

Planning Proposal

Submission to Parramatta Local Environmental Plan 2011

181 James Ruse Drive, Camellia

March 2014

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EXECUTIVE SUMMARY

Planning Proposal – 181 James Ruse Drive, Camellia

Planning Context:

In accordance with the provisions of section 55 of the Environmental Planning and Assessment Act 1979 and *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*, this Planning Proposal provides the following:

- Objectives or intended outcomes
- Explanation of Provisions
- Justification
- Community Consultation

The Opportunity:

This Planning Proposal seeks a change to the land use zoning provisions to allow for the mixed use development with the inclusion of residential flat buildings mixed with retail and commercial uses, recreational lands and associated car parking.

A Structure Plan outlining the proposed zoning, building heights, roads and land-use information is attached.

This site is heavily contaminated and economic viability is essential to its remediation. An opportunity exists to deliver that viability and meet significant housing targets for Sydney.

The need for Housing:

The State Government's Metropolitan Development Program (MDP) provides clear monitoring of existing dwelling creation and maps the need for new dwellings. The key points supporting housing need are highlighted below:

- By 2031 Sydney will have 1.3M new residents which will require 545,000 new dwellings.
- Sydney needs to create 30,277 new homes each and every year to meet target.
- In March 2013 the State Government released an extensive housing strategy with urban activation precincts and a mix of significant sites and green-field development initiatives. This program identified 172,000 potential new sites which will be developed progressively. This is only 31% of the total housing requirement and represents 9,555 dwellings per year, if measured until 2031.
- Housing Data from 2008/09 – 2012/13 shows that the entire Sydney Region released 79,549 new homes. This represents an average of 15,909 dwellings per year in total.
- Sydney's average growth (15,909) plus the recent release strategy (9,555) equals 25,464 new dwellings per annum. This is still well short of the 30,000+ new homes required each year.
- Significant new opportunities must be taken and this proposed site at Camellia represents "low hanging fruit" as it is well located to transport, a major CBD, local amenities as well as provides an opportunity for the rehabilitation of local waterways and remediation of a contaminated site.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to facilitate a mixed use development at 181 James Ruse Drive, Camellia comprising residential apartments, retail and commercial uses and public open space.

A key outcome resulting from the development of the site will be the overall remediation of the site and restoration of the foreshore area.

PART 2 – EXPLANATION OF PROVISIONS

SUMMARY OF PROPOSED CHANGES TO PLANNING CONTROLS		
	Current (PLEP 2011)	Proposed
Zoning	B5 Business Development Zone	B4 – Mixed Use RE1 – Public Recreation
Floor Space Ratio	1.5:1 ("S1")	5:1 ("Z") – for that part of the site excluding proposed RE1 land
Height of Buildings	9m ("J1") and 12m ("M")	0m ("A"), 9m ("J1"), 25m ("T2"), 62m ("AA") and 86m ("AB")
Foreshore Building Line	30m	nil

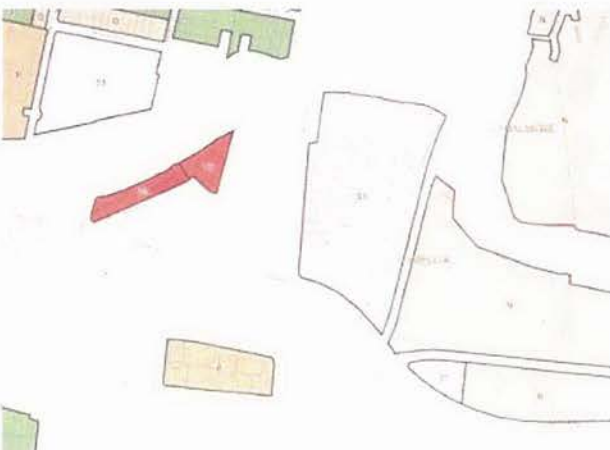
Figure 1: Existing LEP maps



Land Zoning Map



Height of Buildings Map



Floor Space Ratio Map

Zone	Maximum Floor Space Ratio (n:1)	Maximum Building Height (m)
B2 (Low Density Residential)	0.8	3
B3 (Medium Density Residential)	1.0	4
B4 (High Density Residential)	1.1	5
B5 (Medium Density Residential)	1.2	6
B6 (High Density Residential)	1.5	7
B7 (Medium Density Residential)	1.7	8
B8 (High Density Residential)	2.0	9
B9 (Medium Density Residential)	2.2	10
B10 (High Density Residential)	2.4	11
B11 (Medium Density Residential)	2.6	12
B12 (High Density Residential)	2.8	13
B13 (Medium Density Residential)	3.0	14
B14 (High Density Residential)	3.2	15
B15 (Medium Density Residential)	3.4	16
B16 (High Density Residential)	3.6	17
B17 (Medium Density Residential)	3.8	18
B18 (High Density Residential)	4.0	19

A draft Structure Plan has been prepared for the site to demonstrate the proposed zones, through-site road layouts and building heights. It is attached at **Appendix 1**.

The proposed Floor Space Ratio (FSR) controls allow for an FSR as measured for the total site area excluding the area proposed to be zoned "public recreation".

This planning proposal seeks to achieve the objectives and intended outcomes by seeking the following:

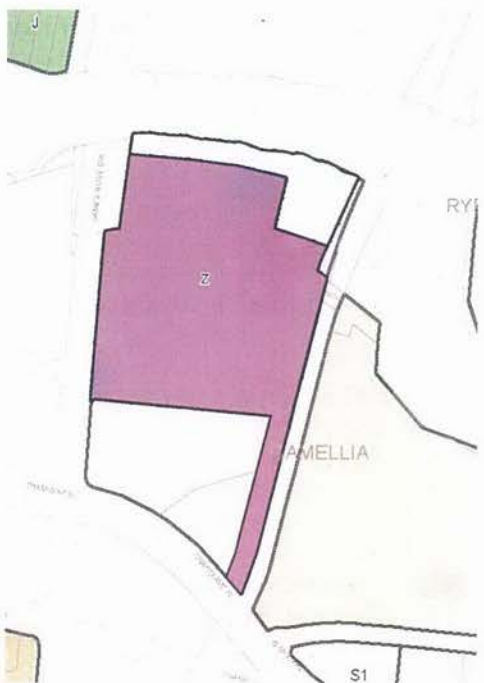
1. Amendment of the Parramatta Local Environmental Plan 2011 Land Zoning Map to "B4" – Mixed Use and "RE1 – Public Recreation" as per the Structure Plan at Appendix 1.
2. Amendment of the Parramatta Local Environmental Plan 2011 Floor Space Ratio Map to "Z" (5:1) as shown on the map below.
3. Amendment of the Parramatta Local Environmental Plan 2011 Height of Building Map to "A" (0m), "J1" (9m), "T2" (28m), "AA" (62m) and "AB" (86m) as shown on the map below;
4. Amendment of the Parramatta Local Environmental Plan 2011 Foreshore Building Line Map to remove the foreshore building line.
5. The insertion of the following site-specific clause in the LEP:

"No development is permitted in the area above the underground containment cells other than roads, pedestrian access-ways, road related infrastructure and landscaping works."

The proposed new LEP maps related to the Structure Plan are shown below in **Figure 2**.



Land Zoning Map



Floor Space Ratio Map

Maximum Floor Space Ratio (n:1)

Z 5

Zone

B4 Mixed Use
RE1 Public Recreation



Height of Buildings Map

Maximum Building Height

A 0
J1 9
T2 28
AA 62
AB 86

Figure 2: Proposed zoning maps

PART 3 – JUSTIFICATION

The NSW Department of Planning has a publication entitled “*Guidelines for Preparing Planning Proposals*”. It outlines a range of questions which will be answered as part of the Justification process.

Section A – Need for the planning proposal

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

Parramatta City Council has carried out a draft Employment Lands Study, which identifies an opportunity to develop a strategic vision for the Camellia precinct as it may evolve over the next 40 years and what uses may be introduced as the area transitions. Council has commenced work to investigate the precinct, including the subject land, and has adopted a draft discussion paper for the future of the Camellia Precinct as the basis of further consultation with Camellia stakeholders. The draft discussion paper includes a draft land use concept plan for the Camellia precinct that suggests a future mixed use precinct, centred on Camellia rail station and including the subject site. Typically, mixed use precincts are substantially developed for residential purposes together with some retail and commercial uses. Other parts of the precinct could support employment land uses, including business, industrial, warehouse and logistics. A mixed use zoning for the subject site is broadly consistent with the early stage draft land use concepts for the wider Camellia precinct.

An initial Urban Design Report and Economic Impact Assessment of the site has informed this Planning Proposal.

Within this overall context, this Planning Proposal seeks to implement a ‘way forward’ for the remediation and development of this site.

Note: The remediation of the site is the subject of a separate ‘designated development’ application with the Council.

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

The Planning Proposal is considered to be the most appropriate means of achieving the stated objectives and intended outcomes.

The planning proposal process also allows for a collaborative master-planning approach for the site.

3. Is there a net community benefit?

A net community benefit arises where the sum of all the benefits of a development or rezoning outweighs the sum of all costs. The justification to proceed with the planning proposal has taken into consideration the public interest and the consequence of not proceeding with the rezoning and proposed changes in height and FSR.

Table 2 below provides an evaluation of the Planning Proposal against the key criteria for a Net Community Benefit Test set out in the Department of Planning’s draft Centres Policy. The level of detail and analysis is proportionate to the size and likely impact of the proposed LEP amendment.

Based on the responses to the key evaluation criteria in Table 1, it is considered that the Planning Proposal will deliver a net community benefit. In summary the community benefits include:

- An enhanced mixed use development near Camellia Railway Station that promotes a highly sustainable urban form that provides people of all ages and incomes with improved access to transportation and housing choices;
- The development of the site allows for the site to be appropriately remediated
- The development allows for restoration of riparian zones and land returned to the community as foreshore recreational lands;
- Improving demand for public transport resulting in increased patronage and services;
- The development when combined with new adjoining proposals toward the Parramatta CBD along the river will create new pedestrian and cycle links along the foreshore to the CBD. This is a significant community benefit when combined with a proposed bridge linking the UWS.

