

Response to submissions report and recommendation for finalisation of the Planning Proposal at 1 Crescent Street, Holroyd

IRF21/1258

LGA	Cumberland
PPA	Sydney Central City Planning Panel
NUMBER	PP_2019_CUMB_002_00 / PP-2020-1970
LEP TO BE AMENDED	Cumberland Local Environmental Plan 2021
ADDRESS	1 Crescent Street, Holroyd
DESCRIPTION	Lot 700 DP 1241836

1 Purpose of this report

This report has been prepared in response to the exhibition of the planning proposal for 1 Crescent Street, Holroyd. In order to provide the Panel with an update since the last briefing to the Panel on this proposal (via email on 23 August 2021) and recommendation to enable the finalisation of the proposal, this report sets out the following matters for consideration:

- provides a brief summary of the background to the proposal to refresh the Panel on the site and the exhibited proposal;
- provides a summary of the key matters raised by members of the community, Councils and agencies during the public exhibition of the planning proposal;
- sets out the proponent's response to the key matters raised in submissions and outlines the changes made to the proposal as a result;
- outlines the outstanding issue from Transport for NSW's (TfNSW) submission, required to be resolved to allow finalisation of the proposal;
- presents the key facts to the Panel based on information provided to the Department from TfNSW and the proponent;
- provides an assessment of the proposal to demonstrate the Gateway conditions that have been met to allow for finalisation of the proposal; and
- sets out the key recommendations for the Panel to proceed.

The Department requests that the Panel make a decision on the outstanding issue between TfNSW and the proponent to allow finalisation of the proposal.

The proposal has met all Gateway conditions (Amended Gateway Determination, dated 30 June 2021 at **Attachment A**) and, in the Department's view, has responded adequately to the key issues raised in submissions by way of an amended proposal that results in reduced environmental impacts. The Department considers that the proposal can be finalised subject to the Panel's decision regarding the outstanding issue raised in the TfNSW submission.

2 Background

2.1 The Site

The site is located along Crescent Street, with a frontage to the Parramatta Road, Church Street and Woodville Road intersection to the east. The site has an area of approximately 37,904m² and currently accommodates an industrial warehouse and office facility (Figure 1).



Figure 1. Site location (Urban Design Report, prepared by Architectus, dated 1 July 2020)

The site is zoned B5 Business Development under the Cumberland Local Environmental Plan 2021 (CLEP 2021) and has a maximum building height of 15 metres and maximum floor space ratio (FSR) of 1:1.

An outdoor recreation facility, Holroyd Sports Ground, adjoins the site to the north separated by A'Becketts Creek, which has been channelled. The M4 Motorway adjoins the sports ground further north. Crescent Street and the elevated railway lines (T5 Cumberland Line and T2 Inner West & Leppington Line) adjoin the site to the south. To the south of the railway is an area comprised mostly of single and two storey residential dwellings.

Woodville Road and the western end of Parramatta Road adjoin the site to the east. Further east is a business zone with a mix of generally single storey commercial, showroom, warehouse and industrial uses. A mix of generally single storey light industrial type warehouses and industrial units adjoin the site to the west along Crescent Street. Further west along Crescent Street the industrial area transitions to multi storey residential buildings at "Holroyd Gardens".

The site is located within (approximately) 850m to 1.5km of four train stations including Merrylands, Harris Park, Granville and Parramatta. The site is also serviced by existing local bus networks that provide connectivity to Metropolitan Sydney along Woodville Road, Parramatta Road and the M4 Motorway.

The site is not listed as a State or local heritage item. There are two locally listed heritage items located in proximity to the site, however, these items are unaffected by the planning proposal.

2.2 The Planning Proposal

2.2.1 Exhibited proposal

The exhibited planning proposal (Provided at **Attachment B**, updated August 2020) sought to amend the Holroyd Local Environmental Plan 2013 (now replaced by the Cumberland LEP 2021) to facilitate the redevelopment of 1 Crescent Street, Holroyd for a mixed-use development comprising residential uses with supporting neighbourhood retail, commercial and community land uses. Specifically, the exhibited proposal sought to:

1. Amend the Land Zoning Map from B5 Business Development to part B4 Mixed Use, part R4 High Density Residential, RE1 Public Recreation and part SP2 Infrastructure (Figure 2).
2. Amend the maximum height in the Height of Building Map from 15m to between 32m and 96m.
3. Amend the maximum floor space ratio on the Floor Space Ratio Map from 1:1 to between 3.4:1 and 4.2:1 with an average FSR of 2.98:1 across the site or 3.87:1 (R4 and B4 Zones only).
4. Introduce an additional clause within Part 6 Additional local provisions that specifies:
 - a site-specific development control plan must be prepared and considered prior to development consent being granted,
 - a maximum Gross Floor Area (GFA) for 'retail premises' permitted on the site of 7,500m²,
 - a maximum GFA for 'commercial premises' permitted on the site of 7,500m², and
 - ground and first floor levels of buildings located in the B4 Zone with frontage to Woodville Road be restricted to non-residential uses.

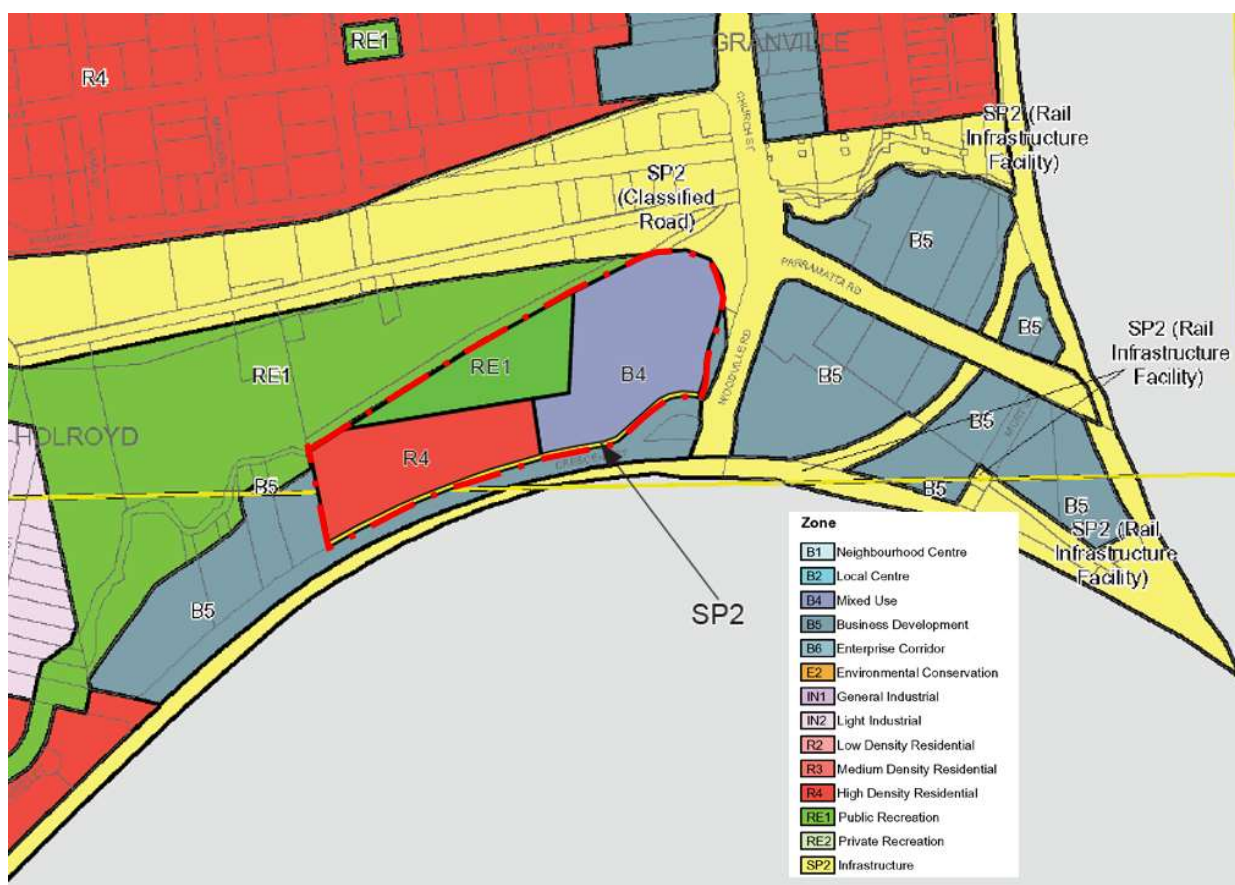


Figure 2. Proposed Zoning (Land Zoning Map, Cumberland LEP 2021)



Figure 3. Masterplan – Site Plan (Urban Design Report, prepared by Architectus, dated 1 July 2020)



Figure 4. Massing Plan (Urban Design Report, prepared by Architectus, dated 1 July 2020)

3 PUBLIC EXHIBITION

3.1 Planning Panel exhibition

The planning proposal was publicly exhibited from 3 August to 31 August 2020 in accordance with the Gateway Determination. It was made available on the panel's website, at Service NSW centres and at Council's administration centre. Details of the submissions received in response to the exhibition are discussed in section 4 of this report.

