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## Planning Proposal



### **Rezoning, Reclassification and Removal of Heritage Listings for Various Sites within the Parramatta Local Government Area involving Land Owned by Parramatta City Council.**

Prepared for: Parramatta City Council  
Project No: 7572A  
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## Table of Contents

|          |                                                                                          |          |
|----------|------------------------------------------------------------------------------------------|----------|
| <b>1</b> | <b>Part 1 – Objectives or Intended Outcomes</b>                                          | <b>1</b> |
| <b>2</b> | <b>Part 2 – Explanation of Provisions</b>                                                | <b>1</b> |
| 2.1      | Group A                                                                                  | 1        |
| 2.1.1    | Site No. 1 - 10 Emma Crescent, Constitution Hill                                         | 1        |
| 2.1.2    | Site No. 2 - 47 Carson Street, Dundas                                                    | 2        |
| 2.1.3    | Site No. 3 - 7 Ronald Avenue, Dundas                                                     | 2        |
| 2.1.4    | Site No. 4 - 14 King Street, Dundas Valley                                               | 2        |
| 2.1.5    | Site No. 5 - 7 Wyralla Avenue, Epping                                                    | 3        |
| 2.1.6    | Site No. 6 - 20B Spurway Street (also known as 539 Victoria Road), Ermington             | 3        |
| 2.1.7    | Site No. 7 - 64 Fitzgerald Road, Ermington                                               | 3        |
| 2.1.8    | Site No. 8 - 38 Atkins Road, Ermington                                                   | 4        |
| 2.1.9    | Site No. 9 - 22A Cowells Lane, Ermington                                                 | 4        |
| 2.1.10   | Site No. 12 - 44 Brazier Street, Guildford                                               | 5        |
| 2.1.11   | Site No. 15 - 4A Vairys Crescent, Merrylands                                             | 5        |
| 2.1.12   | Site No. 16 - 118 Oakes Road, Old Toongabbie                                             | 5        |
| 2.1.13   | Site No. 22 - Boundary Street, South Granville (Chester Hill)                            | 6        |
| 2.1.14   | Site No. 23 - 1A Boner Street and 29 Wylde Street, Telopea                               | 6        |
| 2.1.15   | Site No. 24 - 21 Tucks Road, Toongabbie                                                  | 7        |
| 2.1.16   | Site No. 25 - 2 Ancona Avenue, Toongabbie                                                | 7        |
| 2.1.17   | Site No. 26 - 20 Caithness Crescent, Winston Hills                                       | 7        |
| 2.1.18   | Site No. 27 - 52 Caroline Chisholm Drive, Winston Hills                                  | 8        |
| 2.1.19   | Site No. 28 - 401 Old Windsor Road, Winston Hills                                        | 8        |
| 2.1.20   | Site No. 29 - 2 Ursula Street, Winston Hills                                             | 9        |
| 2.2      | Group B                                                                                  | 9        |
| 2.2.1    | Site No. 10 - 1B-1D & 1F& 1G Memorial Avenue, Granville                                  | 9        |
| 2.2.2    | Site No. 13 - 294 Railway Terrace, 271A Guildford Road and 289 Guildford Road, Guildford | 9        |
| 2.2.3    | Site No. 14 - 4 Wharf Street, 6 Wharf Street and 661 Victoria Road, Melrose Park         | 10       |
| 2.2.4    | Site No. 17 - 1A Morton Street, Parramatta                                               | 10       |
| 2.2.5    | Site No. 19 - 42 Bridge Street, Rydalmere                                                | 11       |
| 2.2.6    | Site No. 20 - 400A Victoria Road, Rydalmere                                              | 11       |
| 2.2.7    | Site No. 21 - Brodie Street, Rydalmere                                                   | 11       |
| 2.3      | Group C                                                                                  | 12       |

|       |                                            |    |
|-------|--------------------------------------------|----|
| 2.3.1 | Site No. 11 - 40 Cowper Street, Granville  | 12 |
| 2.3.2 | Site No. 18 – 38 Marion Street, Parramatta | 12 |

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|          |                               |           |
|----------|-------------------------------|-----------|
| <b>3</b> | <b>Part 3 – Justification</b> | <b>13</b> |
|----------|-------------------------------|-----------|

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|     |                                                          |    |
|-----|----------------------------------------------------------|----|
| 3.1 | Section A – Need for the Planning Proposal               | 13 |
| 3.2 | Section B – Relationship to Strategic Planning Framework | 15 |
| 3.3 | Section C – Environmental, Social and Economic Impact    | 19 |
| 3.4 | Section D – State and Commonwealth Interests             | 21 |

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|          |                                        |           |
|----------|----------------------------------------|-----------|
| <b>4</b> | <b>Part 4 – Community Consultation</b> | <b>21</b> |
|----------|----------------------------------------|-----------|

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## Attachments

- A. Context Plan and Legend
- B. Site Reference Table
- C. Proposed FSR, Height and Zoning Maps
  - Site No. 1 – 10 Emma Crescent, Constitution Hill
  - Site No. 2 – 47 Carson Street, Dundas
  - Site No. 3 – 7 Ronald Avenue, Dundas
  - Site No. 4 – 14 King Street, Dundas Valley
  - Site No. 5 – 7 Wyralla Avenue, Epping
  - Site No. 6 – 20B Spurway Street (also known as 539 Victoria Road), Ermington
  - Site No. 7 – 64 Fitzgerald Road, Ermington
  - Site No. 8 – 38 Atkins Road, Ermington
  - Site No. 9 – 22A Cowells Lane, Ermington
  - Site No. 10 – 1B-1D & 1F & 1G Memorial Avenue, Granville
  - Site No. 11 – 40 Cowper Street, Granville
  - Site No. 12 – 44 Brazier Street, Guildford
  - Site No. 13 – 294 Railway Terrace, 271A Guildford Road and 289 Guildford Road, Guildford
  - Site No. 14 – 4 Wharf Street, 6 Wharf Street and 661 Victoria Road, Melrose Park
  - Site No. 15 – 4A Vairys Crescent, Merrylands
  - Site No. 16 – 118 Oakes Road, Old Toongabbie
  - Site No. 17 – 1A Morton Street, Parramatta
  - Site No. 18 – 38 Marion Street, Parramatta
  - Site No. 19 – 42 Bridge Street, Rydalmere
  - Site No. 20 – 400A Victoria Road, Rydalmere
  - Site No. 21 – Brodie Street, Rydalmere
  - Site No. 22 – Boundary Street, South Granville (Chester Hill)
  - Site No. 23 – 1A Boner Street and 29 Wylde Street, Telopea
  - Site No. 24 – 21 Tucks Road, Toongabbie
  - Site No. 25 – 2 Ancona Avenue, Toongabbie
  - Site No. 26 – 20 Caithness Crescent, Winston Hills
  - Site No. 27 – 52 Caroline Chisholm Drive, Winston Hills

