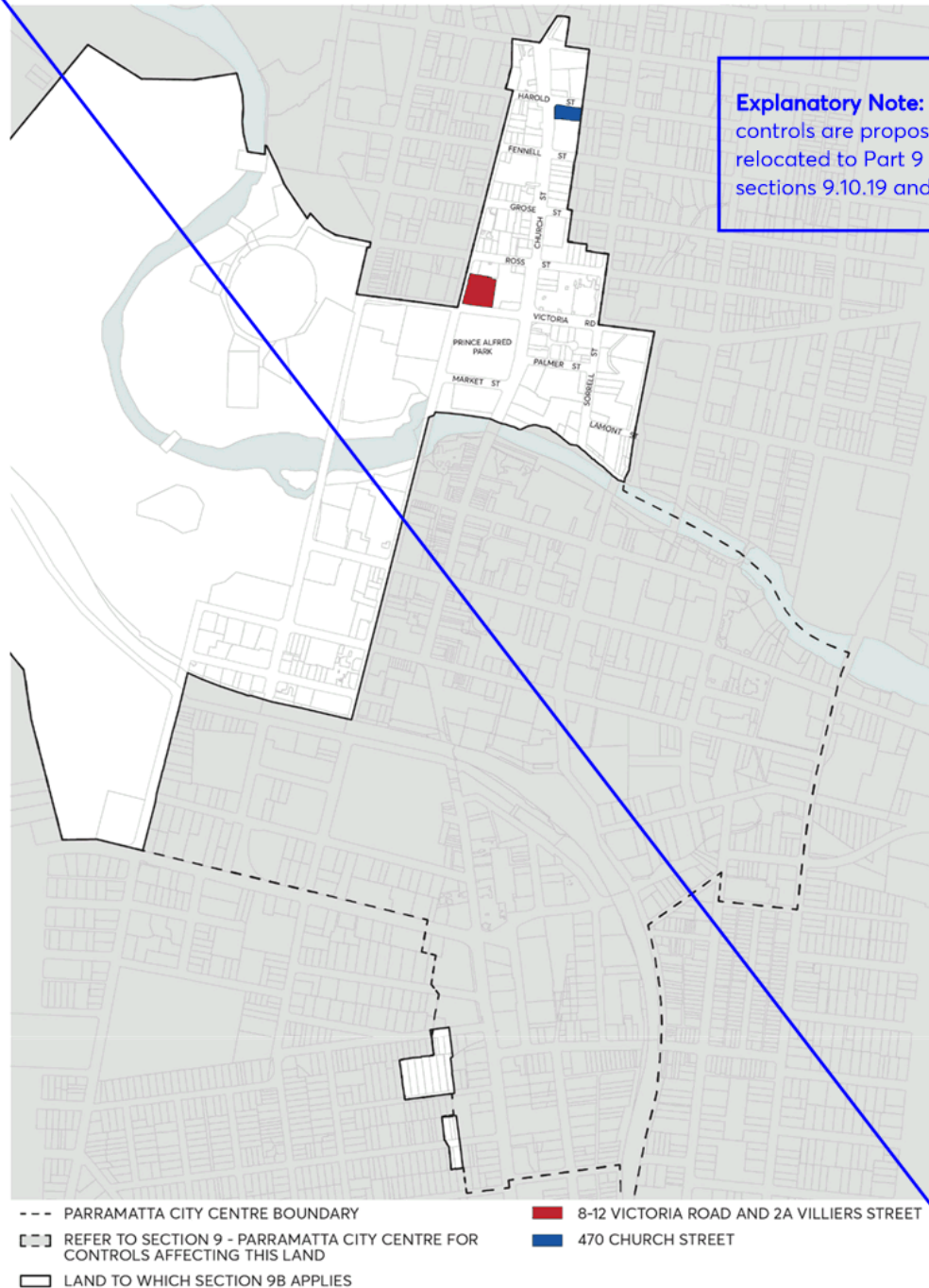


Figure 9B.6.1 — Sites with site specific controls

PARRAMATTA CITY CENTRE

SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9]

**9B.6.1 — 8-12 VICTORIA ROAD AND 2A VILLIERS STREET**

This Section applies to land at 8 – 12 Victoria Road and 2A Villiers Street, Parramatta, as shown in Figure 9B.6.2.

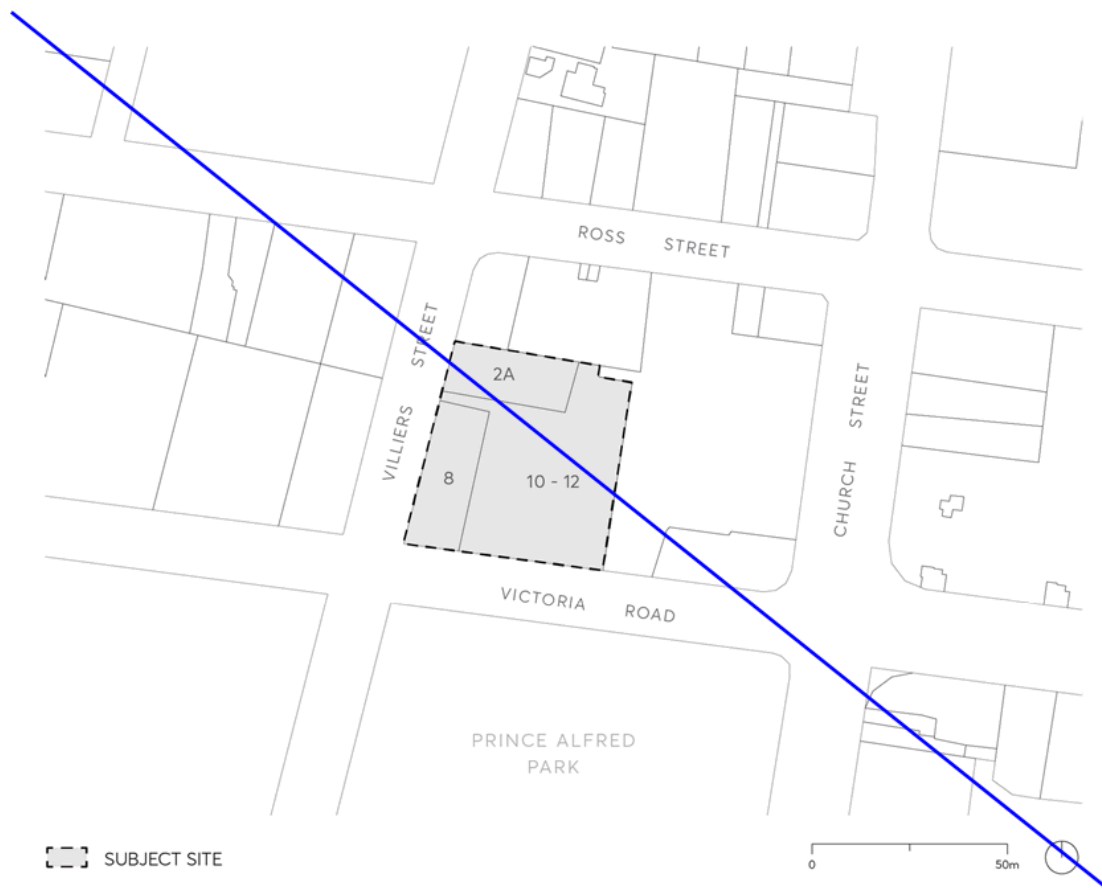


Figure 9B.6.2 — Land Application

**9B.6.1.1 — DESIRED FUTURE CHARACTER**

The site at 8-12 Victoria Road and 2A Villiers Street, Parramatta is on the northern edge of the Parramatta City Centre – Deferred Area A, which is transitioning from low scale in the north west to high density mixed-use development in the east and south. The context of the site includes a number of important heritage items – Prince Alfred Park to the south, Our Lady of Mercy College to the west and St Patrick’s Cathedral diagonally opposite to the south west. The proximity of the site to the Parramatta River and City Centre core supports an intensity of development while respecting the important heritage setting.

Future built form will be designed to achieve a harmonious relationship with neighbouring heritage buildings as well as to provide appropriate heights and setbacks to street frontages. Low building forms will occupy land fronting Victoria Road and a slim tower will be located in the north western corner of the site. As a result, the visual scale of development will be reduced on Victoria Road, providing a suitable frame and backdrop for Prince Alfred Park and minimising overshadowing of

this park. Building articulation and modulation of the Victoria Road facade will ensure that the building suitably addresses the road and Prince Alfred Park.

Active uses will be located on the ground floor of buildings fronting Victoria Road and Villiers Street to increase the vibrancy of the site and locality.

The property boundary on Villiers Street will incorporate a setback to allow under width road lanes in Villiers Street to be widened. A setback will be provided on the eastern boundary to allow the formation of a through site link between Victoria Road and Ross Street.

Development must comply with the objectives and controls set out below and any other relevant objectives and controls of this DCP.

### Site Objectives

This Section of this DCP documents the objectives that will determine the future form of development of the subject site. The objectives establish the key parameters that will ensure that future development on the site contributes to achieving the overall desired future character.

- O.01 — To provide for development that supports the growth of a vibrant precinct on the northern edge of the Parramatta City Centre Deferred Area.
- O.02 — To encourage high-quality built form outcomes and achieve design excellence.
- O.03 — To minimise any adverse impacts on the amenity of adjoining heritage uses and in particular Prince Alfred Park.
- O.04 — To improve pedestrian connectivity between Victoria Road and Ross Street.
- O.05 — To provide for the establishment of non-residential uses on the Victoria Road and Villiers Street ground floor frontages of the site.
- O.06 — To provide for improved traffic flows on Villiers Street.

### 9B.6.1.2 — BUILDING FORM AND MASSING

#### Objectives

- O.01 — To respond sensitively to the scale, proportions and form of the nearby heritage items at Prince Alfred Park, St Patrick's Cathedral and Our Lady of Mercy College.
- O.02 — To limit overshadowing impacts on Prince Alfred Park.
- O.03 — To ensure that the Victoria Road facade is of a civic scale with strong vertical articulation and fine grain.
- O.04 — To ensure that the Victoria Road frontage provides good pedestrian amenity by incorporating elements such as an open colonnade or continuous footpath awnings.
- O.05 — To ensure that the built form at the Villiers Street corner complements the form and materials of St Patrick's Cathedral.

PARRAMATTA CITY CENTRE

SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9]

**Controls****Maximum building heights**

C.01 — The distribution of building height across the site is to be in accordance with Figure 9B.6.3, 9B.6.4 and 9B.6.5.

**Street frontage heights**

C.02 — Maximum street wall height of 14m facing Victoria Road and Villiers Street with a setback of 4m to the upper levels as shown in Figure 9B.6.3, 9B.6.4 and 9B.6.5.

**Building setbacks**

C.03 — Minimum 3m on the eastern boundary to allow for the establishment of a through site link between Victoria Road and Ross Street, as shown in Figure 9B.6.3.

**Building design**

C.04 — Buildings are to be designed with regard to nearby heritage items and to ensure sensitive consideration of colour, materials, and building articulation.

**9B.6.1.3 — TRAFFIC AND TRANSPORT****Site Objectives**

- O.01 — To minimise pedestrian and vehicle conflict by limiting vehicle crossings in the public domain.
- O.02 — To provide space to widen Villiers Street to accommodate increased traffic and pedestrian volumes as a result of additional development on the site.

**Controls**

- C.01 — All vehicular access must only be provided along Villiers Street and be located as far as possible from Victoria Road.
- C.02 — A minimum 1m boundary setback is to be provided on Villiers Street, as shown in Figure 9B.6.3.





Figure 9B.6.3 – Built Form Design Controls – Heights and Setbacks

PARRAMATTA CITY CENTRE

SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9]

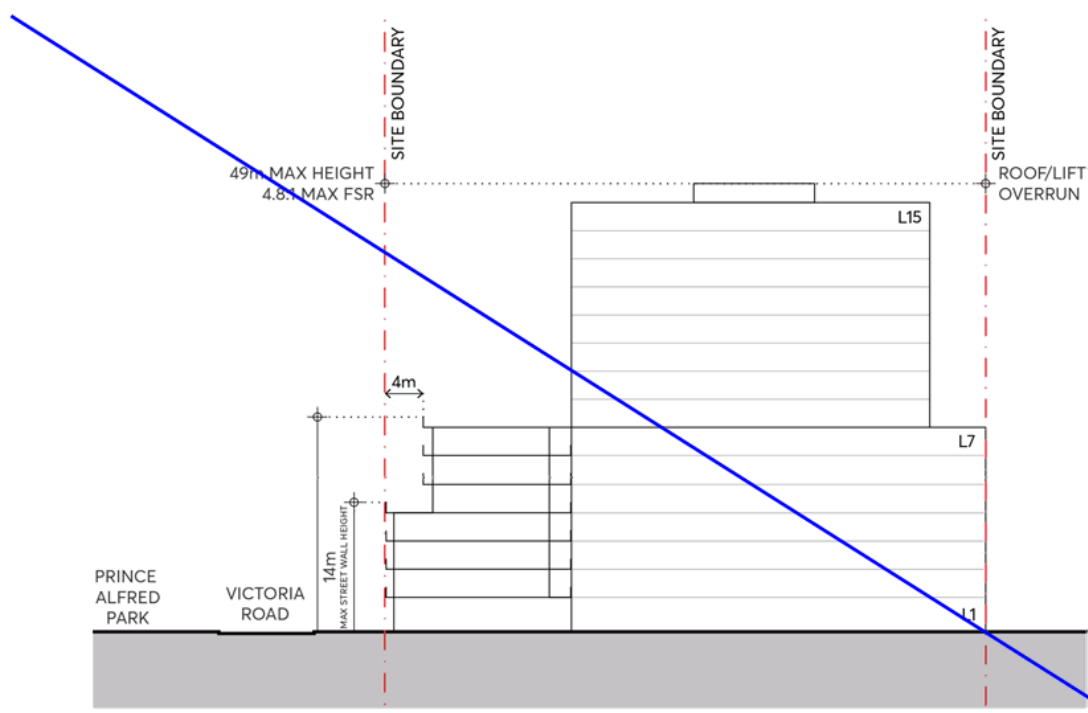


Figure 9B.6.4 – North – South Section of Site Building Envelope

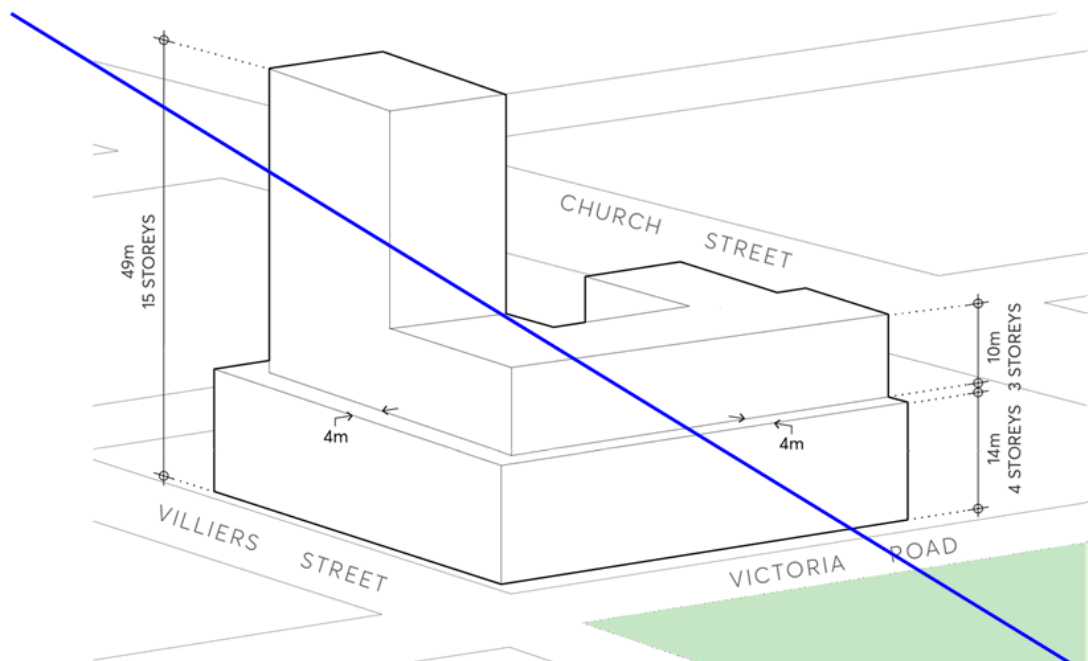


Figure 9B.6.5 – Indicative Built Form

PARRAMATTA CITY CENTRE

SITE SPECIFIC CONTROLS [RELOCATED TO SECTION 9.10, PART 9]

**9B.6.2 — 470 CHURCH STREET, PARRAMATTA**

This Section applies to land at 470 Church Street, Parramatta legally known as Lot 1 DP 785930 within the Parramatta City Centre — Deferred Area A as illustrated in Figure 9B.6.6 below.

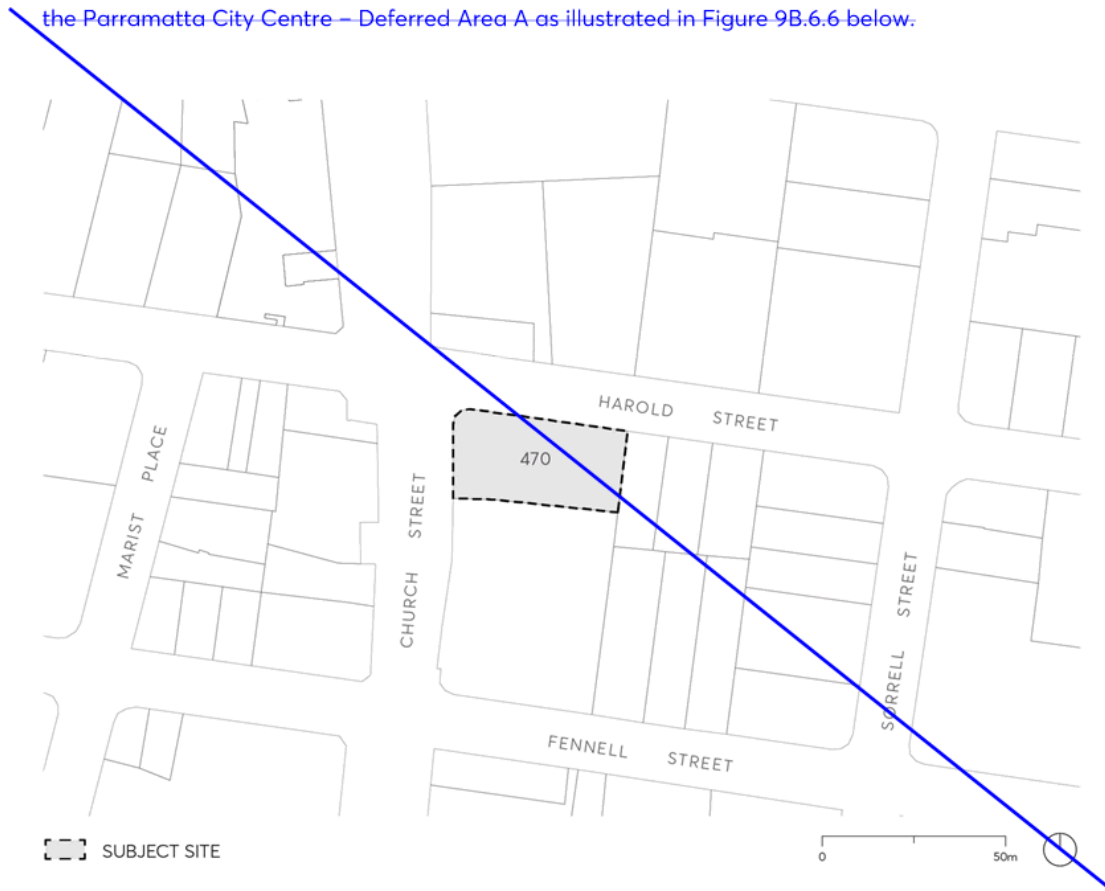


Figure 9B.6.6 — Land application

This Section is to be read in conjunction with other Parts of this DCP and the *Parramatta LEP 2023*. It establishes site specific principles, objectives and controls to be interpreted during preparation and assessment of Development Applications for the site.

**9B.6.2.1 — DESIRED FUTURE CHARACTER**

Future mixed use development proposed at the site is consistent with the State Government policies to facilitate a renewed Parramatta City Centre. The site is located adjacent the Parramatta Light Rail route, that connects the Westmead Precinct (to the west of the site) and the centre of the Parramatta City Centre (to the south of the site).

The mixed use character of development complements the Parramatta City Centre and provides a positive design outcome. The proposed mix of land uses includes retail/commercial uses on the ground floor and level 1 and residential apartments above.

### Design Principles

The following design principles are to be incorporated into the future design of the building:

- P.01—Respond to the north-facing frontage and generally east-west site with an appropriate built form that maximises solar access.
- P.02—Create a podium and presentation to the street of design excellence which contributes to the design quality of space and streets in the City Centre Deferred Area.
- P.03—Comprise a podium edge to the streets with recessed tower form. The podium is to be four storeys.
- P.04—The street wall should be designed to provide a well-modulated pedestrian experience at street level. A smaller, more detailed scale should be used in its articulation.
- P.05—Ground floor façade should be rich in variation and detail. Vertical relief in the façade maximises the walking experience, with awnings included and integrated in the design so as to provide adequate pedestrian shelter.
- P.06—Development is to comply with the objectives and controls set out below and any other relevant objectives and controls of this DCP.

### Site objectives

- O.01—To provide a mix of uses that support the role of Parramatta City Centre and the Deferred Area.
- O.02—To revitalise Church Street and Harold Street.
- O.03—To encourage high-quality built form outcomes and achieve design excellence.
- O.04—To minimise adverse impacts on the amenity of adjoining uses.

### 9B.6.2.2—BUILT FORM, DESIGN AND MASSING

#### Objectives

- O.01—To ensure that the built form:
  - i.—Responds positively to the site's location in relation to the City Centre and the Deferred and the streetscape.
  - ii.—Has a positive and cohesive relationship with surrounding land and uses.
  - iii.—Has adequate separation to minimise visual bulk and to ensure adequate amenity within the site and to neighbouring development.
  - iv.—Achieves usable and pleasant street and podium environment in terms of daylight and solar access, scale and, wind mitigation.

#### Controls

##### Street Frontage Heights

- C.01—Maximum street wall height of 14m (3-4 storeys) fronting Church and Harold Streets.

**Building Setbacks**

C.02 The minimum building setbacks are to be in accordance with the table below:

	Minimum setback (m <sup>2</sup> )
<b>Podium</b>	
Western boundary (Church Street) and northern boundary (Harold Street)	0m
Eastern boundary	0m
Southern boundary	0m (commercial) 9m (residential levels 2-3)
<b>Tower (upper level)</b>	
Western boundary (Church Street)	6m
Eastern boundary	12m
Northern boundary (Harold Street)	3m
Southern boundary	9m

**Tower Floor Plate**

C.03 The reduced tower setback of 3m to Harold Street will accommodate a tower with a floorplate of approximately 650m<sup>2</sup>.

**Building Design**

C.04 The street wall/podium is to be a separate architectural element, that is distinct and different in character from the tower element.

C.05 High-quality design and materials are to be used for the security shutters into the car park and loading areas.

C.06 To ensure landscape courtyard in the podium is usable taking into account solar access and wind mitigation.

**9B.6.2.3 LAND USES****Objectives**

O.01 To provide for useable and functional commercial floor space that can support the desired use, achieve internal spaces appropriate to their function and support the Parramatta City Centre and the Deferred Area.

**Controls**

C.01 The ground floor street frontage is used for active commercial uses.

C.02 Commercial/retail tenancies are of a sufficient size and layout to cater for their desired use and function.

**9B.6.2.4 — TRAFFIC AND TRANSPORT****Objectives**

- O.01 — ~~To ensure adequate parking is provided on site.~~
- O.02 — ~~To minimise pedestrian and vehicle conflict by locating vehicle access away from the Church Street intersection.~~
- O.03 — ~~To ensure parking design is integrated into the design of the building.~~

**Controls**

- C.01 — ~~Vehicle access is to be from Harold Street, at the eastern end of the site.~~
- C.02 — ~~Parking in the podium is discouraged. However, where it is provided it must be well integrated into the overall facade and not be visible from the public domain utilising screening or other appropriate design excellence solution.~~
- C.03 — ~~Car and bicycle parking is to be provided in accordance with the Parramatta City Centre Strategic Transport Study.~~
- C.04 — ~~Investigate options to integrate vehicular access with the adjacent site at 23-27 Harold Street through one access point.~~



## Attachment 3 to Council report on the Church Street North DCP Amendments

## Proposed changes post exhibition

Sub-section or figure reference	Amendment description
General changes across the Section.	<p>Minor changes comprising of:</p> <ul style="list-style-type: none"> <li>• Reference corrections.</li> <li>• Syntax corrections.</li> <li>• Clarify where necessary references to the Church Street North (CSN) <b>Precinct</b> and references to the CSN <b>Special Area</b>.</li> </ul> <p>These changes constitute cosmetic changes and are not of a policy nature.</p>
Introductory text box to the section	Reference to the Council's Community Infrastructure Strategy 2020 where the civic space is mentioned.
Figure 9.4.4.1 – Existing and required lanes in the Parramatta City Centre	<p>Remove a 'Future pedestrian link to be provided' notation (shown as a red dashed line) over three blocks situated between Albert and Harold streets (eastern side) and two blocks between Fennell and Grose streets (eastern and western sides).</p> <p>These changes are considered minor as they correct errors – this notation should have been removed at exhibition stage. Council Officers are correcting this.</p>
Figure 9.5.11.1 – Church Street North Special Area Framework	Correction of the alphabetical Section references – denoted by a straight line – from Section J onwards.
Figure 9.5.11.4 – Church Street North Special Area Required Setbacks & Built Form	<ul style="list-style-type: none"> <li>• Added the following notation at the Church Street frontage of the proposed Civic Space site: "Uncoloured land is subject to a LRA notation".</li> <li>• Corrected the alphabetical Section references – denoted by a straight line – from Section J onwards.</li> </ul>
Control C.05 j) and i)	<ul style="list-style-type: none"> <li>• Correct the alphabetical Section references from Section J onwards consistent with the corrections to figures 9.5.11.1 and 9.5.11.4 (as per above).</li> <li>• Correct an address reference on Church Street in Control C.05 i).</li> </ul>
Figure 9.10.21.	<p>Reinstate the 1m road widening for the site at 8-12 Victoria Road and 2A Villiers Street as resolved by Council on the site specific DCP controls.</p> <p>This change is considered minor as it corrects a drafting error. Council Officers are correcting this.</p>

## REPORTS TO COUNCIL - FOR COUNCIL DECISION

---

<b>ITEM NUMBER</b>	13.4
<b>SUBJECT</b>	Adoption of Planning Proposal, Planning Agreement and Site-Specific Development Control Plan at 263-281 Pennant Hills Road, Carlingford
<b>REFERENCE</b>	F2024/00282 - D09459020
<b>APPLICANT/S</b>	Karimbla Properties (No. 61) Pty Ltd
<b>OWNERS</b>	Karimbla Properties (No. 61) Pty Ltd
<b>REPORT OF</b>	Project Officer Land Use

**CSP THEME:** Innovative

### DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL

Deferred Commencement Development Consent No.1103/2011/JP issued by the Joint Regional Planning Panel for demolition of existing structures and associated construction of five apartment buildings 9-11 stories containing 450 units and basement parking for 662 cars (active consent granted 21 July 2015).

Development Application (DA/53/2022) was lodged on 21 January 2022 for construction of seven 10-13 storey buildings comprising 620 residential units, child care centre for 110 children, 1,735sqm of 17 neighbourhood retail shops and 864 basement car parking spaces; publicly accessible open spaces and through site links; roads; landscaping; and tree removal. The application was refused by the Sydney Central City Planning Panel on 7 December 2022.

DA/53/2022 was the subject of an appeal to the Land and Environment Court under which on 7 June 2024, the Court granted consent for the construction of five, 6-18 storey buildings comprising 336 residential apartments, childcare centre for 75 children, 1,906sqm of 18 neighbourhood retail shops, 548 basement car parking spaces, publicly accessible open spaces and through site links, roads and landscaping.

### PURPOSE

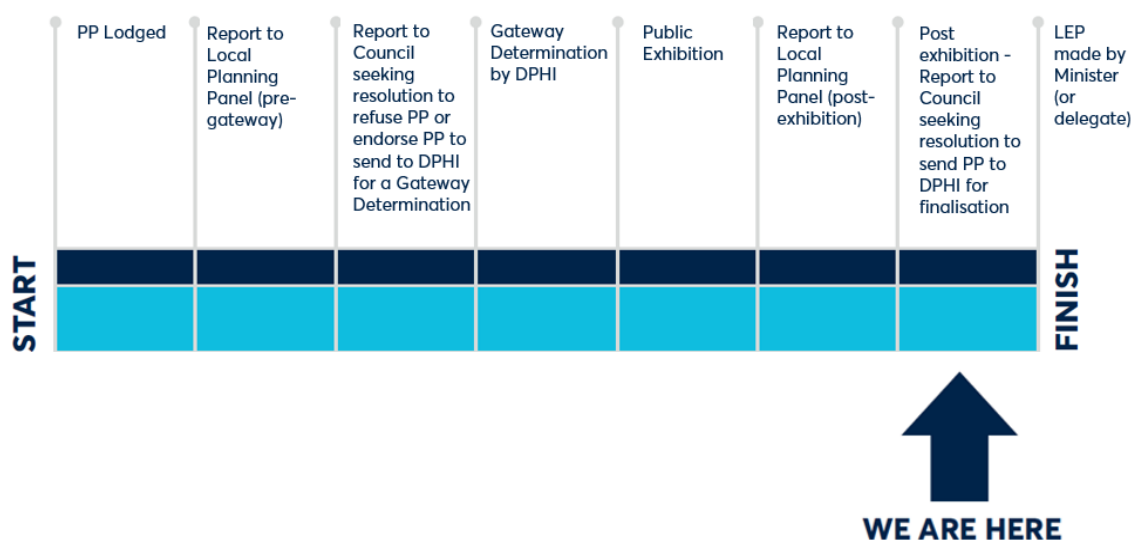
The purpose of this report is to seek Council's approval for the finalisation of a Planning Proposal, Planning Agreement and Site-Specific Development Control Plan (DCP) for land at 263-281 Pennant Hills Road, Carlingford.

### RECOMMENDATION

- (a) That Council note the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) and Planning Agreement as summarised and responded to in **Attachment 4** for 263-281 Pennant Hills Road, Carlingford.
- (b) That Council approve the Planning Proposal (**Attachment 1**) for land at 263-281 Pennant Hills Road, Carlingford which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) in relation to the subject site by:

- i. Reconfiguring the existing R4 High Density Residential and RE1 Public Recreation zones and retaining the existing SP2 Infrastructure Zone.
  - ii. Amending the Maximum Height of Building control by:
    - Amending the maximum height of buildings on the Pennant Hills Road frontage from 27 metres (9 storeys) to part 0m, part 65 metres (18 storeys), part 84 metres (22 storeys) and part 110 metres (29 storeys) as per **Figures 17 & 23 in Attachment 1**.
    - Amending the maximum height of buildings on the remainder of the site from part 33 metres (11 storeys) and part no height to part 0m, part 33 metres (8 storeys), part 46 metres (11 storeys), part 56 metres (14 storeys) and part no height as per **Figures 17 & 23 in Attachment 1**.
  - iii. Increasing the Maximum Floor Space Ratio control for the R4 High Density Residential zoned land from 2.3:1 to 3.6:1.
  - iv. Amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site from 2,000 sqm to 2,600 sqm.
  - v. Amending the Land Reservation Acquisition (LRA) Map to include the RE1 Public Recreation land on the site that will be dedicated to Council.
- (c) That Council enters into the Planning Agreement (**Attachment 2**) and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
  - (d) That Council approves the DCP controls (**Attachment 3**) for insertion into Part 8 of the Parramatta DCP 2023.
  - (e) That Council delegate authority to the Chief Executive Officer to finalise negotiations and make any clarifying amendments and corrections to the Planning Proposal, DCP and Planning Agreement.

## PLANNING PROPOSAL TIMELINE



## SUMMARY

1. This report seeks Council approval for finalisation of a Planning Proposal, DCP and Planning Agreement for 263-281 Pennant Hills Road, Carlingford.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (PLEP 2023) to develop the site for high density residential development and community and commercial uses including reconfiguring the existing residential and open space zoning.
3. The Planning Proposal, DCP and draft Planning Agreement were placed on public exhibition from 25 March 2024 to 24 April 2024, with one hundred and thirty-two (132) submissions received comprising of one hundred and twenty-seven (127) from the community, three (3) from organisations, businesses and strata committees and two (2) government agency submissions. A summary of the key issues raised in the submissions is provided in the Local Planning Panel (LPP) report (**Attachment 5**) with a more detailed analysis provided in the Community Engagement Report (**Attachment 4**).

## BACKGROUND

4. In September 2023, Karimbla Properties (No.61) Pty Ltd lodged a Planning Proposal with the City of Parramatta Council for land at 263-281 Pennant Hills Road, Carlingford to enable the development of the site for high density residential development and community and commercial uses including reconfiguring the existing residential and open space zoning.
5. On 4 December 2023, Council approved the Planning Proposal for the purposes of requesting a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI).
6. On 19 February 2024, DPHI issued a Gateway Determination (**Attachment 6**) which allowed the Planning Proposal to proceed to public exhibition.
7. The Planning Proposal, draft Planning Agreement and DCP were publicly exhibited from 25 March to 24 April 2024.
8. On 24 May 2024, the Local Planning Panel (LPP) provided advice to Council recommending it approve the Planning Proposal for the purposes of finalisation subject to Council considering several matters which are detailed in this report.
9. The detailed planning history of the site is provided at **Attachment 7**.

## SITE DESCRIPTION

10. The subject site (**Figure 1**) is known as 263-281 Pennant Hills Road, Carlingford (previously known as 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford) and comprises of seven lots which are legally described in **Table 1**.

**Table 1 – Property Address - Lots and DPs**

Property Address	Lot and DP
	Lot 22, DP 21386
	Lot 2, DP 9614

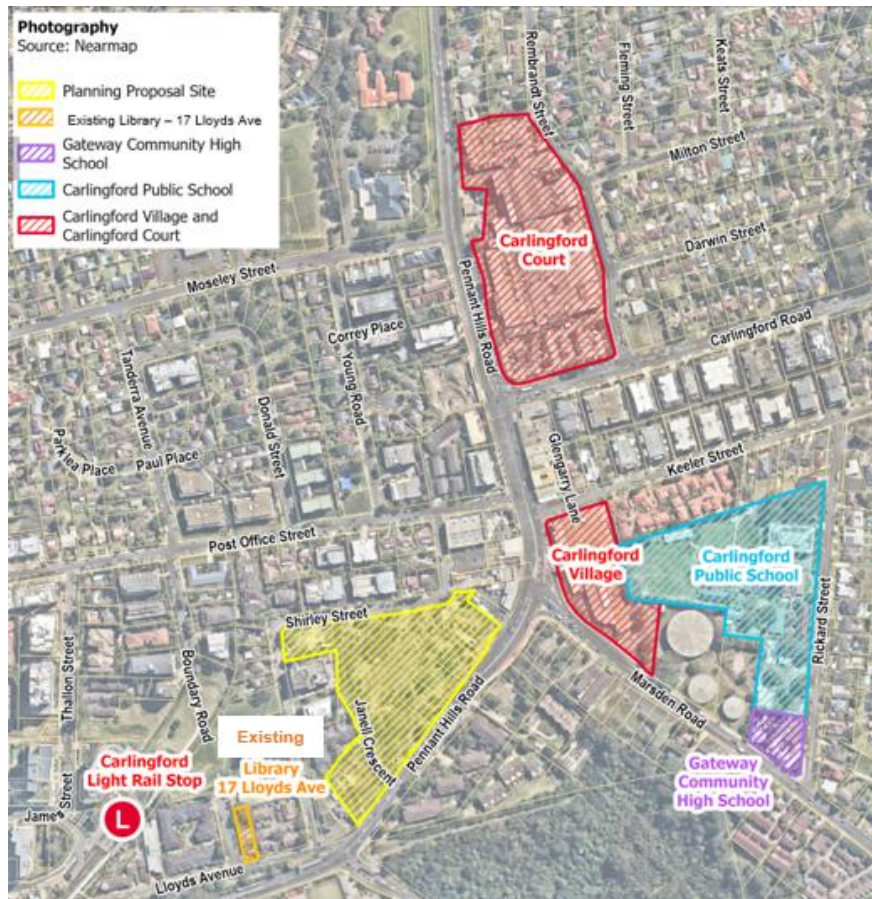
263-281 Pennant Hills Road, Carlingford	Lot 3, DP 9614
	Lot 4, DP 9614
	Lot 62, DP 819136
	Lot 61, DP 819136
	Lot 1, DP 1219291



**Figure 1 - Subject Site**

11. The site is irregular in shape and has a total area of approximately 27,987 sqm, made up of 6,050 sqm of RE1 Public Recreation zoned land and 21,880 sqm of R4 High Density Residential zoned land and 57 sqm of SP2 Infrastructure zoned land.
12. The site is located on the western side of Pennant Hills Road (classified road) and the southern and eastern sides of Shirley Street (local road). The site is predominately undeveloped and cleared of vegetation.
13. The site is located approximately 220 metres east from the Carlingford Light Rail stop and 60 metres to the south of the Carlingford Village shopping centre (**Figure 2**).

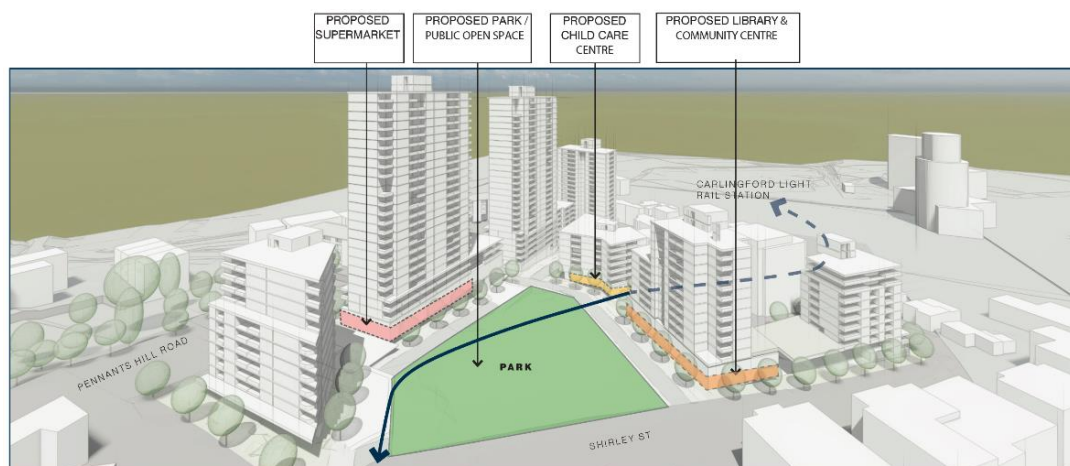




**Figure 2 – Local Context Map**

## PLANNING PROPOSAL

14. The Planning Proposal seeks to facilitate a higher density mixed use development scheme (**Figure 3**) on the site than is allowed under the current planning controls by increasing the Floor Space Ratio and Height of Building controls and reconfiguring the layout of R4 High Density Residential and RE1 Public Recreation zoned land. The proposal also includes a substantial public benefit offering including a community hub (library and community centre) and reconfigured open space. Further details are outlined in the Planning Proposal at **Attachment 1**.



**Figure 3 – Reference Scheme**



15. **Table 2** describes the instrument changes being sought under the Planning Proposal compared with the current controls under PLEP 2023. Refer to the Planning Proposal (**Attachment 1**) for mapping changes.

**Table 2 – Proposed PLEP 2023 Amendments**

	Existing as per PLEP 2023	Dyldam DA – existing consent (Excludes the 6 small lots facing Pennant Hills Road)	Proposed changes to PLEP 2023 – As exhibited	Proposed changes to PLEP 2023 – Proposed Post Exhibition Amendments
<b>Zoning</b>	Part R4 High Density Residential, Part RE1 Public Recreation and Part SP2 Infrastructure	Part R4 High Density Residential, Part RE1 Public Recreation, Part SP2 Infrastructure	Reconfigured part R4 High Density Residential and RE1 Public Recreation.  Existing SP2 Infrastructure to remain as is.	Change to Zoning Reconfigured part R4 High Density Residential and RE1 Public Recreation.  Existing SP2 Infrastructure to remain as is.  The RE1 Public Recreation land is proposed to be reduced by 170 sqm from 5,585 sqm to 5,415 sqm as there is a portion that overlaps with what will be a privately owned road. This 170 sqm portion will be zoned R4 High Density Residential.
<b>Site Area</b>	27,987 sqm	23,482 sqm	27,987 sqm	No change proposed 27,987 sqm
<b>Dwelling Yield</b>	526	450 on Dyldam site	723	No change proposed post exhibition 723
<b>GFA</b>	50,454 sqm residential	Total GFA 53,069 sqm residential	Total GFA 80,305 sqm - 74,655 sqm residential - 2,500 sqm Community Hub - 550 sqm childcare centre - 2,600 sqm non-residential	No change proposed Total GFA 80,305 sqm - 74,655 sqm residential - 2,500 sqm Community Hub - 550 sqm childcare centre - 2,600 sqm retail/commercial
<b>HoB</b>	Part 33m (11 storeys) and part 27m (9 storeys)	Part 27m (9 storeys) on Pennant Hills Road and Part 33m (11 storeys) on the remainder of the site.	Part 110m (29 storeys) on Pennant Hills Road frontage Part 56m (14 storeys) on the remainder of the R4 part of the site.	Change to proposed heights Part 0m, Part 65m (17 storeys), Part 84m (22 storeys), and Part 110m (29 storeys) on the Pennant Hills Road frontage.

				Part 0m, Part 33m (8 storeys), Part 46m (11 storeys). Part 56m (14 storeys) and part no height limit on the remainder of the site.
<b>FSR</b>	2.3:1	3:1 (excluding open space)	3.6:1	<u>No change proposed</u> 3.6:1
<b>Additional Permitted Uses</b>	As per Schedule 1 of PLEP 2023 shops, food and drink premises and business premises and recreation facilities (indoor) on the R4 High Density Residential zoned part of the site - maximum GFA of 2,000 sqm on the R4 High Density Residential zoned part of the site.	NA	Schedule 1 of PLEP 2023 to shops, food and drink premises, business premises and recreation facilities (indoor) on the R4 High Density Residential zoned part of the site - maximum GFA of 2,600 sqm on the R4 High Density Residential zoned part of the site.	<u>No change proposed</u> Schedule 1 of PLEP 2023 to shops, food and drink premises, business premises and recreation facilities (indoor) on the R4 High Density Residential zoned part of the site - maximum GFA of 2,600 sqm on the R4 High Density Residential zoned part of the site.
<b>Land Reservation Acquisition (LRA)</b>	A small sliver of SP2 Classified Road land on the southern part of the site along Pennant Hills Road is already marked on the Land Reservation Acquisition Map.	N/A	A portion of RE1 Public Open space (4,760 sqm) land known as the Central Park was added to the proposed Land Reservation Acquisition Map as it is to be dedicated to Council as part of the Planning Agreement.	<u>Change to amount of land to be added to the LRA Map</u> 5,415 sqm of RE1 Public Open space land on the site has been added to the proposed Land Reservation Acquisition Map as it will be dedicated to Council, as part of the Planning Agreement, to include the Central Park (4,760 sqm) and Community Link (655 sqm).

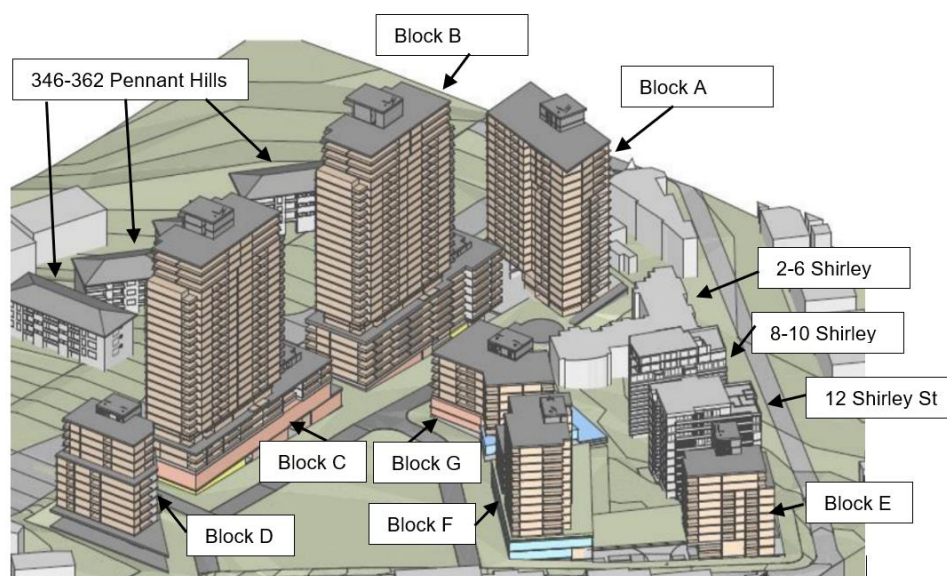
16. The Dyldam development consent only applies to the larger lot on Shirley Street allows a 30% increase in the floorspace currently permitted on that site (as the RE1 Public Open Space land was included in the calculations of floor space ratio) to 53,069 sqm which equates to an FSR of 3:1 for that site. The subject Planning Proposal seeks a total floorspace of 80,305 sqm which equates to an FSR of 3.6:1 when the six lots fronting Pennant Hills Road are added to the site and public open space is excluded from the calculation of FSR.
17. It is noted that a development application (DA) that was refused by the Sydney Central City Planning Panel on 7 December 2022 for 263-281 Pennant Hills Road, Carlingford, was granted development consent on appeal to the Land and Environment Court on 7 June 2024 for the construction of five, 6-18 storey buildings comprising 336 residential apartments, childcare centre for 75 children, 1,906sqm of 18 neighbourhood retail shops, 548 basement car parking spaces,

publicly accessible open spaces and through site links, and roads and landscaping.

18. On 19 February 2024, DPHI issued a Gateway Determination (**Attachment 6**) for the Planning Proposal which authorised Council to be the local plan-making authority and allowed the public exhibition of the Planning Proposal to proceed.
19. The Gateway Determination required that prior to public exhibition, the Planning Proposal be updated to:
  - Identify the proposed changes to the Land Reservation Acquisition (LRA) map;
  - Update the site address of the proposal;
  - Include further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved; and
  - Include discussion on the public amenity and proposed overshadowing of heritage item I032 – Carlingford.

All of these conditions were met prior to public exhibition of the Planning Proposal. Refer to the Planning Proposal at **Attachment 1** for details.

20. Council staff requested the Applicant provide additional information regarding compliance with the Apartment Design Guide (ADG) regarding overshadowing impacts on 346-362 Pennant Hills Road and 2-6, 8 and 12 Shirley Street, Carlingford. As detailed in the Planning Proposal (**Attachment 1**) the additional analysis provided by the applicant indicates that the subject proposal is able to satisfy the ADG requirements in this regard. In relation to 2-6 Shirley Street, the Applicant has demonstrated that this property would already be overshadowed by the previously approved development for the subject site and the property would primarily be impacted by Building G which is within the currently applicable maximum height of building control (refer **Figure 4**). Further analysis will be undertaken at Development Application stage.



**Figure 4 – Location of Adjoining Properties and Proposed Scheme**

21. In order to respond to issues raised in public submissions regarding height, overshadowing impacts and visual impact, it is proposed that the maximum

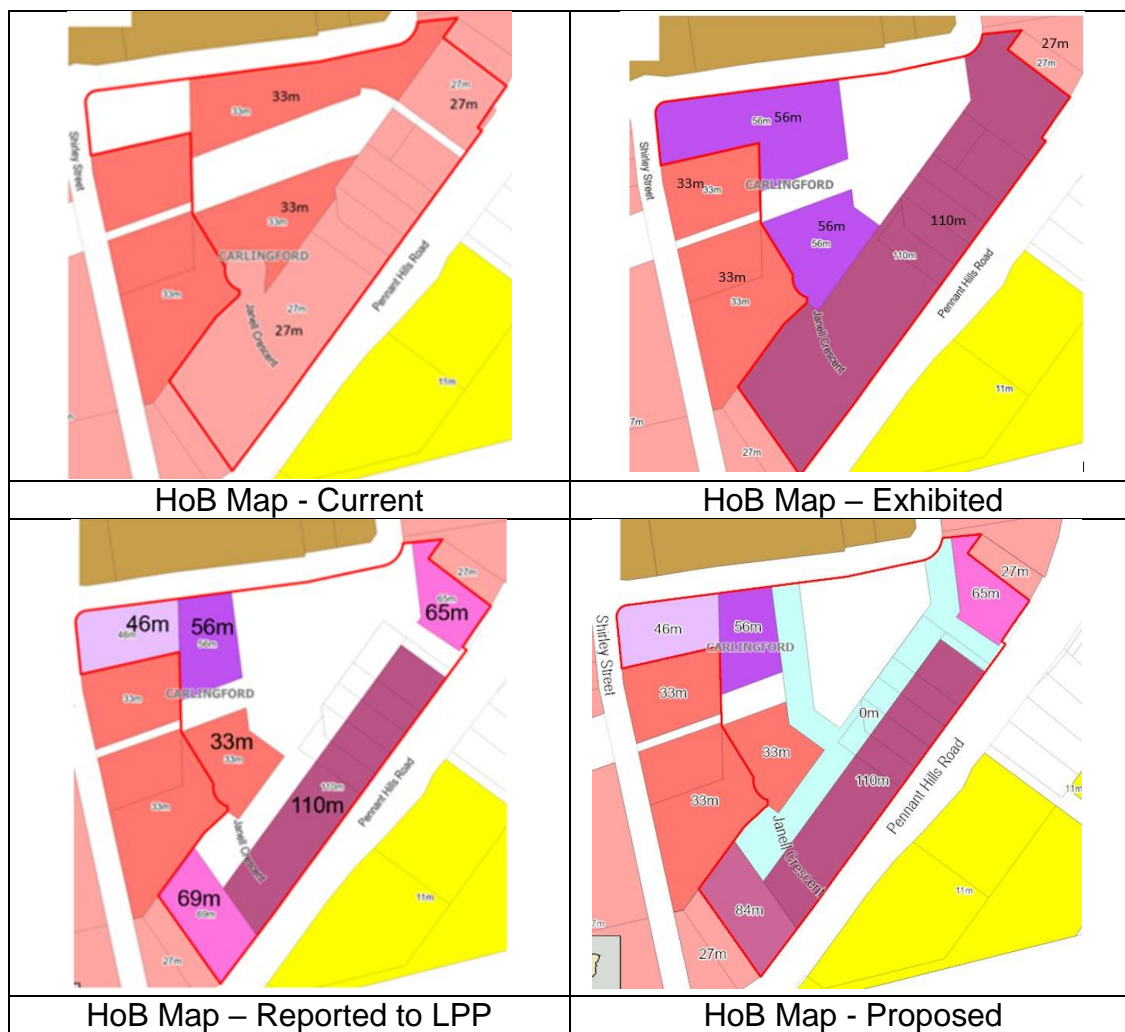
exhibited heights of part no height limit, part 110 metres on Pennant Hills Road and part 56 metres on the remainder of the site have been amended to:

- Part 0 metres, part 65 metres, part 84 metres and part 110 metres on the Pennant Hills Road frontage; and
- Part 0m, part 33 metres, part 46 metres, part 56 metres and part no height limit on the remainder of the site (refer **Figure 5**).

**Paragraphs 34 and 35** of this report outline issues raised in submissions and reasoning for the proposed decrease in height post exhibition. It is noted that no height limit does not mean unlimited height, rather it is where there is intended to be no development on RE1 Public Open Space land. This is considered in detail later in the Key Issues section of the LPP Report (**Attachment 5**) and in the Community Engagement Report (**Attachment 4**).

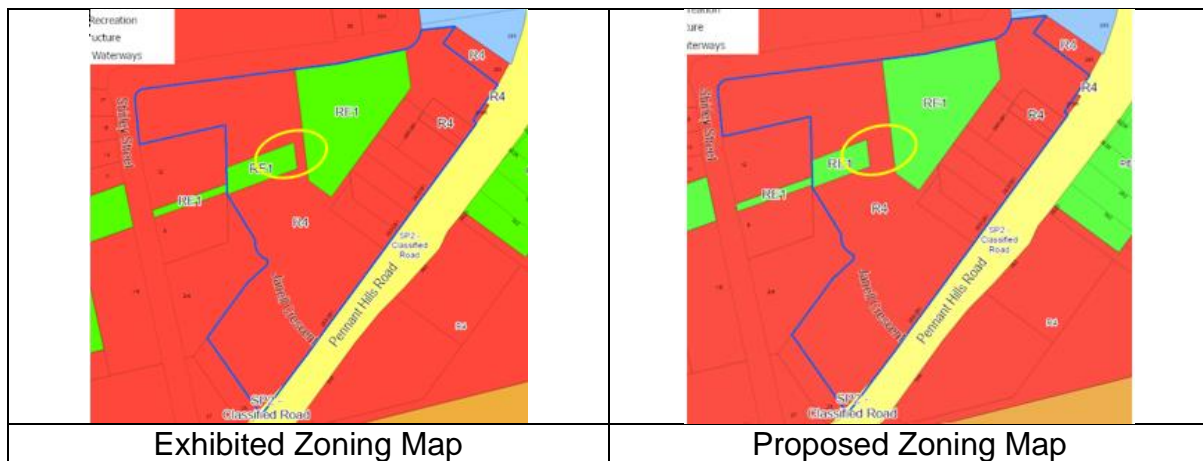
22. It is noted that there has been an amendment to the proposed Height of Building Map from that which was reported to the LPP on 24 May 2024:

- The height for the internal roads and pedestrian link on Pennant Hills Road is proposed to be 0m and not a no height limit. This is because they are proposed to be zoned as R4 Height Density Residential land which will remain in private ownership.
- The height of Block A is proposed to be increased from 69m to 84m to accommodate the required setbacks and lift overrun based on detailed design modelling that has been carried out since the LPP meeting.



**Figure 5 – Height of Building Maps**

23. Whilst it is considered that the proposed revised and reduced Height of Building controls (refer **Figure 5**) will ensure a suitable form of development in this location, it should also be noted that the Minister's letter to Council concerning the housing crisis (**Attachment 8**) asks Councils to prioritise *the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated*.
24. As noted in Table 2 the exhibited LRA Map is proposed to be amended post exhibition to include all RE1 Public Open Space rather than only the Central Park. This is a result of further negotiations between Council staff and the applicant in relation to the Planning Agreement. This is discussed in more detail in the Planning Agreement section of this report.
25. As noted in **Table 2** there is a proposed 170 sqm reduction in RE1 Public Recreation land post exhibition from 5,585 sqm to 5,415 sqm as there is a small portion of RE1 Public Open Space land overlapping with the internal road in the exhibited zoning map. As the road reserve will remain in private ownership, and potentially have basement underneath, it is proposed to zone this 170 sqm portion of land to R4 High Density Residential (Refer **Figure 6**).



**Figure 6 – Exhibited and Proposed Zoning Maps**

## PLANNING AGREEMENT

26. There is a draft Planning Agreement linked to the Planning Proposal which proposes to deliver the following public benefits at a value estimated by the applicant to be \$27.5 million. Items included in the draft Planning Agreement are listed below (also refer to **Figure 7**):

- Construction and dedication of a library (1,800 sqm net leasable area) and community facility (700 sqm net leasable area) known as the community hub.
- Construction, embellishment and dedication of the proposed RE1 Public Open Space land (5,415 sqm) on the site in the form of a Central Park and a Community Link.
- Embellishment of pedestrian easement and provision of 24-hour access. The area of the easement is 595 sqm.
- An additional monetary contribution equivalent to Section 7.11 Contributions for allocation to the fit-out of the community hub and embellishment of open space within the vicinity of the site estimated at approximately \$12 million.





**Figure 7 – Proposed VPA Items**

27. As a result of negotiations between Council staff and the applicant, there have been some agreed minor amendments to the draft Planning Agreement since the Letter of Offer was reported to Council pre-exhibition, and the agreement to accept dedication of additional open space in the form of the Community Link. Council officers initially declined the offer of dedication of the Community Link to Shirley Street due to its limited recreational capacity. Council staff have reviewed this position and consider that the Community Link can be adequately designed and constructed and should form part of the Library and Community Facility, providing green space attached to the facility.

### **SITE-SPECIFIC DEVELOPMENT CONTROL PLAN**

28. A draft DCP (**Attachment 3**) was prepared by Council officers and the applicant to accompany the Planning Proposal. The draft DCP provides details on site arrangement, road layout, envelope controls and open space for the site and seeks to guide the future development of the site. The draft DCP includes objectives and controls concerning requirements for:
- Site-specific built form and public domain.
  - Community hub and library design.
  - Sustainability and water management.
  - Open space and pedestrian connections.
  - Vehicle access and parking.
29. In response to issues raised during the exhibition process and further review of the draft DCP, several post-exhibition changes are proposed to ensure the intended development outcomes can be achieved. The changes include additional controls including a water management section, rewording of some controls to reflect their initial intent, typographical corrections, consolidation of sections, and removal of text to prevent duplication with the existing controls of

Parramatta DCP 2023. Refer to **Attachment 9** for a list of key changes. These changes are not considered to be of a nature that require the draft DCP to be re-exhibited.

## EXHIBITION OF THE PLANNING PROPOSAL

30. The Planning Proposal, draft Planning Agreement and DCP were publicly exhibited from 25 March to 24 April 2024.
31. A total of one hundred and thirty-two (132) submissions were received comprising one hundred and twenty-seven (127) from the community, with the remaining five (5) from government agencies and other organisations (breakdown provided in **Table 3**). This total does not include where multiple submissions are made by the same person which are then counted as one submission.

**Table 3** – Breakdown of submissions received.

Submitter Type	Number	Breakdown	Support	Not Support	Neither Support nor Not Support
<b>Individuals, residents, and landowners</b>	127	Various individuals, residents, and landowners	11 (9%)	104 (82%)	12 (9%)
<b>Public Agencies</b>	2	Transport for NSW Schools Infrastructure NSW	0 (0%)	0 (0%)	2 (100%) Advisory Comments
<b>Other Organisations Businesses and Strata Committees</b>	3	<ul style="list-style-type: none"> <li>Vicinity Centres</li> <li>Epping Civic Trust</li> <li>Strata Management Committee for 2-6 Shirley Street, Carlingford</li> </ul>	0 (0%)	2 (67%)	1 (33%)
<b>Total</b>	<b>132</b>		<b>11 (8%)</b>	<b>106 (81%)</b>	<b>15 (11%)</b>

*\*Calculations rounded to nearest whole number*

32. A submission from Transport for NSW was received which did not raise any objection to the proposal. A submission from the Department of Planning, Housing and Infrastructure (Crown Lands) is outstanding as it has not been received at the time of finalising this report. If the submission is received late, it will be presented at the Council meeting. The Schools Infrastructure (SINSW) response was not reported to the LPP because it was received after the LPP considered the report. This late submission does not raise any objections to the proposal but has requested:

- That Council monitor and consider the cumulative impact of population growth on schools planning in the locality.

- That the transport planning for the proposal be guided by the NSW Governments Movement and Place Framework (MAPF) and its Built Environment Performance Indicators.

Council Officer Response:

33. The SINSW comments are noted. Council staff will continue to liaise closely with SINSW on school capacity planning in the Carlingford locality when considering and further Planning Proposals and from the outset when considering future precinct planning for Carlingford. The NSW Government's MAPF will be considered at the development application stage of the subject proposal.
34. A detailed summary of the submissions received and Council officer responses to the issues raised, as reported to the LPP, are provided in the Community Engagement Report (**Attachment 4**) and responses to the key issues listed below are outlined in the LPP Report (**Attachment 5**). The key issues raised in the submissions are summarised below.
- a) Concerns regarding the density of development proposed by the Planning Proposal, the growing density of Carlingford and impacts on infrastructure provision, in particular the ability of local facilities, shopping facilities and health services and schools to accommodate the proposed increase in density.
  - b) Potential traffic impacts of the proposal and existing traffic congestion on the local road network and pedestrian safety.
  - c) Concerns regarding the suitability of the proposed carparking controls.
  - d) Concerns regarding the proposed building heights, being that they are excessive and out of context given the existing character of the area, and concerns regarding the potential overshadowing/privacy impacts on neighbouring properties.
  - e) Suggestions that the associated proposed local infrastructure, in particular the proposed community hub-is not needed.
35. As a result of issues raised in public exhibition and further review Council staff recommend reducing the proposed maximum building heights as outlined in paragraph 21 and 22 of this report to help mitigate potential privacy/overshadowing issues. Additionally, Council staff recommend increasing the proposed maximum residential parking rates as outlined in **Table 5** of the LPP report (**Attachment 5**) to address submissions related to the suitability of the exhibited car parking controls and to minimise on street parking.
36. Whilst acknowledging the objections and concerns raised in submissions during the public exhibition, Council officers consider that the issues raised in the exhibition responses have, where appropriate, been addressed by the Planning Proposal and supporting documentation and, with the minor amendments recommended, that the Planning Proposal, DCP and Planning Agreement should proceed to finalisation.

**PARRAMATTA LOCAL PLANNING PANEL**

37. The LPP considered a detailed post exhibition assessment report (**Attachment 5**) at its meeting of 23 May 2024. The LPP recommended that Council approve the Planning Proposal, as recommended by Council Officers, subject to consideration of the following:

*The panel notes that the architects who prepared the architectural plans which were before the panel are no longer retained by the applicant as their project architects. The panel is concerned to ensure that this significant site exhibits design excellence including but not limited to:*

- i. Variety of building form and articulation*
- ii. Ecologically sustainable design*
- iii. The use of high quality materials and finishes*

*The panel is of the view that further consideration should be given to reducing the maximum number of parking spaces associated with the residential units given the proximity of the site to the Carlingford Light Rail Station and the availability of car share spaces within the development. Consideration should be given to a higher number of car share spaces.*

*The panel is of the view that the draft Development Control Plan should be amended to incorporate the matters set out above.*

**Council Officer Response**

38. In relation to the LPP advice regarding concerns that the site should exhibit design excellence it is important to note that the Parramatta DCP 2023 and the draft site-specific DCP contain controls which will deliver a variety of building form and articulation, ecologically sustainable design, and the use of high-quality materials and finishes. These are identified in **Table 4**. Therefore, it is not proposed to add further controls to the site-specific DCP to address the LPP concerns.

**Table 4 – Draft Site-Specific DCP and Parramatta DCP 2023 Controls Addressing LPP Concerns**

<b>LPP concerns related to design excellence</b>	<b>Controls already in the Site-Specific DCP</b>	<b>Controls already in the Parramatta DCP 2023</b>
Variety of Building form and Articulation	<u>Section 2.5 Building Design</u> C.05 Buildings are to have a high level of articulation at both podium and tower levels. C.06 Buildings shall implement a variety of high quality, sustainable, durable and coherent materials in a range of compatible colours and textures.	<u>Part 8.2.8.1.8 Building Design (Carlingford Local Centre)</u> <i>Facades</i> C.01 Compose facades with an appropriate scale, materials and finishes, rhythm, and proportion, which response to the building use and the desired contextual character. Design should include but are not limited to: articulating building entries with awnings, porticos, recesses, blade walls and rejecting bays.

		C.04 Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height.
Ecologically Sustainable Design	<u>Section 6 Sustainability</u> O.01 To increase energy efficiency. O.02 To reduce reliance on potable water. O.03 To deliver built forms and public open spaces which respond to winter sunlight and cooling summer breezes. O.04 To reduce waste and increase the reuse and recycling of materials. O.05 Encourage the use of electric vehicle car charging.	<u>Part 8.2.8.1.16 Ecologically Sustainable Development (Carlingford Local Centre)</u> O.05 Promote the following during the design, construction and operation of any development: <ul style="list-style-type: none"> <li>• The use of energy efficient materials and designs.</li> <li>• Utilisation of renewable energy and materials.</li> <li>• Energy efficient technology.</li> </ul> Controls C.01 As part of the Statement of Environmental Effects required to be submitted with all Development Applications a summary of the action taken in order to achieve these objectives must be included. C.02 To improve the air quality of the locality, the installation of wood heaters is not permitted.
The use of high-quality materials and finishes	<u>Section 2.5 Building Design</u> C.06 Buildings shall implement a variety of high quality, sustainable, durable and coherent materials in a range of compatible colours and textures.  <u>Section 2.11 Community and Library Facility</u> C.10 Building design should incorporate high quality materials and finishes and be of high sustainability value.  <u>Section 4.3 Public Open Space and Pedestrian Connections</u> C.02 The designs for the public open spaces are to be developed in consultation with Council. They are to be designed to: a) Incorporate a palette of high quality and durable materials, and robust and drought tolerant landscaping species.	<u>Part 8.2.8.1.8 Building Design (Carlingford Local Centre)</u> <i>Facades</i> C.01 Compose facades with an appropriate scale, materials and finishes, rhythm, and proportion, which response to the building use and the desired contextual character.  <u>Part 8.2.8.1.14 Public Domain (Carlingford Local Centre)</u> <i>Fences and Walls</i> C.04 The following fencing materials or finishes are not acceptable because of their poor visual appearance: <ul style="list-style-type: none"> <li>• Pre-painted, profiled metal sheeting.</li> <li>• Rendered finishes when the entire fence is rendered.</li> </ul>

39. The LPP concerns regarding car parking and car share spaces are acknowledged and have been discussed with Council's Traffic Engineer. As a result, whilst noting the proximity of the site to the Carlingford Light Rail Stop, it is concluded that:

- The suggested parking rates are sufficient to minimise on-street parking within the site and the surrounding road network whilst also ensuring an appropriate parking rate for the proposed dwelling mix.
  - The proposed parking rates are maximum rates, any additional provision would be counted as Gross Floor Area (GFA) and would contribute to Floor Space Ratio (FSR) and would be unlikely to be supported at DA stage.
  - Constrained destination parking will significantly reduce peak hour traffic generation, similar to the Parramatta CBD with its limits on employee parking.
  - The subject site is well connected with access to Pennant Hills Road, Carlingford Road and Marsden Roads and North Rocks Road which are major collector roads and will reduce potential for congestion on local roads.
  - The proposal is of a sufficient size to provide sufficient flexibility to accommodate car share spaces in the future to suit demand.
40. It is therefore not proposed to amend the proposed residential parking or car share rates from what was reported to the LPP noting that Council Officers recommended an increase in maximum parking post exhibition as part of its report to the LPP.

## HERITAGE ADVISORY COMMITTEE

41. The City of Parramatta Council's Heritage Advisory Committee considered the Planning Proposal at its meeting of 13 June 2024. It is noted that without a quorum at the meeting a formal position on the proposal from the Committee could not be resolved. However, the following feedback was provided by participants who attended the meeting:

*Committee Members raised concerns regarding the impact of increased residential traffic on access to Carlingford Memorial Park.*

### Council Officer Response

42. The Applicant's Traffic Assessment has not identified concerns with accessing the Carlingford Memorial Park, and potential intersection signalisation by Transport for NSW should improve access opportunities for pedestrians accessing the Park.

## CONSULTATION AND TIMING

43. As noted above, the Planning Proposal, draft Planning Agreement and DCP have been subject to public and agency consultation. Details of the consultation results are in the LPP report (**Attachment 5**) and the Community Engagement Report (**Attachment 4**). This section outlines consultation with other relevant stakeholders.
44. Extensive consultation has been undertaken to date with the applicant to develop the draft planning provisions, draft DCP and draft Planning Agreement.



Councillor Consultation

45. See **Table 5** for an overview of Councillor consultation that has been undertaken in relation to this matter:

**Table 5 – Councillor Consultation**

<b>Date</b>	<b>Councillor</b>	<b>Councillor Comment</b>	<b>Council Officer Response</b>	<b>Responsibility</b>
16 October 2023 – Councillor Workshop	All invited	Various questions relating to density and infrastructure provision.	Response provided to Councillors regarding the need for the Community Hub	Group Manager Major Projects and Precincts
27 November 2023 – Councillor Briefing Session	All invited	Questions regarding development applications on the site.	Responses provided to Councillors about the existing approval and current development application.	Group Manager Major Projects and Precincts
4 December 2023 – Council Meeting	All invited	Questions about Planning in Carlingford.	Response about the need to undertake a review of the planning controls and Planning Proposal was forwarded to DPHI seeking a Gateway determination.	Group Manager Major Projects and Precincts
3 April 2024 – Meeting with Councillor Valjak	Councillor Valjak	Various questions about the Planning Proposal and supporting infrastructure.	Clarification on issues and explanation of need for supporting infrastructure.	Group Manager Major Projects and Precincts
19 June 2024 – Meeting with Councillor Valjak	Councillor Valjak	Questions about issues raised in public submissions and other community feedback.	Responses to key issues and other community feedback.	Group Manager Major Projects and Precincts
15 July 2024 – Councillor Briefing	All invited	Not available at time of finalising this report	Not known at time of finalising this report	Group Manager Major Projects and Precincts

**PLAN MAKING DELEGATIONS**

46. DPHI granted Council plan-making delegations in the Gateway Determination (**Attachment 6**) issued on 19 February 2024. This means that if the Planning Proposal is endorsed for finalisation by Council, Council officers will deal directly with the Parliamentary Counsel Office on the legal drafting and mapping of the

amendment. The LEP amendment is then signed by the CEO before being notified on the NSW Legislation website.

## LEGAL IMPLICATIONS FOR COUNCIL

47. The legal implications associated with this report relate to the Planning Agreement that is proposed to be entered into between Council and the landowner.
48. An external legal advisor assisted in drafting the Planning Agreement (**Attachment 2**) that is based upon the Letter of Offer and Council resolution dated 4 December 2023. The draft Planning Agreement is considered appropriate for finalisation.

## FINANCIAL IMPLICATIONS FOR COUNCIL

49. A Planning Agreement delivering the public benefits outlined above will be entered into between Council and the landowner.
50. **Table 6** below summarises the financial impacts on the budget arising from approval of this report and finalisation of the Planning Agreement. The delivery of the community hub stratum within Building F to Council will be upon issuing of the first Occupation Certificate for the building in accordance with the process set out in the Planning Agreement. The budget implications for the receipt of the asset will be addressed in Council's future forward budget planning.

**Table 6 – Financial Impacts on the budget**

	FY 23/24	FY 24/25	FY 25/26
<b>Revenue Contribution</b>			
<b>Operating Result</b>	Nil	Nil	Nil
External Costs			
Internal Costs			
Depreciation			
Other			
<b>Total Operating Result</b>	Nil	Nil	Nil
<b>Funding Source</b>			
<b>CAPEX</b>	Nil	Nil	Nil
CAPEX			
External			
Internal			
Other			
<b>Total CAPEX</b>	Nil	Nil	Nil
<b>Funding Source</b>			

## CONCLUSION AND NEXT STEPS

51. It is recommended that Council endorse the finalisation of the Planning Proposal (**Attachment 1**) for 263-281 Pennant Hills Road, Carlingford for Council to exercise its plan-making delegations as granted by the Gateway Determination.

52. It is also recommended that Council endorse the finalisation and execution of the draft Planning Agreement (**Attachment 2**) and the approval of the DCP (**Attachment 3**) for insertion into Part 8 of the Parramatta DCP 2023 as referred to in this report.















Rafael Morrissey  
**Project Officer Land Use**

Jennifer Concato  
**Executive Director City Planning and Design**

John Angilley  
**Executive Director Finance & Information**

Gail Connolly  
**Chief Executive Officer**

#### **ATTACHMENTS:**

<b>1</b>	<a href="#"></a> 	Carlingford Planning Proposal and Links to Appendices	56 Pages
<b>2</b>	<a href="#"></a> 	Draft Voluntary Planning Agreement	93 Pages
<b>3</b>	<a href="#"></a> 	Draft Site-Specific Development Control Plan	40 Pages
<b>4</b>	<a href="#"></a> 	Community Engagement Report	94 Pages
<b>5</b>	<a href="#"></a> 	LPP Minutes & Report - 23 May 2024	25 Pages
<b>6</b>	<a href="#"></a> 	Gateway Determination	2 Pages
<b>7</b>	<a href="#"></a> 	Site History	4 Pages
<b>8</b>	<a href="#"></a> 	Letter from the Minister of Planning & Public Spaces	2 Pages
<b>9</b>	<a href="#"></a> 	Amendments to the Site-Specific Development Control Plan	3 Pages

#### **REFERENCE MATERIAL**



# PLANNING PROPOSAL

263-281 Pennant Hills Road, Carlingford (previously known as  
263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

[cityofparramatta.nsw.gov.au](http://cityofparramatta.nsw.gov.au)

# TABLE OF CONTENTS

Planning Proposal drafts .....	1
INTRODUCTION .....	2
Background and context .....	2
PART 1 – OBJECTIVES AND INTENDED OUTCOMES.....	4
PART 2 – EXPLANATION OF PROVISIONS.....	5
2.1. Other relevant matters .....	5
PART 3 – JUSTIFICATION OF STRATEGIC AND SITE SPECIFIC MERIT....	8
3.1 Section A - Need for the Planning Proposal .....	8
3.2. Section B – Relationship to strategic planning framework .....	8
3.3. Section C – Environmental, social and economic impact.....	23
3.4. Section D – State and Commonwealth Interests .....	37
PART 4 – MAPS .....	38
4.1 Existing controls .....	38
4.2 Proposed controls .....	44
PART 5 – COMMUNITY CONSULTATION.....	49
PART 6 – PROJECT TIMELINE .....	50
APPENDICES.....	51
Appendix 1 – Urban Design Report	
Appendix 2 – Reference Scheme	
Appendix 3 – Planning Proposal Drawings	
Appendix 4 – Shadow Analysis	
Appendix 4A - Additional Solar Information	
Appendix 4B - Solar Impact Studies and Verification Letter	
Appendix 5 – Wind Impact Assessment	

Appendix 6 – Transport Impact Assessment

Appendix 7 – Overland Flow Assessment

Appendix 8 – Statement of Heritage Impact

Appendix 9 – Ecologically Sustainable Design Report

Appendix 10 – Landscape Package

Appendix 11 – Arboricultural Impact Assessment

Appendix 12 – Preliminary Environmental Site Assessment

Appendix 13 – Noise Impact Assessment

Appendix 14 – Social Impact Assessment

Appendix 15 – Retail Impact Assessment



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

### Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Planning Ingenuity	14 September 2023

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel on the Gateway Assessment of the Planning Proposal – November 2023
2.	City of Parramatta Council	Report to Council on the Gateway Assessment of the Planning Proposal – December 2023
3.	City of Parramatta Council	Report responding to Gateway conditions for Public Exhibition – March 2024
4.	City of Parramatta Council	Report to Local Planning Panel Post Exhibition – May 2024
5.	City of Parramatta Council	Report to Council Post Exhibition – June 2024

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

# INTRODUCTION

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2023*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DPE) guide, 'A Guide to Preparing Local Environment Plans' (August 2023).

## Background and context

In August 2023, Karimbla Properties (No. 61) Pty Ltd (a subsidiary of Meriton Group), lodged a Planning Proposal with the City of Parramatta Council for land at 263-273 Pennant Hills Road and 18 Shirley Street (now known as 263-281 Pennant Hills Road, Carlingford)

The site (**Figure 1**) has a total area of approximately 27,987sqm and is located within the Carlingford Precinct and is made up of 7 lots as per **Table 1**:

**Table 1** – Property Address

Property Address	Lot & DP
263-281 Pennant Hills Road, Carlingford (Formerly 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)	Lot 22, DP 21386
	Lot 2, DP 9614
	Lot 3, DP 9614
	Lot 4, DP 9614
	Lot 62, DP 819136
	Lot 61, DP 819136
	Lot 1, DP 1219291

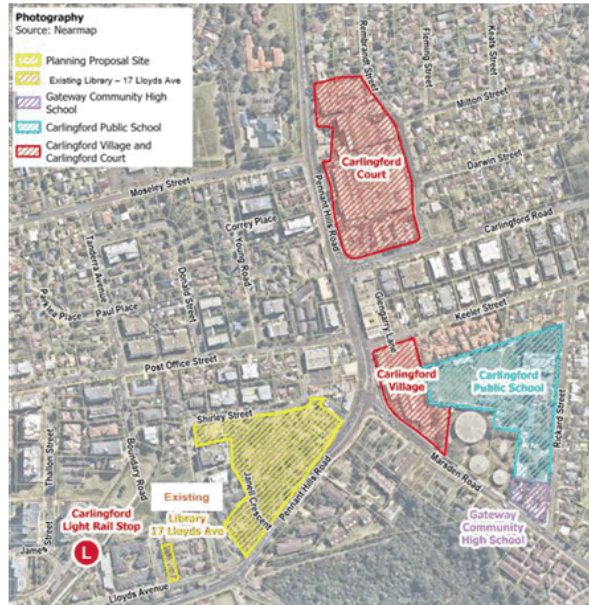


**Figure 1** – Site at 263-281 Pennant Hills Rd, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford) subject to the Planning Proposal

The site features a frontage to Pennant Hills Road (a classified state main road) to the east, and frontage to Shirley Street (a local road) to the north and west. The site is predominately undeveloped and cleared of vegetation however there are five two-storey unoccupied dwellings fronting Pennant Hills Road.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

A pedestrian pathway runs along Pennant Hills Road, with connections into Lloyds Avenue to the south and Carlingford Town Centre to the north. The site is located approximately 400 metres east from the planned Carlingford Light Rail stop and 60m to the south of the Carlingford Village shopping centre (**Figure 2**).



**Figure 2 – Local Context Map**

Under *Parramatta Local Environmental Plan 2023* the site:

- is zoned part R4 High Density Residential, part RE1 Public Recreation and part SP2 Local Infrastructure;
- has a maximum building height of 27 metres fronting Pennant Hills Road and 33 metres fronting Shirley Street, the RE1 Public Recreation zoned land does not have a maximum building height;
- has a maximum floor space ratio (FSR) of 2.3:1 with the RE1 Public Recreation zoned land not having a maximum FSR;
- is in Schedule 1 as shops, food and drink premises and business premises are additional permitted uses on the R4 High Density Residential zoned part of the site;
- is identified in Schedule 1 as there is a restriction of the maximum gross floor area of the parts of the building being used for shops, food and drink premises, business premises and recreation facilities (indoor) to a maximum GFA of 2,000m<sup>2</sup> on the R4 High Density zoned part of the site;
- is identified on the Additional Permitted Uses Map.

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the Parramatta LEP 2023 to provide for a mixed-use and high density residential development of the subject site at 263-281 Pennant Hills Road, Carlingford (formerly 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

### Intended Outcomes

The Planning Proposal intends to deliver the following outcomes for the site:

- A mixed-use and high density residential development in close proximity to public transport.
- Reconfigured public open space to make it more useable and accessible.
- Provision of community infrastructure in the form of a community hub (library and community centre).
- Provide housing supply near public transport infrastructure (Carlingford Light Rail stop).

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta LEP 2023 (PLEP 2023)* in relation to the zoning, height and floor space ratio controls to facilitate the development of approximately 723 high density residential dwellings, a community hub (with a library and community space), open space, pedestrian links and roads.

In order to achieve the desired objectives, the following amendments to the *PLEP 2023* need to be made:

1. Amend the maximum building height in the **Height of Buildings Map** from part no height limit, part 33 metres and part 27m to:
  - Part 0m, Part 65 metres, part 84 metres, and part 110 metres on the Pennant Hills Road frontage; and
  - Part 0m, part 33 metres, part 46 metres, part 56 metres and part no height limit on the remainder of the site.
 Refer **Figures 17 & 23** in Part 4 of this Planning Proposal.
2. Amend the maximum FSR in the **Floor Space Ratio Map** from 2.3:1 to 3.6:1 on the R4 High Density Residential portion of the site. Refer **Figures 18 & 24** in Part 4 of this Planning Proposal.
3. Reconfiguring the existing R4 High Density and RE1 Public Recreation zones in the **Land Zoning Map** and retain the existing SP2 Infrastructure Zone. Refer **Figures 16 & 22** in Part 4 of this Planning Proposal.
4. Amend **Schedule 1 (Additional Permitted Uses)** of PLEP 2023 to restrict the maximum gross floor area of the parts of the building being used for shops, food and drink premises, business premises and recreation facilities (indoor) from a maximum GFA of 2,000m<sup>2</sup> to a maximum GFA of 2,600m<sup>2</sup> on the R4 High Density Residential zoned part of the site.
5. Amend the **Additional Permitted Uses Map** to align with the reconfigured zoning. Refer **Figures 20 & 25** in Part 4 of this Planning Proposal.
6. Amend the **Land Reservation Acquisition Map** to include all RE1 Public Open Space land that will be dedicated to Council as the Central Park and the Community Link. Refer to **Figures 21 & 26** in Part 4 of this Planning Proposal.

### 2.1. Other relevant matters

#### 2.1.1 Planning Agreement

The Planning Proposal is accompanied by a draft Planning Agreement which proposes to deliver the following public benefits at an estimated value of \$27.5 million:

- Dedication of a 2,500 sqm community hub to Council, including a library and community centre with the provision of 20 parking spaces;
- Provision and dedication of public open space to Council;
- Provide and make accessible, via public easement, publicly accessible open space; and
- A monetary contribution equivalent to the Section 7.11 Contributions which Council plans to



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

allocate towards the fit-out of the community hub.

An assessment of the draft Planning Agreement by Council Officers concludes that in principle the items offered are acceptable in terms of their nature subject to design modifications. Refer **Figure 3**.

The need for a Planning Agreement has been identified as an appropriate mechanism to ensure the increase in demand for infrastructure due to the additional density sought by the Planning Proposal is satisfactorily addressed.



Figure 3 – Proposed VPA Items

### 2.1.2 Draft Site Specific DCP

A draft Site-Specific Development Control Plan (SSDCP) has been prepared by the applicant and Council staff to accompany the Planning Proposal. The draft SSDCP provides details on site arrangement, road layout, envelope controls and open space for the site. The SSDCP seeks to guide future development. The draft SSDCP will amend controls for Block 17 of the Carlingford Local Centre as outlined in Parramatta DCP 2023 (Part 8.2) and will provide site-specific controls for:

- Built form
- Public domain
- Water Management
- Vehicle Access and Parking
- Sustainability
- Urban Heat Island
- Public Art

### 2.1.3 Gateway Conditions

The Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway Determination to Council on 19 February 2024. The Gateway Determination states that prior to community consultation, the planning proposal is to be updated to:

- (a) Identify the proposed changes to the Land Reservation Acquisition (LRA) map;

*Part 4 of the Planning Proposal has been updated to include the current PLEP 2023 LRA map and a proposed LRA Map showing proposed changes being that a portion of RE1 Public Open Space Land will be dedicated to Council.*

- (b) Update the site address of the proposal;

*The site address has been updated throughout the Planning Proposal from 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford to 263-281 Pennant Hills Road Carlingford.*



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

(c) include further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved; and

*Justification on this matter has been added to Section 3.3.2 Urban Design, Built Form and Public Domain of the Planning Proposal.*

(d) include discussion on the public amenity and proposed overshadowing of heritage item I032 – Carlingford

*Discussion on this matter has been added to Section 3.3.2 - Heritage of the Planning Proposal.*

#### **2.1.4 Post Exhibition Amendments/Updates**

##### **(a) Height of Building of Building Map**

*In order to respond to issues raised in public submissions it is proposed that the exhibited Height of Building map be amended to more closely align with the proposed reference scheme.*

*Discussion on this matter has been added to Section 3.3.2 Urban Design, Built Form and Public Domain of the Planning Proposal. See **Figure 23** for the updated Height of Buildings map.*

##### **(b) Land Reservation Acquisition (LRA) Map**

*The exhibited LRA Map is proposed to be amended to include all proposed RE1 Public Recreation zoned land on the site rather than only the central open space. This is a result of further negotiations between Council staff and the Applicant in relation to the Planning Agreement. See **Figure 26** for the updated LRA Map.*

##### **(c) Overshadowing Impacts**

*The Applicant has provided additional information regarding compliance with Apartment Design Guide (ADG) regarding overshadowing impacts on 346-362 Pennant Hills Road, 2-6, 8-10 and 12 Shirley Street, Carlingford. Discussion on this matter has been added to Section 3.3.2 Urban Design, Built Form and Public Domain of the Planning Proposal.*

##### **(d) Parking Rates**

*In order to respond to issues raised in public submissions about the suitability of the proposed carparking controls it is proposed that the exhibited parking rates which were provided in the Site-Specific Development Controls Plan be amended. Discussion on this matter has been added to Section 3.3.2 Traffic, Transport, Accessibility and Parking.*

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

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 Council's Local Strategic Planning Statement which identifies Carlingford as a Growth Precinct and forecasts that approximately 4,430 new dwellings will occupy the precinct by 2036 with proposal providing approximately 723 dwellings. The Planning Proposal also responds to Council's Local Housing Strategy which also highlights the importance of ensuring alignment of infrastructure delivery with housing growth.

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

Yes, the redevelopment of the site for mixed use and high-density residential development provides the opportunity to reconfigure the existing poorly orientated open space and a Community Hub including a library and community space that will serve the community beyond the local development.

The proposal will also facilitate an expansion of retail uses on the site by 600 sqm, serving the local community.

### 3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

#### 3.2.1 Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

##### Housing Crisis

Recent communication from the State Government regarding the current 'housing crisis' identifies the need to factor housing delivery into planning decisions including when assessing Planning Proposals. Specifically, the Premier has requested that Council's 'prioritise the opportunity to

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

deliver homes as part of merit considerations where on balance, dwelling numbers may warrant a scale or built form that is different to the outcome originally anticipated'. The subject proposal will facilitate the delivery of an estimated 723 dwellings contributing toward the overall goal of housing delivery.

### 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 2, below.

**Table 2 – Consistency of Planning Proposal with relevant GSRP Actions – Infrastructure and Collaboration**

Infrastructure and Collaboration Direction	Relevant Objective	Comment
<b>A city supported by infrastructure</b>	<b>O1:</b> 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. Redevelopment of the subject site within 400m of Carlingford Light Rail stop. The site is an existing R4 High Density Residential zoned site, and the Planning Proposal hopes to maximise the utility of existing infrastructure assets. The proponent will further be required to provide infrastructure in the way of a community hub (library and community centre) facilitated by a Planning Agreement.
	<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	
	<b>O3:</b> Infrastructure adapts to meet future need	
	<b>O4:</b> Infrastructure use is optimised	

### Liveability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 3, below.

**Table 3 – Consistency of Planning Proposal with relevant GSRP Actions – Liveability**

Liveability Direction	Relevant Objective	Comment
<b>A city for people</b>	<b>O6:</b> Services and infrastructure meet communities' changing needs	The reference design for the planning proposal aims to improve walkability between the shopping village, shopping centre, local schools, and public open with a community link helping facilitate access to the Carlingford Light Rail Stop. The Planning Proposal seeks to provide public open space and publicly accessible open space across the site.
	<b>O7:</b> Communities are healthy, resilient, and socially connected	
	<b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods	

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

		The Planning Proposal will support communities that are culturally rich with diverse neighbourhoods by providing a community hub with a library and community centre.
Housing the city	O10: Greater housing supply	<p>The proposal intends to provide approximately 723 residential dwellings across an R4 zoned part of the site.</p> <p>The Planning Proposal intends to facilitate a mix of 1 bedroom, 2-bedroom, 3 bedroom and 4-bedroom apartments.</p> <p>No affordable housing is included in the Planning proposal in lieu of critical social infrastructure</p>
	O11: Housing is more diverse and affordable	
A city of great places	O12: Great places that bring people together	<p>Opportunities to improve pedestrian and links are included given the site's location in proximity to public transport.</p> <p>The Planning Proposal will help facilitate the delivery of a library and community centre, and public open space as part of the linked Planning Agreement.</p> <p>Measures such as screening with planting will be put in place to minimise any impact to the local heritage item Carlingford Memorial Park. This will be assessed in more detail at DA stage.</p>
	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 4, below.

**Table 4 – 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 Proposal intends to deliver additional housing and retail/commercial uses within 400m to Carlingford Light Rail stop.
	O15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected	The subject site is located 400m of the proposed Carlingford Light Rail Station, and therefore the proposal's location is compatible with promoting optimal use of the light rail.



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

	<b>O22:</b> Investment and business activity in centres	The proposed development provides opportunities to access to jobs, goods and services. The retail impact assessment indicates that Planning Proposal will provide employment generation of 146 jobs in Carlingford which is a Local Centre.
--	---	--

### Sustainability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Sustainability objectives is provided in Table 5, below.

**Table 5 – Consistency of Planning Proposal with relevant GSRP Actions – Sustainability**

Sustainability Direction	Relevant Objective	Comment
<b>A city in its landscape</b>	<b>O30:</b> Urban tree canopy cover is increased	The landscape plans show that significant planting will be provided as part of future development on the site which is an increase from what already exists on the site
	<b>O31:</b> Public open space is accessible, protected and enhanced	The reference design demonstrates both public open space and through links as part of the Planning Proposal. The Planning Proposal aims to provide, enhance and improve accessibility to public open space.
	<b>O32:</b> The Green grid links Parks, open spaces, bushland and walking and cycling paths	The to the Planning Proposal will also facilitate an embellished community link.
<b>An efficient city</b>	<b>O33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change	The draft SSDCP incorporates several sustainability controls such as:
	<b>O34:</b> Energy and water flows are captured, used and re-used	<ul style="list-style-type: none"> <li>• Residential development to comply with BASIX;</li> <li>• The provision of electric car charging;</li> <li>• Public amenities are to use water and energy efficient fittings;</li> <li>• Water sensitive urban design measures;</li> <li>• An associated ESD study.</li> </ul>
	<b>O35:</b> More waste is re-used and recycled to support the development of a circular economy	
<b>A resilient city</b>	<b>O36:</b> People and places adapt to climate change and future shocks and stresses	The proposal is not impacted by Identified natural hazard zones such as flooding or bushfire. Initiatives listed in the abovementioned sustainability controls will contribute to mitigation of urban heat island effect in the area.
	<b>O37:</b> Exposure to natural and urban hazards is reduced	
	<b>O38:</b> 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 6, below.

**Table 6 – Consistency of Planning Proposal with relevant GSRP Actions – Implementation**

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The proposal is responding to collaboration between multiple teams in Council and consultation with the applicant.

### 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.

### 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 7, below.

**Table 7 – Consistency of Planning Proposal with relevant CCDP Actions – Infrastructure and Collaboration**

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<b>A city supported by infrastructure</b> <b>O1:</b> Infrastructure supports the three cities <b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact <b>O3:</b> Infrastructure adapts to meet future need <b>O4:</b> Infrastructure use is optimised	<b>PP C1: Planning for a city supported by infrastructure</b> <ul style="list-style-type: none"> <li><b>A1:</b> Prioritise infrastructure investments to support the vision of <i>A metropolis</i></li> <li><b>A2:</b> Sequence growth across the three cities to promote north-south and east-west connections</li> <li><b>A3:</b> Align forecast growth with infrastructure</li> <li><b>A4:</b> Sequence infrastructure provision using a place based approach</li> <li><b>A5:</b> Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans</li> <li><b>A6:</b> 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</li> </ul>	<p>The subject site is located 400m from the proposed Carlingford Light Rail Station, and therefore the proposal's location is compatible with promoting optimal use of the light rail as it will facilitate approximately 723 apartments.</p> <p>The proposed development provides opportunities to access to jobs, goods and services and will provide employment generation in the region of 146 jobs near to Light Rail.</p>
<b>O5:</b> Benefits of growth realized by collaboration of governments, community and business	<b>PP C2: Working through collaboration</b> <ul style="list-style-type: none"> <li><b>A7:</b> Identify prioritise and delivery collaboration areas</li> </ul>	<p>The proposal is responding to collaboration between multiple teams within Council and consultation with the applicant.</p> <p>Should the proposal proceed to Gateway, it will be placed on public</p>



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

	exhibition giving government departments, the community and business the chance to have input into the proposal.
--	--

### Liveability

An assessment of the Planning Proposal's consistency with the CCDP's relevant Liveability Priorities and Actions is provided in Table 8, below.

**Table 8 – Consistency of Planning Proposal with relevant CCDP Actions – Liveability**

Liveability Direction	Planning Priority/Action	Comment
<b>A city for people</b> <b>O6:</b> Services and infrastructure meet communities' changing needs	<b>PP C3: Provide services and social infrastructure to meet people's changing needs</b> <ul style="list-style-type: none"> <li>• <b>A8:</b> Deliver social infrastructure that reflects the need of the community now and in the future</li> <li>• <b>A9:</b> Optimise the use of available public land for social infrastructure</li> </ul>	<p>As part of the proposal, the applicant intends to include pedestrian connectivity, public open space, and a new road.</p> <p>The proposed additional retail floorspace will provide opportunities and better access to services for the current and future population.</p> <p>The proposal will facilitate community/social infrastructure including public open space, library and community centre with a Planning Agreement.</p>
<b>O7:</b> Communities are healthy, resilient and socially connected <b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods <b>O9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation	<b>PP C4: Working through collaboration</b> <ul style="list-style-type: none"> <li>• <b>A10:</b> Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d).</li> <li>• <b>A11:</b> Incorporate cultural and linguistic diversity in strategic planning and engagement.</li> <li>• <b>A12:</b> Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.</li> <li>• <b>A14:</b> Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c).</li> <li>• <b>A15:</b> Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places</li> </ul>	<p>The Planning Proposal will encourage greater physical activity and social connection by locating public open space and community/social infrastructure near public transport. It also provides better access to local retailers of fresh food as it provides additional retail/commercial floorspace.</p>

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

<p><b>Housing the city</b></p> <p><b>O10:</b> Greater housing supply</p> <p><b>O11:</b> Housing is more diverse and affordable</p>	<p><b>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</b></p> <ul style="list-style-type: none"> <li>• <b>A16:</b> Prepare local or district housing strategies that address housing targets [abridged version]</li> </ul>	<p>The Planning Proposal provides an opportunity to deliver approximately 723 dwellings in a range of sizes.</p> <p>The proposal provides opportunities to rearrange the site in a design that improves amenity by providing usable open space and providing community/social infrastructure.</p>
<p><b>A city of great places</b></p> <p><b>O12:</b> Great places that bring people together</p> <p><b>O13:</b> Environmental heritage is identified, conserved and enhanced</p>	<p><b>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</b></p> <ul style="list-style-type: none"> <li>• <b>A18:</b> Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e)</li> <li>• <b>A19:</b> Identify, conserve and enhance environmental heritage by (a-c)</li> <li>• <b>A20:</b> Use place-based planning to support the role of centres as a focus for connected neighbourhoods</li> <li>• <b>A21:</b> In Collaboration Areas, Planned Precincts and planning for centres (a-d)</li> <li>• <b>A22:</b> Use flexible and innovative approaches to revitalise high streets in decline.</li> </ul>	<p>The site reference scheme intends to improve connectivity a community link and a public access easement. The Planning Proposal is situated near public transport and local retail uses and demonstrates a form that encourages walkability between the site, public transport, and schools.</p>

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

### Productivity

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 9, below.

**Table 9 – Consistency of Planning Proposal with relevant CCDP Actions – Productivity**

Productivity Direction	Planning Priority/Action	Comment
<b>A well-connected city</b> <b>O19:</b> Greater Parramatta is stronger and better connected	<b>PP C7: Growing a stronger and more competitive Greater Parramatta</b> <ul style="list-style-type: none"> <li>• <b>A23:</b> Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged]</li> <li>• <b>A26:</b> Prioritise infrastructure investment [abridged]</li> <li>• <b>A27:</b> Manage car parking and identify smart traffic management strategies.</li> </ul>	<p>The proposal intends to deliver additional high-density residential dwellings and retail space near the employment generating uses at Carlingford Court and Carlingford Village.</p> <p>Redevelopment for high density residential uses on the site which are subject to traffic constraints may encourage the use of public transport for those wishing to travel between the site and Parramatta CBD via the Light Rail and contribute to improved connectivity and 30-minute city priorities.</p> <p>It will provide infrastructure including a community hub, library and park close to Light Rail.</p>
<b>Jobs and skills for the city</b> <b>O15:</b> The Eastern, GPOP and Western Economic Corridors are better connected and more competitive	<b>PP C8: Delivering a more connected and competitive GPOP Economic Corridor</b> <ul style="list-style-type: none"> <li>• <b>A28:</b> Investigate opportunities for renewal of Westmead East as a mixed use precinct PPC8</li> <li>• <b>A29:</b> Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GPOP Economic Corridor</li> <li>• <b>A30:</b> Prioritise transport investments that enhance access to the GPOP between centres within GPOP</li> </ul>	<p>Although the site is located outside the Western Economic corridor it will provide residential accommodation and non-residential uses in a very accessible area near to Carlingford Light Rail Stop. Future residents will have easy access to the Parramatta CBD.</p>
<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities	<b>PP C9: Delivering integrated land use and transport planning and a 30-minute city</b> <ul style="list-style-type: none"> <li>• <b>A32:</b> Integrate land use and transport plans to deliver a 30-minute city</li> </ul>	<p>The subject site is located 400m from the proposed Carlingford Light Rail Station, and therefore the proposal's location is compatible with promoting optimal use of the light rail. The proposed development provides housing and opportunities to access to jobs, goods, and services.</p>
<b>O23:</b> Industrial and urban services land is planned, retained and managed	<b>PP C10: Growing investment, business opportunities and jobs in strategic centres</b> <ul style="list-style-type: none"> <li>• <b>A37:</b> Provide access to jobs, goods and services in centres [abridged]</li> <li>• <b>A39:</b> Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace</li> </ul>	<p>The Planning Proposal would locate additional housing near Carlingford Village and Carlingford Court. It is anticipated that additional housing in this location will grow investment and business opportunities for everyday retail and commercial uses at the site. The proposal will facilitate 146 jobs in the local centre of Carlingford.</p>

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

### Sustainability

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 10, below.

**Table 10 – Consistency of Planning Proposal with relevant CCDP Actions – Sustainability**

Sustainability Direction	Planning Priority/Action	Comment
<b>O27:</b> Biodiversity is protected, urban bushland and remnant vegetation is enhanced <b>O28:</b> Scenic and cultural landscapes are protected	<b>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</b> <ul style="list-style-type: none"> <li>• <b>A65:</b> Protect and enhance biodiversity by (a-c) [abridged]</li> <li>• <b>A66:</b> Identify and protect scenic and cultural landscapes</li> <li>• <b>A67:</b> Enhance and protect views of scenic and cultural landscapes from the public realm</li> </ul>	The subject site contains little significant bushland. The Planning Proposal will help facilitate high quality landscaping at DA stage.
<b>O30:</b> Urban tree canopy cover is increased <b>O32:</b> The Green grid links Parks, open spaces, bushland and walking and cycling paths	<b>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</b> <ul style="list-style-type: none"> <li>• <b>A68:</b> Expand urban tree canopy in the public realm</li> <li>• <b>A69:</b> progressively refine the detailed design and delivery of (a-c) [abridged]</li> <li>• <b>A70:</b> Create Greater Sydney green Grid connections to the Western Sydney Parklands</li> </ul>	The Landscape Plan associated with the Planning Proposal must be reflected in the outcome of the site to ensure urban tree canopy is maintained and/or expanded to ensure a high level of outdoor amenity and green grid across the site.
<b>O31:</b> Public open space is accessible, protected and enhanced	<b>PP C17: Delivering high quality open space</b> <ul style="list-style-type: none"> <li>• <b>A71:</b> Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]</li> </ul>	The Planning Proposal seeks to increase the height control and floor space ratio in hope to deliver a high-density residential development supported by well-connected open space on the site. The open space which currently exists will be reconfigured to be more usable and also embellished.
<b>An efficient city</b> <b>O33:</b> A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change <b>O34:</b> Energy and water flows are captured, used and re-used <b>O35:</b> More waste is re-used and recycled to support the development of a circular economy	<b>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</b> <ul style="list-style-type: none"> <li>• <b>A75:</b> Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050</li> <li>• <b>A76:</b> Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency</li> <li>• <b>A77:</b> Protect existing and identify new locations for waste recycling and management</li> <li>• <b>A78:</b> Support innovative solutions to reduce the volume of waste and</li> </ul>	The draft SSDCP incorporates several sustainability controls such as: <ul style="list-style-type: none"> <li>• Residential development to comply with BASIX;</li> <li>• The provision of electric car charging;</li> <li>• Public amenities are to use water and energy efficient fittings;</li> <li>• Water sensitive urban design measures;</li> <li>• An associated ESD study.</li> </ul>



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

	<p>reduce waste transport requirements</p> <ul style="list-style-type: none"> <li>• <b>A79:</b> 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</li> </ul>	
<p><b>O36:</b> People and places adapt to climate change and future shocks and stresses</p> <p><b>O37:</b> Exposure to natural and urban hazards is reduced</p> <p><b>O38:</b> Heatwaves and extreme heat are managed</p>	<p><b>PP C20: Adapting to the impacts of urban and natural hazards and climate change</b></p> <ul style="list-style-type: none"> <li>• <b>A81:</b> Support initiatives that respond to the impacts of climate change</li> <li>• <b>A82:</b> 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</li> <li>• <b>A83:</b> Mitigate the urban heat island effect and reduce the vulnerability to extreme heat</li> </ul>	<p>The proposal is not located in a location identified as impacted by natural hazard zones such as flooding or bushfire. Initiatives listed in the abovementioned sustainability controls will contribute to mitigation of urban heat island effect in the area.</p>

### 3.2.2 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 satisfies the strategies and outcomes identified in the plan including:

- "A.2 We are connected by well-designed integrated transport networks" as the Planning Proposal will facilitate 729 dwellings and 142 jobs within approximately 400m from the Carlingford Light rail station.
- "G.1 We have a healthy network of green space and waterways throughout our City" as the Planning Proposal will facilitate embellished public open space in the form of an embellished park, community link and publicly accessible open space.

#### Parramatta Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) identifies Carlingford as a Local Centre and also a Growth Precinct, with an employment target of 3,000 jobs by 2036. The Proposal will help to meet this target through the provision of 927 jobs during construction and 146 jobs upon completion. It will also contribute additional retail and commercial floor space within a mixed-use development in a local centre as required by the LSPS.

#### Parramatta Local Housing Strategy

The Local Housing Strategy (LHS) identifies Carlingford as a Growth Precinct and forecasts that approximately 4,430 new dwellings will occupy the precinct by 2036. The LHS also highlights

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

the importance of ensuring alignment of infrastructure delivery with housing growth. The Proposal is consistent with this approach in that it is located within close proximity to the Carlingford Light Rail stop and provides community infrastructure to support the future population of the precinct.

#### **Parramatta Community Infrastructure Strategy**

Carlingford has experienced a significant increase in medium and high-density development in recent years, which is expected to continue under new development located in and around Carlingford Town Centre including at 9-11 Thallon Street and at 11-17 Shirley Street and around the new Parramatta Light Rail (PLR) stop. While there is an existing development consent that will enable 450 new dwellings on the larger lot fronting Shirley Street, this will only deliver limited community infrastructure in the form of a poorly oriented open space.

Council's adopted Community Infrastructure Strategy (CIS) (2020) identifies that current community infrastructure in Carlingford is dispersed across the area, includes a mix of ageing and mostly low scale community facilities and additionally, that open space provision is low for the current population.

The CIS identifies a new community hub comprising a community space and library within the Carlingford Town Centre close to the PLR stop as a priority. The Proposal intends to deliver the Community Hub along with embellished and dedicated public open space as part of the associated Planning Agreement.

### **3.2.3 Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?**

#### **Future Transport Strategy**

The Future Transport Strategy was released by Transport for NSW and sets out the vision, directions, and outcomes framework for customer mobility in NSW and seeks to ensure that NSW overarching strategies for transport and land use planning align and complement each other. The proposal addresses the Future Transport Strategy by providing additional density within proximity to the Carlingford Light Rail and various services and facilities, in addition to delivering improved open spaces (with through site links), a community facility and other facilities in a highly accessible location.

### **3.2.4 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 11).

**Table 11** – Consistency of Planning Proposal with relevant SEPPs



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	✓	Consistent.  The Planning Proposal does not contain provisions that contradict or would hinder the application of these SEPPs.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development		
SEPP 60 – Exempt and Complying Development		
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 (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 (Housing) 2021	N/A	Not relevant to proposed amendment.
SEPP (Resilience and Hazards) 2021	✓	A Phase 1 preliminary contamination investigation report for the subject site has been prepared. Council is satisfied the site can be made suitable for residential purposes with a Phase 2 to be prepared at the DA stage if necessary.
SEPP (Industry and Employment) 2021	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP (Transport and Infrastructure) 2021	✓	May apply to future development of the site.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

SEPP (Biodiversity and Conservation) 2021	✓	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 (Planning Systems) 2021	✓	Consistent.  The Planning Proposal does not contain provisions that contradict or would hinder the application of these SEPPs.
SEPP (Precincts – Central River City) 2021	N/A	Not relevant to proposed amendment as the site is not contained in one of the precincts of the SEPP.

### 3.2.5 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 nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary production

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

**Table 12 – Consistency of Planning Proposal with relevant Section 9.1 Directions**

Relevant Direction	Comment	Compliance
<b>1. Planning Systems and Planning Systems – Place Based</b>		
Direction 1.1 – Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan.	Yes
Direction 1.3 – Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation, or referral outside what will be required by the Gateway Determination.	Yes

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

Direction 1.4 – Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning proposal seeks an increase in the maximum GFA of the additional permitted uses under Clause 24 of Schedule 1 of PLEP 2023 however this amendment is not considered to be restrictive.	Yes
<b>2. Design and Place</b>		
This Focus Area was blank at the time the Directions were made.	This Direction was blank as is currently incomplete.	
<b>3. Biodiversity and Conservation</b>		
Direction 3.1 – Conservation Zones The objective of this direction is to protect and conserve environmentally sensitive areas.	The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.	Yes
Direction 3.2 – Heritage Conservation The objective of this direction is to protect and conserve environmentally sensitive areas.	The Planning Proposal is deemed to have minimal impact on the heritage significance of local heritage item Carlingford Memorial Park. Mitigation measures will be investigated at DA stage and through the SSDCP.	Yes
Direction 3.5 – Recreation Vehicle Areas The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	The Planning Proposal is consistent with this direction, in that it is not proposing to enable land to be developed for the purpose of a recreation vehicle area.	Yes
<b>4. Resilience and Hazards</b>		
Direction 4.1 – Flooding The objectives of this direction are to: (a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.	The site is 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 prior to submission for a Gateway Determination. This will also include any design detail required to ensure compliance with Council's water management controls within the Parramatta DCP 2023.	Yes
Direction 4.3 Planning for Bushfire Protection	The land is not identified as bush fire prone land.	Yes

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

<p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</li> <li>(b) Encourage sound management of bush fire prone areas.</li> </ul>		
<p>Direction 4.4 – Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.</p>	<p>A Phase 1 preliminary contamination investigation report for the subject site has been prepared. Council is satisfied the site can be made suitable for residential purposes with a Phase 2 Study to be prepared at the DA stage if necessary.</p>	Yes
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>The site is not identified on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2023.</p>	Yes
<b>5. Transport and Infrastructure</b>		
<p>Direction 5.1 – Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.</p>	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>• will provide new dwellings in close proximity to existing public transport links</li> <li>• will maintain and provide additional commercial premises in proximity to existing transport links</li> </ul> <p>makes more efficient use of space and infrastructure by increasing densities on an underutilised site.</p>	Yes
<p>Direction 5.2 – Reserving Land for Public Purposes</p> <p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.</p>	<p>The Planning Proposal does not include the identification of or removal of land require for acquisition.</p>	Yes
<p>Direction 6.3 - Site Specific Provisions</p>	<p>The Planning proposal seeks an increase of the maximum GFA of the additional permitted uses under Clause 24 of Schedule 1 of PLEP 2023.</p>	Yes
<b>6. Housing</b>		
<p>Direction 6.1 – Residential Zones</p> <p>The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services</p>	<p>The Planning Proposal is consistent with this direction, in that it does not reduce the permissible residential density of land.</p>	Yes

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

and minimise the impact of residential development.		
<b>7. Industry and Employment</b>		
Direction 7.1 – Business and Industrial Zones The objectives of this direction are to: (a) Encourage employment growth in suitable locations, (b) Protect employment land in business and industrial zones; and (c) Support the viability of identified centres.	The Planning Proposal will facilitate 146 jobs in within 400m of Carlingford Light Rail stop	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?

No, it is unlikely that the proposal will have adverse impacts on any critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Urban Design, Built Form and Public Domain
- Wind Impacts
- Traffic, Transport, Accessibility and Parking
- Overland Flow
- Geotechnical
- Heritage
- Environmentally Sustainable Design
- Open Space
- Landscaping and Arboriculture
- Contamination
- Acoustic Impacts
- Social Impact
- Retail and Economic Impact

#### Urban Design and Built Form

The planning proposal is accompanied by an Urban Design Report and Reference Scheme and Planning Proposal Drawings which discuss in detail the design of the scheme and relationship with surrounding built form. (Refer to **Appendices 1, 2 & 3**).



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

The Planning Proposal seeks a substantial increase in height and FSR to develop the site for high density residential and retail development whilst allowing for a reconfiguration of existing open space and delivery of community infrastructure.

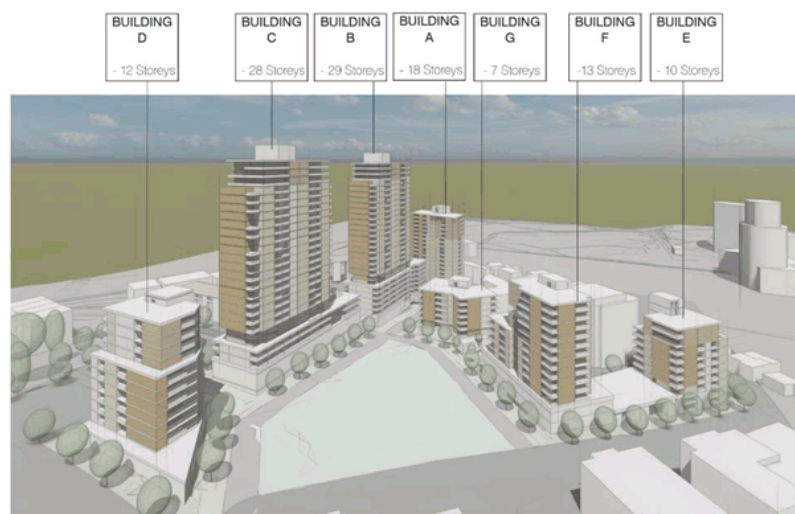
#### Comparison With Approved Scheme

The existing development consent that applies to the larger lot fronting Shirley Street allows a 30% increase in floorspace permitted on this site (as the RE1 Public Open Space land was included in the calculations of floor space ratio) to 53,069 sqm which equates to an FSR of 3:1 for this site. The Planning Proposal seeks a total floorspace of 80,510 sqm which equates to an FSR of 3.6:1 when the six smaller lots fronting Pennant Hills Road are added to the site and public open space is excluded from the calculation of FSR.

#### Scale and Density

The Urban Design Report, Reference Scheme and Planning Proposal Drawings (refer Attachment 1) have been reviewed with a focus on the scale of the proposal and its impact on the immediate and surrounding areas. It is noted that the current Carlingford Precinct built form strategy that was developed in The Hills Development Control Plan 2012 and is outlined in Council's recently adopted Harmonisation Development Control Plan (DCP), locates high density development at a maximum 18 storeys around the PLR stop.

The proposed density and building height (up to 110m) exhibited is significantly greater than other existing development adjacent to the Carlingford Light Rail stop (57m (15 storeys)). The increased bulk and height (from 33m (11 storeys)) to 56-110m (18 - 29 storeys)) is inconsistent with the desired future character set out in the DCP of 2012 (see **Figures 4 & 22**).



**Figure 4** - Reference Design

The proposed development would be positioned on a high topographic point, making it highly visible (**Figure 5**). This would not be consistent with the existing built form strategy outlined in the Harmonisation DCP (originating in the 2012 Hills DCP) which locates high density development at a maximum of 18 storeys around the PLR stop.



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

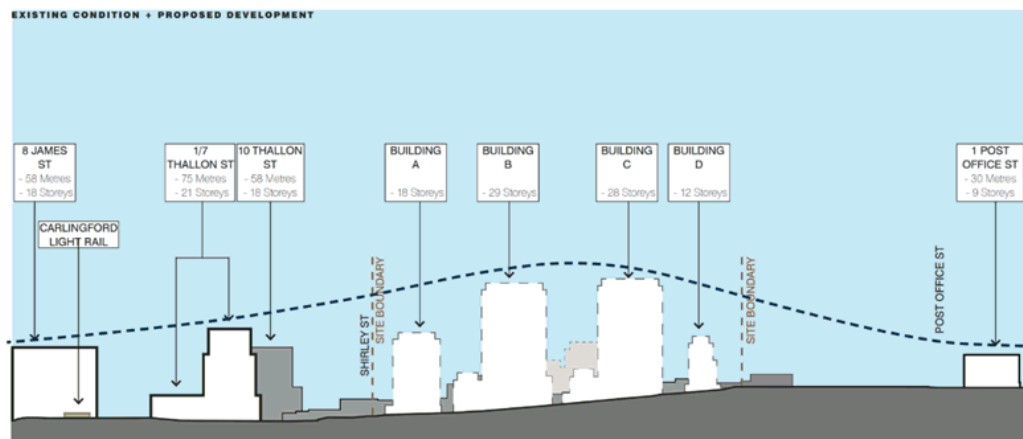


Figure 5 – Existing and Proposed Heights

In respect of the proposed increased scale of development it should be noted that the view impacts of the Planning Proposal would be of a similar nature to those of the high density development at Epping as shown in **Figures 6 & 7**. It is appropriate for Council to consider such an increase in scale of development in Carlingford by amending the local planning controls through the planning proposal process, and the merits of doing so to meet the State Government aim of prioritising more housing supply, particularly in areas such as Carlingford where the proposal generally aligns with the Minister's request referred to earlier that Councils should *prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated.*



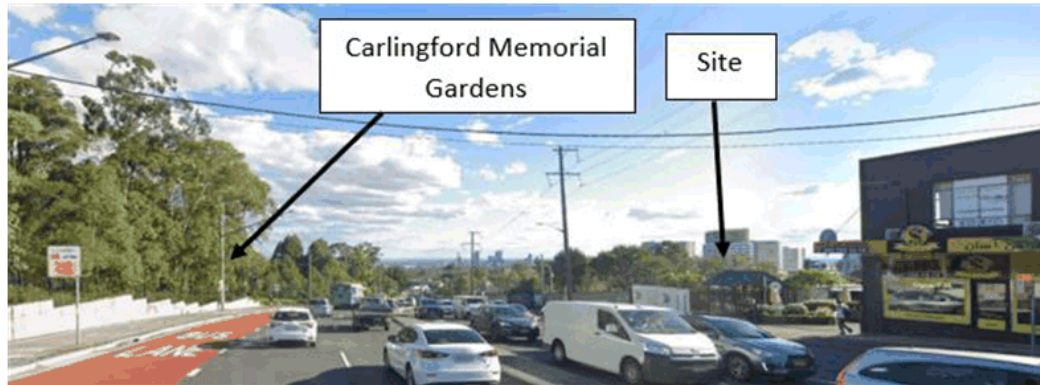
Figure 6 – View of Subject site from Epping (LEP Compliant)



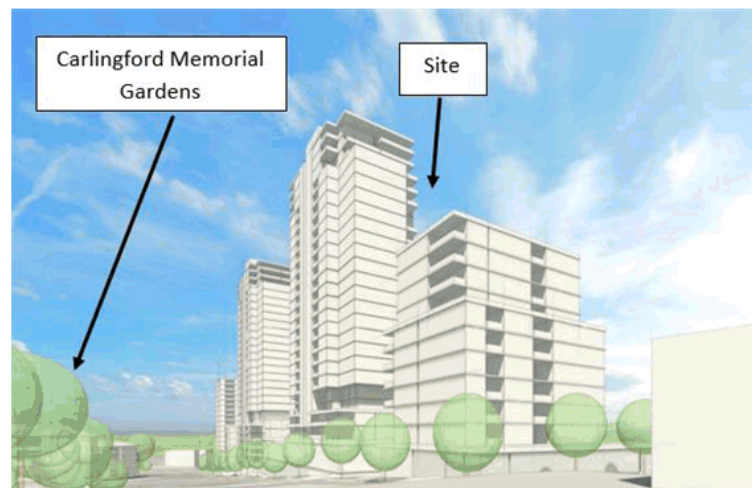
Figure 7 – View of site from Epping (Planning Proposal)

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

The impacts of the proposed increase in height along Pennant Hills Road on the site's relationship with Carlingford Memorial Gardens on the opposite side of Pennant Hills Road (**Figure 8 & 9**) has been examined to understand the overshadowing of the proposal on the gardens and view from the park.