3.2 Proponent community engagement

The proponent undertook separate community engagement between July and October 2020. In summary, the community engagement report identifies that the proponent's project website was visited 311 times, nine social media posts were produced reaching a total of 39,171 people, a letter was distributed to 191 residences south of the site and a postcard was delivered to 1,100 residents adjacent the site. A total of 18 surveys were completed.

4 SUMMARY OF SUBMISSIONS

The Panel received a total of fourteen submissions (provided at **Attachments C1-C3**) during the public exhibition period. Three submissions were from Government Agencies, two were from councils and nine submissions were from the community and industry.

A response to the issues raised in submissions is addressed in section 6 of this report.

4.1 Government Agency Submissions

4.1.1 Transport for NSW

Transport for NSW (TfNSW) raised several concerns in their initial submission to the exhibition, dated 4 September 2020 (**Attachment C1**). The concerns related to the traffic modelling undertaken, resultant trip generation and parking, road and intersection capacity/performance, impact on proposed TfNSW road improvements, vehicular site access, and pedestrian and cyclist permeability and amenity.

A number of subsequent submissions by TfNSW and discussions between the proponent, TfNSW and the Department have resulted from this initial submission. To avoid duplication, all traffic and transport related issues are discussed together in sections 6.4 and 6.5 of this report.

4.1.2 Heritage NSW

Heritage NSW provided a submission (**Attachment C1**) highlighting that the planning proposal will not have a direct physical or visual impact on any heritage items listed on the State Heritage Register. However, the submission notes that the proposal has the potential to impact on the following two local heritage items listed under Holroyd LEP 2013 (now Cumberland LEP 2021):

- 'Railway Memorial' (I23), Woodville Road (corner Crescent Street), Granville, and
- 'Vauxhall Inn, circa 1938-9' (I11), 284-286 Parramatta Road, Granville.

4.1.3 Sydney Water

Sydney Water provided a submission on 24 July 2020 (**Attachment C1**). Sydney Water raised matters relating to the servicing of the site, noting that proponent had already commenced discussions through its lodgement under the Notice of Requirements for the feasibility study (ref: CN 145928). Further assessment will be required at the DA stage, including a Section 73 application.

4.2 Council Submissions

The site is located in the City of Cumberland LGA. The site also immediately adjoins the City of Parramatta LGA. Submissions were received from both Councils objecting to the proposal.

4.2.1 Cumberland City Council

Cumberland Council's submission (**Attachment C2**) considered that the proposal does not demonstrate strategic and site-specific merit. During the exhibition period, Council commissioned a traffic consultant to undertake a peer review the proponents traffic impact assessment.

The following key issues were raised in Council's submission:

- The proposal is inconsistent with the PRCUTS which identifies the existing planning controls as the desired land use outcome for the site.
- The proposal is inconsistent with the Cumberland 2030: Our Local Strategic Planning Statement (LSPS).
- The proposal did not consider local traffic impacts in the Merrylands area in combination with the future development permitted in the Merrylands Town Centre, particularly the Pitt Street/Neil Street intersection.
- The location of the proposed development is isolated from all forms of public transport and pedestrian priority and amenity surrounding the site is poor.
- The arrangements for the provision of affordable housing is inconsistent with Council's Interim Affordable Housing Policy.
- The built form promoted in the site specific DCP is not supported because the proposed street wall heights were considered excessive, the setback and building separation controls were inconsistent with existing planning controls, and insufficient information was supplied about resident access to Holroyd Sportsground and the interface with adjoining industrial development.
- The proposal lacks widespread community support. Council conducted a community survey which revealed 86% of respondents indicated that Council or the State Government should not support the proposal, and 64% of respondents were concerned about increased traffic main impacts.
- Council suggested that the proponent consider provisions be made for public benefits and infrastructure to mitigate impacts from the proposal.

4.2.2 City of Parramatta Council

The City of Parramatta Council provided a submission on 18 September 2020 (**Attachment C2**). Council highlights that the planning proposal does not demonstrate consistency with Section 9.1 Ministerial Direction 7.3 Parramatta Road Corridor Urban Transformation Strategy, specifically, clause 4(c) – relating to recommended controls, clause 4(d) – relating to staging and clause 5 – relating to consistency.

The following key issues were raised in Council's submission:

- The proposal is inconsistent with PRCUTS in that:
 - The proposal differs from the 'Out of Sequence Checklist'.
 - The site is not identified for development in the PRCUTS Implementation Plan 2016-2023.
 - The proposal seeks zoning different from that envisaged by PRCUTS.
- The proposed zoning reduces the recommended employment generating zones and promotes an excessive increase in residential uses for an isolated site.
- The proposal is considered to provide the opportunity for excessive density in a constrained and isolated location, represent overdevelopment, lack residential amenity and not reflect best practice principles of high density living.

- The proposal lacks logical distribution or rationalisation of building heights and density.
- The traffic assumptions in the proposal pre-empt the completion of the precinct-wide traffic study for the Granville/Auburn section of the PRCUTS area, and may not be consistent with the study.
- The proposal requires a clear funding and delivery mechanism for proposed infrastructure improvements to facilitate greater connectivity and accessibility that permeate the Parramatta LGA.
- The proposal lacks full consideration of impacts on the Parramatta LGA due to gaps in the technical studies undertaken, including the urban design and flooding studies.

4.3 Community and Industry Submissions

4.3.1 Industry submissions

Sydney Business Chamber provided a submission in support (**Attachment C3**), stating:

- the proposal is well located near Parramatta CBD and public transport strikes the right balance in providing additional housing (7% being affordable) and new public and private open space for the residents and surrounding community, and
- the proposal will support new direct and indirect construction and operational jobs.

Evolve Housing provided a submission in support (**Attachment C3**), stating:

- there is a need for affordable housing in the area, the site is located close to public transport and the development will deliver various services and amenities to its residents, and
- the proposal will provide at least 87 dwellings for affordable housing in perpetuity and that Evolve Housing can assist in providing the affordable housing dwellings to local key workers and their families at a reduced rental rate.

4.3.2 Community submissions

Six of the seven community submissions received (**Attachment C3**) raised the following issues (note: two submissions received from the community are identical, but counted separately):

- the proposal will generate excessive vehicular movements and traffic impacts;
- the site is highly constrained with existing traffic issues;
- the proposed parking spaces are inadequate for the business and open space uses on the site;
- residents will not benefit from access to public transport and adequate public open space; and
- there is a contamination risk associated with the site that has not been addressed.

One community submission (**Attachment C3**) supported the proposal as it will deliver a large amount of public open space, traffic upgrades, affordable housing and employment.

5 POST EXHIBITION CHANGES

5.1 The Amended proposal

In response to the issues raised in submissions and key issues raised by TfNSW, including the outcomes of a further review of the traffic and transport modelling led by TfNSW, the proposal has been amended as follows (Amended proposal, dated 6 August 2021, provided at **Attachment D**).