Site No. 28 – 401 Old Windsor Road, Winston Hills

Site No. 29 – 2 Ursula Street, Winston Hills

- D. NSW Department of Planning LEP Practice Note No. PN09-003 dated 12 June 2009
- E. Parramatta City Council Resolutions associated with Review of Rezoning as Part of the Comprehensive Parramatta Draft Local Environmental Plan.
- F. Table of Surrounding Heritage Items prepared by Parramatta City Council.
- G. Parramatta Open Space Plan 2003 prepared by Parramatta City Council.
- H. Parramatta City Council Sport and Recreation Plan 2005-2010 prepared by Stratcorp Consulting Pty Limited dated September 2005.
- I. Preliminary Report into Future Use Options, Bartlett Park, Ermington prepared by Sydney Projects in conjunction with Stephen Collier Architects dated 25 July 2006.
- J. Bartlett Park Urban Design Report prepared by Allen, Jack and Cottier dated 31 July 2009.
- K. Legal Advice prepared by Storey and Gough Lawyers regarding the Rezoning and Reclassification of Council Owned Land in Draft Local Environmental Plan No. 2008 dated 18 June 2009.
- L. Department of Planning letter dated 20 October 2009 to Parramatta City Council.
- M. Local Planning Directions issued by the Minister for Planning under S.117(2) of the Environmental Planning and Assessment Act 1979 (updated 29 November 2009).
- N. Parramatta Local Environmental Plan 2001 – Zoning Map
- O. Sydney Regional Environmental Plan No. 28 – Zoning Map
- P. Schedule 2 of Parramatta Local Environmental Plan 1996 (Heritage and Conservation).
- Q. Schedule 5 of Parramatta City Centre Local Environmental Plan 2007
- R. Elton Report into the Viability of Community Hubs dated April 2008
- S. Parramatta Residential Development Strategy
- T. Urban Design Study and Financial Feasibility prepared by Architectus
- U. Parramatta Twenty 25 dated December 2006
- V. Heritage Report prepared by GAO Heritage Group dated December 2008
- W. Heritage Report prepared by Wayne McPhee & Associates dated February 2008

## 1 Part 1 – Objectives or Intended Outcomes

The purpose of the planning proposal is to enable future development and/or disposal of 29 sites owned by Parramatta City Council within the Parramatta Local Government Area which have been identified as being surplus to requirements.

The planning proposal intends to rezone and reclassify various sites and to remove redundant heritage listings involving Parramatta Local Environmental Plan 2001, Parramatta City Centre Local Environmental Plan 2007, Parramatta Local Environmental Plan 1996 (Heritage and Conservation) and Sydney Regional Environmental Plan No. 28 as Amendment 1 to the comprehensive Draft Parramatta Local Environmental Plan.

In summary, of the 29 sites:

- a) 27 sites require rezoning and reclassification; and
- b) 2 sites require removal of heritage listings.

This planning proposal is in accordance with previous decisions of Council on 10 November 2008, 24 August 2009, 14 September 2009, 19 October 2009 and 7 December 2009.

The **Attachments** provide details of the land to which this planning proposal applies.

## 2 Part 2 – Explanation of Provisions

Each site has been numbered from 1 to 29 for ease of reference and grouped into categories A, B and C for ease of assessment.

**Group A** sites have lesser significance and are being rezoned and/or reclassified as they do not accord with the strategic studies undertaken by Parramatta City Council for Public Open Space. Group A comprises 20 sites; 1-9 (inclusive), 12, 15, 16 and 22-29 (inclusive).

**Group B** sites have additional significance due to their size and/or potential. Group B comprises 7 sites; 10, 13, 14, 17, and 19-21 (inclusive).

**Group C** sites are those sites which warrant removal of existing heritage listings. Group C comprises 2 sites; 11 and 18.

### 2.1 Group A

#### 2.1.1 Site No. 1 - 10 Emma Crescent, Constitution Hill

##### a) Objective or Intended Outcome

To rezone 10 Emma Crescent, Constitution Hill from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

##### b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C1**.

##### c) Justification

10 Emma Crescent, Constitution Hill is 948.5m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003.

Originally acquired by Blacktown City Council in 1933, the site was transferred to Parramatta City Council following a local government boundary adjustment in 1992.

Council will negotiate with the Western Area Health Service with respect to the relocation of the existing Old Toongabbie Early Childhood Centre.

This site is surplus to requirements.

**2.1.2 Site No. 2 - 47 Carson Street, Dundas**

d) Objective or Intended Outcome

To rezone 47 Carson Street, Dundas from 2(b) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

e) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C2**.

a) Justification

47 Carson Street, Dundas is 254m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003.

Originally acquired to enable creation of an easement for support in 1967. The site will retain easements for drainage and road support following rezoning and reclassification.

This site is surplus to requirements.

**2.1.3 Site No. 3 - 7 Ronald Avenue, Dundas**

a) Objective or Intended Outcome

To rezone 7 Ronald Avenue, Dundas from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C3**.

c) Justification

7 Ronald Avenue, Dundas is 82.2m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. This site is surplus to requirements and is not part of the adjoining item of heritage significance.

Funds generated from the proceeds of the sale will be transferred to Council's Public Reserve fund.

**2.1.4 Site No. 4 - 14 King Street, Dundas Valley**

a) Objective or Intended Outcome

To rezone 14 King Street, Dundas Valley from 2(b) Residential to R2 Low Density Residential and reclassify the site from part 'Community' part 'Operational' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C4**.

c) Justification

14 King Street, Dundas Valley is 1094m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. The existing footpath which provides a link between King Street and Boardman Street will remain available for public use.

The site was acquired in 1967 for the purposes of a public reserve and has been the subject of Section 94 funding for embellishment.

**2.1.5 Site No. 5 - 7 Wyralla Avenue, Epping**

a) Objective or Intended Outcome

To rezone 7 Wyralla Avenue, Epping from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C5**.

c) Justification

7 Wyralla Avenue, Epping is 1303m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. The proposal will not impact upon the existing conservation area within which the site is located.