**Figures 8** - View from north-east corner of site from Junction of Pennant Hills Road and Marsden Road.



**Figure 9** - View from north-east corner of the site with proposed development

The applicant's shadow analysis (**Appendix 4**) indicates that the proposed development will only result in a minor overshadowing impact between 2:00pm – 3:00pm during mid-winter. Whilst this is considered to be a minor impact, it is suggested that DCP controls be prepared to help mitigate these impacts by addressing proposed building envelopes and landscaping.

Council's shadow analysis shows that the proposed development will result in a significant increase in overshadowing of the apartment buildings on the opposite side of Pennant Hills Road between 12pm and 3pm during mid-winter (refer **Figures 10 & 11**). While building envelope controls in the DCP can be used to seek to mitigate these impacts there is still likely to a significant shadow impact on the properties due to the increased height of buildings that would be permitted on the Pennant Hills Road frontage of the subject site.



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



**Figure 10** – Overshadowing of apartment buildings on the opposite side of Pennant Hills Road (PLEP 2023 compliant scheme)



**Figure 11** – Overshadowing of apartment buildings on the opposite side of Pennant Hills Road (Planning Proposal)

Whilst the proposal concentrates height on Pennant Hills Road, this concentration accords with DCP guidance that for properties fronting Pennant Hills Road more substantial buildings are appropriate. The proposed distribution of height also minimises potential shadowing impacts on Shirley Street and overall ensures shadowing impacts to adjoining properties are reduced.

#### Gateway Conditions

Condition C of the Gateway Determination requires 'further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved.'

The applicant's Solar analysis methodology (Appendix 4A) provides a comparison between the reference scheme and the development approved for the site. This analysis indicates that under the approved development application, 36 of 60 (60%) apartments do not receive the required amount of solar access in mid-winter. This analysis also indicates that when it is assumed that living areas and private open spaces of these properties are orientated towards the Pennant Hills Road as a worse case scenario, the proposed 'concept envelopes' will result in an additional overshadowing impact to 10 apartments.

This means that, in accordance with the Applicant's solar information, an additional 16.6% of apartments will not receive the required amount of solar access. This figure complies with the objective 3B-2 of the Apartment Design Guide which stipulates that where the adjoining property does not receive the required hours of solar access, a proposal should not reduce this figure by more than 20%.

#### Further Analysis of Overshadowing and Solar Impact

Additional information regarding compliance with the ADG regarding overshadowing impacts on 346-362 Pennant Hills Road, 8-10 and 12 Shirley Street, Carlingford has been provided (**Appendix 4B**). The additional analysis provided by the applicant indicates that the subject proposal is able to satisfy the ADG requirements in this regard.

The Applicant's overshadowing information for 8-10 Shirley Street indicates that the development facilitated by the Planning Proposal will have the effect of reducing ADG compliance for this property from 98% to 79% which remains within the minimum 70% prescribed by the ADG.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

The Applicant's overshadowing analysis for 12 Shirley Street indicates that when factoring in the previously approved Development Application, 93% of the apartments to be built on this property meet ADG solar access design guidelines which require that developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June, and also living rooms and private open spaces of at least 70% of apartments in a building receive 2 hours direct sunlight between 9 am and 3 pm on 21 June. The Applicant's overshadowing modelling indicates that following development of the Planning Proposal scheme, this figure would fall by 7% to 86% and as such remains within the minimum 70% prescribed by the ADG. Verification of the Applicant's analysis also indicates that the proposal's impact on solar collectors at this property would meet the ADG guidelines requiring a minimum of 4 hours solar access to solar collectors in mid-winter.

The Applicant's overshadowing analysis indicates that for 346-363 Pennant Hills Road, whilst the proposal would increase overshadowing by 17% in midwinter, this increase is within the 20% maximum additional overshadowing prescribed by the ADG. Verification of the Applicant's analysis also indicates that the proposal's impact on solar collectors at this property would meet the ADG guidelines requiring a minimum of 4 hours solar access to solar collectors.

No. 2-6 Shirley Street, located to the west of the subject site, contains a four storey residential flat building. The Applicant's analysis shows that the development to be facilitated by the Planning Proposal will overshadow this property, however that this property would be overshadowed by the previously approved development for the subject site. It should also be noted that under the proposed scheme, this property would be impacted by proposed Block G which will remain within the existing 33m maximum height of building control under Parramatta LEP 2023. Analysis of overshadowing impacts including on solar collectors will be further addressed at the Development Application stage.

#### Post Exhibition Amendment – Height of Buildings

In order to provide further control and certainty on the impacts of the new apartment buildings, mitigate overshadowing impacts, solar impact and visual impact and noting that the Applicant has demonstrated that the proposed scheme generally complies with overshadowing requirements of the ADG, it is recommended that the exhibited maximum Height of Building controls be reduced to align more closely with the proposed reference scheme. It is proposed that the maximum exhibited heights of part no height limit, part 110 metres on Pennant Hills Road and part 56 metres and part no height on the remainder of the site be amended to:

- Part 0 metres, Part 65 metres, part 84 metres, and part 110 metres on the Pennant Hills Road frontage; and
- Part 0 metres, part 33 metres, part 46 metres, part 56 metres and part no height limit on the remainder of R4 High Density Residential zoned part of the site.

It is noted that no height limit does not mean unlimited height, rather it is where there is intended to be no development on public open space or the community link on Pennant Hills Road. It is noted that there has been a minor amendment to the proposed Height of Building Map from that which was reported to the LPP on 24 May 2024. It is also noted that the height on the internal roads and pedestrian link on Pennant Hills Road is proposed to be 0m. This is because they are zoned as R4 Height Density Residential land which will remain in private ownership. Refer to **Figure 23** for the amended proposed height map.

#### Built Form and Design

There are opportunities to improve the site planning and public domain relating to the bulk and scale of buildings by addressing the:

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

- Poor ground level building interfaces on internal streets and on Shirley Street where basement car parking protrudes above ground.
- Zero lot building setbacks for residential buildings facing internal streets.
- Minimal provision of deep soil according to the DCP definition, and risk that soil depths provided over basement car parks in the public domain will not optimally support future street tree canopy on the site.
- Prominence of loading and docking activity in the Pennant Hills Road landscape setback.
- Poor levels and landscape buffer interface to neighbouring properties.

To ensure amenity is maximised within the proposed height and density controls it is intended to amend the draft Site Specific Development Control Plan to address these matters.

Notwithstanding this, in the light of the State Government's strong policy position on acting to deliver greater housing supply, Council must consider the potential impacts of the change in the pattern of new high density residential development in Carlingford that the proposal would facilitate in relation to the overall strategic benefits provided by the proposal. The benefits of more housing and better supporting community infrastructure adjacent to the Light Rail Stop would be foregone if the site is to be developed under the existing planning controls.

### Wind Impacts

Specialist consultant assessment of the applicant's Wind Assessment (**Appendix 5**) recommends that the applicant's wind report be updated to address the adequacy of the landscape proposal as it relates to wind mitigation requirements and solar access requirements for the childcare outdoor space. It is recommended that these issues be addressed at the development application stage.

### Traffic, Transport, Accessibility and Parking

The applicant's Transport Impact Assessment (TIA) (**Appendix 6**) found that the proposal will have minimal impact of the surrounding road network. A summary of key issues is provided below.

#### Public Transport

The subject site is within close proximity to the PLR Carlingford stop and also bus stops on Parramatta Road (**Figure 12**). The PLR will significantly improve accessibility to and from the site to the Parramatta CBD and other centres. The light rail is designed to provide one tram every 7.5 minutes. PLR is expected to commence operation in mid-2024.

The proposed rezoning is supported in this regard as the site is in a location that will be well served by public transport.



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



Figure 12 - The Site in relation to public transport

### Access

Vehicular access to the site will be via a two-way internal roadway that connects to Shirley Street in two locations which are generally consistent with the design of the existing development consent scheme. Vehicular access to the basement car parks is via the internal roadway.

The proposed access is generally supported, whilst the proposed loading dock is located opposite the internal road intersection, given that the potential traffic volumes along the terminating road are expected to be low, this location of the proposed loading dock is acceptable.

### Traffic Generation

The larger lot which fronts Shirley Street currently benefit from an active development consent. This approval permits the construction 450 units and when combined with the current development potential on the adjoining six smaller lots fronting Pennant Hills Road, would allow for combined yield of 550 to 570 residential units which would generate between 132 and 137 vehicle trips in the AM and PM peaks.

Compared with the approved and permissible development potential of the site, the net increase in traffic of the proposal is expected to be 233 additional trips in the AM peak and 330 additional trips in the PM peak hour, or 4-6 additional vehicles per minute spread across the entire road network.

The Traffic Impact Assessment (TIA) found that additional traffic generated by the proposal and known proposed developments in 9-11 Thallon and 11-17 Shirley Streets is likely to have a relatively minor impact (around 7% increase) on overall traffic volumes at key locations along the Pennant Hills Road corridor.

The TIA identifies signalling of the Evans Street/Lloyds Avenue/Pennant Hills Road intersection and the Moseley Street/Pennant Hills Road intersection as key opportunities to improve the road network and provide better opportunities for vehicles to turn right into and from Pennant Hills Road in addition to improved pedestrian access to existing bus stops on Pennant Hills Road.



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

The TIA found that the cost of delivering the Mosely Street/Pennant Hills Road intersection, would be disproportionate to the amount of traffic generated by the proposal and such did not recommend funding the full upgrade of this intersection.

Council traffic engineers have advised that as the proposed development will generate a need for pedestrians to safely access bus stops on the opposite side of Pennant Hills Road, the proposed signalisation of Pennant Hills Road and Evans/Lloyds Road by the applicant is supported. This signalisation is critical and should be operational prior to the occupancy of any future dwellings on the subject site.

In this regard, the applicant has suggested that this upgrade should be funded through the application of the Housing and Productivity Contribution and is in discussions with TfNSW in this regard. In regard to the Mosely Street/Pennant Hills intersection, the Council engineers are of the view that the proposal would not contribute a large proportion of traffic flows and pedestrian traffic to this intersection when compared with the Evans Street/Lloyd Street/Pennant Hills Road intersection.

Signalising the Pennant Hills Road/Moseley Road intersection is identified in the Parramatta Outside CBD Contributions Plan and funding is considered to be a Council responsibility. Whilst this upgrade requires TfNSW approval, TfNSW has advised that it does not support the upgrade of this intersection until Pennant Hills Road has been widened which is beyond the scope of Council's contributions plan. Council proposes to undertake initial concept design of traffic signals at the Mosely Road/Pennant Hills Road intersection in 2024 including determining the extent of road widening required on Pennant Hills Road. The traffic volumes from the Meriton proposal and other future development in the area will be considered in the concept design.

TfNSW had prepared concept plans for several options for traffic signals at this intersection approximately 5 years ago. As a result of the Planning Proposal, TfNSW has reviewed these plans and has recommended a preferred option. It is understood that TfNSW is undertaking further investigation to inform a cost estimate and will discuss the preferred design with the applicant.

#### Road Design

Council's Traffic Engineer notes that detailed civil plans for the road design will be provided at the DA stage and advised that Shirley Road will need to be widened in order to accommodate traffic from the proposal and that this can be addressed at the detailed design stage.

#### Parking Requirements

Provision of car parking for the residential component in accordance with the TfNSW Guide to Traffic Generating Developments is supported. For the childcare centre and retail components, the parking rates are to be as per the Parramatta DCP 2023 requirements. However, the applicant's referral to The Hills DCP rates at the time of lodgement is supported given that The Hills DCP minimum requirements are higher than the Parramatta DCP minimum rates for retail and childcare components.

The proposal includes 20 parking spaces for the Community Hub as suggested by the applicant and is supported.

#### Post Exhibition Amendment – Parking Rates

As a result of public submissions raising concerns regarding the suitability of the proposed carparking controls, the exhibited parking rates are proposed to be amended.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

Whilst the application of minimum carparking rates from the Guide to Traffic Generating Development was originally proposed, it is considered important to apply maximum carparking rates in this instance to help manage local traffic movements whilst applying suitable standards to meet the needs of users and occupiers of the development. As such, Council staff suggested lower maximum residential parking rates in the exhibited draft DCP than had been requested by the Applicant.

Following correspondence with the applicant and TfNSW, the final proposed maximum parking rates, which, with the exception of the proposed lower residential visitor parking rates and lower 'other retail premises' rates, are largely consistent with those requested by the applicant, are considered sufficient to minimise on-street parking, TfNSW has not raised an objection to the new rates.

Whilst the proposed rates are higher than the currently applicable DCP rates, TfNSW NSW has advised that the proposed residential parking rates will result in an additional 18 vehicle trips per hour in the AM peak and 14 vehicle trips per hour in the PM Peak and that given the multiple route choices available, the additional traffic is unlikely to have a significant impact on the regional road network.

The proposed 20 spaces for the Community Hub are considered sufficient and is consistent with the parking provided at other similar facilities.

The final proposed parking rates are shown in Table 13 below.

**Table 13 - Maximum Parking Rate Comparison**

Dwelling Type/Land Use	Maximum Parking Rate in Applicant's DCP	Maximum Parking Rate in exhibited draft DCP	Final Proposed Parking Rate
1 Bedroom	1	0.8	1
2 Bedroom	1	1	1
3 Bedroom	2	1.3	2
4 Bedroom	2	2	2
Visitor	0.4	0.2	0.1
Supermarket	NA	NA	1 space per 25 sqm
Other Retail Premises	1 space per 18.5 sqm	1 space per 40 sqm	1 space per 40 sqm
Centre-based Childcare	1 space per 6 children 1 space per 1 employee	1 space per 6 children 1 space per 1 employee A reduction in the parking rate may be considered if sufficiently justified through a Traffic and Transport assessment and there being spare capacity at relevant times within the car park.	1 space per 6 children 1 space per 1 employee A reduction in the parking rate may be considered if sufficiently justified through a Traffic and Transport assessment and there being spare capacity at relevant times within the car park.
Community Facility	20 spaces	20 spaces	20 spaces

In relation to the proposed supermarket parking rates, TfNSW has advised that provision of a supermarket will assist with internal trip containment. The proposed supermarket will reduce overall Vehicle Kilometre Travel (VKT) on the road network as residents in this precinct will not necessarily be required to travel further to undertake grocery shopping.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

In summary, the proposed parking rates to be contained in the DCP are considered to be sufficient to reduce on-street parking and to maximise trip containment within the site. TfNSW has raised no objection to the application of these standards.

### Overland Flow

An Overland Flow Assessment (**Appendix 7**) prepared by Sky Engineering and Project Management was prepared to support the Planning Proposal. The site is not subject to flooding, however, as result of its size, it will generate its own overland flow. The applicant's Overland Flow Study has suggested that in a 1% AEP event an Onsite Detention System (OSD) to limit post development flows can be used to ensure flows from the site will not exceed pre-development conditions.

Council will further review the proposed overland flow management systems at the detailed design stage of the proposal. However, it is considered that the Planning Proposal should proceed to the Gateway Determination stage ahead of the detailed design being undertaken.

### Geotechnical

The proposed development involves the construction of a mixed-use development including below-ground basement parking and is also adjacent Pennant Hills Road. A geotechnical assessment of subsurface conditions including groundwater seepage will be addressed at the detailed design stage of the proposal. However, it is considered that the Planning Proposal should proceed to the Gateway Determination stage ahead of the detail design being undertaken.

### Heritage

The subject site is near several heritage items (refer **Figure 19**). Council's Heritage Advisor notes the proposal will have minimal impact on Carlingford Memorial Park to the east on Pennant Hills Road due to overshadowing of the (refer **Figure 13**) public open space of the park (not the memorial and seating at the park) and a moderate impact on the trees and vegetation.

It is recommended that the proposal adopt mitigation measures including specific development controls in the SSDCP regarding building envelopes, separation and landscaping to create suitable interfaces with the heritage items at DA stage. (Refer to **Appendix 8** for the applicant's Statement of Heritage Impact).

### Gateway Condition

Condition C of the Gateway condition requires the Planning Proposal to be updated to include 'discussion on the public amenity and proposed overshadowing of heritage item I032 – Carlingford Memorial Park'.

According to the Applicant's Statement of Heritage Impact the 'the proposed development will present an amplification of the built form, scale and massing along Pennant Hills Road, changing the visual and spatial relationship between the Park, the site and the wider surrounding landscape'. However, whilst the Statement of Significance for the Park identifies its social significance as being related to the two memorials located in the Park, the streetscape is not considered as contributing to its significance.

The Applicant's Statement of Heritage Impact and overshadowing information indicate that as a result of the proposed development, Carlingford Memorial Park will 'see minor overshadowing impacts from 12:00 pm – 2:00 pm on June 21 and moderate impacts at 3:00pm on June 21'. The Statement of Heritage Impact also advises that overshadowing on June 21 is limited to the



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

southwest portion of the site which consists of an open grassed area and advises that there are no shadows cast on the northern portion of the park which contains the memorial, seating and the majority of the mature trees.

As such, the Applicant's Statement of Heritage Impact concludes that the proposed development will have a minor impact on the heritage significance of the Carlingford Memorial Park and its views and settings.

The draft SSDCP also includes provisions to maximise solar access and ensure suitable interfaces to surrounding properties.



Figure 13 – Overshadowing of Carlingford Memorial Park

### Environmentally Sustainable Design

Specialist consultant Flux Consulting were engaged by Council to review the Planning Proposal and noted the draft SSDCP sustainability measures do not reflect the site's opportunities and scale of development and that the draft objectives and controls are weaker than those in Council's Harmonisation DCP. It is recommended that Section 11 of the draft SSDCP is to be deleted or amended to include only items not already covered in the draft Harmonisation DCP or of an objectively higher standard (Refer **Appendix 9** for applicant's ESD Report).

### Open Space

The proposed quantity of RE1 Public Open Space land is supported as it meets Council's Community Infrastructure Strategy (CIS) requirement for 20% public open space, with the 'Central Park' satisfying the minimum 3,000 sqm size for a local park.

The proposed configuration of open space more satisfactorily addresses the CIS land dedication criteria, including improved shape, solar amenity, street frontage and connectivity to the surrounding community than the open space configuration in the existing development consent for the larger lot fronting Shirley Street. This will improve useability, amenity and permeability, resulting in an overall better open space outcome that is more consistent with best practice.

The proposal community link (refer **Figure 14**) has limited recreational capacity due to its narrow width, sloping topography and poor solar access. It is dominated by stairs and ramps, which reflect the primary 'access' purpose, and largely interfaces with adjoining private buildings. As

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

such, the community link should be retained under private ownership as a publicly accessible link consistent with proposed connection to Pennant Hills Road.



Figure 14 – Site layout showing the community link in purple.

### Landscaping and Arboriculture

A Landscape Package (**Appendix 10**) prepared by Urbis and an Arborist Report (**Appendix 11**) prepared by Jacksons Nature Works were provided with the Planning Proposal. Council's Landscape Tree Management Officer reviewed the Planning Proposal and recommended trees shown along Pennant Hills Road should be relocated to be within the site boundary (**Figure 15**) and the child-care centre must meet childcare planning guidelines and DCP minimum requirements as there is a lack of planting. A Tree Retention and Removal Plan and a Tree protection Management Plan should be provided at DA stage.



Figure 15 – Ground Floor Landscape Concept Plan

### Contamination

Council's Environmental Health Compliance Team undertook a preliminary review of the Planning Proposal and note that in principle it is considered that the contamination aspects of the Planning Proposal can be appropriately managed through the application of a best practice approach to

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

remediation were deemed necessary. A detailed review will be undertaken at DA stage. (Refer **Appendix 12** for applicant's Contamination Report).

### Acoustic Impact

Council's Environmental Health Compliance Team undertook a preliminary review of the of the Planning Proposal and determined that in principle it is considered that acoustic aspects of the Planning Proposal including impacts on balconies fronting Pennant Hills Road can be appropriately managed through the application of a best practice approach to building design and treatment and acoustic mitigation/attenuation. (Refer to **Appendix 13** for applicant's Noise Impact Assessment).

Given the potential acoustic impacts on balconies fronting Pennant Hills Road, the applicant proposes that these balconies be enclosed, however that they be excluded from the calculation of Gross Floor Area (GFA). Council staff are not supportive of this approach. Enclosing southern facing balconies will provide protection from amenity impacts as a result of their location on Pennant Hills Road, however if balconies are fully enclosed, they should count as GFA as is the approach taken for similar high-density proposals, such as in the Parramatta CBD. If enclosed balconies are excluded from the calculation of the GFA, it would result in an addition of approximately 5184 sqm of GFA permitted on the site.

### 3.3.3 Has the Planning Proposal adequately addressed any social and economic effects?

#### Social Impact

The Council's Community Infrastructure Strategy identifies a new community hub comprising a community space and library within the Carlingford Town Centre close to the PLR station one of the top priority pieces of Community infrastructure needed in the City of Parramatta Council area.

Council's Social/Cultural Team has reviewed the Planning Proposal and Letter of Offer and support the proposed provision and dedication of public open space, publicly accessible space, and community hub/library that supports the increase in density as they align with need identified in Council's CIS. (Refer **Appendix 14** for applicant's Social Impact Assessment).

Council staff investigations for a potential for alternative site for the Community Hub reveal the following:

- The Outside CBD Contributions Plan only apportions 40% of the cost of a new library/community open space to new development, there is currently no alternative funding source identified to assist in the acquisition and construction of a new facility.
- The existing library site is highly constrained and is not capable of accommodating significant development uplift and amalgamation with adjoining land is not considered feasible.
- There are no suitable alternative sites in Council ownership identified that are readily available for development for a new library.
- There are no other current or foreshadowed Site Specific Planning Proposals in the immediate area that would provide for potential opportunities for the provision of a new library.
- The Planning Proposal site is located in a position close to the Carlingford Light Rail stop, Carlingford Shopping Village and would provide for adjacent public open space.
- Any alternative site that may arise in the future may not be as well located.

It is important to note that the site is the largest remaining privately owned residential site within the Carlingford Precinct. As a result, it presents a rare opportunity to deliver the much needed community hub identified in the CIS in a good location close to public transport and local shops



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

and services. Analysis carried out by Council staff has shown that there is no other suitable site currently available to accommodate the community hub, nor is there sufficient funding available for Council to acquire and develop a new site for the hub in the foreseeable future.

### **Open Space Provision**

The open space provision provides the opportunity to improve the local active transport network. The Public Park is also an important design element for the site as a means to allow for adequate deep soil and open space provision.

The proposal is in line with Council's CIS which requires a minimum of 20% of a high-density residential site to be allocated as useable public open space to ensure that public open space is designed to provide for a diversity of recreational opportunities and to allow easy adaptation in response to changing community preferences.

### **Retail and Economic Impact**

Council's Economic Development team has reviewed the Planning Proposal and considers the increase in the maximum GFA of business premises, food and drink premises, recreational facilities (indoor) shops to 2,600 sqm is reasonable given the subject site's proximity to the Carlingford Town Centre and the proximity to the Carlingford Light Rail stop. (Refer to **Appendix 15** for the applicant's Retail Impact Assessment).

## **3.4 Section D – State and Commonwealth Interests**

### **3.4.1 Is there adequate public infrastructure for the Planning Proposal?**

The site is serviced by transport infrastructure as it is within 400m of Carlingford Light Rail. The applicant has indicated that they wish to enter into a Voluntary Planning Agreement and submitted a formal Letter of Offer to provide public infrastructure including dedication and embellishment of public open space and a community hub.

The site is within walking distance from local schools, Carlingford Village and Carlingford Court Shopping centre. The development will also include a small supermarket and a childcare centre.

### **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.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## PART 4 – MAPS

This section contains the mapping for this Planning Proposal in accordance with the DPE guidelines on LEPs and Planning Proposals. **Existing controls**

This section illustrates the current *PLEP 2023* controls which apply to the site.



Figure 16 – Existing zoning extracted from *PLEP 2023* Land Zoning Map

Figure 16 illustrates the existing R4 High Density Residential, RE1 Public Recreation and SP2 Infrastructure (Classified Road).

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

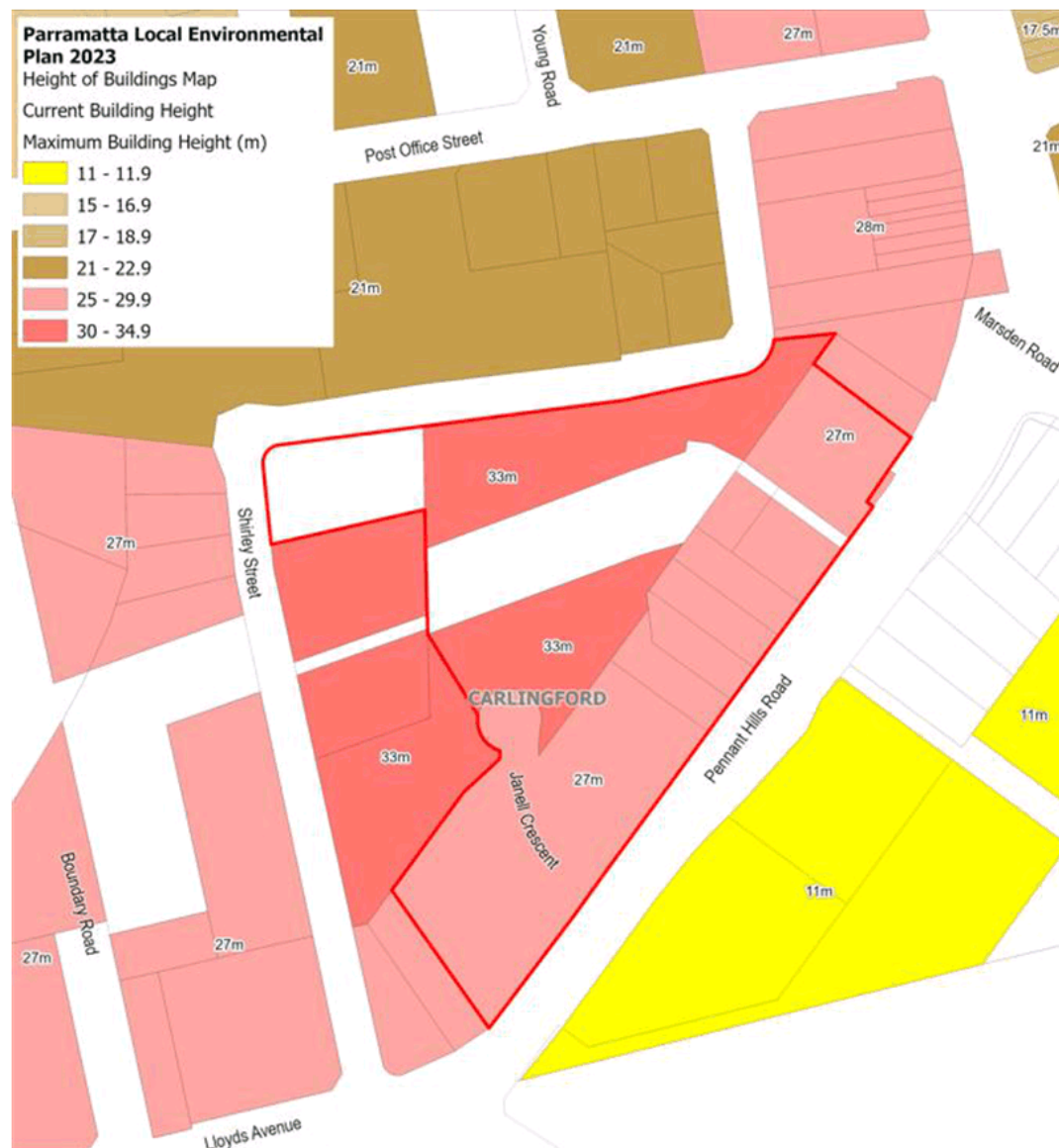
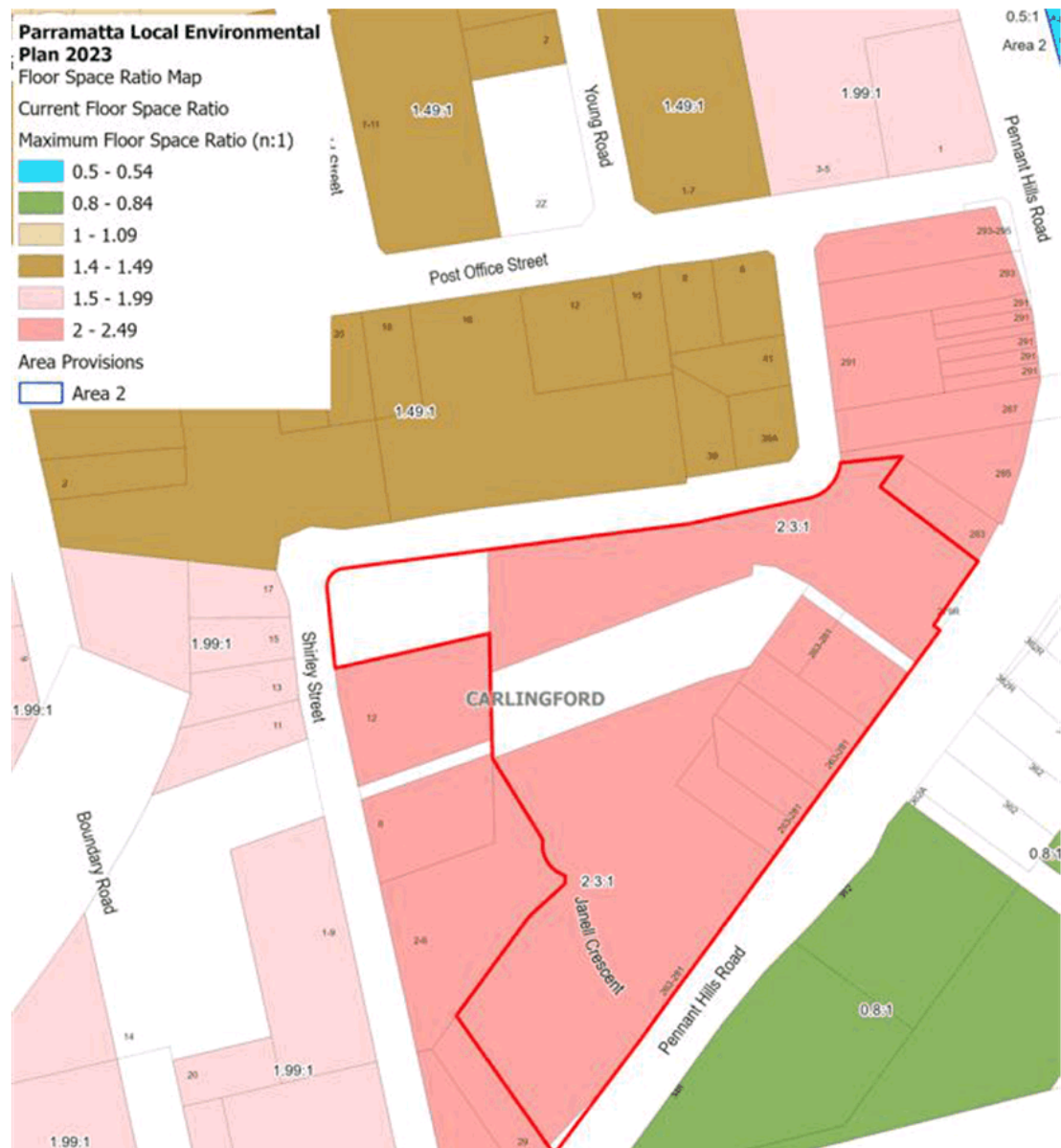


Figure 17 – Existing building heights extracted from the PLEP 2023 Height of Buildings Map

Figure 17 illustrates the site currently has a height limit of 27 metres fronting Pennant Hills Road and 33 metres fronting Shirley Street under and 0 metres on the RE1 Public Recreation zoned land.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



**Figure 18** – Existing floor space ratio extracted from the PLEP 2023 Floor Space Ratio Map

**Figure 18** illustrates the existing floor space ratio control of 2.3:1 over R4 High Density Residential zoned part of the site and no FSR for the RE1 Public Recreation zoned part of the site.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



**Figure 19** – Existing heritage items extracted from the PLEP 2023 Heritage Map

**Figure 19** above illustrates the site is near to three local heritage items being Carlingford Stock Feeds to the west, Carlingford Reserve to the south and Carlingford Memorial Park to the east on Pennant Hills Road.



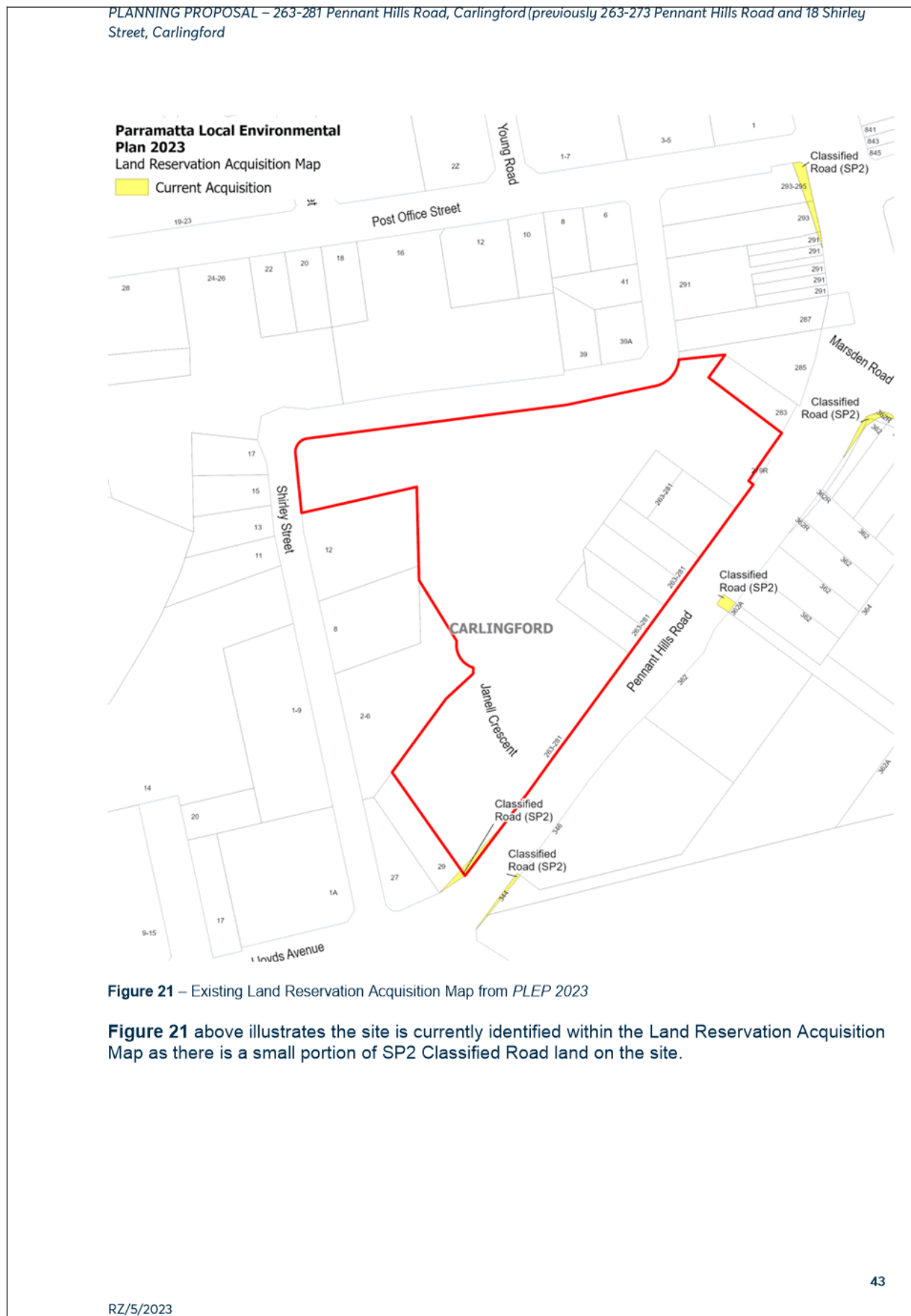
PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



**Figure 20** – Existing Additional Permitted Uses Map from PLEP 2023

**Figure 20** above illustrates the site is currently identified within the Additional Permitted Uses Map to allow for shops, food and drink premises, business premises as additional permitted used and to restrict shops, food and drink premises, business premises and recreation facilities (indoor) to a maximum GFA of 2,000m<sup>2</sup> on the R4 High Density Residential zoned part of the site.

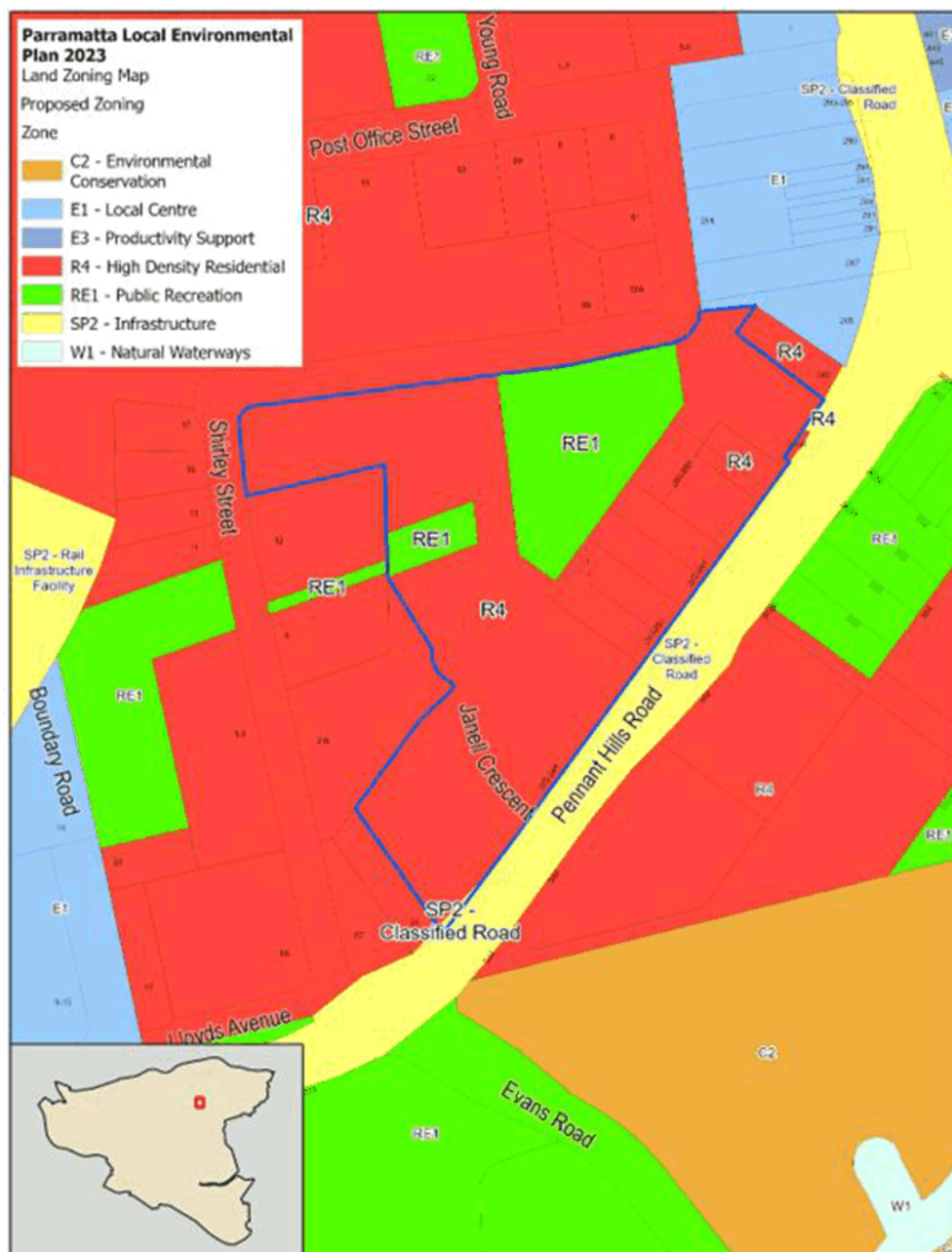




PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## 4.2 Proposed Controls

The figures in this section illustrate the proposed maps because of the assessment and recommendations for the Planning Proposal.



**Figure 22** – Proposed amendment to the PLEP 2023 Zoning Map

**Figure 22** above illustrates proposed reconfigured zoning of R4 High Density Residential, RE1 Public Recreation and SP2 Infrastructure (Classified Road) land over the site.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

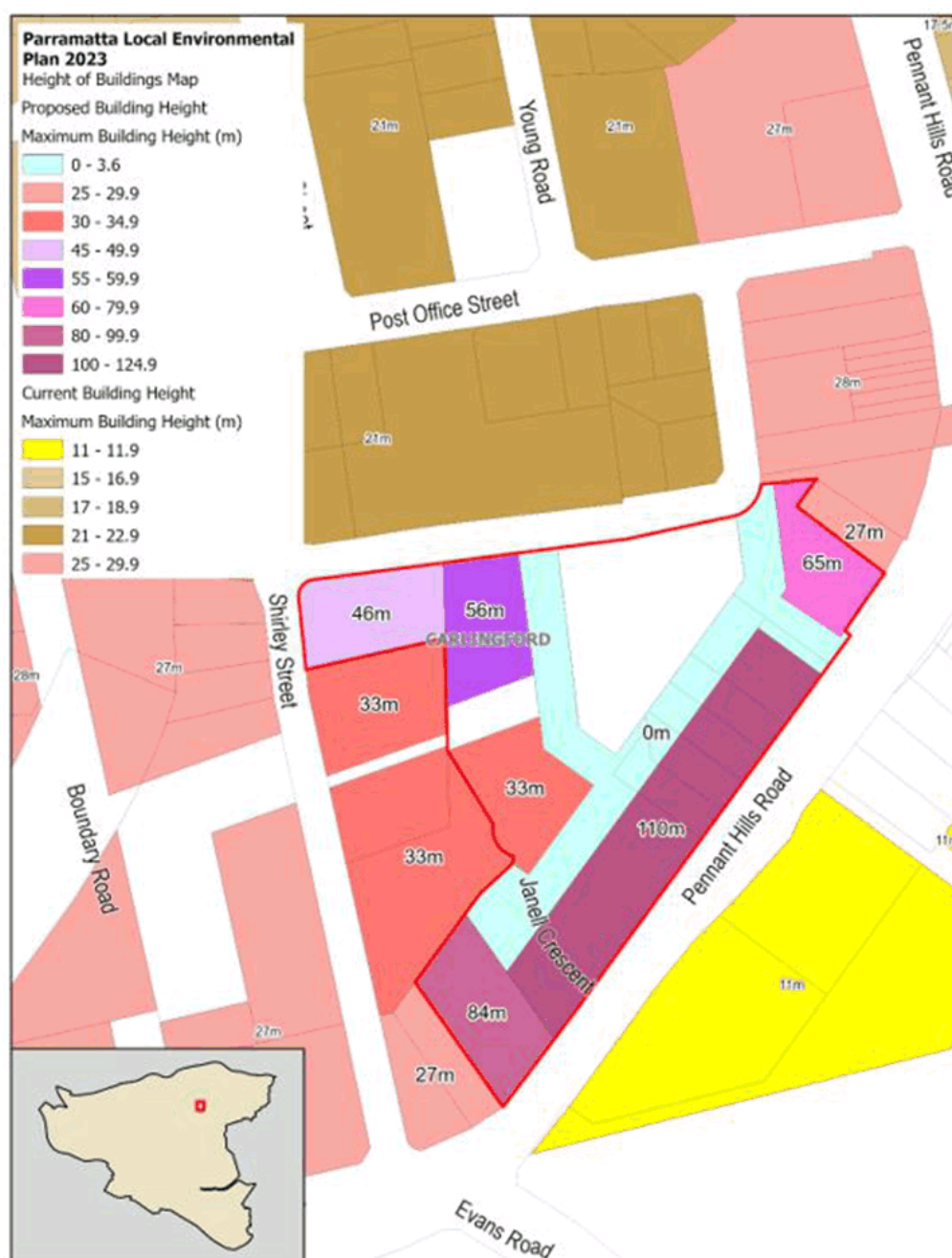
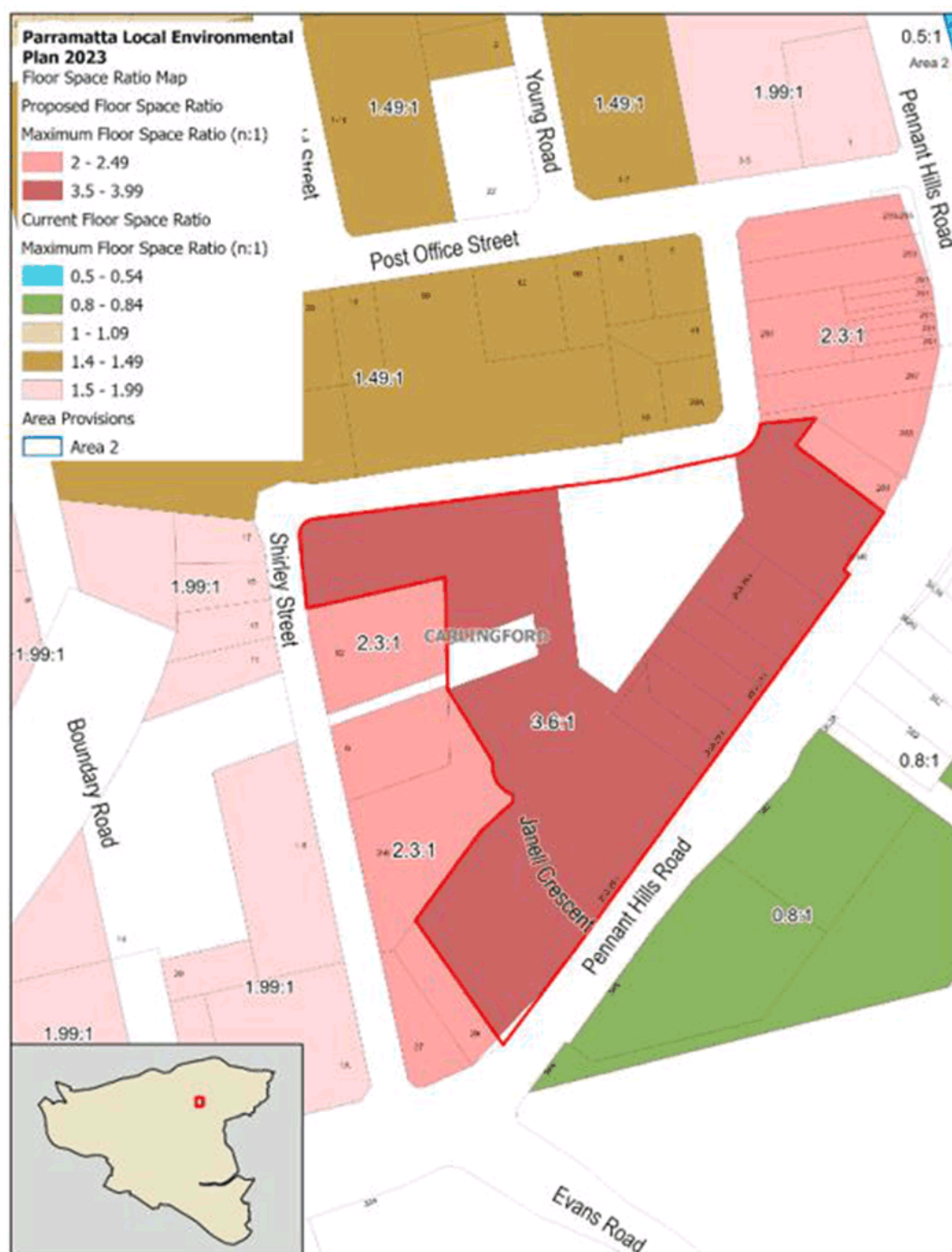


Figure 23 – Proposed amendment to the PLEP 2023 Height of Building Map

Figure 23 above illustrates the proposed maximum building heights as follows:

- Part 0m, part 65 metres, part 84 metres, and part 110 metres on the Pennant Hills Road frontage; and
- Part 0m, part 33 metres, part 46 metres, part 56 metres and part no height limit on the remainder of the site.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

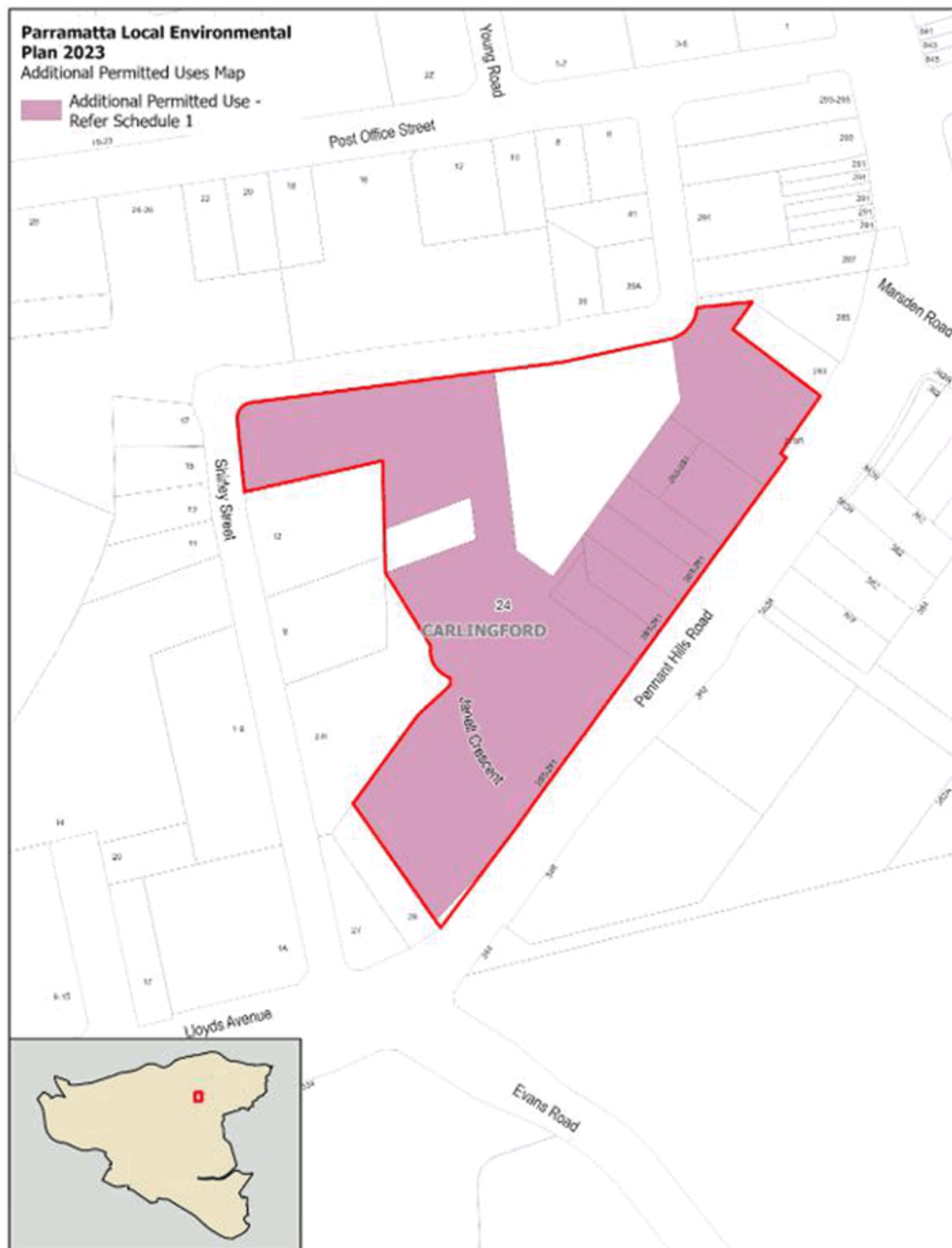


**Figure 24** – Proposed amendment to the PLEP 2023 Floor Space Ratio Map

**Figure 24** above illustrates the proposed floor space ratio controls are proposed to be amended to 3.6:1 for the R4 High Density Residential zoned part of the site and that the RE1 Public Recreation zoned land will have no nominated FSR.



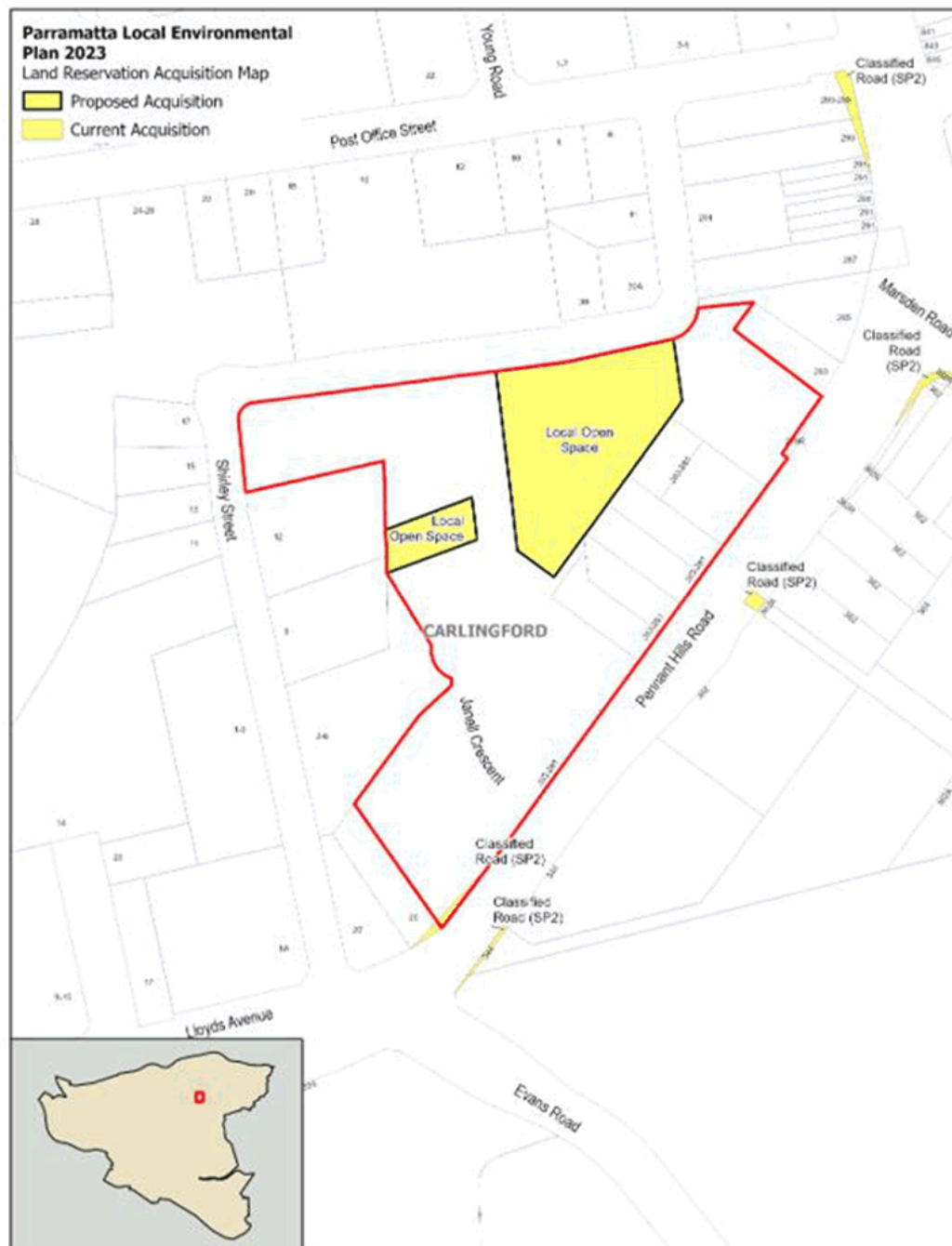
PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



**Figure 25** – Proposed Amendment to the PLEP 2023 Additional Permitted Uses Map

**Figure 25** above illustrates the Additional Permitted Uses Map will be amended to reflect the reconfigured zoning and be noted in Schedule 1 (Additional Permitted Uses) of PLEP 2023 to restrict the maximum gross floor area of the parts of the building being used for shops, food and drink premises, business premises and recreation facilities (indoor) from a maximum GFA of 2,000m<sup>2</sup> to a maximum GFA of 2,600m<sup>2</sup> on the R4 High Density Residential zoned part of the site.

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)



**Figure 26** – Proposed Amendment to the PLEP 2023 Land Reservation Acquisition Map

**Figure 26** above illustrates the Land Reservation Acquisition Map will be amended to reflect the reconfigured zoning and to include all proposed RE1 Public Open Space land which will be dedicated to Council.



PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## PART 5 – COMMUNITY CONSULTATION

The Planning Proposal was publicly exhibited from 25 March 2024 to 24 April 2024 after receiving a Gateway Determination from the Department of Planning, Housing, and Infrastructure.

Public exhibition included:

- Newspaper advertisement;
- Display on the Council's web-site;
- Written notification to adjoining landowners; and
- Hard copies at Council's Customer Service Centre and Carlingford library.
- Notification Letters to neighbouring landowners and occupiers
- Notification to Government Agencies and Organisations
- Notices in Parra News
- Relevant material shared on City of Parramatta Council's corporate website
- Information shared on Participate Parramatta.
- Material shared on the NSW Planning Portal.
- A Media Release on the City of Parramatta Website.
- Phone-a-planner sessions.
- Availability to book in person sessions.
- Social media
- Hard copy materials

The Gateway Determination specified 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 – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## 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 14 below outlines the anticipated timeframe for the completion of the Planning Proposal.

**Table 14** – Anticipated timeframe to Planning Proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	2 November 2023
Report to Council on the assessment of the PP	4 December 2023
Referral to Minister for review of Gateway determination	7 December 2023
Date of issue of the Gateway determination	19 February 2024
Date of issue or revised Gateway determination (if relevant)	N/A
Commencement and completion dates for public exhibition period	25 March to 24 April 2024
Commencement and completion dates for government agency notification	25 March 2024 to 9 May 2024
Consideration of submissions	April/May 2024
Consideration of Planning Proposal post exhibition and associated reports to the Local Planning Panel and Council	May 2024 to July 2024
Submission to the Department to finalise the LEP	July 2024
Notification of instrument	October 2024

PLANNING PROPOSAL – 263-281 Pennant Hills Road, Carlingford (previously 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford)

## **Appendices to the Planning Proposal**

Appendix 1 – Urban Design Report

Appendix 2 – Reference Scheme

Appendix 3 – Planning Proposal Drawings

Appendix 4 – Shadow Analysis

Appendix 4A – Additional Solar Information

Appendix 4B – Solar Impact Studies and Verification Letter

Appendix 5 – Wind Impact Assessment

Appendix 6 – Transport Impact Assessment

Appendix 7 – Overland Flow Assessment

Appendix 8 – Statement of Heritage Impact

Appendix 9 – Ecologically Sustainable Design Report

Appendix 10 – Landscape Package

Appendix 11 – Arboricultural Impact Assessment

Appendix 12 – Preliminary Environmental Site Assessment

Appendix 13 – Noise Impact Assessment

Appendix 14 – Social Impact Assessment

Appendix 15 – Retail Impact Assessment

## **LINKS TO APPENDICES**

### **Appendix 1 – Urban Design Report**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:7f558aa5-9e48-4115-883c-136630d48c20>

### **Appendix 2 – Reference Scheme**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:ab9ba0d2-a3aa-4c2a-bbee-e9f018f7476f>

### **Appendix 3 – Planning Proposal Drawings**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:5bb29f11-6b48-4845-9952-6b58619abc2a>

### **Appendix 4 – Shadow Analysis**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:a6d6153e-3130-4a0f-9c49-ff98ccb94bbb>

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:b6663516-f606-4375-b3c5-01de5ae2f411>

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:a6c955c9-d505-4ca9-9736-91eae1caa3ae>

### **Appendix 5 – Wind Impact Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:cc29b403-3f61-4ea6-8a17-30f936aceb03>

### **Appendix 6 – Transport Impact Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:e527fa6d-7259-446b-b2d0-abda07811ad7>

### **Appendix 7 – Overland Flow Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:588c46c8-f69e-43cf-8532-672cafd59f68>

### **Appendix 8 – Statement of Heritage Impact**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:59927b63-ca69-49c5-8316-decf766f1804>

### **Appendix 9 – Ecologically Sustainable Design Report**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:8a1743e3-af90-4aa1-96a1-50800933de6b>

### **Appendix 10 – Landscape Package**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:a95ed229-3383-48dc-9966-82b2db2fa4ba>

### **Appendix 11 – Arboricultural Impact Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:8c0bf342-a362-484b-abb1-5fbda7a6b6d3>

### **Appendix 12 – Preliminary Environmental Site Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:65fe2c2c-431d-4cd0-9bba-0075f6ee794c>

### **Appendix 13 – Noise Impact Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:446b7361-7f27-4fd0-9cdf-663e5cf2ebf8>

### **Appendix 14 – Social Impact Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:9234edf5-846a-4eb6-bb15-221988049fa7>

**Appendix 15 – Retail Impact Assessment**

<https://acrobat.adobe.com/id/urn:aaid:sc:AP:559d1576-83a9-4955-b040-d256eb5e612d>

## Voluntary Planning Agreement

For Reporting to Council

**[Date]**

City of Parramatta Council

*ABN 49 907 174 773*

**(Council)**

Karimbla Properties (No 61) Pty Ltd

*ACN 622 383 733*

**(Developer)**

And

Meriton Properties Pty Ltd

*ACN 000 698 626*

**(Guarantor)**



## Contents

Parties	5
Background	5
Operative part	5
1 Definitions	5
2 Interpretation	10
3 Planning Agreement under the Act	11
4 Application of this agreement	11
5 Operation of this agreement	11
6 Contributions to be made under this agreement	12
6.1 Monetary Contribution	12
6.2 Works	12
6.3 Park Land	13
6.4 Maintenance of Park Works	13
6.5 Public Access and Easements	15
6.6 Stratum documents	15
6.7 Dedication of Community Hub Stratum Lot	16
7 Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development	17
8 Registration of this agreement	17
8.1 Developer Interest	17
8.2 Registration of this agreement	17
8.3 Removal from Register	18
8.4 Caveat	18
9 Review of this agreement	19
10 Dispute Resolution	19
10.1 Reference to Dispute	19
10.2 Notice of Dispute	19
10.3 Representatives of Parties to Meet	20
10.4 Further Notice if Not Settled	20
10.5 Mediation	20
10.6 Expert determination	21
10.7 Litigation	22
10.8 No suspension of contractual obligations	22
11 Enforcement	22

11.1	Default	22
11.2	Compulsory Acquisition	22
11.3	Electronic Transfer of Community Hub Stratum Lot	23
11.4	Restriction on the issue of Certificates	23
11.5	General Enforcement	23
<b>12</b>	<b><i>Assignment and Dealings</i></b>	<b>23</b>
12.1	Assignment	23
12.2	Arrangements with Mortgagee	24
12.3	Transfer of Land	24
<b>13</b>	<b><i>Approvals and consents</i></b>	<b>24</b>
<b>14</b>	<b><i>No fetter</i></b>	<b>25</b>
14.1	Discretion	25
14.2	No fetter	25
14.3	Planning Certificates	25
<b>15</b>	<b><i>Notices</i></b>	<b>25</b>
15.1	Notices	25
<b>16</b>	<b><i>Guarantor</i></b>	<b>26</b>
16.1	Guarantee	26
16.2	Step in	27
<b>17</b>	<b><i>General</i></b>	<b>27</b>
17.1	Relationship between parties	27
17.2	Time for doing acts	28
17.3	Further assurances	28
17.4	Joint and individual liability and benefits	28
17.5	Variations and Amendments	28
17.6	Counterparts	28
17.7	Legal expenses and stamp duty	28
17.8	Entire agreement	28
17.9	Representations and warranties	28
17.10	Severability	29
17.11	Invalidity	29
17.12	Waiver	29
17.13	GST	29
17.14	Governing law and jurisdiction	30

Schedule 1	Scope of works	31
Schedule 2	Construction terms	32
Schedule 3	Easement Terms	43
Schedule 4	Section 7.4 EPA Act summary	45
Schedule 5	Infrastructure Services Delivery Plan	48
<i>Part A: Development Contribution – Carrying Out of Works</i>		55
<i>Part B: Development Contributions – Monetary Contributions</i>		59
<i>Part C: Land Dedication and Acquisitions Provisions</i>		59
<i>Annexure A</i>	<i>Plan showing Land and Works</i>	60
<i>Annexure B</i>	<i>Concept Landscape Plan</i>	63
<i>Annexure C – Library Brief</i>		65

263 – 281 Pennant Hills Road Carlingford – June 2024

# Agreement

## Date

## Parties

### First party

**Name** City of Parramatta Council (**Council**)  
**ACN** 49 907 174 773  
**Contact** Manager, Land Use Planning  
**Telephone** (02) 9806 5050

### Second party

**Name** Karimbla Properties (No 61) Pty Ltd (**Developer**)  
**ACN** 622 383 733  
**Contact** Manager Planning  
**Telephone** generalcounsel@meriton.com.au

**Name** Meriton Properties Pty Ltd (**Guarantor**)  
**ACN** 000 698 626  
**Contact** Manager Planning  
**Telephone** generalcounsel@meriton.com.au

## Background

- A. On 6 September 2023, the Developer made an application to the Council for the Instrument Change for the purpose of making a Development Application to the Council for Development Consent to carry out the Development on the Land.
- B. The Instrument Change application was accompanied by a letter of offer by the Developer, dated 14 September 2023, to enter into this agreement to make contributions for public purposes associated with the Instrument Change and the Development.

## Operative part

### 1 Definitions

In this agreement, unless the context indicates a contrary intention:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW);

**Address** means a party's address set out in the Notices clause of this agreement;

263 – 281 Pennant Hills Road Carlingford – June 2024

**Approval** means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this agreement;

**Authority** means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person;

**Bank Guarantee** means an irrevocable and unconditional undertaking that is not limited in time and does not expire by one of the following trading banks:

- (a) Australia and New Zealand Banking Group Limited,
- (b) Commonwealth Bank of Australia,
- (c) Macquarie Bank,
- (d) National Australia Bank,
- (e) St George Bank Limited,
- (f) Westpac Banking Corporation, or
- (g) Other financial institution approved by the Council,

to pay an amount or amounts of money to the Council on demand and containing terms and conditions reasonably acceptable to the Council;

**Bond** means an insurance bond from an AAA credit rated party, or a party with a credit rating otherwise acceptable to Council;

**Business Day** means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays;

**Certificate of Practical Completion** means the written certificate confirming the Works, or part of the Works, have been completed to the Council's satisfaction issued under clause 8.1(b)(i) of Schedule 2;

**Certification Regulation** means the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*;

**Claim** means any claim, loss, liability, damage, proceeding, order, judgment or expense arising out of the operation of this agreement;

**Community Hub** means the proposed community facility described in clause (a) in Schedule 1 to be located in a building in Block F as shown in Annexure A of Schedule 5;

**Community Hub Stratum Lot** means a stratum lot in the Development that contains the Community Hub, including car parking spaces;

**Construction Certificate** means a construction certificate as defined under section 6.4 of the Act;

**Construction Terms** means the terms set out in Schedule 2;

**Contributions Plan** has the same meaning as under the Act;

**CPI** means the All Groups Consumer Price Index applicable to Sydney published by the Australian Bureau of Statistics;

263 – 281 Pennant Hills Road Carlingford – June 2024

**Damages** means all liabilities, losses, damages, costs and expenses, including legal fees and disbursements and costs of investigation, litigation, settlement, judgment, interest and penalties;

**Dealing**, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land;

**Defect** means any error, omission, defect, non-conformity, discrepancy, shrinkage, blemish in appearance or other fault in the Developer's Works or any other matter which prevents the Developer's Works from complying with the terms of this document or being used for the purposes for which it was intended, but excludes any intentional or wilful damage caused by Council, their agents, or other third parties under their control (including the public);

**Development** means the development on the Land to be carried out under Development Application 53/2022, any subsequent modifications to that application as well as any future Development Applications including modifications after the Instrument Change generally as anticipated in the Planning Proposal as shown on the plan at Annexure A of Schedule 5;

**Development Application** has the same meaning as in the Act;

**Development Consent** has the same meaning as in the Act;

**Easement Site** means that part of the Land with a minimum area of 595 sqm located between Blocks C and D of the Development to be subject to a public access easement under clause 6.5 of this agreement, and generally shown as Public Access Easement on the plan at Annexure A of Schedule 5;

**Easement Terms** means the terms of a public access easement as set out in Schedule 3;

**ELN** means an Electronic Lodgement Network for the preparation of electronic dealings and their lodgement with LRS;

**ELNO** means an Electronic Lodgement Network Operator providing electronic conveyancing services;

**Final Lot** means a final lot in the Development created under a Subdivision Plan or Strata Plan that, based on any relevant Development Consent, is intended to be used for residential or commercial purposes and is not intended to be further subdivided;

**GST** has the same meaning as in the GST Law;

**GST Law** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition of or administration of the GST;

**Guarantor** means Meriton Properties Pty Ltd;

**Insolvent** means, in relation to a party:

- (a) that party makes an arrangement, compromise or composition with, or assignment for, the benefit of its creditors or a class of them;



263 – 281 Pennant Hills Road Carlingford – June 2024

- (b) a receiver, receiver and manager, administrator, provisional liquidator, trustee, controller, inspector or analogous person is appointed in relation to, or over, all or any part of that party's business, assets or securities;
- (c) a presumption of insolvency has arisen under legislation because of the party's failure to comply with a statutory demand or analogous process;
- (d) an application for the winding up of, or for the appointment of a receiver to, that party, other than winding up for the purpose of solvent reconstruction or re amalgamation, is presented and not withdrawn or dismissed within 21 days (or such longer period agreed to by the parties), or an order is made or an effective resolution is passed for the winding up of, or for the appointment of a receiver to, that party, or any analogous application is made or proceedings initiated;
- (e) any shareholder or director of that party convenes a meeting for the purpose of considering or passing any resolution for the winding up or administration of that party;
- (f) that is an individual, a creditor's petition or a debtor's petition is presented to the Official Receiver or analogous authority in relation to that party;
- (g) an execution or analogous process is levied or enforced against the property of that party;
- (h) that party ceases or suspends, or threatens to cease or suspend, the conduct of all or a substantial part of its business;
- (i) that party disposes of, or threatens to dispose of, a substantial part of its assets;
- (j) that party stops or suspends, or threatens to stop or suspend, payment of all or a class of its debts; or
- (k) that party is unable to pay the party's debts as and when they become due and payable.

**Instrument Change** means an amendment to *Parramatta Local Environmental Plan 2023* in response to the Planning Proposal.

**Land** means Lot 22 in DP21386, Lot 2 in DP9614, Lot 3 in DP9614, Lot 4 in DP9614, Lot 61 in DP 819136, Lot 62 in DP 819136 and Lot 1 in DP1219291, known as 263-281 Pennant Hills Road, Carlingford;

**Landowner** means Karimbla Properties (No. 61) Pty Ltd;

**Law** means:

- (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation;
- (b) any Approval, including any condition or requirement under it; and
- (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b);

**LRS** means NSW Land Registry Services;

**Management Statement** means either the building management statement pursuant to section 196J of the Conveyancing Act 1919 or the strata management statement for the pursuant to section 108 of the Strata Schemes Development Act 2015 accompanying the Stratum Plan.

263 – 281 Pennant Hills Road Carlingford – June 2024

**Modification Application** means any application to modify the Development Consent under section 4.55 of the Act;

**Monetary Contribution** means the monetary contribution payable by the Developer under clause 6 of this agreement;

**Occupation Certificate** means an occupation certificate as defined under section 6.4 of the Act;

**Park Land** means that part of the land to be dedicated to Council as Public Reserve in accordance with clause 6.3 of this agreement, being land that has a minimum area of 5455 square metres and generally shown as land zoned RE1 on the plan at Annexure A of Schedule 5;

**Park Works** means the Works to embellish the Park Land described in clause (b) of Schedule 1 and more particularly described in the Infrastructure Services Delivery Plan in Schedule 5;

**Planning Proposal** means a Planning Proposal numbered PP-2023-1921 seeking to amend *Parramatta Local Environmental Plan 2023* to:

- (a) Reconfiguring the existing R4 High Density Residential and RE1 Public Recreation zones and retaining the existing SP2 Infrastructure zone.
- (b) Amending the Maximum Height of Building control by:
  - (i) Amending the maximum height of buildings on the Pennant Hills Road frontage from 27m to part 0m, part 65m, part 84m and part 110m.
- (c) Increasing the Maximum Floor Space Ratio control for the R4 High Density Residential zoned land from 2.3:1 to 3.6:1.
- (d) Amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site from 2,000 sqm to 2,600 sqm.
- (e) Amending the Land Reservation Acquisition (LRA) Map to include the RE1 Public Recreation land on the site that will be dedicated to Council.

**Public Reserve** has the same meaning as in the *Local Government Act 1993*;

**Register** means the Torrens title register maintained under the *Real Property Act 1900* (NSW);

**Regulation** means the *Environmental Planning and Assessment Regulation 2021*;

**Related Body Corporate** has the meaning given to that term in s 9 of the *Corporations Act 2001* (Cth);

**Strata Plan** means a strata plan, a strata plan of subdivision or a strata plan of consolidation that is registered in accordance with the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*;

**Stratum Documents** means the Stratum Plan, Stratum Instrument and the Management Statement.

263 – 281 Pennant Hills Road Carlingford – June 2024

**Stratum Instrument** means the section 88B instrument to be registered with the Stratum Plan.

**Stratum Plan** means the stratum plan of subdivision subdividing the Land to create the Community Hub Stratum Lot.

**Subdivision Plan** has the same meaning as a plan of subdivision under section 194 of the *Conveyancing Act 1919*;

**Transferee** has the meaning given in clause 12.3; and

**Works** means the work set out in Schedule 1 and more particularly described in the Infrastructure Services Delivery Plan in Schedule 1.

## 2 Interpretation

In this agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;
- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;
- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(requirements)** a requirement to do any thing includes a requirement to cause that thing to be done, and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (g) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;
- (h) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;
- (i) **(singular)** the singular includes the plural and vice-versa;
- (j) **(gender)** words importing one gender include all other genders;
- (k) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;

263 – 281 Pennant Hills Road Carlingford – June 2024

- (l) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (m) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (n) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in Sydney, Australia, even if the obligation is to be performed elsewhere;
- (o) **(joint and several)** an agreement, representation, covenant, right or obligation:
  - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
  - (ii) on the part of two or more persons binds them jointly and severally;
- (p) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (q) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (r) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (s) **(month)** a reference to a month is a reference to a calendar month; and
- (t) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

### 3 Planning Agreement under the Act

- (a) The parties agree that this agreement is a planning agreement within the meaning of section 7.4 of the Act.
- (b) Schedule 4 of this agreement summarises the requirements for planning agreements under section 7.4 of the Act and the way this agreement addresses those requirements.

### 4 Application of this agreement

This agreement applies to:

- (a) the Instrument Change, and
- (b) the Development, and
- (c) the Land.

### 5 Operation of this agreement

This agreement commences on and from the date it is executed by all parties.

263 – 281 Pennant Hills Road Carlingford – June 2024

## 6 Contributions to be made under this agreement

### 6.1 Monetary Contribution

- (a) The Developer will pay to Council a monetary contribution or monetary contributions for all parts of the Development calculated in accordance with a Contributions Plan that would, but for this agreement, be applicable to the Development at the time each Development Consent is granted for the Development.
- (b) The monetary contributions calculated in accordance with clause 6.1(a) will be increased (but not decreased) in accordance with the following formula:

$$\begin{array}{ccc} \$ \text{ Monetary} & & \text{The CPI at the time of payment} \\ \text{Contribution} & \times & \hline & & \text{The CPI at the date of the relevant Development} \\ & & \text{Consent} \end{array}$$

- (c) Prior to the issue of each Occupation Certificate for the Development, the Developer must pay the Monetary Contributions calculated in accordance with clauses 6.1(a) and (b) to Council for that part of the Development subject to the proposed Occupation Certificate.
- (d) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by deposit by means of electronic funds transfer into an account specified by Council.
- (e) The Monetary Contribution will be taken to have been made when the Council notifies the Developer in writing that the bank cheque has been received and cleared funds or electronic funds have been deposited in the Council's bank account.
- (f) The parties agree and acknowledge that the Monetary Contribution will be used by the Council towards further fit out of the Community Hub, with any residual contributions to be applied to the provision of recreation facilities and/or land for recreation purposes within the locality.

### 6.2 Works

- (a) The Developer must, at no cost to Council, carry out the Works in accordance with this agreement, including the specifications in Schedule 1, the Construction Terms, any Development Consent granted for the Works and the concept plans at Annexure A and B of Schedule 5.
- (b) The Works or any part of the Works required under this agreement will be taken to have been completed for the purposes of this agreement when a Certificate of Practical Completion has been issued for those Works.
- (c) The Warm Shell Fit Out for the Community Hub described in clause (a) of Schedule 1 must be completed prior to the issue of the first Occupation Certificate for the building in which the Community Hub is located, which Occupation Certificate must include and authorise occupation of the Community Hub Stratum Lot for the Warm Shell Fit Out. The Developer and Council may

Page 12



263 – 281 Pennant Hills Road Carlingford – June 2024

agree in writing to an alternative completion date to accommodate any changes to construction programming or to ensure public safety. Both parties must act reasonably.

- (d) The Works to embellish the Park Land described in clause (b) of Schedule 1 must be completed prior to the issue of the first Occupation Certificate for the final building to be constructed adjacent to the Park Land. The Developer and Council may agree in writing to an alternative completion date to accommodate any changes to construction programming or to ensure public safety. Both parties must act reasonably.
- (e) The Works to embellish the Easement Site described in clause(c) of Schedule 1 must be completed prior to the issue of the first Occupation Certificate for the later of Block C or Block D as shown on the plan at Annexure A of Schedule 5. The Developer and Council may agree in writing to an alternative completion date to accommodate any changes to construction programming or to ensure public safety. Both parties must act reasonably.
- (f) The parties agree and acknowledge that the Works serve the following public purposes:
  - (i) To deliver new public open spaces which are easily accessible from Pennant Hills Road and Shirley Street, including creating a central open space and through site links.
  - (ii) To deliver a new community facility, including a library.

### 6.3 *Park Land*

- (a) The Developer must dedicate or cause to be transferred to the Council, at no cost to the Council, the Park Land freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, easements, rights, charges, rates and contracts in, over or in connection with the land, including but not limited to, municipal rates and charges, water rates and land tax, except as permitted by Council, acting reasonably.
- (b) The obligation to dedicate the Park Land will be taken to have been satisfied when the Park Land is dedicated to Council as a Public Reserve without encumbrances as required by clause 6.3(a) by operation of the registration of a plan of subdivision in accordance with section 49 of the *Local Government Act 1993*.
- (c) The Park Land must be dedicated or transferred prior to the issue of the first Occupation Certificate for the final building to be constructed adjacent to the Park Land.
- (d) The parties agree and acknowledge that dedication of the Park Land will serve the public purpose of:
  - (i) **to** deliver new public open spaces which are easily accessible from Pennant Hills Road and Shirley Street, including creating a central open space and through site links; and
  - (ii) to deliver a new community hub, including library.

### 6.4 *Maintenance of Park Works*

- (a) In this clause, the following definitions apply:

Page 13



263 – 281 Pennant Hills Road Carlingford – June 2024

- (i) **Maintain** means works to bring an item to a state of reasonable condition and in accordance with relevant standards applicable at the time of construction of the item, including repairing any defects due to use of poor materials or due to poor workmanship, but does not include removing graffiti or repairing any item damaged as a consequence of vandalism.
  - (ii) **Maintained** and **Maintenance** have corresponding meanings.
  - (iii) **Maintenance Period** in relation to a particular item of Work, is the period of 1 year from the time that item of Work is delivered to Council in accordance with this agreement.
  - (iv) **Maintenance Schedule** means the schedule of proposed Maintenance works as required by clause 6.4(d).
- (b) The Park Works or any part of those works, must be Maintained by the Developer to the reasonable satisfaction of the Council for the Maintenance Period.
  - (c) The Developer must follow relevant Council policies and obtain all Approvals necessary to carry out the Maintenance required under this clause.
  - (d) Prior to the issue of a Certificate of Practical Completion for any part of the Park Works, the Developer must:
    - (i) provide to the Council a Maintenance Schedule setting out the proposed Maintenance works and estimated costs for the relevant part of the Park Works over the Maintenance Period, and
    - (ii) once the Council approves the Maintenance Schedule, acting reasonably, provide the Council with a Bank Guarantee or Bond in the amount of the estimated costs of the maintenance works as set out in the Maintenance Schedule.
  - (e) The Council agrees to promptly return any Bank Guarantee provided under paragraph (d) of this clause at the end of the Maintenance Period for the relevant item of Works, subject to paragraphs (j) and (k) of this clause.
  - (f) Forty Business Days prior to the end of any Maintenance Period, the Developer must request Council to carry out an inspection of the Works or any part of those Works.
  - (g) The Council must carry out the inspection as requested by the Developer within 5 Business Days of the request.
  - (h) The Council may, within 5 Business Days of carrying out the inspection notify the Developer of any Maintenance work required, including any Maintenance required in addition to the work set out in the Maintenance Schedule.
  - (i) If the Developer is issued with a notice to carry out Maintenance work under paragraph (h) of this clause, the Developer must, at the Developer's cost, carry out the Maintenance work as specified in the notice and in the timeframe specified by the notice.
  - (j) If the Council issues a notice under paragraph (h) of this clause, the Council may retain any Bank Guarantee provided by the Developer under paragraph (d) of this clause until the Maintenance work required under the notice has been completed, or any dispute about the notice has been resolved, despite the expiration of any Maintenance Period.

263 – 281 Pennant Hills Road Carlingford – June 2024

- (k) If the Developer fails to substantially comply with an approved Maintenance Schedule and does not rectify that failure within 21 Business Days of being notified of that failure or within a reasonable period of time agreed between the parties, or if the Developer fails to comply with a notice issued under paragraph (h) of this clause, the Council may, by itself, its employees, contractors or agents, carry out the required works and may:
  - (i) call on the Bank Guarantee or Bond provided under paragraph (d) of this clause in satisfaction of the costs of carrying out the maintenance work; and
  - (ii) recover as a debt due to the Council by the Developer in a court of competent jurisdiction, any difference between the amount of the Bank Guarantee or Bond and the costs incurred by the Council in carrying out the maintenance work.

#### **6.5 Public Access and Easements**

- (a) The Developer will, at no cost to Council, register against the title to the Land an easement in gross burdening the Easement Site in favour of the Council permitting public access generally in accordance with the Easement Terms.
- (b) The requirement to register the easement required under clause 6.5(a) will be satisfied when the Developer provides to the Council a copy of the relevant title search showing the easement has been registered and is in accordance with this agreement.
- (c) The easement, required under clause 6.5(a) must be registered prior to the issue of an Occupation Certificate for the later of Block C or Block D as shown on the plan at Annexure A of Schedule 5, subject to any public safety and accessibility considerations, where the parties may agree to an alternative date.
- (d) The parties agree that the proposed covenant and easement under this clause will serve the following public purposes:
  - (i) To increase the amount of and improve existing public open space areas in the vicinity of the Land.
  - (ii) To improve pedestrian circulation and the amenity of the public domain in the vicinity of the Land.
- (e) The Developer agrees and acknowledges that the obligations under this clause 6.5 are relevant considerations for the Council or any other consent authority when determining a Development Application or Modification Application relating to the Land and that a failure to comply with those obligations or any inconsistency with the requirements in those clauses may constitute a reason for refusal of such a Development Application or Modification Application.

#### **6.6 Stratum documents**

- (a) The Developer must:
  - (i) obtain the approval of Council of the Stratum Documents prior to finalising and registering the Stratum Documents;
  - (ii) prepare and submit to Council for its approval drafts of the Stratum Documents which satisfy Council's reasonable requirements;

263 – 281 Pennant Hills Road Carlingford – June 2024

- (iii) amend the Stratum Documents as required by Council and resubmit the amended drafts to Council until they are approved by Council (acting reasonably);
  - (iv) not amend the Stratum Documents approved by Council without the written consent of Council (acting reasonably);
  - (v) ensure the allocation of voting rights and the costs of shared facilities is fair and reasonable having regard to Council's intended use of the Community Hub Stratum Lot purposes of the public benefit; and
  - (vi) ensure the Stratum Documents contain provisions protecting Council's rights under the Stratum Documents and providing the agreed allocation of costs cannot be changed without the consent of Council.
- (b) Council agrees to not unreasonably withhold its approval of the Stratum Documents if the documents satisfy Council's reasonable requirements.

#### 6.7 *Dedication of Community Hub Stratum Lot*

- (a) Within 20 Business Days after the issue of the first Occupation Certificate for the building containing the Community Hub (which Occupation Certificate must include and authorise occupation of the Community Hub Stratum Lot with the Warm Shell Fit Out) the Developer must transfer the Community Hub Stratum Lot to the Council in accordance with any relevant provisions of the Construction Terms and so that immediately on transfer, the Council will have an estate in fee simple in possession, freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, rights, and contracts, except any encumbrances and affectations that are reasonably necessary for the stratum subdivision of the Community Hub as permitted by Council. The Developer must ensure that all charges, rates and strata levies are paid up to the date of the transfer of the Community Hub to Council.
- (b) The obligation under clause 6.7(a) will be taken to have been fulfilled for the purposes of this agreement when the transfer of the Community Hub Stratum Lot to Council is shown on the Register.
- (c) For the avoidance of doubt, Council will not accept transfer of the Community Hub Stratum Lot, unless:
  - (i) the Warm Shell Fit Out Works as described in clause (c) of Schedule 1 have been completed in accordance with the Construction Terms and an Occupation Certificate has been issued for those Works, and
  - (ii) the Stratum Documents as registered with LRS are in the form approved by Council pursuant to clause 6.6
- (d) The parties acknowledge and agree that the Community Hub Stratum Lot is to be constructed, finished and dedicated to Council under this agreement for the purposes of the public benefit of increasing the availability of community facilities available to those residents of the Council.
- (e) The Developer must, in accordance with the provisions of the Construction Terms, ensure that, on transfer of the Community Hub Stratum Lot, Council will

Page 16

263 – 281 Pennant Hills Road Carlingford – June 2024

have the benefit of any defects liability warranty given by a builder for the Community Hub, together with any other warranties and guarantees in accordance with clause 8.3 of Schedule 2.

- (f) Council agrees to, at the Developers cost, do all things reasonably required to obtain a stamp duty exemption for the transfer of the Community Hub Stratum Lot to Council. The Developer will do all things necessary to assist Council to secure the stamp duty exemption.

## 7 Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development

- (a) This agreement excludes the application of section 7.11 of the Act to the Development.
- (b) This agreement excludes the application of section 7.12 of the Act to the Development.
- (c) This agreement does not exclude the application of section 7.24 of the Act to the Development.

## 8 Registration of this agreement

### 8.1 *Developer Interest*

The Developer represents and warrants to the Council that on the date of this agreement it is the registered proprietor of the Land.

### 8.2 *Registration of this agreement*

- (a) Within 20 business days of the execution of this Agreement, the Developer agrees to procure the registration of this agreement under the *Real Property Act 1900* (NSW) in the relevant folios of the Register of the Land, by an ELN or otherwise, in accordance with section 7.6 of the Act.
- (b) The Council agrees that registration of this Agreement is not required on any Final Lot created prior to this clause 8.2 being complied with.
- (c) The Developer, at its own expense, must:
  - (i) procure the lodgement of this agreement with the Registrar-General as soon as reasonably practicable after this agreement comes into operation, but in any event, no later than 20 Business Days after that date;
  - (ii) procure the registration of this agreement by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this agreement is lodged for registration; and
  - (iii) provide documentary evidence that the registration of this agreement has been completed to Council within 5 Business Days of receiving confirmation that the registration has occurred.
- (d) The Developer at its own expense will take all practical steps, and otherwise do anything that the Council reasonably requires to:

263 – 281 Pennant Hills Road Carlingford – June 2024

- (i) procure the consent of each person who:
  - (A) has an estate or interest in the Land registered under the *Real Property Act 1900 (NSW)*; or
  - (B) is seized or possessed of an estate or interest in the Land,
- (ii) procure an acceptance of the terms of this agreement and an acknowledgement in writing from any existing mortgagee in relation to the Land that the mortgagee will adhere to the provisions of this agreement if it takes possession of the Land as mortgagee in possession,
- (iii) procure the execution of any documents; and
- (iv) satisfy any other requirements of any ELNO,

to enable the registration of this agreement in accordance with this clause 8.2.  
The Council will do all things necessary to enable the registration of this Agreement.

- (e) Upon registration of this agreement:
  - (i) Council will withdraw Caveat AQ533593; and
  - (ii) Both parties to do all things necessary to remove and release Planning Agreement AR78718 from the titles.

### 8.3 Removal from Register

- (a) The Council will provide a release and discharge of this agreement so that it may be removed from the folios of the Register for the Land (or any part of it) provided the Council is satisfied the Developer has duly fulfilled its obligations under this agreement and is not otherwise in default of any of the obligations under this agreement.
- (b) Council agrees that if the Land is subdivided such that development takes place in more than one stage, the registration of this agreement may be removed from the title of any Final Lot, provided that all obligations due at the time the Final Lot is created have been satisfied and provided that this agreement remains registered against the title to the remainder of the Land and the common property within any relevant strata scheme.

### 8.4 Caveat

- (a) The Developer acknowledges and agrees that:
  - (i) when this agreement is executed, the Council acquires and the Developer grants, an equitable estate and interest in the Land for the purposes of section 74F(1) of the *Real Property Act 1900 (NSW)* and consequently the Council has a sufficient interest in the Land in respect of which to lodge a caveat over the Land notifying that interest;
  - (ii) it will not object to the Council lodging a caveat in the relevant folios of the Register for the Land (excluding any Final Lot nor will it seek to remove any caveat lodged by the Council provided:
    - (A) the Council does not seek to lodge a caveat within 20 Business Days after the agreement is executed; and



263 – 281 Pennant Hills Road Carlingford – June 2024

- (B) the caveat does not prevent registration of any dealing or plan other than a transfer.
- (b) The Council must, at the Developer's cost, register a withdrawal of any caveat in respect of the Land within five Business Days after the Developer complies with clause 8.2 and must not lodge any other caveats on the titles to any of the Land, other than in accordance with clause 8.4(c).
- (c) In addition to clause 8.4(a), the Developer acknowledges and agrees that:
  - (i) when this agreement is executed, Council acquires and the Developer grants, an equitable estate and interest in the Community Hub Stratum Lot and any lot containing the Park Land for the purposes of section 74F(1) of the *Real Property Act 1900 (NSW)* and consequently Council has sufficient interest in the Community Hub Stratum Lot and any lot containing the Park Land in respect of which to lodge a caveat over those lots notifying that interest;
  - (ii) it will notify the Council that any plan creating the Community Hub Stratum Lot or a separate lot for the Park Land has been registered within 10 Business Days of registration; and
  - (iii) Council must ensure that the caveat does not prevent the Developer transferring the Community Hub Stratum Lot or the Park Land to the Council.
  - (iv) it will not object to Council lodging a caveat in the relevant folios of the Community Hub Stratum Lot or the Park Land once the relevant plan is registered, nor will it seek to remove any such caveat lodged by Council.

## 9 Review of this agreement

- (a) This agreement may be reviewed or modified. Any review or modification of this agreement will be conducted in the circumstances and in the manner determined by the parties.
- (b) No modification or review of this agreement will be of any force or effect unless it is in writing and signed by the parties to this agreement.
- (c) A party is not in breach of this agreement if it does not agree to an amendment to this agreement requested by a party in, or as a consequence of, a review.

## 10 Dispute Resolution

### 10.1 Reference to Dispute

If a dispute arises between the parties in relation to this agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

### 10.2 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other parties of:

- (a) The nature of the dispute,
- (b) The alleged basis of the dispute, and



263 – 281 Pennant Hills Road Carlingford – June 2024

- (c) The position which the party issuing the Notice of Dispute believes is correct.

#### 10.3 *Representatives of Parties to Meet*

- (a) The representatives of the parties must promptly (and in any event within 20 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified dispute.
- (b) The parties may, without limitation:
  - (i) resolve the dispute during the course of that meeting,
  - (ii) agree that further material about a particular issue or consideration is needed to effectively resolve the dispute (in which event the parties will, in good faith, agree to a timetable for resolution); or
  - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

#### 10.4 *Further Notice if Not Settled*

If the dispute is not resolved within 10 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for determination of the dispute (**Determination Notice**) by mediation under clause 10.5.

#### 10.5 *Mediation*

If a party gives a Determination Notice calling for the dispute to be mediated:

- (a) The parties must agree to the terms of reference of the mediation within 15 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (b) The mediator will be agreed between the parties, or failing agreement within 15 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (c) The mediator appointed pursuant to this clause 10.5 must:
  - (i) Have reasonable qualifications and practical experience in the area of the dispute; and
  - (ii) Have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (d) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (e) The parties must within 15 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation (except if a resolution of the Council is required to appoint a representative, the Council must advise of the representative within 5 Business Days of the resolution);

263 – 281 Pennant Hills Road Carlingford – June 2024

- (f) The parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (g) In relation to costs and expenses:
  - (i) Each party will bear its own professional and expert costs incurred in connection with the mediation; and
  - (ii) The costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

#### 10.6 *Expert determination*

If the dispute is not resolved under clause 10.3 or clause 10.5, or the parties otherwise agree that the dispute may be resolved by expert determination, the parties may refer the dispute to an expert, in which event:

- (a) The dispute must be determined by an independent expert in the relevant field:
  - (i) Agreed upon and appointed jointly by the parties; and
  - (ii) In the event that no agreement is reached or no appointment is made within 20 Business Days of the agreement to refer the dispute to an expert, appointed on application of a party by the then President of the Law Society of New South Wales;
- (b) The expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) The expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) Each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and
- (f) Any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
  - (i) Within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and commences litigation; or
  - (ii) The determination is in respect of, or relates to, termination or purported termination of this agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal.

263 – 281 Pennant Hills Road Carlingford – June 2024

#### 10.7 *Litigation*

If the dispute is not *finally* resolved in accordance with this clause 10, then either party is at liberty to litigate the dispute.

#### 10.8 *No suspension of contractual obligations*

Subject to any interlocutory order obtained under clause 10.1, the referral to or undertaking of a dispute resolution process under this clause 10 does not suspend the parties' obligations under this agreement.

### 11 *Enforcement*

#### 11.1 *Default*

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.
- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 10 of this agreement.
- (d) Any Default Notice issued by Council to the Developer must be issued to the Guarantor at the same time.

#### 11.2 *Compulsory Acquisition*

- (a) If the Developer does not dedicate the Park Land to Council as required by this agreement, the Council may compulsorily acquire the relevant land, in which case the Developer consents to the Council compulsorily acquiring that land for compensation in the amount of \$1.00 without having to follow the pre-acquisition procedures in the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (b) Clause 11.2(a) constitutes an agreement for the purposes of section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- (c) Except as otherwise agreed between the Developer and Council, the Developer must ensure the Park Land is freed and discharged from all estates, interests, trusts, restrictions, dedications, reservations, rights, charges, rates, strata levies and contracts, except as may be permitted by this agreement on the date that the Council will acquire the land in accordance with clause 11.2(a).
- (d) The Developer indemnifies and keeps indemnified the Council against all Claims made against the Council as a result of any acquisition by the Council of the whole or any part of the relevant land under clause 11.2(a).
- (e) The Developer must pay the Council, promptly on demand, an amount equivalent to all costs, including legal costs, incurred by the Council acquiring the whole or any part of the relevant land under clause 11.2(a) that are not or cannot be recovered by calling on a Bank Guarantee.

263 – 281 Pennant Hills Road Carlingford – June 2024

### 11.3 *Electronic Transfer of Community Hub Stratum Lot*

- (a) Prior to the issue of the first Occupation Certificate, for the building in the Development containing the Community Hub, the Developer must:
  - (i) discharge any mortgage, withdraw any caveat and remove any other encumbrance (in accordance with clause 6.6) affecting the Community Hub Stratum Lot; and
  - (ii) set up a workspace with an ELNO, populate the workspace and invite the Council to the workspace.
- (b) If required for the transfer, the Council must promptly withdraw or provide Caveators consent to the transfer of the Community Hub Stratum Lot to Council.
- (c) The Developer agrees to conduct the electronic transfer of the Community Hub Stratum Lot in accordance with the Participation Rules under the *Electronic Conveyancing National Law*.

### 11.4 *Restriction on the issue of Certificates*

- (a) In accordance with section 6.8 of the Act and clause 21 of the Certification Regulation, the requirements to:
  - (i) and
  - (ii) register this agreement on title under clause 8;
 must be satisfied prior to the issue of a Construction Certificate.
- (b) In accordance with section 6.10 of the Act and clause 48 of the Certification Regulation, an Occupation Certificate for any part of the Development must not be issued unless any obligation to pay a Monetary Contribution, carry out Works, dedicate land or deliver a Bank Guarantee or Bond that is required before the issue of that Occupation Certificate under this agreement has been satisfied.

### 11.5 *General Enforcement*

- (a) Without limiting any other remedies available to the parties, this agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this agreement prevents:
  - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
  - (ii) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this agreement or any matter to which this agreement relates.

## 12 *Assignment and Dealings*

### 12.1 *Assignment*

- (a) A party must not assign or deal with any right under this agreement without the prior written consent of the other parties.

263 – 281 Pennant Hills Road Carlingford – June 2024

- (b) Any change of ownership or control (as defined in section 50AA of the *Commonwealth Corporations Act 2001*) of a party (excluding the Council) shall be deemed to be an assignment of this agreement for the purposes of this clause.
- (c) Any purported dealing in breach of this clause is of no effect.

#### 12.2 Arrangements with Mortgagee

- (a) The Developer agrees with the Council that if the Developer mortgages the Land after this agreement is entered into it must use all reasonable efforts at that time to arrange a multiple party deed of agreement between the Council, the Developer, and the mortgagee who will be providing finance for the Works so that the mortgagee accepts that the responsibilities set out in this agreement are binding upon the mortgagee in the event that the Developer defaults on the mortgage and the mortgagee takes possession of the Land.
- (b) The terms of the adoption of the obligations of the Developer by the mortgagee shall be as reasonably required by the Council. The agreement shall be prepared at the cost of the Developer.

#### 12.3 Transfer of Land

- (a) The Developer may not transfer, assign or dispose of the whole or any part of its right, title or interest in the Land (present or future) or in the Development to another person (**Transferee**) unless before it sells, transfers or disposes of that right, title or interest:
  - (i) The Developer satisfies the Council that the proposed Transferee is financially capable of complying with the Developer obligations under this agreement;
  - (ii) The Developer satisfies the Council that the rights of the Council will not be diminished or fettered in any way;
  - (iii) The Transferee delivers to the Council a novation deed signed by the Transferee in a form and of such substance as is acceptable to the Council containing provisions under which the Transferee agrees to comply with all the outstanding obligations of the Developer under this agreement;
  - (iv) The Transferee delivers to the Council replacement Bonds or Bank Guarantees as required by this agreement;
  - (v) Any default under any provisions of this agreement has been remedied or waived by the Council, on such conditions as the Council may determine, and
  - (vi) The Developer and the Transferee pay the Council's reasonable costs in relation to the assignment.
- (b) The parties agree that clause 12.3(a) does not apply if the Transferee is acquiring an interest in the Land as a purchaser of one or more Final Lots, provided that the agreement may be removed from the Register for the relevant Final Lot in accordance with clause 8.3(b) prior to completion of the transfer.

### 13 Approvals and consents

Except as otherwise set out in this agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this agreement in



263 – 281 Pennant Hills Road Carlingford – June 2024

that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions.

## 14 No fetter

### 14.1 Discretion

This agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including, but not limited to, any statutory power or discretion of the Council relating to the Development Application or any other application for Development Consent (all referred to in this agreement as a "**Discretion**").

### 14.2 No fetter

No provision of this agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) They will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) In the event that (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this agreement has full force and effect, and
- (c) To endeavour to satisfy the common objectives of the parties in relation to the provision of this agreement which is to be held to be a fetter on the extent that is possible having regard to the relevant court judgment.

### 14.3 Planning Certificates

The Developer acknowledges that Council may, at its discretion, include advice on any planning certificate issued under section 10.7 of the Act that this agreement affects the Land.

## 15 Notices

### 15.1 Notices

Any notice given under or in connection with this agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;



263 – 281 Pennant Hills Road Carlingford – June 2024

- (b) must be addressed as follows and delivered to the intended recipient by hand, by prepaid post or by email at the address below, or at the address last notified by the intended recipient to the sender after the date of this agreement:
- (i) to City of Parramatta Council: PO Box 32, Parramatta, NSW 2124  
Email: council@cityofparramatta.nsw.gov.au  
Attention: Executive Director City Planning & Design
  - (ii) to Karimbla Properties (No 61) Pty Ltd: Level 11, 528 Kent Street SYDNEY NSW 2000  
Email: generalcounsel@meriton.com.au  
Attention: Director
  - (iii) to Meriton Properties Pty Ltd: Level 11, 528 Kent Street SYDNEY NSW 2000  
Email: generalcounsel@meriton.com.au  
Attention: Director
- (c) is taken to be given or made:
- (i) in the case of hand delivery, when delivered;
  - (ii) in the case of delivery by post, three Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country); and
  - (iii) in the case of an email:
    - (A) when the sender receives an email acknowledgement from the recipient's information system showing the Notice has been delivered to the email address stated above;
    - (B) when the Notice enters an information system controlled by the recipient; or
    - (C) when the Notice is first opened or read by the recipient,
 whichever occurs first;
- (d) if under clause (c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is taken to have been given or made at the start of business on the next Business Day in that place.

## 16 Guarantor

### 16.1 Guarantee

- (a) The Guarantor agrees to guarantee the performance of the Developer's obligations under this agreement.
- (b) The Guarantor agrees that it is liable to Council for:
  - (i) the due performance and observance by the Developer of all the provisions in this agreement; and

263 – 281 Pennant Hills Road Carlingford – June 2024

- (ii) the payment of all money, delivery of all Works and transfer of all land required to be paid, delivered or dedicated by the Developer under this agreement.
- (c) The Guarantor is liable under this agreement even if:
  - (i) the Developer or any Guarantor dies, or becomes mentally incapable or Insolvent;
  - (ii) the Council gives the Developer any time, forbearance or other indulgence;
  - (iii) the Council does not exercise any of its rights under this agreement, or waives or defers any of those rights;
  - (iv) the Developer or any Guarantor have any actual or alleged set-off, defence, counter-claim or other deductions; and
  - (v) the Council, or any other person does anything or omits to do anything which would, but for this provision, affect or discharge the Guarantor's liability.

#### 16.2 Step in

- (a) The Guarantor covenants and agrees and guarantees to the Council that if at any time the Developer is in default under this agreement, the Guarantor will step in and perform the Developer's obligations under this agreement and Council may issue a Default Notice under clause 11.1 to the Guarantor to require the Guarantor to rectify any default of the Developer.
- (b) The Guarantor warrants that it is entitled to take ownership or control of the Land to enable it to carry out the Works, register dealings and transfer any part of the Land to Council as required under this agreement.
- (c) The Guarantor indemnifies and keeps indemnified Council against all Claims made against Council as a result of any breach of the warranty under clause 16.2(b).

### 17 General

#### 17.1 Relationship between parties

- (a) Nothing in this agreement:
  - (i) constitutes a partnership between the parties; or
  - (ii) except as expressly provided, makes a party an agent of another party for any purpose.
- (b) A party cannot in any way or for any purpose:
  - (i) bind another party; or
  - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

263 – 281 Pennant Hills Road Carlingford – June 2024

**17.2 Time for doing acts**

- (a) If the time for doing any act or thing required to be done or a notice period specified in this agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

**17.3 Further assurances**

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this agreement.

**17.4 Joint and individual liability and benefits**

Except as otherwise set out in this agreement, any agreement, covenant, representation or warranty under this agreement by two or more persons binds them jointly and each of them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

**17.5 Variations and Amendments**

A provision of this agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

**17.6 Counterparts**

This agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

**17.7 Legal expenses and stamp duty**

- (a) The Developer must pay the Council's reasonable legal costs and disbursements in connection with the negotiation, preparation, execution, carrying into effect, enforcement and release and discharge of this agreement, including the reasonable costs of obtaining any legal advice in connection with this agreement, no later than 10 Business Days after receiving a written request from Council to pay such costs, or within such other reasonable time as agreed between the parties.
- (b) The Developer agrees to pay or reimburse the costs and expenses incurred by Council in connection with the advertising and exhibition of this agreement in accordance with the Act.

**17.8 Entire agreement**

The contents of this agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this agreement, whether orally or in writing.

**17.9 Representations and warranties**

The parties represent and warrant that they have the power and authority to enter into this agreement and comply with their obligations under the agreement and that entry into this agreement will not result in the breach of any law.

263 – 281 Pennant Hills Road Carlingford – June 2024

#### 17.10 Severability

If a clause or part of a clause of this agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this agreement, but the rest of this agreement is not affected.

#### 17.11 Invalidity

- (a) A word or provision must be read down if:
  - (i) this agreement is void, voidable, or unenforceable if it is not read down;
  - (ii) this agreement will not be void, voidable or unenforceable if it is read down; and
  - (iii) the provision is capable of being read down.
- (b) A word or provision must be severed if:
  - (i) despite the operation of clause (a), the provision is void, voidable or unenforceable if it is not severed; and
  - (ii) this agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this agreement has full effect even if clause 17.11(b) applies.

#### 17.12 Waiver

- (a) A right or remedy created by this agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.
- (b) The fact that a party fails to do, or delays in doing, something the party is entitled to do under this agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another party. A waiver by a party is only effective if it is in writing. A written waiver by a party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

#### 17.13 GST

- (a) Words and expressions which are not defined in this agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this agreement are exclusive of GST.
- (c) If GST is imposed on any supply made under or in accordance with this agreement, the Developer must pay the GST or pay to the Council an amount equal to the GST payable on or for the taxable supply, whichever is appropriate in the circumstances.
- (d) If the Council is obliged to pay any GST on any supply made under or in accordance with this agreement, the Developer indemnifies the Council for the amount of any such payment is required to make.

263 – 281 Pennant Hills Road Carlingford – June 2024

***17.14 Governing law and jurisdiction***

- (a) The laws applicable in New South Wales govern this agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

263 – 281 Pennant Hills Road Carlingford – June 2024

## Schedule 1                      Scope of works

The Developer is to construct the following Works:

- (a) Landscape embellishment Works for a minimum 5455 square metres of public open space, as shown in Annexure A and Annexure B of Schedule 5;
- (b) Landscape embellishment works for a minimum 595 square metres of open space to be made publicly accessible, via a public access easement, as shown on the land in Annexure A and Annexure B of Schedule 5; and
- (c) A minimum 2500 square metre (net lettable area) Community Hub on the land shown in Annexure A which is to include a minimum 1800 square metre (net lettable area) warm shell 'library' and minimum 700 square metre (net lettable area) warm shell 'community centre' with provision for 20 car parking spaces, in a manner that will support the final fit out of the library and community facility as envisaged by the Library brief, as included in Annexure C of Schedule 5. For clarity, the Library Brief does not require the Developer to undertake any additional Works beyond the Warm-Shell Fit Out and is for information purposes, however the Developer's warm shell must be sufficient in aspect and spaces to facilitate a future Council fitout to Green Star standard.



263 – 281 Pennant Hills Road Carlingford – June 2024

## Schedule 2 Construction terms

### 1 Interpretation

For the purposes of this Schedule 2, the defined terms in clause 1 of this agreement and the Interpretation principles in clause 2 of this agreement will apply and, unless context indicates a contrary intention:

**Builder** means any entity contracted under the Construction Contract to carry out the Works.

**Construction Contract** means the contract to carry out the Works (whether or not that is a contract for the Works only or forms part of a contract for the building of other components of the Development).

**Defects Liability Period** means in respect of each item of building works which together comprise the Works the period of 12 months from the date on which the Certificate of Practical Completion is issued for the Works.

**Detailed Design** means the final specifications and finishes for the Works prepared in accordance with clause 5.2 of this Schedule 2 and will include the design of the Works, the location for the Works, installation specifications and estimated costs of construction and/or installation.

**Services** means all water, gas, electricity, television, drainage, sewerage, cable TV, data communications, telecommunications and other services which are required under a development consent within the meaning of the Act or an Approval and which are necessary or desirable for the construction or operation of the Development.

**Superintendent** means the Superintendent appointed under any Construction Contract.

**Warm Shell Fit Out** means the base building and associated base building services including utilities provision (water, gas, sewer, NBN and DAS telecommunications) and fire services provided in accordance the National Construction Code and any other relevant legislation in addition to the following:

- (a) grid ceiling with troffer lights;
- (b) plasterboard finish to solid external walls with paint finish (no internal partition walls);
- (c) floor finish in carpet tiles;
- (d) black aluminium skirting to floor and wall junction;
- (e) air conditioning in accordance with relevant Australian standards;
- (f) external façade furnishings ie blind louvers and screens, shutters per architectural designs;
- (g) bathrooms in accordance with Class 9b buildings under the Building Code of Australia\*;
- (h) fixtures and finishings to bathrooms;
- (i) plumbing and electrical services conduits and switchboard power provision for future kitchenettes to each level of the facility, and the staff kitchen, and
- (j) Electrical and data services in entry lobby, up to the passenger lift.

\* The table below provided by Council is deemed to satisfy the BCA.

Page 32

263 – 281 Pennant Hills Road Carlingford – June 2024

GENDER	DESIGN OCCUPANCY	USER GROUP	CLOSET PANS	URINALS	WASHBASINS	SHOWERS	BATHS
MALE	7	STAFF	1	0	1	N/A	N/A
FEMALE	7	STAFF	1	N/A	1	N/A	N/A
MALE	825	PATRONS	5	11	6	N/A	N/A
FEMALES	825	PATRONS	12	N/A	6	N/A	N/A
			19	11	14		

One accessible toilet per floor for patrons.

## 2 Requirements of Authorities and Approvals

- 2.1 These Construction Terms must be read and construed subject to:
- (a) any requirements or conditions of any Development Consent;
  - (b) the requirements of and conditions imposed by all relevant Authorities and all Laws relating to the Development and the construction of the Development.
- 2.2 If the Developer requires any Approvals in order to carry out the obligations under this agreement, then the Developer will acquire all Approvals necessary to carry out the Works at its own cost.
- 2.3 The Developer must ensure that the Works carried out under this agreement are carried out:
- (a) in accordance with the relevant Development Consent for the Works and all Approvals and the requirements of all Laws, including without limitation, work health and safety legislation; and
  - (b) in a good and workmanlike manner and so that they are diligently progressed until completion;

AND it is acknowledged that to the extent that there is any inconsistency between this agreement and any Approval the terms of the Approval shall take precedence.

## 3 Costs of Works

All costs of the Works must be borne by the Developer.

## 4 Project Management and Contractor Engagement

- 4.1 The Developer will be responsible for managing the Works.
- 4.2 The Developer will ensure that any contractor it engages to carry out the Works agrees to:
- (a) carry out the Developer's obligations in these Construction Terms as part of any Construction Contract; and
  - (b) request a Council representative to be present at each on-site meeting attended by the Superintendent and to ensure the Council representative is present at the meeting.

263 – 281 Pennant Hills Road Carlingford – June 2024

**5 Design Development and Approvals**

**5.1 Concept Design**

Council and the Developer will work in consultation with each other to prepare and agree to the concept plans and detailed designs for the Works at 0 of Schedule 5.

**5.2 Concept and Detailed Design**

(a) Council and the Developer must work in consultation with each other to prepare and agree the Concept and Detailed Designs and must both act reasonably and with due expedition in their consultations with each other.

(b) Prior to the submission of the Development Application for the building containing the Community Hub, the Developer must provide a copy of the Concept Design to the Council for review.

(c) Within 21 Business Days of receiving the Concept Design, Council will respond to the Developer with requested amendments to the Concept Design or with a written approval for the Concept Design. If Council makes any requested amendments, the Developer must, within 14 days, incorporate the amendments or provide evidence why it cannot incorporate the amendments and return the information to Council for approval. Council has 14 days to provide approval.

(d) If the Council and Developer do not agree on the requested amendments under clause 5.2(c) there is to be a meeting, within 7 days of senior staff of the Council and Developer to reach agreement.

(e) If agreement is not reached under clause 5.2(d) either party may proceed to Dispute resolution under clause 10 of the Planning Agreement.

(f) Prior to works commencing the Developer must provide a copy of the draft Detailed Design to Council for approval.

(g) Within 28 Business Days of receiving the Detailed Design, Council will respond to the Developer with requested amendments to the Detailed Design or with a written approval of the Detailed Design. The Developer must incorporate the requested amendments or provide evidence why it cannot incorporate the amendments and submit to Council for written approval. Council has 14 days to provide approval.

(h) If the Council has not approved the Detailed Design under clause 5.2(g) there is to be a meeting, within 7 days of senior staff of the Council and Developer to reach agreement.

(i) If the Detailed Design agreed by senior staff of Council and the Developer in clause 5.2(h) above, to avoid possible delays to the issue of a Construction Certificate, the Council will, in its sole discretion, acting reasonably, be entitled to decide on any

263 – 281 Pennant Hills Road Carlingford – June 2024

outstanding or undecided matter or item relating to areas that are to be accessible to the public, provided that any decision made under this clause:

- (i) is consistent with the obligation to carry out the Works and dedicate the Park Land and Community Hub Stratum Lot under this agreement; and
- (ii) is consistent with the Development Consent; and
- (iii) does not materially and adversely affect the Development; and
- (iv) is not unreasonable; and
- (v) does not impose additional costs or delays to the Developer completing the Works or the Development.

- 5.3 Any acceptance by the Council of the Concept and Detailed Designs under this clause 5 of Schedule 2 is not to be taken as approval of or to any Construction Certificate for the Works.

**5.4 Good faith**

The parties must act promptly and in good faith to consult in relation to the Detailed Design.

**6 Carrying out of Works**

**6.1 Communication**

The Developer must keep Council reasonably informed of progress of the Works and provide to Council such information about the Works as Council reasonably requests.

**6.2 Standard of Works**

- (a) Unless otherwise provided, the Developer shall, and must cause the Builder to, use suitable new materials and proper and tradesmanlike workmanship when carrying out the Works.
- (b) The qualitative standard of the design and finishes for the Works must be no less than those described in the following documents:
  - (i) Any relevant Australian Standard;
  - (ii) Any relevant design standards or guidelines and any other requirements or policies applied by the Council from time to time in assessing the adequacy of any works or improvements proposed for the public domain or to be accessible to the public in accordance with this agreement.
- (c) The Developer will obtain any relevant standards (including design standards), specifications, or guidelines and any other requirements or policies referred to in clause 6.2(b)(ii) of this Schedule 2 from Council if the Council fails to deliver them to the Developer.
- (d) The Developer is not obliged to reinstate any Works where damage or destruction is as a result of:
  - (i) Any act or omission of the Council or its employees, consultants or agents relating to any part of the Works under this agreement; or

263 – 281 Pennant Hills Road Carlingford – June 2024

- (ii) The use or occupation by the Council or its employees, consultants or agents, Council's representatives or other contractor of the Council of any part of the Works.

#### 6.3 Damage to people, property & utilities

- (a) The Developer is to ensure to the fullest extent reasonably practicable that, in performing its obligations under this agreement:
  - (i) all necessary measures are taken to protect people and property;
  - (ii) unnecessary interference with the passage of people and vehicles is avoided; and
  - (iii) nuisances and unreasonable noise and disturbances are prevented.
- (b) Without limiting clause 6.3(a) of this Schedule, the Developer is not to obstruct, interfere with, impair or damage any public road, public footpath, public cycleway or other public thoroughfare, or any pipe, conduit, drain, watercourse or other public utility or service on any land except as authorised in writing by the Council or any relevant Authority.