- Modified development concept to incorporate a TfNSW proposed land acquisition reservation of approximately 2,710m² (7% of the site area) along Woodville Road frontage of the site (notice of which was issued in June 2020).

- Retail GFA reduced from 7,500m² to 2,500m², reflecting a neighbourhood scale retail supermarket and shops = 90 jobs.
- Commercial GFA reduced from 7,500m² to 5,000m² = 333 jobs.
- The estimated total 423 jobs remains above the original estimate of 300 jobs.
- Reduced footprint of the Woodville Road mixed use building (the largest building in the concept).
- Reduced trip rates for the development through travel demand management measures.

There has been no change to the following elements of the proposal:

- No change to residential yield maximum of 1,255 residential apartments including 7% affordable housing component.
- No change to the open space provision of 7,714 m² (new park) and 8,658m² (other publicly accessible open space throughout the site).
- No change to the proposed maximum FSR increase from 1:1 to between 3.4:1 and 4.2:1.
- Public benefits, including an affordable housing component, active transport improvements throughout the site and open space, remain unchanged.
- The proposal continues to include provision of local contributions made through Section 7.11 contributions at a future development application stage. To date Council has been unwilling to enter into local VPA.

The amended proposal provides two development concept options, for the purposes of this report Option 1 has been the focus of the assessment:

- Option 1 – (preferred option) retains more open ground plane and a reduction in some of the building heights from the 2020 proposal (Figures 5 and 6).
- Option 2 – mostly retains existing maximum building heights of the 2020 proposal but introduces lower rise wings (5-storey and 6-storey buildings) along Woodville Road and the south-western building.

The amended proposal also provides the following additional information to support the proposal and respond to issues raised in submissions:

- Pedestrian connectivity - A new east-west through-site link through the ground level of the Woodville Road building to enhance pedestrian connectivity. The final location, design and management arrangements for the link to be determined at a future stage.
- Residential amenity - Architectus prepared an Apartment Design Guide (ADG) (SEPP 65) performance analysis, finding that key performance measures, such as building separation and solar access, can be addressed.

It is noted that the Panel was briefed on the amended proposal by the Department by way of email on 23 August 2021 and no further changes have been made to the proposal since this time.

5.2 Proposed LEP provisions

As a result of the post exhibition changes to the proposal, the only amendments required to the proposed LEP relate to a numerical change to align with the 50% reduction in retail and commercial GFA in the concept proposal to reduce the impacts of traffic generation, as agreed with TfNSW:

- a maximum GFA for 'retail premises' permitted on the site of ~~7,500m²~~ 2,500m²
- a maximum GFA for 'commercial premises' permitted on the site of ~~7,500m²~~ 5,000m²

The proposed land use zoning, maximum building height and FSR controls, and remainder of additional provisions for the site remain as exhibited (August 2020).



Figure 5. Amended proposal: Option 1 (preferred option) Site plan (Updated Master Plan, dated 3 August 2021)

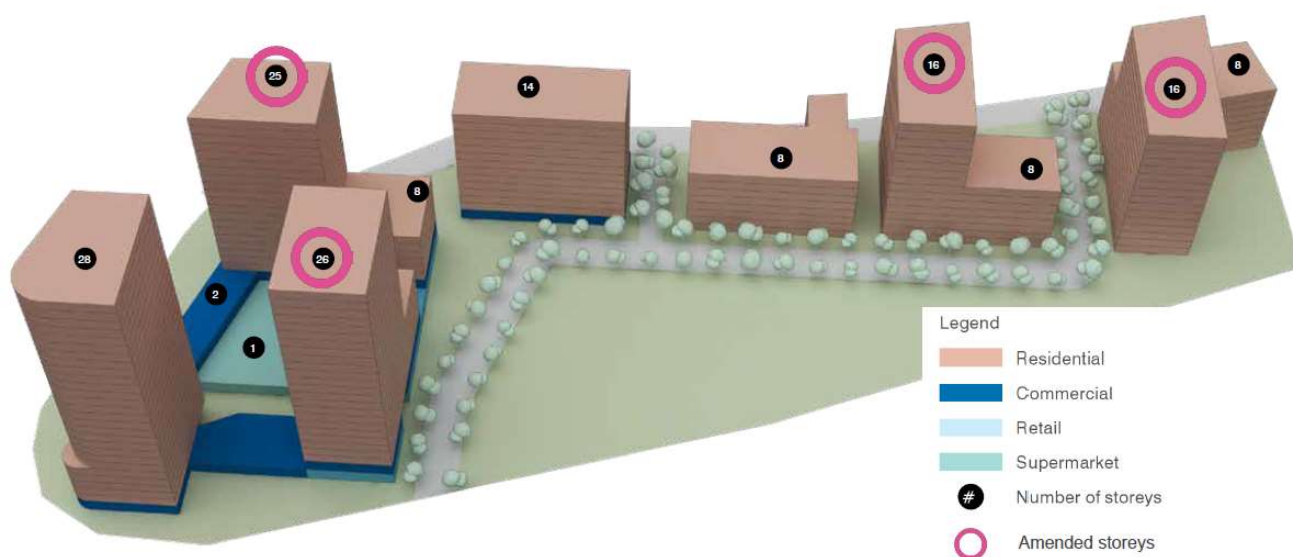


Figure 6. Amended proposal: Option 1 (preferred option) Development Concept (Updated Master Plan, dated 3 August 2021)

5.3 Voluntary Planning Agreements

The planning proposal proposes to deliver the following on and off-site State and local public benefits through a Voluntary Planning Agreement (VPA) and other financial contributions:

- pedestrian access improvements across Woodville Road to improve connectivity to Granville station,
- an on-site transport corridor (i.e. SP2 zone) to support future bus routes (which has obtained in principle support from Transport for NSW),
- new bus stops in the SP2 zone and adjacent to the pedestrian bridge,
- improved pedestrian and cycle accessibility through the provision of new links to the regional cycle way,
- widening of Crescent Street to provide right turn vehicular movements into the site,
- contribution to the upgrade of the Woodville Road/Parramatta Road intersection,
- creation and upgrade of open space, with approximately 16,000m² being publicly accessible,
- an upgrade to Holroyd Sportsground to create a 6-hectare parkland,
- provision of a child-care centre with 100 places, and
- provision of 7% affordable housing.

5.3.1 State VPA

It is noted that the proponent has lodged a letter of offer with the Department (Infrastructure Partnerships and Agreements team) for a State VPA (Provided at **Attachment E**, dated 13 October 2021), including monetary contributions in the order of \$12 million and a 7% Affordable Housing component. To date the Department is satisfied that the offer is largely in line with the Regional Infrastructure Contributions rates proposed under the new framework for state infrastructure contributions exhibited late last year.

However, further progress on the State VPA is on hold pending the outcome of the Panel Meeting scheduled for 10 March 2022. Progression of the State VPA will commence upon receiving the Panel recommendations after this time.

5.3.2 Future Local VPA

The proponent understands they will be required to provide local contributions as set out in Cumberland Council's s7.11 and s.7.12 plans which may in the future form part of a separate planning agreement with Cumberland Council. However, the proponent has been unable to engage with Cumberland Council on any future contributions to date.

5.4 Re-exhibition not required

As set out in the Department's email to the Panel on 7th September 2021, re-exhibition of the proposal is not required. The original proposal has been amended to respond to the key issues raised in submissions, in particular TfNSW submissions, largely addressing the impact of the proposal on the road network and the newly identified future land acquisition.

The key changes to the proposal are:

- 7,500sqm (50%) reduction in retail/ commercial GFA to reduce trip generation.
- Loss of ground floor retail at three locations.
- 9 storey reduction to the SE tower.
- 2-3 storey increases to five buildings across the site.
- Pulling in of built form at the eastern edge to accommodate future land acquisition (proposed as a landscaped buffer until acquisition occurs).