The site has not been the subject of Section 94 funding and its reason for acquisition is not available in PCC records.

**2.1.6 Site No. 6 - 20B Spurway Street (also known as 539 Victoria Road), Ermington**

a) Objective or Intended Outcome

To rezone 20B Spurway Street, Ermington from 3(a) Centre Business to B2 Local Centre and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 2.0:1 and a height of 12 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C6**.

c) Justification

Future development of 20B Spurway Street, Ermington would permit an extension of the existing business centre on the 438.7m<sup>2</sup> site. Public toilets are able to be reinstated as part of any future development of this site to compensate for the loss of the existing public amenities building.

The site was originally dedicated as a plantation reserve in 1960 and may ultimately be the subject of further development by NSW Housing.

**2.1.7 Site No. 7 - 64 Fitzgerald Road, Ermington**

a) Objective or Intended Outcome

To rezone 64 Fitzgerald Road, Ermington from 6(a) Public Open Space to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C7**.

b) Justification

Despite containing an area of 6184m<sup>2</sup>, 64 Fitzgerald Road, Ermington is located diagonally opposite Cowells Lane Reserve which contains swings and play equipment together with a much larger recreational area. Future residential use of this site would be consistent with surrounding residential development in Fitzgerald Road and Cowells Lane.

The site was originally acquired in 1971 for the purposes of a public reserve and it is noted that proceeds from the sale of this site will be transferred to Council's Public Reserve Fund.

This site is surplus to requirements.

**2.1.8 Site No. 8 - 38 Atkins Road, Ermington**

a) Objective or Intended Outcome

To rezone 38 Atkins Road, Ermington from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C8**.

c) Justification

38 Atkins Road, Ermington is 1189m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003.

The site is nominated on a deposited plan dated 1929 for the purposes of a public reserve and contains a caveat on the title for public reserve which will need to be removed. The site has not been the subject of any Section 94 funding and is surplus to requirements.

**2.1.9 Site No. 9 - 22A Cowells Lane, Ermington**

a) Objective or Intended Outcome

To rezone 22A Cowells Lane, Ermington from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C9**.

c) Justification

22 Cowells Lane, Ermington is 4110m<sup>2</sup> which is below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. In addition, 22 Cowells Lane, Ermington is located opposite Cowells Lane Reserve which contains swings and play equipment with a much larger recreational area. Scope exists for tennis court facilities to be provided elsewhere subject to demand.

The site was acquired in 1957 and has not been the subject of Section 94 funding. There are no PCC records that indicate the reason for acquisition.

**2.1.10 Site No. 12 - 44 Brazier Street, Guildford**

a) Objective or Intended Outcome

To rezone 44 Brazier Street, Guildford from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C12**.

c) Justification

44 Brazier Street, Guildford is 373.1m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003.

The site was acquired in 1961 for the purposes of a playground and reserve and contains an existing covenant on the title which will need to be removed. This site has not been the subject of any Section 94 funding.

This site is surplus to requirements.

**2.1.11 Site No. 15 - 4A Vairys Crescent, Merrylands**

a) Objective or Intended Outcome

To rezone 4A Vairys Crescent, Merrylands from 6(a) Public Open Space to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C15**.

c) Justification

4A Vairys Crescent, Merrylands is 689.2m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003.

The site was acquired in 1959 for the purposes of a public reserve and has been the subject of Section 94 funding and the proposal will result in minimal impact on the item of State Heritage significance at 46 Bertha Street.

**2.1.12 Site No. 16 - 118 Oakes Road, Old Toongabbie**

a) Objective or Intended Outcome

To zone 118 Oakes Road, Old Toongabbie (currently unzoned) IN1 General Industrial and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 1:1 and a height of 12 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C16**.

c) Justification

The 690.8m<sup>2</sup> area of 118 Oakes Road, Toongabbie is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open

Space Plan 2003. In addition, the dimensions of this site preclude practical development opportunities in the absence of consolidation with adjoining light industrial uses.

Originally acquired in 1967 for the purposes of a public reserve. The site has also been the subject of Section 94 funding for embellishment purposes and contains a caveat for public reserve on the title which will need to be removed.

**2.1.13 Site No. 22 - Boundary Street, South Granville (Chester Hill)**

a) Objective or Intended Outcome

To rezone Part Lot 3 DP 200423 Boundary Road, South Granville from 7 Environment Protection to IN1 General Industrial and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 1:1 and a height of 12 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C22**.

c) Justification

Boundary Street, South Granville was acquired in 1961 to provide access to adjoining open space. However, other properties have since been acquired by Council and access via Boundary Street, South Granville is superfluous.

In addition, the site contains an area of approximately 610m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003.

Boundary Street, South Granville does not contain any known environmental constraints that would otherwise preclude future consolidation and subsequent private industrial use.

The proposal will not result in any adverse impact on the adjoining item of State Heritage Significance (water pipeline). The site has not been the subject of any funding under Section 94.

**2.1.14 Site No. 23 - 1A Bonar Street and 29 Wylde Street, Telopea**

a) Objective or Intended Outcome

To rezone 1A Bonar Street and 29 Wylde Street, Telopea from Part 2(a) Residential and Part 6(a) Public Open Space to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C23**.

c) Justification

1A Bonar Street and 29 Wylde Street, Telopea is 929.5m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. This site is surplus to requirements as Elizabeth MacArthur Park is located nearby which also has play equipment.

Despite being originally dedicated in 1960 for the purposes of a public reserve, the site has not been the subject of any funding under Section 94, however the site is subject to a caveat for public reserves on title which will need to be removed.

**2.1.15 Site No. 24 - 21 Tucks Road, Toongabbie**

a) Objective or Intended Outcome

To rezone 21 Tucks Road, Toongabbie from 6(a) Public Open Space to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C24**.

c) Justification

21 Tucks Road, Toongabbie is 4364m<sup>2</sup> which is below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. The existing tennis courts are disused and surplus to requirements. Although part flood affected, future development is able to have regard to this constraint which can be assessed as part of the development application process.

The site was the subject of a Deed of Agreement in 1976 for dedication of land for public recreation and sporting grounds and has been the subject of Section 94 funding.