#### 7 Inspection

- (a) On completion of the Detailed Design, the Council will provide a schedule of inspections to be undertaken by Council (**Inspection Schedule**) to occur at specified stages of the construction of the Works (**Inspection Stage**). If the Council does not provide the Inspection Schedule, the Developer must request the Inspection Schedule from the Council prior to the Works commencing.
- (b) Five Business Days prior to reaching an Inspection Stage as set out in the Inspection Schedule, the Developer must notify the Council of the proposed inspection date (**Inspection Date**).
- (c) On the Inspection Date, or other agreed date, the Developer must ensure that any employees, contractors, agents or representatives of Council have access to and may enter the Land to inspect the Works.
- (d) In addition to carrying out inspections in accordance with the Inspection Schedule, the Council may enter the Land or any part of the Land on which the Works are located to inspect the progress of the Works, subject to:
  - (i) the terms of the Construction Contract (save for any clause of the Construction Contract which prevents the Council from accessing the Land);
  - (ii) giving reasonable notice to the Developer;
  - (iii) complying with all reasonable directions of the Developer; and
  - (iv) being accompanied by the Developer or a nominee, or as otherwise agreed.
- (e) The Council may, acting reasonably, within 5 Business Days of carrying out an inspection (either under clause 7(c) or 7(d) of this Schedule 2), notify the Developer of any defect or non-compliance in the Works and direct the Developer to carry out work to rectify that defect or non-compliance within a reasonable period of time. Such work may include, but is not limited to:

263 – 281 Pennant Hills Road Carlingford – June 2024

- (i) removal of defective or non-complying material;
  - (ii) demolishing defective or non-complying work;
  - (iii) reconstructing, replacing or correcting any defective or non-complying work; and
  - (iv) not delivering any defective or non-complying material to the site of the Works.
- (f) If the Developer is issued a direction to carry out further work under clause 7(e) of this Schedule 2, the Developer must, at its cost, rectify the defect or non-compliance specified in the Notice within the time period specified in the Notice, provided that it is reasonable having regard to the nature of the works.
- (g) If the Developer fails to comply with a direction to carry out work given under 7(e) of this Schedule 2, the Council will be entitled to refuse to accept that the Works (or the relevant part of the Works) meet the Council's standards and specifications and may refuse to issue a Certificate of Practical Completion, until the required Works have been completed to the Council's satisfaction, acting reasonably.
- (h) For the avoidance of doubt, any acceptance by the Council that the Developer has rectified a defect or non-compliance identified in a notice issued under 7(e) of this Schedule 2 does not constitute:
  - (i) acceptance by the Council that the Works comply with all Approvals and Laws; or
  - (ii) an Approval by the Council in respect of the Works; or
  - (iii) an agreement or acknowledgment by the Council that the Works or the relevant part of the Works are complete and may be delivered to the Council in accordance with this agreement.



263 – 281 Pennant Hills Road Carlingford – June 2024

## **8 Completion**

### **8.1 Practical Completion**

- (a) When the Developer considers that the Works, or any part of the Works, are complete, the Developer must send a Notice to the Council accompanied by complete works as executed plans, any relevant certificates or consents of any public utility authority and a request for written certification from the Council that the Works are complete.
- (b) Within 10 Business Days of receipt of the notice under clause 8.1(a) of this Schedule 2, the Council will carry out an inspection of the Works and will, acting reasonably, either:
  - (i) provide written certification to the Developer that the Works have been completed; or
  - (ii) notify the Developer of any additional information required or matters which must be addressed by the Developer prior to the certification being issued.
- (c) If the Developer is required to provide additional information or address any matters under clause 8.1(b)(ii) of this Schedule 2, the Developer will provide that information to Council or address those matters within 10 Business Days of receiving the notice or within a reasonable period of time and make a further request under clause 8.1(a) of this Schedule 2 for written certification that the Works have been completed.
- (d) Practical completion will be achieved in relation to the Works or any part of the Works when a Certificate of Practical Completion has been issued for those Works.

### **8.2 Delivery of documents**

- (a) The Developer must as soon as practicable, and no later than 20 Business Days after the date on which the Certificate of Practical Completion is issued in respect of the Works or any part of the Works deliver to the Council, complete and legible copies of:
  - (i) all "as built" full-sized drawings, specifications and relevant operation and service manuals;
  - (ii) all necessary certificates including the certificates of any consultants of the Developer that the Council may reasonably require, and Approvals of any public utility authority (where relevant); and
  - (iii) copies of all Approvals required for use of the land subject to the Works.
- (b) The Developer must as soon as practicable, and no later than 20 Business Days after the date on which the Certificate of Practical Completion is issued in respect of the Works or any part of the Works, provide the Council with a tour of the land subject to the Works and provide reasonable instructions on the operation and use of the Services on that land.

### **8.3 Assignment of Warranties and Causes of Action**

- (a) The Developer must assign (as beneficial owner) or cause to be assigned to Council the benefit of any warranties and guarantees obtained by the Developer

Page 38

263 – 281 Pennant Hills Road Carlingford – June 2024

and the Builder (and capable of assignment) with respect to any material or goods incorporated in or forming part of the Works.

- (b) To the extent that any such warranties or guarantees cannot be assigned, the Developer must at the request of Council do anything reasonably required by Council to enforce such warranties or guarantees for the benefit of Council.

#### 8.4 Defects Liability Period

- (a) During the Defects Liability Period, the Council (acting reasonably) may give to the Developer a notice (**Rectification Notice**) in writing that identifies a defect in the Works and specifies:
  - (i) action required to be undertaken by the Developer to rectify that defect (**Rectification Works**); and
  - (ii) the date on which the defect must be rectified (**Rectification Date**).
- (b) The Developer must comply with the Rectification Notice by:
  - (i) procuring the performance of the Rectification Works by the Rectification Date, or such other date as agreed between the parties;
  - (ii) keeping the Council reasonably informed of the action to be taken to rectify the defect; and
  - (iii) carrying out the Rectification Works.
- (c) The Council must give the Developer and its contractors any access required to carry out the Rectification Works.
- (d) When the Developer considers that the Rectification Works are complete, either the Developer must notify the Council and provide documentation, plans or invoices which establish that the Rectification Works were carried out.
- (e) The Council may inspect the Rectification Works within 5 Business Days of receiving a Notice from the Developer under clause 8.4(d) of this Schedule 2 and, acting reasonably:
  - (i) issue a further Rectification Notice if it is not reasonably satisfied that the Rectification Works are complete; or
  - (ii) notify the Developer in writing that it is satisfied the Rectification Works are complete.
- (f) The Developer must meet all costs of and incidental to rectification of defects under this clause 8.4.
- (g) If the Developer fail to comply with a Rectification Notice, then the Council may do such things or take such action as is necessary to carry out the Rectification Works, including accessing and occupying any part of the Land without further notice to the Developer, and may:
  - (i) call upon any Bond or Bank Guarantee provided to the Council under clause 8.5 of this Schedule to meet its costs of carrying out Rectification Works; and
  - (ii) recover as a debt due to the Council by the Developer in a court of competent jurisdiction, any difference between the amount of the security

263 – 281 Pennant Hills Road Carlingford – June 2024

deposit and the costs incurred by the Council in carrying out Rectification Works.

- (h) The Developer must request that Council inspect the Works 28 days prior to the end of the Defects Liability Period. The Council must inspect the Works at any time after receiving the request from the Developer and before to the end of the Defects Liability Period.
- (i) If, prior to the end of the Defects Liability Period:
  - (i) the Developer fails to request the inspection, or
  - (ii) the Council does not carry out the inspection,
 the Council may extend the Defects Liability Period so that the inspection may be carried out.

#### 8.5 Security for Defects Liability

- (a) Prior to the issue of a Certificate of Practical Completion for each item of the Works the Developer must deliver to the Council Bonds or Bank Guarantees in an amount equivalent to 2.5% of the construction costs for the particular item of Works.
- (b) The Developer advises and the Council acknowledges its awareness that the Bonds or Bank Guarantees may be supplied by the Builder and form a part of the security held by the Developer from the Builder under the terms of the Construction Contract, provided that:
  - (i) any Bond or Bank Guarantee provided by the Builder benefits the Council and satisfies the requirements of this agreement; and
  - (ii) the Developer procure an agreement from the Builder that the Council will be entitled to call on any Bond or Bank Guarantee provided by the Builder, in accordance with the terms of this agreement and the terms of any Construction Contract.
- (c) Within 10 Business Days after the Defects Liability Period for a particular item of Works has expired Council must (if it has not called on it) return the Bond or Bank Guarantee referred to in clause of this for that item of Works (or any remaining balance of it) to the Developer.
- (d) Notwithstanding clause of this, if during the Defects Liability Period for a particular item of Works, the Council issues a Rectification Notice and the Rectification Notice is not complied with, then the Council need not deliver the balance of any Bonds or Bank Guarantees provided to it until that defect has been rectified.
- (e) The Council must deliver the balance of any Bond or Bank Guarantee for the Defects Liability Period to the Developer within 14 days after the Defects Liability Period has ended.

#### 9 Risk

The Developer undertakes the Works entirely at its own risk.

#### 10 Insurance

- (a) Prior to the commencement of the construction of any of the Works, the Developer must ensure the Builder effects and the Developer must produce

263 – 281 Pennant Hills Road Carlingford – June 2024

evidence to the Council of the following insurances issued by an insurer approved by the Council (acting reasonably) in a form approved by the Council (acting reasonably):

- (i) construction works insurance for the value of the Works;
  - (ii) public risk insurance for at least \$20 million;
  - (iii) workers compensation insurance as required by Law.
- (b) The Developer must provide evidence of currency of insurance required by clause 10(a) of this Schedule 2 upon request by the Council, acting reasonably, throughout the term of this agreement.

#### **11 Indemnities**

The Developer indemnifies the Council, its employees, officers, agents and contractors from and against all Claims in connection with the carrying out by the Developer of the Works except to the extent such Claim arises either directly or indirectly as a result of the Council or its employees, officers, agents, contractors or workmen's negligence, default, act or omission.

#### **12 Intellectual Property Rights**

The Council acknowledges that the Developer or its contractors hold all rights to copyright and any intellectual property which may exist in the Works. To the extent the Developer has or receives intellectual property rights for the Works, the Developer shall assign those intellectual property rights to Council or permit use thereof.

#### **13 Risk of contamination**

- (a) The Developer acknowledges and agrees:
- (i) that it is responsible for the management and remediation of any contamination present upon or under the land on which the Works are to be carried out;
  - (ii) it will attend to any necessary remediation at its own costs; and
  - (iii) to the fullest extent permitted by Law indemnify and release the Council from any Claim which might arise from any contamination with respect to the land on which the Works are to be carried out.
- (b) Prior to the dedication of any part of the Land to Council, the Developer must provide to Council's reasonable satisfaction, certification by a qualified person, that the land is not contaminated and is suitable for the proposed use.

#### **14 Plans**

The parties acknowledge and agree that further detail and refinement of plans and documents in connection with this agreement may be necessary having regard to the following matters:

- (a) matters affecting Works not capable of identification on or before the date of this agreement; or
- (b) by agreement between the parties.

#### **15 Future Fit Out and Operation of Community Hub**

263 – 281 Pennant Hills Road Carlingford – June 2024

The Council will use its best endeavours to complete the Community Hub fit out so that it is operational within 12 months after the dedication of the Community Hub Stratum Lot.

263 – 281 Pennant Hills Road Carlingford – June 2024

### Schedule 3 Easement Terms

- 1 The owner of the Easement Site grants to the Council and members of the public full and free right to go, pass and repass over the Easement Site at all times:
  - (a) with or without companion animals (as defined in the Companion Animals Act 1998) or other small pet animals; and
  - (b) on foot without vehicles (other than wheelchairs or other disabled access aids), unless vehicles are being used to access a building on the Land via approved and clearly identified entry and exit points;for all lawful purposes.
- 2 The owner of the Easement Site must, to the satisfaction of Council, acting reasonably:
  - (i) keep the Easement Site (including any services in, on or under the Easement Site) in good repair and condition;
  - (ii) maintain and repair the Easement Site and all improvements on the Easement Site;
  - (iii) keep the Easement Site clean and free from rubbish; and
  - (iv) maintain sufficient public liability insurance covering the use of the Easement Site in accordance with the terms of this Easement.
- 3 The owner of the Easement Site must ensure that any rules made by an Owner's Corporation relating to the Easement Site have been approved by the Council, acting reasonably.
- 4 If any member or members of the public loiter or congregate, for any purpose which the owner of the Easement Site, acting reasonably, considers to be a nuisance or a safety risk, the owner may either remove those members of the public, or arrange for their removal by an appropriate authority.
- 5 The owner of the Easement Site may erect safety signage and any other appropriate signage and may erect CCTV cameras in the Easement Site.
- 6 The owner of the Easement Site may engage security personnel to monitor and control the behaviour of the public including but not limited to prohibiting smoking, consumption of alcohol (except within licensed areas), passage of animals, bicycles and skateboards and the like in accordance with any rules made by an Owner's Corporation relating to the Easement Site.
- 7 The owner of the Easement Site may with the Council's prior written consent (except in the case of an emergency, in which case the Council's prior written consent is not required) temporarily close or temporarily restrict access through all or part of the Easement Site for the time and to the extent necessary but only on reasonable grounds for the purposes of:
  - (a) construction, construction access, repairs, maintenance, replacement and alteration to the Easement Site or any improvements in, on or under the Easement Site; or
  - (b) security, public safety or evacuation of the Easement Site and adjoining buildings.



263 – 281 Pennant Hills Road Carlingford – June 2024

- 8 Subject to ensuring the provision of access in accordance with above clause 1 of this Schedule, the owner of the Easement Site may, provided any necessary planning approvals are obtained:
- (a) carry out works in the Easement Site for the purposes of enhancing the Easement Site;
  - (b) install or erect signages, landscaping, works of art, street furniture, awnings, tables and chairs associated with ground floor commercial premises, notice boards or any other similar improvements at ground level within the Easement Site; and
  - (c) use the Site,
- in a manner consistent with Parramatta City Council's Outdoor Dining Policy and Guidelines.
- 9 The Council is solely empowered to release this Easement.
- 10 This Easement may only be varied by written agreement between the Council and the owner of the Easement Site.

263 – 281 Pennant Hills Road Carlingford – June 2024

## Schedule 4 Section 7.4 EPA Act summary

Subject and subsection of the Act	Planning Agreement
<b>Planning instrument and/or Development Application – Section 7.4(1)</b>  The Developer has: <ul style="list-style-type: none"> <li>(a) Sought a change to an environmental planning instrument <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>(b) Made, or propose to make a Development Application <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>(c) Entered into an agreement with, or are otherwise associated with, a person to whom paragraph (a) or (b) applies <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul>	
<b>Description of the land to which the planning Agreement applies – Section 7.4(3)(a)</b>	263-281 Pennant Hills Road, Carlingford (being Lot 22 DP21386, Lot 2 DP9614, Lot 3 DP9614, Lot 4 DP9614, Lot 61 DP819136, Lot 62 DP819136 and Lot 1 DP1219291)
<b>Description of the application – Section 7.4(3)(b)</b>	See the definition of Planning Proposal in clause 1.
<b>The scope, timing and manner of delivery of contribution required by the Planning Agreement – Section 7.4(3)(c)</b>	Clause 6, the Scope of Works in Schedule 1 and the plan at Annexure A of Schedule 5
<b>Applicability of section 7.11 of the Act – Section 7.4(3)(d)</b>	Excluded
<b>Applicability of section 7.12 of the Act – Section 7.4(3)(d)</b>	Excluded
<b>Applicability of section 7.24 of the Act – Section 7.4(3)(d)</b>	Not excluded
<b>Mechanism for dispute resolution – Section 7.4(3)(f)</b>	Clause 10
<b>Enforcement of the Planning Agreement – Section 7.4(3)(g)</b>	Clause 11
<b>Registration of the Planning Agreement – Section 7.6</b>	Clause 8
<b>No obligation to grant consent or exercise functions – Section 7.4(9)</b>	Clause 14

263 – 281 Pennant Hills Road Carlingford – June 2024

## Executed as an agreement

Signed on behalf of **City of Parramatta Council** (ABN 49 907 174 773) by its authorised delegate pursuant to section 377 of the *Local Government Act 1993* in the presence of:

---

 Signature of witness

---

 Signature of authorised delegate

---

 Name of witness

---

 Name of authorised delegate

---

 Address of witness

---

 Position of authorised delegate

Signed on behalf of **Karimbla Properties (No. 61) Pty Ltd** (ACN 622 383 733 ) in accordance with section 127(1) of the *Corporations Act 2001* (Cth) in the presence of:

---

 Signature of director

---

 Signature of director/secretary

---

 Name

---

 Name

263 – 281 Pennant Hills Road Carlingford – June 2024

Signed on behalf of **Meriton Properties  
Pty Ltd** (ACN 000 698 626) in accordance  
with section 127(1) of the *Corporations Act  
2001* (Cth) in the presence of:

---

Signature of director

---

Signature of director/secretary

---

Name

---

Name

263 – 281 Pennant Hills Road Carlingford – June 2024

Schedule 5

Infrastructure Services Delivery Plan

# Infrastructure Services Delivery Plan

## Meriton Carlingford

July 2024

Works listed in Schedule 1 of  
the Planning Agreement  
between Karimbla Properties  
(No. 61) Pty Ltd and the  
City of Parramatta Council

263 – 281 Pennant Hills Road Carlingford – June 2024

# Table of Contents

## Contents

<b>Purpose</b>	<b>49</b>
<b>Proposed development</b>	<b>50</b>
<b>Timing</b>	<b>50</b>
<b>Planning Agreement Summary Table</b>	<b>50</b>
<b>Part A: Development Contribution – Carrying Out of Works</b>	<b>52</b>
<b>Part B: Development Contributions – Monetary Contributions</b>	<b>57</b>
<b>Part C: Land Dedication and Acquisitions Provisions</b>	<b>57</b>
1. <i>Associated Costs</i>	<i>57</i>
2. <i>Dedication Timing</i>	<i>57</i>
3. <i>Parks and Open Space</i>	<i>58</i>
4. <i>Land Remediation</i>	<i>58</i>
<b>Annexure A Location Plans – Parks and Community Hub</b>	<b>59</b>
<b>Annexure B Indicative Landscape Plans</b>	<b>60</b>
<b>Annexure C Library Brief</b>	<b>62</b>



263 – 281 Pennant Hills Road Carlingford – June 2024

## Purpose

The Meriton Carlingford Infrastructure Services Delivery Plan (ISDP) is a document which details the items of work to be delivered by way of a Planning Agreement between Karimbla Properties (No. 61) Pty Ltd (the Developer) and the City of Parramatta (the Council). Landowners will also be parties to the agreement.

The physical and social renewal of the area will be supported by the appropriate provisions of infrastructure necessary to support the existing and new community. The works set out in the ISDP have been designed consistent with the Planning Proposal (refer to Figure A).

This ISDP has been prepared to assist in the preparation, negotiation, and implementation of the Planning Agreement. This ISDP includes:

- A more detailed description of the scope of works showing the general location and configuration of works on the site;
- A budget estimate (ex. GST) for the delivery of the item based on the scope of works and/or concept plans referenced; and
- A rationale for the staging of delivery of each item of works based on Development Area/Stage or lot threshold of works. An indication staging plan in Part E identifies the development stages/areas for the works.

In reading this document, the following should be noted:-

- The Description of the Works outlines the scope of works proposed to be delivered.
- These cost estimates include allowances for contingency, professions fees, approvals, maintenance and defects liability period.
- All hard landscaping works will be maintained by the Developer for a period no longer than 12 months from the completion of works. Soft landscaping works will be maintained by the Developer for a minimum of 12 months from the date of completion.
- Maintenance means works to bring an item to a state of reasonable condition and in accordance with relevant standards applicable at the time of construction of the item, including repairing any defects due to use of poor materials or due to poor workmanship, but does not include repairing normal wear and tear, removing graffiti or repairing any item damaged as a consequence of vandalism.
- The estimated budgets are outlined to give an understanding and context to the scope of works proposed. There is nothing to stop the same works being delivered at a reduced cost if efficiencies can be negotiated at tender or through the detailed design stage. Any cost savings achieved by the Developer do not need to be passed on to Council. Conversely any additional costs incurred shall be borne by the Developer.
- For the ISDP items, a scope of works has been defined as a performance specification (i.e. Roads, drainage, utilities etc.). An upper limit fixed price for all items is provided.

263 – 281 Pennant Hills Road Carlingford – June 2024

The following schedules provided in Part A, Part B and Part C of the ISDP detail the scope, budget and staging of all items of works consistent with Schedule 1 of the Planning Agreement. This document and its schedules will form part of the Planning Agreement. The terms in this document are subject to the more specific terms agreed between the parties under other parts of the Planning Agreement and if there is any inconsistency, the terms of the Planning Agreement (other than this document) prevail.

## Proposed development

The development site is known as 263 – 281 Pennant Hills Road Carlingford and includes the following properties:

Lot 22 DP 213686	Lot 2 in DP9614
Lot 3 in DP9614	Lot 4 in DP9614
Lot 61 in DP 819136	Lot 62 in DP 819136
Lot 1 in DP1219291	

The Planning Proposal comprises of the following:

- a) Reconfiguring the existing R4 High Density Residential and RE1 Public Recreation zones and retaining the existing SP2 Infrastructure zone.
- b) Amending the Maximum Height of Building control by:  
  
Amending the maximum height of buildings on the Pennant Hills Road frontage from 27m to part 0m, part 65m, part 84m and part 110m.
- c) Increasing the Maximum Floor Space Ratio control for the R4 High Density Residential zoned land from 2.3:1 to 3.6:1.
- d) Amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site from 2,000 sqm to 2,600 sqm.
- e) Amending the Land Reservation Acquisition (LRA) Map to include the RE1 Public Recreation land on the site that will be dedicated to Council.

The proposal also includes a substantial public benefit offering including the delivery of a new library with community space (warm shell fit out) and the consolidation and embellishment of open space.

263 – 281 Pennant Hills Road Carlingford – June 2024



Figure 1 – Land to which the Meriton Carlingford Planning Proposal will apply.

Note: As per the recommendations of the Open Space is not to be dedicated to Council, as per the recommendation of the Council report

## Timing

The development is anticipated to begin within 12 months of the proposed amendment to the LEP, subject to development consents being granted. The development is anticipated to be delivered over 5 – 10 years; the timing will be dependent on market conditions.

## Planning Agreement Summary Table

No	Item	Public Purpose	Scope	Contribution Value	Timing
1	Carlingford Library and Community Facility	Community Facilities	Library - 1800m2 Community Facility – 700m2	\$20,000,000	Works are to be completed prior to the release of the first occupation certificate for the building which

Page 52

263 – 281 Pennant Hills Road Carlingford – June 2024

			(Together, the library and community facility are the Community Hub)  Dedication of 20 parking space  Library and community centre to be completed to warm shell fitout.		contains the Community Hub (Building F).
2	Central Park	Open Space/ Passive recreation / Community use	Embellishment and dedication of open space in accordance with concept plans and Part A of this document.  Maintenance period = 1 year.	\$6,400,000	Embellishment and dedication of the park prior to the issue of the Occupation Certificate for the later of either Building Block C, D, F or G to be constructed opposite Central Park.
3	Library and Community Facility Open Space	Open Space/ Passive recreation/ Community Use	Embellishment and dedication of open space in accordance with concept plans and Part A of this document.  Maintenance period = 1 year	\$1,100,000	Embellishment and dedication of the park adjoining the library and community facility prior to the issue of the Occupation Certificate for the later of either Building Block F or G to be constructed adjacent the open space and through-site link.
4	Pedestrian Easement	Pedestrian connection to Pennant Hills Road	Embellishment of pedestrian connection to Pennant Hills Road and provision of 24-hour easement	\$0	Embellishment and creation of easement prior to the issue of the Occupation Certificate for the later of either Building Block C or D.
5	Monetary Contribution	Community Facilities & Open Space	Payment of Equivalent Section 7.11 and Section 7.12 Contributions in line with each Development Application to be allocated to the fit-out costs of the Carlingford Library. Any excess contributions will be applied to recreational areas within the vicinity of the site.	Various	Appropriate conditions of consent will be applied for each consent. Payment is due prior to the Occupation Certificate of the relevant part of the Development in accordance with the Planning Agreement.

263 – 281 Pennant Hills Road Carlingford – June 2024



263 – 281 Pennant Hills Road Carlingford – June 2024

## Part A: Development Contribution – Carrying Out of Works

The following lists the items of works and a discussion on the scope, budget and staging in order as they appear in Schedule 3 of the Planning Agreement

**1. Library and Community Facility (Community Hub)**

Public purpose:	Community Facility
Development Area/Staging Rationale	The Library and Community Facility are to be delivered within Building F (Community Hub). The dedication of the stratum is to occur in accordance with the Planning Agreement
Description of Works:	<p>Works: Provision of a new library and community facility with a combined area of 2,500m<sup>2</sup> (Warm Shell fitout)</p> <ul style="list-style-type: none"> <li>Library will have a net leasable area of 1,800m<sup>2</sup></li> <li>Community Facility will have a net leasable area of 700m<sup>2</sup></li> </ul>
Core Elements:	<ul style="list-style-type: none"> <li>New Library</li> <li>New Community Centre</li> <li>20 Basement Parking Spaces</li> </ul>
Estimated Works Value:	\$20,000,000 towards the capital construction of a new building (warm shell)



263 – 281 Pennant Hills Road Carlingford – June 2024

## 2. Park Works

Public Purpose:	Public Open Space (Central Park)
Development Area/Staging Rationale:	The Open Space will be delivered in accordance with the Planning Agreement.
Description of Works:	Open Space: Embellishment and dedication of a new park with a minimum area of 4768m <sup>2</sup> . Dedication with a \$0 value assigned for the purpose of this VPA. The park will also be constructed and embellished generally in accordance with the indicative landscape plan in this document.
Core Elements:	<p>Works to be delivered include:</p> <ul style="list-style-type: none"> <li>• Soft and hard landscaping</li> <li>• Perimeter pathways and associated pram crossings</li> <li>• Internal pedestrian pathways, including a separated 2.5m wide cycleway</li> <li>• Paving</li> <li>• Lighting</li> <li>• Amphitheatre steps</li> <li>• Bicycle racks minimum 10</li> <li>• Children's play area (Local scale 0-3 &amp; 5-11)</li> <li>• 200 – 400 litre pot size mature tree planting (target of 40% tree canopy)</li> <li>• Picnic tables (minimum 4)</li> <li>• Shelters and structures over Picnic tables and BBQ</li> <li>• BBQ (1 x Double)</li> <li>• Bench seats x 12</li> <li>• Drinking fountains x 2</li> <li>• 6 x Smart Bins</li> <li>• WSUD Stormwater Infrastructure</li> <li>• Entry Signage</li> <li>• Public Art</li> <li>• External services to park including stormwater drainage, water supply and irrigation system and lighting</li> </ul>
Estimated Works Value:	\$6,400,000
Area:	4768m <sup>2</sup>

263 – 281 Pennant Hills Road Carlingford – June 2024

Public Purpose:	Public Open Space 2 (Community Facility)
Development Area/Staging Rationale:	The Open Space will be delivered in accordance with the Planning Agreement.
Description of Works:	Open Space: Embellishment and dedication of a new park with a minimum area of 687m <sup>2</sup> . Dedication with a \$0 value assigned for the purpose of this VPA. The park will provide publicly accessible open space and an extension of the community centre.
Core Elements:	<p>Works to be delivered include:</p> <ul style="list-style-type: none"> <li>• Soft and hard landscaping</li> <li>• Perimeter pathways and associated pram crossings</li> <li>• Internal pedestrian pathways</li> <li>• Paving</li> <li>• Lighting</li> <li>• Bicycle racks minimum 6</li> <li>• 200 – 400 litre pot size mature tree planting (target of 40% tree canopy)</li> <li>• Seating, picnic tables, shelters and shading that connects to community facility to the open space surrounds.</li> <li>• Entry Signage</li> <li>• Public Art</li> </ul> <p>External services to park including stormwater drainage, water supply and irrigation system and lighting</p>
Estimated Works Value:	\$1,100,000
Area:	687m <sup>2</sup>

### 3. Publicly Accessible Private Land

1

Public Purpose:	Pedestrian Link to Pennant Hills Road
Development Area/Staging Rationale:	To be dedicated to Council prior to the issue of the First Occupation Certificate for the later of Block C & D.
Description of Works:	<p>The delivery of a pedestrian connection that promotes walkability through the site to Pennant Hills Road and the commercial core of Carlingford.</p> <p>Note: The land will not be dedicated to Council.</p> <p>A 24-hour easement will be applied to this land as per the terms in the Planning Agreement.</p>

Page 57

263 – 281 Pennant Hills Road Carlingford – June 2024

	<p>The easement will be open 24/7 to the public and will be used as a pedestrian link. The easement will have an area of approximately 595m<sup>2</sup>.</p> <p>Development below ground level for the purpose of the basement and car parking for the proposed mixed-use development may occur beneath the easement.</p> <p>The design outcomes are predominantly at the discretion of the developer as it will be retained in private ownership, as long as it services its purpose.</p> <p>Furthermore, the design and embellishment is subject to agreement by relevant utility authorities.</p> <p>Embellishment works within the easement will include:</p> <ul style="list-style-type: none"> <li>• Soft and hard landscaping</li> <li>• Internal pathways</li> <li>• Paving</li> <li>• Lighting</li> <li>• Bicycle racks</li> <li>• 200 – 400 litre pot size mature tree planting</li> <li>• Seating</li> <li>• Signage and Wayfinding</li> <li>• Public Art</li> </ul>
<b>Estimated Value</b>	\$0
<b>Area</b>	595m <sup>2</sup>

## Part B: Development Contributions – Monetary Contributions

### Monetary Contributions for Community Hub and Open Space

Payment of Equivalent Section 7.11 and Section 7.12 Contributions in line with each Development Application to be allocated to the fitout costs of the Carlingford Library as per the Planning Agreement. Any excess contributions to the fitout of the library will be applied to the embellishment of existing open space within the vicinity of the site.

## Part C: Land Dedication and Acquisitions Provisions

A significant amount of future Public Land exists within the project site that is zoned RE1 and will be dedicated to Council under the terms of the Planning Agreement. There are two types of land proposed to be dedicated to City of Parramatta upon the completion of the works identified in this plan. These are:

- Community Land for use as Parks and Open Space (in accordance with the provisions of the Local Government Act 1993); and
- Operational Land to be used for Community Facilities (in accordance with the provisions of the Local Government Act 1993).

### 1. *Associated Costs*

It is important to recognise that the cost estimates do not include any costs associated with the acquisition or dedication of land to Council for the purposes of roads and public open space.

Compensation should the Council rely on the compulsory acquisition of the future public land to be dedicated under the Planning Agreement is based on a 'peppercorn' payment, to reflect the future dedication of land at no cost to Council as public road, public open space and community land. Compulsory acquisition is only required should the Developer fail to transfer or dedicate the future public land in accordance with the Planning Agreement.

### 2. *Dedication Timing*

Following the completion of the relevant construction and embellishment works in accordance with the Planning Agreement and this ISDP, all open space areas, library and community facilities shall be dedicated to Council in accordance with the timing reflected in the documents or at a mutually agreeable time.

### 3. *Parks and Open Space*

The proposed master plan provides a minimum of 5455m<sup>2</sup> of new open space which reflects the description and design in Part A of the ISDP & Annexure B of Schedule 5 of the Planning Agreement. The open space will be dedicated to Council as public reserves in accordance with the timing reflected in this ISDP or at a mutually agreeable time.

### 4. *Land Remediation*

During the redevelopment process, localised existing areas of contaminated ground may become disturbed. As part of the redevelopment works, contaminated lands will require validation before handover / dedication to Council.

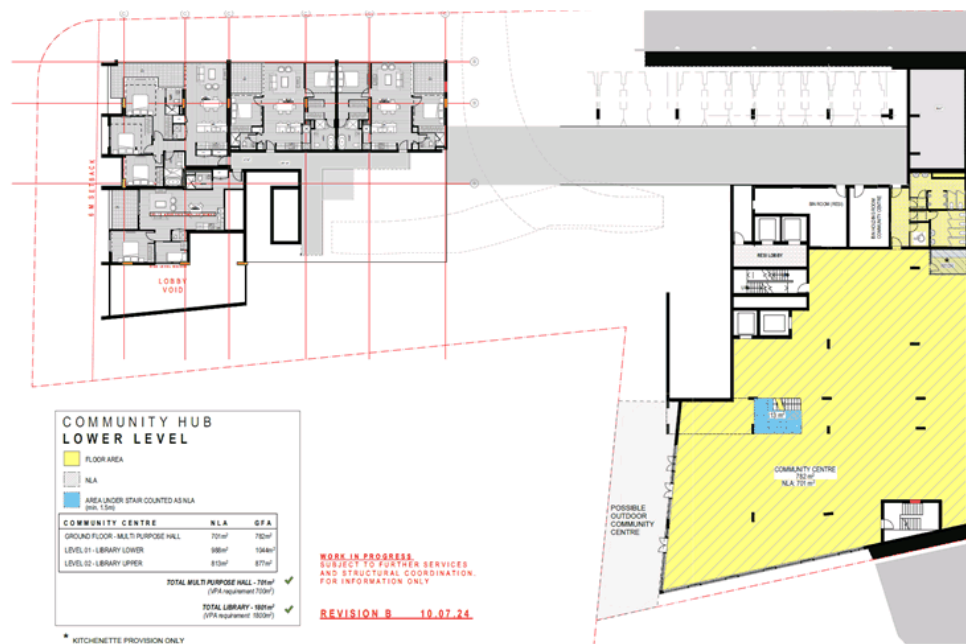
#### Annexure A Plan showing Land and Works



Figure 1 - Location Plan



Figure 2 – Works Plan (Note: Open Space areas are zoned RE1)





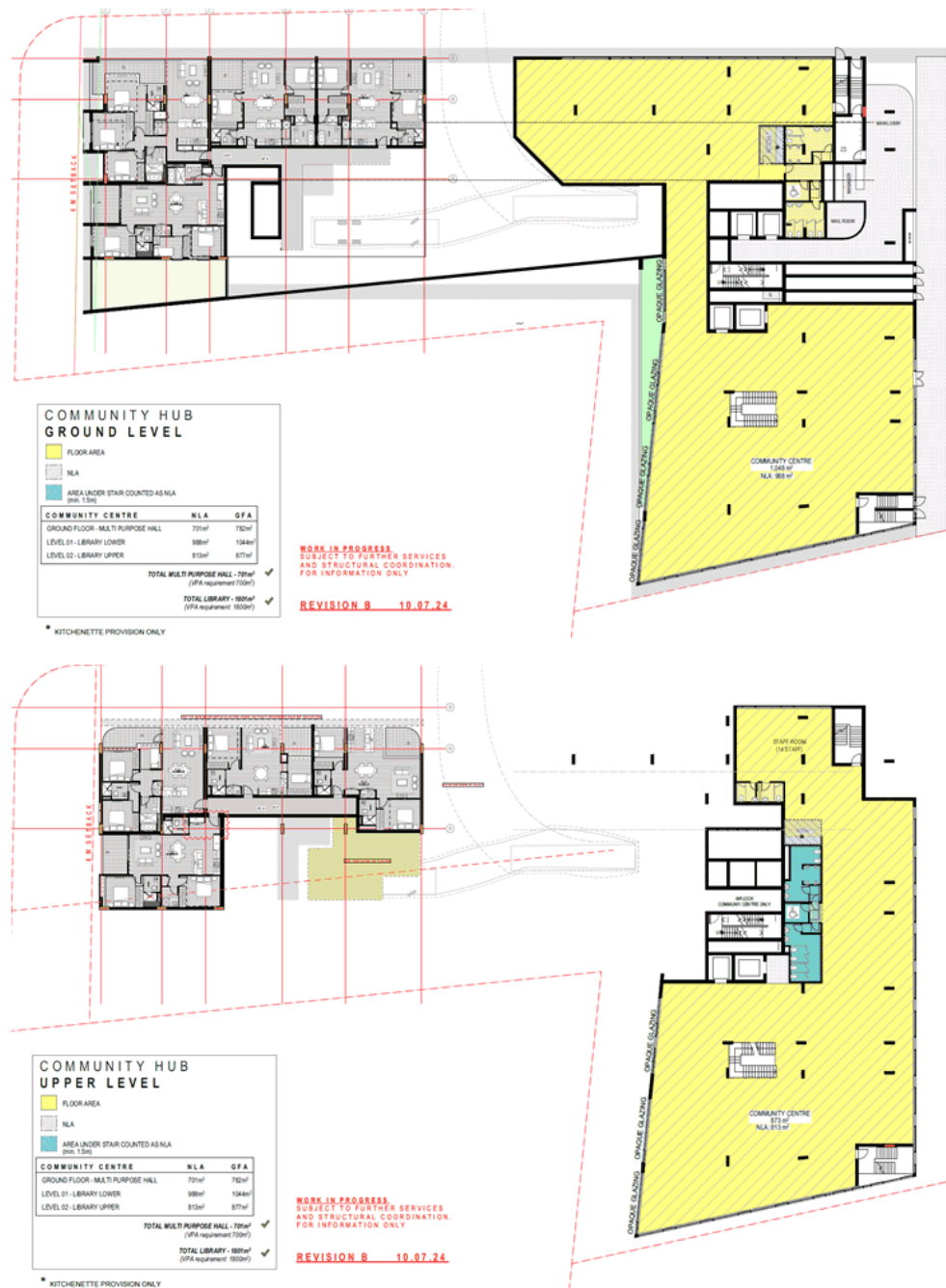


Figure 3 – Concept plans for Community Hub Levels

## Annexure B Concept Landscape Plan

## 1.9 LANDSCAPE CONCEPT PLAN - CENTRAL PARK



Figure 3 – Concept Landscape Plan – Central Park

## 1.14 LANDSCAPE CONCEPT PLAN - RETAIL PLAZA



Figure 4 - Concept Landscape Plan – Easement Land



Figure 5 – Library and Community Facility Landscape Location Plan

## Annexure C – Library Brief

# Carlingford Library & Community Hub Centre (Community Hub) Functional Brief

---

## 1. Introduction

The new integrated library and community centre ('community hub') in Carlingford will be a vibrant, accessible and inclusive place for the whole community. It will welcome people of all ages and backgrounds and be a landmark destination in Carlingford, responding to the needs of the Carlingford demographic and demonstrating council's commitment to contemporary library and community services. It will support lifelong learning, encouraging and inspiring its community, and reflect its local character.

Community centres play an important role for our communities. They provide places where people from a range of backgrounds and interests can gather, interact, learn, recreate, belong, and grow. In many areas, they are the focus of socially sustainable communities. Council is seeking to develop an innovative state-of-the-art flexible and adaptable facility that reflects our changing lifestyles and the future needs of our growing community.

The Hub will focus on cultural, learning and recreational opportunities, with rich and diverse spaces for connection, learning and participation, quiet spaces for study, reflection and information-seeking, spaces to collaborate and multifunctional spaces for community events and programs, accessible and highly visible library collection display, travelling exhibitions, lectures, lifelong learning and digital literacy resources and programs.

The Hub will provide a new facility for a range of community activities and appeal to people of all ages, occupations and lifestyles. The co-location of library and community space will also enable economies of scale, service efficiencies and a vibrant critical mass of visitors, resulting in cross promotion and co-programming opportunities.

Council aims for the design of the new Hub to reflect design excellence, innovations, flexibility and sustainability principles while embodying the spirit and aspirations informed by the community.

This design brief will provide a vision and statement of functional requirements for a new integrated library and community centre in Carlingford.

It provides the functional and non-site-specific information the design team will need, in order to:

- understand the significance and direction of the new community facility.
- Determine the functional requirements of the facility.
- Determine the operational and service delivery model of the facility.
- Determine high level costings.



- Expedite facility design excellence.

Further detail is provided in [Appendix 1 Proposed Carlingford Library and Community Centre](#) – community uses, programming and indicative floor space requirements and [Appendix 2 Guidelines for building planning, design and fitout](#).

### Strategic Alignment

The future population for the City of Parramatta LGA is estimated to grow to more than 488,000 people by 2041 with Carlingford's projected population of 32,189 by the year 2036. Population benchmarking indicates the need for approximately 39,040m<sup>2</sup> of community space within the LGA by 2041, which is approximately 22,930m<sup>2</sup> more than the current Community Space Network provision.

Council's Infrastructure Strategy (CIS) outlines the City of Parramatta's long-term direction for community infrastructure provision. The CIS strategy identified a need to:

*"Develop a Community Space of 800m<sup>2</sup> as part of a new community hub (of approximately 3200m<sup>2</sup>), within the Carlingford Town Centre close to the light rail".*

The new Hub's community spaces will add to City of Parramatta's Network of flexible multipurpose community spaces (third spaces) that respond to the needs of local communities and offer safe places for people to connect and gather together. They are spaces that promote positive health and well-being as well as community connectedness and cohesion.

## 2. Vision

The new Library and Community Centre in Carlingford, positioned within the development of 263 - 281 Pennant Hills Road & 18 Shirley Street Carlingford, will deliver a community facility building and surrounding co-located open space that together create:

- **A sense of place and act as an anchor for the community-** attracting a wide range of users and enabling a sense of community ownership and activation.
- **A vibrant welcoming hub for the whole Carlingford community** - integrating community, library and light recreation uses in a flexible, multipurpose development that celebrates community diversity in all forms and promotes cross community connections and cohesiveness between long time and newer residents.
- **High quality, flexible, accessible, fit for purpose spaces and programs** - delivering responsive community programmes, services, activities, and events, equitably servicing those with additional needs, and bringing together sectors of government, not for profit and private organisations to collaborate for impact.

City of Parramatta Council aims for the design of the new centre to reflect design excellence, innovations, flexibility and sustainability principles while embodying the spirit and aspirations of the community.

Co-locating several community facilities onto the one site has benefits for Council, in terms of sharing and efficiency of resources, economies of scale and more coordinated services delivery.

The new library and community centre should reflect the vision through the following elements, further details are also provided in Appendix 1 & 2.

Character	Inspires a Building that
<b>Character and Identity</b>	<ul style="list-style-type: none"> <li>• Delivers a high standard community infrastructure in the construction and quality of finishes that are attractive, durable, sustainable and low maintenance.</li> <li>• Acknowledges and celebrates the culture and identity of the community in which it is located.</li> <li>• Is open and welcoming.</li> <li>• Generates a sense of pride and ownership on the part of users.</li> <li>• Has a strong sense of arrival and connection to the public domain.</li> <li>• Is the community focal point and attracts interest from other areas in City of Parramatta LGA</li> <li>• Explores opportunities for creative expression and storytelling through public art and heritage interpretation.</li> <li>• Stimulates curiosity as a place for social, cultural and community engagement and connection.</li> <li>• Is visually attractive and inspiring.</li> <li>• Recognition of First Nations People and the significance of Dharug Country through Design elements such as Public Art, Heritage Interpretation, Building Signage and Naming</li> </ul>



<b>Ambience</b>	<ul style="list-style-type: none"> <li>• Has a look and feel of enduring quality?</li> <li>• Feels comfortable for long or short-term visitation.</li> <li>• Promotes and embodies sustainability.</li> <li>• Reflects a sense of the history and culture of the area.</li> <li>• Is vibrant and interesting.</li> <li>• Reflects the contemporary role of libraries as a place for the community.</li> <li>• offers a diversity of settings for all users.</li> <li>• feels spacious, with strong visual links to the outside and substantial and effective sunlight penetration.</li> <li>• Has clear wayfinding</li> <li>• Feels light, bright through daylight access and a strong connection to the Central Park</li> <li>• Feels public and fosters a sense of community ownership</li> <li>• feels relaxed, welcoming and engaging.</li> <li>• Provides a sense of place and form as a community destination.</li> <li>• Represent a fun, vibrant and engaging place</li> </ul>
<b>Functionality</b>	<ul style="list-style-type: none"> <li>• is accessible to all and goes beyond minimum compliance with accessibility standards.</li> <li>• Follows the CPTED (crime prevention through environmental design) principles to create an environment that encourages vitality where everyone feels safe and secure.</li> <li>• are flexible, adaptable and multifunctional spaces to allow multiple uses</li> <li>• incorporates best practice sustainability principles into the final fit out, and operation of the Centre. The use of a sustainability rating tool such as a Green Star is required to ensure certification of the final fitout by Council. Note: To ensure the final fitout can meet Green Star certification the Developer is to provide warm shell spaces and orientation which facilitates that end certification. To ensure best practice is employed at the time of design and construction, the Green Star rating should be in alignment with the top 15 per cent of similar buildings and centre in the Sydney metropolitan area at the time of design and construction.</li> <li>• Spaces able to adapt to be incorporated within the library and community centre or to be held as separate community leases.</li> <li>• provides a variety of multi-functional, well thought-out and designed spaces, including acoustic treatments for arts and culture and public performances, for literacy and learning activities, social activities, for quiet conversations, casual reading, study and co-working.</li> <li>• Technological and telecommunication connectivity should be enabled and facilitated throughout all spaces (NBN &amp; DAS) for Public and Council Staff access.</li> <li>• Community spaces are accessible for after-hours use; independent of library open hours and all after-hours spaces are easily accessible in that mode of operation.</li> </ul>

	<ul style="list-style-type: none"> <li>• The provision of a 24-hour study spaces that is accessible independently of the library outside of their hours of operation, however connected to enable the flow of patrons during the library's hours of operation.</li> <li>• Enables integrated service delivery through great design – even across multiple building levels.</li> <li>• Able to accommodate 12-14 back of house workstations for staff directly involved in the provision of services to the facility.</li> <li>• Lockable storage areas for equipment and furniture to service the facility and potential locker storage for regular external community hirers.</li> <li>• Inclusion of a separated dedicated service goods lift to service basement carpark and all floors of the facility ideally co located with the basement loading dock.</li> </ul>
<b>Opportunities</b>	<ul style="list-style-type: none"> <li>• Demonstrates council's commitment to quality community infrastructure.</li> <li>• Makes a demonstrated statement on the community's value of culture and learning.</li> <li>• Giving community access to a range of technology and communications</li> <li>• Hireable space for the community</li> </ul>

### 3. Council Objectives

Council's objectives for the project are to:

- Create a vibrant community centre for Carlingford, co-locating integrated community and library facilities around engaging outdoor spaces integrated with adjoining commercial and retail and public domain areas.
- Provide flexible community spaces ("third spaces") that respond to the needs of local communities and offer safe places for people to gather together.
- Create a new facility capable of providing modern resources and technologies to all members of the community.
- Demonstrate best practice sustainability principles and standards into the design of the fit out, and operation of the Centre.
- Create a place of resilience by providing refuge and evacuation supporting during extreme weather and emergency events for vulnerable and or affected local communities.
- Provide activated public spaces that establish a memorable and community focus.
- Provides an attractive community space that does not adversely impact on the amenity of the residents within the building.

#### 4. State Library of NSW Guidelines

##### Guidelines and Calculation Tools

The State Library of New South Wales provides benchmarked guidelines and calculation tools for public library buildings in the document People Places: [A guide for public library buildings in New South Wales Third Edition](#). The Carlingford Catchment area is projected to have a population of 32,189 people by year 2036. The SLNSW "service" Base Area guidelines for a projected population of this size include:

Base Area	Floor Area sqm
Collection Floor Area	190
Computers, Tablets, and other devices Floor Area	281
Reading, seating and study areas	605
Total other functional and service areas	530
Meeting Spaces	194
LIBRARY TOTAL GROSS FLOOR AREA	1,800 sqm

Note: Please refer to the Service Based Calculator table in Appendix 2 for an itemised list of areas.

The Carlingford Library and Community Centre must meet or exceed these benchmark guidelines. The final numbers of shelving / seating / PCs etc. will rest with Council, however in the planning phase the design of the facility must exceed these benchmark guidelines.

##### Functional Requirements

The high-level functional requirements that have been identified by Council for the initial costing of the facility (base build + fit out) are detailed in Appendix 2 of this document. They have been guided by the State Library of NSW [Features and Considerations - Key design factors for public libraries](#)

## 5. Design Evolution and Endorsement

The applicant is to work with Council's consultative committee through the engagement of a specialist architect to ensure the deliverables in Appendix 2.

A detailed set of plans and warm shell report will be prepared by the developer and submitted to Council's consultative committee that inform that base building design and warm shell fit out. Council will use this information to prepare the documentation for the final fit out of the Library and Community Facility.

It is vitally important that the layout of the library is mutually agreed to the submission of the Development Application for the base building to ensure the vision of the Carlingford Library and Community facility is delivered for the current and future residents of Carlingford.

The following link prepared by State Library of NSW will be used to guide Council on the process of designing and delivering the new library and community facility in Carlingford.

[Understanding the building design and construction phases | State Library of NSW](#)

## 6. Project Quality

The external design of the buildings must be of a high architectural quality, having an attractive, enduring aesthetic appeal and displaying attention to detail.

The interior design must:

- Create a vibrant, active library and community spaces for all ages and groups.
- Allow for maximum flexibility and multi-use of internal floor spaces.
- Allow for security and after-hours zoning of component facilities and sub-parts.
- Obtain certification of a suitable sustainability rating tool such as Green Star for the Council's Community Hub fitout and operation to a standard that is in alignment with the top 15% of similar buildings & centres in the Sydney metropolitan area at the time of design and construction. Note: To ensure the final fitout can meet Green Star certification the Developer is to provide warm shell spaces and orientation which facilitates that end certification
- Minimise the vertical and horizontal path of travel between various parts of the building.
- Minimise energy consumption and reduce centre utility operating costs.
- Incorporate new technologies and opportunities based on industry best practice.
- Have daylight access to all spaces and views to open space

## 7. The Opportunities presented for the new centre:

- Create a facility which defines a sense of place for community and staff.
- Provide state-of-the-art facility that provides library and community experiences, programs and services to the community that can adapt and change easily over time.
- A place for innovative, leading-edge design and technology
- A place that can be used by the community as casual drop in workspace.
- A place that supports the aspiring students and entrepreneurs through the provision of a 24-hour study space that does not unreasonably affect the use and enjoyment of the development by surrounding residents in accordance with the relevant Acts and Regulations.
- Provides multi-functional spaces including meetings, social gatherings, performances, and creative arts
- Accessible independently of library hours
- Ensure that the facility is operated in such a manner that is respectful to adjoining residents and does not undermine their rights for quiet enjoyment of their properties in accordance with the relevant Acts and Regulations.

## 8. Fitout Requirements

The spaces shall demonstrate a high quality of design, be welcoming, timeless and contemporary. All finishes shall be durable and low maintenance.

- The interior should provide a high degree of flexibility within an open planned environment, with a minimum of load bearing internal walls and columns (without compromising the efficient structural design of the residential building over without the need for transfer slabs within the building structure). This is essential towards maximising lines of sight through the centre for child safety & facilitating periodic redevelopment during the life of the building. Special acoustic treatment must be implemented for specific areas such as high circulation zones, circulation and information counters, creative spaces, meeting rooms, young person's, and children's areas.
- The interior design approach should be integrated to utilise elements taken from the architectural detailing, providing a framework for the interior fit-out which results in a blurring of the exterior and interior visual language.
- The design should pursue the composition of an interior finishes and materials palette that will help to enhance the learning process and evoke an image of the facility as "place of inspiration". Secondary elements such as the joinery and library shelving should be designed to inject warmth and texture within the materials palate and a clean line aesthetic to the overall feel of the spaces.
- Colour should be incorporated selectively and based on a neutral 'background'. Colour may feature on elements such as selected walls and partitions, the fabric selection for furniture and the use of graphic elements to clearly define distinct areas of the library. Colours and finishes should be appropriately selected to reinforce the appeal of the spaces to the designated user age group, while



seamlessly blending with the total concept of the space as an inviting, stimulating place to visit.

- Incorporate low VOC products: (Volatile organic compounds commonly found in materials such as paints, polyurethanes, particle board, adhesives): reducing VOC's will provide a much healthier indoor environment.
- Inclusion of a separated dedicated service goods lift to service basement carpark and all floors of the facility ideally co located with the basement loading dock.
- Incorporate responsible building materials and sustainable products (refer Green Building Council of Australia).
- Obtain certification of a suitable sustainability rating tool such as Green Star for the centre's fit-out to a standard that is in alignment with the top 15% of similar centres in the Sydney metropolitan area at the time of design and construction.

## 9. Desired Appearance and Design Considerations

- The exterior of the building needs to provide a modern expression and reflect its role as an important community facility, showcase technology, as well as environmental initiatives that have been integrated into the design. It should address the street and provide a prominent outlook to the Central Park.
- A strong, generous and welcoming entry needs to be created that faces the future Park and is fully accessible from the street. The facility needs to encourage active community access and feel connected to the broader development and should encourage activation of the public domain.
- To ensure long term sustainability, the allocated space should be readily adaptable to changes in internal functions, such as conversions between open planned and enclosed layouts in areas or changes in the size and intended purpose. Through conceptual planning and design development, consideration is to be given to fixed elements of the construction such as structural columns, beams and floor systems, stairs and lifts, fire walls or major services distribution routes without compromising the structural design for the residential development over the facility..
- Benchmark examples of Council community buildings that demonstrate the required project quality include:
  - Shellharbour Library and Civic Hill
  - Marrickville Library
  - Payinthe, Prospect Public Library
  - Wentworth Point Library and Community Centre

These benchmark examples are not provided for replication but to define the ambience, quality and standard required for this project.

Key matters affecting building planning, design and fit-out are provided in Appendix 2.

## 10. Design Life (internal)

The Library and Community space are public facilities and intended to be durable and robust in this intended environment. All fit-out elements in the Library and Community Centre are to withstand continuous use by the broader community and be of a neutral / classic style to ensure replacement will not be necessary for aesthetic purposes. The overall design life for the fit-out is a minimum of 15 years.

The life of a material depends on specification, its location and proper maintenance. The City of Parramatta requires all materials and components incorporated into the project works to comply with the following Building Design Life:

Element	Design Life
Fixtures & Fittings (lights and toilets)	20 years
Furniture (joinery items)	10 years
Loose Furniture	20 years
Paint	5 years
Carpet	7 years
Tiling	10 years

## 11. Samples

Samples are to be provided to City of Parramatta Council of all base building and warm shell finishes for approval by City of Parramatta prior to placing the order of the sampled materials.

# Appendix 1: Proposed Carlingford Library and Community Centre – community uses, programming and indicative floor requirements

Infrastructure Type	Community Use and Programming
<b>Library</b>  1800m2 of functional space NLA excluding amenities and service/ plant rooms.  Entry lobby separate from residential lobby  Net leasable area	<p>In addition to general civic space functional uses, enable outdoor library space to experience local culture, arts, technology, learning and relaxation.</p> <p>Access shall be provided to the library and community centre from any associated open space.</p> <p>The provision of a 24-hour accessible study space that includes a variety of seating arrangements and meeting rooms.</p> <p>Library collections, library programs, activities and other flexible spaces.</p> <p>Design detail and specific functional requirements are required to be agreed to with Council prior to lodgement of a Development Application for the base building.</p>
<b>24-hour study space</b>  Forming part of the functional space of the library.	<ul style="list-style-type: none"> <li>• 2 step access arrangement, separate from the library access.</li> <li>• A variety of study desks that enable users to study individually or in a small group.</li> <li>• Study desks that contain 1 x USB, 1 x USB-C &amp; 1 x 240w power supply</li> <li>• After hours return shelf</li> </ul>
<b>Multipurpose community space</b>  700m2 of functional space excluding bathroom and kitchen amenities.  Net leasable area	<p>Adaptable meeting rooms</p> <p>Design detail and specific functional requirements are required to be agreed to with Council prior to lodgement of a Development Application for the base building.</p>
<b>Parking &amp; Accessibility</b>  20 parking spaces, pedestrianisation & accessibility	<ul style="list-style-type: none"> <li>• Visitor, staff, service and parking</li> <li>• Two lifts from basement, one public and one goods lift with restricted access for community hub/ 24-hour study space</li> <li>• Kiss and drop spots on street for less mobile community members.</li> <li>• Electric vehicle charging at EV ready standard as per site specific Development Control Plan.</li> </ul>

## **Appendix 2: Functional Requirements Overview for Building Planning, Design and Fit-Out**

Deliver a community facility with local character that is informed by the community and is fit for purpose and flexible to meet the changing needs of community over time the following high level functional requirements have been identified:

Area	Minimum Functional Requirement for the Facility
<b>Access</b>	<ul style="list-style-type: none"> <li>• The broader Carlingford Community is to be able to easily identify and be connected to the facility through a prominent street level presence with large format easy and welcoming access to the facility.</li> <li>• Level Pedestrian access to the library is to be provided from Shirley Street or the internal private road.</li> <li>• Inclusion of a separated dedicated oversize service goods lift to service basement carpark and all floors of the facility ideally co located with the basement loading dock. This will enable the movement of deliveries to the facility and ambient stretchers in the event of an emergency.</li> <li>• Entry design must allow for a separate secure out of hours access (e.g. double entry lobby) to the extended hours study space.</li> <li>• Internal access to lobby / entry area from the carpark is required. There should be no direct access to the library from the carpark.</li> <li>• Residential and community facility entrance lobbies should be clearly separated and delineated to remove conflict for private residents and public.</li> </ul>
<b>Accessibility</b>	<p>All areas of the facility must be safe and accessible for all users and consistent with the relevant codes and legislation. As well as compliance with the requirements detailed in the Council's Disability Inclusion Action Plan.</p> <p>Accessibility will influence all aspects of the building design, from accessible parking and barrier-free access to the entry. Design teams should be prepared to consult relevant groups and consider a range of issues, such as:</p> <ul style="list-style-type: none"> <li>• Level spaces with no requirements for internal stairs or ramps within the fit out.</li> <li>• clear internal and external signage, including tactile where appropriate.</li> <li>• intuitive layout of external and internal spaces</li> <li>• convenient access from parking bays and to entries and doorways (e.g. Automatic doors)</li> <li>• width of all paths of travel, including doorways, aisles and corridors must be a minimum of 1200 wide able to accommodate strollers, wheelchairs, book trolleys and mobility scooters.</li> <li>• furniture, equipment, floor surfaces and coverings</li> <li>• shelving layout and design</li> <li>• lighting design</li> <li>• guide maps and signage.</li> <li>• hearing augmentation</li> <li>• emergency evacuation and fire precautions</li> </ul>

<b>Acoustics</b>	<ul style="list-style-type: none"> <li>• Compliance with the relevant Australian Standards</li> <li>• Measures must be taken to insulate the library from external noise and between building floors.</li> <li>• Acoustic treatment is to be provided to minimise the transfer of noise between the residential apartments and the library/ community facility.</li> <li>• Partitions separating enclosed spaces must be acoustically rated, including appropriate doors and door seals to attenuate sound between rooms so all rooms can be used simultaneously with low noise transmission and therefore low disturbance to main library area.</li> <li>• Spaces inside the library require careful design to accommodate noisy and quiet activities and special acoustic treatment may be needed in some areas.</li> <li>• Residential recreation areas including the pool and related amenities are to be acoustically separated from the community/ library spaces.</li> <li>• All wooden surfaces in the Meeting Rooms / Event spaces must be fully sprung</li> </ul>
<b>Amenities</b>	<ul style="list-style-type: none"> <li>• Amenities are to meet the population requirements under the BCA and the NSW State Library Guidelines. This includes the provision of public amenities, parents/carers rooms and accessible facilities.</li> <li>• The amenities must be of high quality, be durable and maintenance friendly, must be fitted with quality fixtures and fittings and be delivered to standards comparable to Wentworth Point Library</li> <li>• Amenities are to be provided within common areas of the library and community facility to enable access at all times.</li> <li>• Dedicated Parents Room with full-service facilities (e.g. breastfeeding area)</li> <li>• Dedicated First Aid Room</li> <li>• Dedicated multi-faith prayer room (with sink) (min 4sqm)</li> </ul>
<b>Audio system</b>	<ul style="list-style-type: none"> <li>• It is important that the room acoustics support the audio system to optimize the intelligibility, dynamic range and tonal balance by providing a neutral acoustic free from strong specular echoes and modal resonances.</li> <li>• Acoustic systems for meeting rooms and specific functional spaces must be designed to suit the relevant operational requirements.</li> <li>• A Paging / BGM system must be installed controlled from both the foyer entry and staff office and must be audible throughout the facility. The system must cover all the facility and able to be zoned for operational purposes.</li> <li>• Collaboration between acoustic and audio designers is vital to achieve the best outcome for communication of ideas in the various spaces</li> </ul>
<b>National Construction Code Building Code of Australia</b>	The library and community facility will be fully compliant with the National Construction Code – Class 9 Structure



<b>Building Management and Access System</b>	<ul style="list-style-type: none"> <li>City of Parramatta Council seeks uniformity to corporate standard for building management control systems (BMCS) and security access systems.</li> <li>Consultants will be required to liaise with City of Parramatta Council's building maintenance staff to ensure that current and future BMCS and access requirements are met.</li> <li>This may include the nomination of a specific vendors for key items such as the BMCS System, CCTV, Security Controllers, intercoms and people counting systems.</li> </ul>
<b>CCTV</b>	<ul style="list-style-type: none"> <li>Discrete use of CCTV in public areas which are at higher risk to public safety. These areas may include lifts and lift lobbies, foyers, and passageways, secure storage rooms, entrances and fire exits. CCTV image recording equipment to be located in appropriate secure service areas of the library.</li> <li>CCTV equipment will be prescribed by the Council and included in the fit-out costs will be the connection of the system to Council's 24/7 Security Control Room.</li> </ul>
<b>Ceilings</b>	<p>Floor to floor heights of:</p> <ul style="list-style-type: none"> <li>4.5m to the ground floor library/ community facility;</li> <li>3.8m to any other floor within the library/ community facility, and</li> <li>No protrusion of services or pipes through the ceiling to interrupt the floor to ceiling space, details to be included and agreed at Detailed Design stage.</li> </ul>
<b>Children's Play Area</b>	<p>The children's play area should be a key feature of the library. It must be unique to the facility and inspire fun, creativity, learning and discovery. The colour palette for the area is to be bright and playful.</p> <ul style="list-style-type: none"> <li>Soft fall flooring material is to be incorporated into the finishes for this space.</li> <li>Flooring to this space is to be differentiated through clever use of colour to create a defined space.</li> <li>This area should be separated from the rest of the library – both physically and visually, providing a space that is comfortable and welcoming for both children and carers. The intention is not a separate room, but a clever use of furniture, flooring and joinery to create a 'sectioned off' area.</li> <li>Consideration of the City's child safety policy and the requirement for a clear line of sight, no hidden areas such as tents or closed nooks etc.</li> <li>The design of this area will include the provision of dual carer/child seating and height and angle adjustable embedded LED touch screen for children to play educational/learning games. All furniture and shelving is to be WHS compliant for 0 - 8 year olds.</li> <li>Flexible modular bespoke children book shelves / Book bins which can be easily moved around for different learning and reading purposes with lots of front-facing shelving AV and built in speakers are required for presentation and storytelling with a wall or floor data projector for programming.</li> </ul>

<b>Consultation</b>	<p>Consultants must be prepared to participate in community and stakeholder consultation activities coordinated by City of Parramatta Council to support the planning and design process, which will include:</p> <ul style="list-style-type: none"> <li>• Presentations at strategic points of the process</li> <li>• Participation in consultation events with library users and the broader community</li> </ul> <p>NOTE: The indicative layout for the library is to be approved by the Consultative Committee prior to the submission of a Development Application for the base building.</p>
<b>Community Facilities</b>	<p>The flexible multipurpose community spaces within the facility must include:</p> <ul style="list-style-type: none"> <li>• Flexible/dividable multipurpose rooms with Dividable partitions</li> <li>• Co-working space</li> <li>• One room to be able to be used as a Dance/yoga/Pilates space and with a fully sprung floor</li> <li>• Kitchenette / servery to support the multipurpose rooms (refrigeration, reheating and beverage preparation only)</li> <li>• Storage for multipurpose room equipment (chairs and table)</li> <li>• Storage for AV equipment with racking.</li> </ul>
<b>Data and communications</b>	<p>Consultants will be required to liaise with City of Parramatta Council's information technology staff to ensure that current and future communications and data cabling requirements are met</p> <ul style="list-style-type: none"> <li>• Intercoms and help points for customer assistance outside operating hours</li> <li>• NBN Connectivity to the Premises</li> <li>• Distributed Antenna System (DAS) throughout the facility area</li> <li>• Network Access for both Public and Council Staff</li> </ul>
<b>Deliveries &amp; Grease Trap</b>	<ul style="list-style-type: none"> <li>• building design must accommodate delivery vehicles, up to the size of a large van</li> <li>• consider garbage and larger truck access as necessary and stipulated by council controls</li> <li>• grease waste trap and waste rooms located where they will not impact the operations of the community facility or impede standard business practises.</li> <li>• Inclusion of a separate dedicated service goods lift to service basement carpark and all floors of the facility ideally co located with the basement loading dock.</li> </ul>
<b>Design</b>	<ul style="list-style-type: none"> <li>• A specialist architect is to engaged to prepare the design package for the library and community facility</li> <li>• The design package is to be presented to the Consultative Committee for endorsement and hand over of the final fit out of the library to Council.</li> </ul>

<b>Disaster preparedness</b>	<ul style="list-style-type: none"> <li>• shut-off points for power, water and other utilities must be in places that are easy for staff and authorised personnel to access</li> <li>• first aid resources including defibrators are required, on each floor of the facility. Defibrillators should be on an alarm connected to the Council's security network.</li> <li>• a disaster response bin must be included in the fit out as well as spatial allocation in the floorplan that includes sufficient materials to protect shelf contents in the event of an emergency.</li> <li>• flood mitigation measures must be discussed with council officers in the early planning stages.</li> </ul>
<b>Electrical</b>	<ul style="list-style-type: none"> <li>• Electrical services should be designed to meet Council's environmentally sustainable design objectives</li> <li>• ducting, conduits and cable trays must allow for long-term changes throughout the life of the building</li> <li>• centralised power switches will be required where it isn't necessary to turn off all individual switches (e.g. for public access computers when the library is closing)</li> <li>• electrically 'noisy' equipment should not be on the same circuits as computer equipment and switchboards should be located where electromagnetic interference will not affect sensitive equipment or raise WHS issues</li> <li>• child-resistant safety plugs are required for all floor-level power points</li> </ul>
<b>Entry Lobby</b>	<ul style="list-style-type: none"> <li>• A shared entry lobby / Reception area for both library and community facility that includes Digital Wayfinding for both the facility and temporary / event related purposes.</li> <li>• The entry lobby is to be separable space from the library &amp; community facility.</li> <li>• The lobby must be highly visible and have a welcoming and pleasant quality. The entrance should be provided with double automatic entry doors (including airlock) that can be secured after hours and must allow for equitable accessible entry for all user groups including people with mobility impairments, motorised scooters, and double width prams.</li> <li>• The design of this area should facilitate after-hours access to the meeting rooms and quiet study spaces and the amenities which service these rooms.</li> <li>• There should be a clear, practical internal path of access from Council's allocated car spaces to the entry lobby</li> <li>• Requires lounge seating and spaces for people to sit and wait or to review community notices.</li> <li>• Entry Lobby is a potential location for public art installations – either permanent or temporary</li> </ul>

<b>Finishes</b>	<ul style="list-style-type: none"> <li>• All interior finishes and materials should be selected from cost effective, proprietary products with proven functional integrity and long-term availability.</li> <li>• The 'zoning' of the separate areas may be enhanced through the use of screens of appropriate height and acoustic performance, bold graphics, directional way-finding signage and carefully located lighting. Separate zones may also be defined via contrasting treatment to access routes.</li> <li>• General colour selection to major elements such as the floors, ceiling and walls will be neutral and light in colour to encourage light penetration, with final selections being capable of withstanding high traffic and an allowance for simple ongoing maintenance regimes.</li> <li>• finishes and fittings should be selected to meet council's environmentally sustainable design (ESD) objectives</li> <li>• consideration should be given to locally sourced materials where practical</li> <li>• finishes should be durable, high quality, low maintenance and discourage graffiti; paint finishes should be easy to clean</li> <li>• flooring should be selected to meet the needs of the specific area, durability and ESD objectives; consider carpet tiles, rubber, concrete, timber etc</li> <li>• Carpet must be heavy duty (ACCS 'contact extra heavy duty' 48 oz), particularly in high-traffic areas like entrances, counters and most staff areas; carpet squares are preferred. A spares allowance of 15% should be included in the planning for carpet squares to allow for replacements over the life of the facility.</li> </ul>
<b>Facilities and Building Compliance, including Fire Services</b>	<ul style="list-style-type: none"> <li>• The space must be built (cold and warm shell) to achieve a Class 9 Classification under the National Construction Code</li> <li>• Airconditioning throughout the fit out, able to be programmed in zones and times to suit operational requirements.</li> <li>• HVAC and Fire systems must be installed to meet relevant legislation and will be linked to City of Parramatta Council's security</li> </ul>

<b>Flexibility</b>	<p>Interiors must be able to adapt to future uses and services. Elements that assist adaptability include:</p> <ul style="list-style-type: none"> <li>• Provide spaces for a wide variety of programs and services that assist individuals to achieve their potential including academic, business and creative skills</li> <li>• Provides spaces for residents and community groups to hire for private functions</li> <li>• Are designed to be adaptable and flexible with good storage facilities</li> <li>• Are able to be set up for different users with a minimum of turnaround time and labour.</li> <li>• Are managed by Council's enterprise booking systems.</li> <li>• Provide modern support spaces including kitchens that facilitate re-heat and service catering</li> <li>• extensive use of modular loose furniture</li> <li>• limiting the number of 'built in' items</li> <li>• locating 'inflexible' elements such as service cores and toilets where they won't hamper future flexibility of space and ensure an open plan layout</li> <li>• a flexible enough design to accommodate future floor space, resources and technology changes</li> <li>• Providing operable walls to allow spaces to be divided or connected to suit a range of activities</li> <li>• Provide good acoustic separation between rooms to allow noisy activities adjacent to rooms with a quiet activity</li> <li>• Provision of lockable user storage in rooms to allow for quick set up and clean up between activities</li> <li>• Provision of well-placed furniture storage to allow furniture to be moved in and out of spaces for different uses</li> <li>• Provision of suitable floor finishes, including timber floors with rubber cushioning to allow a variety of physical activities and impervious surfaces to allow for children's activities, and art and craft</li> <li>• Provision of catering facilities including user kitchenette and a reheat "catering" kitchen for the meeting rooms</li> <li>• Provision of supporting AV technologies appropriate for the function of the room</li> </ul>
<b>Floor loading</b>	<ul style="list-style-type: none"> <li>• Design should accommodate and encourage flexible use of space, allowing bookshelves to be installed at virtually any point and with loadings in line with the relevant Australian Standard</li> <li>• The entire library space should be able to accommodate library shelving. A structural engineers assessment would be required as part of the design process and is expected to have a loading of more than 10 kPa.</li> </ul>
<b>Functionality</b>	<p>Bookable, flexible working spaces are to be designed to allow individuals and groups to meet the requirements of contemporary work, research and study, and collaboration through conferencing. It is anticipated that these spaces could be used by entrepreneurs, creatives, academics, innovators, educators or students.</p> <p>Community lounge area is to be designed to accommodate the specific needs of the Carlingford community. Reading and game playing opportunities should be provided.</p>

<b>Furniture</b>	<ul style="list-style-type: none"> <li>• furniture should be selected to be long lasting, easy to clean and Council's environmentally sustainable design objectives</li> <li>• all accessible furniture and fittings meet Australian Standards</li> <li>• design and selection must account for the large number and type of people who use the library, including those with a disability and children</li> <li>• furniture must be safe and ergonomic, easy to maintain, and robust but attractive</li> <li>• readily available, standard items of furniture is preferred over expensive and hard to replace custom-made items.</li> <li>• Tables and desks should have power and cable management include in their design. Each Study desks / location (per student) is to contain 1 x USB, 1 x USB-C &amp; 1 x 240w power supply</li> <li>• Minimum of 20% of all chairs within the fit out must have arms to meet DDA compliance</li> <li>• 20% fixed bench and or meeting tables to meet wheelchair accessible height</li> <li>• 10% of loose meeting room tables must have powered adjustable height functionality to meet wheelchair access compliance.</li> </ul>
<b>Graffiti and Vandalism Prevention</b>	<ul style="list-style-type: none"> <li>• When possible, use anti-graffiti paints for wall surfaces.</li> <li>• Implementation of graffiti prone surfaces within the design of the library and community facility</li> </ul>
<b>Hydraulics</b>	<ul style="list-style-type: none"> <li>• hydraulic design should meet council's environmentally sustainable design objectives</li> <li>• fixtures and fittings must have the highest possible water efficiency rating and controls to minimise water use</li> <li>• potable water must be available from all domestic taps</li> <li>• Inclusion of a separated dedicated service goods lift to service basement carpark and all floors of the facility ideally co located with the basement loading dock.</li> </ul>
<b>Layout</b>	<p>The preferred layout for the facility is based on the following:</p> <ul style="list-style-type: none"> <li>• Lower Ground Floor – Community Space and storage</li> <li>• Ground Floor – Entry lobby, Community Spaces, Multipurpose Rooms and Quiet Study area</li> <li>• First Floor – Library and study Area and back of house spaces – office and storage.</li> </ul> <p>Locating the Library on the Ground and upper floor and the Community spaces on the lower floor will allow for a better noise barrier between residents and the community spaces, particularly during after-hours usage and private events.</p> <p>Locating the Community Spaces – (e.g. Multipurpose rooms and quiet Study area) on the ground floor will enable easy out of hours access for patrons.</p> <p>Layout will be finalised in the Detailed Design, prior to issue of Building F construction certificate.</p>



<b>Landscaping (by Council)</b>	<ul style="list-style-type: none"> <li>• Landscaping (if located within the Community Hub footprint or the design) should meet Council's environmentally sustainable design objectives</li> <li>• landscaping should be low maintenance and complement the design of the buildings and outlook</li> <li>• design should consider the use of open space as an extension of library activity, whether reading, using wi-fi, meeting, leisure and programmed events</li> </ul>
<b>Library and Community Facility – General</b>	<p>The layout of the library and Community Facility should include elements such as:</p> <ul style="list-style-type: none"> <li>• Welcome desk/customer service and reservations storage</li> <li>• Community lounge</li> <li>• Learning activities lab /digital hub</li> <li>• study areas with extended access including single study tables and pods with screens for group study</li> <li>• Pop up or collaboration work spaces</li> <li>• Children's area</li> <li>• Youth area</li> <li>• Makerspace</li> <li>• Multipurpose rooms that can be programmed or hired by customers</li> <li>• Tech bar/room</li> <li>• Printers / Scanning facilities (allow 2 large machines and Monitor kiosks)</li> <li>• Publicly accessible computers</li> <li>• Programs areas e.g., for Language groups</li> <li>• Seating</li> <li>• Natural and creative elements which support children's interests</li> <li>• Amphitheatre multipurpose space</li> <li>• Stock shelves/displays</li> <li>• General library space</li> <li>• Administration spaces</li> <li>• Storage</li> </ul> <p>Community lounge area is to be designed to accommodate the specific needs of the Carlingford community. Reading and game playing opportunities should be provided.</p>

<b>Library – Collection and Shelving</b>	<p>The cost of the initial “opening” Collection should be included in the fit-out costs, and include books, periodicals and digital items.</p> <p>The volume of the collection is anticipated to be 25,000 items.</p> <p>Collection shelving –</p> <ul style="list-style-type: none"> <li>• Freestanding collection shelving should be on robust castors, double sided and no greater than 1600 high in adult areas and 1300 high in children’s / youth spaces.</li> <li>• Fixed Wall shelving in adult areas should be a maximum 1800 high and in children’s spaces 1500 high.</li> </ul> <p>For the purposes of calculation of shelving requirements allow:</p> <ul style="list-style-type: none"> <li>• Adults: 5 shelves per bay and min 1.5 front facing (display) shelves per bay for freestanding shelves, allow 6 shelves per bay with 2 front facing display shelves per bay.</li> <li>• Children: 2 shelves per bay and all front facing and book bins below.</li> </ul> <p>The compactus in back of house can be surface-mounted or flush with the floor, with one or more access aisles/unit of shelving, for greater use of floor space for low-use materials.</p>
<b>Library – Collection Technology and Membership facilities</b>	<p>Technology Providers must match existing City of Sydney providers / Enterprise solution for ease of management and a consistent customer experience.</p> <p>Technology infrastructure to be included in the library fit out would include as a minimum:</p> <ul style="list-style-type: none"> <li>• RFID Self checkers– borrowing stations and return shelves (Joinery with RFID functionality).</li> <li>• Book boxes (Collection and Return lockers) for customer collections located in both the library and the quiet study space.</li> <li>• RFID Gates at all entry /exit points to the library spaces</li> <li>• Self Help Kiosks to access the Digital Collection</li> <li>• Large format photocopier and Monitor Kiosks for Customer Photocopy and Scanning facilities.</li> </ul> <p>The quantity of these items would be determined by the facility design and collection size.</p>

<b>Lighting</b>	<ul style="list-style-type: none"> <li>• lighting should be selected and designed to meet City of Parramatta Council's environmentally sustainable design objectives.</li> <li>• Lighting lux levels to meet library standard guidelines.</li> <li>• light levels should generally follow Australian Standards</li> <li>• lighting design should use natural light to best advantage, both for aesthetic and energy conservation reasons</li> <li>• lighting design should avoid excessive heat loss or gain, glare and the unwanted effects of direct or reflected light.</li> <li>• main light switches to be located near staff entry/exit points</li> </ul>
<b>Operating Hours</b>	<p>The following are the proposed opening hours for the facility and should be included in any planning approvals:</p> <p>a) General Facility and Library Opening Hours:</p> <ul style="list-style-type: none"> <li>• 10am-9pm Monday to Friday</li> <li>• 10am-6pm Saturday</li> <li>• 10am-6pm Sunday</li> </ul> <p>b) Proposed Community Facility Hours:</p> <ul style="list-style-type: none"> <li>• 5am – 11pm 7 days per week (subject to actual events / programming activities). If not in use, these spaces will be closed/secured. Only quiet activities (e.g. yoga and tai Chi) will be programmed prior to 7am). Any evening events will be respectful of adjoining residents and restrict noise emission.</li> </ul> <p>c) Quiet Study space:</p> <ul style="list-style-type: none"> <li>• 24/7 (Members only access)</li> </ul> <p>The Council reserves the right to amend the opening hours (including Public Holidays) subject to operating requirements.</p>
<b>Parking</b>	<ul style="list-style-type: none"> <li>• the provision of 20 parking spaces to be dedicated to Council which will include loading/delivery spaces, disabled parking spaces and staff parking spaces. The allocation and purpose of these spaces will be at Council's discretion.</li> <li>• The 20 parking spaces are to be provided within the basement of the building that contain the Library and Community Facility to the satisfaction of City of Parramatta</li> <li>• All parking should level and convenient access to the facility lobby or lifts.</li> <li>• safe and accessible bicycle and mobility scooter parking must be provided close to the facility entry.</li> </ul>
<b>Quiet Study Space</b>	<ul style="list-style-type: none"> <li>• The quiet study space is located separately to the general library space.</li> <li>• It should have a capacity of capacity of a minimum 40 desks that enable users to study individually (note small group study spaces should be allocated in the general library spaces)</li> <li>• Access to the space should be restricted to members only and accessed via Council's access control system.</li> <li>• The space should have a minimum 2 duress buttons and an intercom help point at the entry.</li> <li>• The quiet study space should include a book box for collections and returns</li> </ul>

<b>Safety and security</b>	<p>The hub must be designed to be safe and secure:</p> <ul style="list-style-type: none"> <li>• for security and after-hours zoning of component facilities and sub-parts</li> <li>• external design should deter vandalism and graffiti and incorporate crime prevention through environmental design (CPTED) principles.</li> <li>• after-hours security lighting is essential.</li> <li>• all external lighting should use long-life components and be vandal resistant.</li> <li>• consideration should be given to the after-hours returns chute both in terms of customer safety and prevention of vandalism of books.</li> <li>• internal design must accommodate internal intruder alarms and alarms will generally be required on emergency exit doors.</li> <li>• information/service desk must have a silent duress alarm for times when there is only one staff member on duty.</li> <li>• sight lines and supervision of areas are to be reviewed in detail with the library staff.</li> <li>• children's library design will require clear sightlines to and from the information/service desk and encourage passive surveillance/security.</li> <li>• locking systems and pin pads must be consistent and compatible with council's master key system.</li> </ul>
<b>Seating</b>	<p>Within the library area, there should be space allocations for solo study and small group study. This should include a variety of seating arrangements such as pods, desks, group collaboration spaces (including access to digital screens), meeting rooms and silent areas.</p> <p>Seating calculations should be based on the following:</p> <ul style="list-style-type: none"> <li>• Minimum of 20% of all chairs with arms to meet DDA compliance (to suit elderly and visitors and with mobility issues.)</li> <li>• 20% fixed bench and or meeting tables to meet wheelchair accessible height.</li> <li>• 10% of loose meeting room tables adjustable height to meet wheelchair access compliance.</li> </ul>
<b>Sightlines</b>	<ul style="list-style-type: none"> <li>• Facility users and staff should be able to maintain visual contact with the exterior throughout the floorplan.</li> <li>• People outside the library should be able to see inside the library and get a feel for what it has to offer.</li> <li>• Space in the library should be designed to ensure that sightlines are maintained, and that secluded spaces are avoided.</li> <li>• Pillars should be minimised to what is practical in the design.</li> </ul>

<b>Signage and Wayfinding</b>	<ul style="list-style-type: none"> <li>Any external signage and wayfinding must be agreed with the developer. Wayfinding signage should also include other parts of the development like the retail/supermarket facilities and childcare centre.</li> <li>All signs must be vandal proof, have sufficient lighting where required, and where possible, integrated into the architecture of the development.</li> <li>An efficient and legible text layout and the rules of arrangement must be consistent. The use and choice of colour will be dependent on the building finishes.</li> <li>External signs from nearby crossroads, parking areas and walkways at regular intervals but at least at every major change in direction</li> <li>The provision of prominent external building signage is to be agreed with the developer.</li> <li>The provision of digital signage/ display at entry and near primary circulation paths</li> <li>The inclusion of appropriate Editable signs eg. Opening hours, layout, current and forthcoming activities and events</li> <li>Internal hierarchy of signs for amenities, data rooms, shelving, signage, such as 'young adult', "large print" through to editable shelf signs</li> <li>Provide tactual signs as the primary wayfinding and significant signage system,</li> <li>Design tactual maps to provide sufficient data for vision impaired persons to orientate to their viewing area and to locate support facilities and key area.</li> <li>Design signs to comply with the BCA Specifications with the appropriate qualifications from the specifications of Accessible Environments Inc for tactile characters, infographics and luminance.</li> <li>Emergency exit and other statutory signage form part of the base building</li> <li>Some signs are required be in community languages (including non-Roman scripts)</li> </ul>
<b>Staff Office/Back of House</b>	The staff office is to cater for at least 12 staff hot desks, with provision of cabling for laptops and/ for lockers and separate meal room.
<b>Stormwater and roof water</b>	<ul style="list-style-type: none"> <li>stormwater management must meet City of Parramatta Council's environmentally sustainable design objectives and stormwater modelling and strategies.</li> <li>discharge to the street stormwater system is suitable.</li> <li>roofing systems, gutters and downpipe design should consider the considerable risk to collections from rainwater and flood risk and apply the appropriate benchmarks for design and detailing</li> </ul>

<b>Sustainability Principles</b>	<p>Incorporate both the energy efficiency requirements of section J outlined in the Building Code of Australia and the key sustainability principles noted below;</p> <ul style="list-style-type: none"> <li>• To provide effective heating and cooling that meets the needs of patrons and staff in all areas of the facility.</li> <li>• To provide individual air handling units to each functional area to allow zoned operation of air conditioning.</li> <li>• Provision of effective fixed external sun shading to all windows.</li> <li>• Minimise carbon emissions through use of automated natural ventilation to activity rooms and override controls through BMS to AC system.</li> <li>• Use of natural light to balance artificial light, whilst still complying with appropriate lighting levels and including automated controls to the facilities that manage lights when there is sufficient natural light.</li> <li>• Minimise carbon emissions through use of motion detector lighting controls to all support spaces, amenities and Activity Rooms</li> <li>• Inclusion of LED lighting with time activated sensor controls</li> <li>• Provide metering and control systems to optimise operational performance.</li> <li>• Reduce stormwater impact by collecting roof water for reuse in irrigation to landscaping and flushing of all toilets.</li> <li>• Support localised manufacturing in construction, maintenance, and operation.</li> <li>• Incorporate materials which capture carbon: materials such as plantation timber and bamboo products.</li> <li>• Incorporate green accredited materials: there are a range of materials accreditation organisations including GECA (See Green Building Council of Australia)</li> <li>• Incorporate low VOC products: (Volatile organic compounds commonly found in materials such as paints, polyurethanes, particle board, adhesives): reducing VOCs will provide a much healthier indoor environment.</li> <li>• Reduce medium density fibreboard (MDF): due to noxious formaldehyde glues utilised in production and where utilised use E0 grade product.</li> <li>• Consider methods for designed facilities to reduce energy beyond code compliance.</li> <li>• Reduce carbon emissions associated with vehicular transport by incorporating bike racks to promote low- carbon transport.</li> <li>• Utilise water sensitive design requirements are integrated seamlessly into the overall design of green spaces and landscaping for the facility, which become a showcase for water sensitive urban design.</li> </ul>
<b>Technology enabled</b>	<ul style="list-style-type: none"> <li>• NBN and DAS access to form part of the base build</li> <li>• Powerful public access Wi-Fi on all levels of the library and community facility</li> <li>• Public Wi-Fi access is to be provided 10m beyond the perimeter of the library and community facility.</li> <li>• Council Network Access to be provided as part of the fit out.</li> </ul>



<b>Temperature and humidity</b>	<ul style="list-style-type: none"> <li>• Council's environmentally sustainable design objectives aims should be noted.</li> <li>• Filtration will be provided by high efficiency (HEPA type) filters and air shall be delivered to the breathing zone by specifically selected swirl air diffusers. Any pollutant source shall be located within dedicated enclosed spaces and provided with direct exhaust to ensure that the air quality of the general library space is not affected.</li> <li>• The library shall create a healthy and productive space for learning and innovation. The provision of a high-quality internal environment is essential to achieving this outcome. The library shall be provided with a climate control system to provide fresh air throughout the space and maintain comfortable indoor conditions. The system shall respond to the varying uses within the building and be flexible so that it may accommodate future uses.</li> <li>• The system shall be capable of supplying 100% fresh air in economy cycle and night purge modes and provide energy efficiency through CO<sub>2</sub> control of outdoor air to match actual occupancy levels during peak design conditions.</li> <li>• Some paper-based library materials are prone to mould when subjected to high levels of relative humidity (RH)</li> </ul>
<b>Vending Machines</b>	<ul style="list-style-type: none"> <li>• Vending machine should be located within general library area, entrance / lobby area and within close proximity to bathrooms.</li> <li>• Vending machine space is to include have Wi-Fi / mobile phone reception with a flush/ integrated design to its surrounds to maintain site lines.</li> </ul>
<b>Walls</b>	<ul style="list-style-type: none"> <li>• walls should be suitable or display purposes wherever possible, including hanging systems or locations identified for permanent artwork and graphics.</li> <li>• walls must be protected from trolley impact in high-traffic areas like corridors, doorways and information/service desk</li> </ul>
<b>Waste Strategy</b>	<ul style="list-style-type: none"> <li>• Waste storage and provisions for removal is to be included in the design for the Library and Community Facility. The waste strategy will require integration with the library's operational planning, and base building operations.</li> </ul>
<b>WHS</b>	<ul style="list-style-type: none"> <li>• WHS issues should be considered and accommodated throughout the planning and design process so that public and staff areas meet the highest standards.</li> <li>• The design team should participate in Safety in Design processes during the design and construction phases</li> </ul>
<b>Windows</b>	<ul style="list-style-type: none"> <li>• Staff and public areas must have access to natural light to all levels.</li> <li>• direct sunlight should generally not fall on collections or create glare for computer users.</li> <li>• windows that can be opened must have locks and keyed alike.</li> <li>• window blinds must be childproof (no cords at child height)</li> </ul>

263 – 281 Pennant Hills Road Carlingford - May 2024

DRAFT

**Draft Site-Specific Development Control Plan (SSDCP)**

**263-281 Pennant Hills Road, Carlingford**

The purpose of this Attachment is to illustrate:

- The new DCP changes to Part 8 of the Parramatta DCP 2023

Parramatta Development Control Plan 2023, Part 8: Centres, Precincts, Special Character Areas, and Specific Sites:

<https://www.cityofparramatta.nsw.gov.au/sites/council/files/2023-12/PDCP-2023-Part-8.pdf>

Track changes show any amendments made to the SSDCP post exhibition.

## CONTENTS

263-281 Pennant Hills Road, Carlingford.....	2
1—INTRODUCTION.....	2
1.1—DESIRED FUTURE CHARACTER.....	2
1.2—DESIGN QUALITY.....	3
2—BUILT FORM.....	4
2.1—INDICATIVE SITE STRUCTURE.....	4
2.2—SETBACKS.....	6
2.3—BUILDING LOCATION AND HEIGHT.....	9
2.4—BUILDING SEPARATION AND TOWER SLENDERNESS.....	10
2.5—BUILDING DESIGN.....	10
2.6—FLOOR TO FLOOR HEIGHTS.....	12
2.7—RETAIL GROUND FLOOR FRONTAGE.....	12
2.8—RESIDENTIAL GROUND FLOOR FRONTAGE.....	13
2.9—RESIDENTIAL DESIGN APARTMENT QUALITY.....	14
2.10—NON-RESIDENTIAL USES.....	14
2.11—COMMUNITY CENTRE AND LIBRARY FACILITY.....	15
2.12—WINTERGARDENS.....	16
2.13—RETAINING WALLS.....	17
3—PUBLIC DOMAIN.....	18
3.1—STREET NETWORK AND FOOTPATHS.....	18
3.2—ACTIVE TRANSPORT.....	19
3.3—PUBLIC OPEN SPACE AND PEDESTRIAN CONNECTIONS.....	19
3.4—COMMUNAL OPEN SPACE.....	23
3.5—OVERHEAD POWERLINES.....	23
3.6—STREET TREES.....	23
3.7—AWNINGS AND AWNING DESIGN.....	24
3.8—LANDSCAPE DESIGN AND PLANTING.....	24
4—VEHICULAR ACCESS AND PARKING.....	25
4.1—VEHICULAR ACCESS.....	25

263-281 Pennant Hills Road, Carlingford

4.2	ON-SITE PARKING.....	26
4.3	BICYCLE PARKING.....	28
5	SUSTAINABILITY.....	29
6	URBAN HEAT ISLAND.....	29
6.1	VERTICAL FACADES.....	29
6.2	AWNINGS.....	30
7	PUBLIC ART.....	30

DRAFT

263-281 Pennant Hills Road, Carlingford

263-281 Pennant Hills Road, Carlingford.....	4
1 INTRODUCTION.....	4
1.1 DESIRED FUTURE CHARACTER.....	4
1.2 DESIGN QUALITY.....	5
2 BUILT FORM.....	6
2.1 INDICATIVE SITE STRUCTURE.....	6
2.2 SETBACKS.....	8
2.3 BUILDING LOCATION AND HEIGHT.....	13
2.4 BUILDING SEPARATION AND TOWER SLENDERNESS.....	14
2.5 BUILDING DESIGN.....	15
2.6 FLOOR TO FLOOR HEIGHTS.....	16
2.7 RETAIL GROUND FLOOR FRONTAGE.....	17
2.8 RESIDENTIAL GROUND FLOOR FRONTAGE.....	17
2.9 RESIDENTIAL DESIGN APARTMENT QUALITY.....	18
2.10 NON-RESIDENTIAL USES.....	19
2.11 COMMUNITY CENTRE AND LIBRARY FACILITY.....	20
2.12 WINTERGARDENS.....	21
2.13 RETAINING WALLS.....	22
3 WATER MANAGEMENT.....	22
4 PUBLIC DOMAIN.....	24
4.1 STREET NETWORK AND FOOTPATHS.....	24
4.2 ACTIVE TRANSPORT.....	27
4.3 PUBLIC OPEN SPACE AND PEDESTRIAN CONNECTIONS.....	27
4.4 COMMUNAL OPEN SPACE.....	31
4.5 OVERHEAD POWERLINES.....	31
4.6 STREET TREES.....	31
4.7 AWNINGS AND AWNING DESIGN.....	32
4.8 LANDSCAPE DESIGN AND PLANTING.....	32
5 VEHICULAR ACCESS AND PARKING.....	33
5.1 VEHICULAR ACCESS.....	33
5.2 ON-SITE PARKING.....	35
5.3 BICYCLE PARKING.....	36
6 SUSTAINABILITY.....	37
7 URBAN HEAT ISLAND.....	37
7.1 VERTICAL FACADES.....	37
7.2 AWNINGS.....	38



263-281 Pennant Hills Road, Carlingford

8	PUBLIC ART.....	38
---	-----------------	----

DRAFT

263-281 Pennant Hills Road, Carlingford

## 263-281 Pennant Hills Road, Carlingford

### 1 INTRODUCTION

This Section applies to 263-281 Pennant Hills Road, Carlingford as shown in Figure 1. Land application map and must be read in conjunction with any relevant Parts of the Parramatta DCP 2023. Where there are inconsistencies between the controls contained within this Section and any other controls within this DCP, the 263-281 Pennant Hills Road provisions will prevail to the extent of the inconsistency.

This DCP will be included in Part 8 of the existing Parramatta DCP 2023. Existing Part 8 controls applying to this site will be reviewed accordingly to ensure that the exhibited controls are correctly applied. This review will not change the intent of the exhibited controls.



Figure 1: Land application map

#### 1.1 DESIRED FUTURE CHARACTER

City of Parramatta Council aims to foster the development of a lively, diverse, and healthy Local Government Area, one which celebrates a sense of place and local character.

Situated along Pennant Hills Road, to the east of the Carlingford Light Rail Station is 263-281 Pennant Hills Road, Carlingford. The site represents the largest, single held residential allotment within the Carlingford locality.

The site is to accommodate a public domain network which will optimise connectivity for pedestrians, minimise perceived density, provide for vibrant spaces and enable a mixture of uses which will support livability of the immediate and wider locality. The clarity and quality of public spaces, including streets,

## INTRODUCTION

parking and community facilities, are vital. The interaction of buildings to these public spaces will be critical to influencing experience at the pedestrianised and wider scale.

The structure of the site is to be organised to define public and private domain, improving urban experience and amenity. The built form provides for the opportunity to deliver high quality architectural design and resolution, integrated with landscaping, deep soil and environmental sustainability.

## General Objectives

- O.01 Strengthen the role of the site within Carlingford as an integral part of the locality.
- O.02 Organise buildings to define the street network, open spaces, links and urban places.
- O.03 Provide for well-designed public open spaces and streets to optimise liveability, amenity, useability and walkability for the local community.
- O.04 Provide a mixture of compatible non-residential uses, activating public open spaces and road network, improving the character of the locality.
- O.05 Deliver housing choice, housing mix and affordability, relating to the existing and planned public transport network.
- O.06 Include provision for a well-located and prominent community facility, including library and multi-purpose space.
- O.07 Incorporate design quality in public and private development, to ensure the highest standard of architecture and urban design, which is responsive to existing and future development, including sustainable, resilient buildings that address climate, topography, energy consumption, urban heat, pedestrian scale, and internal amenity.
- O.08 Deliver a high-quality landscaped network on-site and as it relates to the surrounding locality.
- O.09 Appropriately manage vehicular and pedestrian access and movement through the site; and
- O.10 Incorporate sustainability measures that reduce impact on the natural environment.
- O.11 Facilitate active transport links to surrounding areas.

## 1.2 DESIGN QUALITY

The promotion of good design in the built environment is an objective of the *Environmental Planning and Assessment Act 1979*, and good design is a central aim for all development in the Local Government Area.

Design is a complex synthesis of multiple factors - technical, social, environmental, historic, aesthetic, and economic. It responds to the context - physical as well as cultural - and generates sustainable living and working environments. It is concerned not only with how buildings look but includes fundamental considerations of function, amenity for occupants and how buildings contribute to the development of quality urban places.

## BUILT FORM

Good design generates spaces with a sense of appropriateness in which people naturally feel comfortable. It has detail and material quality, is long lasting, and creates financial return through the making of places that people value.

Good design also incorporates an understanding that individual buildings within this specific site should relate to each other as well as contribute to the urban landscape on broader context. This conception of the importance of collective urban form is an underlying principle of this site-specific precinct and informs design quality processes in the Local Government Area.

The site is earmarked for high-density living and design quality is therefore paramount. Definition of the private and public spaces is integral and high-quality architectural design is required to ensure a vibrant and livable urban area.

**General Objectives**

- O.01 That the development contributes to the architectural and urban design quality of Carlingford.
- O.02 That design quality be incorporated into public and private development as a central consideration.
- O.03 Ensure integrity of design quality is carried through to the construction and completion of development.
- O.04 Incorporate coherence of architectural and landscaped design across the site with a high quality of resolution.

## 2 BUILT FORM

### 2.1 INDICATIVE SITE STRUCTURE

The indicative structure plan and arrangement of building lots and open space seek to shape the way the site is experienced. This will be achieved through the definition and spatial relationship of streets, public spaces and built form. These elements should operate in harmony to create a rich experience for public and private spaces.

The building envelopes should be located to reinforce view corridors, create a layered spatial network, and manage private and public uses. Taller towers are to be located strategically with generous separation. The building envelopes are to be designed to respond to the topography and tested for separation distances and amenity of the public domain and neighbouring properties, both existing and future.

**Objectives**

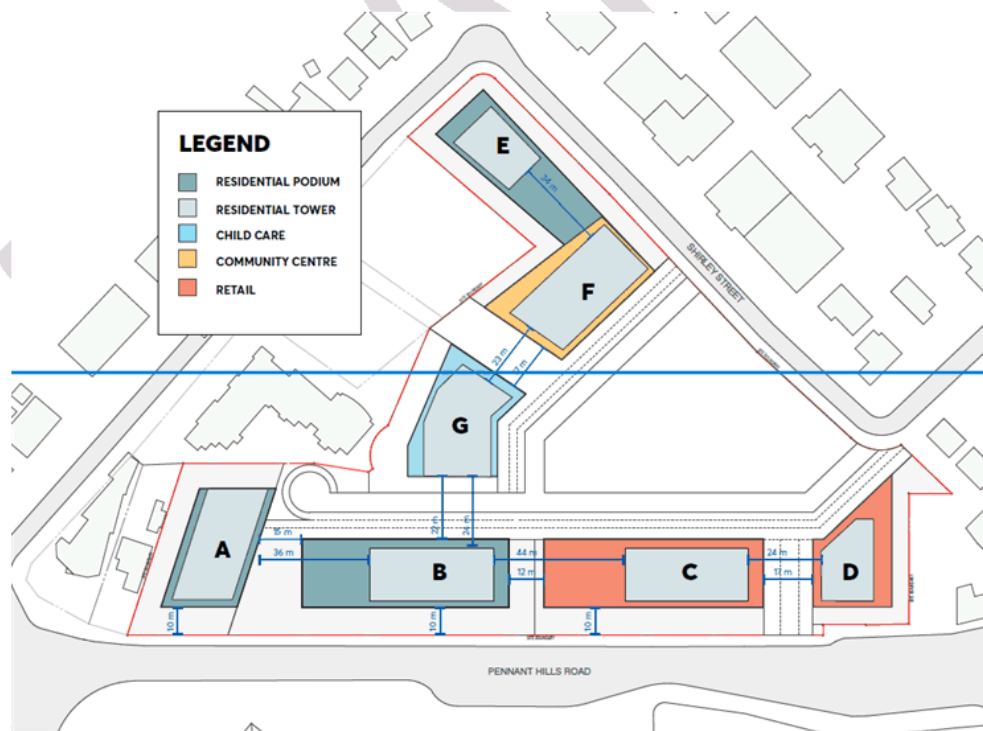
- O.01 To ensure development occurs in a coordinated manner, consistent with the Indicative Layout Plan.

## BUILT FORM

- O.02 To appropriately define and design the alignment of built forms, improving the pedestrianised and urban character of the public domain.
- O.03 To ensure buildings are organised to define the streets and open spaces, provide deep soil and create a legible public domain.
- O.04 To ensure key elements, such as public open spaces, through-site links are provided.
- O.05 To provide for community facilities, non-residential uses and higher density living.
- O.06 To ensure the built form outcomes respond to the topography of the site.
- O.07 To integrate the new development with the existing street network and provide for new roadways that represent an extension of the existing network.
- O.08 To prioritise pedestrian and cyclist movement.
- O.09 To facilitate safe and efficient movement of vehicles, pedestrian and cyclists.
- O.10 To create attractive, comfortable and inviting streetscapes for the local community.

## Controls

- C.01 The street layout, through-site links, open space, setbacks, and development sites are to be consistent with the Plan shown in Figure 2.
- C.02 Privately-owned pedestrian connections and internal streets are to be publicly accessible 24/7.





## BUILT FORM



Figure 2: Indicative site layout and tower separation

## 2.2 SETBACKS

**Street Setbacks** - The purpose of establishing street setbacks is to provide a landscape setting for new buildings, ensuring an appropriate interface with the street and relationship to adjoining development. Setbacks also ensure good amenity and solar access, ground floor usage, building separation, landscaping, deep soil and public domain requirements. The setbacks should also provide necessary space for deep soil and landscaping, and amenity, both for residents and the street.

**Tower Setbacks** - Towers are set back above podiums to reinforce the scale of the streets, mitigate wind and urban heat impacts, enable views to the sky, visually delineate towers as free-standing buildings and protect amenity in streets and public places.

### Objectives

O.01 Reinforce the appropriate spatial definition of streets and public spaces.



## BUILT FORM

- O.02 Emphasise the importance of the streets as a distinct spatial entity and design the street interface and street wall with an appropriate human scale and sense of enclosure for the street.
- O.03 Ensure consistent street frontages with buildings having common setbacks and alignments.
- O.04 Provide building forms that achieve comfortable public domain conditions for pedestrians, with adequate daylight, appropriate scale, and adequate mitigation of wind effects on tower buildings.
- O.05 Create a clear delineation between public and private space.
- O.06 Provide a landscape interface between buildings and streets, to enable deep soil and street tree planting.
- O.07 Reinforce important elements of the local context, namely public open spaces, key attractions and landscape elements.
- O.08 Protect daylight access at street level and permit views of sky from the street by providing setbacks above street frontage height that promote separation between buildings.
- O.09 Tower forms should be designed so that they are visually and physically separated from the podium. Separation should be achieved by a combination of architectural expression and design, materiality and setbacks.

## Controls

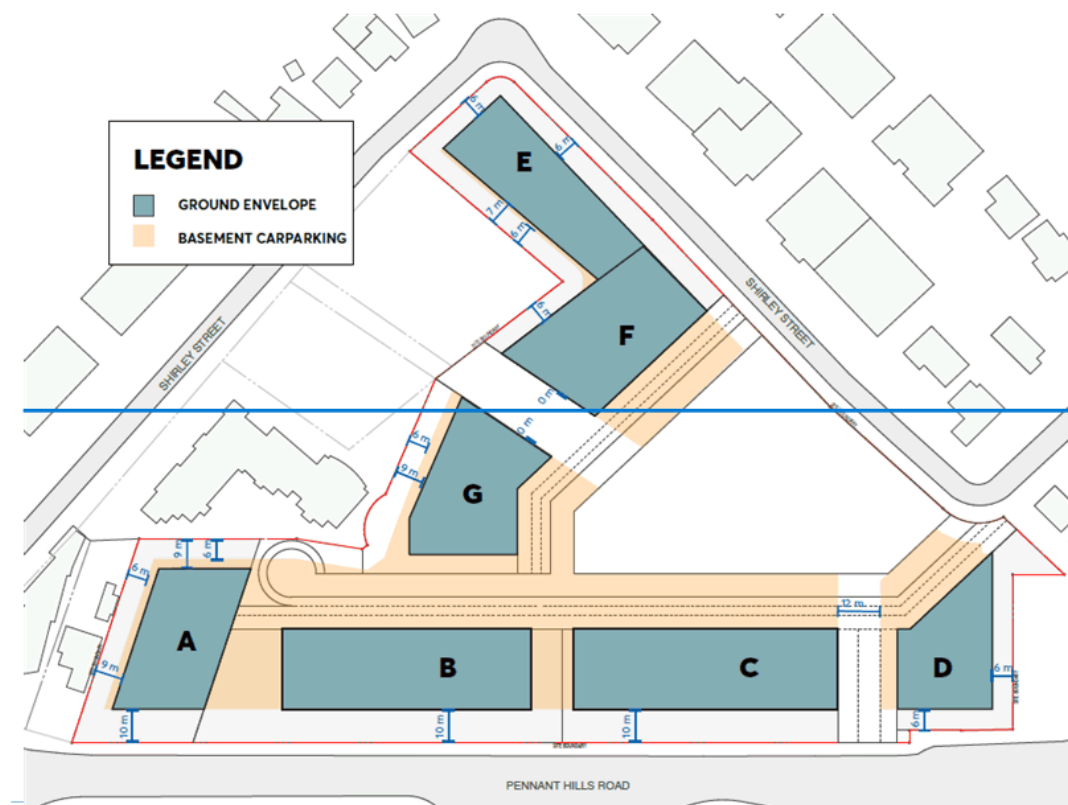
## C.01 Building Setbacks (Podium)

The building setbacks at ground level are to be in accordance with Figure 3 as provided below:

- a) Pennant Hills Road: The front façade of all buildings is to be setback 10 metres from the front boundary of the site for the entire Pennant Hills Road frontage.
- b) Shirley Street, Northern frontage: ~~6m~~4m setback
- c) Shirley Street, Western frontage: 6m setback.
- d) Internal Roadways: 4m setback
- e) Through-site links: Nil setback is permitted.
- f) Buildings adjacent to boundaries shared with adjoining properties: to satisfy the Apartment Design Guideline (ADG-), [habitable room/balconies separation controls](#)
- ~~g) habitable room/balconies separation controls.~~

- C.02 Podium setbacks are to include deep soil landscaping to encourage the provision of vegetation softening the built forms.
- C.03 Awnings are permitted to encroach the podium setbacks on active frontages interfacing with the public domain, where necessary, to improve the useability and amenity of the site.
- C.04 Podium setbacks may include the encroachment of architectural elements and features to a depth of 600mm where they provide visual interest. This can include elements such as balconies, fins and the like.
- C.05 Vehicle access and basement entries are to be wholly located within the building footprint and not encroach on the 10m Pennant Hill Road landscape setback.

## BUILT FORM



## BUILT FORM

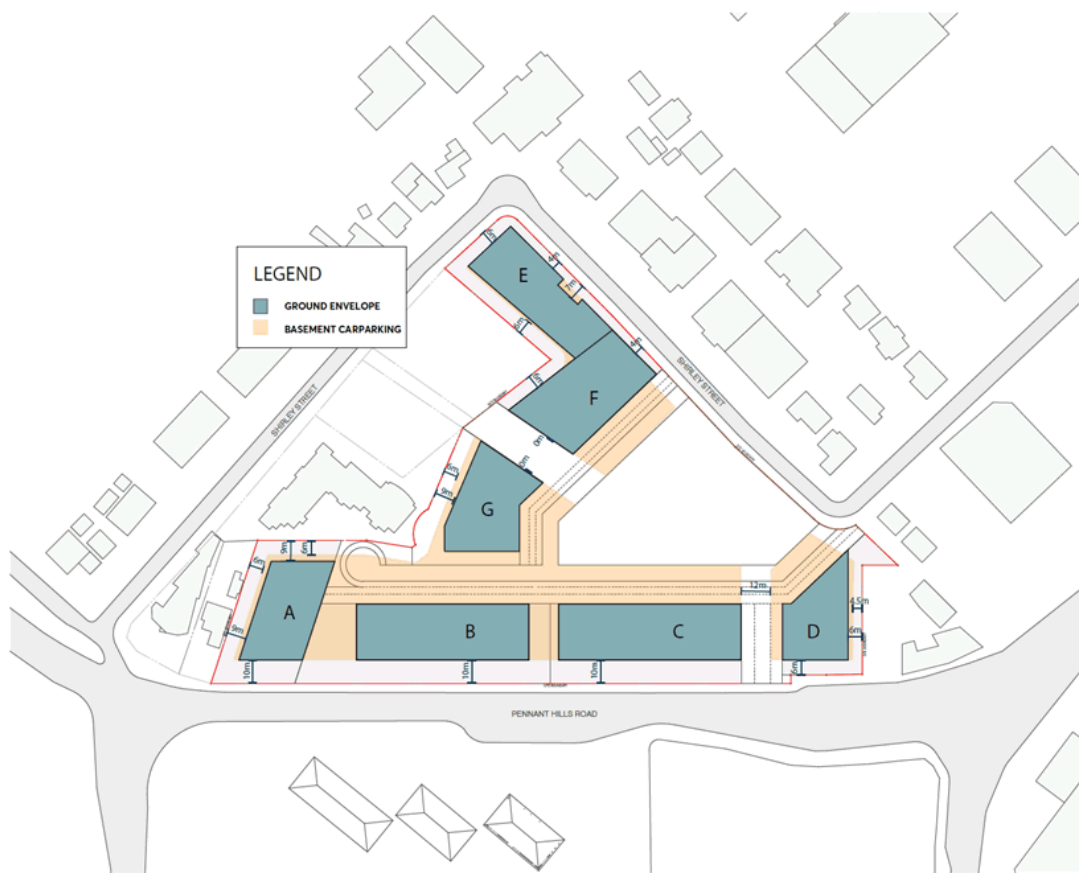


Figure 3. – Minimum required basement and ground level building setbacks

#### C.06 Upper-Level Setbacks

Minimum upper-level building setbacks above the podium are provided below and shown in Figure 4.

- a) Buildings fronting Pennant Hills Road, internal streets and the Central Park (buildings A-F) 2m.
- b) The North-Eastern edge of buildings B & C: 4m setback.
- c) The community link between buildings G & F: 3m setback.
- d) The Southern edge of building D: 2m.
- e) Buildings fronting Shirley Street (buildings E-F): 2m setback.
- f) Buildings adjacent to boundaries shared with adjoining properties: to satisfy ADG habitable room/balconies separation controls.

## BUILT FORM



## BUILT FORM



Figure 4-2 Minimum Required Upper-Level Building Setbacks and Tower Location

## 2.3 BUILDING LOCATION AND HEIGHT

### Objectives

- O.01 Create appropriate transition of built form to adjoining development that responds to the topography and the wider locality.
- O.02 Ensure that building forms provide a high level of residential amenity including to adjoining residential development.
- O.03 Ensure the bulk and scale of podiums and towers respond to site topography and create a relatable human scale interface to the public domain.
- O.04 Ensure the height of buildings allows for high levels of solar access to the public domain, view sharing and views to sky.
- O.05 Ensure that the building form enables the provision of a safe and comfortable pedestrian level wind environment, including street frontages, outdoor eating areas, and open spaces.
- O.06 Ensure height of buildings allows for an appropriate distribution of built form density and height differentiation across the site.

## BUILT FORM

- O.07 Maximise opportunities for public domain and residential amenity through appropriate distribution of height.

## Controls

## Podium Location and Height

- C.01 Podiums are to provide a high standard of architectural design and establish an appropriate relationship to surrounding streetscapes, internal road networks and public open spaces.
- C.02 A consistent Podium Datum Zone along the Pennant Hills Road frontage and the internal street frontages is to be set at a range between RL 134 and RL 136 to allow for ~~legibility~~legibility of the site topography. The 2m height variation allows for differentiation of podium heights in response to the topography.
- C.03 Podiums are to provide a high standard of architectural design and establish an appropriate relationship to surrounding streetscapes, internal road networks and public open spaces.

## Tower Location and Height

- C.04 Tower location is to be consistent with Figure 4.
- C.05 Towers are to provide a high standard of architectural design, provide for visual interest as viewed from the public domain and delineate towers from the podiums.
- C.06 Shading to western façades should be included to mitigate solar heat gain.
- C.07 Roof plants, services and rooftop structures (such as pergolas or shelters) which provide protection to the communal open spaces are to be excluded from the calculation of storeys, but not from building height zone controls. These elements should be incorporated into the design of the roof to minimise visual intrusiveness and support an integrated building design.

## 2.4 BUILDING SEPARATION AND TOWER SLENDERNESS

Building depth, bulk and separation creates an urban form that protects amenity, daylight penetration, views to the sky and privacy between adjoining developments and minimises the negative impacts of buildings on the amenity of the public domain. The slenderness of towers is important to achieve high-quality built form, minimise the perceived density and maximise amenity and environmental performance. Plan area, plan proportion, alignment, and height are contributing factors in the perception of slenderness.

## Objectives

- O.01 Minimise the impact of development on the public domain, neighbouring sites and between buildings within the site by allowing adequate daylight and views to the sky between buildings.
- O.02 Provide access to light, air, and outlook for the occupants of buildings, neighbouring properties, and future buildings.
- O.03 Ensure towers are sufficiently separated so that tower buildings are seen in the round.



## BUILT FORM

- O.04 Minimise the perception of visual bulk and scale of the development.

## Controls

- C.01 The separation distance between podiums B & C shall allow for vehicle turning circles to facilitate servicing within building footprints and required public domain connections.

## 2.5 BUILDING DESIGN

The building podiums interface directly with the street or public domain. As such it has the most impact on the pedestrian experience, and its design must respond to the need for a lively, interesting, and comfortable environment.

Residential frontage at the ground floor is set back from the street to afford a balance of privacy as well as engagement with the street for ground level residents, at the same time allowing space for a generous tree canopy providing amenity for the street and residents.

Active commercial ground floor frontages allow for narrow shopfronts and many doors, a mix of tenancy types, good transparency to the inside, quality materials with expressed detail, vertically articulated facades and a plinth for the glazed frontages.

Above the podiums, towers are set back and designed as separate detached buildings to be seen in the round.

## Objectives

- O.01 Provide for the amenity, interest and liveliness of the street environment.
- O.02 Ensure a positive experience for pedestrians.
- O.03 Provide an active ground floor frontage that is accessible and integrated with the design of the public domain.
- O.04 Deliver buildings that are well-proportioned.
- O.05 Create a high-quality landscaped setting.
- O.06 Ensure materials contribute positively to the streetscape quality, are sustainable, durable, and easy to maintain.
- O.07 To mitigate reflectivity impacts on motorists and pedestrians on Pennant Hills Road.

## Controls

- C.01 Only one step in the built form is [permissiblepreferred](#). This is to occur between the podium and upper-level building elements, [unless required to satisfy ADG and ensure solar access to adjoining properties](#).
- C.02 Basements are to be located below ground.

## BUILT FORM

- C.03 Where a basement breaches the natural ground level, it should be set back to be located within building footprints.
- C.04 Where parking cannot be accommodated below ground level, this is to be sleeved with active retail or residential uses.
- C.05 Buildings are to have a high level of articulation at both podium and tower levels.
- C.06 Buildings shall implement a variety of high quality, sustainable, durable and coherent materials in a range of compatible colours and textures.
- C.07 The design of podiums shall achieve the following outcomes:
- Provide a high standard of architectural design and establish an appropriate relationship to surrounding streetscapes, internal road networks and public open spaces.
  - Be built to align with setbacks for their entire height, to provide an active street interface. Colonnades and undercroft spaces are not supported on streets as they restrict views of retail frontage and fragment the street interface.
  - Include fine grain vertical articulation.
  - Be of durable, masonry materiality and detailing with supplementary glazing using quality materials, with expressed detail, and a plinth for the glazed frontages.
  - Utilise legible architectural elements and spatial types to create depth to facades including doors, windows, reveals, pilasters, sills and plinths. Façades are to incorporate legible pedestrian wayfinding.
  - Entries and active frontages, engaging with the public domain.
  - Building services located above ground are to be concealed and screened as viewed from the public domain to mitigate any visual or amenity impact.
- C.08 The design of towers shall achieve the following:
- Provide a high standard of architectural design and detailing.
  - ~~Towers and upper-level building elements shall meet the podium directly. Undercrofts which expose the underside of the tower and amplify its presence on the street are not permitted.~~
  - Utilise legible architectural elements and spatial types to create depth to facades and establish a human scale within facades.
  - The towers should have materiality which compliments the materiality of the podiums.
  - Tower design should respond to context, climate, and views.
  - Facade treatments and materials should appropriately mitigate reflectivity.