In respect of the changes, the following points are made:

- The overall proposal remains conceptually and spatially the same in terms of built form arrangement.
- No changes are proposed to the exhibited maximum building heights.
- No changes are proposed to the exhibited FSR.
- Loss of ground floor retail has resulted in at-grade open space (previously landscaped podiums) which is a positive change.
- No changes are proposed to the residential GFA, open space area and proposed VPA offer.
- No change is proposed to the site boundary. The land identified by TfNSW for acquisition will remain in the proponent's ownership until required. TfNSW has advised that this is likely to be beyond a 15-year timeframe.

When considering the need for exhibition, the reader is referred to the *Environmental Planning & Assessment Act 1979*, Schedule 1 (Community participation requirements).

Clause 23 (2), which states that "Re-exhibition is not required if the environmental impact of the development has been reduced or not increased".

In this case, it is considered that the amendments to the proposal have not increased the environmental impact of the proposal, in particular the built form concept is largely the same, there are no changes to the maximum built form controls exhibited and the public benefit offer remains unchanged. Off-site impacts of the proposal have been reduced through the reduction in commercial/retail GFA, thereby reducing the trip generation rates of the proposal and the impact on the surrounding road network (as confirmed by TfNSW modelling). On this basis, the Department considers that re-exhibition of the proposal is not required.

Although the exhibition period was over 12 months ago this is not criteria for re-exhibition, and this timeframe is from exhibition to finalisation is not uncommon (without re-exhibition).

The Department notes that the composition of Cumberland and Parramatta Councils has changed since the proposal was submitted. The Department has updated the Councils on the amended proposal and provided the opportunity to re-open the local VPA discussion.

6 KEY ISSUES

The proponent has provided an Interim Response to Submissions Report, dated 30 October 2020 (**Attachment F**), and a second Briefing Paper, dated 6 August 2021 (**Attachment D**). These two documents together respond to the issues identified in the fourteen submissions received.

The proponent's assessment addresses traffic and transport issues in detail and responds to the submissions through the amendments made to the proposal and the consequential reduction in traffic generation. Other issues have been addressed, as appropriate, through the preparation of a revised development concept design and are set out in the proponent's reporting.

In summary, the Department is satisfied that the proponent has documented an adequate response to submissions which addresses the issues raised through further justification and/ or amendments to the proposal which result in a reduced environmental impact of the proposal.

Issues that require an additional response from the Department are addressed as follows:

6.1 Strategic Planning Policies

Parramatta and Cumberland Councils identified issues concerning the consistency of the proposal with Section 9.1 Ministerial Directions relating to the provision of employment lands and alignment of the proposal with both PRCUTS and Council policies.

Department response

The planning proposal seeks to rezone the B5 Business Development zoned site to B4 Mixed Use, R4 High Density Residential (including commercial premises as an additional permitted use), RE1 Public Recreation and SP2 Infrastructure. The site previously employed 125 light industry workers (WesTrac's NSW Operational Headquarters). The proposal is estimated to be capable of facilitating up to 260 industrial jobs if developed under the existing zone and development standards.

Section 9.1 Direction 1.1 requires that a planning proposal must retain areas and locations of business and industrial zones. The proposal is expected to provide for 423 retail and commercial jobs with 7,500m² of retail and commercial floor space. The proposed local provisions that limit the total retail and commercial premises floor space to no greater than 7,500m² will ensure the new centre will not compete and dominate existing established centres such as Parramatta, Granville and Merrylands. This approach is consistent with the 9.1 Direction Objective 1(c) to support the viability of identified centres.

In accordance with the Greater Sydney Commission's (GSC) *Information Note – SP2018-1 Industrial and urban services land (retain and manage) – transitional arrangements*, rezoning established industrial and urban services land within the Central City District is to take a review-and-manage approach. The transitional provisions identify that if a planning proposal, lodged by Council prior to March 2018, has been supported by the relevant Sydney District Planning Panel for Gateway Determination then the review and manage approach has been satisfied. The proponent submitted the proposal to the Department for Pre-Gateway Review in June 2016 and the Sydney Central Planning Panel supported the proposal including the change from B5 Business Development zone.

6.1.1 Parramatta Road Corridor Urban Transformation Strategy (PRCUTS)

Both Parramatta and Cumberland Councils raised concern over the planning proposals lack of strategic alignment with the PRCUTS, particularly in relation to the 'out of sequence' release of development.

Department Response

Ministerial Direction 7.3 contains scope for proposals to be inconsistent with the PRCUTS where alternative traffic studies have been prepared. It is also noted that the planning proposal pre-dates the finalisation of the PRCUTS (Gateway Determination issued on 17 July 2019). Notwithstanding, extensive transport modelling has been prepared to assess the traffic impacts of the development on the road network, including Parramatta Road. TfNSW's latest submission confirms, subject to conditions, that they are satisfied with the proposal's impact on the road network and support the development.

Key objectives of the PRCUTS are to provide a diversity of housing and jobs and guide incremental transformation of the corridor in line with infrastructure delivery. The PRCUTS anticipates that 5,400 new homes and 7,200 new jobs will be delivered in the Granville Precinct by the year 2050. The proposal, located in the Granville Frame Area, aligns with these targets by proposing 1,255 new dwellings, 423 operational jobs and approximately 16,372m² of open space (7,714m² - new park and 8,658m² - other publicly accessible open space throughout the site) and pedestrian and cycle links that are not planned for by the PRCUTS and will benefit the new community.

6.1.2 Alignment with Council Policy

Cumberland Council raised concern in relation to the lack of policy alignment in relation to its Local Strategic Planning Statement (LSPS) and Affordable Housing Policy.

Department Response

The LSPS provides a line of sight to demonstrate relevant State Government policy is being delivered at the local level. The proposal meets key priorities in Cumberland Council's LSPS such as:

- delivering housing diversity to suit changing needs,

- delivering affordable housing,
- providing high quality social infrastructure,
- supporting a strong and diverse economy,
- promoting access to local jobs,
- protecting, enhancing and increasing natural and green spaces.

The proposed development will provide job opportunities (estimated 423 jobs), local services, additional open space and housing forms to suit people across different demographic groups and life stages (1, 2- and 3-bedroom units).

Cumberland Council has requested that 10% of the housing stock be for affordable housing and dedicated to Council. The District Plan recommends a range of 5-10% of new residential floorspace be affordable housing. The Gateway Determination, issued by the Sydney Central Planning Panel, predates Council's LSPS. However, it includes a condition requiring a minimum of 7% of the total new residential units being dedicated in perpetuity for Affordable Housing. The Department considers that the Gateway condition satisfies the recommendations of the District Plan and is appropriate in this case.

6.2 Urban Design

Five community submissions and both Cumberland and Parramatta Council submissions raised matters such as overdevelopment, large scale built form, undesirable residential amenity outcomes and insufficient open space.

Proponent Response

The proponent acknowledges the concerns raised in submissions and highlights the following in support of the proposal:

- The current proposal has been through a long design and review process, including review by the Sydney Central City Planning Panel, to shape the heights and distribution of towers.
- There remains a requirement for increased housing within the region, particularly to meet the future housing target demands as set out in local strategic documents such as Cumberland LSPS and the PRCUTS, but as well as the Central River City vision within *A Metropolis of Three Cities* (The District Plan).
- The proponent has put forward various State and local opportunities for public benefit, the subject of future negotiation and agreement, that can assist in accommodating any potential increase in population.
- The proponent proposes that the relevant amenity assessments, including air quality and noise assessments, have been undertaken demonstrating that the proposal can achieve appropriate levels of amenity, to be further addressed at the development application stage.
- The 16,372m² of open space proposed (7,714m² - new park and 8,658m² - other publicly accessible open space throughout the site) has the potential to link through to the existing Holroyd Sports Ground (approx. 4.8ha), creating a combined open space of over 6ha. The open space outcomes for the site are significant, achieving around 43% of the site as publicly accessible open space.

Department Response

The high-density residential development proposed is consistent with other development sites in the Parramatta Road Corridor and nearby neighbourhoods. Merrylands and Granville centres have higher mixed-use densities of 6:1 compared to the 3.4:1 and 4.2:1 density proposed on site.