**2.1.16 Site No. 25 - 2 Ancona Avenue, Toongabbie**

a) Objective or Intended Outcome

To rezone 2 Ancona Avenue, Toongabbie from 3(a) Centre Business to B2 Local Centre and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 2.0:1 and a height of 12 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C25**.

c) Justification

Future development of 2 Ancona Avenue, Toongabbie would permit an extension of the existing business centre on the 2751m<sup>2</sup> site. The current use of the site as an unsealed rail commuter car park is informal only but in any event, car parking is likely to be provided on the site as part of any future development.

Council acquired the site in 1962 for the purposes of public car parking, however the site has not been the subject of Section 94 funding.

**2.1.17 Site No. 26 - 20 Caithness Crescent, Winston Hills**

a) Objective or Intended Outcome

To rezone 20 Caithness Crescent, Winston Hills from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C26**.

c) Justification

20 Caithness Crescent, Winston Hills is 891.6m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. In addition to being surplus to requirements, this site

has a steep grade to the street and approximately 13 mature gum trees which restricts its practical use for open space purposes.

The site was acquired by Council in 1967 for the purposes of a public reserve and has been the subject of Section 94 funding. A caveat for public reserves is registered on the title which will need to be removed.

**2.1.18 Site No. 27 - 52 Caroline Chisholm Drive, Winston Hills**

a) Objective or Intended Outcome

To rezone 52 Caroline Chisholm Drive, Winston Hills from 6(a) Public Open Space to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C27**.

c) Justification

52 Caroline Chisholm Drive, Winston Hills is 1113m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. This site is surplus to Council's requirements.

The site was acquired in 1967 for the purposes of a public reserve and has been the subject of Section 94 funding. The site also contains a caveat for public reserves which will need to be removed.

**2.1.19 Site No. 28 - 401 Old Windsor Road, Winston Hills**

a) Objective or Intended Outcome

To rezone 401 Old Windsor Road, Winston Hills from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C28**.

c) Justification

401 Old Windsor Road, Winston Hills is 240.3m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. This site is surplus to Council's requirements.

The site was acquired in 1968 for the purposes of a public reserve and has been the subject of Section 94 funding. The existing caveat for public reserves registered on the title will need to be removed.

**2.1.20 Site No. 29 - 2 Ursula Street, Winston Hills**

a) Objective or Intended Outcome

To rezone 2 Ursula Street, Winston Hills from 2(a) Residential to R2 Low Density Residential and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 0.5:1 and a height of 9 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C29**.

c) Justification

2 Ursula Street, Winston Hills is 967.5m<sup>2</sup> which is significantly below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. This site is surplus to requirements as it is located within close proximity to Bruce Cole Reserve on Gibbon Road.

The site was acquired in 1968 for the purposes of a public reserve and has been the subject of Section 94 funding. The site also contains a caveat for public reserves on the title which will need to be removed.

**2.2 Group B**

**2.2.1 Site No. 10 - 1B-1D & 1F& 1G Memorial Avenue, Granville**

a) Objective or Intended Outcome

To rezone 1B-1D (inclusive), 1F and 1G Memorial Avenue, Granville from Part 2(a) Residential, Part 3(a) Centre Business and Part unzoned to B4 Mixed Use to enable subsequent future development with a floor space ratio of 6.0:1 and a height of 52 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C10**.

c) Justification

1B-1D (inclusive), 1F and 1G Memorial Avenue, Granville benefits from a strategic location opposite Granville Railway station and adjacent to the Granville business centre. This location is conducive to higher density development in which to support existing infrastructure and surrounding land uses. The existing carparking and bus terminal is able to be accommodated either within the site or at another appropriate location in which to facilitate development of this site.

Options for Parramatta City Council include a possible public private partnership/joint venture or disposal and part private/part public use of this site.

The site was acquired between 1960 and 1983 for public car parking and bus terminal uses and has not been the subject of any Section 94 funding. The proposal will not adversely impact upon surrounding items of heritage significance.

**2.2.2 Site No. 13 - 294 Railway Terrace, 271A Guildford Road and 289 Guildford Road, Guildford**

a) Objective or Intended Outcome

To rezone 294 Railway Terrace, 271A Guildford Road and 289 Guildford Road, Guildford from part 3(a) Centre Business and part unzoned to B4 Mixed Use and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 2.0:1 and a height of 20 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C13**.

c) Justification

The subject site is currently zoned to permit business use. However, the site is conducive to higher density development and reclassification will enable private sector development to further progress business activity within Guildford. Public parking is able to be accommodated as part of any future development scheme.

The site was acquired between 1958 and 1981 for purposes including car parking and road widening and has not been the subject of Section 94 funding. The proposal will not adversely impact upon surrounding items of heritage significance.

**2.2.3 Site No. 14 - 4 Wharf Street, 6 Wharf Street and 661 Victoria Road, Melrose Park**

a) Objective or Intended Outcome

To rezone 4-6 Wharf Road and 661 Victoria Road, Melrose Park from 6(a) Public Open Space to B4 Mixed Use and reclassify the site from 'Community' to 'Operational' with a schedule amendment to permit bulky goods retail, a Floor Space Ratio of 2.0:1 and a height of 28 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C14**.

c) Justification

Business use of the site including bulky goods retail is consistent with the Preliminary Report into Future Use Options for the site prepared by Sydney Projects dated July 2006 and the Urban Design Report prepared by Allen Jack and Cottier dated July 2009.

The site was acquired between 1936 and 1987 for public recreation purposes with only a small portion of the site being the subject of Section 94 funding. Most easements are able to remain on title, however a caveat for public reserves will need to be removed. The proposal will have no adverse impact on surrounding items of heritage significance.

**2.2.4 Site No. 17 - 1A Morton Street, Parramatta**

a) Objective or Intended Outcome

To rezone 1A Morton Street, Parramatta from 2(b) Residential to R4 High Density Residential to enable disposal and subsequent future development with a floor space ratio of 1.2:1 and a height of 34 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C17**.

c) Justification

Parramatta City Council's depot is to be relocated and 1A Morton Street, Parramatta will therefore be surplus to Council's requirements.

The site benefits from convenient access to Parramatta CBD, surrounding public transport and road networks and is well orientated and positioned to offer reasonable amenity associated with higher density residential use.

Rezoning and subsequent future high density residential development is able to occur without creating a significant adverse impact on the adjoining item of heritage significance.

The site was acquired in 1958 for the purposes of a Council depot and is surplus to requirements.