## 2.6 FLOOR TO FLOOR HEIGHTS

### Objectives

- O.01 Provide appropriate amenity for buildings.

## BUILT FORM

O.02 Ensure that floor heights support a range of uses and enable a change of use over time.

## Controls

C.01 Minimum floor to floor heights shall be provided as follows:

a) Commercial and Retail Uses: 3.8m

b) Residential Uses: 3.1m

c) ~~Community Centre/Library:~~ ground floor 4.5m and a minimum of ~~4m~~3.8m for all levels above

d) ~~c)~~ —and below this.

## 2.7 RETAIL GROUND FLOOR FRONTAGE

## Objectives

O.01 Enable retail uses at key locations and public open spaces.

O.02 Ensure retail frontages have comfort and shelter for pedestrians.

O.03 Provide visual interest.

## Controls

C.01 Ground floor commercial uses should be located to activate the public domain, where practicable.

C.02 Retaining walls, ramps, platforms, handrails and other structures in the landscaped building setback should be minimised.

C.03 Services on frontages should be minimised, where possible.

C.04 Commercial frontages, foyers and lobbies should create a fine grain frontage.

C.05 Fire escapes and service doors should be designed to complement the commercial frontage and be seamlessly incorporated into the façade with quality materials.

C.06 All required major services should be incorporated in the design of the ground floor frontage.

## 2.8 RESIDENTIAL GROUND FLOOR FRONTAGE

Residential buildings should be designed to provide amenity for ground floor residents. Internal street and site boundary setbacks are designed primarily to enable a landscaped setting for buildings. The subtleties involved in the design of ground level entries, private terraces or balconies, fences, walls, level changes, and planting play an important part in the articulation of the internal street.

## BUILT FORM

Boundary setbacks to provide a generous perimeter landscape setting for new high-density development to enhance /soften street presentation, screen buildings, provide ground level amenity and suitable separation to neighbours.

## Objectives

- O.01 Deliver a ground floor that achieves amenity and privacy for residents as well as engagement with and passive surveillance of the street.
- O.02 Maximise deep soil and green landscape area in the 4m internal street setback providing a dominant landscape setting for new buildings.
- O.03 Provide appropriate amenity for all residential apartments.
- O.04 Locate the disability access so that it relates seamlessly to the building design.
- O.05 Minimise the impact of basements.
- O.06 To preserve landscaped site boundary setback areas as deep soil area that can support significant tree vegetation commensurate with the proposed scale of development.
- O.07 To preserve boundary setback areas predominantly at natural ground level avoiding the need for large retaining structures or steep embankments abutting neighbouring properties or existing streets.
- O.08 Ensure suitable conditions for access, plant establishment, and convenient long-term maintenance of landscaped areas.

## Controls

- C.01 Ground floor apartments should be adjacent to footpath levels as far as practicable. Where this is not achievable, they should still achieve a high level of amenity.
- C.02 Where apartment have individual entries from the street, a front door with a distinct entry space within the apartment should be provided. Individual apartment entries should be understated, with post boxes and street numbers located at the common entry.
- C.03 The setback area should be designed to relate to the public footpath and maximise landscaping area.
- C.04 A variety of landscaping, including canopy trees, should be provided within setbacks.
- C.05 Minimise impervious surfaces at ground level in the setback areas.
- C.06 Gradient change/embankment should be no more than 1:6.

## 2.9 RESIDENTIAL DESIGN APARTMENT QUALITY

## Objectives

- O.01 Ensure development achieves good amenity standards for residents.

## BUILT FORM

## Controls

- C.01 Building floor plates and sections should define positive spaces for streets, open spaces, and courtyards.
- C.02 High-level windows should not be used as the primary source of light and ventilation for habitable rooms.
- C.03 Where practicable, balconies should be rectangular in shape with the longer side parallel to the facade of the building.
- C.04 Divisions between apartment balconies should be of solid, non-transparent construction and extend from floor to ceiling.
- C.05 Common open space should include appropriate facilities for the use of residents.
- C.06 Balustrades should take account of sightlines to balance the need for privacy within apartments and views out of apartments.
- C.07 Apartment design should consider incorporating suitable spaces that can be utilised as a work from home space.

## 2.10 NON-RESIDENTIAL USES

The site is well-suited to accommodate a range of non-residential uses which will activate and enliven the future built forms, public open spaces, and public domain network. The uses should complement one another and support the existing and future population of the site and wider Carlingford locality, including its relationship to the Carlingford Light Rail Station.

## Objectives

- O.01 Promote an appropriate mixture of uses which will support vitality of the site and surrounding locality, including public open spaces and existing and future road network.
- O.02 Encourage a range of non-residential uses that meet the needs of local residents.
- O.03 Ensure that safe and convenient car parking arrangements for childcare facilities are provided and avoid adverse traffic and on-street parking impacts on the surrounding neighbourhood.
- O.04 Ensure that commercial uses do not unreasonably diminish the amenity of nearby residential uses through noise intrusion.
- O.05 Provide active ground floor uses along street frontages, through site links to create an active pedestrian edge as well as maximising opportunities for passive surveillance.

## Controls

- C.01 The non-residential uses are to be provided to meet the needs of the community and focused around the periphery of the central public open space and through-site links, activating the locality.



## BUILT FORM

- C.02 Where necessary, the fit out and use of non-residential components should form part of separate applications.
- C.03 Where non-residential uses are proposed on the site, consideration must be given to ensure appropriate amelioration measures are considered with regard to noise, odours and the like to reduce conflict with residential development.

## 2.11 COMMUNITY CENTRE AND LIBRARY FACILITY

## Objectives

- O.01 Provide a prominent, accessible, and appropriately located facility comprising of a co-located community centre and library that meets the needs of the Carlingford community and visitors.
- O.02 Create a vibrant facility that is integrated into the adjacent outdoor spaces and commercial, retail, and public domain areas.
- O.03 Incorporate best practice sustainability principles and standards into the design of the building and operation of the facility.
- O.04 Ensure the [community centre and library facility](#) can provide refuge and evacuation support during extreme weather and emergency events.
- O.05 Provide activated surrounding public spaces and landscapes that establish a community focus.
- O.06 Ensure that the facility does not impact the amenity of surrounding residents.
- O.07 Ensure adequate on-site car parking is provided for the facility.
- O.08 [The library/community centre provides an active interface to the central park and east-west through link.](#)

## Controls

- C.01 The facility is to be provided on the subject site within Block F as per the site layout in Figure 2.
- C.02 The [Librarylibrary](#) space is to be a minimum area of [700-m<sup>2</sup> 1,800m<sup>2</sup>](#) measured from internal walls of the external [biuldingbuilding](#).
- C.03 The [Communitycommunity](#) facility- space is to be a minimum area of [1,800700m<sup>2</sup>](#) measured from the internal walls of the external building.
- C.04 Windows are not to be more than 300mm below ceiling height.
- C.05 Vehicular entry is to be provided to the facility in accordance with Figure 7.
- C.06 Two pedestrian access points are to be provided, one from the through site link.
- C.07 The community facility is to have an active interface with Shirley Street, the new internal street and the through-site link. These frontages should also include awnings. Awnings are to be designed in accordance with [section 3Section 4.7](#) Awnings and Awning Design of this DCP.



## BUILT FORM

- C.08 Building services and plant rooms shall not create a negative impact on the amenity of users or residents and are to be located away from prominent public domain and residential interfaces.
- C.09 Services should not impact on minimum floor to ceiling heights.
- C.10 Building design should incorporate high quality materials and finishes and be of high sustainability value. Sustainability measures are to applied in accordance with Section 5 Sustainability within this DCP.
- C.11 On-site car parking provision is to be in accordance with the rate specified in the table within C.09 of Section 5.2 On-site Parking of this DCP.
- C.12 Floor to floor heights are to be as per C.09 of Section 2.6 Floor to Floor Heights of this DCP.
- [C.13 Provide a significant presentation, interface and outlook for all parts of the community hub with an elevation facing the central park and the east-west through link.](#)

## 2.12 WINTERGARDENS

## Objectives

- O.01 Improve the amenity of balconies in high-rise apartments above eight storeys and apartments fronting noisy environments.
- O.02 Provide acoustic attenuation for internal living areas.
- O.03 Provide an acceptable thermal environment.
- O.04 Balance ventilation and wind impacts in high-rise apartment balconies.
- O.05 Maximise daylight access, views, and comfort of balconies.

## Controls

- C.01 Wintergardens are only permitted above 8 storeys (including the eighth storey) or where there are negative external impacts such as high levels of noise.
- C.02 Wintergardens should be designed and constructed as a private external balcony with drainage, natural ventilation, and finishes acceptable to an outdoor space and should not be treated as a conditioned space or weatherproof space.
- C.03 All wintergardens are to have a balustrade less than 1.4m above finished floor level and a contiguous and permanently openable area between the balustrade and the ceiling level of not less than 25% of this area. This restriction shall apply to all elevations if the wintergarden has multiple elevations.
- C.04 A generous opening should be provided between the wintergarden and any adjacent living area to allow connection of the spaces when ambient conditions are suitable.
- C.05 Acoustic control for living areas and bedrooms should be provided on the internal facade line between the wintergarden and the living area or bedroom.

## WATER MANAGEMENT

- C.06 Winter gardens should have 75% of the external walls (excluding balustrade) fully operable louvres or sliding glass panels. Casement or awning windows are not permitted.
- C.07 Air conditioning units should not be located on wintergarden balconies.

## 2.13 RETAINING WALLS

The site contains a steeply sloping topography. Retaining walls may occur adjacent to the street or site boundaries due to the topographical conditions. The design of retaining walls should be consistent throughout the site and a sensitive interface to the public domain and neighbouring lots.

## Objectives

- O.01 To ensure the appropriate location of retaining walls.
- O.02 To ensure consistent design of retaining walls and integrated into the landscape character.
- O.03 To ensure retaining walls are durable and appropriate for the interface to the public domain and private properties.
- O.04 To ensure retaining walls do not dominate the landscape design.

## Controls

- C.01 Retaining walls should:
  - a) Be located within the site boundaries and adjacent to the street or site boundaries when subject to topographical constraints elsewhere.
  - b) Be constructed using a cohesive, durable palette of materials using minimal external facings, render or painted finishes.
  - c) Enable casual seating where appropriate.
  - d) Have horizontal tops and minimal stepping.
  - e) Not be excessive in height adjacent to neighbouring properties.
  - f) Where necessary terrace walls to minimise negative impacts.

### 3 WATER MANAGEMENT

As a result of development, overland flow paths, vegetation, soil and ground surfaces have been considerably altered from their natural state. Water management aims to reverse any negative environmental impacts that have arisen because of these changes and achieve positive environmental outcomes so that a sustainable water environment can be recreated.

WATER MANAGEMENT

---

**Objectives**

- O.01 Water discharged from the site is of a satisfactory quality and is not polluted.
- O.02 Encourage reuse, recycling and harvesting of stormwater to reduce wastage of water.
- O.03 A total reduction in the quantity of water discharged from the site is achieved.
- O.04 Available water and landscape measures are employed to reduce urban heat.

**Controls**

- C.01 A Site Water Management Master Plan (WMP) must be submitted with any development application on the site and agreed to by Council.
- C.02 The WMP Plan shall guide water aspects of development and infrastructure, landscape and environment in the precinct and must include:
  - a) Overland flow management including an Overland Flow Model and Plan satisfactory to Council.
  - b) Environmental management of private and public low flows (less than 1 in 1.5 chance per year) designed and implemented using Water Sensitive Design to reduce pollutant loads, reduce total stormwater discharge volumes and create habitats. This shall be modelled for the whole site to Council's satisfaction using MUSIC or equivalent software.
  - c) Water and landscape design and management must demonstrate and implement an effective urban heat reduction approach using any available methodologies, including tree and plant ground covers, tree canopies, irrigation and evapotranspiration.
- C.03 A piped drainage reticulation system capable of carrying the 1 in 20 chance per year stormwater flows is to be provided throughout the site for all roads and public domain areas. This system must be designed and constructed to Council standards and specifications and reasonable satisfaction. Where appropriate, public drainage infrastructure shall be dedicated to Council at appropriate stages in the development process for ongoing operation by Council.
- C.04 Excess peak flows from private lots, public roads and public domain shall be detained in both on-site and collective detention systems as appropriate. Detention systems are to be integrated into a sustainable overall water management plan for the site which may include WSD and rainwater harvesting. Peak flows are to be limited throughout the catchment in a 1 in 100 chance per year storm event to estimated peakflows under 1999 conditions. Detention design and details shall be in accordance with the UPRCT Handbook Edition 4.
- C.05 Lower flows (up to 1 chance in 1.5 years) shall be managed using water sensitive design methods primarily within the landscape and directed through landscape water quality biotreatment systems including deep soil and bioretention.
- C.06 Each proposal for private development and for public infrastructure and public domain development must be supported by a Water Management Plan that addresses the water aspects of the proposal, and the affected landscape and environment and is consistent with the WMP and is satisfactory to Council. Each proposal must address:
  - a) Flooding and overland flow management
  - b) Road and public domain drainage

## PUBLIC DOMAIN

- c) [Flood reduction using public and private water detention systems](#)
  - d) [WSD – environmental management of private and public low flows with Water Sensitive Design to reduce the pollutant loads and create habitats](#)
  - e) [Rainwater harvesting and use](#)
  - f) [Total stormwater discharge reduction by 10% compared to the site in an undeveloped state](#)
  - g) [An effective urban heat reduction approach in water, landscape and building design using any available methods, including tree and plant ground covers, tree canopies, irrigation and evapotranspiration.](#)
- C.07 [Tanked \(waterproofed\) basements are preferred, drained basements may be permitted where captured groundwater can be re-used on-site.](#)
- C.08 [The role of open space in water management design and management must be clearly demonstrated in the Water Management Plans. Recreational functionality must be compatible with and not unduly restrict or be restricted by any stormwater management requirements in the public domain and open spaces. The use of well-designed water management facilities, such as ponds, streams and wetlands, to enhance recreation and amenity is encouraged.](#)
- C.09 [The Water Management Plans for each proposal must be prepared in accordance with and consistent with the following Council Guidelines, \(or later versions\) unless otherwise approved by Council:](#)
- a) [Flood Modelling Flood Impact Risk Assessment and Management Plans Guide - City of Parramatta Council-April 19 2023](#)
  - b) [City of Parramatta Council, Development Engineering Guidelines June 2018](#)
  - c) [City of Parramatta Water Sensitive Design, Blue Green City and Urban Heat Guidelines updated 12 02 2024](#)

## 14 PUBLIC DOMAIN

### 1.14.1 STREET NETWORK AND FOOTPATHS

The streets and footways on-site are accessible to the public, whilst being under private ownership. The elements in the street such as footpaths and paving widths and vegetation should be designed to suit the street network and meet Council's public domain requirements where possible.

#### Objectives

- O.01 To provide a safe, efficient, and generous network for pedestrian, bicycle and vehicular movements for a site of this density.
- O.02 To maximise two way traffic flow and to allow for on street parking on one side of Shirley Street.
- O.03 To integrate with the existing street network [and provide for with](#) new [internal](#) roadways that represent an extension of the existing network.

PUBLIC DOMAIN

---

- O.04 ~~O.03~~—To create attractive and comfortable streetscapes for the local community.

### Controls

#### Controls

- C.01 The road and pedestrian network is to be generally [in](#) accordance with Figure 5.
- C.02 Developments on the ~~south and east sides~~[southern side](#) of Shirley Street must widen the carriageway of the road by 0.8m. This is to occur by reducing the naturestrip width and does not require boundary changes.
- C.03 The design of the internal roads, any shared zones or other traffic facilities should be in accordance with the relevant Australian Standards, Austroads Guidelines and TfNSW Technical Directions.
- C.04 On-street parking is to be provided where available within the proposed road network.
- C.05 All new streets may be privately owned but must be publicly accessible at all times and be integrated with the surrounding street network.
- C.06 Public footpaths and pedestrian kerb ramp crossings are to be provided as required to provide safe pedestrian access to all buildings and open space areas. Path widths are to be in accordance with the Parramatta Public Domain Guideline requirements.
- C.07 Basement car parking is permitted under the new privately owned internal streets and must allow for appropriate soil depth for medium to large tree vegetation.
- C.08 Development Applications must clearly document proposed basement structure and surface level differences.
- C.09 Street trees are required at regular centres, maximum 15m, preferably 8-10m for both sides of the new internal street.
- C.10 New street trees, signage and furniture are to be provided to improve the comfort and safety of the public domain.



PUBLIC DOMAIN

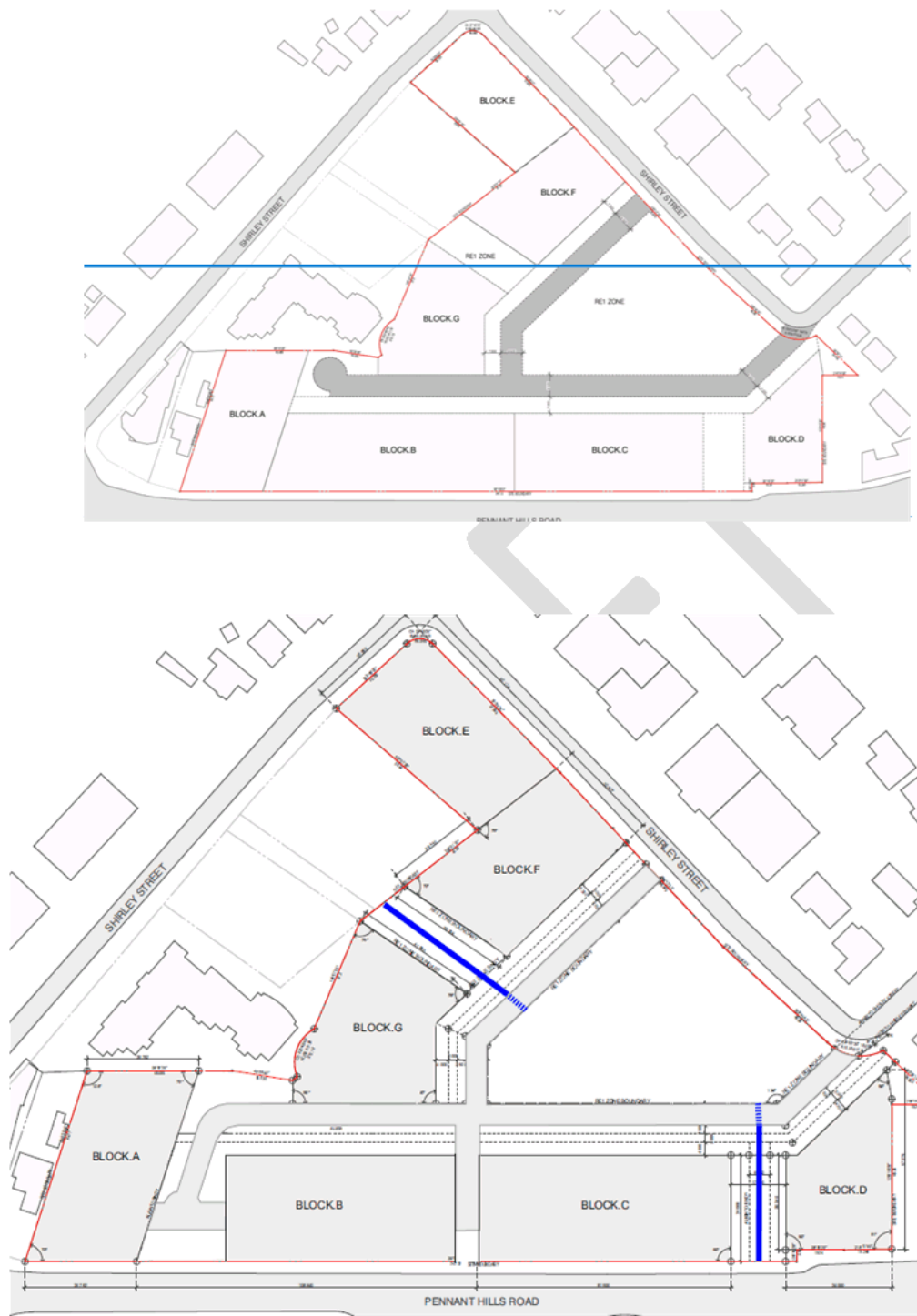


Figure 5: Indicative Road Network



PUBLIC DOMAIN

### 1.24.2 ACTIVE TRANSPORT

#### Objective

- O.01 Recognise the site as an important regional cycling and walking link between the Parramatta Light Rail Active Transport Link and Carlingford Village.
- O.02 Realise the connections of the Epping to Carlingford Cycleway.
- O.03 Prioritise pedestrian and cyclist movement.

#### Control

- C.01 A separated cycle path connection (minimum 2.5m width) ~~from the north-eastern corner~~ through the site, ~~from its eastern side~~ is to be provided to realise a connection to the Parramatta Light Rail.
- C.02 The Pennant Hills Road footpath is to be ~~upgraded~~ ~~upgraded~~ to provide a 3m shared path measured from back of kerb.
- C.03 A pedestrian priority crossing is to be provided where the proposed cycle path crosses the new internal street.

### 1.34.3 PUBLIC OPEN SPACE AND PEDESTRIAN CONNECTIONS

There are numerous benefits created through the provision of public open spaces and pedestrian connections, including greater connectivity, increased frontage for entries and business opportunities, spatial intimacy and variety in the public domain. The site is well-suited to accommodate high quality public open spaces and pedestrian connectivity, capable of linking Carlingford Light Rail Station to the surrounding locality.

#### Objectives

- O.01 To provide high quality public spaces and pedestrian connections that will improve the quality of the site and its relationship to the surrounding locality.
- O.02 To deliver a useable, central open space which is capable of supporting a variety of uses and activities.
- O.03 To provide for through-site links which are activated, improve walkability and permeability, and relate to the surrounding locality.
- O.04 To provide an attractive, green and environmentally sensitive new park with significant large tree canopy planting.
- O.05 To maximise the interface between the development and public open space to ensure amenity, activation and casual surveillance.

## PUBLIC DOMAIN

## Control

## General

- C.01 Public open spaces are to be provided in accordance with Figure 6. This includes the central open space addressing Shirley Street, east-west link (adjacent Block F) and north-south through-site link (Pennant Hills Road). The total areas are as follows:
- a) Public open space - a minimum of 4,760m<sup>2</sup> (Central Open Space) 863655 m<sup>2</sup> (east west through site link with public access easement) connected to Shirley Street.
  - b) A minimum of 595m<sup>2</sup> (north south through site link) connected to Pennant Hills Road.
- C.02 The designs for the public open spaces are to be developed in consultation with Council. They are to be designed to:
- a) Incorporate a palette of high quality and durable materials, and robust and drought tolerant landscaping species.
  - b) Include clear, accessible, safe, and convenient linkages to each other and to the surrounding public open space network.
  - c) Integrate stormwater management and urban tree canopy.
  - d) Include design elements, furniture, and infrastructure to facilitate active and passive recreation and community gatherings.
  - e) Maximise the safety and security of users consistent with 'Safety by Design' principles.
  - f) Provide deep soil throughout, with no car parking or infrastructure underneath.
  - g) Encourage pedestrian use through the design of open space pathways and entrances.
  - h) Clearly delineate private and publicly accessible open space.
  - i) Provide access to both sunlight (minimum 4hours4 hours winter solstice) and shade.
  - j) Incorporate appropriate levels of lighting to maximise hours of use but do not create a nuisance to surrounding residents.
  - k) Accommodate high levels of use.
  - l) Be accessible 24/7.
  - m) Be capable of being well maintained within reasonable costs.
- C.03 Soft landscaping areas are to be irrigated.
- C.04 Pedestrian connections should be publicly accessible 24/7 and open to the sky.

PUBLIC DOMAIN



Figure 6- Public Open Space Plan

Central Public Open Space

## PUBLIC DOMAIN

- C.05 The central public open space is to have a minimum area of approximately 4,760m<sup>2</sup>. This is to be orientated towards Shirley Street.
- C.06 Provide a separated cycle path connection.
- C.07 The open space design shall follow the existing topography as much as possible.
- C.08 This space is to accommodate a range of key user groups including children, young people, the elderly and people with a disability.
- C.09 The space is to include a variety of active and passive uses, including mixture of soft and hard surfaces, outdoor spaces, and seating areas.
- C.10 This space is to utilise durable materials and high quality landscaping, including a variety of indigenous, native and exotic species.
- C.11 Facilitate cross site and internal pedestrian connections and promote equitable access to all members of the public.
- C.12 The space is to demonstrate ecological values. Large canopy specimen trees (15-20m at maturity) are to be provided in the park design mix contributing to summer shade and urban heat mitigation. Minimum 100L at planting.
- C.13 The space is to be attractive and memorable with high levels of amenity that consider climate, safety, activity, circulation, seating, lighting, and enclosure.

## East-West Through-Site Link

- C.14 The east-west through-site link to Shirley Street is to be a minimum area of approximately 863m<sup>2</sup> 655m<sup>2</sup>. This is to provide access between the central public open space and the entrance to the Library/Community Facility.
- C.15 The through-site link is to be designed to cater for movement through the site, including passive recreational uses such as seating and the like.
- C.16 Provide a separated cycle path connection.
- C.17 This space should include a variety of indigenous, native and exotic species.
- C.18 Promote equitable access to all members of the public.
- ~~C.19 This land is to be provided with a public access easement, allowing reasonable access at all times whilst remaining under private ownership.~~

## North-south through-site link

- ~~C.20~~C.19 The north-south through-site link to Pennant Hills Road is to be an area of approximately 595m<sup>2</sup>. This is to provide access between the central public open space and Pennant Hills Road to the south.
- ~~C.21~~C.20 The through-site link is to be designed to cater for movement through the site, including passive uses, such as seating and outdoor dining.
- ~~C.22~~C.21 This space should include a variety of indigenous, native and exotic species.

## PUBLIC DOMAIN

C.23C.22 Promote equitable access to all members of the public.

C.24C.23 This land is to be provided with a public access easement, allowing reasonable access at all times whilst remaining under private ownership.

#### 1.44.4 COMMUNAL OPEN SPACE

##### Objectives

O.01 Provide sufficient communal open space within residential flat buildings where outdoor communal open space levels cannot be achieved for each dwelling.

##### Control

C.01 Where at grade communal open space requirements cannot be achieved, roof top space and/or indoor communal open space shall be provided in all developments, ~~colocated with deep soil.~~

#### 1.54.5 OVERHEAD POWERLINES

##### Objectives

O.01 Ensure the appropriate location of all power lines to provide an aesthetic appeal and necessary function.

##### Controls

C.01 All new ~~and existing~~ power lines ~~and powerlines within the Shirley Street frontage of the site~~ are to be undergrounded ~~for all streets of 263-281 Pennant Hills Road, where possible, for the full lengths of the development site and street frontages, and.~~

C.01C.02 ~~Undergrounding~~ should ~~also~~ be constructed in accordance with the Parramatta Public Domain Guidelines 2017.

#### 1.64.6 STREET TREES

Street trees help improve the quality of environment for the residents by reducing temperatures, providing shade, attracting fauna, and providing outlook. Street trees will be the elements in public domain which will define the spaces and relate to the scale of buildings on the site.

##### Objectives

O.01 Include the provision of new street trees to improve the character of the public domain.

O.02 Improve and enhance environmental biodiversity and mitigate temperature at ground level.



PUBLIC DOMAIN

---

- O.03 Improve visual amenity of the public domain and from the buildings.

**Controls**

- C.01 Street trees should be medium size, capable of reaching an approximate mature height of 10-15m. Minimum 100L at planting.
- C.02 Trees along Pennant Hills Road can be included in the private setback in a consistent 'avenue' alignment. Tree size to be large (15-20m at maturity). Minimum 100L at planting
- C.03 Deep soil for trees should meet the Apartment Design Guideline (ADG).

### 1.7.4.7 AWNINGS AND AWNING DESIGN

Awnings assist in encouraging pedestrian activity along streets by providing comfortable conditions at footpath level and, in conjunction with active ground floor frontages, contribute to the vitality of the public domain. Awnings are preferred with active frontages, to provide shelter and weather protection for pedestrians.

**Objectives**

- O.01 Increase amenity in areas of high pedestrian volume.
- O.02 Design awnings to provide protection from rain, sun, and wind down draft.
- O.03 Maintain complementary architectural detail between awnings.

**Controls**

- C.01 Awnings should be provide where active non-residential frontages are proposed.
- C.02 Awnings should complement the architectural character of the building.
- C.03 Awnings should be:
- a) A minimum soffit height of 3.3m and maximum height of 6.3m.
  - b) Setback of 600mm from the face of the kerb.
  - c) Minimum depth of 2m, unless street trees are provided.
- C.04 Awnings are to be finished in materials appropriate to the climatic conditions.

### 1.8.4.8 LANDSCAPE DESIGN AND PLANTING

**Objectives**

- O.01 To improve amenity of the public domain and built form through the provision of landscaping.
- O.02 To assist with the management of water



## VEHICULAR ACCESS AND PARKING

- O.03 To establish a variety of vegetation, especially significant site-wide canopy tree planting.

**Controls**

- C.01 A Landscape Plan should be provided for all landscaped areas.
- C.02 Canopy vegetation should be provided in the street frontage setbacks and within the public open spaces.
- C.03 Ensure the provision of appropriate soil depth and volume according to ADG requirements for planting above structures.
- C.04 Landscape requirements should be as per Section 3.3.1 – Landscaping, and 3.3.2 – Private and Communal Open Space of the Parramatta DCP 2023.
- C.05 Provide appropriate soil conditions, including irrigation and drainage, for planting above structures.
- C.06 Tree planting and landscaping located on a slab should achieve soil depth and volume per ADG requirements.
- C.07 All open space shall reflect the principles of 'Safer by Design' by minimising high retaining walls, dense planting and ensuring casual surveillance of public domain from both residential and non-residential uses.

**25 VEHICULAR ACCESS AND PARKING****2.15.1 VEHICULAR ACCESS**

The design and location of vehicle access to developments should give priority to pedestrian movement and to minimise conflicts between pedestrians and vehicles on footpaths. Vehicle access should also be designed to minimise visual impact and disruption of the public domain and should be integrated into built form.

**Objectives**

- O.01 To ensure the amount, location and design of car parking caters for the needs of residents, workers and visitors.
- O.02 To encourage active transport such as walking and cycling, and the use of public transport.
- O.03 To create a high-quality streetscape outcome that provides a safe, convenient and comfortable pedestrian environment.
- O.04 Minimise the impact of vehicle access points and driveways on streetscape, pedestrian safety and quality of the public domain.

**Controls**

- C.01 Indicative vehicular and pedestrian access is to be consistent with Figure 8.

## VEHICULAR ACCESS AND PARKING

- C.02 Vehicle access and servicing should not be located within the Pennant Hills Road setback.
- C.03 Where practicable, entry points should be minimised and shared between adjoining buildings.
- C.04 Vehicular access doors should be fitted behind the façade and finished of a material that will integrate into the building.
- C.05 Vehicle access should be designed to minimise the visual impact to the street.
- C.06 All vehicles should enter and exit the site in a forward direction.
- C.07 Vehicle and pedestrian access should be appropriately separated to remove conflict.
- C.08 Loading dock and waste collection should be incorporated within the building envelopes.
- C.09 Parking and access should be in accordance with the relevant Australian Standards.

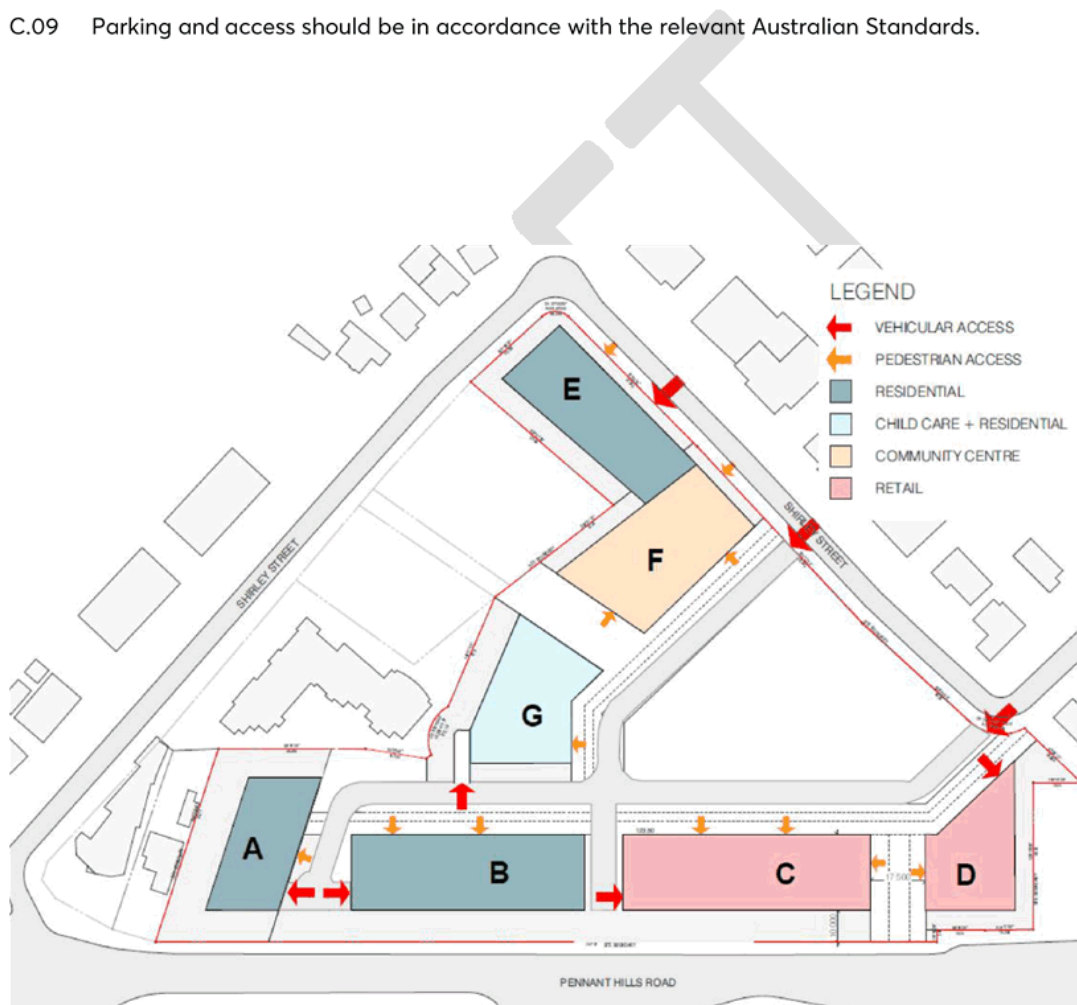


Figure 7 – Indicative Vehicle and Pedestrian Access Points

## VEHICULAR ACCESS AND PARKING

## 2.25.2 ON-SITE PARKING

## Objectives

- O.01 Facilitate an appropriate amount of parking on the subject site.
- O.02 Minimise the impact of on-site parking.
- O.03 Provide adequate space for parking and manoeuvring of vehicles.
- O.04 Maximise the use and benefit of public transport and active transport, such as walking and cycling.

## Controls

- C.01 The layout and area of basements are to be generally in accordance with Figure 8.
- C.02 Where variations are proposed to the basement footprints, development is to demonstrate how the objectives for this Section are achieved.
- C.03 Car parking should be provided in basements.
- C.04 Parking is permitted below the private road network.
- C.05 Adequate landscaped area must be maintained around the basement footprints.
- C.06 On-site parking should meet the relevant Australian Standards.
- C.07 Accessible parking should be designed and provided to meet the Australian Standards.
- C.08 Pedestrian pathways to car parking areas are to be provided with clear lines of sight and safe lighting.



Figure 8 - Indicative Basement Layouts

## VEHICULAR ACCESS AND PARKING

C.09 Car parking for residential uses should be provided as set-out below.

Dwelling Type	Maximum Parking Rate
1 Bedroom	0.81
2 Bedroom	1.0
3 Bedroom	1.32
4 Bedroom	2
Visitor	0.21

C.10 Car parking for non-residential uses are to be provided as set-out below.

Dwelling Type	Maximum car parking rates
Supermarket	1 space per 25m <sup>2</sup>
Other Retail Premises	1 space per 40m <sup>2</sup>
Centre-based Childcare	1 space per 6 children 1 space per 1 employee A reduction in the parking rate may be considered if sufficiently justified through a Traffic and Transport assessment and there being spare capacity at relevant times within the car park.
Community Facility	20 spaces

C.11 Where not listed above, car parking is to be provided in accordance with Parramatta DCP 2023 or The Guide to Traffic Generating Developments, which ever is greater.

C.12 Car parking rates are a maximum and any excess parking may be counted as gross floor area.

C.13 Car parking rates should be rounded-up to the nearest whole number.

### 2.35.3 BICYCLE PARKING

#### Objectives

O.01 Ensure safe, accessible, and adequate bicycle parking is provided for residents and visitors of the precinct.

#### Controls

C.01 Ensure secure bicycle parking is provided for non-residential and residential uses.

C.02 Where possible, bicycle parking for residents and/or employees should be provided at-grade.

C.03 Where bicycle parking is provided within the basement or above ground levels, it is to be conveniently located.

## SUSTAINABILITY

- C.04 Bicycle parking access and facilities are to be provided in accordance with the relevant Australian Standards and Part 6 of the Parramatta DCP 2023'.
- C.05 Visitor bicycle parking shall be located conveniently within the building and is to be undercover and accessible at all times.
- C.06 The number of bicycle parking is to be provided in accordance with part 6 of the Parramatta DCP 2023.

## 36 SUSTAINABILITY

### Objectives

- O.01 To increase energy efficiency.
- O.02 To reduce reliance on potable water.
- O.03 To deliver built forms and public open spaces which respond to winter sunlight and cooling summer breezes.
- O.04 To reduce waste and increase the reuse and recycling of materials.
- O.05 Encourage the use of electric vehicle car charging.

### Controls

- C.01 Residential development is to comply with BASIX requirements.
- C.02 Public amenities are to use water and energy efficient fittings
- C.03 Provision of electric vehicle charging infrastructure is to be provided in accordance with [sectionSection](#) 6.1.3 of the Parramatta DCP 2023.
- C.04 Water sensitive design measures are to be integrated where possible, such as water re-use systems for irrigation.

## 47 URBAN HEAT ISLAND

### 4.17.1 VERTICAL FACADES

### Objectives

- O.01 Minimise the reflection of solar heat downward from the building façade into private open space or the public domain.
- O.02 Where multiple reflective surfaces or convex geometry of reflective surface introduce the risk of focussing of solar reflections into the public spaces.

---

#### PUBLIC ART

---

- O.03 Solar heat reflections from any part of a building must not exceed 1,000W/m<sup>2</sup> in the public domain at any time.
- O.04 A reflectivity modelling report may be required to qualify extent of reflected solar heat radiation.

#### 4.27.2 AWNINGS

##### Objectives

- O.01 Ensure awnings are designed to improve user comfort, providing shelter from the sun and reduced solar heat at the street level.

##### Controls

- C.01 All awnings and shading devices should have non-reflective surfaces.
- C.02 Transparent awnings are not encouraged on buildings. If transparent awnings are used, the awning must have a maximum solar transmittance of 2050.

#### 58 PUBLIC ART

##### Objectives

- O.01 To enhance the sense of place through the provision of public art.
- O.02 To use public art to enhance and define the character of the site and locality.

##### Controls

- C.01 Public art is encouraged within the central public open space or through-site links, independent of building forms.
- C.02 Public Art is to have a value of up to \$50,000 and is to be integrated into the public open space.

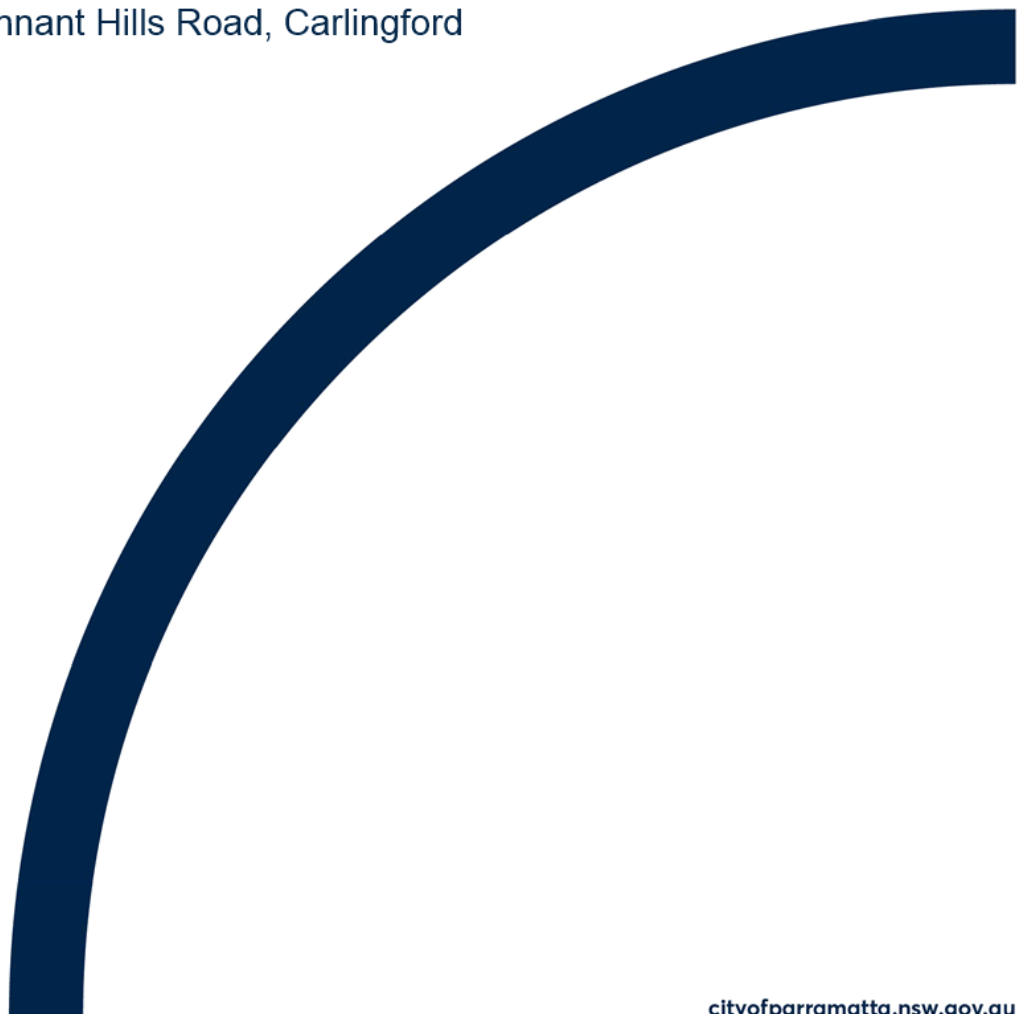




# Community Engagement Report

263-281 Pennant Hills Road, Carlingford

June 2024



[cityofparramatta.nsw.gov.au](https://cityofparramatta.nsw.gov.au)

# CONTENTS

1. Introduction .....	1
2. Community Engagement .....	2
3. Feedback from Exhibition Period .....	6
4. Submissions from Residents, Landowners and Individuals.....	7
5. Submissions from Organisations, Businesses and Strata Committees .....	40
6. Submissions from Government Agencies.....	45
7. Conclusion .....	47
Appendix A1 – Submissions Summaries from Residents, Individuals and Landowners – Not Support	
Appendix A2 – Submissions Summaries from Residents, Individuals and Landowners – Neither Support nor Not Support	
Appendix A3 – Submission Summaries from Residents, Individuals and Landowners – Support	
Appendix B – Submission Summaries from Organisations, Businesses and Strata Committees	
Appendix C – Submission Summaries from Government Agencies	

## Document control:

No	Author	Version
1.	City of Parramatta Council	May 2024 – Seeking LPP endorsement for forwarding to Council to endorse for finalisation
2.	City of Parramatta Council	June 2024 – Seeking Council endorsement for finalisation

# 1. Introduction

## 1.1. Background

This Community Engagement Report forms an attachment to the Council report, which reports on the feedback from the exhibition of the Planning Proposal (PP), draft Planning Agreement (PA) and draft Site-Specific Development Control Plan (DCP) for **263-281 Pennant Hills Road, Carlingford** herein referred to as 'the site'.

## 1.2. Purpose of this Report

The purpose of this report attachment is to summarise and respond to the submissions received during the exhibition of the Planning Proposal for the site. This report attachment should be read in conjunction with the relevant reports to the Local Planning Panel and Council. At the time this Report was prepared, the targeted Council meeting was 8 July 2024.

## 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, and the development industry, and other industry sectors and stakeholders, including peak industry groups, strata committees 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

Public exhibition of the PP, draft PA and draft DCP formally commenced on Monday 25 March 2024 and concluded on Wednesday 24 April 2024.

The documents were exhibited for a total of 31 calendar days. The extended exhibition period accounted for the public holidays in this period.

### 2.4. Engagement mechanisms

The exhibition period was supported by several engagement mechanisms to promote public participation and provide the opportunity for feedback on the proposal for the site. The engagement tools implemented are listed below with a short description of each:

#### 1. Notification Emails:

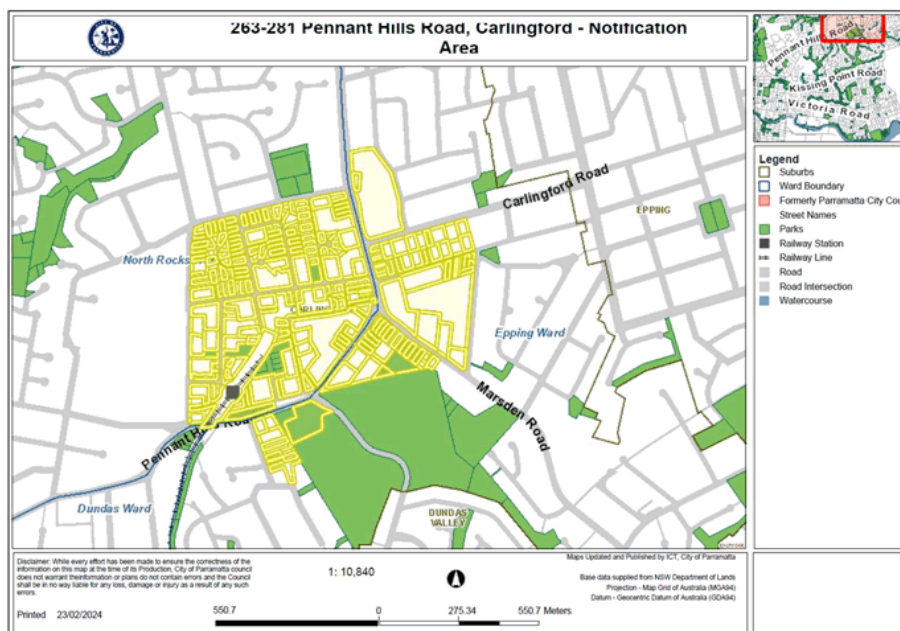
The following Public Authorities and Peak Body Organisations were contacted via email and/or the Planning Portal:

- Transport for NSW
- School Infrastructure NSW
- Department of Planning, Housing and Infrastructure – Crown Lands
- Epping Civic Trust
- Epping Chamber of Commerce

#### 2. Notification Letters:

At the commencement of the exhibition period, 5,679 letters were sent to nearby landowners and occupiers to notify them of the Public Exhibition of the proposal.

The mail out area was roughly bound by Moseley Street to the north, Rembrandt Street and Rickard Street to the east, Cox Park and Galaringi and Eric Mobbs Memorial Park to the south, and Jenkins Road to the west. For the specific mail out area, refer to the image below.



### 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 Planning Proposal. Providing Frequently Asked Questions was important due to the size and complexity of the Planning Proposal.

### 4. Social Media:

The proposal was promoted across Council's social media channels via a mixture of paid advertisements and organic posts.

An approximate 26,925 people were reached across Council's main social media accounts and the Participate Parramatta social media account.

- City of Parramatta Facebook – 44k followers
- Participate Parramatta Facebook – 6.9k followers
- City of Parramatta Instagram – 16k followers

### 5. City News (e-newsletter):

The feedback opportunity and the broader project was promoted via both CityNews and the Participate Parramatta community newsletter.

- The March-April edition of City News went out to approximately 37k people and was opened 45% of the time.
- The Participate Parramatta Community Newsletter went out to 17,569 people on March 26, 2024. The email was opened 40% of the time and the various website links within the newsletter that included a link to the Planning Proposal were clicked 246 times.

### 6. Media Release

As required by Council's Community Consultation Strategy as this is a Level 4 Planning Proposal, the community were also made aware of the Planning Proposal via a media release on 25 March 2024. The media release was viewed 1 time over the public exhibition period. The media release can be viewed via this link:

<https://www.cityofparramatta.nsw.gov.au/about-parramatta/news/media-release/have-your-say-on-a-planning-proposal-in-carlingford>

## 7. Public notices:

The project was promoted twice via Parra News (the local Parramatta newspaper) during the exhibition period. The first ad was released on Tuesday 26 March 2024 and the second on Tuesday 9 April 2024. The Parra News ads can be viewed here:

<https://www.yumpu.com/en/document/read/68661058/parra-news-march-26-2024> (Page 7)

<https://www.yumpu.com/en/document/read/68673235/parra-news-april-9-2024> (Page 7)

## 8. Webpages:

### a. Participate Parramatta website:

The 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, outlined where to view the exhibition material, and outlined how to provide feedback.

The Planning Proposal project page on Participate Parramatta garnered repeated interest from the community. It was viewed 7,076 times during the consultation period by 3,644 unique visitors.

A total of 26 documents were listed on the page. These documents were downloaded 1,497 times over the course of the exhibition by 564 unique participants. For a breakdown of the top 5 document downloads, see the below table.

Document Name	Number Of Downloads
1. Project Summary - English	357
2. Project Summary - Chinese	135
3. Transport Impact Assessment	106
4. Appendix 3 to Planning Proposal – Planning Proposal Drawings	105
5. Planning Proposal	98
<b>TOTAL</b>	<b>801</b>

A link to Participate Parramatta is provided here:

<https://participate.cityofparramatta.nsw.gov.au/263-281-pennant-hills-road>

### b. City of Parramatta website:

The Planning Proposal was also advertised on the city of Parramatta website which received 13 views over the period of the public exhibition. A link to the City of Parramatta website is provided here:

<https://www.cityofparramatta.nsw.gov.au/about-parramatta/news/on-exhibition/public-exhibition-for-263-281-pennant-hills-road-carlingford>

## 9. Hard Copy Documentation:

Hard copies of the Planning Proposal and supporting information were made available at the following locations during the exhibition period:

- Council's Customer Contact Centre at PHIVE, 5 Parramatta Square, Parramatta
- Carlingford Library at 17 Lloyds Avenue, Carlingford
- Council Reception at 126 Church Street, Parramatta

## 10. NSW Planning Portal:

The NSW Government Planning Portal provides public access to a range of planning services and information including site specific Planning Proposals. Information on the Planning Proposal was provided on the Planning Portal during the public exhibition period and can be accessed via the following link:



<https://www.planningportal.nsw.gov.au/ppr/post-exhibition/263-281-pennant-hills-road-carlingford-2118>

**11. 'Phone a Planner' sessions:**

Phone a Planner sessions were facilitated through an online booking system, offering community members the opportunity to book 30-minute in and out-of-office hours appointments to speak with a Council Planner. Six bookings were made for the phone-a-planner sessions offered and answered the questions raised therein.

**12. In-person Sessions**

In-person sessions were offered to community members to give the opportunity to book in person appointments to speak with a Council Planner. No bookings were made for the in-person sessions.

The in-person sessions were a substitute to Community drop-in sessions which are a requirement for Level 4 Planning Proposals as per Council's Community Engagement Strategy. It was thought that the one-on-one in person sessions would offer a better and more personalised level of service for community members in this instance.

## 3. Feedback from Exhibition Period

### 3.1. Overview of Formal Feedback Received

Formal feedback on the exhibition of the Planning Proposal for the site is consistent with the community participation requirements established by the *EP&A Act* resulted in a total of **132 submissions**. This total does not include multiple submissions made by the same person which are counted as one submission.

The submissions are categorised into the following:

- **Residents, Individuals and Landowners:** 127 Submissions
- **Peak Body Organisations, Businesses and Strata Committees:** 3 Submissions
- **Government Agencies:** 2 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 A1, A2, A3, B and C** of this report.

## 4. Submissions from Residents, Landowners and Individuals

### 4.1. High Level Summary of Submissions

The total number of submissions received from the residents, landowners and individuals was 127. This total does not include multiple submissions made by the same person which are counted as one submission.

The below table enumerates these submissions and categorises their general view on the Planning Proposal. This table demonstrates the nature of the community's response.

Submissions – Did Not Support	104 (82%)
Submissions – Unsure	12 (9%)
Submissions – Support	11 (9%)
<b>TOTAL</b>	<b>127 (100%)</b>

A detailed summary of the issues in each category along with the corresponding Council Officer response, is contained within [Appendices A1, A2 and A3](#) of this report.

### 4.2. General Information

The following information provides general submitter information.

- a. All submissions are considered regardless of location.
- b. 124 submissions gave location information, and 120 submissions gave complete address information. Council officers have made a reasonable effort in good faith to identify spatial location in instances where incomplete address information was provided, however, this was not possible in all instances.
- c. Of the submissions where exact location was able to be established, the most submissions came from within the Parramatta LGA (111 submissions). However, 5 responses also came from outside the LGA.

#### 4.3. Submissions not Supporting – Summary and Analysis

Council officers have considered the 104 submissions that did not support the Planning Proposal and identified 14 themes across them, as enumerated in the below table.

The main issues raised by submitters relevant to each theme are summarised, and then a response by council officers to each theme is provided.

**Appendix A1** summarises and allocates 14 themes to the 104 submissions that did not support the Planning Proposal. In this Appendix, each submission received has been allocated a unique number, and if provided by the Submitter, the Street Name and Suburb is included. To ensure the privacy of submitters, names and street numbers have been withheld.

No.	Themes	Submissions raising issues under this theme not in support	
		Number	Percentage (rounded)
1	Impact of Greater Density on the Existing Local Area	57	55%
2	Traffic, Transport and Parking	79	76%
3	Built Form and Design	13	13%
4	Impact of Proposed Height on Adjoining Properties	15	14%
5	Visual Impact	18	17%
6	Environment and Sustainability	8	8%
7	Construction Impacts	1	1%
8	Provision of Local and State Infrastructure	34	33%
9	Impact on existing shopping centre and retail facilities	6	6%
10	Potential Reduction in Property Value	1	1%
11	Connection with the eastern side of Carlingford	1	1%
12	Affordable housing	12	12%
13	The Planning Process	21	20%
14	Clarifications	3	3%

#### Theme 1: Impact of Greater Density on the Existing Local Area

##### Issues Raised:

- It is difficult to envisage the positive effects on the area.
- The proposal will destroy the character of Carlingford and make it an undesirable place to live.
- Submitters have expressed a view that Carlingford as a settlement has lost its glory and that the proposal jeopardises the appeal of a tranquil local suburb.
- The proposal will make the area unliveable for current residents who cannot afford to move.
- The proposal will result in an increase in crime/safety risks.
- Carlingford is not supported by sufficient public transport, desirable shopping precincts, schools or job opportunities.
- Concerns that the community will be too crowded and the changes are not in their best interests.

- Considers that when they first bought their unit nearby, they paid a premium price for the view of beautiful greenery, but now the area resembles the CBD.
- Submitter states that over development contributes to overcrowding and poor traffic conditions in Epping.
- The proposal does not include measures to mitigate the negative impacts caused by bringing more people into the area.
- Submitter requests that consideration be given to the impacts of overcrowding on residents and the community, and the resulting negative impacts on the economy of Carlingford.
- Inadequate parking around the Parramatta Metro station at Carlingford.
- Submitter does not agree that the amenities, open spaces, commercial space and library harmonises with the surrounding facilities, infrastructure and residents' needs.
- Considers that the developer is seeking profits at the expense of Carlingford residents' quality of life.
- Submitter considers that Carlingford cannot cope with the increase density, and that residents in the Carlingford Road developments have already resulted in overcrowding in public spaces and the shopping centre.
- An up-to-date Local Community Planning document is required to support and guide the development of the Carlingford precinct.
- Submitter recommends Council focus on bringing in employment close to Carlingford and similar suburbs instead of putting up more residential.
- Requests that the current needs of residents be prioritised above increasing provision of residential units.
- Considers that there are already many high-rise buildings in the area.
- Considers the proposal will result in larger built forms and higher densities than larger projects within Melrose Park.
- Considers that, before agreeing to these changes, consideration should be given to other developments which have occurred or are currently occurring in the local area.
- Considers low to medium density housing a more appropriate option, which would provide housing while being of a smaller building footprint and consistent in character with the surrounding area.

**Council Officer Response:**

- Whilst it is acknowledged that the Proposal will result in an uplift in the development permissible on the subject site and that Carlingford has been the subject of higher density developments, the growth of Carlingford is anticipated in strategic documents including the Parramatta Local Strategic Planning Statement (LSPS) 2036 which identifies Carlingford as a 'Growth Centre' which means it has been identified for higher density growth, the Parramatta Community Infrastructure Strategy (CIS) 2020 which also anticipates this growth as a result of higher density development and recommends a range of local infrastructure items to service this growth and Council's Local Housing Strategy which aims to align housing delivery with public transport including the goal to *provide 90% of new housing within the walking catchments of existing or committed public transport*.
- The CIS and Council's Outside of CBD Development Contributions Plan both identify the need for a publicly accessible Community Hub including an expanded library and community space which will be delivered via the VPA associated with this proposal. The proposal will also deliver an improved open space configuration including a 4,760 sqm central park and a 595 sqm community link.

- At the 4 December 2023 Council meeting, Council resolved to undertake a strategic planning exercise to guide the future growth of Carlingford. This work will aim to preserve of local character and will include an assessment of infrastructure demand.
- The proposal would increase density across the site from 2.3:1 to 3.6:1 allowing for an additional 197 additional residential units to be built on the site (when compared with the number of units that could be delivered on the site under current controls). The increase in density is consistent with the Parramatta Local Strategic Planning Statement (LSPS) which identifies Carlingford as a growth centre.
- Whilst Carlingford has experienced a growth in higher density developments, the Minister for Planning has recently written to all councils and planning panels asking them to *'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'*. The Minister further asks that *'...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*.
- The assessment of proposals like this must balance the needs of existing residents with the need to accommodate more housing for new residents. The impacts of any new proposal must consider the existing community and ensure it can reasonably be accommodated.
- The Carlingford area is identified as a growth precinct in the LSPS and is zoned to provide higher density residential accommodation. It is well located to provide higher density dwellings given its proximity to local services and public transport.
- Whilst the increase in density will generate demand for Council facilities, the proposal includes the provision of open space and a Community Hub as identified in Council's Community Infrastructure Strategy and Outside of CBD Contributions Plan. Council has also resolved to undertake a strategic planning exercise to ensure growth in Carlingford is guided appropriately and growth meets infrastructure provision.
- The Council resolution of 4 December 2023 includes a request for the CEO to investigate the work required to review the planning controls for this Growth Precinct and for this to inform the 2024/25 budget. This work will include an investigation into potential land use zoning and controls required to support the growth of Carlingford.

## Theme 2: Traffic, Transport and Parking

### (i) Pennant Hills Road

#### **Issues Raised:**

- Potential for the proposal to result in traffic congestion on Pennant Hills Road.
- Pennant Hills Road needs to be widened.
- Pennant Hills Road is already congested.
- It is already difficult to turn on and off Pennant Hills Road, the proposal will make it worse.
- The installation of traffic signals will contribute to increased foot traffic and road congestion due to frequent stopping at key intersections over Pennant Hills Road.
- The signalling improvements at the Lloyd Avenue and Evans Road intersection will not improve traffic flow.
- The driving time along Carlingford Road and Pennant Hills Road to James Ruse during peak hours has arisen from 5 minutes during normal times to 20-25 minutes.



- States that Pennant Hills Road is already at maximum capacity during peak hours and school drop-off and pickup times.
- States that Pennant Hills Road already has one of the longest stretches of school zones in Sydney and increasing residential density will bring the road to a standstill.
- Submitter expresses that due to the development's proximity to Carlingford Public School (within 750m), traffic activity will increase significantly to surrounding roads and that they currently cannot support the increase this growth.
- States that Carlingford Road outside Carlingford Court, which joins onto Pennant Hills Road, is also beyond its capacity during peak hour, caused by the increased residential high-rise apartments built between Keeler Street and Carlingford Road.
- Considers that City of Parramatta Council and the developer are responsible for these upgrades in order for this project to be viable.

**Council Officer Response:**

- Whilst it is acknowledged that Pennant Hills Road is congested, the Applicant's cumulative impact assessment indicates that key intersections on Pennant Hills Road would deteriorate regardless of any development. As such the proposed development would have a negligible impact on the level of service for the Pennant Hills Road Corridor.
- The Applicant's TIA also indicates that the existing road network is close to capacity and that the estimated traffic generated by the proposal is relatively small compared to the background growth in traffic forecast by the applicant's modelling and the surrounding cumulative development traffic.
- Notwithstanding, the TIA does identify the signalisation of Evans Street/Lloyds Avenue and Pennant Hills Road and the intersection of Pennant Hills Road and Mosely Street as opportunities to improve the road network. However, it is considered that in regard to the Pennant Hills Road/Mosley Road intersection, the cost of these works would be disproportionate to the amount of traffic generated by the proposal.
- Transport for NSW (TfNSW) advice regarding associated traffic generation and proposed parking rates suggests that based on the TfNSW guide to Traffic Generating Development, the residential parking rates proposed by the applicant (which are slightly above those that currently apply to the site under Council's DCP) will result in an additional 18 vehicle trips per hour in the AM peak and 14 in the PM peak. Given the multiple route choices available, this additional traffic generation is unlikely to have a significant impact on the regional road network.
- Transport for NSW has advised that the development uplift proposed on the subject site necessitates the provision of traffic control signals (TCS) at the intersection of Pennant Hills Road / Evans Road / Lloyds Avenue in order to facilitate safe pedestrian movements across Pennant Hills Road to the existing bus zone on the southern side of Pennant Hills Road. Transport for NSW is consulting with the Department of Planning, Housing Infrastructure (DPHI) regarding the potential to deliver these works as 'works in kind' (WIK) to be credited against the State Government Housing and Productivity Contribution (HPC) that would be applicable to the proposed development.
- Transport for NSW will continue working with the Applicant, DPHI and Council to ensure the delivery of the above intersection upgrade is undertaken to ensure the success of the Travel Demand Management (TDM) of the proposed future development, pedestrian safety, and improved road safety outcomes for the wider community.
- Transport for NSW recommends that as part of any future Development Application (DA) for the site, the Applicant engages with TfNSW regarding the status of the proposed intersection works as some interim measures may need to be implemented by development to ensure pedestrian safety of future users of the development as part of the development's TDM strategy.
- The State Government is also proposing to upgrade the intersection of Pennant Hills Road and Carlingford Road to ease congestion and improve safety for road users. TfNSW proposes to improve

traffic flow and safety at this intersection by widening sections of Pennant Hills Road and Carlingford Road to provide additional turning lanes.

(ii) General

**Issues Raised:**

- Light rail will not reduce traffic generation.
- Considers that the opening of the Carlingford Light Rail will result in an increase of traffic during peak hour.
- Considers that just because there is a tram close by and buses that travel along Pennant Hills Road does not mean the residents will take public transport, making it hard to predict accurate figures for uptake.
- Carlingford is already subject to a high amount of growth.
- Benefits of light rail are yet to be demonstrated.
- Improved traffic management required.
- General safety risks will be caused by the proposal.
- Roadworks are required before Occupation Certificate is issued.
- Submitter objects to the increase in density and height due to the area's lack of strategic planning with regards to the local roads and transport network.
- Other proposals have not proceeded due to potential traffic impacts.
- Considers that before any high-density plans are approved, these major and expensive issues regarding traffic and parking should be addressed, and that not doing so will devalue the area and make it unappealing to current and future residents.
- Considers that high-rise developments threaten the management of traffic, including for passive road users, with examples evident in nearby suburbs such as Epping and Meadowbank.
- More traffic to increase potholes.
- Submitter states bike routes from Carlingford towards Epping, North Rocks and Castle Hill are poor or non-existent.
- Submitter requests a review of the 'long-term road congestion' that is discussed in Appendix 6 – Transport Impact Assessment.
- Submitter states that there are limited options to get to the Sydney CBD as the only way to get to Epping Station from Carlingford is by bus and the light rail only takes people to Parramatta, not the Sydney CBD.
- Submitter states development should be complemented with infrastructure and better traffic management.
- Submitter considers that there is already significant traffic, without any proper plan for connecting Carlingford to Epping.
- Considers that if building heights are to be increased, additional roads should be constructed.
- Submitter considers that there is no supporting infrastructure being built, such as additional roads.

- Notes that although the light rail at Carlingford is soon due to open, it only provides connections to Parramatta and does not provide transport connectivity for people wanting to head towards the city. Therefore, the only option for those heading east is to drive down Carlingford Road to Epping and cross the already congested Epping Bridge or park at Epping and take the Metro although there is no parking. Considers that there is also the option of taking the M2, but the nearest entrance involves driving down the congested Pennant Hills Road.
- Questions whether the bus timetables will be affected due to increased traffic congestion around the proposed Carlingford development.
- Notes that the light rail will be introduced sometime in the future and expresses concern that this will affect the current bus timetables along Pennant Hills Road to and from Parramatta, noting these bus services are currently used extensively and at maximum capacity.
- Submitter raises issues with the study of peak hour road traffic due to being observed in a 60 minute period on 24 March 2022, being a school term and still being impacted by Covid-19. Suggests a new periods covering 90 minutes in the morning (7:30am – 9:00am) and 120 minutes in the afternoon (4:30pm – 6:30pm).

**Council Officer Response:**

- Whilst it is acknowledged light rail will not completely prevent the use of private vehicles trips it will provide residents with another transport option and help to reduce reliance on private transport.
- The proposal delivers higher density residential development within close proximity to public transport including the Carlingford Light Rail Stop and high frequency bus routes on Pennant Hills Road. This is in accordance with Council and State Government policies regarding housing delivery, including the State Government's Regional and District Plans which aim to align residential development with investment in public transport and prioritise opportunities for people to use public transport. Council's Local Housing Strategy aims to align housing delivery with public transport including the goal to *provide 90% of new housing within the walking catchments of existing or committed public transport*.
- The proposed signalisation of Evans Road/Lloyds Avenue and Pennant Hills Road will provide a safe means for pedestrians to access the other side of Pennant Hills Road. Various interim measures will also be employed to provide safe pedestrian access prior to this intersection upgrade. Safety risks associated with pedestrians and traffic will be assessed at the development application stage.
- Road works will be undertaken in accordance with any future development application on the site and would normally be required prior the issue of any Occupation Certificate/ Construction Certificate.
- The Council resolution of 4 December 2023 includes a request for the CEO to investigate the work required to review the planning controls for this Growth Precinct and for this to inform the 2024/25 budget. This work will include an investigation into the traffic studies required to support the growth of Carlingford.
- The formation of potholes and general road maintenance are outside the scope of this Planning Proposal.
- Whilst higher density developments do generate more traffic than lower density development, they also serve to contain/limit congestion in one location thereby preventing traffic congestion elsewhere and traffic studies associated with planning proposals and development applications aim to ensure traffic generation is acceptable. It should also be noted that the Minister for Planning has recently written to all councils and planning panels asking them to *'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'*. The Minister further asks that *'...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*

- The site is located within 400m of the Carlingford Light Rail Stop which will provide access to Parramatta CBD, Westmead and Camelia. A high frequency bus service is also available on Pennant Hills Road which provides a connection eastward.
- The draft DCP requires active transport routes in accordance with the Bike Plan and the Outside of CBD Contributions Plan. These routes aim to provide access via Pennant Hills Road and through the site from the Light Rail Stop to Carlingford Shops. Bike routes outside of this are outside the scope of this Proposal.
- Public transport routes are outside of the scope of this proposal and are the responsibility of the State Government.
- The Transport Impact Assessment has been prepared by traffic consultants that use a range of inputs including those from TfNSW and are considered a reasonable estimate of future traffic growth.

(iii) Local Traffic Impact

**Issues Raised:**

- The proposal will result in traffic congestion on local roads including Post Office Street, Moseley Road and Shirley Street.
- Questions how Post Office Street will cope with the volume of cars, given that vehicular access is via Shirley Street.
- Raises concern with Post Office Street not being wide enough to support on street parking on both sides of the street and that one side should be prohibited from on street parking.
- There will be major issues with traffic flow to both Jenkins Road and Pennant Hills Road, which are currently at maximum capacity.
- Considers it unacceptable that trucks continue travelling along Jenkins Road when it is supposed to be closed to heavy vehicles (3t and over).
- Shirley Street will not be able to support the number of trucks that will be onsite during construction.
- Submitter suggests retaining the Janell Crescent to support Shirley Street in carrying traffic to Pennant Hills Road.
- The proposed accessway cannot support the proposed development.
- Additionally shares concerns that Shirley Street will not be able to support traffic to the proposed shopping centre, childcare centre and library.
- The proposed development will greatly affect all major roads into, out of, and around Carlingford.
- Traffic accidents on Lloyds Avenue.
- Notes that there will be over 700 units and, assuming each unit has a minimum of 2 cars per unit, this will result in at least 1,400 additional cars on local roads, along with the other motor vehicles travelling to the childcare centre, retail shopping and community hall.
- Although there may be plans for widening of Shirley Street, the submitter is not convinced this will alleviate congestion.
- Submitter suggests both north and southbound lanes need to be widened from two to three as there are inadequate turning lanes into Adderton Road, Marsden Road and Carlingford Road.



- States access to Pennant Hills Road from Post Office Street must be included in any proposal.
- Submitter raises issue that turns within the precinct are dangerous, for example, Cumberland Highway onto Moseley Street. Submitter raises numerous junctions that would present more traffic and safety issues as a result of higher scale buildings.
- Considers that City of Parramatta Council and the developer are responsible for these upgrades in order for this project to be viable.

**Council Officer Response:**

- Whilst the Applicant's TIA does not identify Post Office or Moseley Street as being subject to unacceptable traffic impacts as a result of the proposal, it does indicate that the existing road network is close to capacity and that the estimated traffic generated by the proposal is relatively small compared to the background growth in traffic and the surrounding cumulative development traffic.
- The City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment 1) already identifies the need and funding for roundabouts at several intersections on Post Office Street.
- Council plans to upgrade the Pennant Hills Road/Moseley Street intersection and Council's Traffic and Transport team are currently preparing a project brief to select a traffic consultant to undertake traffic modelling to support this work.
- There are already traffic accidents on Lloyds Avenue.
- The Site Significant Development Control Plan requires future development on the subject site to widen the southern side of Shirley Street to improve two way traffic flow and to provide on-street parking as the site develops and will be assessed in more detail at the development application stage, noting that the existing zoning would allow for development on the site within the current road alignment.
- Construction traffic will be addressed the Applicant's Construction Traffic Management Plan assessed at the development application stage.
- Janell Crescent is no longer operational and cannot be used as an access to Pennant Hills Road. Generally TfNSW would raise concerns if Janell Crescent were to be re-opened particularly as it is in close proximity to a major intersection.
- As previously detailed, TfNSW has announced plans to upgrade the intersection of Carlingford Road and Pennant Hills Road. Turning lanes into Adderton Road, Marsden Road are outside of the scope of this Planning Proposal.
- As detailed, TfNSW has advised that the signalisation of Evans Road/Lloyds Avenue/Pennant Hills Road is required to support the proposal, it will also be upgrading Carlingford Road and Council has already identified a range of upgrades to intersections in the local road network. Council's resolution of 4 December 2023 identifies that Council will undertake strategic planning work in Carlingford, this will include an analysis of current and future traffic issues including safety. Traffic safety will also be addressed at the Development Application stage of the proposal.

(iv) Vehicular/Pedestrian Safety

**Issues Raised:**

- Recommends a blanket 40km/h speed limit within the area bounded by Moseley Street, Jenkins Road and Pennant Hills Road as the current speed limit is not appropriate for the existing and future density.
- Traffic congestion caused by the proposal will endanger pedestrian safety.

- Pennant Hills Road is already unsafe for pedestrians and difficult to cross.
- Considers that Post Office Street has been negatively impacted by the new parking spaces provided for the new apartments, which has made it dangerous for residents to exit existing complexes, due to parked cars obstructing the view from the driveway.
- Pedestrian safety when accessing bus stops on both sides of Pennant Hills Road.
- Raises concerns that no plans are in place to lay a footpath through Shirley Street Reserve for pedestrian access to the new light rail.
- Considers that the increased numbers of residents in the area will cause bad traffic congestion and may pose more danger to schoolchildren on the street.
- States that traffic will result in the need for frequent road maintenance.

**Council Officer Response:**

- Speed limits between Jenkins Road, Moseley Street, Jenkins Road and Pennant Hills Road are outside of the scope of this proposal and are generally determined by the local traffic committee at the development application stage and may adjust local traffic conditions if appropriate.
- The previously detailed signalisation of the Evans Road/Lloyds Avenue/Pennant Hills Road intersection will ensure that pedestrians can safely access bus stops on the southern side of Pennant Hills Road. The proposal will also be required to provide footpaths where they adjoin the frontage of the site. Pedestrian safety will be assessed as part of any future development application on the site.
- TfNSW has also advised that interim safety measures may be required for the pedestrians until the intersection upgrade is provided. Such measures will be considered at the development application stage.
- Whilst Shirley Street Reserve is outside the scope of this Planning Proposal, a pedestrian crossing across Shirley Street will be provided prior to the issue of any Occupation Certificate for residential development on the site in accordance with the Planning Agreement for the previously approved Additional Permitted Use for the site.
- Council is continuously working to maintain the local road network. Any issues can be reported to Council. State and Regional roads are the responsibility of the State Government.

(v) Parking Provision

**Issues Raised:**

- The proposal should ensure that sufficient residential parking is provided.
- The proposed 20 spaces for the Community Hub are insufficient to cater for demand.
- Developments rarely provide sufficient parking.
- Insufficient parking on Shirley Street.
- Considers that overflow of cars from residents will be parked in the streets.
- Considers the reduction to 0.8 car spaces per unit for buildings exceeding 25 floors too little.



**Council Officer Response:**

- The draft SSDCP exhibited provides maximum parking rates for residential, commercial and childcare uses, it is proposed that in the final DCP, these rates are slightly higher for 1 and 3 bedroom units and halved for visitor spaces. These slightly elevated rates will ensure that sufficient parking is provided within the development and that on-street parking is minimised.
- The draft SSDCP also includes controls requiring the extension of the Shirley Street to allow for on-street parking and two way traffic.
- The proposed 20 parking spaces for the Community Hub is considered adequate as it is consistent with parking provision of similar developments.

<b>Theme 3: Built Form and Design</b>
---------------------------------------

**Issues Raised:**

- Developments are often built quickly, do not comply with building codes and have flammable cladding.
- Such developments are not built well.
- Considers that these developments create a visual blight, are often built quickly, do not comply with building codes and have flammable cladding.
- Submitter questions the requirement for 7 storey basement car parks when public transport is available.
- Requests a bus bay to be incorporated into the site plan on the northern side fronting Pennant Hills Road.
- States that the distance between buildings is narrowing and is not good design for developing communities.
- The development will cause wind tunnels.
- Concerns were raised that insufficient open space has been provided and requests for the public open space to be completed at stage 1 and if the development stops at stage 1, the money for public facilities should be included in stage 2.
- States that a new supermarket is not needed as there is a Coles and Woolworths at Carlingford Court.
- Suggests opportunities for local artists to contribute to a public artwalk and gardens should be considered to improve amenity within the pathways to the light rail.
- Too many buildings proposed for a small block.
- Considers that the proposal looks reasonable on paper but would have negative consequences when implemented.
- Submitter identifies themselves as a senior, and states it is very important to them to be able to visit the community library safely and accessibly near where their friends live, along with the nearby parks and shopping centre.

**Council Officer Response:**

- Construction and compliance with building codes and cladding materials will be dealt with through the development application stage.

- The proposal has been designed to respond to the local context, site-specific DCP objectives and provisions define the developments building envelope and aims to provide an appropriate relationship with the surrounding locality.
- The proposed basement parking is the subject of the development application, however it should be designed to accommodate storage and parking in accordance with the proposed DCP.
- Despite being close to public transport, development should provide a sufficient level of parking in order to also reduce on-street parking. It should be noted that if the site was in an area was not well serviced by public transport, the reliance on private vehicles would be greater.
- The location of bus bays is subject to detailed design and consultation with State Government authorities and is outside the scope of this proposal.
- The distance between residential flat buildings within and external to the site is guided by the Apartment Design Guide separation distance controls to ensure amenity within apartments and for open spaces.
- The Wind Study submitted prepared by Windtech with the Planning Proposal indicates that whilst the proposal will be subject to wind impacts, there are several mitigation measures that can be adopted to mitigate impacts and these will be addressed at the development application stage.
- In accordance with the associated Planning Agreement, the open space and the Community Hub will be delivered as part of Stage 2 of the proposal. The Planning Agreement is associated with Planning Proposal and requires the open space to be dedicated upon the issue of the issue of the Occupation Certificate for Building F, the warm shell Community Facility is to be dedicated upon issue of the Occupation Certificate for this facility.
- The Applicant's retail impact statement advises that the supermarket will assist in addressing the substantial undersupply of supermarket floorspace within the Parramatta LGA and that there is sufficient future floorspace demand over the short, medium and long term to accommodate the proposed development on the subject site which will account for only 6% of the total retail floor space demand by 2029 and 16% of the growth in demand to 2038.
- The Applicant will be delivering infrastructure items as provided in the Planning Agreement, these items are identified in Council's Community Infrastructure Strategy and also Outside of CBD Contributions Plan. The provision of public artwork will be considered at the Development Application stage.
- The proposal including the proposed density of 3.6:1 has been assessed being able to be accommodated on the subject site, future development will be required to comply with relevant controls and standards.
- Regarding accessibility requirements for community infrastructure proposed on the subject site, these will be considered at the development application stage to ensure appropriate design accommodating safety and accessibility.

#### Theme 4: Impact of Proposed Height on Adjoining Properties

##### No.12 Shirley Street

##### **Issues Raised:**

- Overshadowing and loss of privacy at 12 Shirley Street.
- Property owners at 12 Shirley Street explained that they were of the understanding that a parcel of open space would adjoin their northern side.
- The construction of Building E would undermine their efforts towards energy efficiency and environmental sustainability.

**Council Officer Response:**

- No. 12 Shirley Street, located to the west of the subject site is currently under construction for an 11 storey residential flat building. The subject Proposal will result in the northern side of this property being rezoned from RE1 Public Recreation to R4 High Density Residential and will accommodate Block E, an up to 10 storey high residential flat building.
- The Applicant's overshadowing analysis, dated 1 May 2024, indicates that, when factoring in the previously approved development application, 93% of apartments within this site would meet solar access guidelines of the ADG. When factoring in the proposed scheme, this figure falls by 7% to 86% and as such, is consistent with the ADG requirements. It is also proposed that the Height of Buildings map be reduced to further align with the reference scheme. It is proposed that the maximum height of buildings for Block E be reduced from 56m to 46m.
- Verification of the Applicant's analysis also indicates that the proposal's impact on solar collectors at 12 Shirley Street would meet the ADG guidelines requiring a minimum of 4 hours solar access to solar collectors in mid-winter.
- In regard to privacy impacts on surrounding properties, this issue will be addressed at the development application stage and ADG guidelines regarding separation distances will be applied to ensure appropriate distances between buildings and habitable rooms.

**No. 8-10 Shirley Street****Issues Raised:**

- Residents have already been negatively impacted at 8 Shirley Street regarding sunlight and solar panels.

**Council Officer Response:**

- No 8-10 Shirley Street, to the west of the subject site accommodates a 10 Storey residential flat building currently under construction. The Applicant's solar analysis, dated 1 May 2024, indicates that when factoring the approved development, 98% of apartments within this building received 2 hours of direct solar access during mid-winter.
- No 8-10 Shirley Street, to the west of the subject site accommodates a 10 Storey residential flat building currently under construction. The Applicant's solar analysis, dated 1 May 2024, indicates- that when factoring in the proposed scheme, this figure drops to 79% which is within the 70% minimum requirement in the ADG.
- It should be noted that this property is impacted by proposed Block G which is within the existing 33m maximum Height of Building Control in Parramatta LEP 2023. The Proposed Maximum Height of Building control for Block G will be reduced from 56m to 33m.
- The Applicants Verification Statement also states that the proposal complies with the solar access requirement of 4 hours solar access to collectors in mid-winter. This issue will be further addressed at the Development Application stage.

**No 2-6. Shirley Street****Issues Raised:**

- Overshadowing of 2-6 Shirley Street – impact on solar panels.

**Council Officer Response:**

- No 2-6 Shirley Street, located to the west of the subject site, contains a four storey residential flat building. The Applicant has advised that whilst the previously approved development results in overshadowing of this property, under the proposed scheme, this property would be impacted by proposed Block G which remains within the existing 33m maximum height of building control under Parramatta LEP 2023. Analysis

of overshadowing impacts including on solar collectors will be further addressed at the Development Application stage.

No. 346-362 Pennant Hills Road

**Issues Raised:**

- Resident raised concerns regarding overshadowing of 346-362 Pennant Hills Road.

**Council Officer Response:**

- The Applicant's overshadowing analysis, dated 23 April 2024 and 18 April 2024, indicates that for 346-363 Pennant Hills Roads, whilst the proposal would increase overshadowing by 17% in midwinter, this increase is within the 20% maximum additional overshadowing prescribed by the ADG. Verification of the Applicant's analysis also indicates that the proposal's impact on Solar collectors at this property would meet the ADG guidelines requiring a minimum of 4 hours solar access to solar collectors in mid-winter. This issue will be further addressed at the Development Application stage.

**Theme 5: Visual Impact**

**Issues Raised:**

- The proposal is out of context with the surrounding development on Shirley Street.
- The proposal will create blight.
- Submitter objects to the proposed height of the buildings along Pennant Hills Road almost tripling and doubling that of other roads as it will be an eyesore to the community and does not fit in with the current landscape of the area.
- Visual impact of the proposal on surrounding area.
- 110m (29 storeys) on Pennant Hills Road is too high.
- No blocks should be higher than 12 storeys.
- Objects to the proposed heights as they contradict the original development of reducing building heights the further away developments get from Carlingford Station.

**Council Officer Response:**

- Whilst the proposal will result in a significant increase in building height on Pennant Hills Road, the proposed distribution of height has been designed to ensure a lower scale of development on Shirley Street. Whilst inconsistent with the original plans to increase height around the Carlingford Light Rail Stop, the concentration of height on Pennant Hills Road is also consistent with existing DCP controls that require more substantial buildings on the Pennant Hills Road frontage.
- In order to reduce visual impact, the SSDCP for the site includes a range of objectives and controls to encourage buildings to respond to the local context including envelope controls and building form controls including:
  - o Objectives that encourage buildings to respond to the local context including adjoining properties.
  - o Minimum podium and tower setbacks.
  - o Controls to guide building form.
  - o Controls to guide building materials.
- In response to submissions raising concerns around the issue of height, it is proposed to reduce the maximum height of buildings to further align with the reference scheme. Proposed heights will range from 110m to 33m (Refer to the Council Report).



- Whilst the proposal is of a greater scale than the existing development in Shirley Street, it has been designed to distribute greater height to the Pennant Hills Road frontage in accordance with the existing DCP controls and to reduce visual impacts on Shirley Street.
- The Proposal should also be considered in the context of the State Government's correspondence of August 2023 asking Council's to prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated.

#### Theme 6: Environment and Sustainability

##### **Issues Raised:**

- The proposal will cause an increase in noise generation.
- Noise and pollution will impact resident's mental health.
- Requests that decisionmakers consider the profound personal impacts that the proposed development will have on residents including mental health and well-being.
- Considers that the proposed development must account for the added stress on local residents and also the quality of life for the people who move into the new development – it is not only about living in the apartments.
- How will light pollution be mitigated.
- Requests an acoustic study to depict changes in noise level.
- That 1% of the total parking spaces should be made available to the public as free EV charging stations for all developers seeking approval on high-density development.
- Requests Council to ask the developer to submit a power consumption analysis in MWh and MW.
- Requests Council push the State Government to update BASIX otherwise new development are all outdated even by the time they built.
- Submitter raises that the lack of roof space for solar panels will negatively impact energy generation and use.
- Submitter questions the resilience and sustainability of the proposed development in relation to energy use.
- Detrimental effects on environmental amenity.
- Questions what impact this will have on the Carlingford community and raises concerns for peoples' safety and wellbeing.
- Considers that the proposed development is only going to cause an increase in traffic noise and pollution and that residents will suffer with disruption to their wellbeing and mental health.
- Considers that the proposed development must account for the added stress on local residents and also the quality of life for the people who move into the new development – it is not only about living in the apartments.

##### **Council Officer Response:**

- Council's existing DCP requires the provision of EV ready connection to at least one parking space.

- All future development applications involving the proposal will be required to comply with BASIX requirements. Solar panels are a matter for the applicant and are outside the scope of this Planning Proposal.
- Council is unable to request the Applicant to submit a power consumption analysis in MWh and MW, requirements for developers including resilience and sustainability requirements are provided through the Environmental Planning and Assessment Act 1979.
- Acoustic impacts from traffic including noise attenuation measures will be considered at the development application stage.
- Visual impacts including lighting will be assessed at the development application stage.
- Impacts of the subject Planning Proposal on environmental amenity have been assessed in accordance with the Planning Proposal Guidelines and the NSW Environmental Planning and Assessment Act. A further and more detailed assessment will be undertaken at the development application stage.

#### Theme 7: Construction Impacts

##### **Issues Raised:**

- Considers that this development will put pressure of current Carlingford residents, who are already fed up with the building underway, with noise from 7am all day long.

##### **Council Officer Response:**

- Construction impacts of the proposal will be assessed at the development application stage and are outside the scope of the Planning Proposal.

#### Theme 8: Provision of Local and State Infrastructure

##### **Issues Raised:**

- The proposed library and community space are not required.
- There is already an existing library.
- Public amenities are irrelevant.
- There is insufficient existing community infrastructure to support the proposal.
- No supporting infrastructure – e.g. roads, schools, shops.
- Submitter considers access to proposed community facilities will be limited for anyone outside of the immediate area of the precinct.
- The proposal will put pressure on local schools where there is already insufficient capacity.
- The proposal will increase demand for health facilities.
- States that the present Labor Minister has promised in various broadcasts that infrastructure comes first, followed by additional homes, and therefore roads should be widened, and new primary and secondary schools built, before considering increasing density.
- Submitter suggests public transport infrastructure such as a train line connecting Carlingford to Epping or Eastwood is needed to support the population.
- Submitter considers that the only benefits of the planning proposal to the community are the increased facilities.



**Council Officer Response:**

- The provision of community facilities is an important consideration in the strategic planning for any precinct. The Parramatta Community Infrastructure Strategy 2020 identifies that the future community of Carlingford is set to experience significant growth in population as a result of increasing high density development and that this growth will impact the immediate area surrounding Carlingford Library and will place an even greater demand on the library service, which is already operating above capacity. This Plan and the Parramatta Out of CBD Contributions Plan also recommends that Carlingford Library is *redeveloped into a larger facility of 1,800m, located within a new community hub in Carlingford close by to public transport, ideally the future light rail stop as well as an additional 800sq.m community space*. Staff research into alternative sites for a Community Hub indicated that the subject site is the most appropriate and available site for this community infrastructure, with no alternative sites available.
- Whilst the proposal will generate an increased demand for retail services in the local area, it also includes 2,600 sqm (an additional 600 sqm) of retail floor space which will service the future resident population on site.
- Previous advice from Schools Infrastructure indicates that there is sufficient capacity in the existing and proposed schools infrastructure to support the potential student population associated with the proposal.
- The State Government is responsible for the provision of public health facilities and is aware of the need of growing populations. Private health facilities can be provided by the market as required and can be located in appropriate zones in the surrounding areas.
- Schools Infrastructure has previously advised that existing and planned schools facilities would provide sufficient capacity to accommodate the additional demand associated with the proposal. Transport for NSW has also announced road widening for Pennant Hills Road and an upgrade to the intersection of Pennant Hills Road and Carlingford Road. The timing of this infrastructure is outside the scope of this proposal.
- In their response Schools Infrastructure did not raise any objection to the Planning Proposal and noted the proposal does not meet the criteria (from the Local Environmental Planning Guideline 2021) for the proposal to be sent to the Department of Education for referral and comment as it will facilitate 197 additional dwellings above what the current planning controls allow which is less than the 250 additional dwellings which would trigger the requirement for a referral.
- Public transport routes are the responsibility of the State Government and are informed by Government analysis of growth areas.
- The subject proposal includes an improved land use configuration that will allow for a more useable and publicly accessible open space when compared with the Development Application approved for the rear of this site. The Proposal has been lodged and assessed in accordance with State Government legislation. The Proposal will also contribute to housing supply in accordance with State Government correspondence of August 2023 regarding housing availability.

**Theme 9: Impact on existing shopping centre and retail facilities****Issues Raised:**

- The proposal will make Carlingford Court shopping centre even busier, existing shopping facilities cannot meet demand.
- There are already not enough parking spaces at Carlingford Court.
- Both shopping centres already have parking issues and entry and exit issues.

**Council Officer Response:**

- Whilst the proposal will increase the resident population on the site and therefore will result in some increase in activity at Carlingford Court, it also proposes a 600 sqm increase in retail floor space on the site which will service the population on the site and will provide a 'containment function', effectively reducing trips from the site to local services.

#### Theme 10: Potential Reduction in Property Value

##### **Issues Raised:**

- These changes are not in the best interests of the community.
- How residents will be compensated for the reduction of their property value in response to the proposed development.

##### **Council Officer Response:**

- Impact on property value is a consideration outside of the scope of this Planning Proposal.

#### Theme 11: Connection with the eastern side of Carlingford

##### **Issues Raised:**

- The proposal fails to consider the eastern side of Carlingford and the development needs to consider connections between the site and adjacent areas.
- The decision not to use the Metro to connect the subject site and the eastern side of Carlingford is a failure of infrastructure planning.
- Recommends a pedestrian overpass to be installed over key intersections along Pennant Hills Road to connect both sides of Carlingford to prevent frequent intermittent stopping of traffic.

##### **Council Officer Response:**

- Whilst the assessment of this proposal has considered the broader local context, the proposal relates only to the subject site. The applicant is in discussions with TfNSW regarding the signalisation of the Evans Road/Lloyd Avenue/Pennant Hills Road intersection to enable access to the southern side of Pennant Hills Road, TfNSW will programme traffic signals according to TfNSW has not suggested an overpass.
- Future strategic planning work within the Carlingford area will investigate the issues around connectivity to the east.
- Public transport routes are a matter for the State Government to determine, however it is considered that the additional development delivered by this proposal would not warrant a change to the metro line.

#### Theme 12: Affordable housing

##### **Issues Raised:**

- The proposal does not include affordable/social housing.
- Government should be building its own affordable housing.
- Criticises the State Government for not addressing the lack of affordable housing, and pandering to developers, to the detriment of the community.

- Considers that the development should include social housing.

**Council Officer Response:**

- The proposal does not include the provision of affordable/social housing. Assessment of the Proposal identified the need for provision of a Community Hub including library and community space in accordance with the Parramatta Community Infrastructure Strategy and the Parramatta Outside of CBD Contributions Plan. The provision of these facilities is considered to be of a higher priority in this case given the lack of suitable sites for this infrastructure and the identified demand. Council's Draft Affordable Rental Housing Policy states '3.9.1 Critical need for infrastructure: Where there is a critical need for community or public infrastructure in the location that can be addressed through a planning agreement, Council may waive the Affordable Rental Housing contribution'.
- Affordable housing provision by the Government is out of the scope of this Planning Proposal.

**Theme 13: The Planning Process**

**Issues Raised:**

- Concerns raised that significant alterations to initial plans are being proposed.
- Concerns raised that there is a deviation from the planning laws.
- Why was the full extent of the development not submitted in the first instance. They get a second chance.
- Concerns regarding the change in Council's position after being offered a financial contribution.
- Considers the new library to be an incentive for the development to be approved.
- All developments need in order to attain approval are some open space and appealing facilities.
- States it is clear that local residents cannot influence the outcome and the development will be approved regardless of community feedback.
- Considers that builders always win out against those with less power.
- All feedback and concerns from the community be considered and listened to.
- Proposal is prioritising development over residents.
- Councillors should represent residents and should not allow for further development.
- Concerns current residents are being disregarded in the decision making process.
- Local residents cannot influence the outcome and the development will be approved regardless of community feedback.
- Raises concerns about Sydney becoming a high-rise city, with unsightly buildings that no one can afford to live in.
- Considers that the developer is seeking to appeal to Council rather than residents.
- Considers that Councillors are elected to represent the position of ratepayers and residents and should therefore disallow this and any further high-rise development in Carlingford.

- Submitter states that town planning is important for all types of infrastructure to support the community and does not consider that this has been taken into account.
- States that retaining the existing zoning and height controls for Building E and preserving the original plans to use the site for community open space would uphold the principles of fairness and community wellbeing.
- Considers that the proposed amendments raised in the submission would still allow the planning proposal to achieve the benefits sought, and that there does not appear to be a compelling case to allow a 56-metre building to be constructed at the Building E site, noting the potential negative impacts on residents at 12 Shirley Street.

**Council Officer Response:**

- The proposed scheme is different to the original Development Application, approved by the Joint Regional Planning Panel when it was in the Hills Local Government Area as this application only applied to the property adjoining Shirley Street, and as a Development Application, complied with the planning controls of Hills Council. Since then, this site and the adjoining site on Pennant Hills Road have been purchased by Karimbla Properties and the subject Planning Proposal has been lodged with the aim of amending planning controls to facilitate additional development on the site.
- The subject Planning Proposal is the appropriate mechanism to amend planning controls or achieve an amended land use regime and is being undertaken in accordance with the NSW Planning Assessment Act 1979. As such, in order to deliver the proposed scheme which includes increased height and density controls and an amended land use regime, a Planning Proposal is required.
- The previously refused Development Application was not refused by Council but the Sydney Central City Planning Panel. The subject Planning Proposal has been lodged in accordance with legislative requirements and has been identified as having strategic merit through the issue of a Gateway Certificate by the NSW Department of Planning, Housing and Infrastructure.
- The proposal is a significant change to the plans originally approved for the rear of the site. The proposal also includes the dedication of a reconfigured open space making it more accessible and useable with greater solar access and a more usable layout as well as a 2,500 sqm Community Hub including its warm shell fit out.
- The Planning Proposal has been assessed in accordance with the NSW Environmental Planning and Assessment Act and State Government Guidelines. Importantly the strategic merit of the Proposal is also identified through the Gateway Determination issued by the NSW Department of Planning, Housing and Infrastructure. The Community Hub is identified in the Outside of CBD Development Contributions Plan and Community Infrastructure Strategy as a local infrastructure item required to service the community. Importantly these Plans also identified that the existing library is operating above capacity.
- The subject proposal aims to amend Parramatta Local Environmental Plan 2023 in order to facilitate the subject development and has been lodged and assessed in accordance with the Environmental Planning and Assessment Act 1979. The NSW DPHI has also issued a Gateway Determination which reflects that the Proposal has demonstrated strategic merit.
- Public Exhibition and consultation regarding the Proposal has been undertaken in accordance with the Environmental Planning and Assessment Act 1979, the NSW Planning Proposal Guidelines and the Gateway Determination. All issues raised through public consultation will be addressed through the consultation process. Public consultation does often result in changes to Planning Proposal and in this case, the proposed Height of Buildings Map has been amended to more closely align with the reference scheme.



- The Proposal does include a community benefit in accordance with Council policies and the NSW Environmental Planning and Assessment Act 1979 and has been processed in accordance with State Government requirements.
- Councillors are elected to represent their local community and it is for them to decide how matters like these are determined when fulfilling their roles in accordance with the Local Government Act.
- Whilst consideration of the impacts on the broader locality is part of the assessment of this Planning Proposal, the densification of Sydney is outside of this scope. However, it should be noted that Carlingford is an identified 'growth precinct' in Council's LSPS and it is anticipated to experience higher density growth.

#### Theme 14: Clarifications

##### **Issues Raised:**

- Submitter states the dwelling numbers provided under Section 3.1.1 of the planning proposal were taken from a Parramatta Council brochure titled "High Growth Areas" recasting Carlingford precinct as a town centre and considers this number an exaggeration as it will require multi-functional land uses other than R4 zoning.
- Submitter questions why the Hills LEP 2012 is not adhered to when utilised as context for the Urban Design Report.
- States the section along Pennant Hills Road is drawn inaccurately and 1 Post Office Street should be moved closer to the left demonstrating that the alignment for the Building B and C are incompatible for the precinct.
- States the direct pedestrian access to Pennant Hills Road is different to the Access + Servicing (PP01.7 in Attachment 03).
- Raises issues with the drawings for the Planning Proposal stating incoherency between colours and heights and FSRs being out of scale.
- Requests wind tunnel tests to be undertaken due to the scale of the proposed development.
- Questions whether excavation for underground car parking will impact on the development of any future Metro path.
- Requests Council undertake their own transport studies for the entire precinct.
- Submitter feels the Ecologically Sustainable Development Report (Appendix 9) is inadequate as it does not provide any Green House Gas calculations, no estimation of resource/power consumption and energy required to provide the materials.
- Requests City of Parramatta Council to investigate population dynamics and demographics within the Carlingford precinct over time.
- Submitter questions the accuracy of population forecasts due to no cohort survival analysis being completed.
- Requests that the original DA approval be upheld.

##### **Council Officer Response:**

- The housing target of 4,430 for the Carlingford Precinct in section 3.1.1 of the Planning Proposal is a typographical error, it should be 4,470. This figure has been taken from Council's endorsed Local

Strategic Planning Statement and Local Housing Strategy. The Council resolution of 4 December 2023 includes a request for the CEO to investigate the work required to review the planning controls for this Growth Precinct and for this to inform the 2024/25 budget. This work will include an investigation into potential land use zoning and controls required to support the growth of Carlingford.

- The reference to the site being in the Hills Shire District in the Urban Design Report (Fender Katsalidis) in support of the Planning Proposal is a typographical error as the site is located within the Parramatta LGA. The site was previously located in the Hills Shire LGA before it was amalgamated into the Parramatta LGA several years ago as such, the provisions and land use planning controls of Parramatta LEP 2023 apply.
- The sections along Pennant Hills Road from the Reference Scheme (by Fender Katsalidis) is sufficient for the purpose of a Reference Scheme. More detailed sections of Pennant Hills Road and detailed designs of Buildings B and C will be provided at detailed design/development application stage.
- Pedestrian access to the site from Pennant Hills Road is proposed to be between buildings A/B, B/C and C/D. There is to be no vehicle access provided via Pennant Hills Road as it will be provided via Shirley Street. Additionally, there will be a loading zone off Pennant Hills Road to service the residential/commercial part of the development.
- The colours in the Planning Proposal Drawings (Fender Katsalidis) to support the Planning Proposal are indicative. The mapping provided in the Planning Proposal report is the primary source for proposed height and FSR. All final drawings (LEP Maps) will align with the Parramatta LEP 2023.
- Further and more detailed Wind Impact testing will be undertaken at development application stage.
- The State Government will work closely with Council before finalising any potential future Metro alignments. This is not something which needs to be considered at this stage.
- A future review of the planning controls for the Carlingford Growth Precinct will likely include a traffic and transport study.
- The Ecologically Sustainable Development Report supporting the Planning Proposal is sufficient for a Planning Proposal. More detailed consideration of Ecologically Sustainable Development will be given at development application stage.
- The original approved development application on the site only relates to one of the seven lots which makes up the full site. Since the approval of this development application the seven smaller lots along Pennant Hills Road were purchased by the new owner as such the Planning Proposal applies to all seven lots and allows for developer to submit a new scheme considering full site.
- Relevant and historical population statistics and trends are gathered from Census and ABS data. Population dynamics and forecasts are completed by the Federal Government and is out of the scope of this Planning Proposal.
- Population forecasts in City of Parramatta's Local Housing Strategy and Local Strategic Planning Statement utilise data from the Department of Planning and ABS. The preparation of a cohort survival analysis is outside of the scope of this Planning Proposal. It has been noted and may be considered as part of future analysis for strategic planning in the LGA.

Council officers have considered the 104 submissions from individuals categorised as 'not support'.

**Appendix A1** summarises and responds to each of the issues raised in these submissions.



#### 4.4. Submissions Neither Supporting nor Not Supporting – Summary and Analysis

Council officers have considered the 12 submissions that could not be categorised into either “support” or “do not support” and identified 6 themes across them, as enumerated in the below table. This total does not include multiple submissions made by the same person which are counted as one submission.

The main issues raised by submitters relevant to each theme are summarised, and then a response by council officers to each theme is provided.

**Appendix A2** summarises and allocates 6 themes to the 12 submissions that could not be categorised into either “support” or “do not support”. In this Appendix, each submission received has been allocated a unique number, and if provided by the Submitter, the Street Name and Suburb is included. To ensure the privacy of submitters, names and street numbers have been withheld.

No	Themes	Submissions raising issues under this theme	
		Number	Percentage (rounded)
1	Proposed Density and Height	3	25%
2	Infrastructure Provision	4	33%
3	Traffic and Parking	9	75%
4	Active Transport	3	25%
5	Solar Access	1	8%
6	Design	4	33%

#### Theme 1: Proposed Density and Height

##### Issues Raised:

- Submitter considers that the increase in units, and therefore number of residents, is quite high and some further guarantees should be put in place, for example, related to access to public transport, public education, and recreational facilities.
- Consider the planning proposal's viability of an extension of the Parramatta Light Rail from Carlingford to Epping to reduce the impacts on traffic and existing bus routes towards Epping.
- Submitter identifies density and building height as a key concern.

##### Council Officer Response:

- Carlingford is an identified Growth Precinct in the Local Strategic Planning Statement 2036 and is anticipated to grow with higher density development. It is considered that the site has adequate access to public transport facilities. The site is located in close proximity to bus services and light rail. Schools Infrastructure has previously advised that the existing and planned education facilities. The proposal is also in close proximity to Carlingford Court Shops, Carlingford Village Shops, Galangari and Cox Park and the Carlingford Bowling Club. The proposal also includes the delivery of the Community Hub (Library and Community Facility) and centralised open space.
- Whilst the proposal will result in a significant increase in building height on Pennant Hills Road and Shirley Street, the proposed distribution of height has been designed to ensure a lower scale of development on Shirley Street which is consistent with intent of the existing DCP controls that require more substantial buildings on the Pennant Hills Road frontage.

- Public transport routes are the responsibility of the State Government.

## Theme 2: Infrastructure Provision

### Issues Raised:

- Aside from the Metro service to Parramatta, which is yet to be delivered, the submitter cannot see any upcoming infrastructure that will assist with the amenity of the whole area.
- Notes that units at the bottom of Carlingford Road have green space but it is not accessible to residents.
- States that residential developments should include amenities for families to live and play.
- Submitter queries where children will go to school and access medical services, noting that local schools are at capacity and many doctors are not accepting new patients.
- Wants to ensure that funding for community facilities is not another example of "privatisation of public resources/utilities".
- Include a community dog park as part of the open space as the closest park is John Wearn Reserve in North Rocks.
- Include underground electrical conduits for power cables to make development and installation more streamlined, improve greening strategies and removing overhead power lines.

### Council Officer Response:

- The Proposal includes the delivery of a Community Hub (including library and community facility) and centralised open space that will be publicly available to residents within and outside of the facility.
- Schools Infrastructure NSW has previously advised that there is sufficient capacity in existing and planned education facilities to accommodate the proposed increase in student population.
- In their response Schools Infrastructure did not raise any objection to the Planning Proposal and noted the proposal does not meet the criteria (from the Local Environmental Planning Guideline 2021) for the proposal to be sent to the Department of Education for referral and comment as it will facilitate 197 additional dwellings above what the current planning controls allow which is less than the 250 additional dwellings which would trigger the requirement for a referral.
- The provision of private medical facilities is outside the scope of this Planning Proposal.
- The Proposal includes the provision and dedication of a Community Hub (including library and community facility) and public open space.
- The Community Hub and Public Open Space will be dedicated to Council as part of the Planning Agreement. The final uses for these spaces is out of scope of the Planning Proposal.
- A control has been included in the SSDCP to facilitate undergrounding of electrical cables.

## Theme 3: Traffic, Parking and Transport

### Potential Traffic Impacts

### Issues Raised:

- The proposal will cause traffic congestion and parking issues.

- Submitter asks if any new traffic signalling systems will be installed and where?
- An increase in density will affect the flow of traffic on an already congested Pennant Hills Road.
- Submitter cannot see how Pennant Hills Road and Shirley Street, in its current state, can support the new development.
- Considers Shirley Street for major upgrades as it currently barely facilitates more than one lane and the road is in poor condition.
- Suggests keeping Janell Crescent to provide access to Pennant Hills Road in order to share the demand placed on Shirley Street which the submitter deems insufficient to support the new high density residential area.
- Considers the junction at Shirley Street and Evans Road crossing Pennant Hills Road to be already very congested. Submitter considers adding more intersections for cars to enter and exit the complex would likely lead to more accidents occurring. The submitter states that the area is dangerous due to the constant varying speeds from cars and buses and cars from Shirley Street turning onto Evans Road. Proposes a way to mitigate this issue, by extending Marsden Road to join with Shirley Street, creating an intersection in that area. Suggests that, with an effective traffic light system, this would allow new residents to bypass Pennant Hills Road if they wish to enter Marsden Road, and also bypass the 'dangerous' portion of Pennant Hills Road if they wish to travel north towards Pennant Hills. Suggests this will support commuters wanting to enter Carlingford Road as it would allow cars from Shirley Street to turn left and safely enter the right turn lane that turns onto Carlingford Road.
- Considers that it is hard to judge the transport impact of the project just by giving the local intersections arbitrary ratings. Considers that if residents could only afford to live in a house an hour away from their work, they would not be pleased to find out Council has blocked new housing closer to their workplace only because they would have to travel through one intersection rated 'F' if they moved, there, and also pointed out that there are more modes of transport than just cars. Considers that undertaking a VMT analysis like what is required in California would provide more relevant information to understand the transport impacts.
- Asks where vehicle entry and exit points will be located.
- Submitter notes that access to the site will not be provided through Janell Crescent and that no road from the development will provide direct connections to Pennant Hills Road, with access to the development only through Shirley Street.
- Suggests keeping Janell Crescent to provide access to Pennant Hills Road in order to share the demand placed on Shirley Street which the submitter deems insufficient to support the new high density residential area.
- Submitter states that traffic and transport impacts need to be appropriately managed during the construction and operation and post-completion of the development.

**Council officer Response:**

- Whilst the proposal will generate additional traffic, the Applicant's traffic impact assessment indicates that the existing road network is close to capacity and that the estimated traffic generated by the proposal is relatively small compared to the background growth in traffic forecast by the applicant's modelling and the surrounding cumulative development traffic.

- The Applicant's cumulative impact assessment prepared indicates that key intersections on Pennant Hills Road would deteriorate regardless of any development. As such the proposed development would have a negligible impact on the level of service for the Pennant Hills Road Corridor.
- The proposed SSDCP includes parking rates slightly above those exhibited – it is considered that these rates are sufficient to provide for the proposal and to minimise on-street parking.
- TfNSW has advised that the proposed uplift requires the signalisation of the Evans Road/Lloyd Avenue/Pennant Hills Road intersection. The Applicant is currently discussing the delivery of this regional infrastructure as Works in Kind to be credited through the Housing and Productivity Contribution.
- The State Government is also proposing to upgrade the intersection of Pennant Hills Road and Carlingford Road to ease congestion and improve safety for road users. TfNSW proposes to improve traffic flow and safety at this intersection by widening sections of Pennant Hills Road and Carlingford Road to provide additional turning lanes.
- The Site-Specific Development Control Plan requires future development on the subject site to widen the southern side of Shirley Street to improve two way traffic flow and to provide on-street parking as the site develops and will be assessed in more detail at the development application stage, noting that the existing zoning would allow for development on the site within the current road alignment.
- The Transport Impact Assessment has been prepared by traffic consultants that use a range of inputs including those from TfNSW and are considered a reasonable estimate of future traffic growth.
- Vehicle entry to the site will be provided from Shirley Street, there is no access to Pennant Hills Road directly from the site as this would contribute to traffic congestion on a Classified Road which TfNSW does not generally permit.
- Construction traffic will be managed through a Construction Traffic Management Plan. Operational traffic will be required to comply with development conditions issued for any development approval.
- The State Government is also proposing to upgrade the intersection of Pennant Hills Road and Carlingford Road to ease congestion and improve safety for road users. TfNSW proposes to improve traffic flow and safety at this intersection by widening sections of Pennant Hills Road and Carlingford Road to provide additional turning lanes.

#### Vehicular and Pedestrian Safety Issues

##### **Issues Raised:**

- Notes that currently, many commuters are performing a very dangerous manoeuvre by turning left from Post Office Street onto Pennant Hills Road, merging across all four lanes, and then cutting into the traffic waiting to turn right.
- Submitter considers that with more people using Shirley Street, the incident rate of accidents will worsen noting that previously, accidents have resulted from cars attempting to cross Pennant Hills Road from Shirley Street into Evans Road.
- Considers that the current signage on Shirley Street/Lloyds Avenue is very misleading as it says, "no right turn", so commuters are under the impression they are permitted to go straight. Strongly suggests changing the signage to say, "left turn only" and maybe even constructing a thin traffic island to assist with this.
- Safety when moving across Pennant Hills Road to access bus stops on both sides without having to walk to the Marsden Road intersection or to Lloyds Avenue which also involves crossing Evans Road.
- A pedestrian crossing should be implemented nearby to Evans Road as there are only pedestrian crossings at Marsden Road and Coleman Avenue.



- Notes the proposed traffic control signals at Evans Road is long overdue and requests the estimated duration of the construction period for the development.

**Council Officer Response:**

- Advice regarding traffic accidents is noted. Traffic safety issues associated with the proposal will be addressed at the Development Application stage.
- Signage is outside of the scope of the Planning Proposal.
- Transport for NSW (TfNSW) has advised that the development uplift proposed on the subject site necessitates the provision of traffic control signals (TCS) at the intersection of Pennant Hills Road/Evans Road/Lloyds Avenue in order to facilitate safe pedestrian movements across Pennant Hills Road to the existing bus zone on the southern side of Pennant Hills Road.

Public Transport Issue

**Issues Raised:**

- Submitter suggests consideration to work with TfNSW to move the bus stop along Pennant Hills Road to just before 283 Pennant Hills Road to accommodate future bus-only infrastructure (lane, lights and shelter).

**Council Officer Response:**

- Provision of further transport infrastructure will be subject to Transport for NSW.

**Theme 4: Active Transport**

**Issues Raised:**

- The submitter considers that there appears to be a mismatch between the plans for the Central Park area and Parramatta's Draft Bike Plan. Notes that on the Bike Plan map the path through Central Park is marked as being separated path for bikes, but the plans presented elsewhere show stair access only.
- Questions the lack of bike paths and social spaces for residents.
- Including a cycle path along Shirley Street for its length up to Pennant Hills Road as an extension to the Parramatta cycleway and linking it with cycle paths in Epping.

**Council Officer Response:**

- The proposal will include the provision of bike paths both along the Pennant Hills Road frontage and through the site to link the Light Rail stop to Carlingford Shops. The bike path through the site is still in the design stage, detailed designs will be addressed at the development application stage.
- The proposal will provide opportunities for social spaces in accordance with the CIS and Council's Outside of CBD Development Contributions Plan which both identify the need for a publicly accessible Community Hub including an expanded library and community space which will be delivered via the VPA associated with this proposal. The proposal will also deliver an improved open space configuration including a 4,760 sqm central park and a 595 sqm community link.
- The proposal will provide pedestrian/cycle links through the site and along Pennant Hills Road and provides better access to the Carlingford Light Rail stop.

### Theme 5: Solar Access

#### Issues Raised:

- Impact of the proposal on solar access to adjoining properties.

#### Council Officer Response:

- The applicant has provided additional solar access modelling which demonstrates that the proposal can largely comply with the requirements of the Apartment Design Guide in regard to overshadowing of neighbouring properties and solar collectors. See theme Four in Objections for further detail.

### Theme 6: Design

#### Issues Raised:

- More space in between buildings for landscaping.
- Development seems built form density and bulk is very big to envisage the positive effects on the area.
- Provisioning a footbridge across Pennant Hills Road between two bus stops should be included as part of the development proposal:
  - o To access the new shopping and facilities from the development.
  - o Similar to access for residents in Dundas Valley to go to parks and walks.
- Suggests increasing the number of shopping centres to distribute retail activity from Carlingford Court and to increase the number of parking spaces for the community centre from 20 to 30 or 40.

#### Council Officer Response:

- The proposal will need to comply with the SSDCP setbacks which allow for deep soil planting as well as Council guidelines regarding landscaping and the public domain.
- Whilst the proposal will permit the site be developed for a higher density, it does deliver community benefit including a reconfigured and more useable open space and a Community Hub in accordance with Councils Parramatta Outside CBD Contributions Plan and Community Infrastructure Strategy.
- The applicant is in discussion with TfNSW regarding the signalisation of the Evans Road/Lloyd Avenue/Pennant Hills intersection to facilitate safe pedestrian access to the opposite side of Pennant Hills Road, the provision of a pedestrian bridge would be at the request of the State Government.
- Whilst the proposal does include a retail component that can service the future resident population, this is not a retail centre of substantial size.
- The proposal does not include a commercial zone, only an Additional Permitted Use to allow up to 2,600 sqm of retail land use, it cannot accommodate a larger retail provision.
- The proposed 20 parking spaces for the community hub is consistent with that of similar developments and is considered sufficient.

Council officers have considered the 12 submissions.

**Appendix A2** summarises and responds to the issues raised.



#### 4.5. Submissions Supporting – Summary and Response

Council officers have considered the 11 submissions in support and identified 10 themes across them. These themes are discussed, enumerated, and responded to in the below table. This total does not include multiple submissions made by the same person which are counted as one submission.

The main issues raised by submitters relevant to each theme are summarised, and then a response by council officers to each theme is provided.

**Appendix A3** summarises and allocates 10 themes to the 11 submissions received in support of the Planning Proposal. In this Appendix, each submission received has been allocated a unique number, and if provided by the Submitter, the Street Name and Suburb is included. To ensure the privacy of submitters, names and street numbers have been withheld.

Theme No.	Themes	Submissions raising issues under this theme in support	
		Number	Percentage (rounded)
1	Housing Supply and Density	5	45%
2	Suggestions for Public Transport	4	36%
3	Suggestions to Improve Traffic and Transport Links	5	45%
4	Good Location	2	18%
5	Developments should go ahead but improvements are suggested	2	18%
6	The Development is Appealing (General Support)	1	9%
7	Good Use of Space	2	18%
8	Affordable Housing	2	18%
9	Government Policy	1	9%
10	Public Artwork	1	9%

#### Theme 1: Housing Supply and Density

##### Points Raised:

- Densification is a key aspect to solving the housing shortage in Sydney.
- The location is very suitable for high density development.
- In the midst of the housing crisis, this proposal allows the creation of more apartments that are desperately needed as reasonably possible.
- Stagnation in the construction of homes in Hornsby, Hills and Parramatta areas for the past five years has driven housing prices up.

##### Council Officer Response:

- Noted. Carlingford has been identified as a growth precinct in Council's Local Housing Strategy 2020 contributing approximately 723 new dwellings against the planned forecast of 4470 new dwellings.

### Theme 2: Suggestions for Public Transport

#### **Points Raised:**

- Modifications to public transport are crucial.
- An increase in bus frequency and priority between Carlingford and Epping.
- Strong public transport links between the development site, light rail, train lines would help alleviate traffic concerns many people hold in the Carlingford area.
- Considers that the light rail in its current form will be good, but insufficient and that it should be extended to Epping or with bus priority modifications along Carlingford Road.
- Bus routes, stops and service frequency to be reviewed to minimise the need for using a car.