The proposal has been amended following consideration of the submissions received (Option 1 – shown in Figures 5 and 6). Key design features of the proposal, as amended, include:

- Reduced footprint of the Woodville Road mixed use building (the largest building in the concept);

- Loss of ground floor retail has resulted in at-grade open space (previously landscaped podiums);
- A new publicly accessible open space for Holroyd (delivered as RE1 zoned land);
- A network of pedestrian connections and permeability throughout the site;
- Maximum building frontage to open space areas;
- Well separated residential built form with proposed building heights from 8 to 28 storeys (32m and 96m);
- Development with a northerly aspect and views across open space and adjacent sports ground;
- Ground level commercial and retail uses for activation of public areas; and
- On and off-site overshadowing impacts minimised through tower placement.

The design concept has massing proposed with small street blocks to maximise permeability with space for connections throughout the site. The proposed variation in tower heights across the site has been designed to provide visual interest and diversity. The buildings present a podium and tower typology, consistent with the Apartment Design Guide (ADG) which is an appropriate urban design typology for buildings at this density.

The poor amenity of Woodville Road is recognised. The development incorporates design features such as planting of mature trees, a minimum 8m commercial podium and appropriate building materials that will minimise noise or amenity issues from Woodville Road and the M4.

The proposed additional open space (RE1 land 7,714m²) and associated accessible public open space (16,372m² including RE1 land) is consistent with the Premier's priority to 'provide greater access to quality, green, open and public spaces closer to homes'.

Improvements to provide pedestrian access and links throughout the site with the regional cycleway and other nearby open space (such as Holroyd Sportsground) will improve accessibility to the new proposed and existing open space for new residents. In keeping with the draft Greener Places Design Guide the proposal will deliver quality, easily accessible open space for recreation and provides additional open space to address expected population growth and increased density.

It is also noted that should the Panel support the proposal, the LEP will set only the key planning controls such as height and FSR, with the future development scheme to be further refined and interrogated through any development application process.

6.3 Contamination

Community submissions note that A'Becketts Creek, which runs adjacent to the site, was previously used for the dumping of asbestos and that contamination risks need to be reviewed in accordance with the *Contaminated Land Management Act 1997*.

Proponent Response

The proponent notes that the Creek is outside the site but that a contamination report submitted with the planning proposal identifies an extensive history of potential contamination on the site. The proponent notes that further assessment of potential contamination and the need for a remediation action plan will be undertaken at the DA stage in accordance with State Environmental Planning Policy No. 55.

Department Comments

Section 9.1 Ministerial Direction 2.6 Remediation of Contaminated Land was recently introduced and replaced Clause 6 of State Environmental Planning Policy 55 – Remediation of Land.

The Direction applies to the subject land as it has been identified to have been used for purposes identified as having the potential for contamination in the Contaminated Land Planning Guidelines. The Direction specifies that a planning proposal authority must not include such land in a zone that would permit a change of use of the land, unless it is satisfied that the land is suitable in its

contaminated state or can be made suitable after remediation for any purpose for which land in that zone is permitted to be used.

The Planning Proposal includes a contamination report prepared by Douglas Partners Report. This report identifies that the land can be made suitable for the proposed development purposes, high density residential, retail and commercial uses, and open space. On this basis, the land is suitable for rezoning and further investigations will be required as part of any future development application.

6.4 Traffic and Transport

Transport for NSW (TfNSW) raised several concerns in their initial submission dated 4 September 2020 (**Attachment C1**). The concerns related to the traffic modelling undertaken, resultant trip generation and parking, road and intersection capacity/performance, impact on proposed TfNSW road improvements, vehicular site access, and pedestrian and cyclist permeability and amenity. The submission provided the following comments:

'TfNSW has reviewed the submitted documentation and advises that the planning proposal in its current form cannot be supported as there are significant matters that still require addressing at this stage of the process to reduce safety and efficiency impacts on the network.'

Since TfNSW's original submission on the proposal there has been ongoing consultation between the proponent and TfNSW, facilitated by the Department. This led to subsequent correspondence from TfNSW dated 30 November 2020, 5 February 2021, 31 March 2021 and 17 August 2021 (Provided at **Attachment G1**).

Each letter from TfNSW was in response to a review of further information or clarification provided by the proponent, including a number of reviews and addendums to the proponent's traffic modelling. This back and forth cumulated in TfNSW and the proponent agreeing for TfNSW to arrange an independent peer review of the proponent's traffic modelling to satisfy the outstanding modelling issues raised by TfNSW.

6.4.1 Traffic Peer Review

The peer review of the proponent's traffic modelling, overseen by TfNSW, was prepared by Stantec (Attached to TfNSW's submission dated 17 August 2021 at **Attachment G2**). The report's model sensitivity showed that the planning proposal would have the following traffic impacts on the adjacent regional road network:

- Travel delays and travel times across the model network will increase by up to 13% with approximately \$60 million in additional travel times costs per annum;
- Travel times along Parramatta Rd (in peak directions) will increase by 3-4 minutes; and
- In the morning peak, eastbound drivers along Crescent Street will experience delays of over 3 minutes (approximately 3 signal cycles).

The report indicated that these network performance issues would only noticeably change if there was an approximately 50% reduction in development yields for residential and retail.

In response to Stantec traffic modelling and a meeting with TfNSW and the Department, the proponent amended the proposal resulting in a 50% reduction in the commercial component as agreed with TfNSW. TfNSW did not recommend a reduction in the residential component of the proposal. The amended proposal is set out in section 5.1 of this report.

TfNSW provided an updated submission considering the amended proposal, dated 17 August 2021 (**Attachment G2**), which confirms the following:

- TfNSW notes that the amended proposal will result in a reduction in traffic generation of 33% in the AM peak and 47% in the PM peak.

- TfNSW agrees in principle to support the amended proposal, subject to the following requirements:
 1. Inclusion of a site-specific clause in the LEP that will prohibit further development beyond the yields of the amended proposal.
 2. Reduction in vehicular traffic generation of the residential component by encouraging a mode shift towards public transport, walking and cycling, requiring the proponent to:
 - a) provide of a pedestrian bridge across Woodville Road at no cost to Government.
 - b) prepare a Travel Demand Management Plan (TDMP) to minimise the traffic generating impact of the proposal.
 - c) provide a car share target of 10-15% (rate adopted by PRUCTS) for residents of the proposed development.
 - d) provide cycle parking facilities.
 3. The proponent provide the following additional road works on Crescent Street approaching the intersection of Woodville Road, at no cost to Government:
 - a) an additional eastbound left turn lane
 - b) extension to the existing dual left turn bay from 30 metres to 140 metres in length on The Crescent.

The proponent agrees to fulfil all of the additional requirements stipulated in TfNSW's endorsement of the proposal, with the exception of one – the requirement for a pedestrian bridge across Woodville Road. The Department acknowledges this in principle agreement but notes that these conditions will be fulfilled through any future Development Application.

6.4.2 Summary of Traffic and Transport matters

The resolution of traffic and transport modelling issues are considered critical to the successful finalisation of this planning proposal. Following a significant negotiation process, the proponent and TfNSW have reached an agreement on all traffic and transport issues except for the requirement for the proponent to provide a pedestrian bridge over Woodville Road to improve accessibility to Granville Station.

As this is the only remaining outstanding unresolved issue, to avoid further delays to the finalisation of the proposal, it is recommended that the Panel determine whether to include the provision of the pedestrian bridge as a requirement if the planning proposal is approved or to consider the alternative travel demand management measures put forward by the proponent and generally supported by TfNSW (as per TfNSW's most recent correspondence at **Attachment J**).

The following section sets out the attempts at resolution of this issue and the key facts presented by TfNSW and the proponent to try and reach a resolution on the matter. A number of attachments with further details are also included (correspondence provided at **Attachment H** and the Department's chronology of events provided at **Attachment I**), however all information has been summarised as follows for the Panel's consideration to enable a decision to be reached.