**2.2.5 Site No. 19 - 42 Bridge Street, Rydalmere**

a) Objective or Intended Outcome

To rezone 42 Bridge Street, Rydalmere from Trade and Industry Support to B4 Mixed Use and reclassify the site from 'Community' to 'Operational' to enable subsequent future development with a floor space ratio of 1:1 and a height of 12 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C19**.

c) Justification

The existing Council recycling depot is to be relocated following which 17- 42 Bridge Street, Rydalmere will be surplus to Council's requirements.

The site was acquired by Council between 1952 and 1955 for public purposes and has not been the subject of Section 94 funding.

**2.2.6 Site No. 20 - 400A Victoria Road, Rydalmere**

a) Objective or Intended Outcome

To rezone 400A Victoria Road, Rydalmere from Part 6(a) Public Open Space, Part 2(a) Residential and Part Unzoned to B2 Local Centre and reclassify the site from 'Community' to 'Operational' to enable subsequent future development with a floor space ratio of 2.0 and a height of 12 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C20**.

c) Justification

400A Victoria Road, Rydalmere is 4120.5m<sup>2</sup> which is below the Department of Planning's 0.5ha threshold for a local park as identified within the Parramatta Open Space Plan 2003. In addition, use of the site for business purposes will be consistent with existing neighbourhood business uses. The Community Support Centre is to be relocated to Ermington in the proposed Hub development at 5039 Victoria Road. The playground is likely to be relocated into Rydalmere Park located on the southern side of Victoria Road.

Furthermore, the road will be the subject of a road closure if the privately owned shops agree to either sell or join into a redevelopment of the site in the future. In the interim, the road will adopt the surrounding zoning.

The site was acquired between 1920 and 1960 for improvement and embellishment of the area and for the purposes of a public reserve, however no Section 94 funding has applied to the site.

**2.2.7 Site No. 21 - Brodie Street, Rydalmere**

a) Objective or Intended Outcome

To rezone 12 Brodie Street, Rydalmere from Trade and Industry Support to B4 Mixed Use and reclassify the site from 'Community' to 'Operational' to enable disposal and subsequent future development with a floor space ratio of 2:1 and a height of 18 metres.

b) Explanation

Corresponding zoning, floor space ratio and height map amendments are provided at **Attachment C21**.

c) Justification

This site is surplus to Council's requirements. Future development on the 2522.96m<sup>2</sup> site is likely to be able to address constraints that affect the site including flooding, native vegetation and proximity to a heritage item subject to assessment at the development application stage.

The site was acquired by Council 1961 for flood mitigation purposes and has not been the subject of Section 94 funding.

## **2.3 Group C**

### **2.3.1 Site No. 11 - 40 Cowper Street, Granville**

a) Objective or Intended Outcome

To remove the heritage listing associated with 40 Cowper Street, Granville from Schedule 2 of Parramatta Local Environmental Plan 1996 (Heritage and Conservation) to enable demolition of the existing building and future development of the site.

b) Explanation

Corresponding mapping associated with 40 Cowper Street, Granville is provided at **Attachment C11**.

c) Justification

Parramatta City Council has received heritage advice from GAO Heritage Group indicating that the heritage significance of 40 Cowper Street, Granville is not significant enough to warrant its retention within Schedule 2 of Parramatta Local Environmental Plan 1996 (Heritage and Conservation).

The site was acquired by Council in 2009 to incorporate into the existing car park (short term) and for future development (long term).

### **2.3.2 Site No. 18 – 38 Marion Street, Parramatta**

a) Objective or Intended Outcome

To remove the heritage listing associated with 38 Marion Street, Parramatta from Schedule 5 of Parramatta City Centre Local Environmental Plan 2007 to enable demolition of the existing building and future development of the site.

b) Explanation

Corresponding mapping associated with 38 Marion Street, Parramatta is provided at **Attachment C18**.

c) Justification

Parramatta City Council has received heritage advice from Wayne McPhee and Associates indicating that the heritage significance of 40 Cowper Street, Granville is not significant enough to warrant its retention within Schedule 5 of Parramatta City Centre Local Environmental Plan 2007.

The site was acquired by Council in 2009 for the purposes of incorporation with the existing car park (short term) and for future development (long term).

### 3 Part 3 – Justification

#### 3.1 Section A – Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

Parramatta 2025 is the overarching Plan of Parramatta City Council which drives other strategies and plans involving urban growth in the LGA and in particular around the transport nodes.

Parramatta City Council's Corporate Strategy is updated annually and outlines the following key strategies:

*To be excellent in managing our land we need to:*

- i. Plan, create, acquire, maintain, operate, rehabilitate, replace and dispose of assets in the most cost effective manner to provide the required level of service for the present and the future*
- ii. Adopt a coordinated methodology for making capital investment planning decisions which deliver strategic and corporate priorities within a restricted financial environment.*
- iii. Manage Council's assets to optimise their value, significance and usefulness over the long term*
- iv. Ensure resources are available to manage and maintain current and future assets through their 'whole of life'*
- v. Align the acquisition and disposal of assets with strategic needs*
- vi. Ensure financial returns are maximised from commercial properties and developments*

Parramatta City Council's Strategic Asset Management Policy drives the objectives of the Strategic Asset Management Unit and then the whole organisation.

Parramatta City Council has adopted the Department of Planning's 0.5ha threshold for a local park within the Parramatta Open Space Plan 2003 (**Attachment G**) for Group A sites. Open Space requirements have also been informed by the Parramatta Recreation Plan 2005.

Within Group B, Site No. 14 has been the subject of a Preliminary Report into Future Use Options for the site prepared by Sydney Projects dated July 2006 and an Urban Design Report prepared by Allen Jack and Cottier dated July 2009 (**Attachment J**). Both reports indicate broader potential for the site beyond its current use.

Site No. 10 and Site No. 17 were identified in Parramatta City Council's Residential Development Strategy with Site No. 10 also being the subject of an urban design study and financial feasibility by Architectus. Site No. 10 and Site No. 6 were included in an Elton Report into the viability of community hubs in the Parramatta LGA.

The precinct within which both Site No. 19 and Site No. 21 are located was proposed to be zoned B4 within the draft Parramatta LEP. However, the S65 Certificate did not support this zoning and Parramatta City Council was requested to undertake further studies in this precinct. Those studies are now underway and may propose alternative zoning and other controls which will subsequently impact upon these sites. The B4 zoning, proposed for Sites 19 and 21, although resolved by Council, will be reviewed once the current studies have concluded.