#### **Council Officer Response:**

- Noted. Council recognises that public transport is a crucial part of the planning proposal, however development for the light rail, bus routes and improvements to roads are the responsibility of Transport for NSW. These have been addressed in the TIA.

### Theme 3: Suggestions to Improve Traffic and Transport Links

#### **Points Raised:**

- Keep driveways off Pennant Hills Road and improve the accessibility of backstreets to assist in addressing traffic concerns.
- Opportunity to extend the current bike path alongside the light rail station up the hill to Carlingford.
- Link up the light rail path along Marsden Road which would increase the value of all the existing assets.
- Shared path up Pennant Hills Road is good but requires many road crossings and suggests the provision of a more direct route that might be less steep.
- Requests a bus shelter where residents will be taking bus services.
- There needs to be an emphasis on walkability and improved access to public transport.
- The decision not to use the Metro to connect the subject site and the eastern side of Carlingford is a failure of infrastructure planning.
- The installation of traffic signals on Pennant Hills Road will contribute to increased foot traffic and road congestion.
- A pedestrian overpass should be installed over key intersections of Pennant Hills Road to connect both sides of Carlingford.
- Prioritise the upgrade of Evans Road and Pennant Hills Road before major development occurs for safety reasons.

#### **Council Officer Response:**

- The proposal includes bike paths in accordance with the Parramatta Bike Plan and Out of Centre Contributions Plan including a path through the site to the light rail and to the Carlingford shops.

- The proposed pedestrian/bike paths will link the site to Light Rail Stop and also the Carlingford Shops.
- Provisioning further transport infrastructure will be subject to Transport for NSW.
- The installation of Traffic signals is a requirement of Transport for NSW and can be supported within the road network.
- Any pedestrian overpass/bridge over Pennant Hills Road would be at the request of the State Government.
- Transport for NSW is consulting with the Department of Planning, Housing Infrastructure) regarding the potential to deliver the upgrade of the Pennant Hills Road/Lloyds Avenue/ Evans Road intersection as 'works in kind' (WIK) to be credited against the State Government Housing and Productivity Contribution (HPC) that would be applicable to the proposed development, but timing of any future upgrade will be determined by the State Government.

#### Theme 4: Good Location

##### Points Raised:

- Site is located a short walk from the upcoming light rail stop.
- Provides connectivity to Parramatta and a short bus ride to Epping Station.
- Site is close to amenities such as schools, shopping centres and a library.
- Supportive of more residential housing close to transport hubs and the inclusion of retail and community spaces.

##### Council Officer Response:

- Noted.

#### Theme 5: Development should go ahead by improvements are suggested

##### Points Raised:

- Suggests Council accept the current proposal but ask for more, so the area is a liveable space.
- More mature native trees planted, and gardens regularly maintained to support tree canopy.
- Requests use of solar panels to generate power.
- Requests a trolley bay.
- Requests an extensively planned landscape with consideration of aesthetic, environmental and recreational issues.
- Requests adequate paved pedestrian footpaths with consideration to those living with disability along the entire length of Shirley Street and Pennant Hills Road.
- Requests adequate waste disposal and an area for tenants to leave unwanted items for regular collection by Council.

- Request better connections to surrounding areas.

**Council Officer Response:**

- Noted.
- Landscaping will be addressed at the development application stage. Garden maintenance, solar panels, trolley bays is outside the scope of this proposal.
- Footpaths will be addressed at the detail design stage and will be provided as conditions to any development approval and will need to comply with relevant disabled access requirements.
- Detailed design of the proposal including waste disposal will be addressed at the Development Application stage.
- The proposal will provide pedestrian/cycle links through the site and along Pennant Hills Road and provides better access to the Carlingford Light Rail stop. Public transport connections are the responsibility of the State Government.

**Theme 6: The Development is appealing (General Support)**

**Points Raised:**

- The plan looks appealing, and the provision of community facilities is welcome.

**Council Officer Response:**

- Noted.

**Theme 7: Good Use of Space**

**Points Raised:**

- Appears to be a good use of space to provide accommodation and services.

**Council Officer Response:**

- Noted.

**Theme 8: Affordable Housing**

**Points Raised:**

- Developer needs to ensure the additional units being added are used for the purpose of affordable housing to allow a diverse demography of the community the opportunity to enjoy a high quality of life.
- Why has no affordable and social housing been provided? The community facilities are not enough.

**Council Officer Response:**

- Noted, this planning proposal does not include affordable or social housing in lieu of critical social infrastructure.
- Assessment of the Proposal identified the need for provision of a Community Hub including library and community space in accordance with the Parramatta Community Infrastructure Strategy and the

Parramatta Outside of CBD Contributions Plan. The provision of these facilities is considered to be of a higher priority in this case given the lack of suitable sites for this infrastructure and the identified demand. Council's Draft Affordable Rental Housing Policy states '3.9.1 Critical need for infrastructure: Where there is a critical need for community or public infrastructure in the location that can be addressed through a planning agreement, Council may waive the Affordable Rental Housing contribution'.

#### Theme 9: Government Policy

##### Points Raised:

- The proposal is the best outcome for the new state government policies.

##### Council Officer Response:

- Noted.

#### Theme 10: Public Artwork

##### Points Raised:

- Opportunities for local artists to contribute to a public artwork and gardens should be considered to improve amenity within the pathways to the light rail.

##### Council Officer Response:

- Noted. Landscape design and public art will be dealt with at development application stage.
- The site-specific DCP includes controls to encourage public art within the central open space or through site links.

Council officers have considered the 11 submissions.

**Appendix A3** summarises and responds to the issues raised.

## 5. Submissions from Organisations, Businesses and Strata Committees

### 5.1. High Level Summary of Submissions

The total number of submissions received from Organisations, Businesses and Strata Committees was three (3). The following Peak Body Organisations and businesses Strata provided a submission regarding the Planning Proposal for the 263-281 Pennant Hills Road, Carlingford site:

- Strata Management Committee for 2-6 Shirley Street, Carlingford
- Epping Civic Trust
- Vicinity Centres

The below table categorises their general view on the Planning Proposal.

Submissions – Support	0 (0%)
Submissions – Did Not Support	2 (67%)
Submissions – Neither Support nor Not Support	1 (33%)
<b>TOTAL</b>	<b>3 (100%)</b>

Council officers have considered the 3 submissions and identified 6 themes across them, as enumerated in the below table.

**Appendix B** summarises and allocates the themes to the 3 submissions Organisations, Businesses and Strata Committees. In this Appendix, each submission received has been allocated a unique number, and if provided by the Submitter, the Street Name and Suburb is included. To ensure the privacy of submitters, names and street numbers have been withheld.

No	Themes	Submissions raising issues under this theme	
		Number	Percentage (rounded)
1	Proposed Scale and Density	1	33%
2	Height	1	33%
3	Traffic, Transport and Parking	3	100%
4	Proposed Retail Development	2	67%
5	Strategic Planning and Infrastructure	1	33%
6	School Capacity	1	33%



### Theme 1: Proposed Scale and Density

#### Issues Raised:

- Concerns regarding the proposed scale and density.

#### Council Officer Response:

- Whilst the Proposal presents a scale and density above that currently permitted on the site, Carlingford has been identified as a 'growth centre' in Parramatta LSPS 2036 in anticipation of its growth in higher density residential development. This is also consistent with Council's Local Housing Strategy which aims to align housing delivery with public transport including the goal to *provide 90% of new housing within the walking catchments of existing or committed public transport*.
- The Proposal has been designed to distribute height away from the Shirley Road frontage and toward Pennant Hills Road in order to reduce visual impact and preserve street character. The draft SSDCP also includes a range of objectives and controls to guide future building form on the site including building envelope, setbacks for landscaping.
- A future strategic planning exercise will also look at the planning controls and infrastructure required to support future growth.

### Theme 2: Height

#### Issues Raised:

- Buildings are too tall.
- Overshadowing over 2-6 Shirley Street.
- Submitter requests the shade diagram and to amend the height if it impacts 2-6 Shirley Street.

#### Council Officer Response:

- Whilst the proposal will result in a significant increase in building height on Pennant Hills Road and Shirley Street, the proposed distribution of height has been designed to ensure a lower scale of development on Shirley Street which is consistent with intent of the existing DCP controls that require more substantial buildings on the Pennant Hills Road frontage.
- In order to reduce visual impact, the SSDCP for the site includes a range of objectives and controls to encourage buildings to respond to the local context including envelope controls and building form controls including:
  - o Objectives that encourage buildings to respond to the local context including adjoining properties.
  - o Minimum podium and tower setbacks.
  - o Controls to guide building form.
  - o Controls to guide building materials.
- In response to submissions raising concerns around the issue of height, it is proposed to reduce the maximum height of buildings throughout the site to align more closely with the reference scheme as shown in the final Planning Proposal.
- The Proposal should also be considered in the context of the State Government's correspondence of August 2023 asking Council's to *'prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*.

- No 2-6 Shirley Street, located to the west of the subject site, contains a four storey residential flat building. The Applicant has advised that whilst the previously approved development would overshadow this property, under the proposed scheme, this property would be impacted by proposed Block G, which remains within the existing 33m maximum height of building control under Parramatta LEP 2023.
- Analysis of overshadowing impacts including on solar collectors will be further addressed at the Development Application stage. The Applicant's sun access images are available at Appendix 4A of Attachment 1 (PP) to the Council Report.

### Theme 3: Traffic, Transport and Parking

#### **Issues Raised:**

- Carparking issues caused by the proposal.
- Kerbside parking is unlimited on the western side of the road at the southern section of Shirley Street.
- Shirley Street is used to gain access to Marsden Road through Pennant Hills Road.
- Submitter fears Shirley Street won't be able to support traffic during school hours.
- Shirley Street being the only access point is a concern.
- Submitter references a 2013 article from the Hills Shire Times the Independent Traffic Committee requested the Hills Shire Council to develop a strategy for Shirley Street, including the consideration of indented parking bays on both sides of the road, footpath paving, landscaping, street lighting, pedestrian safety issues and parking restrictions. The submitter also states that although the Baulkham Hills Shire Council was amalgamated into Parramatta, it does not negate the contents or authenticity of the article.
- Supporting transport plan doesn't realistically address the traffic impacts borne from the planning proposal.
- Questions the traffic plan's expectation that there will only be a 1-2% increase in traffic on Carlingford Road.
- Reduce car parking on site.
- Incoming light rail doesn't accommodate eastbound travel.
- Claims the frequently used 550 bus route (Carlingford to Macquarie Centre) requires more buses at peak times and will be unable to support any increase in density within the precinct.

#### **Council Officer Response:**

- The draft SSDCP exhibited provides maximum parking rates for residential, commercial and childcare uses, it is proposed that in the final DCP, these rates are slightly higher for 1 and 3 bedroom units and halved for visitor spaces. These slightly elevated rates will ensure that sufficient parking is provided within the development and that on-street parking is minimised.
- Whilst Shirley Street will be subject to increased traffic, the draft SSDCP also includes controls requiring the widening of Shirley Street to allow for on-street parking and two-way traffic.
- The applicant's traffic impact assessment indicates that the local existing road network is close to capacity and that the estimated traffic generated by the proposal is relatively small compared to the background growth in traffic forecast by the applicant's modelling and the surrounding cumulative development traffic.

- The Transport Impact Assessment has been prepared by traffic consultants that use a range of inputs including those from TfNSW and are considered a reasonable estimate of future traffic growth.
- The State Government is responsible for the Light Rail transport. Whilst it does not accommodate east bound travel, bus services are available eastward.
- Bus services are the responsibility of the State Government, changes in bus routes as a result of population growth are planned by transport authorities.

#### Theme 4: Proposed Retail Development

##### Issues Raised:

- Objects to additional retail in Carlingford as it is already serviced by two major retail areas and additional retail stores.
- Submitter raises concerns with the increase in retail GFA from 2,000 sqm to 2,600 sqm due to inconsistencies with the objectives, strategic planning intent of the area and Ministerial Directions. Submitter requests removing this increase from the development.
- Submitter suggests retail floor space should be contained within existing employment zones rather than being developed in addition to residential within residentially zones, additionally notes that the site is located within 400m walking distance of the E1 zone at the Light Rail stop which would be a more suitable location for retail floorspace.
- Considers the allowable 2,000 sqm of non-residential floor space to be adequate for the facilitation of the LEP objective under R4 High Density Residential "to enable land uses that provide facilities or services to meet the day to day needs of residents".
- States retaining 2,000 sqm of retail floorspace would provide for the implementation of 600 sqm elsewhere closer to transport and services and that it better aligns with the City Central District Plan.
- Submitter raises the progression of the planning proposal could set a precedent for retail centres encroaching on areas not suitable for retail functions and should be directed to E1 zones close to the site.

##### Council Officer Response:

- The proposed supermarket use is anticipated to primarily support the residents of the proposed development. Total retail development on the site will be restricted to a total of 2,600 sqm and is considered to be consistent with the relevant Ministerial Directions and relevant zone objectives.
- The supermarket would also serve to contain trips within the development by serving the resident population.
- Future strategic planning work in the Carlingford area will include an analysis of commercial and retail floorspace required to service the growing population.

#### Theme 5: Strategic Planning and Infrastructure

##### Issues Raised:

- Believes the area needs to be properly planned and controlled to make Carlingford a pleasant place to live in.

**Council Officer Response:**

- Future strategic planning work will be undertaken to guide the future growth of Carlingford will include an analysis of existing and future land use requirements, infrastructure needs, traffic studies and built form controls.

**Theme 6: School Capacity****Issues Raised:**

- Primary and secondary school capacity is inadequate and will be unable to support increases in density in addition to significant loss of open playground space in schools due to the construction of demountables.

**Council Officer Response:**

- Schools Infrastructure has previously advised that there is sufficient capacity in the existing and planned schools facilities to accommodate the potential student population associated with the proposal.
- In their response Schools Infrastructure did not raise any objection to the Planning Proposal and noted the proposal does not meet the criteria (from the Local Environmental Planning Guideline 2021) for the proposal to be sent to the Department of Education for referral and comment as it will facilitate 197 additional dwellings above what the current planning controls allow which is less than the 250 additional dwellings which would trigger the requirement for a referral.

Council officers have considered the 3 submissions.

**Appendix B** summarises and responds to the issues raised.

## 6. Submissions from Government Agencies

### 6.1. Consultation

Condition 3 of the Gateway Determination, issued by the Department of Planning, Housing, and Infrastructure on 19 February 2024, required Council to consult with **Transport for NSW** under Section 3.34 (2) (d) of the Act and/or comply with the requirements of relevant Section 9.1 Directions:

In addition to the above Council staff also elected to consult with the following public authorities as part of the public exhibition process:

- **School Infrastructure NSW (SINSW)**
- **Department of Planning, Housing, and Infrastructure (DPHI) – Crown Lands**

At the time of finalising this report the response from DPHI - Crown Lands was outstanding as it had not been received.

### 6.2. High Level Summary of Submissions

At the time of writing this report the total number of submissions received from Government Agencies was 2 (two). **Transport for NSW** and **SINSW** were the only Government Agencies which provided a formal submission regarding the Planning Proposal for the site. The response from DPHI – Crown Lands is outstanding as it has not been received.

#### Agency: Transport for NSW (TfNSW)

#### Comments:

- Supports implementation of traffic control signals at the Pennant Hills Road, Evans Road and Lloyds Avenue intersection for safe pedestrian movement.
- TfNSW has been liaising with DPHI for the traffic control signals to be credited against the HPC (Housing and Productivity Contribution) levies.
- TfNSW recommends that as part of any future DA, the applicant engages TfNSW for the status of proposed intersection works to ensure pedestrian safety of future users of the development's Travel Demand Management Strategy.
- TfNSW agrees that the resultant generation of new traffic is unlikely to have an impact on the surrounding classified network (agrees with the modelling and proposed maximum car parking rate proposed).
- No objection was raised regarding revised maximum parking rates.

#### Council Officer Response:

- The TfNSW submission and correspondence regarding revised parking rates is noted.

**Agency: School Infrastructure NSW (SINSW) – Draft Response**

**Comments:**

- The proposal does not meet the criteria (from the Local Environmental Planning Guideline 2021) for the proposal to be sent to the Department of Education (DoE) for referral and comment, however Council is requested to monitor and consider the impacts of population growth on schools planning in the locality.
- The Department of Education (DoE) does not have further comments on specific requirements in relation to this Planning Proposal.
- DoE requests that transport planning for the proposal be guided by the NSW Government's Movement and Place Framework (MAPF) and its related Built Environment Indicators.
- SINSW requests the MAPF 'Primary Schools' built environment indicator be used to consider the impact on adjacent places/uses and emphasise movement that supports place. The metrics aid in assessing the effect of infrastructure on the accessibility of public schools in an area in relation to walkability and public transport access.

**Council Officer Response:**

- It is noted the proposal does not meet the criteria (from the Local Environmental Planning Guideline 2021) for the proposal to be sent to the Department of Education for referral and comment as it will facilitate 197 additional dwellings above what the current planning controls allow which is less than the 250 additional dwellings which would trigger the requirement for a referral.
- The application of the Movement and Place Framework (MAPF) is acknowledged. The 'Primary Schools' indicator shows the development is within 800m walking distance Carlingford Public School and Gateway Community Highschool. Walkability to local public schools is noted in the Planning Proposal.
- Consideration of the MAPF will be done at the Development Application stage.
- A site-specific DCP and existing controls in the Parramatta DCP 2023 will support the subject development and its proposed density.

Council officers have considered the 2 submissions.

**Appendix C** summarises and responds to the issues raised.



## 7. Conclusion

Due to further review and feedback received during the exhibition period for the Planning Proposal for the 263-281 Pennant Hills Road, Carlingford amendments were made to the Planning Proposal, Draft Site-Specific Development Control Plan and draft Planning Agreement which are detailed in the Local Planning Panel and Council reports.

The Participate Parramatta and City of Parramatta websites will be regularly updated to inform the public of reporting processes and next steps of the Planning Proposal for the site. Additionally, the Participate Parramatta website will be updated following Council reporting.

A project contacts list has been developed to serve as the principal method for future updates on the Planning Proposal. Submitters that provided their email address were automatically placed on this mailing list.

## **Appendix A1 – Submissions Summaries from Residents, Individuals and Landowners – Not Support**

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission Summary Table – APPENDIX A1 – Residents, Individuals and Landowners that do not support

This document summarises and provides a response to the submissions received from residents, individuals and landowners in response to the exhibition of the Planning Proposal, draft Development Control Plan, and draft Planning Agreement for 263-281 Pennant Hills Road, Carlingford. Each submission has been allocated a unique number submission Appendix A1 is to be read in conjunction with Section 4.3 of the Community Engagement Report. The response to each submission is linked to the themes outlined and responded to in Section 4.3 of the Community Engagement Report.

To ensure the privacy of submitters, names and street numbers have been withheld.

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
1	D09380087, D09377725	Post Office Street, Carlingford	Not support : Submitter objects to the increase of 197 residential units due to high density resulting in congestion. Considers that it is currently already inconvenient to drive along Shirley Street while demolition works are being undertaken, as there is not enough room for cars to pass each other without having to stop, pull aside and give way to others, and that this will only get worse once new residents start moving in. Notes that there are several new residential developments within proximity to the subject site, and other construction sites, contributing to the increase or new units in the area. Requests that the current needs of residents be prioritised above increasing provision of residential units.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (General)
2	D09377732	Lincluden Place, Oatlands	Not support: Submitter considers that the only benefits of the planning proposal to the community are the increased facilities. Suggests the proposal should be refused as road widenings are required with any proposal for increased density and are preferable to increased facilities as they would attract more road traffic. Considers that the developer is seeking to appeal to Council rather than residents. Considers travel on Pennant Hills Road challenging as a regular user.	Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact) Refer to Theme 8: Provision of Local and State Infrastructure Refer to Theme 13: Planning Process
3	D09379836	Mountain Street, Epping	Not support: Submitter considers that there is already significant traffic, without any proper plan for connecting Carlingford to Epping. Considers that traffic congestion is an issue that should be solved first. Considers that if building heights are to be increased, additional roads should be constructed.	Refer to Theme 2: Traffic/Transport and Parking (General)
4	D09379849	Eyles Avenue, Epping	Not support: Submitter considers that there is no supporting infrastructure being built such as additional roads. Considers that Pennant Hills is already congested, and the addition of	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General)

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<b>multiple residences and retail will only add to the existing congestion on Pennant Hills Road.</b>	
5	D09379867	Lynden Avenue, Carlingford	Not support: <b>Submitter objects to the planning proposal as increased density will result in traffic congestion and stretch public and community infrastructure which are already at their limit.</b>	<b>Refer to</b> Theme 2: Traffic/Transport and Parking (General) <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
6	D09379870	Jenkins Road, Carlingford	Not support: <b>Submitter considers that there are already too many high-rise buildings in the vicinity.</b> <b>Considers that not enough is being done to combat the increased traffic and negatively impacted road conditions, such as potholes from trucks.</b> <b>Considers it unacceptable that trucks continue travelling along Jenkins Road when it is supposed to be closed to heavy vehicles (3t and over).</b> <b>Considers that there is an insufficient increase in public facilities to accommodate the increase in population.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 2: Traffic/Transport and Parking (General) <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
8	D09379880	Pennant Hills Road, Carlingford	Not support: <b>Submitter states they reside across the road from the proposed development and already have difficulty getting in and out of their driveway at all times.</b> <b>Considers that if a referendum were to be held, the resulting vote would be unanimous to disallow the project.</b> <b>Considers that talk of public amenities is irrelevant.</b> <b>Considers that Councillors are elected to represent the position of ratepayers and residents and should therefore disallow this and any further high-rise development in Carlingford.</b>	<b>Refer to</b> Theme 2: Transport/Traffic and Parking (Local Traffic Impact) <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure <b>Refer to</b> Theme 13: Planning Process <b>Point 2 is noted.</b>
9	D09379887	Buckleys Road, Winston Hills	Not support: <b>Submitter states that proposal for 29 storeys is too high.</b>	<b>Refer to</b> Theme 5: Visual Impact
10	D09379893	Post Office Street, Carlingford	Not support: <b>Submitter considers that significant alterations to the original plans are being proposed.</b> <b>Notes that Shirley Street currently does not have any buildings above 5 storeys, apart from the newly built blocks which are up to 12 floors and no blocks along the street should be higher than 12 floors.</b> <b>Considers that there are already significant impacts on existing residents.</b> <b>Considers that the provisions for a new library and community hub are not what the area needs.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 5: Visual Impact <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure <b>Refer to</b> Theme 13: Planning Process
11	D09379902	Northam Drive, North Rocks	Not support: <b>Submitter objects to more apartments being constructed as more apartments are consistently being built in an already overcrowded area.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
12	D09379908	Tripoli Avenue, Carlingford	Not support: Submitter considers that the height of the proposed development is too high. States that Pennant Hills Road is unable to cater for high volumes of traffic.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road) Refer to Theme 5: Visual Impact
13	D09379920	Arcadia Street, Schofields	Not support: Submitter considers that the proposed development will result in significant traffic impacts. States that roads and other infrastructure need to be built to support commuters, including toll-free roads.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact)
14	D09379937	Kirby Street, Rydalmere	Not support: Submitter states that town planning is important for all types of infrastructure to support the community and does not consider that this has been taken into account. States that the local area does not need additional housing, especially as it is already densely built up. States that the intersection is already congested. States that green space and planning laws should be upheld and not altered simply because developers are seeking to make a profit.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact) Refer to Theme 13: Planning Process
15	D09379945	Karril Avenue, Beecroft	Not support: Submitter states that the size and scale of the proposed development will significantly impact local traffic and amenity for those living in surrounding streets. Considers that there is an existing, functional library space. Considers that there is insufficient public parking to use the proposed shopping facilities and park, therefore serving only those living in the new units and not the broader community. Considers that the height of the proposed development is too high, impeding the environmental aesthetics of the area. Considers that local traffic, near misses and road accidents at key intersections along Pennant Hills Road already cause gridlocks and disarray, and that increased development will worsen these issues. Considers that Pennant Hills Road should be widened in this area rather than being used for more housing.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Vehicular/Pedestrian Safety) Refer to Theme 5: Visual Impact Refer to Theme 8: Provision of Local and State Infrastructure
16	D09379957, D09416140	Grigg Avenue, North Epping Ferntree Place, Epping	Not support: Submitter states that over development contributes to overcrowding and poor traffic conditions in Epping. Submitter states development should be complemented with infrastructure and better traffic management. Submitter considers that the traffic situation in Carlingford and Epping is already bad and that it would be prudent to first improve traffic flow and road and parking infrastructure before approving the proposed development.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact) Refer to Theme 8: Provision of Local and State Infrastructure

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
18	D09379969	Marsden Road, Carlingford	Not support: Submitter considers that the area is overpopulated and that every street within the area is continually lined with parked cars. States that intersections along Pennant Hills Road are becoming more dangerous as people take detours to avoid traffic congestion. Considers that all roads within the vicinity are becoming increasingly congested and the proposed development is not helping to alleviate traffic concerns. Considers that the area is not appropriate for high density development and no regard has been given to road and transport considerations. Considers that the light rail will not address the issue of transport and traffic congestion as it will not replace car usage. Considers it disingenuous to propose another library as part of the development as there is one currently servicing the area.	Refer to Theme 1: Impact of Greater Density of the Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Vehicular/Pedestrian Safety) Refer to Theme 8: Provision of Local and State Infrastructure
19	D09379975	Simpson Street, Dundas	Not support: Submitter states that developments such as the one proposed do nothing to address the lack of affordable housing for low-income earners and only profit developers. Considers that the government should be building its own affordable housing developments rather than approving overdevelopment.	Refer to Theme 12: Affordable Housing
20	D09379989	Marsden Road, Carlingford	Not support: Submitter considers the proposal to be an overdevelopment of the site, which is already a traffic bottleneck and states that car accidents are becoming a daily issue and not just during peak hour. Requests maintenance of local infrastructure, such as widening Pennant Hills Road. States community and local infrastructure such as schools, parking and roads are at their limits. Considers that the proposal is inappropriate and would make the area unliveable for current residents who cannot afford to move.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Vehicular/Pedestrian Safety) Refer to Theme 8: Provision of Local and State Infrastructure
21	D09380290	Honiton Avenue, Carlingford	Not support: Submitter considers that the roads surrounding the area are already not coping with the current traffic demand and considers that the proposed development will contribute to further traffic issues and road congestion.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact)
23	D09380326	Pennant Hills Road, Carlingford	Not support: Submitter considers that the traffic in Carlingford is set to worsen. Considers that Pennant Hills Road is already crowded and will not be able to support many more residents.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General)
24	D09381072	Keeler Street, Carlingford	Not support:	Refer to Theme 1: Impact of Greater Density on the Local Area

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			Submitter considers that the proposed development, once built, will be the tallest building in the local area and will permanently change the population density of the Carlingford area.	
25	D09381079	Supply Street, Dundas Valley	Not support: Submitter considers that Pennant Hills Road cannot support an increased population in the Carlingford area, given the existing traffic.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road)
27	D09381097	Post Office Street, Carlingford	Not support: Submitter considers that the proposed development is too tall and comprises of too many buildings. Considers that there are too many households proposed for the small block. States that Shirley Street is already not coping with the current developments, let alone the new proposal. Considers that Post Office Street has been negatively impacted by the new parking spaces provided for the new apartments, which has made it dangerous for residents to exit existing complexes, due to parked cars obstructing the view from the driveway. Considers that if the proposed development were to go ahead, it would be unbearable for Shirley Street residents.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact, Vehicular/Pedestrian Safety, Parking Provision) Refer to Theme 3: Built Form and Design Refer to Theme 5: Visual Impact
28	D09381102	Keeler Street, Carlingford	Not support: Submitter considers the proposed development will worsen existing bad traffic conditions, with particular negative impacts to the Post Office Street exit on to Pennant Hills Road. Considers that traffic measures must be put in place and that the proposed development should not be approved until an improved traffic management plan is implemented and determined to be effective.	Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact)
29	D09381106, D09386414, D09386428, D09386496	Post Office Street, Carlingford	Not support: Submitter considers that the addition of 197 units will exacerbate existing congested traffic conditions and increased density cannot be supported on Shirley Street and surrounding streets. Considers that traffic is already congested, and surrounding streets will not be able to support the new high density area. Submitters considers that the roads do not have significant capacity, which will be further strained with the increase of new residents. Considers that Shirley Street will not be able to support the number of trucks that will be onsite during construction. Suggests retaining Janell Crescent to support Shirley Street in carrying traffic to Pennant Hills Road. Submitter suggests that Janell Crescent should be retained as the second access point for the high-density area as Shirley Street is not able to support the increased usage.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact)

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
30	D09381117, D09381193	Post Office Street, Carlingford	<p>Submitter considers that the accessway proposed cannot support the high density community with the addition of 197 units.</p> <p>Considers that it would be sensible to retain Janell Crescent as a mean access facilities in the area, such as supermarket, library and childcare rather than only using Shirley Street, which is very narrow.</p> <p>Not support:</p> <p>Submitter considers that traffic is already congested and the addition of another two hundred units will only make it worse.</p>	Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact)
31	D09381152	Boundary Road, Carlingford	<p>Not support:</p> <p>Submitter considers that Shirley Street and the surrounding street networking is unable to support the number of new units proposed as part of the development.</p>	Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact)
32	D09381172, D09394242	Post Office Street, Carlingford	<p>Not support:</p> <p>Submitter states that Shirley Street cannot support the heavy traffic that will result from the additional proposed units.</p> <p>States that their greatest concern is traffic, and that the streets should be upgraded to support high density development.</p> <p>Submitter notes that access to the site will not be provided via Janell Crescent and that no road from the development will provide direct connections to Pennant Hills Road, with the development being accessible from Shirley Street only.</p> <p>Considers that Shirley Street is a very small, narrow street, which will not be able to support a large volume of traffic.</p> <p>Requests that Council consider upgrading Shirley Street.</p> <p>Suggests keeping the space that was Janell Crescent to provide access to Pennant Hills Road, in order to share the demand placed on Shirley Street, which is insufficient to support the new high-density residential area.</p>	Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact)
33	D09381208	Post Office Street, Carlingford	<p>Not support:</p> <p>Submitter states that Shirley Street cannot support the increase in traffic caused by the additional units.</p>	Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact)
34	D09381393	Coronet Court, North Rocks	<p>Not support:</p> <p>Submitter states that the proposal does not include measures to mitigate the negative impacts caused by bringing more people into the area, suggesting this means the developer is only interested in making a profit.</p> <p>Considers that the proposal looks reasonable on paper but would have negative consequences when implemented.</p> <p>Considers it already challenging driving from Jenkins Road to Carlingford Road along Pennant Hills Road.</p> <p>States that every day there are cars queuing to join Pennant Hills Road from Evans Road, some resorting to queuing across Pennant Hills Road and other drivers will not give way.</p>	<p>Refer to Theme 1: Impact of Greater Density on the Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport, Parking (Pennant Hills Road, General, Local Traffic Impacts, Vehicular/Pedestrian Safety)</p> <p>Refer to Theme 3: Built Form and Design</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			Notes that a pedestrian was recently killed while crossing Coleman Avenue when they had right of way, citing this as an example of why additional density should not be permitted in an established high-density area. States that the current traffic congestion issues should be addressed before the planning proposal may be considered.	
35	D09381397	Pennant Hills Road, Carlingford	Not support: Submitter states that the proposal will negatively impact the community and make it unliveable. States that traffic is already regularly at a standstill, with some demonstrating dangerous behaviour on the roads. States the public transport system is inadequate. States that the increase in population that will result from this proposal will destroy the existing character of Carlingford. Raises concerns that residents will eventually be living amongst concrete canyons, gridlocked traffic and lack of solar access. Raises concerns regarding the change in Council's position after being offered a financial contribution, calling into question the integrity of Councillors. Considers that current residents are being disregarded in the decision-making process.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impacts, Vehicular/Pedestrian Safety) Refer to Theme 3: Built Form and Design Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties Refer to Theme 8: Provision of Local and State Infrastructure Refer to Theme 13: Planning Process
36	D09381399	Curtis Court, Carlingford	Not support: Submitter is sceptical about why the full extent of the development was not submitted in the first instance, suggesting that developers seem to get a second chance once they have their foot in the door on their initial submission. States that roadworks are needed before the development is given a certificate of occupation. States that public space should be completed at stage 1 and if the development stops at stage 1, the monies for public facilities should be included in stage 2. Considers that the development should include social housing. Notes that traffic congestion is already severe during peak hour.	Refer to Theme 2: Traffic/Transport and Parking (General) Refer to Theme 3: Built Form and Design Refer to Theme 12: Affordable Housing Refer to Theme 13: Planning Process
37	D09381417	Post Office Street, Carlingford	Not support: Submitter considers the proposal will negatively impact traffic and shopping in the area and result in overcrowding. Considers that the proposal is seeking profits at the expense of residents' safety and quality of life. Considers that it will result in complex challenges for Council to solve, including traffic congestion, the inability of shopping facilities to meet the needs of residents, and increasing crime rate in the area.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact) Refer to Theme 9: Impact on existing shopping centre/retail facilities

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
38	D09382796	Simpson St, Dundas Valley	Not support: Considers that the area is already becoming overdeveloped. Considers that these high-density developments do not help to address the lack of affordable housing available to low-income earners as they are built by developers, purchased by investors and rented at an unaffordable price. Considers that these developments create a visual blight, are often built quickly, do not comply with building codes and have flammable cladding. Considers that these developments rarely provide enough parking. Considers that these developments cause traffic congestion. Raises concerns that there are insufficient schools in the area to accommodate the influx of residents. Criticises the State Government for not addressing the lack of affordable housing, and pandering to developers, to the detriment of the community.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (General, Parking Provision) Refer to Theme 3: Built Form and Design Refer to Theme 8: Provision of Local and State Infrastructure Refer to Theme 12: Affordable Housing
39	D09382831	Parramatta LGA	Not support: Submitter objects to the proposed building height of 29 storeys, stating it is too high and inconsistent with the character of the surrounding area. Raises concerns that if the proposed development goes ahead, it will bring a large influx of new residents into Carlingford. Raises concerns about certain areas losing solar access due to the proposal. Considers low to medium density housing a more appropriate option, which would provide housing while being of a smaller building footprint and consistent in character with the surrounding area. Requests that common sense be used, and consideration given to how the proposal will impact residents of Carlingford and surrounds.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties
44	D09386436	Albemarle Street, Dundas	Not support: Submitter states that roads, schools and infrastructure are not coping with the current population.	Refer to Theme 8: Provision of Local and State Infrastructure
45	D09386452	Shirley Street, Carlingford	Not support: Submitter considers that the traffic infrastructure supporting Shirley Street, Post Office Street and Lloyds Avenue is already significantly inadequate, with regular accidents at the intersection of Lloyds Avenue and Pennant Hills Road. Submitter states that Shirley Street is already filled with parked cars due to construction works and cannot cope with a significantly increased volume of cars each day. Raises concerns that the proposal to increase height from 33 metres to 40 metres will set a precedent that will result in residents opposite completely losing solar access.	Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impacts, Vehicular/Pedestrian Safety, Parking Provision) Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties
46	D09386466	James Street, Carlingford	Not support:	Refer to Theme 1: Impact of Greater Density on Existing Local Area

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<b>Submitter states that the area has too many high-rise buildings, and roads and schools should be built before more buildings are constructed.</b>	<b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
47	D09386475	Post Office Street, Carlingford	Not support: <b>Submitter suggests public transport infrastructure such as a train line connecting Carlingford to Epping or Eastwood is needed to support the population.</b>	<b>Refer to</b> Theme 2: Traffic/Transport and Parking (General) <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
48	D09386486	Post Office Street, Carlingford	Not support: <b>Submitter raises concerns about the visual impacts of the proposed development as they are typically not well constructed and visually unappealing.</b> <b>Considers that the existing infrastructure in Carlingford is insufficient for the local population, stating that schools are at capacity, there is little parking at Carlingford Court, and the light rail station will be insufficient to service the volume of people in Carlingford.</b> <b>Adds that streets are also at capacity, noting that Shirley Street is barely wide enough for two cars, especially with the kerbside parking.</b>	<b>Refer to</b> Theme 2: Traffic/Transport and Parking (Local Traffic Impact) <b>Refer to</b> Theme 5: Visual Impact <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
49	D09386490	Balaka Drive, Carlingford	Not support: <b>Submitter raises concerns about traffic impacts.</b> <b>Submitter notes that many large apartment blocks are being built in Carlingford, with many using their garage for storage and parking their cars on the street.</b> <b>Notes that traffic has increased over the years since development of Rouse Hill as people travel along local streets to avoid traffic congestion along Pennant Hills Road and North Rocks Road.</b>	<b>Refer to</b> Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Parking Provision)
50	D09386501	Thallon St, Carlingford	Not support: <b>Submitter considers that Council has increased density without making any changes to account for increased traffic and parking requirements.</b> <b>Considers that the exit from Evans Road onto Pennant Hills Road is already chaotic as is the traffic on Thallon Street.</b> <b>States that there is no parking available nor changes to rectify the situation.</b> <b>States that Council is happy to approve profit-making developments but not invest in the surrounding infrastructure to support increased density.</b> <b>States that roads and parking should be first addressed before increasing density.</b>	<b>Refer to</b> Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Parking Provisions) <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
52	D09386513	Felton Street, Telopea	Not support: <b>Submitter considers that the community is already very crowded, with heavy traffic and the number of students almost exceeding the schools' capacity.</b> <b>Considers that the shopping centre is crowded as well, with it being difficult</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			to find a car parking spot. Considers that the community will be significantly worse off if a residential development of this scale is to go ahead.	Refer to Theme 9: Impact on existing shopping centre/retail facilities
53	D09386516	Boundary Road, Carlingford	Not support: Submitter considers that traffic will worsen if the development goes ahead and 600 sqm of extra community space will not outweigh the traffic congestion. Considers that if the development were to go ahead, Pennant Hills Road will become just like Parramatta Road.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General)
54	D09386715	Thallon Street, Carlingford	Not support: Submitter states the proposal will contribute to more traffic on an already highly congested road. Considers that 1% of the total parking space should be made available to the public as free EV charging stations for all developers seeking approval on high-density development.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact) Refer to Theme 6: Environment and Sustainability
55	D09386716	James Street, Carlingford	Not support: Submitter considers that no planning or comment is provided on the significant impact this development will have regarding traffic, parking and the general pedestrian and vehicular safety of the bounding and surrounding streets - suburbs. Considers that, with the incoming light rail, there will be a significant increase of traffic, parking and safety issues for surrounding streets. As a resident of a street nearby, submitter considers that there is insufficient capacity in the area to accommodate traffic from the proposed development without upgrades to the surrounding streets. Considers that City of Parramatta Council and the developer are responsible for these upgrades in order for this project to be viable. Considers that the streets and parking provision should be upgraded regardless of the size of the development.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Vehicular/Pedestrian Safety, Parking Provision)
56	D09386717	Post Office Street, Carlingford	Not support: Submitter considers that the proposed development may be solving the short-term problem of housing shortage but at the cost of exhausting public resources that are already under significant stress. Considers that the traffic conditions on Pennant Hills Road, specifically around Carlingford Court, and on Carlingford Road is very chaotic. Considers that accidents have gone up, schools in the nearby areas (such as Carlingford West) have reached their enrolment capacity, and that there is a lack of proper health infrastructure in the nearby areas. Asks whether there are any plans of fixing these long-term issues as well.	Refer to Theme 1: Impact of Greater Density on Existing Local Infrastructure Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road) Refer to Theme 8: Provision of Local and State Infrastructure
58	D09386720	Honiton Avenue, Carlingford	Not support: Submitter states that the existing road infrastructure cannot support the large volume increase in vehicles generated from the proposed additional	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact)

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>dwelling.</p> <p>Considers that Pennant Hill Road is currently already heavily congested. Raises concerns regarding overshadowing given the significant increase in the proposed height of the development, stating it will overshadow the road and the existing residential buildings opposite for most of the day. States the proposal looks like one giant wall along Pennant Hills Road, which is visually unappealing and doesn't fit in with the look and feel of the existing streetscape.</p>	<p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 5: Visual Amenity</p>
59	D09386722	Mosely Street, Carlingford	<p>Not support:</p> <p>Submitter considers that there are too many units in the area already. Submitter also raises concerns regarding traffic congestion.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking</p>
60	D09387602	Surrey Street, Epping	<p>Not support:</p> <p>Submitter raises concerns that the significant increase in road traffic will not be adequately dealt with by an additional set of traffic lights.</p>	<p>Refer to Theme 2: Traffic/Transport and Parking</p>
61	D09387611	Talinga Street, Carlingford	<p>Not support:</p> <p>Submitter considers that Pennant Hills Road and other roads in the surrounding network will be unable to cope with the proposed additional residential and commercial development. States that Pennant Hills Road is already at maximum capacity during peak hours and school drop-off and pickup times. States that Pennant Hills Road already has one of the longest stretches of school zones in Sydney and increasing residential density will bring the road to a standstill. Submitter expresses that due to the development's proximity to Carlingford Public School (within 750m), traffic activity will increase significantly to surrounding roads and that they currently cannot support the increase in growth. States that Lloyds Avenue and Post Office Street will become a bottleneck as there is no traffic light system at either of these roads and they will be an essential commute for all residents moving in. States that unless Council is going to widen Pennant Hills Road to have three lanes and the other roads and streets made dual-lane with traffic lights, there is no way the roads can cope. States that numerous car accidents happen on a weekly basis as Council did not consider the flow-on impacts that an increased volume of cars would bring and also that the proposal will result in more major accidents. States that traffic will result in the need for frequent road maintenance. States that traffic will result in a significant increase in noise complaints due to beeping horns and cars travelling through the roads. States that Carlingford Road outside Carlingford Court, which joins onto Pennant Hills Road, is also beyond its capacity during peak hour, caused</p>	<p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Parking Provision)</p> <p>Refer to Theme 6: Environment and Sustainability</p> <p>Refer to Theme 9: Impact on existing shopping centre/retail facilities</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>by the increased residential high-rise apartments built between Keeler Street and Carlingford Road.</p> <p>States that traffic and the difficulty of ingress and egress to properties within the area is causing residents to sell, evidenced by the sale lease signs outside apartment complexes along Keeler Street and Carlingford Road.</p> <p>Considers that the proposed development will result in the same outcome if approved.</p> <p>States that Carlingford Court and Carlingford Village, have a parking problem with both centres introducing parking rates in the last couple of years to manage local residents parking overnight and the traffic congestion while entering and exiting.</p> <p>States that the development proposal does not appear to consider provision of car parking.</p>	
62	D09387614	Orchard Road, Beecroft	<p>Not support:</p> <p>Submitter states that the infrastructure is not in place to support the number of dwellings proposed.</p>	Refer to Theme 8: Provision of Local and State Infrastructure
63	D09387617	Baker Street, Carlingford	<p>Not support:</p> <p>Submitter does not see the need for Carlingford to become a high-density suburb.</p> <p>Considers that the local infrastructure is not being catered to, such as roads, additional traffic intersections, local streets.</p> <p>States that the area will not cope with a development of such size and scale in its proposed location unless there are some major road changes – and beyond that of additional traffic lights.</p> <p>States that the proposed development will greatly affect all major roads into, out of, and around Carlingford.</p> <p>Notes that the development site is directly opposite to two major roads, Marsden Road and Evans Road, with a major Carlingford Road intersection to the north and Jenkins Road to the west.</p> <p>Questions how Post Office Street will cope with the volume of cars, given that vehicular access is via Shirley Street.</p> <p>Considers that there will be major issues with traffic flow to both Jenkins Road and Pennant Hills Road, which are currently at maximum capacity and questions how the roads will cope with such a large development being proposed.</p> <p>Notes that the light rail will be introduced sometime in the future and expresses concern that this will affect the current bus timetables along Pennant Hills Road to and from Parramatta, noting these bus services are currently used extensively and at maximum capacity.</p> <p>Questions whether the bus timetables will be affected due to increased traffic congestion around the proposed Carlingford development.</p> <p>Questions whether Pennant Hills Road be widened.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Vehicular/Pedestrian Safety, Parking Provision)</p> <p>Refer to Theme 8: Provision of Local and State Infrastructure</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			Considers that Post Office Street is currently a challenge to navigate, with cars turning left and then wanting to immediately cut across two lanes of traffic to turn right at Carlingford Road. Considers that Jenkins Road will come to a standstill during peak hour. Notes that traffic is often queued up from Pennant Hills Road to Moseley Street and raises questions about the future impacts if the proposed development were to proceed.	
64	D09388698	James Street, Carlingford	Not support: States that Pennant Hills Road is already congested and the traffic flow from Carlingford Road to Jenkins Road should be addressed first. Notes that there is already an existing public library.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact)  Refer to Theme 8: Provision of Local and State Infrastructure
65	D09388705	James Street, Carlingford	Not support: States that road infrastructure should be addressed first as roads are currently congested.	Refer to Theme 2: Traffic/Transport and Parking (General)
66	D09388706	Cottee Drive, Epping	Not support: Considers that the increase in height and density is how the developer will achieve approval of the original development. Expresses scepticism that all developments need in order to attain approval are some open space and appealing facilities.	Refer to Theme 1: Impact of Greater Density on Existing Area  Refer to Theme 13: Planning Process
67	D09388707	Shirley Street, Carlingford	Not support: Submitter raises concerns about the plan to filter all traffic onto Shirley Street, which currently already has difficulty handling the volume of vehicles using that street. Additionally shares concerns that Shirley Street will not be able to support traffic to the proposed shopping centre, childcare centre and library. Raises concerns that the building heights will cause overshadowing and loss of natural light. Raises concerns that no plans are in place to lay a footpath through Shirley Street Reserve for pedestrian access to the new light rail.	Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact, Vehicular/Pedestrian Safety)  Refer to Theme 4: Impact of Height/proposal on Adjoining Properties
68	D09388741	Post Office Street, Carlingford	Not support: Submitter objects to the increase in density and height due to the area's lack of strategic planning with regards to the local roads and transport network. Considers the new library to be an incentive for the development to be approved.	Refer to Theme 2: Traffic/Transport and Parking (General)  Refer to Theme 13: Planning Process
69	D09389944	Post Office Street, Carlingford	Not support: Submitter considers the proposal to be an example of overdevelopment at its worst and questions how Council will allow another 197 on the site. Considers that roads and infrastructure cannot cope with a development	Refer to Theme 1: Impact of Greater Density on Existing Area  Refer to Theme 2: Transport/Traffic and

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>this site, with Pennant Hills Road already consistently gridlocked. Submitter states that there are limited options to get to the Sydney CBD as the only way to get to Epping Station from Carlingford is by bus and the light rail only takes people to Parramatta, not the Sydney CBD. States that they live in Shirley Street and are already experiencing street parking and access issues. Questions how the developer can get approval for an increase in building height from 33 metres to 110 metres. States they are completely confident that all local residents would be against this amendment. Considers the offer of a new library to be moot as the current library is fine. States that a new supermarket is not needed as there is a Coles and Woolworths at Carlingford Court. Considers that this development will put pressure of current Carlingford residents, who are already fed up with the building underway, with noise from 7am all day long. States it is clear that local residents cannot influence the outcome and the development will be approved regardless of community feedback. Considers that builders always win out against those with less power.</p>	<p>Parking (Pennant Hills Road, General, Local Traffic Impact, Parking Provisions)</p> <p>Refer to Theme 3: Built Form and Design</p> <p>Refer to Theme 7: Construction Impacts</p> <p>Refer to Theme 8: Provision of Local and State Infrastructure</p> <p>Refer to Theme 13: Planning Process</p> <p>Point 6 is noted. Council can only consider submissions that have been received through official channels.</p>
71	D09390162	Dunrossil Avenue, Carlingford	<p>Not support:</p> <p>Submitter considers that increases in density will result in overcrowding of public spaces, the shopping centre, schools and worsen the area's traffic conditions (particularly to the Pennant Hills Road, Marsden Road and Carlingford Road intersection). Considers that having a number of tall buildings on the site negatively affects the overall landscape.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact)</p> <p>Refer to Theme 5: Visual Impact</p> <p>Refer to Theme 8: Provision of Local and State Infrastructure</p>
72	D09390226	Panaview Crescent, North Rocks	<p>Not support:</p> <p>Submitter objects to the proposal due to existing traffic congestion, inadequate access to major roads to the city and inadequate parking around the Parramatta Metro station at Carlingford. Submitter suggests both north and southbound lanes need to be widened from two to three as there are inadequate turning lanes into Adderton Road, Marsden Road and Carlingford Road. Considers that encouraging residents to use public transport would require many additional car spaces for the Carlingford to Parramatta Metro service as the few in place are inadequate. Considers that before any high-density plans are approved, these major and expensive issues regarding traffic and parking should be addressed, and that not doing so will devalue the area and make it unappealing to current and future residents.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Parking Provision)</p>

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<b>States that high-density blocks need to be planned addressing transport issues, as only so many residents will catch public transport.</b>	
76	D09393706	Andrew Place, North Rocks	Not support: <b>Submitter considers that the area is overpopulated, and that the current roads and infrastructure cannot accommodate more apartments.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 8: Provision of Local and State Infrastructure
77	D09393710	Cook Street, Baulkham Hills	Not support: <b>Submitter considers that increasing the height and number of residential dwellings will make the area too dense. Considers that there is already a lot of new development in the area and the roads and transport infrastructure cannot cope. Submitter is supportive of the additional community centre and public space.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 2: Traffic/Transport and Parking <b>Point 3 is noted.</b>
78	D09393721	Jason Place, North Rocks	Not support: <b>Submitter considers that the area is already very crowded.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area
79	D09393739	Alma Street, Rydalmere	Not support: <b>Submitter considers that, while it is reasonable to increase density for housing, especially in proximity to public transport hubs, an increase of building height jeopardises the appeal of a tranquil local suburb. Considers that apartments of 3-4 storey as those seen of units from the 1970's are far more socially acceptable and to scale amongst its context and neighbours. Considers that high-rise developments threaten the management of traffic including for passive road users, with examples evident in nearby suburbs such as Epping and Meadowbank.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 2: Traffic/Transport and Parking <b>Refer to</b> Theme 3: Built Form and Design
80	D09393745	Marwood Drive, Beecroft	Not support: <b>Submitter considers that the development will result in too much population density for the area and increased traffic flow. Considers that overflow of cars from residents will be parked in the streets. Raises concerns regarding impacts of overshadowing on surrounding residents. Considers that traffic congestion along Pennant Hills Road, Carlingford Road, and Marsden Road is already chaotic and the additional demand placed on these roads by both the original and new proposal will make it gridlocked. Considers that just because there is a tram close by and buses that travel along Pennant Hills Road does not mean the residents will take public transport, making it hard to predict accurate figures for uptake.</b>	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area <b>Refer to</b> Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact, Parking Provision) <b>Refer to</b> Theme 4: Impact of Height/Proposal on Adjoining Properties
82	D09393777	Captain Strom Place,	Not support:	<b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
		<b>Carlingford</b>	<p>Submitter considers that roads should be upgraded to have greater capacity for increased traffic volume before increasing the number of residents in the area, noting particular traffic challenges with Marsden Road.</p> <p>Considers that there is already a lack of parking and traffic is heavily congested.</p> <p>Considers that providing other facilities will not necessarily improve residents' quality of life.</p>	<p><b>Refer to</b> Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact, Parking Provision)</p>
83	D09393794 / D09422015	<b>Post Office Street, Carlingford</b>	<p>Not support:</p> <p>Submitter considers that the community will be too crowded and will worsen the traffic conditions in the Carlingford area.</p> <p>Submitter purchased a property nearby to the subject site due to the main living area and the windows being north facing, with no obstructions to the building, for ample solar access and views from the balcony.</p> <p>Raises concerns that if the Meriton Building E is built in front of Luxton (the submitter's building estate), they will experience loss of solar access and loss of privacy, due to the proximity of the two buildings.</p> <p>Requests that consideration be given to the impacts of overcrowding on residents and the community, and the resulting negative impacts on the economy of Carlingford.</p>	<p><b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area</p> <p><b>Refer to</b> Theme 2: Traffic/Transport and Parking</p> <p><b>Refer to</b> Theme 4: Impact of Height/Proposal on Adjoining Properties</p>
84	D09393876	<b>James Street, Carlingford</b>	<p>Not support:</p> <p>Submitter considers the existing infrastructure insufficient to handle any further increase of residents.</p> <p>Considers that the opening of the Carlingford Light Rail will result in an increase of traffic during peak hour.</p> <p>Submitter would support the existing plan for the area only and would not support any further changes from the plan.</p>	<p><b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area</p> <p><b>Refer to</b> Theme 8: Provision of Local and State Infrastructure</p> <p><b>Refer to</b> Theme 13: Planning Process</p>
85	D09393888	<b>James Street, Carlingford</b>	<p>Not support:</p> <p>Submitter considers that Carlingford is already suffering from the population increase resulting from the many new apartments that have been built recently.</p> <p>Considers that, while it may seem easier to build apartments, the supporting infrastructure is non-elastic and can only support so much increase in population. Considers the increase in new residents will cause further stress on supporting infrastructure.</p> <p>Considers it imprudent to increase the development by an additional 197 units.</p>	<p><b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area</p> <p><b>Refer to</b> Theme 8: Provision of Local and State Infrastructure</p>
86	D09393926	<b>Charlotte Street, Dundas Valley</b>	<p>Not support:</p> <p>Submitter considers that increasing the maximum height, and dramatically increasing the number of dwellings will cause chaos in the area.</p> <p>Considers that the road infrastructure will not cope.</p> <p>Anticipates that the developer will only provide one car space for each</p>	<p><b>Refer to</b> Theme 1: Impact of Greater Density on Existing Local Area</p> <p><b>Refer to</b> Theme 2: Traffic/Transport and Parking</p>

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			dwelling, but every dwelling will have at least two cars. Considers the duplexes in surrounding streets as an example of this. States the parking arrangements of the proposed development will result in overcrowded street parking. Questions the integrity of the development proposal and the developer's dealings with Council.	Refer to Theme 13: Planning Process
87	D09393934	James Street, Carlingford	Not support: Submitter states that there is so many apartments and so much traffic in Carlingford already.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking
88	D09393942	Keeler Street, Carlingford	Not support: Submitter considers that currently there is traffic and parking congestion and right at the busiest intersection too. Considers that the local school will not be able to accommodate more children.	Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impacts) Refer to Theme 8: Provision of Local and State Infrastructure
89	D09394015	Shirley Street, Carlingford	Not support: Submitter considers that the Stage 1 plan is sufficient and there is no need for additional storeys and objects to Stage 2 of the development. Considers that the community needs more green space than buildings. States that the distance between buildings is narrowing and is not good design for developing communities. Considers that increased numbers of residents in the area will cause bad traffic congestion and may pose more danger to schoolchildren on the street.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (General, Vehicular/Pedestrian Safety) Refer to Theme 3: Built Form and Design Refer to Theme 8: Provision of Local and State Infrastructure Refer to Theme 13: Planning Process
90	D09394020	Post Office Street, Carlingford	Not support: Submitter considers that the community will be too crowded and will worsen the traffic conditions in the Carlingford area. Submitter purchased a property nearby to the subject site due to the main living area and the windows being north facing, with no obstructions to the building, for ample solar access and views from the balcony. Raises concerns that if the Meriton Building E is built in front of Luxton (the submitter's building estate), they will experience loss of solar access and loss of privacy, due to the proximity of the two buildings. Requests that consideration be given to the impacts of overcrowding on residents and the community, and the resulting negative impacts on the economy of Carlingford.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General) Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties
91	D09394030	Ainslie Parade,	Not support:	Refer to Theme 1: Impact of Greater

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
		<b>Carlingford</b>	<b>Submitter questions how the increase in density will be supported by the already congested Pennant Hills Road and local schools. Considers 29-storey high rise buildings are not compatible with the existing mid-rise buildings and will negatively impact the streetscape.</b>	<b>Density on Existing Local Area</b> <b>Refer to Theme 5: Visual Impact</b> <b>Refer to Theme 8: Provision of Local and State Infrastructure</b>
93	D09394060	<b>Wavell Avenue, Carlingford</b>	Not support: <b>Submitter considers that the proposed height is too high and will create a precedent on Pennant Hills Road.</b>	<b>Refer to Themes 1: Impact of Greater Density on Existing Local Area</b> <b>Refer to Theme 13: Planning Process</b>
94	D09394123	<b>Thallon Street, Carlingford</b>	Not support: <b>Submitter considers that their feedback will not be taken into account, in the face of Meriton's influence. Submitter states the area is already full of high-rise developments. Considers that the landscape has changed. Considers that when they first bought their unit nearby, they paid a premium price for the view of beautiful greenery, but now the area resembles the CBD. States that street parking is always full. Considers that noise pollution generated from roads and houses has increased due to more people living in the area. Considers that Carlingford as settlement village has lost its glory.</b>	<b>Refer to Theme 1: Impact of Greater Density on Existing Local Area</b> <b>Refer to Theme 2: Traffic/Transport and Parking (Parking Provision)</b> <b>Refer to Theme 5: Visual Impact</b> <b>Refer to Theme 6: Environment and Sustainability</b> <b>Refer to Theme 13: Planning Process</b>
95	D09396234	<b>Lloyds Avenue, Carlingford</b>	Not support: <b>Submitter considers that the proposed development is overkill and an eyesore, given the size of the block and the current traffic conditions on Pennant Hills Road, Shirley Street, and Post Office Street. Submitter resides on Lloyds Avenue and notes that there is significant traffic along this small road, and there are numerous accidents occurring as cars attempt to exit Lloyds Avenue onto Pennant Hills Road. States other residents in Lloyds Avenue do not support the proposal. Considers the proposal to be driven by greed.</b>	<b>Refer to Theme 1: Impact of Greater Density on Existing Local Area</b> <b>Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact)</b> <b>Refer to Theme 5: Visual Impact</b> <b>Refer to Theme 13: Planning Process</b> <b>Point 3 is noted. Council can only consider submissions that have been received through official channels.</b>
96	D09396242	<b>Adderton Road, Carlingford</b>	Not support: <b>Submitter considers this proposal to be an overdevelopment of the Carlingford area, which will put high stress on a traffic system that is already very congested.</b>	<b>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact)</b>
98	D09396883,	<b>Jenkins Road,</b>	Not support:	<b>Refer to Theme 1: Impacts of Greater</b>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
	D09407343	Carlingford	<p>Submitter considers that over the past 5 years, over 2,000 new units have been delivered, but there has been no increase in schools.</p> <p>Considers that the driving time along Carlingford Road and Pennant Hills Road to James Ruse during peak hours has arisen from 5 minutes during normal times to 20-25 minutes.</p> <p>Considers that the development will further increase the strain on road infrastructure and the area will become gridlocked like Roseville.</p> <p>States secondary roads are also becoming congested.</p> <p>States that the present Labor Minister has promised in various broadcasts that infrastructure comes first, followed by additional homes, and therefore roads should be widened, and new primary and secondary schools built, before considering increasing density.</p> <p>States that the impacts of the already approved 3,000 units are not being taken into consideration.</p> <p>Submitter objects to all future developments in Carlingford until amenities and services are upgraded to adequately support the level of development that has taken place in the past five years.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, General, Local Traffic Impact)</p> <p>Refer to Theme 8: Provision of Local and State Infrastructure</p>
99	D09397361	Lachlan Grove, Carlingford	<p>Not support:</p> <p>Submitter states traffic congestion is already dangerous on Pennant Hills Road and the local side streets.</p> <p>States local schools are already overcrowded.</p> <p>States Carlingford Court shopping centre is now too small and overcrowded, and the parking and surrounding roads are dangerous and the site of many accidents.</p> <p>States the local medical facilities have long wait times and are overcrowded.</p> <p>States parking on the streets has become a significant issue in all the back streets, with restricted room to safely travel on a narrow two-lane road, drivers are required to pull over and give way to an oncoming vehicle before proceeding.</p> <p>States that there are not enough parks and recreational facilities to cope with the already-growing population and the proposed development will only make the situation worse.</p> <p>Submitter expresses hope that common sense will prevail and that the development will not proceed as planned.</p> <p>Considers that there are already too many dwellings being crammed into what used to be single-dwelling allotments, which is destroying the once-safe and peaceful Carlingford area.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact, Parking Provision)</p> <p>Refer to Theme 8: Provision of Local and State Infrastructure</p> <p>Refer to Theme 9: Impact on existing shopping centre/retail facilities</p> <p>Refer to Theme 13: Planning Process</p>
100	D09398708	Lochinvar Parade, Carlingford	<p>Not support:</p> <p>Submitter considers that the roads around the subject site are already congested and experience high levels of traffic.</p> <p>Considers that rezoning or increasing density will only make traffic congestion worse.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact)</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<b>States that roads and traffic should be improved before increasing the density and re oning.</b>	
101	D09400394	Carlingford	<p>Not support:</p> <p>Submitter has been a resident of Carlingford since 1986 and expresses disappointment at seeing Carlingford becoming an overdeveloped community with increasing heights causing overshadowing and significant increase in traffic flow and filling local streets with parked cars. Submitter raises concerns regarding the proposed development's impacts on traffic flow, not only along Pennant Hills Road but on all surrounding streets and roads. Considers that the infrastructure is not in place to manage the increase in the number of motor vehicles that will come into the proposed area due to the new development. Notes that there will be over 700 units and, assuming each unit has a minimum of 2 cars per unit, this will result in at least 1,400 additional cars on local roads, along with the other motor vehicles travelling to the childcare centre, retail shopping and community hall. Submitter estimates an additional 1,600 motor vehicles on local roads daily, due to the proposed development. Submitter considers that the shortage of parking spaces will result in residents and visitors parking in neighbouring streets. Notes that Shirley Street is a very narrow, winding road and although there may be plans for widening, the submitter is not convinced this will alleviate congestion. Questions what impact this will have on the Carlingford community and raises concerns for peoples' safety and wellbeing. Submitter raises concerns that the two towers facing Pennant Hills Road will be up to 29 storeys and that they will be unsightly and cause overshadowing over the Waratah Gardens complexes opposite Pennant Hills Road. Considers that the proposed development will not fit in with the current streetscape. Considers the proposal contributes to overdevelopment of Carlingford and takes away the family friendly community. Considers that the proposed development is only going to cause an increase in traffic noise and pollution and that residents will suffer with disruption to their wellbeing and mental health. Requests that all feedback and concerns from the community be considered and listened to.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact, Parking Provision)</p> <p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 5: Visual Impact</p> <p>Refer to Theme 6: Environment and Sustainability</p> <p>Refer to Theme 13: Planning Process</p>
102	D09402301	Donald Street, Carlingford	<p>Not support:</p> <p>Submitter considers 200 additional apartments a significant increase in addition to the many new apartments already being built. Raises concerns that the proposed development will contribute to too much</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact , Parking</p>

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>traffic congestion in the area.</p> <p>Submitter objects to the proposed height of the buildings along Pennant Hills Road almost tripling and doubling that of other roads as it will be an eyesore to the community and does not fit in with the current landscape of the area.</p> <p>Raises concerns that the proposed development will also contribute to more wind tunnels, as well as reducing solar access to neighbouring streets and houses.</p> <p>Raises concerns regarding the number of cars that will be using Post Office Street and Shirley Street, as they are already busy enough, being home to many apartment buildings, and being comparatively small roads.</p> <p>Raises concerns regarding the developer's proposal in trying to increase the height and number of apartments even further, noting that the original proposal is already a large development that will significantly change the landscape of Carlingford, considering this to be motivated by greed.</p> <p>Raises concerns that the number of car parking spaces for the new library and community centre are too few when considering the number of people they will be servicing.</p> <p>Requests that the plan be reconsidered to prevent greedy developers from ruining their beautiful suburb.</p> <p>Notes that Carlingford has a lot of history and is prized for its small and safe community and suburban vibe but considers that by building the proposed number of apartments in such a small area and making buildings significantly higher than the surrounding houses and low-rise apartments, it will ruin Carlingford's charm and make it more like another congested, poorly-planned city.</p>	<p>Provision)</p> <p>Refer to Theme 3: Built Form and Design</p> <p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 5: Visual Impact</p> <p>Refer to Theme 13: Planning Process</p>
103	D09402316	Donald Street, Carlingford	<p>Not support:</p> <p>Submitter requests that the maximum height be reduced, as there are already four other new apartment blocks in the area, and the proposed development will only contribute to an increase in people and traffic.</p> <p>Notes that there is already a lot of traffic, especially at the east end of Post Office Street next to the Bunnings, where cars often have difficulty turning onto Pennant Hills Road.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact)</p>
104	D09402605	Post Office Street, Carlingford	<p>Not support:</p> <p>Submitter considers that although the plan is promising to provide community spaces for the community around the proposed development, the scale of the development is going to put additional pressure on the already busy area which experiences significant traffic congestion during peak hours.</p> <p>Notes that travel through Post Office Street and onto Carlingford Road and from Pennant Hills Road to Marsden Road takes considerable time.</p> <p>Considers that there will also be additional traffic around the shopping centre and will add to the parking and traffic congestion there.</p> <p>Considers that the proposed development must account for the added</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and Parking (General, Local Traffic Impact, Parking Provision)</p> <p>Refer to Theme 6: Environment and Sustainability</p> <p>Refer to Theme 9: Impact on existing</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>stress on local residents and also the quality of life for the people who move into the new development – it is not only about living in the apartments.</p> <p>States that the apartments must have sufficient parking spaces allocated to each unit, as the parking situation on the street is already bad and will be exacerbated by additional units.</p>	shopping centre/retail facilities
105	D09402609	Post Office Street, Carlingford	<p>Not support:</p> <p>Submitter considers that the increase of the maximum height of building from 33 metres to 110 metres on the Pennant Hills Road frontage and additional 197 residential units will create too much pressure and density for such a small and already overcrowded area.</p>	Refer to Theme 1: Impact of Greater Density on Existing Local Area
106	D09402611	Purchase Road, Cherrybrook	<p>Not support:</p> <p>Submitter considers that the building will be too tall for the surrounding areas and unsightly for the suburb of Carlingford.</p> <p>Considers that the access roads are inadequate for such a large development and will cause congestion in the area, making it worse for current visitors and residents.</p> <p>Considers that the 20 car parking spaces proposed for the new library are far too few, taking into account the significant increase in residents that the new development will bring, and considering the current library has a similar amount of parking already.</p> <p>Submitter is a regular visitor to the area for church, shopping, dining, visiting relatives and the library and frequently drives past the development site and the streets that will be affected.</p>	<p>Refer to Theme 2: Traffic/Transport and Parking (Local Traffic Impact, Parking Provision)</p> <p>Refer to Theme 5: Visual Impact</p> <p>Point 4 is noted.</p>
107	D09402627	Purchase Road, Cherrybrook	<p>Not support:</p> <p>Submitter is a regular user of the current Carlingford Library and raises concerns that they will not be able to find parking at the library, given the few parking spaces to be provided, the size of the proposed development, and sudden increase in over 1,500 residents.</p> <p>Notes that it is already difficult driving around Shirley Street and Lloyds Avenue onto Pennant Hills Road due to traffic congestion and considers that 29-storey developments in that area will only make things worse and more dangerous for all.</p> <p>Submitter identifies themselves as a senior, and states it is very important to them to be able to visit the community library safely and accessibly near where their friends live, along with the nearby parks and shopping centre.</p> <p>Submitter states that they frequent this part of Carlingford at least once a week, despite not living in the area.</p>	<p>Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact, Parking Provision)</p> <p>Refer to Theme 3: Built Form and Design</p> <p>Point 4 is noted.</p>
108	D09402645	Tiptrees Avenue, Carlingford	<p>Not support:</p> <p>Submitter considers that there are too many cars on the streets.</p> <p>Considers that Carlingford, once a beautiful suburb, now has too many unsightly high-rise buildings generating significant traffic and pollution</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport and</p>

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<b>Submitter states that while they understand the need for development, they do not support this type of development.</b>	<b>Refer to Theme 5: Visual Impact</b>
109	D09406385	Shirley Street, Carlingford	<p>Not support:</p> <p>Submitter notes that when they purchased a property at 12 Shirley Street, it was communicated that the Building E site would be retained for open space, which influenced their decision to purchase, due to good solar access and no overshadowing from neighbouring buildings. Considers that if Building E were to be built, it would result in a significant loss of solar access to their apartment compared to what was anticipated when they first purchased.</p> <p>Raises concerns that the proposed height of Building E at 56 metres will result in significant overshadowing for many residents of 12 Shirley Street.</p> <p>Raises concerns regarding the environmental impacts of increased reliance on artificial lighting and heating, perceiving that the construction of Building E would undermine their efforts towards energy efficiency and environmental sustainability.</p> <p>Considers that the uncertainties raised by the planning proposal have had negative impacts on their mental health and wellbeing.</p> <p>Requests that decision makers consider the profound personal impacts that the proposed development will have on residents.</p> <p>States that retaining the existing zoning and height controls for Building E and preserving the original plans to use the site for community open space would uphold the principles of fairness and community wellbeing.</p> <p>Considers that the proposed amendments raised in the submission would still allow the planning proposal to achieve the benefits sought, and that there does not appear to be a compelling case to allow a 56-metre building to be constructed at the Building E site, noting the potential negative impacts on residents at 12 Shirley Street.</p>	<p><b>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</b></p> <p><b>Refer to Theme 6: Environment and Sustainability</b></p> <p><b>Refer to Theme 13: Planning Process</b></p>
110	D09407160	Lloyds Avenue, Carlingford	<p>Not support:</p> <p><b>Submitter considers that the proposed development will lead to the overpopulation of the area and further congestion to the already busy roads in the area.</b></p>	<b>Refer to Theme 1: Impact of Greater Density on Existing Local Area</b>
111	D09408499	Donald Street, Carlingford	<p>Not support:</p> <p><b>Submitter states that insufficient consideration has been given to addressing the increased traffic that will result from the expanded scope of the development.</b></p> <p><b>Considers that the internal streets will exacerbate congestion, especially during peak times on Post Office Street and Shirley Street as people exit onto Pennant Hills Road.</b></p> <p><b>States that in order to ease congestion, consideration should be given to how to access Pennant Hills Road from the development's internal road network.</b></p>	<p><b>Refer to Theme 1: Impact of Greater Density on Existing Local Area</b></p> <p><b>Refer to Theme 2: Traffic/Transport (General, Local Traffic Impact, Parking Provision)</b></p> <p><b>Refer to Theme 8: Provision of Local and State Infrastructure</b></p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>Submitter considers that, while appreciative of the need for further housing, it appears unnecessary to build such high apartments in Carlingford when the existing approved application was for a significant amount of housing already.</p> <p>States that community spaces should be evaluated if there is serious consideration to replace the old library, especially in relation to the amount of parking allocated.</p> <p>Considers that the proposed street parking for the park facilities should be evaluated as Shirley Street is already a narrow street, so Council should consider upgrading that street or ensuring the developer widens the road to accommodate the increase in traffic.</p>	Refer to Theme 14: Clarifications
113	D09413709	Shirley Street, Carlingford	<p>Not support:</p> <p>Submitter considers that the proposal does not fit with the existing development in the area and is far too tall for surrounding properties. Submitter objects due to the proposal's likelihood of increasing traffic along Shirley Street, which is already congested.</p> <p>Considers that Council has not given any consideration to the surrounding complex at 2 Shirley Street, which is only three storeys. States that access to natural light in the apartments has already been significantly impacted due to the high-rise development at 8 Shirley Street. States that the enjoyment of their property has already been significantly impacted by reduced sunlight to their complex, apartments, the pool area and solar panels.</p> <p>Considers that a building of 29 storeys would be inconsiderate and unnecessary and contribute to the overdevelopment of the area.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport Parking (Local Traffic Impact)</p> <p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 5: Visual Impact</p>
114	D09413715	Shirley Street, Carlingford	<p>Not support:</p> <p>Submitter considers 29 storeys to be excessive and unfair on surrounding properties in Shirley Street.</p> <p>States that Shirley Street is already congested, and the area already overdeveloped.</p> <p>Requests that the original DA approval be upheld.</p> <p>Considers that they have already been negatively impacted by the high-rise development at 8 Shirley Street due to significantly reduced sunlight to their apartments, pool area, and solar panels.</p>	<p>Refer to Theme 1: Impact of Greater Density on Existing Local Area</p> <p>Refer to Theme 2: Traffic/Transport Parking (Local Traffic Impact)</p> <p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 14: Clarifications</p>
115	D09413722	Felton Road, Carlingford	<p>Not support:</p> <p>Submitter objects to the proposal for several reasons, including that the infrastructure in the area will not be able to cope with the associated increase in population.</p>	Refer to Theme 1: Impact of Greater Density on Existing Local Area
116	D09413739	Raimonde Road, Eastwood	<p>Not support:</p> <p>Submitter considers that there is no need for additional residential units given the size of the proposed development and others currently being</p>	Refer to Theme 1: Impact of Greater Density on Existing Local Area

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>built, and furthermore, that there is insufficient infrastructure to support development as it stands, even without the additional units. Considers that, before agreeing to these changes, consideration should be given to other developments which have occurred or are currently occurring in the local area.</p> <p>Notes that in the past few years many houses in the area between Pennant Hills Road and Jenkins Road have been knocked down and replaced with high-rise residential buildings, but there has been no increase in infrastructure, with the only change being the closure of Carlingford railway station. Considers that this has put significant strain on Carlingford Road and the two local shopping centres, Carlingford Court and Carlingford Village.</p> <p>Considers that, in addition to the significant development at 263-281 Pennant Hills Road, there is currently a large building site on Pennant Hills Road opposite Carlingford Court and one on Jenkins Road past Post Office Street.</p> <p>Notes that although the light rail at Carlingford is soon due to open, it only provides connections to Parramatta and does not provide transport connectivity for people wanting to head towards the city. Therefore, the only option for those heading east is to drive down Carlingford Road to Epping and cross the already congested Epping Bridge or park at Epping and take the Metro although there is no parking. Considers that there is also the option of taking the M2, but the nearest entrance involves driving down the congested Pennant Hills Road.</p> <p>Carlingford is not supported by sufficient public transport, desirable shopping precincts, schools or job opportunities.</p> <p>States that these changes are not in the best interest of the community.</p>	<p>Refer to Themes 2: Traffic/Transport Parking (Pennant Hills Road, General)</p> <p>Refer to Theme 8: Provision of Local and State Infrastructure</p> <p>Refer to Theme 9: Impact on existing shopping centre/retail facilities</p> <p>Refer to Theme 13: Planning Process</p>
119	D09416131	Pennant Hills Road, Carlingford	<p>Not support:</p> <p>Raises concerns surrounding impacts on traffic and suggests the proposed signalling improvements will not alleviate congestion.</p> <p>Objects to the proposed heights as it will reduce solar access and questions how this will be mitigated.</p> <p>Questions how noise and light pollution from increased density will be mitigated and what materials will be used as part of the development to enable the above.</p> <p>Requests acoustic studies to depict changes and impacts in noise levels.</p> <p>Submitter queries how residents will be compensated for the reduction in their property value in response to the proposed development.</p>	<p>Refer to Theme 2: Traffic/Transport and Parking</p> <p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 6: Environment and Sustainability</p> <p>Refer to Theme 10: Potential Reduction in Property Value</p>
120	D09416967	Pennant Hills Road, Carlingford	<p>Not support:</p> <p>Submitter considers the height limit of 110m will negatively impact solar access for residents of the complex across the development (346-362 Pennant Hills Road – Waratah Gardens).</p>	<p>Refer to Theme 4: Impact of Height/Proposal on Adjoining Properties</p> <p>Refer to Theme 5: Visual Impact</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			States the proposal does not provide any mitigation or compensation for the solar access loss. Notes the subject site is located on higher terrain and that the two towers will stick out , negatively affecting the landscape. Submitter raises concerns that 15% affordable housing will not be met by the planning proposal.	Refer to Theme 12: Affordable Housing
121	D09416972	Cox Crescent, Dundas Valley	Not support: Submitter does not consider the proposed building heights in alignment with the surrounding area stating that the average height is 11 storeys with taller buildings only being approved within the Parramatta CBD. Considers the proposal will result in larger built forms and higher densities than larger projects within Melrose Park. Questions how many units will be dedicated to affordable and or social housing. Notes that the planning proposal does not commit to providing significant housing stock . Submitter does not agree that the amenities, open spaces, commercial space and library harmonises with the surrounding facilities, infrastructure and residents' needs.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 3: Built Form and Design Refer to Theme 12: Affordable Housing
122	D09418653	K aringal Avenue, Carlingford	Not support: Submitter shares concerns with the increase in height, residents and traffic and its impacts on existing overcrowding in schools and peak hour traffic. Notes that the benefits of light rail have not yet been fully demonstrated. Considers the reduction to 0.8 car spaces per unit for buildings exceeding 25 floors too little. Suggests the signalling improvements at the Lloyds Avenue and Evans Road intersection will not improve traffic flow. States access to Pennant Hills Road from Post Office Street must be included in any proposal. Submitter considers access to proposed community facilities will be limited for anyone outside of the immediate area of the precinct. Objects to the proposed heights as they contradict the original development of reducing building heights the further away developments get from Carlingford Station.	Refer to Theme 2: Traffic/Transport and Parking (Pennant Hills Road, Local Traffic Impact, Parking Provision) Refer to Theme 5: Visual Impact Refer to Theme 8: Provision of Local and State Infrastructure
130	D09423270	Epping	Not Support: Submitter states the dwelling numbers provided under Section 3.1.1 of the planning proposal were taken from a Parramatta Council brochure titled High Growth Areas recasting Carlingford precinct as a town centre and considers this number an exaggeration as it will require multi-functional land uses other than R4 zoning. Submitter questions why the Hills LEP 2012 is not adhered to when utilised as context for the Urban Design Report.	Refer to Theme 1: Impact of Greater Density on Existing Local Area Refer to Theme 6: Environment and Sustainability Refer to Theme 3: Built Form and Design

Submissions Summary RZ /5/2023



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>States the section along Pennant Hills Road is drawn inaccurately and Post Office Street should be moved closer to the left demonstrating that the alignment for the Building B and C are incompatible for the precinct.</p> <p>States the direct pedestrian access to Pennant Hills Road is different to the Access Servicing (PP01.7 in Attachment 03).</p> <p>Raises issues with the drawings for the Planning Proposal stating incoherency between colours and heights and FSRs being out of scale.</p> <p>Requests wind tunnel tests to be undertaken due to the scale of the proposed development.</p> <p>Submitter raises turns within the precinct are dangerous, for example, Cumberland Highway onto Moseley Street. Submitter raises numerous junctions that would present more traffic and safety issues as a result of higher scale buildings.</p> <p>Questions whether excavation for underground car parking will impact on the development of any future Metro path.</p> <p>Requests Council undertake their own transport studies for the entire precinct.</p> <p>Submitter feels the Ecologically Sustainable Development Report (Appendix 9) is inadequate as it does not provide any GHG calculations, no estimation of resource power consumption and energy required to provide the materials.</p> <p>Submitter raises that the lack of roof space for solar panels will negatively impact energy generation and use.</p> <p>Submitter questions the resilience and sustainability of the proposed development in relation to energy use.</p> <p>Submitter questions the requirement for 7 storey basement carparks when public transport is available.</p> <p>Requests a bus bay to be incorporated into the site plan on the northern side fronting Pennant Hills Road.</p> <p>Requests City of Parramatta Council to investigate population dynamics and demographics within the Carlingford precinct over time.</p> <p>Submitter recommends Council focus on bringing in employment close to Carlingford and similar suburbs instead of putting up additional residential.</p> <p>Requests Council to ask the developer to submit a power consumption analysis in MWh and MW.</p> <p>Requests Council push the State government to update BASIX otherwise new development are all outdated even by the time they built.</p> <p>Submitter questions the accuracy of population forecasts due to no cohort survival analysis being completed.</p> <p>Requests public consultation begin earlier and on the basis of simpler drawings stating that once developers have invested millions of dollars in planning work, such projects gain their own momentum and are difficult to stop even if circumstances have changed.</p>	<p>Refer to Theme 13: Planning Process</p> <p>Refer to Theme 14: Clarifications</p>
131	D09423287	Post Office Street,	Not support:	Refer to Theme 2: Traffic/Transport and

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
		<b>Carlingford</b>	<p>Submitter shares concerns with the height limits being inconsistent with the existing built form strategy and suggests the heights should be limited to the natural ground level of 56m or 18 storeys.</p> <p>Considers the lack of connectivity between the Parramatta Light Rail and other forms of rail (Metro and heavy rail) a missed opportunity of the planning proposal.</p> <p>Submitter notes bike routes from Carlingford towards Epping, North Rocks and Castle Hill are poor or non-existent.</p> <p>Submitter raises issues with the study of peak hour road traffic due to being observed in a 60 minute period on 24 March 2022, being a school term and still being impacted by Covid-19. Suggests new periods covering 90 minutes in the morning (7:30am – 9:00am) and 120 minutes in the afternoon (4:30pm – 6:30pm).</p> <p>Recommends constructing an elevated pedestrian bridge crossing over Pennant Hills Road at the junction of Pennant Hills Road, Evans Road and Lloyds Avenue in addition to the traffic signalisation of the intersection.</p> <p>Raises concern with O.02 and C.02 from Section 3.1 in the draft DCP regarding Shirley Street and that it needs widening and no parking on one side of the street from Post Office Street and Lloyds Avenue.</p> <p>Raises concern with Post Office Street not being wide enough to support on street parking on both sides of the street and that one side should be prohibited from on street parking.</p> <p>Recommends constructing traffic lights at Moseley Street and Pennant Hills Road to offset travel from Post Office Street on to Pennant Hills Road Cumberland Highway.</p> <p>Recommends a blanket 40km/h speed limit within the area bounded by Moseley Street, Jenkins Road and Pennant Hills Road as the current speed limit is not appropriate for the existing and future density.</p> <p>Submitter requests a review of the 'long-term road congestion' that is discussed in Appendix 6 to the Planning Proposal – Transport Impact Assessment.</p>	<p>Parking (General, Local Traffic Impact Vehicle/Pedestrian Safety)</p> <p>Refer to Theme 3: Built Form and Design</p> <p>Refer to Theme 11: Connections with the western side of Carlingford</p>



## **Appendix A2 – Submissions Summaries from Residents, Individuals and Landowners – Neither Support nor Not Support**

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission Summary Table – APPENDIX A2 – Residents, Individuals and landowners who neither support nor not support

This document summarises and provides a response to the submissions received from residents, individuals and landowners in response to the exhibition of the Planning Proposal, draft Development Control Plan, and draft Planning Agreement for 263-281 Pennant Hills Road, Carlingford. Each submission has been allocated a unique submission number. Appendix A2 is to be read in conjunction with Section 4.4 of the Community Engagement Report. The response to each submission is linked to the themes outlined and responded to in Section 4.4 of the Community Engagement Report.

To ensure the privacy of submitters, names and street numbers have been withheld.

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
7	D09379876	Maier Close, Beecroft	Neither support nor not support: Submitter raises concerns that the roads are heavily congested and that the high-rise buildings do not receive solar access. Considers that more cars will be stationed there, overloading Pennant Hills Road and the surrounding area. Considers that there needs to be more space amongst the buildings, with gardens interspersed.	Refer to Theme 3: Traffic, Parking and Transport Refer to Theme 5: Solar Access Refer to Theme 6: Design
40	D09386339	Pennant Hills Road, Carlingford	Neither support nor not support: Submitter states that the proposed development seems very big, and it is difficult to envisage the positive effects on the area. Raises concerns regarding pedestrian safety when accessing bus stops on both sides of Pennant Hills Road outside the development as there is no means to cross Pennant Hills Road safely without walking to the Marsden Road intersection or to Lloyds Avenue, which also involves a dangerous crossing of Evans Road. Suggests that the provision of an overhead footbridge across Pennant Hills Road between the two bus stops should be considered as part of the development proposal.	Refer to Theme 3: Traffic, Parking and Transport Refer to Theme 6: Design
57	D09386718	Ryan Street, Dundas Valley	Neither support nor not support: Submitter considers that the increase in units, and therefore number of residents, is quite high and some further guarantees should be put in place, for example, related to access to public transport, public education, and recreational facilities. Considers that the development should include a pedestrian overpass over Pennant Hills Road to allow new residents to access parks and walks in Dundas Valley and likewise to allow residents on that side of Pennant Hills Road to access the new shopping and facilities created as part of the development. Notes that currently there are only pedestrian crossings at Marsden Road and Coleman Avenue, and one should be implemented nearby to Evans Road.	Refer to Theme 1: Proposed Density and Height Refer to Theme 3: Traffic, Parking and Transport Refer to Theme 6: Design
70	D09389952	Kent Street, Epping	Neither support nor not support: Submitter identifies density, building height, and traffic as key concerns, stating that the roads in the local area are full, such as Carlingford Road and other intersections nearby, like Marsden Road. States that, besides the Metro service to Parramatta, which is still a distance away from Carlingford.	Refer to Theme 1: Proposed Density and Height Refer to Theme 2: Public Transport

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>delivered, they cannot see any additional infrastructure that will assist with the amenity of the whole area.</p> <p>Questions the lack of bike paths and social spaces for residents within the development.</p> <p>Notes that the unit development at the bottom of Carlingford Road have green space, but they are not accessible to residents.</p> <p>States that residential developments should include amenities for families to live and play.</p>	<p>Infrastructure Provision</p> <p>Refer to Theme 3: Traffic, Parking and Transport</p> <p>Refer to Theme 4: Active Transport</p>
73	D09390742	Bettington Road, Oatlands	<p>Neither support nor not support:</p> <p>Submitter asks if any new traffic controls, such as traffic lights, other than the existing will be installed and if so, at which location(s).</p> <p>Asks where vehicle entry and exit points will be located.</p> <p>States that it is hard to see how this development will not detrimentally affect the flow of traffic on an already congested Pennant Hills Road.</p>	<p>Refer to Theme 3: Traffic, Parking and Transport</p>
79	D09393621, D09393646	Lloyds Avenue, Carlingford	<p>Neither support nor not support:</p> <p>Submitter cannot see how Pennant Hills Road and Shirley Street, in its current state, can support the new development.</p> <p>Considers that Shirley Street should undergo major upgrades as it currently barely facilitates more than one lane and the road is in poor condition.</p> <p>Considers the junction at Shirley Street and Evans Road crossing Pennant Hills Road to already very congested. Submitter considers adding more intersections for cars to enter exist the complex would likely lead to more accidents occurring. The submitter states the area is dangerous due to the constant varying speeds from cars and buses and cars from Shirley Street turning on to Evans Road.</p> <p>Proposes a way to mitigate this issue, by extending Marsden Road to join with Shirley Street creating an intersection in that area. Suggests that, with an effective traffic light system, would allow new residents to bypass Pennant Hills Road if they wish to enter Marsden Road and also bypass the dangerous portion of Pennant Hills Road if they wish to travel north towards Pennant Hills. Suggests this will support commuters wanting to enter Carlingford Road as it would allow cars from Shirley Street to turn left and safely enter the right turn lane that turns onto Carlingford Road.</p> <p>Notes that currently, many commuters are performing a very dangerous manoeuvre by turning left from Post Office Street onto Pennant Hills Road, merging across all four lanes, and then cutting into the traffic waiting to turn right.</p> <p>Submitter considers that with more people using Shirley Street, the incident rate of accidents will worsen noting that previously, accidents have resulted from cars attempting to cross Pennant Hills Road from Shirley Street into Evans Road.</p> <p>Considers that the current signage on Shirley Street Lloyds Avenue is very misleading says, " no right turn" , so commuters are under the impression they are permitted to go. Strongly suggests changing the signage to say, " left turn only" and maybe even construct a thin traffic island to assist with this.</p>	<p>Refer to Theme 3: Traffic, Parking and Transport</p>
92	D09394054		Neither support nor not support:	Refer to Theme 3:

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>Submitter mostly supports the plan as it provides housing to people in an area with existing infrastructure, that is considered a desirable place to live.</p> <p>The submitter considers that there appears to be a mismatch between the plans for the Central Park area and Parramatta's Draft Bike Plan. Notes that on the Bike Plan map the path through Central Park is marked as being a separated path for bikes, but the plans presented elsewhere show stair access only.</p> <p>Considers that it is hard to judge the transport impact of the project just by giving the local intersections arbitrary ratings. Considers that if they could only afford to live in a house an hour away from their work, they would not be pleased to find out Council has blocked new housing closer to their workplace only because they would have to travel through one intersection rated 'F' if they moved there, and also pointed out that there are more modes of transport than just cars.</p> <p>Considers that undertaking a VMT analysis like what is required in California would provide more relevant information to understand the transport impacts.</p>	<p>Traffic, Parking and Transport</p> <p>Refer to Theme 4: Active Transport</p>
112	D09413706	Lipsia Avenue, Carlingford	<p>Neither support nor not support:</p> <p>Submitter queries where children will go to school and access medical services, noting that local schools are at capacity and many doctors are not accepting new patients.</p>	Refer to Theme 2: Infrastructure Provision
123	D09418658	Keeler Street, Carlingford	<p>Neither support nor not support:</p> <p>Submitter states that traffic and transport impacts need to be appropriately managed during the construction and operation and post-completion of the development.</p> <p>Notes the proposed traffic control signals at Evans Road is long overdue and requests the estimated duration of the construction period for the development.</p>	Refer to Theme 3: Traffic, Parking and Transport
124	D09418661	Brand Street, Carlingford	<p>Neither support nor not support:</p> <p>Submitter supports the provision of community facilities and alignment with increased density.</p> <p>Wants to ensure that funding for community facilities is not another example of privatisation of public resources.</p> <p>Requests Council to consider the impacts of the planning proposal on the viability of an extension of the Parramatta Light Rail from Carlingford to Epping to reduce the impacts on traffic and existing bus routes towards Epping.</p>	<p>Refer to Theme 1: Increased Density</p> <p>Refer to Theme 2: Infrastructure Provision</p>
126	D09419185	Post Office Street, Carlingford	<p>Neither support nor not support:</p> <p>Submitter supports new developments in Carlingford as it can enhance the area, however shares concerns increased densities will increase existing congestion.</p> <p>Raises issue of the existing limitation of parking spaces in Carlingford and how new apartments will induce more demand for parking.</p> <p>Suggests increasing the number of shopping centres to distribute retail activity from Carlingford Court and to increase the number of parking spaces for the community centre from 20 to 30 or 40.</p>	<p>Refer to Theme 3: Traffic, Parking and Transport</p> <p>Refer to Theme 6: Design</p>
129	D09422410		<p>Neither support nor not support:</p> <p>Submitter raises points for inclusion in the planning agreement.</p> <p>Including a cycle path along Shirley Street for its length up to Pennant Hills Road as an extension to the Parramatta cycleway and linking it with cycle paths in Epping.</p>	Refer to Theme 2: Infrastructure Provision

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>Submitter supports a new library.</p> <p>Including a community dog park as part of the open space as the closest park is John Wearin Reserve in North Rocks.</p> <p>Suggests consideration to work with TfNSW to move the bus stop along Pennant Hills Road to just before 283 Pennant Hills Road to accommodate future bus-only infrastructure (lane, lights and shelter).</p> <p>Including underground electrical conduits for power cables to make development and installation more streamlined, improve greening strategies and removing overhead power lines.</p>	<p>Refer to Theme 3: Traffic, Parking and Transport</p> <p>Refer to Theme 4: Active Transport</p>

## **Appendix A3 – Submission Summaries from Residents, Individuals and Landowners – Support**



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission Summary Table – APPENDIX A3 – Resident, Individuals and Landowners who support the changes

This document summarises and provides a response to the submissions received from residents, individuals and landowners in response to the exhibition of the Planning Proposal, draft Development Control Plan, and draft Planning Agreement for 263-281 Pennant Hills Road, Carlingford. Each submission has been allocated a unique submission number. Appendix A3 is to be read in conjunction with Section 4.5 of the Community Engagement Report. The response to each submission is linked to the themes outlined and responded to in Section 4.5 of the Community Engagement Report.

To ensure the privacy of submitters, names and street numbers have been withheld.

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
17	D09379966	Bebgha i Road, Carlingford	Support: <i>S ubmitter did not provide additional comments.</i>	<b>Submission of support is noted</b>
22	D09380303	Ferntree Place, Epping	Support: <ul style="list-style-type: none"> <li>States that the site is located a short walk from the upcoming light rail stop, providing connectivity to Parramatta and a short bus ride to Epping Station.</li> <li>Considers that the site is close to amenities such as schools, shopping centres and library.</li> <li>Considers the location to be very suitable for high density development.</li> </ul>	<b>Submission of support is noted</b>  <b>Refer to Theme 1:</b> Housing Supply and Density  <b>Refer to Theme 4:</b> Good Location
26	D09381090	Marshall Road, Carlingford	Support: <i>S ubmitter did not provide additional comments.</i>	<b>Submission of support is noted</b>
41	D09386360	Blaxland Road, Eastwood	Support: <ul style="list-style-type: none"> <li>Submitter considers it crucial for there to be some public transport modifications to support the existing and now increasing high density in the area.</li> <li>Considers that the light rail in its current form will be good, but insufficient and that it should be extended to Epping or with bus priority modifications along Carlingford Road</li> </ul>	<b>Submission of support is noted</b>  <b>Refer to Theme 2:</b> Suggestions for Public Transport
42	D09386372	Donald Street, Carlingford	Support: <ul style="list-style-type: none"> <li>Submitter considers that the plans look appealing and welcomes the provision of community facilities as part of the proposed development.</li> </ul>	<b>Submission of support is noted</b>  <b>Refer to Theme 6:</b> Development is appealing
43	D09386404	K issing Point Road, Dundas	Support: <ul style="list-style-type: none"> <li>Submitter believes densification is a key aspect to solving the housing shortage in Sydney.</li> <li>Considers there to be a stagnation in the building of homes in Hornsby, Hills and Parramatta areas for the past five years, which has been difficult to see while they have been saving for a home.</li> <li>Would like to see an increase in bus frequency and priority between Carlingford and Epping to provide a strong public transport link between the development site, the light</li> </ul>	<b>Submission of support is noted</b>  <b>Refer to Theme 1:</b> Housing Supply and Density  <b>Refer to Theme 2:</b>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<p>rail, and train lines, which they consider would help to alleviate the traffic concerns that many hold regarding the Carlingford area.</p> <ul style="list-style-type: none"> <li>• Suggests keeping driveways off Pennant Hills Road and improving the accessibility of backstreets to assist in addressing traffic concerns.</li> <li>• Implores the developer to ensure the additional units being added are used for the purpose of affordable housing, so that a diverse demography of the community can have the opportunity to enjoy a high quality of life.</li> </ul>	<p>Suggestions for Public Transport</p> <p><b>Refer to</b> Theme 3: Suggestions to Improve Traffic and Transport Links</p> <p><b>Refer to</b> Theme 8: Affordable Housing</p>
51	D09386507	Marsden Road, Carlingford	<p>Support:</p> <ul style="list-style-type: none"> <li>• Submitter considers that, in the midst of the housing crisis, this proposal allows the creation of more apartments that are desperately needed as soon as reasonably possible.</li> <li>• Notes that it is becoming increasingly competitive to enter the property market and expensive to live in a public transport accessible area.</li> <li>• Notes that, given the traffic congestion that already exists in the area, the intersections between Pennant Hills Road and Marsden Road and Pennant Hills Road and Carlingford Road are likely to worsen, and hence the need for an emphasis on walkability and improved access to public transport.</li> <li>• Considers that the light rail stop, while offering connections to Parramatta, will not be sufficient for anyone working in other business hubs or the CBD. Requests that bus routes, stops and service frequency be reviewed to minimise the need for using a car, and the hopes this will minimise the impact on traffic in the area, which is already a challenge for many local residents.</li> <li>• Considers that, based on the general plans, it appears many of these issues are already being addressed.</li> </ul>	<p><b>Submission of support is noted</b></p> <p><b>Refer to</b> Theme 1: Varying Supply and Density</p> <p><b>Refer to</b> Theme 2: Suggestions for Public Transport</p> <p><b>Refer to</b> Theme 3: Suggestions to traffic and transport links</p>
74	D09393615	Cook Street, Telopea	<p>Support:</p> <ul style="list-style-type: none"> <li>• Submitter considers that it appears to be a good use of the space to provide accommodation and services.</li> <li>• Notes in the proposal there is a black arrow passing through the development that appears to refer to an accessway but there is no clear statement about this.</li> <li>• Notes that the current bike path alongside the light rail track stops just past the station and transfers onto the street. Considers that this would seem to be an opportunity to extend that path up the hill to Carlingford, providing a direct link for many residents and encourage the use of active transport to access the facilities. Considers that if this opportunity could be used to link up the light rail path to Carlingford and the existing shared use path along Marsden Road, then it would increase the value of all these existing assets.</li> <li>• Considers the current shared path up Pennant Hills Road to be good, but notes it requires many road crossings to reach the top of the hill. Suggests this presents an opportunity to provide a more direct route that might be less steep.</li> </ul>	<p><b>Submission of support is noted</b></p> <p><b>Refer to</b> Theme 7: Good Use of Space</p> <p><b>Refer to</b> Theme 3: Suggestions to improve traffic and transport links</p>
81	D09393768	Murray Street,	Support:	<b>Submission of support is</b>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
		Northmead	<ul style="list-style-type: none"> <li>Submitter is supportive of more residential housing close to transport hubs and the inclusion of retail and community spaces.</li> </ul>	<p><b>noted</b></p> <p><b>Refer to</b> Theme 1: Housing Supply and Density</p> <p><b>Refer to</b> Theme 4: Good Location</p>
97	D09396245	Buckland Avenue, Carlingford	<p>Support:</p> <ul style="list-style-type: none"> <li>Submitter considers the proposal the best outcome for the space and the new State Government policies.</li> <li>Considers that the proposal gives something to the community and will be less money spent by Council fighting a legal battle.</li> <li>Submitter would like to see mature native trees planted and gardens that are regularly maintained, to support tree canopy cover over an extended area.</li> <li>Requests an extensively planned landscape considering aesthetic, environmental, and recreational issues.</li> <li>Requests adequate paved pedestrian footpaths, taking into account those living with disability, for all of Shirley Street and the Pennant Hills Road perimeter.</li> <li>Requests the use of solar panels for generating power.</li> <li>Requests adequate waste disposal and an area for tenants to leave unwanted items for regular collection by arrangement with Council, so prevent people dumping on the footpath.</li> <li>Requests a trolley bay for the inevitable stray shopping trolleys that will appear.</li> <li>Requests a bus shelter where residents will be taking bus services.</li> <li>Asks Council to look into issues arising from high-density living, including the above points.</li> <li>Submitter believes the development will go ahead regardless of any opposition and considers the initial proposal to be unacceptable.</li> <li>Suggests that Council accept the current proposal but ask for more, as outlined above, so that the area is a liveable space.</li> </ul>	<p><b>Submission of support is noted</b></p> <p><b>Refer to</b> Theme 3: Suggestions to improve traffic and transport links</p> <p><b>Refer to</b> Theme 5: Development should go ahead but requests improvements</p> <p><b>Refer to</b> Theme 7: Good use of Space</p> <p><b>Refer to</b> Theme 9: Government Policy</p>
125	D09418729, D09423254	Boundary Road, Pennant Hills Carlingford Road, Epping	<p>Support:</p> <ul style="list-style-type: none"> <li>Submitter states it is important to take this opportunity to work with the developer to improve and modernise the built environment for Carlingford.</li> <li>States that an up-to-date Local Community Planning document is required to support and guide the development of the Carlingford precinct.</li> <li>Submitter believes the proposal fails to consider the eastern side of Carlingford and the development needs to consider connections between the subject site and adjacent areas.</li> <li>Expresses that the decision not to use the Metro to connect the subject site and the eastern side of Carlingford is a failure of infrastructure planning.</li> </ul>	<p><b>Submission of support is noted</b></p> <p><b>Refer to</b> Theme 1: Housing Supply and Density</p> <p><b>Refer to</b> Theme 2: Suggestions for Public Transport</p> <p><b>Refer to</b> Theme 3:</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
			<ul style="list-style-type: none"> <li>• Submitter states that the installation of traffic signals will contribute to increased foot traffic and road congestion due to frequent stopping at key intersections over Pennant Hills Road.</li> <li>• Recommends a pedestrian overpass to be installed over key intersections along Pennant Hills Road to connect both sides of Carlingford to prevent frequent intermediate stopping of traffic.</li> <li>• Suggests prioritising the upgrade of the Evans Road and Pennant Hills Road intersection before any major development occurs due to safety concerns.</li> <li>• Submitter questions why no affordable and social housing has been provided due to the scale of the development and does not agree that the provision of community facilities is enough to offset this.</li> <li>• Recommends dedicating 10% of the dwellings to affordable and social housing and possibly partnering with a community housing organisation.</li> <li>• Suggests opportunities for local artists to contribute to a public artwalk and gardens should be considered to improve amenity within the pathways to the light rail.</li> </ul>	<p>Suggestions to Improve Traffic and Transport</p> <p><b>Refer to</b> Theme 5: Development should go ahead but requests improvements</p> <p><b>Refer to</b> Theme 8: Affordable Housing</p> <p><b>Refer to</b> Theme 10: Public Artwork</p>

## **Appendix B – Submission Summaries from Organisations, Businesses and Strata Committees**



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission Summary Table – APPENDIX B – Organisations, Businesses and Strata Committees

This document summarises and provides a response to the submissions received from Organisations, Businesses and Strata Committees in response to the exhibition of the Planning Proposal, draft Development Control Plan, and draft Planning Agreement for 263-281 Pennant Hills Road, Carlingford. Each submission has been allocated a unique submission number. Appendix B is to be read in conjunction with Section 5 of the Community Engagement Report. The response to each submission is linked to the themes outlined and responded to in Section 5 of the Community Engagement Report.

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
117	D09414111	Strata Management Committee for 2-6 Shirley Street, Carlingford	<p>Neither support or not support:</p> <p>Submitter states the number of units and the FSR for the project has increased by 50% and that the largest tower will be 29 storeys high.</p> <p>States that the scale of the new buildings will overshadow and impact their block of units which will negatively affect their solar access and the effectiveness of their solar panels.</p> <p>Submitter requests the shade diagram for the development and if it impacts solar access to their site, requests further amendments to the proposal so height to ensure their current level of solar access.</p> <p>Notes that Shirley Street is a 2 lane, 7m wide road and constructed relative to the context of single storey homes and unlimited kerbside parking is permitted on the western side of the southern end of the street.</p> <p>Notes that Shirley Street is utilised by residents of other streets to join traffic on Pennant Hills Road to gain access to Marsden Road.</p> <p>Submitter fears that at the completion of the development, another 5,000 cars will be added to the traffic using the road, the capacity of the road will be inadequate, especially during school hours.</p> <p>Submitter references a 2013 article from the Hills Shire Times the Independent Traffic Committee requested the Hills Shire Council to develop a strategy for Shirley Street, including the consideration of indented parking bays on both sides of the road, footpath paving, landscaping, street lighting, pedestrian safety issues and parking restrictions.</p> <p>The submitter also states that although the Baulkham Hills Shire Council was amalgamated into Parramatta, it does not negate the contents or authenticity of the article.</p> <p>Questions whether Council has taken parking spaces into consideration and requests the number of parking spots that will be mandated as part of the development.</p> <p>Raises concerns regarding Shirley Street being the only access point to the development and states that traffic will increase tenfold over the current usage.</p> <p>In the submitter's opinion, there should be direct road ingress and egress between the development and Pennant Hills Road to redirect traffic from Shirley Street, and without it, major traffic problems will occur.</p> <p>Submitter objects to additional retail being included in the proposal and states that Carlingford is already well serviced by two retail centres, Carlingford Court and Carlingford Village in addition to other surrounding retail stores.</p> <p>Believes the area needs to be properly planned and controlled to make Carlingford a pleasant place to live in.</p>	<p>Refer to Theme 1: Proposed Scale and Density</p> <p>Refer to Theme 2: Height</p> <p>Refer to Theme 3: Traffic, Transport and Parking</p> <p>Refer to Theme 4: Proposed Retail Development</p> <p>Refer to Theme 5: Strategic Planning</p>



263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Location	Summary of Submission	Council Officer Response
127	D09419733	Epping Civic Trust, Epping	<p>Not support:</p> <p>Submitter raises the supporting transport plan and does not realistically address the traffic impacts borne from the planning proposal.</p> <p>States that the incoming light rail will support south and west-bound travel but does not accommodate eastbound travel.</p> <p>Submitter claims the frequently used 550 bus route (Carlingford to Macquarie Centre) requires more buses at peak times and will be unable to support any increase in density within the precinct.</p> <p>Questions the traffic plan's expectation that there will only be a 1-2% increase in traffic on Carlingford Road.</p> <p>Raises an issue with Shirley Road being the only vehicular access path which will then turn into a bottleneck.</p> <p>Submitter states there will not be enough parking spaces to accommodate the proposed library, the supermarket and other retail shops which will limit patronage to only residents within the precinct.</p> <p>States the primary and secondary school capacity being inadequate and unable to support increases in density in addition to significant loss of open playground space in schools due to the construction of demountables.</p>	<p><b>Refer to</b> Theme 3: Traffic, Transport and Parking</p> <p><b>Refer to</b> Theme 6: School Capacity</p>
128	D09422016	Vicinity Centres, Chadstone Victoria	<p>Not support:</p> <p>Submitter raises concerns with the increase in retail GFA from 2,000sqm to 2,600sqm due to inconsistencies with the objectives, strategic planning intent of the area and Ministerial Directions.</p> <p>Requests the increase of 2,000sqm to 2,600sqm for retail GFA to be removed from the planning proposal.</p> <p>Submitter suggests retail floor space should be contained within existing employment ones rather than being developed in addition to residential within residentially ones, additionally notes that the site is located within 400m walking distance of the E1 one at the Light Rail stop which would be a more suitable location for retail floorspace.</p> <p>Considers the allowable 2,000sqm of non-residential floor space to be adequate for the facilitation of the LEP objective under R4 High Density Residential to enable land uses that provide facilities or services to meet the day to day needs of residents .</p> <p>States retaining 2,000sqm of retail floorspace would provide for the implementation of 600sqm elsewhere closer to transport and services and that it better aligns with the City Central District Plan.</p> <p>Submitter raises the progression of the planning proposal could set a precedent for retail centres encroaching on areas not suitable for retail functions and should be directed to E1 ones close to the site.</p> <p>Submitter requests Council carefully consider the implications of the existing poor performance of the intersections within the precinct because of increased residential density.</p> <p>Suggests the assessment of the planning proposal to reduce provision of car parking on site to redirect trips to the light rail, bus and heavy rail.</p>	<p><b>Refer to</b> Theme 3: Traffic, Transport and Parking</p> <p><b>Refer to</b> Theme 4: Proposed Retail Development</p>

Submissions Summary RZ /5/2023

## **Appendix C – Submission Summaries from Government Agencies**

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission Summary Table – APPENDIX C – Government Agencies

This document summarises and provides a response to the submissions received from Government Agencies in response to the exhibition of the Planning Proposal, draft Site-Specific Development Control Plan, and draft Planning Agreement for 263-281 Pennant Hills Road, Carlingford. Each submission has been allocated a unique submission number. Appendix C is to be read in conjunction with Section 6 of the Community Engagement Report.

Submission No.	CM No.	Submitter Name	Summary of Submission	Council Officer Response
118	D09414419	Transport for NSW (TfNSW)	<p>Neither Support or Not Support – Advisory Comments</p> <p>TfNSW supports implementation of traffic control signals at the Pennant Hills Road, Evans Road and Lloyds Avenue intersection for safe pedestrian movement.</p> <p>TfNSW has been liaising with Department of Housing for the traffic control signals to be credited against the HPC (Housing and Productivity Contribution) levies.</p> <p>TfNSW recommends that as part of any future Development Application (DA) for the site, the Applicant engages with TfNSW regarding the status of the proposed intersection works as some interim measures may need to be implemented by development to ensure pedestrian safety of future users of the development as part of the development's Travel Demand Management strategy.</p> <p>TfNSW agrees with the modelling provided and maximum car parking rate proposed as part of the development and finds it appropriate for the precinct as the resultant generation of new traffic is unlikely to have an impact on the surrounding classified network.</p> <p>No objection was raised regarding revised maximum parking rates.</p>	<p>The Transport for NSW submission and correspondence regarding revised parking rates is noted.</p>
132	D09503828	Schools Infrastructure	<p>Neither Support or Not Support - Advisory Comments</p> <p>SINSW notes the proposal does not meet the criteria (from the Local Environmental Plan Making Guideline 2023 – Attachment B) to be sent to the School Infrastructure Department of Education (DoE) for referral and comment.</p> <p>SINSW requests Council to monitor and consider the impacts of population growth on schools planning in the locality.</p> <p>The DoE does not have further comments on specific requirements in relation to the Planning Proposal.</p> <p>DoE requests that transport planning for the proposal be guided by the NSW Government's Movement and Place Framework (MAPF) and its related Built Environment Indicators.</p> <p>SINSW requests the MAPF 'Primary Schools' built environment indicator be used to consider the impact on adjacent places uses and emphasises movement that supports place. The metrics aid in assessing the effect of infrastructure on the accessibility of public schools in an area pertaining to walkability and public transport access.</p>	<p>It is noted the proposal does not meet the criteria (from the Local Environmental Planning Guideline 2021) for the proposal to be sent to the Department of Education for referral and comment as it will facilitate 197 additional dwellings above what the current planning controls allow which is less than the 250 additional dwellings which would trigger the requirement for a referral.</p> <p>The application of the Movement and Place Framework (MAPF) is acknowledged. The 'Primary Schools' indicator shows the development is within 800m walking distance Carlingford Public School and Gateway Community Highschool. Walkability to local</p>

Submissions Summary RZ /5/2023

263-281 Pennant Hills Road, Carlingford (RZ /5/2023)

Submission No.	CM No.	Submitter Name	Summary of Submission	Council Officer Response
				<p>public schools is noted in the Planning Proposal.</p> <p>Consideration of the MAPF will be done at the Development Application stage.</p> <p>A site-specific DCP and existing controls in the Parramatta DCP 2023 will support the subject development and its proposed density.</p>



# MINUTES

---

**Parramatta Local Planning Panel  
Additional Meeting  
Thursday, 23 May 2024  
3.30pm**

**Level 3, PHIVE  
Parramatta Square, Parramatta**

---

**PANEL MEMBERS**

Julie Walsh (Chairperson)  
 Ian Armstrong (Expert Member)  
 Michael Mason (Expert Member)  
 Jerry Chen (Community Member)

**STAFF MEMBERS**

Group Manager Major Projects and Precincts - David Birds, Team Leader Land Use Planning - Carmel O'Connor, Senior Project Officer - Rafael Morrissey, Project Officer Land Use - Darren Ung, Traffic & Transport Manager - Richard Searle, Governance Officer (minute secretary) – Neeli Sharma

**1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND**

The Chairperson, acknowledged the Burramattagal people of The Dharug Nation as the traditional land owners of land in Parramatta and paid respect to their ancient culture and to their elders past, present and emerging.

**2. WEBCASTING ANNOUNCEMENT**

The Chairperson advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

**3. APOLOGIES**

There were no apologies made to this Local Planning Panel.

**4. DECLARATIONS OF INTEREST**

There were no declarations of interest made to this Local Planning Panel.

**4A. PUBLIC SPEAKERS**

The meeting commenced at 3.30 pm. The Chair invited registered speakers to address the Parramatta Local Planning Panel ('the Panel') on item 5.1 - Post Exhibition: Planning Proposal, Draft Planning Agreement and Draft Site-Specific Development Control Plan at 263-281 Pennant Hills Road, Carlingford, listed below:

Speaker	Item number
Wing Yee Ngan	5.1
Matthew Lennartz	5.1
Ashna Aggarwal	5.1
Kishan Nehru	5.1
Matt Mushalik	5.1
Simon Kim	5.1
Ian Lim	5.1



## 5. REPORTS – PLANNING PROPOSALS

5.1 **SUBJECT** Post Exhibition: Planning Proposal, Draft Planning Agreement and Draft Site-Specific Development Control Plan at 263-281 Pennant Hills Road, Carlingford

**APPLICANT/S** Karimbla Properties (No. 61) Pty Ltd

**OWNERS** Karimbla Properties (No. 61) Pty Ltd

**REPORT OF** Error! No document variable supplied.

### PANEL ADVICE

The Local Planning Panel advises as follows:

- (a) That Council note the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) and Draft Planning Agreement as summarised and responded to in **Attachment 3** for 263-281 Pennant Hills Road, Carlingford.
- (b) The panel notes that the architects who prepared the architectural plans which were before the panel are no longer retained by the applicant as their project architects. The panel is concerned to ensure that this significant site exhibits design excellence including but not limited to:
  - i. Variety of building form and articulation
  - ii. Ecologically sustainable design
  - iii. The use of high quality materials and finishes
- (c) The panel is of the view that further consideration should be given to reducing the maximum number of parking spaces associated with the residential units given the proximity of the site to the Carlingford Light Rail Station and the availability of car share spaces within the development. Consideration should be given to a higher number of car share spaces.
- (d) The panel is of the view that the draft Development Control Plan should be amended to incorporate the matters set out in (b) and (c) above.
- (d) **Subject to the above** that Council approve the Planning Proposal (**Attachment 1**) for land at 263-281 Pennant Hills Road, Carlingford which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) in relation to the subject site by:
  - i. Reconfiguring the existing R4 High Density Residential and RE1 Public Recreation zones and retaining the existing SP2 Infrastructure Zone.
  - ii. Amending the Maximum Height of Building control by:
    - Amending the maximum height of buildings on the Pennant

Hills Road frontage from 27 metres (9 storeys) to part 65 metres (18 storeys), part 69 metres (17 storeys), part 110 metres (29 storeys) and part no height as per **Figures 17 & 23 in Attachment 1**;

- Amending the maximum height of buildings on the remainder of the site from part 33 metres (11 storeys) and part no height to part 33 metres (8 storeys), part 46 metres (11 storeys) part 56 metres (14 storeys) and part no height as per **Figures 17 & 23 in Attachment 1**;

iii. Increasing the Maximum Floor Space Ratio control for the R4 High Density Residential zoned land from 2.3:1 to 3.6:1.

iv. Amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site from 2,000 sqm to 2,600 sqm.

v. Amending the Land Reservation Acquisition (LRA) Map to include all RE1 Public Recreation land on the site that will be dedicated to Council.

- (e) That Council enters into the Planning Agreement and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
- (f) That Council approves the DCP controls at **Attachment 2** for insertion into Part 8 of the Parramatta DCP 2023.
- (g) 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 finalisation process relating to the Planning Proposal, DCP and Planning Agreement.

#### **VOTING** **Unanimous**

The meeting terminated at 4.10pm.



Chairperson

Item

## PLANNING PROPOSAL

<b>ITEM NUMBER</b>	5.1
<b>SUBJECT</b>	Post Exhibition: Planning Proposal, Draft Planning Agreement and Draft Site-Specific Development Control Plan at 263-281 Pennant Hills Road, Carlingford
<b>REFERENCE</b>	RZ/5/2023 -
<b>APPLICANT/S</b>	Karimbla Properties (No. 61) Pty Ltd
<b>OWNERS</b>	Karimbla Properties (No. 61) Pty Ltd
<b>REPORT OF</b>	Group Manager, Major Projects and Precincts

## PURPOSE

The purpose of this report is to seek the Parramatta Local Planning Panel's advice to Council on a recommendation to support finalisation of a Planning Proposal, Draft Planning Agreement and Draft Site-Specific Development Control Plan (DCP) for 263-281 Pennant Hills Road, Carlingford (previously known as 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford).

## RECOMMENDATION

The Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

- (a) **That** Council note the submissions received in response to the exhibition of the Planning Proposal, Development Control Plan (DCP) and Draft Planning Agreement as summarised and responded to in **Attachment 3** for 263-281 Pennant Hills Road, Carlingford.
- (b) **That** Council approve the Planning Proposal (**Attachment 1**) for land at 263-281 Pennant Hills Road, Carlingford which seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) in relation to the subject site by:
  - i. Reconfiguring the existing R4 High Density Residential and RE1 Public Recreation zones and retaining the existing SP2 Infrastructure Zone.
  - ii. Amending the Maximum Height of Building control by:
    - Amending the maximum height of buildings on the Pennant Hills Road frontage from 27 metres (9 storeys) to part 65 metres (18 storeys), part 69 metres (17 storeys), part 110 metres (29 storeys) and part no height as per **Figures 17 & 23 in Attachment 1**;
    - Amending the maximum height of buildings on the remainder of the site from part 33 metres (11 storeys) and part no height to part 33 metres (8 storeys), part 46 metres (11 storeys) part 56 metres (14 storeys) and part no height as per **Figures 17 & 23 in Attachment 1**;
  - iii. Increasing the Maximum Floor Space Ratio control for the R4 High Density Residential zoned land from 2.3:1 to 3.6:1.
  - iv. Amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site from 2,000 sqm to 2,600 sqm.
  - v. Amending the Land Reservation Acquisition (LRA) Map to include all RE1 Public Recreation land on the site that will be dedicated to Council.