6.5 Woodville Road pedestrian bridge

6.5.1 Key Facts

- TfNSW supports the proposal on the basis that the proponent provides a pedestrian bridge over Woodville Road at no cost to Government (TfNSW submission dated 17 August 2021).
- TfNSW have advised the aim of the pedestrian bridge is to improve accessibility to Granville Station for future residents of the site.
- The proponent does not agree with this requirement, citing TfNSW have provided no justification or analysis to demonstrate the need for the bridge, and the site conditions make the construction of the bridge untenable.
- It is noted a previous scheme for this proposal (pre-exhibition October 2019) included a similar bridge in a similar location, that was not supported by TfNSW and was removed from the

proposal prior to public exhibition upon TfNSW's recommendation. Many of the reasons cited by TfNSW for its recommended removal are the same issues that remain today.

- This requirement from TfNSW is not supported by data or analysis provided to the Department.
- There is no reference to a pedestrian bridge, or the need for one, in any of the traffic modelling prepared or commissioned by TfNSW (Stantec report at **Attachment G2**).
- Discussions with TfNSW revealed they are unwilling to accept a contribution to the bridge from the proponent as TfNSW do not want to deliver the bridge.
- Various meetings have been held with TfNSW, the proponent and DPE to attempt to resolve this only outstanding issue.
- However, from the information presented a decision has been unable to be reached. A chronology of events, including meetings, is included (**Attachment I**) to demonstrate that reasonable effort has been made to reach a resolution prior to the scheduled Panel Meeting.



Figure 7. High level strategic sketch of proposed bridge (rotated for north alignment) (TfNSW submission, dated 17 August 2021)

6.5.2 Key issues in delivery of the Pedestrian Bridge

The proponent has presented a substantial amount of work to demonstrate the issues with delivery of the bridge as part of the development (**Attachment H**). The following table synthesises this information with TfNSW's responses to date and the Department's comments on each matter.

Issue	Proponent	TfNSW	DPE comment
Preliminary nature of TfNSW advice lacks evidence basis	TfNSW have not provided further evidence to back up the justification for the need for the bridge. The sketch (Figure 7) provided is preliminary only and TfNSW are not able to answer why they want the bridge now when it was rejected in 2019 (see point below) nor outline the proposed benefits of the bridge.	The bridge will reduce car trips from the development. Evidence has not been provided around quantum. The sketch (Figure 7) is intended to be preliminary only and the exact location/ design is for the proponent to work out and come back to TfNSW for discussion.	DPE have not been provided with any evidence base around the need for the bridge from TfNSW. This is concerning and has left DPE unable to make a decision without justification.
Following the Stantec reporting, a 50% reduction in commercial yield was agreed upon with TfNSW to progress the proposal	TfNSW's position in respect to the acceptance of traffic modelling was not contingent on the delivery of a pedestrian bridge and was agreed on the basis that commercial floor space would be reduced and that travel demand initiatives would be put in place. In the absence of justification from TfNSW, the proponent's modelling by TTPP (30 September 2021) demonstrates that at best a modal shift of approximately 5% could be achieved by the proposed bridge i.e. a reduction in approximately 28 cars from the site. The proposition of TfNSW that the residential yield should reduce by 50% if no pedestrian bridge is provided is not aligned with the estimated modal shift that such infrastructure would deliver. As such, this does not stand up to any scrutiny in terms of transport modelling and the impact on the road network.	TfNSW have recently expressed verbally that the proposed pedestrian bridge is to offset the 50% reduction in residential units recommended by Stantec's independent traffic modelling.	The Department does not have the understanding that the amended proposal is contingent on a pedestrian bridge. The Stantec reporting does not refer to, nor link any reduction in yield to a pedestrian bridge. The Department understands that following the Stantec modelling, it was agreed (at a meeting on 2 August 2021) to reduce the commercial yield by 50% and TfNSW's submission (17 August 2021) confirms this. Any evidence for how the proposed pedestrian bridge will offset traffic impacts of approximately 600 units has not been provided as requested from TfNSW and

			appears unsounded given the data the proponent has provided in their Mobility Analysis. i.e. 75-80% of residents are anticipated to access Harris Park Station (not use the bridge).
Heritage issues	Crescent Street Park (western side of Woodville Road) contains a railway memorial from 1855, a locally listed heritage item (I23, Schedule 5 of the CLEP). The siting of the bridge will impact on this item.	The sketch (Figure 7) is intended to be preliminary only and the exact location/ design is for the proponent to work out and come back to TfNSW for discussion.	TfNSW have not been willing to talk through these matters with the proponent and believe these are problems for the proponent to resolve.
Conflicts with proposed upgrade works to Woodville Road – required to facilitate the development	The proponent has agreed to the proposed road upgrade works as part of the development. When the TfNSW sketch (Figure 7) is overlaid on these plans the bridge will overlap with the proposed future footpath and road widening. Moving the bridge to accommodate these works causes other siting issues.	The sketch (Figure 7) is intended to be preliminary only and the exact location/ design is for the proponent to work out and come back to TfNSW for discussion.	TfNSW have not been willing to talk through these matters with the proponent and believe these are problems for the proponent to resolve.
Proponent to contribute to bridge as part of State VPA	The proponent has expressed a willingness to provide a contribution towards the bridge (if deemed required) as part of the State VPA for the development. The State VPA is currently under negotiation and there is scope for any amendment of this nature prior to finalisation.	Discussions with TfNSW have revealed they are unwilling to accept a contribution to the bridge from the proponent as TfNSW do not want to deliver the bridge and cite that the bridge is only to benefit this development.	This raises key concerns around why TfNSW do not want to deliver the bridge, given the suggested requirement for it.

Land ownership on eastern side of Woodville Road (proposed bridge landing)	<p>The proponent has approached Abacus Property Group who owns the property at 1 Woodville Road, Granville regarding the purchase of part of their site to facilitate a pedestrian bridge crossing Woodville Road. The proponent has estimated the land to be acquired to be in the order of 300m². The landowner has responded to advise they 'would not consider a sale of land in whole or part' and provided advice on the services constraints (Telstra) that are evident in the section of land required for the bridge (email dated 1 December 2021).</p> <p>Given the lack of ability to purchase of this land, among other matters, the proponent states it is not reasonable to undertake detailed design or costings for a likely untenable bridge.</p>	The sketch (Figure 7) is intended to be preliminary only and the exact location/ design is for the proponent to work out and come back to TfNSW for discussion.	<p>TfNSW have advised they will not provide support to compulsorily acquire land.</p> <p>TfNSW have not been willing to talk through these matters with the proponent and believe these are problems for the proponent to resolve.</p> <p>It is noted that a DA for the site was approved (October 2021) for the redevelopment of the site for a Storage King facility.</p>
Site conditions	The land on Woodville Road is constrained and does not appear wide enough to accommodate the bridge footings. The footpath on the eastern side of Woodville Road is approximately 1.5m wide, adjacent to the busy road and a steep retaining wall. DDA compliance under the existing railway bridges is unlikely and undesirable for pedestrian amenity and safety.	The sketch (Figure 7) is intended to be preliminary only and the exact location/ design is for the proponent to work out and come back to TfNSW for discussion.	TfNSW have not been willing to talk through these matters with the proponent and believe these are problems for the proponent to resolve.
The proposed bridge does not align with the proponent's active transport and walkability mapping: Harris Park Station is the closest station, even with a pedestrian bridge in place	<p>The proponent has provided a Mobility Analysis (August 2021) to demonstrate the expected movement patterns for future residents of the development. This assessment includes the assumption that the pedestrian bridge over Woodville Road is constructed.</p> <p>The analysis demonstrates that with a bridge across Woodville Road, the trip distance to Granville Station is longer than to Harris Park Station. This analysis predicts Harris Park to</p>	TfNSW maintain the primary objective is to reduce impact on the road network. No further justification has been provided for this statement.	In the absence of justification or studies from TfNSW, the Department is satisfied with the proponent's review and analysis.