Table 1 – Net Community Benefit Test Assessment

Evaluation Criteria	Assessment	✓/x
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	The site is compatible with the strategic directions of the State which promote new development near transit nodes and major or emerging centres. The site is located within 400m of Camellia Railway Station which operates between Carlingford and Clyde train station, providing access to the wider Cityrail network. It is superbly located on the proposed Western Sydney Regional Ring Road and significant other infrastructure is being explored for this region.	✓
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional or sub regional strategy?	The site is located within the catchment of an identified Regional City as nominated in the Draft West Central Sub Regional Strategy. The Planning Proposal will ultimately help underpin business viability and social dynamics as residents live and work in Parramatta City. This exact site is specifically identified as a mixed use site within the Draft West Central Sub Regional Strategy (refer Figure 3).	✓
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The Planning Proposal exists on the back of the need for significant viability in order to rehabilitate the contaminated site. The site is also well located to transport of all kinds and has an opportunity to assist with delivering new housing for Sydney. In this regard the site is highly unique and will not create a precedent unless other similarly located sites have the same constraints and locational attributes. The Proposal will enable the opportunity for the redevelopment of adjoining land directly to the south being the industrial land and the AJC land which is a major regional recreational area.	✓

Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	The site is unique in its current location and no additional studies have been done in the immediate area. Council has done significant investigation of higher densities within the CBD area and the area known as "auto alley". Generally these considerations have resulted in additional density being appropriate as new infrastructure is planned – such as the ring road and possible light rail system.	✓
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The proposal may result in the loss of a <i>potential</i> industrial floor space however it must be noted that the site is known to be contaminated and the remediation work will require appropriate redevelopment of the site in order to underpin its viability. This site has remained underdeveloped for a long time and no further employment uses will occur unless the site is remediated as it is simply not viable under the current zone. The mixed use site also proposes new commercial and retail floor space which will generate jobs. It is suggested that the lack of current viability means that its rezoning will likely improve the provision of quality employment lands. This is supported by the Hill PDA Economic Impact Assessment which notes that the development will produce about 30,000m² of commercial and retail floor space, potentially comprising a supermarket and bulky goods uses.	✓
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	There will only be a positive impact on the supply of affordable housing. Many issues impact affordability but one significant factor results to an appropriate supply of units in a form that is more affordable. Smaller sized units in a Regional City will assist supply and affordability.	✓
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site?	Generally yes, however upgrades will be required to nearby intersection/s and water, waste and electrical utilities. Significant new transport services such as ring roads, light rail and expanded heavy rail services are being considered for Parramatta as well.	✓
Is there good pedestrian and cycling access?	Pedestrian access along the water and ultimately over the river to the university site will be improved as a result of this proposal. Current access is obviously limited for health reasons and due to current zoning provisions.	✓
Is public transport currently available or is there infrastructure capacity to support future public transport?	The site is within 400m of Camellia Railway Station and in proximity to touted future light rail services. Bus services are abundant in the vicinity as well.	✓
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers?	Locating people within a Regional City will serve to stimulate business, revitalize underutilized areas, improve infrastructure, increase social diversity and stimulate new housing opportunities. This Proposal provides opportunity for people to live within the catchment of the City which is highly likely to reduce travel distances and travel times.	✓
If so, what are the likely impacts in terms of greenhouse gas emissions,	A reliance on public transport and reduced travel times will improve greenhouse gas emissions.	✓

operating costs and road safety?	operating costs and road safety.	
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	There will be no negative impact on significant infrastructure. Indeed it is considered that residential accommodation will provide residents with improved access to government infrastructure which has been invested within the CBD. Increased housing densities are also the catalyst for planned new infrastructure investment in Parramatta. A social impact assessment of the proposal will further explore these issues, particularly in respect to new education facilities. This can occur after Gateway determination.	✓
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts?	No additional negative impacts. Indeed this proposal does involve sensitive waterfront land however the entire area is contaminated. This proposal will positively impact this land as the site is developed and rehabilitated. This matter is being addressed as part of the designated DA for remediation with Council and also looks at restoration of the mangroves in the waterway adjacent to the site.	✓
Is the land constrained by environmental factors such as flooding?	The site is flood affected and contaminated and this has been considered in reports and urban form studies undertaken for this site. Appropriate design studies and the determination of floor levels can be carried out after Gateway approval. It is acknowledged that this is a complex issue and very related to remediation processes. Studies however are demonstrating that it is manageable and possible.	✓
Will the LEP be compatible or complementary with surrounding land uses?	The proposal is only moderately compatible with the adjoining site which is located between this site and Camellia Station. The presence of heavy industry is a disadvantage but also not uncommon in large cities. However there are nearby lands which are compatible such as the UWS land, the AJC major recreational facilities and proposed cycle links to CBD along with the future river reserve. This area may possibly be redeveloped in the future as homes are established near the riverfront. The nature of the adjoining employment lands shows that mixed use development is generally compatible. The lands to the east are separated by a train line as well which is generally considered a reasonable buffer. Appropriate studies around human health, safety, noise, odour and vibration will follow the Gateway determination.	N
What is the impact on amenity in the location and wider community?	Visually and environmentally it is considered that the impact will be positive and it will allow for the activation of access points for pedestrians and the foreshore redevelopment. New open space areas will be provided. There is no doubt that tall residential buildings will be visually prominent and this will affect the character of the overall region. It is considered however that this scale of development represents the future of centralized housing in Sydney. It is understood that the finer detail of building forms, height and density will be subject to approval by	✓

Will the public domain improve?	Council and DPI. Yes. The foreshore will be rehabilitated and redeemed for public enjoyment. Attractive promenades and buildings will dominate a former waste-land.	✓
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The proposal will increase choice and provide for appropriate neighbourhood and fine-grain retail uses as well as some opportunity for appropriate commercial uses. It will open up cafés and restaurants along the foreshore reserve and within the proposed street system.	✓
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	This proposal is within a Regional City catchment. While not a centre in its own right, it has the ability to create momentum for the revitalization and development of Camellia which is a vision of Council.	✓
What are the public interest reasons for preparing the draft plan?	The public interest for preparing the draft plan will be a number of economic and social benefits including: ▪ An enhanced mixed use development near Camellia Railway Station that promotes a highly sustainable urban form that provides people of all ages and incomes with improved access to transportation and housing choices; ▪ The development of the site allows for the site to be appropriately remediated ▪ The development allows for restoration of riparian zones and land returned to the community as foreshore recreational lands; ▪ Improving demand for public transport resulting in increased patronage and services; ▪ The development when combined with new adjoining proposals toward the Parramatta CBD along the river will create new pedestrian and cycle links along the foreshore to the CBD. This is a big benefit for council when combined with the bridge linking the UWS.	✓
What are the implications of not proceeding at this time?	The implications of not proceeding with this Planning Proposal are that the site may not be remediated and will continue to pose a health threat and not allow for the riverfront lands to be rehabilitated. This proposal is also significantly large that it may also assist in the State fast tracking infrastructure plans for the area as well. Stagnation of this Proposal could compromise infrastructure timing. This opportunity would be lost if the site is not progressed at this time.	✓

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)?

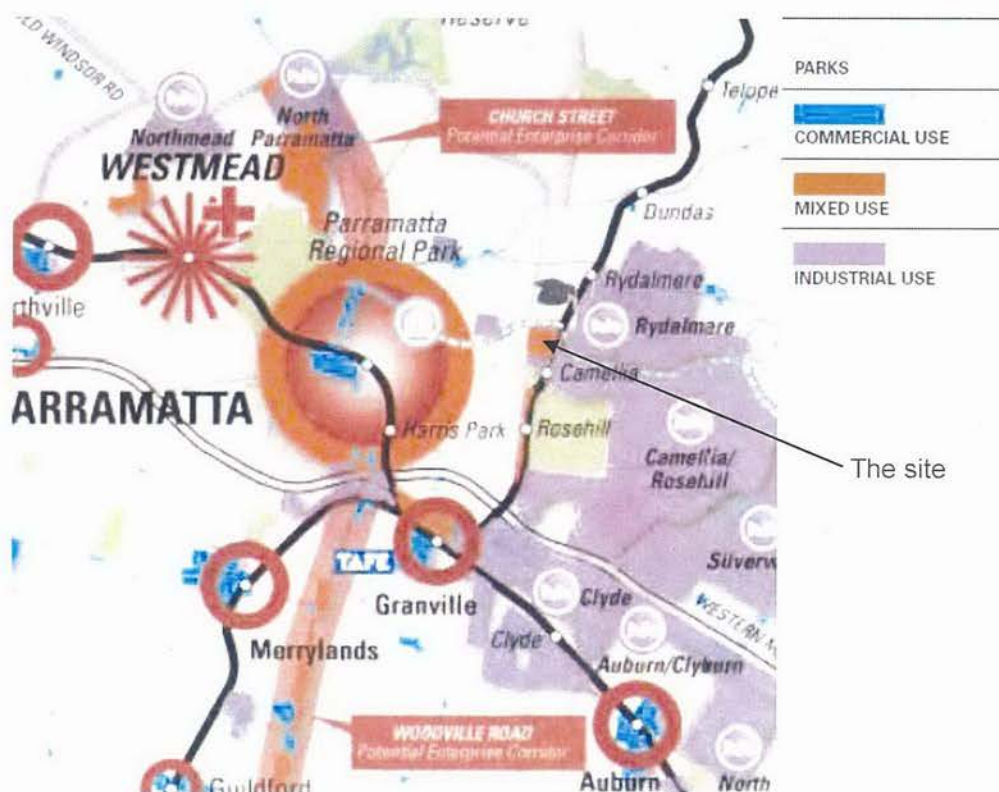
4.1 Sydney Metropolitan Strategy 2036 and draft West Central Subregion:

The inclusion of high density housing mixed with retail and commercial uses supports the objectives and actions of the Draft West Central Sub-regional Strategy and Metropolitan Strategy for Sydney 2036. This range of uses supports nearby industrial precincts and the University of Western Sydney by providing residential accommodation within and easy walking distance.

Increasing the resident population within walking distance of the Camellia Railway Station on subject site (as well as the 2-12 River Road site – recently rezoned) supports the State Governments objective of planning for new urban centres that positively contribute to urban renewal.

The site is vacant and is not currently identified as strategic employment land. It is quite rare to have an individual land holding specifically referenced in the Metropolitan Strategy, however the subject site is identified as “MIXED USE” on the maps in the Draft West Central Sub-regional Strategy – Economy and Employment (p27). Refer to the map below:

Figure 3: Existing Employment Areas – West Central Subregion



In terms of supporting the need for appropriate housing, the sub-regional strategy notes (p.85):

“housing stress is a significant problem in the subregion. For lower income households, the subregion experiences relatively high levels of housing stress which is an indicator of poor housing affordability.”

This Planning Proposal will assist in alleviating this pressure and generally accords with locating people near good public transport. Furthermore the proposed mixed use zone also allows for employment uses to remain on the site and indeed become viable.

A detailed examination of the Metropolitan Strategy and draft Subregion Strategy is provided in Table 2.

Table 2 – Relationship to Strategic Planning Framework

METROPOLITAN PLAN FOR SYDNEY 2036	
STRATEGIC DIRECTION A: STRENGTHENING THE ‘CITY OF CITIES’	COMMENT
OBJECTIVE A2 To achieve a compact, connected, multi-centred and increasingly networked city structure.	It is the clear intent of the Metropolitan Plan to establish each centre with appropriate development to stimulate appropriately located housing and employment uses to reduce travel times around the city. This proposal accords with this vision and will allow more people to live in attractive, well located suburbs which currently comprise land of marginal viability for its current zone. It is also a key objective of the NSW Government to locate more people closer to transport nodes.
OBJECTIVE A3 To contain the urban footprint and achieve a balance between greenfields growth and renewal in existing areas	Proposal will provide for additional housing within Sydney’s second major centre and will not contribute to the ongoing growth of the urban footprint.
STRATEGIC DIRECTION B: GROWING AND RENEWING CENTRES	COMMENT
OBJECTIVE B1 To focus activity in accessible centres.	Achieved. The site is within the Parramatta catchment while being close to Camellia Railway Station.
Action B1.1 Plan for centres to grow over time	Achieved.
Action B1.3 Aim to locate 80% of all new housing within the walking catchments of existing and planned centres of all sizes with good public transport.	Achieved.
OBJECTIVE B3 To plan for new centres and instigate a program for high quality urban renewal in existing centres serviced by public transport.	This is not a new centre but a significant city within greater Sydney which is well served by public transport.
Action B3.2 Plan for urban renewal in identified centres	Urban renewal is highly appropriate and desirable on this site given it will also allow for its remediation. The inclusion of residential uses mixed with commercial uses can contribute to the renewal of the Camellia/ Rose Hill Precinct.