Item

- (c) **That** Council enters into the Planning Agreement and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
- (d) **That** Council approves the DCP controls at **Attachment 2** for insertion into Part 8 of the Parramatta DCP 2023.
- (e) **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 finalisation process relating to the Planning Proposal, DCP and Planning Agreement.

## PLANNING PROPOSAL TIMELINE



## SUMMARY

1. This report seeks the advice of the Parramatta Local Planning Panel to Council on a recommendation to support finalisation of a Planning Proposal, DCP and Planning Agreement for 263-281 Pennant Hills Road, Carlingford.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (PLEP 2023) to develop the site for high density residential development and community and commercial uses including reconfiguring the existing residential and open space zoning.
3. The Planning Proposal, DCP and draft Planning Agreement were placed on public exhibition from 25 March 2024 to 24 April 2024, with one hundred and thirty-three (133) submissions received comprising of one hundred and twenty-eight (128) from the community, three (3) from organisations, businesses and strata committees and two (2) agency submissions. A summary of the key issues raised in the submissions is provided in this report with a more detailed analysis provided in **Attachment 3**.

## BACKGROUND

4. In September 2023, Karimbla Properties (No.61) Pty Ltd lodged a Planning Proposal with the City of Parramatta Council for land at 263-281 Pennant Hills Road, Carlingford to enable the development of the site for high density residential development and community and commercial uses including reconfiguring the existing residential and open space zoning.
5. On 8 November 2023, the Local Planning Panel (LPP) provided advice to Council recommending it approve the Planning Proposal for the purposes of requesting a Gateway Determination.

Item

6. On 4 December 2023, Council approved the Planning Proposal for the purposes of requesting a Gateway Determination from DPHI.
7. On 19 February 2024, DPHI issued a Gateway Determination (**Attachment 4**) which allowed the Planning Proposal to proceed to public exhibition.
8. The Planning Proposal, draft Planning Agreement and DCP were publicly exhibited from 25 March to 24 April 2024. This report addresses the outcomes of that exhibition and makes recommendations for progressing the matter.
9. The site has a complex planning history detailed at **Attachment 5**.

## SITE DESCRIPTION

10. The subject site (**Figure 1**) is known as 263-281 Pennant Hills Road, Carlingford (previously known as 263-273 Pennant Hills Road and 18 Shirley Street, Carlingford) and comprises of seven lots which are legally described as follows in Table 1:

**Table 1 – Property Address - Lots and DPs**

Property Address	Lot & DP
263-281 Pennant Hills Road, Carlingford	Lot 22, DP 21386
	Lot 2, DP 9614
	Lot 3, DP 9614
	Lot 4, DP 9614
	Lot 62, DP 819136
	Lot 61, DP 819136
	Lot 1, DP 1219291



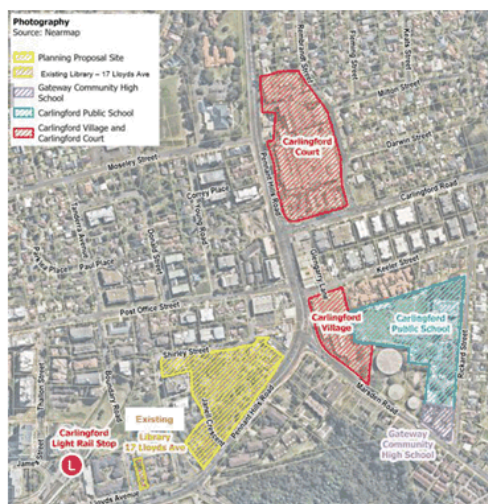
**Figure 1 - Subject Site**

11. The site is irregular in shape and has a total area of approximately 27,987 sqm, made up of 6,050 sqm of RE1 Public Recreation zoned land and 21,880 sqm of R4 High Density Residential zoned land and 57 sqm of SP2 Infrastructure zoned land.



Item

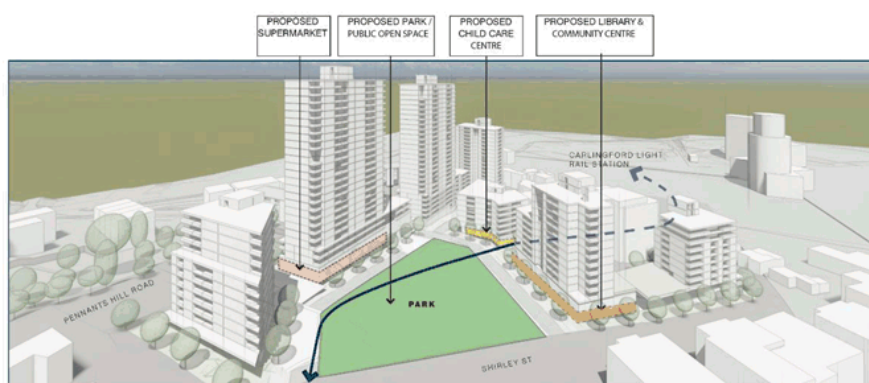
12. The site is located on the western side of Pennant Hills Road (classified road) and the southern and eastern sides of Shirley Street (local road). The site is predominately undeveloped and cleared of vegetation.
13. The site is located approximately 400 metres east from the Carlingford Light Rail stop and 60 metres to the south of the Carlingford Village shopping centre (**Figure 2**).



**Figure 2 – Local Context Map**

## PLANNING PROPOSAL

14. The Planning Proposal seeks to facilitate a higher density mixed use development scheme (**Figure 3**) on the site than is allowed under the current planning controls by increasing the Floor Space Ratio and Height of Building controls and reconfiguring the layout of R4 High Density Residential and RE1 Public Recreation zoned land. The proposal also includes a substantial public benefit offering including a community hub (library and community centre) and reconfigured open space. Further details are outlined in the Planning Proposal at **Attachment 1**.



**Figure 3 – Reference Scheme**



Item

15. **Table 2** describes the instrument changes being sought under the Planning Proposal compared with the current controls under PLEP 2023. Refer to the Planning Proposal (**Attachment 1**) for mapping changes.

**Table 2 – Proposed PLEP 2023 Amendments**

	Existing as per PLEP 2023	Dyldam DA – existing consent (Excludes the 6 small lots facing Pennant Hills Road)	Proposed changes to PLEP 2023 – As exhibited	Proposed changes to PLEP 2023 – Proposed Post Exhibition Amendments
<b>Zoning</b>	Part R4 High Density Residential, Part RE1 Public Recreation and Part SP2 Infrastructure	Part R4 High Density Residential, Part RE1 Public Recreation, Part SP2 Infrastructure	Reconfigured part R4 High Density Residential and RE1 Public Recreation.  Existing SP2 Infrastructure to remain as is.	<u>No change proposed</u> Reconfigured part R4 High Density Residential and RE1 Public Recreation.  Existing SP2 Infrastructure to remain as is.
<b>Site Area</b>	27,987 sqm	23,482 sqm	27,987 sqm	<u>No change proposed</u> 27,987 sqm
<b>Dwelling Yield</b>	526	450 on Dyldam site	723	<u>No change proposed post exhibition</u> 723
<b>GFA</b>	50,454 sqm residential	Total GFA 53,069 sqm residential	Total GFA 80,510 sqm - 74,655 sqm residential - 2,500 sqm Community Hub - 550 sqm childcare centre - 2,600 sqm non-residential - 5,585 sqm of RE1 Public Open Space	<u>No change proposed</u> Total GFA 80,510 sqm - 74,655 sqm residential - 2,500 sqm Community Hub - 550 sqm childcare centre - 2,600 sqm retail/commercial - 5,585 sqm of RE1 Public Open Space
<b>HoB</b>	Part 33m (11 storeys) and part 27m (9 storeys)	Part 27m (9 storeys) on Pennant Hills Road and Part 33m (11 storeys) on the remainder of the site.	Part 110m (29 storeys) on Pennant Hills Road frontage Part 56m (18 storeys) on the remainder of the R4 part of the site.	<u>Change to proposed heights</u> Part 65m (17 storeys), Part 69m (18 storeys), Part 110m (29 storeys) and Part no height limit on the Pennant Hills Road frontage. Part 33m (8 storeys), Part 46m (11 storeys). Part 56m (14 storeys) and part no height limit on the remainder of the site.
<b>FSR</b>	2.3:1	3:1 (excluding open space)	3.6:1	<u>No change proposed</u> 3.6:1

Item

<b>Additional Permitted Uses</b>	As per Schedule 1 of PLEP 2023 shops, food and drink premises and business premises and recreation facilities (indoor) on the R4 High Density Residential zoned part of the site - maximum GFA of 2,000 sqm on the R4 High Density Residential zoned part of the site.	NA	Schedule 1 of PLEP 2023 to shops, food and drink premises, business premises and recreation facilities (indoor) on the R4 High Density Residential zoned part of the site - maximum GFA of 2,600 sqm on the R4 High Density Residential zoned part of the site.	<u>No change proposed</u> Schedule 1 of PLEP 2023 to shops, food and drink premises, business premises and recreation facilities (indoor) on the R4 High Density Residential zoned part of the site - maximum GFA of 2,600 sqm on the R4 High Density Residential zoned part of the site.
<b>Land Reservation Acquisition (LRA)</b>	A small sliver of SP2 Classified Road land on the southern part of the site along Pennant Hills Road is already marked on the Land Reservation Acquisition Map.	N/A	A portion of RE1 Public Open space (4,760 sqm) land known as the Central Park was added to the proposed Land Reservation Acquisition Map as it is to be dedicated to Council as part of the Planning Agreement.	<u>Change to amount of land to be added to the LRA Map</u> RE1 Public Open space (5,585 sqm) land on the site has been added to the proposed Land Reservation Acquisition Map as it will be dedicated to Council, as part of the Planning Agreement, changed to include the Community Link.

16. The existing development consent that only applies to the larger lot on Shirley Street allows a 30% increase in the floorspace currently permitted on that site (as the RE1 Public Open Space land was included in the calculations of floor space ratio) to 53,069 sqm which equates to an FSR of 3:1 for that site. The subject Planning Proposal seeks a total floorspace of 80,510 sqm which equates to an FSR of 3.6:1 when the six lots fronting Pennant Hills Road are added to the site and public open space is excluded from the calculation of FSR.
17. It is also noted there was a development application refused by the Sydney Central City Planning Panel on 7 December 2022 for 263-281 Pennant Hills Road, Carlingford. The DA is currently the subject of a current appeal to the Land and Environment Court.
18. On 19 February 2024, DPHI issued a Gateway Determination for the Planning Proposal which authorised Council to be the local plan-making authority and allowed the public exhibition of the Planning Proposal to proceed.
19. The Gateway Determination required that prior to public exhibition the Planning Proposal be updated to:
  - Identify the proposed changes to the Land Reservation Acquisition (LRA) map;
  - Update the site address of the proposal;

Item

- Include further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved; and
- Include discussion on the public amenity and proposed overshadowing of heritage item I032 – Carlingford.

All of these conditions were met prior to public exhibition of the Planning Proposal. Refer to the Planning Proposal at **Attachment 1** for details.

20. Council staff requested the Applicant provide additional information regarding compliance with the Apartment Design Guide (ADG) regarding overshadowing impacts on 346-362 Pennant Hills Road and 2-6, 8 and 12 Shirley Street, Carlingford. As detailed in the Planning Proposal (**Attachment 1**) the additional analysis provided by the applicant indicates that the subject proposal is able to satisfy the ADG requirements in this regard. In relation to 2-6 Shirley Street, the Applicant has demonstrated that this property would already be overshadowed by the previously approved development for the subject site and the proposed scheme would primarily be impacted by a building within the currently applicable maximum height of building control.
21. In order to respond to issues raised in public submissions regarding height, overshadowing impacts and visual impact, it is proposed that the maximum exhibited heights of part no height limit, part 110 metres on Pennant Hills Road and part 56 metres on the remainder of the site have been amended to:
  - Part 65 metres, part 69 metres, part 110 metres and part no height limit on the Pennant Hills Road frontage; and
  - Part 33 metres, part 46 metres, part 56 metres and part no height limit on the remainder of the site.

It is noted that no height limit does not mean unlimited height, rather it is where there is intended to be no development on public open space or the community link on Pennant Hills Road. This is considered in detail later in the Key Issues section of this report and in the Community Engagement Report at **Attachment 3** to this report.
22. As noted in Table 2 the exhibited LRA Map is proposed to be amended post exhibition to include all RE1 Public Open Space rather than only the Central Park. This is a result of further negotiations between Council staff and the applicant in relation to the Planning Agreement. This is discussed in more detail in the Planning Agreement section of this report.

## PLANNING AGREEMENT

23. There is a draft Planning Agreement linked to the Planning Proposal which proposes to deliver the following public benefits at a value estimated by the applicant to be \$27.5 million. Items included in the draft Planning Agreement are listed below (also refer to **Figure 4**):
  - Construction and dedication of a library (1,800 sqm net leasable area) and community facility (700 sqm net leasable area) known as the community hub.
  - Construction, embellishment and dedication of all proposed RE1 Public Open Space land (5,585 sqm) on the site in the form of a Central Park and a Community Link.
  - Embellishment of pedestrian easement and provision of 24-hour access. The area of the easement is 595 sqm.

Item

- An additional monetary contribution equivalent to Section 7.11 Contributions for allocation to the fit-out of the community hub and embellishment of open space within the vicinity of the site.



Figure 4 – Proposed VPA Items

24. As a result of negotiations between Council staff and the applicant there have been some minor amendments to the draft Planning Agreement since the Letter of Offer was reported to the Local Planning Panel and Council pre-exhibition. Council officers initially declined the offer of dedication of the Community Link to Shirley Street due to its limited recreational capacity as previously reported to the LPP and Council. Since then, the design of the Community Hub has been refined so it is now considered appropriate for the link to be dedicated to Council to facilitate access to the Hub.

#### SITE-SPECIFIC DEVELOPMENT CONTROL PLAN

25. A draft DCP (**Attachment 2**) was prepared by Council officers and the applicant to accompany the Planning Proposal. The draft SSDCP provides details on site arrangement, road layout, envelope controls and open space for the site. The SSDCP seeks to guide future development for the site. The draft DCP includes objectives and controls concerning requirements for:
- Site-specific built form and public domain.
  - Community hub and library design.
  - Sustainability and water management.
  - Open space and pedestrian connections.
  - Vehicle access and parking.
26. Several changes have been made to the draft DCP as a result of the public exhibition and further review to ensure it can be applied in a manner that achieves the intended outcomes. The changes range from rewording of some controls to reflect their initial intent to provide clarification, typographical correction, consolidation of sections and removal of text to prevent duplication with the existing controls of Parramatta DCP 2023. These changes are detailed later in this report.

#### PUBLIC EXHIBITION AND CONSULTATION

27. The Planning Proposal, DCP and draft Planning Agreement were publicly exhibited from 25 March to 24 April 2024. The exhibition consisted of:

Item

- Notification Letters to neighbouring landowners and occupiers within a radius of approximately 250m.
  - Notices in Parra News published on 26 March and 9 April 2024.
  - Relevant material shared on City of Parramatta Council's corporate website and community engagement platform.
  - Information shared on Participate Parramatta.
  - Material shared on the NSW Planning Portal.
  - A Media Release on the City of Parramatta website.
  - Phone-a-planner sessions.
  - In person sessions.
  - Social media (Facebook and Instagram).
  - Hard copy materials distributed at PHIVE Customer Service Centre; Carlingford Library; and Council Reception at 126 Church Street, Parramatta.
28. Public agencies were also notified via email and the NSW Planning Portal of the public exhibition, with the following agencies consulted:
- Transport for NSW (TfNSW).
  - School Infrastructure NSW (SINSW).
  - Department of Planning, Housing and Infrastructure - Crown Lands.
29. Two organisations were also notified via email of the public exhibition as follows:
- The Epping Chamber of Commerce.
  - The Epping Civic Trust.
30. A total of one hundred and thirty-three (132) submissions were received comprising one hundred and twenty-eight (128) from the community, with the remaining five (4) from public agencies and other organisations (breakdown provided in Table 4). This total does not include where multiple submissions are made by the same person which are then counted as one submission.

**Table 4 – Breakdown of submissions received.**

	Number	Breakdown	Support	Not Support	Neither Support nor Not Support
<b>Individuals, residents, and landowners</b>	127	Various individuals, residents, and landowners	11 (9%)	104 (82%)	12 (9%)
<b>Public Agencies</b>	1	<ul style="list-style-type: none"> <li>• Transport for NSW (received)</li> <li>• SI NSW (awaited)</li> <li>• DPHI - Crown Lands (awaited)</li> </ul>	0 (0%)	0 (0%)	1 (100%) Advisory Comments
<b>Other Organisations Businesses and Strata Committees</b>	3	<ul style="list-style-type: none"> <li>• Vicinity Centres</li> <li>• Epping Civic Trust</li> <li>• Strata Management Committee for 2-6 Shirley Street, Carlingford</li> </ul>	0 (0%)	2 (67%)	1 (33%)
<b>Total</b>	<b>131</b>		<b>11 (8%)</b>	<b>106 (81%)</b>	<b>14 (11%)</b>

Calculations rounded to nearest whole number

Item

31. Additional information and data related to the public exhibition and submissions can be found in the Community Engagement Report at **Attachment 3** of this report. Key issues raised by submitters and Council officer responses to the matters raised are set out in the following section. More details on matters raised and Council officer responses are in the Community Engagement Report at **Attachment 3**.

### **COUNCIL OFFICER RESPONSES TO KEY ISSUES RAISED IN SUBMISSIONS**

32. Key issues raised in the submissions are reviewed in the following sections with Council Officer responses to the matters raised. More details are provided in the Community Engagement Report at **Attachment 3**.

#### **(a) Impact of Increased Density**

33. Several submissions raised concerns regarding the density of development proposed by the Planning Proposal, the growing density of Carlingford and impacts on infrastructure provision, in particular the ability of local facilities, shopping facilities and health services and schools.

#### Council Officer Response

34. The City of Parramatta Local Strategic Planning Statement (LSPS) identifies Carlingford as a 'growth centre' that is expected to continue to develop with the introduction of improved local public transport services through connection to the Parramatta Light Rail system. It is considered appropriate to examine the potential of development sites in the locality to provide further housing to help contribute towards meeting housing need in the context of the current housing crisis identified by the State Government. In that respect the Minister for Planning wrote to all councils and planning panels in August 2023 asking them to 'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'. The Minister further asks that '...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated' (see **Attachment 6**).
35. As Carlingford has been specifically identified as a suitable location to accommodate more growth and will soon benefit from enhanced public transport services located close to the subject site via the Parramatta Light Rail the site is well placed to help meet current housing supply demand. This is consistent with the Council's resolution when approving the submission of the Planning Proposal for a Gateway determination on 4 December 2023 that it also:
- i. Notes that the planning controls for this part of Carlingford were prepared by The Hills Shire Council 11 years ago.*
  - ii. Notes that this part of Carlingford is located in an already identified Growth Precinct in accordance with Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) presenting an opportunity to optimise the potential for this Growth Precinct to accommodate housing growth; and*
  - iii. Request the CEO to investigate the work required to review the planning controls for this Growth Precinct and for this to inform the 2024/25 budget.*



Item

36. In relation to demand on local infrastructure, the Planning Proposal is accompanied by an associated draft Planning Agreement that provides for the dedication of 4,760 sqm of centralised open space, a community link of 863 sqm that will be dedicated to Council and will be publicly accessible. The Planning Agreement also provides for the delivery of a warm shell Community Hub (including Library and Community Space) that will remain in Council's ownership and be publicly accessible. The Community Hub is identified in Council's Outside of CBD Development Contributions Plan and Community Infrastructure Strategy as essential infrastructure needed to service the growing Carlingford community. This proposal provides the opportunity for the early delivery of the Community Hub.
37. Whilst SINSW had not provided a submission in response to consultation on the Planning Proposal at the time of finalising this report, previous advice received from SINSW prior to the Council Meeting of 4 December 2023 indicated that there was sufficient capacity in the existing and planned schools upgrades to accommodate the potential student increase associated with the proposal. An update will be provided on the SINSW response at the LPP meeting.
38. Public medical facilities are the responsibility of the State Government and the State government is aware of the areas that will receive the most growth and will need to ensure an appropriate level of service is provided in these areas.
39. In relation to the demand for retail services and private health facilities, the proposal includes incorporation of new retail land uses, including a supermarket, to serve the local resident population.
40. The Planning Proposal presents the opportunity to accommodate more housing growth in an already identified Growth Precinct in accordance with Council's LSPS and LHS. It has been acknowledged as having strategic merit by DPHI when issuing the Gateway determination. The outcome of the Planning Proposal will generate greater public benefits than the existing development controls and consent for the site, provide a much better distribution of open space and building layout, and deliver much greater community infrastructure benefit. It is therefore considered appropriate that the Planning Proposal proceeds to finalisation to enable the density of development proposed to be delivered at the site in the manner facilitated by the Planning Proposal and SSDCP.

#### Council Officer Recommendation

41. Retain provisions as exhibited.

#### **(b) Traffic**

42. One of the most common themes was related to potential traffic impacts of the proposal and existing traffic congestion on the local road network and pedestrian safety.

#### Council Officer Response

43. Whilst it is acknowledged that the proposal will generate additional traffic, the Applicant's Traffic Impact Assessment (TIA) indicates that the estimated traffic generated by the proposal is relatively small compared to the projected growth

Item

in local traffic arising from the existing planning controls. The Applicant's cumulative impact assessment indicates that the deterioration of conditions at key intersections on Pennant Hills Road will take place regardless of the proposal, whereas the proposal will facilitate improvements to the Evans Road/Lloyds Avenue/Pennant Hills Road intersection as noted below. The need for improvements to this intersection has been raised in many submissions.

44. Transport for NSW (TfNSW) has advised that the proposal necessitates the signalisation of the Evans Road/Lloyds Avenue/Pennant Hills Road intersection in order to facilitate a safe pedestrian crossing to the southern side of Pennant Hills Road. TfNSW also advises that it has been liaising with the Department of Planning, Housing, and Infrastructure (DPHI) on the potential to deliver the signalisation as 'works in kind' and for these works to be credited against the Housing and Productivity Contributions applicable to the proposed development.
45. The TIA also identifies the Pennant Hills Road/Moseley Street intersection as a further opportunity to improve the road network but notes that the cost of these works would be disproportionate to the amount of traffic generated by the proposal. This analysis is supported by Council's Traffic Engineer however Council staff are currently preparing a project brief to engage a traffic consultant to undertake the strategic design for this traffic signalisation to be implemented.
46. Whilst several submissions also raised the capacity of the intersection of Carlingford Road/Pennant Hills Road, TfNSW is already proposing to upgrade this intersection. That project is currently in concept design stage by TfNSW.
47. In relation to the broader local traffic network, Council has already identified a range of intersection upgrades to be carried out on Post Office Street and Moseley Street in its Outside CBD Development Contributions Plan.
48. The draft DCP also includes a requirement that the Shirley Street carriageway is widened to improve two-way traffic flow and on-street parking.
49. It is considered that the various works proposed are sufficient to mitigate the traffic impacts associated with the proposal, and it is noted that TfNSW raises no objection to the Planning Proposal proceeding.

#### Council Officer Recommendation

50. No change to Planning Proposal. A control was included in the exhibited SSDCP to facilitate widening of Shirley Street to improve two-way traffic flow and on-street parking.

#### **(c) Car Parking**

51. Many of the traffic related submissions also raised concerns regarding the suitability of the proposed carparking controls.

#### Council Officer Response

52. Whilst the application of minimum carparking rates from the Guide to Traffic Generating Development was originally proposed, it is considered important to apply maximum carparking rates in this instance to help manage local traffic movements whilst applying suitable standards to meet the needs of users and

Item

occupiers of the development. As such, Council staff suggested lower maximum residential parking rates in the exhibited draft DCP than had been requested by the Applicant (see **Table 5**).

53. Following correspondence with the applicant and TfNSW, the final proposed maximum parking rates, which, apart from the proposed lower residential visitor parking rates and lower 'other retail premises' rates, are largely consistent with those requested by the Applicant, are considered sufficient to minimise on-street parking and have been endorsed by TfNSW.
54. Whilst the proposed rates are higher than the currently applicable DCP rates, TfNSW has advised that the proposed residential parking rates will result in an additional 18 vehicle trips per hour in the AM peak and 14 vehicle trips per hour in the PM Peak and that given the multiple route choices available, the additional traffic is unlikely to have a significant impact on the regional road network.
55. The proposed 20 spaces for the Community Hub are considered sufficient and is consistent with the parking provided at other similar facilities.

**Table 5 - Maximum Parking Rate Comparison**

Dwelling Type/Land Use	Maximum Parking Rate in Applicant's DCP	Maximum Parking Rate in exhibited draft DCP	Final Proposed Parking Rate
1 Bedroom	1	0.8	1
2 Bedroom	1	1	1
3 Bedroom	2	1.3	2
4 Bedroom	2	2	2
Visitor	0.4	0.2	0.1
Supermarket	NA	NA	1 space per 25 sqm
Other Retail Premises	1 space per 18.5 sqm	1 space per 40 sqm	1 space per 40 sqm
Centre-based Childcare	1 space per 6 children 1 space per 1 employee	1 space per 6 children 1 space per 1 employee  A reduction in the parking rate may be considered if sufficiently justified through a Traffic and Transport assessment and there being spare capacity at relevant times within the car park.	1 space per 6 children 1 space per 1 employee  A reduction in the parking rate may be considered if sufficiently justified through a Traffic and Transport assessment and there being spare capacity at relevant times within the car park.
Community Facility	20 spaces	20 spaces	20 spaces

56. In relation to the proposed supermarket parking rates, TfNSW has advised that provision of a supermarket will assist with internal trip containment. The proposed supermarket will reduce overall Vehicle Kilometre Travel (VKT) on the

Item

road network as residents in this precinct will not necessarily be required to travel further to undertake grocery shopping.

57. Therefore the proposed seven floors of basement parking are required as, despite being close to public transport, the development still needs to provide a sufficient level of parking to serve building occupiers and users as well as including measures to reduce potential on-street parking.
58. In summary, the proposed parking rates to be contained in the DCP are considered by Council's Traffic Engineer to be sufficient to reduce on-street parking and to maximise trip containment within the site. TfNSW has raised no objection to the application of these standards.

#### Council Officer Recommendation

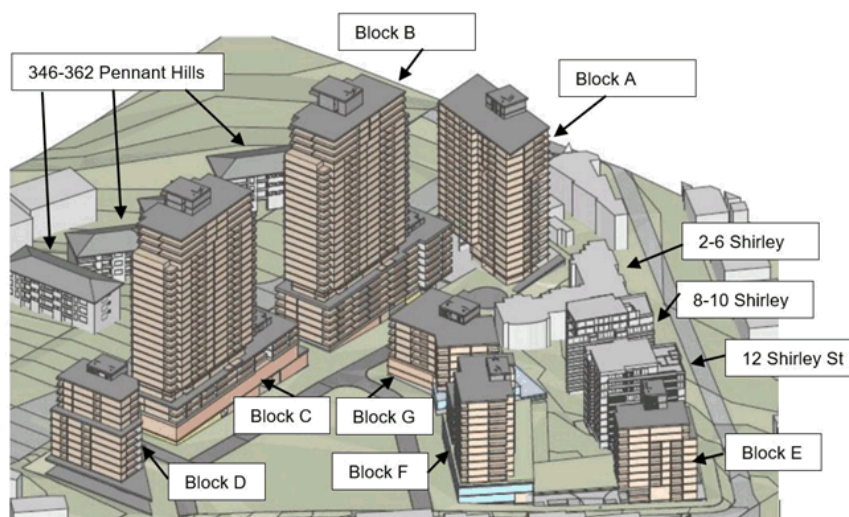
59. Amend DCP maximum marking rates as per **Table 5**.

#### **(d) Building Height**

60. Multiple submissions raised concern regarding the proposed building heights, stating that they are excessive and out of context given the existing character of the area. Several submissions also raised concerns regarding the potential overshadowing/privacy impacts on neighbouring properties, in particular 2-6, 8-10 and 12 Shirley Street and 346-362 Pennant Hills Road (See **Figure 5**).

#### Council Officer Response

61. An 11 storey residential apartment building is currently under construction at 12 Shirley Street which has northern and eastern boundaries with the subject site (see **Figure 5**). The subject Proposal will result in land immediately to the north of this property being rezoned from RE1 Public Recreation to R4 High Density Residential and will accommodate the proposed Block E, an up to 10 storey high residential flat building (See Figures 5, 6 & 7).



**Figure 5 - Location of Adjoining Properties and Proposed Scheme**

Item

62. The owner of a unit that will be built at 12 Shirley Street (See **Figure 5**) has raised concerns regarding overshadowing and reduced privacy as a result of the proposed location of Block E to the north of that property.



**Figure 6 – Current zoning configuration**



**Figure 7 – Proposed zoning configuration**

63. The Applicant's overshadowing analysis indicates that when factoring in the previously approved Development Application, 93% of the apartments to be built on 12 Shirley Street meet ADG solar access design guidelines which require that *developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June and also living rooms and private open spaces of at least 70% of apartments in a building receive 2 hours direct sunlight between 9 am and 3 pm on 21 June*. The Applicant's overshadowing modelling indicates that following development of the Planning Proposal scheme, this figure would fall by 7% to 86% and as such, is consistent with the ADG requirements.
64. A submission made has also raised the potential impact of the new development on solar collectors that are provided as part of the 12 Shirley Street development. Verification submitted by the Applicant has established that the development facilitated by the Planning Proposal would meet the relevant ADG design guidance of a minimum of four hours solar access to solar collectors.
65. No. 8-10 Shirley Street, to the west of the subject site (see **Figure 5**) accommodates a 10 storey residential flat building that is currently under construction. The Applicant's solar analysis establishes that 98% of apartments within this building will receive two hours of direct solar access during mid-winter when factoring in the previously approved Development Application which exceeds the minimum 70% requirement of the ADG.
66. The Applicant's overshadowing information indicates that the development facilitated by the Planning Proposal will have the effect of reducing ADG compliance for 8-10 Shirley Street to 79% which still exceeds the 70% ADG requirement.
67. It should be noted that this property is impacted by proposed Block G which is within the existing 33m maximum Height of Building Control in Parramatta LEP 2023. The proposed Maximum Height of Building control for Block G will be reduced from 56m to 33m.



Item

68. The Applicant's solar analysis verification for 8-10 Shirley Street also indicates that the proposal satisfies the ADG requirement of a minimum of four hours solar access to solar collectors in mid-winter.
69. No. 2-6 Shirley Street, located to the west of the subject site (See **Figure 5**), contains a four storey residential flat building. The Applicant's analysis shows that the development to be facilitated by the Planning Proposal will overshadow this property. This property would already be overshadowed by the previously approved development for the subject site. It should also be noted that under the proposed scheme this property would be impacted by proposed Block G which will remain within the existing 33m maximum height of building control under Parramatta LEP 2023. Analysis of overshadowing impacts including on solar collectors will be further addressed at the Development Application stage.
70. The Applicant's overshadowing analysis for 346-362 Pennant Hills Road, opposite the subject site, indicates that whilst the development facilitated by the Planning Proposal would increase overshadowing by 17% in midwinter, this is below the 20% maximum additional overshadowing prescribed by the ADG.
71. In relation to potential privacy impacts on surrounding properties, the building envelopes have been designed to minimise adverse privacy impacts on neighbouring properties and to allow for appropriate building orientation and separation. The future Development Application for the site and must comply with the mandatory separation distances prescribed in the ADG. Further, the Applicant has demonstrated that the proposal can satisfy the visual privacy objectives of the ADG, although these will be assessed at the Development Application stage of the proposal.
72. The proposal focuses the greatest building height on Pennant Hills Road. The concentration of the height on Pennant Hills Road is consistent with existing DCP controls that require more substantial buildings on this frontage.
73. In order to reduce visual impact, the SSDCP for the site includes a range of objectives and controls to encourage buildings to respond to the local context including envelope controls and building form controls with:
  - a. Objectives that encourage buildings to respond to the local context including adjoining properties.
  - b. Minimum podium and tower setbacks.
  - c. Controls to guide building form.
  - d. Controls to guide building materials.
74. In order to provide further control and certainty on the impacts of the new apartment buildings, and noting that the Applicant has demonstrated that the proposed scheme complies with overshadowing requirements of the ADG, it is recommended that the exhibited maximum Height of Building controls (**Figure 8**) be reduced to align more closely with the proposed reference scheme for Buildings A, D, E, F and G (See **Figures 5 & 9**).



Item

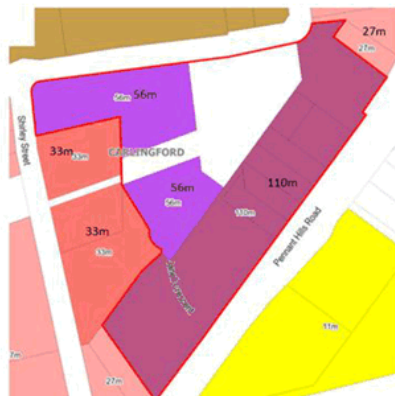


Figure 8 – Exhibited HoB Map



Figure 9 – Proposed HoB Map

75. Whilst it is considered that the proposed revised and reduced Height of Building controls will ensure a suitable form of development in this location, it should also be noted that the Minister's letter to Council concerning the housing crisis (see **Attachment 6**) asks Councils to prioritise *the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated.*

#### Council Officer Recommendation

76. Amend the proposed maximum Height of Building Map in accordance with **Figure 9**.

#### **(e) Proposed Provision of Local Infrastructure**

77. Several submissions suggested that the associated proposed local infrastructure, in particular the proposed community hub-is not needed.

#### Council Officer Response

78. The provision of community facilities is an important consideration in the strategic planning for a growing community. The Parramatta Community Infrastructure Strategy 2020 (CIS) identifies that the Carlingford community is set to experience significant growth in population as a result of increasing high density development, and that this growth will impact the immediate area surrounding Carlingford Library and will place an even greater demand on that library service, which is already operating above capacity.
79. The CIS and the Parramatta Outside of CBD Development Contributions Plan recommend that Carlingford Library is redeveloped into a larger facility of 1,800m<sup>2</sup>, located within a new community hub in Carlingford close by to public transport, ideally the future light rail stop as well as an additional 800sq.m community space.
80. Staff research into alternative sites for a Community Hub indicated that the subject site is the most appropriate and available site for this community infrastructure, with no alternative sites available.

Item

Council Officer Recommendation

81. No change to proposed infrastructure provision.

**Overall Council Officer Recommendation**

82. Council officers acknowledge the large response to the subject Planning Proposal and the variety of views expressed by the stakeholders engaged.
83. Whilst acknowledging the objections and concerns raised, Council officers consider that the issues raised in the exhibition responses have, where appropriate, been addressed by the Planning Proposal and supporting documentation and, with the minor amendments recommended, that the Planning Proposal, DCP and Planning Agreement should proceed to finalisation.

**AGENCY SUBMISSIONS**

84. A total of three agencies were notified of the public exhibition of the proposal, with one submission received from TfNSW at the time of writing this report. A summary of the issues raised in this submission, which does not raise any objection to the proposal, is provided below, with further detail provided in **Attachment 3**. Responses are awaited from SINSW and DPHI – Crown Lands and details of submissions received prior to the LPP meeting will be advised at the meeting.

**Transport for NSW**

85. The submission from TfNSW advises that the proposed uplift necessitates the signalisation of the Evans Road/Lloyds Avenue/Pennant Hills Road intersection in order to provide safe pedestrian access to the southern side of Pennant Hills Road.
86. TfNSW also advises Council that the agency has been liaising with the DPHI on the potential to deliver this signalisation as 'works in kind' and for these works to be credited against the Housing and Productivity Contribution levies applicable to the proposed development. DPHI have put forward suggested potential pathways to TfNSW on how this funding mechanism can be secured, which the agency is actively pursuing.
87. TfNSW will continue working with the Applicant, DPHI and Council to ensure the delivery of this intersection upgrade is undertaken to ensure the success of the travel demand management associated with the proposed development, pedestrian safety, and improved road safety outcomes for the wider community.
88. TfNSW also recommends that as part of any future Development Application (DA) for the site, the Applicant engages with TfNSW regarding the status of the proposed works as some interim measures may need to be implemented by the development to ensure pedestrian safety of future users of the development.
89. TfNSW has no objection to the proposed amended carparking rates referred to earlier in this report.

Item

**PROPOSED CHANGES TO THE DRAFT DCP**

90. In response to issues raised during the exhibition process and further review of the draft DCP, several changes post-exhibition are proposed to be made to ensure the intended development outcomes can be achieved on the site.
91. The changes range from rewording of some controls to reflect their initial intent to provide clarification, typographical correction, consolidation of section, and removal of text to prevent duplication with the existing controls of Parramatta DCP 2023. Refer to **Table 6** for a list of key changes. These changes are not considered to be of a nature that require the draft DCP to be re-exhibited.

**Table 6 – Key Changes to the draft DCP**

Section	Changes between the version reported pre-Gateway and exhibition	Proposed Changes post-exhibition
Introduction	<ul style="list-style-type: none"> <li>Insertion of text clarifying the application of the controls and the controls in Parramatta DCP 2023.</li> <li>Rewording of and deleting/adding various objectives and controls.</li> <li>Additional wording to describe and add objectives regarding the desired future character and design quality.</li> <li>Removal of wording in relation to application of DCP and consistency with objectives and controls.</li> <li>Consolidating the general objectives into the introduction.</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>
Built form	<ul style="list-style-type: none"> <li>Rewording of and deleting/adding various objectives and controls including.</li> <li>Podium setback controls:               <ul style="list-style-type: none"> <li>Front boundary setback to Pennant Hills Road: 10m</li> <li>Shirley Street northern frontage setback: 6m</li> <li>Internal roadways setback 4m</li> <li>Through site links 0m setback</li> </ul> </li> <li>Upper Level Setbacks:               <ul style="list-style-type: none"> <li>Buildings fronting Pennant Hills Road, internal streets and the Central Park (buildings A-F): 2m</li> <li>North Eastern edge of buildings B and C: 4m</li> <li>Community Link between buildings E and F: 3m</li> <li>Southern edge of building D: 2m</li> <li>Buildings fronting Shirley Street (E-F): 3m</li> </ul> </li> <li>Addition of controls to prevent undercrofts.</li> <li>Consolidating/refining objectives and controls related to site structure, setbacks, building height, building separation, building location, non-residential uses, community facility and library, building material and design into the built form section.</li> <li>Addition of new sub-sections with objectives and controls related to retail</li> </ul>	<p>Amending setbacks including:</p> <ul style="list-style-type: none"> <li>Podium setback:               <ul style="list-style-type: none"> <li>Shirley Street northern frontage setback reduced to 4m with an additional 3m required between podiums.</li> </ul> </li> <li>Upper level setbacks:               <ul style="list-style-type: none"> <li>Buildings fronting Shirley Street (E-F): reduced from 3m to 2m.</li> </ul> </li> <li>Insertion of new control to require a consistent podium datum zone.</li> <li>Amending control regarding building steps to be permitted where ADG satisfaction required.</li> <li>Remove controls preventing undercrofts.</li> <li>Amendment of building design control regarding stepping in the built form to allow for more than one step if required to satisfy ADG and ensure solar access to adjoining properties.</li> </ul>

Item

	ground floor frontage, residential ground floor frontage, residential design apartment quality, winter gardens and retaining walls.	
Floor to Floor Heights	<ul style="list-style-type: none"> <li>Insert minimum community facility floor to floor heights of 4.5m for ground floor and 4m above.</li> </ul>	<ul style="list-style-type: none"> <li>Amend minimum community facility floor to heights from 4.5m on ground and 4m above to 4.5m on ground and 3.8m above and below.</li> </ul>
Water Management	<ul style="list-style-type: none"> <li>NA - existing Parramatta DCP 2023 controls.</li> </ul>	<ul style="list-style-type: none"> <li>Introduction of a new Water Management section with objectives and controls to address overland flow.</li> </ul>
Public Domain	<ul style="list-style-type: none"> <li>Rewording of and deleting/adding various objectives and controls.</li> <li>Addition of new subsection related to active transport to facilitate a cycleway through the site and along Pennant Hills Road.</li> <li>Addition of new subsection related to street network and footpaths.</li> <li>Addition of new subsection related to Communal Open Space.</li> <li>Addition of new subsection related to overhead powerlines.</li> <li>Addition of new subsection related to awnings and awning design.</li> <li>Consolidation of landscaping objectives controls into public domain section.</li> </ul>	<ul style="list-style-type: none"> <li>Renumbering and rewording of controls and objectives for clarity.</li> <li>Amendment of control relating to Road widening to of Shirley Street only relates to the south site.</li> <li>Amendment of indicative road network image to show pedestrian connections.</li> <li>Amendment to the Public Open Space Plan to identify that the Public Open Space east-west link to Shirley Street will be dedicated to Council.</li> <li>Removal of the control that refers to an easement being provided for the east-west link.</li> </ul>
Vehicle Access and Parking	<ul style="list-style-type: none"> <li>Rewording and addition/deletion of various objectives and controls.</li> <li>Reduced residential parking rate to align with existing DCP.</li> <li>Reduced retail parking rate to align with existing DCP.</li> <li>Addition of parking rate for 4-bedroom units.</li> <li>Addition of bicycle parking subsection.</li> <li>Addition of control requiring widening of Shirley Street.</li> </ul>	<ul style="list-style-type: none"> <li>Updating of residential parking rates as discussed earlier in this report.</li> <li>Addition of a parking rate for the supermarket.</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>Addition of one objective in relation to electric vehicle car charging.</li> <li>Deletion of control related to an ESD report guiding development on the site.</li> <li>Extension of one control in relation to water re-use system for irrigation systems.</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>
Urban Heat Island	<ul style="list-style-type: none"> <li>New section with objectives and controls relating to vertical facades and awnings.</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>
Public Art	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>

92. Proposed changes were undertaken in consultation with the Applicant and involved detailed input from Council technical officers. Some further refinements to the DCP provisions are still being considered and these will be addressed in

Item

detail in the report to Council seeking to progress this matter to finalisation. These further refinements if required will not have a material impact on the content of the Planning Proposal and recommendation of this report.

### FINANCIAL IMPLICATIONS FOR COUNCIL

93. Any work to progress the finalisation of the Planning Proposal would be prepared by Council officers and therefore within the existing City Planning and Design budget. Should this matter progress, a Planning Agreement delivering the public benefits outlined in this report will be entered into between Council and the applicant.

### CONCLUSION AND NEXT STEPS

94. It is recommended that the Local Planning Panel support the Council Officer recommendation for Council to approve the finalisation of the Planning Proposal provided at **Attachment 1**.
95. Following Local Planning Panel consideration of the recommendations of this report, the outcomes of the public exhibition of the Planning Proposal, DCP and Draft Planning Agreement will be reported to an upcoming Council meeting for endorsement.

David Birds  
**Group Manager, Major Projects and Precincts**

Jennifer Concato  
**Executive Director City Planning and Design**

### ATTACHMENTS:

1	Planning Proposal and Appendices (separately enclosed)	914 Pages
2	Draft Site-Specific Development Control Plan	34 Pages
3	Community Engagement Report	86 Pages
4	Gateway Determination	2 Pages
5	Site History	4 Pages
6	Letter from the Minister of Planning & Public Spaces about the Housing Crisis	2 Pages

### REFERENCE MATERIAL

Follow the link below to view the 23 May 2024 Local Planning Panel Report with Attachments. See item 5.1 of the Business Paper.

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_23052024\\_AGN\\_990\\_WEB.htm](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_23052024_AGN_990_WEB.htm)



Department of Planning, Housing and Infrastructure

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1921):** reconfigure the existing R4 High Density Residential and RE1 Public Open Space zones, amend development provisions to permit high density mixed use development, and increase the maximum gross floor area from 2,000m<sup>2</sup> to 2,600m<sup>2</sup> for the existing Additional Permitted Uses at 263-281 Pennant Hills Road, Carlingford.

I, the Director at the Department of Planning, Housing and Infrastructure, 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 2023 to reconfigure the existing R4 High Density Residential and RE1 Public Open Space zones, amend development provisions to permit high density mixed use development, increase the maximum gross floor area from 2,000m<sup>2</sup> to 2,600m<sup>2</sup> for the existing Additional Permitted Uses at 263-281 Pennant Hills Road, Carlingford should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 7 March 2025.

### Gateway Conditions

1. Prior to community consultation, the planning proposal is to be updated to:
  - (a) identify the proposed changes to the Land Reservation Acquisition (LRA) map;
  - (b) update the site address of the proposal;
  - (c) include further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved; and
  - (d) include discussion on the public amenity and proposed overshadowing of heritage item I032 – Carlingford
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment,



August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
- Transport for NSW
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.
4. Prior to finalisation, ensure an appropriate mechanism is identified which facilitates the intended urban design outcomes;
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 15 February 2024



**Jazmin van Veen**  
**Director, Central (GPOP)**  
**Metro Central and North**  
**Department of Planning, Housing and**  
**Infrastructure**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP-2023-1921 (IRF24/119)

### Site History 263-281 Pennant Hills Road, Carlingford

1. Amendment 20 of the Baulkham Hills LEP 2005 was made on 3 March 2011 pertaining to the rezoning of the Carlingford Precinct (including the subject site) to facilitate further growth in Carlingford. The associated Development Control Plan and Contributions Plan came into force on 15 March 2011.
2. The Joint Regional Planning Panel (JRPP) granted development approval (DA1103/2011/JP) (**Figure 2**) on 11 April 2012 for the construction of five apartment buildings (9-11 storeys) containing 450 units and 662 basement parking spaces on Lot 1 DP 1219291 (the larger lot with a Shirley Street frontage as seen in **Figure 1**) which is part of the Planning Proposal subject site. The application was subsequently activated by demolition and other early site works. After this approval, a further six properties fronting Pennant Hills Road were acquired by Karimbla Properties (No. 61) Pty Ltd.



**Figure 1 – Subject Site**



**Figure 2 - Approved Dyldam DA**

3. A Planning Agreement operates in relation to (part) of the site, Lot 1 DP 1219291 (the larger lot with a Shirley Street frontage) in connection with DA/1103/2011/JP. The Planning Agreement was entered into in April 2015 between The Hills Shire Council and the then owners of the site (Golden Mile 1888 Pty Ltd, Pennant Hills Estate 88 Pty Ltd and Rainbowforce Pty Ltd). The Planning Agreement was transferred from Hills Shire Council to City of Parramatta Council when the land moved into the City of Parramatta local government area.
4. In December 2020, the former owners sold Lot 1 DP 1219291 (the larger lot with a Shirley Street frontage) to Karimbla Properties (No. 61) Pty Ltd. Subsequently a Deed of Novation was executed in respect of the Planning Agreement between Karimbla Properties and City of Parramatta Council.
5. In December 2021 Karimbla Properties (No. 61) Pty Ltd lodged a development application (DA/53/2022) for 620 residential apartments, a childcare facility and neighbourhood shops on 263-281 Pennant Hills Road, Carlingford (**Figures 1 & 3**). The application was refused by the Sydney Central City Planning Panel on 7 December 2022. The reasons for refusal related to exceedance of the current height and FSR controls and not meeting appropriate design standards. The application was the subject of an appeal to the Land and Environment Court. On 7 June 2024, the Land and Environment Court issued consent granted for construction of five, 6-18 storey buildings comprising 336 residential apartments, childcare centre for 75 children, 1,906 sqm of 18 neighbourhood retail shops, 548 basement car parking spaces, publicly accessible open spaces and through site links, and roads, landscaping and tree removal, subject to conditions of consent (**Figure 4**).



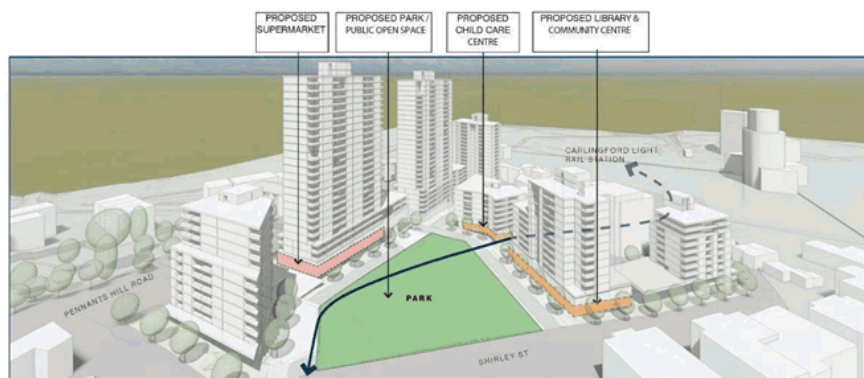
**Figure 3 - Image of refused DA/53/2022**



**Figure 4 - Image of approved DA/53/2022**



6. A Planning Proposal (RZ/4/2021) for 263-281 Pennant Hills Road, Carlingford was notified on 30 June 2023 which amended the Parramatta LEP 2023 to allow the addition of shops, food and drink premises and business premises as additional permitted uses; and restrict them along with recreation facilities (indoor) to a maximum GFA 2,000 sqm.
7. A Planning Agreement between City of Parramatta Council, Karimbla Properties (No. 61) Pty Ltd and Meriton Properties Pty Ltd was executed on 21 June 2023 in connection with R/4/2021. The Planning Agreement is for the construction of a walking/cycling pathway through Council owned Shirley Street Reserve and a raised pedestrian/cycle crossing on Shirley Street in Carlingford.
8. On 22 September 2023, the applicant, Karimbla Properties (No. 61) Pty Ltd, lodged a Planning Proposal (RZ/5/2023) (refer **Figure 5**) for land at 263-281 Pennant Hills Road, Carlingford. The objective of the Planning Proposal is to increase the Floor Space Ratio and Height of Building controls to allow for the development of 723 residential units. A Letter of Offer to enter into a Planning Agreement was submitted with the Planning Proposal for the provision and dedication of public open space, publicly accessible space and the proposed delivery and dedication of a library and community facility on the site. The application also included a draft SSDCP to provide detailed controls for future development on the site.



**Figure 5 – Planning Proposal Reference Scheme**

9. On 8 November 2023, the Local Planning Panel (LPP) provided advice to Council recommending it endorse the Planning Proposal for the purposes of requesting a Gateway Determination for the site as per Council Officers recommendation that supported the proposed amendments to Parramatta LEP 2023 including: reconfigured of zoning, increasing the maximum Height of Building control, increasing the maximum Floor Space Ratio control and amending Schedule 1 Additional Permitted Uses to increase the maximum gross floor area of parts of the buildings used for business premises, food and drink premises, recreational facilities (indoor) and shops on the R4 High Density Residential zoned part of the site as noted in the recommendations.
10. This recommendation was subject to further consideration of several matters including exploring the potential adjusting of massing on the Pennant Hills frontage, further detailed shadow modelling to confirm the impact of properties on the opposite side of Pennant Hills Road, review of car parking rates. The Panel also suggested that Council initiate urban design and planning studies to guide future growth in the Carlingford Precinct.

11. On 4 December 2023 Council endorsed the Planning Proposal for the purposes of requesting a Gateway Determination for the site as per Council Officers recommendation that supported the proposed amendments to Parramatta LEP 2023 as noted above.
12. This endorsement was also subject to further consideration of several matters including a request that the CEO investigate work required to review the planning controls for this Carlingford Growth Precinct and for this to inform the 2024/25 budget, and that the CEO request a meeting with the Minister for Planning and Public Spaces to discuss increased density and the provision of infrastructure in the Parramatta LGA, particularly Carlingford.
13. On 19 February 2024, Department of Planning, Housing and Infrastructure issued a Gateway Determination which allowed the Planning Proposal to proceed to public exhibition. The Gateway Determination included several conditions which were required to be met prior to public exhibition the Planning Proposal:
  - Identify the proposed changes to the Land Reservation Acquisition (LRA) map;
  - Update the site address of the proposal;
  - Include further justification on the overshadowing impacts to properties south of Pennant Hills Road, particularly to demonstrate compliance with this aspect of the Apartment Design Guide can be achieved; and
  - Include discussion on the public amenity and proposed overshadowing of heritage item I032 – CarlingfordAll these conditions were met prior to public exhibition of the Planning Proposal. This is discussed in detail in the post-exhibition report to the LPP.
14. The Planning Proposal, draft Planning Agreement and SSDCP were publicly exhibited from 25 March 2024 to 24 April 2024. Several issues were raised throughout the public exhibition period including but not limited to the increase in density and height, and traffic impacts. In response to the exhibition process and further review, post exhibition amendments are proposed to the Height of Building Map and the Land Reservation Acquisition Map, draft SSDCP and draft Planning Agreement. These issues are discussed in detail in the post-exhibition report to the LPP.
15. On 23 May 2024, the LPP provided advice to Council recommending it endorse the Planning Proposal for the purpose of requesting finalisation as per Council Officers recommendation subject to several amendments to the SSDCP. The LPP advice and Council Officers response are discussed in detail in the post exhibition report to Council.

**The Hon Paul Scully MP**  
Minister for Planning and Public Spaces



Ref: IRF23/1420

Clr Sameer Pandey  
Mayor  
City of Parramatta Council  
PO Box 32  
PARRAMATTA NSW 2124  
[Via: council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au); [lordmayor@cityofparramatta.nsw.gov.au](mailto:lordmayor@cityofparramatta.nsw.gov.au)

Dear Clr Pandey, *Sameer*

We have a shared responsibility to address the housing crisis and meet the goals of the National Housing Accord, and I want to thank you for the collaborative effort you have made and continue to make on behalf of the communities you represent.

The urgency is real — as we return to strong population growth in challenging market conditions, we are seeing housing pressures impacting housing supply, diversity and diminishing housing choice.

Delivering a fair distribution of housing, jobs, and social and economic infrastructure for the people of NSW is going to take effort from all levels of government.

Our decisions, whether at state or council level, need to be supported by a planning system that makes decisions based on current needs, circumstances, and priorities.

While governments at all levels have undertaken substantial work to implement strategic plans and deliver housing targets, it's clear to me that past strategic plans didn't anticipate or account for the scale of the housing crisis we now face.

The immediate need is for us to make sure the planning system presents no impediment to dwelling approvals and construction in appropriate locations.

I am asking councils and planning panels to factor this into their decision-making and prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall.

While I await the publication of updated region and cities plans by the Greater Cities Commission, I ask that you and your council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated.

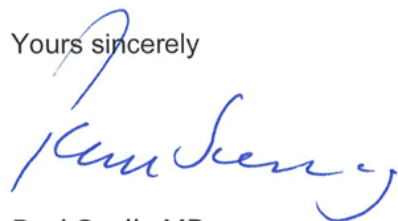


The [Strategic Merit Test](#) (referenced in the [Local Environmental Plan Making Guideline](#)) exists for such times and provides a framework for responding to a change in circumstances, such as the investment in new infrastructure or changing population and demographic trends.

I do not deny this is a difficult and challenging time, but it is critically important we undertake this shared responsibility and work together to meet that challenge. I look forward to working with each of you to create cities and regions that deliver fair opportunities for all.

Should you have any questions, Malcolm McDonald, Executive Director, Local and Regional Planning, at the Department of Planning and Environment can be contacted on 02 9274 6267.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Paul Scully', written over the printed name.

Paul Scully MP

Minister for Planning and Public Spaces

5/8/23

## Amendments to the Site-Specific Development Control Plan

### 263-281 Pennant Hills Road, Carlingford

Section	Changes between the version reported pre-Gateway and exhibition	Proposed Changes post-exhibition
Introduction	<ul style="list-style-type: none"> <li>• Insertion of text clarifying the application of the controls and the controls in Parramatta DCP 2023.</li> <li>• Rewording of and deleting/adding various objectives and controls.</li> <li>• Additional wording to describe and add objectives regarding the desired future character and design quality.</li> <li>• Removal of wording in relation to application of DCP and consistency with objectives and controls.</li> <li>• Consolidating the general objectives into the introduction.</li> </ul>	<ul style="list-style-type: none"> <li>• No changes proposed</li> </ul>
Built form	<ul style="list-style-type: none"> <li>• Rewording of and deleting/adding various objectives and controls including.</li> <li>• Podium setback controls: <ul style="list-style-type: none"> <li>○ Front boundary setback to Pennant Hills Road: 10m</li> <li>○ Shirley Street northern frontage setback: 6m</li> <li>○ Internal roadways setback 4m</li> <li>○ Through site links 0m setback</li> </ul> </li> <li>• Upper Level Setbacks: <ul style="list-style-type: none"> <li>○ Buildings fronting Pennant Hills Road, internal streets and the Central Park (buildings A-F): 2m</li> <li>○ North Eastern edge of buildings B and C: 4m</li> <li>○ Community Link between buildings E and F: 3m</li> <li>○ Southern edge of building D: 2m</li> <li>○ Buildings fronting Shirley Street (E-F): 3m</li> </ul> </li> <li>• Addition of controls to prevent undercrofts.</li> <li>• Consolidating/refining objectives and controls related to site structure, setbacks, building height, building separation, building location, non-residential uses, community facility and library, building material and design into the built form section.</li> <li>• Addition of new sub-sections with objectives and controls related to retail ground floor frontage, residential ground floor frontage, residential design apartment quality, winter gardens and retaining walls.</li> </ul>	<p>Amending setbacks including:</p> <ul style="list-style-type: none"> <li>• Podium setback: <ul style="list-style-type: none"> <li>○ Shirley Street northern frontage setback reduced from 6m to 4m with an additional 3m required between podiums.</li> </ul> </li> <li>• Upper level setbacks: <ul style="list-style-type: none"> <li>○ Buildings fronting Shirley Street (E-F): reduced from 3m to 2m.</li> <li>○ Building G – 2m setback to internal street reduced to part 0m</li> </ul> </li> <li>• Insertion of new control to require a consistent podium datum zone.</li> <li>• Amending control regarding building steps to be permitted where ADG satisfaction required.</li> <li>• Remove controls preventing undercrofts to ensure consistency with the court approved scheme.</li> <li>• Amendment of building design control regarding stepping in the built form to allow for more than one step if required to satisfy ADG and ensure solar access to adjoining properties.</li> </ul>

Floor to Floor Heights	<ul style="list-style-type: none"> <li>Insert minimum community facility floor to floor heights of 4.5m for ground floor and 4m above.</li> </ul>	<ul style="list-style-type: none"> <li>Amend minimum community facility floor to heights from 4.5m on ground and 4m above to 4.5m on ground and 3.8m above and below.</li> </ul>
Community Facility/Library	<ul style="list-style-type: none"> <li>NA</li> </ul>	<ul style="list-style-type: none"> <li>Insert new objective and control to guide the design of the Library/Community facility.</li> </ul>
Water Management	<ul style="list-style-type: none"> <li>NA - existing Parramatta DCP 2023 controls.</li> </ul>	<ul style="list-style-type: none"> <li>Introduction of a new additional Water Management section with objectives and controls to address overland flow.</li> </ul>
Public Domain	<ul style="list-style-type: none"> <li>Rewording of and deleting/adding various objectives and controls.</li> <li>Addition of new subsection related to active transport to facilitate a cycleway through the site and along Pennant Hills Road.</li> <li>Addition of new subsection related to street network and footpaths.</li> <li>Addition of new subsection related to Communal Open Space.</li> <li>Addition of new subsection related to overhead powerlines.</li> <li>Addition of new subsection related to awnings and awning design.</li> <li>Consolidation of landscaping objectives controls into public domain section.</li> </ul>	<ul style="list-style-type: none"> <li>Renumbering and rewording of controls and objectives for clarity.</li> <li>Amendment of control relating to road widening to of Shirley Street only relates to the south site.</li> <li>Amendment of indicative road network image to show pedestrian connections.</li> <li>Amendment to the Public Open Space Plan to identify that the Public Open Space east-west link to Shirley Street will be dedicated to Council.</li> <li>Removal of the control that refers to an easement being provided for the east-west link.</li> </ul>
Active Transport	<ul style="list-style-type: none"> <li>Insertion of new control requiring provision of cycle paths adjacent to Pennant Hills Road and internally through the site.</li> </ul>	<ul style="list-style-type: none"> <li>Clarification of location of cycle link</li> </ul>
Communal Open Space	<ul style="list-style-type: none"> <li>Insertion of new control requiring provision of internal open space where outdoor communal open space requirements cannot be met.</li> </ul>	<ul style="list-style-type: none"> <li>Removal of requirement to co-locate with deep soil to allow for flexibility.</li> </ul>
Overhead Power Lines	<ul style="list-style-type: none"> <li>Insertion of control requiring undergrounding of all overhead power lines within the site frontage.</li> </ul>	<ul style="list-style-type: none"> <li>Amendment of control to require undergrounding of overhead power lines only on Shirley Street frontage.</li> </ul>
Vehicle Access and Parking	<ul style="list-style-type: none"> <li>Rewording and addition/deletion of various objectives and controls.</li> <li>Reduced residential parking rate to align with existing DCP.</li> <li>Reduced retail parking rate to align with existing DCP.</li> <li>Addition of parking rate for 4-bedroom units.</li> <li>Addition of bicycle parking subsection.</li> </ul>	<ul style="list-style-type: none"> <li>Updating of residential parking rates as discussed earlier in this report.</li> <li>Addition of a maximum parking rate for the supermarket.</li> </ul>

	<ul style="list-style-type: none"> <li>Addition of control requiring widening of Shirley Street.</li> </ul>	
Sustainability	<ul style="list-style-type: none"> <li>Addition of one objective in relation to electric vehicle car charging.</li> <li>Deletion of control related to an ESD report guiding development on the site.</li> <li>Extension of one control in relation to water re-use system for irrigation systems.</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>
Urban Heat Island	<ul style="list-style-type: none"> <li>New section with objectives and controls relating to vertical facades and awnings.</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>
Awnings	<ul style="list-style-type: none"> <li>NA</li> </ul>	<ul style="list-style-type: none"> <li>Reduce requirement for a maximum solar transmittance to 50 for transparent awnings to allow for flexibility.</li> </ul>
Public Art	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>	<ul style="list-style-type: none"> <li>No changes proposed</li> </ul>

**REPORTS TO COUNCIL - FOR COUNCIL DECISION**

---

<b>ITEM NUMBER</b>	13.5
<b>SUBJECT</b>	Public Exhibition: Draft Site-Specific Development Control Plan for land at 171 & 173, 181-185, 187 Parramatta Road, and 58, 60 & 64 Victoria Street, Granville
<b>REFERENCE</b>	F2024/00282 - D09333729
<b>APPLICANT/S</b>	KEYLAN
<b>OWNERS</b>	PFG PROPERTY INVESTMENT NO. 2 PTY LTD AND TFG PROPERTY INVESTMENT NO. 2 PTY LTD
<b>REPORT OF</b>	Land Use Planning Manager

**CSP THEME:** Innovative

**DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL** Nil

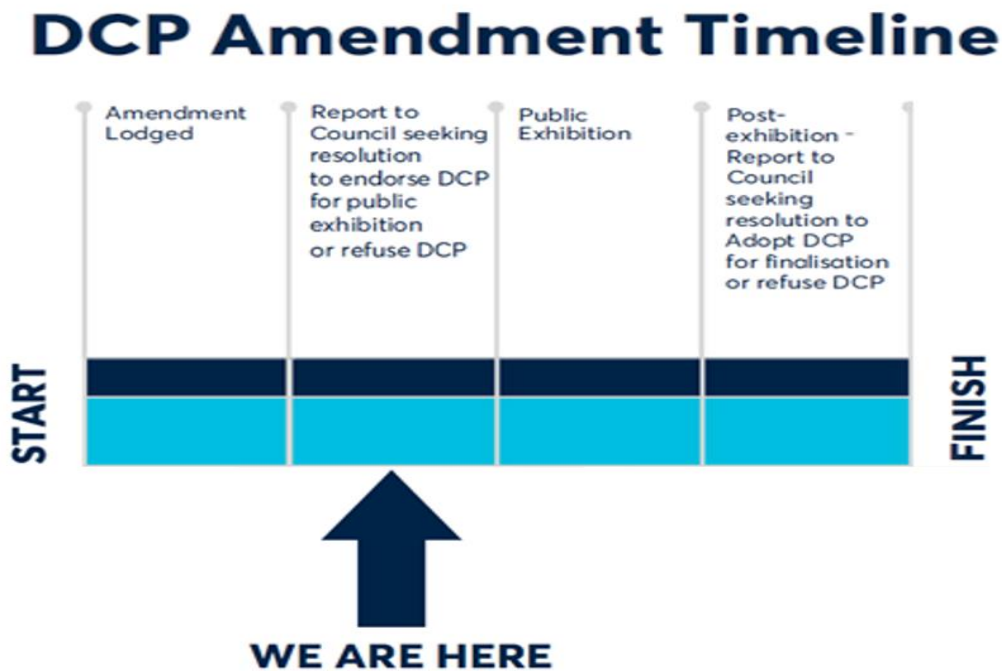
**PURPOSE**

To seek Council endorsement for public exhibition of a draft Site-Specific Development Control Plan (SSDCP), and a draft Planning Agreement based upon a Letter of Offer, relating to land at 171 & 173, 181-185, 187 Parramatta Road and 58, 60 & 64 Victoria Street, Granville.

**RECOMMENDATION**

- (a) That Council endorse the draft Site-Specific Development Control Plan (SSDCP) applying to land at 171 & 173, 181-185, 187 Parramatta Road and 58, 60 & 64 Victoria Street, Granville provided at **Attachment 1** for the purpose of public exhibition.
- (b) That Council note the Letter of Offer provided at **Attachment 2** that sets out the terms of a Planning Agreement intended to accompany a development application for the land.
- (c) That Council delegates authority to the CEO:
  - i. to draft and negotiate a Planning Agreement based upon the submitted Letter of Offer provided at Attachment 2 and as detailed in this report,
  - ii. that the Planning Agreement and SSDCP are placed on public exhibition concurrently for a minimum period of 28 days, and
  - iii. that the outcome of public exhibition be reported back to Council.
- (d) 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 SSDCP and draft Planning Agreement documentation that may arise during the drafting and exhibition process.

## DEVELOPMENT CONTROL PLAN TIMELINE



## SITE DESCRIPTION

- There are 21 allotments that form the block of land bounded by Parramatta Road to the south, Albert Street to the east, Victoria Street to the north, and the Western Railway line to the west with a total area of approximately 14,215 sqm. 10 of these allotments are owned by PFG Property Investments No. 2 Pty Ltd and TFG Property Investment No. 2 Pty Ltd (represented by the applicant) and are identified as 171 & 173, 181-185, 187 Parramatta Road and 58, 60 & 64 Victoria Street, Granville. The remaining 11 allotments are in private ownership (refer to **Figure 1**) and do not form part of the area to which the draft SSDCP and Letter of Offer relate.



**Figure 1:** Subject site and surrounds outlined in blue and land in private ownership (not owned by applicant) outlined in orange (Source: Nearmap)



## BACKGROUND

### Parramatta Road Corridor Urban Transformation Strategy (2016)

2. In 2016, the NSW State Government released the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), which seeks to revitalise the Parramatta Road corridor from Granville to Camperdown (including the land shown in **Figure 1**) through urban renewal, coupled with improved public domain and community infrastructure outcomes. PRCUTS identifies Granville as a locality for increased residential development and commercial activation and provides detailed recommendations for Council to test and consider when preparing planning controls for the area.
3. To assist councils in developing new planning controls, PRCUTS is accompanied by a Planning and Design Guidelines Implementation Tool Kit (2016) which recommends rezoning the block as follows:
  - Land Use Zoning: B4 Mixed Use (now MU1 Mixed Use under the Parramatta Local Environmental Plan 2023 (PLEP 2023))
  - Floor Space Ratio (FSR): 4.5:1
  - Height of Buildings: 82 metres.

### Planning Proposal

4. At its meeting on 29 October 2018, Council resolved to support a Planning Proposal for the entire block that proposed a 4.5:1 FSR (in accordance with PRCUTS), and an alternative 6:1 FSR subject to the provision of a public park. Council considered that the proposed public benefit of a new park dedicated to Council under the 6:1 FSR scenario justified the departure from the FSR recommended in PRCUTS. Council also resolved to advise the (then) Department of Planning and Environment (DPE) that the Planning Proposal should not be finalised until:
  1. *Council advises the Department that Voluntary Planning Agreements (VPAs) have been signed by both Council and the landowners that ensure adequate contributions to local infrastructure, in particular road network improvements have been put in place to ensure that the requirements of relevant NSW transport agencies are addressed, and*
  2. *A Development Control Plan (DCP) is prepared and endorsed by Council for the block.*
5. Council staff subsequently commenced discussions with the applicant and other landowners on potential Planning Agreements in accordance with the Council resolution. However, the only landowner who expressed an interest entering into a Planning Agreement before the Planning Proposal was finalised was Janpec Pty Ltd, the then owner of 9 of the total 21 allotments (58 and 60 Victoria Street, and 171-173, 181-185, and 187 Parramatta Road). Janpec Pty Ltd subsequently provided a Letter of Offer (dated 9 August 2019) for Council officer's consideration valued at \$3.7-\$3.8M million (2019 dollars), which was based upon the provision of a development scheme with 6:1 FSR for their landholding comprising:

- 3,200sqm public open space
  - Park embellishment up to \$3.2M
  - 1 affordable housing unit or monetary contribution (estimated by Council officers at the time as \$500,000-\$600,000)
  - Land dedication along Parramatta Road for future road widening.
6. At the 26 August 2019 Council meeting, Council resolved to endorse the drafting of a Planning Agreement based upon the Janpec Pty Ltd Letter of Offer dated 9 August 2019 (for the 6:1 FSR scenario only), and that the draft Planning Agreement be placed on public exhibition.
7. It is noted that with regards to the remaining landowners who did not want to progress a Planning Agreement for their land at the time, Council resolved at its meeting on 29 October 2018 to ensure that the land is only rezoned subject to appropriate contributions being made towards the provision of local infrastructure as follows:
- (f) ***That Council advise the Department that, if a legal mechanism exists or can be agreed, that Council has no objection to the Department finalising the Planning Proposal for different parts of the site at different points in time. (As this would allow for the planning controls to be finalised for sites as the VPAs are finalised, rather than requiring all the landowners to wait for all the VPAs to be agreed with all landowners before the new planning controls can come into force on their site.)***
8. On 30 September 2019, the DPE finalised the Planning Proposal for the whole of the block. This was done before Council could endorse the draft SSDCP or execute any Planning Agreements despite Council having resolved at its meeting on 29 October 2018 requesting DPE not to finalise the Planning Proposal until these actions had been carried out. The Planning Proposal that was finalised by DPE applied the following changes to the block:
- Rezoning the subject land from part B6 Enterprise Corridor and part R3 Medium Density Residential to B4 Mixed Use;
  - Increasing the floor-space ratio control from part 2:1 and part 0.6:1 to 4.5:1 and additionally providing an option of 6:1 of which requires the provision of a new public park;
  - Applying a maximum height of 82m across the site;
  - Introducing a Design Excellence Clause, requiring an architectural design competition with the winning scheme not receiving a height or FSR bonus;
  - Including a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of the draft or final PRCUTS; and
  - Including a requirement that the provisions do not come into effect until a Development Control Plan is prepared for or applies to the land.
9. Although the Planning Proposal was finalised and the new zoning, FSR and height now applies to the site, the applicant is unable to lodge a Development

Application for their land until a SSDCP is prepared or applies to the land pursuant to clause 6.23 (3) of the PLEP 2023.

### Initial Draft SSDCP and Draft Planning Agreement

10. In early 2019, Council officers engaged a consultant to prepare the draft SSDCP for the entire block and consulted with landowners to help inform its development. On 8 October 2019, Council resolved to place the draft SSDCP on public exhibition.
11. Due to continued Planning Agreement negotiations that followed on from the 26 August 2019 Council resolution described above, a concurrent exhibition of the draft SSDCP and draft Planning Agreement could not occur as the previous owners withdrew from the Planning Agreement negotiations. As the delivery of the infrastructure that was required to support the increase in development on the site was not able to be secured, the exhibition of the SSDCP did not occur.
12. A detailed summary of the progression of the Planning Proposal, draft SSDCP and draft Planning Agreement are provided in **Attachment 3**.

### **CURRENT DRAFT SITE SPECIFIC DEVELOPMENT CONTROL PLAN**

13. Following a change in land ownership around 2020, the new owners (PFG Property Investment No. 2 Pty Ltd and TFG Property Investment No. 2 Pty Ltd, who now also own 64 Victoria Street - **Figure 1**) engaged the current applicant to submit a new draft SSDCP. Following a formal pre-lodgement meeting and written advice issued to the applicant in November 2022, the new draft SSDCP was lodged with Council on 14 December 2022.
14. The applicant and Council Officers have now agreed on the content of the draft SSDCP (**Attachment 1**). It is noted that the draft SSDCP will not be placed on public exhibition until a draft Planning Agreement is prepared that applies to the applicant's land that is commensurate with the Letter of Offer (**Attachment 2**).
15. The draft SSDCP draws upon work carried out on the 2019 SSDCP but will only apply to the applicant's land. Notwithstanding, the draft SSDCP demonstrates how the remaining land in private ownership might also be developed independently. Should supporting infrastructure be delivered to support development of the other landholdings via a separate Planning Agreement in a manner that is supported by Council, the controls provided in the draft SSDCP (**Attachment 1**) may be approved by Council at a later meeting to apply to the entire block (**Figure 1**). This is consistent with the position Council has previously taken in relation to the delivery of infrastructure in this area as noted in this report. Alternatively, another SSDCP and associated Planning Agreement would need to be prepared for the other landholdings for consideration by Council.
16. The draft SSDCP provides controls for both the 4.5:1 and 6:1 FSR scenarios in accordance with the site-specific provisions contained in PLEP 2023. However, to achieve the 6:1 FSR scenario the provisions require the delivery of a 3,200sqm area of public open space. Council officer modelling has established that to achieve this scenario, all landholdings in the block would need to be amalgamated. The applicant has indicated to Council officers that they have been unable to acquire ownership of the other landholdings to achieve the 6:1

FSR scenario and they therefore intend to pursue the 4.5:1 FSR scenario on their land. The SSDCP will therefore enable the applicant's land to be developed independently to achieve a 4.5:1 FSR.

17. The draft SSDCP (**Attachment 1**) is consistent with the requirements for a SSDCP outlined in clause 6.23 of the PLEP 2023, and includes site specific controls in relation to:
  - Desired Future Character – controls to ensure a built form outcome that is consistent with the desired future character;
  - Built Form, Siting and Massing – controls to ensure the built form, siting and massing of future development is appropriate;
  - Public Domain and Landscaping – controls to ensure that publicly accessible open space is suitably designed to provide high amenity;
  - Activation of Streets and Public Places – controls to ensure that streets, footpaths, and publicly accessible spaces are suitably activated; and
  - Traffic and Transport - controls to ensure that traffic and transport into and out of the site is safely and efficiently designed.
18. It is noted that although the draft SSDCP satisfies clause 6.23 of the PLEP, Council officers have not proceeded with a report to Council recommending the public exhibition of the SSDCP until such time that a Planning Agreement is negotiated for the land to ensure that infrastructure needed to support future development will be provided. It is therefore important to secure a Planning Agreement commensurate with the Letter of Offer (**Attachment 2**).
19. Based on the detailed analysis outlined above, it is recommended that Council endorse the draft SSDCP included at **Attachment 1** for the purpose of public exhibition subject to the provision of a draft Planning Agreement that is based upon the Letter of Offer included at **Attachment 2**.

## LETTER OF OFFER FOR PLANNING AGREEMENT

20. The applicant has recently submitted a new Letter of Offer (**Attachment 2**) to enter into a Planning Agreement with Council in connection with a future development application (DA) for the Land. The following contributions are outlined in the offer:
  - i. \$1,500,000 for the provision of 2 x affordable rental housing units (for Council to purchase anywhere in the LGA).
  - ii. Provision and embellishment of a publicly accessible through-site link with access to be made available via an easement (valued at approximately \$1,764,000).
21. Therefore, the value of the Letter of Offer is approximately **\$3,264,000** (based on approximately 492 dwellings) or roughly \$1000 more per dwelling than the previous offer.

22. The offer does not exclude the application of development contributions pursuant to section 7.11 and 7.12 of *the Environmental Planning and Assessment Act 1979*, estimated to be approximately \$9,840,000.
23. It is noted that the original 2019 Letter of Offer was valued at approximately \$3,700,000 (2019 dollars), based upon the provision of a development scheme with 6:1 FSR for their landholding comprising:
  - 3,200sqm public open space
  - Park embellishment up to \$3.2M
  - 1 affordable housing unit or monetary contribution (estimated by Council officers at the time as \$500,000-\$600,000)
  - Land dedication along Parramatta Road for future road widening.
24. As noted above, the 2019 Letter of Offer was based upon a 6:1 FSR scheme, which would have facilitated approximately 656 dwellings. The dedication of the public open space and its embellishment was included in the Letter of Offer because it was a requirement for any development seeking a 6:1 FSR. The now repealed City of Parramatta Council Section 94A Development Contributions Plan applied (requiring a contribution of 1% the total estimated cost of development), which would have raised approximately \$2,755,200 in development contributions.
25. By comparison, the current 2024 Letter of Offer is based upon a 4.5:1 FSR scheme, which would facilitate approximately 492 dwellings. Given a 6:1 FSR scheme is not being pursued by the applicant (as they have not amalgamated the entire block), the open space requirement provision in PLEP 2023 is not triggered. Similarly, land dedication for road widening along Parramatta Road is not included in the current offer but the draft SSDCP ensures land is retained through setbacks for road widening along Parramatta Road should it be required by the State Government in the future and includes flexible controls to allow the land within the setbacks to either form part of the public domain or part of the road infrastructure.
26. Furthermore, as the current Outside CBD 7.11 Contribution Plan now applies, the current 4.5:1 FSR scheme (492 dwellings) will result in \$9,840,000 development contributions (\$7,084,800 more than what would have been received under the prior 2019 scheme, which proposed 656 dwellings).
27. The public value of the current Letter of Offer (**Attachment 2**) is therefore considered suitable for the purposes of public exhibition and will enable the securing of infrastructure needed to support development of the site under the 4.5:1 FSR scenario.
28. It is recommended that Council endorse the Letter of Offer and delegate the CEO to finalise the Planning Agreement negotiations and legal drafting to allow the public exhibition of a Planning Agreement concurrently with the draft SSDCP.

## CONSULTATION & TIMING

### Stakeholder Consultation

29. Should Council endorse the draft SSDCP and Planning Agreement for public exhibition, they will be publicly exhibited concurrently for a minimum of 28 days. Following consideration of all submissions, the outcomes of the public exhibition will be reported to Council before a final decision is made.
30. The following stakeholder consultation has been undertaken in relation to this subject SSDCP matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
2 November 2022	Applicant	Feedback to Council officers on proposed new SSDCP.	Formal pre-lodgment advice issued.	Group Manager Major Projects and Precincts
December 2022 to July 2024	Applicant	Various comments in relation to finalising the draft SSDCP and Letter of Offer for purpose of public exhibition.	Extensive consultation with the applicant to progress the draft SSDCP and Letter of Offer.	Group Manager Major Projects and Precincts

### Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
October 2018 – September 2019	All invited	Various Council meetings and Councillor briefings related to previous Planning Proposal.	Various Council meetings and Councillor briefings related to previous Planning Proposal.	Group Manager Major Projects and Precincts
15 July 2024 - briefing	All invited	Not known at time of finalising this report	Not known at time of finalising this report	Group Manager Major Projects and Precincts

## LEGAL IMPLICATIONS FOR COUNCIL

32. 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**

33. There are no financial impacts on Council's budget arising from approval of this report as recommended. The public exhibition cost is accommodated within existing budget.

**CONCLUSION AND NEXT STEPS**

34. It is recommended that Council endorse for public exhibition the draft site-specific Development Control Plan (SSDCP) for the applicant's land, and that the Chief Executive Officer be authorised to prepare the legal drafting of a Planning Agreement in accordance with the Letter of Offer provided in **Attachment 2** on behalf of Council for the purpose of public exhibition, and that the public exhibition of the SSDCP and draft Planning Agreement occur concurrently.
35. If endorsed, the draft SSDCP and draft Planning Agreement will be publicly exhibited concurrently for a minimum of 28 days. A further report will be prepared for Council on the outcome of the public exhibition period.

William Jones

**Team Leader Land Use Planning**

Jennifer Concato

**Executive Director City Planning and Design**




John Angilley

**Executive Director Finance & Information**

Gail Connolly

**Chief Executive Officer**

**ATTACHMENTS:**

- |   |   |  |          |
|---|---|--|----------|
| 1 |  | Draft Site-Specific Development Control Plan | 12 Pages |
| 2 |  | Letter of Offer                              | 5 Pages  |
| 3 |  | Site Information and History                 | 12 Pages |

**REFERENCE MATERIAL**

### 8.5.6 LAND BOUND BY PARRAMATTA ROAD, ALBERT STREET, VICTORIA STREET, AND DUKE STREET GRANVILLE

This Section applies to 10 individual allotments that form part of the street block bounded by Parramatta Road, Albert Street, Victoria Street and Duke Street in Granville (Figure 8.5.6.1).

The 10 individual allotments that this section applies to are as follows: Lot 1 in DP 615141, Lot 1 in DP 504298, Lot 2 in DP 89526, Lot 1 in DP 79102, Lot 1 in DP 79624, Lot 1 in DP 89526, Lot 1 in DP 81084, Lot X in DP 163366, Lot A in DP 160406, Lot 58 869379.

Objectives and Controls in this Section relating to the remaining allotments that form part of this street block will apply to these allotments following a separate application to enact these provisions. This section therefore does not apply to: SP 47170, Lot 1 in DP 13530, Lot 2 in DP 13530, Lot 3 in DP 13530, Lot 4 in DP 13530, Lot 5 in DP 13530, Lot 6 in DP 13530, Lot 7 in DP 13530, Lot 8 in DP 13530, Lot 1 in DP 744840, and Lot B DP 151899.



Figure 8.5.6.1 Land application map (the 10 individual allotments that this section applies to is highlighted in blue)

This Section is to be read in conjunction with other sections of the Parramatta DCP 2023 as well as Parramatta LEP 2023. If there is any inconsistency between this Section and other sections of the DCP, this Section prevails.

This DCP establishes principles, objectives and controls to be interpreted during preparation and assessment of development applications and supports the objectives of the LEP.

#### 8.5.6.1 DESIRED FUTURE CHARACTER

Future developments at the street block bounded by Parramatta Road, Albert Street, Victoria Street and Duke Street in Granville are designed to respond to both the high-density mixed-use character along Parramatta Road as envisioned by the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) and the existing, low-density dwellings north of the site along Victoria Street.

Development expresses the distinct character of each bounding street through scale, land use and architectural articulation, and will be largely characterised by a podium and tower building typology with 4 storey street walls and residential towers above. The mix of land uses include retail and commercial uses at ground floor with residential apartments above on Parramatta Road and Albert Street. Maximum 4 storey podium comprising residential dwellings along Victoria Street will provide a strong transition in height and scale and diversify housing on the site.

Development provides high-quality built form outcomes for residents, workers, and visitors through appropriate scale, massing, articulation, and orientation. Towers are slender and well-spaced to ensure views to sky, good solar access, and high residential amenity.

The delivery of publicly accessible open spaces including a 6 metre pedestrian through-site-link and public park, as well as a visual corridor across the site, allow for a high level of permeability and connectivity. Fine grain activated podium edges, with towers set back above, create a 'street wall' to these spaces and to surrounding streets that provide for a richer and safer environment for the community.

#### Objectives

- O.01 To provide a mix of uses that support and complement the role of the Granville Town Centre.
- O.02 To encourage high-quality built form outcomes that achieve design excellence.
- O.03 To create an attractive and safe urban street environment for pedestrians and retail and community activities in the surrounding streets.
- O.04 To provide a visually attractive design response that reduces noise impacts associated with Parramatta Road and the Western Railway Line on future building occupants.
- O.05 To 'future proof' the subject site by ensuring land is retained through setbacks for road widening along Parramatta Road should it be required in the future and have flexible controls to allow the land within the setbacks to either form part of the public domain or part of the road infrastructure.
- O.06 To activate the block edges to Parramatta Road, Albert Street, Victoria Street and Duke Street as well as to activate and/or meaningfully address any proposed future publicly accessible open space.
- O.07 To ensure all publicly accessible open spaces are safe, universally accessible, and complementary to other public open spaces within Granville.

- O.08 To ensure equitable development potential for all land parcels on the block, independent of land ownership patterns.

#### 8.5.6.2 BUILT FORM, SITING AND MASSING

##### Objectives

- O.01 To retain land through setbacks for road widening along Parramatta Road should it be required in the future and have flexible controls to allow the land within the setbacks to either form part of the public domain and part of the road infrastructure.
- O.02 To create a sense of visual separation between the podium and tower levels above through setbacks, modulation of building form and materials.
- O.03 To establish building forms that are oriented appropriately to minimise overshadowing and maximise solar access to neighbouring properties, including those properties south of the site on Parramatta Road.
- O.04 To provide appropriate building separation to ensure privacy, access to light and ventilation and a high-quality visual outlook for building occupants, and to increase views to sky and improve solar access at ground level.
- O.05 To provide tower forms which appear as tall and slender.
- O.06 To provide appropriate transitions in scale and height to existing low density residential development along Victoria Street.
- O.06 To ensure local infrastructure provision needs will be met.

##### Controls

##### Building height

- C.01 Maximum podium height of 4 storeys for the site.

##### Setbacks

- C.02 Podium and tower setbacks to streets must be provided in accordance with Figure 8.5.6.2.
- C.03 Minimum 6 metre 'Green Edge' setback to Parramatta Road is required to provide wider footpaths and facilitate street tree planting. This setback may be reduced to the west of the through-site link to provide a consistent street wall with the rest of the block.
- C.04 Minimum 3 metre tower setback from the podium edge to internal through-site links and publicly accessible open spaces.
- C.05 Minimum 3 metre rear and side setback from the boundary, except along Victoria Street where a minimum 9 metre rear setback for development is required.



Figure 8.5.6.2 Setbacks, through-site link, and view corridor locations

#### Building separation

- C.06 Minimum 12 metre building separation between buildings up to 4 storeys east of and including the through site link (Figure 8.5.6.2).
- C.07 Minimum 24 metre building separation between buildings above 4 storeys east of and including the through site link.
- C.08 A minimum 12 metre building separation between Victoria Street and Parramatta Road, as identified in Figure 8.5.6.2, should be provided between buildings as a view corridor.
- C.09 A minimum 15 metre building separation between Victoria Street and Parramatta Road, as identified in Figure 8.5.6.2, should be provided between buildings at ground level. This corridor should include a minimum 6 metre pedestrian through-site link along the western edge, and a 3-metre landscape buffer along the eastern edge.
- C.10 Equal distribution of building separation distances across independent lots as per the Apartment Design Guide may not be achievable due to site constraints. Development should align with the minimum setbacks and building separation controls in this Section to ensure equitable development potential across the site.

#### Building design

- C.11 A podium edge must be provided to all bounding roads.

- C.12 A building break of minimum 3 metres wide x 3 metres deep is required after a length of 45m to provide necessary articulation to the podium.
- C.13 Podiums should be modulated vertically in segments that relate to neighbouring fine grain subdivision patterns and reduce their bulk and perceived scale.
- C.14 Any podium exceeding 60 metres along Victoria Street must provide a 20 metre x 20 metre north facing communal open space fronting Victoria Street. This communal open space area shall be located on deep soil unless it is demonstrated to Council officer's satisfaction that 15% of the site area comprises deep soil (site area being the land subject of the application). Towers above this communal open space area should be set back a minimum 3 metres from the podium edge.
- C.15 The podium on corner sites must incorporate a setback from the corner intersection for its full height, which may be splayed or curved.
- C.16 Maximum tower length of 45 metres.
- C.17 Undercrofts or other interruptions of the podium which expose the underside of the tower and amplify its presence on the street are not permitted.
- C.18 Tower forms above podium levels are to be designed and oriented to maximise solar access to neighbouring properties to the south of the site on Parramatta Road. This is to occur by orienting the narrow side of towers to the south where possible.
- C.19 Buildings are to be designed to create clear visual articulation and distinction between the podium and tower levels.
- C.20 Facades shall be designed with a variety of materials, textures, and articulation to produce a contemporary architectural response that creates a greater sense of depth and visual diversity.
- C.21 Balconies facing Parramatta Road and the railway line may be screened and acoustically sealed in the form of winter gardens to provide protection from the road and rail noise. Winter gardens are to be included in Gross Floor Area calculations.
- C.22 Where protective measures are necessary to reduce noise impacts, these are to be designed in a visually attractive manner that provides a high degree of visual interest as viewed from a street, laneway, or public place.
- C.23 Contributions towards the local infrastructure provision needs generated by the development shall be demonstrated.

#### 8.5.6.3 PUBLIC DOMAIN AND LANDSCAPING

##### Objectives

- O.01 To establish usable areas of 24/7 publicly accessible open space and landscaping to cater for the amenity of future residents, workers and visitors including a park, a 6-metre-wide pedestrian through-site-link and a continuous 6m Green Edge along Parramatta Road.
- O.02 To establish a green corridor that facilitates pedestrian safety and comfort along Parramatta Road in a manner that is consistent with the PRCUTs guidelines.
- O.03 To enhance the Duke Street laneway connection between Victoria Street and Parramatta Road for pedestrians and cyclists.



- O.04 To allow for passive recreation opportunities at the neighbourhood scale, catering for a broad range of activities and intergeneration needs.
- O.05 To facilitate community interaction and gathering for local residents, workers and visitors.
- O.06 To provide publicly accessible open space that has good solar access and high levels of amenity.
- O.07 To activate the edges of publicly accessible open space to encourage safe and legitimate 24/7 usage of the spaces.
- O.08 To enhance permeability through the establishment of a new pedestrian linkage between Parramatta Road and Victoria Street.
- O.09 To ensure sufficient deep soil is provided to enable the healthy growth of large trees within the open space provided.
- O.10 To ensure clear delineation between public and private open space elements.
- O.11 To ensure safety and security of users and residents associated with the usage of the publicly accessible open space.
- O.12 To ensure publicly accessible open spaces are designed to be universally accessible.

#### Controls

- C.01 A 6m 'Green Edge' setback is to be provided along the building frontage on Parramatta Road, which allows for footpath widening, large canopy trees and combination shrub and groundcover plantings. If confirmed by TfNSW that the land within the 6m setback along Parramatta Road is needed for road widening, then this area will be landscaped in the interim until the land is used for road widening.
- C.02 A 24/7 publicly accessible north-south pedestrian through-site link is required between Parramatta Road and Victoria Street, located as per Figure 8.5.6.2. This link should:
  - a) Be a minimum width of 6m comprising a 4m pathway and 2m landscape edge;
  - b) Be located on the western side of any internal driveway,
  - c) Be open to the sky and compliant with CPTED principles;
  - d) Have activated edges for passive surveillance;
  - e) Provide pedestrian lighting to provide safe, 24/7 access without reflecting into residential properties;
  - f) Have equitable access using graded walkways of no steeper than 1:20 and a limited use of ramps; and
  - g) Have a minimum setdown of 1.8 metres to any basement slab located within the link.
- C.03 A 3 metre landscape buffer is to be provided along the eastern edge of the 15-metre corridor identified on Figure 8.5.6.2.
- C.04 If the relevant development application seeks to rely on Clause 4.4A(5) of the *Parramatta LEP 2023* the proposed development shall provide a minimum of 3,200m<sup>2</sup> area of publicly accessible open space wholly within their boundary and comprising the following:

- a) Minimum 1,650m<sup>2</sup> park, fronting Victoria Street and comprised of deep soil (i.e., unencumbered from basement parking) and of which 50% shall receive a minimum of 3 hours direct solar access between 11am and 3pm on 21 June; and
  - b) The remainder is to be publicly accessible open space held in ownership of the landowners. This area of publicly accessible open space may be encumbered with basement parking and is to be accessible to the public in perpetuity. This publicly accessible open space can comprise the 6-metre pedestrian through-site-link.
  - c) Calculations of publicly accessible open space shall not include the 6m 'Green Edge' setback to Parramatta Road or any internal driveway.
- C.05 Any development application must deliver a minimum 15% of its site area as deep soil zones with minimum dimensions of 6 metres x 6 metres. Deep soil zones should be located towards boundaries of adjacent lots to allow for larger, contiguous zones in the future.
- C.06 The design of publicly accessible open spaces is to be developed in consultation with Council. They are to:
- a) Be of deep soil, with no carparking and infrastructure underneath, and be dedicated and then maintained by Council, unless otherwise agreed by Council;
  - b) Provide a clearly public pathway along all park edges where there is a ground floor residential frontage,
  - c) Ensure that privacy treatments (screening/landscaping) or key entries do not occupy land area that contributes to minimum required publicly accessible open space calculations,
  - d) Incorporate a palette of high quality and durable materials, robust and drought tolerant landscaping species;
  - e) Include clear, accessible, safe and convenient linkages to each other and to the surrounding public open space network;
  - f) Integrate stormwater management as required and urban tree canopy;
  - g) Include design elements, furniture, and infrastructure to facilitate active and passive recreation and community gatherings;
  - h) Encourage pedestrian use through the design of open space pathways and entrances;
  - i) Clearly delineate private and publicly accessible open space;
  - j) Provide access to both sunlight and shade;
  - k) Incorporate appropriate levels of lighting to optimise hours of use;
  - l) Restrict vehicle movement through publicly accessible open space except for emergency vehicles, servicing, and special events (if required). This control does not relate to any internal driveway that is being used solely for the purpose of vehicle access.
  - m) Be accessible 24/7; and
  - n) Be capable of being well-maintained within reasonable costs.
- C.07 Where appropriate, provide commercial tenancies turning the corner from Parramatta Road to front the pedestrian through-site link.

- C.08 Where possible provide residential frontages to the pedestrian through-site link and publicly accessible open spaces that meaningfully address and facilitate passive surveillance of the public realm from all floor levels.
- C.09 Impacts on Tree Protection Zones and Structural Root Zones are to be minimised through tree protection measures outlined within an Arborist's Report to be submitted with the Development Application.
- C.10 A satisfactory public domain plan is to be prepared and submitted to Council for all development applications that include publicly accessible open space elements (this included proposed 'public open space,' pedestrian through-site link, publicly accessible 'private open space' and 'Green Edge setback' to Parramatta Road). The public domain plan is to include:
  - a) Context, role and purpose of the open space elements proposed;
  - b) Alignment levels and dedication plan;
  - c) Enhancement of Duke Street as a high quality publicly accessible pedestrian thoroughfare;
  - d) Palette of robust materials, colours, finishes and furnishings;
  - e) Placement of key placemaking elements and features (e.g., play equipment, public art, etc.);
  - f) Place activation measures (e.g., peripheral land uses, events, etc.);
  - g) Accessibility, safety, security and wayfinding;
  - h) Soft landscaping elements (e.g., street trees, lawn, etc.);
  - i) Delineation of public and private space;
  - j) Ongoing management and maintenance; and
  - k) Any relevant matters set out under Section \_ (section number to be updated when incorporated into the broader DCP).

#### 8.5.6.4 ACTIVATION OF STREETS AND PUBLIC PLACES

##### Objectives

- O.01 To ensure buildings provide a high-quality visual response to the adjacent public realm that correlates to the overall character and sense of place.
- O.02 To enhance the perceived sense of safety of public spaces by facilitating passive surveillance.
- O.03 To facilitate activation and passive surveillance of streets and public spaces and ensure a high-quality visual outlook between adjacent buildings.
- O.04 To provide a high degree of articulation that establishes a fine grain frontage at ground level and architectural modulation of the building form.
- O.05 To ensure buildings facilitate street level activity and visual connections between internal areas of buildings and pedestrian through-site links to reinforce pedestrian comfort at ground level.
- O.06 To establish a fine grain pattern of ground floor uses that results in interesting, attractive and safe streets and public places for residents and visitors.

- O.07 To provide a comfortable, sheltered / shaded, and attractive pedestrian environment and activation of streets at all times of year and in all weather conditions.
- O.08 To address and activate street corners and to create landmarks that assist in defining local character, helping people to navigate easily through the place.
- O.09 To minimise impacts of traffic noise on the occupants of future development commensurate with the sensitivity of the uses proposed.
- O.10 To minimise opportunity for crime and antisocial behaviour.
- O.11 To ensure that above ground car parking is of high-quality design that integrates with the building and does not adversely impact the public domain.

#### Controls

- C.01 Commercial and retail tenancies and residential lobbies only are permitted at ground level facing Parramatta Road and Albert Street. No commercial or retail uses are to be provided along Victoria Street. Development should consider the change of use from Albert Street onto Victoria Street at ground level.
- C.02 Blank walls to the public domain interface, including to any internal pedestrian through-site link or driveway, are not permitted. In circumstances where walls are provided with minimal or no openings (i.e., windows, door, and balconies), such walls are to be treated with an appropriate levels of design detail and visual articulation to create visual interest.
- C.03 Buildings must include active uses at ground level (i.e., retail, or residential pedestrian entrances and apertures) to a minimum of 80% of their ground level frontage to public streets, with a corresponding maximum of 20% of that frontage occupied by appropriately detailed walls with no openings, car park entrances and service areas.
- C.04 Shade structures/awnings are to be provided to all non-residential ground level frontages. Street awnings with minimum width of 2.0m must be included at minimum 2.7m and maximum of 3.5m above footpath level.
- C.04 Shade structures/awnings shall be robust, easily maintained, promote appropriate integration with street tree planting.
- C.05 Development is to be designed to appropriately consider impacts of adjacent or nearby noise sources including the railway line and Parramatta Road.
- C.06 Façade treatments along Parramatta Road and the railway line are to be well proportioned, use robust materials and should incorporate measures that provide protection from road/rail. All screens to wintergardens are to be moveable and operable.
- C.07 Buildings on corners must address both frontages to the street and/or public realm and define the space created at the intersection by responding to the topography and the buildings fronting the intersection.
- C.08 Crime Prevention Through Environmental Design (CPTED) analysis shall be included within the Application for Guidelines Approval for all development. The CPTED analysis is to be prepared to address *Section 3.4.4 Safety and Security* set out in this DCP.
- C.09 Where possible, residential uses at ground floor should have individual entries along the street, pedestrian through-site link or along publicly accessible open spaces to create a sense

of fine-grain and improve passive surveillance. This residential interface must be appropriately treated to ensure good privacy outcomes for the residents.

- C.10 The design of Duke Street is to be agreed upon with Council. It is envisaged to be a pedestrian and cycle link only. Secondary pedestrian building entries are permitted and passive surveillance to the street is recommended.
- C.11 The preferred location of car parking on the block is basement car parking. Where Council is satisfied that above ground parking may be appropriate, it is limited to the building/s located to the west of the through-site link.
- C.12 All parking within the podium fronting Parramatta Road, Victoria Street and the through-site link should be sleeved with permissible uses.
- C.13 Above ground podium facades are to be sleeved or appropriately treated to ensure there are no direct sightlines from pedestrians within the public realm to vehicles within the carpark.
- C.14 The facades of above ground parking which are not sleeved should be considered in detail. Green walls, thin skins or screens are not appropriate – depth, scale and materiality should be aimed for, incorporating passive surveillance and natural ventilation.

#### 8.5.6.5 TRAFFIC AND TRANSPORT

##### Objectives

- O.01 To establish a fair and safe balance between pedestrian, cycling and vehicle movement. To enhance the perceived sense of safety of public spaces by facilitating passive surveillance.
- O.02 Provide convenient, efficient, safe access and parking for vehicles, services (e.g., deliveries and waste), pedestrians and cyclists.
- O.03 To minimise the visual impacts of vehicle access ways visible from the public domain.
- O.04 To minimise the impact on pedestrians of any internal driveway or vehicular entries.

##### Controls

- C.01 Car parking and bicycle spaces are to be provided in accordance with the rates set out in Table 8.5.6.1.
- C.02 A Traffic Impact Statement and 'Green Travel Plan' must be submitted as part of a Development Application.
- C.03 No vehicle access or egress is permitted from Parramatta Road. Preference for vehicular access or egress is to be given to Victoria Street over Albert Street wherever possible.
- C.04 Car parking is to be primarily provided in basement levels. Where Council is satisfied that above ground parking is justified, it may be provided in the podium west of the through-site link (see Figure 8.5.6.2 for location of through-site link).
- C.05 Basement carparking may be provided subject to ensuring sufficient deep-soil landscaping.
- C.06 Basements are to be contained wholly within the building footprint, unless agreed otherwise by Council, to ensure sufficient deep soil landscaping.

- C.07 A 6-metre-wide driveway off Victoria Street may be permissible to access parking and loading on the site. This driveway should be of a kerb and gutter arrangement and located directly east of the pedestrian through-site link identified in Figure 8.5.6.2.
- C.08 Vehicular crossovers should be avoided where possible. Any crossover of the pedestrian link by vehicles to access parking and loading should be done via vehicular crossovers of a minimal width, with pedestrians having priority.
- C.09 No open dive structures are permitted. Dive structures must be sleeved/contained within the building.
- C.10 Footpaths shall be maintained as the priority movement, with the number of access points to car parking facilities (i.e., crossovers and driveways) minimised.
- C.11 Vehicle access for residential, commercial, and retail uses shall be designed to minimise visibility from the public realm and adverse impact on pedestrian safety.
- C.12 High quality design and materials are to be used for the security shutters into the car park and loading areas.
- C.13 Reconstruction and realignment of the kerb and gutter is to occur along Victoria Street with the redevelopment of the site in the following manner:
- two continuous 3.2m wide travel lanes and two 2.3m wide parking lanes (11m total carriageway width)
  - not include rolltop curbs

Table 8.5.6.1 Car Parking and Bicycle Rates

Car Parking and Bicycle Rates	
Residential	
Studio	Minimum 0.3 spaces
1 bedroom	Minimum 0.5 spaces
2 bedroom	Minimum 0.9 spaces
3 or more bedroom	Minimum 1.2 spaces
Visitors	Minimum 0.1 per dwelling
Bicycle	Minimum 1 per dwelling & 1 visitor space per 10 dwellings
Accessible Parking Spaces	Minimum 1 space per adaptable / accessible apartment
Car Share Spaces	On-site parking can be reduced at a rate of 5 parking spaces per 1 car share space where an active car-sharing program is made available to residents and/or employees and where ride share or other organised carpooling initiatives are available on site.



	Additional car share should be provided at a rate of 1 space per 20 dwellings without parking and 1 space per 100 dwellings with parking.
<b>Motorcycle Parking</b>	Minimum 1 space per 25 car parking spaces.
<b>Electric vehicle charge point</b>	Minimum of 1 charge point to service the residential component of the building.
<b>Retail and Commercial</b>	
<b>Retail</b>	Maximum of 1 space per 100m <sup>2</sup> of GFA
<b>Commercial</b>	Maximum of 1 space per 150m <sup>2</sup> of GFA
<b>Accessible Parking Spaces</b>	Minimum of 1% of all accessible spaces to be designed in accordance with the Australian Standards.
<b>Motorcycle Parking</b>	Minimum 1 space per every 25 onsite car parking spaces
<b>Bicycle Parking – Retail</b>	Employee: Minimum 1 per 250m <sup>2</sup> GFA Visitor: Minimum 2 spaces + 1 per 100m <sup>2</sup> GFA
<b>Bicycle Parking – Commercial</b>	Employee: Minimum 1 per 150m <sup>2</sup> GFA Visitor: Minimum 1 per 400m <sup>2</sup> GFA
<b>Electric Vehicle Charge Point</b>	Minimum of 1 charge point to service the non-residential component of the building.



8 July 2024

Ms Gail Connolly PSM  
Chief Executive Officer  
City of Parramatta Council  
PO Box 32  
Parramatta NSW 2124

Attention: Jennifer Concato, Executive Director City Planning and Design

Dear Ms Connolly,

**Letter of offer to enter into a Planning Agreement for land at Parramatta Road and Victoria Street, Granville**

**1. Purpose of Letter**

We write on behalf of PFG Property Investments No.1 Pty Ltd, PFG Property Investments No.2 Pty Ltd, TFG property Investments No.1 Pty Ltd and TFG Property Investments No.2 Pty Ltd (Land Owners), who are the owners of the following land mapped on the Key Sites Map as being with the "Granville Precinct":

Lot and Deposited Plan	Property Address
Lot 1, DP 615141	187 Parramatta Road, Granville
Lot 1, DP 504298	181-185 Parramatta Road, Granville
Lot 2, DP 89526	
Lot 1, DP 79102	
Lot 1, DP 79624	
Lot 1, DP 89526	
Lot 1, DP 81084	173 Parramatta Road, Granville
Lot X, DP 163366	171 Parramatta Road, Granville
Lot A, DP 160406	64 Victoria Street, Granville
Lot 58, DP 869379	60 Victoria Street, Granville
Table 1 Subject Land	58 Victoria Street, Granville

Together, these properties are referred to in this letter as the 'Land'.

Since 2022, Keylan, the Land Owners and officers of Parramatta City Council (Council) have been in negotiations regarding the preparation of a site-specific development control plan (SSDCP) for the Land.

As part of these negotiations, Council officers have requested the Land Owners to make an offer to enter into a planning agreement, consistent with an offer made to Council by the previous owners of the Land, in connection with amendments to the *Parramatta Local Environment Plan 2011* which came into force on 4 October 2019 (2019 Amendments).



The purpose of the letter is to record the Land Owners' intention to make a revised offer to enter into a planning agreement with Council subject to future development approvals for the Land.

It replaces our previous letters of offers dated 5 December 2023 and 20 June 2024.

## **2. Background**

### **2.1 Previous landowner's public benefit offer**

On 26 August 2019, Council resolved to endorse the drafting a planning agreement based on the offer made by the previous owners of the Land in relation to the draft 2019 Amendments. However, a planning agreement was never entered into by the parties in relation to the 2019 Amendments.

A background to the 2019 Amendments and the previous offer to enter into a planning agreement is provided in Appendix 1.

Importantly, we note the following in relation to this endorsed offer:

- It was based on a development outcome with a floor space ratio (FSR) of 6:1.
- It included the provision of 3,200 m<sup>2</sup> of publicly accessible open space, which was inclusive of a through-site link between Parramatta Road and Victoria Street, as an offset for a greater FSR of 6:1 than the applicable base FSR of 4.5:1.
- It included a contribution of 1% levy based on the cost of development.
- VPA items had a total value of \$3.7-3.8 million.
- 1% of development cost is estimated to have a value of \$2.75 million.
- Therefore, total contributions equalled \$6.45-6.55 million.

### **2.2 Current status**

The current Land Owners began purchasing the Land in December 2020, over a year after the finalisation of the 2019 Amendments.

The Land has since remained undeveloped for reasons including those set out below.

A development application for the Land has not yet been prepared or lodged because, as Council is aware, clause 6.23(3) of the *Parramatta Local Environmental Plan 2023* (PLEP 2023) provides that development consent cannot be granted to development on the Land unless a SSDCP that complies with clause 6.23(5) of PLEP has been prepared for or applies to the Land.

A SSDCP has been prepared for the Land but not yet made. We understand that Council intends to progress a SSDCP for the Land.

Once a SSDCP is made, the Land Owners intend to lodge a development application with the Council and to make an offer to enter into a planning agreement in connection with the future DA, on the terms set out in this letter.



The offer in this letter reflects the offer made by the previous landowners to the extent possible but has been amended to ensure that the contributions are relevant to the current circumstances and requirements for the Granville Precinct, and the Land Owners' intentions for development of the Land including the application of a 4.5:1 rather than 6:1 FSR.

### 3. Offer

#### (a) Parties to the planning agreement

- (i) City of Parramatta Council
- (ii) PFG Property Investments No.1 Pty Ltd, PFG Property Investments No.2 Pty Ltd, TFG property Investments No.1 Pty Ltd and TFG Property Investments No.2 Pty Ltd.

#### (b) Land to which the planning agreement would relate

The Land as described in Table 1 above and shown highlighted in Figure 1.



Figure 1 Land to which the planning agreement would relate



#### (c) Development to which the planning agreement would relate

The proposed development would generally comprise mixed use development with associated car parking.

The height, bulk and scale of the development will be generally of a form anticipated by the relevant development standards in PLEP that apply to the Land and the SSDCP which we understand Council is progressing.

#### (d) Developer Contributions

The Land Owners make the below offer to make the following contributions:

Item	Value (\$)
420m <sup>2</sup> pedestrian through-site link including:	1,764,000
<ul style="list-style-type: none"> <li>Provision, construction and embellishment</li> <li>Easement allowing 24/7 public access</li> </ul>	
Contribution towards affordable housing	1,500,000
<b>Total</b>	<b>3,264,000</b>

Table 2 Proposed contribution items

In addition to the above, we acknowledge that contributions under section 7.11 of the EP&A Act and in accordance with the *City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment 1)* will be payable.

The timing of the delivery of the above items is to be the subject of further discussions with Council as part of negotiating and finalising the planning agreement following lodgement of the future development application.

The proposed affordable housing contribution outlined in Table 2 is in lieu of any affordable housing required under an adopted Council policy. Any new or revised policy will not apply to the Land to which this Planning Agreement applies.

#### 4. Conclusion

The Land Owners offer to enter into a planning agreement with Council in the above terms, and on the conditions stipulated above.

Should you have any questions regarding this letter of offer, please contact me directly on (02) 8459 7511 or via email at [dan@keylan.com.au](mailto:dan@keylan.com.au).

Yours sincerely

*Dan Keary*

Dan Keary BSc MURP RPIA  
Director





### **Appendix 1 - background to previous offer to enter into a planning agreement and 2019 Amendments**

On 26 August 2019, Council resolved to endorse the drafting of a planning agreement based on an offer from the previous landowner dated 9 August 2019, subject to amendments and clarifications. The terms of the endorsed draft planning agreement, as amended by the Council resolution, included:

- Provision of 3,200 m<sup>2</sup> of publicly accessible open space on the site
- Park embellishment at a capped rate of \$1,000/m<sup>2</sup> (ie, up to \$3.2 million)
- In the event that the proposed embellishment rate of \$1,000/m<sup>2</sup> (\$3.2 million total) for the 3,200m<sup>2</sup> park is not fully spent, the gap be paid to Council and put towards existing and future open space provision
- A monetary contribution of \$500-600K in lieu of an Affordable Rental Housing Dwelling (at least equal to the market value of an equivalent dwelling in Granville)
- Land Dedication along Parramatta Road for future Road Widening
- The items above to be provided in addition to the local contributions plan (i.e., a section 7.12 Contributions Plan which applies a 1% levy based on the cost of development) that applied to the land at that time and any new or revised contributions plan will not apply to the land

The total value of the endorsed offer was:

VPA items = \$3,700,000 - \$3,800,000  
 7.12 contributions = \$2,755,200 (approx.)  
**Total = \$6,455,200 - \$6,555,200 (approx.)**

The offer was based on a proposed development on the site with a FSR of 6:1. The planning agreement was never executed.