(based on trip time)	<p>be the favoured station for future residents, even with a pedestrian bridge in place, with 75-80% of residents using Harris Park Station.</p> <p>The proponent's Active Transport Assessment of the proposal, as part of the Urban Design package, and further walkability study (29 September 2021) also identifies Harris Park as the preferred station route, which is located within a walkable catchment and with greater pedestrian amenity and does not require a pedestrian bridge to provide access (see Figure 8).</p>		
Rejection of similar bridge in previous scheme (October 2019)	<p>Previous TfNSW correspondence (14/9/2019) did not support a bridge in a similar location and recommended that alternative pedestrian links be investigated to other nearby stations (i.e. not Granville Station).</p> <p>TfNSW cited concerns including land ownership and a number of physical constraints beyond the site that would hinder pedestrian access to Granville Station. These constraints are almost identical to the new proposed TfNSW location. TfNSW also confirmed that the bridge location would not necessarily serve the key pedestrian desire line nor provide convenient and DDA complaint access. The new proposed location by TfNSW has an almost identical travel line as the previous location.</p> <p>Based on the TfNSW recommendation and lack of support, alternative links to other nearby railway stations have been investigated and incorporated into the proposal as appropriate and the merit of the bridge was disregarded and removed from the proposal.</p>	TfNSW have been unable to provide a response on this matter.	The Department is unaware of why the reintroduction of a bridge that was previously disregarded (TfNSW letter dated 14/10/2019) for not having any merit to proceed, is being raised. On this basis it was removed from the proposal prior to public exhibition and not contemplated again.

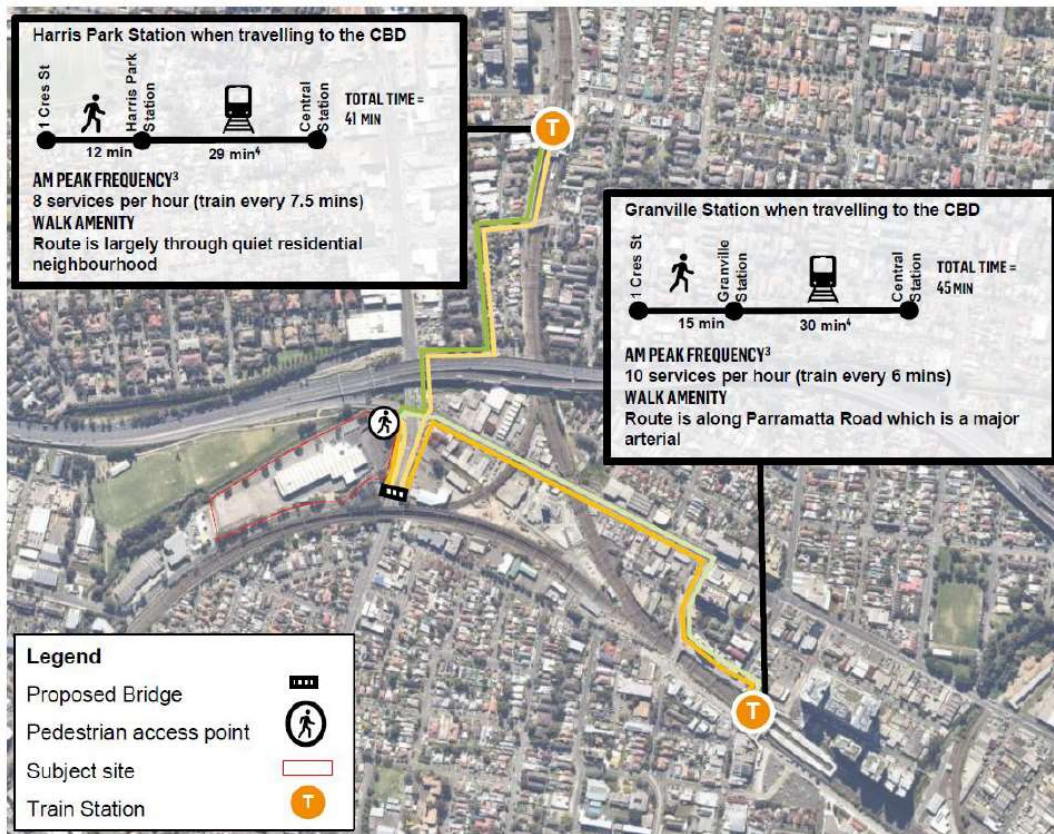


Figure 8. Walking route comparison to Harris Park and Granville Stations from site (Walkability study, Urbis 29 September 2021).

6.5.3 Proponent proposed solution – Travel demand management measures

Discussions with TfNSW have expressed the primary objective is to reduce impact on the road network, and that a pedestrian bridge is a possible measure to achieve this. This has been interpreted by the Department as an opportunity for the proponent to explore alternate measures with the intent of reaching a resolution through compromise. Such as to investigate how travel demand management might assist in reducing the traffic generated by the subject site.

Unfortunately, the timing and lack of formal response from TfNSW has not enabled a resolution to be reached. However, the proponent's work on alternatives is presented for the Panel's consideration when making a decision (Provided at **Attachment H3**, dated 29 October 2021). It is noted that this correspondence and attached traffic modelling of the proposed commitments has been sent to TfNSW. At a follow-up meeting on 23 November 2021 TfNSW generally agreed that these measures were acceptable but did not provide any further commitment to review or confirm that the Department could use to proceed.

The proponent submits the following commitments, that, in their view will have a tangible impact to reduce traffic impacts on the road network to satisfy TfNSW:

- Five measures to reduce travel demand and drive modal share including a green travel plan, restricted on-site parking provision, bicycle parking and end of trip facilities and the provision of shuttle bus services.
- A public benefit offer for state infrastructure contributions, some of which is suggested to go towards active transport road upgrades (State VPA offer at **Attachment E**).

The proponent's traffic engineer, TTPP, has modelled the implications of the proponent's project commitments and has concluded that in combination with committed reductions in the retail and commercial floor space of the project (as per the amended proposal, 6 August 2021) and the provision of a shuttle bus service that vehicle traffic can be reduced by approximately 50% from that modelled for the exhibited planning proposal. The proponent submits that these reductions can be achieved without further reductions in floorspace or a requirement for a pedestrian bridge.

In response to the shuttle bus as part of the solution put forward, TfNSW raised concerns around the proponent's long-term commitment to the provision of this service at the meeting on 23 November 2021.

The proponent has responded with the following commitment (correspondence dated 30 November 2021, **Attachment H4**). TfNSW have responded on this matter (set out in section 6.5.4 of this report).

The proponent is committed to establishing an arrangement that would allow for the initial set up and funding of a shuttle bus to operate from the site as being one of a number of mechanisms to support improved accessibility and reduced private car reliance. The precise details of the arrangements would be confirmed but it would contain the following principles:

- Developer to fund upfront capital costs for set up upon delivery and occupation of the initial stage(s) of the development.*
- Developer to fund operational costs for a period of 3 years post the first OC, while stages of the project are incrementally delivered.*
- Body Corporates of the residential towers, as well as the owner of the retail/commercial component, to support on-going funding to be conditioned via development consent and incorporated into the body corporate/strata committee by-laws.*

It is proposed that such requirement would form part of the final DCP to be prepared for the site and approved by Council, at which point it would become conditions of relevant future development consents.

6.5.4 Response from TfNSW – dated 8 February 2022

Correspondence from TfNSW has been received as the Department's reporting was being finalised, requiring amendments to the report (**Attachment J**). It is noted that TfNSW provided this directly to the Panel, however it has been summarised here for ease of review.