	The site has good access to regional open space being within 3km of the Parramatta Regional Parklands. Rosehill Public School is located with 1km of the site. The University of Western Sydney Rydalmere campus is located within easy walking distance on the northern side of the river. The site is large at more than 6 hectares in area. While it is outside of the walkable catchment of the Parramatta CBD it is within the walkable catchment of Camellia Station which has a vision to be redeveloped over coming decades. This site will also promote high quality, sustainable residential development, provide high quality new employment generating floor space and allow for the restoration and dedication of the foreshore area.
STRATEGIC DIRECTION D: HOUSING SYDNEY'S POPULATION	COMMENT
OBJECTIVE D1 To ensure an adequate supply of land and sites for residential development Action D1.1 Locate at least 70 per cent of new housing within existing urban areas and up to 30 per cent of new housing in new release areas Action D1.2 Reflect new subregional housing targets in Subregional Strategies and Local Environmental Plans, and monitor their achievement.	Planning Proposal will allow for the redevelopment of a site for increased residential development. This Planning Proposal seeks to locate new housing within Sydney's existing urban centre. The state Plan sets a target to increase the proportion of people living within 30 minutes by public transport of a strategic centre, as part of Priority E5 'Jobs closer to home'. The central west sub-region aims to ensure that at least 80 per cent of new dwellings are located within 30 minutes by public transport of a strategic centre. This Planning Proposal achieves this objective.
OBJECTIVE D2 To produce housing that suits our expected future needs. OBJECTIVE D3 To improve housing affordability Action D3.1 Explore incentives to deliver moderately priced rental and purchase housing across all subregions.	Planning Proposal will provide for additional dwelling units to meet the expected future needs of the broader Sydney community. It is increasingly evident that significant demand exists in the future for smaller housing types. Vertical accommodation is also essential to meeting housing targets in the most sustainable fashion. Increasing the supply of housing that is in high demand will directly contribute to improved affordability, particularly as the world's population and Australia's population are now growing so quickly. This process will also flow through to rental affordability as well which has strong ties to capital value. Great diversity brings greater choice allowing young residents or first home buys to access small housing types near to transport. This is a strong social benefit.
OBJECTIVE D4 To improve the quality of new housing development and urban renewal	This new housing will provide for views over the river and back to the CBD and also have strong connections to the riverfront.

	Council's initiatives in terms of Design Excellence will also ensure a high quality built outcome on this site.
STRATEGIC DIRECTION E: GROWING SYDNEY'S ECONOMY	COMMENT
OBJECTIVE E1 To ensure adequate land supply for economic activity, investment and jobs in the right location.	"Sydney will require 760,000 additional jobs to support the anticipated population growth by 2036. This plan aims for half of these jobs to be in Western Sydney, to match expected population growth. The Department of Planning estimates Sydney may need: • 10,000,000 m² additional commercial floor space • 5,000,000 m² of additional retail floor space, and • 8,500 hectares of employment lands" This proposal will deliver a positive outcome in respect of new floor space. Camellia is centrally located, has been earmarked for growth and gentrification and is already serviced with good transport infrastructure. It will reduce journey to work times for local residents. The Metropolitan Plan is also targeting a 27% growth in employment up to 2036. Given no industrial or commercial development of this site is viable due to contamination, this proposal supports this objective in that it will create new employment opportunities immediately below significant new housing.
OBJECTIVE E2 To focus Sydney's economic growth and renewal, employment and education in centres. Action E2.2 Ensure an adequate supply of retail, office space and business parks. Action E2.6 Promote development of education, research and development (R&D) clusters around TAFEs universities and health infrastructure in accessible centres to promote skills development, capacity for innovation and lifelong community learning.	The focus of this outcome is towards Strategic centres and town centres on the public transport network. Parramatta is targeted for 70,000 new jobs up to 2036. This proposal supports this objective. Providing appropriate employment land with large and medium sized commercial floor plates will also achieve this Action, particularly given the site's access to University of Western Sydney. No change is proposed to the <i>permissibility</i> of retail and commercial uses including shops. It must be understood however that without significant development potential on the site, this land will not be viable to remediate. Industrial or commercial uses alone do not come close to ensuring the feasibility for remediation. It is envisaged that a mixed use development of the site will accommodated approximately 25,000 - 30,000m² of employment generating uses.
OBJECTIVE E3 To provide employment lands to support the economy's freight and industry needs. Action E3.2 Identify and retain strategically important employment lands	The site is vacant and is not identified as strategically important employment land in the Metropolitan Strategy for Sydney 2036. The draft West Central Subregion Strategy identifies the site as a future "mixed use" site.

OBJECTIVE E4 To provide for a broad range of local employment types in dispersed locations. Action E4.1 Ensure all new LEPs provide for a broad range of local employment types	This action expressly includes local centres and this Planning Proposal helps achieve this outcome by supporting local employment opportunities.
OBJECTIVE E5 To increase and diversify the jobs and skills base of Western Sydney Action E5.2 Explore options to increase the diversity and accessibility of higher education options in Western Sydney	<i>New job targets aim for 1,105,000 jobs in Western Sydney by 2036, representing half Sydney's total job growth and increasing Western Sydney's share to 39 per cent.</i> <i>West Central has the second highest ratio of jobs per resident (1.2 jobs per working resident), but its moderate employment self-containment level suggests Strategic Centres such as Parramatta and Westmead and the significant number of major employment land precincts provide jobs for residents in adjoining subregions, with substantial numbers of local residents commuting elsewhere.</i> This Planning Proposal not only assists in release new employment-generating floor area but also provides the opportunity for people to live nearby instead of commuting. <i>The NSW Government will explore options to expand access to university campus facilities in Western Sydney, preferably in an existing Strategic Centre like Parramatta, Blacktown or Liverpool. The Government will work with the universities and local councils to identify suitable locations.</i> This Planning Proposal provides housing adjacent to a nominated university. <i>More than \$1 billion has been invested improving transport to and from Parramatta in the last decade. To support more sustainable transport, the NSW Government is working closely with Parramatta City Council to prepare the Parramatta Regional City Transport Strategy. A primary objective is to stimulate economic growth through investment in the regional transport network, such as the Parramatta to Epping Rail Link.</i> The Planning Proposal will increase jobs and housing within this catchment area.
DRAFT WEST CENTRAL SUBREGION STRATEGY	
CENTRES AND CORRIDORS	COMMENT
OBJECTIVE B2 Increase densities in centres whilst improving liveability Action B2.1 Plan for housing in centres consistent with their employment role	The draft strategy notes the following: <i>"To ensure that the people living in the West Central Subregion have better access to services, public transport and employment opportunities, planning for provision of higher density housing within existing centres should be given priority."</i>

	This Planning Proposal assists in achieving this objective. It does this by creating affordable opportunities for people to locate near transport services and the facilities within proximity to the Parramatta CBD and adjacent to Rail transport.
OBJECTIVE B4 Concentrate activities near public transport Action B4.1 Concentrate retail activity in centres business development zones and Enterprise corridors. Action B4.2 Support centres with transport infrastructure and services.	The planning proposal assists in achieving this objective. Trains and buses are all within 400m of this site. It is also possible that ferry services could be established in the future. No change is proposed to the permissibility of retail uses. Indeed employment generating lands will be 'unlocked' by this Planning Proposal. Achieved.
OBJECTIVE B6 Focus development in renewal corridors to maximise infrastructure use where demand and opportunities exist Action B6.2 Identify future renewal corridors	The redevelopment of the site for a mix of uses including high density residential follows recent renewal of former heavy industrial sites along the Parramatta River Corridor from Gladesville Bridge west to central Parramatta. Significant renewal projects are currently underway with others in the planning phase. Camellia exists as a possible renewal area in its own right.
HOUSING	COMMENT
OBJECTIVE C1 Ensure adequate supply of land and sites for residential development Action C2.1 Focus residential development around Centres, Town Centres, Villages and Neighbourhood Centres	The draft Subregion Strategy notes: <i>"Across the metropolitan region a target of 60–70 per cent of new housing will be accommodated in existing urban areas, focused around centres and corridors. This will take advantage of existing services such as shops and public transport and reduce development pressures in other parts of Sydney. The housing target of 95,500 between 2004 and 2031 will be accommodated within existing urban areas. This is a strategic target will be reviewed on a five yearly basis and will be informed annually through the Metropolitan development Program (MDP)."</i> C1.3.1 allocates Parramatta LGA 21,000 new target dwellings. This Planning Proposal would make a significant stride towards achieving this. The site is large in scale and can accommodate a mix of retail, commercial and residential development. Camellia is well suited to development of a mixed use urban centre, particularly lands on the western side of the railway line. The inclusion of residential flat buildings supports consolidation of housing in a well serviced existing urban area.
OBJECTIVE C2 Plan for a housing mix near jobs, transport and services Action C2.1 Focus residential development around centres, town centres, villages and neighbourhood	The Planning Proposal is also well accessed to transport, services and employment lands. <i>"The state Plan sets a target to increase the proportion of people living within 30 minutes by</i>

centres. C2.1.1 West Central councils to ensure location of new dwellings maintains the subregion's performance against the target for State Plan Priority E5 C2.1.2 Councils to provide in their LEPs, zoned capacity for a significant majority of new dwellings to be located in strategic and local centres. Action C2.3 Provide a mix of housing. C2.3.2 Local Councils to provide for an appropriate range of residential zonings to cater for changing housing needs.	<i>public transport of a strategic centre, as part of Priority E5 'Jobs closer to home'. To maintain the inner north sub-region's performance on this state Plan target, West Central councils should ensure that at least 80 per cent of new dwellings are located within 30 minutes by public transport of a strategic centre."</i> This Planning Proposal helps achieve these actions. The proposed residential use in a mixed use configuration will include mix of apartment types improving housing choice.
OBJECTIVE C3 Renew local centres	Camellia has historically been an industrial centre and its renewal to residential and clean employment generating lands is highly possible.
OBJECTIVE C4 Improve housing affordability Action C2.3 Improve the affordability of housing	The strategy notes: <i>"housing stress is considered a significant problem for the west central subregion. This is an indicator of poor housing affordability. The Strategy encourages a greater mix of housing types, especially in centres with good public transport, to accommodate changing demands of existing residents and to support the workforce."</i> Residential units such as those proposed in this Planning Proposal will assist in providing affordability in a lively Regional City which has excellent public transport connections by rail and bus. The best way to deal with affordability is to continue to meet adequate supply.
OBJECTIVE C5 Improve the quality of new development and urban renewal Action C5.1 Improve the design of new development and urban renewal	SEPP 65 and local design panels help in this regard. Parramatta's new provisions for Design Excellence will also ensure this outcome and will be incorporated into this Planning Proposal.
OTHER	In terms of Environment and Heritage the following is recommended: <i>"As the second oldest European settlement in Australia, Parramatta contains significant historical artefacts and archaeological sites. The Strategy also states that when preparing Principal LEP's Council should incorporate measures that will protect identified Aboriginal cultural heritage values and provide for ongoing participation of Aboriginal communities in the decision-making process."</i> A Heritage Study has been undertaken for the site and concludes: <i>"This assessment finds that there is no significant heritage value attached to the proposed development site itself beyond those already</i>

	identified and that the likelihood of any significant sub grade archaeology is minimal. The assessment also finds that the proposed use of the site in this application is compatible with the nearby heritage items associated with the site and would not unreasonably impact on the visual amenity or significant views associated with the items." In relation to parks and open space the Strategy notes: "...that the provision of new open space should be considered as part of large scale infill developments. Local Councils should plan for the acquisition of lands for local open space as part of developer contributions. Urban civic spaces and pedestrianised areas should be considered in the planning for future growth of Strategic Centres and smaller local centres." This Planning Proposal will allow for the creation of foreshore reserve areas and new parks that adjoin these reserves. Provisions for this could occur via Section 94 contributions or more-likely via a VPA.
ECONOMY & EMPLOYMENT	COMMENT
CATEGORY 2 Land with potential to allow for a wider range of employment uses (p30)	The second categorisation of Employment Lands is those which may have potential to accommodate a wider range of employment uses or more intensive scale of employment activity than currently permitted under an existing industrial zone. Such areas are likely to be in areas well serviced by public transport and where industrial activities are not functioning well due to surrounding land uses or site constraints. This objective is perfectly tailored to the subject site which is why it is earmarked at a "mixed use" site on p27 of the Draft Subregion Strategy. Notwithstanding, Camellia/ Rosehill is noted as part of the "employment lands in west central" and the noted heavy industry is encouraged to remain. This must be held in context with the recommendation for this specific site on p27 as a 'mixed use' site.