The 2019 Amendments were made by the Department of Planning and Environment in October 2019. The amendments included:

- rezoning the site to B4 Mixed Use
- introducing a maximum building height control of 82m on the site
- introducing a maximum FSR control of 4.5:1 on the site
- introducing a provision that the maximum FSR for the site is 6:1, if a minimum of 3,200m<sup>2</sup> of publicly accessible open space is provided at the site
- introducing the requirement to prepare a DCP for the site and for the DCP to address specific matters
- introducing design excellence provisions in relation to future development on the site



## Lot Description of Land Parcels Constituting the Subject Site

Address	Lot
187 – 189 Parramatta Road	Lot 1 in DP 615141
181 – 185 Parramatta Road	Lot 1 in DP 504298
181 – 185 Parramatta Road	Lot 2 in DP 89526
181 – 185 Parramatta Road	Lot 1 in DP 79102
181 – 185 Parramatta Road	Lot 1 in DP 76924
173 Parramatta Road	Lot 1 in DP 89526
171 Parramatta Road	Lot 1 in DP 81084
64 Victoria Street	Lot X in DP 163366
60 Victoria Street	Lot A in DP 160406
58 Victoria Street	Lot 58 in DP 869379
167 Parramatta Road	SP 47140
56 Victoria Street	Lot 1 in DP 13530
54 Victoria Street	Lot 2 in DP 13530
52 Victoria Street	Lot 3 in DP 13530
50 Victoria Street	Lot 4 in DP 13530
48 Victoria Street	Lot 5 in DP 13530
46 Victoria Street	Lot 6 in DP 13530
44 Victoria Street	Lot 7 in DP 13530
42 Victoria Street	Lot 8 in DP 13530
40 Victoria Street	Lot 1 in DP 744840
38 Victoria Street	Lot B DP 151899

## Key Milestones and Site History

Date	Activity
25 September 2014	<p>Janpec Pty Ltd lodge Planning Proposal for land at 171-189 Parramatta Rd, Granville seeking approval to:</p> <ul style="list-style-type: none"> <li>i. Rezone the subject site from part R3 – Medium Density Residential and Part B6 – Enterprise Corridor, to B4 – Mixed Use.</li> <li>ii. Increase the range of maximum building height limits from 11 and 15 metres, to 80 and 96 metres, with potential for an additional 'bonus' height of 14 metres, subject to achieving 'design excellence'.</li> <li>iii. Increase the maximum floor space ratio (FSR) range from 0.6:1 and 2.0:1 to 5.25:1, with potential for a 'bonus' FSR of 0.75:1 subject to achieving 'design excellence'.</li> </ul> <p>The proposal maintains, through replacement and enhancements, the provision of employment floorspace as part of its redevelopment. It also seeks to improve the locality's public domain through site works and public embellishments such as parkland and footpath improvements along Parramatta Road.</p>
1 June 2015	DPE issues Gateway Determination: should not proceed.
22 June 2015	DPE issues letter to City of Parramatta Council requesting withdrawal of current Planning Proposal for the site.
30 October 2015	<p>Janpec Pty Ltd submit an amended Planning Proposal for the land at 171-189 Parramatta Rd, Granville, seeking approval to:</p> <ul style="list-style-type: none"> <li>i. Rezone the subject site from part R3 – Medium Density Residential and Part B6 – Enterprise Corridor, to B4 – Mixed Use.</li> <li>ii. Increase the range of maximum building height limits from 11 and 15 metres, to 82 metres.</li> <li>iii. Increase the maximum floor space ratio (FSR) range from 0.6:1 and 2.0:1 to 5.2:1.</li> </ul>
23 December 2015	<p>Council endorses the above Planning Proposal and forwards it to DPE for a Gateway Determination seeking to:</p> <ul style="list-style-type: none"> <li>i. Rezone the subject land from part B6 Enterprise Corridor and part R3 Medium Density Residential to B4 Mixed Use;</li> <li>ii. Increase the floor-space ratio control from part 2:1 and part 0.6:1 to 6:1; and</li> <li>iii. Increase the height of buildings control from part 15 metres (four storeys) and part 11 metres (three storeys) to 82 metres (25 storeys).</li> </ul>

15 June 2016	<p>DPE issues a Gateway Determination for 171-189 Parramatta Rd, Granville to amend PLEP 2011 including the land use zones, floor space ratio, and building height provisions. The determination states it should proceed, with conditions. Prior to exhibition, Council was required to amend the Planning Proposal as follows prior to exhibition:</p> <ul style="list-style-type: none"> <li>a) amend the Explanation of Provisions, proposed maps and relevant supporting studies to include all land within the block located between Parramatta Road, Victoria Street, Albert Street, and the rail corridor;</li> <li>b) amend the Explanation of Provisions, proposed maps and relevant supporting studies to ensure consistency with PRCUTS. This included: <ul style="list-style-type: none"> <li>i. amending the explanation of provisions to indicate that the design excellence process will not enable any bonus height or FSR provisions;</li> <li>ii. apply a maximum height of buildings of 82 metres (25 storeys) for the majority of the site; and</li> <li>iii. apply a maximum FSR consistent with achieving the vision, principles and desired built form outcomes within PRCUTS, as permitted through the Gateway determination.</li> </ul> </li> <li>c) include satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of a draft or final strategy for the Parramatta Road corridor.</li> </ul>
20 March 2017	<p>DPE issue Gateway Alteration – extension of time. “The timeframe for completing the LEP is by 22 September 2017”.</p>
10 July 2017	<p>Council resolved at its meeting to endorse a Planning Proposal for the land bound by Parramatta Road, Albert Street, Victoria Street, and the railway line in Granville (formally 171-189 Parramatta Road) <b>for the purposes of public exhibition</b> which presents the following two options:</p> <p>I. A scheme with an FSR of 6:1 and a height of 82m (i.e. that currently proposed by the applicant) which is not compliant with the LEP recommendations of the final Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).</p> <p>II. A scheme with an FSR of 4.5:1, a height of 52m, which is compliant with the LEP recommendations of the final PRCUTS, and also applies the Urban Design Guidelines of the final strategy.</p>

	<p>(b) That Council request the applicant to prepare and submit a scheme that reflects (II) of (a) that includes:</p> <ul style="list-style-type: none"> <li>I. Reference concept design (1:500)</li> <li>II. Updated shadow analysis</li> <li>III. Apartment Design Guideline compliance table</li> <li>IV. Updated traffic statement on traffic volumes to result from a PRCUTS consistent scheme.</li> </ul> <p>(c) That Council request the applicant provide an updated Planning Proposal that addresses the following:</p> <ul style="list-style-type: none"> <li>I. 'Section 1: Background' reflects the history of the Planning Proposal</li> <li>II. 'Section 2: Objectives or Intended Outcomes' and Section 3: 'Explanation of Provisions' accounts for and explains the exhibition of a Planning Proposal with two schemes (i.e. one scheme at 6:1 and 82m and one scheme at 4.5:1 and 52m)</li> <li>III. 'Section 4: Justification' reflects the current strategic planning framework of the final Parramatta Road Corridor Urban Transformation Strategy and delegation be granted to the Chief Executive Officer to finalise the Planning Proposal prior to the exhibition, and this be placed on public exhibition separate to the associated Site Specific Development Control Plan (DCP) and Draft Voluntary Planning Agreement (VPA) as resolved by Council on 10 April 2017.</li> </ul> <p>(d) That should the applicant seek to further amend their response to the Section 117 Ministerial Direction 7.3 'Parramatta Road Corridor Urban Transformation Strategy' which presents the applicant's justification as to why the Planning Proposal seeking an FSR of 6:1 and height of 82m (25 storeys) discussed in this report presents a better planning outcome than that identified within the PRCUTS, then this be included in the exhibition material relating to the Planning Proposal for the subject land, and that it be assessed by Council at the close of the exhibition period.</p> <p>(e) That a report be presented to Council on the outcome of the exhibition where Council would then finalise its assessment on whether a variation to the Section 117 Ministerial Direction 7.3 'Parramatta Road Corridor Urban Transformation Strategy' demonstrates a better planning outcome than that identified within the PRCUTS and therefore should be supported; and whether an altered Gateway Determination will be required to remove Condition 7 of the Gateway Determination which requires compliance with the PRCUTS.</p> <p>(f) That the preparation of the following await the outcome of the exhibition of the Planning Proposal for the land at Parramatta Road, Albert Street, Victoria Street, and the railway line in Granville (formally 171-189 Parramatta Road) until the height and FSR sought under the Planning Proposal is determined as part of the exhibition process:</p>
--	--

	<p>I. A Site Specific DCP for the land bound by Parramatta Road, Albert Street, Victoria Street and the Western Railway Line</p> <p>II. A Draft VPA offer that delivers infrastructure provision commensurate with the additional community needs arising from development under the PRCUTS and the additional community benefit proposed in support of a non-compliant scheme.</p> <p>(g) That Council advise the applicant that the Draft Site Specific DCP and Draft VPA processes will need to be completed prior to the Planning Proposal being forwarded to the Department of Planning and Environment for finalisation.</p> <p>(h) Further, that Council authorises the Chief Executive Officer to correct any minor policy inconsistencies and any anomalies of an administrative nature relating to the Planning Proposal that may arise during the amendment processes.</p>
4 September 2017	DPE issue Gateway Alteration issued – extension of time. “The timeframe for completing the LEP is by 22 March 2018”.
22 March 2018	DPE issue Gateway Alteration – extension of time. “The timeframe for completing the LEP is by 22 June 2018”.
29 October 2018	<p>Council resolve at its meeting to:</p> <p>a) amend the Planning Proposal document exhibited so that the controls in the PLEP 2011 that apply to the subject block are amended as follows:</p> <ol style="list-style-type: none"> <li>1. Rezone the subject land from part B6 Enterprise Corridor / part R3 Medium Density Residential to B4 Mixed Use;</li> <li>2. For the land identified as 171-187 Parramatta Road and 58-60 Victoria Street, Granville, increase the FSR from part 2:1 / part 0.6:1 to 6:1 and increase the height from part 15m (4 storeys) / part 11m (3 storeys) to 82m (approx. 25 storeys);</li> <li>3. For the land identified as 167 Parramatta Road, 38 to 56 Victoria Street and 64 Victoria Street, Granville, increase the FSR from part 2:1 / part 0.6:1 to 4.5:1 and increase the height from part 15m (4 storeys) / part 11m (3 storeys) to 82m (approx. 25 storeys); (Note: to avoid any doubt the property addresses and boundaries are shown in Figure 1 of the Assessment report included as Attachment 1).</li> <li>4. Introduce a Design Excellence Clause, requiring any development on these blocks to run an architectural design competition with the winning scheme not receiving a height or FSR bonus;</li> </ol>

	<p>5. Include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of the Parramatta Road Corridor Urban Transformation Strategy and supporting documents; and</p> <p>6. make any other amendments to ensure the Planning Proposal is providing planning controls that are consistent with the Parramatta Road Corridor Urban Transformation Strategy (except for the building height control).</p> <p>(d) That Council send the Planning Proposal referred to above to the Department of Planning and Environment for their consideration so they can begin processing the Planning Proposal. However, Council should also advise the Department that the Planning Proposal not be finalised until:</p> <p>1. Council advises the Department that Voluntary Planning Agreements (VPAs) have been signed by both Council and the landowners that ensure adequate contributions to local infrastructure, in particular road network improvements have been put in place to ensure that the requirements of relevant NSW transport agencies are addressed, and</p> <p>2. A Development Control Plan (DCP) is prepared and endorsed by Council for the block.</p> <p>(e) That Council authorise the Acting Chief Executive Officer (CEO) to make any minor amendments and corrections of a non-policy and administrative nature that may arise during finalisation of the Planning Proposal documentation.</p> <p>(f) That Council advise the Department that, if a legal mechanism exists or can be agreed, that Council has no objection to the Department finalising the Planning Proposal for different parts of the site at different points in time. (As this would allow for the planning controls to be finalised for sites as the VPAs are finalised, rather than requiring all the landowners to wait for all the VPAs to be agreed with all landowners before the new planning controls can come into force on their site.)</p> <p>(g) That Council engage a consultant team to prepare a DCP to guide the development of the block. This process should involve consultation with all landowners as part of its preparation, and the Draft DCP should address the key DCP issues detailed in the body of this report.</p> <p>(h) That the Draft DCP be reported to Council to allow Council to endorse the DCP prior to any public consultation on this plan.</p>
--	--



	<p>(i) That Council delegate the Acting CEO to invite all landowners to discuss potential Planning Agreements that provide a contribution to the future infrastructure needs of the Granville Precinct, and to undertake negotiations on the content of any Voluntary Planning Agreement on behalf of Council. When negotiating these agreements Council officers negotiating position should be that the contribution should be equivalent to 50% of the value uplift of .</p> <p>(j) Further, that the outcome of any VPA negotiations arising from the process outlined in</p> <p>(i) above be reported to Council prior to the exhibition of any VPA.</p>
1 November 2017 - 2 February 2018	Public exhibition of the Planning Proposal with two potential design outcomes for the site.
16 October 2018	<p>Council officers report Planning Proposal to Local Planning Panel for the purposes of:</p> <p>To report to the Local Planning Panel (LPP) following the public exhibition of two options for the Planning Proposal for land bound by Parramatta Road, Albert Street, Victoria Street and the Western Railway Line, Granville.</p> <p>To report on further consultation undertaken with agencies and other landowners / representatives in the block post-exhibition.</p> <p>To report on a final preferred option subsequently submitted by the Applicant, as well as the related consultation process with landowners in the block.</p> <p>To allow LPP to make a recommendation on what option should be preferred by Council for submission to the Department of Planning and Environment.</p> <p>To recommend next steps to progress planning in the block, namely regarding preparation of a site-specific Development Control Plan and Voluntary Planning Agreement(s).</p> <p><b>LPP DETERMINATION</b></p> <p>In view of the lack of support from the other land owners within the block for Option 1, the Panel does not support Option 1 for the reasons set out in the assessment report. The Panel therefore adopts the recommendation in the assessment report subject to (b)2 being amended to read: - <i>"Increase the FSR from part 2:1/0.6:1 to 4.5:1 provided that the precinct wide traffic study and supporting model supports that level of density"</i>.</p> <p>That the Local Planning Panel recommend to Council:</p>

(a) That Council note the outcomes of the public exhibition and consultation processes (which are summarised and addressed in Attachments 7, 8, 9, 10 and 14) undertaken for the subject Planning Proposal in relation to the block in Granville bounded by Parramatta Road, Victoria St, Albert St and the railway line.

(b) That Council amend the Planning Proposal document exhibited (a copy of which is included in Attachment 5) so that the controls in the Parramatta Local Environmental Plan 2011 (PLEP 2011) that apply to the subject block are amended as follows: 1. Rezone the subject land from part B6 Enterprise Corridor / part R3 Medium Density Residential to B4 Mixed Use 2. Increase the FSR from part 2:1 / part 0.6:1 to 4.5:1 provided that the precinct wide traffic study and supporting model supports that level of density 3. Increase the height from part 15m (4 storeys) / part 11m (3 storeys) to 82m (approx. 25 storeys). 4. Introduce a Design Excellence Clause, requiring any development on these blocks to run an architectural design competition with the winning scheme not receiving a height or FSR bonus; 5. Include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of the Parramatta Road Corridor Urban Transformation Strategy and supporting documents; and 6. make any other amendments to ensure the Planning - 11 - Proposal is providing planning controls that are consistent with the Parramatta Road Corridor Urban Transformation Strategy (except for the building height control)

(c) That Council send the Planning Proposal referred to above to the Department of Planning and Environment for their consideration so they can begin processing the Planning Proposal. However, Council should also advise the Department that the Planning Proposal not be finalised until: Council advises the Department that Voluntary Planning Agreements (VPAs) have been signed by both Council and the landowners that ensure adequate contributions to local infrastructure, in particular road network improvements have been put in place to ensure that the requirements of relevant NSW transport agencies are addressed, and A Development Control Plan (DCP) is prepared and endorsed by Council for the block.

(d) That Council authorise the Acting Chief Executive Officer (CEO) to make any minor amendments and corrections of a non-policy and administrative nature that may arise during finalisation of the Planning Proposal documentation.

(e) That Council advise the Department that, if a legal mechanism exists or can be agreed, that Council has no objection to the Department finalising the Planning Proposal for different parts of the site at different points in time. (As this would allow for the planning controls to be finalised for sites as the VPAs are finalised, rather than requiring all the landowners to wait for all the VPAs to be agreed with

	<p>all landowners before the new planning controls can come into force on their site.)</p> <p>(f) That Council engage a consultant team to prepare a DCP to guide the development of the block. This process should involve consultation with all landowners as part of its preparation, and the Draft DCP should address the key DCP issues detailed in the body of this report.</p> <p>(g) That the Draft DCP be reported to Council to allow Council to endorse the DCP prior to any public consultation on this plan.</p>
29 October 2018	<p>Council resolved at its meeting to:</p> <p><b>That</b> Council amend the Planning Proposal document exhibited (a copy of which is included in Attachment 5 of Attachment 1) so that the controls in the Parramatta Local Environmental Plan 2011 (PLEP 2011) that apply to the subject block are amended as follows:</p> <ol style="list-style-type: none"> <li>1. Rezone the subject land from part B6 Enterprise Corridor / part R3 Medium Density Residential to B4 Mixed Use;</li> <li>2. For the land identified as 171-187 Parramatta Road and 58-60 Victoria Street, Granville, increase the FSR from part 2:1 / part 0.6:1 to 6:1 and increase the height from part 15m (4 storeys) / part 11m (3 storeys) to 82m (approx. 25 storeys);</li> <li>3. For the land identified as 167 Parramatta Road, 38 to 56 Victoria Street and 64 Victoria Street, Granville, increase the FSR from part 2:1 / part 0.6:1 to 4.5:1 and increase the height from part 15m (4 storeys) / part 11m (3 storeys) to 82m (approx. 25 storeys); (Note: to avoid any doubt the property addresses and boundaries are shown in Figure 1 of the Assessment report included as Attachment 1).</li> <li>4. Introduce a Design Excellence Clause, requiring any development on these blocks to run an architectural design competition with the winning scheme not receiving a height or FSR bonus;</li> <li>5. Include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of the Parramatta Road Corridor Urban Transformation Strategy and supporting documents; and</li> <li>6. make any other amendments to ensure the Planning Proposal is providing planning controls that are consistent with the Parramatta Road Corridor Urban Transformation Strategy (except for the building height control).</li> </ol> <p><b>That</b> Council send the Planning Proposal referred to above to the Department of Planning and Environment for their consideration so</p>

	<p>they can begin processing the Planning Proposal. However, Council should also advise the Department that the Planning Proposal not be finalised until:</p> <ol style="list-style-type: none"> <li>1. Council advises the Department that Voluntary Planning Agreements (VPAs) have been signed by both Council and the landowners that ensure adequate contributions to local infrastructure, in particular road network improvements have been put in place to ensure that the requirements of relevant NSW transport agencies are addressed, and</li> <li>2. A Development Control Plan (DCP) is prepared and endorsed by Council for the block. (e) That Council authorise the Acting Chief Executive Officer (CEO) to make any minor amendments and corrections of a non-policy and administrative nature that may arise during finalisation of the Planning Proposal documentation.</li> </ol> <p><b>That</b> Council advise the Department that, if a legal mechanism exists or can be agreed, that Council has no objection to the Department finalising the Planning Proposal for different parts of the site at different points in time. (As this would allow for the planning controls to be finalised for sites as the VPAs are finalised, rather than requiring all the landowners to wait for all the VPAs to be agreed with all landowners before the new planning controls can come into force on their site.)</p> <p><b>That</b> Council engage a consultant team to prepare a DCP to guide the development of the block. This process should involve consultation with all landowners as part of its preparation, and the Draft DCP should address the key DCP issues detailed in the body of this report.</p> <p><b>That</b> the Draft DCP be reported to Council to allow Council to endorse the DCP prior to any public consultation on this plan.</p> <p><b>That</b> Council delegate the Acting CEO to invite all landowners to discuss potential Planning Agreements that provide a contribution to the future infrastructure needs of the Granville Precinct, and to undertake negotiations on the content of any Voluntary Planning Agreement on behalf of Council. When negotiating these agreements Council officers negotiating position should be that the contribution should be equivalent to 50% of the value uplift of the site (in accordance with Council's resolution of 13 June 2017).</p> <p><b>Further</b>, that the outcome of any VPA negotiations arising from the process outlined in (i) above be reported to Council prior to the exhibition of any VPA.</p> <p>Council officers forwarded the above Planning Proposal to DPE on 29 November 2018 seeking finalisation.</p>
--	--

30 November 2018	DPE issue Gateway Alteration, – extension of time. “The timeframe for completing the LEP is by 22 March 2019”.
30 September 2019	DPE Planning Officer finalisation report signed 30 September 2019.
4 October 2019	<p>Planning Proposal Gazetted.</p> <p>Parramatta Local Environment Plan (PLEP) 2023 Amendment Number 39. provided the following clauses to the site:</p> <ul style="list-style-type: none"> <li>i) Rezone the subject land from part B6 Enterprise Corridor and part R3 Medium Density Residential to B4 Mixed Use;</li> <li>ii) Increase the floor-space ratio control from part 2:1 and part 0.6:1 to 4.5:1 and additionally provide an option of 6:1 of which requires the provision of a new public park;</li> <li>iii) Introduce a Design Excellence Clause, requiring the site to run an architectural design competition with the winning scheme not receiving a height or FSR bonus;</li> <li>iv) Include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of the draft or final Parramatta Road Corridor Urban Transformation Strategy (PRCUTS).</li> </ul> <p>Clause 7.6 (Development control plan for “Area 3 and “Area 5”) was added to the PLEP 2023 advising that the above provisions do not come into effect until such time as Council adopts a DCP for the site.</p>
8 October 2019	<p>On 8 October 2019, Council resolved to place the draft SSDCP on public exhibition. The 2019 SSDCP applied to the entire block.</p> <p>The key building envelope changes between the current draft SSDCP compared to the SSDCP that Council endorsed for public exhibition in 2019 are:</p> <ul style="list-style-type: none"> <li>• Increased podium setbacks along Victoria and Duke Streets from 0m to 3m;</li> <li>• Increased setbacks above the podium from 3m to 15m along Victoria Street;</li> <li>• New controls relating to open space and building separation to improve articulation (Council’s City Design team introduced the 15m setback to ensure that towers are focused along Parramatta Rd and away from existing low rise residential development to the north); and</li> <li>• New controls related to vehicular access in the through-site link.</li> </ul>





**REPORTS TO COUNCIL - FOR COUNCIL DECISION**

---

<b>ITEM NUMBER</b>	13.6
<b>SUBJECT</b>	Gateway Request: Planning Proposal for Land at 31 O'Connell Street and 9 Albert Street, North Parramatta
<b>REFERENCE</b>	F2024/00282 - D09460585
<b>APPLICANT/S</b>	Peterose Pty Ltd
<b>OWNERS</b>	Peterose Pty Ltd
<b>REPORT OF</b>	Senior Project Officer

**CSP THEME:** Innovative

**DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL** Nil

**PURPOSE**

The purpose of this report is to seek Council endorsement to progress a Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination.

**RECOMMENDATION**

- (a) That Council approve for the purposes of seeking a Gateway determination, the Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta (Attachment 1), which seeks the following amendments to Parramatta Local Environmental Plan (LEP) 2023:
  - i. Increase the Height of Buildings control from part 21 metres, part 28 metres and part 66 metres to part 0 metres, part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys); and
  - ii. Increase the Floor Space Ratio control from part 2.4:1 and part 3.3:1 to 3.9:1.
- (b) That Council request the applicant to update the following documents, in accordance with this report, prior to the Planning Proposal being placed on public exhibition:
  - i. Traffic Impact Assessment
  - ii. Stormwater Management Plan
- (c) That Council request the DPHI to provide Council with delegation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council approve the draft site-specific Development Control Plan (DCP) for the purposes of public exhibition with the Planning Proposal.
- (e) That a Planning Agreement be prepared in accordance with the applicant's Letter of Offer at Attachment 12 within Attachment 1 and be placed on public exhibition with the Planning Proposal and site-specific DCP.

- (f) That the Planning Proposal, draft DCP and draft Planning Agreement be exhibited concurrently.
- (g) That Council note the Local Planning Panel's advice to Council is to approve the Planning Proposal to proceed to Gateway Determination (Attachment 2), which is consistent with the Council Officer's recommendation in the report.
- (h) Further, that Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

## PLANNING PROPOSAL TIMELINE



## SUMMARY

1. This report seeks Council's endorsement of the submission of a Planning Proposal (**Attachment 2**) for land at 9 Albert Street and 31 O'Connell Street, North Parramatta to DPHI for Gateway determination.
2. The Planning Proposal seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) to amend the Height of Buildings control from part 21 metres, part 28 metres and part 66 metres to part 0 metres, part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys) and increase the Floor Space Ratio (FSR) control from part 2.4:1 and part 3.3:1 to 3.9:1.
3. The report also seeks approval of an associated site-specific Development Control Plan (SSDCP) (**Attachment 3**). Both documents are intended to be placed on public exhibition concurrently with an associated Planning Agreement.

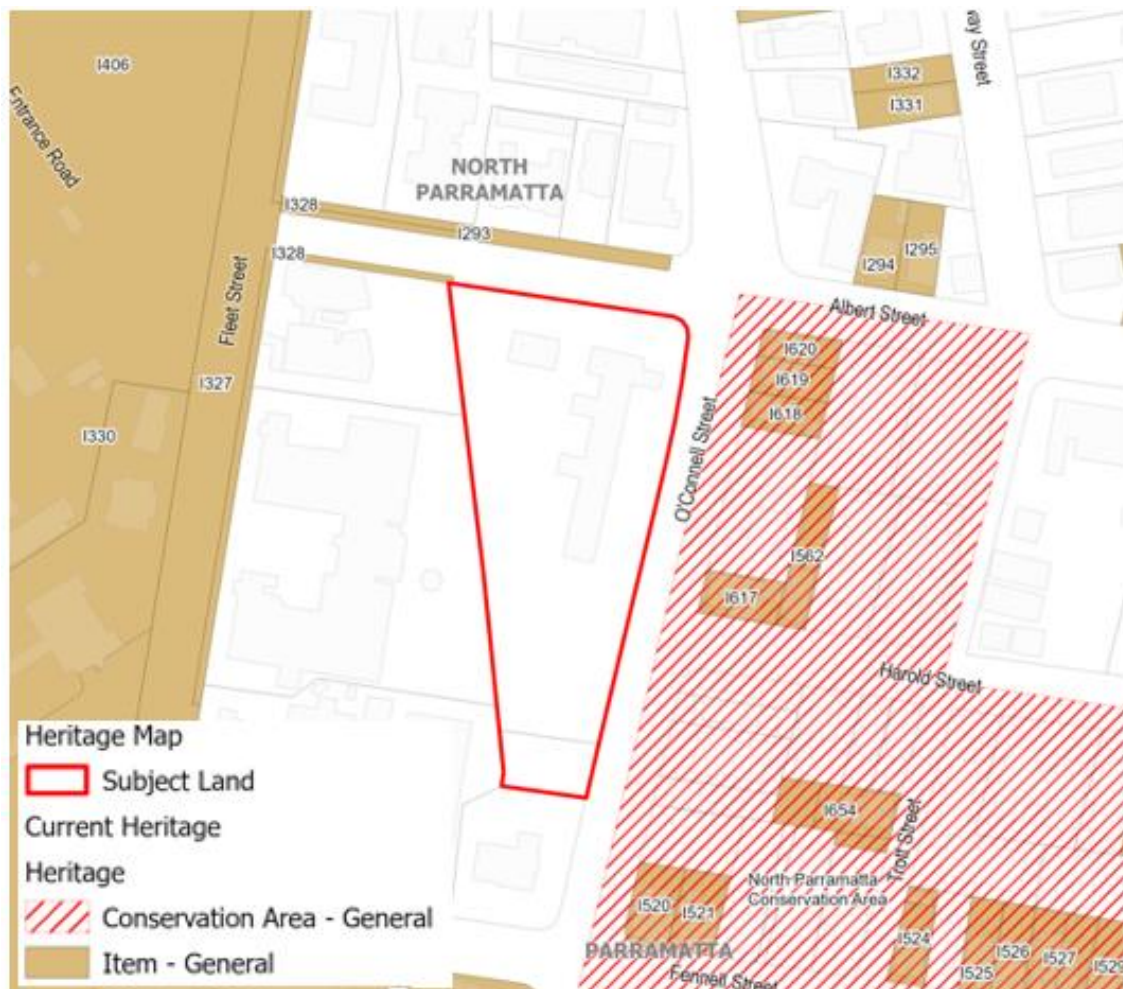
## SITE DESCRIPTION

4. The site (**Figure 1**) is located at 31 O'Connell and 9 Albert Street, North Parramatta. The site is legally described as Lot 1, DP998240 and Lot 1, DP 1143431. The site has an area of approximately 8,921sqm.



**Figure 1. Subject Site**

5. The site is currently vacant and adjoins two nursing homes to the west, being Southern Cross Care Marian Nursing Home and Lillian Wells Nursing Home. It is within approximately 400 metres walking distance from the Fennel Street Parramatta Light Rail stop and approximately 200 metres from the Prince Alfred Square Parramatta Light Rail stop.
6. The built form context of the neighbourhood is currently predominantly medium and high-density housing on the western side of O'Connell Street where the site is located and one to two storey single dwellings on the eastern side of O'Connell Street. The site is located opposite the North Parramatta Heritage Conservation Area (HCA) to the east including various heritage items as shown in **Figure 2**.



**Figure 2.** Subject site in context of the surrounding heritage items and conservation areas.

## BACKGROUND

7. On 9 February 2023, the applicant, Peterose Pty Ltd, lodged a Planning Proposal with Council for the site seeking to increase the building height to 66m (approximately 18 storeys) and maximum FSR to 4:1.
8. The Planning Proposal was initially not progressed as it was expected to be included in the Department's *North Parramatta Place Strategy*. In October 2023, the State Government advised that the subject site would no longer be part of the *North Parramatta Place Strategy* and instead the Department proceeded to finalise a Church Street North rezoning project focused on the Church Street corridor of the North Parramatta area.
9. Following this change to the State Government's approach to the locality, Council officers and the applicant recommenced discussions on the progression of the Planning Proposal and SSDCP, which are the subject of this report.
10. The Planning Proposal and SSDCP were considered by the Local Planning Panel (LPP) at its meeting of 21 May 2024. Details of the LPP recommendations which are generally consistent with the recommendations of this report are provided later in this report.



## DESCRIPTION OF PLANNING PROPOSAL

11. The Planning Proposal (**Attachment 2**) seeks to amend PLEP 2023 to enable redevelopment of the site for a mix of high density residential and retail uses. A total of 371 dwellings could be delivered on the site should this proposal proceed. The proposed amendments are listed below in **Table 1**.

	Existing Controls	Planning Proposal
<b>Zoning</b>	MU1 Mixed Use	MU1 Mixed Use
<b>Height of Buildings</b>	Part 21 metres, part 28 metres and part 66 metres (maximum of approximately 18 storeys)	Part 0 metres, part 30 metres, part 53 metres and part 77 metres (maximum of approximately 22 storeys)
<b>Floor Space Ratio</b>	Part 2.4:1 part 3.3:1	3.9:1
<b>Dwelling number</b>	240* (approximately)	371 (an additional 131 dwgs)
<b>Residential gross floor area (GFA)</b>	20,446sqm**	33,360sqm
<b>Non-residential GFA</b>	963sqm***	1,483sqm

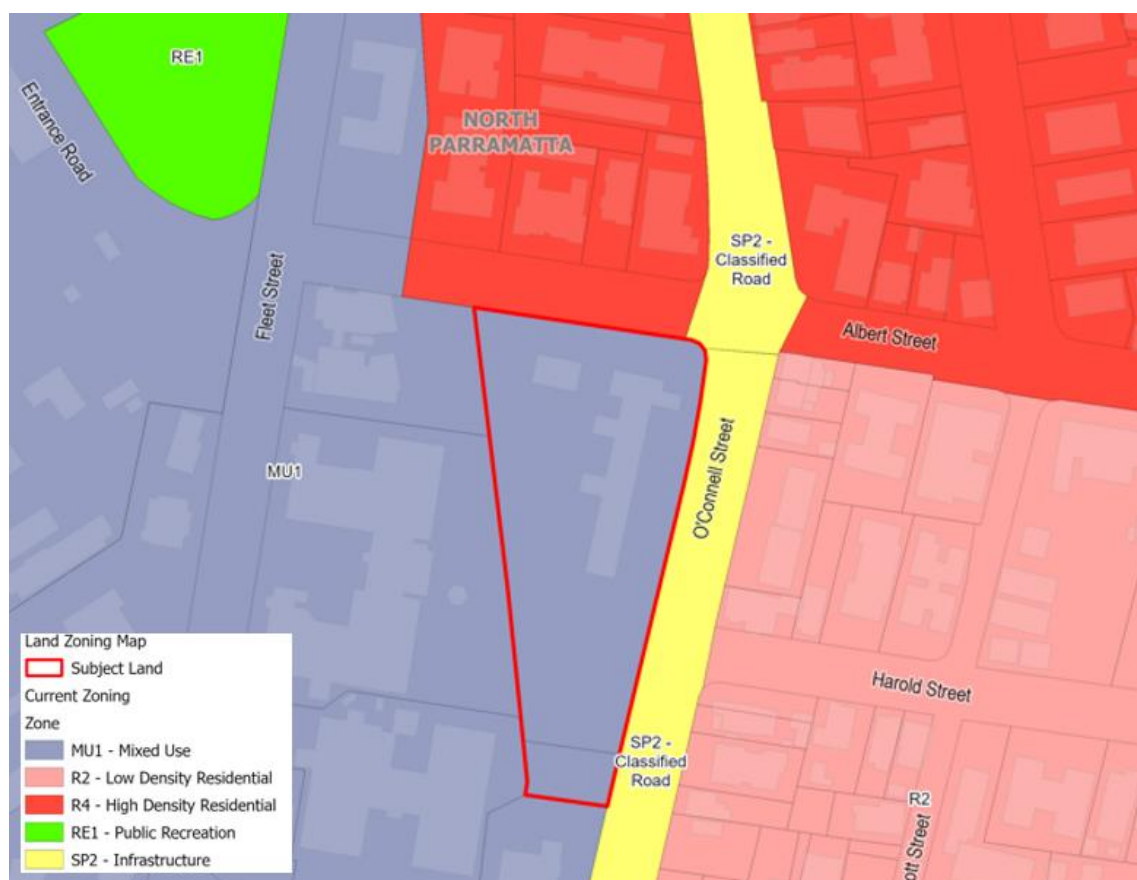
**Table 1.** Current and proposed planning controls

\* Using the Council officers' standard 85% efficiency rate.

\*\* When applying a 2.4:1 FSR across the entire site.

\*\*\* Calculated at 4.5% of the total 21,410sqm GFA.

12. The subject site is zoned MU1 Mixed Use under the provisions of the Parramatta Local Environmental Plan 2023 (PLEP 2023) as shown in **Figure 3**. The current zoning is to be maintained in the Planning Proposal.



**Figure 3.** Current Zoning Map

13. The site currently has a height limit of part 21 metres, part 28 metres and part 66 metres (maximum height of approximately 18 storeys) under the Height of Buildings (HoB) map (**Figure 4**). The current height is proposed to change to part 0 metres, part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys) under the Planning Proposal.



**Figure 4.** Current Height of Buildings

14. The site currently has a floor space ratio of part 2.4:1 and part 3.3:1 under the Floor Space Ratio (FSR) map (refer to **Figure 5**). The FSR is proposed to be increased to 3.9:1 under the Planning Proposal.





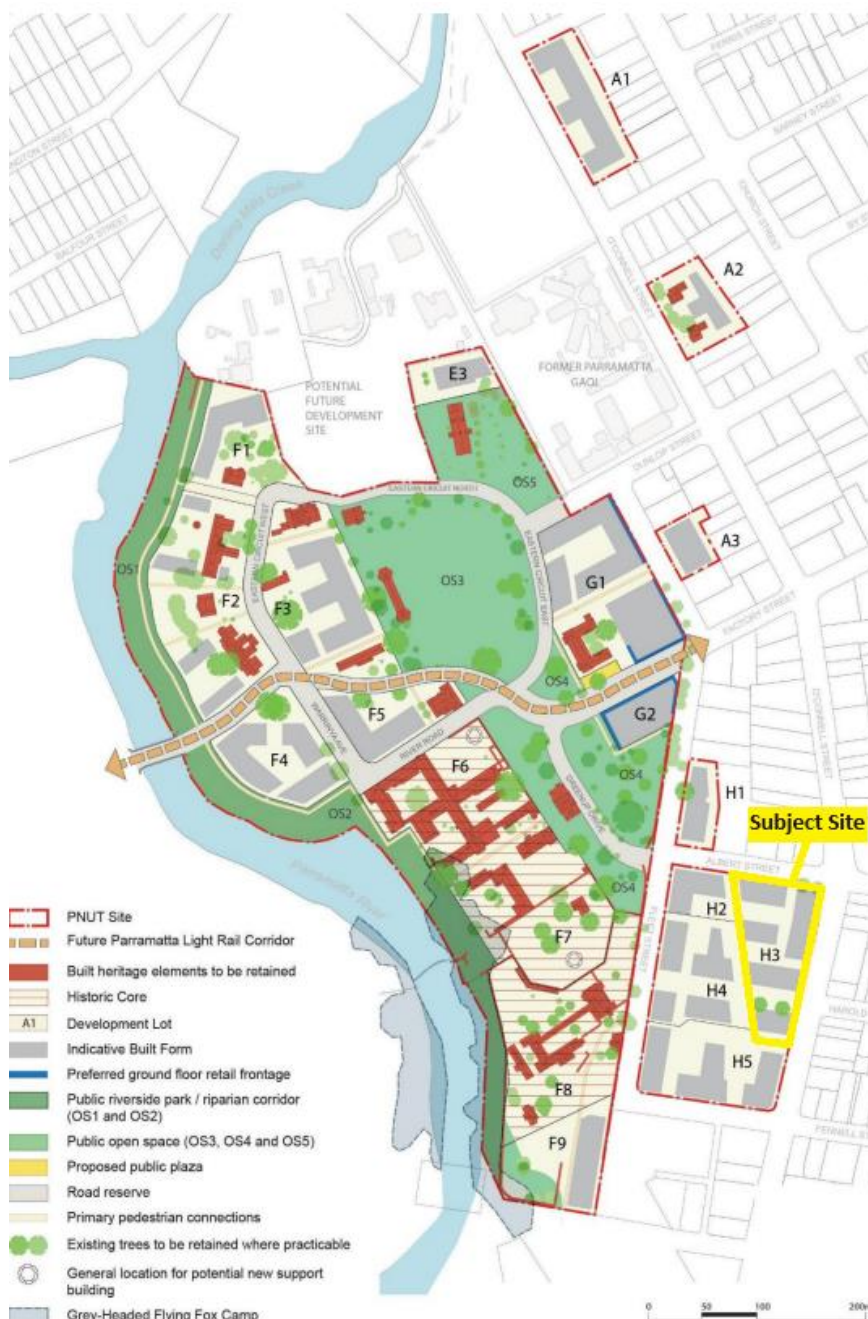
**Figure 5.** Current Floor Space Ratio

15. The applicable development control plan (DCP) for the site is Parramatta DCP 2023 Part 8.2.2 *Parramatta North Urban Transformation Precinct*. This precinct-specific section of the DCP came into effect in 2017 in response to the State Government's rezoning of the land in 2015.

## PLANNING PROPOSAL ASSESSMENT

### Strategic Merit Assessment

16. The Planning Proposal is largely consistent with the State planning policies and strategies as it will provide for additional housing within close proximity to public transport, public open space and retail and commercial services. A full analysis of how this Proposal demonstrates consistency with these plans is included in the Planning Proposal (**Attachment 2**).
17. The site is identified as H3 within the within the Parramatta North Urban Transformation precinct (known as PNUT) (**Figure 8**). General details of the PNUT precinct are contained within the Local Planning Panel (LPP) report at **Attachment 1**.
18. The site is subject to controls specific to PNUT within Part 8.2.2 of Parramatta Development Control Plan (DCP) 2023. These controls and the need for the proposed DCP amendment to support the Planning Proposal are considered later in this report.



**Figure 8.** Location of subject site within PNUT

19. The Proposal is considered to be consistent with numerous directions and Planning Priorities within Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS) by delivering housing and employment services to meet the needs of the future community. Further details of how the Proposal demonstrates consistency with the LHS are provided within the Planning Proposal at **Attachment 2**.
20. The Minister for Planning has recently written to all councils and planning panels asking them to *'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'*. The Minister further asks that *'...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*. This Proposal has been prioritised consistent with this request.

## Site Specific Merit Test

21. The proposed land uses are permissible under the current zoning of the site and its redevelopment will provide increased housing supply and supporting retail facilities to serve the locality and is within close proximity to the Parramatta CBD, public transport, education and health facilities and public open space, making it a suitable location for increased density.
22. Council officers have worked closely with the applicant to devise an appropriate built form outcome for the site given its proximity to the North Parramatta HCA to the east and core of the PNUNT precinct to the west. The applicant's concept design (shown in colour) is depicted in **Figure 9**.



**Figure 9.** Applicant's concept design (shown in colour)

23. The scheme suitably responds to the surrounding context and sensitive heritage interface by providing a transition to the surrounding development, increased setbacks at street level and the upper levels, stepped building heights and the use of 4-6 storey street wall heights, location and orientation of the podiums/tower elements in the centre and northern parts of the site and incorporating deep soil zones to enable large canopy tree planting. Refer to **Figure 10** within the LPP report showing the SSDCP proposed height of buildings in storeys in addition to further detail on design analysis.
24. Concerns were raised by Council's Heritage Advisor and the Heritage Advisory Committee regarding the potential impacts of the proposal on the North Parramatta HCA opposite the site to the east and the relationship of the site to the nationally listed Female Factory to the west. These issues have informed the formulation of the proposed scheme and a detailed analysis of how the scheme responds is provided within the LPP report (**Attachment 1**), the applicant's Urban Design Report and Heritage Assessment (refer to **Attachments 3 and 4** within **Attachment 1**) and the Planning Proposal (**Attachment 2**).



25. In response to concerns raised relating to potential overshadowing of the surrounding area, the shadow diagrams within the applicant's Urban Design Report (**Attachment 3** within **Attachment 1**) indicate that the HCA will experience some overshadowing from 2pm in mid-winter, however, it would otherwise be unaffected. The sensitive Female Factory heritage area to the west would be minimally impacted by overshadowing in the southern-most part of the precinct until approximately 9am. There will be no shadow impact on the Female Factory site from this development proposal beyond 9am.
26. With regard to the potential overshadowing of the Proposal on the adjacent seniors living developments to the west, the applicant's shadow diagrams indicate that the Proposal will be subject to overshadowing of some buildings within the site until approximately 10am. These potential overshadowing impacts are considered reasonable and are consistent with the Apartment Design Guide (ADG) requirements.
27. The site is not subject to the 1% AEP or PMF (refer to **Figure 11** within **Attachment 1**), however it may be affected by overland flow. As a result, the applicant is required to update the Stormwater Management Plan prior to public exhibition. Further details of the required updates are provided within the LPP report (**Attachment 1**).
28. The site is located within close proximity to Belmore Park and Parramatta Park and future new parkland to be provided within the broader PNUT precinct. It is therefore not considered necessary that the proposal provides public open space on-site. Instead, the applicant proposes to make a contribution towards Council's proposed upgrade of Belmore Park as part of an associated Planning Agreement. Details of the draft Letter of Offer (**Attachment 12** within **Attachment 1**) to inform a future Planning Agreement are provided later in this report.
29. No objection has been raised by Council officers to the proposal on traffic and transport grounds. The applicant is required to update the submitted Traffic Impact Assessment prior to public exhibition in accordance with the requirements detailed within the attached LPP report and referred to later in this report.
30. No objections are raised by Council officers in relation to tree management, economic development, noise impact and contamination. Further details on these matters are provided in the attached LPP report.

## **SITE-SPECIFIC DEVELOPMENT CONTROL PLAN**

31. This site is within the PNUT precinct and is subject to part 8.2.2 Parramatta North Urban Transformation Precinct within PDCP 2023. It is proposed that this part be amended to include controls specifically for this site to address the site's characteristics and ensure an appropriate development outcome is achieved on the site. Should there be a discrepancy between the general PNUT and PDCP 2023 controls and those specific to this site, the site-specific controls will prevail.
32. The SSDCP (**Attachment 3**) includes controls relating to the following aspects:
  - Built form and massing.
  - Building heights.
  - Setbacks.

- Building separation.
- Building design.
- Ground floor and active frontages.
- Access and parking.
- Materials.
- Apartment Design Quality.
- Public Domain.
- Communal open space.
- Landscaping.

33. It is intended that the SSDCP will be placed on public exhibition concurrently with the Planning Proposal and Planning Agreement.

## **PLANNING AGREEMENT**

34. A Planning Agreement Letter of Offer (**Attachment 12** within **Attachment 1**) has been submitted by the applicant proposing to deliver public benefits and infrastructure to help support the community needs generated by the additional density of development proposed on the site under the Planning Proposal.
35. The following items are included in the applicant's Letter of Offer:
- i. 4 x 1 bedroom and 1 x 2 bedroom Affordable Rental Housing (ARH) apartments dedicated to Council in perpetuity.
  - ii. A \$250,000 monetary contribution towards Council's planned upgrades to Belmore Park.
  - iii. An easement for the land subject to the proposed through-site link (no ascribed value).
36. Council officers support the provision and dedication of the proposed ARH dwellings which is in accordance with the requirements of Council's Affordable Housing Action Plan and Affordable Rental Housing Policy. The contribution towards the Council's currently planned Belmore Park upgrades is also supported. The proposed monetary contribution towards the Belmore Park upgrades will assist in delivering the Stage 2 works identified in the park's masterplan, for which funds have not yet been allocated.
37. The Proposal will be subject to Section 7.11 / 7.12 development contributions in accordance with Council's Outside CBD Development Contributions Plan (2021), in addition to the Planning Agreement.
38. It is proposed that a Planning Agreement be drafted based on the applicant's Letter of Offer and exhibited concurrently with the Planning Proposal and DCP amendments.

## **PARRAMATTA LOCAL PLANNING PANEL**

39. The Planning Proposal was considered by the LPP at its meeting of 21 May 2024 (report and minutes in **Attachment 1**) who provided the following unanimous recommendation to Council that is generally consistent with the recommendations of this report:

- (a) *That Council approve for the purposes of seeking a Gateway determination, the Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta (Attachment 1), which seeks the following amendments to Parramatta Local Environmental Plan (LEP) 2023:*
- 1) *Increase the Height of Buildings control from part 21 metres, part 28 metres and part 66 metres to part 0 metres, part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys).*
  - 2) *Increase the Floor Space Ratio control from part 2.4:1 and part 3.3:1 to 3.9:1.*
- (b) *That Council request the applicant to update the following documents, in accordance with this report, prior to the Planning Proposal being placed on public exhibition:*
- 1) *Traffic Impact Assessment*
  - 2) *Stormwater Management Plan*
- (c) *That Council request the DPHI to provide Council with delegation to exercise its plan-making delegations for this Planning Proposal.*
- (d) *That Council approve the draft site-specific Development Control Plan (DCP) for the purposes of public exhibition with the Planning Proposal.*
- (e) *That a Planning Agreement be prepared in accordance with the applicant's Letter of Offer at Attachment 12 and placed on public exhibition with the Planning Proposal and site-specific DCP.*
- (f) *That the Planning Proposal, draft DCP and draft Planning Agreement be exhibited concurrently.*
- (g) *That Council note the Local Planning Panel's advice to Council is in support of the Planning Proposal (refer to Attachment 1), which is consistent with the Council Officer's recommendation in the report.*
- (h) *Further, that Council delegate authority to the Chief Executive Officer to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.*
40. A minor amendment was made by the LPP to recommendation (a)(1) at the request of Council officers to reference a proposed part 0 metre height limit. This is necessary in order to accurately reflect the desired height limit applicable to the proposed through-site link.

## **PARRAMATTA HERITAGE ADVISORY COMMITTEE**

41. The Planning Proposal was presented to members of the Parramatta Heritage Advisory Committee (PHAC) at its meeting of 13 June 2024. There was an insufficient number of committee members in attendance to form a quorum and the Chairperson therefore recommended that members submit individual feedback in writing to Council officers.



42. One submission was provided, which outlined concerns relating to the following matters:
- Potential impact on the nearby Fleet Street/Female Factory Precinct to the west of the site and apparent lack of consideration by the LPP on this matter.
  - Consultation with Federal Government given the precinct's heritage status.
  - Visual impact when viewing the site from within the heritage precinct to the west.
  - Consideration to the potential impact of the development on the surrounding area given existing buildings heights in this part of North Parramatta.
  - Accuracy of the applicant's traffic modelling.
  - Climate change (urban heat) and management of overland stormwater flow within the site.
43. The visual impact of the proposed development when viewed from within the Fleet Street/Female Factory Precinct has been a key consideration when determining the appropriateness of the proposed built form. As a result, design controls have been incorporated into the SSDCP to ameliorate any potential impacts. Refer to the LPP report (**Attachment 1**) for further details.
44. The proposed maximum building height of 77 metres (approximately 22 storeys) is greater than existing development in this area. However, under existing PLEP 2023 height controls, up to 66 metres can currently be achieved on this site and the adjacent site to the west and is therefore not considered to be out of context. The applicant's Heritage Study also states:
- Any development beyond several storeys on the site will be seen from the Orphanage site as development that is set above the escarpment face and elevated above the current development on the Fleet Street lots. The planning controls provide for much higher and denser development along Fleet Street that would, in time potentially screen, or at least in part screen views to development on the subject site. There appears to be a clear intent in the LEP controls for the whole block to be developed intensely over time.*
45. The applicant's Traffic Impact Assessment (TIA) has been reviewed in detail by Council's Traffic and Transport Planning team, with no objections raised. Nonetheless, the TIA is required to be updated prior to public exhibition to address matters relating to minor trip generation adjustments, recalibration of traffic modelling, the provision of a Green Travel Plan and review of access arrangements from Albert Street. These amendments are considered minor in nature and should not prevent the Proposal from progressing to Gateway determination. Further detail is provided in the LPP report (**Attachment 1**).
46. The proposed design will incorporate landscaping including large canopy tree planting to ameliorate the effects of urban heat and incorporate water sensitive urban design (WSUD) elements into the development. It is noted that the site may be affected by overland flow and as a result, the applicant is required to update the Stormwater Management Plan prior to public exhibition to address various overland flow management matters identified by Council's Catchment and Development Engineer. These matters are not considered justification to prevent the Proposal from progressing to Gateway determination. Further detail is provided in the LPP report (**Attachment 1**).

47. In response to these concerns, it is noted that the LPP was fully briefed on the proposal at the meeting by Council officers when it considered the matter and was made aware of the surrounding heritage significance both to the east and west of the site. Ultimately, the LPP were satisfied that the proposed design elements would enable an appropriate development outcome to be achieved on the site within the heritage context.
48. The proposal is at pre-Gateway stage and therefore no community and government consultation has been undertaken. Should the DPHI consider this proposal appropriate for proceeding to public exhibition then the necessary stakeholder consultation will be undertaken as required by the Environmental Planning and Assessment Act and the Gateway determination.

## CONSULTATION & TIMING

### Stakeholder Consultation

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

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
February 2023 to June 2024	Applicant	Various comments in relation to finalising the Planning Proposal and Planning Agreement for Gateway determination.	Necessary consultation has been undertaken to date with the applicant to develop the draft planning provisions and Planning Agreement for the purposes of proceeding to Gateway determination.	Group Manager Major Projects and Precincts

### Councillor Consultation

50. The following Councillor consultation will be undertaken in relation to this matter prior to the Council meeting that considers this report:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
15 July 2024 - briefing	All invited	Not known at time of finalising this report	Not known at time of finalising this report	Group Manager Major Projects and Precincts

## **LEGAL IMPLICATIONS FOR COUNCIL**

51. The legal implications associated with this report relate to the Planning Agreement that is proposed to be entered into between Council and the landowner.
52. Council's legal team will be consulted for the purposes of engaging an external legal advisor to draft the Planning Agreement that is based upon the Letter of Offer (**Attachment 12 to Attachment 1**).

## **FINANCIAL IMPLICATIONS FOR COUNCIL**

53. Should Council resolve to proceed with the Planning Proposal, the financial implications for Council include costs associated with the exhibition process, which include advertising and landowner notification by mail out. These costs will be funded from the City Planning and Design budget.
54. The applicant has paid the relevant application fees to cover the cost of preparing the PLEP 2023 and SSDCP amendments and it is not anticipated that costs will be incurred by Council.
55. The costs of undertaking the legal drafting, public exhibition and execution of the Planning Agreement will be paid by Council and recouped from the applicant.

## **PLAN MAKING DELEGATIONS**

56. Delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
57. It is recommended that Council request that delegation be granted to the CEO by the Department on this occasion. When a council is not granted plan-making delegations then the Department is responsible for liaising with Parliamentary Counsel to finalise the LEP amendment should it be adopted by Council for completion post-exhibition.

## **CONCLUSION AND NEXT STEPS**

58. The Planning Proposal seeks to amend PLEP 2023 to increase the maximum building height and FSR on the site in a manner considered acceptable by Council officers and the LPP. Council officers seek Council's endorsement of the recommendations of this report. Should this occur, the Planning Proposal will be forwarded to the Department of Planning, Housing and Infrastructure for a Gateway determination.

Amberley Moore  
**Senior Project Officer**

Jennifer Concato

**Executive Director City Planning and Design**




John Angilley

**Executive Director Finance & Information**

Gail Connolly

**Chief Executive Officer**

**ATTACHMENTS:**

- |   |   |   |          |
|---|---|---|----------|
| 1 |  | Local Planning Panel Report and Minutes - 21 May 2024 | 26 Pages |
| 2 |  | Planning Proposal                                     | 43 Pages |
| 3 |  | Draft Site-Specific DCP                               | 12 Pages |

**REFERENCE MATERIAL**

Item

**PLANNING PROPOSAL**


---

<b>ITEM NUMBER</b>	6.1
<b>SUBJECT</b>	Gateway Request - Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta
<b>REFERENCE</b>	F2022/03176 -
<b>APPLICANT/S</b>	Peterose Pty Ltd
<b>OWNERS</b>	Peterose Pty Ltd
<b>REPORT OF</b>	Senior Project Officer

**PURPOSE**

The purpose of this report is to seek the Local Planning Panel's advice to Council on a recommendation to progress a Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta to the Department of Planning, Housing and Industry (DPHI) for a Gateway determination.

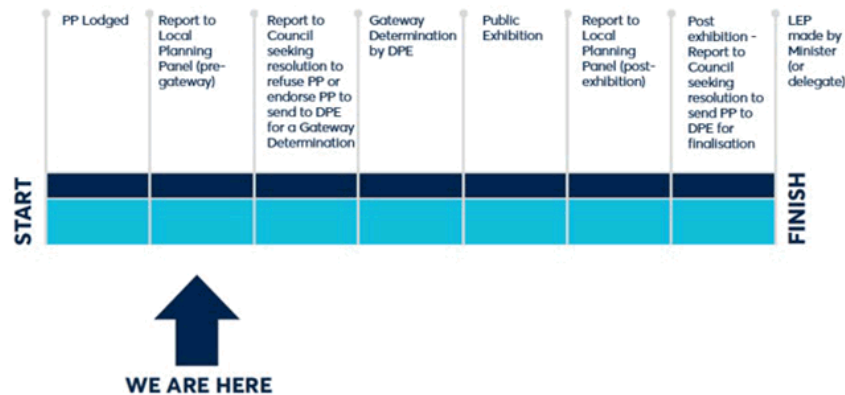
**RECOMMENDATION**

The Local Planning Panel (LPP) consider the following Council Officer recommendations in its advice to Council:

- (a) That Council approve for the purposes of seeking a Gateway determination, the Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta, which seeks the following amendments to Parramatta Local Environmental Plan (LEP) 2023:
  - 1) Increase the Height of Buildings control from part 21 metres, part 28 metres and part 66 metres to part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys).
  - 2) ii. Increase the Floor Space Ratio control from part 2.4:1 and part 3.3:1 to 3.9:1.
- (b) That Council request the applicant to update the following documents, in accordance with this report, prior to the Planning Proposal being placed on public exhibition:
  - 1) Traffic Impact Assessment
  - 2) Stormwater Management Plan
- (c) That Council request the DPHI to provide Council with delegation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council approve the draft site-specific Development Control Plan (DCP) for the purposes of public exhibition with the Planning Proposal.
- (e) That a Planning Agreement be prepared in accordance with the applicant's Letter of Offer at **Attachment 12** and placed on public exhibition with the Planning Proposal and site-specific DCP.
- (f) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

Item

## PLANNING PROPOSAL TIMELINE



## SUMMARY

1. This report seeks the advice of the LPP on the progression of a Planning Proposal (**Attachment 1**) for land at 9 Albert Street and 31 O'Connell Street, North Parramatta to DPHI for Gateway determination.
2. The Planning Proposal seeks to amend the Parramatta Local Environmental Plan 2023 (PLEP 2023) to amend the Height of Buildings control from part 21 metres, part 28 metres and part 66 metres to part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys) and amend the Floor Space Ratio (FSR) control from 3.3:1 to 3.9:1.
3. The report also seeks the advice of the LPP on the progression of an associated site-specific Development Control Plan (SSDCP) (**Attachment 2**). Both documents are intended to be placed on public exhibition concurrently with an associated Planning Agreement.

## BACKGROUND

4. The site was formerly proposed to be included in the Parramatta CBD Planning Proposal. However, it was removed from that Planning Proposal in 2021 by the (then) Department of Planning and Environment (Department), along with all land north of the Parramatta River when the Parramatta CBD Planning Proposal was finalised. In October 2022, the area was identified by the Department to be the subject of the *North Parramatta Place Strategy*.
5. On 9 February 2023, the applicant, Petrosa Pty Ltd, lodged a Planning Proposal with Council for land at 31 O'Connell Street and 9 Albert Street, North Parramatta seeking to increase the building height to 66m (approximately 18 storeys) and maximum floor space ratio (FSR) to 4:1.
6. The Planning Proposal was initially not progressed due to the Department's *North Parramatta Place Strategy*. In October 2023, the State Government advised that the subject site would no longer be part of the *North Parramatta Place Strategy*.



Item

7. The State Government then determined not to progress with a *North Parramatta Place Strategy* and instead proceeded to finalise a Church Street North rezoning project focused on the Church Street corridor of the North Parramatta area. Following this change to the State Government's approach to the locality, Council officers and the applicant recommenced discussions on the progression of the Planning Proposal and SSDCP, which are the subject of this report.

## SITE DESCRIPTION

8. The site (**Figure 1**) is located at 31 O'Connell and 9 Albert Street, North Parramatta. The site is legally described as Lot 1, DP998240 and Lot 1, DP 1143431. The site has an area of approximately 8,921sqm.

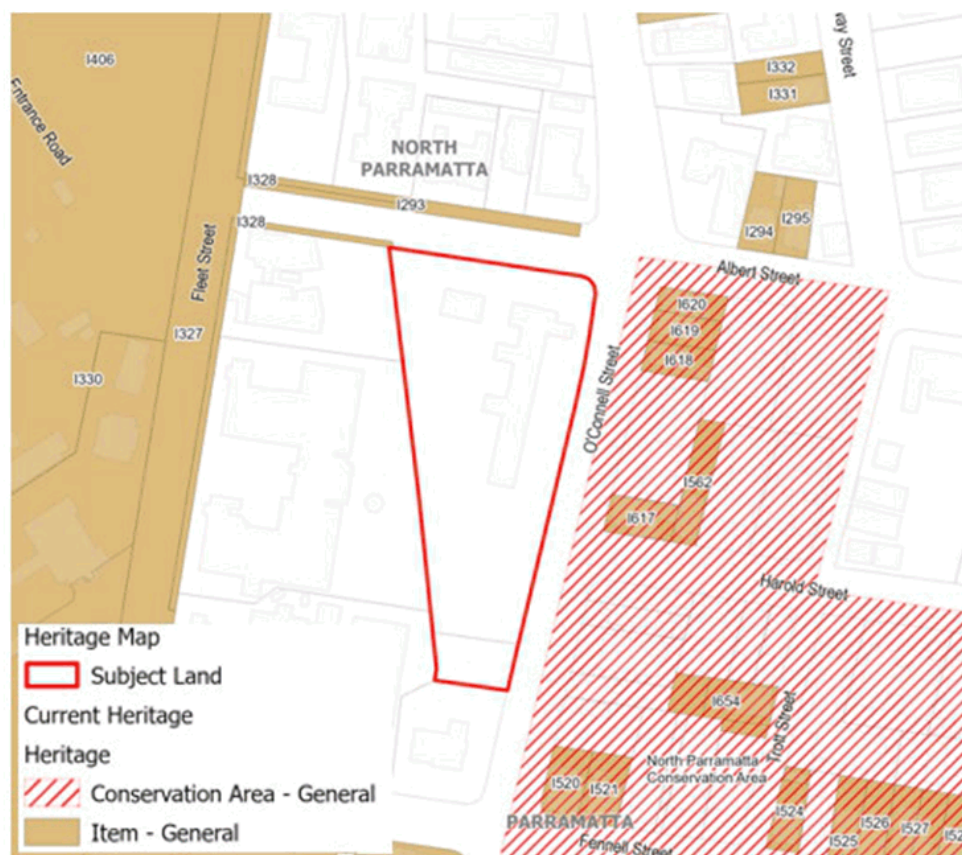


**Figure 1.** Subject Site

9. The site is currently vacant and adjoins two nursing homes to the west, being Southern Cross Care Marian Nursing Home and Lillian Wells Nursing Home.
10. The site is within approximately 400 metres walking distance from the Fennel Street Parramatta Light Rail stop and approximately 200 metres from the Prince Alfred Square Parramatta Light Rail stop.
11. The built form context of the neighbourhood is currently one to two storey single dwellings on the eastern side of O'Connell Street and predominantly medium and high-density housing on the western side of O'Connell Street.

Item

12. The site is located within close proximity to the North Parramatta Heritage Conservation Area (HCA) to the east and various heritage items as shown in **Figure 2**.



**Figure 2.** Subject site in context of the surrounding heritage items and conservation areas.

## CURRENT PLANNING CONTROLS

13. The subject site is zoned MU1 Mixed Use under the provisions of the Parramatta Local Environmental Plan 2023 (PLEP 2023) as shown in **Figure 3**. The current zoning is to be maintained in the Planning Proposal.

Item

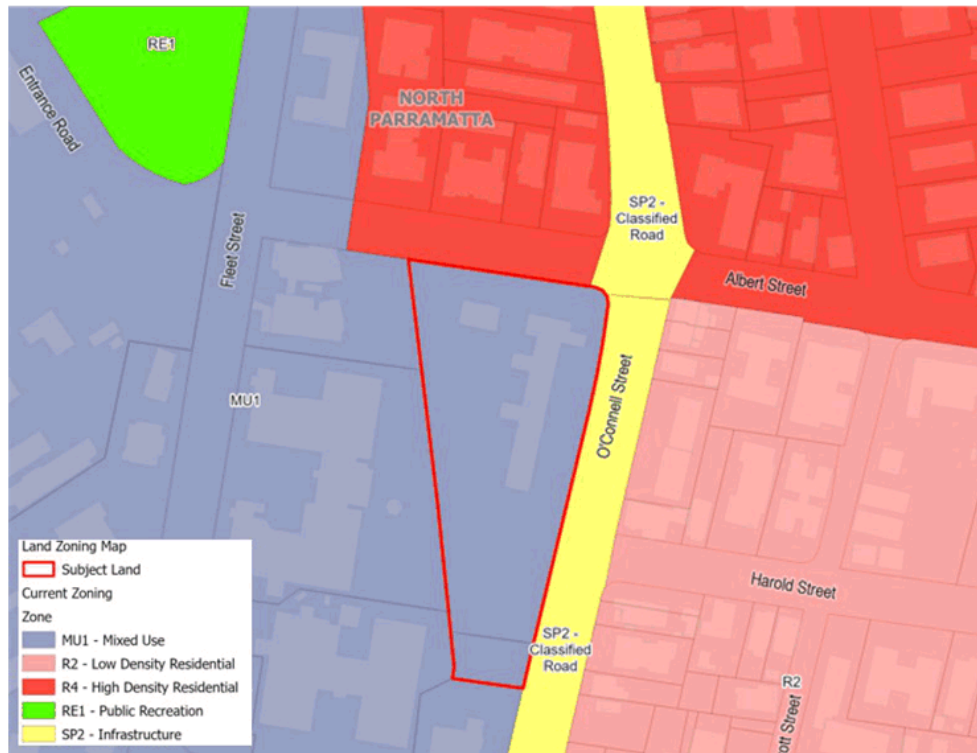
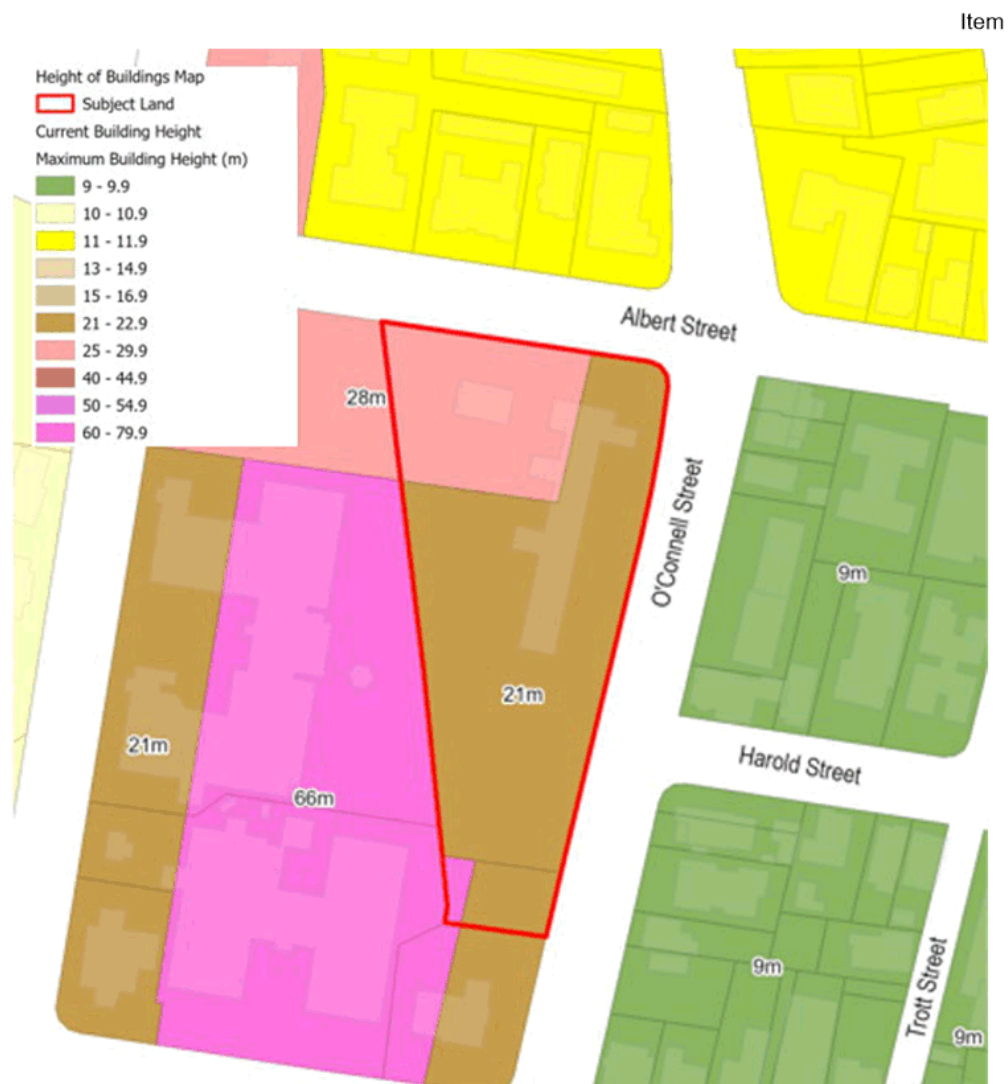


Figure 3. Current Zoning Map

14. The site currently has a height limit of part 21 metres, part 28 metres and part 66 metres (maximum height of approximately 18 storeys) under the Height of Buildings (HoB) map (**Figure 4**). The current height is proposed to increase to part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys) under the Planning Proposal.





**Figure 4. Current Height of Buildings**

15. The site currently has a floor space ratio of part 2.4:1 and part 3.3:1 under the Floor Space Ratio (FSR) map (refer to **Figure 5**). The FSR is proposed to be increased to 3.9:1 under the Planning Proposal.



16. The applicable development control plan (DCP) for the site is Parramatta DCP 2023 Part 8.2.2 *Parramatta North Urban Transformation Precinct*. This precinct-specific section of the DCP came into effect in 2017 in response to the State Government's rezoning of the land in 2015.

### PLANNING PROPOSAL

17. The Planning Proposal (**Attachment 1**) seeks to amend PLEP 2023 to enable redevelopment of the site for a mix of high density residential and retail uses. A total of 371 dwellings could be delivered should this Proposal proceed.
18. The Planning Proposal seeks to increase the height of buildings to 78m (approximately 22 storeys) and increase the FSR to 3.9:1. Refer to **Figures 6 & 7** respectively. A summary of the current and proposed land use controls is provided in **Table 1**.

Item

	Existing Controls	Planning Proposal
<b>Zoning</b>	MU1 Mixed Use	MU1 Mixed Use
<b>Height of Buildings</b>	Part 21 metres, part 28 metres and part 66 metres (maximum of approximately 18 storeys)	Part 30 metres, part 53 metres and part 77 metres (maximum of approximately 22 storeys)
<b>Floor Space Ratio</b>	Part 2.4:1 part 3.3:1	3.9:1
<b>Dwelling number</b>	240* (approximately)	371 (an additional 131 dwgs)
<b>Residential gross floor area (GFA)</b>	20,446sqm**	33,360sqm
<b>Non-residential GFA</b>	963sqm***	1,483sqm

**Table 1.** Current and proposed planning controls

\* Using the Council officer's standard 85% efficiency rate.

\*\* When applying a 2.4:1 FSR across the entire site.

\*\*\* Calculated at 4.5% of the total 21,410sqm GFA.

19. The height of building controls is proposed to change to part 30m, part 53m and part 77m (**Figure 6**).



Item

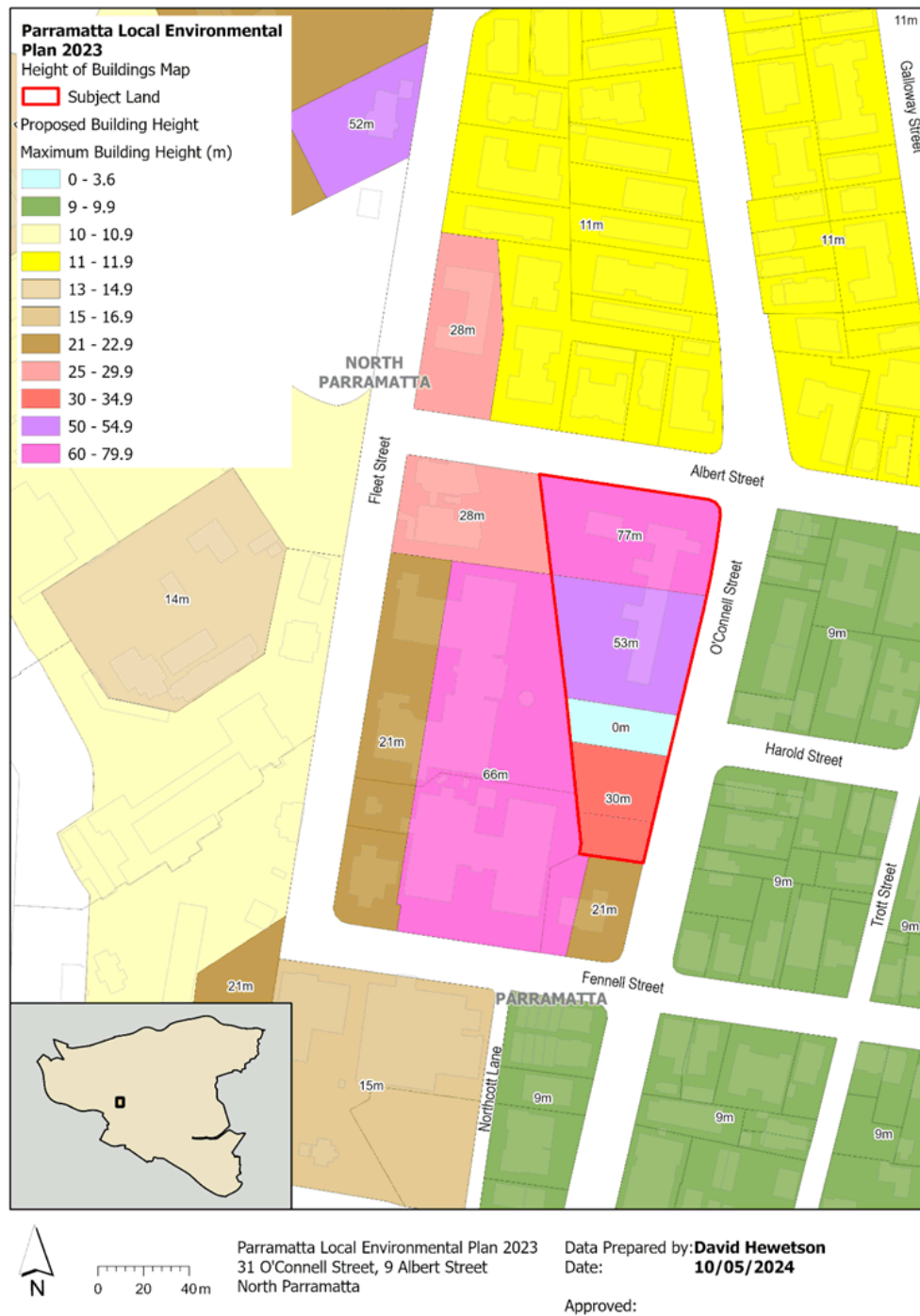
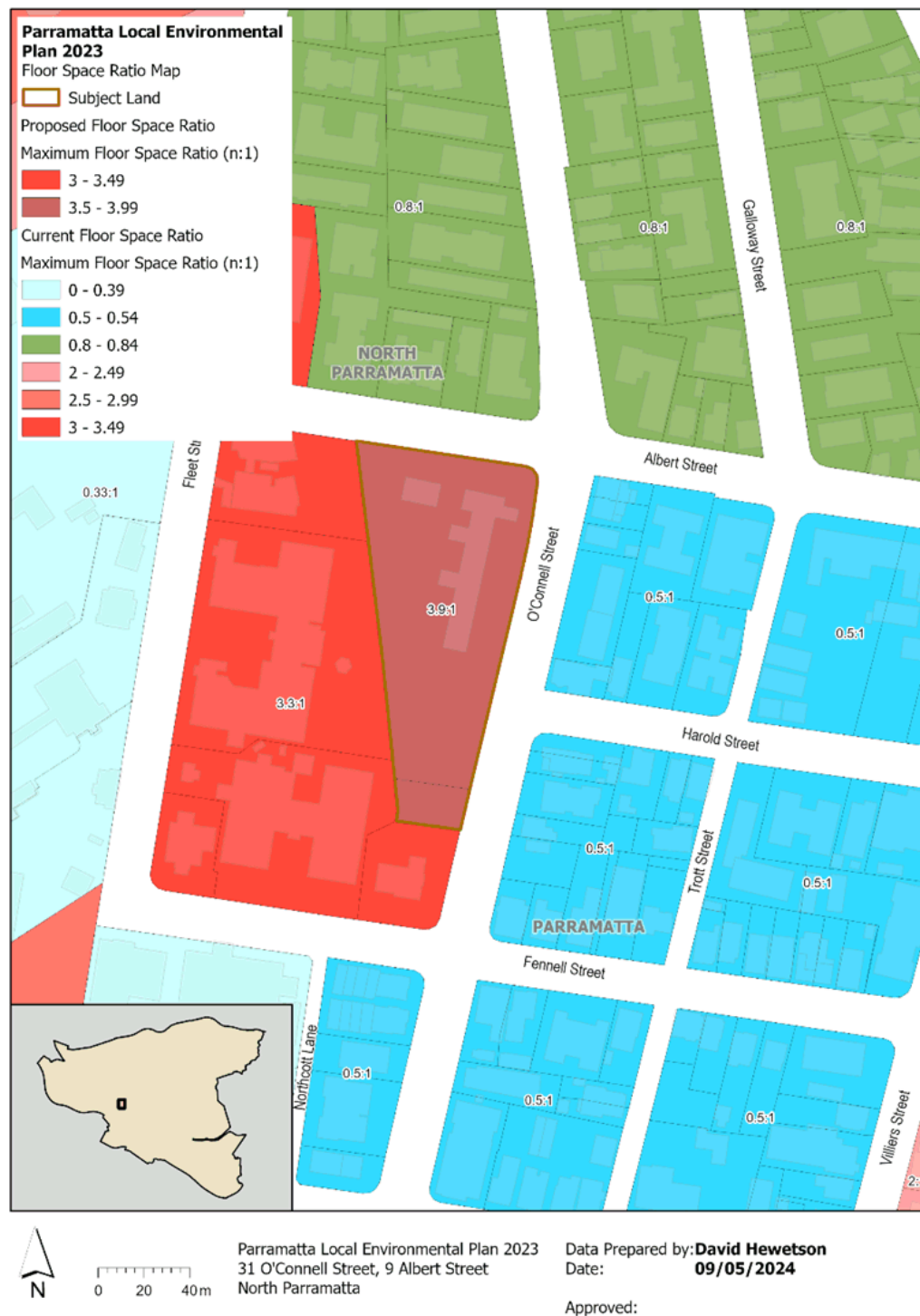


Figure 6. Proposed Height of Buildings Map

Item

20. The floor space ratio controls are proposed to change to 3.9:1 (**Figure 7**)



**Figure 7. Proposed Floor Space Ratio**

Item

**STRATEGIC MERIT ASSESSMENT**State Planning Policies and Strategies*Greater Sydney Region Plan and Central City District Plan*

21. In March 2018, the, then, Greater Sydney Commission (GSC) released the Greater Sydney Region Plan: A Metropolis of Three Cities (Region Plan), a 20-year plan which outlines a three-city vision for metropolitan Sydney to the year 2036. The Central City District Plan (District Plan) was subsequently released by the GSC to implement the Region Plan. The Sydney Plan and District Plan set out the key priorities and actions for this District by aiming to rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney.
22. An assessment of the Planning Proposal against the Sydney Plan and District Plan identifies the Planning Proposal is largely consistent with the Plans in that it will provide for additional housing, is within walking distance to public transport, public open space and retail and commercial services. A full analysis of how this Proposal demonstrates consistency with these plans is included in the Planning Proposal (**Attachment 1**).

*Parramatta North Urban Transformation Precinct (PNUT)*

23. The site is identified as H3 within the Parramatta North Urban Transformation precinct (known as PNUT) (**Figure 8**). In 2015, UrbanGrowth, prepared a development proposal for the Parramatta North Urban Renewal Area. The planning controls were made via a State Environmental Planning Policy (SEPP) in 2015.
24. PNUT is a mixed-use renewal precinct and has a unique heritage, landscape and river setting. The precinct has a long history of indigenous, early colonial and later government institutional uses and the aim is to facilitate long term use through careful adaptive reuse, conservation and preservation.
25. The core of the precinct contains key built and landscape elements of the site that include, among others, the former Parramatta Female Factory. The subject site is not within the PNUT core area.
26. The site is therefore subject to specific development controls for PNUT within Part 8.2.2 of Parramatta Development Control Plan (DCP) 2023. The DCP includes controls relating to design quality, subdivision, public domain and open space, site access and parking, circulation and connectivity, street network, GFA allocation, biodiversity, heritage and archaeology, key views and landmarks, built form and massing. These controls and the need for the proposed DCP amendment to support the Planning Proposal are considered later in this report.

Item



**Figure 8. Location of subject site within PNUT**

## Local Strategies

### *Local Strategic Planning Statement and Local Housing Strategy*

27. The City of Parramatta Local Strategic Planning Statement (LSPS) sets out Council's long-term vision for land use planning and responds to broader priorities identified in the District Plan and integrates with Council's Community Strategic Plan. The LSPS provides greater weight to strategic planning in the broader plan making process and any new Planning Proposal must justify any inconsistency with this framework and the supporting Local Housing Strategy (LHS).
28. The Proposal is considered consistent with numerous directions of the Planning Priorities within Council's LSPS. Details on how the Proposal addresses the requirements of the LSPS are provided at **Attachment 1**.

Item

29. The Proposal is also considered to be consistent with Council's LHS by delivering housing and employment services to meet the needs of the future community. Further details of how the Proposal demonstrates consistency with the LHS are provided at **Attachment 1**.
30. The Minister for Planning has recently written to all councils and planning panels asking them to *'prioritise the delivery of housing when assessing development applications and rezoning schemes, so that the entire planning system is geared to addressing the housing shortfall'*. The Minister further asks that *'...council teams prioritise the opportunity to deliver homes as part of merit considerations where, on balance, dwelling numbers may warrant a scale or built form that is different to or greater than the outcome originally anticipated'*. This Proposal has been prioritised consistent with this request.

#### **SITE SPECIFIC MERIT ASSESSMENT**

31. The proposed land uses are permissible under the current zoning of the site and its redevelopment will provide increased housing supply and supporting retail facilities to serve the locality.
32. The Proposal demonstrates site-specific merit given the site's proximity to the Parramatta CBD, public transport, education and health facilities and public open space, making it a suitable location for increased density.

#### Urban Design

33. The applicant has submitted an Urban Design Report (prepared by DKO Architecture) (see **Attachment 3**) with the Planning Proposal. Council officers have reviewed the report and consider that the applicant's concept design suitably addresses built form and height transition to the adjacent Heritage Conservation Area (HCA). Refer to **Figure 9** showing the applicant's concept design. Note that the surrounding development depicted as semi-transparent is speculative only and is based on what could potentially be achieved on these sites using the currently applicable planning controls.



Item



**Figure 9.** Applicant's concept design

34. In response to concerns raised by Council officers relating to the potential impacts of the proposed development on the HCA and the lower scale development to the west, design controls have been incorporated into the SSDCP addressing setback requirements for both ground floor podium and the upper levels; the distribution of stepped building heights across the site including location of tower elements; landscaping and deep soil zones; and building separation. As a result, it is considered that an appropriate outcome can be achieved on the site that responds to the surrounding context.
35. The PLEP 2023 Height of Buildings map (**Figure 6**) is proposed to be amended to apply specific height controls across the site to ensure that the height distribution eventuates as required and envisaged. A height map in storeys has also been prepared and included in the SSDCP (**Figure 10**).



Item



Figure 10. Proposed SSDCP height map

36. The two tower elements of 22 storeys and 14 storeys are to be located in the core of the site away from the O'Connell Street frontage to provide a height transition to the surrounding development and reduce any potential negative visual impacts on the surrounding area and nearby HCA.
37. The opportunity of providing a publicly accessible through-site link between O'Connell Street and Fleet Street (**Figure 10**) will align with Harold Street and is to be at least 12m wide. On the development of the land to the west, thus providing the connection to Fleet Street, this will improve site permeability not only for future residents of the development but residents and pedestrians of the area in general.

#### Heritage

38. The subject site is the former North Parramatta Infants School, which was not a heritage listed item and has since been demolished. Therefore, the site has no heritage significance. However, the site is located adjacent to and west of the North Parramatta HCA (**Figure 2**).
39. Despite some redevelopment, primarily in the 1960s comprising three-storey walk-up apartment buildings, the HCA contains 46% of the dwellings that existed within the area in 1895 and therefore is considered an area that requires protection.
40. A Heritage Assessment prepared by Paul Davies Architects and Heritage Consultants has been provided in support of the Planning Proposal (**Attachment**

Item

- 4). The Heritage Assessment presents an analysis of the impact of the development on the North Parramatta HCA and heritage items.
41. Overall, the assessment supports the Planning Proposal and acknowledges that the design of the proposed development should respond to the HCA and establish a relationship across O'Connell Street that is an appropriate scale.
42. The assessment states that the proposed concept design has been developed to demonstrate that a good built form can be achieved on the site that relates both to the HCA to the east and to the heritage items further west. The assessment notes that in relation to the HCA, the street separation that O'Connell Street provides, provides an opportunity to establish a viable urban form of larger scale on the subject site.
43. Council's Heritage Advisor has raised concern with the potential negative impact on the existing character of the HCA, specifically the proposed tower creating a strong contrast with the existing low and medium density residential development surrounding the site.
44. In response to the concerns, controls have been included in the SSDCP primarily relating to building design, setbacks, landscaping and building heights to manage the scale of development. The increased setbacks on the site create greater separation between the proposed development and the HCA and establish a street wall height that, although higher and denser than the built form within the HCA, will also aim to reduce the perception of density. The height of the tower is not considered likely to have a negative impact on the HCA as its height will not be perceived from ground level due to the use of podiums.
45. Further, the assessment notes that the intent of a HCA is to capture the heritage values of a streetscape from within the HCA and to ensure new development within the HCA is sympathetic to the existing character and achieve consistency in the streetscape. For new development near a HCA, the intent is to create a clear distinction between the new and existing development rather than dictate the built form. The proposed redevelopment provides a clear transition between the HCA and non-HCA areas through the use of setbacks, street wall heights, landscaping and materials as included in the SSDCP controls.
46. The initial Planning Proposal was referred to Council's Heritage Advisory Committee on 2 May 2023. The Committee agreed not to support the Planning Proposal due to proximity to and impact on the HCA and at the time, considered premature due to the *North Parramatta Place Strategy* having not yet been finalised.
47. The revised Planning Proposal will be considered by the Heritage Advisory Committee at its 6 June 2024 meeting. Council officers consider the revised proposal and the associated Heritage Statement identify how the Committee's earlier expressed concerns can be addressed.
48. Despite the heritage constraints and concerns, it is considered that redevelopment as proposed under the Planning Proposal can be achieved in a manner sensitive to the surrounding context. The SSDCP, which will amend the PNUT DCP, will incorporate appropriate development controls to ensure that redevelopment does not result in an inappropriate outcome for the site and surrounding existing development.

Item

49. The site is not within the area of high sensitivity to the World Heritage Listed Old Government House and Domain precinct.

#### Open Space

50. Council's Parks and Open Space team has reviewed the Planning Proposal and notes that the subject site is located close to significant existing public open spaces Belmore Park and Parramatta Park, and future new parkland to be provided within the broader PNUT precinct. Nonetheless, the potential of approximately 770 new residents (2.1 people per household) in total (an increase of approximately 266 residents above what could potentially be achieved under the current controls) should the Proposal proceed will place increased demand on the use of these open space areas.
51. Although the proposed development incorporates new communal open spaces, principally the adjoining through-site link and atop the podiums, these have limited recreational capacity and future residents will rely on the nearby public open spaces to meet their recreational needs. As a result, the applicant proposes to make a contribution towards Council's proposed upgrade of Belmore Park as part of an associated Planning Agreement. Details of the draft Planning Agreement are provided later in this report.

#### Traffic and Transport

52. Council's Traffic and Transport Planning teams undertook a detailed review of the Planning Proposal and supporting Traffic Impact Assessment (TIA) prepared by Traffix (**Attachment 5**). No objection has been raised to the Proposal on traffic and transport grounds noting that the subject site is within proximity to light rail, bus services and heavy rail.
53. The TIA should be updated prior to public exhibition to address the following:
- i. Update the trip generation data including revalidation of the AM trip rate per hours (via surveys or advice from TfNSW).
  - ii. Recalibration of traffic modelling and future model year assessment.
  - iii. Provide a Green Travel Plan.
  - iv. Review car and truck access to ensure all vehicle movements are via Albert Street.
54. All site-specific parking rates and traffic-related requirements will be contained within the SSDCP.

#### Landscape and Arboricultural

55. A Landscape Report prepared by Site Image Landscape Architects has been provided in support of the Planning Proposal (**Attachment 6**). The Landscape Report shows the proposed outdoor recreational grounds and open space to be provided.
56. An Arboricultural Impact Assessment prepared by McArdle Arboricultural Consultancy has been provided in support of the Planning Proposal (**Attachment 7**) to assess tree health and retention value and to evaluate the potential impacts on trees by the proposed development. The assessment

Item

recommends the retention of several existing trees and replacement of tree removals with new trees.

57. Relevant controls have been incorporated into the SSDCP to ensure the provision of deep soil zones, retention of existing mature trees especially those of 'high retention value', and appropriate tree planting is undertaken on the site should the Planning Proposal proceed. This will be addressed in detail at the development applicant stage.

#### Flooding and Stormwater

58. A Flood Impact Assessment (FIA) letter prepared by Telford Civil has been provided in support of the Planning Proposal (**Attachment 8**). The FIA shows the potential flood impact on the development. Overall, the assessment concludes the proposed development will not impose any additional risks to the occupants or neighbouring properties as it will cause no loss in flood storage or water diversion up to the PMF storm event. It notes that the proposed development complies with Council's requirements and therefore provision of a flood impact and risk assessment report is not required.
59. Council's Catchment and Development Engineer notes that the site is not subject to the 1% AEP or PMF (**Figure 11**), however may be affected by overland flow. The applicant should therefore update the Stormwater Management Plan as follows:
- Remove references to PLEP 2011 and Council's Development Engineering Guidelines and respond instead to the requirement of PDCP 2023.
  - Show that the development will not have adverse flooding impacts on adjoining sites.
  - Show that the total stormwater discharge is 10% less than pre-development.
  - Show maximum site permeability and minimum impermeability.
  - Demonstrate that the deep soil zones are maximised.
  - Demonstrate that landscaped areas will be used to manage runoff and treat it to achieve water quality objectives as per PDCP 2023.
  - Demonstrate that rainwater will be captured and used on-site as a substitute water supply.
60. Council's Catchment and Development Engineer considers that this information can be provided prior to exhibition and should not prevent the Proposal from proceeding to Gateway determination.

Item



Figure 11. 1% AEP and PMF flooding

### Economic Development

61. A Retail Needs Assessment and Impact Test prepared by Macroplan has been provided to support the Planning Proposal (**Attachment 9**). The Retail Needs Assessment is an evaluation of the scale and mix of retail uses considered suitable for a proposed supermarket anchored neighbourhood centre at the subject site. It also provides an overview of the types of non-retail uses considered supportable. From an impact perspective, the assessment concludes that the estimated trading impacts arising from the development of retail provision on other centres in the surrounding area are likely to be minor and are unlikely to threaten their viability.
62. Moreover, additional retail and commercial facilities on-site will benefit existing and future local residents and enable greater street activation than a standalone residential development. Council's Economic Strategy team has reviewed the report and support the provision of local retail and commercial uses outside of the Parramatta CBD to service the growing local populations. The proposed provision of non-residential floor space (1,483sqm) is also supported.

### Noise Impact

63. A Noise Impact Assessment prepared by Pulse White Noise Acoustics has been provided in support of the Planning Proposal (**Attachment 10**). The Noise Impact Assessment examines the potential surrounding environmental noise intrusion impacts from the development and noise emissions on nearby receivers. Overall, the assessment concluded the proposed development would be acceptable from an acoustic perspective.
64. Council's Environmental Health Compliance team has reviewed the report and determined the increase in building height and particularly the inclusion of a



Item

childcare centre will likely result in an increase in local ambient noise levels and may pose nuisance issues if not managed appropriately. It is considered however that these issues can be addressed through appropriate measures at the DA stage.

#### Contamination

65. A Detailed Site Investigation was prepared by EI Australia has been provided in support of the Planning Proposal (**Attachment 11**). The Detailed Site Investigation is an assessment of potential and degree of site contamination and recommend suitability of the site for the future land use. No change to the existing MU1 Mixed Use zone is proposed as part of this Proposal and overall, the investigation concludes the site can be made suitable for mixed-use development.
66. Council's Environmental Health Compliance team reviewed the report and consider that the site could be rendered suitable for the proposed uses under the Planning Proposal provided the recommendations of the Detailed Site Investigation are adopted and undertaken at DA stage.

#### **SITE-SPECIFIC DEVELOPMENT CONTROL PLAN**

67. This site is within the PNUT precinct and is subject to part 8.2.2 Parramatta North Urban Transformation Precinct within PDCP 2023. It is proposed that this part be amended to include controls specifically for this site to address the site's characteristics and ensure an appropriate development outcome is achieved on the site. Should there be a discrepancy between the general PNUT and PDCP 2023 controls and those specific to this site, the site-specific controls will prevail.
68. The SSDCP (**Attachment 2**) includes controls relating to the following aspects:
  - Built form and massing.
  - Building heights.
  - Setbacks.
  - Building separation.
  - Building design.
  - Ground floor and active frontages.
  - Access and parking.
  - Materials.
  - Apartment Design Quality.
  - Public Domain.
  - Communal open space.
  - Landscaping.
69. It is intended that the SSDCP will be placed on public exhibition concurrently with the Planning Proposal and Planning Agreement.

#### **PLANNING AGREEMENT**

70. A Planning Agreement Letter of Offer (**Attachment 12**) has been submitted by the applicant proposing to deliver public benefits and infrastructure to help support the community needs generated by the additional density of development proposed on the site under the Planning Proposal.



Item

71. The following items are included in the applicant's Letter of Offer:
- i. 4 x 1 bedroom and 1 x 2 bedroom Affordable Rental Housing (ARH) apartments dedicated to Council in perpetuity.
  - ii. A \$250,000 monetary contribution towards Council's planned upgrades to Belmore Park.
  - iii. An easement for the land subject to the proposed through-site link (no ascribed value).
72. Council officers support the provision and dedication of the proposed ARH dwellings which is in accordance with the requirements of Council's Affordable Housing Action Plan and draft Affordable Rental Housing Policy. The contribution towards the Council's currently planned Belmore Park upgrades is also supported. The proposed monetary contribution towards the Belmore Park upgrades will assist in delivering the Stage 2 works identified in the park's masterplan, for which funds have not yet been allocated.
73. The Proposal will be subject to Section 7.11 / 7.12 development contributions in accordance with Council's Outside CBD Development Contributions Plan (2021), in addition to the Planning Agreement.
74. It is proposed that a Planning Agreement be drafted based on the applicant's Letter of Offer and exhibited concurrently with the Planning Proposal and DCP amendments.

#### **PLAN MAKING DELEGATIONS**

75. New delegations were announced by the then Minister for Planning and Infrastructure in October 2012, allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan-making functions. Council has resolved that these functions be delegated to the CEO.
76. It is recommended that Council request that delegation be granted to the CEO by the Department on this occasion. When a council is not granted plan-making delegations then DPE is responsible for liaising with Parliamentary Counsel to finalise the LEP amendment should it be adopted by Council for completion post-exhibition.

#### **FINANCIAL IMPLICATIONS FOR COUNCIL**

77. Should Council resolve to proceed with the Planning Proposal, the financial implications for Council include costs associated with the exhibition process, which include advertising and landowner notification by mail out. These costs will be funded from the City Planning and Design budget.
78. The applicant has paid the relevant fee to cover the cost of preparing the DCP amendment and it is not anticipated that costs will be incurred by Council.
79. As per Council's Planning Agreement Policy (2018), the costs of undertaking the legal drafting of the Planning Agreement will be paid by Council and recouped from the applicant.

Item

**CONCLUSION**

80. Council officers have assessed the Planning Proposal and consider that the Planning Proposal has strategic and site-specific merit and should proceed to a Gateway determination.

**NEXT STEPS**

81. It is recommended the Parramatta Local Planning Panel support the Council Officer recommendation that the Planning Proposal (**Attachment 1**) be supported for the purposes of seeking a Gateway Determination.
82. Following the Parramatta Local Planning Panel's consideration of the recommendations of this report, the matter will be reported to an upcoming Council meeting along with the Panel's advice.

Amberley Moore  
**Senior Project Officer**

Carmel O'Connor  
**Team Leader Land Use Planning**

David Birds  
**Group Manager, Major Projects and Precincts**

Jennifer Concato  
**Executive Director City Planning and Design**

**ATTACHMENTS:**

<b>1</b>	Applicant's Planning Proposal	69 Pages
<b>2</b>	Site-Specific Development Control Plan	
<b>3</b>	Urban Design Report	50 Pages
<b>4</b>	Heritage Assessment	17 Pages
<b>5</b>	Traffic Impact Assessment	59 Pages
<b>6</b>	Landscape Design Report	
<b>7</b>	Arboricultural Impact Assessment	42 Pages
<b>8</b>	Stormwater Management Report	12 Pages
<b>9</b>	Retail Needs Assessment	30 Pages
<b>10</b>	Noise Impact Assessment	39 Pages
<b>11</b>	Detailed Site Investigation (contamination)	338 Pages
<b>12</b>	Planning Agreement Letter of Offer	3 Pages

Item



---

## MINUTES

---

**Parramatta Local Planning Panel  
Tuesday, 21 May 2024  
3.30pm**

**Level 3, PHIVE  
Parramatta Square, Parramatta**

---

Item

**6. REPORTS – PLANNING PROPOSALS**

**6.1        SUBJECT**        Gateway Request - Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta

**APPLICANT/S** Peterose Pty Ltd

**OWNERS**        Peterose Pty Ltd

**REPORT OF**    Senior Project Officer

**PANEL ADVICE**

The Local Planning Panel advises as follows:

- (a) That Council approve for the purposes of seeking a Gateway determination, the Planning Proposal for land at 31 O'Connell Street and 9 Albert Street, North Parramatta, which seeks the following amendments to Parramatta Local Environmental Plan (LEP) 2023:
  - 1) Increase the Height of Buildings control from part 21 metres, part 28 metres and part 66 metres to part 0 metres, part 30 metres, part 53 metres and part 77 metres (maximum height of approximately 22 storeys).
  - 2) Increase the Floor Space Ratio control from part 2.4:1 and part 3.3:1 to 3.9:1.
- (b) That Council request the applicant to update the following documents, in accordance with this report, prior to the Planning Proposal being placed on public exhibition:
  - 1) Traffic Impact Assessment
  - 2) Stormwater Management Plan
- (c) That Council request the DPHI to provide Council with delegation to exercise its plan-making delegations for this Planning Proposal.
- (d) That Council approve the draft site-specific Development Control Plan (DCP) for the purposes of public exhibition with the Planning Proposal.
- (e) That a Planning Agreement be prepared in accordance with the applicant's Letter of Offer at **Attachment 12** and placed on public exhibition with the Planning Proposal and site-specific DCP.
- (f) That Council authorise the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

**VOTING**

**Unanimous**

Item

## Links to the Attachments

### **1 - Applicant's Planning Proposal**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_1.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_1.PDF)

### **2 - Site-Specific Development Control Plan**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_2.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_2.PDF)

### **3 - Urban Design Report**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_3.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_3.PDF)

### **4 - Heritage Assessment**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_4.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_4.PDF)

### **5 - Traffic Impact Assessment**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_5.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_5.PDF)

### **6 - Landscape Design Report**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_6.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_6.PDF)

### **7 - Arboricultural Impact Assessment**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_7.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_7.PDF)

### **8 - Stormwater Management Report**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_8.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_8.PDF)

### **9 - Retail Needs Assessment**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_9.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_9.PDF)

Item

**10 - Noise Impact Assessment**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_10.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_10.PDF)

**11 - Detailed Site Investigation (contamination)**

[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_11.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_11.PDF)

**12 - Planning Agreement Letter of Offer**

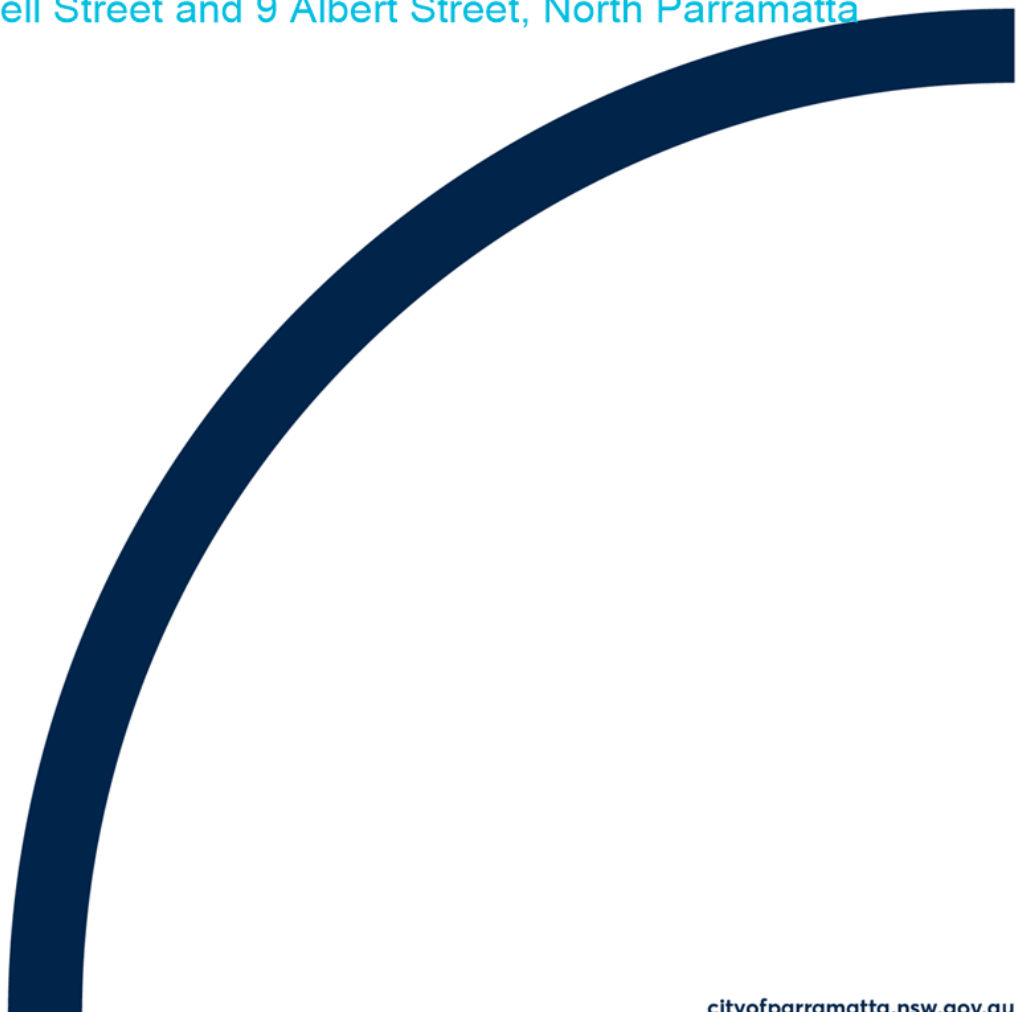
[https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP\\_21052024\\_AGN\\_939\\_AT\\_files/LPP\\_21052024\\_AGN\\_939\\_AT\\_Attachment\\_11372\\_12.PDF](https://businesspapers.parracity.nsw.gov.au/Open/2024/05/LPP_21052024_AGN_939_AT_files/LPP_21052024_AGN_939_AT_Attachment_11372_12.PDF)





# PLANNING PROPOSAL

31 O'Connell Street and 9 Albert Street, North Parramatta



[cityofparramatta.nsw.gov.au](http://cityofparramatta.nsw.gov.au)



# PLANNING PROPOSAL

31 O'Connell Street & 9 Albert Street, North Parramatta

[cityofparramatta.nsw.gov.au](http://cityofparramatta.nsw.gov.au)

# TABLE OF CONTENTS

TABLE OF CONTENTS .....	1
INTRODUCTION.....	2
PART 1 – OBJECTIVES AND INTENDED OUTCOMES.....	5
PART 2 – EXPLANATION OF PROVISIONS .....	6
PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT .....	7
PART 4 – MAPS .....	31
PART 5 – COMMUNITY CONSULTATION .....	38
PART 6 – PROJECT TIMELINE .....	39
APPENDICES TO THE PLANNING PROPOSAL.....	40

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

### Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Think Planners	December 2022
2.	Think Planners	November 2023
3.	Think Planners	February 2024
4.	Think Planners	April 2024

Council versions:

No.	Author	Version
1.	City of Parramatta Council	22 July 2024 - Report to Council on the assessment of Planning Proposal

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

# INTRODUCTION

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2023*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning, Housing and Infrastructure's (the Department) *Local Environmental Plan Making Guideline* (August 2023).

## Background and context

In February 2023, the applicant, Peterose Pty Ltd lodged a planning proposal for 31 O'Connell Street and 9 Albert Street seeking to increase the maximum building height to 66m (approximately 18 storeys) and maximum floor space ratio to 4:1.

The site has a total area of 8,921m<sup>2</sup> and is comprised of two lots, 31 O'Connell and 9 Albert Street, North Parramatta. The site is currently unoccupied and adjoins two seniors living homes to the west.

The relevant lots making up the subject site are as follows:

Address	Lot and DP
31 O'Connell Street	Lot 1, DP998240
9 Albert Street	Lot 1, DP1143431

The site fronts both O'Connell Street (a classified road) to the east and Albert Street to the north. The block within which the site sits is bounded by Fleet Street and Fennell Street to the west and south, respectively, however they do not have a direct interface with the subject site. The site is currently empty and unoccupied following demolition of the North Parramatta Infants School. The site is shown in **Figure 1**, below.

The proposal is located within proximity to employment opportunities, educational establishments, recreational activities and public transportation including Parramatta Female Factory, Parramatta CBD eat street as well as the new light rail station, Ngara station.

Additionally, the site is in close proximity to Parramatta North Public School, St Patrick's Primary, Our Lady of Mercy College Parramatta, Westmead Hospital and more broadly all the services, facilities and opportunities of Parramatta CBD.

There are numerous heritage considerations for the subject site with the North Parramatta Heritage Conservation Area (HCA) directly to the east and the Parramatta Female Factory and surrounding items to the west.

A Planning Proposal for the subject site was intended to be finalised alongside the Parramatta CBD Planning Proposal in 2021 however controls were not supported for land north of the river. This resulted in the proposal being removed by the (then) Department of Planning and Environment. In October 2022, the area was identified by the Department to be subject of the *North Parramatta Place Strategy*.

On 9 February 2023, the applicant lodged a Planning Proposal with Council for the subject site seeking to increase the maximum building height to 66m (approximately 18 storeys) and maximum floor space ratio (FSR) to 4:1. The Planning Proposal was not progressed subject to the Department's planning work as part of the *North Parramatta Place Strategy*.

(RZ/V/2023)

2

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

In October 2023, the State Government advised that the site would no longer form part of the *North Parramatta Place Strategy*. Instead, the Department proceeded with finalising the rezoning of the Church Street North Precinct via a State Environmental Planning Policy with a focus on accelerating the delivery of housing within North Parramatta along the Parramatta Light Rail corridor. Following this change of approach, Council officers recommenced discussions on the progression of the Planning Proposal and SSDCP.

Under the Parramatta Development Control Plan (DCP), the site is identified as H3 within the Parramatta North Urban Transformation Precinct (known as PNUT) and is therefore subject to the abovementioned DCP.

## Subject Site



**Figure 1** – Site at 31 O'Connell Street and 9 Albert Street subject to the Planning Proposal

Under the *Parramatta Local Environmental Plan 2023*, the site:

- is zoned MU1 Mixed Use;
- has a minimum lot size of 8,921m<sup>2</sup>;
- has a maximum building height of part 21m, part 28m and part 66m;
- has a maximum floor space ratio (FSR) of part 2.4:1 and part 3.3:1;

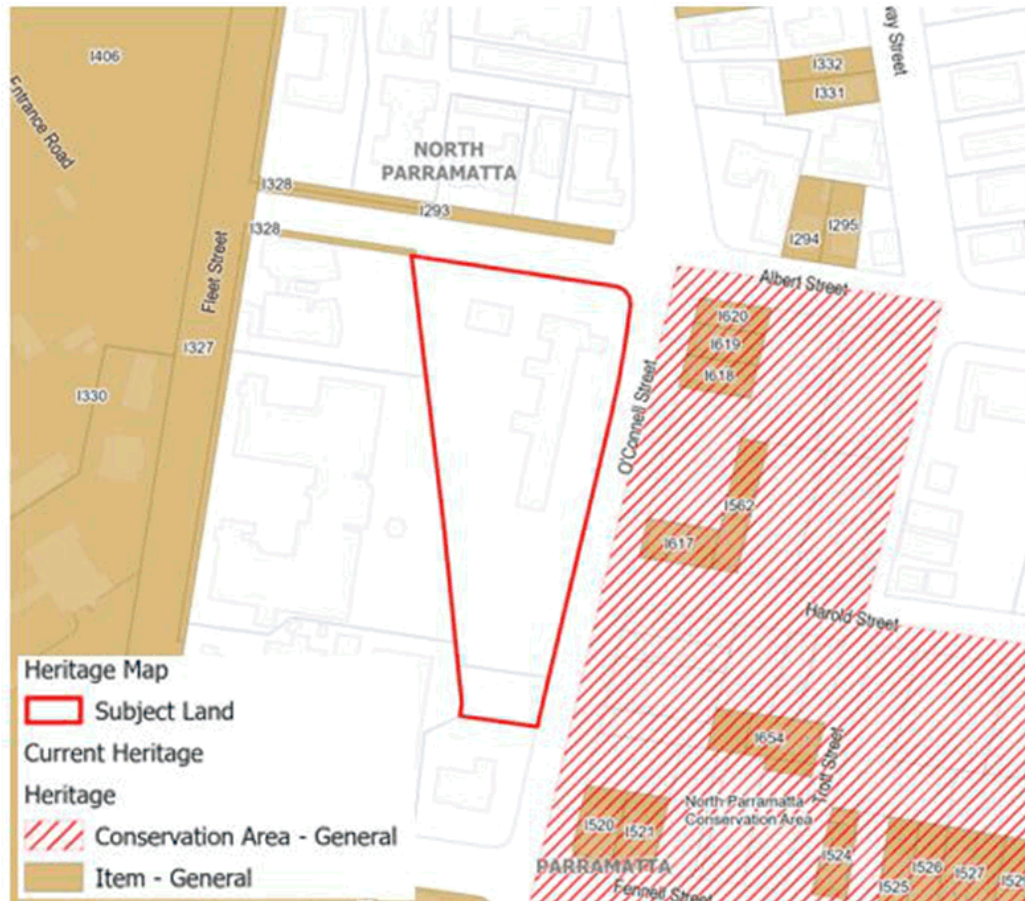
LEP compliant mapping can be found within Part 4 – Mapping.



PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

### Heritage Context and Surrounds

The site itself is not heritage listed however was previously the site of the North Parramatta Infants School that has since been demolished. The site is opposite and to the west of the North Parramatta Heritage Conservation Area (HCA). Additionally, the subject site is within proximity of the Nationally Heritage listed Parramatta Female Factory.



**Figure 2** - Subject Site and Surrounding Heritage

Nearby heritage sites as shown in **Figure 2** are listed below:

- 1520: Single storey residence, 2 Fennell Street, Parramatta
- 1617: Hollywood, 62 O'Connell Street, Parramatta
- 1618: Single storey residence, 72 O'Connell Street, Parramatta
- 1619: Dorislea, 74 O'Connell Street, Parramatta
- 1620: Residence, 76 O'Connell Street, Parramatta

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

# PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the *Parramatta LEP 2023* to provide for the redevelopment of the subject site at 31 O'Connell Street and 9 Albert Street to enable a mixed-use development comprising of high density residential and retail uses.

## Intended Outcomes

The objectives of the Planning Proposal are to:

- Facilitate the development of the site for high density residential and commercial/retail uses.
- Support the State government's goal in prioritising the delivery of housing to address the national housing shortfall.
- Enable the provision of community infrastructure and public benefits through affordable rental housing apartments, a monetary contribution towards planned upgrades to Belmore Park and a through-site link within the development to improve pedestrian connectivity and permeability.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

## PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta Local Environmental Plan (LEP) 2023* in relation to the height and floor space ratio controls.

In order to achieve the desired objectives, the following amendments to the *PLEP 2023* would need to be made:

1. The **Height of Buildings Map (HOB)** be amended from part 28m and part 66m to part 0m, 30m, part 53m and 77m which equates to approximately 8, 14 and 22 storeys, respectively. Refer to **Figure 9 & 12** in Part 4 of this Planning Proposal.
2. The **Floor Space Ratio Map (FSR)** be amended from part 2.4:1 and 3.3:1 to 3.9:1 across the site. Refer to **Figure 10 & 13** in Part 4 of this Planning Proposal.

### 1.1. Other relevant matters

#### 1.1.1. Voluntary Planning Agreement

The applicant submitted a Letter of Offer with the planning proposal to deliver public benefits and infrastructure to support community needs generated by the additional density of development proposed on the site totalling approximately \$4.26 million.

The Letter of Offer includes the following items:

- i. 4 x 1 bedroom and 1 x 2 bedroom Affordable Rental Housing (ARH) apartments dedicated to Council in perpetuity.
- ii. A \$250,000 monetary contribution towards Council's planned upgrades to Belmore Park.
- iii. An easement for the land subject to the proposed through-site link (no ascribed value).

Council officers agree that the applicant's Letter of Offer is acceptable to progress alongside the Planning Proposal. The need for a Planning Agreement has been identified as an appropriate mechanism to ensure the increase in demand for infrastructure due to the additional density sought by the Planning Proposal is satisfactorily addressed.

#### 1.1.2. Draft Site-Specific Development Control Plan

A draft site-specific Development Control Plan (SSDCP) has been prepared by the applicant and Council staff to accompany the Planning Proposal. The proposed SSDCP controls relate to built form, design, parking, materials, public domain, open space, landscaping and other matters. This planning proposal will require amendments to Section 8.2.2 Parramatta North Urban Transformation Precinct (PNUT) in the *Parramatta DCP 2023*.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

## PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

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. This Planning Proposal responds to City of Parramatta's Local Strategic Planning Statement (LSPS) which identifies both the Parramatta CBD and Parramatta North as growth precincts for housing delivery. By 2036, it is forecast that Parramatta CBD and Parramatta North will deliver a combined 7,980 dwellings with this Planning Proposal contributing 371 possible dwellings to this goal. Progressing this Planning Proposal also responds to Council's Local Housing Strategy (LHS) by delivering housing and employment services to meet the needs of the future community. Additionally, this planning proposal assists the State Government with the Minister for Planning's request in prioritising the delivery of housing when assessing rezoning schemes so that the entire planning system is geared to addressing the housing shortfall'.

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

Yes. This Planning Proposal will facilitate an increase in the HOB and FSR controls in the *Parramatta LEP 2023* to enable the delivery of additional housing within the Parramatta LGA whilst providing social and public infrastructure on site and within the surrounding area. It also makes provisions the applicant and Council to develop on an appropriate DCP to guide best practice and the most efficient use 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.

#### 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)?

This Planning Proposal has strategic merit with both State and local planning plans and strategies.

#### Housing Crisis



PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

Recent communication from the State Government regarding the current 'housing crisis' identifies the need to factor housing delivery into planning decisions including when assessing Planning Proposals. The subject proposal will facilitate the delivery of an estimated 371 dwellings, contributing to the overall goal of housing delivery.

### 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.

The controls proposed as part of this Planning Proposal address numerous Directions from the GSRP in relation to:

- Connecting residents with existing and future transport infrastructure in North Parramatta and CBD.
- Providing quality open space and heritage amenity for higher densities to be more healthy, resilient and socially connected.
- Provisioning additional housing within Parramatta and Greater Sydney.
- Improvements to the public domain by the provision of a through-site link.
- Enabling residents and visitors to access the Parramatta CBD and surrounding strategic centres, promoting the 30-minute city.

The additional housing, proximity to existing and new public transport, public open space, retail and commercial services from uplift in the Planning Proposal contribute to achieving the objectives of the GSRP.

### 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
<b>A city supported by infrastructure</b>	<b>O1:</b> Infrastructure supports the three cities	The Planning Proposal aligns with these relevant objectives as the subject site is proximate to the public transport (light rail, train, bus services) connecting it to the Parramatta CBD and other cities.  Additional density will be able to leverage new infrastructure such as the light rail and upgraded public infrastructure such as Belmore Park provided through the planning agreement.  In addition to the planning agreement, the development will be subject to Council's 'Outside CBD Development Contributions Plan 2021 (Amendment 1)' which will enable capacity to fund more local infrastructure in accordance with the Community Strategic Plan (CSP).
	<b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact	
	<b>O3:</b> Infrastructure adapts to meet future need	
	<b>O4:</b> Infrastructure use is optimised	

PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

		This will ensure adequate levels of local infrastructure continues to service the community as it grows.
--	--	--

**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
<b>A city for people</b>	<b>O6:</b> Services and infrastructure meet communities' changing needs	<p>The Planning Proposal is within proximity to the upcoming Parramatta Light Rail which will provide for connectivity between local centres and the Parramatta CBD.</p> <p>The subject site additionally close to cultural and recreational facilities such as the Parramatta Park, Parramatta River, Parramatta Female Factory, Parramatta Gaol and Prince Alfred Square.</p> <p>The planning agreement also provides the opportunity for a through-site link between O'Connell Street and Fleet Street to improve permeability between the North Parramatta Heritage Conservation Area, the site and the Westmead Health District.</p> <p>The intent of the Planning Proposal is to facilitate compatible and heritage sensitive development enriching liveability and the existing heritage character of North Parramatta.</p>
	<b>O7:</b> Communities are healthy, resilient and socially connected	
	<b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods	
<b>Housing the city</b>	<b>O10:</b> Greater housing supply	<p>The Planning Proposal enables higher densities through increased heights and floor space ratios which can theoretically deliver an estimated maximum of 371 dwellings.</p> <p>The controls will also make provisions for mixed-use developments that align with the zoning that contributes to housing supply and diversity within North Parramatta.</p> <p>The planning agreement will result in a total of 5 affordable rental housing apartments dedicated to Council in perpetuity addressing issues related to housing affordability.</p>
	<b>O11:</b> Housing is more diverse and affordable	
<b>A city of great places</b>	<b>O12:</b> Great places that bring people together	<p>The site is within 400m walking distance from the Fennell Street Parramatta Light Rail stop and approximately 200m from the Prince Alfred Square stop.</p>
	<b>O13:</b> Environmental heritage is identified, conserved and enhanced	



PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

		<p>The Planning Proposal notes the proximity of the subject site to surrounding heritage such as the North Parramatta Heritage Conservation Area, Parramatta Female Factory and individually listed items.</p> <p>The proposed redevelopment guided by the supporting SSDCP can achieve sympathetic built forms through building design, setbacks, landscaping and stepping down heights across towers.</p>
--	--	---

**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
<b>A well-connected city</b>	<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities.	<p>The Planning Proposal aligns with the GSRP's objective of a 30-minute city. Increased density will benefit from short walking distances to the Parramatta Light Rail that will offer services every 7.5 minutes between 7am and 7pm.</p> <p>Frequent services to and from the CBD will promote modal shifts from private vehicle use to public transport and improve connectivity to other economic corridors within Greater Sydney.</p> <p>Furthermore, these additional transport connections to heavy rail and the future Parramatta Metro station improves connectivity to other parts of Greater Sydney.</p> <p>Stage 2 of the Parramatta Light Rail will further improve connectivity to the eastern part of the LGA allowing for public connections to other major precincts such as Melrose Park, Wentworth Point and Sydney Olympic Park.</p>
	<b>O15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive.	
<b>Jobs and skills for the city</b>	<b>O19:</b> Greater Parramatta is stronger and better connected	<p>The subject site is within 400m of the closest light rail station stop promoting connectivity between other local and strategic centres. Stage 2 of the Parramatta Light Rail will further enhance connectivity between the site and the eastern side of the Parramatta LGA.</p> <p>Proximity and the light rail connection to the Westmead Health District and the Western Sydney</p>
	<b>O21:</b> Internationally competitive health, education, research and innovation precincts	
	<b>O22:</b> Investment and business activity in centres	

PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

		University campus provides potential housing for students and workers within 30 minutes of the subject site. The retail/commercial component of the Planning Proposal is suitable for a supermarket and other non-retail uses enabling greater street activation.
--	--	--

**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	O28: Scenic and cultural landscapes are protected	The Planning Proposal and the supporting SSDCP makes provisions for built form and design outcomes that are sensitive and compatible with the surrounding heritage.  The related planning agreement will also provide a \$250,000 monetary contribution to upgrades at the nearby Belmore Park aiming to enhance public open space.
	O31: Public open space is accessible, protected and enhanced	

**Implementation**

An assessment of the Planning Proposal's consistency with the GSRP's relevant Implementation objectives is provided in Table 3e, below.

**Table 3e – Consistency of Planning Proposal with relevant GSRP Actions – Implementation**

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	The Planning Proposal is a result of collaborative efforts between multiple teams within Council and the applicant to ensure the best possible outcome is achieved on the site.