The following table sets out a summary of TfNSW's comments and responses from the Department on each matter:

TfNSW correspondence, 8 February 2022	DPE comment
Confirmed that the proponent's five travel demand measures are generally supported.	Noted.
TfNSW reiterated that their preference is still for the bridge.	No evidence or justification for the bridge has been provided as requested.
Further work is required by the proponent to demonstrate adequate consideration has been given to the pedestrian bridge prior to further consideration of a shuttle bus.	The Department is of the opinion that the proponent has provided extensive work to demonstrate serious consideration of the pedestrian bridge. This includes review of site conditions, mobility analysis studies, overlay of

	design sketches and correspondence with a landowner to purchase the land required for delivery. To continue to push the proponent to further explore this matter and the timeframes to get a response/ feedback from TfNSW is considered unreasonable.
The mechanism to achieve all the proposed mitigation requirements would need to be agreed prior to any rezoning being made to assure their delivery.	The Department is of the opinion that this can be resolved through the State VPA process, running in parallel to the Planning Proposal, but may be made after finalisation (deferred commencement clause to be included as required to ensure infrastructure requirements have been met prior to rezoning). Alternately, these matters can be resolved through the Development Application process as conditions.
It is strongly recommended that the maximum parking rates for residential and commercial and retail use as per the Granville Frame Area (PRCUTS) be included in the LEP which would provide greater legal weight.	It is recommended that this be included as post exhibition changes to the planning proposal and inform the finalisation of the LEP.

TfNSW also commented that the proposed development yield remains above the level recommended by Stantec in a peer review of the traffic modelling undertaken for TfNSW. The Department considers that this issue was resolved in a meeting on 2nd August 2021 where TfNSW gave verbal agreement to the proponent's revised traffic modelling (based on a 50% reduction to the retail/ commercial component only), with no advice regarding a requirement for a bridge or that any further yield reductions were required to be made.

Since this time, deficiencies with this peer review have been brought to the Department's attention and this issue is not considered a valid justification in TfNSW's pursuit of the pedestrian bridge. Further, based on the extensive pedestrian modelling and trip data provided by the proponent, the Department is of the opinion that TfNSW's preference for the pedestrian bridge appears unsound if it is to compensate for the additional traffic generation of approximately 600 units i.e. a 50% reduction in residential yield. With no justification provided by TfNSW this it has been unable to be tested further.

6.5.5 Woodville Road Pedestrian Bridge concluding comments

As presented in Section 6.5 of this report, the Department and the proponent have made a number of attempts to resolve the outstanding requirement for a pedestrian bridge across Woodville Road, as included in TfNSW's conditional endorsement of the amended proposal. The Department is satisfied that reasonable efforts have been made to attempt to reach a resolution of this one outstanding matter and now seek the Panel's recommendation on how to proceed to finalise the planning proposal.

It is noted that the proponent has made an additional approach to TfNSW (Director, Rachel Cumming), letter dated 28 January 2022 (provided at **Attachment K**). This correspondence highlights similar points as in previous correspondence and with a Panel Meeting date set, requests a response to reach a resolution prior to the Panel Meeting. Including an update for TfNSW on the response from the landowner of 1 Woodville Road and a request for TfNSW to use land resumption powers to assist if the bridge were to be delivered. To date no response regarding this specific issue has been received from TfNSW.

In summary, the lack of evidence for the justification for the need for the bridge has left this matter unresolved given the robust justification provided by the proponent (as documented in this section) that the bridge is not required. TfNSW has not provided the Department with any comparable data or analysis to enable the Department to make an assessment and therefore reach a decision.

7 FINALISATION OF THE PLANNING PROPOSAL

Notwithstanding the unresolved issue with the pedestrian bridge over Woodville Road, the Department considers the amended Planning Proposal in its current form can proceed to finalisation.

The proponent has adequately addressed the issues raised in submissions through an amendment to the concept proposal and a 50% reduction in commercial yield.

The traffic and transport considerations, initially the key contentions of the proposal, have been resolved with the exception of the pedestrian bridge and the amended proposal has received TfNSW's conditional endorsement.

The proposal is recommended to be amended to include car parking rates as provided by TfNSW on 8 February 2022. The Department considers this to be an appropriate post exhibition change that does not require re-exhibition.

The proposal has satisfied all Gateway conditions and those subsequently amended.

A letter of offer for a State VPA has been received from the proponent and the Department is satisfied with the current draft offer, to be finalised pending the Panel recommendations.

There are no further reasons, subject to the resolution of the pedestrian bridge, why the proposal cannot be finalised.

8 STATE MEMBER COMMENTS/ REPRESENTATIONS

No state member representations were received by the Panel Secretariat during the statutory public exhibition period.

9 CONCLUSION AND RECOMMENDATION

The planning proposal is considered to have merit, particularly in relation to its consistency with the *Greater Sydney Region Plan* and the *Central City District Plan* in terms of increasing housing supply and choice, providing for new jobs, additional open space and affordable housing.

The key issues raised in the planning proposal relate to the traffic and transport impacts of development on the site. The resolution of traffic and traffic modelling issues are considered critical to the successful completion of this planning proposal.

Following a significant negotiation process, the proponent and TfNSW have reached agreement on the dealing with all traffic and transport issues except for the requirement for the proponent to provide a pedestrian bridge over Woodville Road. As this is the remaining outstanding unresolved issue, to avoid further delays to the finalisation of the proposal, it is recommended that the Panel determine whether to include the provision of the pedestrian bridge as a condition of consent if the planning proposal is approved.

In determining whether to include the requirement for a pedestrian bridge the Panel shall have regard to all of the facts and analysis as provided in section 6.5 of this report, in particular the identified constraints and barriers to the provision of the bridge by the proponent.

It is recommended that the Sydney Central City Planning Panel as the planning proposal authority:

- i. Note the matters raised in submissions;
- ii. Note the progression of the draft State Voluntary Planning Agreement;
- iii. Amend the planning proposal to include car parking rates as outlined by TfNSW on 8 February 2022.
- iv. Make a recommendation on the matter of the pedestrian bridge; and
- v. Determine the amended Planning Proposal shall proceed to finalisation and seek the approval of the Department to undertake finalisation of the LEP.

Endorsed by:



Holly Villella
Manager, Central (GPOP)



22/02/22

Jazmin van Veen
Acting Director, Central (GPOP)

Attachment List

Attachment A – Amended Gateway determination, dated 30 June 2021

Attachment B – Exhibited planning proposal, prepared by ModUrban, dated May 2020

Attachment C1 – Agency submissions

- TfNSW, dated 4 September 2020
- Heritage NSW, dated 3 September 2020
- Sydney Water, dated 24 July 2020

Attachment C2 – Council submissions

- Cumberland City Council, dated 3 September 2020
- City of Parramatta Council, dated 24 September 2020

Attachment C3 – Community submissions

- Sydney Business Chamber, dated 27 August 2020
- Evolve Housing, dated 2020
- Various individual submissions (redacted), various dates

Attachment D – Proponent's amended proposal: Briefing Paper, prepared by Urbis, dated 6 August 2021

Attachment E – Letter of Offer to enter into a State VPA, prepared by Tiberius (Holroyd) Pty Ltd, dated 13 October 2021

Attachment F – Proponent's 'Interim Response to Submissions Report' prepared by Urbis, dated 30 October 2020

Attachment G1 – TfNSW correspondence dated 30 November 2020; 5 February 2021; 31 March 2021.

Attachment G2 – TfNSW response to amended planning proposal, dated 17 August 2021 (including Development Impact Assessment Review prepared by Stantec)

Attachment H1 – Proponent's correspondence to DPE to resolve traffic issues (Objection to pedestrian bridge), prepared by Urbis, dated 20 August 2021

Attachment H2 – Proponent's correspondence re: resolution of outstanding traffic issues (Further submission objecting to pedestrian bridge), prepared by Urbis, dated 30 September 2021

Attachment H3 – Proponent's correspondence re: resolution of outstanding traffic issues (Proposed Travel Demand Measures), prepared by Urbis, dated 29 October 2021

Attachment H4 – Proponent's correspondence re: resolution of outstanding traffic issues (Review of shuttle bus service and Stantec report), prepared by Urbis, dated 30 November 2021

Attachment H5 – Proponent's correspondence re: resolution of outstanding traffic issues (Letter to Executive Director, DPE), prepared by Urbis, dated 31 January 2022

Attachment I – Chronology re: Resolution of Pedestrian Bridge, prepared by DPE, dated 28 January 2022

Attachment J – TfNSW Correspondence, dated 8 February 2022

Attachment K – Proponent's correspondence to Director, TfNSW, prepared by Urbis, dated 28 January 2022