4.2 NSW 2021: Plan to make NSW number 1

The NSW 2021 Plan essentially complements the Metropolitan Strategy. It is a ten year plan built around five broad strategies: (1) rebuild the economy, (2) return quality services, (3) renovate infrastructure, (4) restore government accountability and (5) strengthen local environments and communities. The Plan seeks to secure +100,000 new jobs in the State by 2021 of which +60,000 will be provided in non-Regional localities. It also targets the provision of at least +25,000 new homes per annum in Sydney to 2021. This specific target is listed in Goal No. 5 which aims to improve affordability. With 2.25M new residents expected in NSW to 2036 it is expected that 75% of these will live in Sydney. This will

continue to put an upward pressure on housing prices and rent unless supply is increased to meet demand.

Goal No's 8 and 9 also seek to make public transport an attractive and viable alternative for residents. While the Plan focuses on service quality, this will also make housing near railway stations a more attractive option for residents.

Goal 20 of the NSW 2021 Plan seeks to 'Build Liveable Centres'. A priority action is:

Work closely with local councils and communities to deliver local land use controls that identify land use zonings and appropriate development outcomes to support the delivery of housing and employment targets in the metropolitan and regional strategies

This Planning Proposal supports this initiative.

4.3 Draft Metropolitan Strategy for Sydney

Metropolitan priorities:

- *support highly diverse and competitive employment growth opportunities by renewing and growing Parramatta CBD (and its surrounds) and providing higher order services and job opportunities for greater Western Sydney's growing population.*
- *connect and invest in the subregion's network of major employment hubs.*
- *extend the Global Economic Corridor to connect with Parramatta CBD and Castle Hill and Norwest.*
- *strengthen Sydney Olympic Park's connection to Parramatta and Global Sydney through the redevelopment of the Parramatta Road Corridor.*
- *strengthen connections between Major Centres at Blacktown and Castle Hill to Parramatta CBD.*
- *support cross-regional connections especially between Macquarie Park and Parramatta.*
- *protect State-significant heritage sites and values and leverage advantages from the subregion's vibrant culture and broad ethnic diversity.*
- *strengthen cultural and recreation assets including the Parramatta River and its foreshores, Parramatta Park, Bicentennial Park and colonial heritage around Parramatta.*

The Parramatta CBD features significantly in several of the key priorities for the west central region (listed above).

Specifically for Parramatta the draft strategy notes:

- *plan for improved transport connections to its wider catchment in line with the Long Term Transport Master Plan*
- *provide capacity for at least 21,000 more jobs to 2031.*

This Planning Proposal will support this initiative and the metropolitan priorities listed above.

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

5.1 Parramatta 2038 Community Strategic Plan

The proposal will assist in the attainment of many of the objectives in the Parramatta 2038 Community Strategic Plan. The Plan itself seeks to implement some big vision into 2038 which will be its centenary as a City. This vision has large aims involving the establishment of riverfront parklands and entertainment precincts, light rail systems and strong employment centres.

It is strongly contended that for this vision to be achieved centres must be allowed to develop with people living in them which in turn will foster a strong diversity and sense of community. From this foundation the vision can be met. A city that has no life or residential presence after dark struggles to thrive and also can become very unsafe. Furthermore, the vision for new transport system also requires significant users. Density within and near the major centres is crucial to delivering this vision sustainably.

Page 9 of the Strategy answers the question: "What might change?"

Areas around the CBD, Westmead, Rydalmere and Camellia will change the most. When plans for improving the city with better parklands, light rail, river pathways, and better motorway connections (M4, M2 and WestConnex) are realised, more housing and more jobs will be created in a sustainable way that minimizes impacts on existing and future residents. Growth is likely along light rail corridors, around rail stations and on bus priority routes.

This proposal starts to provide the appropriate zoning for appropriate sites in appropriate locations to help achieve this vision. This site is within an easy walking distance to railway station and to the riverfront reserve areas. This is where people should be living within Parramatta CBD.

One of the noted indicators of success for Urban Vitality is "increase in people counts (CBD locations)". A strong residential population within the CBD will greatly assist with creating strong vitality within the town centre which is required to stimulate the new business which is desired for the area.

The Strategy also notes the need to consolidate a good ferry service to Parramatta. This Proposal is well located to these services.

Parramatta currently provides a significant proportion of higher density housing and this is identified as needing to continue to meet appropriate housing supply:

Housing supply and choice shape an area's socio-demographic make-up, quality of life, rate of growth, level of investment, cost of housing and service needs. Housing costs can exclude service workers from choosing jobs in areas that they can't afford to live near. Parramatta must meet this demand, and provide housing choice so executives and senior managers can also live close to work.

5.2 Parramatta Residential Development Strategy

181 James Ruse Drive is not identified as an opportunity for increased residential development under Council's Residential Development Strategy (RDS) 2006, prepared as part of the strategic investigation for Council's comprehensive LEP. However, the permissibility of residential uses combined with retail uses is not inconsistent with the objectives of the RDS to provide opportunities for residential development areas that are

well serviced by existing infrastructure, public transport and in proximity to retail and commercial facilities and employment centres.

5.3 Parramatta Economic Development Strategy

Proposed development aligns with the Parramatta Economic Development Strategy 2011-2016 in the following ways:

- *...to locate a critical mass of jobs close to the homes of people*
A variety of employment opportunities will be provided through the more than 15,000m² of retail space and 15,000m² of commercial space with residential dwellings above.
- *A1. Establishing competitive identity*
Reinforce the premier business city identity by bringing together Parramatta CBD with River foreshore, UWS, Westmead and Camellia by delivering a high-quality, centralised mixed-use development.
- *B4. Helping build sectoral specialisations in 4 primary employment precincts*
Proposed development initiates the redevelopment of the Camellia heavy industrial peninsula into a mixed-use commercial precinct.
- *B5. Attracting new firms to Parramatta*
Proposed mixed-use development provides a variety of commercial space to attract new businesses and firms to Parramatta.
- *B6. Building the capacity for innovation*
Proposed mixed-use development's proximity to UWS provides a complementary land uses.
- *D. Developing land and property assets to promote and accommodate jobs growth and house the workforce of the future. D12. Activating the CBD property market*
Proposed development a natural extension of the inner-ring supporting neighbourhood that will be a vibrant high functioning community where the city's future workforce can live.
- *D13. Renewing three specialist employment precincts*
Proposed development initiates the redevelopment of the Camellia.
- *E15. Improving safety*
Enhancing surveillance of retail and commercial precincts and foreshore open space areas through people living on the site.
- *E16 Activating lanes, retail precincts and riverbank*
Improved foreshore access and safety

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

The Planning Proposal has been considered in relation to the following applicable State Environmental Planning Policies (SEPPs). It is not considered that the planning proposal contains any provisions that fail to accord with the application of those SEPPs:

State Environmental Planning Policies		Applies	Consistent
1	Development Standards	Yes	✓
4	Development Without Consent & Miscellaneous Development	Yes	✓
6	Number of Storeys in a Building	Yes	✓
14	Coastal Wetlands		N/A
15	Rural Landsharing Communities		N/A
19	Bushland in Urban Areas		N/A
21	Caravan Parks		N/A
22	Shops & Commercial Premises	Yes	✓
26	Littoral Rainforests		N/A
29	Western Sydney Recreation Area		N/A
30	Intensive Agriculture		N/A
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	✓ see notes
33	Hazardous & Offensive Development		N/A
36	Manufactured Home Estates		N/A
39	Spit Island Bird Habitat		N/A
41	Casino Entertainment Complex		N/A
44	Koala Habitat Protection		N/A
47	Moore Park Showground		N/A
50	Canal Estate Development	Yes	✓
52	Farm Dams & Other Works Land/Water Management Plan Areas		N/A
55	Remediation of Land	Yes	✓ see notes
59	Central Western Sydney Regional Open Space and Residential		N/A
60	Exempt & Complying Development	Yes	✓
62	Sustainable Aquaculture	Yes	✓
64	Advertising & Signage	Yes	✓
65	Design Quality of Residential Flat Development	Yes	✓ see notes
70	Affordable Housing (Revised Schemes)	Yes	✓
71	Coastal Protection		N/A
	(Affordable Rental Housing) 2009	Yes	✓
	(Building Sustainability Index: BASIX) 2004	Yes	✓
	(Exempt & Complying Development Codes) 2008	Yes	✓
	(Housing for Seniors or People with a Disability) 2004	Yes	✓
	(Housing for Seniors or People with a Disability) 2004	Yes	✓
	(Infrastructure) 2007	Yes	✓
	(Kosciuszko National Park–Alpine Resorts) 2007		N/A
	(Kurnell Peninsula) 1989		N/A
	(Major Development) 2005		N/A
	(Mining, Petroleum Production & Extractive Industries) 2007		N/A
	(Penrith Lakes Scheme) 1989		N/A
	(Rural Lands) 2008		N/A
	(SEPP 53 Transitional Provisions) 2011		N/A
	(State & Regional Development) 2011	Yes	✓
	(Sydney Drinking Water Catchment) 2011		N/A
	(Sydney Region Growth Centres) 2006		N/A
	(Temporary Structures) 2007		N/A
	(Urban Renewal) 2010	Yes	✓
	(Western Sydney Employment Area) 2009		N/A
	(Western Sydney Parklands) 2009		N/A
	Greater Metropolitan REP No 2–Georges River		N/A

	Catchment		
	Sydney REP (Sydney Harbour Catchment)	Yes	✓ see notes
	Sydney REP No 18 - Transport Corridors	Yes	✓
	Draft SEPP (Competition)	Yes	✓ see notes

Table 3 – Assessment against relevant State Environmental Planning Policies

Specific comments in relation to the more relevant SEPPs are provided below:

6.1 SEPP 32 – Urban Consolidation:

The SEPP aims to promote the orderly and economic use and development of land by enabling urban land, which is no longer required for the purpose for which it is currently zoned or used, to be redeveloped for multi-unit housing and related development. This planning proposal, by proposing the permissibility of high density residential development in the form of residential flat buildings on the site, is consistent with this SEPP.

It is reasonably well established that the land is not a prime employment site and that an appropriate rezoning is required to facilitate the rehabilitation of the total site and foreshore land.

6.2 SEPP 55 – Remediation of Land

Clause 6 of the SEPP requires that contamination issues be considered in a rezoning proposal.

- (1) *In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:*
 - (a) *the planning authority has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
 - (c) *if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*
- (2) *Before including land in a particular zone, the planning authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.*

The site has a history of industrial use, most recently with the closure of the James Hardie Factory in the 1992/1993. The subject site is identified on the list of NSW contaminated sites notified to the Environment Protection Authority (EPA). It is also subject to a Public Positive Covenant (Notice AA746178PC dated 6 July 2004) under section 88E(3) of the *Conveyancing Act 1919* and section 29 of the *Contaminated Land Management Act 1997*.

Various environmental studies have been prepared for the site including Phase 1 and Phase 2 Site Assessments that describe the contaminated nature of the site and recommends a remediation action strategy.

The Proponent has committed to the voluntary remediation of the site. The Director General of the Department of Planning & Infrastructure issues DGRs 606 in February 2012 for the Site Soil Remediation Work.

An initial Remediation Action Plan (RAP) was prepared outlining the remediation works that are to be completed. A Supplementary Site Investigation (SSI) report was carried out by URS in February 2012 and then a new RAP dated September 2013 was prepared by URS which has

been the foundation of the remediation DA with Council and driven the overall design approach to this site.