Group C sites have been the subject of reports prepared by GAO Heritage Group and Wayne McPhee and Associates which indicate that the heritage status of these properties is not warranted (**Attachments V and W**).

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal offers the most transparent, effective and efficient means of changing the controls on development associated with each of the 29 sites.

Amendment 1 to the comprehensive Draft Parramatta Local Environmental Plan will incorporate each change to Parramatta Local Environmental Plan 2001, Parramatta City Centre Local Environmental Plan 2007, Parramatta Local Environmental Plan 1996 (Heritage and Conservation) and Sydney Regional Environmental Plan No. 28 within a consolidated instrument thereby reducing complexity and confusion.

3. Is there a net community benefit?

It is acknowledged that the test of net community benefit is not purely quantitative. However, it is assumed that any impacts will be outweighed by community benefits associated with this planning proposal.

Much of the land included in this planning proposal is considered by Council to be either inconsistent with planning documents which guide Council's strategic land use direction associated with open space (Group A) and/or is land that is inefficient or ineffective in achieving its intended purpose (Group B). Other sites (in particular Group C), have experienced change over time which require existing planning policies to be updated in line with changing community values and local context.

Group A sites in particular, represent a cost burden to Council as a result of maintenance responsibilities and where they have been demonstrated to be surplus to requirements, disposal and future development options associated with these sites creates an opportunity for a net community benefit as funds from any sale and/or reduction in maintenance expenditure will benefit existing public open space. Existing public open space that is consistent with the strategic public open space guidelines that have been adopted by Council will particularly benefit through either site embellishment and/or consolidation opportunities.

The Parramatta Local Government Area currently has a high level of local park playground provision and where access to public open space is to be reduced, other superior options exist within the broader locality that will benefit from greater embellishment as current staff and financial resources will ultimately be under less pressure.

It is expected that most, if not all of the sites associated with the planning proposal will be sold for redevelopment purposes following gazettal. Some of the Group B sites may be the subject of a public private partnership or joint venture but notwithstanding the process, the outcome will be a reflection of highest and best use and therefore associated with maximum financial gain and maximum net community benefit. This approach would be not unlike any normal property market approach undertaken by a hypothetical prudent vendor seeking to maximise a return on a property investment (in this case capital resources) over time.

Whilst this planning proposal does not attempt to draw a direct correlation between increased income and reduced pressure on rates for constituents within the Parramatta Local Government Area, the increased income will enable Council to re-invest funds into higher income producing assets which indirectly (and in the long term) are likely to produce a higher net community benefit.

Reducing the maintenance burden on Council's budget whilst enabling the public interest to be better served through income producing investments, provides Council with a greater opportunity to invest more resources into existing larger parcels of open space which service a more significant proportion of Parramatta's local community.

Maintaining the status quo does not represent the maximum net community benefit that would otherwise be achievable in these circumstances by proceeding with the planning proposal.

All properties that have been funded through S.94 will have the disposal funds returned to the S94 Fund. These funds will be used to augment and add to the public reserve holdings of Council in the areas of most need.

The further community benefit will come as a result of disposal funds going to a Property Development Reserve to allow Council to develop property and/or accumulate income producing property assets. The income generation over time will supplement rate income and allow for a reduced rate of increase to the rating base for all rate payers.

Part of the funds will be used to generate community facilities in areas which have been identified in the Elton Report. The balance of funds derived from the sale of open space dedicated prior to the Environmental Planning and Assessment Act 1979 will go to a public reserve fund for updated facilities in existing reserves and playgrounds. A review of playground facilities is currently underway. Furthermore, there will be a positive economic impact upon those areas within which new facilities will be developed both as a result of any new development and in leading to the possible activation of private development.

### **3.2 Section B – Relationship to Strategic Planning Framework**

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

It is noted that the Sydney Metropolitan Strategy City of Cities 2005 is undergoing the initial stages of review. However, the general principle of providing appropriate land uses in appropriate locations supported by the required infrastructure whilst providing opportunities for healthy amenity and fulfilment by an increasing population is likely to remain.

The planning proposal is not inconsistent with the current Sydney Metropolitan Strategy and will indirectly assist with its implementation. This is particularly the case for some Group B sites where the planning proposal will enable the orderly and economic development of the site to be achieved.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Following the release of the Open Space Plan in 2003 and Sport and Recreation Plan in 2005, Council is now in the process of implementing the guidelines within these studies.

Furthermore, rather than pursue a series of amendments to a range of different environmental planning instruments, perhaps the most relevant strategic plan to which this planning proposal will now accord with is Council's Draft Standard Instrument Local Environmental Plan. This planning proposal is consistent with Draft Parramatta Local Environmental Plan and will form the basis of Amendment 1 to this instrument.

6. Is the planning proposal consistent with applicable state environmental planning policies?

Relevant State Environmental Planning Policies and their relationship with the planning proposal are outlined in the table below:

| SEPP                                                     | Requirement                                                                                                                                                                                                                                                                                                           | Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comply |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| SEPP 32 – Urban Consolidation                            | The Minister must, when considering the making of environmental planning instruments relating to urban land, implement the aims and objectives of this Policy to the fullest extent practicable.                                                                                                                      | The planning proposal is consistent with SEPP 32 in providing the opportunity for urban development in areas where there is existing public infrastructure, transport and community facilities, close to employment, transport, retail, services, leisure and other opportunities.                                                                                                                                                                                                              | Yes    |
| SEPP 55 – Remediation of Land                            | When carrying out planning functions under the Act (including undertaking LEP amendments), SEPP 55 requires that a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination. | <p>Council has considered the potential for contamination of each site as part of its preparation of this planning proposal.</p> <p>Council's depots at 1A Morton Street Parramatta (Site No. 17) and 42 Bridge Road, Rydalmere (Site No. 19) are potentially most at risk of site contaminants.</p> <p>Sites that are potentially affected by contamination would be addressed prior to disposal or alternatively as part of a development application associated with future development.</p> | Yes    |
| SEPP (Infrastructure) 2007                               | The relevant matters for consideration include the requirement to refer a development application to the RTA on the basis that the proposal will contain more than 300 dwellings (Schedule 3).                                                                                                                        | It is proposed that further traffic assessment be undertaken following the gateway determination for Group B sites (and Group C sites where they are to be consolidated).                                                                                                                                                                                                                                                                                                                       | Yes    |
| SEPP 65 – Design Quality of Residential Flat Development | This Policy aims to improve the design quality of residential flat development in New South Wales.                                                                                                                                                                                                                    | Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application.                                                                                                                                                                                                                                                                                                                                                                                          | Yes    |
| SEPP (BASIX) 2004                                        | The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State.                                                                                                                                                                                                       | Detailed compliance with BASIX will be demonstrated at the time of making a development application.                                                                                                                                                                                                                                                                                                                                                                                            | Yes    |
| SEPP (Major Development 2005)                            | Specifies that residential, commercial or retail projects with a capital investment of more than \$100 million are Part 3A projects.                                                                                                                                                                                  | <p>Where future development of a site exceeds a capital investment value of \$100 million, the proposal will be subject to Part 3A.</p> <p>It is anticipated that only some Group B sites potentially may fall within this category.</p> <p>Group C sites will only fall within this category if they</p>                                                                                                                                                                                       | Yes    |