**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.

**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.

PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

**Table 4a** – Consistency of Planning Proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<b>A city supported by infrastructure</b> <b>O1:</b> Infrastructure supports the three cities <b>O2:</b> Infrastructure aligns with forecast growth – growth infrastructure compact <b>O3:</b> Infrastructure adapts to meet future need <b>O4:</b> Infrastructure use is optimised	<b>PP C1: Planning for a city supported by infrastructure</b> <ul style="list-style-type: none"> <li><b>A3:</b> Align forecast growth with infrastructure</li> <li><b>A4:</b> Sequence infrastructure provision using a place based approach</li> <li><b>A5:</b> Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans</li> <li><b>A6:</b> 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</li> </ul>	<p>The Planning Proposal would enable approximately 371 dwellings to access the newly developed Parramatta Light Rail Infrastructure within 400m walking distance to multiple stations. This improves connectivity to the Parramatta CBD and other modes of transport.</p> <p>Local attractions and key sites such as the Parramatta CBD, Westmead Health District, Parramatta Park and Western Sydney University will all be easily accessible for people utilising the light rail from the subject site.</p> <p>Additionally, the Sydney Metro West project will assist in accommodating the transport needs of the new residents.</p>
<b>O5:</b> Benefits of growth realized by collaboration of governments, community and business	<b>PP C2: Working through collaboration</b> <ul style="list-style-type: none"> <li><b>A7:</b> Identify prioritise and delivery collaboration areas</li> </ul>	<p>The Planning Proposal is a result of the collaborative efforts of multiple teams within Council and the applicant to ensure the best possible planning outcome is achieved on the site.</p> <p>Should the proposal proceed to Gateway, it will be placed on public exhibition giving government agencies, businesses and the community the opportunity to provide their feedback on the proposal.</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
<b>A city for people</b> <b>O6:</b> Services and infrastructure meet communities' changing needs	<b>PP C3: Provide services and social infrastructure to meet people's changing needs</b> <ul style="list-style-type: none"> <li><b>A8:</b> Deliver social infrastructure that reflects the need of the community now and in the future</li> <li><b>A9:</b> Optimise the use of available public land for social infrastructure</li> </ul>	<p>The Planning Proposal aims to protect heritage through incorporating design elements into the development via the proposed scheme and the draft SSDCP. The proposal will also secure a through site link whilst providing additional housing within the Parramatta LGA.</p> <p>The draft planning agreement provides a monetary contribution totalling \$250,000 for upgrades to Belmore Park which will continue functioning as public land for social infrastructure.</p>

## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

<p><b>O7:</b> Communities are healthy, resilient and socially connected</p> <p><b>O8:</b> Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p><b>O9:</b> Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p><b>PP C4: Working through collaboration</b></p> <ul style="list-style-type: none"> <li>• <b>A10:</b> Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d).</li> <li>• <b>A15:</b> Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places</li> </ul>	<p>The Planning Proposal will provide a development that is within walking distance to public transport and other local amenities. It will encourage active transport and increased usage of public transport due to its proximity to the Parramatta Light Rail and the City Centre.</p> <p>The location of the subject site will enable social connections as a result of being closely linked with the Parramatta CBD by public transport and within walking distance to facilities.</p>
<p><b>Housing the city</b></p> <p><b>O10:</b> Greater housing supply</p> <p><b>O11:</b> Housing is more diverse and affordable</p>	<p><b>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</b></p> <ul style="list-style-type: none"> <li>• <b>A16:</b> Prepare local or district housing strategies that address housing targets [abridged version]</li> <li>• <b>A17:</b> Prepare Affordable Rental housing Target Schemes</li> </ul>	<p>The Planning Proposal intends to deliver approximately 371 dwellings as part of the mixed-use redevelopment (including affordable rental housing).</p> <p>The draft planning agreement makes provisions for the delivery of five affordable rental housing apartments totalling \$4.01m, which will be dedicated to Council in perpetuity.</p>
<p><b>A city of great places</b></p> <p><b>O12:</b> Great places that bring people together</p> <p><b>O13:</b> Environmental heritage is identified, conserved and enhanced</p>	<p><b>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</b></p> <ul style="list-style-type: none"> <li>• <b>A19:</b> Identify, conserve and enhance environmental heritage by (a-c)</li> </ul>	<p>The site itself is not heritage listed although there are numerous heritage listed properties within its vicinity. Both Aboriginal and European Heritage Impact Assessments (refer to Appendix 2) have been prepared as part of the Planning Proposal which suggest redevelopment to ensure heritage sensitivity is considered for all factors of the development.</p> <p>With the subject site being directly west of the North Parramatta Heritage Conservation Area (HCA), the supporting SSDCP guides development to achieve compatibility with the HCA and other local heritage sites.</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
------------------------	--------------------------	---------



## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

<b>A well-connected city</b> <b>O19:</b> Greater Parramatta is stronger and better connected	<b>PP C7: Growing a stronger and more competitive Greater Parramatta</b> <ul style="list-style-type: none"> <li>• <b>A23:</b> Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged]</li> <li>• <b>A26:</b> Prioritise infrastructure investment [abridged]</li> </ul>	<p>The Parramatta Light Rail allows for easy travel from North Parramatta to both the Westmead Health District and the Parramatta CBD. This reduces the use of private vehicles and creates opportunities for economic activity along the corridor.</p> <p>The Planning Proposal leverages the Light Rail as a key transport node improving connectivity across key centres of Parramatta. Stage 2 of the Parramatta Light Rail will further improve connectivity to the east towards precincts such as Melrose Park, Wentworth Point and Sydney Olympic Park.</p>
<b>Jobs and skills for the city</b> <b>O15:</b> The Eastern, GOP and Western Economic Corridors are better connected and more competitive	<b>PP C8: Delivering a more connected and competitive GOP Economic Corridor</b> <ul style="list-style-type: none"> <li>• <b>A29:</b> Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor</li> <li>• <b>A30:</b> Prioritise transport investments that enhance access to the GOP between centres within GOP</li> </ul>	<p>Proximity to the Parramatta Light Rail will improve connectivity between priority precincts and strategic centres within the GOP.</p> <p>People accessing the site will be able to access the light rail to travel to key destinations such as the Westmead Health and Education Precinct and Parramatta CBD.</p> <p>The light rail will also encourage modal shifts from private vehicles to public transport.</p>
<b>O14:</b> The plan integrates land use and transport creates walkable and 30 minute cities	<b>PP C9: Delivering integrated land use and transport planning and a 30-minute city</b> <ul style="list-style-type: none"> <li>• <b>A32:</b> Integrate land use and transport plans to deliver a 30-minute city</li> </ul>	<p>The Parramatta Light Rail provides an accessible method of public transport for people from the subject site. The nearest light rail stops, Fennell Street and Prince Alfred Square are all within 400m and 200m walking distance, respectively. This will connect the community to other modes of transport to access jobs and services in their nearest metropolitan and strategic centre.</p>
<b>O23:</b> Industrial and urban services land is planned, retained and managed	<b>PP C10: Growing investment, business opportunities and jobs in strategic centres</b> <ul style="list-style-type: none"> <li>• <b>A37:</b> Provide access to jobs, goods and services in centres [abridged]</li> </ul>	<p>The Planning Proposal will provide a total of 1,483m<sup>2</sup> of non-residential floor space to be used retail and commercial purposes.</p> <p>Proximity to the Parramatta CBD is a benefit of the Planning Proposal providing prospective residents access to urban services.</p>

**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
--------------------------	--------------------------	---------

PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

<p><b>A city in its landscape</b> O28: Scenic and cultural landscapes are protected</p>	<p><b>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</b></p> <ul style="list-style-type: none"> <li>• <b>A66:</b> Identify and protect scenic and cultural landscapes</li> <li>• <b>A67:</b> Enhance and protect views of scenic and cultural landscapes from the public realm</li> </ul>	<p>The Planning Proposal aims to maintain and enhance the heritage character of North Parramatta through heritage sensitive design objectives in the supporting SSDCP.</p>
<p><b>O30:</b> Urban tree canopy cover is increased</p>	<p><b>PP C16: Increasing urban tree canopy cover and delivering Green grid connections</b></p> <ul style="list-style-type: none"> <li>• <b>A68:</b> Expand urban tree canopy in the public realm</li> </ul>	<p>Relevant controls have been incorporated into the SSDCP to ensure the provision of deep soil zones, mature trees are retained, and appropriate tree planting is undertaken on site to increase tree canopy. These are to be addressed in detail at the development application stage.</p>
<p><b>O31:</b> Public open space is accessible, protected and enhanced</p>	<p><b>PP C17: Delivering high quality open space</b></p> <ul style="list-style-type: none"> <li>• <b>A71:</b> Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged]</li> </ul>	<p>The subject site is close to significant existing public open space such as Belmore Park and Parramatta Park (and future parkland to be provided within the broader Parramatta North Urban Transformation Precinct). If the proposal proceeds, it will increase demand on these open space areas as the communal spaces provided as part of this Planning Proposal have limited recreational capacity and will drive the community to use the other open spaces.</p> <p>As a result, the associated planning agreement ensures a \$250,000 monetary contribution for Council's proposed upgrade of Belmore Park.</p>

### 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 (CSP) 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.



PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

The Planning Proposal is considered to meet the strategies and key objectives identified in the plan including:

- “F.1 Our spaces and facilities meet our needs and support health and wellbeing” as the development provides communal space but additionally a \$250,000 monetary contribution to the upgrades of Belmore Park.
- “F.3. Everyone has a place to live that meets their needs” as the development provides 1-bedroom and 2-bedroom affordable rental housing apartments contributing to affordable housing capacity within the LGA.
- “A.2 We are connected by well-designed integrated transport networks” as the Planning Proposal will make provisions for 371 dwellings and is in 400m walking distance to Parramatta Light Rail stations.

### **Parramatta Local Strategic Planning Statement**

The Parramatta Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020, becoming the primary strategic planning document for guiding and monitoring Council's long-term vision for land use and infrastructure provision within the LGA. The LSPS outlines considerations for housing, economic growth, heritage protection, local character whilst ensuring sustainable growth within Parramatta and its role as Greater Sydney's Central City.

The progression of the Planning Proposal is consistent with the priorities described within the LSPS with particular focus on the following:

- Providing diverse housing of types and sizes within growth precincts and strategic centres to meet community needs into the future.
- Provide for community infrastructure and recreation opportunities.
- Enhance Parramatta's heritage and cultural assets to maintain our authentic identity and deliver infrastructure to meet community needs.

### **Parramatta Local Housing Strategy**

The Local Housing Strategy (LHS) was adopted by Council in July 2020 and approved by the Secretary of the Department of Planning, Industry and Environment on 29 July 2021.

The proposed controls as part of the Planning Proposal aims to target the LHS objectives in relation to:

- Additional housing is focussed in identified growth precincts and is aligned and sequenced with existing transport and capacity improvements.
- Providing affordable housing.
- Housing growth is supported by local infrastructure needed to service that growth.
- Community infrastructure is funded and delivered in alignment with homes.

### **3.2.2. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?**

In 2015, UrbanGrowth prepared a development proposal for the Parramatta North Urban Renewal Area. The planning controls were made via a State Environmental Planning Policy (SEPP). The site is identified as H3 within the Parramatta North Urban Transformation precinct (known as PNUT) (**Figure 3**).

## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta



**Figure 3** - Location of Subject Site within PNUT

PNUT is a mixed-use and has a unique heritage, landscape and river setting. The precinct has a long history of Indigenous, early colonial and later government institutional uses and the aim is to facilitate long term use through careful adaptive reuse, conservation and preservation.

The core of the precinct contains key built and landscape elements of the site that include, among others, the former Parramatta Female Factory. The subject site is not within the PNUT core area.

The site is therefore subject to specific development controls for PNUT within Part 8.2.2 of Parramatta Development Control Plan (DCP) 2023. The DCP includes controls relating to design quality, subdivision, public domain and open space, site access and parking, circulation and connectivity, street network, GFA allocation, biodiversity, heritage and archaeology, key views and landmarks, built form and massing. These controls and the need for the proposed DCP amendment to support the Planning Proposal form the basis

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

for the Planning Proposal.

### 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 (Housing) 2021	✓	Detailed compliance with Chapter 4 of SEPP (Housing) 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 the requirements in Chapter 4 and the Residential Flat Design Code was carried out, and the indicative scheme is capable of demonstrating compliance with the SEPP.
SEPP (Transport and Infrastructure) 2021	✓	May apply to future development of the site.
SEPP (Exempt and Complying Development Codes) 2008	N/A	May apply to future developments on the site.
SEPP (Sustainable Buildings) 2022	✓	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 (Resilience and Hazards) 2021	✓	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP.  The site is considered to not have significant contamination present.
SEPP (Industry and Employment) 2021	N/A	Not relevant to proposed amendment. May be relevant to future DAs.
SEPP (Biodiversity and Conservation) 2021	N/A	Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. However, the applicant has prepared a Stormwater Management Plan to support the Proposal to ensure an overland flow across the site is managed appropriately.
SEPP (Planning Systems) 2021	✓	Consistent.  The Planning Proposal does not contain provisions that contradict or would hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	N/A	Not relevant to the proposed amendments as the site is not contained in one of the precincts of the SEPP.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

### 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 nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary Production

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
<b>1. Planning Systems and Planning Systems – Place Based</b>		
Direction 1.1 – Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan.	Yes
Direction 1.3 – Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 1.4 – Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal does not introduce any site-specific provisions.	Yes
Direction 1.7 – Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the Interim Plan)	The Planning Proposal achieves the overall intent of the Plan and does not undermine the achievement of its objectives, planning principles and priorities for the Greater Parramatta Priority Growth Area.	Yes



## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

2. Design and Place – not applicable		
This Focus Area was blank at the time the Directions were made.	This Direction was blank when made.	N/A
3. Biodiversity and Conservation		
<p>Direction 3.1 – Conservation Zones</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.	Yes
<p>Direction 3.2 – Heritage Conservation</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p>	<p>The Planning Proposal will require the redevelopment of the site to establish a relationship with the North Parramatta HCA across O'Connell Street that is of an appropriate scale. This is achievable through the use of built form controls in the supporting site-specific DCP.</p> <p>In this regard, the Planning Proposal is deemed to have minimal impact on the heritage significance of adjacent local and state heritage items and heritage conservation areas.</p>	Yes
<p>Direction 3.5 – Recreation Vehicle Areas</p> <p>The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p>	The Planning Proposal is consistent with this direction, in that it: is not proposing to enable land to be developed for the purpose of a recreation vehicle area.	Yes
4. Resilience and Hazards		
<p>Direction 4.1 – Flooding</p> <p>The objectives of this direction are to:</p> <p>(a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>The Council's current adopted flood maps indicate that the subject site is not affected by the 1% AEP or PMF, however may be affected by overland flow.</p> <p>The draft Parramatta River Flood Study 2023 shows the site remains unaffected, however there is a small increase in the affectation of the 1% AEP or PMF.</p> <p>The applicant will need to provide an updated Stormwater Management Plan to detail the affectation of overland flow. This can be provided prior to exhibition and should not prevent the Planning Proposal from proceeding to gateway determination.</p>	Yes
<p>Direction 4.3 Planning for Bushfire Protection</p> <p>The objectives of this direction are to:</p>	The land is not identified as bush fire prone land under Section 10.3 of the Environmental Planning and Assessment Act.	Yes

## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

<p>(a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) Encourage sound management of bush fire prone areas.</p>		
<p>Direction 4.4 – Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.</p>	<p>The land is not within an investigation area within the meaning of the Contaminated Land Management Act 1997 and has not been subject to development as described in Table 1 of the contaminated land planning guidelines.</p>	Yes
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>The site is identified as Class 5 on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2023. Acid sulfate soils are generally not found in Class 5 areas however this will be addressed further at the development application stage. In any event, PLEP 2023 cl. 6.1 appropriately addresses acid sulfate soils.</p>	Yes
<b>5. Transport and Infrastructure</b>		
<p>Direction 5.1 – Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.</p>	<p>The proximity to light rail infrastructure will provide an alternative mode of transport to private vehicle usage and reduce the dependency on cars for access to housing, jobs and services with the residents being serviced by Prince Alfred Square and Fennell Street stations.</p> <p>The light rail will also be extended via the Parramatta Light Rail Stage 2 which will open up more transport and accessibility options across the LGA. The planning proposal is considered consistent with this direction as it delivers integrated land use and transport outcomes.</p>	Yes
<p>Direction 5.2 – Reserving Land for Public Purposes</p> <p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.</p>	<p>The Planning Proposal does not require any identification of or removal of any land for the purposes of acquisition. It does not include the identification of or removal of and land require for acquisition.</p>	Yes
<p>Direction 5.3 – Development Near Regulated Airports and Defence Airfields</p>	<p>The Planning Proposal is not next to any existing or proposed regulated airport or known defence airfield and does not include provisions which permit towers greater than 100m or more above ground.</p> <p>The proposed controls do not provide for development that would need to be reported to Civil Aviation Safety Authority (CASA) as a 'tall structure' as per 'Reporting of tall structures' CASA Advisory Circular December 2021.</p>	Yes



PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

6. Housing		
<p>Direction 6.1 – Residential Zones</p> <p>The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services and minimise the impact of residential development.</p>	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> <li>• facilitates additional housing (371 dwellings) in close proximity to the Parramatta City Centre that is currently not provided on the site.</li> <li>• provides residential development in an existing urban area that will be fully serviced by existing infrastructure.</li> <li>• does not reduce the permissible residential density of land.</li> <li>• retains the existing MU1 zoning and delivers a diverse apartment mix with suitable infrastructure and services.</li> </ul>	Yes
7. Industry and Employment		
<p>Direction 7.1 – Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> <li>(a) Encourage employment growth in suitable locations,</li> <li>(b) Protect employment land in business and industrial zones; and</li> <li>(c) Support the viability of identified centres.</li> </ul>	<p>The Planning Proposal will add an additional 1,483m<sup>2</sup> of non-residential floor space for retail and commercial uses. The subject site is within proximity to the Parramatta Light Rail which will facilitate travel to and from the Parramatta CBD and other key economic centres.</p>	Yes
8. Resources and Energy – <i>not applicable</i>		
9. Primary Production – <i>not applicable</i>		

### 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?

No, the subject site is within a highly urbanised environment, and is not mapped to contain critical habitat or threatened species, populations or ecological communities, or their habitats. The site is unlikely to impact on any threatened flora or fauna species or threatened habitats. The subject site does not coincide with any land identified as “Biodiversity” on the Natural Resources Map in the PLEP 2023.

#### 3.3.2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Urban Design and Built Form
- Overshadowing

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

- Heritage
- Open Space
- Traffic and Transport
- Landscape and Arboricultural
- Flooding and Stormwater
- Economic Development
- Noise
- Contamination

### Urban Design and Built Form

The Planning Proposal seeks to amend the LEP to increase the height and floor space ratio of the subject site to facilitate increased residential density in combination with non-residential floor space for retail and commercial uses. The Height of Buildings map is to be amended from part 21m, part 28m and part 66m (approximately maximum 18 storeys) to part 0m, 30m, part 53m and part 77m (approximately maximum 22 storeys) as shown in **Figure 12** in Part 4. The Floor Space Ratio Map is to be amended from part 2.4:1 and part 3.3:1 to 3.9:1 across the subject site also shown in **Figure 13** in Part 4.



**Figure 4** - Applicant's Concept Design

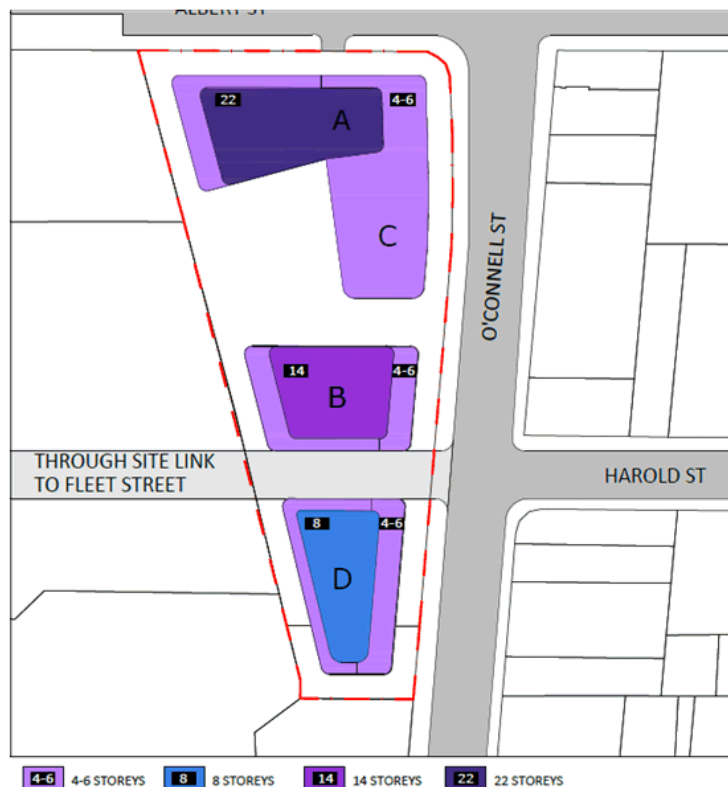
The Urban Design Report (prepared by DKO) (Appendix 1) has been reviewed by Council officers and note the development's relationship and response to surrounding heritage as a key issue. It is considered by Council officers that the applicant's concept design (**Figure 4**) can suitably address built form and height transitions to the adjacent North Parramatta Heritage Conservation Area (HCA).

To mitigate impacts on the HCA, Council officers have incorporated site specific DCP (SSDCP) controls addressing setback requirements for both ground floor podium and upper levels, distribution of stepped building heights across the site (north-south orientation), landscaping and

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

deep soil zones and building separation. As a result, the DCP guides development guides an appropriate outcome that will respond compatibly with the surrounding heritage context.

The proposed scheme distributes heights across the site to ensure the built form (including tower elements) are stepped as required and envisaged. The DCP includes a height map denoting the intended storeys as described (**Figure 5**).



**Figure 5** – Storeys of tower elements in the SSDCP

The two tower elements of 22 storeys and 14 storeys are to be set back from the Albert Street and O'Connell Street frontages to provide a height transition to the surrounding development and reduce any potential negative visual impacts on the surrounding area and nearby HCA.

The opportunity of providing a publicly accessible through-site link between O'Connell Street and Fleet Street (**Figure 5**) will align with Harold Street and is to be at least 12m wide. The through-site link will improve site permeability for both future residents on site and for pedestrians of the area in general.

### Overshadowing

In response to concerns raised relating to potential overshadowing of the surrounding area, the shadow diagrams within the applicant's Urban Design Report (Appendix 1) indicate that the HCA will experience some overshadowing from 2pm in mid-winter, however, it is otherwise unaffected. The sensitive Female Factory heritage area to the west will be minimally impacted by overshadowing in the southern-most part of the precinct until approximately 9am.

With regard to the potential overshadowing of the Proposal on the adjacent seniors living developments to the west, the applicant's shadow diagrams (**Figure 6**) indicate that the Proposal



## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta

will overshadow some buildings within this site until approximately 10am. These potential overshadowing impacts are considered reasonable, and the applicant's overshadowing information indicates that they are not inconsistent with the Apartment Design Guide (ADG) requirements.

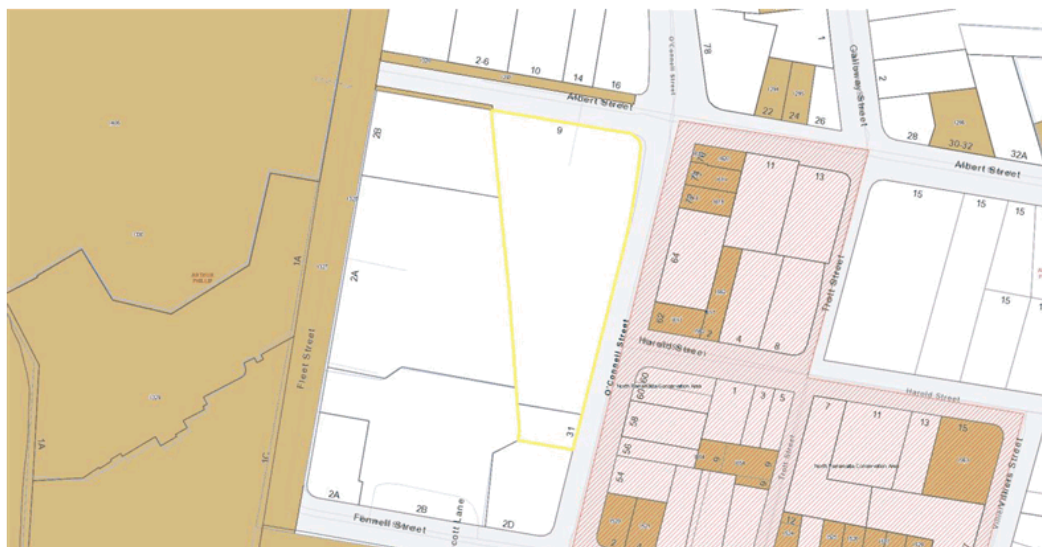


**Figure 6** – Overshadowing diagram from the Urban Design Report

### Heritage

The subject site is the former North Parramatta Infants School which was not heritage listed and has since been demolished. It has no heritage significance but is located adjacent to the North Parramatta HCA and a number of heritage listed items (**Figure 7**). Additionally, the site is not within the area of high sensitivity to the World Heritage Listed Old Government House and Domain precinct.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta



**Figure 7** - Subject site and surrounding heritage

Although the North Parramatta HCA has undergone some redevelopment in the 1960s, the HCA contains 46% of the dwellings that existed within the area in 1895 and is considered an area that requires protection.

A heritage study by Paul Davies Architects and Heritage Consultants accompanies the Planning Proposal (Appendix 2) with analyses the impact of development on surrounding heritage items and the North Parramatta HCA. The study notes that the key consideration of the subject site's relationship with surrounding heritage is fundamentally an urban design issue and due to this, the concept design responds appropriately to surrounding heritage. The heritage assessment notes that the street separation provided by O'Connell Street enables redevelopment of the site to be of a larger scale.

To achieve heritage-sensitive development, the SSDCP includes controls relating to building design, setbacks, landscaping and building heights to control the scale of development. Increased setbacks on the site will create greater separation between the development and the HCA. This will allow a street wall height that will reduce the perception of density despite a street wall height higher and larger than the existing built form of the HCA. The height of the tower is not considered likely to have a negative impact on the HCA as its height will not be perceived from ground level due to the use of podiums.

Further, the assessment notes that the intent of an HCA is to capture the heritage values of a streetscape from within the HCA and to ensure new development within the HCA is sympathetic to the existing character and achieve consistency in the streetscape. For new development near a HCA, the intent is to create a clear distinction between the new and existing development rather than dictate the built form. The proposed redevelopment provides a clear transition between the HCA and non-HCA areas through the use of setbacks, street wall heights, landscaping and materials as included in the SSDCP controls.

### Open Space

The subject site is located close to significant existing public open spaces, Belmore Park and Parramatta Park, and future new parkland to be provided within the broader PNUT precinct. There will be increased demand on open space areas if the Proposal proceeds due to the potential addition of approximately 770 new residents (2.1 people per household). This is an

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

increase of approximately 266 residents above what could potentially be achieved under the current controls.

Although the proposed development incorporates new communal open spaces, principally the adjoining through-site link and atop the podiums, these have limited recreational capacity and future residents will rely on the nearby public open spaces to meet their recreational needs. As a result, the applicant proposes to make a monetary contribution towards Council's proposed upgrade of Belmore Park as part of an associated Planning Agreement.

### **Traffic and Transport**

The applicant's Traffic Impact Assessment (TIA), prepared by Traffix (Appendix 3), found that the Planning Proposal is suitable on traffic and transport planning grounds noting that the subject site is within proximity to the Parramatta Light Rail, bus services and heavy rail. The Fennell Street and Prince Alfred Square light rail stops are both within 400m walking distance.

However, prior to public exhibition, the TIA will be updated to address the following:

- i. Update the trip generation data including revalidation of the AM trip rate per hours (via surveys or advice from TfNSW).
- ii. Recalibration of traffic modelling and future model year assessment.
- iii. Provide a Green Travel Plan.
- iv. Review car and truck access to ensure all vehicle movements are via Albert Street.

All site-specific parking rates and traffic-related requirements will be contained within the SSDCP.

### **Landscape and Arboricultural**

A Landscape Report by Site Image Landscape Architects (Appendix 4) and an Arboricultural Impact Assessment by McArdle Arboricultural Consultancy (Appendix 5) was provided with the Planning Proposal. The Landscape Report outlines the proposed outdoor recreational grounds and open space to be provided. The Arboricultural Impact Assessment assessed tree health and retention values to evaluate the potential impacts on trees by the proposed development. The assessment recommended several trees be retained and the replacement of tree removal with new trees.

The draft SSDCP includes controls that ensure the provision of deep soil zones, retention of existing mature trees especially those of 'high retention value', and appropriate tree planting is undertaken on the site should the Planning Proposal proceed. These matters will be addressed in detail at the development application stage.

### **Flooding and Stormwater**

A Flood Impact Assessment (FIA) letter by Telford Civil (Appendix 6) identifies the potential flood impact on the development. The assessment concluded that the proposed development would not impose any additional risks to the occupants or neighbouring properties as it will cause no loss in flood storage or water diversion up to the PMF storm event.



PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta



Figure 8 - 1% AEP (left) and PMF flooding (right)

The site is not subject to the 1% AEP or PMF (Figure 8), however may be affected by overland flow. In response to this, the applicant should therefore update the Stormwater Management Plan as follows:

- Remove references to PLEP 2011 and Council's Development Engineering Guidelines and respond instead to the requirement of PDCP 2023.
- Show that the development will not have adverse flooding impacts on adjoining sites.
- Show that the total stormwater discharge is 10% less than pre-development.
- Show maximum site permeability and minimum impermeability.
- Demonstrate that the deep soil zones are maximised.
- Demonstrate that landscaped areas will be used to manage runoff and treat it to achieve water quality objectives as per PDCP 2023.
- Demonstrate that rainwater will be captured and used on-site as a substitute water supply.

Council has determined that the above details can be provided prior to exhibition and should not prevent the Planning Proposal from proceeding to gateway determination.

### Noise Impact

A Noise Impact Assessment was prepared by Pulse White Noise Acoustics (Appendix 7), and it examined the potential surrounding environmental noise intrusion impacts from the development and noise emissions on nearby receivers. Overall, the assessment concluded the proposed development would be acceptable from an acoustic perspective.

Council's Environmental Health Compliance team has reviewed the report and determined the increase in building height and particularly the inclusion of a childcare centre will likely result in local ambient noise levels and may pose nuisance issues if not managed appropriately. It is considered however, that these issues can be addressed through appropriate measures at the development application stage.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

### Contamination

A Detailed Site Investigation (DSI) prepared by EI Australia (Appendix 8) was submitted supporting the Planning Proposal. It assessed potential and the degree of site contamination and recommends suitability of the site for the proposed land use. No change to the existing MU1 Mixed Use zone is proposed as part of the Planning Proposal and overall, the investigation concludes the site can be made suitable for mixed-use development.

Council's Environmental Health Compliance team reviewed the DSI and consider that the site could be rendered suitable for the proposed uses under the Planning Proposal provided the recommendations of the Detailed Site Investigation are adopted and undertaken at the development application stage.

#### 3.3.3. Has the Planning Proposal adequately addressed any social and economic effects?

### Social Impact

Council's Social/Cultural team have reviewed the infrastructure items proposed to be delivered as part of the Planning Agreement and support the monetary contribution proposed towards the upgrades of Belmore Park. The team notes that the contribution will assist in delivering the Stage 2 works identified in the park's masterplan.

Additionally, Council officers support the provision and dedication of the proposed Affordable Rental Housing dwellings which is in accordance with the requirements of Council's Affordable Housing Action Plan and draft Affordable Rental Housing Policy.

The Proposal will be subject to Section 7.11 / 7.12 development contributions in accordance with Council's Outside CBD Development Contributions Plan (2021), in addition to the Planning Agreement.

### Economic Development

Macroplan had prepared a Retail Needs Assessment and Impact Test (Appendix 9) to evaluate the scale and mix of retail uses considered suitable for a proposed supermarket anchored neighbourhood centre at the subject site. It also provides an overview of the types of non-retail uses considered supportable. From an impact perspective, the assessment concludes that the estimated trading impacts arising from the development of retail provision on other centres in the surrounding area are likely to be minor and are unlikely to threaten their viability.

Moreover, additional retail and commercial facilities on-site will benefit existing and future residents and enable greater street activation than a standalone residential development. Council's Economic Strategy team has reviewed the report and support the provision of local retail and commercial uses outside of the Parramatta CBD to service the growing local populations. The proposed provision of non-residential floor space (1,483m<sup>2</sup>) is also supported.

### 3.4. Section D – State and Commonwealth Interests

#### 3.4.1. Is there adequate public infrastructure for the Planning Proposal?

The Planning Agreement will secure the provision of a total of five affordable rental housing apartments and a \$250,000 monetary contribution towards the upgrade of Belmore Park.

Regarding local transport infrastructure, the subject site is within proximity to the Parramatta Light Rail Stage 1 with the closest stations being Prince Alfred Square and Fennell Street.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

Additional connections from Parramatta's CBD to Sydney Olympic Park via Camellia, Rydalmere, Melrose Park and Wentworth Point will be delivered through the Parramatta Light Rail Stage 2 which has recently been expedited to begin construction in 2025.

The State Government has recommitted to the Sydney Metro West, a 24km underground railway that will connect Greater Parramatta and the Sydney CBD with stations confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and Hunter Street in the Sydney CBD. After a recent independent review into Sydney Metro, scoping studies were prepared for up to two potential stations locations west of Sydney Olympic Park including one at Rosehill Gardens.

Both projects will further increase the site's accessibility via public transport from the Sydney CBD to Greater Parramatta.

**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.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

## PART 4 – MAPS

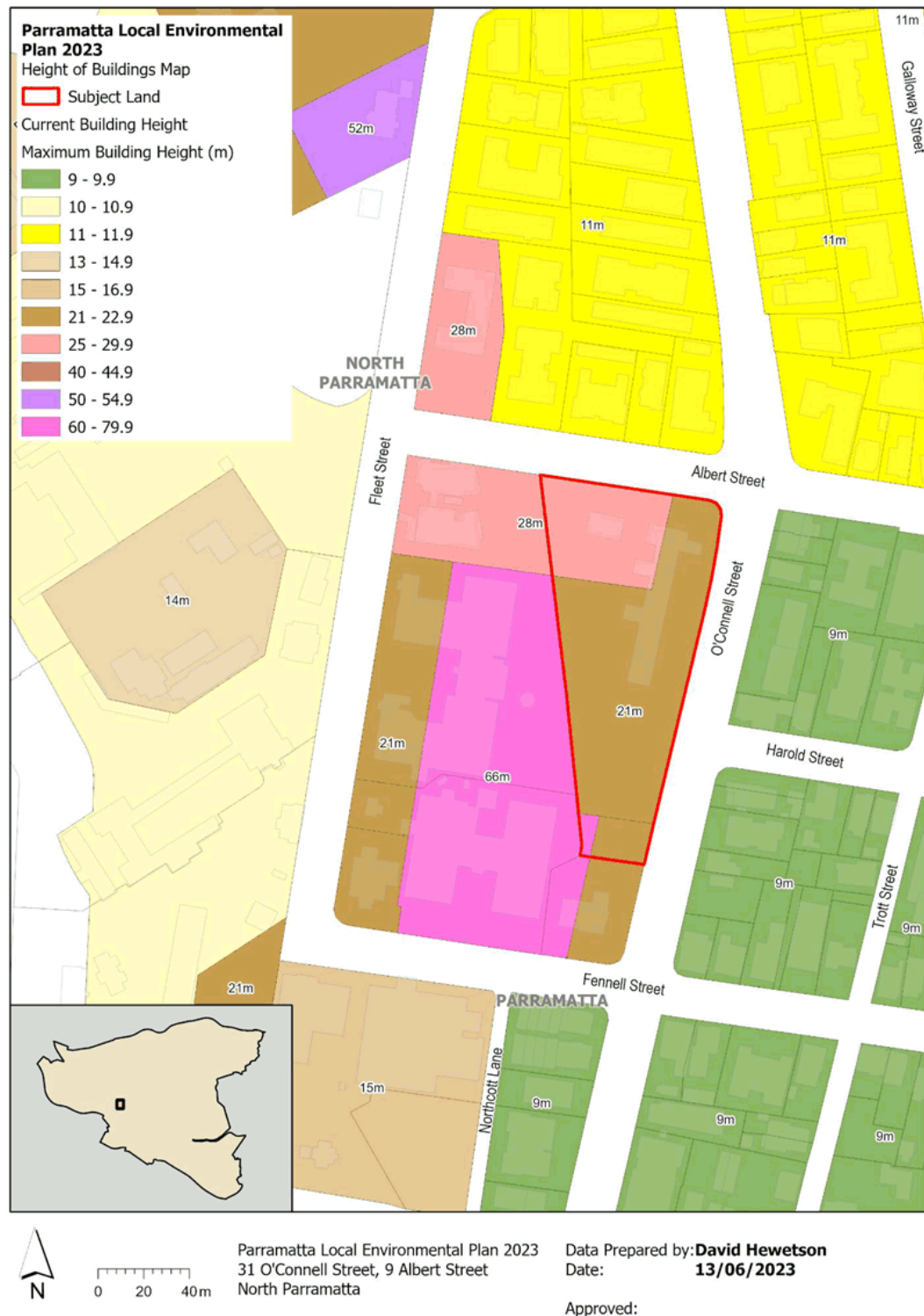
This section contains the mapping for this Planning Proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals. **Existing controls**

This section illustrates the current *PLEP 2023* controls which apply to the site. The following maps are provided:

- Height of Buildings Map
- Floor Space Ratio Map
- Heritage Map



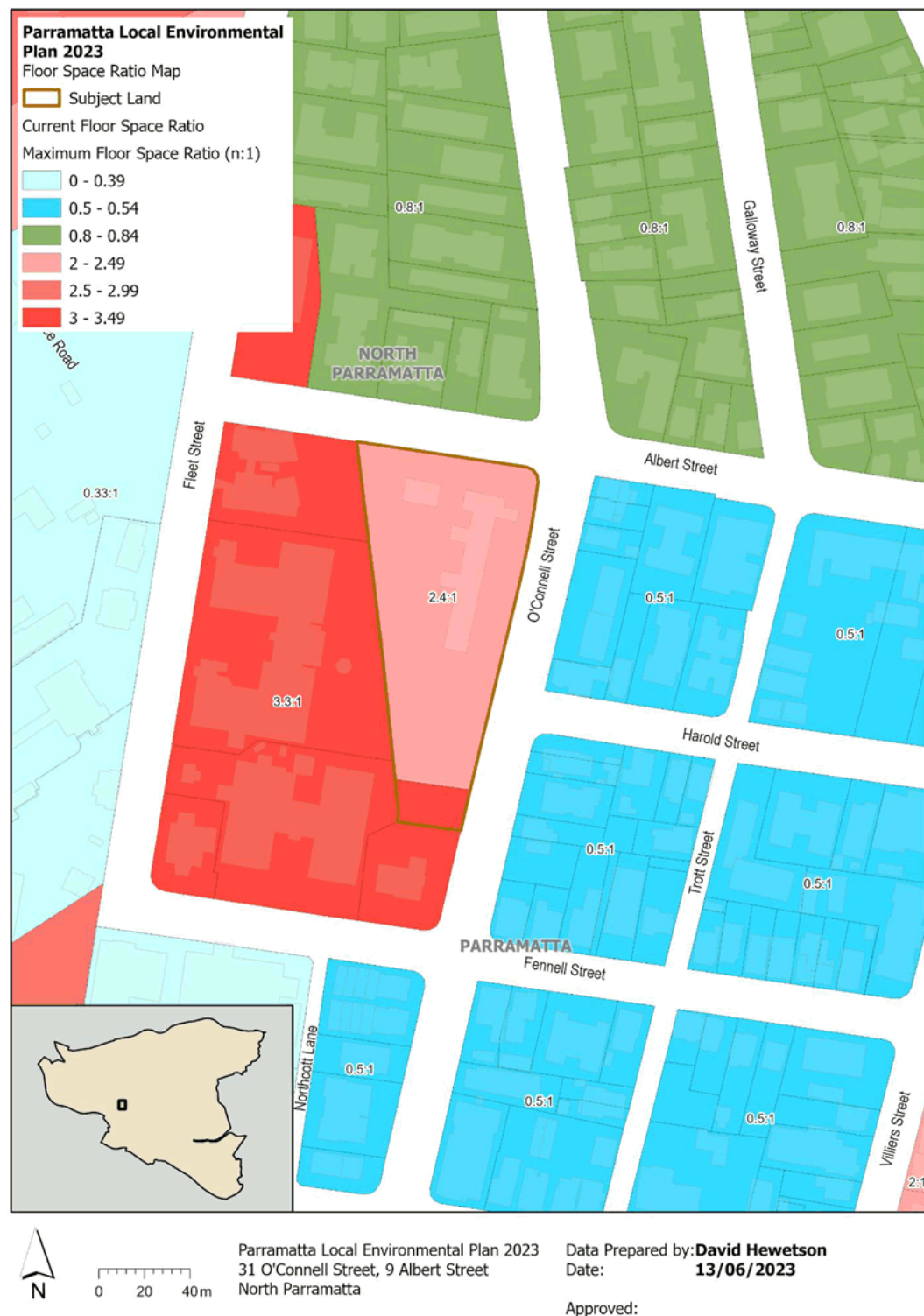
PLANNING PROPOSAL – 9 Albert Street & 31 O’Connell Street, North Parramatta



**Figure 9** illustrates the existing Height of Buildings controls for the 31 O’Connell Street and 9 Albert Street with a maximum height of 28m.

(RZ/1/2023)

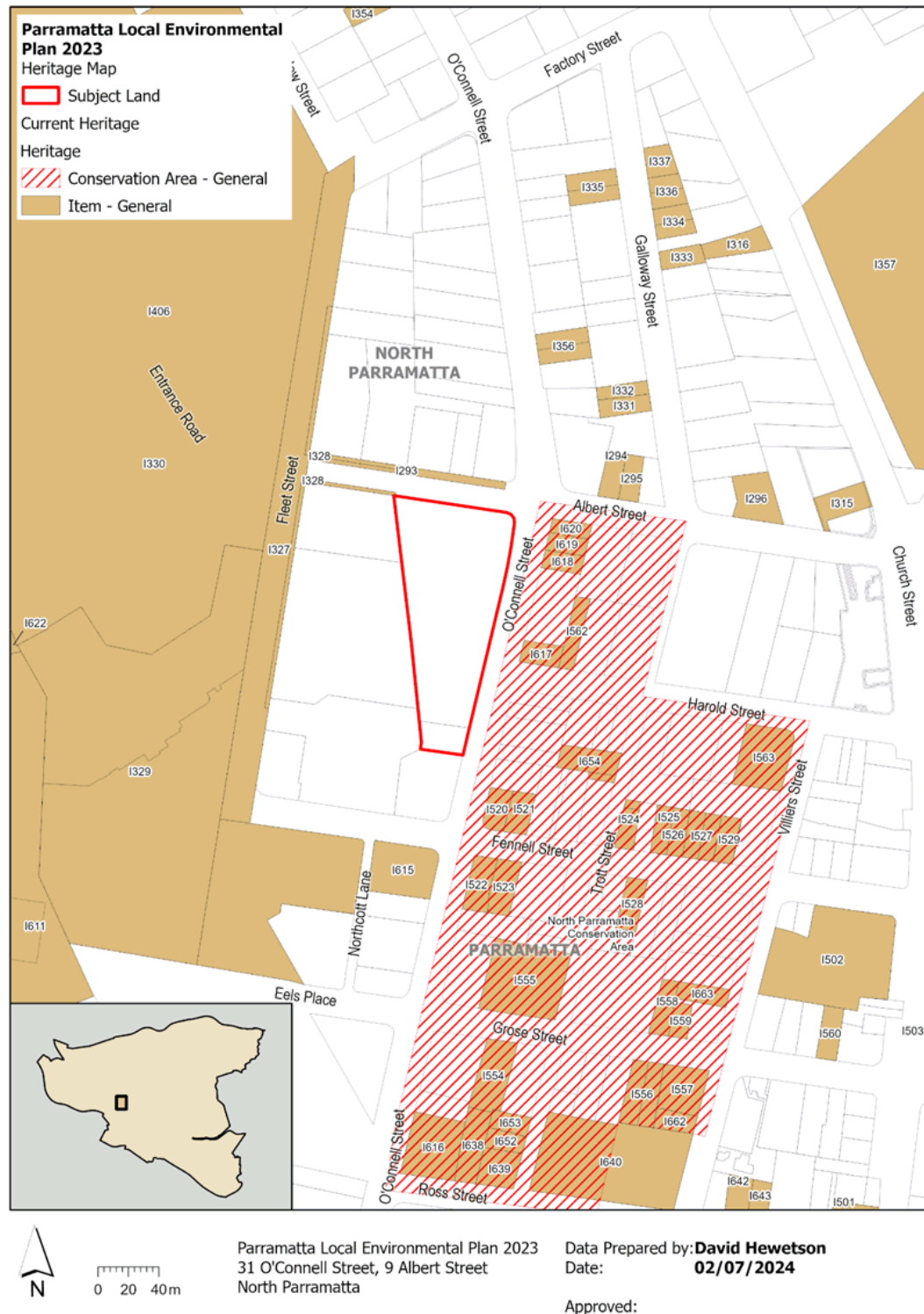
## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta



**Figure 10** illustrates the existing Floor Space Ratio controls for 31 O'Connell Street and 9 Albert Street with a maximum FSR of 3.3:1.



## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta



**Figure 11** illustrates the *Parramatta LEP 2023* heritage items and conservation areas proximate to the 31 O'Connell Street and 9 Albert Street.

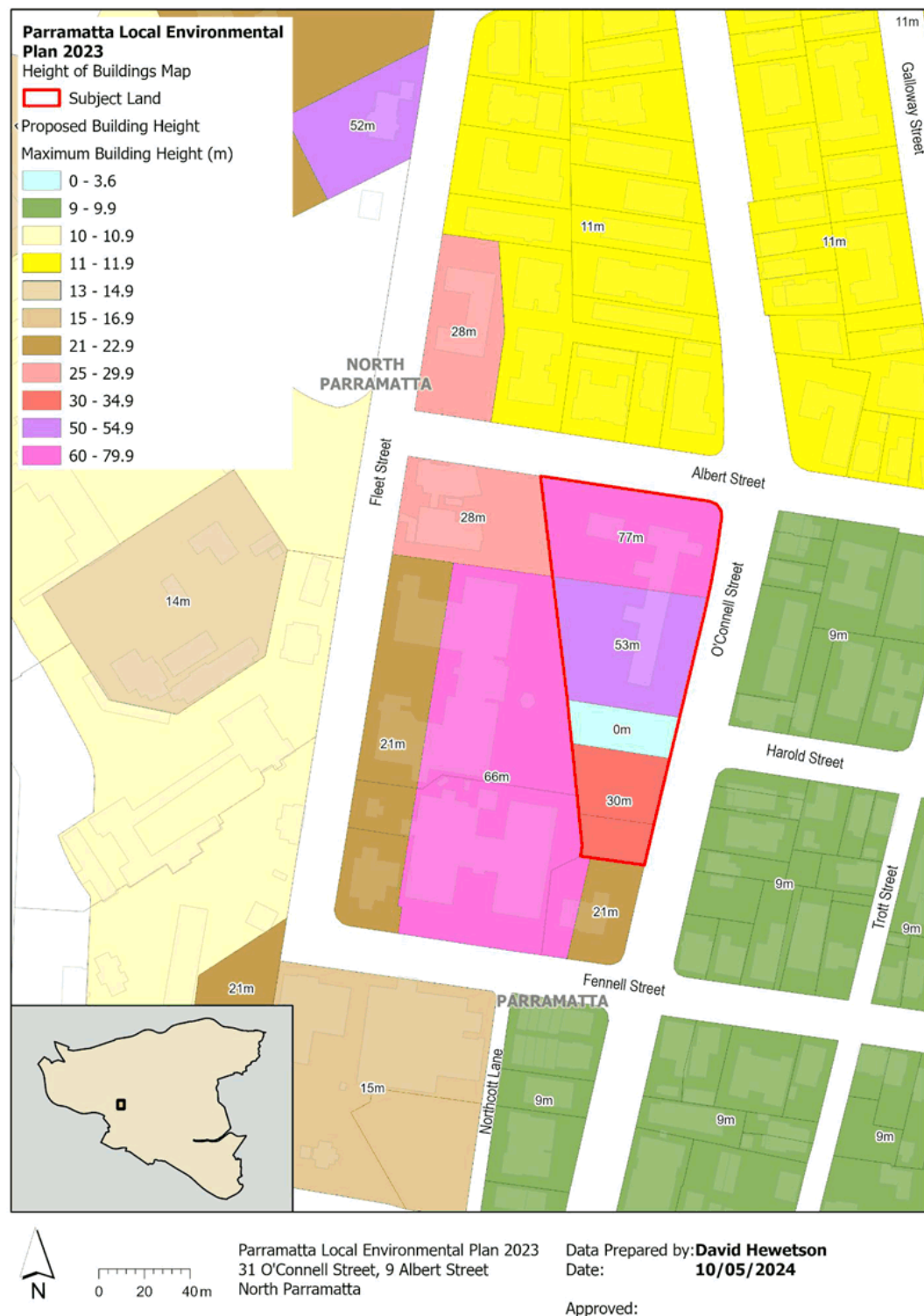
PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

## **4.2 Proposed controls**

The figures in this section illustrate the proposed amendments to the following maps:

- Height of Buildings Map
- Floor Space Ratio Map

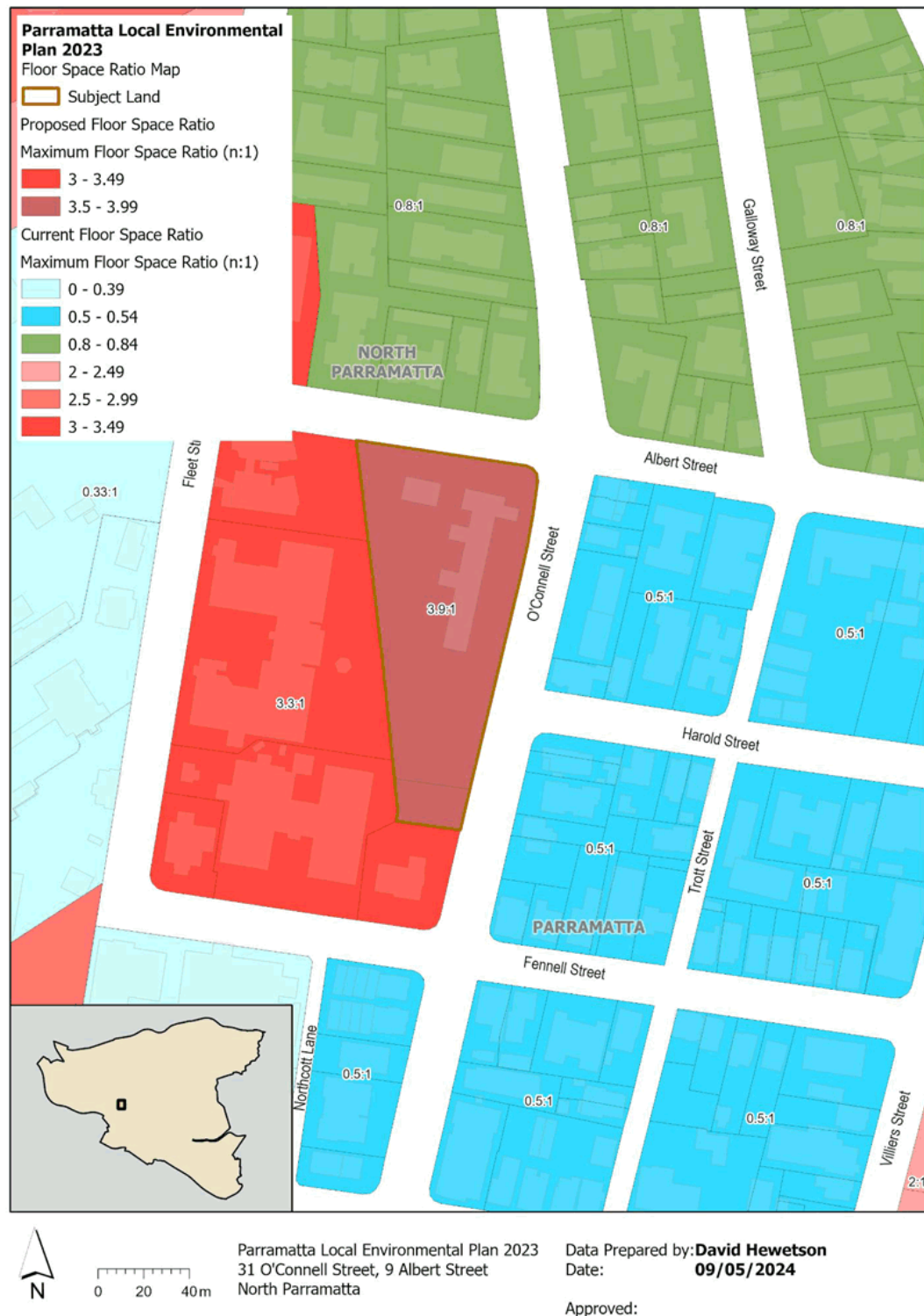
PLANNING PROPOSAL – 9 Albert Street & 31 O’Connell Street, North Parramatta



**Figure 12** illustrates the proposed Height of Building controls recommended for 31 O’Connell Street and 9 Albert Street with a maximum height of 77m.

(RZ/1/2023)

## PLANNING PROPOSAL – 9 Albert Street &amp; 31 O'Connell Street, North Parramatta



**Figure 13** illustrates the proposed Floor Space Ratio controls for 31 O'Connell Street and 9 Albert Street with a maximum 3.9:1 FSR across the site.

PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

## PART 5 – COMMUNITY CONSULTATION

The Planning Proposal is to be publicly available for community consultation once the Department of Planning, Housing and Infrastructure issue a gateway determination.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site;
- written notification to adjoining landowners;
- hard copies at Council's Customer Service Centre and Library

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 – 9 Albert Street & 31 O'Connell Street, North 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	21 May 2024
Report to Council on the assessment of the PP	22 July 2024
Referral to Minister for review of Gateway determination	July/August 2024
Date of issue of the Gateway determination	October/November 2024
Commencement and completion dates for public exhibition period	December 2024/January 2025
Consideration of submissions	February/March 2025
Consideration of Planning Proposal post exhibition and associated report to LPP	April/May 2025
Consideration of Planning Proposal post exhibition and associated report to Council	June/July 2025
Submission to the Department to finalise the LEP	August/September 2025
Notification of instrument	November 2025



PLANNING PROPOSAL – 9 Albert Street & 31 O'Connell Street, North Parramatta

# **APPENDICES TO THE PLANNING PROPOSAL**

**Appendix 1 – Urban Design Report**

**Appendix 2 – Heritage Study**

**Appendix 3 – Traffic Study**

**Appendix 4 – Landscape Report**

**Appendix 5 – Arboricultural Impact Assessment**

**Appendix 6 – Flood Impact Assessment**

**Appendix 7 – Acoustic Report**

**Appendix 8 – Detailed Site Investigation**

**Appendix 9 – Retail Needs Assessment and Impact Test**

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

---

## CONTENTS

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street North Parramatta .....	2
--	---

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

## SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street North Parramatta

### 8.2.2 PARRAMATTA NORTH URBAN TRANSFORMATION PRECINCT

In addition to the general provisions set out in Section 8.2.2 Parramatta North Urban Transformation Precinct, the following specific provisions apply to specific land identified in the land application map below. This Section should be read in conjunction with Part 4 – Non-Residential Development and Part 3 – Residential Development of this DCP. To the extent of any inconsistencies, the specific provisions within this Section shall prevail.

#### 8.2.2.12.15 LOTS H2-H5

This Section applies to a 8,921m<sup>2</sup> land parcel in North Parramatta that has frontage to O’Connell Street and Albert Street, as shown in Figure 8.2.2.12.15.2. The site comprises 2 individual land parcels: Lot 1, DP 998240 and Lot 1 DP 1143431.

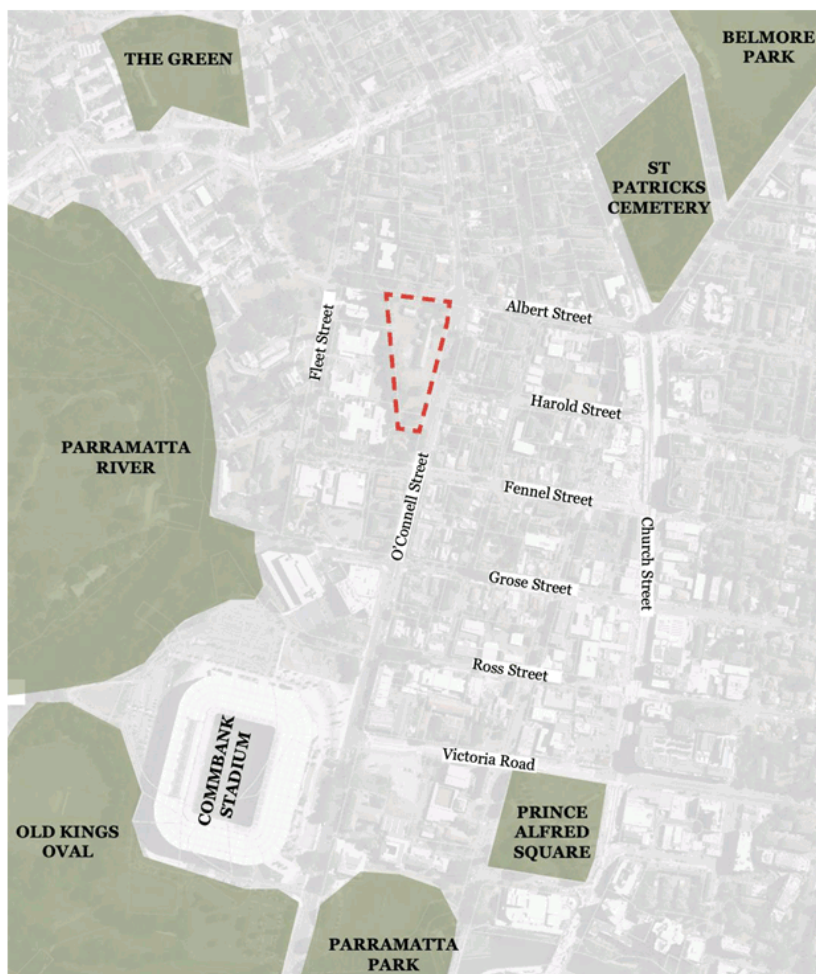


Figure 8.2.2.12.15.2 – Land application map

#### 8.2.2.1 BUILT FORM GENERAL

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

### Objectives

- O.3 Contribute to the design quality of the Parramatta North heritage precinct and surrounding conservation areas.
- O.4 Provide a publicly accessible through site link aligned to Harold Street that provides a view corridor and supports movement and wayfinding.
- O.5 Arrange podiums and towers on the site to reduce view impacts from the Female Factory heritage precinct, establish and reinforce view corridors, and respond to the site’s natural topography.

### Controls

- C.1 Development is to be consistent with the arrangement of buildings and the through site link in Figure 8.2.2.12.15.3.
- C.2 A maximum of two towers is permitted on the site.
- C.3 Locate the tallest tower at the corner of O’Connell Street and Albert Street to reinforce the corner.
- C.4 Towers should be oriented East-West to minimise view impacts from the Female Factory heritage precinct.

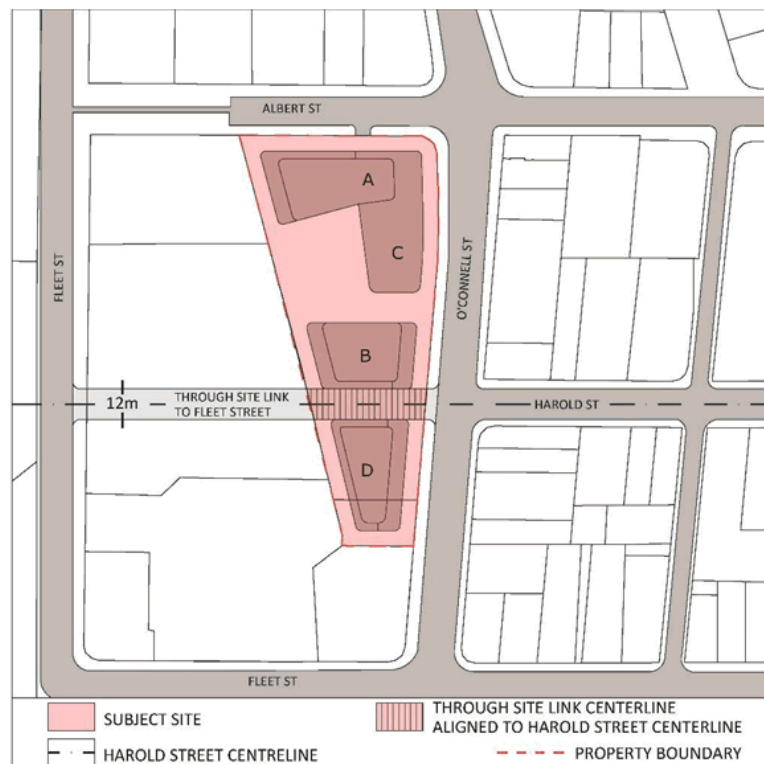


Figure 8.2.2.12.15.3 –Site structure plan

### 8.2.2.2 BUILT FORM AND MASSING

#### Objectives

- O.1 Provide a street wall at an appropriate height to spatially define O’Connell Street and Albert Street that is well proportioned, of a human scale, that has minimal erosions or interruptions and finely grained, with facades of tactile material quality.

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

---

- O.2 Set back towers above street walls as clearly distinct, slender free-standing buildings to mitigate visual, wind and urban heat impacts, enable views to the sky and protect amenity in streets and public places.
- O.3 Orient towers to optimise solar access, natural ventilation and privacy while minimising view impacts from the heritage context and adjoining land.
- O.4 Establish an appropriate height of building strategy to positively respond to the local context.
- O.5 Provide adequate building separation and building lengths to appropriately proportion the built form, optimise solar access and natural ventilation, views to sky and privacy.
- O.6 Provide an activated, accessible ground floor retail interface with fine grain uses to enhance the character and function of O’Connell Street.
- O.7 Ensure all residential buildings have a legible, direct street address to aid in wayfinding.
- O.8 Ensure that building form achieves comfortable public domain conditions for pedestrians, with adequate daylight, appropriate scale, and mitigation of urban heat and wind impacts.
- O.9 Materiality and architectural design to respond to Parramatta North Heritage context and conservation areas and contribute to the revitalisation of the precinct.

#### **Controls**

##### **Building Heights**

- C.5 The maximum building height in storeys is to be in accordance with Figure 8.2.2.12.15.4.
- C.6 The street wall height must be a minimum of 14 metres and a maximum of 23 metres above the footpath level (4-6 storeys).
- C.7 Maintain a consistent street wall height in storeys along the O’Connell Street frontage.
- C.8 Transition the above-podium building heights along O’Connell Street, from the tallest on Albert Street down to the Southern edge of the site.

SITE SPECIFIC DCP – 9 Albert Street and 31 O'Connell Street  
North Parramatta



Figure 8.2.2.12.15.4 – Building Height Map

#### Building Setbacks

- C.9 Podium Setbacks are to be consistent with Figure 8.2.2.12.15.5.
- The podium is to be setback 6m from O'Connell Street and Albert Street. This setback is to be free of any below ground structure (no basement underneath) and must provide for large canopy trees, both in the residential section and in the publicly accessible section.
  - A podium setback of 6m is to be provided for deep soil along the western and southern boundary for landscaping and large canopy tree planting.
  - Provide a 0m podium setback to the through site link.
- C.10 Upper-level setbacks to be consistent with Figure 8.2.2.12.15.5.
- The setbacks to the tower above the podium are a minimum of 3m fronting Albert Street and 6m fronting O'Connell Street.
  - Levels above the podium to the through site link should be setback 3m to allow for building separation and views to sky.
- C.11 Podiums should be built to align with setbacks to their entire height.



SITE SPECIFIC DCP – 9 Albert Street and 31 O'Connell Street  
North Parramatta

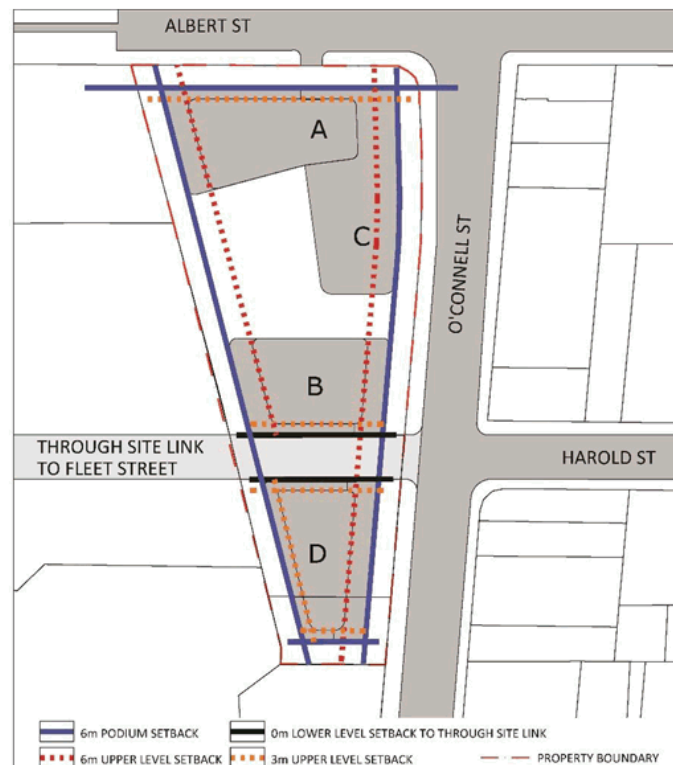


Figure 8.2.2.12.15.5 – Building Setbacks map

#### Building Separation

- C.12 Provide a break in the podium, of minimum width 12m, between buildings B and C.

#### Building Design

- C.13 The street wall should be modulated vertically in segments that relate to the fine grain subdivision pattern evident in the locality.
- C.14 Undercrofts or other interruptions of the street wall or ground floor which expose the underside of the podium or tower and amplify its presence on the street or in publicly accessible open spaces are not permitted.
- C.15 Ensure building services are concealed and screened from the public domain, where appropriate.
- C.16 The street wall, particularly as articulated at the corner of O'Connell Street and Albert Street, must be of solid architectural expression to ground the built form and frame the street.
- C.17 Podium building lengths to be maximum 70m to ensure adequate breaks in the built form to reduce bulk.
- C.18 Colonnades are not supported as they are not a typological element used in the area, they restrict views of retail frontages and fragment the street interface.
- C.19 Street wall facades should:
  - a. Be consistent in materiality and rich in architectural detail.
  - b. Be of predominantly masonry character with no lightweight panel construction or curtain walling.

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

---

- c. Be articulated with depth, relief and shadow on the street facade. A minimum relief of 150mm between the masonry finish and glazing face must be achieved.
  - d. Utilise legible architectural elements and spatial types - doors, windows, pilasters, sills, plinths, frame and infill, etc. - not necessarily expressed in a literal traditional manner.
  - e. Awnings are thoughtfully integrated into the design.
- C.20 The maximum tower floorplate length is 48 metres.
- C.21 The floorplate must be measured to the outside face of the building including balconies, vertical and horizontal circulation, internal voids, and external walls.
- C.22 The maximum floorplates for towers of more than 6 storeys to be 950<sup>2</sup> (gross building area).
- C.23 Tower forms should be setback, differentiated from the street wall as a separate architectural element, and should be distinct and different in character from the podium.
- C.24 Roof fixtures, lift overruns and service plants are to be incorporated into the design of the roof, to minimise visual intrusiveness, not be visible from the public domain and ensure a consistent street wall height.

#### Active Frontages/ Retail Ground Floor Frontage

Active frontage location and extent to be consistent with Figure 8.2.2.12.15.6.

- C.25 Each commercial tenancy should have an individual entry path from the street at existing ground level that minimises the need for vertical circulation, is legible and well-lit. A clear path of travel must be provided in the public domain as defined in the Public Domain Guidelines.
- C.26 Active uses must fully occupy the ground floor frontage not taken up by services or vehicular access.
- C.27 Access ramps and stairs, where necessary, should be incorporated inside the building envelope.

SITE SPECIFIC DCP – 9 Albert Street and 31 O'Connell Street  
North Parramatta

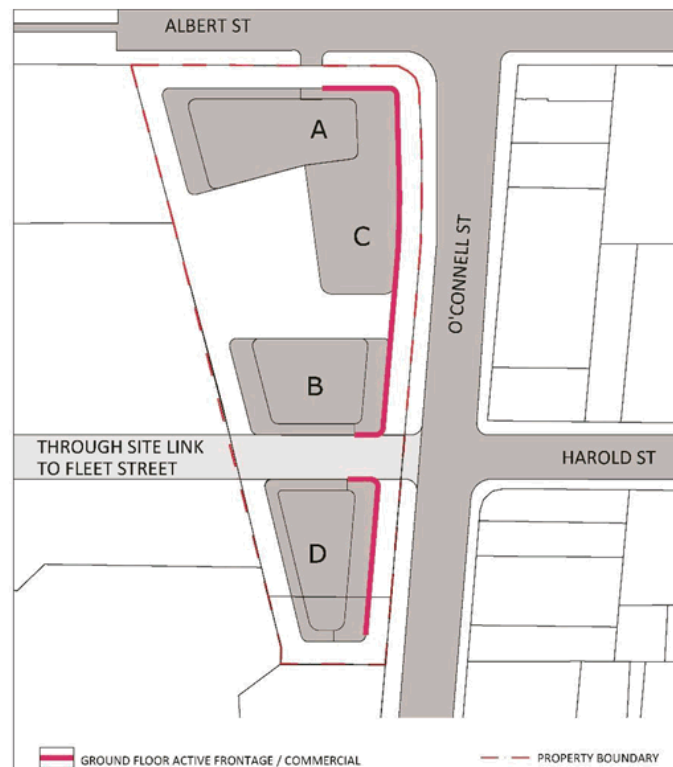


Figure 8.2.2.12.15.6 – Active Frontage Map

#### Residential Ground Floor Frontage

- C.28 Ground floor apartments fronting Albert Street are to have individual building entrances.
- C.29 Ground floor apartments not directly facing a street should be accessed via a lobby entrance fronting O'Connell or Albert Street.
- C.30 Ensure equitable access to the residential lobby.

#### Building Address

- C.31 Residential access to each building is to be provided with a direct legible street address.
- C.32 Primary building entrances are to be from the street and not internal through site links.
- C.33 Residential entries should have an individual entry path from the street at existing ground level that minimises the need for vertical circulation, is legible and well-lit.
- C.34 Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries.
- C.35 Building entries and lobbies to residential apartments are to be separated from commercial entrances to provide secure and identifiable addresses.
- C.36 Minimum floor to floor height is to be provided as follows:
  - Ground floor retail/ Commercial – 4.5m.
  - Podium commercial -3.8m.
  - Ground floor Residential – 4m
  - Residential – 3.1m.

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

---

#### Materiality

- C.37 Facades of buildings should be designed with a balance of consistent horizontal and vertical elements that express the building’s architecture.
- C.38 The street wall should provide a modest and linear backdrop to the heritage buildings across the road, without trying to draw attention, pretending to mimic or compete with them.
- C.39 Light materials and generous fenestrations should be used in the expression of towers to reduce visual bulk.
- C.40 The site requires a limited materials and colour palette to achieve a cohesive built form related to the retained historic built legacy, which includes an established tradition of building in sandstone and red brick.
- C.41 Materials must be selected to relate to the visual characteristics and significance of the heritage buildings.
- C.42 Precast concrete is not to be used as the primary façade material unless there is acceptable articulation, surface treatment, and integration with other architectural elements.
- C.43 The modulation, proportions and rhythm of the design of development in the vicinity of heritage items must respond to the scale and visual character of heritage items.

#### 8.2.2.3 PUBLIC DOMAIN, COMMUNAL OPEN SPACE AND LANDSCAPING

##### Objectives

- O.10 Create a clear delineation between public and private spaces.
- O.11 Provide adequate deep soil zones.
- O.12 Retain and respond to the character of the historic Quarry Face through design.
- O.13 Provide high amenity, accessible communal open spaces which are co-located with deep soil.
- O.14 Ensure that buildings and landscaped spaces respond to the natural site topography.
- O.15 Strengthen and support high quality landscaping and canopy trees in the public domain and the publicly accessible private spaces.

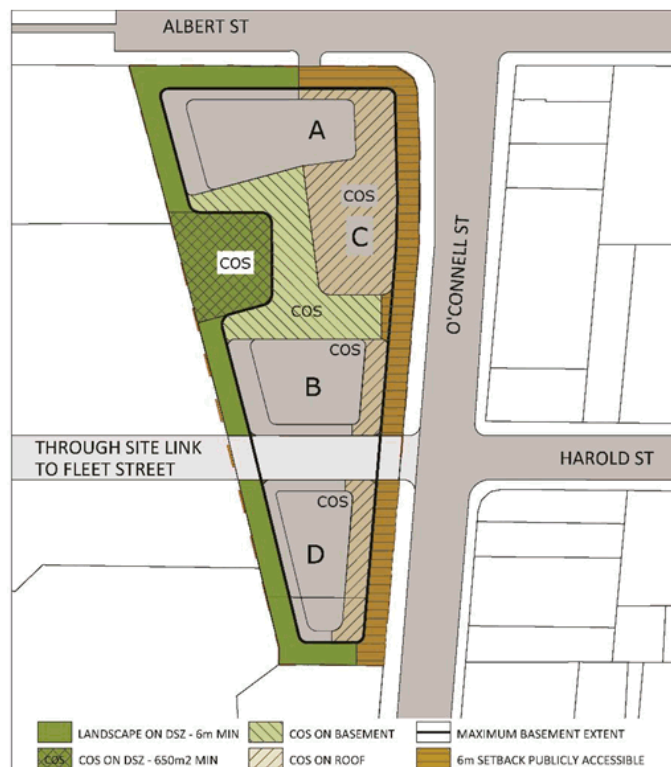
##### Controls

##### Communal Open Space, Deep Soil and Landscape

- C.44 Deep soil and landscaping to be consistent with Figure 8.2.2.12.15.7.
- C.45 Communal open space to demonstrate the following requirements:
  - a. Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies.
  - b. Basement alignment to be contained within the 6m boundary setback, with a minimum of 650sqm of communal open space provided as deep soil, consolidated into a well-designed, easily identified and usable area.
  - c. Adequate landscaped separation between residential uses and communal open space is required to allow for privacy and impact from noise pollution.
  - d. Communal spaces provided on building rooftops are considered as secondary spaces and should not preclude access to the ground level communal space from all buildings.
  - e. Rooftop communal spaces should be accessible and include all amenities and associated services.

SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

- C.46 Deep soil to demonstrate the following requirements:
- a. Deep soil to be co-located with communal open space.
  - b. A minimum of 30% of the site is to comprise deep soil
- C.47 Landscape areas to demonstrate the following requirements:
- a. Provision should be made for large trees in the 6m setbacks to Albert Street and O'Connell Street.
  - b. The intent of the 6m setback in deep soil along the western and southern boundary is to provide a landscape buffer with large tree canopy. Unless directly adjacent to communal open space, this setback should not contribute to minimum communal open space area requirements.
  - c. Where basements extend beyond the building envelope (where not precluded by other controls in this DCP), and are required to house trees and plants, the slab set-downs must incorporate allowances for drainage layers, services if any, and paving & associated slab depths over and above a minimum clear soil depth of 1.2m, measured from the top of the slab. Where multiple trees are required on set down slabs, the slab set downs should be contiguous.
  - d. Ensure landscaping is provided at natural ground level adjacent to the boundary, without retaining walls, to respond to the natural topography of the sandstone quarry.



SITE SPECIFIC DCP – 9 Albert Street and 31 O’Connell Street  
North Parramatta

Figure 8.2.2.12.15.7 – Communal Open Space, Deep Soil and Landscape map

- C.48 The Public Domain/publicly accessible landscape area interface along Albert Street and O’Connell Street is to:
- a. Provide clear views to the tenancies along the active street frontage.
  - b. Incorporate principles of CPTED.
  - c. Incorporate a palette of high-quality design treatments and finishes consistent with Council public domain guidelines.
  - d. Landscaped area to be a maximum of 1m above the natural grounds’ level of the streetscape.
  - e. Should be 24/7 publicly accessible.
  - f. Is deep soil and must include a combination of paving and high-quality landscaping.
  - g. Should have awnings at entries for tenancies. Continuous awnings can be considered by Council as long as the awnings do not clash with any trees within public domain or this setback.
  - h. Provide retaining walls:
    - are only permissible perpendicular to the site boundary
    - should be a maximum height of 1m.
    - should be entirely located within the lot boundary of the development lot.
    - Use a design and profile to meet Public Domain Guidelines in consultation with Council.
    - Should consist of durable materials as agreed with Council.
    - Have horizontal tops and minimal stepping.
    - Enable casual seating where appropriate.
- C.49 The Through Site Link is to:
- a. Be provided centrally between O’Connell Street and Fleet Street to align with Harold Street centre line and to be minimum 12m wide.
  - b. Be a 24/7 publicly accessible pedestrian link.
  - c. Be designed to facilitate a future extension from O’Connell Street to Fleet Street. The proposed levels where it meets the adjoining site should be designed to meet the natural ground level.
  - d. Be open to the sky.
  - e. Be fully accessible and equitable with graded walkways no steeper than 1 in 20. Where the topography does not permit these walkways, alternatives must be proposed.
  - f. Provide trees in deep soil (preferably) or in set down slabs and planters to encourage and sustain large canopy trees consistent with ADG soil volumes, soil depth, irrigation, and sub-soil drainage.
  - g. Provide pedestrian lighting to ensure safe 24/7 access without reflecting into residential properties.
  - h. Incorporate principles of CPTED to support safety and security of users.
  - i. Ensure provision of set down slabs to enable a minimum soil depth of 1.2m plus associated drainage service and paving allowances, to enable large tree planting along it.

Awning Design



SITE SPECIFIC DCP – 9 Albert Street and 31 O'Connell Street  
North Parramatta

- C.50 Awnings to be provided as specified in sections above and should comply with the design guidelines set in the Parramatta DCP

#### Vehicular Access and Parking

- C.51 Basement access is to be from Albert Street
- C.52 Basement carparking must be located predominately below existing ground level. Where slope conditions mean this is unachievable, the basement projection of the floor level of the storey immediately above is to be less than 1 metre above existing ground level.
- C.53 Vehicular and bicycle parking rates are to be applied as per the table below:

<b>Vehicular</b>	<b>Maximum Parking Rate</b>
1 bedroom	0.6 per dwelling
2 bedroom	0.9 per dwelling
3 bedroom	1.4 per dwelling
4 bedroom	1.4 per dwelling
Visitor	1 space per 5 dwellings
Retail	1 space per 30sqm
Commercial	1 space per 65sqm
Childcare	1 space for every 4 children
<b>Bicycle</b>	<b>Maximum Rate</b>
Bicycle	1 space per dwelling
Bicycle (visitors)	1 space per 10 dwellings
Bicycle (retail)	0.2 spaces per car parking space
Bicycle (childcare)	0.2 spaces per car parking space

**REPORTS TO COUNCIL - FOR COUNCIL DECISION**

---

<b>ITEM NUMBER</b>	13.7
<b>SUBJECT</b>	Newington Reserve Upgrade
<b>REFERENCE</b>	F2024/00282 - D09470928
<b>REPORT OF</b>	Place Manager

**CSP THEME:** Innovative and Thriving

**WORKSHOP/BRIEFING DATE:** 19 June 2024

**PURPOSE:**

To provide Council with the business case and construction details for the use of synthetic turf for the 2024/25 DPOP capital work - upgrade of Newington Reserve.

**RECOMMENDATION**

- (a) That Council note the receipt of the \$5 million grant from the Multi-Sport Community Facility Fund 2021/22 specifically for the construction of a synthetic turf sports field at Newington Reserve.
- (b) That Council note the Business Case for the upgrade of Newington Reserve utilising synthetic turf at Attachment 1.
- (c) That officers proceed with the upgrade of Newington Reserve in accordance with Council's adopted 2024/25 DPOP capital program (utilising synthetic turf for the full-size sports field and associated mini field).

**BACKGROUND**

- 1. At the 9 May 2022 Council meeting the Sportsground Strategy and Action Plan was endorsed and it was resolved that any site-specific assessment and business case process recommending the use of synthetics and/or hybrid sporting surfaces will be reported to Council for consideration and approval.
- 2. Delivery of a new sport and recreation facility (sporting field and pavilion) at Newington Reserve was identified as Focus Area within the City of Parramatta Council's (Council) Delivery Program 2018-2022 and is identified as a key recommendation in Council's Community Infrastructure Strategy (CIS) and Sportsground Strategy and Action Plan (SSAP).
- 3. In November 2018, the NSW State Government and Cricket NSW announced that a Centre of Excellence would be established at Wilson Park, Silverwater. Wilson Park is owned by the Sydney Olympic Park Authority (SOPA) however the sporting fields were publicly accessible and operated and managed by Council, with primary occupants being the Newington Gunners Soccer Club. Since the closure of Wilson Park, the Newington Gunners Soccer Club has been temporarily re-located to Eric Primrose Reserve in Rydalmere.
- 4. The construction of a new sport and recreation facility at Newington Reserve will help offset the loss of these publicly accessible sporting fields.

5. Community consultation has highlighted strong support for the use of synthetic turf for the Newington Reserve upgrade and as such Council officers have investigated the benefits of implementing synthetic turf for this project and ensuring environmental best practice is used.

## ISSUES/OPTIONS/CONSEQUENCES

6. The Sportsground Strategy and Action Plan has identified growth in population will put increasing pressure on Council's sportsground network. To meet the needs of the community, consideration of innovative approaches to sportsground provision is required.
7. Synthetic sporting fields pose an alternative to traditional natural turf surfaces. They are flexible, multi-purpose assets which have the capacity to handle higher levels of usage. As demand increases, investing in synthetic sporting fields is an innovative means of increasing the carrying capacity of sporting fields.
8. Due to the environmental concerns around the installation of synthetic sport fields Council engaged an sportsground consultant to provide advise on the most up to date information on how we can address environmental concerns through the design of this project. Some of the main environmental concerns are listed below along with proposed mitigation measures.
9. Heat – Concerns that the surface can be too warm.  
This concern can be mitigated by Council adopting the following:
  - Organic infill rather than rubber,
  - Additional tree canopy close to the field of play,
  - Dual yarn system for the carpet and FIFA heat indices of 2 or less to be specified at the procurement stage,
  - Vertical draining system to keep moisture in pavement to allow reverse osmosis to happen and keep field cooler.

Whilst there may still be some days when the surface remains too hot for play, the number of days this may occur would be offset by the increased number of days the surface was available for play during wet weather events.

10. Microplastics – Concern is to stop rubber crumb and grass yarn from migrating into the surrounding landscape and waterways.

This concern can be mitigated by Council adopting the following:

- Adoption of Australian Standard – the design of the sports field and subsequent procurement of grass and infill should follow the Australian Standard, SA TR CEN 17519: 2021 Surfaces for sports areas - Synthetic turf sports facilities - Guidance on how to minimize infill dispersion into the environment,
- Do not use rubber crumb and only use organic infill that absorbs the water to reduce potential floating,
- Ensure that the grass yarn has high UV radiation protection to meet the Australian needs,

- Procure a performance system that has high level durability standards (over 100,000 Lisport cycles), so that the grass doesn't fragment and produce microplastics,
  - Procure dual yarn system that encapsulates the infill and therefore reduces the migration of the infill.
11. Urban Heat Island (UHI) impact – The concern is to reduce the ability for the field to capture the heat during the day and then release it in the evening, causing the UHI effect.  
This concern can be mitigated by Council adopting the following:
- Organic infill that absorbs water, and is part of a dual yarn system will reduce the heat by more than 25%,
  - Increase the tree canopy around the field of play.
12. There are many companies now producing synthetic turf that is 100% recyclable and the industry has developed an end-to-end recovery and recycling solution for synthetic turf.
13. All environmental impacts will be assessed in a Review of Environmental Factors.

## CONSULTATION & TIMING

### Stakeholder Consultation

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

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
December 2020	Broad community consultation	Overall, the community responded positively to the initial proposal with 78% respondents providing full support, and an additional 13% providing some level of support.	Feedback acknowledged	City Assets and operations  Parks and Open Space
October - November 2022	Broad community consultation	An additional question was presented regarding support for the use of synthetic turf. Overall, the community	Feedback acknowledged	City Assets and operations  Parks and Open Space

		responded positively to the proposal with 70% of respondents providing full support, and an additional 13% providing some level of support. When asked if they supported the use of synthetic turf, 61% of the community responded 'yes', while 39% responded 'no'.		
--	--	---	--	--

### Councillor Consultation

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

<b>Date</b>	<b>Councillor</b>	<b>Councillor Comment</b>	<b>Council Officer Response</b>	<b>Responsibility</b>
August 2022 Councillor Workshop	All Councillors	Additional information sought on environmental factors and tree canopy loss	Project put on hold pending the release of the Synthetic Turf in Public Spaces Chief Scientist Report and the Guidelines for Decision Makers.	City Assets and operations  Parks and Open Space
June 2024 Councillor Workshop	All Councillors	Further questions received around environmental impacts, best practice mitigation methods and advancements since publication of the Chief Scientists report.	Industry expert was in attendance and addressed questions based on 2024 best practice and how Council could mitigate issues to an acceptable standard in relation to Newington Reserve.	City Assets and operations  Infrastructure Grants and Major Projects

## LEGAL IMPLICATIONS FOR COUNCIL

16. Should Council adopt the Officer's recommendation there are no legal implications for Council associated with this report.
17. Should Council resolve not to proceed with the construction of a synthetic sports field at Newington Reserve it would be in breach of the \$5 million funding agreement executed for the Multi-Sport Community Facility Fund 2021/22 (MSCFF-21/22).
18. In this instance Council would be liable under the agreement to return the grant funding, plus interest accrued and any other penalties or damages provided for in the funding agreement.

## FINANCIAL IMPLICATIONS FOR COUNCIL

19. The adopted 2024/25 DPOP allocates funding for the project to commence this financial year and all current and anticipated sources of funding over the total life of the project are shown in the table below:

<b>Council Funds</b>	
Newington Reserve Upgrade Source: s7.11 Open Space (HBW)	\$8,339,636
Domestic Waste Reserve (preliminary remediation costs - domestic waste contamination)	\$3,140,364
<b>External Funds</b>	
Football NSW - Let's Light-up Football	\$20,000
Greater Cities Sports Facility Fund 2021/22 (GCSFF-21/22) - for Sports Pavilion building	\$1,000,000
Multi-Sport Community Facility Fund 2021/22 (MSCFF-21/22) - specifically for Synthetic Turf Sportsfield	\$5,000,000
<b>Projected Total</b>	<b>\$17,500,000</b>

20. Any amendments to the project cost that may arise after preparation of the REF can be considered and adjusted by Council as part of the capital projects rephasing during the Quarterly budget review process.

Elizabeth Brown  
**Place Manager**


George Bounassif  
**Executive Director City Assets and Operations**

John Angilley  
**Executive Director Finance & Information**

Gail Connolly  
**Chief Executive Officer**



**ATTACHMENTS:**

- 1  Business Case - Synthetic Turf Sports Field at Newington Reserve

12  
Pages

**REFERENCE MATERIAL**

# Business Case

## Synthetic Turf at

## Newington Reserve

<b>Name of project:</b> Newington Reserve Upgrade			
<p><b>Project description:</b> Newington Reserve is being developed into a new sport and recreation facility (sporting field and pavilion). Council's Community Infrastructure Strategy has identified Newington Reserve as the sole location within the surrounding area which has the potential to accommodate a new full-sized sports field and associated facilities.</p> <p>The new recreational facility at Newington Reserve, includes:</p> <ul style="list-style-type: none"> <li>• A full-size synthetic football (soccer) field</li> <li>• A mini-size synthetic football (soccer) field</li> <li>• Sports field lighting</li> <li>• A sports pavilion building</li> <li>• Spectator seating</li> <li>• Site levelling including retaining walls</li> <li>• Park furniture, electric BBQ's, and outdoor exercise equipment</li> <li>• Garden beds and shade tree planting,</li> <li>• On-street car parking (subject to approvals)</li> </ul>			
<b>Directorate:</b> City Assets & Operations		<b>Business Unit:</b> Infrastructure Grants & Major Projects	
<b>Project type:</b> (select below)			
<input type="checkbox"/> One-off service (Operating)	<input type="checkbox"/> Enhancement (Operating)	<input checked="" type="checkbox"/> New asset (Capital)	<input type="checkbox"/> Replacement/Upgrade of existing Asset (Capital)
<input type="checkbox"/> Strategic service (Operating)	<input type="checkbox"/> Renewal Program (Capital)	<input type="checkbox"/> Feasibility study	<input type="checkbox"/> Other (please describe):

Project details and cost benefit analysis						
Total project cost*: <i>(*should be +/- 15% of the final project cost)</i>		CAPEX: \$17,410,459				
In the table below, outline total project costs and any financial benefits.						
Costs Details (\$'000)	Year 1	Year 2	Year 3	Year 4	Year 5	Annual average thereafter
Capital Costs						
e.g. Design Costs	\$250,000	\$50,000	\$50,000			
e.g. Construction Costs		\$5,795,153	\$10,890,306			
Other Capital Costs	\$75,000	\$150,000	\$150,000			
Total Capital Costs	\$325,000	\$5,995,153	\$11,090,306			
Operating Costs						
e.g. Maintenance				\$48,500	\$48,500	\$48,500
e.g. Depreciation				\$329,036	\$329,036	\$329,036
e.g. Asset disposal (*the residual cost remaining on the existing asset being disposed)						
Other Operating Costs				\$15,000	\$15,000	\$15,000
Total Operating Costs						
Annual total costs				\$392,536	\$392,536	\$392,536
Expected Benefits (\$'000)	Year 1	Year 2	Year 3	Year 4	Year 5	Annual average thereafter
Financial				\$160,000	\$160,000	\$160,000
Avoided operating cost						
Improved Efficiency						
Time & FTE Savings						
Other Financial Benefits						
Annual total benefits/(deficiency)				-\$232,536	-\$232,536	-\$232,536

Please complete below, or attach submission covering these requirements																			
<b>1. Project outline</b> Delivery of a new sport and recreation facility (synthetic sporting field and pavilion) at Newington Reserve. This was identified as a Focus Area within the City of Parramatta Council's (Council) Delivery Program 2018-2022 and is identified as a key recommendation in Council's Community Infrastructure Strategy (CIS) and Sportsground Strategy and Action Plan (SSAP).																			
<b>2. Funding Source</b> <table border="1"> <tbody> <tr> <td><b>Council</b></td> <td></td> </tr> <tr> <td>Newington Reserve Upgrade</td> <td>\$8,339,636.00</td> </tr> <tr> <td>Source: s7.11 Open Space (HBW)</td> <td></td> </tr> <tr> <td>Domestic Waste Reserve</td> <td>\$3,140,364.00</td> </tr> <tr> <td><b>External</b></td> <td></td> </tr> <tr> <td>Football NSW - Let's Light-up Football</td> <td>\$20,000.00</td> </tr> <tr> <td>Greater Cities Sports Facility Fund 2021/22 (GCSFF-21/22)</td> <td>\$1,000,000.00</td> </tr> <tr> <td>Multi-Sport Community Facility Fund 2021/22 (MSCFF-21/22)</td> <td>\$5,000,000.00</td> </tr> <tr> <td><b>Total</b></td> <td><b>\$17,500,000.00</b></td> </tr> </tbody> </table>		<b>Council</b>		Newington Reserve Upgrade	\$8,339,636.00	Source: s7.11 Open Space (HBW)		Domestic Waste Reserve	\$3,140,364.00	<b>External</b>		Football NSW - Let's Light-up Football	\$20,000.00	Greater Cities Sports Facility Fund 2021/22 (GCSFF-21/22)	\$1,000,000.00	Multi-Sport Community Facility Fund 2021/22 (MSCFF-21/22)	\$5,000,000.00	<b>Total</b>	<b>\$17,500,000.00</b>
<b>Council</b>																			
Newington Reserve Upgrade	\$8,339,636.00																		
Source: s7.11 Open Space (HBW)																			
Domestic Waste Reserve	\$3,140,364.00																		
<b>External</b>																			
Football NSW - Let's Light-up Football	\$20,000.00																		
Greater Cities Sports Facility Fund 2021/22 (GCSFF-21/22)	\$1,000,000.00																		
Multi-Sport Community Facility Fund 2021/22 (MSCFF-21/22)	\$5,000,000.00																		
<b>Total</b>	<b>\$17,500,000.00</b>																		
<b>3. Relationship with other Projects/Programs</b>  <p>In November 2018, the NSW State Government and Cricket NSW announced that a Centre of Excellence would be established at Wilson Park, Silverwater. Wilson Park is owned by the Sydney Olympic Park Authority (SOPA) however the sporting fields were publicly accessible and operated and managed by Council, with primary occupants being the Newington Gunners Soccer Club. Since the closure of Wilson Park, the Newington Gunners have been temporarily re-located to Eric Primrose Reserve in Rydalmere.</p> <p>The construction of a new sport and recreation facility at Newington Reserve will help offset the loss of these publicly accessible sporting fields. Consideration could be given to Newington Reserve to be used as a home ground for the Newington Gunners as part of the Granville and Districts Soccer Football Association as well as be available to other sporting/ community groups and local residents.</p> <p>Transport for NSW (TfNSW) are proposing to upgrade the road between Silverwater Road and Holker Street intersection by widening the Holker Street roadway to accommodate an additional left turn lane to Silverwater Road. TfNSW works will impact approximately 2m into the current boundary which impacts Newington Reserve Upgrade project frontage.</p>																			

#### 4. Alternative Options Considered

The option of Natural Turf was considered prior to the Multi-Sport Community Facility Fund grant submission but due to the playing capacity required for the site synthetic turf is recommended to accommodate this need. There has also been a lot of change in the synthetic turf industry to address the environmental concerns of synthetic turf.

As identified in Councils adopted Sportsground Strategy and Action Plan "Through the CIS (Community Infrastructure Strategy) Council identified the potential for a full-size sporting field at the existing passive park Newington Reserve to ensure this field can address greater demand given there are limited opportunities for further community sporting fields in catchment 6 the provision of a synthetic full-size field and mini field is being considered."

## 5. Proposed Option

The sport field at Newington Reserve is proposed as a synthetic playing field. The designs are at 90% completion for a synthetic sports field and the Multi-Sport Community Facility Fund grant of \$5 million specifies the surface as a synthetic sports field.

Synthetic sports surfaces, that are fit for purpose, allow for up to three times the play compared to natural turf, have less maintenance, produce a more consistent playing surface, and allows play, even with wet weather.

Example of hours of use based on a field of this size:

	Hours (winter)	Hours (summer)	Total hours per annum
<b>Synthetic</b>	1,300	1,300	<b>2,600</b>
<b>Natural</b>	650	150	<b>800</b>

Practical capacity for natural turf as per the Sportsground Strategy and Action Plan is 25 hours per week, synthetic fields can accommodate double this amount.

Higher revenue in summer season for synthetic field with expected hirers being commercial groups rather than community groups.

Lower revenue in summer season for natural turf field as this would be a rest period for field renovations/recovery, with minimal use by hirers.

Potential revenue:

	Revenue (winter)	Revenue (summer)	Total Revenue per annum
<b>Synthetic</b>	\$70,000	\$90,000	<b>\$160,000</b>
<b>Natural</b>	\$13,000	\$4,000	<b>\$17,000</b>

In March 2024 the draft Synthetic Turf in Public Open Space Guidelines for Decision-Makers was placed on exhibition. The (Draft Consultation) Guide aims to provide support for decision-makers, mainly local governments through a framework guide that explores the planning, design, delivery, and management.

Some key findings in the report are embracing a Triple Bottom Line perspective ensures that a holistic approach is considered in the design thinking of a project and the aim of these 3 perspectives are:

Planet - the environmental considerations aiming to leave the whole parkland in a better place because of this project.

People - encourage the design to be focused on encouraging more people to use the parkland for both sports and enjoy the passive nature of the park.

Prosperity - to explore the Whole of Life cost for the project and reduce economic barriers where possible for usage.



## 6. Project scope and dependencies/interdependencies

A new sport and recreation facility consisting of:

- A full-size synthetic turf sports field with associated fencing/ ball screens and lighting,
- A smaller synthetic turf warm-up area/ minis field,
- Sportsground pavilion building including change room facilities, public toilets, kiosk, small administration room and storage rooms,
- Access paths, stairs and ramps,
- On-street angled car parking on Slough Avenue,
- Park furniture including tables, park seating, shelters and a BBQ,
- Landscape works including retaining walls, garden beds and new tree planting, and,
- Outdoor fitness equipment.

## 7. Key Stakeholders & Engagement

Key stakeholders such as the Newington Gunners Soccer Club and Football NSW have been consulted throughout the project and have provided support for the proposed works. Initial community engagement for proposed upgrade works was undertaken in December 2020. Overall, the community responded positively to the initial proposal with 78% respondents providing full support, and an additional 13% providing some level of support. The community was re-engaged in October - November 2022, with an additional question presented regarding support for the use of synthetic turf. Overall, the community still responded positively to the proposal with 70% respondents providing full support, and an additional 13% providing some level of support. When asked if they supported the use of synthetic turf, 61% of the community responded 'yes', while 39% responded 'no'.

## 8. Environmental Impacts

Due to the environmental concerns around the installation of synthetic sport fields we have engaged a consultant to provide us with the most up to date information on how we can address environmental concerns through the design of the Newington Reserve project.

Heat – Concerns that the surface can be too warm for people to play on safely

This concern can be mitigated by Council adopting the following:

- Organic infill rather than rubber,
- Additional tree canopy close to the field of play and across the Park,
- Dual yarn system for the carpet and FIFA heat indices of 2 or less to be specified at the procurement stage,
- Vertical draining system to keep moisture in pavement to allow reverse osmosis to happen and keep field cooler .

Microplastics – Concern is to stop rubber crumb and grass yarn from migrating into the surrounding landscape and waterways.

This concern can be mitigated by Council adopting the following:

- Adoption of Australian Standard – the design of the sports field and subsequent procurement of grass and infill should follow the Australian Standard, SA TR CEN 17519: 2021 Surfaces for sports areas - Synthetic turf sports facilities - Guidance on how to minimize infill dispersion into the environment,
- Do not use rubber crumb and only use organic infill that absorbs the water to reduce potential floating,
- Ensure that the grass yarn has high UV radiation protection to meet the Australian needs,
- Procure a performance system that has high level durability standards (over 100,000 Lisport cycles), so that the grass doesn't fragment and produce microplastics,
- Procure dual yarn system that encapsulates the infill and therefore reduces the migration of the infill.

Urban Heat Island (UHI) impact – The concern is to reduce the ability for the field to capture the heat during the day and then release it in the evening, causing the UHI effect.

This concern can be mitigated by Council adopting the following:

- Organic infill that absorbs water, and is part of a dual yarn system will reduce the heat by more than 25%,
- Increase the tree canopy across the site and especially around the field of play,
- Reduction of the usage of standard concrete and embrace Green concrete to lower the heat capture during the day.

There are many companies now producing synthetic turf that is 100% recyclable and the industry is developing an end-to-end recovery and recycling solution for synthetic turf. At the end of the fields lifespan the entire product & generally the infill can be recycled. Once the old field has been uplifted and transported, it is unrolled and mechanically brushed and beaten to separate the infill from the synthetic turf.

Once separated, the products are then treated as follows:

1. Infill - Mixed sand and infill and small miscellaneous waste accumulated over the duration of the synthetic turf lifespan, are separated into their individual components.
2. Synthetic Turf - The synthetic turf roll is then shaved to separate the yarn woven into the backing. This is because the yarn is made of >95% polyethylene, making it a valuable resource once agglomerated and extruded into a pellet form.

The materials extracted from the recovery and recycling process create the following outputs:

1. Sand - can be reused in the synthetic turf and other industries. For example: Landscape sand in the installation of domestic synthetic turf surfaces.
2. Rubber - can be used in many industries including the synthetic turf industry. For example: Insitu rubber base or soft fall playgrounds.
3. Polyethylene Pellets - can be used in a myriad of industries. For example: Injection moulded into bollards or public furniture.

\*This recycling example is for rubber infill as many synthetic fields have used this in the past, as we will use organic infill this is an example only showing the recycling process of synthetic turf.

All environmental impacts will be assessed in a Review of Environmental Factors.

## 9. Risk overview

Due to existing site constraints, the project has three significant risks:

- Contamination of existing soils,
- Tree Removal,
- Adequate funding.

Newington Reserve has an undulating landform and will require significant regrading/ earthworks to achieve suitable levels and grades for proposed works. Although a significant portion of the reserve appears flat, this area is not large enough to accommodate the full-size sporting field and associated facilities (as per relevant standards and guidelines).

Preliminary testing has shown that there are low levels of contamination (asbestos) in the existing soil profile. The majority of the site appears to be covered in imported fill material, and the presence of contamination was recorded scattered throughout the reserve at both the mounded and playing field areas (6 of 26 test pits were identified to contain asbestos in the form of fibre cement fragments. Of the 6 test pit locations, 5 locations were identified to exceed the adopted site criteria for public open space).

It was also identified that there was industrial and household waste. The fill predominantly comprises clayey soils with some silt and gravel, with some rubbish materials (including egg shells, tree bark, organic matters, plastic, metal canes, ash etc). The rubbish content increases at depths exceeding about 2.0m.

The site is currently being managed as per recommendations of the testing report to ensure public/ Council staff health and mitigate the risk of contaminated material becoming exposed. All demolition, excavation, earthworks, and remediation will be undertaken under the advice of specialist consultants and in alignment with all EPA, SafeWork NSW and NSW Health policies and procedures.

New works will aim to remediate the site to minimise/ remove all hazards associated with contaminated soils.

Required modifications to the existing landform and contamination will also require significant tree removal. While existing trees will be retained where possible, it is expected that the majority of trees within the reserve will require removal.





Currently the open/ clear space within Newington Reserve is insufficient. Tree removal will be required to accommodate proposed works to ensure they are built to relevant guidelines and standards. Significant modifications to the existing landform throughout the site will also have a negative impact on the health of existing trees (for example exposing or burying tree roots) and is expected to require additional tree removal.

Although tree removal is generally avoided where possible, it will positively assist in efforts to remediate the site of contamination. Removal of existing trees will also allow for removal of adjoining soils (which are potentially contaminated) and installation of robust capping layers to suit proposed works. By creating a 'clean-slate', works can be planned and implemented which significantly reduce/ remove the hazard to ensure the long-term safety of the public and Council staff working on-site.

Risk of losing grant funding due to project delay. Due to the delay in the NSW Chief Scientist and Engineer report and the Synthetic Turf in Public Open Spaces - Guidelines for Decision Makers we are behind schedule on the Greater Cities Sports Facility Fund and the Multi-Sport Community Facility Fund grant timelines.

# Approval Sheet

The signatures below endorse that all necessary areas have been consulted, the details of the project as described in this document and supporting documents are accurate and requests the release of funds to complete the next stage of the project planning.

<b>1. Author of Business Case: PROPOSED</b>	
	
Elizabeth Brown	
Place Manager	
01/07/2024	
<b>2a. Group Manager: ENDORSED (Initiator)</b>	
	
James Smallson	
03/07/2024	
<b>2b. Group Manager: ENDORSED (Delivery Partner if Applicable)</b>	
(Signature)	
(Name)	
(Date)	
<b>3a. Executive Director: ENDORSED (Initiator)</b>	
	
George Bounassif	
05/07/2024	
<b>3b. Executive Director: ENDORSED (Delivery Partner if Applicable)</b>	
(Signature)	
(Name)	
(Date)	
<b>4. Finance Service Unit Partner: BUDGET / FUNDING</b>	
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Not Approved
Name: Keyur Shah	Funding Allocated: \$17,033,216
Signature: 	Date: 04/07/2024







## **NOTICES OF MOTION**

**22 JULY 2024**

- 14.1 Jacaranda Trees in Oatlands and Council's Street Tree Masterplan ... 744
- 14.2 Proposed Harris Park/Little India Community Consultative Group ..... 746
- 14.3 Customer Service - Ease of Doing Business with Council ..... 748
- 14.4 Promotion of Private Car Parking for Public Use in the Parramatta CBD 749

**NOTICE OF MOTION**

---

<b>ITEM NUMBER</b>	14.1
<b>SUBJECT</b>	Jacaranda Trees in Oatlands and Council's Street Tree Masterplan
<b>REFERENCE</b>	F2024/00282 - D09518091
<b>FROM</b>	Councillor Michelle Garrard

**MOTION**

- (a) That Council include in the next housekeeping amendment to the Parramatta DCP 2023 a review of the controls to determine whether changes are needed to preserve the Jacaranda trees in Oatlands located on privately owned land.
- (b) That the preservation of existing Jacaranda trees and potential replacement of street trees in Oatlands with new Jacarandas be considered as part of the upcoming review of Council's Street Tree Masterplan, identified for preparation in financial year 2024/25 and completion in financial year 2025/26.

**BACKGROUND**

1. The existing Jacaranda trees in Oatlands add character to the streetscapes in this suburb and a review of their further preservation is warranted.
2. On private land, Parramatta DCP 2023 provides controls that detail when Council's consent is required to prune or remove a tree and to set out criteria that will be used to assess applications for the removal or pruning of a tree.
3. On public land, Council officers undertake a risk assessment prior to any decision to remove a tree. Further protections should be considered for Jacaranda trees in Oatlands. For private land, this should be considered as part of the next housekeeping review of Parramatta DCP 2023 and for public land, this should be considered as part of the upcoming review of Council's Street Tree Masterplan.

**EXECUTIVE DIRECTOR CITY PLANNING AND DESIGN RESPONSE**

4. The State Environmental Planning Policy (Biodiversity and Conservation) 2021 enables Council to endorse controls in the Parramatta DCP 2023 that detail when consent is required to prune or remove a tree and to set out criteria that will be used to assess applications for the removal or pruning of a tree.
5. Prior approval from Council is required to remove any tree that meets the following criteria:
  - any tree or palm - whether indigenous, endemic, exotic or introduced species with a height equal to or exceeding five (5) metres
  - any tree with a height equal to or exceeding three (3) metres or any tree capable of growing to a height of 3 metres (where the tree with a height less than 3 metres has been intentionally planted; and/or is required to be planted and maintained as part of a development consent or tree permit determination notice)

- that is or forms part of a heritage item, or
  - that is within a heritage conservation area; or
  - that is located within a Special Character Area as defined by this DCP
6. *Jacaranda mimosifolia* (Jacaranda) that meet the above criteria are a 'tree' as defined by the DCP and are protected by the DCP and subject to detailed assessment before any consent is granted for removal.
7. If any tree is on public property, then the tree will not be removed without clear justification. A review of whether a street tree needs to be removed is most often triggered by:
- complaints received from members of the public about the health of the tree and any potential safety issues due to the health of the tree; or
  - an assessment initiated by Council Officers if the tree is identified as a potential risk; or
  - where changes to infrastructure (road drainage, footpath or other similar works) will impact on the tree.
8. In these cases, Council officers undertake an inspection and complete a risk assessment. If the tree fails the risk assessment, it will be removed. If the tree is to be retained, maintenance of the tree to manage the risk is undertaken.
9. If Council considers that any Jacarandas removed from public land should be replaced with the same species, this is a matter for inclusion in Council's Street Tree Planting Masterplan.
10. An action identified during the preparation of the draft Canopy Management Plan is the need to review Council's Street Tree Management Plan. As part of this review a policy that requires any Jacaranda removed from the public domain in Oatlands be replaced with a new Jacaranda tree could be considered. It is expected that this review would commence in FY 24/25 and be completed in FY25/26.

## FINANCIAL AND RESOURCE IMPLICATIONS

11. The actions described in the motion can be progressed by Council officers as part of programmed reviews to be undertaken using the approved 2024/25 budget and resources.

Michelle Garrard  
**Councillor Garrard**

Jennifer Concato  
**Executive Director City Planning and Design**

Gail Connolly  
**Chief Executive Officer**

**NOTICE OF MOTION**

---

<b>ITEM NUMBER</b>	14.2
<b>SUBJECT</b>	Proposed Harris Park/Little India Community Consultative Group
<b>REFERENCE</b>	F2024/00282 - D09518215
<b>FROM</b>	Deputy Lord Mayor Cllr Dr Patricia Prociv

**MOTION**

- (a) That the CEO establish a *Harris Park/Little India Community Consultative Group* to provide a forum for local residents and businesses to come together with Council officers on a regular basis to resolve the ongoing amenity issues being experienced in Harris Park.
- (b) That the Community Consultative Group be chaired by the CEO (or her delegate) and comprise three representatives from local residents, three from local businesses and relevant Council officers such as planning, traffic and regulatory services officers.

**BACKGROUND**

1. The City of Parramatta is proud of its diverse food scene and encourages activities like food trucks that add to our lively street culture. However, businesses must operate within the law.
2. In 2023, Council responded to an increasing number of community complaints relating to the adverse impacts on residential amenity caused by the quantity of mobile food trucks/carts and their trading hours in the residential Heritage Conservation Area of Harris Park. Concerns were also raised in relation to excess rubbish, hooning by vehicles, frequent traffic and pedestrian congestion and unsafe work practices.
3. Due to the intensification of these activities, since January 2024 Council has received more than 200 complaints from local businesses and residents regarding the operation of mobile food trucks and carts in the precinct known as Little India in Harris Park.
4. Compliance activities undertaken in response to these complaints revealed that a significant number of vendors and businesses were found to potentially be in breach of the NSW legislation (SEPP) that permits mobile food trucks to trade without the need to obtain a development consent.
5. Additionally, a significant number were found to have breached Council's LEP, as they had undertaken unauthorised alterations and additions to heritage items or properties within the Heritage Conservation Area without lodging a development application or obtaining the necessary consent.
6. Due to the widespread nature of the unauthorised activity, the CEO directed staff to undertake some community information sessions in the Harris Park Community Centre to educate local residents and businesses on their rights and obligations.



7. Several sessions were run in December 2023 to provide expert guidance from Building Compliance, Environmental Health Compliance and Planning perspectives. Advice given included what activities and uses required approval, whether certain activity was authorised without development consent, as well as advice on investigatory procedures and timeframes.
8. These sessions attracted attendance from a significant number of residents and businesses, which was an encouraging sign that efforts were being made to become compliant. In a continued effort to work with local businesses, the CEO implemented an amnesty whereby no enforcement action was taken for a 3 month period between December 2023 and March 2024, to afford property and business owners additional time to lodge relevant applications and/or bring their premises into compliance.
9. However, following the amnesty period, Council continued to receive complaints from the Harris Park community regarding activity that contravened the legislation in terms of trading hours, intensification of use (i.e. extension of cooking facilities beyond what was approved, increased dining areas) and extension/alteration of buildings and structures in heritage areas or on heritage items without appropriate approvals.
10. Council officers re-commenced compliance activities by means of carrying out inspections over several weeks and issuing warnings in the first instance when a breach was identified. Penalty infringements were issued for breaches observed on subsequent occasions. The majority of businesses were noted to comply following a warning or after being issued with a penalty infringement notice. However, several businesses were noted to continue breaching the legislation beyond the issuance of several infringement notices.
11. Complaints from local business owners and residents continue to be received due to ongoing lack of compliance in the area.

## **STAFF RESPONSE**

12. A staff response will be provided in the Supplementary Agenda.

Patricia Prociv  
**Deputy Lord Mayor Cllr Dr Patricia Prociv**

Gail Connolly  
**Chief Executive Officer**

## **ATTACHMENTS:**

There are no attachments for this report.

## **NOTICE OF MOTION**

---

**ITEM NUMBER** 14.3  
**SUBJECT** Customer Service - Ease of Doing Business with Council  
**REFERENCE** F2024/00282 - D09518203  
**FROM** Councillor Sameer Pandey

### **MOTION**

- (a) That the CEO provide an update and recommendation on opportunities to improve the ease of doing business with Council.
- (b) That the CEO report on KPIs and service levels that are in place and any additional measures to gauge customer feedback.
- (c) That the report be presented by end of this calendar year.

### **BACKGROUND**

- 1. Nil.

### **STAFF RESPONSE**

- 2. A staff response will be provided in the Supplementary Agenda.

Sameer Pandey  
**Councillor**

Angela Jones-Blayney  
**Executive Director City Engagement & Experience**

Gail Connolly  
**Chief Executive Officer**

### **ATTACHMENTS:**

There are no attachments for this report.

**NOTICE OF MOTION**

---

<b>ITEM NUMBER</b>	14.4
<b>SUBJECT</b>	Promotion of Private Car Parking for Public Use in the Parramatta CBD
<b>REFERENCE</b>	F2024/00282 - D09518208
<b>FROM</b>	Councillor Sameer Pandey

**MOTION**

- (a) That the CEO investigate the options for and implications of promoting the use of existing parking, currently only used for private purposes, as public car parks available to broader users for all or parts of the day.
- (b) That Councillors be briefed on the outcome of the investigations.

**BACKGROUND**

- 1. A number of privately owned buildings in and around the CBD may not be used at full capacity by current occupants or may only be used at full capacity during certain parts of the day (for example they may have capacity in the evening or on weekends).
- 2. The use of the private car parking spaces more comprehensively throughout the day/night may have economic benefits for the landowners who own and manage the carparking and the broader CBD as it could provide more carparking options in different locations for customers/visitors to the CBD. This may be particularly relevant in the evening to help support the night time economy.
- 3. Options for promoting more efficient use of existing car parking resources on private land should be considered by Council.

**STAFF RESPONSE**

- 4. A staff response will be provided in the Supplementary Agenda.

Sameer Pandey  
**Councillor**

Jennifer Concato  
**Executive Director City Planning and Design**

Gail Connolly  
**Chief Executive Officer**

**ATTACHMENTS:**

There are no attachments for this report.



## **QUESTIONS WITH NOTICE**

**22 JULY 2024**

15.1	Disposal of Council Technology Assets .....	752
15.2	Update on Parramatta Aquatic Centre (PAC) and PHIVE .....	753
15.3	Questions Taken on Notice at 8 July 2024, Council Meeting .....	754

**QUESTIONS WITH NOTICE**

---

<b>ITEM NUMBER</b>	15.1
<b>SUBJECT</b>	Disposal of Council Technology Assets
<b>REFERENCE</b>	F2024/00282 - D09518209
<b>REPORT OF</b>	Councillor Sameer Pandey

**QUESTION WITH NOTICE:**

1. Could an update be provided on laptop donation to local community organisations that are made available because of Council moving to leasing laptops including numbers and plan moving forward?

**STAFF RESPONSE**

A staff response will be provided in the Supplementary Agenda.

**ATTACHMENTS:**

There are no attachments for this report.

**REFERENCE MATERIAL**



**QUESTIONS WITH NOTICE**

---

<b>ITEM NUMBER</b>	15.2
<b>SUBJECT</b>	Update on Parramatta Aquatic Centre (PAC) and PHIVE
<b>REFERENCE</b>	F2024/00282 - D09518210
<b>REPORT OF</b>	Councillor Sameer Pandey

**QUESTION WITH NOTICE:**

1. That an update on any challenges related to PHIVE and PAC post opening, including construction matters, planning, customer service, etc be provided.

**STAFF RESPONSE**

A staff response will be provided with the Supplementary Agenda.

**ATTACHMENTS:**

There are no attachments for this report.

**REFERENCE MATERIAL**

**QUESTIONS WITH NOTICE**

---

<b>ITEM NUMBER</b>	15.3
<b>SUBJECT</b>	Questions Taken on Notice at 8 July 2024, Council Meeting
<b>REFERENCE</b>	F2024/00282 - D09518217
<b>REPORT OF</b>	Governance Manager

**CSP THEME:** Accessible

**QUESTIONS TAKEN ON NOTICE**

**Councillor Garrard** asked a question in relation to the Matter of Urgency – Hambledon Cottage to be included in nomination for National and Commonwealth Heritage List:

1. Is there any development (current or future) at Hambledon Cottage that I don't know about?

**Executive Director City Planning & Design:**

A staff response will be provided in the Supplementary Agenda.

---

**Councillor Pandey** asked three (3) questions in relation to 13.7 - Canopy Plan - Targets and Interim Action Plan:

1. What is our tree canopy target (percentage) in the Parramatta CBD?
2. How much did we receive from State Grants in the last financial year 2023/24 towards tree plantation?
3. How many trees did we plant in the last financial year?

**Executive Director City Planning & Design:**

A staff response will be provided in the Supplementary Agenda.

---

**Councillor Pandey** asked a question in relation to 14.5 - Synthetic Sports Fields in the City of Parramatta:

1. What other sports can be played on synthetic surfaces?

**Executive Director City Assets & Operations**

A staff response will be provided in the Supplementary Agenda.

---