URS came to the conclusion that the site is capable of being remediated:

"In consideration of NSW Site Remediation Policy, as presented in the Department of Environment and Conservation (DEC) Guidelines for the NSW Site Auditor Scheme (2nd Edition) 2006 (Section 4.3.2), and in consideration of the primary contaminant being asbestos containing materials, URS is of the opinion that that site is capable of being remediated following an on-site containment and capping strategy, subject to the effective implementation of the required geotechnical, structural and environmental controls with the necessary NSW EPA accredited Site Auditor approvals".

The RAP prepared by URS notes the following:

"The site is subject to a statutory site audit by a NSW EPA accredited Site Auditor under the Contaminated Land Management Act 1997 (CLM Act) and after successful completion of site remediation it is envisaged that the Site Auditor will issue a Site Audit Statement (SAS) concluding on the suitability of the land for its proposed use."

The preferred remedial approaches are:

- internment of fill that consists of asbestos, ash fill and clinker material within three, purpose-built, concrete containment cells that will be integrated with the proposed redevelopment infrastructure; and*
- bioremediation of hydrocarbon-impacted soils utilizing biopiling or landfarming technologies, after which the soils are to be beneficially reused onsite, or buried within the containment cells.*

If space is available in the containment cells, then other fill materials may also be contained. The total estimated volume of the fill materials onsite is 89,000m³.

There are two broad processes at play here however they are linked through legislation. The first is the orderly remediation of the site and the second is the process for rezoning the site. The Planning Authority must be satisfied that:

1. It has obtained a report *specifying the findings of a preliminary investigation of the land* in accordance with Clause 6(2) of SEPP 55.
2. *"the land will be so remediated before the land is used for that purpose"* in accordance with Clause 6(1)(c) of SEPP 55.

The Council is in receipt of several reports including an RAP and DA to remediate the land which meet the requirements of a *"preliminary investigation of land"* and so point (1) above is satisfied.

Appropriate conditions will be attached to any approval for remediation ensuring that works are completed before the land is used for the purposes contained within the proposed new zone.

As part of the initial review of documents, the NSW EPA noted in writing on 28 October 2013 the following:

"Based on the review of the RAP and SAS/SAR, the EPA provides 'in principle' support for the RAP. However, please note that no approval has been granted to disturb the site's surface; this approval will be subject to the outcome of the planning process."

The EPA's comments are considered to be consistent with the Director General's desires for Planning Proposals; that is to progress them to Gateway and continue with more detailed rigour when (or if) Gateway approves the project.

It is therefore suggested that the current reports along with the current development application (DA) to remediate the site are satisfactory at this stage to allow for submission to Gateway. Additional or updated reports can be prepared post-Gateway as the EPA provides more detailed comments on the RAP. Even the EPA at this stage have acknowledged in writing that any further comments on the RAP *"may potentially form conditions of approval as part of the planning consent and the Environment Operations Act 1997 environmental protection licence conditions."*

It is therefore considered that the requirements of SEPP 55 have been adequately met at this stage to allow for the submission of this Planning Proposal to Gateway for determination. Ongoing review of Contamination Reports is appropriate.

Please note that a Development Application is presently before Council for remediation of the site. Once the final structure plan is resolved, amendments to the remediation DA will be required in order to reposition the cells to match the above ground layout.

6.3 SEPP 65 - Design Quality of Residential Flat Development

Clause 28 of the SEPP requires that in preparing an environmental planning instrument that makes provision for residential flat development, a provision shall be included in the instrument or plan to ensure the achievement of design quality in accordance with the design quality principles and have regard to the publication NSW Residential Flat Design Code 2002.

It is noted that SEPP 65 will be required to be considered during the assessment of any future development on the site that includes three or more storey and 4 or more dwellings.

The key findings of the Urban Resign Report relating to this site indicate that SEPP 65 Principles and rules of thumb can be readily achieved at any future development stage. The separation distances and solar access principles have been considered in the conceptual design of building envelopes reflected in the Structure Plan for this site (Appendix 1). The indicative unit layouts and building separations have all been significantly analysed in relation to the overall issue of amenity and compliance.

6.4 Sydney REP (Sydney Harbour Catchment)

The Sydney REP (Sydney Harbour Catchment) applies to the waters and tributaries of Sydney Harbour. It includes zoning for land below mean high water mark, identifies strategic foreshore sites, heritage items and wetland protection areas. It also identifies land in the vicinity of waterways and matters which must be considered when preparing an EPI, DCP, environmental studies or Masterplans.

The objectives and principles outlined in Sections 2 and 13 seek to *"recognise, protect, enhance and maintain Sydney Harbour and its catchment... as a national public asset... for existing and future generations"*.

Relevant to this site, the planning principles for land within the Sydney Harbour Catchment are set out in Section 13 and are as follows:

- a) *development is to protect and, where practicable, improve the hydrological, ecological and geomorphological processes on which the health of the catchment depends,*
- b) *the natural assets of the catchment are to be maintained and, where feasible, restored for their scenic and cultural values and their biodiversity and geodiversity,*
- c) *decisions with respect to the development of land are to take account of the cumulative environmental impact of development within the catchment,*

The proposal meets these broad objectives and allows a polluted environment to be rehabilitated. It also has the potential to improve public access to, and enjoyment of, the waterway area.

Given its location on the water's edge the site is located within the "*Foreshores and Waterways Area*" as defined within the REP. It is also noted on Sheet 1 of the "*Wetlands Protection Areas*" Map.

Clause 62 and 63 of the REP apply to works in the Wetland Protection Area however may not be required for certain works such as some rehabilitation works and works considered "*minor*".

The planning principles for land within the Foreshores and Waterways Area are as follows:

- (a) *development should protect, maintain and enhance the natural assets and unique environmental qualities of Sydney Harbour and its islands and foreshores,*
- (b) *public access to and along the foreshore should be increased, maintained and improved, while minimising its impact on watercourses, wetlands, riparian lands and remnant vegetation,*
- (c) *access to and from the waterways should be increased, maintained and improved for public recreational purposes (such as swimming, fishing and boating), while minimising its impact on watercourses, wetlands, riparian lands and remnant vegetation,*
- (d) *development along the foreshore and waterways should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands and foreshores,*
- (e) *adequate provision should be made for the retention of foreshore land to meet existing and future demand for working harbour uses,*
- (f) *public access along foreshore land should be provided on land used for industrial or commercial maritime purposes where such access does not interfere with the use of the land for those purposes,*
- (g) *the use of foreshore land adjacent to land used for industrial or commercial maritime purposes should be compatible with those purposes,*
- (h) *water-based public transport (such as ferries) should be encouraged to link with land-based public transport (such as buses and trains) at appropriate public spaces along the waterfront,*
- (i) *the provision and use of public boating facilities along the waterfront should be encouraged.*

It is contended that the proposed rehabilitation of the foreshore and its dedication for public use supports these broad principles.

The provisions of the REP are quite rigorous in requiring the assessment of numerous issues which all aim to control waterways and ensure their appropriate protection and management. Advice must also be obtained from the *Foreshores and Waterways Planning and Development Advisory Committee* for any required approvals or works on the waterway land, as per Clause 29.

The water's edge is also of heritage significance and recognized by Clause 16 of the REP. This will also require appropriate consideration at the DA stage for any future development. Future development must also be appropriate to biodiversity, environmental protection and ecology as set out in Clause 21.

The provisions of this REP will continue to be relevant through any future DA process applying to the site. There is nothing within this REP which is considered to preclude this Planning Proposal from being forwarded to Gateway, however the provisions of the REP will be very relevant through the DA process.

6.5 SEPP (Infrastructure) 2007

This SEPP will have relevance particularly at the DA stage of any development due to its proximity to a rail corridor, immediate to the east of the site. Clause 86 of the SEPP particularly states:

- (1) *This clause applies to development (other than development to which clause 88 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land:*
 - (a) *within or above a rail corridor, or*
 - (b) *within 25m (measured horizontally) of a rail corridor, or*
 - (c) *within 25m (measured horizontally) of the ground directly above an underground rail corridor.*

With a concurrence role activated under the above conditions, the SEPP provides:

- (4) *In deciding whether to provide concurrence, the chief executive officer must take into account:*
 - (a) *the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:*
 - (i) *the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and*
 - (ii) *the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and*
 - (b) *what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects.*

The SEPP has specific relevance for multi-unit housing and also flood mitigation works, parks and public reserves, storm-water management systems and waterway or foreshore management activities.

Clause 87 in the SEPP ensures that noise sensitive development proposed in or adjacent to a rail corridor is not adversely affected by rail noise or vibration. Such development includes residential buildings. Before determining noise sensitive development that is likely to be affected by rail noise or vibration, consent authorities must take into account any relevant guide lines that are issued by the Director-General. Where the development is for residential use and is located in or adjacent to a rail corridor, a consent authority must not grant consent unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- *in any bedroom in the building – 35dB(A) at any time between 10.00 p.m. and 7.00 a.m.*
- *anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.*

Clause 104 of the Infrastructure SEPP 2007 (formerly SEPP 11) outlines the planning requirements for traffic generating development listed in Schedule 3 of the SEPP. This development will be captured by this clause and will also require assessment at the DA stage.

Structural engineering and acoustic engineering advice as well as other specialized reports will be required at the DA stage however it is considered that the requirements of the SEPP can be met at this stage. Details as required can be provided after Gateway determination.

6.6 Draft SEPP (Competition):

The draft SEPP proposes that:

- the commercial viability of a proposed development may not be taken into consideration by a consent authority, usually the local council, when determining development applications;

- the likely impact of a proposed development on the commercial viability of other individual businesses may also not be considered; except
 - if the proposed development is likely to have an overall adverse impact on the extent and adequacy of local community services and facilities, taking into account those to be provided by the proposed development itself; and
 - any restrictions in local planning instruments on the number of a particular type of retail store in an area, or the distance between stores of the same type, will have no effect.

The retail space shown in this Planning Proposal is significant however so are the number of residential dwellings proposed. The Hill PDA Economic Impact Assessment does indicate that much of the demand for this retail space will be met by residents on the site. It is not considered that this retail space will have an adverse impact on local community services and facilities. Indeed the residential density will assist in stimulating demand and therefore competition.