| SEPP                            | Requirement                                                                                                                                                                                                                                                                                                                                              | Planning Proposal                                                                                                                                                                                                                                                                                                                                                      | Comply |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
|                                 |                                                                                                                                                                                                                                                                                                                                                          | are the subject of further site consolidation.                                                                                                                                                                                                                                                                                                                         |        |
| SREP (Sydney Harbour Catchment) | The SREP now has the status of a deemed SEPP. The SREP aims to:<br>Protect the health of the catchment;<br>Protect the operation of any natural drainage systems;<br>Protect and enhance the visual quality of the river;<br>Protect foreshore access to the waterways;<br>Provide suitable management of water quality and management of urban run-off. | The planning proposal is consistent with this policy in that:<br>-Environmental impacts of future development are able to be suitably managed as part of the development application process;<br>-Public access to the foreshore (where relevant) is able to be enhanced and encouraged as part of the development application process.                                | Yes    |
| SREP 28 – Parramatta            | The SREP now has the status of a deemed SEPP. The SREP has the following objectives:<br>- to establish regional planning aims for the Parramatta Primary Centre, and<br>- to recognise the unique and varied nature of each Precinct.                                                                                                                    | The amended provisions of SREP 28 will form the basis of Amendment 1 of Draft Parramatta Local Environmental Plan. Other provisions within SREP 28 have already been the subject of inclusion within the Draft Parramatta Local Environmental Plan. Parramatta will retain its primary centre and regional focus as part of Draft Parramatta Local Environmental Plan. | Yes    |

The planning proposal is not inconsistent with any State Environmental Planning Instrument.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant Section 117 Directions contained within the Environmental Planning and Assessment Act 1979 are outlined in the table below:

| S.117 Direction No. and Title     | Contents of S.117 Direction                                                                                                                                                                                                             | Planning Proposal                                                                                                                                                                                                                                       | Comply                   |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 1.1 Business and Industrial Zones | A draft LEP shall retain the areas and locations of existing business and industrial zones.                                                                                                                                             | No reduction in business or industrial zones is proposed.                                                                                                                                                                                               | Yes                      |
| 2.1 Environment Protection Zones  | A draft LEP must facilitate the protection and conservation of environmentally sensitive areas and must not reduce the environmental protection standards that would otherwise apply. A draft LEP may be inconsistent with the terms of | Boundary Road, South Granville (Site No. 22) involves rezoning from 7. Environmental Protection to IN1 General Industrial. This proposal is of minor significance as the site does not contain any known environmental constraints that would otherwise | Yes (with justification) |

| <b>S.117 Direction No. and Title</b>   | <b>Contents of S.117 Direction</b>                                                                                                                                                                                                                                                                                                    | <b>Planning Proposal</b>                                                                                                                                                                                                                                                                       | <b>Comply</b>            |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                        | this direction only if council can satisfy the Director-General of the Department of Planning based on one or more grounds contained within the Circular.                                                                                                                                                                             | preclude future consolidation and subsequent private industrial use.                                                                                                                                                                                                                           |                          |
| 2.3 Heritage Conservation              | Planning proposal must facilitate conservation of places of heritage significance.<br>A draft LEP may be inconsistent with the terms of this direction only if council can satisfy the Director-General of the Department of Planning based on one or more grounds contained within the Circular.                                     | Group C sites involve the removal of heritage listings as independent heritage assessments for each property indicate that their inclusion as items of heritage significance is no longer warranted.<br>Accordingly, the inconsistency associated with Direction 2.3 is of minor significance. | Yes (with justification) |
| 3.1 Residential Zones                  | Planning proposal must broaden the choice of building types in the housing market, make more efficient use of infrastructure and services, reduce consumption of land on the fringe, and be of good design.                                                                                                                           | Planning proposal gives new opportunity for development to provide more housing choices, efficient use of infrastructure and services, and to direct some demand for housing away from the fringe, and provide good urban design to improve the locality.                                      | Yes                      |
| 3.3 Home Occupations                   | Planning proposal must permit home occupations to be carried out in dwelling houses without consent.                                                                                                                                                                                                                                  | No change proposed.                                                                                                                                                                                                                                                                            | Yes                      |
| 3.4 Integrating land use and transport | Planning proposal must be consistent with DUAP publications "Improving Transport Choice" and "The Right Place for Business and Services".                                                                                                                                                                                             | Planning proposal is consistent with these documents in providing opportunity for development of residential and employment land in areas that are well serviced by existing infrastructure, transport and services.                                                                           | Yes                      |
| 4.1 Acid Sulphate Soils                | The relevant planning authority must consider the Acid Sulphate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulphate Soils Planning Maps as having a probability of acid Sulphate soils being present. | Memorial Avenue, Granville (Site No. 10) and 1A Morton Street, Parramatta (Site No. 17) are both potentially affected by Acid Sulphate Soils. Other sites contain low risk.<br>Further acid sulphate soils analysis (if required) is able to be provided as part of the gateway determination. | Yes                      |
| 4.3 Flood Prone Land                   | Planning proposal must be consistent with the NSW Government's Flood Prone Policy and the principles of the Floodplain Development                                                                                                                                                                                                    | Although some sites are identified as being part flood prone, future development is able to be appropriately designed and assessed at                                                                                                                                                          | Yes                      |

| S.117 Direction No. and Title          | Contents of S.117 Direction                                                                                                                                                                                                                           | Planning Proposal                                                                                                                                                                                                                                                                                                                          | Comply |
|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
|                                        | Manual 2005, and the provisions of an LEP on flood land is to be commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.                                                            | the development application stage.                                                                                                                                                                                                                                                                                                         |        |
| 6.2 Reserving Land for Public Purposes | Planning proposal to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. | The planning proposal does alter the existing zonings and reservations of land for public purposes but Council is expressly seeking the consent of the Director-General of the Department of Planning in which to do so.<br><br>The planning proposal is generally consistent with respect to the reservation of land for public purposes. | Yes    |
| 6.3 Site Specific Provisions           | The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.                                                                                                                                           | The provision of LEP zoning, height and FSR standards accompanied by a schedule amendment in the case of Victoria Road, Melrose Park (Site No. 14) is not considered to be particularly restrictive and therefore the planning proposal is consistent with this Direction.                                                                 | Yes    |