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

Table 4 – Assessment against Ministerial Directions

Relevant Direction	Response
1.1 Business and Industrial Zones	<i>The objectives of this direction are:</i> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. <i>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</i> <i>This Direction aims to preserve such lands, however a planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</i> (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, - or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance. This Direction directly applies to this site. In compliance with this Direction, attention is drawn to the site's nomination as a "mixed use" site within the Draft West Central Subregion Strategy prepared by the Department of Planning (justified by point (c) above). Furthermore given the contamination on site it is contended that the overall site is now of "minor significance" as an employment generating site (justified by point (d) above). An Economic Impact Assessment dated 2012 has been prepared for this site by Hill PDA. The findings are summarized as follows: • New retail floor area will promote competition which is positive; • Retail hierarchy shows aggregation of uses and centres emerging elsewhere; • This development has the potential to capture significant trade;

	- Population growth on the site alone would stimulate retail demand and increase expenditure. This would support demand for an estimated 40,873sqm of additional retail floor space over and above existing provision by 2031. - Demand from the 13,700 students at the University would stimulate growth; - New and existing residents in the PTA alone would generate sufficient demand to support some 3,871sqm of supermarket floor space by 2031. - The proposed retail floor space can be justified based on floor space undersupply and growth in demand for retail floor space in the defined trade areas. As such, it would not be dependent upon diverting significant trade area away from existing centres. - A range of economic benefits would be associated with the proposed development, over and above meeting identified retail need without jeopardising the vitality or viability of any existing centre. These include: - Supporting an estimated \$645m in direct capital investment value and supporting an estimated \$1.2bn indirect multipliers; - Supporting an estimated 10,604 job years directly and indirectly through the construction process; - Supporting 889 permanent full-time equivalent jobs post-development; - Providing a stimulus for investment; - Supporting shopper convenience and local access to retail provision. In doing so support the principles of sustainable development; and - Promoting price competition to the benefit of local residents, workers and students. To this end this Planning Proposal has considered the objectives of this Direction and contends that this site, due to its significant contamination constraints is of minor significance within Sydney's context and has been earmarked for a new zone by the Department of Planning (draft West Central Subregion Strategy). The site is not viable to remediate under current zoning controls and so has limited capacity to generate any future employment. It should also be noted that currently-projected floor space mix for employment-generating uses has altered somewhat from the Hill PDA report. In summary it is likely to reduce to about 25,000m2 and have a greater proportion of fine-grain retail than commercial. This has resulted from the desire to have higher levels of pedestrian permeability and reduced podium sizes. It is considered that a review of the Hill PDA report can be lodged post Gateway determination.
2.1 Environment Protection Zones	This Direction provides that: (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands". The Sydney REP (Sydney Harbour Catchment) provides similar controls and it is considered the proposal will meet these controls. The Proposal will increase the capacity to manage this site environmentally and also facilitate its long-term rehabilitation and remediation. It is proposed that a riparian zone and larger park be dedicated to Council which will also protect these lands and provide consistency of management.
2.3 Heritage Conservation	The objective of this direction is: (1) to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. A planning proposal must contain provisions that facilitate the conservation of:

	(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. A heritage study was prepared for this site. The subject site is not identified as an item of heritage significance although the foreshore wetland vegetation is an item of local environmental heritage. These are shown to be a heritage item in the LEP 2011 maps and Clause 5.10 applies. Works within the foreshore wetlands are proposed in the remediation action plan. The restoration of these mangroves is outlined in the Mangrove Plan as part of the designated DA for the site's remediation (with Council). The concept master plan for the site seeks to comply with the Office of Water guidelines in respect of setbacks to riparian zones which provide for a minimum of 20m and an average of 40m. The site lies to the east of an Area of National Significance identified under Parramatta DCP 2011, being Harris Park. A heritage study has been prepared by Godden Mackay Logan identifies a number of historic view corridors from within the Harris Park Conservation Area that traverse the subject site. The height of buildings and their location on the site also has the potential to impact upon historic view corridors and panoramas to and from Elizabeth Farm identified under Parramatta DCP 2011. In conclusion, the heritage view assessment states that: <i>"This report has identified the views from Elizabeth Farm and from James Ruse Drive which should be retained. The proposed mixed use development at 181 James Ruse Drive will have no adverse impact on these identified views and on the heritage items in the vicinity of the site. The preliminary design of the development responds sympathetically to its surroundings and to the river front by seeking to minimise the massing of the development through the use of point towers and maximise the permeability through the site".</i> Heritage and view corridors will remain an appropriate issue throughout the Planning Proposal and any ensuing DA process. The current LEP provisions at Parramatta are satisfactory to manage this issue. No addition heritage work is proposed until the DA stages.
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, (c) to minimise the impact of residential development on the environment and resource lands. It is somewhat unclear if this Direction applies given the land is not yet zoned to allow residential uses and proposed zoning is not a straight residential zone but a mixed use zone – notwithstanding it allows for residential uses. Council prepared a Residential Development Strategy (2006) as part of the strategic investigation for Council's comprehensive LEP. 181 James Ruse Drive was not examined under the RDS. The permissibility of residential flat buildings on the site associated with a mixed use development including retail and business premises would provide opportunities for the

	redevelopment of the site to support surrounding activities including UWS and nearby industrial precincts. This would assist in minimising travel times to and from work and making better use of infrastructure and services. It is considered that the proposed development will meet the objectives outlined above and certainly offer a mix of housing types in proximity to infrastructure and services.
3.4 Integrated Land use and Transport	(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. It is considered that the proposal achieves these objectives by virtue of access to existing transport infrastructure and nearby employment lands. Within the site, careful attention is being given to permeability and connection with waterfront lands which will also improve pedestrian connections. Energy, wastewater and water supply services will require upgrading to service future development of the site. These studies will be carried out after Gateway determination. Road infrastructure may also require upgrading near the site. This would be given detailed planning consideration at DA stage following a thorough traffic analysis. An expanded Traffic and Parking report will be appropriate after Gateway Determination and should include an analysis of all required intersection upgrades. This may also form part of any VPA if agreed.
4.1 Acid Sulphate Soils	Council's planning maps indicate that the site is affected by acid sulphate soils (ASS). It is noted as Category 4 on the LEP maps "Acid Sulphate Soils". Clause 6 of the Direction provides for the following: (6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulphate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulphate soils study assessing the appropriateness of the change of land use given the presence of acid sulphate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act. A Preliminary Assessment of ASS has been prepared for the remediation works, the subject of a separate approval process. Remediation works involve excavation of contaminated materials and disposal on site in containment cells. This work will almost certainly disturb affected ASS soils and therefore the RAP includes an ASS Management Plan. The Supplementary Site Investigation (SSI) prepared by URS notes: <i>The presence of ASS across the majority of the site in underlying natural soils has been confirmed. The revised RAP will address the requirements to manage ASS if natural soils are dewatered or exposed to the atmosphere through excavations, taking into consideration the SPOCAS test data presented in this SSI.</i> An additional ASS report will be ongoing which specifically addresses the "appropriateness of the change of land use, given the presence of ASS". This information will obviously be considered alongside the remediation and flooding issues being studied for the site.

	The planning proposal is considered to be capable of being consistent with this Direction on ASS once the further study is undertaken.
4.3 Flood Prone Land	(1) The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. (6) A planning proposal must not contain provisions that apply to the flood planning areas which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, Based on the findings of a flood enquiry application submitted to Parramatta City Council by Mott MacDonald it is understood that previous flood studies have shown the subject site to be flood affected from the Parramatta River. The site lies adjacent to the confluence of Parramatta River and Clay Cliff Creek and is subject to flood inundation in the 1 in 20 year flood event, the 1 in 100 year flood event and the probable maximum flood (PMF) event, with inundation of up to 4m across the site in extreme events. Parramatta City Council has indicated in the Local Floodplain Risk Management Policy that floodplain risk management shall be addressed by the use of the Planning Matrix provided within the policy. A Flood Management Plan has been prepared and addresses the matters required in Council's Planning Matrix being: • Floor Level • Building Components & Method • Structural Soundness • Flood Affection • Car Parking & Driveway Access • Evacuation • Management and Design In relation to all the modelling done to date, a detailed memo dated 3 Feb 2014 was prepared by Bewsher Consulting on behalf of Council in respect of this site. It raised some concerns in respect of: • Accuracy of incoming river flows needs to be tightened by including upstream flows from Clay Cliff Creek tributary; • The need to tighten accurate ground levels on the site; • Clarification of flood storage areas within Parramatta River; • Modelling of events above and below the 1:100 year event; • Further studies to prove that the site is appropriate for development and appropriately categorized as outside any "High Flood Risk Precinct" • A review of the flood affection assessment and Site Emergency Response Flood Plan; A further thorough examination will be required to determine whether the proposed works will represent a "<i>significant increase</i>" in development (likely) and whether the proposal will result in "<i>significant flood impacts to other properties</i>". The answers to these questions determine whether the provisions of Clause 9 of this Direction apply where the Planning Proposal must satisfy the Director General that it is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.

	These concerns summarized by the Bewsher memo should assist in the formation of a more detailed brief to assess the proposal in respect of flooding. Additional information has been requested by Council in line with the Bewsher report noted above and will be provided post-Gateway. Future development of the site will be required to comply with Clause 6.3 of Parramatta LEP 2011 relating to flood planning as well as other relevant legislation, guidelines and directions and recommendations of the Flood Risk Management Plan. The provisions of this Direction are well understood. At this stage it is considered that the proposal <i>can</i> comply with the Direction but understood that the burden of proof lies with the proponent to demonstrate this appropriately.
6.3 Site Specific provisions	The objective of the planning proposal will require the amendment of Parramatta Local Environmental Plan 2011 in order to allow the particular development proposal to proceed. It is suggested that this can be done via a planning proposal. There is one specific restrictive provision added to prohibit any development above the environmental cells which hold contaminated soil, other than for the purposes of roads, road infrastructure or landscape works.
7.1 Implementation of the Metropolitan Plan for Sydney 2036	It is considered that the planning proposal is shown to be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 and the Draft West Central Subregional Strategy. This has been well demonstrated within this overall submission in that it: • Proposes to rezone the land to a mixed use zone, as expressly stipulated in the Subregional Strategy for this particular site; • Proposes multi-unit residential housing within an existing urban area; • Adds residential uses to the mix of commercial and retail uses already permissible on the site; • Concentrates development within easy walking distance of Camellia railway station; • Contributes largely to the renewal of disused former industrial land; • Supports the viability of existing public transport infrastructure through the creation of additional demand for services; • Enables the remediation of the site The Metropolitan Plan for Sydney 2036 focuses on the integration of land use and transport planning and emphasises connections and networks within Sydney as a city of cities. The subject site is in a key location in a precinct that has been identified with opportunities for urban renewal. (Council has recently rezoned 2-12 River Road West, within the River Road West industrial precinct for a mixed use purposes). It represents an opportunity for renewal of a vacant and underutilised site to support strategic centres and locations including Parramatta CBD, the Camellia industrial precinct and the University of Western Sydney. This will address objectives of the Metropolitan Plan of strengthening Parramatta's position as Sydney's second CBD. The site has proximity to the existing rail corridor between Clyde and Carlingford which offers opportunities for longer term upgrades in public transport accessibility, such as the Parramatta to Epping rail link, which is also consistent with objectives of the Metropolitan Plan. The Planning Proposal is considered to be consistent with this direction.

Section C – Environmental, social and economic impact.

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

A Flora and Fauna Assessment has been prepared in conjunction with the Soil Remediation Works proposal. The site was found to be mostly composed of weeds and planted trees. There are a number of weedy trees as well as herbaceous weeds on the site. Most of the site has bitumen/cement coverage. The report identified the Grey Mangrove (*Avicennia marina*, *Avicenniaceae*) to be a dominant of the estuarine habitat along the Parramatta River frontage of the site. The assessment concluded that:

- None of the plants founds on site are threatened species under the NSW Threatened Species Conservation Act.
- No native plant communities remaining on or near the site except for the association of mangroves (*Avicennia marina*, *Avicenniaceae*) along the Parramatta River. This mangrove community is outside the site boundary.
- The site does not provide habitat for any endangered species of fauna. There are no endangered plant species present.
- As there are no threatened species on site and none are therefore likely to be affected by the development proposal a 7-part Tests of Significance are not required.

That report noted that part of the site is highly degraded and requires removal as a result of contamination with asbestos. The length of the infected area is approximately 300 metres. This will result in soil and vegetation being removed and replaced with clean fill and similar to the soil occurring elsewhere along the Parramatta River.

It is understood that the site is currently subject to a 30m foreshore building line as well as the provisions of Clause 6.5 of Parramatta LEP 2011. It is being requested that this FBL be removed from the site and the placement of buildings be controlled by the Riparian Zone setback as shown on the Structure Plan. The Office of Water (OOW) requires a minimum riparian zone setback of 20m and an average setback of 40m. In this case an average of approximately 48m is proposed and this provision along with the Planning Proposal will control setbacks to the waterway.

It is not intended to remove the provisions of Clause 6.5 of the PLEP 2011 as they promote the good management of the waterway and this is the overall intention of this Planning Proposal.

The remediation and revegetation of the foreshore land, resulting in the reinstatement of riparian ecological communities is the subject of a separate Site Soil Remediation Application currently before Council. Public access is to be provided along the foreshore with restrictions for access to the waterfront through the mangrove rehabilitation area.

In summary it is considered that the overall development will bring a net benefit in respect to site ecology, once rehabilitated.

It is considered that an additional comprehensive Flora and Fauna report should be prepared post Gateway determination. This would be sensible to examine in light of rehabilitation and landscape concepts for the site.

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

9.1 Land use compatibility:

The planning proposal seeks to rezone the site to B4 Mixed Use. The mixed employment nature of the nearby B5 Business Development Zone permits commercial and retail uses, as does the B4 zone. Residential units are where potential compatibility issues must be considered, particularly against nearby heavy industry.

The B4 Mixed Use zone objectives are as follows:

- *"To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To encourage development that contributes to an active, vibrant and sustainable neighbourhood".*

The proposed range of uses is consistent with the B4 Zone Objectives and is compatible with the local context. The inclusion of residential flat buildings are permitted in the B4 Zone will not result in the loss of employment related land uses.

Historical Note: The site was previously the subject of a Planning Proposal to incorporate shop top housing into the list of permissible uses under the B5 Business Development Zone. Council supported this Planning Proposal, which received a conditional Gateway Determination on 30 November 2011 (REF: PP_2011_PARRA_002_00). The Gateway Determination did not modify the FSR and Height development standards that applied to the site at that time and did note land-use conflicts to be addressed prior to exhibition.

After negotiations with Council, this Planning Proposal was withdrawn and the current Planning Proposal commissioned.

Key land use characteristics of the immediate area are:

- An industrial land use zone on the on the Camellia peninsula, including land adjacent to the site to the east and south. Uses in the vicinity of the site are transforming which is evident by vacant land, the imminent closure of the Shell Refinery and more recent development being warehousing/distribution.
- Uses to the west of James Ruse Drive are primarily bulky goods-style commercial, low to medium density residential, with some higher density residential, serviced apartments, hotel uses adjacent to the James Ruse Drive corridor. The future character of the River Road West precinct on the Parramatta River foreshore for mixed retail, commercial and residential development.
- A retail hub which includes a supermarket is accessed from the James Ruse Drive end of Hassall Street.
- Rosehill Bowling Club at the north western corner of James Ruse Drive and Hassall Street.

The following key points are of note:

- There has been recent residential and mixed use, as well as hotel development proximate to the site's western boundary;
- There have been two Planning Proposals in the vicinity to rezone employment land to allow a new mixed use precinct with high density residential (2 Morton St and 2-12 River Rd West); and
- Recent development to the site's east is primarily industrial in nature.

The Structure Plan and overall design concept outlines clearly the zoning proposal for the land. This includes the through-site road connections, public reserves, building heights and separations.

The compatibility of residential use in the context of surrounding industrial land uses and transport infrastructure is considered in the following terms:

- Health, Safety, Acoustic and Vibration impacts;
- Noise and Odour;
- Traffic management – Intersection Capacity

Large cities of the world often have some conflict with other industrial land uses and it is important to understand these and manage them accordingly. This issue is considered solvable particularly given many of these lands may also be subject to redevelopment in the future. The possible future use of some lands must also be considered as the revitalisation of Camellia is looked at.

9.2 Health, Safety, Acoustic and Vibration impacts

An Acoustic and Vibration Assessment has been carried out for the site. That assessment demonstrates the site can be made suitable for residential use of the type proposed in the Urban Design Report. The NSW Industrial Noise Policy was used to assess the impact of surrounding industrial land uses on the proposed residential land use. The NSW Department of Planning Development near Rail Corridors and Busy Roads – Interim Guidelines were used to assess the impact of the adjacent James Ruse Drive and the Railway line on residential acoustic amenity. Of particular note, the Acoustic and Vibration Assessment concludes that:

- Traffic noise generation due to the proposed development is not expected to increase traffic noise levels.
- Rail Noise and vibration is not expected to impact on the development.
- The development will be able to achieve internal noise goals and provides suitable acoustic amenity with the adoption of suitable mitigation measures in the design of building envelopes and façades.
- A development of this nature will be able to comply with all relevant standards and guidelines for acoustic and vibration impacts.
- In conclusion the site is therefore considered acoustically suitable for the intended development.

The Transport Accessibility and Mobility Assessment found that the proposed residential use is compatible with the surrounding land uses with access arrangements in place, to manage additional travel demand. In summary, transport related impacts are addressed below in Section 9.3.

SEPP (Infrastructure) 2007 deals specifically with the issues of noise and vibration and will require careful consideration at the DA stage.

Health and Safety issues must also be carefully considered given the nature of heavy industry over the railway line and in the region. A formal report will be likely following Gateway determination.

9.3 Intersection capacity

The key intersection associated with the proposed development is the intersection of Hassall Street, James Ruse Drive and Grand Avenue. The intersection is located approximately 250 metres south of the proposed signalised intersection access to the site. The intersection currently operates at a poor level of service during the AM and PM peak periods, with extensive queue lengths experienced along each leg. From discussions with the RMS, it is proposed that

a series of works are to be undertaken in the next financial year as part of the Pinch Point Program, to alleviate congestion on major arterial corridors.

An important consideration indicated by the RMS in relation to the preferred access arrangement is the maintenance of traffic capacity along the James Ruse Drive Corridor. The existing traffic conditions along James Ruse Drive are such that long queue lengths are developed during the peak periods. This is counteracted to a large degree by a long green through movement phase that allows large sections of the queued traffic to pass through the intersection.

The RMS has indicated that a proposed site access will need to have minimal impact on the corridor capacity and the operation of the signals at the Hassall Street intersection. The RMS Pinch Point Program works are anticipated to assist with the capacity problems currently experienced at the intersection.

9.4 Odour and Noise:

The Camellia heavy industrial area will be considered in terms of odour and noise as well as the likely future context of this area in terms of Camellia's growth. It is considered that reports on these matters are appropriate following Gateway determination. This will also dovetail with the Traffic review being undertaken for Camellia by Council.

9.5 Access arrangements:

Based on an assessment of a number of access options, the preferred access arrangement is a signalised intersection located at the Tasman Street/River Road West/James Ruse Drive intersection. This option was preferred as it:

- Would distribute traffic from the site in the most effective manner;
- Minimises the impact of the traffic generated by the development on the surrounding road network, compared to the other options considered; and
- Can maintain traffic flows along the James Ruse Drive corridor, while also providing a control to allow access and egress from the site.

9.6 Traffic impact

A preliminary assessment of the traffic impact of the development was undertaken by using SCATES network modelling. Conservative traffic generation modelling was used with the existing 2012 traffic survey volumes and a more detailed traffic assessment with be provided post-Gateway. The results of the future model indicate that the proposed site access would operate successfully in the AM peak and a Level of Services A (LOS) and LOS C in the PM peak period.

The results of the future scenario when compared with the existing situation also indicate improved performance at the Hassall Street intersection. In the AM peak period the level of service remains LOS F, however there is a reduction in average delay of 6 seconds. In the PM peak period, there is a major reduction in average delay of 85 seconds and an improvement from LOS F to LOS D.

A comparison between the existing and future scenario indicate that the impact of traffic generated by the proposed development will be mitigated with the proposed improvements at the Hassall Street intersection. In fact, with the incorporation of the traffic from the development the future performance of the adjacent road network is anticipated to improve.

Minimising car dependence

The proposed parking provision for the development is based on the Parramatta Development Control Plan.

The site lies within 400m walk of Camellia train station, which operates between Carlingford and Clyde train station, providing access to the wider Cityrail network. The nearest bus stop is located on Hassall Street outside the Mercure Hotel. This bus stop is serviced by the M92 express service between Parramatta and Sutherland and operates every ten minutes in peak periods in the both directions. This availability of public transport services is anticipated to encourage travelling to work by means other than a car. This is not simply limited to buses and trains too, with Parramatta Council's goal to increase sustainable transport to reduce the impact of developments on the environment and congestion on the road network.

Additionally, the Transport report makes the following recommendations to further reduce car dependence, reducing the on-site car parking demand to meet the Parramatta City Council's goals to move towards more sustainable forms of transport:

- Car share initiatives.
- Quality pedestrian and cycling facilities including end of trip facilities.
- Development travel plans.

9.7 Future infrastructure

Transport:

The proposed transport infrastructure projects that may affect the ultimate Rosehill Master Plan are:

- The Parramatta – Epping Rail Link.
- The Western Sydney Light Rail Network.
- The Parramatta Ring Road.

These significant transport infrastructure projects and the upgrades and works that will accompany them, may support the Camellia/ Rosehill emerging centre, providing enhanced mobility to Parramatta City Centre and other centre for residents on the site and surrounding area.

Water and Wastewater:

Sydney Water will be a key stakeholder in terms of water and wastewater infrastructure. An initial advice from Sydney Water to Council dated 23 January 2014 indicated that the site fronted a 150mm and 250mm main and that capacity would be sufficient for the proposed development.

They also indicated that wastewater infrastructure in the Parramatta LL Submain is close to capacity and may need amplification and extension to accommodate this development. Both these issues can be dealt with after Gateway determination.

Energy:

Endeavour Energy provided initial advice to Council on 7 January 2014 indicating they had no objection to the proposal. It was noted that the increase in load would be significant and that it would be likely to require a number of new underground dedicated high voltage feeder cables from the Rosehill Zone Substation. Substations will also be likely within the site as well and these will require access.

A detailed Energy Plan will be required for this proposal and it is considered that this would be appropriate following Gateway determination.

9.8 Contamination

The site has a history of industrial use, most recently with the closure of the James Hardie Factory in the 1992/1993. The subject site is identified on the list of NSW contaminated sites notified to the EPA.

Various environmental studies have been prepared for the site including Phase 1 and Phase 2 Site Assessments that describe the contaminated nature of the site and recommends a remediation action strategy. Refer to comments in Section 6.2 of this report for a full appraisal of contamination to date.

A Development Application is presently before Council for remediation of the site. It should be noted that the containment cells shown in the DA do not totally align with the roads shown in the Structure Plan. Once the final structure plan is resolved, it may be that amendments are made to the remediation DA in order to slightly reposition the cells.

9.9 Riparian Zone and Foreshore Building Line:

The land is identified as "Riparian Land and Waterways" on the Natural Resources—Riparian Land and Waterways Map in the LEP. Clause 6.5 of PLEP 2011 states:

- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact of the proposed development on the following:*
 - (a) *the water quality of receiving waters,*
 - (b) *the natural flow regime,*
 - (c) *the natural flow paths of waterways,*
 - (d) *the stability of the bed, shore and banks of waterways,*
 - (e) *the flows, capacity and quality of groundwater systems.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
 - (a) *the development is designed, sited and will be managed to avoid any adverse environmental impact, or*
 - (b) *if that impact cannot be avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

This Planning Proposal suggests no change to this control. The development of this site will provide for the improvement of the foreshore area. The detail around this is provided in the Mangrove Plan which is submitted with the DA for the remediation of the site. At this stage it is considered that this impact can be appropriately managed at the DA stage.

The Planning Proposal does suggest the removal of the Foreshore Building Line (FBL) from the LEP maps. This is made on the basis that:

- A public reserve will now exist between the site and the waterway;
- The riparian zone is controlled by the Office of Water and requires a 20m minimum setback and an average setback of 40m.

9.10 Other matters

The site is subject to flooding, acid sulphate soils and heritage matters. These issues are each addressed in Section 7 in discussions relating to compliance with the relevant 117(2) Directions. Studies have been submitted to Council on each of these issues and can be refined post-Gateway determination if required.