The planning proposal is not inconsistent with the S.117 Directions prescribed by the Minister contained within the Environmental Planning and Assessment Act 1979.

### 3.3 Section C – Environmental, Social and Economic Impact

8. 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 critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal.

12 Brodie Street, Rydalmere (Site No. 21) is mapped as being part affected by native vegetation of the Cumberland Plain with other remnant vegetation and core habitat. However, aerial photography confirms that the site is substantially vacant with the canopy of a mature tree overhanging the north western corner at the rear of the site. Any future development application would have regard to natural constraints as part of an assessment under Section 79C of the Environmental Planning and Assessment Act 1979.

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

General constraints associated with development such as flooding, acid sulphate soil, site contamination, vegetation *etcetera*, are able to be addressed at the development application stage when a consent authority is obliged to consider Section 79C of the Environmental Planning and Assessment Act 1979.

In particular, Site No. 17 has been used as Council's depot and may contain contamination. It is understood that this will be the subject of further site investigations, a Remedial Action Plan, remediation, validation and a site audit as part of a development application prior to any development proposal proceeding to construction. As the site is able to accommodate a substantial development with excavation for basement parking, it is more appropriate and economically efficient for any required remediation to be part of the development proposal.

Likewise, impacts on the built environment such as overshadowing, height, bulk and scale and streetscape presentation are also able to be determined when a development application for a proposal is assessed under Section 79C of the Environmental Planning and Assessment Act 1979. In general however, most sites are conducive to being able to support the development to which the proposed zoning permits (with an associated operational land re-classification). It is also noted that Draft Parramatta Local Environmental Plan will result in the majority of sites maintaining a compatible land use zoning, albeit with a new classification.

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

The most significant social effect of the proposal is likely to be a reduction in the area of public open space. Whilst the quantum of public open space will be reduced (albeit to ensure that public open space conforms in accordance with the Parramatta Open Space Plan 2003), the quality of open space within the Parramatta Local Government Area is likely to improve as a result of embellishment works to other public reserves and the reduced economic burden on Council associated with maintenance. Council is also able to reinvest funds into further acquisition of parcels of land that would improve the efficiency and use of public open space that only marginally satisfies the threshold of 0.5ha prescribed by the Department of Planning.

Public open space which has been acquired, embellished or the subject of any S.94 contribution, monetary or otherwise, is able to be processed in accordance with Section 32 of the Local Government Act 1993 subject to Council being able to reutilise funds for a public purpose with a similar nexus. Many of the open space parcels are small and were acquired by Council prior to the establishment of S.94 of the Environmental Planning and Assessment Act 1979 or any mechanism for a Voluntary Planning Agreement (VPA).

The social effect of removing heritage items is also likely to generate an emotional response from the community. However, the social benefit of recognising that the heritage status of these buildings is not warranted as per the independent heritage assessments is likely to far outweigh the disadvantages associated with this proposal. Likewise, the rezoning and reclassification of some of the Group B sites will result in a positive social and economic impact on the locality through the provision of wider housing choice, promotion of 24hr town centres and employment associated with construction activity and commercial enterprise.

The bulky goods use proposed at Victoria Road, Melrose Park (Site No. 14) will also generate a positive economic impact through employment and business activity in an accessible location.

The reasons why Council acquired an interest in these sites is disclosed in the Site Reference Table (**Attachment B**). Encumbrances on title associated with easements, rights of carriageway and covenants (unrelated to open space reserves) *etcetera* will generally remain on each respective title despite any future rezoning of the site, unless they are no longer required. However, it is proposed to extinguish encumbrances (*caveats etcetera*) relating to public reserves where sites will no longer be utilised for this purpose.

### 3.4 Section D – State and Commonwealth Interests

#### 11. Is there adequate public infrastructure for the planning proposal?

Existing public transport, roads, utilities, waste management, recycling services and other essential services such as health, education and emergency services exist within the Parramatta Local Government Area and are generally adequate to serve and meet the needs of the proposal.

Whilst there will inevitably be some additional demand on public infrastructure associated with the ability for specific sites to be developed at higher densities, much of this demand will be addressed either as part of any future development application or through consultation with public authorities identified as part of the gateway determination process.

#### 12. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

The views of State and Commonwealth public authorities will be known once consultation has occurred as part of the gateway determination of the planning proposal.

## 4 Part 4 – Community Consultation

Community consultation (inclusive of a public hearing for sites in need of reclassification from 'Community' to 'Operational') is proposed in accordance with S.57 of the Environmental Planning and Assessment Act 1979 and Clause 14 of the Environmental Planning and Assessment Regulation 2000.

The planning proposal will be exhibited following the exhibition of draft Parramatta LEP which ended on 7 May 2010. A period of 28 days would be appropriate for the exhibition of the planning proposal and notification is able to be conducted by way of direct correspondence to the surrounding owners, publication within the local press and information on Parramatta City Council's website.

Once the exhibition period has concluded, it is intended to hold a public hearing subject to S57(6) of the Environmental Planning and Assessment Act 1979 for land involving re-classification from community to operational. There will be further notification in the local press of the public hearing as well as direct correspondence with any parties that provide a submission or request to attend a hearing at least 21 days prior to such hearing. A report will then be submitted to Council with details of the results of the public hearing.

Consultation with the Heritage Office of NSW has already occurred with respect to Group C sites and consultation will proceed with the RTA, Railcorp and Sydney Water once the planning proposal has been considered as part of the Gateway Determination process.

Planning Practice Note PN09-003 pertains to the classification and reclassification of public land through a local environmental plan and is provided at **Attachment D**.