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

The key social and economic issues relating to this Planning Proposal relate to the overall concept design for the site. These matters are discussed below:

10.1 A comment on the Urban Design Concept

An overall structure plan (**Appendix 1**) accompanies this Planning Proposal. This Plan will ultimately inform the LEP maps and site specific policy controls.

The following principles have guided the development concept:

Building envelopes:

The proposed building heights provide for tall buildings (86m) at the south-eastern corner of the site and the buildings then reduce in height towards James Ruse Drive (62m) and the River (25m). Indicative building envelopes can be derived from the details in the attached Structure Plan (**Appendix 1**).

Height maps and an additional clause in the LEP provide height restrictions of zero above the roads and thereby underground environmental cells. This will legally ensure that no building form exists above these cells.

The FSR which applies to the site is estimated to be 4:1 across the entire site area. This figure will be higher once the 12,000m² foreshore reserve and park is dedicated to Council as part of this proposal. It is currently noted at 5:1 maximum.

Foreshore links:

The overall concept features an attractive foreshore reserve which is used by the public but which creates a high level of amenity for residents. A varied Riparian Zone Setback has been set at a minimum of 20m and extends up to 90m at the eastern end. These variations in setbacks allow for a significant local park to be established which will also maximize views from other areas of the reserve as well as create a sense of destination for users. The average Riparian Zone Setback across the site is approximately 48m.

A strong through-site internal link is also proposed running north-south which connects the fine grain retail strip with the Foreshore Reserve. This will be a very attractive vista which will also provide benefit to any future development to the south. It will also allow for unobstructed pedestrian access.

Road links:

The site is now characterized by two central road corridors running north-south. These complement the slip road adjacent to James Ruse Drive and roads at the northern and southern end of the site. A possible future access road or buffer zone also exists along the east of the site adjacent to the railway line.

This concept proposes a high degree of permeability. A feature of the northern-most road (which runs east-west behind the lower foreshore towers) will be the activation of this middle block for fine grain retail on both sides of the road. This will create a pavement-level feel similar to a Corso or mall and awnings will be used to assist in this approach.

The environmental containment cells are to be located beneath the main roads within the site. These internal roads are to remain in common ownership however it is proposed that the slip road adjacent to James Ruse Drive is dedicated to Council and also the access handle along the railway line.

Importantly, all environmental containment cells within the site which are located under roadways are to be held in common ownership and not dedicated as public land. No cells are to be contained under any land dedicated to Council.

Common area management structure:

The proposed management structure for the ownership, management and future development of internal roads including environmental containment cells will generally be as follows:

- Ownership of all common land including containment cells will be held by the Body Corporate of the Strata Plan.
- Care, control and management all land within the site will be by the Body Corporate manager and managed in accordance with EPA approvals policy as per the designated DA conditions.
- The overall structure for management of the site will be via an 88b Instrument under the Conveyancing Act 1919, a formal Strata Management Statement and Strata By-Laws which accompany the registered Strata Plan. This suite of documentation is registered with the Land Titles Office and will deal with management of the site for the life of the project.
- Provision for the management of rubbish/waste, water and electricity are also contained in this documentation.
- Registration of this documentation will result in a registered easement over the containment cells so that all owners and contractors are advised of where not to disturb soil. A covenant will exist on the title to also manage this process.
- In the overall implementation of this strategy, an EPA accredited auditor carries the responsibility to ensure the contamination management strategy is properly registered on title.

Detailed documentation about the management of the site and particularly the containment cells can be provided by appropriate experts post Gateway determination.

Commercial floor plates:

Commercial retail space is generally to be contained at ground level although flexibility does exist within the Mixed Use zone to change this. Larger commercial floor plates exist towards the eastern edge of the site near the railway line. This may include banks, offices and professional suites for example. The main through-site road is earmarked as fine grain retail right along its full length. This strong connection will draw pedestrians along this road towards the foreshore reserve. No buildings are proposed at the end of this vista. Larger floor plates for a super market are available in the middle block towards the eastern side.

Podiums will be designed to provide pedestrian permeability and small urban parks throughout the site.

Mixed-use development will result in street front commercial and retail space. Retailers will benefit from having customers living above and around them, while residents have the benefit of being able to walk a short distance to buy groceries and household items.

The inclusion of residential flat buildings is also not considered to diminish employment uses on the site but rather stimulate business opportunity. Indicative plans in the Urban

Design Report illustrate retail uses located at ground floor level and particular attention has been given to 'fine-grain' retail along the main roads within the site.

Design Excellence:

The buildings on site will be significant towers and will be subject to design excellence provisions in the LEP. Subject to final consultation with government, it is suggested that buildings over 55m in height will be required to demonstrate design excellence consistent with the Director General's Design Excellence Guidelines and/ or specific Council controls. These Guidelines do make provision for "Large Sites with Multiple Buildings" as well.

Public Domain and Open Space:

A significant public park is proposed at the north-eastern corner of the site. This will also be complemented by smaller pocket parks between the buildings at the north. It is envisioned that these smaller parks will be adjoined by cafes and restaurants and provide attractive connections to the foreshore reserve. Other open space areas will emerge around the entire site as the buildings are resolved in their design. These will provide appropriate private open space in line with SEPP 65 however it is intended that other public spaces will also emerge around the commercial strips as the design resolves.

Summary of areas – Estimated:

Determining the floor areas throughout a large site remains a fluid exercise given the mixed-use zone which allows for it to change at the DA stage. Notwithstanding the following table provides a rough guide as to the current thinking which underpins the Structure Plan for this site:

Proposed land use:	Estimated area:
Residential	Estimated at 2400 units
Commercial (office etc)	4,000m ²
Large retail (supermarket etc)	10,000m ²
Fine-grain retail (shops, cafes)	11,000m ²
Infrastructure (roads)	13,000m ²
Public open space (parks and reserve)	31,000m ²
Total Site Area	68,558.9m ²
Area of proposed RE1 zoned land only	12,700m ²
FSR – total site	4:1
FSR – B4 zoned land only	5:1 (see note below)

Note re FSR: The site is still in the early stages of building refinement and accurate floor areas still require significant resolution of building forms. It is therefore suggested that a maximum FSR for the site (excluding land zoned RE1) be 5:1. This reflects the fact that FSR is not an "as of right" control and that the site will be controlled by height and SEPP 65 setback controls as well as site specific DCP controls.

It should also be noted that projected floor space mix for employment-generating uses have altered somewhat from the Hill PDA report. In summary it is likely to be about 25,000m² and have a greater proportion of fine-grain retail than commercial. This has resulted from the desire to have higher levels of pedestrian permeability and reduced podium sizes. It is considered that a review of the Hill PDA report can be lodged post Gateway determination if required.

10.2 Voluntary Planning Agreement (VPA)

A VPA and Statement of Offer will be appropriate for the subject site with the issues foreshadowed being:

1. Access over Parramatta River.
2. Waterfront restoration.
3. Dedication of river reserve and public open space (as shown zoned RE1 on the proposed zoning plan).
4. Provision of affordable housing units to the council or council nominated community housing provider.
5. Retail and commercial floor space for community facilities such as a library or council recreation centre.
6. Land dedication and monetary contribution or works in kind toward a ferry wharf and related access infrastructure.

Development of the VPA is considered appropriate to resolve following Gateway approval, particularly given that it will involve lengthy negotiations with senior staff and government agencies.

The proposed dedication of a significant recreation reserve in the north-eastern corner of the site is offered subject to the building heights being as proposed in the Structure Plan. Variations to building heights will likely result in the withdrawal of this reserve dedication, given it is important to the overall viability of the site's development and remediation. For this reason this issue will comprise part of the VPA negotiations as it does provide community benefit.

Section D – State and Commonwealth interests.

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

Existing utilities service the site. Upgrading of these services will likely be required to support the scale of development presented in the Urban Design Report submitted with this Planning Proposal. Consultation with the relevant service providers will be undertaken during the exhibition of the Planning Proposal to determine the level of amplification of utilities and services. Initial reports have been provided to Council in relation to Energy (Endeavour) and water and waste water (Sydney Water). Comprehensive studies and upgrading works will be carried out post Gateway determination.

Road infrastructure may be required to be upgrade the River Road West and James Ruse Drive intersection. The issue will also be further addressed during the assessment of a future development application following more thorough traffic studies.

Parramatta City Centre is identified under the Sydney Metropolitan Plan as a Regional Centre. Council's itself in a recent Planning Proposal for the overall CBD noted Parramatta as having "*a high level of civil and utility infrastructure to service the existing and proposed uses and growth of the City.*"

It is also considered that a full review will be required to examine the social and community infrastructure which will be impacted by the population increase on the site. Of particularly importance will be schools. A review of local capacity is critical. This is appropriate post Gateway determination.

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

Preliminary Consultation has been undertaken with Roads and Maritime Services (RMS). A meeting was held on the 31 July 2012 to discuss the transport and access aspects of the Planning Proposal. A report was presented outlining options for the site access arrangements including the upgrade of the River Road West and James Ruse Drive intersection. This can be dealt with at the DA stage following a more thorough traffic impact assessment of the proposal.

Consultation with the Department of Environment and Heritage has been consulted in relation to the proposed site remediation works, the subject of a separate approval process.

In addition, preliminary consultation has occurred with Transport for NSW and Railcorp as well as EPA, Office of Water, Office of Environment and Heritage, Sydney Water and Endeavour Energy.

PART 4 – COMMUNITY CONSULTATION

Public consultation will take place in accordance with the Gateway Determination made by the Minister for Planning in accordance with Section 56 & 57 of the Environmental Planning and Assessment Act 1979. The planning proposal will be made publicly available for a minimum of 28 days.

It is understood Council will consult with the following public authorities:

- Transport for NSW,
- Railcorp,
- Environment Protection Authority,
- Office of Water,
- NSW Department of Health,
- Office of Environment and Heritage,
- NSW Roads and Maritime Services,
- Relevant Utility Authorities,
- State Emergency Services, and
- any other authorities directed via Gateway Determination

In addition input will be sought from Work Cover NSW and University of Western Sydney.

Community consultation is expected to include a notice in the local newspaper and on Council's web site as well as written notice to land owners in the vicinity of the site.

SUMMARY OF STUDIES

Table 5: Summary of Studies and Review Timeframes

Study	Timing	Status
Urban Design Report	Pre gateway	Lodged. Comprehensive Review after Gateway.
Transport Accessibility and Mobility Study	Pre gateway	Lodged.
Traffic Report	Pre gateway	Lodged. Comprehensive Review after Gateway.
Acid Sulphate Soil Study	Pre gateway	Lodged. Comprehensive Review after Gateway.
Heritage Impact Study	Pre gateway	Lodged.
Heritage View Analysis	Pre gateway	Lodged.
Flood Study	Pre gateway	Lodged. Comprehensive Review after Gateway.
Flood Risk Management Plan	Pre gateway	Lodged. Comprehensive Review after Gateway.
Phase 2 Contamination Assessment	Pre gateway	Lodged. Comprehensive Review after Gateway.
Remediation Action Plan	Pre gateway	Lodged. Comprehensive Review after Gateway.
Waste Management Plan	Pre gateway	Lodged. Part of DA package for contamination
Flora and Fauna Assessment	Pre gateway	Lodged. Comprehensive Review after Gateway.
Acoustic and Vibration Assessment	Pre gateway	Lodged.
Water and Wastewater Assessment	After Gateway	
Energy	After Gateway	
Economic Impact Assessment	Pre gateway	Lodged. Comprehensive Review after Gateway.
Odour and Noise Assessment	After Gateway	
Social Impact Assessment	After Gateway	
Riparian Zone Landscape Assessment	After Gateway	
Health and Safety	After Gateway	
Geotechnical and vibration	After Gateway	

